

# AGENDA

**SCHEDULED COUNCIL MEETING  
WARRNAMBOOL CITY COUNCIL  
5:45 PM - MONDAY 3 OCTOBER 2022**



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## **VENUE:**

**Lighthouse Theatre Studio  
Timor Street  
Warrnambool**

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### **COUNCILLORS**

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

Copies of the Warrnambool City Council's Agendas & Minutes  
can be obtained online at [www.warrnambool.vic.gov.au](http://www.warrnambool.vic.gov.au)

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

## **AUDIO RECORDING OF COUNCIL MEETINGS**

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

## **BEHAVIOUR AT COUNCIL MEETINGS**

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

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## **1. OPENING PRAYER & ORIGINAL CUSTODIANS STATEMENT**

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

### **ORIGINAL CUSTODIANS STATEMENT**

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

## **2. APOLOGIES**

## **3. CONFIRMATION OF MINUTES**

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### **RECOMMENDATION**

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

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

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

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

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

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

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

## **5. MAYORAL PRESENTATION**

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

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

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

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

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

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

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

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

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

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## **RECOMMENDATION**

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

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## **7. PUBLIC QUESTION TIME**

## **8. REPORTS**

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

#### **DIRECTORATE : Executive Services**

#### **PURPOSE:**

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

#### **EXECUTIVE SUMMARY**

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

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#### **RECOMMENDATION**

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

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#### **BACKGROUND**

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

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

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

- Outline the conduct of holding meetings by electronic means of communication (both Council and delegated committees).
- Outline a process for Councillors and committee members to request and have approved attendance by electronic means of communication at Council meetings and meetings of delegated committees.
- As outlined in Council's Community Engagement Policy, Council is committed to offering opportunities for the community to contribute to the decisions made by Council. The updated rules are required to provide for Council and Delegated Committee meetings to be held by

electronic means of communication. In accordance with the Act, the Governance Rules must continue to:

- Provide for Council to consider and make decisions of any matter being considered by the Council fairly and on the merits;
- Provide for Council to institute decision making processes to ensure that any person whose rights will be directly affected by a decision of the Council is entitled to communicate their views and have their interests considered; and
- Be developed in accordance with a community engagement process. Proposed amendments to the Governance Rules are contained in **Attachment 1**.

## **ISSUES**

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

### **Definitions**

- a) Council Meeting
- b) Committee meeting

### **Meeting preparation**

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

### **General Conduct of meetings**

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

### **Conduct of debate**

- a) Motions and amendments
- b) Voting

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

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

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

## **CONSULTATION**

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

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

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

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

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

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

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

### **5 An effective Council**

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

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

## **TIMING**

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

## **COMMUNITY IMPACT / CONSULTATION**

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

## **LEGAL RISK / IMPACT**

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

## **OFFICERS' DECLARATION OF INTEREST**

No officer conflict declared.



## **COLLABORATIVE PROCUREMENT**

N/A

## **CONCLUSION**

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

## **ATTACHMENTS**

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

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

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

#### **PURPOSE:**

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

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#### **EXECUTIVE SUMMARY**

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

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

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

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

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

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

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

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

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

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

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

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

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#### **RECOMMENDATION**

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

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## **BACKGROUND**

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

The annual report must contain:

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

The operations section of the report must contain:

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

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

## **ISSUES**

N/A

## **FINANCIAL IMPACT**

N/A

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

### **5 An effective Council**

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

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

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

## **TIMING**

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

## **COMMUNITY IMPACT / CONSULTATION**

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

## **LEGAL RISK / IMPACT**

N/A

## **OFFICERS' DECLARATION OF INTEREST**

Nil.

## **CONCLUSION**

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

## **ATTACHMENTS**

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

### **8.3. INFORMATION COMMUNICATIONS TECHNOLOGY SHARED SERVICES JOINT VENTURE ESTABLISHMENT**

**DIRECTORATE : Corporate Strategies**

**PURPOSE:**

*The report recommends Warrnambool City Council enter and establish an unincorporated joint venture for the purpose of operating the South West Councils ICT “Information Communications Technology” Alliance. The joint venture’s purpose is to implement, then operate a business case prepared for and funded by the State Government’s Rural Councils Transformation Program.*

**EXECUTIVE SUMMARY**

This is the formalization of the shared service arrangement has been in place since the adoption of an endorsement by Council at a meeting on 25 March 2019 of the shared ICT project. The adoption of the joint venture gives the form and substance to the informal arrangement that have been in place and sets the mechanisms for which the three Councils can work together plan together and resolve any issues related to the operation of this shared services venture.

**RECOMMENDATION**

**That**

- 1. Having complied with Division 3 of Part 5 of the Local Government Act 2020, Council enters into, establishes and operates the South West Councils ICT Alliance as a joint venture on the terms set out in the South West Councils ICT Alliance Joint Venture Agreement attached to this Report as Attachment 1; and**
- 2. Notes that, in accordance with:**
  - a) Clause 5.1.1(a) of the South West Councils ICT Alliance Joint Venture Agreement, the Chief Executive Officer is appointed to the Joint Venture Governance Committee; and**
  - b) Clause 5.1.1(b) of the South West Councils ICT Alliance Joint Venture Agreement, the Chief Executive Officer will nominate one staff member to the Joint Venture Governance Committee, being Council’s Director Corporate Strategies; and**
- 3. Authorises the Chief Executive Officer to:**
  - a) Sign and affix Council’s common seal to the South West Councils ICT Alliance Joint Venture Agreement attached to this Report as Attachment 1 including schedules 3 and 4 previously provided to Council under separate cover.**
  - b) Exercise Council’s rights and powers under the Joint Venture Agreement on Council’s behalf.**

**BACKGROUND**

Corangamite Shire, Moyne Shire and Warrnambool City were successful in securing a State Government grant of \$4.5 million in June 2019 under the State Government’s Rural Councils Transformation Program (RCTP) to implement a business case to transition the respective Enterprise Resource Planning (ERP) platform of each council into a shared service model. An ERP is the corporate digital platform that delivers the core business information systems of an organisation.

The business case also considered an appropriate entity structure for the purpose of administering the shared service arrangement. An unincorporated joint venture is preferred. This structure represents the least costly and most flexible option, particularly with a 'start-up'. Legal advice was sought in determining this preferred approach.

A joint venture agreement has been finalized and is attached. The agreement governs the administration of the joint venture and, for all intents and purposes, are the rules how the shared service model will operate. The agreement, inter alia, includes governance arrangements, contribution to costs, procurement, dispute resolution and termination. The agreement also describes the appointment of an administering council and its roles and functions. The administering council will be responsible for day-to-day functions of the joint venture arrangement.

## **Discussion**

In August 2018, the State Government launched the Rural Councils Transformation Program (RCTP) to support the 48 regional and rural councils to implement large-scale transformative projects. The RCTP was designed to seed fund transformative projects requiring approximately \$2 million to \$5 million in funding. Total project funding announced was \$20 million.

As lead Council at the time, Corangamite Shire submitted an Expression of Interest (EOI) on behalf of the partner councils (known as Southwest Councils ICT Alliance) in November 2018 to secure funding to implement the outcomes of a business case previously prepared.

Corangamite Shire Council received notification in December 2018 that the EOI had been successful, and the partner councils were invited to make formal application to the RCTP by 31 March 2019. The formal application built upon an initial business case completed mid-2018. As part of the application, each of the partner councils were required to pass resolutions to implement the business case should the Alliance's application be successful. In June 2019 Corangamite Shire Council was notified the application had been successful. The funding agreement, upon signing, required the Alliance to submit supplementary material as an addendum to the business case. This was submitted to Local Government Victoria (LGV) in March 2020.

Council received notification in February 2021 that approval to proceed with the 'planning and preparation' phase of the project had been granted by the RCTP Board – a State Government oversight arrangement established for the purpose of administering the grant that includes representatives of Department of Treasury and Finance, Local Government Victoria and Service Victoria.

Due to a range of factors experienced over the last 18 months, including the impacts of the Coronavirus pandemic and unavoidable delays, Corangamite Shire Council on behalf of the Alliance sought an extension to the milestone completion date of the planning and preparation phase. Approval was granted late October 2021 for a 12-month extension to complete the planning and preparation phase which is currently underway and nearing completion.

During the formation stage of the business case and occurring in conjunction with the planning and preparation phase, legal advice has been sought on an appropriate and cost-effective legal structure to implement and operate the shared delivery model. It is considered an unincorporated joint venture be established for this purpose. In that regard a joint venture agreement has been prepared and agreed to in principle by the Joint Venture Governance Committee, which consists of the participating Council Chief Executive Officers and Director Corporate Services (or equivalent). The agreement attached to this report, once approved, becomes a legally binding document that prescribes the joint ventures governance arrangements including Schedules three and four of the agreement have been provided to Council under separate cover at a confidential briefing of Council on the 26th of September 2022 and contain commercially sensitive material which forms part of the complete agreement.

- Purposes of the Joint Venture
- Role of administering Council

- Contributions to costs
- Procurement
- Dispute Resolution and Dispute Avoidance
- Termination

The Joint Venture Governance Committee recommends the appointment of Warrnambool City Council as the initial administering council. This is reflected in the agreement.

### **Business Case**

Rural and regional councils in Victoria face several pertinent challenges, in a financial sense. This led to the partner councils to explore implementing shared service information and communications technology initiatives:

1. There is considerable financial pressure on expenditures, with rate capping and an anticipated, reduced grant environment impacting Council financial sustainability.
2. The scope, cost and complexity of information and communications technology (ICT) systems is growing within councils, driven by issues such as community expectations for online services, regulatory complexity, a digitization agenda, internal demand and cyber security.
3. Access to ICT skills is limited through a combination of small teams and distance from capital cities and major regional centers.
4. There is political pressure to collaborate, leveraging a viewpoint that there is waste and inefficiency through unnecessary duplication and repetition both within and between councils.

In response to the above challenges the business case examined whether it made good business sense to transition the three (3) existing core ERP systems at Corangamite Shire, Moyne Shire and Warrnambool City into a shared service model. After completion of the business case and the impacts of the coronavirus pandemic have amplified the need to address the challenges described above, and more.

The business case concluded there is a strong financial and structural argument to make the change, while understanding that there are risks that need to be understood and managed. (Refer below for further discussion on the finance and resource implications.)

A copy of the commercially confidential business case and addendum detailing the proposed return on investment has been previously provided to Council at a confidential briefing as with schedules 3 and 4 of the Joint Venture Agreement.

### **ISSUES**

The commencement of the unincorporated joint venture is the first step for the projects transition to Warrnambool City Council as the lead agency for the purposes of administration of the Joint Venture.

The joint venture needs to commence formally for the coordination of the implementation phase of the project and the management of the joint venture in the business-as-usual state at the completion of the implementation. The Joint Venture frames processes and parameters that enable the services to occur in a practical and agreed manner.

## **FINANCIAL IMPACT**

The business case concludes in a shared service ERP environment with a fully funded government investment of \$4,500,000. A positive Net Present Value of \$73,247 (as per addendum) is achieved across the five-year project timeline. Section 6 of the business case details the NPV assessment, including the underlying assumptions. Financial modelling forecast savings within the initial business plan (including anticipated productivity gains not directly able to be realized in monetary terms) to Warrnambool City Council over the five-year period of \$1,887,000.

The detailed financial and options analysis is contained within the business case and addendum 2 and 3. This options analysis also includes an optimistic and pessimistic scenario. In an optimistic scenario, additional benefits are realized and the projected NPV is higher than anticipated. Similarly, in a pessimistic scenario, the project doesn't become NPV positive within the required 5 years set out by LGV. Should this circumstance arise, the alternatives available to Council would be to abandon the shared service model or continue knowing the benefits realized are less than those anticipated or will take longer to achieve.

Prior to implementation and as part of the preparation and planning phase the business case will be refreshed to confirm scope, costs, risks and the implementation plan are within expectation. Implementation will not proceed until the refreshed business case is approved by the Rural Councils Transformation Program Board, which is anticipated to be late 2022 or early 2023

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

### **3 A strong economy**

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

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

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

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

### **5 An effective Council**

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

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

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

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

The establishment of the unincorporated joint venture will allow the councils of Corangamite Shire, Moyne Shire and Warrnambool City to implement and operate a shared and integrated software platform described in the business case.

Consideration of this report supports the achievement of the Council Plan 2021-2025 objectives as outlined in the Council plan objectives listed above.

There has been a great deal of work aligning the strategic intent of the three organisations in the intervening period of the projects



The RCTP project also aligns with the Heads of Agreement - Shared Corporate Services that exists between six (6) councils of the Southwest Councils Victoria Alliance who agree will, inter alia, identify shared corporate service opportunities that will improve council efficiency and service provision.

Similarly, the shared service project aligns with the commonly developed strategic intent of the recently completed Shared Information and Communications Technology Strategy 2022-2026 which is to “to rationalize and standardize our applications where it makes sense”.

The three organisations are also completing a shared Great South Coast: Regional Digital Strategy which is looking at the broader strategic future of the region, both for Councils the community, and industry. This strategy has a vision of “A digitally enabled region; progressive, thriving, inclusive and livable”.

## TIMING

A common report is being presented to each of the three Councils to conclude the formal stand-up of the Unincorporated Joint Venture over the last week of September and the first week of October.

Concurrent to the commencement of the Joint Venture, the finalization of the procurement phase of the project is being completed below is the current program for the procurement of the enterprise system. The procurement exercise is being led by Corangamite Shire Council as the current holder of the Local Government Victoria grant.

Activity	Date and AESTD time
RFT issued	31 August 2022
RFT briefing (if applicable)	10:00-11:00am, 6 September 2022
End of period for questions or requests for information	17:00pm, 21 September 2022
Closing time for Respondent’s response	17:00pm 28 September 2022
Intended completion date of evaluation of Respondent’s responses	Minimum of 4 weeks from 28 September 2022
Intended date for Clarification and/or Live Demonstrations onsite at Warrnambool City Council if required	October 2022
Intended date of RFT outcome	November 2022
Intended Contract executed	December 2022
Intended project start date	January/ February 2023

## COMMUNITY IMPACT / CONSULTATION

The project has involved internal stakeholders across the organization since the inception of the project with ebbs and flows of activity a renewed engagement has been launched to alert stakeholders as to the final phase of procurement and to initiate engagement around the timing and resource implications of the project’s implementation.

## LEGAL RISK / IMPACT

The recommendation to establish an unincorporated joint venture is made following discussion with and legal advice received from Maddocks Lawyers.

Maddocks Lawyers have prepared the agreement in consultation with Director's Corporate Services (or equivalent) of the participating councils. The Joint Venture Governance Committee has endorsed the agreement and recommends its approval.

The business case describes the risks and mitigation strategies. An assessment of risk was undertaken, including mitigation measures. This is detailed in section 7.2. Appendix 1 includes a Risk assessment. Section 4.4 of the addendum provides an update to the original assessment. Importantly, there remains a great risk to Council of not participating in the RCTP initiative, particularly in regard to the unbudgeted financial impact, obsolete systems and cyber security risk.

Each of the three councils must pass resolutions to establish the joint venture after addressing the Division 3 – Beneficial Enterprises requirements of the Local Government Act 2020. The Division requires each council to consider the benefits and risk of entering into the arrangement and the reporting and oversight mechanisms that will be implemented. The business case, which was previously approved by Council, has addressed these issues. Each council will also be required to report on the operations and performance of the joint venture in their annual report.

Projects of this nature are inherently complex, and in that regard, a significant investment has been made in de-risking the project. This includes the appointment of a commercial services partner to assist with procurement, a quality assurance advisor to advise on project governance, a probity advisor and engagement of legal services.

## **OFFICERS' DECLARATION OF INTEREST**

No officer preparing this report has a conflict of interest in the matter

## **CONCLUSION**

An evolution is underway in how organisations employ information and communications technology to improve business performance. The journey from a traditional enterprise to a digital world involves changes in approach. The digitization agenda is one centered on putting the customer first and creating processes that offer enhanced customer experiences enabled by technology.

The business case prepared jointly by Corangamite Shire, Moyne Shire and Warrnambool City determined it is financially viability to transition to a shared service delivery model in order to meet the future needs of their respective organisation, community and customers.

The Rural Councils Transformation Program provides the opportunity to realise this through mitigation of the financial risk and ongoing project support. The initiative will also position the partner councils favourably to leverage additional shared service and collaborative opportunities particularly in the corporate services space where a common Information technology platform creates a springboard for many shared process and support for process improvements and automation.

The 'planning and preparation' phase is underway, and Council is now recommended to establish the formal joint venture arrangements for the purposes of implementing and operating the outcomes of the business case.

## **ATTACHMENTS**

1. South West Councils ICT Alliance Joint Venture Agreement 13 September 2022 [8.3.1 - 49 pages]

## **8.4. DEVELOPMENT PLAN APPLICATION DP2022-0005 - 147 WOLLASTON ROAD**

**DIRECTORATE : City Growth**

### **PURPOSE:**

***This report considers the North of the Merri River Development Plan, describing future residential development, a retirement village, and open space development in relation to 147 Wollaston Road, and recommends that Council approve the plan subject to required changes.***

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### **EXECUTIVE SUMMARY**

- Council has received a Development Plan (DP) prepared by proUrban planning consultants for land at 147 Wollaston Road (LOT 1 TP99782 and LOT 1 TP884446) situated between Wollaston Road and the banks of the Merri River.
- The site has an area of approximately 24.8 hectares and is within the North of the Merri River Growth area, and jointly the General Residential zone (GR1Z) and Urban Floodway zone (UFZ), which anticipate residential use and development with appropriate consideration for flood prone areas.
- The Development Plan as submitted comprises:
  - A nominated residential subdivision along the eastern boundary serviced by a single access from Wollaston Road and a carriageway easement for possible future access across the river,
  - Fifty-two (52) lots ranging in size from 698m<sup>2</sup> to 957m<sup>2</sup> with a density level of 10.4 lots per hectare (slightly below target of 12),
  - The balance of the residential zoned area shown as suitable for a retirement village on a single lot, where specific information about development has not been provided on the plan,
  - The remainder of the urban floodway zoned area shown as 'golf course / open space', with a 36 metre section of 'creek reserve' showing retained/re-instated vegetation and a public pathway.
- The Development Plan was subject to internal and external referrals as required.
- The Development Plan was placed on exhibition for a non-statutory period of two (2) weeks and three (3) submissions were received.
- The new Development Plan is generally consistent with the Development Plan Overlay requirements and relevant provisions of the Warrnambool Planning Scheme, under condition that any open space is not held privately, and is therefore appropriate to endorse.
- If the Development Plan is endorsed a planning application will be subject to further assessment by Council.

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### **RECOMMENDATION**

**That non-statutory notice was given of the application and having considered all the matters normally required under Section 60 of the Act for planning applications, Council should approve the development plan under the relevant provisions of the Warrnambool Planning Scheme in respect of the land known and described as Lot 1 on Title Plan 99782 and Lot 1 on Title Plan 8844446 at 147 Wollaston Rd, WARRNAMBOOL VIC 3280, which seeks to facilitate future residential, retirement village and open space development on site with the following required changes:**

- 1. Provision of the floodplain corridor as public open space in accordance with the Development Plan Overlay Schedule 10 and the North of the Merri River Structure Plan.**

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**2. Agreement to receive a follow up report on proposed leasing of portions of the public open space for use as a golf course connected to the retirement village that facilitates required drainage infrastructure, shared path corridors along the eastern and southern boundaries and landscaping enhancements to the satisfaction of the authority and the GHCMA.**

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## **BACKGROUND**

The proposal seeks approval for a Development Plan which would facilitate the future development on site of 52 residential lots, a retirement village indicatively comprising 192 dwellings, a golf course, open space and associated roads, infrastructure and facilities.

A Traffic Impact Assessment, Open Space Plan, CHMP, Stormwater Management Strategy, Services Plan and Urban Design Report have been submitted in support of the application. A land budget, vegetation assessment, and bushfire assessment were also submitted in response to a request for further information.

The proposed development plan broadly proposes residential and retirement village development on that part of the site within the General Residential zone, and open space within the floodplain area. The open space area is proposed to accommodate land used as a golf course (presented in the plan as privately run) with associated drainage infrastructure (one retarding basin and one wetland). The development is separated into three individual stages. Stage 1 includes 26 residential lots and, while the DP does not specify which lots, it is understood the land would be developed from the northeast corner. Stage 2 would contain the remaining 26 residential lots and stage 3 would combine the entire retirement village area and golf course (developed on one lot).

A 36m wide public open space corridor is proposed along the north of the Merri River with a 10m vegetation buffer and 2.5m shared path. The DP proposes a Section 173 agreement that will provide the floodplain land as open space in the event that stage 3 of the development is not developed for the purposes of a retirement village.

## **ISSUES**

The Glenelg Hopkins Catchment Management Authority have raised concerns with the location of the retarding basin, wetland and golf course in the floodplain. The GHCMA have sought further details including hydraulic modelling that demonstrates the retarding basin and wetland will not impact on the flood behaviour in the floodplain, and further details of any cut and fill proposed to construct the golf course which would also require hydraulic modelling. The applicant has indicated the SWMS provides hydraulic modelling and preliminary meetings have been held with the GHCMA. Despite this, the GHCMA have not provided their approval of the proposal. The residential layout in the DP relies on the location of the retarding basin and wetland in the floodplain. The GHCMA referral also provides commentary on the future bridge connection and the need for a flood response plan for the retirement village.

Crucially, the Structure Plan requires the floodplain area and river reserve to be vested to Council as public open space. An open space plan has been provided that indicates the layout for the site. The plan provides for the floodplain area to be utilised as a private golf course, which is inconsistent with the anticipated use of the site for public open space within the North of Merri River Structure Plan.

## **FINANCIAL IMPACT**

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

## LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

### 2 A Sustainable environment

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

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

### 4 A connected, inclusive place

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

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

## TIMING

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

## COMMUNITY IMPACT / CONSULTATION

All documentation forming part of the Development Plan (DP) has been subject to referrals and a period of non-statutory public exhibition over two weeks, in accordance with Council's policy to provide notice of development plans. Exhibition of the DP is a non-statutory requirement to enable Council to make an informed decision on the future development of the site.

Three (3) submissions were received with the following concerns:

- Road Design
- Bromfield Street River Crossing and Road Extension
- Drainage Catchments
- Stormwater Management
- Wetland Preservation
- Golf Course and Public Open Space
- Inconsistency with the Merri River Development Control Plan

The Structure Plan has an overall density target of 15 dwellings per hectare. The proposed plan suggests lower density housing on the land which results in approximately 12 dwellings per hectare, in combination with much higher density in relation to the retirement village. The underlying zone (General Residential 1) seeks to 'encourage a diversity of housing types' that respects neighbourhood character. If the DP is approved a future planning application would require Council to have greater consideration to matters raised in the submission as part of a rescode assessment, however it can be concluded that development is generally consistent with the intent of the Structure Plan.

The development plan was referred to Wannon Water; Downer (Gas); Environmental Protection Authority; Glenelg Hopkins Catchment Management Authority; Country Fire Authority; Council's City Infrastructure; City Sustainability and City Strategy departments. Referral responses indicate general consent, with specific and targeted concerns primarily concerning infrastructure provision, and the provision and management of appropriate open space. The river crossing is a DCP item and will be designed and constructed with the correct input from all authorities at the appropriate time. Specific details concerning road design and stormwater management can be dealt with at subdivision stage. The primary input from both objectors and referral sources, therefore, is the inappropriate provision of open space.

With the exception of the creek reserve, open space is intended to be used as a private golf course for the retirement village. The structure plan specifically indicates this space as public open space, and while the future use as a golf course may be appropriate, the land must be vested to Council.

Discussions with the applicant were held to determine the suitability of designating the floodplain area simply as 'open space', thus potentially alleviating the concerns from both objectors and referral authorities, however the applicant stated their preference for declaring the future land use intent. As recommended above, it is firmly believed that in the first instance land must be vested to Council, but that there is benefit in understanding future intent, and further engaging with the applicant to understand future design options.

The DP with recommended changes is therefore considered an acceptable response to the Development Plan Overlay and as a concept for this area.

## **LEGAL RISK / IMPACT**

The Plan has been processed and assessed in accordance with the requirements of the Warrnambool Planning Scheme and the *Planning and Environment Act 1987*. The applicant has an avenue of appeal should Council refuse endorsement of the Plan.

## **OFFICERS' DECLARATION OF INTEREST**

None.

## **COLLABORATIVE PROCUREMENT**

Not applicable.

## **CONCLUSION**

The role of the Development Plan is to provide direction on the form and layout of future development of the land. The proposed Plan must be changed to provide open space in accordance with the structure plan, however once modified the Plan provides an appropriate direction and description of the future form of development on the land. A planning application will be required if the Plan is approved and this will allow Council to assess the proposal against the relevant provisions of the Warrnambool Planning Scheme.

## **ATTACHMENTS**

1. DP2022 0005 147 Wollaston Road delegate report [8.4.1 - 21 pages]
2. 220603 147 Woolaston Road, Warrnambool - Development Plan [8.4.2 - 32 pages]
3. 147 Wollaston Road DP - Appendix A Urban Design Pa [8.4.3 - 9 pages]
4. 147 Wollaston Road DP - Appendix B Open Space Plan [8.4.4 - 4 pages]
5. 147 Wollaston Road DP - Appendix C Traffic Impact [8.4.5 - 24 pages]
6. 147 Wollaston Road DP - Appendix D Stormwater Mana [8.4.6 - 56 pages]
7. 147 Wollaston Road DP - Appendix E Services Plan [8.4.7 - 1 page]
8. 147 Wollaston Road DP - Appendix G Approved CHMP [8.4.8 - 140 pages]
9. 211104 147 Woolaston Road, Warrnambool - Vegetation Assessment [8.4.9 - 18 pages]
10. 220722 - 147 Wollaston Road - Bushfire Report [8.4.10 - 38 pages]
11. 220414 - 147 Wollaston Road Warrnambool - Response to submissions [8.4.11 - 7 pages]

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## **8.5. FLAGSTAFF HILL MARITIME VILLAGE - COMMENCEMENT OF BUSINESS CASE AND MASTER PLAN**

**DIRECTORATE : City Growth**

**PURPOSE:**

***This report provides information on the commencement of a Business Case and Master Plan to inform the future directions of the Flagstaff Hill Maritime Village (FHMV) precinct; and seeks representation from Councillors to be part of the Project Reference Group.***

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**EXECUTIVE SUMMARY**

Warrnambool City Council has successfully applied for funding from the State Government's Department of Jobs, Precincts and Regions (DJPR) *Enabling Tourism Fund*. The overarching purpose of the *Enabling Tourism Fund* is to support market testing and identify strategic and innovative projects to diversify and differentiate visitor experiences and increase visitor spend.

The grant funding will be used to develop a Business Case and Master Plan to inform the future directions of the Flagstaff Hill Maritime Village precinct ('the Project').

Key objectives of the Project will be to:

- Review and assess the current attraction and offering in the FHMV precinct;
- Consider and evaluate future opportunities and options for the FHMV precinct such as tourism product positioning, leveraging the strengths of the site to align to product gaps and integration with surrounding land uses;
- Identify physical infrastructure constraints and site land use, ownership, zoning and heritage considerations for Master Plan scenario development; and
- Investigate investment (private sector and government) opportunities and/or public facility co-location opportunities;

There will be extensive consultation built into the Project to ensure a broad representation of stakeholders are given the opportunity to contribute their ideas. This consultation program will include community drop-in sessions, stakeholder meetings and workshops, and a community survey. The community and stakeholder consultation phase is expected to commence in November 2022. The Project will be delivered via a consultancy engagement and is expected to be completed early 2023.

A Project Reference Group will be established to provide oversight of the Project and will comprise representation from Council (Councillors and Officers), State Government (DJPR, DELWP), Community volunteers (Friends of Flagstaff Hill) and Great Ocean Road Regional Tourism.

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## **RECOMMENDATION**

**That:**

- 1. Council note the commencement of a Business Case and Master Plan to inform the future directions of the Flagstaff Hill Maritime Village (FHMV) precinct; and**
  - 2. That Cr Akoch, Cr Arnott and Cr Ziegler form part of the Project Reference Group for the duration of the Project.**
-

## **BACKGROUND**

Flagstaff Hill Maritime Village (FHMV) was first developed through a joint community and Warrnambool City Council project in the middle 1970's as a key element of both maintaining the city's links to its maritime heritage and a key tourism development strategy as a year round tourist attraction. FHMV precinct attracts annual visitation of circa 50,000 persons (ticketed) and an estimated 120,000+ through the Visitor Information Centre.

The site has 42 buildings of various styles and functions, some of which are state heritage registered, including the Lady Bay Lighthouse and Warrnambool garrison complex. FHMV is home to Victoria's largest publicly accessible shipwreck artefact collection and includes the state heritage listed Lady Bay Lighthouse complex. The site also includes a recreated maritime 'village', to reflect the period between 1850 and 1900. The FHMV precinct is located on State Government owned land (Crown Land) and is managed by Warrnambool City Council.

The FHMV precinct operates 364 days per year across a range of activities:

- 42 Buildings – "Village"
- Day Historical Experience
- Museum collection
- Evening sound and light show
- Volunteerism and Historical research
- Visitor Information Centre
- Gift Shop
- Accommodation – Lighthouse Lodge
- Traditional trades – Boat yard
- Heritage areas
- Functions & Catering
- Education programs
- Farm experiences
- Car parking
- Pippies Restaurant

The FHMV facility whilst being a multiple Victorian tourist award winner in previous years has been experiencing long term historical decline in visitation which is common of many regional cultural attractions in meeting the needs and expectations of the contemporary visitor.

The FHMV role within the broader Victorian tourism landscape requires clarification and on this basis it requires a renewed vision to inform the future look and function of the precinct. The vision must consider a number of elements some of which include positioning versus competitive attractions, visitor proposition, interpretative concept, integration with surrounding land uses, community expectation and buy-in and investor appeal (government and/or private).

## **PROJECT REFERENCE GROUP (PRG)**

The purpose of the PRG is to:

- Oversee the implementation of the project on behalf of Council.
- Oversee milestone reporting and report to Council and funding bodies on the implementation of the project.
- Act as a general reference group and conduit for stakeholder engagement in the development of the project.



The proposed composition of the PRG will be:

- WCC Councillor(s) - of which a Chair will be appointed at Inception meeting
- WCC Director City Growth
- WCC Manager Tourism
- WCC Service Manager Flagstaff Hill Maritime Village
- Community volunteers - Friends of Flagstaff Hill representative(s)
- Great Ocean Road Regional Tourism representative
- State Government representative(s) - DELWP, DJPR

The PRG expects to meet monthly, or as required. The Project is expected to be completed in early 2023.

## **FINANCIAL IMPACT**

The total cost of the Project is expected to be \$120,250 GST excl with \$110,000 being sourced from a State Government grant from DJPR. The remaining expenditure will be met by the City Growth Directorate budget in 2022/23.

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

### **3 A strong economy**

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

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

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

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

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

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

### **5 An effective Council**

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

5.8 Regional role and relationships: Council will acknowledge Warrnambool's capability as the regional centre of southwest Victoria through appropriate leadership, advocacy and partnerships that enable greater opportunity for the region

## **TIMING**

The Project is ready to commence and is expected to be completed by early 2023.

## **COMMUNITY IMPACT/CONSULTATION**

Community and stakeholder engagement will be a key component of the Project. A program of stakeholder meetings and workshops, community survey, and community drop-in sessions will be developed to inform the Master Plan.

## **OFFICERS' DECLARATION OF INTEREST**

Nil.

## **CONCLUSION**

**That:**

- 1. Council note the commencement of a Business Case and Master Plan to inform the future directions of the Flagstaff Hill Maritime Village (FHMV) precinct; and**
- 2. Cr Akoch, Cr Arnott and Cr Ziegeler form part of the Project Reference Group for the duration of the Project.**

## **ATTACHMENTS**

Nil

## **8.6. AWARD OF CONTRACT 2022032 - MCGENNAN'S AMENITY BLOCK**

**DIRECTORATE : City Infrastructure**

### **PURPOSE:**

***This report provides information in relation to the award of Contract 2022032 – McGennan's Amenity Block.***

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### **EXECUTIVE SUMMARY**

- A public tender was advertised on Saturday 6 August 2022 inviting tender submissions from suitably qualified and experienced contractors to carry out works to undertake the construction of the McGennan's Amenity Block.
- Close of tenders was 2:00pm 9 September 2022, although many companies downloaded the tender documents through the online portal, only one submission was received. The submission was from Bolden Constructions Pty Ltd.
- The submission received has been assessed by the tender assessment panel.
- The price received was in the budget range and what was originally estimated.
- Officers' recommendation is to proceed with the tender offer provided by Bolden Constructions Pty Ltd for the tendered amount of \$739,987.54 excluding GST.

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### **RECOMMENDATION**

**That Council:**

- 1. Award Contract No. 2022032 McGennan's Amenity Block to Bolden Construction Pty Ltd for the tendered amount of \$739,987.54 excluding GST, with a total delegated award value of \$813,986.30 Inc. GST.**
  - 2. Authorise the CEO to deliver the McGennan's Amenity Block in accordance with the contract within the CEO's financial delegations.**
  - 3. Accept Schedule 2D Daywork Rates offered to undertake any extra works over and above the lump sum price if required, provided that additional works can be accommodated within the Project budget.**
  - 4. Authorise the CEO to sign, seal and vary the contract as required.**
- 

### **BACKGROUND**

The McGennan's Amenity Block was identified within the Public Toilet Strategy & Lake Pertobe Master Plan to be demolished and rebuilt with an accessible and fit for purpose facility with a minimum 50-year life.

The funding body of Building Better Regions has provided the funding to assist in the redevelopment of the Lake Pertobe area with McGennan's Amenity Block being a key project.

The scope of the project has been previously agreed upon at a Council meeting and is now ready for construction.

The construction will consist of precast concrete walls with rough sawn cypress screening for both wind break and privacy, but ensuring passive surveillance is retained. Internal walls will be floor to ceiling tiles for ease of maintenance.

The McGennan's Amenity Block will consist of three (3) unisex cubicles and two (2) ambulant cubicles, all with seats and hooks to be used as change rooms; there are two (2) accessible toilet/change rooms which will have baby change tables, bench seating, junior toilets and wash basins.

Externally there will be a shared hand washing basin, as well as four (4) external warm water showers, two (2) of which are accessible.

Re-claimed timber beams from both Edwards Bridge and Wollaston Bridge will be used as the feature pergola with precast concrete seats provided.

## **ISSUES**

The purpose of entering into this construction contract is to appoint a suitable contractor to deliver the associated works to the best standard in a safe, timely and efficient manner while minimising the risks to Council.

## **FINANCIAL IMPACT**

The project is being funded equally by the Building Better Regions – Lake Pertobe, and Warrnambool City Council.

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

### **1 A healthy community**

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

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

### **3 A strong economy**

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

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

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

## **TIMING**

Contract Award	04 October 2022
Practical Completion	30 July 2023
Defects Liability	12 Month Period

## **COMMUNITY IMPACT / CONSULTATION**

Consultation took place during the development of the Lake Pertobe Master Plan and further consultation was undertaken during the design with specific user groups including emergency services.

Impact on community will be positive and provide a safe, accessible facility for all.

## **LEGAL RISK / IMPACT**

This McGennan's Amenity Block will provide a safe and inclusive facility for users of the Lake Pertobe and Foreshore precincts.

## **OFFICERS' DECLARATION OF INTEREST**

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

## **COLLABORATIVE PROCUREMENT**

The procurement is specific to Council, so collaboration was not available.

## **CONCLUSION**

A full procurement process has been undertaken, with one submission received. After completion of an assessment of the submission by the tender evaluation panel, it is determined that the tender represents best value for Council, and it is recommended that Council award the contract to Bolden Construction.

## **ATTACHMENTS**

Nil

## **8.7. ADVISORY COMMITTEE & REFERENCE GROUP REPORTS**

***DIRECTORATE : City Growth***

### **PURPOSE**

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

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### **REPORT**

1. Environment & Sustainability Advisory Committee – 1 September 2022 – refer **Attachment 1**.
2. Planning Advisory Committee – 7 September 2022– refer **Attachment 2**

### **ATTACHMENTS**

1. Environment Sustainability Advisory Committee Minutes 1 September 2022 [**8.7.1** - 2 pages]
  2. Planning Advisory Committee Minutes 7 September 2022 [**8.7.2** - 2 pages]
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### **RECOMMENDATION**

**That the records of the Environment & Sustainability Advisory Committee held on 1 September 2022 and the Planning Advisory Committee held on 7 September 2022, be received.**

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## **8.8. INFORMAL MEETINGS OF COUNCIL REPORTS**

### ***DIRECTORATE : Executive Services***

#### **PURPOSE**

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

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#### **BACKGROUND INFORMATION**

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

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

#### **REPORT**

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

Monday 12 September 2022 – refer **Attachment 1**.

Monday 19 September 2022 – refer **Attachment 2**.

Monday 26 September 2022 – refer **Attachment 3**.

#### **ATTACHMENTS**

1. Assembly of Councillors Record 12 September 2022 [8.8.1 - 2 pages]
2. Assembly of Councillors Record 19 September 2022 [8.8.2 - 2 pages]
3. Assembly of Councillors Record 26 September 2022 [8.8.3 - 2 pages]

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#### **RECOMMENDATION**

**That the record of the Informal Meetings of Council held on 12, 19 and 26 September 2022, be received.**

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## **8.9. MAYORAL & CHIEF EXECUTIVE OFFICER COUNCIL ACTIVITIES - SUMMARY REPORT**

### ***DIRECTORATE : Executive Services***

#### **PURPOSE**

*This report summarises Mayoral and Chief Executive Officer Council activities since the last Ordinary Meeting which particularly relate to key social, economic and environmental issues of direct relevance to the Warrnambool community.*

#### **REPORT**

<b>Date</b>	<b>Location</b>	<b>Function</b>
7 September 2022	Warrnambool	Mayor – Business Warrnambool Club Connect.
8 September 2022	Warrnambool	Mayor & Deputy Mayor - Beyond Bank Community Launch.
11 September 2022	Warrnambool	Mayor & Chief Executive Officer- Warrnambool & Moyne Youth Awards.
16 September 2022	Melbourne	Mayor – Municipal Association of Victoria Special State Council Meeting.
28 September 2022	Warrnambool	Mayor – Australian Citizenship Ceremony with 27 residents becoming Australian Citizens.
29 September 2022	Warrnambool	Mayor & Chief Executive Officer – Police Remembrance Day Service.

#### **RECOMMENDATION**

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

## **9. NOTICE OF MOTION**

No Notices of Motion have been received.

## **10. GENERAL BUSINESS**

## **11. URGENT BUSINESS**

## **12. CLOSE OF MEETING**