

# AGENDA

**SCHEDULED COUNCIL MEETING  
WARRNAMBOOL CITY COUNCIL  
5:45 PM - MONDAY 2 OCTOBER 2023**



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## **VENUE:**

**Reception Room  
Warrnambool Civic Centre  
25 Liebig Street  
Warrnambool**

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### **COUNCILLORS**

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

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

**Andrew Mason  
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**

**Scheduled Meeting of Council held on 4 September 2023, 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. PUBLIC QUESTION TIME**

## **7. REPORTS**

### **7.1. PRESENTATION OF ANNUAL REPORT 2022-2023**

**DIRECTORATE** : Corporate Strategies

**AUTHOR** : Mayor, Cr Debbie Arnott

#### **PURPOSE:**

***For the Council to present to the 2022-2023 Annual Report to the community.***

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#### **EXECUTIVE SUMMARY**

The Local Government Act 2020 requires Council to release its annual report for the previous financial year by 31 October.

The Council Annual Report 2022-2023, a required document under the Local Government Act, describes a busy, productive year for Warrnambool City Council.

A number of major infrastructure projects were completed, including the Warrnambool Library and Learning Centre, a new Edwards Bridge, Lake Pertobe Adventure Play Space and upgrades at the Port of Warrnambool.

The new library has been received extremely positively by the community. It contains a greatly expanded reading collection, multimedia resources, meeting rooms, reading rooms, a café and provides all-abilities access. Library membership has increased along with the number of programs offered. This has resulted in an increase in community participation and interaction with the library. In the final quarter of the financial year the library's community programs recorded 5,549 participants, a 249 per cent increase over the same period last financial year.

The new Edwards Bridge is another excellent outcome for the community. The bridge restores a second heavy vehicle access point to the foreshore while at the same time providing improved safety for pedestrians and cyclists. Timber salvaged from the original bridge has now been re-used in the new public amenities building at the entrance to McGennan Car Park.

The upgrade to the Lake Pertobe Adventure Play Space has ensured that a key city asset – immensely popular with residents and visitors – retains its appeal and relevance as a recreational attraction. There's more play equipment for a range of ages and abilities, a water play feature and a safer, more contained zone for very young children.

A number of Council enterprises rebounded strongly after the pandemic disruptions. The Lighthouse Theatre recorded a total ticketed attendance of 41,867 and a record box office figure of \$1.8 million. A number of shows that had been delayed during the pandemic were able to be rescheduled, with high patronage as the community and visitors embraced the return of live shows.

Council was also faced with some challenging decisions which included closing the South-West Victorian Livestock Exchange. Before making a decision, Council heard from a large cross-section of stakeholders and reviewed a range of financial and business reports that examined the saleyards past and projected performance. Ultimately Council voted to close the saleyards on the basis that a declining throughput made it unlikely to continue to operate without significant financial support. The presence of a nearby alternative selling centre at Mortlake was also a factor in the decision.

On the financial front, Council is in a healthy position. We have cash and investments of \$48.3 million, our revenue over the financial year was \$106.3 million and our borrowings reduced from \$10.6 million to \$10.3 million.

Through its Community Development Fund, Council allocated \$110,036 to 29 clubs and organisations across Warrnambool. The projects and programs delivered by the clubs and organisations, aided by Council, are of enormous value to the community.

Council also embarked on significant planning projects including the South Warrnambool Flood Investigation and a strategic framework plan for Bushfield-Woodford – key pieces of work that will inform planning approaches for those areas and communities in the decades to come.

Looking ahead, Council will continue investigations into the future needs – in consultation with the community of the Warrnambool Art Gallery and aquatic centre.

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## **RECOMMENDATION**

**That Council adopt the Warrnambool City Council 2022-2023 Annual Report.**

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## **BACKGROUND**

Sections 98-100 of the Local Government Act 2020 (LGA) and the Local Government (Planning and Reporting) Regulations 2020 deal with statutory procedures that govern the preparation of an Annual Report inclusive of Financial Statements, Performance Statement, report of operations, auditor's reports, and adoption by Council. Section 98 of the Local Government Act 2020 states that Council must prepare an Annual Report as soon as practicable after the end of 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.

At its meeting on 4 September 2023, Council gave in-principle agreement for the financial and performance statements and governance information to be certified prior to the Annual Report being finalised for presenting to the community.

## **FINANCIAL IMPACT**

The Annual Report describes Council's performance against the 2022-2023 Budget.

## **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.

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

## **TIMING**

Council is required to present the Annual Report before the end of October (within four months of the end of the financial year).

## **COMMUNITY IMPACT / CONSULTATION**

The presentation of the Annual Report meets the requirement under the Local Government Act for the Mayor to report to the municipal community, at least once a year, on the implementation of the Council Plan.

## **LEGAL RISK / IMPACT**

The presentation of the Annual Report is a legal requirement.

## **OFFICERS' DECLARATION OF INTEREST**

Nil.

## **COLLABORATIVE PROCUREMENT**

N/A

## **CONCLUSION**

Council is in a position to present to the community the Annual Report for the 2022-2023 financial year.

## **ATTACHMENTS**

1. annual report 2023 [7.1.1 - 163 pages]

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## **7.2. AUDIT AND RISK COMMITTEE BIENNIAL REPORT OF ACTIVITIES JANUARY TO JUNE 2023**

**DIRECTORATE :** Corporate Strategies

### **PURPOSE:**

***To present the Audit and Risk Committee Biannual Report January to June 2023.***

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### **EXECUTIVE SUMMARY**

Council is required by the Local Government Act 2020 (the Act) to establish an Audit and Risk Committee (the Committee) as an advisory committee of Council.

Under the Act, and as captured in the updated Audit and Risk Committee Charter endorsed by Council on the 6 July 2020, the Audit and Risk Committee must prepare a biannual report on activities to Council – refer **Attachment 1**. This paper satisfies this reporting requirement.

The Chairman of the Audit & Risk Committee – Kevin Leddin will be in attendance to present the Biannual Report.

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### **RECOMMENDATION**

**That Council adopt the Audit and Risk Committee biannual report which details activities of the Committee covering the meetings held on 7 March and 15 May 2023.**

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### **BACKGROUND**

The Audit and Risk Committee (the Committee) is an independent advisory committee to Council established under section 54 of the Local Government Act 2020. The purpose of the Committee is to advise Council on the effectiveness of the organisation's systems, processes and culture for complying with its legal and financial obligations and the management of risk. In fulfilling this role, the Committee is to aid in the implementation of the Council Plan.

The Committee is accountable to and reports directly to Council.

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

### **FINANCIAL IMPACT**

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

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

#### **5 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

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



## **COMMUNITY IMPACT/CONSULTATION**

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

## **LEGAL RISK/IMPACT**

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

## **OFFICERS' DECLARATION OF INTEREST**

No declaration of conflict of interest noted.

## **CONCLUSION**

The Audit and Risk Committee Biannual Report January to June 2023 is presented to Council for adoption.

## **ATTACHMENTS**

1. Audit and Risk Committee Biannual Report of Activities January to June 2023 [7.2.1 - 7 pages]

### **7.3. PRIVACY POLICY**

**DIRECTORATE:** *Executive Services*

**PURPOSE:**

***This report is to adopt the amended Privacy Policy 2023.***

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#### **EXECUTIVE SUMMARY**

Council's Privacy Policy is due for review. It has been both audited by internal auditors and reviewed by officers with only minor amendments recommended. An amended policy is attached for Councillors' consideration.

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#### **RECOMMENDATION**

**That Council:**

- 1. Adopt the attached Privacy Policy 2023.**
  - 2. Revoke the previous Privacy policy adopted 4 March 2019.**
- 

#### **BACKGROUND**

Council deals with a large amount of personal and sensitive information as part of its daily functions. These include things like names, addresses, birth dates, contact details and photographs. This information is protected by law and Council has a number of obligations under both the *Privacy and Data Protection Act 2014* and *Health Records Act 2001*. Council has a Privacy Policy which helps the organisation understand and comply with these obligations. This policy was last reviewed in 2019 and is now due for review.

Council has also recently had an audit on its privacy processes which recommended that the privacy policy be reviewed and amended to include details of the Office of the Victorian Privacy Commissioner's functions.

#### **ISSUES**

The privacy policy has been reviewed and is still largely fit for purpose. The Manager Finance and Manager Communications were both consulted to ensure that references to their business areas were still relevant and appropriate.

The policy in its current form did lack specific guidance for a number of high-risk or particularly sensitive areas, particularly being Maternal and Child Health, Home and Community Care, Child Care Services, and Environmental Health.

The following amendments have been made to the attached document:

- Specific sections outlining the use and disclosure of information in higher risk areas of the organisation.
- Changed the definition of 'sensitive information' to better align with the definition contained within the *Privacy and Data Protection Act 2014*.
- Updated references to the *Local Government Act 1989* to equivalent sections in the new *Local Government Act 2020*.
- Included information about the Office of the Victorian Privacy Commissioner as recommended by the internal audit.

An updated version of the policy was circulated to the Audit and Risk Committee for comment and feedback.

## **FINANCIAL IMPACT**

Nil.

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

### **5 An effective Council**

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

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

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

## **TIMING**

N/A

## **COMMUNITY IMPACT / CONSULTATION**

The community has a right for the privacy of their personal and sensitive information to be respected. Compliance with this policy and the Information Privacy Principles will serve to protect this right.

## **LEGAL RISK / IMPACT**

The policy will assist staff in managing and mitigating privacy risks

## **OFFICERS' DECLARATION OF INTEREST**

Nil.

## **CONCLUSION**

Council's Privacy Policy has been reviewed with only minor changes recommended. An updated policy is attached for Councillors to consider.

## **ATTACHMENTS**

1. Privacy Policy 2023 [7.3.1 - 18 pages]

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## **7.4. FRAUD AND CORRUPTION CONTROL POLICY**

### ***DIRECTORATE : Governance***

#### **PURPOSE:**

***This report provides an overview of proposed changes to the Fraud and Corruption Policy and Procedure and provides a draft policy and a draft procedure for Council's adoption.***

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#### **EXECUTIVE SUMMARY**

The Fraud and Corruption Control Policy and the Fraud and Corruption Procedure have been reviewed by the Audit & Risk Committee and the Manager Governance and are before Council for adoption.

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#### **RECOMMENDATION**

**That Council adopts the attached Fraud and Corruption Control Policy 2023 and the attached Fraud and Corruption Procedure 2023.**

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#### **BACKGROUND**

Council is committed to protecting its reputation and assets from any attempt by a Councillor, Council staff or any external person or parties to gain financial or other benefits by deceit or dishonest conduct. To mitigate against this risk, Council has a policy framework which shapes the way the organisation conducts itself in regard to its operational activities and risk mitigation strategies. The Fraud and Corruption Control Policy and accompanying procedure are a key part of that framework and they serve to protect Warrnambool City Council from harm through any fraudulent or corrupt conduct.

#### **ISSUES**

In line with the Fraud and Corruption Control Procedure, the Policy and Procedure documents were reviewed by the Audit and Risk Committee on 29 August 2023, and made the following recommendations:

- Remove the reference to external auditors being required to detect fraud.
- Remove references of fraud being reported to Director Corporate Strategies and instead be reported to Manager Governance.
- Include tracked changes on future policy or procedure updates.

These changes have been made to the documents as well as some other minor changes to update position titles and other non-substantive changes.

#### **FINANCIAL IMPACT**

Nil.

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

### **5 An effective Council**

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

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**

N/A

### **COMMUNITY IMPACT/CONSULTATION**

It has been determined that in the interests of transparency that the Fraud and Corruption Control Procedure will also be placed on the agenda of an Ordinary Meeting of Council.

### **LEGAL RISK/IMPACT**

These policy documents are a key part of Council's risk mitigation framework.

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

Nil.

### **COLLABORATIVE PROCUREMENT**

N/A

### **CONCLUSION**

The Fraud and Corruption Control Policy and the Fraud and Corruption Control Procedure have been reviewed by the Audit & Risk Committee and the Manager Governance and updated versions are attached for Council's endorsement.

### **ATTACHMENTS**

1. Fraud and Corruption Control Policy 2023 [7.4.1 - 8 pages]
2. Fraud and Corruption Control Policy 2023 Track Changes [7.4.2 - 8 pages]
3. Fraud and Corruption Control Procedure 2023 [7.4.3 - 19 pages]
4. Fraud and Corruption Control Procedure 2023 Track Changes [7.4.4 - 19 pages]

## **7.5. DP2022-0007 - PROPOSED DEVELOPMENT PLAN FOR 191-201 MORRISS ROAD**

**DIRECTORATE : City Growth**

### **PURPOSE:**

***This report considers the Development Plan submitted for 191-201 Morriss Road, Warrnambool and recommends that Council approve the development plan as submitted***

### **EXECUTIVE SUMMARY**

- Council has received a Development Plan (DP) prepared by Inception Planning on behalf of Elmstone Property Group for land at 191-201 Morris Road, Warrnambool (part of LOT 1 TP961748).
- The plan describes the future intent of the land for residential development, which is anticipated under the zone, and under the development plan overlay designed for 'residential development'. Land under the same overlay to the immediate south has been developed, where the subject site is the last remaining vacant parcel.
- The land in question is approximately 1.24 hectares, devoid of any significant vegetation, relatively flat, and well positioned to existing amenities and services. The plan proposes a layout for 50 individually-titled lots, where most lot sizes range from 149m<sup>2</sup> to 187m<sup>2</sup>. Four larger lots (405m<sup>2</sup> to 444m<sup>2</sup>) are situated with frontage onto Morriss Road. A loop road is proposed as common property, meaning most internal services will be privately controlled via an owner's corporation.
- An earlier iteration of the Development Plan was subject to internal and external referrals as required, and was placed on exhibition from 29 April 2023 for a non-statutory period of two (2) weeks where no submissions have been received. An amended plan has been submitted, but as density has decreased without any other substantive changes, this plan was not re-advertised.
- The Development Plan meets the requirements of the Development Plan overlay and relevant provisions of the Warrnambool Planning Scheme.

### **RECOMMENDATION**

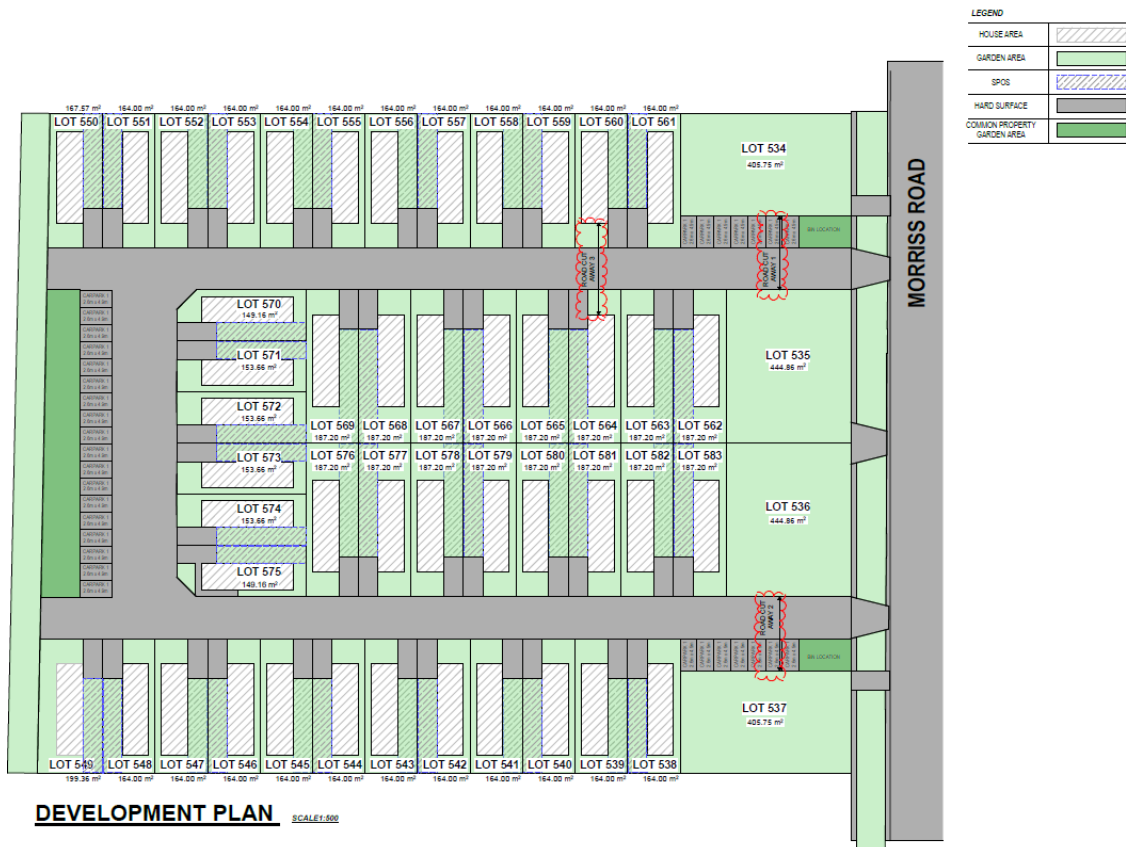
**That having considered all the matters normally required under Section 60 of the Act for planning applications, Council approve the development plan under the relevant provisions of the Warrnambool Planning Scheme in respect of the land described as Part of Lot 1 on TP 961748, known as 191-201 Morriss Road, WARRNAMBOOL VIC 3280, which seeks to facilitate future residential development on site.**

### **PROPOSAL**

The proposal seeks approval for a Development Plan which would facilitate the future development of the site via a residential subdivision. The plan shows intended subdivision into 50 lots plus common property. The lots are separated into two main types: four lots ranging from 405m<sup>2</sup> to 444m<sup>2</sup> front onto and would be accessed via single crossovers onto Morriss Road; the remaining 46 lots range from 149m<sup>2</sup> to 187m<sup>2</sup> and are internally accessed via a common driveway.

The overlay requires that a development plan be approved prior to subdivision of the land into more than two lots, where the application shows a layout including 50 individually-titled lots, plus a common area for the accessway. The proposal also puts forth an indicative development concept using visual evidence of three different dwelling typologies, and an associated indicative building envelope plan. Where lot sizes are generally less than 200m<sup>2</sup>, buildings envelopes are intentionally a consistent 4m x 14m rectangle to accommodate the design typologies as presented.

Figure 1: Proposed development plan (source: applicant submission)



The following reports and appendices were also submitted in support of the application:

- Cultural Heritage Management Plan (Benchmark Heritage Management, October 2022)
- Engineering Services Report (Sitec Consulting Engineers, June 2023)
- Traffic Impact Assessment (Red Square Traffic, June 2023)
- Waste Management Plan (SANB, April 2023)
- Site Feature Survey (Sitec Consulting Engineers)

Common property is provided in a ‘u-shape’ accessway which incorporates parking spaces, a small landscaping buffer, a road, and areas for bin storage. The associated waste management plan indicates that the layout could support either public or private garbage collection, but the proposal confirms an intent for private rubbish collection. Plans for individual lots show that one parking space will also be provided per lot. Cross sections submitted with the plan indicate that no footpaths will be provided.





The topography of the land is reasonably flat in line with its history as a grassy plain, with evidence of two rises in the northeast and southeast corners. Vegetation on the site is limited to introduced grass with no significant plantings. No intermittent waterbodies are noted on site, and the area is not understood to accommodate significant overland flow.

The subject land is approximately 1200m north of Raglan Parade, and 500m west of the Merri River. The far banks of the river currently accommodates Warrnambool's designated growth area 'North of the Merri River'.

## **ISSUES**

Schedule 1 to the Development Plan overlay applies to selected land zoned GRZ within Warrnambool's settlement boundary, including the part of the subject land on which the plan has been lodged, as well as previously developed land immediately to the south. Schedule 1 provides the requirements for a Development Plan, where the plan needs to continue to meet the various requirements. On the basis of most development under this schedule being complete, the schedule is coming to the end of its useful life.

Accordingly, the assessment goes beyond the simple adherence to requirements as set out under the overlay, and extends to whether the nature of proposed development is in keeping with the existing (and potentially emerging) neighbourhood character.

## **FINANCIAL IMPACT**

The costs associated with the assessment of the application and any subsequent reviews have been allowed for in the City Strategy and Development budget.

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

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

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

### **5 An effective Council**

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

## **TIMING**

Approval of the plan does not carry statutory timeframes. A decision is sought at the next available Council meeting.

## **COMMUNITY IMPACT / CONSULTATION**

All documentation forming part of the plan has been subject to referral and non-statutory public exhibition for a period of two weeks, in accordance with Council's general policy to provide notice of development plans. While not a statutory requirement, exhibition of the amended plan contributes towards Council's decision making process by understanding local concerns. At the time of writing no submissions have been made in relation to the plan.

The plan was referred to the following external authorities:-

- Wannon Water, Downer, Powercor, Department of Transport and Planning, Department of Energy Environment and Climate Action, Fire Rescue Victoria, Environmental Protection Agency.

Only one response was provided as follows:-

#### Wannon Water

No objection was explicitly stated, but the following comments were provided:

*While the vehicular access to each of the lots is currently shown to be common property, its queried whether this will ever become a council owned road as this may have implications on how water and sewer services are designed, constructed and maintained.*

*If sewer and water services are proposed to be gifted to Wannon Water Region Corporation, the works will be required to be constructed and acceptance tested under the supervision of a consulting engineer in accordance with the plans and specifications approved by Wannon Water.*

Comments were provided to the applicant, who confirmed that the intent was for the road to remain under common property.

The plan was also internally referred to the following departments:

- City Infrastructure, City Strategy, and Council's Environmental Sustainable Development advisor.

Comments and recommendations from all parties were incorporated into the assessment

### **LEGAL RISK / IMPACT**

The Plan has been 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.

### **COLLABORATIVE PROCUREMENT**

Not applicable.

### **ASSESSMENT SUMMARY**

The Municipal Policy Statement (MPS) and Planning Policy Framework (PPF) broadly seek to promote sustainable growth and development in regional Victoria with a focus for growth and investment in major regional cities, including Warrnambool. The Warrnambool Strategic Framework Plan is contained in clause 02.04, where the subject site is shown within the urban settlement boundary in an otherwise undesignated precinct (ie. not in a designated growth area). Caramut Road is shown as a major connecting road leading from Raglan Parade to the airport, and two identified growth areas (North Dennington and North of the Merri River) are located to the northwest and northeast respectively.

Clause 15.01-3S provides high level guidance for the design of subdivisions, including the desire to create “compact neighbourhoods that have walkable distances between activities” and “a range of lot sizes to suit a variety of dwelling and household types”. In this instance, the land by virtue of its zoning and location is situated within an existing and functioning neighbourhood, with access to a bus stop (500m), informal walking trails along the river (450m), various primary schools, and a small neighbourhood commercial centre (650m). The lot sizes within the proposed subdivision are fairly homogenous, however by virtue of their connection with the larger neighbourhood they are contributing to a variety of dwelling and household types. Specifically, under clause 16.01-1S policy directs to encourage higher density housing development on sites that are well located in relation to jobs, services, and public transport, and to support opportunities for a range of income groups to choose housing in well-serviced locations. In this respect, both larger and conventional lots are being provided in this well-serviced neighbourhood, while there is currently no provision for the sort of offering now being proposed. Additionally, clause 16.01-1L directs to support infill development within established urban areas under the caveat that development “complements the area’s neighbourhood character”. In this respect, it seems clear that there is policy support for appropriate infill development, where the matter rests on whether character is respected.

The pattern of development along Morriss Road is decidedly ‘conventional’, where lot sizes between 500-800m<sup>2</sup> with consistent setbacks prevail. As with many contemporary subdivisions, hipped roofs, single storeys, manicured lawns with limited canopy cover, and orderly rectangular shaped lots are in evidence. The development within the Manuka Estate to the northeast is decidedly different, as controlled by the unique Design and Development overlay. This in its own way in fact contributes to the character of the wider area, in that the conventional/formulaic pattern of surrounding streets is broken away from, contributing to a different pace and rhythm. Arguably, this leads to the ability of the area to accommodate change. The character, in short, while different is not incongruous.

Planning policy also recommends consideration of lot sizes and layouts that provides a diversity of offerings, and allowance in the market for a range of demographic and economic backgrounds. This is confirmed in the *Warrnambool City-Wide Housing Strategy, 2013* (which while not an incorporated document, informed many of the local policies within the Planning Policy Framework). Here, average household size was forecast to decrease over time, the number of people aged 70 and over was predicted to double over 20 years, and lone person households and couples without children were forecast to make up significant parts of the City’s demographics (27% by 2031). Importantly, the study identified that the current stock of housing in Warrnambool was unsuited to this predicted change; in 2001 78% of all dwellings contained three or more bedrooms, where growth over the next decade only reinforced this discrepancy. These two trends are working at odds against each other, in that we continue to build larger homes than our demographics require, and the trend is only getting increasingly disparate.

A plan has been provided which shows an entirely residential outcome for a vacant and under-utilised parcel of land in an existing neighbourhood with superior access to amenities. The plan relies on smaller lot sizes and a relatively high density to provide a different type of housing product. The overlay simply requires the plan to include a commensurate level of detail, of which the requirements have been met. Notwithstanding, it is believed that the nature of the offering is suitable in its context, and can contribute positively to housing supply in Warrnambool.

## **CONCLUSION**

It has been assessed that the development does a reasonable job at integrating with existing neighbourhood character, and can lead to a suitable outcome in the general layout as has been submitted. Accordingly, the development plan as submitted is recommended for approval.

## **ATTACHMENTS**

1. D P 2022-0007 - development plan - 191 201 Morriss Road [7.5.1 - 2 pages]
2. D P 2022-0007 - delegate report - 191 201 Morris Road [7.5.2 - 22 pages]

## **7.6. WARRNAMBOOL PLANNING SCHEME REVIEW**

### **DIRECTORATE : CITY GROWTH**

#### **PURPOSE:**

***This report provides information on a review of the Warrnambool Planning Scheme, and recommends that the review be adopted and forwarded to the Minister for Planning. The report also recommends that the future strategic works program be endorsed by Council, and set the priorities for Council's future strategic projects.***

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#### **EXECUTIVE SUMMARY**

- Section 12B of the Planning and Environment Act requires Council to undertake a review of the Planning Scheme within 12 months of the Council Plan being adopted.
- Effectively a Planning Scheme review is required every 4 years.
- The Planning scheme review was undertaken with external assistance through the Regional Planning Hub of the Department of Transport and Planning (DTP), and DTP employed the services of Red Ink Planning to undertake the review.
- The Planning Scheme review identifies where there are gaps in planning policy, provides recommendations regarding future strategic planning program and includes a recommended 'planning scheme review' ordinance amendment.

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#### **RECOMMENDATION**

##### **That Council**

- 1. Adopt the Warrnambool Planning Scheme Review 2023 (Attachment 1).**
- 2. In accordance with Section 12B (5) of the Planning and Environment Act 1987, forward a copy of the adopted Warrnambool Planning Scheme Review 2023 to the Minister for Planning.**
- 3. Pursuant to Section 8A of the Planning and Environment Act, request authorisation from the Minister for Planning to prepare a 'planning scheme review' planning scheme amendment (Attachment 2).**
- 4. Following the authorisation of the Minister for Planning in accordance with Section 9 of the Act, prepare and exhibit an amendment to the Warrnambool Planning Scheme in accordance with the 'planning scheme review' ordinance amendment (Attachment 2).**

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#### **BACKGROUND**

Regular reviews of the planning scheme are required under Section 12B of the Planning and Environment Act 1987. Councils should undertake the planning scheme review within 12 months of the Council Plan being adopted.

A link to the Warrnambool Planning Scheme is provided below:

[https://planning-schemes.app.planning.vic.gov.au/Warrnambool/ordinance?\\_ga=2.55184685.745350268.1668045947-636828178.1661384377](https://planning-schemes.app.planning.vic.gov.au/Warrnambool/ordinance?_ga=2.55184685.745350268.1668045947-636828178.1661384377)

The objective of the planning scheme review is to enhance the effectiveness and efficiency of the planning scheme in achieving both the objectives of planning in Victoria and ensuring it makes best use of the Victoria Planning Provisions and the planning framework established by the Act.

The review must evaluate the planning scheme to ensure that it:

- Is consistent in form and content with the directions or guidelines issued by the Minister;
- Sets out effectively the policy objectives for use and development of land; and
- Makes effective use of state provisions and local provisions to give effect to state and local policy objectives.

The last review of the planning scheme was undertaken in 2018.

## ISSUES

The review has found that the Warrnambool Planning Scheme has established a strong settlement framework that operates as a good foundation for land use planning for growth in Warrnambool. However, the planning scheme contains several policy gaps, which hinder its effectiveness in guiding decision making by Warrnambool City Council.

Council has invested significant resources in a suite of studies, strategies and initiatives seeking to create an environmentally sustainable and resilient future for Warrnambool. Currently, the planning scheme lacks clear policy support to facilitate these outcomes when development proposals are assessed against it. There are significant gaps in realising the high level Council vision for the municipality that are leading to inconsistent decision making and lost opportunities for the most efficient use of land, adaptation to climate change and protection of values such as established character, heritage and landscapes for the benefit of the community.

There are several overlays that are redundant, poorly drafted or being used ineffectively, which is impacting the statutory planning workload and Council's ability to achieve high quality planning outcomes.

The review has recommended that the highest priorities for Council are clear:

- Prepare a housing and neighbourhood character strategy for Warrnambool to guide built form and land use outcomes.
- Implement the findings of the Environmental Significance Overlay review by preparing revised and new schedules and mapping for Cause 42.01 Environmental Significance Overlays.
- Undertake a comprehensive review of the Design and Development Overlays and Development Plan Overlays to correct inadequacies and inappropriate drafting.
- Prepare infrastructure contribution frameworks for future growth corridors, which may include funding infrastructure outside growth corridors if there is a clear nexus.
- Prepare a comprehensive car parking strategy to manage car parking demands can be managed throughout the municipality.
- Establish how it intends to promote a more sustainable agenda beyond that included in the Victoria Planning Provisions and identify how this impacts Council's strategic planning priorities given the current level of resources.
- Prepare an agricultural precinct strategy to support agricultural productivity and identify appropriate agri-tourism in rural areas.
- Review the suite of rural local policies seeking to preserve productive farmland from inappropriate development to ensure they are fit-for-purpose.
- Prepare local flood policy and local floodplain development plans to assist in the assessment of development proposals and introduce schedules to flood controls. (Note, amendment C205warr is currently addressing this issue).

The planning scheme review has identified many policy-neutral changes that should be made to the planning scheme to bring it into alignment with the Ministerial Direction: the Form and Content of Planning Schemes. These are purely administrative matters and do not change the policy intent of the scheme.

There are several factual changes that should be made to the Municipal Planning Strategy to bring it up to date with the latest ABS data and the most recent Council Plan.

The planning permit audit and consultation with referral authorities and Council staff identified that some permit triggers can be removed as they are generating unnecessary permit applications that related to matters that Council is not concerned about from a planning perspective. Removal of these permit triggers should reduce the number of planning permits dealt with by Council. This represents a reduction in workload, which will enable resources to be directed to other planning priorities.

An audit of local and regional strategies and policies that have been completed since the last planning scheme review has identified new policy that has the strategic justification to be incorporated into the planning scheme.

These changes are marked up on the supporting Ordinance (refer **Attachment 2**).

It is important to note that the policy direction on affordable housing is considered to be adequately dealt with by the existing objectives and policies at Clause 16.01-2S Housing Affordability, which encourage a significant proportion of new development to be affordable for households on very low to moderate incomes.

The policy also supports the supply of well-located affordable housing by ensuring the redevelopment and renewal of public housing stock better meets community needs, and to facilitate the delivery of social housing by identifying surplus government land suitable for housing.

## **FINANCIAL IMPACT**

The costs associated with the Warrnambool Planning Scheme review have been funded by DTP. Costs to Council are limited to officer time.

## **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.

### **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

## **TIMING**

Routine

## **COMMUNITY IMPACT / CONSULTATION**

The review has been informed by consultation with stakeholders, referral agencies, and government departments.

Consultation will be undertaken on the ordinance amendment in accordance with the requirements of the Planning and Environment Act.

## **LEGAL RISK / IMPACT**

Risks are mitigated by ensuring compliance with the relevant Ministerial Directions, Planning Practice Notes, as well as the Planning and Environment Act.

## **OFFICERS' DECLARATION OF INTEREST**

None declared.

## **COLLABORATIVE PROCUREMENT**

Not applicable

## **CONCLUSION**

The Planning Scheme review is a legislative requirement and also a valuable opportunity to provide a 'health-check' of how the planning scheme is performing. Importantly, recommendations from the review inform Council's future strategic work program and priorities.

## **ATTACHMENTS**

1. Warrnambool Planning Scheme Review FINAL [7.6.1 - 69 pages]
2. Attachment 3 marked up ordinance FINAL (1) [7.6.2 - 193 pages]

## **7.7. ECONOMIC DEVELOPMENT STRATEGY - PUBLIC CONSULTATION FEEDBACK**

**DIRECTORATE : City Growth**

### **PURPOSE:**

***For Council to adopt the Economic Development Strategy 2023-2028 noting the feedback received during the public consultation period and adjustments made.***

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### **EXECUTIVE SUMMARY**

There were seven submissions received during the public consultation period. The majority were ideas or projects which sit within the four themes identified for the strategy which have been collated for consideration. Of the higher level or strategic considerations these are now contained within the strategy.

Inclusions and adjustments into the final draft strategy are recommended and outlined in the conclusion of this report

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### **RECOMMENDATION**

**That Council adopt the Economic Development Strategy 2023-2028 with the following adjustments taken on board during the public consultation period as outlined under the issues section of the report.**

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### **BACKGROUND**

The WCC Economic Development Draft Strategy for 2023-2028 was developed over May to July of this year. Some additional priorities were discussed with some further consultation with external keys stakeholders taking place through August. The public consultation then commenced for four weeks and closed on Friday 1<sup>st</sup> September.

Seven submissions were received during the public consultation period – refer **Attachments 1-7**.

### **ISSUES**

The public consultation period has seen members of the public, local businesses and organisations contribute a broad range of ideas which are projects and ideas which can be considered further. A summary of the submissions is included in the attachments.

After careful consideration some minor adjustments and inclusions into the final draft strategy are recommended and outlined below.

The table below summarises the suite of changes made.

<b>Page</b>	<b>Section</b>	<b>Description</b>
<b>1</b>	<b>Executive Summary - Overview</b>	Updated purpose of the strategy to include the following statement: <i>The purpose of this Strategy is to ensure that Warrnambool continues to be a thriving and sustainable Regional City that serves as the key population, employment and tourism hub for the region.</i>
<b>2</b>	<b>Vision</b>	<b>New wording:</b> <i>Warrnambool is a productive, prosperous Regional City that is a national leader in sustainability and innovation</i>



		<b>Previous wording:</b> <i>Warrnambool is a thriving and sustainable Regional City that serves as the key population, employment and tourism hub for the region.</i>
3	<b>Overview</b>	<b>Updated to include Council plan and other strategies:</b> The Strategy has been designed to support the needs and aspirations of the community, workers and local businesses, in alignment with the Warrnambool 2040 Community Vision, as well as the Council Plan 2021-25 <i>and other strategies which underpin Council's direction.</i>
9	<b>Policy Context</b>	<b>Inclusion of local economy goals from W2040:</b> W2040 sets the following goals relate for the local economy: <ul style="list-style-type: none"> <li>• Warrnambool will embrace digital innovation and technical change;</li> <li>• Warrnambool grows its resilient and diverse economy;</li> <li>• Warrnambool fosters a creative and collaborative culture;</li> <li>• Warrnambool thinks globally; and</li> <li>• Warrnambool invests in its liveability to grow the economy.</li> </ul> These goals help to establish the areas of focus and strategic priorities for economic development in the City
14	<b>Strategic Considerations – popular visitor destination</b>	<b>Changed wording as per feedback</b> Warrnambool is a well-established visitor destination, with strengths in its beaches, coastal views, nature-based activities and whale watching. Warrnambool's role as a service centre <i>provides opportunities to attract visitors from across the Great Ocean Road region</i> and drive visitor yield.
17	<b>Economic Development Vision</b>	<b>New Wording:</b> "Warrnambool is a productive, prosperous Regional City that is a national leader in sustainability and innovation" <b>Previous Wording:</b> "Warrnambool is a thriving and sustainable Regional City that serves as the key population, employment and tourism hub for the region."
18	<b>Theme 1</b>	<b>Added</b> in Warrnambool Foreshore Framework Plan to focus areas
20	<b>Major Investment Attraction Strategy and Prospectus</b>	<b>Details regarding Investment Attraction Prospectus</b> <b>Additional Wording:</b> The Investment Attraction Prospectus will promote living, working and investing in Warrnambool to potential investors, developers, businesses, workers and families.
21	<b>Warrnambool Foreshore Framework Plan</b>	Additional project – includes: <b>Warrnambool Foreshore Framework Plan</b> An overarching planning framework for the Warrnambool Foreshore precinct is under development, with the aim to integrate previous planning projects and set the objectives and funding priorities for the area. This will support future investment into the precinct and activate the area to increase utilisation. The Framework Plan should have regard to social, economic and environmental values. It will help improve the amenity of the asset to enhance Warrnambool's role as a Regional City and meet the needs of residents and visitors
24	<b>Housing Strategy</b>	<b>Affordable Housing Strategy now includes:</b>

		Delivering the Affordable Housing Strategy (underway), with support of an affordable housing 'think tank' responsible for conducting consultation activities with the community and ensure the outcomes meet community needs.
26	Local Product Development Plan	<p><b>Foreshore development and activation</b>  <b>New Wording:</b> Foreshore development and activation, in line with the Foreshore Framework Plan (in progress), through investment that activates the area, supports visitation and drives yield.  <b>Previous Wording:</b> Foreshore development and activation, encouraging accessibility and utilisation of the asset, through investment in supporting amenity, services and commissionable activities;</p>
27	Warrnambool Event Strategy	<p><b>Added in food and fibre event opportunity and changed year to 2023</b>  Support the delivery of the Warrnambool Events Strategy (<u>2023</u>) to identify:</p> <ul style="list-style-type: none"> <li>• The current state of events and event infrastructure in Warrnambool;</li> <li>• Key event stakeholder issues and opportunities for improvements;</li> <li>• Provide strategic direction to guide the future of the events sector, including event attraction and infrastructure priorities; and</li> <li>• <i>Opportunities for events focussed on Warrnambool's food and fibre industry.</i></li> </ul>
<b>Action Plan</b>		<b>Changes as per above are reflected in the action plan</b>

It is also recommended the ideas which are project based and put forward during public consultation are shared with the relevant areas of council for their consideration.

## FINANCIAL IMPACT

The development of the strategy will be completed within the allocated budget.

## 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.

1.4 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.

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**

5.7 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**

For Council to adopt the Economic Development Strategy 2023-2028 at the meeting scheduled for 2 October 2023.

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

The community consultation period was open for four weeks closing on Friday 1<sup>st</sup> September with all feedback received through the council website. The consultation period was heavily publicised through our social media, economic development newsletter and business database resulting in seven submissions.

A response will be provided to all who provided submissions during the public consultation period.

#### **LEGAL RISK / IMPACT**

No risk assessment is required.

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

N/A

#### **CONCLUSION**

It is recommended the Economic Development Strategy 2023-2028 be adopted at the scheduled Council meeting on Monday 2 October 2023 with the adjustments tabled above added to the final draft strategy after considering the public consultation submissions.

#### **ATTACHMENTS**

1. Laxon Fowler FW Subject Comments on Warrnambool Council's Draft Economic Development Strategy 2025- [7.7.1 - 5 pages]
2. Lisa Mc Leod - CONNECT CONSULTING SUBMISSION - Eco Dev Strategy - FINAL 06092023 [7.7.2 - 5 pages]
3. Penny Irons Response to Economic Development strategy [7.7.3 - 3 pages]
4. Leanne Williams - Economic Development Strategy Draft [7.7.4 - 2 pages]
5. Rod Brugman - WCC Economic Development Strategy - Public Consultation Period [7.7.5 - 4 pages]
6. Luke Cann ( CE O) WRC - Accommodation Wbool Racing Club [7.7.6 - 2 pages]
7. Fletcher Jones Family Foundations - Economic Development Strategy Submission [7.7.7 - 2 pages]
8. Warrnambool Economic Development Strategy Final Report 150923 [7.7.8 - 44 pages]
9. Summary of all feedback [7.7.9 - 4 pages]

## **7.8. CITY CENTRE CENTRAL BUS INTERCHANGE**

**DIRECTORATE:** *City Infrastructure*

### **PURPOSE:**

***The purpose of this report is to begin Community Consultation on the Lava Street bus interchange.***

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### **EXECUTIVE SUMMARY**

Council has been working for the past 5 years to establish a permanent Bus Interchange since it was relocated to Lava Street in 2017 - Refer **Attachment 1**.

In 2023, Council worked with Warrnambool Buslines, Public Transport Victoria - PTV, Department of Transport & Planning to determine that Lava Street was still the most appropriate site. However, the current configuration does not meet the safety needs of the community with one crash occurring on the Zebra crossing in 2023 – **Refer Attachment 2**.

Council, PTV, DTP and Warrnambool Buslines have identified various funding streams to ensure the permanent bus interchange meets the guiding principles for Bus Interchanges. With DTP agreeing to co-fund the on-road element of the project.

However, there is a high risk of the project failing to meet the expected level of service if lighting, CCTV and toilets are not installed.

To ensure the timely implementation of the permanent City Centre – Central Bus Interchange, Council has developed a community consultation plan on elements of the Lava Street interchange.

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### **RECOMMENDATION**

**That Council implement a community consultation plan for the Lava Street bus interchange in collaboration with the Department of Transport and Planning and Warrnambool Bus Lines.**

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### **BACKGROUND**

A renewed focus is being placed on implementation of a permanent City Centre – Central Bus Interchange due to the ongoing issues with the current temporary Central Bus Interchange including unsafe sightlines when using the crossing, and lack of amenities, lighting and general safety.

Bus Victoria and the Victoria Government Movement and Place Framework for bus interchanges, provides Councils with the following level of service advice to ensure the bus users are comfortable and safe which was used to assess potential locations:

- Pedestrian Priority Crossing within 25m of interchange
- 50m interchange distance from North Bus to South Bus
- Low Speeds where drivers are compliant
- Easy access to the footpath network and to services
- Safe and comfortable locations to dwell while you wait- CCVT, Lighting, Toilets, Seats

The railway station in its current configuration does not provide the space for 6 buses, however there remains an opportunity in the future to create a transport hub should land become available, as advised in the City Centre Structure Plan (2012) and the Railway Station Precinct Master Plan (2010).

## ISSUES

Through a process undertaken by Warrnambool City Council in consultation with Warrnambool Bus Lines and PTV, an investigation identified Lava Street as the most suitable location in the City Centre for a bus interchange.

This process identified key risks based on the Victorian Government Movement and Place Framework, and relevant road and pedestrian safety considerations. Lava Street is the most suitable/preferred location due to community sentiment (per the 2019 survey), the lowest impact on parking, business operations, traffic flow and existing use, however, the following issues will need to be addressed within the design:

- The zebra crossing at the current Lava Street location does not provide adequate sight distance for traffic travelling west when the buses are parked at the bus stop. There has been one crash at this site.
- The Lava Street site in its current form lacks infrastructure such as streetscape, CCTV, public toilets, shelter and lighting, which is impacting bus users, along with the bus drivers, shoppers and local residents.

There is a high risk of Council failing to deliver the Bus Interchange if Council, in collaboration with Warrnambool Bus Lines and PTV, does not successfully seek funding for the construction of the Central Bus Interchange in the Lava Street location. The proposal will target funding from various funding streams (Road Safety, Toilets, Street Furniture) to ensure the level of service is met.

## FINANCIAL IMPACT

Estimates for the detailed design are valued at \$40,000 which can be incorporated into Council's annual design budget, however there is intent for design funding also being sourced via PTV.

The following elements which are required to ensure the Bus Interchange has the expected level of service:

Commence Community Consultation on the Streetscape/Road Concept Designs, CCTV, Lighting, Wombat Crossing, on road upgrade to pavement, upgrade to footpath, signage, toilets, shelter, seating and placemaking which would with the opportunity to leverage external funding for most of the elements.

## CONTEXT

This report is supported by 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.

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.

### **5 An effective Council**

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**

Planning and design works will commence immediately and are expected to be complete by the end of 2023. Following an approved design and pending receipt of funding, construction would be able to take place over 2024-2025.

## **COMMUNITY IMPACT/CONSULTATION**

In 2021 Council conducted a survey of bus users and whilst people (70%) felt safe during the day only 40% felt safe at night, they believed improved lighting (42%) and CCTV (90%) would improve safety. Improvements to the streetscape would also improve safety and reduce antisocial behavior (79%).

Council has worked with Warrnambool Bus Lines and PTV to create a community impact and consultation plan, ensuring the community understands the rationale, timing and benefits of the Lava Street location, this will provide a framework to work with Bus-Users, businesses and residents.

## **LEGAL RISK/IMPACT**

The current temporary arrangement of the bus interchange at Lava Street has a variety of issues ranging from sightlines and trip hazards to lack of amenities, lighting and general safety.

The Road Safety Audit, completed by Safe System Solutions in 2021, identifies the impeded sightlines as the critical risk with a redesign required should this be the ultimate outcome- Refer **Attachment 2**.

Lava Street - External funding not successful, being unable to deliver the level of service expected from the community. There is a risk associated with the funding of public toilet infrastructure and CCTV/Lighting, with both being competitive funding sectors. If there is a shortfall in this funding, it is likely to fall back on Council to deliver this infrastructure given the community feedback on the current location.

## **OFFICERS' DECLARATION OF INTEREST**

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

## **CONCLUSION**

Due to ongoing issues with the current temporary Central Bus Interchange including sightlines, and a lack of amenities, lighting and general safety, and the impending completion of the City Centre Renewal and Pedestrian Safety Casualty Area Projects, a renewed focus is being placed on implementation of a permanent City Centre – Bus Interchange.

If Council is to proceed with the Lava Street location, then there needs to be consideration for the public toilet and lighting to ensure that the level of service expected by the community is provided.

## **ATTACHMENTS**

1. Attachment 1\_ Warrnambool Bus Interchange Report June 2023 [7.8.1 - 17 pages]
2. Attachment 2\_Road Safety Audit\_-\_ Lava Street Bus Interchange i Ur G 6 L Rn 9 E-19 v Hg L 7 j Drg (1) [7.8.2 - 29 pages]

## **7.9. WARRNAMBOOL INVASIVE PLANT & ANIMAL FRAMEWORK**

**DIRECTORATE:** *City Infrastructure*

### **PURPOSE:**

***This report outlines the Warrnambool Invasive Plant & Animal Framework and the Threats and Actions IP&A data set and recommends that it is endorsed by Council.***

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### **EXECUTIVE SUMMARY**

- The Warrnambool Invasive Plant & Animal Framework outlines Council's responsibilities to manage invasive plant and animals and considers their management under four categories; Prevention & Preparedness, Eradication, Containment and Asset Protection.
- The adjoining Threats and Actions, Invasive Plant & Animal data set lists priority and emerging weeds as well as established and emerging animal threats. For each pest it considers a range of parameters such as asset affected, likelihood, and impact and mitigation actions.
- The plan has been developed in consultation with Parks Victoria, Eastern Maar Aboriginal Corporation, Glenelg Hopkins Catchment Management Authority, Birdlife Australia, local Landcare groups, local contractors and other community groups.
- The community interested parties and adjoining land holders have had the opportunity to provide comment on the draft plan during consultation.
- Eight (8) submissions were received and feedback has been incorporated to inform the final Warrnambool Invasive Plant & Animal Framework.

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### **RECOMMENDATION**

**That Council adopt the Warrnambool Invasive Plant & Animal Framework and the associated Threats and Actions Invasive Pest & Animal data set.**

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### **BACKGROUND**

Warrnambool City comprises of urban, rural and coastal areas. Since European settlement vegetation has been significantly modified and many introduced animals have become naturalised. According to the Warrnambool Coast Vegetation Management Plan (2012) the coastal reserve contains 98 indigenous and 105 introduced plant species.

The city is flanked by the Hopkins and Merri Rivers and large sections of the coast contain estuarine wetlands. Open space areas such as Albert Part, Victoria Park, Brierly Reserve, Jubilee Park (both Woodford and Allansford), Russells Creek and the coastal reserve including Lake Pertobe contain a mixture of native and introduced vegetation and provide habitat for both native and introduced animals.

Warrnambool's Open Space areas, in particular the coastal reserve, Hopkins River and Merri River contain rare flora and fauna, sites of international migratory importance and unique waterways and wetlands, all of which have significant natural, cultural, economic, educational and recreational values.

In 2018 Warrnambool City Council endorsed Green Warrnambool, a plan that outlines a number of goals to help Warrnambool achieve the vision of being the most environmentally sustainable regional city in Australia. Naturally Warrnambool is a goal that aims to enhance and protect our natural environment and biodiversity. With the goal that Warrnambool's rivers, tributaries and estuaries will be healthy and thriving natural ecosystems. Warrnambool's landscape, flora and fauna will adapt to a changing climate. Strategic and coordinated approach to pest plant and animal control.

Warrnambool 2040 is a community plan for Warrnambool and was developed through extensive community engagement. The plan captures the community's aspirations for the future of Warrnambool and informed the development of the Green Warrnambool plan. The 2040 goal is as follows; Warrnambool will restore, maintain and enhance its natural environment, drawing on the best scientific and Traditional Owner knowledge. We will build our knowledge, skills and involvement in protecting biodiversity, waterways and the coast for the benefit of current and future generations of people, flora and fauna. We will reduce the impacts of pest plant and animals and decrease damaging land uses and practices.

In 2010 the Victorian Government released the Invasive Plants and Animals Policy Framework which updated the Victorian Pest Management – A Framework for Action 2002. This document guided the formation of councils Invasive Plant and Animal Framework.

Relevant plans, policies, strategies and frameworks applicable to the development of the Invasive Plant and Animal Framework include:

- Warrnambool Council Plan 2021-2025
- Warrnambool 2040 Community Plan
- Green Warrnambool 2018
- Warrnambool Coastal Management Plan 2013
- Warrnambool Open Space Strategy 2014
- Warrnambool Coast Vegetation Management Plan 2012
- Warrnambool Revegetation Policy and Guidelines 2021

Warrnambool aims to be the most environmentally sustainable regional city in Australia and the development of an Invasive Plant & Animal Framework is a key recommendation of the Green Warrnambool strategy.

## **ISSUES**

This Framework was developed through a collaborative process involving key stakeholders across the Warrnambool City Council area.

The framework is in five parts: Introduction, Assessment Approach, Collaboration, Monitoring and Limitations.

### **Refer to Attachment 1 Warrnambool Invasive Plant & Animal Framework.**

The list of priority actions outlined in the framework were produced using Multi-Criteria Analysis and developed through consultation with stakeholders and a workshop. The timing for delivery of these priority actions will be dependent on Council priorities and budget allocations and availability of funding programs and grant opportunities. Several actions can be undertaken by community groups and facilitated by Council.

The priority actions include:

- Selective removal of Marram Grass to improve Hooded Plover beach nesting sites
- Prevent the introduction of feral pigs from entering the municipality
- Stop the establishment of Cape Beach Daisy along the coastline
- Prevent the introduction of Restricted pest animals not yet established in Victoria
- Targeted fox control at beach nesting bird sites at the critical (nesting) time of year

A full list of actions can be found on the data set

### **Refer to Attachment 2 Threats and Actions IP&A Data Set.**



Community consultation has been undertaken and included public notice on Councils Your Say website and notification in the newspaper and social media. Key stakeholders were notified of the release of the draft plan for consultation and feedback.

Council received eight (8) written submissions. The submissions were generally supportive of the overall intent of the Invasive Plant & Animal Framework and provided feedback to improve the framework, clarify actions and highlight areas of interest for implementation. A summary of issues raised and a response to the submissions is provided in table 1 below.

**Refer to Attachment 3 to 5 for copy written feedback in submissions.**

**Table 1. Summary & Response to Submissions**

<b>Submission</b>	<b>Summary of Comments</b>	<b>Response</b>
<b>Submission One</b> Birdlife Australia	Good to see the 'hoodies' getting some priority from threat mitigation actions.	Support for the framework and actions noted.
<b>Submission Two</b> Eastern Maar Aboriginal Corporation	Figure 1 – wording is taken from Eastern Maar's Parreeyt Statement in Water is Life and is not referenced  Table 1.5.5 – Roles of key regional government agencies – EMAC is not a government agency. Text says the table includes responsibilities, though legal responsibilities are not defined here. Roles detailed are misleading.  A literature review is mentioned several times but no references given.  I'm also wondering about what expectations may be raised by the current format. i.e. the "top 5 actions" are not things that are currently funded to an effective level even in a municipality as contained as Warrnambool City.	The reference for the Parreeyt Statement has been included.  The key regional government agencies section has been updated to remove Eastern Maar Aboriginal Corporation and clarify roles and responsibilities.  The literature review was undertaken during the development of the Framework, it is not part of the final Framework and so has been deleted.  Implementation of the Framework will be accommodated within Council's budget and will be used to support future grant and funding applications associated with improving invasive plant and animal management. This will also include working with the community to implement actions and initiatives of the Framework.
<b>Submission Three</b> Agriculture Victoria	Agriculture Victoria suggest revising the name of the framework to align with State strategy, from Pest Plant and Animal Framework to Invasive Plant & Animal Framework.  Additional comments provided as marked up edits in PDF.	The framework has been renamed as suggested.
<b>Submission Four</b> Warrnambool Field Naturalists Club	Feedback to urge the State Government to upgrade the severity status of Chilean Needle Grass so it becomes listed as a	Classification of weed species is undertaken at a State Government level.

	regionally controlled weed. The Field Naturalists believe this is important so land managers with the weed on their property are obliged to remove it.	Council can provide input to advise the importance and suggest a change the classification of Chilean Needle Grass if and when a review of the Noxious Weed list is undertaken by State Government.
<b>Submission Five</b>	<p>Suggest explicit consideration of other strategies, plans, implementation and management plans?</p> <p>For example how we can guard ourselves against inadvertently jeopardising PPA management because another, possibly older, approach to something (e.g. our planting and when and where we mow or apply herbicides, or what we put in our guidelines for gardeners) accidentally interferes.</p> <p>Additional comments provided as marked up edits in PDF.</p>	<p>The Framework will sit within a hierarchy of strategy and policy which is outlined in the Framework at section 1.5 Management Responsibilities and Coordination.</p> <p>Council has internal operating processes in place for coordination of on ground works and implementation of the actions identified within the Framework along with other land management actions undertaken.</p>
<b>Submission Six</b>	Suggest that St Johns wort <i>Hypericum perforatum</i> , Wild sage <i>Salvia verbenaca</i> & Pink <i>Petrorhagia velutina</i> are included in the framework. St Johns wort is a declared noxious weed land holders must endeavor to control Regionally Controlled weed status.	The weed species listed have be cross referenced with Council's known weeds and have be noted for inclusion in the Framework and the Treats & Actions Data Set.
<b>Submission Seven</b> Basalt to Bay Landcare Network	Suggested inclusions and marked up comments.	Edits and suggestions have been incorporated into the final report.
<b>Submission Eight</b>	<p>Italian Buckthorn rampantly spread along the promenade's flora, from Point Ritchie to the Pavilion and Lake Pertobe taking over the native trees and shrubs. It is also found along the train line in East Warrnambool, Princes Highway and in urban areas including resident's gardens and schools. It is not listed as a Noxious Weed in Victoria and the submission recommends that is should be included as a Noxious weed.</p> <p>Suggests the coordination of a working group of volunteers to tackle the Italian Buckthorn.</p>	<p>Classification of weed species is undertaken by State Government.</p> <p>Council can provide input to advise the extent and importance of Italian Buckthorn if and when a review of the Noxious Weed list is undertaken by State Government.</p> <p>Council is aware of the spread of Italian Buckthorn across the municipality. It is listed in the Coastal Vegetation Management Plan as a species to control within coastal reserve.</p> <p>Council supports community involvement in on ground conservation works and community members may join existing community groups such as</p>

		Landcare. Council is also supportive of the development of new or emerging groups for on ground conservation works and there is a process in place to enable community groups to undertake woody weed removal (inc. Italian Buckthorn) on council owned or managed land.
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## FINANCIAL IMPACT

The preparation of the Warrnambool Invasive Plant & Animal Framework has been funded within the Natural Environment & Sustainability budget.

Implementation of the Framework will be accommodated within Council's budget and will be used to support future grant funding applications associated with improving invasive plant and animal management.

## 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.

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

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

### 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.

4.4 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.

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**

The Warrnambool Invasive Plant & Animal Framework provides a strategy that will guide the implementation of invasive plant and animal management over a 10-year timeframe.

## **COMMUNITY IMPACT / CONSULTATION**

Community consultation for the development of the Warrnambool Invasive Plant & Animal Framework has been undertaken through a two staged approach.

The first stage comprised of the consultant liaising with key stakeholders and discussing the threats and impacts of invasive plants and animals. The information collected was then worked through item by item at a workshop with key stakeholders to further discuss the range of parameters such as asset effected, likelihood, and impact and mitigation actions.

The release of the draft Warrnambool Invasive Plant & Animal Framework for community consultation was the second stage in the consultation process. The plan was released on Councils Your Say website and notification included in the newspaper and social media. Key stakeholder groups were notified of the release of the draft Framework.

## **LEGAL RISK / IMPACT**

As manager of crown land, Warrnambool City Council is responsible for managing noxious weeds and established pest animals under the Catchment and Land Protection Act 1994 and Regulations 2012. Under the Local Government Act 1989 Council can develop local laws relating to noxious weed and pest animal management.

## **OFFICERS' DECLARATION OF INTEREST**

None.

## **CONCLUSION**

The Warrnambool Invasive Plant & Animal Framework provides priority actions that are intended to provide guidance for Warrnambool's invasive plant and animal management, over a 10-year timeframe.

The framework will help inform Council's on ground works, how to work with community groups and will be used to support future grant and funding applications associated with improving invasive plant and animal management.

## **ATTACHMENTS**

1. Warrnambool Invasive Plant and Animal Framework final [7.9.1 - 52 pages]
2. Threats and Actions IPA Warrnambool (2) [7.9.2 - 95 pages]

## **7.10. ADVISORY COMMITTEE REPORTS**

### **PURPOSE**

***This report contains the record of one Advisory Committee meeting and one Reference Group meeting.***

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### **REPORT**

1. Warrnambool Airport Reference Group Meeting held 28 August 2023 – noting Item 11, commentary on Wind Farm Developments– refer **Attachment 1**.
2. Planning Advisory Committee Meeting held on 6 September 2023 – refer **Attachment 2**.

### **ATTACHMENTS**

1. Minutes WARG 28 August 2023 2 [7.10.1 - 7 pages]
2. Planning Advisory Committee Minutes \_ \_ 6 September 2023 [7.10.2 - 5 pages]

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### **RECOMMENDATION**

**That the records of the Warrnambool Airport Reference Group meeting held on 28 August 2023 and the Planning Advisory Committee meeting held on 6 September 2023, be received.**

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## **7.11. 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, 11 September 2023 – refer **Attachment 1**.

Monday, 18 September 2023 – refer **Attachment 2**.

Monday, 25 September 2023 – refer **Attachment 3**.

### **ATTACHMENTS**

1. Assembly of Councillors Record 11 September 2023 [7.11.1 - 2 pages]
2. Assembly of Councillors Record 18 September 2023 [7.11.2 - 1 page]
3. Assembly of Councillors Record 25 September 2023 [7.11.3 - 1 page]

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### **RECOMMENDATION**

**That the record of the Informal Meetings of Council held on 11, 18 and 25 September 2023, be received.**

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

### **PURPOSE**

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

### **REPORT**

<b>Date</b>	<b>Location</b>	<b>Function</b>
30 August 2023	Warrnambool	Mayor - Warrnambool Rotary Club Father of the Year 2023 presentation.
5 September 2023	Warrnambool	Mayor & Chief Executive Officer - Great Ocean Road Region Tourism Conference.
6 September 2023	Warrnambool	Mayor- Brauer College John King Citizenship Awards.
7 September 2023	Geelong	Chief Executive officer – Barwon South West Region Geelong Regional Package Forum.
11 September 2023	Warrnambool	Mayor – Australian Citizenship Ceremony with 26 residents becoming Australian citizens.
13 September 2023	Warrnambool Warrnambool	Mayor – Legacy Centenary Torch Relay. Mayor - Launch of GALS (Girls as Leaders in STEM – (science, technology, engineering & maths) Program 2023.
14 September 2023	Warrnambool	Mayor - Visit to Warrnambool Library by Senator Jane Hume.
15 September 2023	Warrnambool	Mayor – Great South Coast Leadership Program participants introduction.
20 September 2023	Warrnambool	Mayor - Visit by Minister for Youth, Natalie Suleyman to F Project for the <i>Artolescence</i> exhibition.
23 September 2023	Warrnambool	Cr Otha Akoch represented the Mayor at the HFNL Grand Final day.
25 September 2023	Warrnambool	Mayor & Chief Executive Officer – Meeting with Jacinta Ermacora MP, State Member for Western Victoria.
27 September 2023	Warrnambool	Mayor & Chief Executive Officer – Meeting with Roma Britnell MP, Member for South West Coast.
28 September 2023	Warrnambool	Mayor & Councillors – Official opening of McGennan amenities block.

### **RECOMMENDATION**

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

## **8. NOTICE OF MOTION**

No Notices of Motion have been received.

## **9. GENERAL BUSINESS**

## **10. URGENT BUSINESS**

## **11. RESOLUTION TO CLOSE MEETING**

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### **RECOMMENDATION**

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

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## **12. SECTION 66 (IN-CAMERA) - CONFIDENTIAL ITEMS**

**12.1. MINUTES IN-CAMERA MEETING OF COUNCIL HELD ON 1 MAY 2023**

**12.2. AUDIT & RISK COMMITTEE MINUTES**

**12.3. CHIEF EXECUTIVE EMPLOYMENT MATTERS ADVISORY COMMITTEE MINUTES**

## **13. RESOLUTION TO RE-OPEN MEETING**

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### **RECOMMENDATION**

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

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## **14. CLOSE OF MEETING**