

AGENDA

SCHEDULED COUNCIL MEETING

WARRNAMBOOL CITY COUNCIL

5:45 PM - MONDAY 6 NOVEMBER 2023



VENUE:

Reception Room

Warrnambool Civic Centre

25 Liebig Street

Warrnambool

COUNCILLORS

Cr. Ben Blain (Mayor)

Cr. Otha Akoch

Cr. Debbie Arnott

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

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. 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

RECOMMENDATION

That the Minutes of the Scheduled Meeting of Council held on 2 October 2023 and the Minutes of the Scheduled (Annual) Meeting of Council held on 23 October 2023, be confirmed.

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

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

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

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

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

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

5. MAYORAL PRESENTATION

6. PUBLIC QUESTION TIME

7. REPORTS

7.1. SCHEDULED COUNCIL MEETING DATES 2024

DIRECTORATE : Executive Services

PURPOSE:

The purpose of this report is for Council's consideration and adoption of the Scheduled Council Meeting dates for 2024.

EXECUTIVE SUMMARY

Under Council's Governance Rules, Council is required to fix the dates, times and places of all Scheduled Council Meetings for the following 12 months at the first Council meeting following the Annual (Statutory) Meeting of Council.

The proposed Scheduled Council Meeting dates for the period February 2024 – December 2024 is contained within the recommendation.

RECOMMENDATION

That Warrnambool City Council meetings for 2024 be held at 5.45pm in the Reception Room, Warrnambool Civic Centre, 25 Liebig Street, Warrnambool on the following dates:-

- **Monday 5 February 2024**
- **Monday 4 March 2024**
- **Monday 8 April 2024**
- **Monday 6 May 2024**
- **Monday 3 June 2024**
- **Monday 1 July 2024**
- **Monday 5 August 2024**
- **Monday 2 September 2024**
- **Monday 7 October 2024**
- **Monday 18 November 2024 – Annual Meeting**
- **Monday 2 December 2024**

BACKGROUND

Council is required to fix the dates, times and places of all Scheduled Council Meetings for the following 12 months at the first Scheduled Council Meeting following the Annual (Statutory) Meeting of Council with the dates, times and places of all Scheduled Council Meetings to be made available to the public.

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

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

5 An effective Council

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

TIMING

To be adopted at the first Scheduled Council Meeting following the Annual (Statutory) Meeting of Council to be held on Monday 6 November 2023.

ATTACHMENTS

Nil

7.2. ELECTION PERIOD POLICY 2023

DIRECTORATE : Executive Services

PURPOSE:

This report presents a reviewed Election Period Policy for adoption.

EXECUTIVE SUMMARY

The Local Government Elections that are scheduled to occur in October 2024 necessitate that the Election Period Policy be reviewed.

The Policy aims to ensure that Warrnambool City Council's general elections to be held on Saturday, 26 October 2024, and subsequent elections, are conducted in a manner that is ethical, fair and equitable and are publicly perceived as such.

The Policy includes procedures intended to prevent the Council from making inappropriate decisions or using resources inappropriately during the election period before a general election. It places limits on public consultation and the scheduling of Council events and puts in place procedures to ensure that access to information held by Council is made equally available and accessible to candidates during the election.

The previous policy was dated and included many references and processes from the *Local Government Act 1989* that have since been repealed. As such the policy has been rewritten from scratch.

RECOMMENDATION

That Council:

- 1. Adopt the attached Election Period Policy 2023.**
 - 2. Revoke the Election Period Policy adopted on 3 August 2020.**
-

BACKGROUND

Preparations for the October 2024 Local Government Elections are underway. A key part of those preparations is to prepare the organisation, Councillors and potential candidates for the requirements and expectations that will be placed upon them during the election period.

The *Local Government Act 2020* (the Act) requires Council to have an Election Period Policy. The policy was last reviewed in August 2020. The policy in its current form is dated and includes numerous references to processes and requirements that no longer exist after the repeal of large parts of the *Local Government Act 1989*. It has been determined that instead of making marginal revisions to the existing policy, a new policy be developed.

The election period (also known as the caretaker period) starts at the time that nominations for the election of Council close (known as nomination day) until election day. The election period for the 2024 elections will be 24 September 2024 until 6pm on Election Day, Saturday 26 October 2024, inclusive.

ISSUES

The policy sets out the procedures to be applied by Council during the election period for a general election.

The purpose of the Policy is to ensure that the ordinary business of Warrnambool City Council continues throughout the election period in a responsible and transparent manner, and in accordance with statutory requirements and established caretaker conventions.

These conventions are intended to ensure that councils and Councillors will not use public resources in election campaigning or make major policy decisions that may bind the incoming Council.

It aims to avoid the politicisation of the organisational arm of Council and prevents candidates being unfairly advantaged or disadvantaged as a result of incumbency.

This policy aims to address and provide guidelines in respect of the matters listed below:

- Council decision-making
- Public consultation, meetings and Council events
- Use of Council resources
- Access to Council information and assistance to candidates
- Electoral material
- Media and publicity
- Section 123 of the Act (misuse of position)

FINANCIAL IMPACT

The adoption of the attached Election Period Policy 2023 will not impact Council's financial resources. However, the election will come at a large expense with a cost estimate expected to be provided by the Victorian Electoral Commission by December 2023.

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

The election period for the 2024 elections will be 24 September 2024 until 6pm on Election Day, Saturday 26 October 2024, inclusive.

COMMUNITY IMPACT / CONSULTATION

Nil.

LEGAL RISK / IMPACT

Nil.

OFFICERS' DECLARATION OF INTEREST

Nil.

CONCLUSION

This Policy facilitates the continuation of Council's ordinary business throughout the election period in a responsible and transparent manner. It aims to ensure that the elections are not compromised by inappropriate electioneering by existing Councillors and safeguards the authority of the incoming Council.

ATTACHMENTS

1. Election Period Policy 2023 [7.2.1 - 14 pages]
2. Election Period Policy 2020 [7.2.2 - 15 pages]

7.3. DRAFT NAMING OF SPORT AND RECREATION FACILITIES POLICY

DIRECTORATE: *Community Development*

PURPOSE:

This report introduces a draft Policy to guide requests from the community to name Council owned or managed sport and recreation facilities.

EXECUTIVE SUMMARY

Warrnambool sporting clubs and community members, from time to time, seek to recognise people who have supported them and the community through distinguished effort and commitment, by naming a Council owned or managed facility in their honour.

The Naming of Council Sport and Recreation Facilities Policy sets out the guidelines and criteria for which naming requests will be considered and supported.

RECOMMENDATION

That Council endorses the Naming of Council Sport and Recreation Facilities Policy.

BACKGROUND

Warrnambool sporting clubs and community members, from time to time, seek to recognise people who have supported them and the community through distinguished effort and commitment by naming a sport or recreation facility in their honour. While the requests are infrequent, there is currently no policy to guide a consistent approach. While some facilities already have names these have been applied inconsistently and in some cases without Council approval.

Place names are an important part of Warrnambool's cultural, historical and geographic identity. The naming of new places and the preservation of existing ones contributes to a sense of belonging and reflects the cultural values of communities and of Warrnambool's rich sporting history. Place and facility names are therefore of major social importance.

Volunteers are fundamental to the success of sporting clubs and Committee's rely on the knowledge, skills and experiences of volunteers, Volunteers are integral in building community capacity, growing sports and driving participation. Recognising the commitment and personal contribution that individuals and their families provide to local sport, often over long periods of time, is an important aspect of creating a strong sense of local identity and pride.

The development of the Naming of Council Sport and Recreation Facilities Policy sets out the guidelines and criteria for which naming requests will be considered and approved. Approval for any application made under this policy can only be given by Council Resolution and in response to a completed written application that has been assessed by Officers and deemed compliant. Naming requests for living persons can provide a sense of legacy to which current members can acknowledge directly.

Requests to unofficially name, buildings or parts of buildings, sporting infrastructure or sports grounds and active playing surfaces, after a sponsor will not be considered. Council reserves the right to revoke, or de-name Council owned or managed sport facilities of the name is associated with criminal activity, and it is likely to cause distress to members of the community.

Policy Purpose

The policy provides:

- Council with a consistent and standardised approach to processing requests to name Council owned or managed sport facilities.
- Ensures that the naming of Council sport facilities is consistent with Warrnambool's community expectations, Council's strategies and policies, relevant legislation and local laws and the Guidelines for Geographic Names Victoria where applicable.

Policy Scope

The policy applies to Council owned or managed property utilised for sport and recreation purposes where an Agreement is entered into with an organisation.

The Policy **applies to** the following Council sport facilities:

- Buildings or parts of buildings in Sporting Reserves
- Sporting Infrastructure
- Sportsgrounds and active playing surfaces

The Policy **does not apply to**:

- Entire Reserves or Parks as considered under the Geographic Names Act 1966.
- Leisure Centres owned or managed by Council or a Council operated service eg: AquaZone, Warrnambool Stadium etc.
- Community and/or multi-use facilities where sport and recreation is not considered the primary or major focus eg neighbourhood houses, community centres, halls, etc
- Requests for plaques and memorials on Council owned or managed land, including streets, reserves or parks.

Naming Criteria & Guiding Principles

All applications will be assessed against the following criteria and guiding principles.

Gender Equality

Council is committed to promoting and achieving gender equality. When considering a naming proposal, Council will review the totality of feature names across the municipality with a gender lens to ensure that there is balanced gender representation in named facilities.

Priority will be given to naming proposals seek to redress any imbalance in the recognition and contribution of particular social groups.

Aboriginal Names

Council is committed to our Aboriginal and Torres Strait Islander community and acknowledges that Aboriginal people have a rich and continuous connection to our area.

The use of traditional Aboriginal names is encouraged, in line with State Government policy, which encourages the greater use of Indigenous names in Victoria through place naming. The widespread use of Indigenous names provides a strong connection to Indigenous heritage and acknowledges Indigenous culture.

As such, Council will prioritise naming proposals which request the use of Aboriginal names. This process will be undertaken in consultation with the Eastern Maar Aboriginal Corporation (EMAC). Council will consult with EMAC prior to any use of the Gunditjmara language or place naming within Gunditjmara country and timeframes for determining such naming proposals will be extended to accommodate for the EMAC's process.

Council will only endorse the naming of a facility with an Aboriginal name if the EMAC supports the proposal.

Community Naming Requests

A naming request will only be considered if the person who is nominated (nominee):

- Is/was of good repute and not likely to be the subject of controversy;
- Has/had made an outstanding contribution to the sport/cultural/community organisation for which the sport facility has been built/constructed/provided;
- Has/had been nominated unanimously by the committee of the relevant sport/cultural/community organisation which is the major user (historically and currently) of the sport facility;
- The naming request has the support of all other tenant clubs and key stakeholders and users.
- Has/had made a significant contribution, over and above other potentially suitable candidates;
- Has/had been a resident of Warrnambool or surrounding district and is/was widely known and respected within the local community; or had a recognised historical link with the locality or is generally acknowledged as having made a significant contribution to the social, economic, sporting and/or cultural development of the community;
- If the person is deceased, the naming request application should include the written consent of their immediate family;
- If the person is living, the naming request application must include the written consent of the nominated person;
- Names considered offensive or likely to give offence will not be considered, as well as names of persons who have been convicted of criminal offences;
- Naming requests for members of the Council staff, Councillors, appointees to Committees of the Council, a person still holding public office or those formally associated with the Council, will not be considered as long as that formal relationship continues to exist; and
- There is broad community respect for the person and acceptance of the proposal generally as determined through an approved public consultation process.
- Requests to unofficially name, buildings or parts of buildings, sporting infrastructure or sports grounds and active playing surfaces, after a sponsor will not be considered.
- Names of political parties or entities will not be considered.

ISSUES

There is currently no policy to guide or to provide a consistent and standard procedure for naming Council sport and recreation facilities.

There has been a naming request for Harris Street Reserve pending since mid 2022 with the nominator advised that the request could not be progressed until a Policy was developed. This policy is in response to this request.

Some sporting infrastructure (cricket training nets) already have unofficial names. These names recognise living persons who have volunteered at the club over a long period of time. Whilst there is a perceived risk in using a living persons name, the benefit and opportunity it provides clubs and the community to honour individuals for contributions that deserve recognition far outweigh any apparent or perceived risk. Clubs rely significantly on volunteers for their knowledge, skills and experiences to operate club-based activities, recognition whilst the person is living is paramount. Clubs who have created a culture of volunteering are more likely to be successful, whilst enabling social connection and a sense of belonging.

It is suggested that should clubs wish to make these official that they follow the process to have them formally endorsed by Council and that otherwise they remain as is but remain unofficial and therefore subject to change.

While there is a very small risk that a living individual may be found to be of ill repute after the fact, this can also be true of someone deceased. As recognising significant contributors to the sport is an important aspect of developing community identity and pride, and that this recognition is best delivered while the person can be appreciate being acknowledged, it is recommended that the naming after the living is allowed.

FINANCIAL IMPACT

If the naming request is endorsed by Council, the applicant will be required to meet all costs associated with the consultation, advertisements and registration costs associated with the name proposal.

The applicant is also required to meet all costs associated with the purchase, advertisement, delivery, installation and maintenance of the approved signage.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

1 A healthy community

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

COMMUNITY IMPACT / CONSULTATION

Community does not need to be consulted as the Policy is considered organisational.

LEGAL RISK / IMPACT

NA

OFFICERS' DECLARATION OF INTEREST

NA

CONCLUSION

The Community Requests for the Naming of Council Sport and Recreation Facilities Policy will provide the guidelines, criteria and consistent approach for which naming requests will be considered by Council.

ATTACHMENTS

1. Naming of Council Sport and Recreation Facilities Policy August 20 [7.3.1 - 9 pages]

7.4. KEY WORKER ACCOMMODATION AND AFFORDABLE HOUSING EXPLORATORY PROJECT

DIRECTORATE : Community Development

PURPOSE:

This report seeks endorsement from Council to proceed with due diligence to explore the possibility of activating Council owned land currently located in the buffer zone of the former saleyards, abutting Harrington Road as an accelerated housing estate, for key worker accommodation and affordable housing.

EXECUTIVE SUMMARY

In light of the severe housing crisis impacting Warrnambool today, and the repercussions being experienced by the community as well as the restricted ability of organisations and businesses in the municipality to attract key workers, Council will:

1. Explore the possibility of activating the land currently in the buffer zone of the former saleyards to install 40-50 pre-fabricated modular units as key worker accommodation and affordable housing through a lease agreement with a Community Housing Agency, for a period of 10-15 years.
2. Engage with the community to receive feedback on the concept and model of the project.
3. Enter into an agreement with a Community Housing Agency to deliver and manage the project.
4. Engage with the Federal and State Government to generate funds for the delivery of the project.

While this project is only for key worker accommodation and affordable housing, this project is expected to have a positive impact in assisting the development of further social housing stock.

RECOMMENDATION

That Council:

1. **Notes the critical shortage of housing stock to accommodate key workers and the provision of affordable housing in Warrnambool.**
 2. **Endorses the commencement of due diligence with the National Housing Finance and Investment Corporation, Homes Victoria and Community Housing Agencies to explore the development of a Key Worker Accommodation and Affordable Housing project on the proposed site at Harrington Road.**
 3. **Endorses the initiation of Community Consultation on the project, pursuant to Section 115 of the *Victorian Local Government Act 2020*.**
 4. **Delegates the authority to the Chief Executive Officer to enter into an agreement with a Community Housing Agency through an Expression of Interest to conceptualise and finalise the proposal.**
 5. **Endorses the Chief Executive Officer to pursue fast-tracked planning pathway from the Minister of Planning for the Project, including written advice from the Chief Executive Officer of Invest Victoria.**
 6. **Receives a report from officers to consider the project model pursuant to outcomes from the due diligence process which includes the selection of the preferred Community Housing Agency and community consultation, with an outline of next steps.**
-

BACKGROUND

A range of socio-economic issues has created a severe housing crisis in Warrnambool. All industries, particularly health and human services, education, and construction, are experiencing significant challenges in recruiting key workers, which is having a detrimental impact on the community. With over 300 private rentals operating as short-stay holiday accommodation, closure of a number of motels, and the impacts of the COVID-19 pandemic, the crisis is palpable.

The following are key statistics that speak to the depth of this crisis:

- Rental Vacancy Rate - 0.8% (healthy market rate - 4%)
- Median rental price - \$500 (average increase of \$100 pw from 2021)
- Total rental properties as a ration of total dwellings (18% - significantly lower than state average - 30%)
- 1/3rd of renters facing severe rental stress due to increasing rents
- Lack of key worker accommodation is having a negative effect on industries being able to fill positions < economic development
- Lack of local presence of Community Housing Agency to prepare shovel-ready projects for future.

Council's Social Housing Planning document developed in 2019 had identified that the current shortfall in housing in Warrnambool was 1,430 dwellings, which would increase to an estimated 2,812 dwellings by 2036, at current rates of housing growth. In spite of a record number of permits being issued by Council in 2022 (over 400), significant short to medium term solutions are required to mitigate the range of socio-economic impacts created by the current crisis.

In November 2020, the Victorian Government announced a \$5.3 billion Big Housing Build and Warrnambool was allocated \$25 million at the outset as a priority local government area. This has resulted in around 90 properties being built for social housing, purchased and/or renovated/upgraded. Confirmation of exact numbers could not be received from Homes Victoria at the time of writing this report. None of these have resulted in the increase of affordable community housing stock or key worker accommodation.

Recent discussions with the Federal Government (National Housing Finance and Investment Corporation - NHFIC) and State Government (Homes Victoria) agencies has indicated that there is no further funding pipeline that has been allocated or is currently being considered for Warrnambool unless a shovel-ready project is submitted either by Council or a Community Housing Agency.

In the absence of a pipeline of dwellings being constructed and delivered within a short timeframe, the existing crisis is expected to exacerbate further. There are anecdotal reports from within Council and external agencies that recruitment of employees has been an extreme challenge due to the lack of housing, particularly lack of private rentals. This has a further detrimental impact on the capacity of the municipality to attract key workers who require affordable rental accommodation and also tertiary students. While advocacy is ongoing, there is no guarantee that any housing yields will be realised through existing channels of funding, unless a shovel-ready project is brought into the mix.

Within this context, Council has evaluated how it can facilitate some short to medium term options to improve the housing situation through the activation of land that is either owned by Council or State Government. While activating State Government land will take considerable time, an opportunity has been identified where Council can activate a portion of the buffer land of the former saleyards, abutting Harrington Road, while the Masterplan for the whole of the land is being developed.

THE PROPOSAL

It is proposed that Council explore the possibility of leasing out the land located across from 177 – 195 Harrington Road (~15,000 square metres) for a period of 10-15 years to a Community Housing Agency, who will build between 40-50 units using prefabricated modular construction. These units will be self-contained and be divided across a mix of one-bedroom, two-bedroom and three-bedroom units. The units will be made available as key worker accommodation for organisations and businesses in the municipality, and affordable housing, through a 50-50 split.

While details of the allocations are yet to be worked out, it is expected that key worker accommodation will be allocated by the housing agency through an expression of interest from local employers in the municipality, that will be opened every two years. Affordable housing will be allocated to families by the housing agency through its established model with Department of Housing, primarily targeted at women and children.

The land is currently zoned Farming. Preliminary planning advice received by Council indicates that the Clause 53.23 - Significant Residential Development with Affordable Housing could apply to the land, with a fast-track decision from the Minister for Planning to proceed with the project, overriding any other clause within the Planning Scheme. This will be finalised as part of due diligence as the project cannot proceed without this. The aerial map of the land being explored is attached to this report as Attachment 1. Advice received from Council's Planning Consultant is attached as Attachment 2.

This would be the most appropriate land to consider at present owing to the following:

- Land is currently in a buffer zone without any immediate usage and will be part of a larger Masterplan. The pursuit of this proposal will not negatively impact the future masterplan.
- Timeframes for delivery can be achieved
- Drainage and utility assets already exist
- Close proximity to currently built-up area, schools, markets, services and transport
- Concepts of modular construction can blend with existing neighbourhood character
- Lack of other appropriate land that can be activated in a short time period.

Details of the project concept, management model and project time period will be finalised during the due diligence phase, which will include feedback from the community. The following are the pre-determined concepts that Council is proposing:

1. Lease of the land to be for 10-15 years (exact period to be determined as part of due diligence)
2. Number of homes to be between 40-50 (final number to be confirmed at the architectural design stage with inclusion of community feedback)
3. 50-50 split between key worker accommodation and affordable housing
4. Community Housing Agency to fully manage the project.

Pursuant to Section 115 of the Victorian Local Government Act 2020, Council will need to conduct appropriate community consultation on the project, prior to arriving at a decision. This will be pursued as part of due diligence. The community will have an opportunity to provide feedback on the overall proposal of Council and the concepts that will be developed.

One of the current limitations identified by the Council's Social Housing Planning report, on why affordable housing stock has remained stagnant, has been the lack of a local presence of a Community Housing Agency. The initiation of this project can assist a housing agency to have adequate portfolio of housing to enable a local presence and then pursue further developments to increase housing stock. This will not only benefit Warrnambool but the whole of South West Victoria.

First part of the due diligence will be to enter into an agreement with a Community Housing Agency to proceed with the conceptualisation of the project. For this Council will publish a Request for Expression of Interest from interested Community Housing Agencies with footprint in Warrnambool, to lead and manage the project.

Upon completion of the project, the land will return to Council. Method of disposal or relocation of built assets will be determined and finalised as part of due diligence. A tri-partite agreement may need to be entered into between Council, the Community Housing Agency, and the funding agency. This will also be explored during the due diligence phase.

Preliminary research by Council of prefabricated – modular construction has revealed that prefabricated construction technology has significantly evolved over time and currently, the industry is able to deliver high-quality, durable homes that meet 7-star rating for energy efficiency and building standards. The preference for prefabricated modular homes is also necessitated by the pace at which the units can be delivered. Based on initial conversations with a range of builders, the indication is that the entire project can be delivered within 12-15 months from the date of final approval. The current delays experienced by the construction industry are also unlikely to impact on the project because of the model of delivery.

Discussions with the NHFIC and Homes Victoria has indicated that this is a unique concept proposal which suits the needs of South West Victoria, and that NHFIC and Homes Victoria would be interested in exploring this concept further, provided a community housing agency is leading the delivery and management of the project. Additionally, Council has received communications from philanthropic organisations on their willingness to provide funding to Council for development of affordable housing for women and children. This can be further explored during the due diligence phase.

Council's role in all of this will be that of a facilitator bringing the relevant parties together and that of leaseholder and rates collector, with no other obligations expected.

Definitions:

For the purposes of this project, the following will be the operational definitions used:

1. **Key worker:** The definition for key workers will be finalised as part of due diligence. This will be achieved through consultation with employers and organisations in the municipality. A scope will be developed to only include those industries and their workers that are most affected by the current housing crisis. This definition will be periodically reviewed based on emerging needs.
2. **Affordable housing:** In context of the project, the definition of affordable housing has been modified from how it is understood as defined by Section 3AA of the Planning and Environment Act 1987. For the project, the term affordable housing excludes social housing and public housing.

Social and Economic Impact:

This proposal is expected to have a significant social and economic impact on the Warrnambool community and economy. The ability of Warrnambool to attract and retain key workers will further stimulate the economy and sustain jobs growth.

Some of the short- and long-term social impacts of this project are listed below:

- Lower occupancy costs for rentals across the municipality
- Higher worker productivity through stable housing
- Higher rates of economic stimulation
- Lower risk of homelessness
- Addressing intergenerational disadvantage
- Spin off benefits across sectors such as education, health, and human services, etc.

In the absence of Council actively pursuing a project to be realised for key worker accommodation and affordable housing, there is no expectation that any project will eventuate from other sources in the near future. Neighbouring Councils, Moyne and Corangamite Shire have enabled similar projects with successful outcomes.

ISSUES

Warrnambool's housing crisis is severe and is impacting every social and economic fabric of the municipality. Lack of any key worker accommodation or affordable housing options in the future is going to further damage Warrnambool's social, economic and health determinants, and exacerbate already stressed capacity of organisations to attract, recruit and retain essential workers. Although Council is aware of one major private key worker accommodation project, there are no public projects in the pipeline from any other sources that can add key worker accommodation or affordable housing stock in the short term in the municipality.

Council is also receiving feedback from the community that Council needs to be more proactive in addressing the housing crisis.

FINANCIAL IMPACT

The major impact to Council will be the dedication of staff time to perform due diligence which will need to be absorbed under current allocations, thereby creating some opportunity costs.

The pursuit of planning exemption, expected to be around \$20,000, may need to be incurred by Council, and absorbed under existing budgets. Similarly, community consultation may incur a cost of around \$10,000.

The detailed designs of the project will require costs. However, this will be determined in negotiation with the selected Community Housing Agency and can be reimbursed from project costs.

The allocation of land for the project can create opportunity costs for Council during the lease period. However, the overall positive social and economic impact is expected to far outweigh those opportunity costs.

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.

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

3.3 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.

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

5.6 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

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

Post endorsement from Council, the following are the next steps and the expected timelines:

- Exploration of planning amendments and/or exemptions - Nov 2023-Feb 2024
- Community consultation - Nov-Dec 2023
- Local forums with organisations and businesses in the municipality - Nov 2023
- Briefing to Council on results of community consultation and local forum discussions - Dec 2023
- Publication of an Expression of Interest and recruitment of a Community Housing Agency - Nov 2023
- Selection of Community Housing Agency and signing of Memorandum of Understanding - December 2023
- Due diligence with Federal and State Government entities - Nov 2023 - Feb 2024
- Detailed model and concept design - Jan - Feb 2024
- Preliminary Report to Council on results from due diligence, community consultation, financial modelling, concept finalisation and next steps - March 2024

COMMUNITY IMPACT/CONSULTATION

Council officers have conducted detailed discussions with the following agencies in the preparation of this report:

1. National Housing Finance and Investment Corporation
2. Homes Victoria
3. Municipal Association of Victoria
4. Housing Choices Australia
5. Haven Home Safe
6. The Salvation Army
7. Beyond Housing
8. Vasey RSL Care
9. Women's Housing Ltd.
10. Gunditjmara Aboriginal Cooperative
11. Brophy Youth and Family Services
12. Emma House
13. Heatherlie Homes and Uniting Church
14. Owen Built Homes
15. Federation Homes
16. Luxabode

If Council officers proceed with due diligence process, forums will be organised with housing agencies, local organisations and businesses to explore the different models further and generate community consensus and support for the project.

Pursuant to the Section 115 of the Victorian Local Government Act 2020, consultation with the community will also be initiated to provide feedback on the project.

LEGAL RISK/IMPACT

The major risk identified to date is the potential for a delay from the Minister of Planning to provide exemption for the project to proceed, thereby disrupting expected or projected timelines. It is expected that the proposed project will have significant positive social and economic impact. A detailed risk assessment will be developed as part of due diligence.

OFFICERS' DECLARATION OF INTEREST

There are no conflicts of interest.

CONCLUSION

Based on current estimates arrived at through a series of stakeholder consultations, Warrnambool currently has a shortfall of around 120 rental homes that can ease the severe housing crisis to some extent. The development of 40-50 units to cater to key worker accommodation and affordable housing is expected to considerably ease the housing crisis and create better social and economic impact across the community and businesses. Consequential benefits will positively impact the South West Victoria region.

ATTACHMENTS

1. Aerial Map of Site Being Explored (1) [7.4.1 - 1 page]
2. MEMO - Affordable Housing Summary - 161023 [7.4.2 - 6 pages]

7.5. S11A INSTRUMENT OF APPOINTMENT AND AUTHORISATION (PLANNING AND ENVIRONMENT ACT 1987)

DIRECTORATE : Executive Services

PURPOSE:

This report seeks Council's endorsement of an updated S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987).

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's endorsement for appointment of authorised officers under the *Planning and Environment Act 1987* through the updated Instrument of Authorisation and Appointment ('the instrument'). This request results from recent staff changes.

By authorising the relevant officers to perform their duties under the *Planning and Environment Act 1987*, Council will ensure these officers have the required authority to carry out their roles within legislated requirements.

RECOMMENDATION

Council Resolves that:

- 1. The members of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument.**
 - 2. The instrument comes into force immediately upon the common seal of Council being affixed to the instrument and remains in force until Council determines to vary or revoke it.**
 - 3. The Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) dated 6 March 2023 be revoked.**
 - 4. The common seal of Council be affixed to the Instrument.**
-

ISSUES

Officers authorised to act under the *Planning and Environment Act 1987* have authorisation to enter sites, gather evidence or serve legal notices, etc. if required, as appropriate to their level of experience and qualifications.

The specific authorisations provided through this instrument include:

1. Under section 147(4) of the *Planning and Environment Act 1987* (Vic) - appointment as an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. Under section 313 of the *Local Government Act 2020* (Vic) authorisation generally to institute proceedings for offences against the Act and/or any regulations.

If officers are not appropriately authorised, they will not have the legal authority to perform key aspects of their role which would result in a lack of enforcement across the City. If officers act without the correct authority, actions can also be challenged and invalidated on that basis, and the officers may be personally liable.

The attached instrument has been reviewed and updated to reflect recent staff changes and authorises the following officers:

Hannah Carswell
John Edwards
Julie McLean
Matthew Cross
Morteza Mirgholami
Nicholas Legoe
Peter Reid
Rob Wandell
Srimali Mellawa

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

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

TIMING

N/A

COMMUNITY IMPACT / CONSULTATION

Nil.

LEGAL RISK / IMPACT

Not endorsing the updated instrument will limit the authorisations and authority of selected officers. Additionally, If officers act without the correct authority, actions can also be challenged and invalidated on that basis, and the officers may be personally liable.

OFFICERS' DECLARATION OF INTEREST

Nil.

COLLABORATIVE PROCUREMENT

N/A.

CONCLUSION

By authorising the relevant officers to act under the *Planning and Environment Act 1987* Council will ensure these officers have the required authority to carry out their roles within legislated requirements.

ATTACHMENTS

1. S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)
[7.5.1 - 2 pages]

7.6. COUNCIL PLAN ACTIONS 2023 - 2024: JULY - SEPTEMBER (QUARTER 1)

DIRECTORATE: *Corporate Strategies*

PURPOSE:

This report provides information on the progress in achieving the actions set down for 2023-2024 as part of the Council Plan and Budget process. This report provides Council and the community with an update in the progress of actions across Councils' functional areas.

EXECUTIVE SUMMARY

This report reflects on the progress and achievements of a broad range of actions set out in the Council Plan and Budget for the financial year 2023 –2024.

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

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

The 5 key objectives that support this vision are:

1. A healthy community

We will be a healthy, inclusive and thriving community with equitable access to services, cultural opportunities and recreational activities.

2. A sustainable environment

We will protect and strengthen local ecosystems, enhance biodiversity and enable sustainable communities.

3. A strong economy

We will support a resilient local and self-sustaining regional economy that encourages economic growth and provides increased employment opportunities that attract ongoing investment.

4. A connected, inclusive place

We will provide high quality places that people value and want to live, work, play and learn in.

5. An effective Council

We will be recognised as a collaborative Council and a high-performing organisation that enables positive outcomes for Warrnambool’s community, environment and economy and for Victoria’s Southwest.

RECOMMENDATION

That the Council Plan Actions 2023 – 2024: July – September (Quarter 1), be received.

BACKGROUND

The Warrnambool City Council Plan 2021 – 2025 (Revised 2023) is the key planning and strategic document of the Council and details the strategic objectives for its community over a 4 year period.

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

ATTACHMENTS

1. Council Plan Actions 2023 - 2024: July - September (Quarter 1) [7.6.1 - 24 pages]

7.7. SEPTEMBER FINANCE REPORT

DIRECTORATE : Corporate Strategies

PURPOSE:

The purpose of this report is to present to Council the financial results for the 3 months ended 30 September 2023.

EXECUTIVE SUMMARY

- This Quarterly Financial Report compares actual financial results to budget for the 3 months from 1 July 2023 to 30 September 2023.
- The Quarterly Financial Report also shows a “revised budget” column, which includes \$20.2 million of budgets carried forward from the previous financial year for the completion of ongoing projects. This includes approximately \$4m of grant funding for the “Coastal Connect” joint venture between Corangamite, Warrnambool, and Moyne Councils related to IT system upgrades.
- The report sets out the financial results for Council’s recurrent (day-to-day) operations, projects, capital works, rates, and borrowings.
- Overall the monthly actual results indicate an unfavourable financial position of \$0.37m compared to the year-to-date budget, mostly due to timing of capital works funding.
- This report meets the requirements of section 97 of the *Local Government Act 2020* to present a quarterly financial report to Council at a public meeting that compares actual and budgeted results to date.

RECOMMENDATION

That Council receive the Quarterly Financial Report for the period July to September 2023.

BACKGROUND

Council reports quarterly on its financial results in accordance with Section 97 of the *Local Government Act 2020*. As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a Quarterly Budget Report is presented to the Council at a Council meeting which is open to the public.

FINANCIAL IMPACT

This report contributes to Council’s financial management principles with analysis and commentary on variances to budget.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

5 An effective Council

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

OFFICERS’ DECLARATION OF INTEREST

No officer declared a conflict of interest under the *Local Government Act 2020* in the preparation of this report.

CONCLUSION

The Quarterly Financial Report for the 3 months from 1 July 2023 to 30 September 2023 is presented to Council.

ATTACHMENTS

1. September 2023 Monthly Finance Report [7.7.1 - 18 pages]

7.8. PLANNING PERMIT APPLICATION PP2022-0205 2 GRANTER STREET AND 82 AND 84 LANDMANN STREET WARRNAMBOOL

DIRECTORATE : City Growth

PURPOSE:

This report summarises the planning assessment that provides a recommendation for the application for the construction of six (6) dwellings on three (3) existing residential lots, and recommends that Council issue a Notice of Decision to grant a permit subject to conditions.

EXECUTIVE SUMMARY

- Council has received an application for the construction of six (6) dwellings following the demolition of the existing dwellings, outbuildings and fences that are located on the land.
- The subject site comprises three (3) existing residential lots in the General Residential Zone (GRZ1) and each lot currently contains a single storey dwelling, carport and storage shed. The site is adjoined by land which is zoned Industrial 3 (IN3Z) along the rear lot boundaries.
- The development will comprise five double storey dwellings (Units 1, 2, 4, 5 and 6) and one (1) single storey dwelling (Unit 3) each dwelling will be provided with a single garage and detached storage shed. Two existing vehicle crossovers provide vehicle access to the site and a new vehicle crossover will be constructed on Landmann Street to provide access to an uncovered visitor car parking space which is required as the development contains more than five (5) dwellings.
- The application triggers a permit for the development of two (2) or more dwellings on a lot. The use of the land for the new dwellings does not require planning permission and is therefore not being assessed.
- The application was subject to public notice, which resulted in six (6) submissions, all in objection to the proposed development. Grounds of objection related to siting the dwellings near existing industrial land resulting in adverse amenity impacts to the occupants of the dwellings and potential complaints which could impact the ongoing use of existing industrial sites (ie. noise complaints), insufficient on-site car parking, adverse traffic and parking impacts, safety concerns in relation to vehicles accessing the site when school children are walking to and from nearby Merrivale Primary School, change in character of the existing residential area from predominantly single storey dwellings to dwellings of two (2) storey design and are not owner-occupied and decrease in property values as a result of the development.
- The application has been assessed against the relevant planning controls and is supported by planning policy being generally in accordance with the objectives of the Warrnambool Planning Scheme. A minor variation to Standard B14 (width of vehicle crossovers) of Clause 55 is required and the application plans do not comply with the minimum dimensions for single garages prescribed in the design standards of Clause 52.06-9 (further discussion below). If the application is supported, a Notice of Decision would be required as all objections have been sustained.

RECOMMENDATION

That Council, having caused notice of Planning Application No. PP2022-0205 to be given under Section 52 of the *Planning and Environment Act 1987* and or the Warrnambool Planning Scheme, and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* issue a Notice of Decision declaring an intent to grant a permit under the provisions of the Warrnambool Planning Scheme in respect of the land known and described as Lot 1 LP 201047T, Lot 1 LP 147260S and Lot 1 LP 147261Q, 2 Granter St, 82 & 84 Landmann St WARRNAMBOOL VIC 3280, for the construction of six (6) dwellings in accordance with the endorsed plans, subject to the following conditions:

1. Approved and Endorsed Plans – Changes Required

Before the development starts, plans must be approved and endorsed by the responsible authority. The plans must be:

- a. Prepared to the satisfaction of the responsible authority
- b. Drawn to scale with dimensions
- c. Submitted in electronic form
- d. Generally in accordance with the plans submitted with the application and the amended plans submitted on 12 October 2022 but amended to show the following details:
 - i) The internal dimensions of each garage having a minimum length of six (6) metres and a minimum width of 3.5 metres.

2. Layout Not Altered

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

3. Landscaping Completion

All landscaping must be completed within twelve (12) months of occupation of the dwellings, to the satisfaction of the responsible authority.

4. Landscaping Maintenance

The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority.

5. Construction Amenity

To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:

- i. Stockpiles of topsoil, sand, aggregate, spoil or other material must be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and must have measures in place to prevent the movement of such material off site;
- ii. Building operations such as brick cutting, washing tools, concreting and bricklaying must be undertaken on the building block. The pollutants from these building operations must be contained on site; and
- iii. Builders waste must not be burnt or buried on site. All waste must be contained and removed to a Waste Disposal Depot.

6. Stormwater Management Plan

Before the commencement of construction a detailed Stormwater Management Plan is to be submitted to and endorsed by the responsible authority. The stormwater works must be designed in accordance with the current responsible authority's Design Guidelines, the endorsed application plans and must include:

- a) Identification of any existing drainage on the site;
- b) Details of how the works on the land are to be drained and/or retarded;
- c) Computations in support of the proposed drainage;
- d) A proposed Legal Point of Discharge for each dwelling;
- e) An underground drainage system to convey minor flows (as defined by the IDM) to the drainage outfall for the development;
- f) Details of how the stormwater discharge from the development will be limited such that post development flows for the 20% and the 1% AEP do not exceed pre-development flows;
- g) Details and measures to enhance stormwater discharge quality from the site and protect downstream waterways and groundwater in accordance with Clause 56.07-4 of the Planning Scheme;
- h) Where residential tank systems are included in the stormwater treatment train for the development, agreements to the satisfaction of Council for the provision and maintenance of these systems;

- i) Evidence that stormwater runoff resulting from a 1% AEP storm event is able to pass through the development via reserves and/or easements, or be retained within lots without causing damage or nuisance to adjoining lots; and
- j) Where drainage is required to be conveyed across privately owned land, easements to be created or demonstration that the consent of the landholder has been provided.

7. Stormwater Works

The endorsed Stormwater Management Plan is to be implemented to the satisfaction of the responsible authority prior to occupation of any new dwelling.

8. Vehicle Access

Before the occupation of the development, the applicant must provide vehicle access to the satisfaction of the responsible authority. This includes the removal of existing redundant vehicle crossings and reinstatement of affected kerb, nature strip and footpath. Satisfactory clearance is to be provided to any stormwater pit, power or telecommunications pole, manhole cover, marker, or street tree. Any relocation, alteration or replacement required shall be at the applicant's expenses.

NOTES

a. Permit Expiry

This permit will expire if any of the following circumstances applies:

- i. The development is not started within two (2) years of the date of this permit.
- ii. The development is not completed within four (4) years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or:

- i. Within six months afterwards for commencement, or
- ii. Within twelve months afterwards for completion.

b. Cultural Heritage Management

If any Aboriginal cultural heritage sites are located during works on the site the necessary contingency measures must be followed in accordance with those identified in Part 2 of the approved Cultural Heritage Management Plan No. 193581 dated 4 September 2023 and approved by the Eastern Maar Aboriginal Corporation on 15 September 2023.

c. Clause 55 Assessment

The proposed development has been assessed against the provisions of Clause 55 of the Warrnambool Planning Scheme.

d. Building Regulations

This application has not been assessed against the relevant provisions of the *Building Regulations 2018*.

e. Road Reserve Works Permit

Before the commencement of any works within the road reserve, a Road Reserve Works Permit must be obtained from Council. All conditions on the Permit must be complied with.

f. Asset Protection Permit

Before the commencement of any physical works to the site, an Asset Protection Permit must be obtained from Council. The purpose of this permit is to protect Council assets from damage which can result from the works and from the movement of heavy equipment and materials on and off the site. All conditions on the Permit must be complied with.

g. Discharge of Polluted Water

Polluted drainage must be treated and/or absorbed on the lot from which it emanates to the satisfaction of the responsible authority. Polluted drainage must not be discharged beyond the boundaries of the lot from which it emanates or into a watercourse or easement drain. Refer to Environment Protection Authority Victoria (EPA) guidelines.

BACKGROUND

The subject site comprises three (3) existing residential lots with a total area of approximately 1938m². The land is an irregular shape located on a sharp bend at the intersection of Granter Street and Landmann Street. The site is located in an established residential neighbourhood where the surrounding lots along Granter Street and Landmann Street have generally been developed for residential purposes with the prevailing character being single storey dwellings on conventional sized residential lots. However, due to the slope of the land on the south side of Granter Street, there are some dwellings that reflect a 2 storey development from the rear with sub-floor or split level designs. Surrounding dwellings are typically traditionally designed with either hipped or peaked roofs, brick veneer or weatherboard cladding and have consistent setback and siting characteristics. The land is located in close proximity to the West Warrnambool Industrial Estate and adjoins land zoned Industrial 3 along the rear lot boundaries. The adjoining industrial land fronts Strong Street and has been developed with industrial buildings that contain a range of light industrial uses.

Each of the three (3) existing lots contain a single storey dwelling, carport and detached storage shed. Vehicle access to the land is currently via two existing crossovers, a double crossover to 2 Granter Street and 84 Landmann Street and a single crossover to 82 Landmann Street. A new vehicle crossover is proposed adjoining the existing single crossover servicing 82 Landmann Street to provide access to a proposed visitor car parking space on the site. No significant vegetation is observed on the land. The streetscape could be characterised as reasonably informal, where street trees are limited, and parking would appear to include both formal accessways with some evidence of parking along the nature strip.

The proposal seeks to permit the construction of six (6) dwellings on the subject site. Five (5) of the dwellings, Units 1, 2, 4, 5 and 6, will be double storey in design and one (1) dwelling, Unit 3, will be single storey. The development will follow the demolition of the existing dwellings, outbuildings and fences (with the exception of the boundary fence adjoining 80 Landmann Street) that are located on the land. The proposed dwellings are sited in a 'side by side' arrangement of three 'pairs' of dwellings with party walls separating each of dwellings. Private open space is located to the rear of the dwellings and small storage sheds are provided within the backyard areas. The proposed built form includes hipped roof profiles, vertical weatherboard cladding to the first floor levels, face brickwork to the ground floor levels and *Colorbond* steel roofing. Each of the double storey dwellings include three (3) bedrooms, two (2) bathrooms, an open plan kitchen/meals/living area and a single garage. The single storey dwelling contains the same rooms as the larger dwellings but only contains two (2) bedrooms.

Two (2) car parking spaces are required to be provided for dwellings with three (3) or more bedrooms and one (1) car parking space is required for one or two bedroom dwellings. A visitor car parking space is also required to be provided for developments containing five (5) or more dwellings. Single car parking spaces will be provided for each dwelling within the new garages and an additional uncovered parking space will be provided to the front of each of the garage doors for Units 1, 2, 4, 5 and 6 as the required second car parking space. Unit 3 contains two (2) bedrooms and only requires the provision of a single on-site car parking space which will be provided within the new single garage. A visitor car parking space will be provided on the site to the front of Unit 1. The development complies with the number of car parking spaces required to be provided on the site however the internal dimensions of the proposed single garages do not comply with the design standards of Clause 52.06-9 (refer to discussion below).

ISSUES

A planning assessment has been carried out which assessed the proposal against all of the relevant provisions/policies within the Warrnambool Planning Scheme as well as the grounds raised by objectors where it has been concluded that the application should be supported.

A copy of the delegate report has been included as an attachment (Attachment 1) to this report, however, the following summary/discussion is provided in relation to what was considered the key issues:

Clause 52.-6-9 - Design standards for single garages – Amended plans required

The proposed dimensions of the single garages associated with each of the new dwellings do not meet the minimum dimensions (3.5 metres in width by 6 metres in length) specified in Clause 52.06-9 of the Planning Scheme. There is adequate space on the site to allow for garages that comply with the minimum dimensions of Clause 52.06-9. A condition of any planning permit would require amended plans to be provided to comply with the minimum dimensions for single garages.

Clause 55 Assessment – Width of vehicle crossovers - Minor variation required

An assessment against Clause 55 (ResCode) has been completed where the objectives and standards have generally been met with the exception of Standard B14 which relates to the maximum width of vehicle crossovers. Clause 55 details that the width of the vehicle crossovers on the site should not exceed 33% of the site frontage which equates to 11.8 metres. The proposed vehicle crossovers have a combined width of 12 metres exceeding the specified maximum width by 0.2 metres or 0.3%. The variation is deemed to be minor, will not result in any adverse impacts and therefore has been assessed as being appropriate

Objections

Objections were received from six (6) parties. Three (3) objections were lodged by industrial land owners or occupiers in relation to the proximity of the dwellings to adjoining industrial land which fronts Strong Street. The objectors were concerned that the increase in the density of the development and the siting of the proposed dwellings would result in negative amenity impacts on the new dwellings from the industrial sites and impinge on the existing industrial uses potentially resulting in complaints about the operation of the industrial uses (ie. noise complaints). The remaining three (3) objections were lodged by owners or occupiers of land in Granter Street and were primarily based on concerns about impacts on the residential area including the proposed development not being in character with the existing residential neighbourhood, negative traffic and parking impacts, safety concerns for school children walking to and from Merrivale Primary School and a decrease in property values. While planning case law firmly indicates that Council's role is limited to specific planning concerns, the relevant grounds of objection were individually assessed, and the recommendation is shown to be appropriate.

The proposed development will result in residential urban consolidation consistent with the purpose of the General Residential Zone, which aims to encourage a diversity of housing types, focus on housing affordability and housing growth particularly in locations offering good access to services and transport and encourage development that respects the neighbourhood character of the area. The development is generally in accordance with the Warrnambool Planning Scheme however amended plans will be required to ensure that the single garages meet the minimum dimensions detailed in the design standards of Clause 52.06-9 to allow for functional use. The approval of a minor variation to Standard B14 of Clause 55 to allow the maximum width of vehicle crossovers to exceed the recommended width of the street frontage by 0.2 metres (0.3%) is considered to be appropriate.

In relation to specific grounds of objection, it is not anticipated that the adjoining industrial area will negatively impact the new dwellings as the subject land has long been used for residential purposes without any known negative amenity impacts on the surrounding industrial area. The proposed setbacks of the dwellings from the industrial land and the provision of a new 2.5 metre high timber paling fence along the rear site boundary will further reduce any potential impacts from the existing industrial uses on the occupants of the new dwellings. The adjoining industrial land is zoned Industrial 3 which encourages uses of a light industrial type, and to provide a buffer between heavier industrial uses and local communities.

Each dwelling has the required number of car parking spaces and an additional visitor car parking space has also been provided on the site. Accordingly, there is no underlying assumption that on-street parking will be adversely affected. The nature of stated use of the dwellings does not require planning permission as the use of a 'dwelling' is as-of-right under the zone. In other words, a dwelling can be used on the site without planning permission, and the planning trigger in question is appropriate development. The maximum height of the development being 7.15 metres is well under the maximum allowable 11 metres under the zone and whilst the surrounding residential development generally comprises single storey dwellings the location of the site at the intersection

of Granter and Landmann Street ensures a certain level of separation from the surrounding area which results in the height of the dwellings not being overly intrusive or obvious. The dwellings also have large front setbacks to reduce the impact of the two storey built form. It should be noted that a single dwelling which is two storey in design and with a height not exceeding 11 metres could be constructed on an individual lot within the General Residential Zone along Landmann Street or Granter Street without the requirement for a planning permit.

As per the assessment, the grounds of objection should not lead to refusal, and having considered relevant decision guidelines, the proposed construction of six (6) dwellings at 2 Granter Street, 82 and 84 Landmann Street Warrnambool is an appropriate planning outcome.

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

The application timeframes are within statutory requirements.

COMMUNITY IMPACT / CONSULTATION

- In line with Council's instrument of delegation at the time that the application was submitted, as a result of having more than five (5) objections, a consultation meeting was held with a quorum of Councillors on 29 November 2022.
- The application was also internally referred to Council's infrastructure department, whereby comments that were provided have been included in the assessment of the application. No external referrals were required or undertaken.

LEGAL RISK / IMPACT

The proposal has been assessed against all relevant requirements of the Warrnambool Planning Scheme and the *Planning and Environment Act 1987*.

OFFICERS' DECLARATION OF INTEREST

No conflict of interest has been declared.

COLLABORATIVE PROCUREMENT

Not applicable

CONCLUSION

The development of the site with six (6) dwellings represents an appropriate scale design response in consideration of the surrounding residential area that adjoins industrial land. The development achieves an increase in residential density in an area which is ideally located in close proximity to community services, public transport and Warrnambool's Central Business District on a site that is capable of accommodating change. Appropriate infrastructure will be required to be provided in association with the development as conditions of the planning permit. The proposed development will foster both increased housing diversity and housing affordability within an existing residential area of Warrnambool which are key objectives of planning policy.

ATTACHMENTS

1. Planning Council Report PP2022 0205 202249 (2) [7.8.1 - 57 pages]
2. P P 2022-0205 - Application Documents re 2 Granter S [7.8.2 - 69 pages]

Attachment A – Delegate planning Report

Attachment B – Application documents

7.9. FLAGSTAFF HILL RE-IMAGINED VISION AND OPPORTUNITIES PLAN DRAFT REPORT

DIRECTORATE: City Growth

PURPOSE:

Flagstaff Hill Re-Imagined. Vision and opportunities plan 2023 Draft report has been provided by Urban Enterprise. The purpose is to provide an overview to the Council and seek approval to put the draft document out for public consultation.

EXECUTIVE SUMMARY

After Flagstaff Hill's (FSH) 50 years of operation, a new future for the site needs to be imagined, to both address critical issues, respond to project objectives and drive longer term economic tourism and social benefits to the region. The current service offering has experienced a steady decline in visitation over many years and continues to operate at a significant financial loss to the Council year on year.

The aim of the FSH Re-Imagined project is to explore the future precinct development opportunities and options for the FSH site, articulate a vision for the site and provide a framework that will guide future directions and investment into the precinct.

Extensive stakeholder engagement and learnings from similar historical tourist operations across the state has helped inform the Draft Report, which outlines;

- PROJECT OBJECTIVES
- WHAT ARE THE CRITICAL ISSUES
- A NEW VISION FOR FLAGSTAFF HILL
- GUIDING PRINCIPLES

The long-term vision of the plan is to attract private investment to the site, with opportunities to adjust and enhance the site with smaller investments in the near to medium term.

RECOMMENDATION

That Council approves the release of the Draft Flagstaff Hill Reimagined document for public consultation for a period of three weeks. The CEO may choose to extend the consultation period depending on the feedback received at the completion of the three-week period.

BACKGROUND

After Flagstaff Hill's (FSH) 50 years of operation, a new future for the site is being imagined, to both address critical issues, respond to project objectives and drive longer term economic tourism and social benefits to the region.

The aim of the FSH Re-Imagined project is to explore the future precinct development opportunities and options for the FSH site, articulate a vision for the site and provide a framework that will guide future directions and investment into the precinct.

This Draft Report outlines;

- PROJECT OBJECTIVES
- WHAT ARE THE CRITICAL ISSUES

- A NEW VISION FOR FLAGSTAFF HILL
- GUIDING PRINCIPLES

The following guiding principles have been utilised in considering strategic directions and opportunities for the site, and to assist with future planning for the site.

1. Respond to Place
2. Foster Regeneration
3. Enable Transition & Evolution
4. Promote Economic Development
5. Establish Strategic Partnerships
6. Inclusive & Accessible

- **STRATEGIC OBEJECTIVES**

1. Create a demand driving destination
2. Facilitate investment
3. Integrate First Peoples Led Experience
4. Protect State Significant Heritage
5. Leverage the sites unique attributes
6. Renew, re-use and adapt infrastructure
7. Improve Access and accessibility
8. Allow for a staged development

- **PRECINCT OPPORTUNITIES**

1. Geothermal Water Park
2. Geothermal Bathing & Relaxation
3. Accommodation
4. Food & beverage
5. Museum
6. Functions and Events
7. Access & Accessibility

- **IMPLEMENTATION APPROACH**

Phase 1 (0-2 years)
Phase 2 (3-5 years)
Phase 3 (5+ Years)

- **PROJECT BENEFITS**

1. Delivering a major tourism precinct
2. Aligning to regional strategic priorities
3. Improved financial outcomes
4. Delivering economic benefit
5. Heritage protection and conservation
6. Integration of First Peoples culture
7. Growing Warrnambool's tourism brand
8. Aligning to state tourism priorities

This project builds on previous work, including an investment logic mapping process (ILM) process completed by Warrnambool City Council that identified three key problems:

1. The breadth and quality of Flagstaff Hill Maritime Village (FHMV) current offering results in a failure to drive visitation and yield from domestic and international visitors to Warrnambool
2. The current return on investment from FHMV, coupled with a lack of community ownership and engagement does not sustain continuation of the current investment by WCC
3. The limitations of the FHMV site resulting in under utilisation of the assets and site opportunities

ISSUES

The site has operated at a significant financial cost to Council for many years, and there is a long-term trend in decreasing visitation. While operationally there are immediate opportunities to improve operationally, it is unlikely the historic maritime village concept can be viable long term, considering trends of this type of experience across the state and Australia.

While stakeholder engagement was extensive and well attended, there are and will be disparate opinions about what the future of the site should be. As such, whichever path Council choose will likely garner some criticism.

Engagement with traditional owners has occurred and is ongoing. Their interest in the site and capacity to become involved with its future will likely depend on what other experiences the site facilitates and their own capacity to offer experiences.

FINANCIAL IMPACT

The project was made possible by funding from the Victorian State Government, through the Department of Jobs, Skills, Industry and Regions (DJSIR)

However, there will be implementation considerations if the Flagstaff Hill Re-Imagined Vision and opportunities plan is endorsed and adopted by the Council. A greater level of planning will be required to realise the vision and change of this magnitude. This will require time and investment in the planning process.

Further advice is required to inform a detailed masterplan for the site and expand on other considerations. More detailed advice on the following (which is expanded upon on page 98 of the report) will be required:

- Engagement
- Site survey
- Heritage assessment
- Geotechnical investigations
- Infrastructure and services advice
- Statutory planning advice
- Legal advice and investment / implementation strategy
- Traffic assessment
- Private sector / specialist advice in relation to private sector investment opportunities
- Governance
- Investment Attraction

The Council will have the opportunity to invest in some of the immediate changes once some of the above is complete. Council Officers will continue to present operational changes to increase income and / or cut costs that could help fund some of the early investment.

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

4.4 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

25/10/23	- Submit and discuss with EMT
26/10/23	- PRG Workshop / Meeting and Feedback
30/10/23	- Present draft at Informal Meeting of Council
06/11/2023	- Council resolution to release the draft document for comment
07/11/23 to 05/12/23	- Exhibition of Concept / Executive Summary - Public Consultation Period
06/12/23 to 20/12/23	- Final Report
05/02/24	- Schedule at Council Meeting for adoption

COMMUNITY IMPACT / CONSULTATION

A Project Reference Group was established from Key Stakeholders across a variety of industry groups.

Other Stakeholder engagement to date has been extensive and included;

- Warrnambool City Council
- Economic Development, & Tourism
- Community Development
- Infrastructure and Planning
- Flagstaff Hill and VIC staff and volunteers
- Great Ocean Road Regional Tourism
- Department of Jobs, Skills, Industry and regions
- Eastern Maar Aboriginal Corporation
- Great Ocean Road Coasts and Parks Authority
- Peninsula Hot Springs and Loyly Studio

Community engagement process was undertaken which included an online survey and drop-in sessions with residents. Project engagement opportunities were advertised on the Councils Have Your Say page, print, radio and digital media opportunities were also utilised to promote engagement.

A visitor survey was also undertaken to understand more about visitors to Flagstaff Hill, see INSIGHTS, Pages 66 to 72 of the attached report.

LEGAL RISK / IMPACT

Legal considerations may become apparent once some of the more detailed planning is completed.

This document may invite negative feedback from some community members which will need to be acknowledged and responded to as required.

OFFICERS' DECLARATION OF INTEREST

N/A

CONCLUSION

The Flagstaff Hill Re-Imagined Draft document has been produced from an extensive consultation process and with input from numerous experts in tourism offerings and the Warrnambool visitor economy. The vision does recommend major changes to the offerings and experiences at the site albeit over what will be a long-term outlook.

ATTACHMENTS

1. Flagstaff- Hill- Re- Imagined- Final- Draft- Oct-2023-3 [7.9.1 - 102 pages]

7.10. AWARD OF CONTRACT 2023035 - BRIERLY RECREATION RESERVE EASTERN OVAL REDEVELOPMENT

DIRECTORATE : City Infrastructure

PURPOSE:

This report provides information on the award of Contract No. 2023035 – Brierly Recreation Reserve Eastern Oval Redevelopment.

EXECUTIVE SUMMARY

- A public tender was advertised on Friday 11 August 2023 inviting tender submissions from suitably qualified and experienced contractors to undertake the reconstruction of the eastern oval within the Brierly Recreation Reserve.
- Close of tenders was 2:00pm 8 September 2023, with the submissions received assessed by the tender assessment panel.
- A Best and Final Offer process was then completed to ensure conformance and value-for-money. This process closed at 2:00pm on Friday 13th of October.
- The full tender pricing received was above the budget range and as result a separable portion was created, removing the electrical portion of works from this award.
- Officers' recommendation is to proceed with the revised tender offer provided by Duggan Civil Pty Ltd for the tendered amount of \$1,933,552.20 excluding GST.

RECOMMENDATION

That Council

- 1. Award the revised Contract No. 2023035 – Brierly Recreation Reserve Eastern Oval Redevelopment to Duggan Civil Pty Ltd for the tendered amount of \$1,933,552.20 (excl. GST), with a total delegated award value of \$2,126,907.42 (incl. GST).**
- 2. Authorise Council Officers to deliver the Brierly Recreation Reserve Eastern Oval Upgrade in accordance with the contract under the financial delegations detailed within the Procurement Policy.**
- 3. Accept Volume 4B – Provisional Items 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 Brierly Recreation Reserve Eastern Oval Redevelopment in its entirety will see the playing surface upgraded to a multi-sport competition-based reserve. The construction will consist of two full-sized soccer pitches overlaying a cricket oval, with improved drainage, sub surface irrigation, a new synthetic cricket pitch, LED lighting (200 lux) and fencing.

In October 2022, Council matched \$1 million funding received via the 2022 Local Sports Infrastructure Fund – Female Friendly Facilities stream, bring the total budget for the project to \$2 million. This project progressed with the creation of a Project Control Group, and subsequent completion of concepts and detailed designs for both the field of play and electrical portions of works.

A Request for Tender (RFT) for Contract 2023035 was advertised on Friday, 11 August 2023, and was open for a period of 4 weeks, ending Friday, 8 September 2023. A three-week Best and Final Offer process was undertaken following this period to ensure conformance and value-for-money.

ISSUES

The purpose of entering 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.

The submission that was deemed most advantageous was submitted from a local civil contractor, Duggan Civil Pty Ltd, however the full tender submission exceeded the project budget. As result, and to allow project progression, a revised contract scope, less the electrical portion of works was deemed suitable.

As result the Officers' recommendation is to proceed with the tender offer provided by Duggan Civil Pty Ltd for the tendered amount of \$1,933,552.20 excluding GST.

FINANCIAL IMPACT

Council has previously received a \$1 million matched funding contribution from Sport and Recreation Victoria's Local Sports Infrastructure Fund – Female Friendly Facilities stream, creating a \$2 million total project budget.

The electrical portion of works will be readvertised separate to the field of play upgrade, with additional funding sought to complete these works.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

1 A healthy community

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

5 An effective Council

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

Contract Award	08 November 2023
Estimated Construction Commencement	04 December 2023
Funding Milestone – Construction Completion	30 April 2024

COMMUNITY IMPACT / CONSULTATION

Stakeholders will remain updated in line with the Project Communications Plan.

Ongoing liaison with both the Brierly Cricket Club and the incoming Warrnambool Rangers Football Club will ensure key stakeholders are aware of project progression when updates are available. This approach is also consistent with the Modern Dog Club and Brierly Sharks Auskick in a less frequent manner.

LEGAL RISK / IMPACT

Funding milestones within the project currently indicate a construction completion date of 30 April 2024, however, discussions have indicated there is some flexibility should circumstance arise that result in an extension.

OFFICERS' DECLARATION OF INTEREST

No declared interest.

To note:

David Leahy, Director City Infrastructure, declared a Conflict of Interest noting his sister and brother-in-law own Belair Turf Management in South Australia.

This company did not tender for this project.

COLLABORATIVE PROCUREMENT

Project specific procurement - collaborative procurement not applicable.

CONCLUSION

The evaluation panel, with the support of the PCG and EMT, deemed the submission received from Duggan Civil Pty Ltd being suitable for the Brierly Recreation Reserve Eastern Oval Redevelopment. This award is revised with the exclusion of the electrical portion of works to enable commencement of field of play works.

Given recent project success within the recreation reserve lighting space, particularly the Bushfield Rec Reserve Lighting Upgrade, it is also recommended that Council readvertise the electrical portion of the project upon funding confirmation for this portion of works.

ATTACHMENTS

- 1. Attachment 1 Tender Assessment Matrix has been declared Confidential under sections 3(a) and 3(g) of the *Local Government Act 2020* and will remain confidential [7.9.1 – 1 page]**

7.11. AWARD OF CONTRACT 2022036 - BEACH ACCESS WCC 123 RAMP & STAIRS

DIRECTORATE : City Infrastructure.

PURPOSE:

This report provides information on the award of Contract 2022036 – Beach Access WCC123 Ramp & Stairs

EXECUTIVE SUMMARY

- Beach Access 123 (mid-section of McGennan’s car park) was identified in the Beach Access Strategy as a planned project that called for design and replacement due to this access point having been closed due to safety issues.
- A public design and construct tender was advertised on Saturday 27 May 2023 inviting tender submissions from suitably qualified and experienced contractors to carry out works to undertake the design and construction of the Beach Access WCC123 Ramp & Stairs Project.
- Close of tenders was 2:00pm 23 June 2023, many companies downloaded the tender document through the online portal.
- The submissions received were assessed by the tender assessment panel, further clarifications were sought, and this led to a Best & Final Offer process.
- The Best & Final Offer process ensured the tenderers were evaluated on a comparable basis.
- The submissions received were within the budget range and aligned with the original estimates.
- The tender evaluation panel recommendation is to proceed with the tenderer which provides the best value for money, Civilnow Pty Ltd for the tendered amount of \$436,000.00 excluding GST.

RECOMMENDATION

1. **That Council**
 2. **Award Contract No. 2022036 Beach Access WCC123 – Ramp & Stairs to Civilnow Pty Ltd for the tendered amount of \$436,000.00 excluding GST, with a total delegated award value of \$479,600.00 including GST.**
 3. **Accept the schedule of 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

Warrnambool City Council (Council) is the Committee of Management over the coastal Crown Land which includes beach access, therefore Council is responsible for providing and maintaining this public infrastructure to access Lady Bay and Coastline.

To support Council with management of this infrastructure, the Warrnambool Beach Access Strategy has been developed and provides a strategic approach to prioritising the renewal of Council’s ageing coastal access infrastructure. The Strategy guides capital works and maintenance activities required to manage risk to public safety, the natural environment, cultural values, and financial risk of pedestrian coastal access infrastructure.

When developing the Warrnambool Beach Access Strategy, the 2016 Coastal Access Audit Report was also used to help identify the hierarchy and priority of works to beach access structures.

Beach Access 123 has been in the capital works pipeline since its closure due to safety issues. The replacement of Beach Access 123 is further supported by the Beach Access Strategy which calls for its replacement as an immediate priority.

Council Officers have been working with the Department of Energy, Environment and Climate Action (DEECA) in relation to a Marine and Coastal Act (MACA) consent, which is a requirement for any works within 200m of the coastal high-water line. In order to progress the consent process and undertake this project, detailed designs must be completed and submitted to DEECA. The award of this tender will allow this action to occur.

ISSUES

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

Approval to proceed to the construction phase via the MACA consent from DEECA will occur post the detailed design phase. This has the potential to cause a time delay to the proposed project delivery timeline; however, this will be managed through effective communication and ongoing collaboration between Council and DEECA once project timelines are confirmed.

The Beach Access strategy identifies a need to investigate alternative materials as several of the newer hardwood structures are not performing in Warrnambool's harsh conditions and will not achieve their designed useful life. The contract addresses this issue by specifying that a 50yr life cycle of the product is required, this will be assessed during the detailed design phase.

Given the accretion of sand and the artificially elevated sand dunes due to the Maran Grass and Tea Trees, several beach access structures have been inundated and require extension of the landings connecting to the stairs onto the beach.

Coupled with the accretion, climate change adaptability is required for the replacement beach access structures due to storm surges which includes secure foundations, durable base frame structures and decking materials which reduce risk of injury especially from slips and falls.

The alignment and structure will be considered as part of the detailed design process, with special consideration of information available via DEECA's mapshare platform and Coastal Erosion Indicators Report to inform the designer of historical and proposed shifting sand levels and heights.

FINANCIAL IMPACT

The project is being jointly funded by DEECA and Warrnambool City Council, a \$150,000 ex GST grant from DEECA was received in 2022 to proceed with this project.

The additional \$286,000 ex GST is funded through the Beach Access Renewal Program. The program has an allocation for contingency to cover changes or items that are not yet known.

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.

2 A Sustainable environment

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

4 A connected, inclusive place

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

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

TIMING

Contract Award	06 November 2023
Practical Completion	14 June 2024
Defects Liability	12 Month Period

COMMUNITY IMPACT / CONSULTATION

Consultation took place during the development of the Beach Access Strategy and further consultation with specific user groups including emergency services was undertaken during the design

The Beach Access Strategy indicates an opportunity to improve beach accessibility for people with disabilities and those with all abilities access requirements in this area. Due to the alignment of the required replacement and opportunity, the project includes a DDA compliant ramp. This is supported by the proximity of this beach access to the disabled carparks in the McGennans carpark, access to the now DDA compliant McGennans amenities block, and the DDA compliant footpath from the Lake Pertobe Playspace and Changing Places amenities, allowing consistent accessible access between Lake Pertobe and the ocean.

LEGAL RISK / IMPACT

The Beach Access WCC123 Ramp and Stairs Project will provide a safe and inclusive facility for users of the Foreshore precinct.

OFFICERS' DECLARATION OF INTEREST

No officer involved in the preparation of this report has declared 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 multiple submissions received. After completion of assessments of the submissions 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 Civilnow Pty Ltd.

ATTACHMENTS

1. Attachment 1 Tender Evaluation Panel Report has been declared Confidential under sections 3(a) and 3(g) of the *Local Government Act 2020* and will remain confidential [7.10.1 – 12 pages]
2. Attachment 2 Tender Assessment Matrix has been declared Confidential under sections 3(a) and 3(g) of the *Local Government Act 2020* and will remain confidential [7.10.2 – 3 pages]

7.12. ZIEGLER PARADE CAR PARKING UPGRADE

DIRECTORATE : City Infrastructure

PURPOSE:

This report provides an update on the detailed design for the proposed parking upgrade for Ziegler Parade, Allansford and provides a recommendation on a revised scope of works.

EXECUTIVE SUMMARY

This report details the site challenges identified during detailed design for the proposed parking upgrade at Ziegler Parade, Allansford and discusses extending the scope of works to deliver a better outcome for the community than the current budget allocation allows.

A project was funded in the 2023/24 budget to improve parking along Ziegler Parade, Allansford with an allocation of \$150,000. Through the detailed design process, additional scope has been identified to optimise the outcome while minimising risks that could be created as part of the project. These changes include significant kerb and channel, pavement strengthening, cycle lanes and stormwater drainage works. The revised estimated cost to deliver these works is \$500,000.

Drainage in Allansford is a major problem and undertaking the original scope of works will contribute greater run-off to an already compromised system.

RECOMMENDATION

That Council allocate additional capital funding from Council reserves for 2023/24 for the on-street car parking upgrade on Ziegler Parade, Allansford to expand the scope of works and provide a better outcome for the Allansford community.

BACKGROUND

Since the Freckled Duck Bakery commenced operations in June 2021, demand for parking on Ziegler Parade, east of Tooram Road, has increased significantly as have requests for maintenance of the existing gravel hardstand area.

Planning Permit PP2020-0296 was issued on 10 March, 2021 including a reduction of the car parking requirement from fifteen (15) bays to three (3) bays. Additional on-site car parking plans to comply with Condition 1 of the planning permit were submitted on 27 May 2021 and endorsed on 23 June 2021.

Council allocated \$150,000 in the 2023/24 to upgrade on-street parking on Ziegler Parade adjacent to the Freckled Duck Bakery and Anderson's Garage. The scope of works proposed included:

- kerb and channel
- retaining wall on the north side
- line marking
- parking bay construction

ISSUES

Council has been undertaking frequent maintenance of the existing gravel hardstand area adjacent to the bakery since operations (and the subsequent increase in parking demand) commenced. Numerous complaints and requests for action have been received during this period.

Following the allocation of \$150,000 in the 2023/24 Council budget, detailed design has been undertaken. This has identified a range of issues not addressed in the concept design which has had a substantial impact on the estimated cost to undertake the works and deliver an outcome acceptable to all road users, as well as the adjacent businesses and their patrons.

The items included in detailed design which were not allowed for in the concept design and subsequent budget bid include:

- Road pavement and resurfacing for the through lanes on Ziegler Parade;
- Additional 100m of kerb & channel on the north side;
- Stormwater detention to ensure negative impact downstream does not occur;
- Additional stormwater drainage infrastructure at both the Tooram Road intersection and the adjacent commercial properties on Ziegler Parade;
- Subsoil drainage improvements;
- Wider pavement to accommodate compliant car parking and bicycle lanes in both directions; and
- Compliant accessible car parking.

These items are considered necessary to delivering a safe, effective and practical outcome for the Allansford community while also being financially responsible on Council's behalf by delivering long lasting infrastructure.

Planning Permit PP2020-0296 was issued on 10 March 2021 including a reduction of the car parking requirement from fifteen (15) bays to three (3) bays. The three bays provided however, are staff car parks and do not benefit the community or adjoining residences.

FINANCIAL IMPACT

Council has budgeted \$150,000 in 2023/24 to undertake the works as outlined in the original concept estimate. An additional \$350,000 is required to complete the project to the required standard. Works cannot be feasibly staged and delivered over two financial years and would likely result in additional budget allocation.

It is inappropriate to fund the shortfall from the road renewal program as this would contribute to Council's renewal gap which is an unsustainable business practice to maintain the required level of service on Council's road network. Further, Ziegler Parade itself is in relatively good condition and would otherwise not require rehabilitation within the next 5-10 years.

If funds were redirected away from renewal to capital, the rehabilitation of Simpson Street between Jukes Street and Verdon Street would be delayed by at least a further year. This in turn would lead to Council's works crews maintaining a deteriorating asset for a further 12 months – the estimated cost of this additional maintenance is \$7,500 excl. GST.

If the Ziegler Parade project was deferred until 2024/25, Council would have a high maintenance obligation to keep the gravel car park area safe and trafficable - the estimated cost of this additional maintenance is \$20,000 excl. GST.

Neither of the above options are considered appropriate. It is therefore proposed to draw from Council's reserves as a result of budget surplus in the 2022/2023 financial year.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

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.

TIMING

The proposed works would still be delivered within the current 2023/24 financial year as per the original budget bid. The project is designed and considered 'shovel ready' subject to liaising with the community on timing. Completing this project in the last quarter of 2023/24 is not possible due to the extent of drainage works and the complexity of the project.

COMMUNITY IMPACT / CONSULTATION

Council is in periodic discussions with the impacted residents and businesses in the vicinity of the proposed works. Further consultation would occur with residents prior to commencement of works to minimise disruption as much as possible.

LEGAL RISK / IMPACT

The larger scope of works recommended in this report would lower Council's risk profile associated with the project by:

- Providing underground stormwater detention to ensure downstream impact does not occur;
- Providing stormwater drainage that reduces the risk of inundation of properties adjacent to the works area; and
- Catering for all road users including the provision of accessible car parking.

The original scope of works could be delivered however it would deliver substandard outcomes, notably in stormwater drainage and accessibility and would likely be poorly received by the community. There is a risk the assets constructed would subsequently have a reduced life if constructed in this manner creating a financial impact in years to come.

OFFICERS' DECLARATION OF INTEREST

No conflicts of interest were declared.

COLLABORATIVE PROCUREMENT

Collaborative procurement is not proposed under this scope of works, where supply and/or panel contracts already exist for most deliverables such as pavement and road making materials, plant and labour and bituminous products. It is also expected that much of the works be project managed and delivered by Council crews.

CONCLUSION

Through the detailed design process, it has been identified that extending the scope of works for this project will ensure an outcome that benefits the Allansford community and the adjacent businesses. The benefits will include formalised parking, improved stormwater drainage, provision of cycle paths, road pavement improvements and kerb & channel.

ATTACHMENTS

1. Capital Works Local Roads Rehab Program 2023-2024 [7.12.1 - 2 pages]

7.13. MIDDLE ISLAND SEASON REPORT 2022-2023

DIRECTORATE : City Infrastructure

PURPOSE:

The purpose of this report is to provide Council with an annual update on the Middle Island Project Season Report 2022-2023.

EXECUTIVE SUMMARY

- The Middle Island Project is a wildlife conservation project to help protect the colony of Little Penguins on Middle Island.
- This report provides an annual update on the implementation of the project and outlines the outcomes of the Middle Island Project Season Report 2022-2023.
- The highlights of the season include continued effectiveness of the Maremma dogs protecting the penguins and ongoing interest and participation in the education program.
- Challenges during the season include the weather and tide conditions which impacted safe crossing to the island and limited the ability to undertake monitoring to estimate the population.

RECOMMENDATION

That Council receive the Middle Island Season Report 2022-2023.

BACKGROUND

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

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

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

The aim of the Middle Island Project Season Report is to provide feedback regarding the key achievements of the project.

ISSUES

Middle Island Project 2022-2023 Season Report

The Middle Island Project Season Report outlines the key achievements and challenges during the 2022-2023 Little Penguin breeding season - **refer to Attachment 1**.

The Project highlights for the 2022-2023 season include

- Further expansion of the Education Program in the first 'mostly' normal season since the Covid-19 pandemic
- Continued media interest in the project both locally and across the globe, particularly on social media
- No evidence of foxes on the island during this season
- Continued sponsorship from our two major sponsors, Petstock and the Vet Group
- Support from local businesses and individuals across multiple aspects of the Project

The Project challenges of the 2022-2023 season include

- Access to Middle Island was difficult this season due to weather and tide conditions resulting in a significantly reduced monitoring program largely outside of the peak breeding and moulting periods
- Navigating limitations to fundraising and grant eligibility for funding

Little Penguin Monitoring

In terms of the Little Penguin population, the Warrnambool Coastcare Landcare Network volunteers conduct penguin arrival counts to estimate the size of the breeding population and surveys to monitor reproductive success. One penguin arrival count and seven breeding surveys were undertaken by WCLN volunteers on Middle Island during the 2022-23 breeding season when conditions enabled safe access to the island. At least ten additional counts and checks that had been planned were cancelled due to dangerous weather and tide conditions.

During the peak breeding period this season it was not possible to access the island. Access to the island was gained in January and an arrival count was held toward the end of that month. However, no arrivals were observed during this count which was outside of the typical peak breeding season and at a time when penguins are expected to be foraging at sea prior to returning for the moult period. Although zero arrivals for this count was not a surprising result, the inability to access Middle Island during peak breeding and the associated lack of arrival observations means it was not possible to estimate the size of the Little Penguin population this season.

Despite lack of direct observations of Little Penguins arriving, breeding or moulting on Middle Island this season, there is indirect evidence of all three activities. WCLN was notified of adult Little Penguin sightings in the Warrnambool area including multiple that entered wildlife care. It is likely these penguins are from the Middle Island colony. A moulting adult was taken into care, rehabilitated and then later released back into Stingray Bay (where it had been found). Fledglings were observed by WCLN volunteers on the Stingray Bay beach, and at least three others from the Warrnambool area were taken into wildlife care. These events all provide indirect evidence of the presence, breeding and moulting of Little Penguins at the Middle Island colony this season.

FINANCIAL IMPACT

The Middle Island Project requires resourcing to implement and includes staffing to care for and train the Maremma Dogs, and to deliver tours and the education program.

The tourism & education program and donations are the main sources of revenue for the Project. Project oversight, coordination and administration support is accommodated within the City Sustainability budget.

LEGISLATION/POLICY/COUNCIL PLAN CONTEXT

2 A Sustainable environment

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

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

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

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

3 A strong economy

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

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

The annual season report is an opportunity to report on the implementation of the project and identify the key achievements and challenges during the Little Penguin breeding season.

COMMUNITY IMPACT/CONSULTATION

Interest in the Maremma dogs and their role on Middle Island continues to attract significant media interest locally and internationally and is documented in the season report for each year. In 2022-2023 highlights included:

- Two TikTok stories attracting hundreds of thousands of views – one TikTok video about the Warrnambool Maremmas and penguins was watched four million times and received 421,000 'likes'
- Australian Geographic's Aussie Towns series by Bruce Elder
- YouTube published video on the Middle Island Project attracted several thousand views

The Warrnambool Penguins website recorded 25,000 views and more work is being done to better understand website traffic.

LEGAL RISK/IMPACT

The Middle Island Project continues to implement the 'Warrnambool Method' which has proven successful in protecting the colony of little penguins. Predation by foxes continues to be a significant threat to the Little Penguin colony on Middle Island.

The fox control program alone would not be sufficient to deter the foxes from Middle Island or eliminate the fox population, however is an effective measure to reduce the population and provide a multifaceted and coordinated year-round approach to the protection of the Little Penguin.

OFFICERS' DECLARATION OF INTEREST

None.

CONCLUSION

The Middle Island Project has been a long running and successful program for the protection of the Little Penguin by the Maremma Guardian Dogs. The ongoing long-term monitoring of the Little Penguin colony and biodiversity of Middle Island is important to continue to guide conservation efforts into the future. The annual season report provides an opportunity to reflect on the key achievements and challenges and adapt implementation of the Project across the Little Penguin breeding season and prepare for the upcoming season.

ATTACHMENTS

1. Middle Island Project Season Report 2022-2023 [7.13.1 - 16 pages]

7.14. CYCLING REFERENCE GROUP - APPOINTMENT OF COMMUNITY MEMBERS

PURPOSE:

This report presents the new members of the Cycling Reference Group.

EXECUTIVE SUMMARY

The Cycling Reference Group (CRG) was formed in 2016. The CRG includes members of the community who are active members of the local cycling community, be that recreational; road racing; road biking; mountain biking; commuter; and/or cycling with children, youth, or older people.

The CRG last had community member appointments made in June 2020. The term of these members was due to conclude in June 2022, however, due to challenges created by the pandemic, this was pushed out to June 2023.

The Cycling Reference Group Review 2020-23 report has been completed and outlines the activities and contributions of the CRG over the most recent term of the Group's community members - refer **Attachment 1**.

An expression of interest process was undertaken in August 2023 to seek new members of the CRG, and recommendations for appointment are now submitted to the Council for consideration.

Three original members have been recommended for re-appointment for another term; and a recommendation to appoint five (5) new members to the Cycling Reference Group is proposed.

RECOMMENDATION

That Council:

- 1. Receive and note the Cycling Reference Group Review 2020-23 Report;**
- 2. Thank the concluding members of the Cycling Reference Group for their contributions to group over the past three (3) years;**
- 3. Appoint the following people to the Cycling Reference Group for the period November 2023 – November 2025:**

Re-appointed Members

- **Helen Ryan**
- **Ellen Troitzsch**
- **Richard Adams**

New Members

- **Michael Keilar**
- **Freek den Barber**
- **Leigh Monaghan**
- **Zoe Brittain**
- **Hannah-Lee Obst.**

BACKGROUND

The Cycling Reference Group (CRG) was established informally in early 2016 as a consultative mechanism to support improvements around infrastructure, amenity and opportunity related to cycling in Warrnambool.

The CRG meets quarterly and, in accordance with the CRG Terms of Reference, has a membership of up to eight community members, one (1) Councilor, and relevant members of Council staff.

Members were last appointed to the CRG in June 2020. Due to challenges over the pandemic and an inability to achieve a quorum at some meetings, the regular two-year term for members, which was due to conclude in June 2022, was extended out to June 2023.

A report detailing the activities of the CRG over the past three (3) years against the objectives of the group has been completed and is attached to this report. Some of the great outcomes that the CRG has supported and provided invaluable input into include:

- Awareness Campaigns
- Improved Community Messaging
- Feedback on infrastructure projects that improve road safety for cyclists
- Advocacy activities.

Due to the conclusion of the previous term for community members on the CRG, in August 2023, Council invited community members to register their interest in becoming members of the CRG. Fourteen (14) expressions were received.

To ensure a balanced representation of cyclists in Warrnambool, each nominee was assessed against the following criteria:

1. reasons for nominating;
2. experience;
3. understanding of road safety and other challenges;
4. gender; and
5. types of cycling they took part in (Recreational, Road Racing, Road Bikes, Mountain Bikes, Commuter, Cycling with Children, Cycling with Youth, Cycling with Older People).

From the 14 expressions of interest received, five (5) new members are being recommended for appointment to the CRG based on the assessment of each nomination against the above listed criteria. To assist with maintaining some continuity with the CRG, it is also proposed that three (3) previous members be reappointed to the CRG for a second term.

It is proposed that the membership term for community members on the CRG run from November 2023 – November 2025.

ISSUES

The adopted term (1 July 2020 – 30 June 2022) of the community representatives on the CRG has finished. Accordingly, Council undertook a process to invite community members to lodge their interest in joining the CRG.

The appointment, term arrangements and representation parameters are addressed within the Terms of Reference endorsed by Council on 2 December 2019.

FINANCIAL IMPACT

There will be no direct financial cost to Council, however, there is a small commitment of officer resources both as members of and to support the activities of the CRG.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

This report responds to the following Council Plan initiatives:

1 Sustain, enhance and protect the natural environment

1.5 Educate and partner with the community on Council's sustainability initiatives

2 Foster a healthy welcoming City that is socially and culturally rich

2.1 Promote healthy lifestyles

2.2 Increase participation, connection, equity, access and inclusion

2.3 Increase community health and social connections.

2.4 Encourage and support participation in sport, recreation and physical activity.

3 Maintain and improve the physical places and visual appeal of the City

3.1 Enhance movement in and around the city including better connections for cyclists and pedestrians

3.3 Build Infrastructure that best meets current and future community needs.

3.4 Maintain and enhance existing Council infrastructure

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

5.1 Provision of opportunities for the community to actively participate in Council's decision-making through effective promotion, communication and engagement

TIMING

Due to the expiration of the membership period of the CRG under the Terms of Reference, a process has been undertaken to seek expressions of interest to continue the work of the CRG under a new membership term.

COMMUNITY IMPACT / CONSULTATION

Council has invited nominations from the community for appointment to the CRG, which was done via a public notice in the local media.

The CRG report outlines the outcomes the group has achieved during the three years, providing a cyclists' perspective to community road safety messaging and education, new infrastructure, and strategic projects.

LEGAL RISK / IMPACT

The CRG is a reference group only and holds no decision-making power. The CRG can propose recommendations to Council based on their knowledge and experience as members of the local cycling community to provide information to Council and to support informed decision making by the Council in matters that has a relationship to cycling in the community.

OFFICERS' DECLARATION OF INTEREST

No officer declared an interest in the Cycling Reference Group.

CONCLUSION

The CRG has been operating since 2016. An expression of interest process has been undertaken for new members, and applications have been reviewed by a panel. This report presents a recommendation to the Council to re-appoint three (3) existing members of the CRG and appoint five (5) new members for a period of two (2) years.

ATTACHMENTS

1. Attachment 1. Warrnambool Bicycle Reference Group REVIEW 2020-2023 [7.14.1 - 13 pages]
2. ECM 10880349 v 5 Updated Terms of Reference - Cycling Reference Group - 2 December 2019 (1) (1) [7.14.2 - 2 pages]

7.15. ADVISORY COMMITTEE REPORTS

DIRECTORATE : EXECUTIVE SERVICES

PURPOSE

This report contains the record of three Advisory Committee meetings.

REPORT

1. Economic Development & Tourism Advisory Committee meeting held on 15 September 2023 – refer **Attachment 1**.
2. Community & International Relations Advisory Committee meeting held on 26 September 2023 – refer **Attachment 2**.
3. Environment & Sustainability Advisory Committee meeting held on 28 September 2023 – refer **Attachment 3**.

ATTACHMENTS

1. Economic Development & Tourism Advisory Committee Minutes - 15 September 2023 [7.15.1 - 7 pages]
2. Community & International Relations Advisory Committee Minutes - 26 September 2023 [7.15.2 - 4 pages]
3. Environment & Sustainability Advisory Committee Minutes - 28 September 2023 [7.15.3 - 7 pages]

RECOMMENDATION

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

1. **Economic Development & Tourism Advisory Committee meeting held on 15 September 2023;**
 2. **Community & International Relations Advisory Committee meeting held on 26 September 2023; and**
 3. **Environment & Sustainability Advisory Committee meeting held on 28 September 2023.**
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7.16. INFORMAL MEETINGS OF COUNCIL REPORTS

PURPOSE

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

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:-

1. Monday 9 October 2023 – refer **Attachment 1**.
2. Monday 30 October 2023 – refer **Attachment 2**.

ATTACHMENTS

1. Assembly of Councillors Record 9 October 2023 [7.16.1 - 2 pages]
2. Assembly of Councillors Record 30 October 2023 [7.16.2 - 2 pages]

RECOMMENDATION

That the record of the Informal Meetings of Council held on 9 and 30 October 2023, be received.

7.17. 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

Date	Location	Function
4 October 2023	Warrnambool	Mayor – Launch of Warrnambool Seniors Festival.
5 October 2023	Warrnambool	Mayor – South West TAFE 2023 Trades Awards Presentations.
6 October 2023	Warrnambool	Mayor – Lexus Melbourne Cup Tour at Merri River School.
7 October 2023	Warrnambool Warrnambool	Mayor – Opening of South West Volunteers Expo. Mayor – Pontings Mitre 10 100 years celebration.
12 October 2023	Warrnambool	Mayor, Councillors & Chief Executive Officer – Meeting with Sam Groth MP, Shadow Minister for Tourism Sport & Youth & Roma Britnell MP Member for South West Coast.
15 October 2023	Warrnambool Warrnambool	Cr Ziegeler represented the Mayor at the Parkinson's Awareness Walk. Cr Blain represented the Mayor at the Warrnambool Moyne Youth Awards.
19 October 2023	Virtual Hamilton	Mayor - Regional Cities Victoria Meeting. Chief Executive Officer – Great South Coast Regional partnership meeting.
21 October 2023	Warrnambool Warrnambool	Mayor – Warrnambool Learning & Library Centre 1 st Birthday celebration. Mayor – Triumph Sports Owners Association National Welcome dinner.
26 October 2023	Warrnambool Warrnambool	Mayor – Indigenous Garden opening at Warrnambool College. Chief Executive Officer – Guest speaker at the Rotary Club of Warrnambool East meeting.
27 October 2023	Warrnambool Virtual	Mayor & Chief Executive Officer – SouthWest Victoria Alliance Board meeting. Mayor – Regional Cities Victoria meeting with Minister for Regional Development, Hon. Gayle Tierney MP.
28 October 2023	Warrnambool	Mayor – Warrnambool Show official opening.
29 October 2023	Warrnambool	Cr Ziegeler represented the Mayor at the Walking off the War Within event.

30 October 2023	Warrnambool	Mayor & Chief Executive Officer – South West TAFE Apprentice Chief Industry dinner.
31 October 2023	Warrnambool	Mayor – Leadership Great South Coast 2023 Fruit Rescue launch.

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

RECOMMENDATION

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

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

- 12.1 MINUTES IN-CAMERA MEETING OF COUNCIL HELD ON 2 OCTOBER 2023.
- 12. MINUTES CHIEF EXECUTIVE EMPLOYMENT MATTERS ADVISORY COMMITTEE HELD ON 9 OCTOBER 2023.

13. RESOLUTION TO RE-OPEN MEETING

RECOMMENDATION

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

14. CLOSE OF MEETING