

# AGENDA

**SCHEDULED COUNCIL MEETING**

**WARRNAMBOOL CITY COUNCIL**

**5:45 PM - MONDAY 4 DECEMBER 2023**



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## **VENUE:**

**Reception Room**

**Warrnambool Civic Centre**

**25 Liebig Street**

**Warrnambool**

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## **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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**Andrew Mason**

**CHIEF EXECUTIVE OFFICER**

## **AUDIO RECORDING OF COUNCIL MEETINGS**

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

## **BEHAVIOUR AT COUNCIL MEETINGS**

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

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

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

### **ORIGINAL CUSTODIANS STATEMENT**

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

## **2. APOLOGIES**

## **3. CONFIRMATION OF MINUTES**

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### **RECOMMENDATION**

**That the Minutes of the Scheduled Meeting of Council held on 6 November 2023, be confirmed.**

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

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

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

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

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

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

## **5. MAYORAL PRESENTATION**

## **6. PUBLIC QUESTION TIME**

## **7. REPORTS**

### **7.1. REPORT FROM THE DELIBERATIVE ENGAGEMENT ON CONSTRUCTION OF A WEST WARRNAMBOOL NEIGHBOURHOOD HOUSE AT PECTEN AVENUE PARK**

**DIRECTORATE:** Community Development

**PURPOSE:**

***This report provides the results from the deliberative engagement process to construct the West Warrnambool Neighbourhood House at Pecten Avenue Park and further recommendations based on the results from the deliberative engagement.***

#### **EXECUTIVE SUMMARY**

With endorsement from Council in June 2023, a deliberative engagement with the Warrnambool community and the residents of West Warrnambool was initiated to discuss the concept proposal of constructing the West Warrnambool Neighbourhood House (WWNH) at Pecten Avenue Park.

The deliberative engagement process revealed near-unanimous support for the need and establishment of a Neighbourhood House in West Warrnambool, a strong level of support for Pecten Avenue Park as the proposed location, and no specific mitigating factors that could not be appropriately managed in relation to the Pecten Avenue Park location. Two issues identified by the community were around parking provisions and security of the neighbourhood house. These will be addressed during the detailed design phase.

#### **RECOMMENDATION**

**That Council:**

- 1. Endorses the construction of the West Warrnambool Neighbourhood House at Pecten Avenue Park.**
- 2. Endorses the release of a tender for the construction of a prefabricated modular building at Pecten Avenue Park through the \$500,000 allocated in the Council budget 2023-24.**

#### **BACKGROUND**

Neighbourhood houses are described as the heart of communities. They bring people together to connect, learn and contribute to their local community through social, educational, recreational and support activities which address inequities influencing the Social Determinants of Health. The World Health Organisation groups the following social determinants which can influence health equity in positive and negative ways: income and social protection, education, unemployment and job security, food insecurity, non-discrimination, housing and basic amenity - to name a few.

Neighbourhood houses are inclusive community-based organisations that welcome people of all ages, abilities, genders, social and economic status by creating opportunities for people to enrich their lives through connections they might not otherwise make. The purpose of a neighbourhood house is to be responsive and flexible to community needs and ensure diverse service provision, program and activity delivery. Neighbourhood houses have a positive impact on the mental and physical health of people who access and participate in the service.

West Warrnambool Neighbourhood House (WWNH) was founded in March 2019 with the aim to support socially and economically disadvantaged community members of West Warrnambool. The program is funded by the Victorian State Government Department of Families, Fairness and Housing (DFFH), formerly known as Department of Health and Human Services (DHHS). The Victorian State Government has committed to funding neighbourhood houses through ongoing recurrent funding.

The current DFFH Service Agreement outlines that Council is obligated to deliver 25 program hours per week with an additional 25 hours per week for community lead activities totaling 50 hours per week.

To ensure optimisation of the program, the service needs to be physically located in West Warrnambool to ensure accessibility and targeted programs are delivered locally. Council owns a limited number of properties in West Warrnambool, with the original funding proposal committing the Council-owned property at 21 Beamish Street Warrnambool to be used as the venue for the neighbourhood house for a period of 5 years. The intention of utilising Beamish Street was to co-locate both the Council's kindergarten services and the neighbourhood house program.

Following an initial period of co-location of services, Council has recognised that the model of delivery including a kindergarten and neighbourhood house co-located within the same facility is not ideal and poses risks due to the diversity of programs typically offered through a neighbourhood house. Both the kindergarten and neighbourhood house programming are compromised due to the limited space available, the nature of services delivered and the bespoke needs of the user groups.

Officers undertook research to identify a potential location for the WWNH within West Warrnambool. An option to construct the neighbourhood house at Pecten Avenue Park emerged as the best possible option with multiple co-benefits. This option would further activate the park without infringing on the amount of open space required within the neighbourhood. This installation would merge with the existing playground and footpath upgrades currently completed at the park and will further improve all abilities access to maximise areas of the park.

Council endorsed the initiation of a deliberative engagement process with the community on a proposed concept and design of a West Warrnambool Neighbourhood House at Pecten Avenue Park on 5 June 2023.

## **COMMUNITY FEEDBACK**

### **Methodology**

A deliberative engagement process in relation to the proposed concept of constructing the West Warrnambool Neighbourhood House at Pecten Avenue Park was conducted between August and October 2023.

The consultation process included:

- A page on Council's website containing concept plans including site plan, floor plan and elevation plans of the Pecten Avenue Park proposal, along with information under the following heading:
  - What is a Neighbourhood House?
  - What is the proposed location and why?
  - What is the building size and floor plan? What can be changed?
  - Why does the West Warrnambool neighbourhood House need a home?
  - What potential locations have been considered? (This included an assessment of the advantages and disadvantages of each site.)

- Community listening posts held on Sunday 3 September and Sunday 1 October. Both listening posts were held at Pecten Avenue Park and included a barbecue and play activities. The 3 September listening post was attended by around 150 community members, while around 100 people attended on 1 October.
- A Community Survey, available online and in hardcopy, open for a four-week period. Availability of the survey and the supporting information on council's website was promoted via postcards delivered to over 2,200 properties in West Warrnambool and a billboard located at Pecten Avenue Park, which included a QR code to access the survey. Several social media posts were also published in Council social media.
- Community Focus Group meetings held on Wednesday 4 October at West Warrnambool Primary School and on Saturday 7 October at St Pius X Primary School. The Focus Groups meetings were designed to present the Community Survey results back to the community and to clarify and discuss any remaining issues.

### **Community Survey Results**

The community survey was open for three weeks from 1 September until 22 September 2023. There were 247 responses received from residents of the following locations:

- 172 residents of West Warrnambool.
- 63 residents of City of Warrnambool, but not West Warrnambool.
- 10 not residents of City of Warrnambool.
- 2 did not specify location.

Following is a summary of the survey questions and answers:

- ***Do you support the proposal to locate the West Warrnambool Neighbourhood House within Pecten Avenue Park?***
  - Overall: 64% Yes. 36% No.

Breakdown based on location:

- Residents of West Warrnambool: 62% Yes. 38% No.
  - City of Warrnambool, but not West Warrnambool: 73% Yes. 27% No.
  - Not residents of City of Warrnambool: 60% Yes. 40% No.
  - Did not provide location: 0% Yes. 100% No.
- ***Main reasons for not supporting the Pecten Avenue Park location:***
    - Safety concerns (mainly anti-social behaviour and child safety). Mentioned in 20 responses.
    - Loss of / impact on open space and children's play area. 19 mentions
    - Insufficient car parking. 16 mentions
    - Increased traffic in the area. 7 mentions
    - Not central enough to West Warrnambool or likely users. 6 mentions
    - Need childcare centre instead. 3 mentions
    - Impact on property values. 3 mentions
    - Amenity impacts on neighbouring homes (e.g., views). 2 mentions
    - Site maintenance challenges. 2 mentions
    - The project is too expensive. 2 mentions

Note: 24 respondents who don't support the proposal did not provide reasons.

➤ **Reasons offered for supporting the Pecten Avenue Park location:**

- Great location
- Pleasant space
- Will bring the community together
- Will encourage social connections
- Benefits for community and individuals
- Terrific resource for the community
- Much needed service
- Fantastic idea
- Amazing work
- Exciting

➤ **Views about the suitability of the specific site within Pecten Avenue Park:**

Of the 158 people who are supportive of locating the Neighbourhood House in Pecten Avenue park:

- 94% are supportive of the specific site proposed within the park.
- 3% think it should be located elsewhere in the park (e.g., closer to the road).
- 3% did not answer.

➤ **Proposed design of the Neighbourhood House building**

	Looks Good	Could Be Improved	Looks Terrible
External Materials	68%	18%	14%
External Colours	61%	23%	16%
Landscaping	62%	23%	15%

➤ **New programs that would be able to be accommodated in a dedicated space that would be of interested to survey respondents (top 10):**

- Cooking programs - 54% (i.e. 54% of respondents are interested in cooking programs).
- Gardening and growing - 51%
- Social support groups - 49%
- Repair café - 48%
- Health, nutrition and wellbeing activities - 48%
- Room hire - 47%
- Volunteering opportunities - 46%
- Printing and photocopying service - 46%
- Walking groups - 45%
- Meditation and mindfulness - 44%

### **Community Focus Groups**

The Community Focus Group sessions held on Wednesday 4 October and Saturday 7 October provided an opportunity for Council to present the Community Survey results back to the community, to seek clarity about any of the issues raised both for and against the proposal, and to check for any other matters that had not yet been raised. Excluding the attendance of Councillors, council officers and Neighbourhood House Reference Group members, the 4 October session was attended by 17 community members and the 7 October session was attended by 12 community members.



The key questions asked of community members at the Focus Group meetings were:

- 1. Is there anything else that hasn't been mentioned today (including in the presentation of survey results) that is a reason for you supporting the proposal?*
- 2. Is there anything else that hasn't been mentioned today (including in the presentation of survey results) that is a reason for you not supporting the proposal?*
- 3. In relation to the main reasons given for not supporting the proposal, are there any changes or other measures that could be taken to address these issues?*

The key discussion points and outcomes from the Focus Group Meetings were:

- Full support of the establishment of a West Warrnambool Neighbourhood House.
- A high level of support for the location of the West Warrnambool Neighbourhood House at Pecten Avenue Park – i.e. more attendees in favour than not in favour of the proposal.
- A level of concern about car parking provision with a desire to see detailed car parking plans as part of a subsequent community consultation process at the detailed design stage. Council officers advised that this would occur.
- Some concern about site security and community safety with questions about the risk management measures that would be put in place. Council officers explained Council's usual processes about child safety, general community safety and facility security and how these would be applied to the site. Other community members remarked that the presence of a Neighbourhood House within the park would activate the space and thus result in more surveillance and greater community safety.
- A concern about the loss of open/green space due to construction of the building was raised, while others in attendance argued that the location of a Neighbourhood House in the park would provide residents including children a greater range of activities to participate in, beyond outdoor recreation alone.
- Suggestions that perhaps, locating the construction closer to the entrance of the park would provide greater safety and security for the facility, including access and provision of car parking. This can be explored during the detailed design phase.
- The construction of a community garden was suggested by over half of the respondents. The community garden concept can be explored during the detailed design process, if funds allow.

The presentations made at the focus group have been shared publicly in Council's website and be accessed through the link:

<https://www.warrnambool.vic.gov.au/sites/warrnambool.vic.gov.au/files/documents/people/health%20and%20wellbeing/community/WWNH%20Consultation%20-%20Focus%20Group%20Meetings.pdf>

In summary, the consultation process revealed almost unanimous support for the need and establishment of a Neighbourhood House, a strong level of support for Pecten Avenue Park as the proposed location, and no specific mitigating factors that could not be appropriately managed in relation to the Pecten Avenue Park location.

## **NEXT STEPS**

In light of the strong support from the community for the concept proposal to locate the West Warrnambool Neighbourhood House at Pecten Avenue Park. The following are the next steps proposed to pursue the construction and address some of the concerns raised during the deliberative engagement process:

1. Publication of a tender to select a prefabricated building construction agency to construct the West Warrnambool Neighbourhood House – December 2023-January 2024.
2. Detailed design of the West Warrnambool Neighbourhood House, including car parking arrangements and facility security measures – January-February 2024.
3. Community consultation on the detailed design including facility security and car parking arrangements proposed – March 2024.
4. Final approval from Council to proceed with construction – April-May 2024.
5. Construction period, Site installation and site works – June - August 2024.
6. Opening of the West Warrnambool Neighbourhood House – September 2024.

## **FINANCIAL IMPACT**

\$500,000 to construct the West Warrnambool Neighbourhood House is allocated in the Council budget 2023-24. It is expected that all construction costs will be managed within budget. An additional \$15,000 annual operating costs are expected to be incurred for the operation of the neighbourhood house. With a dedicated location, the West Warrnambool Neighbourhood House is expected to generate further revenue of its own, which can contribute towards the annual operating 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.
- 1.4 An accessible city: Council will improve physical and social accessibility to community services, facilities, places and precincts.
- 1.5 Recreation, arts, culture and heritage: Council will support opportunities to participate in a wide range of recreational, arts and cultural programs that promote activity, wellbeing, diversity heritage and which increase community connectedness.
- 1.6 Community learning pathways: Council will support and encourage lifelong learning that helps build community resilience and preparedness for change.

### **5 An effective Council**

- 5.2 Engaged and informed community: Council will ensure ongoing community engagement to identify changing needs and priorities when developing and delivering services and programs.
- 5.3 Customer-focused services: Council will continue to develop a program of Council services that are delivered to the community's satisfaction.

## **TIMING**

Post endorsement, Council will publish a tender to select a prefabricated building construction agency to proceed with detailed design. The designs will be published for community feedback. It is anticipated that the construction of the West Warrnambool Neighbourhood House at Pecten Avenue Park will be completed by September 2024, as outlined above.

## **COMMUNITY IMPACT / CONSULTATION**

- Involve.

## **LEGAL RISK / IMPACT**

The Department of Families, Fairness and Housing has reiterated that the current delivery configuration does not meet the requirements of the program and that the program is required to have a dedicated location in the target area. Non-compliance can result in cessation of the program altogether and risk to Council reputation.

## **OFFICERS' DECLARATION OF INTEREST**

There are no conflicts of interest.

## **CONCLUSION**

The deliberative engagement process revealed almost unanimous support for the need and establishment of a Neighbourhood House, a strong level of support for Pecten Avenue Park as the proposed location, and no specific mitigating factors that could not be appropriately managed in relation to the Pecten Avenue Park location.

## **ATTACHMENTS**

Nil

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## **7.2. POLICY REVOCATION REPORT**

***DIRECTORATE : Executive Services***

**PURPOSE:**

***This report provides information on Council policies deemed redundant and recommends their revocation.***

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### **EXECUTIVE SUMMARY**

Warrnambool City Council's policy framework is being reviewed for both completeness and currentness. Recently the Executive Management (EMT) team reviewed policies that had been due for review since 2019 or prior for any that were redundant.

Three policies are being recommended for revocation: the Warrnambool Art Gallery Exhibition Policy, the Affordable Housing Policy, and the Audio Recording of Meetings Policy.

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### **RECOMMENDATION**

**That Council:**

- 1. Revoke the Warrnambool Art Gallery Exhibition Policy**
  - 2. Revoke the Affordable Housing Policy**
  - 3. Revoke the Audio Recording of Meetings Policy**
  - 4. Revoke the Promotional Signs on Highways Policy**
  - 5. Revoke the Assistance to Individuals or Groups Participating in National or International Events or Activities Policy**
- 

### **BACKGROUND**

Warrnambool City Council's policy framework is being reviewed for both completeness and currentness. Recently the Executive Management (EMT) team reviewed policies that had been due for review since 2019 or prior for any that were redundant.

### **ISSUES**

Ensuring Council's policies are regularly reviewed and kept current is a core part of good governance. After a recent review, three Council policies were deemed redundant and are recommended for revocation. These are the following:

#### **Warrnambool Art Gallery Exhibition Policy**

Date Adopted: July 2010

Directorate: Community Development

#### **Description**

This policy provides guidelines for the development, presentation and evaluation of an annual exhibition program by the Gallery.

#### **Reason for revocation**

The policy relates to an obligation to deliver a specific program of exhibition under an agreement with Arts Victoria. This program is no longer in operation and as a consequence the policy is redundant. Council has a number of other policies which relate to art.

### **Affordable Housing Policy**

Date Adopted: March 2012

Directorate: Community Development

#### **Description**

Relates to an action item of the 2009-2013 Council plan and provides the community and Council staff with an understanding of the Warrnambool City Council objectives and approach to addressing housing affordability in Warrnambool.

#### **Reason for revocation**

Council remains committed to facilitating more affordable housing, but the direct provision of housing is not part of Council's core business. The most appropriate means of implementing more affordable housing is through supporting local providers and through strategic planning work. There is scope for new policy to be developed that is more specific to Council's current role in facilitating solutions to the housing crisis. Council will continue to play its part in addressing this crisis as a priority.

### **Audio Recording of Meetings Policy**

Date Adopted: July 2015

Directorate: Executive Services

#### **Description**

The purpose of this policy is to 'outline the arrangements for audio recording and podcasting of Ordinary and Special Council meetings'.

#### **Reason for revocation**

The policy was implemented in earlier days of livestreaming when there was little to no framework for Council to determine how that would occur. The recording and virtual attendance of meetings is now provided for in the Governance Rules and in legislation. These are the appropriate places for guidance to be contained and thus the policy is now redundant.

### **Promotional Signs on Highway Policy**

Date Adopted: Unknown

Directorate: City Growth

#### **Description**

Policy provides the framework for community groups and organisations located in Warrnambool to promote their events through the display of appropriate advertising at specific highway locations.

#### **Reason for revocation**

The policy was adopted at an unknown date. Council no longer advertises community events through highway banner signage, instead primarily using roundabout signage, rendering this policy redundant. Officers are currently redrafting the Promotional Signs on Roundabouts Policy that will provide a framework for the advertisement of community events.

### **Assistance to Individuals or Groups Participating in National or International Events or Activities Policy**

Date Adopted: January 2011

Directorate: Community Development

#### **Description**

Policy aims to provide consistent and equitable guidelines for the consideration of requests of financial assistance from individuals or groups participating in National or International events or activities.

### **Reason for revocation**

The policy is quite old being adopted in 2011 and is no longer being used to assess applications. Instead, applications are being assessed under more contemporary guidelines and within the guidance provided by Council's Grants Policy – thus rendering this policy redundant.

### **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**

Nil.

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

Nil.

### **COLLABORATIVE PROCUREMENT**

N/A.

### **CONCLUSION**

As part of a policy review process, some older policies have been identified by the organisation as being redundant and it is recommended that Council resolve to revoke these policies.

### **ATTACHMENTS**

1. Warrnambool Art Gallery Exhibition Policy [7.2.1 - 6 pages]
2. Affordable Housing Policy [7.2.2 - 6 pages]
3. Audio Recording of Meetings Policy [7.2.3 - 6 pages]
4. Promotional Signs on Highways Policy [7.2.4 - 1 page]
5. Assistance to Individuals or Groups Participating in National or International Events or Activities Policy [7.2.5 - 3 pages]

### **7.3. DRAFT PUBLIC ART POLICY**

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

#### **PURPOSE:**

***This report presents a Public Art Policy and recommends that it is adopted.***

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#### **EXECUTIVE SUMMARY**

A draft Public Art Policy has been developed to guide the procurement and installation of Public Art across Warrnambool City.

This policy provides guidance to Council on commissioning, acquiring, documenting, maintaining, and decommissioning of public art. The policy relates to public artworks owned or held in custodianship by the Warrnambool City Council and new or proposed public artworks created using Council resources. It applies to public artworks created by external parties on Council owned or managed property, and to private or commercial property used for public art in partnership with Council.

By adopting this public art policy, Warrnambool City Council aims to improve local outcomes in asset management, community connection, tourism, public safety, civic responsibility, care for the environment, increased levels of use and general community confidence.

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#### **RECOMMENDATION**

**That Council endorse the Warrnambool City Council Public Art Policy 2023.**

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#### **BACKGROUND**

A draft Public Art Policy has been developed to guide the procurement and installation of Public Art across Warrnambool City. This policy provides guidance to Council on commissioning, acquiring, documenting, maintaining, and decommissioning of public art. The policy relates to public artworks owned or held in custodianship by the Warrnambool City Council and new or proposed public artworks created using Council resources. It applies to public artworks created by external parties on Council owned or managed property, and to private or commercial property used for public art in partnership with WCC. It applies to projects and decision-making processes within Council.

By adopting this public art policy, Warrnambool City Council aims to improve local outcomes in asset management, community connection, tourism, public safety, civic responsibility, care for the environment, increased levels of use and general community confidence.

#### **ISSUES**

In determining appropriate public art for the City Council will ensure that:

- Public art reflects innovation and creativity in concept development and design ensuring a relevant, impactful, diverse and contemporary public art collection.
- Public art works are contextual and should reflect the distinctiveness of Warrnambool, its stories, environment and community.
- Public Art engages with the physical, social and cultural diversity of Warrnambool.
- Place-based public art enhances the natural and built environment.

Council recognises and values the specific expertise that is integral to artist and artwork selection. For this reason, consultation with arts professionals who have knowledge in the visual arts, architecture and/or urban design, with demonstrated experience in public art practice will be embedded into the commissioning process as required.

Should this apply to the acquisition of First Nations works of art, the deliberative engagement practices will be with the Eastern Marr Aboriginal Corporation and other First Nations Leaders.

Public Art may be temporary or ephemeral by design. For example, murals have an intended lifespan that may be months or years, but they are rarely intended to be permanent. Public Art that is intended to be temporary may be replaced, relocated, repaired, or refreshed to create an element of surprise; to revive a space; to reflect changing social norms, or to re-engage visitors. It is important that the Artist Agreement documents the agreed management of temporary Public Art.

The *Local Government Act 2020* states in section 55 that councils must adopt a community engagement policy that includes deliberative engagement practices that places everyday people (citizens, residents, affected individuals) closer to the affairs and decisions of government. This policy proposes that the acquisition of public art is through transparent, equitable and inclusive processes and that where appropriate, Council commits to engage in deliberative practices when making decisions about Public Art.

Public art must be designed and fabricated to ensure it is physically suitable, and *characteristically relevant to the site; as well as being secure, safe and sustainable over the life of the asset.*

Public art is for all and by all. Inclusive practice will provide for artists and audiences living with a disability.

## **FINANCIAL IMPACT**

Council's annual budget includes an amount each year that is earmarked for the commissioning of Public Art. Whilst not sufficient to acquire new art every year, the funding allocation is rolled over until sufficient funds have accumulated so that a more significant work can be commissioned or acquired. Grants and donations will be sourced to increase the opportunity for additional art 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.

## **TIMING**

The policy will be implemented on its adoption.

## **COMMUNITY IMPACT / CONSULTATION**

Feedback on the draft Public Art Policy has been sought from creative industry peak body Regional Arts Victoria, gallery staff and representatives from the local arts sector.

## **LEGAL RISK / IMPACT**

N/A

## **OFFICERS' DECLARATION OF INTEREST**

Nil



## **CONCLUSION**

A Public Art Policy will result in improved outcomes in the development and delivery of public art projects. Potential risks will be avoided, and the city will benefit from a more considered and rigorous approach. Public Art has the capacity to engender a greater sense of community identity and pride, and this will be strengthened as the policy supports community engagement in informing high quality outcomes.

## **ATTACHMENTS**

1. Warrnambool City Council Public Art Policy December 2023 [7.3.1 - 10 pages]

## **7.4. APPOINTMENTS TO ADVISORY COMMITTEES & EXTERNAL BODIES**

### **DIRECTORATE : Executive Services**

#### **PURPOSE:**

***This report considers Councillor representation on the various Council Advisory Committees and external bodies with which Council is associated for the period 4 December 2023 to 26 October 2024.***

#### **EXECUTIVE SUMMARY**

- To appoint Council representatives to the various Council advisory bodies and external committees for the period 4 December 2023 to 26 October 2024.

#### **RECOMMENDATION**

- 1. That the following Councillor representatives and delegates to the Advisory Committees and external committees for the period 4 December 2023 to 26 October 2024 be approved and that relevant advisory bodies and external committees be advised accordingly:-**

<b>ADVISORY BODY/EXTERNAL COMMITTEE</b>	<b>COUNCILLOR REPRESENTATIVE(S) 2023/24</b>
<b>NATIONAL / STATE /REGIONAL BODIES</b>	
a) SouthWest Victoria Alliance	Mayor, Cr. Blain
b) Municipal Association of Victoria	Mayor, Cr. Blain
c) Regional Cities Victoria	Mayor, Cr. Blain
d) Great Ocean Road Regional Tourism Board	Cr. Arnott
<b>CORPORATE / GOVERNANCE COMMITTEES</b>	
a) Audit & Risk Committee	Mayor, Cr. Blain Cr. Paspaliaris
b) Chief Executive’s Employment Matters Committee	All Councillors
<b>COUNCIL LOCAL ADVISORY COMMITTEES</b>	
a) Community & International Relations Advisory Committee	Cr. Akoch
b) Economic Development and Tourism Advisory Committee	Cr. Taylor Cr. Jellie
c) Environment & Sustainability Advisory Committee	Cr. Ziegeler
d) Planning Advisory Committee	Cr. Paspaliaris
<b>OTHER COMMITTEES – COUNCIL FACILITIES/SERVICES</b>	
a) Bicycle Users Reference Group	Cr. Paspaliaris
b) Warrnambool Airport Reference Group	Cr. Taylor
c) CCTV Steering Committee	Cr. Arnott Cr. Paspaliaris

- 2. That due to the closure of the South West Victorian Livestock Exchange, the South West Victorian Livestock Exchange Advisory Committee be discontinued.**

#### **BACKGROUND**

As in the past, there is a significant range of advisory, semi-external and external committees and organisations where the constituted membership includes representation from Warrnambool City Council.

Whilst the majority of these committees tend to be ongoing, they may also be subject to evolutionary change and in some cases may be established for a specific project ie; with “sunset” provisions.

For various committees, members of Council staff are already members and/or may attend to assist a Councillor representative. Generally, for committees of a more technical/operational nature, it is suggested that members of Council staff can best assist in sharing the overall representation workload, with appropriate reporting mechanisms to Council and/or briefing of Councillors according to representation or special interest areas.

Other relevant matters to consider in this area are:-

- The need for committees which are established by Council to fit into an efficiency “hierarchy” of overall advisory, consultative and networking processes, particularly having regard to the best use of resources from within and outside the organisation.
- As above, the need for Councillors’ time and energy to be primarily focused on policy development, business strategies and monitoring of performance.
- As a major service organisation, the need to have effective service standards and response mechanisms without placing reliance on Councillors to handle requests from residents and service users, as is the situation with members of other statutory agencies providing direct regional or local service delivery functions eg; hospitals, community health centres, various not-for-profit social/welfare agencies, water authorities, transport authorities etc.
- In some cases a “contact” function may be most appropriate rather than actual representation, particularly when the relevant committee is not directly relating to a municipal function.
- The need for good relationships, but of an independent arms-length type with any groups or organisations where Council has a contractual relationship, to avoid any possible conflict of interest.
- To use officer resources in an effective manner bearing in mind significant direct and indirect costs of committees servicing or representation.

## **ISSUES**

Appointments to the various bodies/committees can be reviewed from time to time, but in any case, would need to be fully reviewed at the commencement of each Council Year.

## **FINANCIAL IMPACT**

Nil.

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

Not Applicable

## **TIMING**

To be implemented as from adoption at Council meeting.

## **COMMUNITY IMPACT/CONSULTATION**

N.A.

## **LEGAL RISK/IMPACT**

Nil.

## **ATTACHMENTS**

Nil

## **7.5. PLANNING APPLICATION PP2022-0200 - 12 AND 14 HENRY STREET**

**DIRECTORATE : City Growth**

### **PURPOSE:**

***This report summarises the planning assessment that provides a recommendation for the application for the construction of five (5) dwellings and a car parking reduction (visitor parking space) on two (2) 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 to approve the construction of five (5) dwellings and a car parking reduction (visitor parking space) on two existing residential lots in the General Residential Zone. The development will follow the demolition of the existing dwellings and outbuildings that are currently located on the land. Four (4) of the dwellings will comprise two (2) storeys and contain three (3) bedrooms and one (1) dwelling will be single storey in design and contain two (2) bedrooms.
- The application was subject to public notice, which resulted in eight (8) submissions, all in objection to the proposed development. Grounds of objection were in relation to the intended use of the dwellings for public housing, safety concerns and increase in crime, the development not being in character with the surrounding residential area, overdevelopment of the land with a bulky 'high' density built form, adverse impacts of overshadowing, overlooking and loss of privacy, adverse traffic and parking impacts with more vehicles using Henry Street, insufficient car parking, increased demand in on-street parking and no footpaths along Henry Street limiting walkability to and from the development. One objector raised a concern about the waste created by the removal of the existing buildings from the site and one objector raised concerns about their front yard opposite the development being overlooked. Decreases in property values were a concern raised by the majority of the objectors.
- The application has been assessed against the relevant planning controls, and the assessment has found that proposed development is supported by planning policy, and meets the objectives of the Planning Scheme subject to three minor variations to ResCode Standards and conditions including two changes to the plans.
- 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. PP2022-0200 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* should 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 41 PS 336931B & Lot 14 PS 345485W, 12 & 14 Henry St WARRNAMBOOL VIC 3280, for the construction of five (5) dwellings and a car parking reduction (visitor parking space) 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 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; and**
- ii. **Solid fencing with a minimum height of 1.8 metres on the internal site boundaries to the rear of each dwelling to screen the areas of secluded private open space.**

**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:**

- a. **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;**
- b. **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**
- c. **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 any construction activity, 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 Warrnambool 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 the subject 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.**

### **Stormwater Works**

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

### **7. Vehicle Access**

Before the use or 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 expense.

### **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 or unearthed during works on the site the necessary contingency measures must be followed in accordance with those outlined in the Preliminary Aboriginal Heritage Test (PAHT) No. 409 certified on 3 November 2023 by Heritage Services First Peoples – State Relations on behalf of the Secretary, Department of Premier and Cabinet and pursuant to section 49C(2) of the *Aboriginal Heritage Act 2006*.

#### **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 is located within an established residential neighbourhood approximately one (1) kilometre to the south-west of Warrnambool's Central Business District. The land is located on Henry Street midway between Alexandra Crescent to the west and Wellington Street to the east. Lots in the area have been developed for residential purposes with the prevailing character being single dwellings on conventional sized residential lots. Many of the surrounding dwellings are traditionally designed with either hipped or peaked roofs, brick veneer or weatherboard cladding and have consistent setbacks and siting characteristics. There are some examples of infill development, either via subdivision or multiple dwellings in various configurations including sites at 1 and 6 Henry Street and the western part of the subject site at 14 Henry Street which currently contains two (2) dwellings on a single lot.

The subject site contains two (2) existing residential lots, has a total area of 1118m<sup>2</sup> and is rectangular in shape. A total of three (3) dwellings and associated outbuildings are currently located on the land. Two (2) dwellings each with a single garage and a detached storage shed are located at 14 Henry Street and a dwelling, single carport and a detached storage shed are located at 12 Henry Street. Vehicle access to the dwellings is currently via three (3) crossovers on Henry Street which service the garages at 14 Henry Street and the carport at 12 Henry Street. No significant vegetation is observed on the land.

The site is relatively flat, however Henry Street as it travels west begins to rise quite steeply. Dwellings on the southern side of the street back onto the Urban Flood zone, and the low-lying areas along the banks of the Merri River. The streetscape along Henry Street could be characterised as reasonably informal where street trees are limited and parking includes both formal accessways, with some evidence of parking along the nature strip.

The proposal seeks to permit the construction of five (5) dwellings and a car parking reduction (no visitor parking space is proposed). The development will follow the demolition of the existing dwellings and outbuildings that are located on the land. The proposed dwellings would be sited in a 'side by side' arrangement. Two pairs of double storey dwellings with mirror image layouts containing three (3) bedrooms and one (1) single storey detached dwelling containing two (2) bedrooms are proposed. The built form includes hipped roof profiles, exterior face brickwork cladding on the ground floor levels, vertical weatherboard cladding on the first floor levels and *Colorbond* steel sheet roofing. Each new dwelling includes a single garage. Uncovered parking spaces will be provided to the front of the garage doors of Units 1-4. Single vehicle crossovers will provide access to each of the car parking areas of the dwellings. Private open space would be located to the rear (north) of the dwellings with small storage sheds provided within the backyard areas.

## ISSUES

An assessment against Clause 55 (ResCode) has been completed where standards and objectives have generally been met with the exception of minor variations to the following standards:

- Standard B6 – Street Setbacks – the front setback of Unit 5 should be 5.76 metres based on the setback of existing adjoining dwellings. Unit 5 has a front setback of 5.4 metres. Note: The street setbacks of Units 1-4 all comply with Standard B6 being set back six (6) metres from the front lot boundary that adjoins Henry Street;
- Standard B14 – Access – a maximum of 33% of the frontage of the site to Henry Street should be occupied by vehicle crossovers. The proposed vehicle crossovers occupy 38.22% of the frontage; and
- Standard B28 - Private Open Space – each dwelling should have a minimum total area of 40m<sup>2</sup> provided as private open space. Units 1-4 have private open space areas measuring 35.85m<sup>2</sup>. Note: Unit 5 complies with Standard B28 having a private open space area of 55.4m<sup>2</sup>.

Based on the assessment of the application an amended plans condition will require solid fencing with a minimum height of 1.8 metres to be provided on the internal site boundaries to the rear of each dwelling to screen the areas of secluded private open space.

Clause 52.06 of the Planning Scheme details that one (1) car parking space is required to each one or two bedroom dwelling and two (2) car parking spaces are required for each dwelling containing three or more bedrooms. Additionally residential developments with five or more dwellings should be provided with one visitor car parking space to every five dwellings. The development complies with the car parking requirement in association with dwellings but a visitor car parking space has not been provided on the site and the applicant has sought a reduction in the car parking requirement in relation to the visitor parking space.

An amended plans condition will require the internal dimensions of each garage to have a minimum length of six (6) metres and a minimum width of 3.5 metres.

Objections came from local residents, where submissions were received from eight (8) parties, all local owners or occupiers generally in close proximity to the subject site. Grounds of objection were focussed on the perceived impact of the intended use, namely that the dwellings would be used for public housing and antisocial behaviour from future tenants resulting in safety concerns and increase in crime in the area. Most of the objections detailed that the development would result in decreased property values within the locality. Concern was raised regarding the number of social houses within the area. The two storey built form and bulk of the dwellings being an overdevelopment of the site and out of character with the existing residential area and overlooking, overshadowing and loss of privacy were raised as issues. The increase in traffic using Henry Street and adverse impact on parking within the area including reduced on-street parking, road safety concerns and the lack of existing footpaths along Henry Street were also highlighted as issues of concern. The waste created by removing the existing buildings from the site was another concern that was raised by one objector.

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.

## **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.

## **TIMING**

Following the submission of the requested further information (Preliminary Aboriginal Heritage Test (PAHT) No.409) on 10 November 2023, the application processing timeframe is currently within required statutory timeframes.

## **COMMUNITY IMPACT / CONSULTATION**

- In line with Council's instrument of delegation at the time, 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, where comments provided have been included in the assessment. No external referrals were undertaken or required.



## **LEGAL RISK / IMPACT**

The proposal has been assessed against all relevant requirements of the Warrnambool Planning Scheme and the *Planning and Environment Act 1987*. All parties have an avenue of appeal through the Victorian Civil and Administrative Tribunal.

## **OFFICERS' DECLARATION OF INTEREST**

None.

## **ASSESSMENT**

The development of the site with five (5) dwellings and a car parking reduction (visitor parking space) represents an appropriate scale design response in the surrounding residential area. The development also achieves an increase in residential density in an area which is ideally located in close proximity to Warrnambool's Central Business District and 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. The proposed development will result in residential urban consolidation consistent with the purpose of the 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.

An assessment against Clause 55 (ResCode) has been completed where standards and objectives have generally been met with the exception of minor variations in relation to Standards B6 – Street Setbacks, B14 – Access and B28 - Private Open Space. The variations are deemed to be appropriate and will not adversely impact the overall development of the site in a negative manner. The application seeks a reduction in the car parking requirement with a visitor car parking space not being provided on the site. The reduction is supported as all of the dwellings have the required number of car parking spaces and as each dwelling has street frontage and no communal accessways form part of the development visitor parking is able to be accommodated within Henry Street as is the case for existing surrounding dwellings. Amended plans will be required to ensure that screen fencing is provided between the areas of secluded private open space of each dwelling at the rear of the site and to ensure that the proposed garages meet the minimum internal dimensions specified in the Planning Scheme.

In relation to specific grounds of objection, the nature of the use of the dwellings does not require planning permission. The Planning Scheme does not provide a specific land use for social housing, and 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 built form and bulk of the development is considered to be appropriate. The maximum building height of 7.513 metres is well under the maximum allowable under the zone, the site coverage, minimum garden area and height to boundary requirements have all been complied with. Overshadowing diagrams have shown that the development complies with the standard. The existence of paling fencing at all external lot boundaries would result in negligible overshadowing impacts and upper floor habitable room windows have been designed to prevent overlooking within specified areas.

## **CONCLUSION**

As the grounds of objection should not lead to refusal, and having considered relevant decision guidelines, the proposed construction of five (5) dwellings and a car parking reduction (visitor parking space) at 12 & 14 Henry Street Warrnambool is an appropriate planning outcome.

## **ATTACHMENTS**

1. P P 2022-0200 - delegate report - 12 and 14 Henry Street [7.5.1 - 34 pages]
2. P P 2022-0200 - CI 55 assessment - 12 and 14 Henry Street [7.5.2 - 24 pages]
3. P P 2022-0200 - applicant submission - 12 and 14 Henry Street [7.5.3 - 26 pages]
4. P P 2022-0200 - proposed plans - 12 and 14 Henry Street [7.5.4 - 14 pages]

## **7.6. LAKE PERTOBE INTEGRATED WATER MANAGEMENT PLAN**

**DIRECTORATE : City Infrastructure**

### **PURPOSE:**

***This report outlines the draft Lake Pertobe Integrated Water Management (IWM) Plan and the identified opportunities.***

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### **EXECUTIVE SUMMARY**

- Lake Pertobe holds significant potential for Integrated Water Management options within the highly regarded open space and site characteristics.
- The draft plan has been developed in collaboration with Council staff, Eastern Maar Aboriginal Corporation, Glenelg Hopkins Catchment Management Authority, Wannon Water and Southern Rural Water.
- The following opportunities have been outlined in this draft plan;
  - Water Quality Improvement
  - Multi Benefit Basin
  - Lake Links and Levels
  - Stormwater Irrigation
  - Education and Value of Water
  - Water Recreation
  - Roof Water to Aquifer Recharge
  - Catchment Permeability and Aquifer Recharge
- The community, interested parties and adjoining land holders will have the opportunity to provide comment on the draft plan and any feedback will inform the final Lake Pertobe IWM Plan.

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### **RECOMMENDATION**

**That Council receive the draft Lake Pertobe Integrated Water Management Plan and approve the release of the draft plan for community consultation.**

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### **BACKGROUND**

The Integrated Water Management (IWM) Framework for Victoria (September 2017) is designed to help regional stakeholders to work together, ensuring the water cycle contributes to the liveability of towns and cities in Victoria, with communities at the centre of decision making. The Great South Coast IWM Forum was formed in 2018 and brings together regional partners to ensure priority projects and strategies are progressed in line with the Great South Coast Strategic Directions Statement 2019.

The Strategic Directions Statement identified the development of an IWM plan for Warrnambool as a priority project, however it was determined that this was too large a scale and that the IWM plan should be narrowed down to place based and relevant to the catchment area.

The importance of Lake Pertobe as a highly valued open space within the city of Warrnambool as well as its role in the management of the central business districts (CBD) stormwater, makes Lake Pertobe a unique area to incorporate IWM.

Lake Pertobe is a regional playground with the adjacent area including the Lawn Tennis Club, mini golf, Jetty Flat (Oval) & BMX track, Harris St reserve utilised for soccer and dog training, the CBD and rail corridor to the North, and two holiday parks and the foreshore reserve to the South of Pertobe Road.

The Department of Energy, Environment and Climate Action define IWM as:

*"Integrated Water Management (IWM) is a collaborative approach to the way we plan for and manage all elements of the water cycle. IWM considers how the delivery of water, wastewater and stormwater services can contribute to water security, public and environmental health and urban amenity. It fundamentally shifts the way water, land use planning and urban development opportunities are understood and undertaken in Victoria."*

In 2018 Warrnambool City Council endorsed Green Warrnambool, a plan that outlines a number of goals to help Warrnambool achieve the vision of being the most environmentally sustainable regional city in Australia. Blue Warrnambool is a goal that aims to provide infrastructure and open space developments and upgrades to conserve water and improve waterways through integrated water management. With the 2040 goal that Warrnambool's use of potable water is 20% less than 2019 levels.

Warrnambool 2040 Plan for Warrnambool was developed through extensive community engagement. The plan captures the community's aspirations for the future of Warrnambool and informed the development of the Green Warrnambool plan. As outlined in the Blue Warrnambool – Water for Life, Warrnambool will care for and regenerate our waterways, our coast and marine environment and support a natural water cycle. Warrnambool will carefully use rain water to contribute to the amenity of the city by bringing water management and green infrastructure together. Water conservation and water sensitive urban design, including improved stormwater systems, will improve our waterway and marine health. Warrnambool will capture rainwater and reuse stormwater to reduce our reliance on depleting water sources.

## **ISSUES**

The draft Lake Pertobe Integrated Water Management Plan was developed through a collaborative process involving key stakeholders across the Warrnambool City Council Area. The project control group consists of participants from Wannon Water, Eastern Maar Aboriginal Corporation (EMAC), Glenelg Hopkins Catchment Management Authority (GHCMA) and Southern Rural Water.

The draft plan discusses the significant characters of the site and outlines eight opportunities that would improve the IWM of the Lake Pertobe precinct. For each opportunity the plan provides a cost projection, benefits and holistic assessments and prioritises against IWM outcomes and climate change predictions.

### **Refer to Attachment 1 Draft Lake Pertobe Integrated Water Management Plan**

Lake Pertobe holds significant potential for Integrated Water Management within the highly regarded open space and given the following characteristics;

- receiving significant volumes of stormwater,
- providing natural treatment of stormwater prior to water flowing into the Merri River Estuary,
- using significant volumes of reticulated potable water for irrigation and toilet flushing,
- using significant volumes of groundwater for irrigation and supplying park water features,
- the area's proneness to drainage and flooding issues, and
- the area's current and potential for tourism, recreation, environmental and cultural values.

The following opportunities have been outlined in this draft plan;

- Water Quality Improvement
- Multi Benefit Basin

- Lake Links and Levels
- Stormwater Irrigation
- Education and Value of Water
- Water Recreation
- Roof Water to Aquifer Recharge
- Catchment Permeability and Aquifer Recharge

The plan outlines the foreseen benefits, potential risks and further analysis needed for each opportunity.

## **FINANCIAL IMPACT**

The preparation of the Lake Pertobe Integrated Water Management plan has been funded by a DEECA IWM grant (\$65,000) and financial contributions from Warrnambool City Council (\$30,000) and Wannon Water (\$5,000).

Further assessment and implementation of several of the plans opportunities will need to secure external funding to see them completed such as DEECA funding streams. Other opportunities can be completed as part of Council's ongoing renewal works and within existing budgets.

## **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.

### **2 A Sustainable environment**

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

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

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

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

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

## **TIMING**

It is anticipated that the draft Lake Pertobe Integrated Water Management Plan will be released in December 2023 for community consultation into the new year.

Following the period for public comment, submissions in response to the draft Lake Pertobe Integrated Water Management Plan will be assessed and any necessary amendments will be made to the plan. The revised Lake Pertobe Integrated Water Management Plan will be presented to a future Council meeting in 2024.

## **COMMUNITY IMPACT / CONSULTATION**

The development of the Lake Pertobe Integrated Water Management Plan has been undertaken through a two staged consultation approach.

The first stage comprised of the consultant and project working group inviting all user groups and business owners of the Lake Pertobe precinct to a workshop to discuss their water use, future water needs and any issues they face around all aspects of water. This workshop then helped shape further workshops with the consultant, Council staff and other stakeholders.

The release of the draft Lake Pertobe Integrated Water Management Plan for community consultation is the second stage in the consultation process. The plan will be released on Councils Your Say website and notification will be included in the newspaper and social media. Key stakeholder groups will be notified of the release of the draft plan including user groups and business owners.

### **LEGAL RISK / IMPACT**

Warrnambool City Council plays a significant role in improving the environmental management of urban stormwater and has obligations under the State Environment Protection Policy (Waters of Victoria).

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

None

### **CONCLUSION**

The draft Lake Pertobe Integrated Water Management Plan discusses the significant characters of the site and outlines eight opportunities that would improve the Lake Pertobe precinct.

It is proposed that the draft Lake Pertobe Integrated Water Management Plan will be released for public comment to provide the opportunity for the community and interested parties to make submissions and provide feedback on the plan.

### **ATTACHMENTS**

1. 3547 Lake pertobe intergrated water management plan [7.6.1 - 27 pages]

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## **7.7. KEPLER STREET CBD FOOTPATH RENEWAL PROJECT & STREET TREES**

***DIRECTORATE: City Infrastructure***

### **PURPOSE:**

***This report provides the findings from the detailed investigation work undertaken regarding replacement of the street trees in Kepler Street (Timor Street to Lava Street).***

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### **EXECUTIVE SUMMARY**

A report was presented to EMT on the 13 June 2023 which outlined advantages and disadvantages of potential tree replacement works within Kepler Street as part of the CBD footpath renewal project. The existing street trees in Kepler Street (Qty 14 between Timor and Koroit and Qty 16 between Koroit and Lava) are *Metrosideros excelsa* (New Zealand Christmas tree).

Following a report to Councilor Briefing, approval was given to undertake consultation with business and property owners in Kepler Street in relation to the existing street trees.

A follow up report was presented at the Informal Council Meeting on the 21 August 2023 detailing the outcomes of the survey and recommending that both time and funds, from the CBD Footpath Renewal Project, be used to undertake detailed investigation, planning and costing of replacing the existing trees with new trees utilising a tree pit system. The guidance from this meeting was to proceed with the recommendation.

This report outlines the key points from the previous reports and presents the findings from the detailed investigation.

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### **RECOMMENDATION**

**That Council undertake community consultation in accordance with the Community Engagement Policy to ascertain the views of the wider community on removal of trees located within the footpath along Kepler Street giving regard to improving safety and accessibility with a proposal to replace the street trees through installing a tree pit system.**

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### **BACKGROUND**

The CBD footpath renewal project is renewing all deteriorated asphalt footpaths within the CBD. While undertaking this work, there is an opportunity to carry out other streetscape works in selected areas.

Kepler Street has been identified as one area where the location of the trees should be reviewed due to their location directly within the footpath and impacts caused by root movements to the footpath and underground services and footpath space implications. In most other areas of the CBD the street trees are located within the parking areas.

Initially it was proposed to move the trees into parking areas to match the rest of the CBD, however, on further investigation it was determined that the location of services (water main and sewer main) and the potential for separated bike lanes in the future as proposed in the City Centre Revitalisation – The Structure Plan would prevent this.

An alternative option to increase the width of the footpath and reduce the likelihood of footpath damage due to tree roots, is to remove the existing trees and replace with new trees contained in a tree pit system (refer **Attachment 1** for diagram of pit system).

The intent of implementing a pit system is aimed at standardising Council's approach to tree management. The system provides an increased level of health of the tree, while minimising overall ongoing associated maintenance costs of the tree and surrounding area.

The City Centre Revitalisation – The Structure Plan classifies Kepler Street as an Urban / Pedestrian Street and recommends to “Undertake streetscape works on main pedestrian / urban streets to improve pedestrian function, safety and amenity within City Centre.” The existing trees placed within the footpath do have an impact on pedestrian safety and accessibility. Trees placed in a tree pit system with a tree grate at the top would help improve pedestrian safety and accessibility.

A report was presented to the Executive Management Team (EMT) on the 13 June 2023 which listed the advantages and disadvantages of potential tree replacement works along Kepler Street as follows:

### **Retain existing trees:**

#### Advantages:

- Large tree canopy providing summer shade.
- Mature trees provide enhanced environmental benefits (carbon sink, greater oxygen production).

#### Disadvantages

- Likely damage over time to the renewed asphalt footpaths from tree roots.
- Reduced footpath width due to impact of tree base and root ball and subsequent built up ground around the base.
- Requirement for continued tree trimming and maintenance to keep clear of properties and power lines.

### **Replace existing trees:**

#### Advantages:

- Opportunity to install root barriers and tree pit systems reducing the likelihood of footpath damage in the future and increasing tree health.
- Opportunity to install trees with size and shape specifically selected for this location.
- Opportunity to maintain flat smooth footpath right up to the tree trunk providing more usable footpath space by using tree grates at base of tree.
- Reduced maintenance requirements through appropriate species selection.

#### Disadvantages

- Cost of new trees and tree pit system.
- Potential community backlash over mature tree removal.
- Will take time to grow to mature size trees that provide shade and environmental benefits.

Following presentation of this report to the subsequent Informal meeting of Council, approval was given to undertake consultation with business and property owners in Kepler Street in relation to the existing street trees.

A follow up report was presented at the Informal Council Meeting on the 21 August 2023 detailing the outcomes of the survey. The key points from this report were:

The consultation process involved Kepler St properties between Timor St and Lava St. These properties were visited, and letters were sent to property owners.

The questions asked were:

- How do you feel about the existing street trees?
- What do you like about them?
- And do they pose any issues for you or your customers?

The responses from the survey were categorised as:

- 12 responses positive about existing trees
- 13 responses negative about existing trees
- 10 responses neutral about existing trees

The positive and negative responses received in the survey were related to the following:

Positive responses:

- Add to character of street
- Nice to have established trees

Negative responses:

- Ugly, unsightly, dusty and dirty with lots of pollen
- Roots causing issues with drains leading to flooding issues
- Trees blocking business signage
- Tree roots damaging footpath making it uneven and hard to walk on
- Tree leaves blocking spouts
- Trees getting too big and are too large for the area
- Attract birds which swoop customers
- Trees drop fine seed which people slip on
- Prefer trees native to our region
- Trees take up significant footpath space
- Close to power lines and power supply
- Becoming weak with branches falling or having to be removed
- Should be removed, but don't plant deciduous trees as these create mess and slip hazards.

The report recommended that both time and funds from the CBD Footpath Renewal Project be used to undertake detailed investigation, planning and costing of replacing the existing trees with new trees utilising a tree pit system. The guidance from this meeting was to proceed with the recommendation.

## **ISSUES**

The detailed investigation work undertaken looked at the following aspects of replacing the existing street trees.

- What trees should be planted?
- Would correctly sized pit systems for the selected trees fit within the footpath footprint?
- Could storm water treatment be incorporated into the setup?
- What would be the cost of replacing the existing trees?

### **What trees should be planted**

WCC's Trees and Botanics team recommend retaining mature trees wherever possible and note that the risk of damage to infrastructure reduces as the tree matures, as their root network is well established.

However, if replacement was required, they recommended the following trees, or similar, were used. This advice considered the feedback from the survey conducted.

A recommended tree for no power lines or service wires and clear of veranda is:

- *Lophostemon confertus* (Brush Box) that is an evergreen native tree that will grow to 13m x 7m if provided with optimum growing conditions



A recommended tree for under power lines or service wires is:

- Magnolia 'Kay Parris' (Magnolia) that is an evergreen tree that will grow to 5m x 2m if provided with optimum growing conditions – this tree will not provide shade or contribute to the canopy cover

Planting stock size is recommended at 75 ltr bags

### **Would correctly sized pit systems for the selected trees fit within the footpath footprint**

Once the replacement trees had been selected, Citygreen who supply the Stratavault tree pit system were able to determine the required volume of soil and pit system that was required. This design phase determined that correctly sized pit systems could be positioned within the footpath in Kepler Street between Timor and Koroit Street (refer attachments section for tree layout design). The pit systems could be positioned to miss main service lines and other road infrastructure and position new trees close to the location of existing trees.

### **Could storm water treatment be incorporated into the setup**

The base of the tree pits are 1.2m or 1.6m below the footpath surface level, much deeper than the existing drainage infrastructure. To allow a gravity feed connection a new drainage system would need to be installed. Based on this it is considered not practical to incorporate a full WSUD system into the tree pits.

It would be possible, however, to have a restricted inlet from the kerb which would allow a set diversion rate into the pit for watering purposes. This option has not been costed at this stage.

### **What would be the cost of replacing the existing trees**

The below cost estimate for replacing the Kepler St trees between Timor and Koroit Streets assumes the replacement is undertaken in conjunction with the footpath renewal works:

Removal of 14 existing street trees:	\$30,000
Supply and installation of 13 tree pit systems for selected trees:	\$220,000
Supply and installation of tree grates:	\$30,000
Supply and installation of 13 new trees:	\$15,000
Service adjustments and protection:	\$15,000
Contingency:	\$20,000

**TOTAL: \$330,000**  
(approx. \$25,000 per tree)

The above costs are for the section of Kepler Street between Timor and Koroit Streets. There are a further 16 trees in Kepler Street between Koroit Street and Lava Street. Based on the above costings it is estimated that the cost to replace trees in this section of Kepler Street would be \$400,000. It is noted however, that detailed design was not carried out on this section of Kepler Street.

## **FINANCIAL IMPACT**

To remove and replace the existing trees in Kepler Street from Timor St to Lava St an estimated \$330,000 (Timor to Koroit) would need to be used from the \$600,000 CBD footpath renewal allocation this FY and a further \$400,000 (Koroit to Lava) from next FY's allocation.

Retaining existing trees will likely result in damage to the footpath in the future from tree roots leading to ongoing rectification costs. The damaged areas would also create issues with accessibility along these sections of footpath.

Planting new trees will cost more up front for the trees and the tree pit system but should reduce ongoing costs.

All funding for the above works would need to come from the CBD footpath renewal project budget of \$600k per FY. The higher upfront costs of new trees would reduce the area of footpath that could be renewed in the next two financial years but ultimately reduce the root system's future impact of renewed sections.

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

### **1 A healthy community**

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

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

### **2 A Sustainable environment**

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

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

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

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

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

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

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**

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

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

## **TIMING**

The works would be scheduled over two financial years, most likely as follows:

Kepler Street (Timor to Koroit) - 23/24 Financial Year as part of the CBD footpath renewal project

Kepler Street (Koroit to Lava) - 24/25 Financial Year as part of the CBD footpath renewal project

## **COMMUNITY IMPACT / CONSULTATION**

If tree removal and replacement is accepted as the best option, then additional communications will be needed with both directly impacted properties and the wider community.

## **LEGAL RISK / IMPACT**

Planting new trees in appropriate tree pit systems would reduce the likelihood of tree roots causing tripping hazards within the footpath and potential damage to buildings and drainage infrastructure, thus reducing Councils exposure to claims.

## **OFFICERS' DECLARATION OF INTEREST**

No Officers declared a conflict in the development of this report.

## **CONCLUSION**

The report finds that it would be possible to undertake tree replacement works as part of the Kepler Street footpath renewal works. It is recommended that a survey of the wider community is undertaken to gauge support for improving safety and accessibility along Kepler Street by replacing the existing street trees.

As part of the Kepler Street footpath renewal works the existing street trees between Timor and Lava Streets could be replaced with selected species contained within tree pit systems. The use of tree pit systems and tree grates would help prevent future footpath damage caused by tree roots and improve pedestrian safety and accessibility issues.

The benefits in replacing the trees are:

- Trees planted in tree pit systems reducing the likelihood of footpath and infrastructure damage in the future.
- Trees with size and shape specifically selected for this location.
- Tree grates to be used at the base of the tree providing flat smooth footpath right up to the tree trunk.
- Reduced maintenance requirements under power lines and other overhead infrastructure through appropriate species selection.
- Improved pedestrian safety and accessibility.

## **ATTACHMENTS**

1. Kepler Street attachments [7.7.1 - 5 pages]

## **7.8. COMMUNITY DEVELOPMENT FUND 2023/24**

### **DIRECTORATE : Community Development**

#### **PURPOSE:**

***This report provides information on the Community Development Fund 2023/24 applications and recommended allocation of grants for approval.***

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#### **EXECUTIVE SUMMARY**

- Council received twenty-five (25) applications for the Community Development Fund 2023/24 program (total program funds of \$145,000).
- Of the 25 applications, 2 applicants were ineligible for funding, 4 applications did not meet funding criteria, 15 are recommended to be fully funded and 4 are recommended to be partially funded.
- Of the funded applications, 4 are recommended to be funded with conditions attached to the funding.
- This report recommends \$58,383 be allocated to 19 eligible local clubs and organisations under the Community Development Fund 2023/24 program.

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#### **RECOMMENDATION**

##### **That Council:**

- 1. Approves the allocation of \$58,383 to fund 19 community clubs and organisations under the Community Development Fund 2023/24 program.**
- 2. Requests that all applicants be advised of the outcome of the assessment process and where applicable, Council guidelines associated with the grant.**

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#### **BACKGROUND**

Council allocated \$100,000 to the Community Development Fund (CDF) 2023/24 with \$45,000 rolled over as uncommitted from the 2022/2023 round. The program aims and objectives have been more clearly defined in the guidelines, with Council prioritising applications that;

- focused on addressing access and inclusion outcomes for women and girls and people with a disability
- that target and encourage participation and community involvement in creative outcomes.

Under the guidelines, eligible community groups and clubs could submit applications for grants of up to \$5,000 without a requirement to meet a funding ratio.

Funding was available for not-for-profit organisations based in Warrnambool to fund projects, equipment and activities which meet the grant program eligibility and criteria and contribute to participation, club capacity and sustainability and the livability of the City.

Based on the total funding pool available (\$145,000), the following allocations were aligned to each category, noting that the Event Category was managed as a separate grant round for 2023. If the total pool of the funding in each category was not expended, then any remaining to be redirected to other categories where applications exceeded the funding pool.

- Sport and Recreation \$60,000
- Culture and Arts \$55,000

- Environment & Sustainability \$30,000

Applicants had to demonstrate an alignment with one of the listed grant categories and criteria and were assessed based on weighted criteria within the category – **refer 2023/24 CDF guidelines Attachment 1.**

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

## ISSUES

### COMMUNITY DEVELOPMENT FUND 2022/23 PROGRAM

#### Applications process

The 2023/24 program opened on 13 October 2023.

This year, the program was advertised extensively through:

- Council's website and social media platforms, including South West Victoria Sports Link (private group with 262 members)
- CONNECT Warrnambool Facebook posts (7.9K followers) and emails to website subscribers which is now linked to 253 local groups.
- Direct email to previous applicants.

The Communications team also interviewed two successful applicants from last year, which formed social media posts in the lead up to the program closing date. The Warrnambool Toy Library and Warrnambool Volleyball Association highlighted the benefits of the grants they received and how it has supported their club development.

Applications were submitted and managed through the online platform Smartygrants.

Applications were evaluated by a panel of Council officers that represent the three grant categories. Sport and Recreation, Arts and Culture, Environment and Sustainability. All panel members assessed all applications.

#### Assessment summary

The 2023/24 funding round closed to submissions at midnight Sunday 12 November 2023. Twenty-five (25) applications were received, requesting \$97,590.

All applications were assessed against the CDF weighted criteria.

Under the program guidelines, the assessment panel identified that two applicants were ineligible to apply for funding; four applicants were eligible but the submitted projects did not meet funding criteria, and two applications partially met criteria.

Of the two ineligible applicants, one is an organisation listed as an Australian Public Company, and the other based in Moyne Shire, both are ineligible under the guidelines.

Four applications from eligible applicants did not meet the funding criteria for the following reasons:

- one had already recently received financial support from Council through the Festivals and Events 2023 grant program
- one was for a festival
- two applicants to purchase equipment could not demonstrate how their proposals met participation outcomes

Four applications are recommended to be partially funded, as some aspects of the application did not meet funding guidelines.

Fifteen applications are recommended to be fully funded.

## Fund Budget

Council allocated \$100,000 to the CDF fund in 2023/24, and additional \$45,000 uncommitted in the previous round was also rolled over.

Twenty-five applications requesting \$97,590 were submitted under the 2023/24 funding round.

All applications were assessed against the CDF criteria. Once assessed, applications were ranked according to project merit, equity, and the balance of funds available. Based on ranking and the ability to meet eligibility a total of \$58,383 is recommended to be funded.

Allocation summary:

- Sport and Recreation \$30,988
- Culture and Arts \$15,496
- Environment and Sustainability \$11,899

The following organisations and projects are recommended to be funded.

Applicant	Project Title	Funding Category	Total Amount Requested	Total CDF Allocated
Warrnambool Gem Club	Improving access and participation for members with physical disabilities	Culture and Arts	\$4,596.00	\$4,596.00
Holiday Actors	Modern and sustainable, mobile lighting for regional theatre productions	Culture and Arts	\$2,900.00	\$2,867.00
Warrnambool Theatre Company	Theatre Tech for Shakespeare in Love	Culture and Arts	\$5,000.00	\$5,000.00
Lian Husi Timor *	Lian Husi Timor Performance	Culture and Arts	\$4,050.00	\$3,330.00
Rotary Club of Warrnambool Daybreak	Blister Pack Recycle Trial Project	Environment and Sustainability	\$5,000.00	\$5,000.00
Merrivale Community Association*	Merrivale Repair Cafe	Environment and Sustainability	\$2,000.00	\$1,059.00
Russells Creek Club	Reducing Waste to Landfill	Environment and Sustainability	\$1,980.00	\$1,980.00
Sewing Space – Men's Shed	Eco Stiches	Environment and Sustainability	\$3,860.00	\$3,860.00
Warrnambool Volleyball Association	Inclusive Womens Volleyball	Sport and Recreation	\$4,201.00	\$4,201.00
Warrnambool Table Tennis Organisation	Happy Hitters - Women, Girls, and People with a Disability	Sport and Recreation	\$1,790.00	\$1,790.00
Warrnambool Yacht Club	Learning and Safety Equipment Upgrade	Sport and Recreation	\$5,000.00	\$5,000.00
Southwest Strength Sports	Storage and transport for equipment	Sport and Recreation	\$4,754.00	\$4,754.00
Warrnambool Toy Library	Toy purchase - gross motor skill focus	Sport and Recreation	\$5,000.00	\$4,949.00

Warrnambool BMX Club	Club Promotional Video	Sport and Recreation	\$5,000.00	\$5,000.00
Warrnambool Rangers Football Club	Club Silver Package Coaching Course	Sport and Recreation	\$1,000.00	\$1,000.00
Warrnambool Roller Derby League	Purchase of essential and inclusive safety and training equipment	Sport and Recreation	\$1,264.00	\$1,264.00
South Rovers Football Netball Club *	Purchase of Netball safety equipment	Sport and Recreation	\$2,646.00	\$669.00
Nestles Cricket Club Inc *	Junior Cricket Equipment	Sport and Recreation	\$4,700.00	\$1,000.00
Warrnambool Swimming Club	Swimmer Development Program 2024	Sport and Recreation	\$1,361.00	\$1,361.00

\* Funded with conditions

## FINANCIAL IMPACT

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

A review of Council's grants will be completed in early 2024 and recommendations to encourage greater uptake of the opportunity will be submitted to this review.

## LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

### 1 A healthy community

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

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

### 2 A Sustainable environment

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

## TIMING

Upon endorsement by Council of the recommendations, all applicants will be notified by email of the outcome of their application on 4 December.

## OFFICERS' DECLARATION OF INTEREST

Council's Sustainability Coordinator has declared a conflict of interest with Russell's Creek Club Inc. While the interest will not directly benefit the officer, they were not involved in the assessment or decision relating to their submission.

## CONCLUSION

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

## ATTACHMENTS

1. Community Development Fund Guidelines 202324 [7.8.1 - 8 pages]

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## **7.9. NEW WARRNAMBOOL ART GALLERY - PRELIMINARY BUSINESS CASE - FINAL REPORT**

**DIRECTORATE : Community Development**

**PURPOSE:**

***This report presents the Preliminary Business Case for a new Warrnambool Art Gallery on the existing site.***

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**EXECUTIVE SUMMARY**

This report provides background to the project to develop a Preliminary Business Case for a new Warrnambool Art Gallery on the existing site. It includes a high-level summary of the key findings of the report relating to concept design, visitation analytics and high-level costings.

The report has found that a new Warrnambool Art Gallery at the Liebig Street site will **contribute to the economic growth of Warrnambool and the region through increased visitation, expenditure, and additional jobs to create a community asset that can become a landmark tourist destination within a wider civic and cultural precinct.** A new Warrnambool Art Gallery is a long-term investment that, together with the Lighthouse Theatre, new Library and Learning Centre, existing hospitality and retail offerings can create a hub of activity to provide critical mass to attract the Great Ocean Road tourist market and regional visitors.

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**RECOMMENDATION**

**That Council receive the Preliminary Business Case for a new Warrnambool Art Gallery at the existing location and share the findings with the community for feedback.**

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**BACKGROUND**

A feasibility study conducted in 2021 found that a new Art Gallery in Warrnambool could provide a major tourist and educational attraction and a stimulus for economic investment in the region and develop Warrnambool City's market position as a regional destination for cultural tourism. An expanded Marr Nation Gallery could provide a link to the Tower Hill, Budj Bim cultural trail.

The existing Warrnambool Art Gallery building has limitations to meet this potential as the gallery is significantly constrained by its building, which limits operational flexibility and the opportunity to present larger exhibitions, more interactive experiences, functions, and events. The building does not provide suitable storage for collection, loading or administration space.

Guided by a recommendation of a Feasibility Study completed in 2019, Council commissioned the development of a Business Case for a new Warrnambool Art Gallery at Cannon Hill. This work identified that the costs associated with a design, that had minimal impact on the Cannon Hill site, were significant and this resulted in a negative return on investment. Based on this advice, Council agreed to exclude Cannon Hill as an option for a new Art Gallery and at the June 2023 meeting, Council supported a recommendation to explore the feasibility and potential of developing a new Warrnambool Art Gallery on the existing site.

A new Regional Gallery in the CBD could be an iconic building that reflects the City's long history of innovation and creativity. The Business Case would be an opportunity to explore how a new gallery located in the CBD can increase visitation to the city, increase cultural content and meet functional requirements. The existing site on the corner of Liebig and Timor Streets is Council owned and includes the Civic Green and adjacent carpark area.

The desired outcome is *for a new iconic regional facility and tourist destination, delivering exemplary creative, cultural, and educational experiences.*



While retaining and redeveloping the existing building might seem like a more economical option, it was found that the existing building will need significant refurbishment as the structure/shell does not meet the Functional Brief for floor to ceiling height and structural load capacity. It currently is insufficiently serviced through the mechanical and electrical infrastructure to accommodate the range of work desired for exhibitions. The latent conditions pose unknown limitations and risks. The architects have therefore been given the scope to consider options for a new build that will meet the functional brief and enhance the CBD.

The Preliminary Business Plan includes:

- Economic Contribution Study and Cost Benefit Analysis
- Architectural massing study.
- High level concept designs that explore the potential for the site to meet the functional brief.
- High level construction costs.

## ISSUES

### Concept design

The report has found that the existing site can support a gallery that will meet the future needs of the city, whilst still retaining and providing an opportunity to enhance the open space.

Massing studied have demonstrated that the site can accommodate 3,100 square metres (sqm) of floor area including 884 sqm of exhibition space, front of house, Eastern Maar spaces, improved back of house and staff accommodation with underground carpark and loading.

The intention for the new Warrnambool Art Gallery is to utilise Liebig Street and Civic Green as part of the redevelopment to create diversity in its attraction. Four different massing studies were explored to test the opportunity for change.

Architects FJC Studio has undertaken massing studies to test the functional layout to the existing site's opportunities and constraints. The massing study key criteria were to:

- Create a greater connection to Timor and Liebig Streets to enhance the Art Gallery's presence as a landmark within central Warrnambool.
- Invigorate Civic Green and improve functionality and accessibility to public open spaces.
- Maintain connection from Timor Street through to Smith Avenue.
- Respectfully respond to existing heritage buildings on the site.
- Allow for car parking and efficient loading for larger vehicles.
- Address the low-level residential setting of Smith Avenue.
- Use the northerly aspect to enhance natural light and amenity.

Upon review of several strategies, the project team identified Strategy 02 as the preferred option because it has greater presence on the site to Timor and Liebig Streets, angles pedestrian traffic towards Liebig Street with pedestrian access across the site, takes advantage of the northerly aspect of the site, contains the existing heritage to the new building and existing Warrnambool Art Gallery heritage portion as a pavilion, creates an accessible and versatile green civic space and ultimately provides a larger Art Gallery for variety of exhibitions and programs.

The preferred response comprises of three levels of a basement, ground and level 1 spread across the site from Smith to Timor Streets to bridge the transition from residential to major shopping strip and set back along Liebig Street.

The redevelopment would retain the open space of Civic Green yet have a commanding presence to identify its location and significance within the Warrnambool civic precinct. The size of the current Civic Green is 1575m<sup>2</sup>. The concept design allows for 1950m<sup>2</sup> of Civic Green, demonstrating that an expanded gallery and the functionality can be coexist. Having an established green space in front of the gallery will provide an effective forecourt, allowing for people to enjoy the green space and a new gallery that can accommodate exemplary exhibitions.

The concept design allows for an expanded First Nations gallery and maximises the potential for public programs, exhibitions and food and beverage opportunities.

Appropriate parking (ground level and basement). The new building will be set back from the corner of Timor and Liebig Streets and maintain existing tree canopy where possible, whilst maximising vistas and a connection to the heart of Warrnambool's city centre, where there is diverse mix of professional services, retail, and dining experiences. The response will respectfully address the two existing heritage structures within the site.

### **Visitation**

Visitation is a key metric for the economic impact of a new art gallery. The base case of visitors to the existing Warrnambool Art Gallery is an average of 55,100 visitors each year. The forecast estimated for the first year of operation of a new Warrnambool Art Gallery is 72,580 visitors. Assuming a modest, locally based flow of visitors and an increasing awareness of the new facility among regional and metropolitan visitors, this estimate grows to 116,000 in Year 5. Achievement of these visitation numbers is reliant upon Warrnambool Art Gallery being a landmark facility within a wider marketed Warrnambool cultural and civic precinct, delivers programs which invite participation from the wider Victorian, national, and international community, provides quality food and beverage experiences, and has a program of attractions within the Civic Green. Extensive marketing campaigns will be vital to attracting greater visitor interest in Warrnambool as a tourist destination, including the use of all types of media and creating a connection with the Great Ocean Road tourist operators.

The Environmetrics model used to calculate visitation is driven by the “perceived value” of an attraction by a visitor which is not just measured by the cost of accessing it but also by the time and energy taken to access and enjoy the experience. To inform the analysis, Environmetrics conducted an online survey, sampling 500 Victorians and 100 South Australians, aged 18 years and over. The findings from this survey have informed the views on the opportunities and constraints for increasing the visitation numbers to Warrnambool and the proposed new Art Gallery development.

### **Summary of findings**

The key findings from this research are:

- There is a major opportunity to capture additional visitor numbers by “out of town” visitors by providing an interesting destination and experience that is in addition to the existing “natural” attributes of the area.
- The existing structure of the Day Tour industry to the Great Ocean Road could be re-structured to include Warrnambool as an overnight stay destination, providing not only additional visitation to the Art Gallery, but also an opportunity to drive demand for accommodation and meals and therefore the increase visitor spend in the region.
- There is untapped demand for a wider range of leisure / tourism activities than what has traditionally been on offer at Warrnambool; Twenty six percent of the survey sample are interested in “the now.” They are not interested in history, back-of-house experiences, or culture. They are interested in seeing what is here to see, taste and experience—sightseeing, physical activities, theme parks/zoos/botanical gardens and eating and drinking are high on their list of priorities. This market is a real opportunity as 40% of them have been to Warrnambool in the last 5 years and a newly reactivated Warrnambool Art Gallery would provide the ‘thing to do now’.
- Focus on Aboriginal Art & Culture, set within the overall Gallery’s wider offering. Visitor interest in, and attendance at, First Nations arts and craft activities has continued to increase in recent years. The Australia Council’s National Arts participation survey found that nearly half of all Australians are actively interested in First Nations arts (47%) and seven million attended in 2016 – a record level of attendance and double that of 2009.

- The estimated capital cost for the investment of a new Warrnambool Art Gallery is \$52.5 million excluding escalation and GST.
- The potential economic benefits include the economic contribution generated through construction, additional operational expenditure of a new facility and additional tourist expenditure across both Warrnambool and Victoria. Through construction, 108 new positions will be created in Warrnambool with \$75.7M in economic activity. The economic activity through operational expenditure and visitor spending will support 81 positions in Warrnambool and \$13.5 million of expenditure per year by 2030.
- The Benefit Cost Ratio that monetises benefits and compares against the costs **indicates a positive rate of 1.16** and Net Present Value of \$9,813,940, which demonstrates an economically viable project.

The Cost Estimate does not include for future cost escalation beyond November 2023 as the delivery program is still to be agreed and escalation forecasts are subject to so much variation any escalation allowance would be arbitrary. Please note for the Economic Impact Assessment, current rates are required, and escalation is excluded.

Note that this project could only be progressed with significant/majority funding from State/Federal Government. A funding strategy is currently being prepared to identify potential fund-raising opportunities.

## **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.

### **3 A strong economy**

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

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

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

## **TIMING**

A new gallery is a significant investment for the city. Community consultation will inform Council about the priority for a new gallery. A funding strategy being prepared by J9 consultants (who also delivered a funding strategy for HOTA, the new Gold Coast City gallery) has been funded through Regional Development Victoria's Enabling Tourism Fund, will be finalised this year and will inform Council of potential funding options.

## **COMMUNITY IMPACT / CONSULTATION**

It is proposed that the Preliminary Business Case and high-level concept designs be made available for public viewing and comment throughout the current exhibition period and that a report on feedback be provided to Council in April 2024.

## **LEGAL RISK / IMPACT**

N/A

## **OFFICERS' DECLARATION OF INTEREST**

Nil

## **CONCLUSION**

A new Warrnambool Art Gallery at the Liebig Street site will not only address the functional limitations of the existing building but will also contribute to the economic growth of Warrnambool and the region through increased visitation, expenditure, and additional jobs to create a community asset that can become a landmark tourist destination within a wider civic and cultural precinct. A new Warrnambool Art Gallery is a long-term investment that, together with the Lighthouse Theatre, new Library and Learning Centre, existing hospitality and retail offerings can create a hub of activity to provide critical mass to attract the Great Ocean Road tourist market and regional visitors.

## **ATTACHMENTS**

1. 231130 WAG Updated Business Case Liebig St Rev C\_ [7.9.1 - 249 pages]

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## **7.10. WARRNAMBOOL AQUATIC STRATEGY - FINAL REPORT**

**DIRECTORATE : Community Development**

**PURPOSE:**

***This report presents the Warrnambool Aquatic Strategy final report and recommends that the report be received and that it be progressed to consultation with key stakeholders and community.***

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**EXECUTIVE SUMMARY**

The Aquatic Strategy provides an assessment of current condition of Aquazone and the likely capital costs required to maintain facility operation in the short to medium term; as well as potential development options for:

1. making good and minor improvements for accessibility to existing Aquazone facility,
2. a redeveloped and enhanced Aquazone on the existing site, and
3. a new development on a greenfield site. (location undetermined)

The Aquatic Strategy has provided costs for the above options ranging between \$10 million and \$80 million dependent upon the option chosen.

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**RECOMMENDATION**

**That Council receive the report and commence community engagement on the findings.**

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**BACKGROUND**

AquaZone Aquatic and Leisure Centre, opened as an outdoor facility in 1962 and was redeveloped in 2002 with the inclusion of indoor pools, a gymnasium, and associated components. Based on the current levels of demand, the age of the Centre and the current and likely maintenance issues, Council identified the need for an updated Aquatic Strategy.

Warren Green Consulting was engaged to research and prepare the report, supported by several specialist sub-consultants. Warren Green Consulting has an extensive knowledge of the Aquatics and Fitness industry and experience in developing similar strategies.

The development of the report process included consultation with key stakeholders and staff; and included industry benchmarking; an operational review; Investment Planning Model demand analysis; concept design development and cost assessment.

**Project Objectives**

In summary the key objectives of the Aquatic Strategy project are:

- Condition audit and cost assessment of short-term investment required to sustain reliable operation of the facility.
- Provide options on either renewing / redeveloping AquaZone, or the development of a new Centre at a Greenfield site (to be determined).
- Based on industry research and insights, identify the type of facility or facilities required, in addition to the capital costs and the financial models for operations.
- Consider dry leisure service offerings in alignment with community demand and needs.

## **Guiding Principles**

To inform the project direction, key guiding principles have been previously developed by Council and these are:

- Enhancing community health, well-being, and social connection.
- Universal access to facilities.
- Sustaining high quality, attractive and safe facilities.
- Compliant infrastructure development.
- Affordable development and sustainable operations.
- Resource efficiency for energy and water use.
- Economic opportunity to attract intrastate (FINA accredited) competitions, maximize the outputs of current and proposed assets.

## **ISSUES**

### **Proposed options**

As part of the research process associated with reviewing the options for future provision, an assessment of the current situation, targeted consultation, industry consultation / trends research and a review of Council strategies were undertaken. This research guided the potential development options for assessment, these options are outlined below.

1. AquaZone Site make good and enhanced, all ability access: no additional components, make good existing facilities and enhanced access (e.g., upgrade pool access - ramps, pool pod, etc.).
2. AquaZone Site Enhancement (Potentially in two stages):
  - Stage 1: upgrade of outdoor 50m pool with partial cover, additional change rooms, spectator seating and plant room.
  - Stage 2: improved access directly off carpark, expanded gym and program rooms, warm water pool with sauna / spa / steam, multi-purpose community space (relocate swim club rooms), amenities upgrade and utility options (subject to further investigation).
3. Greenfield Site Development: indoor 25m pool, outdoor 50m pool, learn to swim pool, warm water pool, leisure pool, health club and community / swim club spaces.

Principal Architect Mike McGrath of CO-OP Studio has prepared high-level concept designs that demonstrate that future need can be met on the current site and what a new development on a greenfield site might look like, so that high-level costings could be prepared. Concept designs and cost assessments are included within the report.

### **Cost Assessment**

An assessment of indicative costs indicates that:

- A full redevelopment of AquaZone on the existing site would cost in the vicinity of \$59.7M. Consisting of \$10M for aquatic make good, \$22M for other renewal and new components and \$27M for other project related costs.
- The indicative cost for the Greenfield site is identified as \$80.5M consisting of \$45.2M for building works, \$33.9M for other project costs and \$1.4M for AquaZone decommissioning. This cost however could vary quite substantially based on the site hence it is a guide only.

A review of the projected performance of the AquaZone development is summarised below and this highlights the significant potential benefits as:

- An increase in annual visits by over 100K per annum or 50%.
- An increase in visits per head of population by 2.9 with a total 8.6 visits per head of population. This is a 52% increase on current and is 65% higher than the industry benchmark of 5.2 visits per head of population.
- An overall projected net performance improvement of \$532K per annum.

The financial performance associated with a Greenfield development would be materially informed by the site hence it is premature to undertake this analysis.

### **Condition Audit**

As part of the strategy, and in recognising that a redeveloped or new construction is a longer term proposition, the project also required an assessment of the facilities current condition and to provide advice regarding the likely capital costs required to maintain facility operation in the short to medium term, replacing equipment reaching end of life or overcoming urgent safety issues. An assessment of capital works requirements over a ten-year period for the aquatic components only indicates an estimated cost for works of approximately \$3M.

Any of these works should be undertaken in conjunction with an operational risk assessment to ensure that residual risks from unresolved issues are managed and mitigated until major works are undertaken.

### **Project Context and Limitations**

This Aquatic Strategy is a preliminary research document to help determine future aquatic infrastructure provision for the Warrnambool region. Importantly, any reference to costs and timeframes are preliminary only and must be considered together with the status of the project, potential risks and any exclusions highlighted by the Consulting Team. In addition to this, potential future events, which may be unknown at this stage, can also have a material impact on the project direction, costs, and timeframes. Hence an appropriate project governance plan and process is required for ongoing project review and evaluation. This is particularly relevant given the potential costs associated with community aquatic infrastructure provision.

## **FINANCIAL IMPACT**

Council allocated \$160,000 for the development of the report and the project was completed within budget.

The report identifies that urgent investment is needed to keep the outdoor pool operational over the short to medium term.

A funding strategy will need to be developed to raise the significant investment required to deliver any of the longer-term options provided. (\$20 - \$80 million).

## **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.

### **2 A Sustainable environment**

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

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

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

## **TIMING**

Dec/Jan	Community engagement Refer the condition audit report and indicative costs for critical maintenance and renewal works to the forward budget process.
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- March Report feedback to Council with recommendation to progress.
- 2024 onward Seek funding to progress to master planning and detailed design and funding prospectus.

It should be recognised that this is a significant investment that may take many (10+ years) to secure funding.

### **COMMUNITY IMPACT / CONSULTATION**

It is proposed that key stakeholders and the Community have the opportunity to view the concept plans and key findings over the December/January period and that the feedback is reported back to Council at a March meeting.

### **LEGAL RISK / IMPACT**

N/A

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

Nil

### **CONCLUSION**

The Warrnambool Aquatic Strategy provides data and options for Council, in partnership with the community, to develop a roadmap to improve and enhance the Aquatic facilities to meet the city and region's needs. The report is just the first step in a critical path to developing a reliable and economically viable service, to commencing engagement with key stakeholders and community about the priority for investment in this area; and to developing a master plan, detailed designs, and funding prospectus which can be used to attract State and Federal funding for this important regional asset.

### **ATTACHMENTS**

1. Warrnambool Aquatic Strategy ( Final Report - November 2023) [7.10.1 - 81 pages]



## **7.11. PUBLIC ART DONATION**

**DIRECTORATE** : Community Development

### **PURPOSE:**

***This report provides information on a donation of public art to Council for the children's garden at the Warrnambool Library and Learning Centre.***

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### **EXECUTIVE SUMMARY**

A new addition to the city's collection of Public Art has been made possible through the generosity of a donation by the Fletcher Jones Foundations. The bronze sculpture by renowned Australian artist Heather B. Swann has been installed in the children's garden at the Warrnambool Library and Learning Centre.

### **RECOMMENDATION**

**That Council acknowledge the generosity of the Fletcher Jones Foundations gift of public art by Heather B. Swann to the Warrnambool Library and Learning Centre children's garden.**

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### **BACKGROUND**

The Fletcher Jones Foundations contributed funds to the construction of the new Warrnambool Library and Learning Centre in 2020. During discussions at this time, it was proposed that an acknowledgement in the form of a sculpture for the Children's Garden area could be considered.

An additional allocation of \$20,000 for a sculpture for the garden was made in 2021 and the sculpture was to be a memorial to Isobel Jones.

The Fletcher Jones Foundation and Council officer jointly developed a brief for the artwork.

The Fletcher Jones Foundations commissioned the assistance of an Art Consultant with many years' experience with public and private commissions to develop a shortlist of artists and concepts, from which an artist and concept was selected.

The artwork is a generous gift from the Fletcher Jones Family Foundations to the Warrnambool community and are a wonderful addition to the City's collection of public art. The total value of the donation was \$28,000 although the artwork itself would be valued in the vicinity of \$40,000.

The chosen artist, Heather B. Swann is a Tasmanian based artist, with a formidable reputation as a maker of surrealist sculptural objects, including many examples of public sculpture. Heather has been curated into significant exhibitions including major institution shows at the National Gallery of Australia and the National Gallery of Victoria. She is also very well collected by major public institutions and private collectors. In 2022, Swann was commissioned, in collaboration with Nonda Katsalidis, to create a permanent public artwork for the Setouchi Triennale, Japan.

Swann was selected as her work beautifully met the brief of '*The artwork will enhance the aesthetic value of the environment, be appealing to young children, provoke imagination and evoke curiosity*'. Swann also has a connection to and affection for Isobel Jones, for whom the artwork has been created as a memorial.

## ISSUES

The artwork comprises a pair of small bronze stools, one with a Tawny Frogmouth perched on the side, allowing a child to sit next to the bird. A second stool is positioned nearby for another child to sit. The works present an opportunity for discovery, sitting, reading and interaction for visiting children. A version of this work was created for a larger installation in Newcastle in 2016.

While the work is relatively small, the scale is perfect for the children and it will create a sense of discovery, and playfulness that is perfectly suited to the design and intent of the children's garden. Being made from bronze it will require minimal maintenance and will have longevity.



## FINANCIAL IMPACT

The cost of installation was under \$500.

## LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

n/a

## TIMING

The artwork was installed in the children's garden of the Warrnambool Library and Learning Centre on 14th November 2023.

## COMMUNITY IMPACT / CONSULTATION

n/a

## LEGAL RISK / IMPACT

n/a

## OFFICERS' DECLARATION OF INTEREST

Nil

## **COLLABORATIVE PROCUREMENT**

n/a

## **CONCLUSION**

A generous donation of public art for the Warrnambool Library and Learning Centre children's garden has been made by the Fletcher Jones Foundations. The whimsical and interactive sculpture will likely be a much-loved feature for children long into the future.

## **ATTACHMENTS**

Nil

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

### **DIRECTORATE : EXECUTIVE SERVICES**

#### **PURPOSE**

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

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#### **BACKGROUND INFORMATION**

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

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

#### **REPORT**

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

Monday 13 November 2023 – refer **Attachment 1**.

Monday 20 November 2023 – refer **Attachment 2**.

Monday 27 November 2023 – refer **Attachment 3**.

#### **ATTACHMENTS**

1. Assembly of Councillors Record 13 November 2023 [7.12.1 - 1 page]
2. Assembly of Councillors Record 20 November 2023 [7.12.2 - 1 page]
3. Assembly of Councillors Record 27 November 2023 [7.12.3 - 2 pages]

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#### **RECOMMENDATION**

**That the record of the Informal Meetings of Council held on 13, 20 and 27 November 2023 be received.**

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

### **DIRECTORATE : Executive Services**

#### **PURPOSE**

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

#### **REPORT**

<b>Date</b>	<b>Location</b>	<b>Function</b>
7 November 2023	Warrnambool	Cr Arnott represented the Mayor at the Tasty Plate Annual Showcase 2023.
8 November 2023	Warrnambool	Cr Arnott represented the Mayor at the Victoria Police Medal and Award Ceremony for Police Members and Employees of Western Region Division 2.
9 November 2023	Warrnambool	Cr Taylor represented the Mayor at the Fletcher Jones Family Foundation afternoon tea to celebrate philanthropic impact.  Chief Executive Officer – Regional Launch – Our Equal State : Victoria’s Gender Equity Strategy and Action Plan 2023-24 by Minister Natalie Hutchins and Jacinta Ermacora, MP.
10 November 2023	Warrnambool	Cr Ziegeler represented the Mayor at the opening of the new Men’s Shed.  Cr Ziegeler represented the Mayor at the Brauer College Remembrance Day ceremony
11 November 2023	Warrnambool	Mayor – Remembrance Day Wreath Laying Ceremony.  Mayor – Community Gardens Live in the Quarry event.  Mayor – Kiwanis Club of Warrnambool 50 Years of Service to the community function.
12 November 2023	Warrnambool	Mayor – Opening of newly developed APCO store Warrnambool.
14 November 2023	Warrnambool	Mayor – Opening of Level Up Conference.
15 November 2023	Warrnambool	Mayor & Chief Executive Officer – Met with CEO and Board Chair from Lyndoch Living.
16 November 2023	Virtual	Mayor & Chief Executive Officer – Municipal Association of Victoria Rural and Regional Forum.

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18 November 2023	Warrnambool	Mayor – Official opening of Salvation Army new building.  Mayor - Official opening of the Lisa Gorman + Mirka Mora exhibition.
21 November 2023	Warrnambool	Mayor - Guest speaker at Rotary Club of Warrnambool meeting.
23 November 2023	Warrnambool	Mayor – Hosted Mayor’s Breakfast – Launch of “It’s All Happening – Xmas & Summer”.
	Camperdown	Chief Executive Officer – GORRT Board meeting.
24 November 2023	Warrnambool	Mayor & Chief Executive Officer – South West Healthcare Annual General Meeting.
	Warrnambool	Chief Executive Officer – SouthWest Victoria Alliance CEO meeting.
27 November 2023	Warrnambool	Mayor – Food & Fibre Great South Coast Board members luncheon.
28 November 2023	Warrnambool	Mayor, Councillors & Chief Executive Officer – Met with local Philanthropic Trustees.
29 November 2023	Allansford	Mayor & Chief Executive Officer – Met with Regional Operations Manager, Saputo Dairy Australia.
	Warrnambool	Mayor & Chief Executive Officer- Met with new Superintendent of Police.
30 November 2023	Warrnambool	Deputy Mayor – Met with students from St Joseph’s Primary School on rules and laws and what the responsibilities and services are of Council.  Deputy Mayor – Official opening of NOS CREARE : South West TAFE Centre for Creative Arts.
	Virtual	Chief Executive Officer – Regional Cities Victoria CEO’s meeting.
	Melbourne	Chief Executive Officer – Deakin University dinner to share in Deakin’s vision for the future hosted by John Stanhope AM, Chancellor.
1 December 2023	Queenscliffe	Chief Executive Officer – Met with Borough of Queenscliffe Mayor and Chief Executive Officer.

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## RECOMMENDATION

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

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## **8. NOTICE OF MOTION**

No Notices of Motion have been received.

## **9. GENERAL BUSINESS**

## **10. URGENT BUSINESS**

## **11. SUSPENSION OF STANDING ORDERS**

### **11.1. RESOLUTION TO SUSPEND STANDING ORDERS**

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#### **RECOMMENDATION**

That standing orders be suspended to allow members of the public gallery to depart.

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### **11.2. RESOLUTION TO RESUME STANDING ORDERS**

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#### **RECOMMENDATION**

That standing orders be resumed.

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### **11.3. RESOLUTION TO CLOSE MEETING**

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#### **RECOMMENDATION**

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

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

- 12.1 Minutes In-Camera Meeting Of Council - 6 November 2023**
- 12.2 Audit & Risk Committee Meeting Minutes - 29/8/2023**
- 12.3 Citizen of the Year Awards 2024**
- 12.4 CEO Employment Matters Advisory Committee Chair Appointment**

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

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#### **RECOMMENDATION**

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

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### **14. CLOSE OF MEETING**