

AGENDA

SCHEDULED COUNCIL MEETING
WARRNAMBOOL CITY COUNCIL
5:45 PM - MONDAY 1 JULY 2024



VENUE:

Lighthouse Theatre Studio
Lighthouse Theatre
Timor Street
Warrnambool

COUNCILLORS

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

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can be obtained online at www.warrnambool.vic.gov.au

Andrew Mason
CHIEF EXECUTIVE OFFICER

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Behaviour At Council Meetings

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

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1. OPENING PRAYER & ORIGINAL CUSTODIANS STATEMENT

Opening Prayer & Original Custodians Statement

Almighty God

Grant to this Council

Wisdom, understanding and Sincerity of purpose

For the Good Governance of this City

Amen.

Original Custodians Statement

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

2. Apologies

3. Confirmation of Minutes

RECOMMENDATION

That the Minutes of the Scheduled Meeting of Council held on 3 June 2024, be confirmed.

4. Declaration By Councillors And Officers of Any Conflict of Interest In Any Item on The Agenda

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

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

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

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

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

5. Mayoral Presentation

6. Public Question Time

7. REPORTS

7.1. Key Worker Accommodation And Affordable Housing Project

DIRECTORATE : Community Development

Purpose:

This report provides an update on the Key Worker Accommodation and Affordable Housing project being explored by Council, presents the results of community consultation and seeks endorsement from Council to proceed with the finalisation of the project, incorporating the feedback received from community.

Executive Summary

Based on the resolutions of Council on 6 November 2023 endorsing the commencement of due diligence to explore the development of a Key Worker Accommodation and Affordable Housing project on Council owned land in the buffer zone of the former saleyards site abutting Harrington Road, the selection of a Community Housing Agency to partner with on the project through an EOI process, and the endorsement to commence with community consultation on the project, Council Officers have concluded the due diligence process and the community consultation.

Through an expression of interest and due diligence process, Loddon Mallee Housing Limited (trading as Haven Home Safe) and its consortium partners Formflow Living and Urbis have been selected by Council as the preferred Community Housing Agency partner for the project.

Concept designs have been prepared and presented to the community. A range of community consultation has occurred including Have Your Say, community forum and focus groups. Over 120 community members attended two community forums, one organised by the Dennington Community Association in December 2023 and one organised by Council on 20 May 2024. 32 community members attended the focus group/listening posts. A total of 173 responses were received from the online survey, however, of them, only 86 were partially or fully completed responses and the rest 88 were blank with no responses to any of the questions on the project.

This project has been initiated because of the severe housing crisis that Warrnambool is currently experiencing, and, indications from the Commonwealth Housing Australia Future Fund and the Victorian Government Big Housing Build who have indicated that projects facilitated by Councils using their own land have a higher chance of being funded. Based on the evaluation of the housing crisis that Warrnambool is currently experiencing and the results from the community consultation, Council has the following three options to consider:

1. Proceed with the project and pursue planning and funding pathways while incorporating key feedback from the community around housing density, traffic management and infrastructure considerations.
2. Integrate the project with the development of the detailed Masterplan for the former saleyards and the buffer zone and proceed with the project post rezoning of the land.
3. Not proceeding with the project to deliver key worker accommodation and affordable housing at all.

Officers' recommendation is to pursue the planning and funding pathways while incorporating feedback from the community in the final designs of the project using Option 2 as the preferred design option, as detailed in this report. Infrastructure and traffic management considerations will be determined through the technical assessments and detailed design phases of the project and will define any required investment to be included in the project. This project aligns with the Highest and Best Use Masterplan for the former saleyards site adopted by Council on 6 May 2024.

RECOMMENDATION

That Council:

1. Endorses to proceed with the project and pursue planning and funding pathways for the delivery of up to a maximum of 50 homes to be used for Key Worker Accommodation and Affordable Housing in the buffer zone of the former saleyards site abutting Harrington Road – using Option 2 as the preferred Option, in collaboration with Haven Home Safe and its consortium partners – Formflow Living and Urbis.
2. Endorses the Chief Executive Officer to pursue fast-tracked planning pathway from the Minister of Planning for the Project.
3. Pursuant to obtaining a planning permit exemption from the Victorian Minister of Planning for the project, delegates the authority to the Chief Executive Officer to sign a lease agreement with Haven Home Safe for the housing project to be developed and operated at Council owned land in the Former Saleyards buffer zone abutting Harrington Road for a period of up to 25 years.
4. Receives a report from officers on the results from the pursuit of planning and funding pathways, including a finalised design of the project.

Background

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

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

- Rental Vacancy Rate – 0.5% - 0.8% (healthy market rate - 4%)
- Median rental price - \$500 (average increase of \$100 pw from 2021)

- Total rental properties as a ratio of total dwellings (18% - significantly lower than state average - 30%)
- 1/3rd of renters facing severe rental stress due to increasing rents
- Lack of key worker accommodation is having a negative effect on industries being able to fill positions impacting social and economic development

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

In November 2020, the Victorian Government announced a \$5.3 billion Big Housing Build and Warrnambool was allocated \$25 million at the outset as a priority local government area. This has resulted in around 90 properties being built for social housing, purchased and/or renovated/upgraded. While these investments have resulted in some increase in social housing stock, there have been very little investments in increasing the stock of affordable community housing rental stock or key worker accommodation.

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

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

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

On 6 May 2024, Council adopted the Highest and Best Use Masterplan for the former saleyards site including the buffer zone. The buffer zone currently being considered for the key worker accommodation and affordable housing project is intended to be rezoned as General Residential Zone and has identified the buffer zone as having capacity to enable a Council-led key worker/affordable housing project if required. The Highest and Best Use Masterplan can be accessed through the link.

https://www.warrnambool.vic.gov.au/sites/warrnambool.vic.gov.au/files/documents/council/about/strategic%20plans/Highest_and_Best_Use_Master_Plan%20-%20former%20saleyards%20site.pdf

Expression of interest and due diligence:

On 6 November 2023, Council resolved to proceed with due diligence to explore the possibility of activating the Council owned land currently located in the buffer zone of the former saleyards, abutting Harrington Road as an accelerated housing estate, for key worker accommodation and affordable housing. A request for Expressions of Interest (EOI) from Community Housing Agencies was issued on 15 November 2023.

This request was published in Council media, local media and circulated to the Community Housing Industry Association Victoria (CHIA VIC) and the Municipal Association of Victoria. Council also individually sent the EOI document to the following Community Housing Agencies, who have a footprint in Warrnambool or were involved in discussions prior:

- Beyond Housing
- Common Equity Housing Limited
- Haven Home Safe
- Housing Choices Australia
- Salvation Army Housing Victoria
- Women's Housing Ltd.

Two formal EOIs were received from Community Housing Agencies (names of submitters withheld as confidential) by the closing time of 2pm on Friday 15 December 2023. One additional EOI was received from HEM Communities Ltd. as an interest in providing pro bono work and support to the project. This offer has been passed on to the preferred Community Housing Agency.

There were several Community Housing Agencies that expressed concern that the 10-15-year period would not be a feasible lease period and should be raised to 25 years. During this time, the Housing Australia Future Fund (HAFF) was announced by the Federal Government which mandated that all projects needed to operate for 25 years to be eligible for funding.

In line with the feedback from the Community Housing Agencies, and the announcement from the Federal Government HAFF announcement, Council published a revised request for Expression of Interest on its eProcure system on 11 February 2024 with a closure date of 8 March 2024. The EOI was also circulated via Community Housing Industry Association Victoria (CHIA Vic).

Four Expressions of Interest were received (names of submitters withheld as confidential).

Following an assessment of the submissions, an Officer's Panel evaluated the submissions from each agency against the following selection criteria:

- Background of Community Housing Agency and capacity to develop and manage projects in Warrnambool and South West Victoria, including reference to prior or existing housing stock in Warrnambool
- Demonstrated ability to develop affordable housing
- Prerequisites required and intention of Community Housing Agency to establish a local presence in Warrnambool within 24 months
- Technical response to Council's proposal for the concept at Harrington Road
- Management model proposed for the concept at Harrington Road

- Estimated project delivery time frame
- Social and local procurement

Upon completion of the panel review and the due diligence process, Council selected Loddon Mallee Housing Limited (operating under the trade name of Haven Home Safe) and its consortium partners as the preferred Community Housing Agency to partner with Council for the project. Two preliminary detailed concepts for the project design were prepared to proceed with community consultation, which was initiated from 20 May 2024 to 12 June 2024. The details of the community consultation methodology and findings are included in the section under Community Consultation.

Issues

The current identified site for this development off Harrington Road is part of the Masterplan for the Former Saleyards adopted by Council on 6 May 2024. Council will now investigate options to financially fund the next stage of the planning process which will enable rezoning of the land for residential purposes.

For the Key Worker Accommodation and Affordable Housing Project, an alternative avenue to pursue was identified as the new facilitated assessment pathway for significant residential development with affordable housing. This fast-track planning assessment pathway is available for significant residential development proposals under clause 53.23 Significant residential development with affordable housing of the Victoria Planning Provisions. The Minister for Planning is the responsible authority for determining applications by fast tracking a range of residential development proposals that provide affordable housing outcomes. This pathway provides the Minister with the ability to consider construction of affordable and key worker housing within a farming zone without undertaking rezoning of the land. Council, in partnership with Haven Home Safe intends to pursue this planning exemption pathway for the project.

If Council cannot access this fast-track pathway, it must rezone the land first. This could delay the delivery of the project for a minimum 2-3 years, but likely to be around 5 years. If Council finds itself in this position, Council can reconsider its involvement in the project, and revisit once the land is rezoned.

A formal community consultation process driven by Council in collaboration with Haven Home Safe and its consortium partners was undertaken between 20 May and 12 June 2024. The results from the community consultation is included in the Community Consultation section of this report.

The project intends to construct a medium-density development of up to 50 homes, 25 to be used for Key Worker Accommodation and 25 for Affordable Housing. This proposal aligns with the current state planning policy for residential growth, Highest and Best Use Masterplan for the Former Saleyards site and will be compliant with the provisions and stipulations of the municipal Infrastructure Development Manual. Two concept options have been developed and officer's recommendation is to proceed with Option 2, which is in line with feedback from the community. The two options are attached. (Attachment 1 and Attachment 2)

Subject to funding availability, the project may be staged. Initial discussions with Haven Home Safe and its consortium partners indicate that some private and philanthropic funding may be available to initiate the project immediately after receipt of the planning exemption. However, this may not be adequate to fully deliver the whole project. Based on this, funding pathways will be pursued with Federal and Victorian State Governments to secure funding for the project, and the project may be delivered in multiple stages. However, it will be a priority to ensure that all related infrastructure and traffic management investments are implemented in the first stage of the project.

Housing definitions for the project:

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

- **Key worker accommodation:** The definition for key workers will be finalised as part of project design. This will be achieved through consultation with employers and organisations in the municipality. A scope will be developed to only include those industries and their workers that are most affected by the current housing crisis. This definition will be periodically reviewed based on emerging needs. At the initial stage, key workers from health and human services, education and training, and other essential services such as public administration and safety, will be the priority industries.
- **Affordable housing:** In context of the project, the definition of affordable housing has been modified from how it is understood as defined by Section 3AA of the Planning and Environment Act 1987. For the project, the term affordable housing excludes social housing and public housing. Affordable housing tenants will be selected based on established mechanisms between the Community Housing Agency and Victorian State Government. A model established by the Victorian Government is available through the following link:

<https://www.homes.vic.gov.au/homes-victoria-affordable>

Social and Economic Impact:

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

In the absence of Council actively pursuing a project to be realised for key worker accommodation and affordable housing, there is no expectation that any project will eventuate from other sources in the near future. Neighbouring Councils, Moyne and Corangamite Shire have enabled similar projects with successful outcomes. Council has currently submitted a proposal to the Victorian State Government to develop up to 15 key worker housing on Crown Land, but this has not been approved yet. Even if approved, this will only cater for key worker accommodation, while the gap in affordable housing will remain and continue to grow.

Financial Impact

The major impact to Council will be the dedication of staff time to design and deliver the project which will need to be absorbed under current EFT allocations, thereby creating some opportunity costs.

The pursuit of planning exemption is expected to be around \$20,000, and this has been absorbed under the Highest and Best Use Masterplan for the Former Saleyards contract.

A cost of \$14,080 (including GST) was incurred to prepare the preliminary concepts and animation video of the project for community consultation. A further \$1,000 was incurred in venue hire and catering costs for the community consultation sessions. No further costs were incurred during community consultation, except for the time dedicated by staff to facilitate the community consultation. Haven Home Safe and its consortium partners are also already absorbing costs in preparing the project concept and design.

The finalisation of detailed designs of the project will require costs. However, this will be determined in negotiation with Haven Home Safe and can be reimbursed from project costs.

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

Legislation / Policy / Council Plan Context

1 A healthy community

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

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

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

3 A strong economy

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

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

4 A connected, inclusive place

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

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

5 An effective Council

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

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

Timing

Post endorsement from Council, the following are the next steps that will ensue:

1. Preparation of detailed designs and planning documents for the project.
2. Submission of the project to Invest Victoria for a recommendation.
3. Submission of the project to the Victorian Minister of Planning to obtain a planning exemption.
4. Pursuant to obtaining the planning exemption, preparation of funding arrangements to deliver the project, either whole or staged.
5. Signing of a land lease agreement between Council and Haven Home Safe.
6. Construction and project delivery.

Timelines will be dependent on when the planning exemption is received and how soon the funding arrangements can be secured.

Community Impact / Consultation

Post endorsement by Council on 6 November 2023, to conduct due diligence to explore the development of a key worker and affordable housing project, Council informed the Warrnambool community through a media release and sent letters to residents on Harrington Road of Council's intention to proceed with this exploration.

A detailed community consultation methodology was adopted for the project, pursuant to Section 115 of the Victorian Local Government Act 2020.

The consultation methodology included:

- Discussions with federal and state government agencies
- Discussions with community housing agencies
- Discussions with key industries and organisations in Warrnambool
- Discussions with construction industry
- Forum for Dennington Community Association and the Warrnambool Community (2 sessions)
- Focus group discussions with the Warrnambool Community
- Online survey through Council website
- Individual submissions received from the community.

The details of the feedback received from the community forum, focus groups discussions, online survey results and individual submissions are included in this report.

The timelines of the community consultation and methodology followed are below:

1. Community Forum – 20 May 2024 (Lighthouse Theatre)
2. Announcement of Community Consultation sessions and registrations open– 24 May
3. Survey for feedback on Yoursay – 28 May – 12 June
4. Focus group/listening posts
 - o 29 May (Dennington Recreation Reserve) - 2 sessions
 - o 4 June (Mack Oval) - 2 sessions
 - o 5 June (Lane Pavilion) - 2 sessions

- o 6 June (Reid Oval) - 2 sessions

Response engagement:

Community Forum: Over 60 community members attended the Community Forum at the Lighthouse Theatre.

Focus group/Listening posts: In total, 32 community members attended the focus group/listening posts.

Online survey: A total of 173 responses were received through the yoursay survey. However, only 86 respondents provided responses on the project components, and this is the total number of responses that have been analysed in this report. The rest of the respondents did not proceed beyond the questions on where they were answering from and their postcode. All other responses were empty, and they have not been included in the analysis. Raw data of all 173 respondents is attached as Attachment 3.

Community forum:

Councillors and Council Officers attended a townhall forum organised by the Dennington Community Association on 4 December 2023. During the townhall Council shared the preliminary concepts of the proposal and the pathway through which Council was intending to develop the project for consideration. The series of steps that Council needed to undertake for the project details to be finalised and the expected timeline, including plans for community consultation, was outlined during the meeting.

Upon finalisation of the due diligence process, the selection of a Community Housing Agency and finalisation of preliminary design options for the project, a Community Forum was organised by Council at the Lighthouse Theatre on 20 May 2024. During the forum, a panel of presenters from Council and officers from Haven Home Safe and Form Flow Living, presented to the community during the forum.

During the forum, Council heard a range of queries and concerns in relation to the project which were responded to during the forum, and it was communicated the details of the project and the opportunities for community to provide feedback would be made available through a survey and through focus group sessions.

A list of questions was received formally by Council from the Dennington Community Association through its President – John Harris during the forum. The list of questions from the Dennington Community Association is attached as Attachment 4. Council has responded to the questions from the Dennington Community Association through a frequently asked question (FAQ) which is published on Council website and available through the following link:

<https://www.yoursaywarrnambool.com.au/sites/yoursaywarrnambool.com.au/files/documents/Affordable%20housing/KWH%20-%20FAQ.pdf>.

The FAQ document is attached to this report. (Attachment 5).

Focus Group/Listening Posts:

A total of 32 community members attended the focus group/listening post sessions. During the focus groups, Council Officers shared the details of the project and outlined some of the details that still needed to be worked through in finalising the project design. The community members also shared their concerns related to the project including their appreciation for the project. Some of the major concerns shared by the community members attending the forum have been outlined below:

- Housing density, the compact nature of the designs of houses and the size of housing blocks and size of homes
- Issues of increased traffic in the area and the need for traffic infrastructure upgrades
- Questions of whether the location was the most appropriate for this project
- Queries on the urgency for the project
- Queries around planning pathways

Council Officers requested community members to formally submit their opinions on the project through the yoursay survey or through a formal written submission. The focus group/listening posts were not intended to gauge support or opposition to the project and was intended to be a forum to respond to queries from the community members and clarify different aspects of the project. While Council Officers iterated and clarified that the project was intended solely for Key Worker Accommodation and Affordable Housing and did not include social housing or public housing, some community members kept insisting that this was not their understanding and that their perception that this was social housing would not change.

Individual submissions:

Council has received individual submissions from community members via letters. A total of 30 community members have made a total of 50 submissions, with some community members submitting multiple submissions. These submissions have been separated across three categories:

1. Submissions received prior to commencement of community consultation (predominantly received in December 2023) – 26 submissions. (Attachment 6)
2. Submissions received during community consultation phase – 19 submissions (Attachment 7)
3. Submissions received prior to and during community consultation where submitters have requested their identities to be redacted – 5 submissions (Attachment 8).

The analysis of the submissions revealed the following themes by order of magnitude:

- Perceptions around social housing and perceived negative impact to community and inference between low income, crime and community safety
- Density of the proposed dwellings
- Impact on house values
- The proposed development should not be in Dennington
- Understanding that Warrnambool is experiencing a housing crisis, and something needs to be done
- Capacity of traffic infrastructure to manage additional vehicles

- Lack of public services, public transport, schools and capacity of childcare to service additional residents
- Poor consultation process
- Perceptions around the lack of capacity of future residents to live independently and that they would be over dependent on services.

Online Survey Results:

A total of 173 responses were received through the yoursay survey. However, only 86 respondents provided responses on the project components, and this is the total number of responses that have been analysed in this report. The rest of the respondents did not proceed beyond the questions on where they were answering from and their postcode. All other responses were empty, and they have not been included in the analysis.

Of the 86 respondents, 80 are residents of Warrnambool and 6 live outside Warrnambool. The following are the residence areas of the 80 respondents within Warrnambool:

- Dennington – 41
- Warrnambool Central – 11
- Warrnambool North – 7
- Warrnambool West – 6
- Warrnambool East (Racecourse) – 5
- Warrnambool South – 4
- Warrnambool South-East Hopkins – 4
- Warrnambool North-East – 1
- Bushfield-Woodford – 1

Of the 86 respondents, 69 respondents (80%) believe that Warrnambool is experiencing a housing crisis due to shortage of housing and housing being unaffordable. A range of solutions have been proposed by the residents in relation to addressing the housing crisis. Council will consider and include these responses and proposed solutions in its advocacy efforts with the government and private sector to invest further to develop housing in Warrnambool. 17 respondents do not think that Warrnambool is facing a housing crisis.

On the query of preference between Option 1 and Option 2 of the proposed concepts, 31 respondents preferred option 1, while 30 respondents preferred option 2. On the reason for preferring option 1, themes that emerged were:

- Option 1 has a less clustered and more open look which could extend if the project was successful
- This option manages traffic congestion better as there can be an option for residents to have both front and rear access via Harrington Road and the service road if deemed suitable.
- Visually, this option is in keeping with the existing layout of the street and better integration with the neighbourhood character, rather than creating a separate area.

Those who preferred option 2 opined the following:

- Fewer homes along Harrington Road would have less visual impact
- The three-bedroom facades on Harrington Road is more appealing than the long stretch of wall and rears of homes facing Harrington Road.
- There was potential for traffic to be directed through the internal road to be extended and direct traffic toward Coghlan's and Rooney's Road to minimise the traffic impact on Harrington Road.
- Creates a nice little community.

While analysing the detailed responses across all the questions – besides the direct response to the question on options, Option 2 emerged as the preferred option for the community. Officer's recommendations are also to proceed with Option 2 because this option aligns better with future planning and growth considerations with the Masterplan, and fits in better with existing neighbourhood character.

Support and Opposition to the project:

Of the total 86 respondents, 81 responded to queries on whether they support or oppose the project. Of the 81, 41 support the project, and 37 oppose the project and three did not indicate either support or opposition.

Of the 37 who opposed the project, a majority of the respondents believe the project can be improved upon by addressing the following issues:

- Reducing the density and/or the compact nature of the proposed development
- Addressing traffic and infrastructure constraints that is already affecting the Dennington community
- Ensuring local procurement

Regarding opinions in opposition to the project, the respondents highlighted the following:

- Perceptions around negative impact of affordable housing and inferences to low-income housing giving rise to crime and issues of community safety
- Project will create further traffic issues and stretch the inadequate infrastructure further
Proposed development not fitting in with current neighbourhood character
- Inappropriate location – Dennington as being targeted for low-income housing – not-in-my-backyard
- Concerns about the quality of modular construction against the existing brick and mortar character of the neighbourhood
- Lack of public services, infrastructure, public transport, schools, childcare places – 8 mentions
- Negative impact on house values
- Lack of adequate community consultation

Regarding opinions in support to the project, the respondents highlighted the following:

- The project can increase affordable housing stock and improve rental options for key workers and people struggling to pay high rents.
- Supports employers to attract skilled key workers and fill difficult-to-fill positions which impact our social and economic development.

- Helps to reduce rental insecurity for key workers and affordable housing tenants.
- A basic human right to have a roof over your head.
- Young people and future generations face significant challenges in trying to enter the housing market.
- Council is in a unique position with suitable land to deliver housing in a timely manner.
- Council should develop a project to increase key worker and affordable housing stock, similar to the initiatives undertaken by neighbouring councils Moyne and Corangamite Shire

Community priority industry for Key Worker Accommodation:

The survey respondents ranked the following industry as the top five priority to access key worker accommodation:

1. Education and Training – 75.5%
2. Healthcare and Social Assistance – 68.9%
3. Public Administration and Safety – 66%
4. Construction – 62%
5. Agriculture and farming – 61.7%

Additional Information:

There was additional information received through the survey in relation to the size of the internal roads, the kinds of traffic mitigation measures and preferences on inclusion in the green open space. This feedback will be incorporated during the final design of the project.

Preference on Concept design:

Respondents were split across their preference on the two concept options that were presented with exactly 50% selecting each of the option. Detailed analysis of the overall comments indicate that the community would prefer option 2 over option 1 because of the lesser impact to Harrington Road.

Officer recommend the selection of Option 2 as the preferred design option.

Officer's analysis and response:

Density:

The current project seeks to build a maximum of 50 homes. There are similar developments already occurring in the neighbourhood with similar densities. A permit has already been issued for 42 homes to be built within almost a similar land footprint just 150 meters north of the proposed project.

In line with the current state planning policy for residential growth, the current proposal is a medium-density proposal. Increasing urban density is required to meet housing demand and provide diversity.

Addressing traffic and infrastructure constraints:

The current traffic infrastructure in the precinct is adequate to cater to the growth in the area. With Option 2 being the project's preferred concept design, the further technical assessments and detailed design phases of the project will determine any required infrastructure and traffic management requirements and consequent investment to be included in the project. Infrastructure and traffic management analysis for the larger saleyards precinct will be conducted based on the implementation of the Masterplan.

Concerns of reduction in property value:

House prices and property value are determined by the market based on demand and supply. Council does not believe that this project, which is intended to activate rental housing, will have a detrimental impact on the purchase and sales of private homes. A University of New South Wales (UNSW) study looked at 17 affordable housing projects developed between 2000 and 2009 across Sydney and Brisbane to test the impacts of the affordable housing projects on local property sale prices using two different hedonic pricing models. Collectively across the 17 projects, the study did not find any significant negative impacts on local property prices. The study also found that the characteristics of the individual properties sold (such as number of bedrooms, number of bathrooms) consistently had much greater influence on sale prices than proximity to affordable housing developments.

Perceptions and fears around community safety and increase in crime:

There is no evidence to suggest that issues of community safety are linked to development of key worker accommodation or affordable housing. The UNSW study mentioned above evaluated the perceptions of fears raised by neighbouring residents on affordable housing developments. The study concluded that the feared impacts of planned affordable housing developments tend to be much greater than the impacts neighbouring residents actually experience once those developments are complete and occupied. The study concludes, "The perception of affordable housing is the key problem, not the affordable housing developments themselves. These are by and large unproblematic once completed."

Legal Risk / Impact

The major risk identified to date is the potential for a delay from the Minister of Planning to provide exemption for the project to proceed, thereby disrupting expected or projected timelines. The ability for the project to be delivered is also dependent on securing the required funding. It is expected that the proposed project will have significant positive social and economic impact.

There is an inadequate supply of affordable housing and key worker accommodation, and no immediate projects are in the pipeline. Lack of delivery of additional affordable housing and key worker accommodation in Warrnambool is going to exacerbate the housing crisis further.

Officers' Declaration of Interest

There are no conflicts of interest.

Collaborative Procurement

A key consideration of Council during the development of this project has been local procurement. There is a commitment from Council and Haven Home Safe that efforts will be made to maximise local procurement for the project, as far as feasible.

Conclusion

The development and delivery of a key worker accommodation and affordable housing project is expected to ease some of the severe rental housing crisis that Warrnambool is experiencing. While more such housing developments need to occur, the injection of up to 50 homes to cater to key worker accommodation and affordable housing is expected to create better social and economic impact across the community and businesses. Consequential benefits is expected to positively impact the South West Victoria region as well.

Council has undertaken due diligence and community consultation in relation to this project and is now seeking to proceed with the finalisation of the project, incorporating the feedback received from community.

ATTACHMENTS

1. Concept Design - Option 1 [7.1.1 - 1 page]
2. Concept Design - Option 2 [7.1.2 - 1 page]
3. Full Raw Data Key Worker and Affordable Housing Project Survey 14 June 2 [7.1.3 - 200 pages]
4. Questions to Council from Dennington Community Association [7.1.4 - 3 pages]
5. KWA AH - FAQ [7.1.5 - 8 pages]
6. Submissions Received Prior to Commencement Consultation Combined [7.1.6 - 47 pages]
7. Submissions Received During Consultation Combined [7.1.7 - 33 pages]
8. Submissions With Identity Withheld Combined [7.1.8 - 11 pages]

7.2. Fair Access and Use Policy 2024

DIRECTORATE : Community Development

Purpose:

This report recommends endorsement of the Fair Access and Use Policy 2024.

Executive Summary

Currently women and girls in Warrnambool do not have equal access to community sport and recreation opportunities. Gender equitable access and use policies and processes is the key driver for procedural and cultural change to ensure the full benefits of sport and recreation are available to all.

In response to the Victorian Government Office of Women and Girls Fair Access Policy Roadmap, Council is required to have a policy in place that ensures gender equitable access and use of our community sport facilities, to remain eligible for Victorian Government community sports infrastructure funding by 1 July 2024.

The Fair Access and Use Policy aims to:

- progressively build capacity and capabilities in the identification, and elimination of systemic causes of gender inequality in policy, programs, communications, and delivery of services in relation to community sports infrastructure.
- ensure an effective place-based response for the gender equitable use and access of community sports infrastructure, and
- promote gender equality in policies, programs, communications, and services as they relate to community sports infrastructure.

Along with the development of the Policy, an Action Plan guides the outcomes to achieve progress.

The Policy and development of the Respect in Sport Standard demonstrates Council's commitment to addressing the known barriers experienced by women and girls in accessing and using community sports infrastructure.

The draft Policy and Action Plan was publicly advertised on Your Say for two and a half weeks (closed 9 June), with three positive comments provided in support.

RECOMMENDATION

That Council adopt the Fair Access and Use Policy 2024.

Background

Sport is a highly valued aspect of Warrnambool's culture and identity. Currently, women and girls do not have equal access to community sport and recreation opportunities and Council seeks to increase opportunities and the participation rates of women, girls, and others.

Gender equitable access and use policies and processes is the key driver for procedural and cultural change to ensure the full benefits of sport and recreation are available to all. Removing barriers to the participation of women and girls in sport and recreation is arguably the single biggest growth opportunity for this sector.

To achieve this and in response to the Victorian Government Office of Women and Girls Fair Access Policy Roadmap, Council is required to have a policy in place that ensures gender equitable access and use of our community sport facilities, to remain eligible for Victorian Government community sports infrastructure funding by 1 July 2024.

Issues

Council's Fair Access and Use Policy (Policy) seeks to address known barriers experienced by women and girls in accessing and using community sports infrastructure. The Policy aims to;

- progressively build capacity and capabilities in the identification, and elimination of systemic causes of gender inequality in policy, programs, communications, and delivery of services in relation to community sports infrastructure,
- ensure an effective place-based response for the gender equitable use and access of community sports infrastructure, and
- promote gender equality in policies, programs, communications, and services as they relate to community sports infrastructure.

The Fair Access Principles have been developed by the Office for Women in Sport and Recreation, Sport and Recreation Victoria and VicHealth, in consultation with representatives from local government and the state sport and recreation sector.

This Policy is based on six (6) principles. Warrnambool City Council considers that these principles provide clear direction, while also enabling adaption to the specific environment of Warrnambool City Council's area.

Principle 1: Community sports infrastructure and environments are genuinely welcoming, safe, and inclusive.

Principle 2: Women and girls can fully participate in all aspects of community sport and active recreation, including as a player, coach, administrator, official, volunteer and spectator.

Principle 3: Women and girls will have equitable access to and use of community sport infrastructure: a) of the highest quality available and most convenient, b) at the best and most popular competition and training times and locations, c) to support existing and new participation opportunities, and a variety of sports.

Principle 4: Women and girls should be equitably represented in leadership and governance roles.

Principle 5: Encourage and support all user groups who access and use community sport infrastructure to understand, adopt and implement gender equitable access and use practices.

Principle 6: Prioritise access, use and support to all user groups who demonstrate an on-going commitment to gender equitable access and use of allocated community sport infrastructure.

An Action Plan has been developed to progress the implementation of the policy. The Action Plan has been aligned to Active Warrnambool Strategy principles. A key component of the Action Plan is the delivery of *Respect in Sport* capacity building program for sports clubs over the next four years in partnership with South West Sports. A collaboration with South West Sport for the development of a promotional video aimed at detailing the priorities of the Policy, Respect in Sport Standard, and what this means for clubs, is also in progress.

This Policy applies to all Council owned or managed community sport and recreation infrastructure, including but limited to;

- Outdoor sport and recreation facilities, including playing fields, ovals and courts
- Indoor sport and recreation facilities
- Indoor and outdoor aquatic facilities
- Multi-use sporting hubs, and
- Amenities and facilities associated with the above

Three responses were received following the community consultation period. There are no proposed changes to the Policy or Action Plan.

Financial Impact

A key component of the Action Plan for the implementation of the Policy is the delivery of *Respect in Sport* capacity building program for sports clubs over the next four years in partnership with South West Sports.

The Respect in Sport Standard program for sports clubs will be rolled out over a four-year period, with the aim of transitioning clubs from capacity building to embedded change at a total cost to Council of \$60,900 exc gst. Funding has been made available through Council's Healthy Warrnambool Plan recurrent funding.

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.

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

The Fair and Access and Use Policy is required to be adopted by Council by 1 July 2024. An adopted policy is mandatory for Council to remain eligible for Victorian Government community sports infrastructure funding. The Office of Women and Girls has been advised that the policy will be considered by Council in early July.

Community Impact/Consultation

The draft Policy and Action Plan was publicly advertised on Council's "Your Say" webpage for two and a half weeks (closing 9 June) with three submissions received. A targeted email was also sent to all seasonal tenant contacts (47) with the Your Say link on 28 May and 4 June.

Three responses were received, all in support of the draft policy and agreement that the policy covered all aspects of gender equitable access and use. One comment regarding the draft action plan and proposed gender quota is acknowledged. The Victorian Government Office of Women and Girls has reviewed the action plan and supports the proposed gender quotas.

Legal Risk/Impact

The Fair and Access and Use Policy is required to be adopted by Council. This is necessary in order for Council to remain eligible for Victorian Government community sports infrastructure funding.

Officers' Declaration of Interest

NA

Conclusion

The Policy is designed to comply with the Gender Equality Act 2020, and the wider Victorian Government gender equality strategy.

Warrnambool City Council acknowledges:

- the disadvantaged position some individuals have had in the sport and recreation sector because of their gender; and
- that achieving gender equality will require diverse approaches for women, men, trans and gender diverse people to achieve similar outcomes for people of all genders

Gender equitable access and use policies and processes will be a key driver for procedural and cultural change to ensure the full benefits of sport and recreation are available to all.

ATTACHMENTS

1. Fair Access and Use Policy draft May 2024 [7.2.1 - 8 pages]
2. Fair Access & Use Policy draft Action Plan May 2024 [7.2.2 - 4 pages]
3. Fair Access and Use Policy Your Say comments [7.2.3 - 2 pages]

7.3. Volunteer Policy 2024-2028

DIRECTORATE : Community Development

Purpose:

This report presents Council's Volunteer Policy for adoption.

Executive Summary

Warrnambool City Council values the work of volunteers and is committed to providing an inclusive, valuable and enjoyable volunteering experience for all.

Volunteers enrich our community and contribute towards Council's diverse range of programs and services that make Warrnambool a vibrant and desirable place to live.

Volunteers support the achievement of Council strategic objectives through participation in a range of programs and projects that draw on volunteer skills and experience, within a safe and supportive environment.

Council's Volunteer Policy is the guiding document that outlines the principles to engage volunteers in Council's services and programs.

The attached policy is an update to Council's Volunteer Policy dated 21/12/2011 – refer **Attachment 1**.

The changes to the Policy are:

- The Policy has been updated to reflect the changes in the National Standards for Volunteer Involvement.
- All relevant national, state and organisational policies that impact on volunteering have been updated.
- Volunteering eligibility have been clearly outlined.
- Procedural elements have been removed from the policy document and only included as reference links.

RECOMENDATION

1. That Council adopts the Volunteer Policy 2024-2028.
 2. That Council revokes the Volunteer Policy 2011.
-

Background

The review of the Volunteering Policy was last undertaken in 2011. The Policy provided a guide to the rights and responsibilities of Council and the Volunteers and was procedural in nature. The revised Volunteer Policy continues to provide direction for volunteer engagement and the requirements and processes however recognises best practice principles of the National Standards for Volunteer Involvement (Volunteering Australia 2015) and Council's values.

The following changes are reflected in the revised Policy:

- The Policy has been updated to reflect the changes in the National Standards for Volunteer Involvement.
- All relevant national, state and organisational policies that impact on volunteering have been updated.
- Volunteering eligibility have been clearly outlined.
- Procedural elements have been removed from the policy document and only included as reference links.

Volunteers contribute towards Council's diverse range of programs and services that make Warrnambool a vibrant and desirable place to live. Currently, over 300 volunteers are registered with Council and are engaged across 14 programs and services of Council, namely:

- Archie Graham Community Centre
- Children's Services
- Flagstaff Hill and Visitor Information Centre
- Gardens for Wildlife
- Lighthouse Theatre
- Meals on Wheels
- Social Support Programs
- Warrnambool Animal Centre
- Warrnambool Art Gallery
- Warrnambool Library and Learning Centre
- West Warrnambool Neighbourhood House
- Youth Programs

Council's Meals on Wheels program has the highest engagement of volunteers, with over 90 individual and corporate volunteers engaged in the program. The Meals on Wheels program delivers meals to an average of 82 clients every day, all through volunteers.

The Volunteer Policy highlights Council's commitment to a volunteer program that is based on the following principles:

- a) All volunteer programs and activities welcome diversity
- b) The strengths and abilities of all community members are valued

- c) The social justice principles of Access, Equity, Diversity, Participation and Human Rights are fundamental
- d) Sound strategic planning and appropriate resourcing, systems and processes will support our volunteer programs
- e) Council's Executive Management Team leads a workplace culture that supports volunteering.

Council's Volunteer Connect program and this policy is supported by Volunteer Management Procedures and Resources Toolkit, which is currently under development.

Financial Impact

Volunteer Connect is funded by Council to provide all volunteer management support. Periodically, Council accesses funds from Federal and State Government to strengthen Volunteer Management practices within Council. There is no additional financial impact to Council in adopting the Volunteer Policy.

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.

Timing

Once approved, the policy will be in effect from the date of approval for a period of four years.

Community Impact / Consultation

Internal workshops were held with internal departments of Council to discuss and finalise the volunteer policy in line with the best practice recommendations from the National Standards on Volunteer Involvement 2015. The policy has been shared with volunteers for feedback and feedback have been incorporated.

Council published the revised volunteer policy for feedback from community on Council website. One submission was received which requested Council to consider reimbursement of parking expenses incurred by volunteers while volunteering with Council. The issue of reimbursement of out-of-pocket expenses incurred when undertaking activities on behalf of Council is already covered under Section 11 of the revised Volunteer Policy. Parking expenses fall under this category and the detailed procedure for reimbursement will be included in the Volunteer Management Framework and the Volunteer Handbook.

Officers have also conducted a gender impact assessment of the revised policy. It has been determined that the revision of the policy will not adversely impact any person of any gender from engaging with Council as a volunteer or in delivering services on behalf of Council to the community. Council encourages people of all genders to participate as volunteers in Council programs and services. A feedback procedure is being developed as part of the Volunteer Management Framework for volunteers to provide feedback on any gender related issues that impact on the capacity of the volunteers to continue to engage with Council as volunteers.

Officers' Declaration of Interest

There are no conflicts of interest.

ATTACHMENTS

1. WCC Volunteer Policy Final 21 June 2024 [7.3.1 - 10 pages]

7.4. S6 Instrument of Delegation

DIRECTORATE : Executive Services

Purpose:

To present to Council an updated S6 Instrument of Delegation from Council to Members of Council Staff.

Executive Summary

Council as a legal entity can only make decisions by resolution of Council at a Council meeting. As a matter of practicality, Council opts to delegate various powers and functions to Council staff so that they can make decisions on their behalf as part of their day-to-day activities.

Council delegates primarily through two instruments, one delegating power to the Chief Executive Officer to then sub-delegate as appropriate, and another delegating powers that cannot be sub-delegated directly to Council staff.

The S6 Instrument of Delegation to Members of Council staff has been thoroughly reviewed and is attached for Council consideration.

RECOMMENDATION

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Warrnambool City Council resolves that:

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *S6 Instrument of Delegation to Members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
 2. The instrument comes into force immediately upon the common seal of Council being affixed to the instrument.
 3. On the coming into force of the instrument all previous S6 Instruments of Delegation to Members of Council staff are revoked.
 4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
 5. Authorises the CEO to make administrative changes to the document to correct any titles and typographical errors and to enable the document to be appropriately sealed.
-

Background

The *Local Government Act 2020* expressly provides for a Council to delegate a power, duty or function to the Chief Executive Officer or a member of a delegated committee, to act on behalf of Council. Additionally, in the exercise of the powers conferred by the legislation Council may delegate certain powers, duties and functions directly to members of Council staff.

Council is a legal entity composed of Councillors and is not a “natural person”, so Council can only act either by resolution of Council in a Council meeting, or through others acting on its behalf as delegates. It is impractical for Council to deal with all day to day issues, therefore many operational actions are performed by staff under delegation from Council.

Council currently has delegations from Council to Council staff, being delegations to:

- The Chief Executive Officer (CEO), which also includes the power for the CEO to sub-delegate to Council staff; and
- Members of Council staff.

This form of delegation is used extensively by Councils across the local government sector. Reviews are undertaken regularly, and amendments are made from time to time to reflect changes in legislation and officer titles. The last time this instrument was adopted by Council was on 6 March 2023.

Issues

This Instrument largely contains delegations by Council of specific powers, duties and functions under various Acts (e.g. *the Domestic Animals Act 1994*; *the Food Act 1984*; *the Heritage Act 2017*; *the Planning and Environment Act 1987*; *the Residential Tenancies Act 1997*; *the Road Management Act 2004* and associated regulations).

These powers, duties and functions under provisions of various Acts can only be delegated to staff by Council directly – and cannot be delegated to staff by the CEO.

The exercise of these delegated powers by a delegated member of Council staff remains subject to conditions and limitations as well as Council’s Delegations & Authorisations Policy. For example, decisions must be made in accordance with the guidelines and policies adopted by Council, and a delegate must not make decisions about matters that would raise an issue of significant public interest, concern, or controversy, give rise to substantial public objection, or be inconsistent with a previous decision of Council.

A complete review of the instrument has been undertaken in consultation with the Executive Management Team and the Senior Leadership Team. However, the changes proposed from the current version are generally minor in nature and reflect amendments to legislation and corrections to the officers delegated.

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

As per Council's newly adopted Delegations and Authorisation Policy, the S6 Instrument will be reviewed by Council staff for any required updates once every six months.

Community Impact/Consultation

Nil.

Legal Risk/Impact

Ensuring officers have appropriate powers to carry out the functions of their role is crucial to ensure legal compliance with the remit of legislation that Council is given powers under. If delegations are not regularly reviewed, a staff member may act without appropriate legal power. This will result in the action being invalid and may expose Council to liability. The instrument themselves are based on the Maddocks templates.

Officers' Declaration of Interest

Nil.

Collaborative Procurement

N/A

Conclusion

A thorough review of the S6 Instrument of Delegation has been completed and is attached for Council's consideration.

ATTACHMENTS

1. Draft S6 Instrument of Delegation Members of Staff (1) [7.4.1 - 218 pages]

7.5. Community Satisfaction Survey 2024

DIRECTORATE : Corporate Strategies









Purpose:

This report provides a summary of the 2024 Community Satisfaction Survey.

Executive Summary

Council has improved in six of eight core measures assessed in the annual Local Government Community Satisfaction Survey.

The survey, conducted over February and March each year, measures community perceptions about how Council has performed across 28 measures including eight core measures, which are shown in the table below. Arrows indicate change from the 2023 result.

Core measure	Warrnambool 2024	Warrnambool 2023	Regional centres 2023	Statewide 2024
Overall performance	55 	52	54	54
Value for money	48 	48	48	48
Community consultation	48 	46	49	51
Making community decisions	46 	44	48	50
Sealed local roads	54 	50	46	45
Waste management	69 	70	66	67
Customer service	67 	66	68	67
Overall Council direction	51 	46	45	45

Council results have bucked the statewide trend for lower overall performance index scores.

This year Council's overall performance score increased by three points on the 2023 score to 55. This was above the average statewide score of 54, which declined from 56 in 2023.

Other scores to increase on the 2023 result were community consultation, making community decisions, sealed local roads, customer service and overall Council direction.

Several measures were significantly above the state average including overall Council direction and sealed local roads – with the latter result suggesting a growing community awareness of the distinction between roads owned and maintained by Council and those owned and maintained by the Victorian Government.

The five-point jump in the overall Council direction score is particularly encouraging and above state and regional centre average scores.

One core measure result – value for money – remained unchanged from last year but was on par with the state average while the score for waste management dropped by one point but remained above the state and regional centre averages.

This year Council was viewed more favourably by a younger cohort of residents with perceptions of overall performance increasing significantly among residents aged 18 to 34 years (index score of 61, up 12 points) and men (57, up seven points) from 2023.

Conversely, residents aged 35 to 49 years (index score of 47, down six from 2023) rated overall performance significantly lower than the average.

Along with the core measures, perceptions of council performance in various services were assessed. Survey respondents were asked to rate Council's performance in a particular service and to also how important they rated the service.

The art centres and library service category continued to be a high rating category (score of 74), followed by appearance of public areas (71) and waste management (69).

Service area	2024	2023	Statewide	Regional centres
Art centres and libraries	74	76	73	75
Appearance of public areas	71	73	68	70
Waste management	69	70	67	66
Emergency and disaster management	65	66	65	66
Community and cultural	64	65	66	65
Recreational facilities	64	67	68	69
Elderly support services	63	59	63	62
Enforcement of local laws	62	66	61	62
Bus/community dev./tourism	61	63	57	59
Family support services	60	63	63	62
Environmental sustainability	60	61	60	61
Business and community dev.	57	58	57	55
Local streets and footpaths	56	55	52	53
Traffic management	56	57	53	53
Disadvantaged support serv.	55	59	58	54
Parking facilities	55	51	54	54
Sealed local roads	54	50	45	46

Informing the community	52	51	56	54
Town planning policy	51	50	50	48
Population growth	51	57	47	52
Planning and building permits	50	51	45	50
Consultation and engagement	48	46	51	49
Community decisions	46	44	50	48
Lobbying	46	48	50	50

RECOMMENDATION

That Council notes the 2024 Community Satisfaction Survey and places the full survey results on the Council website.

Background

Each year most Councils across Victoria participate in a Local Government Community Satisfaction Survey.

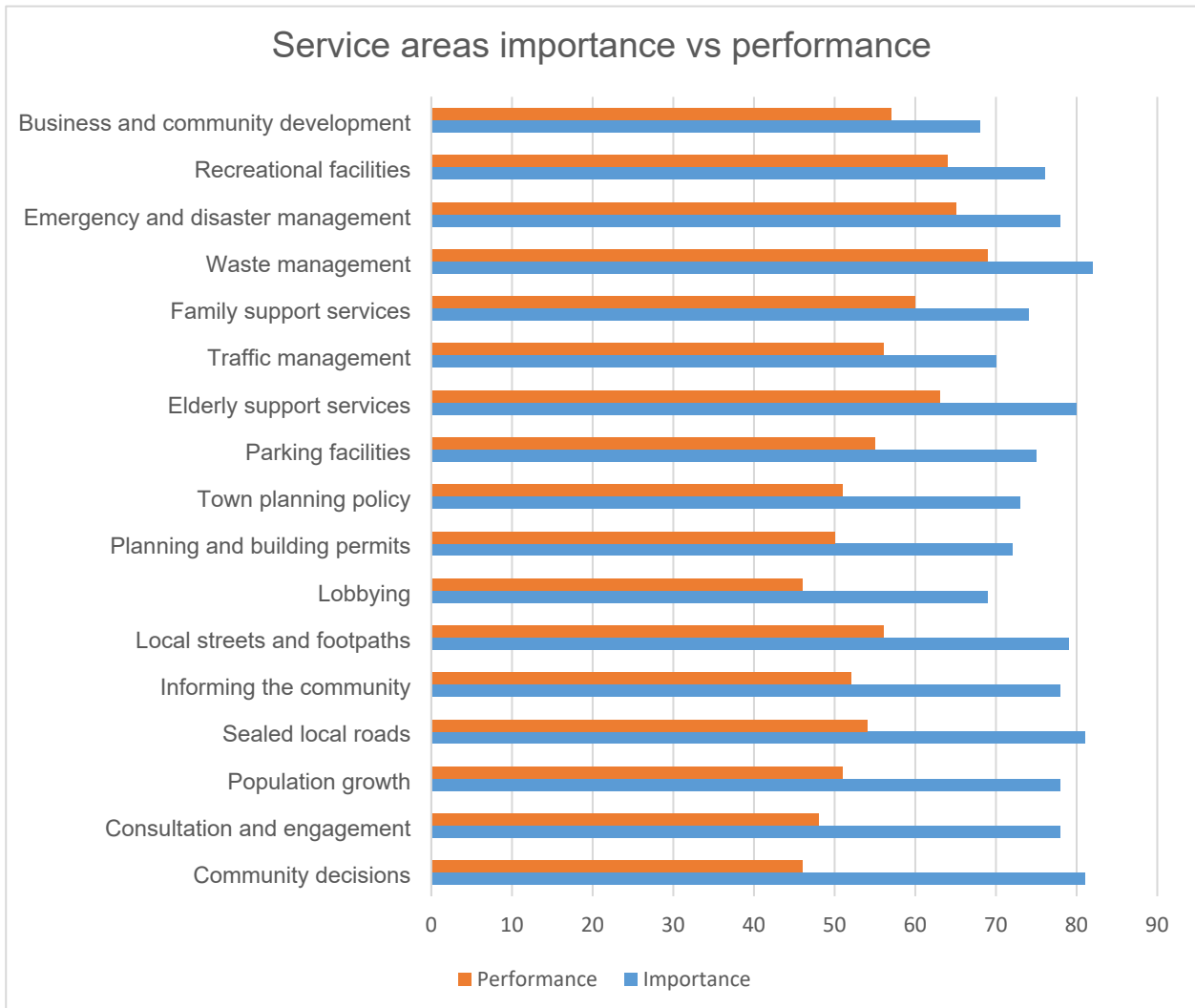
This year, 30,000 rate payers were surveyed across 62 local government areas, with a minimum of 400 interviews undertaken within each participating municipality.

The survey, coordinated by the Victorian Department of Government services, asks residents to provide opinions about the performance of their local Council across 28 measures which include eight core measures.

The core measures are: overall performance, value for money, community consultation, making community decisions, sealed local roads, waste management, customer service and overall Council direction

Among the implied goals in the survey is for Councils to narrow the gap between importance and performance scores, ie Council should focus on improvements in service areas the community feels are most important

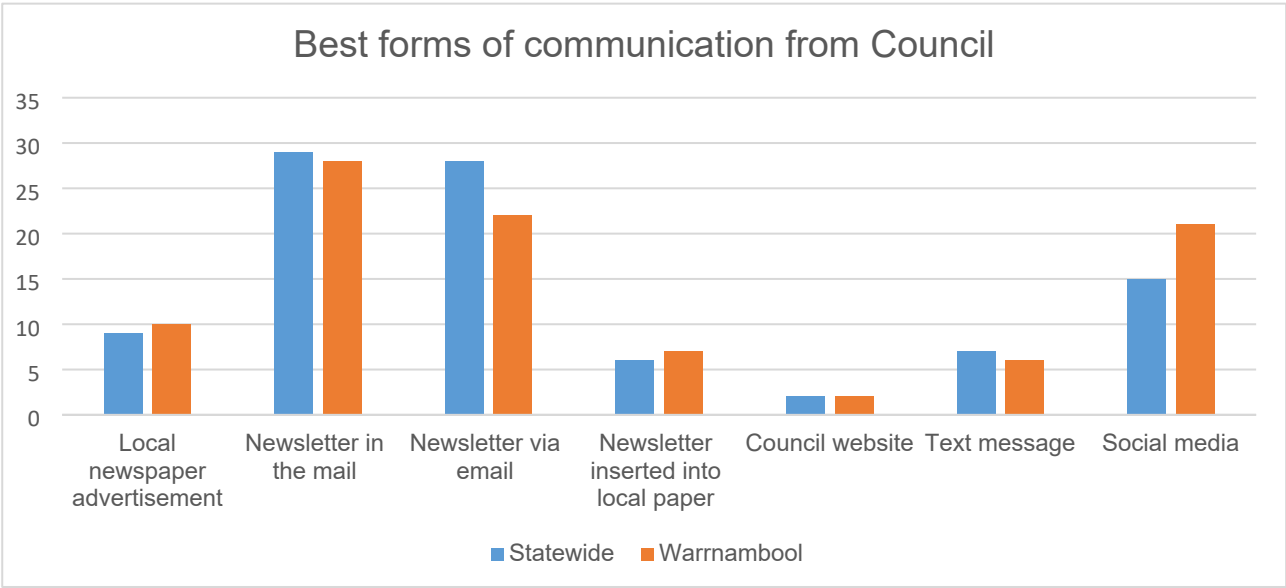
Service areas where importance exceeded performance by 10 points or more are shown in the table below.



In addition to asking about performance, the survey asks residents about the best ways for Council to inform them about Council news and events.

Receiving a newsletter in the mail continues to be the preferred means of communication for Warrnambool residents and Statewide, closely followed by an emailed newsletter.

Council has recently started an e-newsletter and will continue to promote and build a subscriber list.



Issues

Prevailing issues at the time the survey was undertaken can have an influence on responses. This year items featuring in the media were concepts for a new art gallery building to be situated in the existing location, the reimaging of Flagstaff Hill and the completion of the Japan Street catchment flood mitigation project.

Financial Impact

N/A.

Legislation / Policy / Council Plan Context

A number of the survey findings are required to be included in Council’s Annual Report.

Timing

Council is in a position to consider the results in a timely manner and to share the results with the community via the Council website.

Community Impact / Consultation

The Community Satisfaction Survey is an important component of Council’s engagement with the community. Several of the measures are included in the Annual Report and the results provide useful insights for Council operations and are also used to inform the development of Council Plans.

Officers’ Declaration of Interest

Nil.

Collaborative Procurement

N/A.

Conclusion

The 2024 Community Satisfaction Survey shows an overall improvement on the 2023 results.

ATTACHMENTS

1. J 01314 CSS 2024 Warrnambool City Council Report [**7.5.1** - 163 pages]

7.6. North of Merri DCP- Planning Scheme Amendment

DIRECTORATE : City Growth

Purpose:

This report provides information on the need to amend the Warrnambool Planning Scheme to make corrections to the North of Merri Development Contributions Plan and the North of Merri Structure Plan, and recommends that a request for authorisation to prepare and exhibit the amendment be submitted to the Minister for Planning

Executive Summary

- The North of Merri DCP includes a requirement for the existing high voltage powerlines to be realigned underground.
- The costs associated with the underground works have been estimated at significantly more than allowed for in the DCP.
- A planning scheme amendment is required to amend the DCP, structure plan and other planning provisions to remove reference from underground to enable the realignment of the powerlines to be overhead.

RECOMMENDATION

That Council:

1. In accordance with Section 8A of the Planning and Environment Act 1987 (the Act) request authorisation from the Minister for Planning to prepare a Planning Scheme Amendment to the Warrnambool Planning Scheme to correct references within the North of Merri Development Contributions Plan and North of Merri Structure plan to provide overhead powerlines instead of underground powerlines.
 2. Following the authorisation of the Minister for Planning in accordance with Section 9 of the Act, and pursuant to Sections 17 and 19 of the Act, prepare and exhibit an amendment to the Warrnambool Planning Scheme to correct references within the North of Merri Development Contributions Plan and North of Merri Structure plan to provide overhead powerlines instead of underground powerlines.
 3. Request an exemption from the notice requirements at Section 19(1)(b) of the Act.
 4. Request reduced notice from 1 month to 2 weeks at Section 19(4)(b) of the Act.
-

Background

Planning and development of the North of Merri residential growth area is underpinned by the North of Merri Structure Plan and the North of Merri Development Contributions Plan.

A structure plan is a land use plan that sets out a long term vision for how the area will develop in the future.

A development contributions plan (DCP) is a mechanism used to levy new development for contributions to planned infrastructure needed by the future community.

The North of Merri Structure Plan and the North of Merri DCP are Incorporated Documents in the Warrnambool Planning Scheme, which means they are given the same statutory weight as other planning scheme provisions.

However, any change to an Incorporated Document requires an amendment to the planning scheme.

Issues

The North of Merri DCP was incorporated into the planning scheme in 2012. The DCP identifies an infrastructure project *IN01 underground powerline. High voltage power lines - undergrounding of existing high voltage power lines. New power lines to be provided within Wollaston Road reserve*. The amendment is required as the construction costs associated with the undergrounding of the existing high voltage powerlines have increased significantly. During the detailed engineering design process for the Wollaston Road upgrade, consultation with Powercor (relevant authority) determined that the cost of the undergrounding requirements were significantly greater than had been allowed for in the Development Contributions Plan and would impact the viability of surrounding residential developments. It is also important to note that it is not common to underground high voltage powerlines such as these.

The DCP amount (indexed to 2024) only allocates approximately \$1.2 million for this project, whereby the preliminary advice from Powercor estimates this project would cost \$11 million if Council were required to underground the high voltage powerlines. The preliminary estimate from Powercor to realign the powerlines overhead are around \$2 million.

As a result, the Development Contributions Plan will need to be amended to remove any references to the undergrounding of the existing high voltage powerlines. The powerlines are proposed to be realigned from their current location, however this is to occur above ground.

This change is necessary to support the further development of and delivery of housing to the North of the Merri River growth area, as it will result in reduced costs to Council.

Financial Impact

The amendment and the subsequent change from underground to overhead power line provision will result in reduced costs to Council which will help support growth and the delivery of housing within the growth area. The DCP costs (indexed to 2024) are approximately \$1.2 million. The preliminary estimate from Powercor shows the costs at around \$11 million for underground provision, and around \$2 million for overhead powerline provision. Proceeding with the overhead option will enable a significant proportion of the costs to be recovered via the DCP, with the remaining costs allocated to Council's budget.

Legislation / Policy / Council Plan Context

3 A strong economy

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

4 A connected, inclusive place

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

5 An effective Council

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

Timing

The planning scheme amendment process will commence once Council has received authorisation from the Minister for Planning to prepare the amendment. Initial discussions with the Department of Transport and Planning indicated that reduced notice from one month to two weeks may be appropriate given the significant community benefit of the reduced costs, and that this in turn would facilitate the delivery of infrastructure and housing in this key growth area.

Community Impact / Consultation

Discussions have already occurred with the developers within this area, and the changes to the planning scheme are technical in nature, and it is considered that net community benefit will result from the significantly reduced costs to Council. Accordingly it is recommended that reduced notice will be appropriate in order to expediate the planning scheme amendment and enable the works to commence in line with the upgrade of Wollaston Road. Reduced notice would still require formal exhibition of the amendment, by placing a notice in the Warrnambool Standard and on Council's website.

Legal Risk / Impact

Risks will be managed by the legislative provisions of the Planning and Environment Act 1987.

Officers' Declaration Of Interest

None declared

Collaborative Procurement

Not applicable

Conclusion

Amending the planning scheme to enable the high voltage powerlines to be realigned overhead rather than underground is necessary to enable the works to proceed in line with the upgrade of Wollaston Road. The change will result in significant savings to Council, which will in turn facilitate the delivery of the Wollaston Road upgrade and the delivery of housing.

ATTACHMENTS

Nil

7.7. Planning Scheme Amendment C213warr - Riverview Terrace Rezoning and Surrounds - Submissions Received Post Exhibition

DIRECTORATE : City Growth

Purpose:

This report considers submissions to Planning Scheme Amendment C213warr and recommends that Council resolves to refer the submissions to an Independent Planning Panel appointed by the Minister for Planning.

Executive Summary

- Amendment C213warr seeks to rezone land at Riverview Terrace (Nos.31, 32, 1/30, 2/30, 3/30/4/30, 5/30 and 6/30) land at Hopkins Point Road (Nos. 4, 6 and 10-12) and all of the lots within Casuarina Court, Warrnambool, to the General Residential Zone 1. A combined planning application for a 2 lot subdivision at 32 Riverview Terrace is also proposed.
- Council resolved at its meeting on 6th February 2023, to request authorisation from the Minister of Planning to prepare and exhibit the planning scheme amendment and 2 lot subdivision at 32 Riverview Terrace.
- Authorisation was granted by the Minister on 26th February 2024.
- The exhibition period for the amendment was from 18th April to 20th May 2024. Council received four submissions from neighbouring properties and two submissions from government agencies.
- Council received four submissions from neighbouring properties. Concerns raised in the submissions generally relate to the:
 - potential for smaller lot sizes under the proposed rezoning from the Rural Living Zone (RLZ) to General Residential Zone (GRZ) and its impact on the biodiversity of the area
 - impact that future development on the proposed two lot subdivision may have on view sharing on neighbouring properties.
- **Attachment 1** tables the concerns raised in submissions and the officer's recommendation in response to each submission.
- **Attachment 2** outlines the PP2022-0060 planning permit conditions that attach to the two lot subdivision of 32 Riverview Terrace, Warrnambool, which forms part of the joint application.
- It is recommended that Council endorse its position on the submissions on the basis of the officer's response to those submissions, and request the Minister for Planning to appoint an Independent Panel to consider the submissions.

RECOMMENDATION

That Council

1. Receives and considers all submissions made to Amendment C213warr to the Warrnambool Planning Scheme.
2. Endorses the officer response to issues raised by submissions outlined in Attachment 1, as the basis for Council's submission to the Independent Planning Panel.

3. Requests that the Minister for Planning appoint an Independent Planning Panel to review the submissions received to Amendment C213warr, in accordance with Part 8 of the Planning and Environment Act 1987
 4. Refers all submissions to the independent Planning Panel to be appointed by the Minister for Planning.
 5. Writes to all submitters, informing them of Council's decision.
-

Background

Historically all of the land subject to the amendment request has been within the Rural Living Zone for over 20 years.

The proponent, Myers Planning, has requested Council prepare an amendment to the Warrnambool Planning Scheme to rezone the land to the General Residential Zone 1 (GRZ). The GRZ is consistent with the zoning of surrounding land to the west and east, and will provide some landowners with modest development opportunities.

In this location, the Rural Living Zone has a minimum subdivision lot size of 6,000m² with an average lot size of 10,000m². The proposed subdivision application (see Figure 2) is currently prohibited, therefore the rezoning must occur before the application can be considered.

Pursuant to Section 96A of the Planning and Environment Act, a planning application can be considered concurrently with a planning scheme amendment, which is what the proponent has applied for. Section 96C of the Act requires a draft planning permit to be exhibited as part of the combined process. The draft permit was exhibited as part of the planning scheme amendment.

The proposal seeks to rezone land at 31, and 32-34 Riverview Terrace; Serendipity Drive (Nos. 1/30, 2/30, 3/30, 4/30, 5/30 and 6/30 Riverview Terrace); Casuarina Court, and 4, 6, and 10-12 Hopkins Point Road, Warrnambool from Rural Living Zone to General Residential Zone 1. The amendment also deletes Schedule 2 of the Design and Development Overlay from the land and applies Schedule 17 of the Design and Development Overlay, with a number of minor changes to the content of Schedule 17. Planning permit application PP2022-0060 seeks approval for the two (2) lot subdivision of the land at Lot 1 PS 317314K, known as 32 Riverview Terrace, Warrnambool.

The current zoning is inappropriate when considered against the existing pattern of development within the area, adjoining land zonings, and the purpose of the Rural Living Zone, which is, inter alia, is 'to provide for residential use in a rural environment', and 'to provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses'.

Land affected by the amendment is outlined in red in Figure 1.

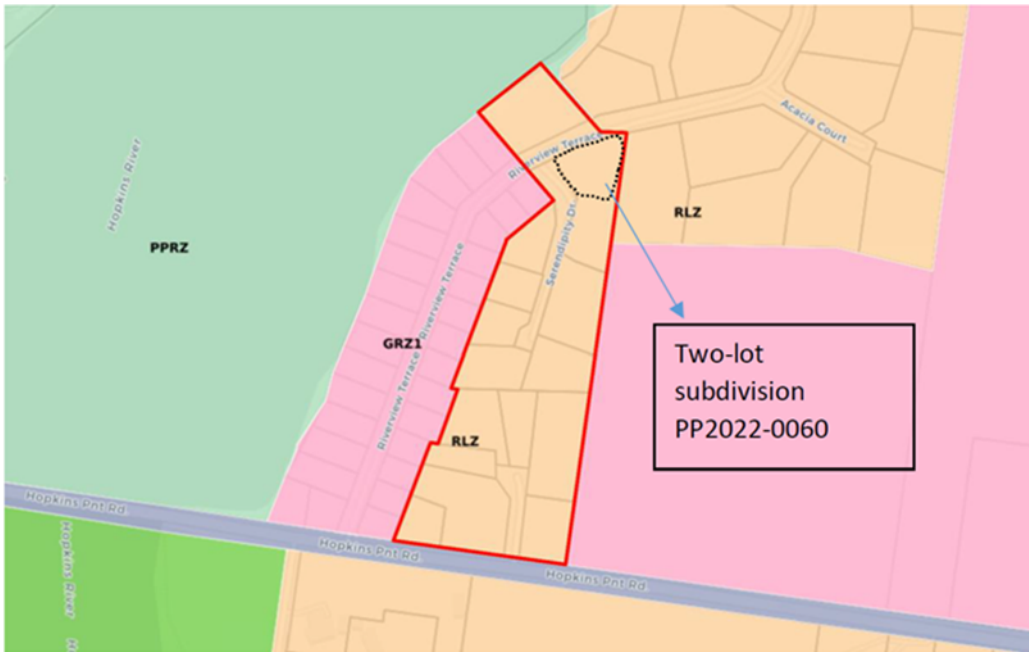


Figure 1 - Land affected by this amendment

The proposed two lot subdivision of 32 Riverview Terrace is detailed in Figure 2.



Figure 2 – proposed two lot subdivision of 32 Riverview Terrace, Warrnambool (PP2022-0060)

The Logans Beach Strategic Framework Plan (2017) recommends rezoning of the subject area to the General Residential Zone. However following an assessment of the area, together with consultation with the residents, the plan does not support the inclusion of the land to the north known as the 'Motang Estate'. Accordingly the Motang Estate land is not included in the amendment.

The Logans Beach Strategic Framework Plan also recommends rezoning of the land on the south side of Hopkins Point Road (Logans Beach area) to the Neighbourhood Residential Zone. In 2019, Council requested authorisation from the Minister for Planning to prepare an amendment to implement the recommendations of the Logans Beach Strategic Framework Plan. The Minister for Planning refused authorisation for the amendment based on concerns regarding potential impacts on the landscape values, proposed density and character of the land on the south side of Hopkins Point Road (Logans Beach area).

Discussions were held with officers at the Department of Environment, Land, Water and Planning (DELWP) (now DTP) who are comfortable with Council proceeding with the rezoning of the land on the north side of Hopkins Point Road. DTP consider the two areas quite distinct and do not consider the refusal grounds of authorisation are relevant to the north side of Hopkins Point Road. However a considerable amount of further strategic work, with a substantial budget cost, will need to be undertaken before DTP would further consider the rezoning of land within the Logans Beach area on the south side of Hopkins Point Road.

The amendment was authorised by the Department of Transport and Planning and was on public exhibition between 18th April and 20th May, 2024.

Six submissions were received. Two submissions were from government agencies; Wannon Water and DEECA.

Two submissions are from residents living in Motang Estate, one combined submission from residents living in Riverview Terrace abutting the subject sites, and one submission from a resident living in Casuarina Court.

Issues

Submission 1 has no objection to the proposed two-lot subdivision at 32 Riverview Terrace, Warrnambool, and the rezoning of the lots located on the northern part of the site, which are accessed via Serendipity Drive. However, the submission raises concerns that further subdivision of Nos. 4, 6, and 10-12 Hopkins Point Road will lead to a reduction in flora and fauna, resulting in biodiversity loss.

Response: The surrounding areas, to the east and west of those lots to which the amendment applies, are zoned GRZ and are generally smaller in area than the RLZ lots. Consequently, the RLZ land to which the amendment applies is considered in light of neighbouring property.

The lot sizes within the RLZ to which C213 applies are consistently smaller than the minimum expectation of 6,000m² to 10,000m² for the Rural Living Zone in this location, with some lots measuring less than 2,000m². This disparity renders the subject sites incompatible with the established purpose of the Rural Living Zone. It is held that the Rural Living Zone is not the appropriate zone for the subject sites, and that the General Residential Zone is the more appropriate zone.

The topography of a number of the lots proposed to be rezoned, together with the siting of existing dwellings on those lots, challenges whether these rezoned lots have the potential to be further developed in the future.

Submission 2 (3 neighbours combined) similarly express concerns about the loss of biodiversity and the alteration of neighbourhood character resulting from the rezoning and loss of vegetation. They reference general clauses in the planning scheme that address landscape values and biodiversity.

Response: No environmental or landscape overlay applies to the area of concern to the submitters. The area affected by the amendment is not identified within the Scheme as having significant environmental or landscape value (Clause 02.03-2), except for No. 31 Riverview Terrace, which remains covered by an Environmental Significance Overlay.

The sites are currently an isolated patch surrounded by highly developed areas to the east (Hopkins Heights Growth Area) and west. Again, the topography of a number of the lots proposed to be rezoned, together with the siting of existing dwellings on those lots, provides minimal opportunities for these rezoned lots to be further developed in the future. Therefore significant loss of biodiversity would not be anticipated. Additionally, the lot sizes within the subject area to be rezoned consistently fall below the minimum expectation of 0.6 hectares for the rural living zone, and the area does not meet the purpose of the Rural Living Zone, which is predominately to provide for residential use in a rural environment.

Submissions 3 and 4 primarily aim to ensure a fair sharing of views and to prevent future development on 32 Riverview Terrace from obstructing their views. Submission 4 raises concerns about potential inconsistencies between the Planning Scheme Amendment and the Planning Permit Application. The submitters request further assessment of the impact of the subdivision of 32 Riverview Terrace to be conducted to safeguard the existing views and amenities of their two properties located in Banksia Drive and also Lot 234 of the Hopkins Heights development in light of the construction of multiple dwellings.

Response: The submissions presupposes a stage of development, while this amendment seeks rezoning and subdivision.

Concerns about built form will be addressed at the development stage.

Development Design Overlay 17 (DDO17) outlines requirements for future developments, particularly concerning building height, landscape character and view sharing. Any future development proposed will be assessed by the requirements of DDO17.

The proponent is currently collaborating with submitters 3 and 4 to resolve their submissions, as they directly relate to the land and proposed subdivision at 32 Riverview Terrace.

Submissions 5 and 6 are from government agencies, Wannon Water and DEECA. Wannon Water raised no objection to the planning scheme amendment but requested permit conditions related to servicing be added to the permit. DEECA's submission requests clarification regarding vegetation removal at the access points to 32 Riverview Terrace.

Benefits

The amendment will enable a small increase in the provision of General Residential zoned land within the existing settlement of Warrnambool, consistent with the strategic directions of the Warrnambool Planning Scheme. It is also clear that the subject sites to be rezoned do not meet the purpose of the Rural Living Zone; the lots are fully serviced, located within the urban settlement boundary and surrounded by existing General Residential zoned land to the east and west.

The General Residential Zone is a more appropriate zone for the subject sites.

Financial Impact

Costs associated with the panel hearing for Amendment C213warr can be met within the 2024/25 City Strategy and Development Budget and all statutory fees will be paid by the proponent.

Legislation / Policy / Council Plan Context

4 A connected, inclusive place

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

5 An effective Council

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

Timing

Amendment C213warr was exhibited from 18 April to 20 May 2024. A Directions Hearing is scheduled for the week beginning 29 July 2024, and the panel hearing is scheduled for the week beginning 26 August 2024.

Community Impact / Consultation

Public exhibition of the amendment was undertaken in accordance with the requirements of the *Planning and Environment Act 1987*. This included 63 letters to affected and adjoining landowners, relevant government agencies and Prescribed Ministers. Notice was also placed in the Warrnambool Standard and in the Government Gazette. Amendment documentation was also available on Council's website.

Legal Risk / Impact

Risk is managed through implementing the provisions of the *Planning and Environment Act 1987*.

Officers' Declaration of Interest

None declared.

Collaborative Procurement

Not applicable

Conclusion

The amendment proposes to correct an anomalous zone that currently applies to the subject sites. The application of DDO17 to sites within the amendment provides guidance on built form, vegetation, view sharing and character. The assessment of submissions is attached, and it is recommended that the amendment be progressed to the next step in the planning scheme amendment process and that the submissions be referred to an Independent Planning Panel for further consideration. See **Attachment 3** for a copy of the Planning Scheme Amendment flowchart.

ATTACHMENTS

1. Attachment 1 Response to submissions on C213warr (1) [7.7.1 - 13 pages]
2. Attachment 2 Warrnambool C213warr DRAFT Planning Permit Exhibition (1) [7.7.2 - 7 pages]
3. Attachment 3 Planning Scheme Amendment Flowchart [7.7.3 - 1 page]

7.8. Planning Application PP2023-0015 - 30 Kruger Street Warrnambool

DIRECTORATE : City Growth

Purpose:

This report summarises the planning assessment that provides a recommendation to issue a notice of decision indicating intent to issue a permit to construct two additional dwellings, retain the existing dwelling, demolition of outbuildings and construction of fencing on the land known as 30 Kruger Street, Warrnambool.

Executive Summary

- Council has received an application for the construction of two additional double-storey dwellings at the rear of the site while retaining the existing dwelling (heritage cottage) at the front. It also includes demolition of an existing outbuilding on site and construction of fencing.
- The site is located within the General Residential Zone 1 and covered by Heritage Overlay schedule 321.
- Under the provisions of General Residential Zone 1, a permit is required for the development of two (2) or more dwellings on a lot. Under the provisions of the Heritage Overlay, a permit is required to demolish the outbuildings, to construct new buildings, and to construct a fence.
- The application was subject to public notice, which resulted in nine (9) submissions, all in objection to the proposed development. Grounds of objection related to adverse traffic and parking impacts, loss of privacy from overlooking, increase in density and change in existing heritage character, lack of permeable surfaces, inability to accommodate increase in waste collection, lack of appropriate landscaping, lack of consideration given to energy efficiency, and a perceived decrease in property values as a result of the development.
- The application, including the grounds for objection, have been assessed against the relevant provisions of the Warrnambool Planning Scheme and on balance the application warrants support, where the Officer's recommendation is that a Notice of Decision be issued subject to conditions.

RECOMMENDATION

That Council, having caused notice of Planning Application No. PP2023-0015 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 to grant a permit under the provisions of the Warrnambool Planning Scheme in respect of the land known and described Lot 19 PS 1524 PSH WAN TSH WARR, 30 Kruger St WARRNAMBOOL VIC 3280, for the Construction of an additional two (2) dwellings, construction of fence and demolition of existing outbuildings subject to the following conditions:

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.
2. 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. Before the commencement of construction a detailed Stormwater Management Plan is to be submitted to and endorsed by the Responsible Authority. The stormwater works must be designed in accordance with the current Responsible Authority's Design Guidelines, the endorsed application plans and must include:
 - a) Identification of any existing drainage on the site.
 - b) Details of how the works on the land are to be drained and/or retarded.
 - c) Computations in support of the proposed drainage.
 - d) A proposed Legal Point of Discharge for each lot.
 - e) An underground drainage system to convey minor flows (as defined by the IDM) to the Legal Point of Discharge or retention system for the development;
 - f) Details of how the storm water discharge from the development will be limited such that post development flows up to the 20% AEP do not exceed pre-development flows;
 - g) Evidence that storm water runoff resulting from a 1% AEP storm event is able to pass through the development via reserves and/or easements, or be retained within lots without causing damage or nuisance to adjoining property.
 - h) Details and measures to enhance stormwater discharge quality from the site and protect downstream waterways in accordance with Clause 56.07-4 of the Planning Scheme.
4. The endorsed Stormwater Management Plan is to be implemented to the satisfaction of the Responsible Authority prior to the occupation of the new dwelling.
5. Before the development starts, an amended landscape plan must be approved and endorsed by the responsible authority. The amended landscape plan must:
 - a) be prepared to the satisfaction of the responsible authority
 - b) have plans drawn to scale with dimensions
 - c) be submitted to the responsible authority in electronic form
 - d) be generally in accordance with the plans forming part of the application and identified as Faulkner & Chapman 'Landscape Plan' (17 April 2024), but amended to show the following details:
 - i. Selected plantings must include a mixture of native and exotic species;
 - ii. Details of surface finishes of hardstand areas such as pathways and driveways;
 - iii. Details of how the project responds to water sensitive urban design principles, including how storm water will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation;
 - iv. Landscaping and planting within all open areas of the site;

The responsible authority may consent in writing to vary any of these requirements.
6. Before occupation of the development or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
7. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
8. To safeguard the amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:

- a) Stockpiles of top soil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall 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 shall be undertaken on the building block. The pollutants from these building operations shall be contained on site.
- c) Builders waste must not be burnt or buried on site. All waste must be contained and removed to a Waste Disposal Depot.

9. This permit will operate from the issued date of this permit.

10. This permit will expire if one of the following circumstances applies:

- a) The development is not started within two (2) years of the date of this permit.
- b) 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:

- a) Within six (6) months afterwards for commencement, or
- b) Within twelve (12) months afterwards for completion.

NOTES

- 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.
- Before the commencement of any physical works to the site, an Asset Protection Permit must be obtained from Council. This 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.
- 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 site is a rectangular shape and contains a total area of 910m². The block is orientated towards Kruger Street to the south with a front title boundary approximately 20m wide and a lot depth of approximately 45m. The site contains an existing historic single storey dwelling which fronts onto Kruger Street. The dwelling is a late nineteenth century villa with the later addition of a front verandah and rear extension. The existing dwelling contains three (3) bedrooms, a living area, kitchen, and a bathroom. There is also an existing detached double garage (built in the late 90s) to the east of the dwelling which is accessed via an existing concrete crossover located on the eastern end of the front boundary, and two garden sheds located behind the existing dwelling adjacent to western boundary. No significant vegetation is observed on the land.

The site is located within an established residential neighbourhood where the surrounding lots along Kruger Street are similarly improved with small cottages historically developed for workers. The single storey dwellings dominate the prevailing character on conventional sized residential lots along the street. The dwellings are typically traditionally designed with hipped roofs, brick veneer or weatherboard cladding and have consistent setback and siting characteristics.

Kruger Street is a narrow one-way Street with line marked on-street car parking spaces provided on the north side of the Street.

The proposal seeks to construct two additional double storey dwellings to the back of the existing heritage cottage. The development will follow the demolition of the existing detached garage and two garden sheds within the site. The proposed dwellings will be sited in a 'side by side' arrangement with a party wall separating the dwellings. A significant site cut is proposed to the rear of the site and secluded private open space for the dwellings are proposed in this area. The proposed built form includes hipped roof profiles, linea weatherboard cladding to the first floor levels, masonry brickwork to the ground floor levels and *Colorbond* steel roofing. Each of the double storey dwellings include three (3) bedrooms, two (2) bathrooms, an open plan kitchen/meals/living area and a double garage. The existing single storey dwelling contains three (3) bedrooms, a living area, kitchen, and a bathroom.

A previous application of similar nature at the subject site was decided at Tribunal, where that decision remains as relevant when assessing the current proposal.

Issues

As a result of public notification, Council received eight submissions objecting to the development with the key areas of concern being:

- Impact on Amenity
- Impact on the existing built form
- Landscaping concerns
- Heritage Impact Concerns
- Traffic & Parking Concerns
- On-Site Safety Concerns
- Impact on Property Value and other concerns

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

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

- The site is located within a Heritage Overlay identified as the Kruger Street Precinct and also located within the General Residential Zone within inner Warrnambool.
- Planning policy generally seeks to encourage development, including higher density residential development within areas that are well serviced/in close proximity to activity centres which the site is.

- In contrast to the above point, the site is also located within the Heritage Overlay which generally seeks to limit the extent of development that occurs in order to protect identified heritage assets. However, clause 02.03-5 (Built Environment and Heritage) notes that heritage and character should not preclude infill development, rather that appropriate development should adhere to the range of design considerations, demonstrating that some level of change within heritage areas is envisaged.
- The assessment of the application considers whether the proposed development struck the right balance between providing additional housing while not unreasonably impacting the amenity of neighbouring residents, and unreasonably eroding the heritage fabric of the site/wider heritage precinct.
- Following the complete assessment of the application the following conclusion was made:
 - Despite the variety of policy directives, the site is located within an area where increased densities could occur and while the heritage overlay applies, the development provides an appropriate balance between providing a reasonably designed infill development without unreasonably eroding the heritage character of the site/area.
 - While the new dwellings are elevated, the combination of the setback from the street and the site excavation will assist with the development not being an unreasonably dominant element within the Kruger Street streetscape.
 - The development will assist with providing an alternative housing product through the provision of one two-bedroom dwelling in addition to two new three-bedroom dwelling. Furthermore, the smaller land size associated with each dwelling should also result in a more affordable product either for purchase or rent.
 - The siting and scale of the development is reasonable and would not result in any unreasonable impacts to the amenity of adjoining properties as demonstrated by the compliance with Clause 55 standards and objectives.

Previous Application and Tribunal Precedent

In August 2011 a planning permit application was made to Council for *“Partial demolition of existing garage, construction of two (2) double storey dwellings and a three (3) lot subdivision and common property”* which upon public notice received 12 objections.

Objectors raised concerns relating to:

- Over development of the site and the neighbourhood
- Development at odds with the Heritage character
- Overlooking concerns;
- Likelihood of parking on nature strip (particularly the visitors)
- Increase in traffic volume to the street;
- Limiting access by emergency and service vehicles to the street
- Noise concerns

- Likelihood of occupants from new dwellings leaving bins out for collection on other nature strips in the street
- Overshadowing concerns

The decision of the Council to issue a Notice of Decision to approve the development was appealed by objectors, and was eventually refused in April 2013 by order of the Tribunal^[1]. Given the similarities of the proposals and nature of the objections in question, it is useful to summarise the main grounds the Member relied on to overturn Council's decision at the time:

- a) The inadequacy of landscaping within the development including the driveway, paved areas and around the building.
- b) The car parking layout requires several tight and awkward manoeuvres and fail to provide convenient and efficient movement within the development.
- c) The dwellings entry for the western townhouse is hidden and lacking sense of identity.
- d) Generally poor amenity for future residents.

The referenced grounds were seen to fail to achieve compliance with specific objectives of Clause 55, namely 55.03-8 (landscaping), 55.03-9 (access), and 55.03-10 (parking location). Indeed the Tribunal Member specifically foreshadowed the likelihood of a repeat application, and set out the matters which required address, as follows:

It is likely that a new permit application will be made. For the record, I set out my findings with respect neighbourhood character, overlooking and garbage collection as follows:

- *The insertion of double storey dwellings in the backyard-scape is likely to be problematic in many circumstances. In the context of this site, there is some scope for this given that there are some examples of backyard development in the street. However, given the size of these dwellings, greater setbacks are required to provide for landscaping to soften the appearance of the development to the side and rear to achieve an outcome that may be acceptable in the neighbourhood setting.*
- *Concerns about overlooking can be resolved through some thought being given to the placement and design of windows.*
- *Arrangements can be made for satisfactory collection of waste and other materials for recycling, albeit that Kruger Street is narrow.*

44. I caution the applicant against simply seeking to tinker with this design. A better design response is required.

The policies and planning controls applicable to the site are more or less the same and have not significantly changed since the decision of the Tribunal. As the current proposal for the site is similar to the previous proposal, it is equally useful to summarise whether the current proposal is 'a tinkering', or a legitimate response that has addressed the past shortcomings.

The increased side and rear setbacks, despite causing issue to the heritage advisor, is a required response in relation to 55.03-8. Council's Environment department has pointed out that the specific species shown on the landscaping plan are perhaps not suited to the circumstances, however this can be addressed via a revised landscaping plan. Crucially, there is now at least some chance for significant plants to survive in some capacity, leading to the softening of buildings from neighbour's perspectives, and a reasonable area of secluded private open space that includes a landscaped outcome.

The removal of the rear section of the existing dwelling, and subsequent removal of awkward internal traffic movements, has assisted in improving overall access. The ability for vehicles to enter and exit in a forwards direction with fewer internal movements is an improvement from previous versions.

The overall concept of two additional side-by-side dwellings remains from the original application; however, there is a better sense of address for the rear dwellings through centralised pedestrian access points rather than to the side. Given the interplay between presentation of the front façade, provisions of adequate space for vehicle movements, and the need for space at the rear for private open space, this issue will perhaps never be perfectly solved. Without any presence to the street/public domain, the 'sense of identity' issue is one that can be imperfect if the other substantive issues are adequately addressed. Pushing the western dwelling's entry to a more prominent visual location would not lead to an improved outcome.

Finally, from an overall amenity perspective, the design change to a more traditional layout with ground level private open space commensurate with the size of the dwellings is seen as a substantive positive change. It is reasonable to conclude that the current design would lead to improved amenity for future residents.

By way of review, a previous application of the same nature was supported by Council officers and Councillors, but eventually overturned by Tribunal on the basis of some reasonably specific grounds. While the current assessment is not limited to these grounds only, it is clear that the applicant has attempted to improve the design response as it relates to these discrete items. It is fair to point out that the design response remains imperfect, and in fact that the attempt to address some of these concerns has led to concessions in other areas. However, if it is reasonable to follow the Tribunal's guidance to conclude that the introduction of two new double-storey dwellings can lead to a reasonable outcome as it relates to heritage considerations, and that the current design has made improvements relating to the issues as previously raised, it is equally reasonable to arrive at the recommendation below.

[\[1\]](#) White & Ors v Warrnambool CC & Anor [2013] VCAT 406

Financial Impact

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

Legislation / Policy / Council Plan Context

4 A connected, inclusive place

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

5 An effective Council

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

Timing

The application is already outside of statutory timeframes.

Community Impact / Consultation

In line with Council's delegation policy, as a result of having more than 6 objections, a Hearing of Submissions meeting was held with Councillors on 28 May 2024, and the decision cannot be made under delegation.

The application was also internally referred to Council's infrastructure department and heritage advisor, where comments provided have been included in the assessment of the application. No external referrals were required or undertaken.

Legal Risk / Impact

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

Officers' Declaration of Interest

No conflict of interest has been declared.

Collaborative Procurement

N/A

Conclusion

After review of the planning application documentation, referral advice and concerns raised by objectors, and following an assessment of the proposal against the relevant provisions of the Warrnambool Planning Scheme, the application warrants support and is recommended for approval.

ATTACHMENTS

1. Attachment 1 - delegate report - 30 Kruger Street [7.8.1 - 48 pages]
2. Attachment 2 - Development Plans and Application Documentation - 30 Kruger Street [7.8.2 - 54 pages]

7.9. Warrnambool Futures Project - Tender Response

DIRECTORATE : City Growth

Purpose:

This report provides Council with information on the submissions lodged for the Warrnambool Futures 2040 and Beyond: Blueprint to a Sustainable City tender, the evaluation of those submissions against Council's assessment matrix and, based on that assessment, a recommendation that Council appoint SGS Economics and Planning Pty Ltd as the preferred tenderer.

Executive Summary

- **Warrnambool Futures 2040 and Beyond** is the next generational city-wide land use strategy that sets a broad, integrated vision for the municipality that includes managing where and how future growth and development will occur. The plan aims to address key issues such as employment, tourism, housing supply, infrastructure provision and environmental challenges in a holistic and strategic manner.
 - The project updates the previous strategic land use vision that was prepared in 2004, providing more certainty to developers, stakeholders, and the community regarding their expectations for future development and how growth and change will be managed in a sustainable way.
 - The project was initially advertised on 15 December 2023 and closed on 2 February 2024 with three submissions received. The project was re-advertised between 12 April 2024 and 10 May 2024 via the e-Procure website due to a material change in the procurement process and an increase in the budget. The re-advertising resulted in six (6) submissions being lodged
 - The project is a two-year initiative with a budget of \$480,000, comprising two phases with Phase 1 requiring the preparation of the Warrnambool Futures plan and Phase 2 involving tasks associated with the implementation of the adopted plan.
 - The six submissions were assessed against detailed criteria regarding matters such as pricing, methodology, public consultation and implementation. Based on that assessment, the evaluation panel concluded that SGS Economics and Planning Pty Ltd provided the best value for money and be awarded the tender.
-

RECOMMENDATION

That Council:

1. Award the tender for Contract 2024019: Warrnambool Futures 2040 and Beyond: Blueprint to a Sustainable City to SGS Economics and Planning Pty Ltd for an amount of \$480,000.00 (exclusive of GST).
 2. Authorise the CEO to sign, seal and vary the contract as required.
-

Background

The previous city-wide land use strategy for Warrnambool was developed in 2004 (Warrnambool Land Use Strategy), twenty years ago. The Land Use Strategy 2004-2024 has served Warrnambool well and underpinned the development of the City's five (5) designated residential growth areas. The majority of the strategy's recommendations have been implemented and it has effectively reached the end of its useful life.

A new strategy is now required to address next generational opportunities and challenges. Accommodating the needs of a growing population in terms of housing, infrastructure, and employment, while incorporating a climate-wise and climate resilient response.

A tender was initially sent out on the e-Procure website on 15 December 2023 with a lower budget and a provisional extra for the second phase of the project. This resulted in the lodgement of three submissions from consultants, with only one submission covering both phases.

Due to the clear message received from submitters regarding the insufficiency of the budget for such a large project, the Council decided to re-advertise the tender with an increased budget.

The tender was re-advertised for one month until 10 May 2024, resulting in the receipt of six (6) submissions.

Issues

Based on a detailed evaluation of the submissions against the matrix and a thorough review of each submission, the evaluation panel concluded that the preferred tenderer is **SGS Economics and Planning Pty Ltd** and recommends awarding the tender to this company.

SGS Economics and Planning Pty Ltd provides an experienced team, a clear methodology upon which the project will be based, a recognition of the importance of engaging with the community and stakeholders, and the expertise to deliver this important project on time and on budget.

Financial Impact

The costs of the project are provided for within the City Strategy & Development budget.

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.

4 A connected, inclusive place

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

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

Timing

The project has an expected commencement date of 15 July 2024 and a targeted completion by 30 April 2026 (a 20-24 month project duration).

Community Impact/Consultation

Several stages of community engagement are planned as the project progresses, and the community will be updated about each stage using various tools, including project bulletins, media releases, social media posts/websites, and community workshops and meetings.

The project will be overseen by the Council's City Strategy Team, with the Executive Management Team (EMT) acting as the Steering Group. Additionally, a working group consisting of Council staff members will be established to review project progress at key milestones and approximate timelines for the delivery of each stage.

Legal Risk/Impact

The project is expected to pose minimal risk or impact to the Council, any risks being mitigated by a comprehensive project plan, and by ensuring the selected consultant having the expertise to deliver the project in accordance with the project brief and contract.

A Gender Impact Assessment will be required for this project as it will deliver a strategy that will have a direct impact on the public.

Officers' Declaration of Interest

None declared.

Collaborative Procurement

Procurement of the successful constant to undertake the project is specific to Council only. The project is Council funded and collaborative procurement is not considered suitable due to the geographic boundaries of the project applying to the Warrnambool municipal boundaries.

Conclusion

The evaluation panel has thoroughly assessed and evaluated all submissions received for Contract 2024019: Warrnambool Futures 2040 and Beyond: Blueprint to a Sustainable City. The evaluation panel recommends that the contract be awarded to SGS Economics and Planning Pty Ltd, who have demonstrated the highest Value for Money.

ATTACHMENTS

Nil

7.10. Warrnambool Animal Shelter Fees & Charges 2024/25

DIRECTORATE : City Infrastructure

Purpose:

This report presents the proposed fees and charges for the Warrnambool Animal Shelter for the 2024/25 financial year

Executive Summary

- Warrnambool City Council will operate the Animal Shelter from 1 July 2024.
- The fees and charges associated with goods and services provided by the shelter for the 2024/25 financial year are outlined in this report.
- The fees and charges will assist with the ongoing care and medical needs of animals that are accepted to the shelter and contribute to the sustainable operations of the facility.

RECOMMENDATION

That Council approve the fees and charges for the Animal Shelter as set out in this report.

Background

The Warrnambool Animal Shelter, located at 23 Braithwaite Street Warrnambool, is owned by Council and has been operated under contract by the Royal Society for the Protection of Cruelty to Animals (RSPCA) for over 20 years. The contract arrangement ceases on 30 June 2024 and the animal shelter facility will be managed by Council from 1 July 2024.

Issues

To operate the animal shelter facility Warrnambool City Council must set the fees and charges for any goods and services provided. This report outlines the non-statutory fees and charges for the financial year 2024/25. The rates have been informed by the RSPCA fees and charges for adoption, surrender, microchipping and vaccination.

Impound Release Fees

The impounded release fee for dogs and cats is \$170 and was approved by Council on 3 June 2024 in the 2024/25 budget. The impound release fees apply to dogs and cats located both within and outside of the Warrnambool municipality.

Any dog or cat that is released from the pound must be microchipped, vaccinated and registered within the municipality that it resides in.

Microchip & Vaccination Fees

The proposed microchip fee is \$35 and the vaccination fee is \$45. This contributes to the cost of the supply and administration of the microchip and/or vaccination and is administered prior to the release of the animal.

Microchip fee	\$35
Vaccination fee	\$45

Animal Registration Fees

The Warrnambool City Council animal registration fees were approved by Council on 3 June 2024 in the 2024/2025 budget. Any animal impounded and released to a location outside of the Warrnambool municipality must be registered with the local government area that the animal resides, and confirmation required prior to release.

Animal Adoption Fees

The proposed adoption fees for animals from the shelter are outlined in the table below. These fees include the cost of desexing, microchipping and vaccination.

Animal registration is an additional fee which as outlined above has been set for the 2024/25 financial year. Any animal adopted from the shelter that will reside in a location outside of the Warrnambool municipality will require animal registration within that local government area.

Animal Type	Single Adoption Fee	In Pairs Adoption Fee
Dogs		
Senior dog (9 years +)	No fee	No fee
Adult dog (over 12 months)	\$500	\$700
Adult dog (6-12 months)	\$600	\$850
Puppy (2-6 months)	\$650	\$900
Cats		
Senior cat (10 years +)	No fee	No fee
Adult cat (over 6 months)	\$145	\$145
Kitten (under 6 months)	\$235	\$235
Small animals		
Rabbit	No fee	No fee
Guinea Pig	No fee	No fee
Ferret	No fee	No fee
Rat	No fee	No fee
Poultry		
Chicken	No fee	No fee
Duck	No fee	No fee

Surrender Fee

The surrender fee applies to dogs and cats being surrendered to the animal shelter and assists with the ongoing care and medical needs of the animal. The proposed surrender fee for dogs is \$55 and \$45 for cats.

Animals located within the Warrnambool municipality may be surrendered and accepted to the animal shelter, while animals from other municipalities will be directed to their local animal shelter or pound.

Dog surrender fee	up to \$55
Cat surrender fee	up to \$45

Financial Impact

The fees and charges associated with the animal shelter will assist with the ongoing care and medical needs of animals that are accepted to the shelter and contribute to the sustainable operations of the facility.

Legislation / Policy / Council Plan Context

5 An effective Council

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

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

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

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

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

Timing

The fees and charges for the animal shelter will be presented to the Council meeting on the 1 July 2024.

Community Impact / Consultation

Once approved the fees and charges will be incorporated into the animal shelter systems and operations including updates to the Council website to ensure information related to the animal shelter is available to the community.

Legal Risk / Impact

Council is required to provide the community access to an animal shelter or pound under the Domestic Animals Act 1994.

The Local Government Act 1989 and 2020 outlines the requirements for Council in setting fees and charges.

Officers' Declaration of Interest

None.

Conclusion

The Warrnambool Animal Shelter fees and charges have been prepared for Councils consideration for implementation in the 2024/2025 financial year.

ATTACHMENTS

Nil

7.11. 2024025 Provision of Cleaning Services For Public Conveniences and BBQs

DIRECTORATE: City Infrastructure

Purpose:

This report details and recommends the award of Contract 2024025 - Provision of Contract Cleaning Services for Public Conveniences and Barbeques.

Executive Summary

- The intent of this contract is to provide cleaning services for public conveniences and barbeques.
- Nine tender submissions were received and considered by the Tender Assessment Panel.
- This report recommends that Contract 2024025– Provision of Contract Cleaning Services for Public Conveniences and Barbeques be awarded to Makkim Pty Ltd trading as Australian Environmental Cleaning Services.
- The contract is for a 3-year period with options to extend for two further twelve-month periods (2 x 1 year) or a two-year period (1 x 2 year).

RECOMMENDATION

That Council:

1. Award Contract 2024025 – Provision of Contract Cleaning Services for Public Conveniences and Barbeques to Makkim Pty Ltd trading as Australian Environmental Cleaning Services for a minimum 3-year period at the annual lump sum price of \$251,750.58 including GST, indexed annually at CPI.
2. Accept the schedule of rates component of 2024025 – Provision of Contract Cleaning Services for Public Conveniences and Barbeques from Makkim Pty Ltd trading as Australian Environmental Cleaning Services for one off deep cleans, additional cleans and emergency cleans.
3. Note that Contract 2024025 – Provision of Contract Cleaning Services for Public Conveniences and Barbeques is for a three-year period with options for two 12-month extensions or a single 2-year extension.
4. Authorise the CEO to sign, seal and vary the contract, as required.

Background

Warrnambool is regarded as a clean and tidy city. For this reason, Council places a high priority on maintenance and the cleanliness of its public amenities.

Council sought submissions from suitably experienced contractors to provide cleaning services for public amenities and public barbeque areas for a three-year term.

The contract comprises the cleaning of 31 toilet blocks, 32 barbeques with associated tables and shelters, and one public noticeboard.

The tender was advertised on 19 April 2024 on the Warrnambool City Council website and eProcure. Tenders closed at 2pm 17 May 2024.

This tender is considered an essential service for the operation of these buildings and sites. Offering an initial three-year contract term provides reliability of service, competitive pricing and reduces exposure to unpredictable price rises.

The tender is a lump sum contract, with a schedule of rates provided for additional deep cleans, event cleaning and urgent callouts.

At the close of tenders, nine submissions were received.

It was determined by through the tender evaluation process that the tender submission provided by Makkim Pty Ltd t/as Australian Environmental Cleaning Services offers the best value for money for the provision of cleaning public amenities and barbeques.

Issues

During 2013 Council endorsed a public amenities strategy which proposed various improvements to the previous method of service delivery. Improvements made to the service included better-quality and more frequent cleaning, improved collaboration between cleaning and maintenance staff and the replacement of advisory signage encouraging the public to report issues to Council rather than directly to the cleaning contractor.

The service changes have seen an improvement in the presentation of public amenities and barbeques and a reduction in customer complaints over the past ten years.

Financial Impact

The cost to provide the service in year one of the contract will be \$251,750.58 incl GST. Allowance for the cost of this service in 2024/25 has been made within Council's Public Amenities Operations budget.

Legislation / Policy / Council Plan Context

This report responds to the following Council Plan objectives:

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.

Timing

The initial contract period is for three years commencing on 6 August 2024 with the initial 3-year contract period concluding 6 August 2027. An option to extend the contract for one (1) x two (2) year extension or two (2) x one (1) year extensions is available at Councils discretion.

Community Impact / Consultation

There are no community impact or consultation issues associated with the acceptance of this tender.

Legal Risk / Impact

It is not considered that there are any risks associated with the acceptance of this tender that cannot be managed through the contract conditions.

Officers' Declaration of Interest

No officers involved in preparation of this report have declared interest in the recommendation.

Conclusion

This report is provided to Council for their consideration. The tender from Makkim Pty Ltd t/as Australian Environmental Cleaning Services is considered best value in relation to the provision of cleaning services for Councils public amenities and barbeques and it is, therefore, recommended to be awarded Contract 2024025 - Provision of Contract Cleaning Services for Public Conveniences and Barbeques.

ATTACHMENTS

Nil

7.12. Advisory Committee Reports

DIRECTORATE : Executive Services

Purpose

This report contains the record of XXX Advisory Committee meetings.

Report

1. Warrnambool Airport Reference Group – 13 May 2024 – refer **Attachment 1**.
2. Environment and Sustainability Advisory Committee – 30 May 2024 – refer **Attachment 2**.

The key items for discussion at the meeting included:-

- An update on the Green Futures Now Program was discussed and the Environment & Sustainability Advisory Committee resolved to support the action of Council officers to look at the expansion of the Green Futures Now youth program.
- Discussion on Seismic Testing and Off-Shore wind turbines, and
- The potential for the committee to focus on a specific project that the group can own. An idea from the group was a program to promote improved Bee Habitats to slow the decline in native Bee populations.

ATTACHMENTS

1. Minutes WARG 13 May 2024 [7.12.1 - 6 pages]
2. Environment and Sustainability Committee Meeting Minutes - 30 May 2024 [7.12.2 - 9 pages]

RECOMMENDATION

That the Minutes of the Warrnambool Airport Reference Group meeting held on 13 May 2024 and the Minutes of the Environment and Sustainability Advisory Committee held on 30 May 2024, be received.

7.13. 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.

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:-

Tuesday 11 June 2024 – refer **Attachment 1**.

Monday 17 June 2024 – refer **Attachment 2**.

Monday 24 June 2024 – refer **Attachment 3**.

ATTACHMENTS

1. Assembly of Councillors Record 11 June 2024 [7.13.1 - 2 pages]
2. Assembly of Councillors Record 17 June 2024 [7.13.2 - 1 page]
3. Assembly of Councillors Record 24 June 2024 [7.13.3 - 2 pages]

RECOMMENDATION

That the record of the Informal Meetings of Council held on 11, 17 and 24 June 2024 be received.

7.14. Mayoral & Chief Executive Officer Council Activities - Summary Report

DIRECTORATE : Executive Services

Purpose

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

Report

Date	Location	Function
8 June 2024	Warrnambool	Mayor opened Warrnambool Swimming Club Annual June Swim Meet.
11 June 2024	Warrnambool	Mayor attended the Speaker Breakfast event – <i>Building Resilience : Breakfast with Leila McDougall.</i>
12-13 June 2024	Shepparton	Mayor and CEO – Attended Regional Cities Victoria meeting.
13 June 2024	Warrnambool	Deputy Mayor and Director City Infrastructure – Attended Regional Development Australia, Barwon South West meeting and gave an overview of Warrnambool City Council.
15 June 2024	Warrnambool	Mayor attended the opening of the new Pillow Talk store.
20 June 2024		Mayor and Chief Executive Officer – Met with RCV Chairman, Cr Shane Sali and Greater Shepparton City Council CEO, Fiona Le Gassick.
21 June 2024	Warrnambool	Mayor – Attended the South West Victoria Alliance Board Meeting.
26 June 2024	Warrnambool	Mayor – Attended the South West Housing Solutions Forum.
28 June 2024	Warrnambool	Deputy Mayor - attended State Government Tidy Towns funding announcement for new footpath and transformation of an existing service lane at Woodford Primary School.
	Warrnambool	Mayor – Opened the Warrnambool and District Artists Society 30 th Annual Awards Exhibition.

RECOMMENDATION

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

8. NOTICE OF MOTION

No Notices of Motion have been received.

9. GENERAL BUSINESS

10. URGENT BUSINESS

11. CLOSE OF MEETING