



AGENDA SCHEDULED MEETING

WARRNAMBOOL CITY COUNCIL – 5:45PM

Monday 2 December 2024

VENUE:

Reception Room, 25 Liebig Street, Warrnambool

COUNCILLORS:

Cr. Ben Blain (Mayor)

Cr. Debbie Arnott

Cr. Willy Benter

Cr. Billy Edis

Cr. Vicki Jellie AM

Cr. Matthew Walsh

Cr. Richard Ziegeler

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Andrew Mason
CHIEF EXECUTIVE OFFICER



WARRNAMBOOL
CITY COUNCIL

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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

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 7 October 2024 and the Minutes of the Annual (Statutory) Meeting of Council held on 18 November 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. Scheduled Council Meeting Dates 2025

DIRECTORATE : Executive Services

Purpose:

The purpose of this report is for Council's consideration and adoption of the Scheduled Council Meeting dates for 2025.

Executive Summary

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

The proposed Scheduled Council Meeting dates for the period February 2025 – December 2025 is contained within the recommendation. A new Council term provides Council with opportunity to review the day and time meetings are held to ensure best accessibility for the community and optimal organisational performance.

RECOMMENDATION

That Warrnambool City Council meetings for 2025 be held at 5.45pm in the Reception Room, Warrnambool Civic Centre, 25 Liebig Street, Warrnambool on the following dates:-

- Monday 3 February 2025
 - Monday 3 March 2025
 - Monday 7 April 2025
 - Monday 5 May 2025
 - Monday 2 June 2025
 - Monday 7 July 2025
 - Monday 4 August 2025
 - Monday 1 September 2025
 - Monday 6 October 2025
 - Monday 3 November 2025
 - Monday 17 November 2025 - Annual Council Meeting
 - Monday 1 December 2025
-

Background

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

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

Legislation / Policy / Council Plan Context

5 An effective Council

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

Timing

To be adopted at the first Scheduled Council Meeting following the Annual (Statutory) Meeting of Council to be held on Monday 2 December 2024.

ATTACHMENTS

Nil

7.2. Appointments To Advisory Committees & External Bodies

DIRECTORATE : Executive Services

Purpose:

This report considers Councillor representation on the various Council Advisory Committees and external bodies with which Council is associated with for the period 2 December 2024 to 17 November 2025.

Executive Summary

- To appoint Council representatives to the various Council advisory bodies and external committees for the period 2 December 2024 to 17 November 2025.

RECOMMENDATION

1. That the following Councillor representatives and delegates to the Advisory Committees and external committees for the period 2 December 2024 to 17 November 2025 be approved and that relevant advisory committees and external bodies be advised accordingly:-

ADVISORY BODY/EXTERNAL COMMITTEE	COUNCILLOR REPRESENTATIVE(S) 2024/25
NATIONAL / STATE /REGIONAL BODIES	
a) SouthWest Victoria Alliance	Mayor, Cr Ben Blain
b) Municipal Association of Victoria (<i>Deputy delegate to also be appointed</i>)	Delegate – Cr Vicki Jellie AM Deputy Delegate – Cr Debbie Arnott
c) Regional Cities Victoria	Mayor, Cr Ben Blain
d) Great Ocean Road Regional Tourism Board	Cr. Debbie Arnott
CORPORATE / GOVERNANCE COMMITTEES	
a) Audit & Risk Committee	Cr. Ben Blain Cr. Matthew Walsh
b) Chief Executive's Employment Matters Committee	All Councillors
COUNCIL LOCAL ADVISORY COMMITTEES	
a) Planning Advisory Committee	Cr. Willy Benter
OTHER COMMITTEES – COUNCIL FACILITIES/SERVICES	
a) Bicycle Users Reference Group	Cr. Matthew Walsh
b) Warrnambool Airport Reference Group	Cr. Billy Edis
c) CCTV Steering Committee	Cr. Richard Ziegeler Cr. Willy Benter
d) Middle Island Project Group	Cr. Vicki Jellie AM

2. That the Planning Advisory Committee be re-established, appointing the following community members until 31 May 2025:
 - Jeff Moreland-Hunt
 - William Welsh
 - Leanne Williams
 - Fiona Golding
 - John McNeil
 - Kerri-Anne-Tatchell
 - Cameron McNeill
 3. That the Community & International Relations Advisory Committee, Economic Development and Tourism Advisory Committee and the Environment and Sustainability Advisory Committee be not re-established.
-

Background

There is a significant range of committees and organisations where the constituted membership includes representation from Warrnambool City Council.

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

Council has traditionally maintained a number Council Advisory Committees whose terms recently expired. The start of a new Council term provides an opportunity for Council to review the committees that it maintains.

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

Other relevant matters to consider in this area are:-

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

- The need for good relationships, but of an independent arms-length type with any groups or organisations where Council has a contractual relationship, to avoid any possible conflict of interest.
- To use officer resources in an effective manner bearing in mind significant direct and indirect costs of committees servicing or representation.

Issues

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

Advisory Committees do not need to be formal committees of Council, Councillors may choose to attend advisory committee meetings but would not be required to report back to Council.

The Community and International Relations Advisory Committee, Economic Development and Tourism Advisory Committee and the Environment and Sustainability Advisory Committee are recommended to not be re-established. While both Councillors and Officers acknowledge and appreciate the contribution of this committee over a long period of time, challenges around achieving quorum, scope of the committee, and Officer time required to facilitate the committee have led to the recommendation that the committee not be re-established for the coming Council term.

Council is committed to community engagement and will continue to focus on generating engagement on activities, initiatives and projects related to our community and international relationships.

It is recommended that the Planning Advisory Committee be reestablished, and it is proposed that the membership of the previous committee be returned until 31 May 2025. At that time the committee's Terms of Reference will be reviewed and a call for nominations for new community member representatives will be made.

Financial Impact

Nil.

Legislation/Policy/Council Plan Context

Not Applicable

Timing

To be implemented as from adoption at Council meeting.

Community Impact/Consultation

N.A.

Legal Risk/Impact

Nil.

ATTACHMENTS

Nil

7.3. Youth Strategy & Action Plan Briefing

DIRECTORATE : Community Development

Purpose:

This report provides information on the development of the joint Moyne Shire Council and Warrnambool City Council Youth Strategy 2025-2030.

Executive Summary

Warrnambool City Council (WCC) and Moyne Shire Council (MSC) have collaborated to produce a joint Youth Strategy (the Strategy) that crosses municipal boundaries. It is inclusive of an action plan, which identifies joint and individual council's actions and responsibilities. The aim of the Strategy is to enable Council to take a proactive approach in engaging young people in Warrnambool, who make up over 15% of Warrnambool's population. The strategy will set the direction of Council's work in collaboration with young people and other stakeholders.

Future Tense were engaged as consultants to facilitate the Strategy development through a joint procurement managed by MSC.

A Youth Co-Design Panel was established, comprising of 20 young people (10 Warrnambool, 10 Moyne). The panel met throughout the process to shape and guide the development of the strategy.

The Draft Youth Strategy is now prepared for Council approval to release to public comment.

RECOMMENDATION

That Council approve the Draft Moyne and Warrnambool Youth Strategy 2025-2030 be released for public comment and review.

The Victorian State Government's Youth Strategy defines young people as those between 12- 25 years. Council offers over 30 services to the community which have a direct impact on the lives of this cohort.

Developing a youth strategy aligns with the Warrnambool 2040 Plan, Victoria's *Youth Strategy 2022-2027* and the Victorian Local Government Partnership project, "*Leading the Way, Engaging Young Voices for Change*" which is implemented in conjunction with VicHealth. The Youth Strategy is also expected to provide input into future Council Plans and strategies.

A briefing paper submitted to Council in April 2024 outlined the youth strategy development process in collaboration with MSC. This process is managed by MSC. It noted that young people in the region do not live their lives by LGA boundaries. Warrnambool and Moyne are not seen separately from the viewpoints of young people and the two are not distinguishable for them. Many young people live in one municipality but access services, recreation, education, or work in the other. From this perspective, a collaboration between Warrnambool and Moyne Councils allowed for better engagement with young people across municipal boundaries. A joint strategy also prevented over consultation of the regions young people, combined resources and strengthen Council's partnership with Moyne Shire Council.

A briefing paper submitted to council in September 2024 outlined the engagement with young people and adults in their lives, along with the findings. Future Tense presented the Context and Engagement report. This report contains details of the investigation, key findings and next steps. Refer attached.

Direct conversations were had with 271 young people and 126 adults in young people's lives across 41 engagement activities. Online surveys gathered input from 389 young people and 69 adults in young people's lives.

Preliminary findings from the engagement process were shared with stakeholders, which also included 12 support service providers who work with young people and staff from the two Councils.

Key findings from the overall engagement reveal that:

- Young people love the region
- Hanging out in-person is the most valued type of connection
- Young people are looking for a sense of belonging
- The weight of the world hangs heavy on young people
- Issues around transportation have a huge impact
- Young people are disconnected from opportunities and resources, and
- Programming often misses the mark.

Issues

The community engagement findings were considered by the Youth Co-design Panel and used to draft the Youth Strategy for MSC and WCC, this was then workshopped further with individual council staff to further develop the action plan.

The 3 areas of focus identified in the strategy are:

1. Creating better spaces and places.

Provide spaces for young people to feel comfortable, engage with their peers and increase their visibility in community life.

2. Improving accessibility and encouraging participation.

Enable young people to participate and access opportunities to enhance their quality of life through improvements to transportation, greater visibility of assets, better connection to employment opportunities, and smoother processes for accessing resources.

3. Fostering belonging and Acceptance.

For young people to feel safe and free to express their ideas and identities by celebrating young people's activities, interests and achievements. The goal is to create a supportive environment where young people can thrive.

An Action Plan has been created that reflects the wants and needs of the region's young people. This is included in the Strategy.

Financial Impact

The engagement of Future Tense consultants has cost \$50,000 which is shared equally with the Moyne Shire Council, and has been managed through allocation of costs recovered through grant funding.

In addition, participants in the youth co-design panel are being remunerated for their time, expertise and services. Council is making a contribution of an estimated \$8,000 from the State Government's Youth Engage! Funding.

The graphic design company Hours After has been engaged to develop the final document. Council is contributing \$7,805 from the State Government's Youth Engage! funding.

A Project Control Group, consisting of Council officers from Warrnambool and Moyne Shire, are overseeing the project and has representation from key external stakeholders, YacVic and the Department of Premier and Cabinet.

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.

1.2 Engage with the Aboriginal community: Council will pursue improved partnerships and meaningful engagement with Aboriginal people to grow opportunities and better outcomes for Aboriginal people.

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

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

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

1.6 Community learning pathways: Council will support and encourage lifelong learning that helps build community resilience and preparedness for change.

5 An effective Council

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

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

5.8 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

- Shared Youth Strategy and Youth Strategy Action Plan to
 - o WCC (informal Council meeting) – 25 Nov 2024
 - o MSC – 10 Dec 2024

Note: Final artwork is currently being prepared and if available will be presented.

- Public Exhibition period – 11 Dec 2024 to 8 Jan 2025
- Present to Council for adoption – 3 Mar 2025

Community Impact / Consultation

Extensive consultation was undertaken as part of the engagement process between June and August 2024. The diverse group of people engaged across two stages of the engagement process include:

1. Diverse range of young people from the following cohorts:
 - First Nations youth
 - Multicultural youth
 - Disabled youth
 - Sports-focused youth
 - Creative youth
 - The 'young ones' (12–14 years)
 - Senior high school students (15–17 years)
 - Young adults (18–24 years)
 - Higher education students
 - Young people out of or struggling to access school
 - Queer young people
 - Youth at risk of homelessness
 - Neurodivergent youth
 - Youth struggling with mental health
 - Rural and remote youth
 - Those in care and custody
 - Young parents
 - Youth struggling with substance issues
 - Gap year crew
 - Lower socioeconomic young people
 - Unemployed youth
 - Gamers (tabletop, RPG, digital, etc), and
 - Tradespeople
2. Council staff
3. Service providers

Further internal consultation was undertaken between 21 October and 25 October to gain insight from across council into the proposed action plan.

The draft Strategy is proposed to be released for public consultation and review between 11 December and 8 January 2025.

Public exhibition of the draft strategy will take place between 11 December and 8 January 2025, with Council then to consider feedback and adoption of the Final Strategy in March 2025.

Legal Risk / Impact

There is no risk to Council. Adoption of the Strategy will inform the Council plan and allow for actions to be built into department work plans.

Officers' Declaration of Interest

No conflict of interest exists.

Collaborative Procurement

A collaborative procurement was undertaken with MSC to develop the Youth Strategy with equal resource contributions. The procurement is managed by Moyne Shire Council.

Conclusion

The development of a Youth Strategy provides young people with the platform they need to be heard, so we in local government can listen and with clear direction support them to thrive. Collaboration with Moyne Shire Council produces an inclusive document that transcends municipal boundaries.

Following thorough stakeholder and community consultation the draft Youth Strategy is ready for public comment.

The design of the document is currently being developed and should be presented to Council on 10 December.

ATTACHMENTS

1. Moyne and Warrnambool Youth Strategy 2025 2030 7 November 2024 (1) [7.3.1 - 16 pages]
2. Youth Strategy Design Concept Ver 4 [7.3.2 - 6 pages]
3. Youth Strategy Context and Engagement Report PR [7.3.3 - 38 pages]
4. Gender Impact Assessment Youth Strategy (1) [7.3.4 - 8 pages]

7.4. Draft Asset Disposal Policy

DIRECTORATE : City Infrastructure

Purpose:

The purpose of this report is to present the draft Asset Disposal Policy to Council for consideration.

Executive Summary

Council has a significant asset portfolio which consists of a diverse range of assets across a range of asset classes.

The Asset Disposal Policy (the Policy) has been drafted to guide appropriate disposal practices when staff are disposing of assets, including through selling, trading, decommissioning or gifting.

The Policy defines methods allowable for the disposal of Council owned assets where a process for disposal is not otherwise governed by legislation, regulations, or other policies, plans or practices specific to the individual asset class, for example such as roads where the Road Management Act 2004 applies.

The Policy is a Council policy and is submitted to Council for consideration with a recommendation to adopt.

RECOMMENDATION

That Council adopts the Asset Disposal Policy.

Background

The Policy has been developed to provide guidance to staff and establish governance for informed decision making and effective controls that will reduce risks associated with asset disposal.

The policy defines methods allowable for disposal of Council assets and will ensure that disposals are executed correctly. Assets are to be disposed of in a fair and transparent manner with consideration given to the condition, compliance and market value of an asset, as well as consideration of the ongoing need or purpose of the asset when determining the appropriate method for disposal.

The Policy principles include:

- Assets should be disposed of in a fair and transparent manner.
- Where possible and appropriate, a reasonable return on the asset should be sought by selling the asset at current market value
- Assets that have no market value can be considered for gifting to a not-for-profit organisation, however, this should be done in a fair and transparent manner such as through an Expression of Interest (EOI) process where expressions are sort from all relevant NFPs.

- Any relevant legislation or policies must first be considered before applying this policy to the disposal of an asset. Any specific policies or legislation relevant to a specific asset class will supersede this policy.

The appropriate methods of disposal and the related process, and the disposal considerations and factors to be assessed prior to disposal are outlined in Policy, as at Attachment 1 of this report.

The policy ensures appropriate authorisation of decisions to dispose of assets in line with the Council's financial delegations.

Issues

To minimise the risk of a conflict of interest in the disposal of Council assets, the policy outlines rules in relation to purchases of Council assets by Councillors and Council Officers.

The policy states:

Councillors, Council officers, or any member of a Councillor or Council officer's household are not permitted to purchase or claim assets being disposed of by Council, unless the purchase is via a public tender or public auction process.

The Councillor or Council officer must not have been involved in the decision to dispose of the asset, or involved in any process to determine the market value of the asset prior to sale if they intend to bid on a Council asset that is for sale.

Section 128 of the Local Government Act 2020, material conflicts of interest, apply to the disposal of Council Assets. If any Councillor or Council Officer intends to bid on a Council Asset, they should consider seeking guidance from the Manager Governance prior to the sale.

Financial Impact

Effective asset disposal forms part of an effective strategic asset management approach. By appropriately considering the need, value, purpose and costs of an asset, an informed decision with regards to asset disposal can be made. This Policy aims to support informed decision making.

Legislation / Policy / Council Plan Context

An Asset Disposal Policy does not currently exist. Some asset specific legislation, regulations and policies do exist, however, to assist staff with disposing of assets that are not otherwise covered, this policy has been created to support suitable practices when disposing of assets.

Timing

Once the Policy has been adopted by EMT, the adopted version will be placed on the intranet, and a notification will be circulated to all staff notifying them of the new policy.

Community Impact / Consultation

The draft Policy has been reviewed by the Coordinator Strategic Asset Management and has been circulated to the Senior Leadership Team for their feedback.

Legal Risk / Impact

The Policy provides good governance to the process of disposing of Council assets, helping to mitigate potential risks associated with unregulated asset disposals.

Officers' Declaration of Interest

Nil.

Collaborative Procurement

N/A

Conclusion

This Policy has been created to support staff with fair and transparent asset disposal of Council assets. It is recommended to Council for adoption.

ATTACHMENTS

1. DRAFT Asset Disposal Policy 2024 (1) [7.4.1 - 9 pages]

7.5. Award of Contract 2024042 - City Kindergarten Entrance

DIRECTORATE : City Infrastructure

Purpose:

The purpose of this report is to provide information on Tender 2024042 – City Kindergarten Entrance and recommend an award to Bolden Constructions Pty Ltd.

Executive Summary

Council sought and were successful in receiving funding from the State Government to undertake works at the City Kindergarten at Swan Reserve to improve flow and function of the facility which provides both early learning and maternal child health services.

Council publicly advertised a tender for the partial demolition and construction of the new entryway at Swan Reserve on Friday, 31 August 2024, which was open to submission for a period of six (6) weeks.

A tender evaluation of the tender submissions was completed by the Tender Evaluation Panel. Bolden Constructions Pty Ltd is the recommended tenderer to be awarded the Contract as they were determined to have the highest weighted score and, therefore, deemed best value for money.

RECOMMENDATION

That Council:

1. Award Contract No. 2024042– City Kindergarten Entrance to Bolden Constructions Pty Ltd for the tendered amount of \$515,483.59 excl. GST, with a total value of \$567,031.95 incl. GST.
 2. Authorise Council officers to deliver the City Kindergarten Entrance in accordance with the contract under the financial delegations detailed within the Procurement Policy.
 3. Authorise the Chief Executive Officer to sign, seal and vary the contract as required.
-

Background

Kindergarten reforms over the past 10-15 years have increased the number of hours the kindergarten operates and has resulted in the building no longer being fit for purpose.

Additionally, with the rollout of funded 3-year-old kindergarten in 2022 and the State Government's recent announcement regarding Pre-Prep (4-year-old Kindergarten) hours doubling from 2026, the challenges faced around the current design and functionality of building no longer meet the needs for delivery of this service.

The tender was advertised as a construct only contract, with the works planned for commencement in early 2025.

The three tender submissions received were conforming and comparable. A tender evaluation panel was convened and completed assessments of the tenders received, with Bolden Constructions Pty Ltd being determined by the tender evaluation panel to be best value for money as they received the highest weighted score.

Issues

The site is deemed 'brownfield' as it was not achievable to inspect all areas of the building, inclusive of footings and foundations, at the time of designing, therefore, additional expenditure within the allocated budget may be required.

With construction activity occurring next to the kindergarten, there will be times where the service will not function on the site. This will be managed by planning between the project manager and the service manager.

Of the three submissions received, two scored high against evaluation criteria such as methodology, however, Bolden Construction Pty Ltd provided the lowest price submission.

Bolden Construction Pty Ltd have undertaken recent projects with Council including the redevelopment of the Jetty Flat Recreation Reserve Club Rooms, and the McGennan's Amenity Block, with both projects being delivered successfully and to a high-quality.

Financial Impact

This project is being funded from the following sources:

FUNDING SOURCE	AMOUNT
Department of Education and Training - Grant	\$ 384,000
State Funding	\$ 105,405
Warrnambool City Council	\$ 94,959
<u>TOTAL FUNDING</u>	\$ 584,364 ex GST

Bolden Constructions Pty Ltd tendered the amount of \$515,483.59 excl. GST. It is noted that, in line with identified risks, due to the build occurring on a brownfield site, if any variations are required under the contract due to unforeseen issues arising during construction, per the above table, there is a small amount of contingency within the budget available.

Consideration was given to a reduction in the scope of works in order to bring the total project cost more in line with the grant funding provided by the Department of Education and Training, however, in order to achieve the objectives of the project, the detailed design was required to be delivered in full.

Legislation / Policy / Council Plan Context

1 A healthy community

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

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 contract's construction phase will be planned to commence February with a mid-year completion date.

Community Impact / Consultation

With construction activity occurring next to the kindergarten, there will be times where the service will not function on the site. This will be managed by planning between the project manager and the service manager.

Access will be provided to the Swan Reserve toilet block and Children Services centre at all times.

Legal Risk / Impact

Separating the users of the building by providing specific accesses will enhance the safety and functionality of the building.

Officers' Declaration of Interest

Nil.

Collaborative Procurement

Project specific procurement - collaborative procurement not applicable.

Conclusion

A full procurement process has been undertaken. After completion of tender assessments of the submissions by the tender evaluation panel, it is determined that the tender from Bolden Constructions Pty Ltd represents best value for Council, and it is recommended that Council award the contract to Bolden Constructions Pty Ltd.

ATTACHMENTS

Nil

7.6. Planning Scheme Amendment C213warr - Panel Report Adoption

DIRECTORATE : City Growth

Purpose:

This report provides an overview of the combined application for Warrnambool Planning Scheme Amendment C213warr (the Amendment) and Planning Permit Application PP2022-0060, including the panel directions/hearing process, and the panel's report and recommendations to Council. In summary, the findings support Council adopting the amendment and submitting it to the Minister for Planning for approval.

Executive Summary

- Amendment C213warr seeks to rezone land at Riverview Terrace, Hopkins Point Road and Casuarina Court, Warrnambool, from the Rural Living zone to the General Residential zone (GRZ1). A combined planning application for a 2 lot subdivision at 32 Riverview Terrace is simultaneously proposed. The amendment removes the Design and Development overlay (DDO2) from the land and replaces it with the DDO17.
- During exhibition Council received six submissions and the key issues raised in the submissions include:
 - Impact on flora and fauna resulting in loss of biodiversity and associated impact on neighbourhood character
 - Impact on views from neighbouring properties associated with the two-lot subdivision of 32 Riverview Terrace
 - Requests from government agencies to include certain conditions on any permit issued.
- Council resolved to refer the submissions to an independent Planning Panel appointed by the Minister for Planning. An online directions hearing was held on 31 July 2024 followed by an in person panel hearing at Council offices on 27 August 2024.
- Council received the Panel report on 3 October 2024, and it was publicly released on 11 October 2024.
- The Panel has found that the Amendment is strategically supported and represents a logical extension to the adjoining General Residential zoned land. The Panel also supported the application for subdivision at 32 Riverview Terrace, and concludes that the two lots represent an orderly and logical development of the land. (See **Attachment 1** – Panel Report)

RECOMMENDATION

That Council:

1. Pursuant to Sections 27(1) and 96F of the Planning and Environment Act 1987 (the Act), receives and considers the Planning Panel's report regarding Amendment C213warr and Planning Permit PP2022-0060 to the Warrnambool Planning Scheme.
2. Pursuant to Section 29(1) of the Act, adopts Amendment C213warr as exhibited, subject to the following change:

- Revise Design and Development Overlay Schedule 17 to include “in accordance with any approved amendment plan, as approved under Development Plan Overlay Schedule 13” after ‘Protect views from existing dwellings in Banksia Drive and Acacia Court’.
3. Pursuant to Section 96G (1) of the Act, recommends to the Minister for Planning that planning permit PP2022-0060 to subdivide land at 32 Riverview Terrace, Warrnambool (Clause 32.08-3 and Clause 43.02-3) be granted generally in accordance with the ‘Panel Version-Draft planning permit, C213warr’ subject to the deletion of Condition 15b (Attachment 2).
 4. Pursuant to Sections 31(1) and 96H (1) of the Act, submits the final amendment, incorporating the panel's recommendations, and Planning Permit PP2022-0060 to the Minister for Planning for approval.

Background

This combined planning permit application and planning scheme amendment rezones 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. 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.

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 amendment was authorized by the Department of Transport and Planning and was placed on public exhibition between 18 April and 20 May 2024.

Six submissions were received, where two of those submissions were from government agencies, namely Wannon Water and DEECA.

Council resolved to refer the submissions to an independent Planning Panel, appointed by the Minister for Planning on 1 July 2024. An online panel hearing was held on 31 July 2024 followed by a panel hearing at Council offices on 27 August 2024 attended by three parties including a Council representative, the proponent, and one of the owner's representatives. Two site inspections were also undertaken by the panel chair, Annabel Paul on 26 and 27 August.

Issues

- **Submissions and panel procedure**

Key issues raised in submissions include:

- o impact on flora and fauna resulting in loss of biodiversity and associated impact on neighbourhood character (Submitters 1 and 2)
- o impact on views from neighbouring properties associated with the two-lot subdivision of 32 Riverview Terrace (Submitters 3 and 4)
- o requests from government agencies (DEECA and Wannon Water) to include certain conditions on any permit issued.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions and other material presented to it during the Hearing. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report. Only submitter 3 attended the panel hearing and raised the issue of view sharing.

Kings Lawyers (submitter 3) acted on behalf of the owners of 4 Banksia Drive, Warrnambool and made a submission to the combined Amendment / Permit application. This submitter did not request to be heard at the Hearing and did not attend the Directions Hearing. However Planning Panels gave consent for the submitter to attend and present to the Panel Hearing.

At the Hearing, Submitter 3 recommended additional changes to the draft permit including restrictions on the proposed building envelope, a new condition 1 and changes to proposed condition 13 requiring a section 173 agreement. Given the late filing of this submission and raising of new matters, the Panel gave Council and the Proponent until 30 August after the Hearing to respond in writing. Council responded in writing on 28 August 2024.

Planning Panels Victoria (PPV) sent the final report to the Council on 3 October 2024 where the report was made available to all parties who attended the panel hearing on 11 October 2024.

- **Assessment against issues**

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development as set out in Clause 71.02-3 (Integrated decision making) of the Warrnambool Planning Scheme.

The Panel agreed with the Proponent and Council that the proposed rezoning represents a logical extension to neighbouring land in the GRZ1, and that the land to be rezoned is no longer consistent with the objectives or subdivision standards of the RLZ. The current RLZ is inappropriate when considered against the existing pattern of development within the area, the zoning of the adjoining land, and the purposes of the RLZ. Conversely, the proposed GRZ to be applied to the land is consistent with the zoning of surrounding land to the west and east and will provide some landowners with modest development opportunities.

The Panel also supported the removal of DDO2 and replacement of DDO17 to the land as an appropriate change to the planning controls affecting the Amendment land subject to some minor wording revision.

While recognising that the rezoning will allow for some increased development opportunities, the Panel concluded that the Amendment itself will not impact on biodiversity or change the character of the area, and native vegetation impacts will be considered at the time of any future application for subdivision and/or development. Given the existing subdivision pattern, location of housing and access, as well as other constraints such as covenants on some lots, it is not anticipated that the rezoning will lead to substantial greater development with associated vegetation loss, but rather will provide some modest opportunities for development on some lots.

Regarding concerns about the future development of 32 Riverview Terrace and its impact on the views from the owners of 2 and 4 Banksia Drive, located northeast of the subject site, a pole height assessment was conducted during the site inspection on 26 August 2024, with the Panel, Proponent, Council, and the representative of 4 Banksia Drive in attendance. A previous pole height assessment had also been conducted by the proponent, accompanied by representatives of Council and 4 Banksia Drive on 15 July 2024.

The 4 Banksia Drive owners hold the view that the DDO17 creates a legitimate expectation that significant views will not only be reasonably shared but protected. The 2 Banksia Drive owners submitted that they enjoy views to the west across 32 Riverview Terrace from their living room and outdoor balcony. The Panel disagrees with the 4 Banksia Drive owners that their expectation should be for the 'protection of views' rather than one of 'view sharing'. The Planning Scheme refers to allowing for "the reasonable sharing of views to the Ocean and / or Hopkins River from adjoining properties" as described in Clause 11.03-2L-02.

In relation to 2 Banksia Drive, the Proponent acknowledged that any development of the subject land exceeding 5 metres in height will impact on current views from this property towards the Hopkins River. Given the subject site is vacant, they submitted that some development of the land is reasonable, and it would be impractical to limit development to maintain current views.

Following a thorough review of the submissions and the site inspection conducted by the appointed panel, the report concluded that:

- The Amendment is supported by and implements the relevant sections of the Planning Policy Framework and is well founded and strategically justified.
- The Amendment and the subdivision application will not have any unreasonable impacts on biodiversity or the character of the neighbourhood.
- The subdivision will not result in built form that will have any unreasonable impact of views from key public viewing points
- View sharing from neighbouring properties should be considered during application for buildings and works, and be assessed under the provisions of DDO17.
- The building envelope as exhibited should apply without the need for a three-dimensional building envelope or further restrictions on the property title.
- The additional words to limit the 'protection of views' from Banksia Drive and Acacia Court to be in accordance with an approved development plan under Development Plan Overlay Schedule 13 is warranted to ensure no unintended consequence.
- The planning permit PP2022-0060 should be granted subject to conditions.

The report also suggests the following minor revisions:

- Revise Design and Development Overlay Schedule 17 to include "in accordance with any approved development plan, as approved under Development Plan Overlay Schedule 13" after 'Protect views from existing dwellings in Banksia Drive and Acacia Court'.
- Issue planning permit PP2022-0060 to subdivide land (Clause 32.08-3 and Clause 43.02-3) generally in accordance with the 'Panel Version – Draft planning permit, C213warr' subject to the deletion of Condition 15b (Attachment 2) .

- **Benefits**

The amendment will enable a small increase in the provision of residentially 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. The Panel was satisfied that the Amendment will deliver net community benefit and sustainable development as required by Clause 71.02-3.

Financial Impact

Costs associated with the panel hearing for Amendment C213warr are accounted for in the 2024/25 City Strategy and Development Budget. Statutory fees associated with the Amendment 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.

Timing

A resolution is sought to adopt the recommendations of the Panel at the next available Ordinary Meeting. After adopting the amendment and the recommendations made by the Panel, the documents will be submitted to the Minister for Planning for final approval.

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. All submitters were notified of the Council resolution to refer the amendment to an independent planning panel appointed by the Minister for Planning and were invited to both the online directions hearing and panel hearing by the PPV to express their views on the amendment.

Legal Risk / Impact

Amendment C213warr has been assessed against the relevant provisions of the Warrnambool Planning Scheme, and in line with 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. Furthermore, the application of DDO17 to sites within the amendment provides appropriate future guidance on built form, vegetation, view sharing and neighbourhood character.

It is recommended that Council adopt and send this amendment and Planning Permit PP2022-0060 to the Minister for Planning for final approval subject to the aforementioned revisions.

ATTACHMENTS

1. Warrnambool C 213 warr P P 2022-0060 Panel Report [7.6.1 - 35 pages]
2. FINAL Panel version Draft Planning Permit C213warr 18 Nov 2024 [7.6.2 - 5 pages]

7.7. Council Plan Actions 2024 - 2025: July - September (Quarter 1)

DIRECTORATE: *Corporate Strategies*

Purpose:

This report provides information on the progress in achieving the actions set down for 2024-2025 as part of the Council Plan and Budget process. This report provides Council and the community with an update in the progress of actions across Councils' functional areas.

Executive Summary

This report reflects on the progress and achievements of a broad range of actions set out in the Council Plan and Budget for the financial year 2024 –2025.

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

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

The 5 key objectives that support this vision are:

1. **A healthy community**
We will be a healthy, inclusive and thriving community with equitable access to services, cultural opportunities and recreational activities.
2. **A sustainable environment**
We will protect and strengthen local ecosystems, enhance biodiversity and enable sustainable communities.
3. **A strong economy**
We will support a resilient local and self-sustaining regional economy that encourages economic growth and provides increased employment opportunities that attract ongoing investment.
4. **A connected, inclusive place**
We will provide high quality places that people value and want to live, work, play and learn in.
5. **An effective Council**
We will be recognised as a collaborative Council and a high-performing organisation that enables positive outcomes for Warrnambool’s community, environment and economy and for Victoria’s South West.

RECOMMENDATION

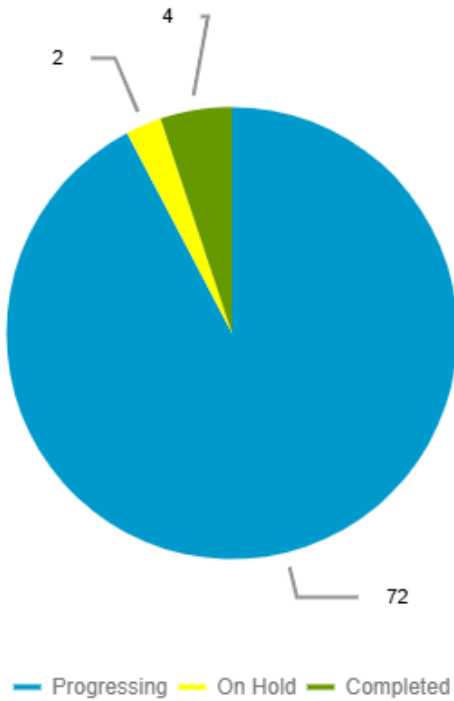
That the Council Plan Actions 2024 – 2025: July – September (Quarter 1), be received.

Background

The Warrnambool City Council Plan 2021 – 2025 (Revised 2024) is the key planning and strategic document of the Council and details the strategic objectives for its community over a 4 year period.

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

Q1 ACTIONS BY CATEGORY



ATTACHMENTS

1. Council Plan Actions 2024 - 2025: July - September (Quarter 1) [7.7.1 - 24 pages]

7.8. Declaration Of Liquor Free Area In Warrnambool's Central Business District

DIRECTORATE : City Infrastructure.

Purpose:

This report provides an overview of Part 3, Division 4 (Consumption of Liquor) from Warrnambool City Council Community Amenity Local Laws and recommendations to assist with enforcement.

Executive Summary

An internal review of the laws and regulations regarding Consumption of Liquor was requested to assist Local Laws Officers and Victoria Police in enforcing the offence if required.

Council officers have met with Victoria Police who have recommended that a Liquor Free Area be declared for the Warrnambool Central Business District and that Victoria Police Officers be made Authorised Officers to enforce provisions of Clause 64 of the Warrnambool City Council Community Amenity Local Law.

RECOMMENDATION

That Council:

1. Declare at all times the area bound by the corner of Merri Street and Banyan Street, to the corner of Raglan Parade East Bound and Banyan Street, to the intersection of Spence Street and Raglan Parade, to the intersection of Jamieson Street and Spence Street, to the corner if Raglan Parade East Bound and Jamieson Street, to the intersection of Henna Street and Raglan Parade East Bound, following Henna Street to the Railway Line, following the railway line to Pertobe Road, and to the corner of Merri Street and Banyan Street to be a Liquor Free Area, as per the map at attachment 1.
 2. Instruct the Chief Executive Officer to issue a notice in the Victorian Government Gazette that any Police Officer may act as an 'Authorised Officer' as per section 223 of the *Local Government Act 1989* to enforce provisions of Clause 64 of the Warrnambool City Council Community Amenity Local Law regarding the consumption and possession of liquor.
 3. Erect signs in consultation with Victoria Police to enable the enforcement of Clause 64 of the Warrnambool City Council Community Amenity Local Law.
 4. Note that the restrictions on possession and consumption of liquor do not apply to any business or persons who have a permit to serve or consume liquor.
-

Background

The Warrnambool City Council's Community Amenity Local Law was adopted by Council on 4 February 2019.

This Local Law gives Warrnambool City Council the ability, by resolution, to declare a municipal place or part of a municipal place to be a liquor free area during the times specified in the resolution.

The Local Law further provides that a person must not, without a permit, consume or have in their possession liquor, other than in a sealed container, in or on any municipal place, which has been declared by the Council to be a liquor free area during the times specified.

In recent months, there have been numerous concerns from community members regarding a rising number of incidents of anti-social behavior in Warrnambool. There have been meetings between Police and business owners, as well as media coverage on the topic. There have been concerns raised that residents are feeling unsafe in the CBD.

Issues

As of November 2023, it is no longer an offence to be intoxicated in a public place in Victoria. The offence was often used by Police to deter, arrest and detain members of the public acting in a way detrimental to the community and/or a harm to themselves. Police can no longer rely on the offence to keep public order and provide safety to both the community and the offenders themselves.

Conversations have been had between Council and Victoria Police to test support for authorising Police Officers to enforce Council's Local Law liquor provisions which has been supported as a further means to ensure community order and safety.

Discussions with Victoria Police have identified several 'trouble areas' within Warrnambool's Central Business District. Victoria Police have requested that the area defined in the map at attachment 1 to be declared liquor free. This is essentially the areas bound by Henna Street, Merri Street, Banyan Street, and Raglan Parade, but has some extensions to take in James Swan Reserve, KFC and the adjoining car park, and Cannon Hill.

The Local Law also requires signage be erected for the Local Law to be enforceable. It is proposed that these sign locations be determined by Council Officers in consultation with Victoria Police.

Enforcement of Council's Local Laws requires that any person be made an authorised officer under the *Local Government Act 1989* and *Local Government Act 2020*. Section 223 of the *Local Government Act 1989* specifically allows that Police Officers be authorised by position to enforce liquor related local laws. It is proposed that Council make this authorisation.

Notably, the Local Law has an express exemption for those who possess a permit from offences under Clause 64 of the Local Law. This means that making the recommended resolutions will not impact on the ability of CBD businesses to be able to trade or undertake outdoor dining activities.

Financial Impact

The financial impact of making this declaration is minimal. The primary cost will be the purchase and erection of signs in the declared area.

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.

Timing

Victoria Police have requested that this declaration be made and signage erected before the end of December 2024.

Community Impact / Consultation

The businesses in the CBD have been asking for assistance from the Police and Council in regard to a rise in crime involving theft, public disturbance, drunkenness, and loitering.

Consultation was conducted with the Local Laws, Economic Development Team and Police.

On Friday, 15th November further consultation was conducted with Victoria Police.

Legal Risk / Impact

Appropriate declarations and authorisations allow for the lawful enforcement of Council's Local Law.

Council's Local Laws Officers do not have training in dealing with intoxicated persons and are not equipped with personal protection devices like batters or capsicum spray. It is not anticipated that Council staff have primary responsibility for enforcing the relevant provisions of the Local Law. This will sit with Victoria Police.

Officers' Declaration of Interest

Nil.

Collaborative Procurement

Not applicable.

Conclusion

It is proposed that Council declare the area mapped in Attachment 1 be declared a Liquor Free Area. This area is primarily the area bound by Henna Street, Raglan Parade, Banyan Street, and Merri Street, however, also includes some adjoining areas.

If Council were to make this declaration signage would be erected in consultation with Victoria Police and Police Officers would be appointed Authorised Officers to enforce the Local Law.

ATTACHMENTS

1. Proposed Liquor Free Zone [7.8.1 - 1 page]
2. Warrnambool City Council Community Amenity Local Law [7.8.2 - 47 pages]

7.9. Quarterly Financial Report - July To September 2024

DIRECTORATE : Corporate Strategies

Purpose:

The purpose of this report is to present the July to September 2024 Quarterly Financial Report to Council.

Executive Summary

- This quarterly finance report compares actual financial results to budget and forecast for the three months from 1 July 2024 to 30 September 2024 – refer Attachment 1 Quarterly Finance Report.
- The report sets out the financial results for Council's recurrent (day-to-day) operations, projects, capital works, rates, and borrowings.
- This report meets the requirements of section 97 of the Local Government Act 2020 to present a quarterly financial report to Council at a public meeting that compares actual results against budget.

RECOMMENDATION

That the Quarterly Financial Report July to September 2024 be received.

Background

Section 97 of the *Local Government Act 2020* stipulates:

1. As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public.
2. A quarterly budget report must include—
 - a. a comparison of the actual and budgeted results to date; and
 - b. an explanation of any material variations; and
 - c. any other matters prescribed by the regulations.
3. In addition, the second quarterly report of a financial year must include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required.

The July to September 2024 Quarterly Financial Report has been prepared and meets the requirements of the act.

The July to September 2024 Quarterly Financial Report shows an unfavourable year to date cash position of \$0.1 million. This is mainly related to timing of income versus expenditure. For instance, council carried out works for third parties as part of the Kepler/Lava Street roundabout upgrade and had not, at the end of September, invoiced the third parties for the reimbursement of these costs. This timing variance will be corrected as the final costings are completed and invoiced.

Council's net underlying surplus (on the Comprehensive Income Statement) is a favourable position of \$0.1 million year to date. The Income statement is prepared in line with Australian Accounting Standards (as required by the Act), and, per the standards, include some non-cash items (such as land contributions and depreciation), whilst excluding some cash items (such as capital works). The favourable variance is mainly due to higher income due to the timing of developer contributions, which is partially offset by higher expenditure in materials and services. These variances are further detailed in the attached report.

Council's cash position remains sound, with \$50.7m held in investments at the end of the quarter. These funds are held for the delivery of Council's Infrastructure program, delivery of services, Development Contribution Plans and statutory requirements and do not represent discretionary holdings. Council generally receives a large portion of its income at the start of the financial year (such as grants) and will use these funds throughout the rest of the year as it delivers services and projects.

Financial Impact

Council's current financial position remains sound and generally in line with budget expectations.

Legislation/Policy/Council Plan Context

5 An effective Council

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

Timing

This quarterly report is provided in line with the timing requirements of the *Local Government Act 2020*.

Community Impact/Consultation

This report is provided to inform Council and the community on the organisation's financial position as required by the *Local Government Act 2020*.

Conclusion

The Quarterly Financial Report July to September 2024 is presented to Council in line with the requirements of the Local Government Act 2020. Council remains in a sound financial position.

ATTACHMENTS

1. Quarterly Financial Report - July to September 2024 [7.9.1 - 13 pages]

7.10. Flagstaff Hill Local Ambassador Program

DIRECTORATE : City Growth Visitor Economy

Purpose:

This report provides information on the proposed Flagstaff Hill Local Ambassador Program which includes the proposal to offer free entry for residents of the Warrnambool City Council municipality.

Executive Summary

This report outlines the benefits of establishing a robust network of local ambassadors for Flagstaff Hill (FSH). The proposed "Flagstaff Hill Local Ambassador Program" aims to grant Warrnambool residents free access to Flagstaff Hill Maritime Village, with the exception of structured programs, guided tours, functions, and events. The report details the rationale, program specifics, and expected impacts of this initiative.

PROGRAM DETAILS

1. **Free Access:** Warrnambool residents will be granted free access to Flagstaff Hill Maritime Village during regular operating hours.
2. **Identification:** To gain access, residents must present a driver's license or other valid identification proving Warrnambool as their primary place of residence.
3. **Exclusions:** Free access does not apply to groups participating in structured programs, guided tours, functions, and events.

WHY DO WE WANT LOCAL AMBASSADORS?

The primary goal of establishing a Local Ambassador Program is to foster greater engagement between Warrnambool residents and Flagstaff Hill Maritime Village (FSH). Instead of merely offering free admission, this program aims to cultivate a sense of ownership and pride among locals, transforming them into advocates for the village. By deepening their connection to the cultural and historical significance of FSH, residents will be more likely to share their experiences with friends and relatives, especially those visiting from out of town. Given that Visiting Friends and Relatives (VFR) accounts for 33% of Warrnambool's domestic visitors, empowering locals as ambassadors could significantly amplify visitor numbers and enhance the village's profile.

This initiative is particularly crucial in addressing the concerning trend of declining visitation to FSH, which has seen a reduction of 4.7% per annum, despite Warrnambool's overall visitation increasing by 3% per annum. By enriching the experiences of locals and encouraging them to act as promoters of FSH, we can begin to reverse this decline. Positive word-of-mouth and firsthand recommendations from engaged locals will likely draw more visitors to the village, boosting both foot traffic and community pride.

In essence, the Local Ambassador Program will not only help increase visitor numbers but also foster a stronger, more connected community around FSH. It aims to establish the village as a must-see destination for both locals and their visitors, ensuring that FSH remains a vibrant and integral part of Warrnambool's cultural landscape.

RECOMMENDATION

That Council endorses the implementation of the Flagstaff Hill Local Ambassador program where locals enter the village for free.

Background

Flagstaff Hill Maritime Village (FSH) has long been a cornerstone of Warrnambool's cultural landscape. Despite its significance, local sentiment has been lukewarm.

Nevertheless, community events such as "Chill on the Hill" and periodic cannon firings have consistently attracted substantial local crowds, underscoring the potential for deeper engagement and increased community involvement.

Visitor Experience and Feedback

Feedback from those who do visit FSH is overwhelmingly positive, with a consistent rating of 4.5 out of 5 stars. This high satisfaction rate indicates that the issue lies not with the quality of the visitor experience but with attracting new visitors to the site.

Tourism Research Australia Data

Tourism Research Australia provides insights into domestic visitation patterns in Warrnambool, revealing the following key data for overnight trips:

Category	Details
Purpose of Visit	Holiday: 42% VFR: 33% Business: 19% Other: 6%
Travel Party Composition	Lone Travellers: 32% Adult Couples: 23% Family Groups: 21% Friends/Relatives: 18%
Activities Undertaken	Social: 39% Outdoor/Nature: 10% Active Outdoor/Sports: 10%
Category	Details
Purpose of Visit	Holiday: 42% VFR: 33% Business: 19% Other: 6%
Travel Party Composition	Lone Travellers: 32% Adult Couples: 23% Family Groups: 21% Friends/Relatives: 18%
Activities Undertaken	Social: 39% Outdoor/Nature: 10% Active Outdoor/Sports: 10%

With 33% of visitors coming to Warrnambool to see friends and relatives, there is significant potential to leverage this segment for increased FSH attendance. By aligning FSH's offerings with the interests and needs of these visitors, FSH can tap into this substantial market, potentially increasing spending and extending visitors' stays in the region. This would benefit the entire area's visitor economy.

Current Efforts and Trial Insights

There are notable opportunities to increase local visitation & patronage by hosting a range of exhibitions, unique & special events within the village, being a more frequented meeting space for youth aged 15-18 years, and the opportunity to drive additional revenue through our tea rooms & gift shop which would receive greater patronage.

Introducing free local memberships would drive an invested interest & provide a sense of ownership that all locals can be proud of. Recent trials provide promising evidence of the potential success of such a program:

- **November and December 2023 Trial:** Issued 316 unique local memberships, resulting in 575 individual visits.
- **Easter Long Weekend Trial:** The "free for locals" initiative saw 217 locals visit FSH during a 3-hour afternoon window.

These trials provide promising evidence that tailored incentives can significantly boost local engagement. By expanding on these findings, we can develop more effective community outreach strategies, thereby increasing Flagstaff Hill's visibility and strengthening its role in both the local and broader visitor economy.

Issues

It is evident from the recent trial that a lot more locals visited the site than would ever become members, bringing with them visiting friends and family. The advantage of this was a lot more visitation and greater spend in the tearooms and gift shop.

FSH currently offers memberships, but uptake is minimal, with only 84 members. Current membership options are:

- **Full Family:** \$127.30
- **Family:** \$100.80
- **Single:** \$44.60

It is envisaged that membership may still be useful for visitors in neighboring shires and as such FSH is currently looking at the best option for the membership options that currently exist. Maintaining the status quo may result in continued decline in visitation, achieving nothing.

Financial Impact

The proposed Local Ambassador Program is anticipated to deliver significant financial benefits for Flagstaff Hill (FSH) and the broader Warrnambool Visitor Economy. By encouraging word-of-mouth referrals and attracting local visitors who bring friends and relatives (VFR), the program will likely increase foot traffic through FSH's food and beverage areas and gift shop, resulting in higher sales.

The program is also expected to extend visitor stays and spending within Warrnambool. Visitors who come to FSH may be inspired to explore other local attractions, dine at local restaurants, and stay longer in the region, enhancing the overall economic impact. This extended stay benefits the local economy by boosting revenue from accommodation, dining, and other local services.

Additionally, the positive experiences and recommendations are likely to encourage repeat visits, as satisfied visitors return and bring new guests.

The potential average revenue loss from locals currently paying for entry is:

- Daily: \$22.45
- Weekly: \$157.19
- Annually: \$8,174

However, the financial advantages are expected to outweigh this loss. The marketing value alone from press releases, with subsequent media coverage, would be valued well over this figure. The associated positive word of mouth coupled with the forecasted extra revenue from VFR and associated spending, makes this initiative viable.

Other anticipated benefits include:

- **Targeted Email Marketing Campaigns:** Improved engagement and communication with local audiences, leading to increased awareness and visits.
- **Higher Conversions:** Enhanced visitor experiences that foster repeat visits and longer stays in the region.
- **Cost-Effective Marketing:** Leveraging the ambassador program to gain widespread promotion without significant additional marketing expenses.

Overall, the Local Ambassador Program is expected to have a positive financial impact by boosting sales at FSH and supporting the local economy through increased visitor spend and extended stays.

With the introduction of the local ambassador program, the tea rooms will become a more frequented food & beverage option for locals with the removal of admission for entry.

FLAGSTAFF HILL RE-IMAGINED

Vision and opportunities plan

This proposal is also supported by and supports the **Flagstaff Hill Reimagined vision and opportunities report** endorsed by council in February 2024. In particular;

PRECINCT OPPORTUNITIES – pages 92 – 95. Items:

4. Food and Beverage

There is an opportunity to enhance the food and beverage offerings across the site, including consideration of:

- A destination food and beverage offering, targeting locals and visitors
- Village food and beverage offerings

6. Functions and Events

The site currently hosts a limited series of events, with opportunity to expand this offering by addressing infrastructure and access constraints (such as location of and limited food drink preparation areas, quality of function spaces, and site accessibility).

IMPLEMENTATION APPROACH – page 99. Item:

Deliver interim capital works

Deliver interim capital works (documented in the detailed masterplan, but could include):

- Expand on site function and events offerings (including night-time events)

A highlighted added footnote to this is:

Consider changes to operations and governance alongside any capital investment, to improve operating performance and deliver new tourism experiences.

Legislation / Policy / Council Plan Context

1 A healthy 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.

3 A strong economy

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

Timing

It is proposed to be approved via Council resolution at the December Council meeting. Will be activated in the week following the December Council meeting.

Community Impact / Consultation

Advises Council's communications approach:

- Inform, consult, involve, collaboration or empower.

Legal Risk / Impact

No risk assessment is required.

Officers' Declaration of Interest

No conflicts of interest are declared.

Collaborative Procurement

No Procurement is required

Conclusion

The Flagstaff Hill Local Ambassador Program stands as a pivotal opportunity to reinvigorate Flagstaff Hill Maritime Village (FSH) by harnessing the power of local engagement. By building local Warrnambool Ambassadors, the program is poised to transform locals into enthusiastic advocates, driving increased visitation and enhancing the village's profile. This initiative promises not only to reverse the recent decline in visitation but also to create a ripple effect throughout the local economy.

The anticipated boost in local engagement and positive word-of-mouth is expected to generate significant financial benefits, from increased foot traffic and sales at FSH to enhanced economic activity across Warrnambool. By aligning FSH's offerings with the interests of local residents and their visiting friends and relatives, we can leverage this substantial market segment to elevate FSH's prominence as a key cultural destination.

Implementing the Local Ambassador Program aligns seamlessly with the Council's goals for visitor growth and economic vitality, ensuring FSH remains a vibrant and integral part of Warrnambool's cultural landscape. This program not only addresses current visitation challenges but also positions FSH for long-term success and community engagement. Moving forward with this initiative will be a strategic investment in both the immediate and future prosperity of Flagstaff Hill Maritime Village and the broader Warrnambool region.

ATTACHMENTS

Nil

7.11. 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 Meeting of Council is enclosed:-

1. Monday 25 November 2025 – refer **Attachment 1**.

ATTACHMENTS

1. Assembly of Councillors Record 25 November 2024 [7.11.1 - 2 pages]

RECOMMENDATION

That the record of the Informal Meeting of Council held on 25 November 2024, be received.

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

Purpose

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

Report

Date	Location	Function
24 October 2024	Warrnambool	Mayor – Attended South West TAFE 2024 Trades Awards presentations.
26 October 2024	Warrnambool	Chief Executive Officer – Attended and spoke at the official opening of the Warrnambool Agricultural Show.
8 November 2024	Woolsthorpe	Chief Executive Officer – Attended the funeral of the late Colin McKenna.
11 November 2024	Portland	Chief Executive Officer – Attended a workshop on Renewable Hydrogen for the Barwon South West Region facilitated by Barwon Water.
16 November 2024	Warrnambool	Chief Executive Officer – Attended and spoke at the Claw Money exhibition opening at the Warrnambool Art Gallery.
19 November 2024	Warrnambool	All Councillors attended a Regional Councillor Induction day.
20 November 2024	Warrnambool	Deputy Mayor - Attended Clontarf Academy End of Year Awards
21 November 2024	Warrnambool	Mayor - Hosted Mayor's Breakfast Briefing for 2024.
22 November 2024	Warrnambool	Mayor – Attended the launch of 16 Days of Activism.
30 November 2024	Warrnambool	Cr Ziegeler represented the Council at the Warrnambool Gift.

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. Suspension of Standing Orders

11.1 Resolution To Suspend Standing Orders

RECOMMENDATION

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

11.2 Resume Standing Orders

RECOMMENDATION

That standing orders be resumed.

11.3 Resolution to Close Meeting

RECOMMENDATION

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

12. Section 66(In-Camera) Meeting - Confidential Items

- 12.1 Minutes In-Camera Meeting of Council – 2 September 2024
- 12.3 Citizen of the Year Awards 2024
- 12.4 Early Years Education

13. Resolution To Re-Open Meeting

RECOMMENDATION

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

14. Close f Meeting