

AGENDA SCHEDULED MEETING

WARRNAMBOOL CITY COUNCIL – 5:45PM Monday 7 July 2025

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

Behaviour At Council Meetings

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

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1. Opening Prayer & Original Custodians Statement

Almighty God

Grant to this Council

Wisdom, understanding and Sincerity of purpose

For the Good Governance of this City

Amen.

Original Custodians Statement

Council acknowledges the Peek Whurrong and Kirrae Whurrung Peoples of the Maar Nation, their land, waterways and skies within the Warrnambool municipality. We pay our respects to their Elders past and present.

2. Apologies**3. Confirmation Of Minutes**

RECOMMENDATION

That the Minutes of the Scheduled Meeting of Council held on 2 June 2025 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. Community Satisfaction Survey 2025

DIRECTORATE: Corporate Strategies

Purpose:

This report provides a summary of the 2025 Community Satisfaction Survey.









Executive Summary

The results of the 2025 Community Satisfaction Survey are extremely positive.

On all eight core measures Council's results are above the regional centre average and the statewide average.

Council recorded improvements in six of eight core measures assessed in the 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 2024 result.

Core measure	Warrnambool 2025	Warrnambool 2024	Regional centres 2025	Statewide 2025
Overall performance	58 	55	54	53
Value for money	50 	48	47	47
Community consultation	51 	48	49	50
Making community decisions	51 	46	48	49
Sealed local roads	52 	54	46	45
Waste management	71 	69	65	65
Customer service	70 	67	68	66
Overall Council direction	51 	51	48	46

The most significant increase was in the “making community decisions” measure, which increased by five points.

The overall Council direction and overall performance measures were five points above the state average. More residents (58%) think Council is now generally heading in the ‘right direction’ than those who think Council is heading in the ‘wrong direction’ (33%).

The sealed local roads measure was comfortably clear of the state and regional result but fell slightly on Council’s own score in 2024. It is likely that perceptions of Council’s performance in this measure suffered because of sentiment around the poor condition of many Victorian Government roads.

The value for money measure increased by two points and was three points above the state and regional average. Waste management and customer service also increased to six and four points above the state average respectively.

Residents aged 35 to 49 years and women (index score of 58 for both) rate Council’s performance significantly higher than last year.

Residents aged 65+ years rate overall performance highest (62) while residents aged 50-64 years rate overall performance lowest (53).

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 numerous 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 with an increase of three points to 77, followed by appearance of waste management (71) and the perennially high rating appearance of public areas (70).

Service area	2025	2024	2023	Statewide
Art centres and libraries	77	74	76	73
Waste management	71	69	70	65
Appearance of public areas	70	71	73	68
Recreational facilities	68	64	67	67
Emergency and disaster management	66	65	66	65
Community and cultural	64	64	65	65
Enforcement of local laws	64	62	66	59
Elderly support services	63	63	59	63
Family support services	63	60	63	62
Traffic management	61	56	57	54
Bus/community dev./tourism	60	61	63	56

Environmental sustainability	59	60	61	59
Business and community development.	58	57	58	54
Disadvantaged support services.	58	55	59	58
Local streets and footpaths	57	56	55	52
Population growth	56	51	57	48
Informing the community	55	52	51	56
Parking facilities	54	55	51	54
Sealed local roads	52	54	50	45
Town planning policy	51	51	50	48
Planning and building permits	51	50	51	43
Consultation and engagement	51	48	46	50
Community decisions	51	46	44	49
Lobbying	50	46	48	49

RECOMMENDATION

1. That the 2025 Community Satisfaction Survey be received.
2. That the 2025 Community Satisfaction Survey results be placed on the Warrnambool City Council website.

Background

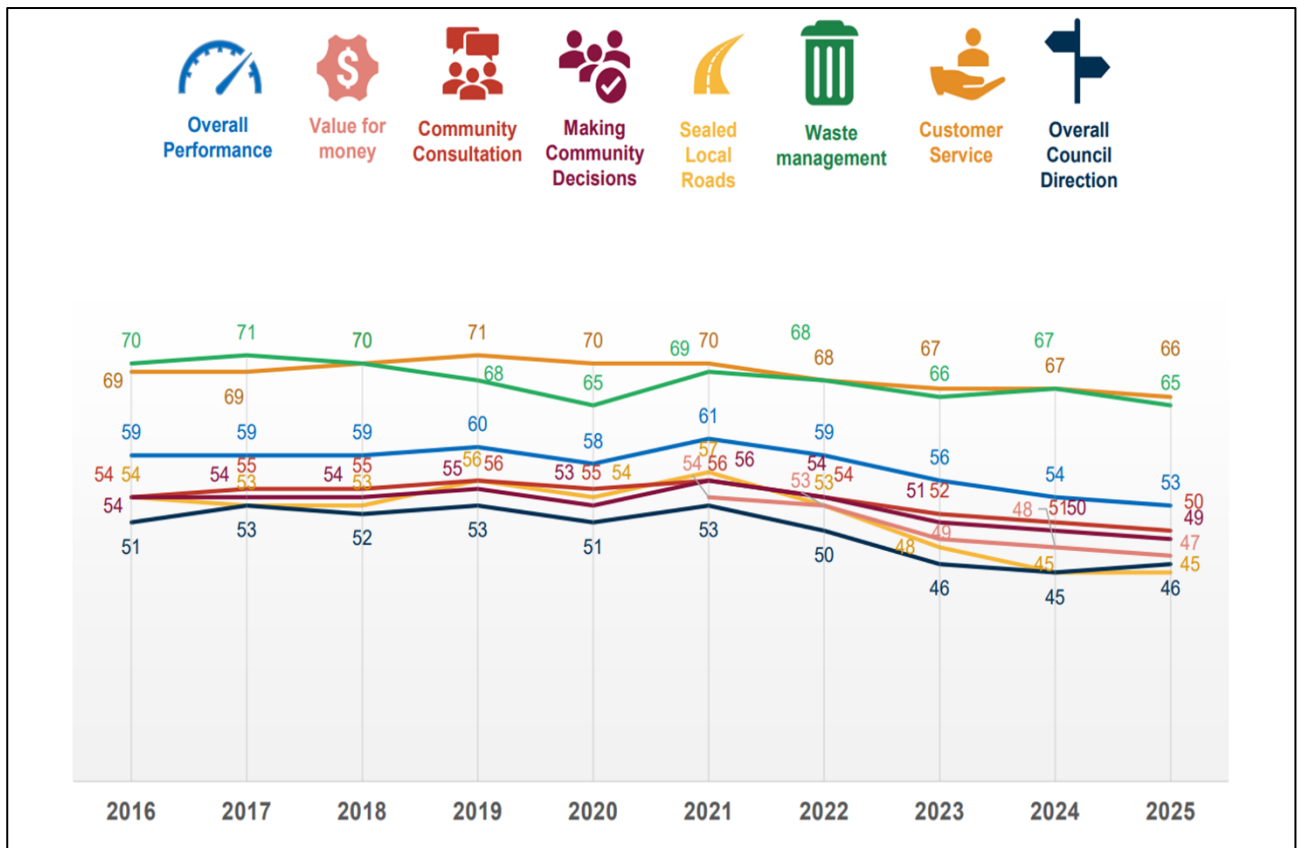
Each year most Councils across Victoria participate in a Local Government Community Satisfaction Survey.

This year, 56 of 79 Councils participated in the survey. In Warrnambool, 400 phone interviews were conducted with a representative sample from each demographic group from January 28 to March 16

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.

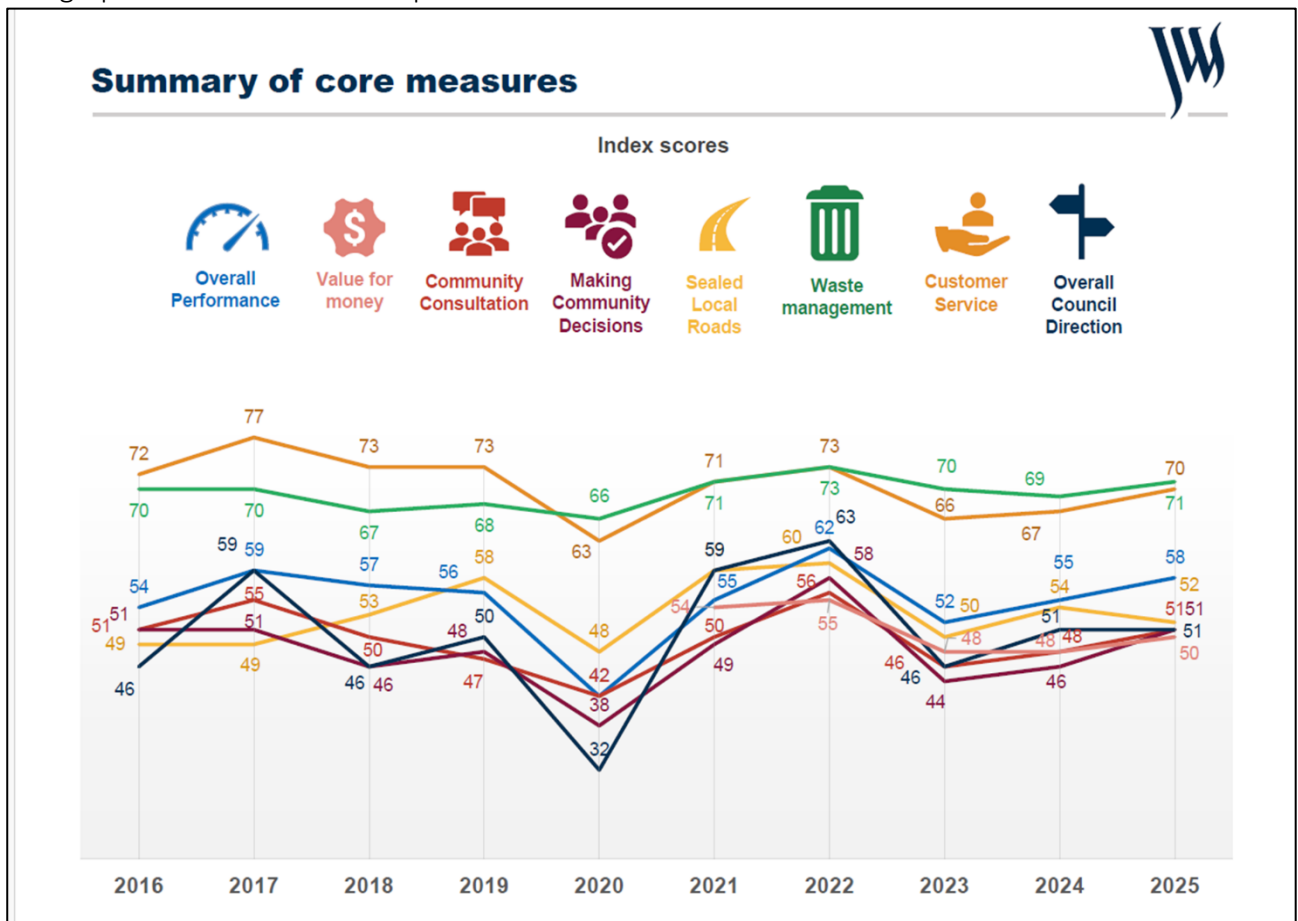
The core measures are overall performance, value for money, community consultation, making community decisions, sealed local roads, waste management, customer service and overall Council direction.

Council's results defied a statewide trend of decreasing satisfaction over the past two years.



The graph above shows the statewide downward trend.

The graph below shows a more positive trend for Warrnambool.



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

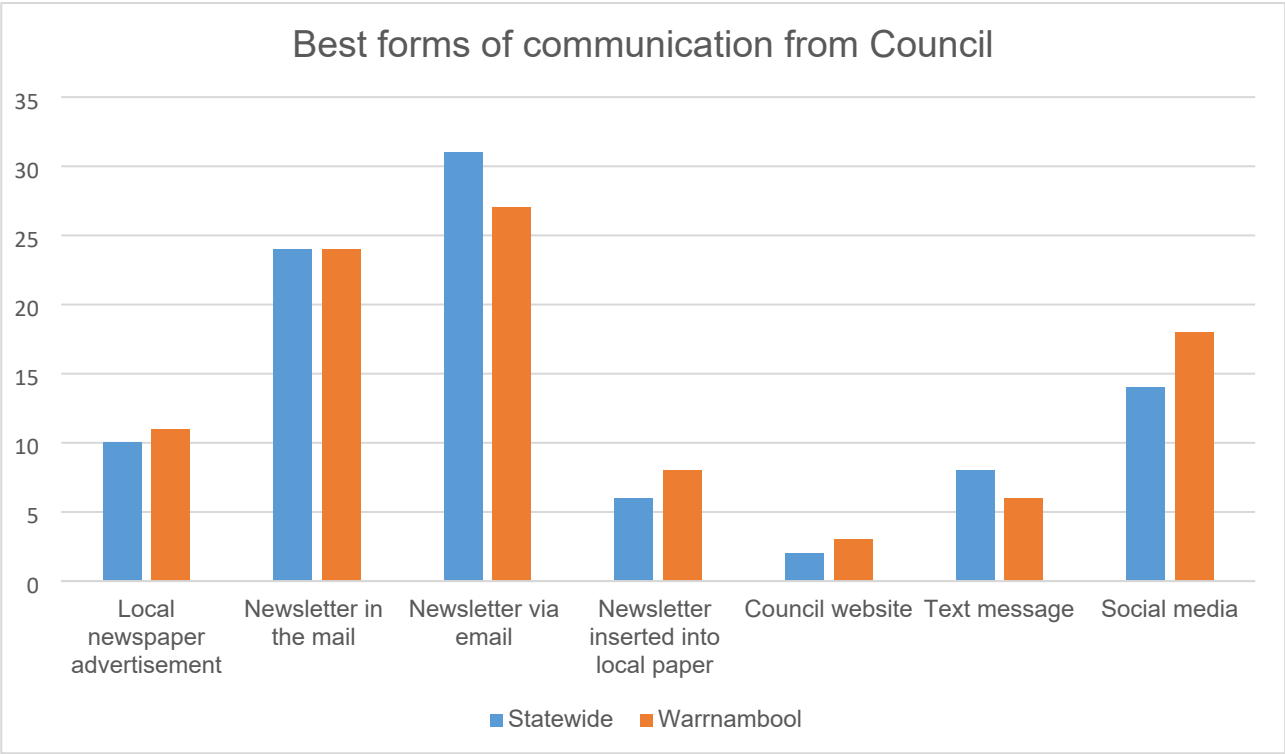
Service areas where importance exceeded performance by 10 points or more are shown in the table below. Encouragingly, traffic management and recreational facilities are no longer on this list, having narrowed the gap between performance and importance.



Three in five residents had contact with Council over the past year. The most common methods of contacting Council remained in person (32%) and by telephone (30%). Fewer contact Council via email (23%), in writing or through the Council website (11% for both).

Respondents rated the service received in-person highly (77), followed by the website (75), social media (72) and telephone (71). Contact by email and letter were significantly lower (61 and 55 respectively).

In a significant shift, respondents overall preferred method of communication from Council was a newsletter received via email rather than through mail. When broken down to under 50s and over 50s, those under 50 preferred to receive information via social media while those over 50 preferred a newsletter via email.



Issues

Prevailing issues at the time the survey was undertaken can have an influence on responses. At the time of the survey South West road deaths featured in news reports while road conditions were reported to be deterring visitors.

Financial Impact

N/A.

Legislation / Policy / Council Plan Context

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

Timing

Council is able to consider the results in a timely manner and 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 can be used to inform the Council Plan and its associated Annual Action Plan.

Officers’ Declaration of Interest

Nil.

Collaborative Procurement

N/A.

Conclusion

The report states that perceptions of Warrnambool City Council's overall performance are not significantly different from last year but have been trending upwards over the past two years following a significant decline in 2023. Performance perceptions on all metrics evaluated are also in line with 2024 or have significantly improved. More residents (58%) think Council is now generally heading in the 'right direction' than those who think Council is heading in the 'wrong direction' (33%).

ATTACHMENTS

1. J 01430 CSS 2025 Warrnambool City Council Report [7.1.1 - 163 pages]

7.2. Audit & Risk Committee Biannual Report: July - December 2024

DIRECTORATE: Corporate Strategies

Purpose:

This report provides a synopsis of activities from Warrnambool City Council's Audit and Risk Committee from July to December 2024.

Executive Summary

A requirement within the Audit and Risk Committee Annual Workplan is to present a report on the activities of the Committee to the Council on a twice-yearly basis. The Audit and Risk Committee is a committee required to be established by legislation and requires membership of a majority of independent members with an independent chair. At Warrnambool there are three independent members including an independent chair. Councilor Blain and Councilor Walsh are Council representatives on this committee. The committee is also serviced by our independent internal audit and risk advisors, Crowe.

RECOMMENDATION

That Council:

1. Receive the Audit & Risk Biannual Report of Activities – July to December 2024.
 2. Revoke the Audit & Risk Committee Charter 2024.
 3. Adopt the attached Audit & Risk Committee Charter 2025.
-

Background

The Audit and Risk Committee plays an important oversight role in Council operations. It reviews internal audit findings and financial reporting outcomes and can provide advice to the Council through the chair's reports about key organisational risks and issues.

The committee also receives and recommends council outcomes on Council's external audit findings undertaken by the Victorian Auditor General's Office "(VAGO)". The council received a "clear of qualification" audit opinion of its statutory Annual Report from VAGO and this was presented to the Audit and Risk Committee in August 2024 with the annual report being recommended by the committee to proceed to Council for adoption.

The Committee continues to review and monitor the Strategic Internal Audit Plan with Internal audits undertaken by our independent audit Partner Crowe Australasia. The council's internal auditors present these reports and findings as each review is completed. These reviews ordinarily result in a series of actions for the organisation to implement that provide opportunities for process improvement and risk mitigation.

The Current Strategic Internal Audit Plan is as follows:

			Findings by Risk Rating		
Internal Review Area	Planned Presentation to Committee	Completed	High Risk Rating	Medium Risk Rating	Low Risk Rating
Immunisation Management	December 2024	Yes	0	2	1
Assurance Mapping	March 2025	Yes	-	-	-
Occupational Health and Safety	March 2025	Yes	0	5	3
Customer Services and Complaints Handling	March 2025	Yes	0	3	0
Fraud and Corruption	May 2025	Yes	0	2	11

Final internal audit reports are reviewed and discussed by the Committee at each of the scheduled meetings. The status of Internal Audit recommendations are reported to the Committee on a quarterly basis and the Committee discusses managements progress in closing out open recommendations.

Issues

The report outlines the key activities presented to the Audit and Risk Committee and does not identify any additional key risks not being dealt with in the current program or reported to the committee.

Charter Review

Additionally, at its May 2025 meeting the Audit and Risk Committee reviewed its Charter and recommended the following three changes:

- Review cycle be amended from annually to every 2 years.
- Add 'offer an in-camera session to internal and external auditors' to Committee members responsibilities section.
- Committee members to provide recommendations regarding appointment of internal auditors.

These changes have been made to the Charter and is attached to this report for adoption by Council.

Financial Impact

Financial sustainability is a key focus of the committee and feedback to the organisation on audit outcomes and financial reporting remains a core function of the committee.

Legislation / Policy / Council Plan Context

This committee of Council is a legislated requirement under the *Local Government Act 2020*.

Timing

The report is to be received by Council on a biannual basis.

Community Impact / Consultation

The Audit and Risk Committee deals primarily with internal audits and reviews the details of some reports presented to the committee, such as the annual Budget which is subject to extensive community consultation.

Legal Risk / Impact

This committee is established to give independent oversight of Councils' management of key strategic financial and legal risks

Officers' Declaration of Interest

No conflict of interest was declared in the preparation of this report.

Conclusion

This report is presented for information in relation to the operations of the Audit and Risk Committee.

ATTACHMENTS

1. Audit & Risk Committee - Biannual Report July - December 2024 [7.2.1 - 6 pages]
2. Audit and Risk Committee Charter 2025 [7.2.2 - 10 pages]

7.3. Warrnambool City Council 2024 Local Government Election Report

DIRECTORATE: Executive Services

Purpose:

This report presents Council with the Victorian Electoral Commission's election report on the Warrnambool City Council 2024 general election.

Executive Summary

The Victorian Electoral Commission (VEC) has submitted its formal report on the conduct of the 2024 Warrnambool City Council general election, as required under section 83 of the *Local Government (Electoral) Regulations 2020*. This was the first election held under Warrnambool's new electoral structure of seven single-councillor wards and coincided with legislative changes requiring council-enrolled voters to actively opt-in to vote.

The election was conducted by postal vote and saw a total enrolment of 27,069 voters. Voter turnout declined to 77.32%, with participation also down compared to the 2020 election. Four wards were contested, with 13 candidates nominating overall, while three wards were uncontested. A total of 12,057 ballot papers were admitted to the count, and the informal voting rate halved to 4.23%.

Several legislative reforms under the *Local Government Amendment (Governance and Integrity) Act 2024* were implemented for the first time, including earlier enrolment deadlines and tighter nomination timelines. Three written complaints were received by the VEC during the election period, and no legal challenges were lodged.

Council has been invoiced \$219,190.59 for election costs to date, with further minor invoices expected. The VEC met all statutory obligations, and the election process was completed in a fair and lawful manner.

RECOMMENDATION

That Victorian Electoral Commission's Warrnambool City Council General Election Report for the 2024 Local Government Election be received.

Background

The 2024 general election for Warrnambool City Council was conducted by the Victorian Electoral Commission (VEC) in October 2024 under the *Local Government Act 2020*. The election was the first with single-councillor wards since 2004, following an electoral structure review which resulted in the adoption of a fully subdivided structure, with seven single-councillor wards. This structure was confirmed by the Minister for Local Government in May 2024.

It also was undertaken with the background of legislative reforms which required the 'CEOs list' – essentially rate payers who live outside of Warrnambool, are non-citizens, or who are companies – to opt-in to vote for the very first time. This created an administrative burden for staff as Council had to write to affected and eligible voters on multiple occasions as well as administer the process for them to re-enroll to vote.

Issues

Section 83 of the *Local Government (Electoral) Regulations 2020* require that:

- The VEC must prepare a report to the Chief Executive Officer on the conduct of the election within the period of 6 months after election day.
- The report must include a certified record of the number of ballot-papers and declarations printed, issued, used, spoiled and returned.
- The Chief Executive Officer must ensure that the report is submitted to the Council at the earliest practicable meeting of the Council held after the report is received by the Chief Executive Officer (CEO).

The VEC election report for the Warrnambool City Council election held in October 2024 was presented in person to Council officers on 26 May 2025.

Election Summary

A total of 27,069 voters were enrolled at the close of roll, comprising 26,782 state-enrolled electors and 287 council-enrolled electors. Overall voter turnout declined notably this election, dropping to 77.32%, down from 86.05% in 2020, and sitting below the state average of 81.46%. The participation rate (voters marked off the roll) was 78.83%, again down from 87.97% in 2020.

Three wards (Botanic, Russells Creek, and Wollaston) were uncontested, with one candidate nominating in each. The remaining four wards (Central, Hopkins River, Pertobe, and Platypus Park) were contested, and a total of 13 candidates nominated across these wards.

The election was conducted by postal vote, with ballot packs mailed between 7 and 10 October 2024. The VEC received 12,420 returned envelopes, of which 12,057 ballot papers were admitted to the count. The informal voting rate dropped significantly to 4.23%, from 8.79% in the 2020 election – this is likely due to a shift from a single large ballot paper with many candidates to far smaller and simpler ballot papers of two to four candidates. A total of 488 replacement ballot packs were issued to voters, along with 35 early votes and 1 unenrolled declaration vote.

Several changes under the *Local Government Amendment (Governance and Integrity) Act 2024* came into effect for the first time in this election, including:

- Moving the close of roll from 57 to 80 days before election day.
- Reverting the candidate statement word limit from 300 to 200 words.
- Earlier cut-off times for candidate materials and ballot pack mail-outs.
- Extended timelines for roll certification and postal delivery safeguards.

The VEC reported that all ballot packs were delivered to voters by 15 October. No candidate retirements, recounts, or legal challenges to the result were recorded. The official declaration of results occurred on 8 November 2024 at the Council Offices.

Three written complaints were received by the VEC relating to the election, one relating to ward boundaries and two relating enrolment matters. Compulsory voting enforcement is now underway, with apparent non-voter notices issued in early 2025 and potential infringement processes to follow.

Results

Uncontested Wards

In the following wards, only one candidate nominated, resulting in automatic election:

Botanic Ward: Billy Edis (unopposed)

Russells Creek Ward: Ben Blain (unopposed)

Wollaston Ward: Richard Ziegeler (unopposed)

Central Ward

- Candidates:
 - Peter Sycopoulis: 1246 votes
 - Debbie Arnott: 1698 votes
- Informal votes: 116
- Total votes: 3060
- Voter turnout: 76.87%
- Successful candidate: Debbie Arnott

Hopkins River Ward

- Candidates:
 - Jim Burke: 893 votes
 - Willy Benter: 1937 votes
- Informal votes: 142
- Total votes: 2972
- Voter turnout: 76.78%
- Successful candidate: Willy Benter

Platypus Park Ward

- Candidates:
 - Andrew Squires: 777 votes
 - Vicki Jellie: 2216 votes
- Informal votes: 169
- Total votes: 3162
- Voter turnout: 77.14%
- Successful candidate: Vicki Jellie

Pertobe Ward

- Candidates:
 - Matthew Walsh: 1136 votes
 - Peter Hulin: 566 votes
 - Jennifer Lowe: 546 votes
 - Leanne Williams: 532 votes
- Informal votes: 83
- Total votes: 2863
- Voter turnout: 78.61%
- Successful candidate: Matthew Walsh

Financial Impact

Warrnambool City Council has minimal control over the cost of its elections. The VEC delivers the election on our behalf and then invoices Council on a 'cost recovery' basis. However, Council has still managed to find savings despite this lack of autonomy.

In limited circumstances, Council is given the opportunity to choose to opt into additional services or nominate to receive a higher service standard. These typically related to things like additional advertisements or issuing materials in languages other than English. In these instances, Council consistently opted for the lowest priced options to minimise financial impacts and offer the highest value for money to rate payers.

Council was provided an initial quote by the VEC of \$310,052.31 to run the 2024 elections. This amount was later revised downwards to \$253,342.92 after Council successfully negotiated for the VEC to use the old library site as their election accommodation, rather than lease a commercial premise.

Council has to date received one invoice for an amount of \$219,190.59 for the election. It expects to receive two further invoices of smaller amounts in relation to the VEC's enforcement activities surrounding failure to vote notices. Council expect to receive some revenue from these enforcement activities as the VEC pass on funds received through fines paid.

Legislation / Policy / Council Plan Context

4 City Wellbeing

4.4 Our inclusive and diverse City is welcoming to all.

5 City Leadership

5.7 Our City is committed to sound governance, transparent decision-making and operating with integrity.

5.8 Our City will foster an informed community, enhance the customer experience and engage with the community to help inform key decisions, plans and policies.

Timing

The 2024 Warrnambool City Council general election followed the statutory timetable outlined in the *Local Government Act 2020*. Key dates for the election were as follows:

- Close of Roll: 4pm, Wednesday 7 August 2024
- Opening of Election Office and Roll Certification: Monday 9 September 2024
- Close of Nominations and Candidate Statement Deadline: 12noon, Tuesday 17 September 2024
- Ballot Draw: Commenced from 10am, Wednesday 18 September 2024
- Ballot Pack Mail-Out: Monday 7 October to Thursday 10 October 2024
- Close of Voting: 6pm, Friday 25 October 2024
- Close of Extended Postal Vote Receipt Period: 12noon, Friday 1 November 2024
- Declaration of Results: 4pm, Friday 8 November 2024

The election was conducted entirely by postal voting, with key processing and extraction activities occurring between late October and early November. All results were declared by the Victorian Electoral Commission ahead of its commitment to finalise declarations by Friday 15 November 2024.

Community Impact / Consultation

The VEC ran a number of marketing and awareness initiatives for the election which included digital, social media, print, and radio content aimed at maximising public awareness of enrolment and voting obligations. Locally, public notices were placed in the *Warrnambool Standard* and *Warrnambool Weekly* at key stages of the election timeline.

The VEC recorded a total of 169 telephone enquiries for the Warrnambool election and a total of 36,034 text messages were sent to voters in Warrnambool via VoterAlert SMS regarding the election and enrolment and voting timelines.

Council also received many phone calls, emails, and walk in inquiries regarding the election. Where appropriate these were referred to the VEC. However, community members often expressed confusion over the new ward-based system and those in uncontested wards would often be frustrated when told they did not have the ability to vote in the election.

The reduction in turnout compared to 2020 may reflect an opportunity for the VEC to consider ways to enhance community engagement in future electoral cycles.

Legal Risk / Impact

No applications were lodged with the Victorian Civil and Administrative Tribunal (VCAT) contesting the results of the election, and no candidates were retired by the VEC on legal or eligibility grounds. Only three written complaints were received relating to the election, none of which were escalated or associated with legal breaches of the Act or the Regulations – instead focusing more on community frustration with ward boundaries and enrolment processes.

Overall, the election presented low legal risk, with no evidence of procedural irregularity, candidate ineligibility, or electoral misconduct requiring legal intervention.

Officers' Declaration of Interest

Nil.

Collaborative Procurement

N/A.

Conclusion

The 2024 general election was successfully delivered under a reformed electoral structure and legislative framework. While participation rates declined compared to previous years, the election was conducted in accordance with legislative requirements and without legal challenge or procedural fault. The report confirms that the election process was effectively managed, and that Council met its responsibilities in supporting the electoral process.

ATTACHMENTS

1. Election report - Local Government Elections 2024 - Warrnambool City Council [7.3.1 - 60 pages]

7.4. Council Internal Resolution Procedure 2025

DIRECTORATE: Executive Services

Purpose:

This report recommends adoption of a Council Internal Resolution Procedure 2025.

Executive Summary

This report presents a Council Internal Resolution Procedure developed in accordance with the requirements introduced by the *Local Government Amendment (Governance and Integrity) Act 2024*. The amended legislation mandates all Councillors to observe the Model Councillor Code of Conduct and requires each council to adopt a prescribed internal resolution procedure. The proposed procedure outlines how alleged breaches of the Model Code are to be managed, including access, process, responsibilities, and recordkeeping. It also ensures Council compliance with the *Local Government Act 2020* and associated Regulations.

RECOMMENDATION

That Council adopt the attached Council Internal Resolution Procedure 2025.

Background

The *Local Government Amendment (Governance and Integrity) Act 2024* made amendments to the *Local Government Act 2020* (the Act) effective 26 October 2024, including:

- the requirement that all Councillors observe the Model Councillor Code of Conduct (the Model Code); and
- the implementation of prescribed procedures being an Internal Resolution Procedure, to deal with alleged breaches of the Model Code which are prescribed in the *Local Government (Governance and Integrity) Regulations 2020* (the Regulations).

Issues

The Regulations prescribe that the Internal Resolution Procedure includes:

- a conciliation process.
- how an alleged breach is to be dealt with.
- how a Councillor can access the procedure and initiate a request.
- roles and responsibilities of parties to the matter and those conducting the process.
- what support is available for parties to the matter.
- records, such as agreements and outcomes reached.

Financial Impact

Council will not pay for legal advice or representation for any Councillor in connection with this procedure, however it will pay for the costs of an external facilitator if required.

Legislation / Policy / Council Plan Context

5 City Leadership

5.5 Our City promotes organisational culture and performance.

5.7 Our City is committed to sound governance, transparent decision-making and operating with integrity.

5.9 Our City considers strategic risk in its decision making and is committed to providing safe environments where people can thrive.

Timing

It is required that the procedure be adopted by July.

Community Impact / Consultation

N/A.

Legal Risk / Impact

Council must adopt the Council Internal Resolution Procedure to ensure compliance with the Act.

Officers' Declaration of Interest

Nil.

Collaborative Procurement

N/A.

Conclusion

Adopting the Council Internal Resolution Procedure will ensure Council meets its statutory obligations under the amended Local Government Act 2020 and the Governance and Integrity Regulations 2020. The procedure supports effective governance by providing a clear, compliant framework for managing conduct matters between Councillors.

ATTACHMENTS

1. Council Internal Resolution Procedure 2025 [7.4.1 - 9 pages]

7.5. Child Safety and Wellbeing Policy 2025

DIRECTORATE: Corporate Strategies

Purpose:

This report seeks Council endorsement of the updated Child Safety and Wellbeing Policy 2025.

Executive Summary

The Child Safe Standards are in place to:

- Promote the safety of children and young people.
- Prevent harm and abuse to children and young people.
- Ensure effective processes are in place to respond to and report all allegations of child abuse and harm.
- Encourage children and young people to “have a say” on issues that are important to them or about decisions that affect their lives.

As such, the Child Safety Policy has been reviewed as per the normal review cycle, in line with the updated Child Safety Standards.

It was presented to the Executive Management Team on 18 February 2025 for feedback and has since been presented to both the Senior Leadership Team and Staff Consultative Committee for further consultation. All feedback has been considered with the final draft re-presented to the Executive Management Team on 27 May 2025. Subsequently, a formal Gender Impact Assessment has been completed to ensure consideration has been given to any inadvertent gender impacts this Policy may have presented.

As the scope of this document includes Councillors, this policy was presented to Council for review at an informal meeting of Council in June. The policy is now presented to Council for adoption.

RECOMMENDATION

That Council:

1. Revoke the Child Safety and Wellbeing Policy 2021.
 2. Adopt the Child Safety and Wellbeing Policy 2025.
-

Background

In April 2012, the Victorian Government initiated an inquiry into the handling of child abuse allegations within religious and other non-government organisations. The inquiry’s final report, Betrayal of Trust, made several recommendations, including the introduction of compulsory minimum standards for creating child-safe environments. Recent events in the childcare sector have highlighted further the need for robust policies and processes in the Child Safety space.

In November 2015, the Victorian Parliament passed the Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 to introduce seven Child Safe Standards (Standards) which commenced operation in Victoria in January 2016. The Standards support organisations that provide services to children to prevent child abuse, encourage reporting of abuse, and increase the effectiveness of responses to allegations of child abuse.

In February 2019, National Principles for a Child Safe Organisation were endorsed by members of the Council of Australian Governments (COAG). These principles outline at an elevated level the ten elements that are fundamental to making an organisation safe for children. At present, the National Principles are not mandatory.

In July 2021, a new set of Standards was legislated, commencing in July 2022. Key changes include the following new requirements:

- to involve families and communities in organisations' efforts to keep children and young people safe
- for a greater focus on safety for Aboriginal children and young people
- to manage the risk of child abuse in online environments
- for greater clarity on the governance, systems, and processes to keep children and young people safe.

Recognising that there was no dedicated resources at Council to embed best practice Child safety standards, a Child Safety Project Officer has been appointed. Consequently, a review of current Child Safety Practices and the relevant Policy has been undertaken.

The draft Child Safety & Wellbeing Policy is the foundation document on which the Council can build our Child Safety & Wellbeing framework, in line with the new standards. To further support this child safety and wellbeing procedures are being updated and implemented across the organisation to help strengthen our process and awareness of child safety issues.

Legislation / Policy / Council Plan Context

1 City Futures

1.2 Our City puts public health and safety as a priority

5 City Leadership

5.5 Our City promotes organisational culture and performance.

ATTACHMENTS

1. WCC Child Safety and Wellbeing Policy February 2025 DRAFT [7.5.1 - 16 pages]

7.6. Open Space Policy 2025

DIRECTORATE : City Futures

Purpose:

This report summarises proposed changes to the Open Space Policy 2025 and recommends adoption of the policy.

Executive Summary

- The Warrnambool City Council Open Space Policy applies to all open space under the management or ownership of Warrnambool City Council, and to private land under agreement or negotiation to become future open space.
- The Warrnambool Open Space Policy expresses Council's strategic policy in relation to the planning and delivery of open space. The policy helps implement the Warrnambool Open Space Strategy.
- The Open Space Strategy 2014-2024 (OSS) is currently being reviewed. Information in this Policy will be subject to change pending the outcome of the OSS review (anticipated adoption by Council within 12 months).
- Officers will review the policy for any necessary amendments once the Open Space Strategy has been renewed and adopted by Council.
- In the interim, it is recommended that Council adopt the Open Space Policy 2025 as attached.

RECOMMENDATION

That Council:

1. Revoke the Open Space Policy 2021.
 2. Adopt the Open Space Policy 2025.
-

Background

Warrnambool offers a large and well-used network of parks and reserves, which contribute significantly to our coastal lifestyle and attract visitors to our City. From the wild coastline to the popular Lake Pertobe, the residents of Warrnambool value our open spaces and the benefits they provide. Ensuring the open space network is preserved and enhanced for current and future residents is an important role of Council.

The purpose of the Open Space Policy is to provide the general community, developers and Council staff with an understanding of Council's objectives and approach to providing and maintaining open space in Warrnambool.

Issues

The existing policy expired in May 2025 and is due to be renewed. As the Policy is informed by the Open Space Strategy (OSS), and the Strategy itself has expired and is currently being renewed, information in the Policy may be subject to change pending the outcome of the OSS review.

While it is the officers' opinion that the intent and objectives of the Policy will remain largely unchanged, it is proposed to set the expiry for this version of the Policy in line with the intended delivery of the renewed OSS. Subsequently, the Policy and OSS can be re-aligned as necessary.

Otherwise, this version makes primarily surface changes to the document to ensure it reflects current WCC naming and structure.

Financial Impact

There is no financial impact involved in the adoption of the updated Policy. The OSS renewal is proceeding in line with previously approved budget.

Legislation / Policy / Council Plan Context

2 City Infrastructure

2.2 Our City will have appropriate open space infrastructure to meet the needs of our growing community.

4 City Wellbeing

4.3 Our active City provides recreational opportunities for people of all ages and abilities.

Timing

The version, as attached, is recommended for approval at the Council Meeting on 7 July 2025.

Community Impact / Consultation

No direct consultation was undertaken in relation to this update, with very minor changes proposed. The community can access the Open Space Policy via the Warrnambool City Council website. Extensive consultation will be undertaken in relation to the Open Space Strategy.

Legal Risk / Impact

No legal risk is identified in relation to updating the Policy.

Officers' Declaration of Interest

Nil.

Procurement

Procurement is not required for this undertaking.
A Gender Impact Assessment has been undertaken.

Conclusion

The existing Open Space Policy expired in May 2025. A new version is now recommended that updates timeframes and minor required changes. Substantive changes are not proposed, as the Policy is informed by the Open Space Strategy, which itself is currently under review. It is recommended that the Open Space Policy 2025 be adopted with a shorter timeframe for future renewal to allow input from the renewed Open Space Strategy.

ATTACHMENTS

1. Appendix 1 - Open Space Policy - Review May 2025 [7.6.1 - 6 pages]
2. Open Space Policy - Schedule of Changes [7.6.2 - 1 page]

7.7. GORCAPA Regional Trails Strategy 2025-2035

DIRECTORATE: City Futures

Purpose:

This report provides information on Great Ocean Road Coast and Parks Authority (GORCAPA) Regional Trails Strategy 2025 –2035.

This includes trails within GORCAPA’s existing and proposed service area, and significant trails located outside the Authority’s service area. Two significant trails in Warrnambool included are “Warrnambool Foreshore Promenade” and “Warrnambool to Port Fairy Rail Trail”

Executive Summary

GORCAPA has developed a Regional Trails Strategy 2025-2035 (the Strategy) to guide state and local government agencies in the development, maintenance and promotion of trails in the Great Ocean Road region. The Strategy aims to build on previous investment to establish the Great Ocean Road region as one of Australia’s outstanding trail destinations.

RECOMMENDATION

That the GORCAPA Regional Trails Strategy 2025-2035 be received.

Background

The Strategy presents a shared vision “to be an outstanding trails region renowned for its diverse, high-quality trail experiences that celebrate our unique natural and cultural landscapes, strengthen the economy and enhance community health and well-being” together with the principles, goals, and actions required to achieve identified outcomes over the next 10 years.

Trails within the Great Ocean Road region are currently managed by local and State government agencies, each with their own planning, maintenance, and marketing approaches. A lack of coordination between the agencies has resulted in an inconsistent experience for trail users and a disconnected trail network.

The creation of GORCAPA has provided an ideal platform for trail coordination between the various land managers and will enable the region to capitalise on the considerable economic, cultural, social and environmental benefits provided by the trail network.

Given the significant number of formal and informal trails within the region, the Strategy identifies specific trails that contribute to the ‘Great Ocean Road product’. This includes trails within GORCAPA’s existing and proposed service area, and significant trails located outside the Authority’s service area.

Development of the Strategy has been supported by a complex governance structure involving Rights Holders and stakeholders across the region. This includes representatives from the Eastern Maar Aboriginal Corporation, Wadawurrung Traditional Owners Aboriginal Corporation, Department of Energy, Environment and Climate Action, Parks Victoria, Department of Transport and Planning, Regional Development Victoria, five local governments (Colac Otway Shire, Corangamite Shire, Moyne Shire, Surf Coast and Warrnambool) and Great Ocean Road Regional Tourism.

The governance structure included a Project Working Group (PWG), who assisted the Project Manager with Strategy development, and Project Control Group (PCG) assigned with decision making responsibilities. Both the PWG and PCG unanimously approved the progress of the final draft Strategy to the GORCAPA Board for consideration.

Warrnambool has been represented throughout the development of the strategy by Manager City Activation.

Issues

At this stage Warrnambool falls out of GORCAPA's existing and proposed service area, however there are two significant trails located outside the Authority's service area. Two significant trails in Warrnambool included are *"Warrnambool Foreshore Promenade"* and *"Warrnambool to Port Fairy Rail Trail"*

Financial Impact

None at this stage. However, by Council noting the Strategy opportunities for funding may arise in the future.

Legislation / Policy / Council Plan Context

1 City Futures

1.6 Our City will be a sought-after destination for visitors.

4 City Wellbeing

4.3 Our active City provides recreational opportunities for people of all ages and abilities.

5 City Leadership

5.3 Our City is a leader in the South West region.

Timing

1 April 2025; GORCAPA Officers presented the final Regional Trails Strategy to the GORCAPA Board for consideration. **The Board unanimously supported its adoption.**

GORCAPA has approached the Minister's office seeking interest in formally launching the Regional Trail Strategy.

They are still in discussion with the Minister's office and a tentative date of 6 June has been flagged – invites will be forwarded as soon as they hear confirmation.

Community Impact / Consultation

As this was a GORCAPA initiative, GORCAPA undertook an extensive consultation process, which Warrnambool assisted with.

Development of the Strategy has been supported by a complex governance structure involving Rights Holders and stakeholders across the region. This includes representatives from the Eastern Maar Aboriginal Corporation, Wadawurrung Traditional Owners Aboriginal Corporation, Department of Energy, Environment and Climate Action, Parks Victoria, Department of Transport and Planning, Regional Development Victoria, five local governments (Colac Otway Shire, Corrangamite Shire, Moyne Shire, Surf Coast and Warrnambool) and Great Ocean Road Regional Tourism.

The governance structure included a Project Working Group (PWG), who assisted the Project Manager with Strategy development, and Project Control Group (PCG) assigned with decision making responsibilities. Both the PWG and PCG unanimously approved the progress of the final draft Strategy to the GORCAPA Board for consideration.

Community engagement on the draft Strategy occurred over a 7-week period between September and November 2024. This extended engagement period accounted for local government elections and the associated caretaker period.

The objectives of this engagement were to:

- Gather aspirations for the future of the Great Ocean Road trail network.
- Understand community sentiment on the characteristics of an outstanding trails destination.
- Provide adequate detail on the Strategy that enables the community to provide informed feedback on elements of the Strategy that are negotiable.
- Gather data on trail users and what trails they enjoy.

A diverse range of engagement activities were delivered including online and in-person discussions with both the local community and visitors and through an online survey on a dedicated [Many trails – one direction web page](#). The engagement was promoted through social media, local newspapers, flyers and emails to key stakeholder groups.

There was significant interest in the Strategy with the Authority receiving:

- 304 online survey contributions
- Over 2000 visits to the Many trails – one direction Have Your Say webpage
- More than 110 people attended engagement sessions across the region, which included in-person discussions at Jan Juc, She-Oak Falls (Lorne), Apollo Bay and Port Campbell, and one online session.

Overall, feedback received during the engagement period supported and reinforced the direction and content of the Strategy.

Legal Risk / Impact

A key action in the Strategy is the formation of the Great Ocean Road Regional Trails Forum (GORRTF). The GORRTF will be chaired by GORCAPA and will assemble Rights Holders and key stakeholders including local government involved with the development of the Strategy. The involvement of community groups, such as the Surf Coast Mountain Bike Club, will also be explored through the governance structure.

This Forum will provide a coordinated response to implementation of the Strategy over the next ten years and will collectively advocate for resources to advance and maintain the regional trail network

Officers' Declaration of Interest

N/A.

Collaborative Procurement

N/A.

Conclusion

Manager City Activation will advise Council of the launch date for the Strategy when confirmed.

ATTACHMENTS

1. Great Ocean Road Regional Trails Strategy DRAFT [7.7.1 - 78 pages]
2. Community Engagement Report [7.7.2 - 15 pages]

7.8. Planning Advisory Committee - Expressions of Interest

DIRECTORATE: City Futures

Purpose:

This report provides an update on the Expressions of Interest received for community representation on the Planning Advisory Committee and recommends all twelve (12) nominees are accepted to the Committee.

Executive Summary

- The Planning Advisory Committee is about to begin a new 4 year term.
- Council adopted a Terms of Reference for the Committee on 7 April 2025
- Expressions of interest have been received for community representatives
- The Terms of Reference require a minimum of five (5) community representatives
- Council has received twelve (12) nominees by way of expressions of interest
- All nominees have interests and experience in relevant fields, such as architecture, engineering, planning and development.
- It is recommended that all twelve (12) nominees are accepted onto the Committee.

RECOMMENDATION

That Council appoint the following community member nominees to the Planning Advisory Committee for the period 7 July 2025 to 31 May 2029:

- Dominic Bushell
- Karsten Forsterling
- Fiona Golding
- Lewis Iversen
- Ross Martin
- Cameron McNeill
- Maureen Reed
- Martin Ruane
- Louise Scarborough
- Kerri-Anne Tatchell
- Bill Welsh
- Jarrod Woolstencroft

Background

At the Council Meeting on 2 December 2024, Council resolved that the Planning Advisory Committee be re-established, and that membership of the previous committee be returned until 31 May 2025. Cr Benter was also appointed to the Committee as Chair.

At the Council Meeting on 7 April 2025, Council adopted the Terms of Reference for the next four year term of the Planning Advisory Committee. The Terms of Reference require a minimum of five (5) skill-based community members be appointed.

A call for Expressions of Interest for the community representatives has been made and Council has received twelve (12) nominations.

Issues

In 2021, the Planning Advisory Committee initially had five (5) community representatives, and struggled with member attendance and often failed to make quorum.

Two years ago, additional expressions of interest for community members were sought, and an additional three (3) community members were appointed. This did assist in member attendance, however even with eight (8) community members, there were still occasions when the Committee struggled with attendance.

It is considered that accepting the twelve nominations will ensure that member attendance will always achieve quorum; agenda items and discussion will be varied and of interest. The twelve nominees are all skill-based with relevant interests. The nominees cover fields such as architecture, engineering, real estate, development industry, environment and planning.

Financial Impact

There are no financial implications associated with the appointment of community representatives to the Planning Advisory Committee.

Legislation / Policy / Council Plan Context

5 City Leadership

5.7 Our City is committed to sound governance, transparent decision-making and operating with integrity.

5.8 Our City will foster an informed community, enhance the customer experience and engage with the community to help inform key decisions, plans and policies.

Timing

The Planning Advisory Committee appointments will be from 7 July 2025 to 31 May 2029.

Community Impact / Consultation

Expressions of Interest were sought by advertising in the local newspaper, and through social media channels, as well as on YourSay on Council's website.

Legal Risk / Impact

No risk impacts are envisaged as a result of appointment of the community representatives to the Planning Advisory Committee.

Officers' Declaration of Interest

Nil.

Collaborative Procurement

N/A.

Conclusion

The appointment of twelve (12) skill-based community representatives to the Planning Advisory Committee is recommended.

ATTACHMENTS

Nil

7.9. Amendment VC267 - The Townhouse and Low Rise Code

DIRECTORATE: City Growth

Purpose:

The report provides information on Amendment VC267 and the changes it will have on the way Council's statutory planning team consider multi dwelling planning permit applications and recommends changes to the Schedule of Delegations to enable the Manager City Growth to approve permit applications with one (1) or more objection, where Clause 55 is the only permit trigger.

Executive Summary

This report provides a summary of Amendment VC267 and how the amendment will change the way multi dwelling developments area considered and what implications this may have to current Council processes and community input into multi dwelling planning applications.

The report recommends that the Schedule of Delegations be amended to enable the Manager City Growth to approve permit applications where Clause 55 is the only permit trigger, even if the number of objections is seven (7) or more.

RECOMMENDATION

That Council:

1. Note planning scheme amendment VC267 (Attachment 1).
 2. Amend the schedule of delegations to include delegation to the Manager City Growth for those applications which receive one (1) or more objections AND where Clause 55 of the Warrnambool Planning Scheme is the only assessable provision AND no other permit triggers or relevant assessable criteria apply, as per the attached schedule (Attachment 2).
-

Background

Amendment VC267 is a State Government implemented amendment which facilitated changes to clauses within all planning schemes across Victoria in an attempt to meet the housing target specified within the Victorian Housing Statement which suggests 800,000 new homes will be constructed across Victoria in the next decade.

The amendment was Gazetted on 6 March 2025 and became operational on 31 March 2025.

The Explanatory Report provided with the amendment provides the following overview of the amendment:

OVERVIEW

Amendment VC267 implements new residential development planning assessment provisions to boost housing construction to meet the housing needs of Victorians. The new provisions will:

- facilitate quicker and more efficient decision making
- provide greater transparency and certainty for applicants, decision makers and the community about what is acceptable development and how it is assessed
- will ensure residential development is sustainable and provides reasonable standards of amenity for existing and new residents.

The Explanatory Report goes on to include the following summary of what the amendment includes: Amendment VC267 amends the Victoria Planning Provisions and all planning schemes as follows:

- Clause 55 is replaced with a new clause that applies to applications for the construction of residential developments (two or more dwellings and residential buildings) up to and including three storeys in a residential zone.
- Clause 57 is replaced with a new clause that applies to applications for the construction of four-storey residential developments (two or more dwellings and residential buildings) in a residential zone.
- Makes various consequential amendments to residential zones and schedules to residential zones, including permit requirements, references to standards, application requirements and decision guidelines to reflect the application, operation and structure of the new clauses 55 and 57.
- Modifies the operation of new clause 55 to provide that:
 - a development must meet all objectives
 - if the standard is met, the corresponding objective is met
 - the responsible authority can only consider a decision guideline in clause 55 if the corresponding standard is not met (to assist with determining whether alternative design meets the objective)
 - in deciding the application to which clause 55 applies, the responsible authority is exempt from considering any other matter or decision guideline in the planning scheme and specified matters under section 60 of the P&E Act
 - Where all standards are deemed to be met there is no third-party appeal.
- Removes the ability to specify local variations in clause 55 standards for landscaping, permeability, side and rear setbacks, and walls on boundaries. A consequential amendment will be made remove the ability to specify local variations in relevant zone schedules in all planning schemes.
- Inserts a transition provision in residential zones to provide that any application lodged before the commencement date can continue to be assessed under the provisions in force immediately before the commencement date.

The amendment will commence operation on 31 March 2025.

The amendment makes changes to the VPP and all planning schemes to update clause 55 (Two or more dwellings on a lot and residential buildings) and insert clause 57 (Two or more dwellings on a lot and residential buildings of four storeys) by:

Clause 55 (Two or more dwellings on a lot and residential buildings)

- Modifying the operation and requirements of clause 55 to apply up to three storeys, changing notice and review requirements and making administrative changes.

- Organising, renumbering and combining existing standards, including apartment standards in clause 55.07 under the new subsections.

Clause 57 (Two or more dwellings on a lot and residential buildings of four storeys)

- Inserting a new clause 57 (Two or more dwellings on a lot and residential buildings) that sets out the purpose, application, operation and requirements.
- Inserting subsections 57.01 (Application Requirements), 57.02 (Neighbourhood Character), 57.03 (Liveability), 57.04 (External Amenity) and 57.05 (Sustainability).
- Inserting standards under the new subsections consistent with the new arrangement of standards at clause 55.
- Clause 57 contains standards that cannot be varied by local schedules to zones and there is no exemption from third-party review rights.

Note: a consequential amendment will be made to clause 54 in a separate amendment to implement the similar changes to clause 55 in this amendment.

The amendment makes consequential changes to the VPP and all applicable planning schemes to:

Zones

- Modify the purpose to “respond to neighbourhood character” at clauses 32.05 (Township Zone), 32.08 (General Residential Zone) and 32.09 (Neighbourhood Residential Zone).
- Introduce a new requirement for four storey development to meet clause 57 at clauses 32.04 (Mixed Use Zone), 32.05 (Township Zone), 32.07 (Residential Growth Zone), 32.08 (General Residential Zone), 32.09 (Neighbourhood Residential Zone) and 32.10 (Housing Choice and Transport Zone).
- Insert transitional provisions for applications lodged before VC267 at clauses 32.04 (Mixed Use Zone), 32.05 (Township Zone), 32.07 (Residential Growth Zone), 32.08 (General Residential Zone), 32.09 (Neighbourhood Residential Zone), 34.01 (Commercial 1 Zone), 34.03 (Commercial 3 Zone) and 37.08 (Activity Centre Zone).
- Remove the ability for the schedule to residential zones to specify different standards to clause 55 for landscaping, permeability, side and rear setbacks and walls on boundaries.
- Insert a requirement for non-residential development abutting a residential zone to meet the new overshadowing domestic solar energy systems standard at clauses 32.04 (Mixed Use Zone) and 32.07 (Residential Growth Zone).
- Introduce an exemption from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if all the applicable standards under clause 55.02, 55.04-1, 55.04-2, 55.04-3, 55.04-4 and 55.05-2 are met.
- Introduce an application requirement for applications under clause 57 at clauses 32.07 (Residential Growth Zone), 32.08 (General Residential Zone), 32.09 (Neighbourhood Residential Zone), 32.10 (Housing Choice and Transport Zone) and 34.01 (Commercial 1 Zone).
- Introduce a decision guideline for applications under clause 57 at clauses 32.04 (Mixed Use Zone), 32.05 (Township Zone), 32.07 (Residential Growth Zone), 32.08 (General Residential Zone), 32.09 (Neighbourhood Residential Zone), 32.10 (Housing Choice and Transport Zone), 34.01 (Commercial 1 Zone) and 34.03 (Commercial 3 Zone), 37.08 (Activity Centre Zone).
- Renumber existing clauses and standards at clauses 32.04 (Mixed Use Zone), 32.05 (Township Zone), 32.07 (Residential Growth Zone), 32.08 (General Residential Zone), 32.09 (Neighbourhood Residential Zone) and 32.10 (Housing Choice and Transport Zone).
- Delete the requirement for a satisfactory neighbourhood and site description prior to a notice of decision being issued for an application under clause 55 at clause 34.01 (Commercial 1 Zone).

Overlay

- 43.05 (Neighbourhood Character Overlay) to renumber clause 55 standards and insert a new sub clause section to allow for a schedule to specify additional requirements.

Particular Provisions

- 52.20 (Government funded housing development) to exempt the requirements for plans and documents from clause 57.
- 52.22 (Community care accommodation) to renumber existing standards and to require applications to meet the new overshadowing domestic solar energy systems standard.
- 53.20 (Housing by or on behalf of Homes Victoria) to exempt applications under this clause from the requirements of clause 57.
- 53.24 (Future homes) to exempt applications under this clause from the requirements of clause 57.

Despite the above changes seeming extensive, a condensed summary is as follows:

- Clause 55 applies to two or more dwellings on a lot and apartments up to three stories with Clause 57 being introduced for 4 storey apartments. Clause 58 will remain to apply to 5+ storey apartments.
- Clause 55 has been amended to remove any discretionary requirements by making all the standards 'deemed to comply'. In essence, all provisions with clause 55 will all be quantitative meaning there is clear metric to assess against. Currently within clause 55 there are several qualitative standards that are not easy to measure against. For example currently its common from objectors to state that an application is not in keeping with the neighbourhood character of the area. Under the revised standards neighbourhood character is measured by front/side/rear setbacks, building heights, site coverage, tree canopy etc and if these measurable standards are met the proposal is deemed to comply with the neighbourhood character.
- Clause 57 standards are all quantitative.
- New standards have been introduced in relation to liveability and includes matters such as minimum room dimensions, room depths in addition to existing requirements such as areas of private open space etc.
- Sustainability is also considered in a much greater way than the current standards and covers matters such as roof orientation for future solar, overshadowing of existing solar systems and providing sufficient areas for waste and recycling facilities (bins).
- Public notice of a multi dwelling development is still required, however, If the proposal meets all the standards that apply, there are no third-party appeal rights.
- If the only permit trigger for an application was under clause 55 (eg. no heritage overlay etc) and the proposal was 'deemed to comply' whereby all relevant standards were met council would be required to approve the application irrespective of any objections received.
- Department of Transport and Planning have released guidelines in relation to the new code – see **Attachment 1**.

Issues

Amendment VC267 marks a reasonably substantial change to planning within Victoria in relation to the way multi dwelling applications are assessed and determined.

The key takeaways from the amendment in relation to a Warrnambool context are as follows:

- The introduction of a code-based assessment whereby the 'grey' is removed from the clause 55 standards provides a level of certainty to people looking to develop multi dwellings on a lot. The increased certainty may facilitate more infill development within the developed areas thereby reducing the speed of the city sprawl and providing people with options to live closer to the CBD etc.
- The introduction of new standards to consider the liveability of dwellings is positive and should result in a better living environment for future residents of townhouse developments.
- The public notice requirements whereby objectors' appeal rights are removed will be a challenge for some members of the community to accept/understand. This may put added pressure on planning staff through being challenged by neighbours/community members to justify decisions even where there is no disputing if a standard is met. This may also contribute to a negative stigma against the Council for perceived not listening to the residents.
- The current delegations regarding who the decision maker is for a planning application, needs to be reviewed. The reason being:
 - If an application complies with all relevant standards and there are no permit triggers other than clause 55, it is clear that there is no option but to issue a permit, despite the number of objections. It could be seen as a poor use of resources and a waste of Councillor's time to consider an application that received seven or more objections where the only outcome would be to issue a permit.
 - While Council officers are not aware of any VCAT proceedings so far whereby a Council has sought to refuse an application where all of the clause 55 standards were deemed to comply (mainly due to the relatively short time the changes have been in effect), it is expected that if this was to occur the Tribunal would not look at the Council favourably if this occurred. It is also expected that in any of these cases where clause 55 was the only permit trigger the Tribunal would find that Council's decision to refuse was ultra vires and there would be no option other than to overturn. An important point to make here is that if the Tribunal decided that Council had acted beyond its powers and this has resulted in unreasonably delays etc, VCAT may allow the applicant to make a claim for costs against Council.
- It is recommended that the schedule of delegations be amended to include delegation to the Manager City Growth for those applications that receive more than one objection where Clause 55 is the sole permit trigger.

Financial Impact

There are no financial implications as the assessment/processing of planning applications is accounted for within current budgets.

Legislation / Policy / Council Plan Context

1 City Futures

1.3 Our City plans for sustainable growth while accommodating a changing climate.

1.4 Our City will continue to advocate for improvements to planning frameworks for growth area developments including Development Contribution Plans.

Timing

VC267 has already been implemented into all planning schemes across Victoria on 31 March 2025.

Community Impact / Consultation

The State Government introduced VC267 into all planning schemes, accordingly the purpose of this report is to brief Councillors for information purposes about the implications of Amendment VC267.

Legal Risk / Impact

The purpose is to brief Councillors for information purposes only about amendment VC267 and therefore there is no risk to Council.

However, there could be reputational risk if Council were to refuse applications with seven (7) or more objections where all standards are met and there is no other option but to issue a permit. Accordingly, it is recommended that the Schedule of Delegations be amended accordingly.

Officers' Declaration of Interest

Nil.

Collaborative Procurement

Not applicable to this matter.

Conclusion

Amendment VC267 was a State Government led amendment to all planning schemes across the state which is aimed at being one of the measures to facilitate the construction of 800,000 dwellings across Victoria within the next 10 years.

The amendment results in changes to not only the way Council consider multi dwelling applications but also current internal processing and decision-making delegations which are recommended for revision to ensure Council continues to meet its statutory decision making responsibilities as required by the *Planning and Environment Act 1987*.

ATTACHMENTS

1. Townhouse-and- Low- Rise- Code- Guidelines-2025 [7.9.1 - 91 pages]
2. S6 Instrument of Delegation [7.9.2 - 127 pages]

7.10. Acceptance of Powercor offer Wollaston Road Power Line Relocation

DIRECTORATE: City Futures

Purpose:

This report recommends the acceptance of an offer from Powercor for the relocation of a 66kv Overhead high voltage power line known as project IN01 under the North of the Merri River Development Contributions Plan (DCP) - Refer Attachment 1.

Executive Summary

The North of the Merri River DCP has a project known as IN01 – Relocation of High voltage power lines from an easement into the Wollaston Road reserve which is required to be delivered.

Council has received a contract offer from Powercor for the relocation over the overhead powerlines from the easement to the road reservation between 158 – 311 Wollaston Road Warrnambool. The value of the contract is \$1,002,491.00 excluding GST.

Under Council's Procurement Policy "Appendix 1 – Exemptions", Utilities are exempted from market engagement as there is only a single provider. In this case Powercor is the only provider for this service.

The index DCP project budget is currently valued at \$1,126,399.00, and the acceptance of this contract is within Council's budget for the project.

RECOMMENDATION

That Council:

1. Delegate to the Chief Executive Officer the authority to enter the contract with Powercor for the relocation of the 66KV overhead power line asset between 158 – 311 Wollaston Road, Warrnambool at the cost of \$1,002,491.00 ex GST.
 2. Authorise the Chief Executive Officer to sign, seal and vary the contract as required.
-

Background

The North of the Merri River Development contributions plan has a project known as IN01 – Relocation of High voltage power lines from an easement into the Wollaston Road reserve. These works are required to enable subdivisional development within the existing easement alignment and poles are required to be relocated to allow the Wollaston Road Upgrade works to be completed.

Planning of these works has been occurring with Powercor over the past 2 years with different options being considered underground or overhead and alignments. From this work an alignment was adopted, and the overhead option was deemed as the most affordable option within North of the Merri DCP.

Issues

Council has received a contract offer from Powercor for the relocation of the overhead power lines from the easement to the road reservation between 158 – 311 Wollaston Road Warrnambool. The value of the contract is \$1,002,491.00 excluding GST.

As the project involves the replacement of existing Powercor assets, these works are deemed non-contestable works and must be undertaken by Powercor only.

Financial Impact

The index DCP project budget is currently valued at \$1,126,399.00. Council's current designs costs for the project are \$89,192.00. With the proposed contract amount of \$1,002,491.00 the total cost of the project is estimated to be \$1,091,683.00. The budget for this project has been included in Council's 2025/26 budget. Over time when development in the area is completed this amount will be reimbursed back to Council's budget as the project is fully funded under the DCP.

Legislation / Policy / Council Plan Context

1 City Futures

1.3 Our City plans for sustainable growth while accommodating a changing climate.

1.9 Our City will create an environment that accelerates delivery of housing across all forms.

5 City Leadership

5.7 Our City is committed to sound governance, transparent decision-making and operating with integrity.

Under Council's Procurement Policy "Appendix 1 – Exemptions", Utilities are exempted from market engagement as there is only a single provider. In this case Powercor is the only provider of this service.

Timing

Acceptance and payment of the project must be made by 14 July 2025. If this is not met, the scheduled programmed works for October 2025 may be delayed. The timing of the project is critical to enable subdivisional development and the completion of the Wollaston Road roadworks.

Community Impact / Consultation

During the planning and design of the project, affected landowners and stakeholders were consulted. At the time the works are proposed to be delivered on site, residents and the community will be informed of the works.

Legal Risk / Impact

Under the contract, the risk in project delivery will be borne by Powercor.

Officers' Declaration of Interest

No Declaration of Interest reported.

Conclusion

The relocation of the power lines will enable future subdivision to occur within the area that is currently encumbered by the power lines, which currently dissect private land identified for residential development.

It is recommended that Council accept the contract offer provided by Powercor, and delegate to the Chief Executive Officer the authority to enter the contract with Powercor for the relocation of the 66KV overhead power line asset between 158 – 311 Wollaston Road, Warrnambool at the cost of \$1,002,491.00 ex GST.

ATTACHMENTS

1. Appendix A - Plan IND01 Powerline Realignment Project [**7.10.1** - 1 page]

7.11. Informal Meetings of Council Reports

Purpose

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

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.

RECOMMENDATION

That the record of the Informal Meetings of Council held on 10, 16, and 23 June 2025 be received.

Report

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

- Tuesday 10 June 2025.
- Monday 16 June 2025.
- Monday 23 June 2025.

ATTACHMENTS

1. Assembly of Councillors Record 10 June 2025 [7.11.1 - 1 page]
2. Assembly of Councillors Record 16 June 2025 [7.11.2 - 1 page]
3. Assembly of Councillors Record 23 June 2025 [7.11.3 - 2 pages]

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
2 June 2025	Virtual	Mayor – Regional Cities Victoria Extraordinary Mayors Meeting – Drought Response Taskforce.
6 June 2025	Virtual	Chief Executive Officer – Attended the Joint State-Local Government CEO Forum.
	Virtual	Mayor – Municipal Association of Victoria – The Mayors Institute – Strategic Roundtable for Local Government Advisory Panel Appointees.
	Warrnambool	Mayor and Chief Executive Officer – Attended the Victorian Government Treaty Information Forum.
10 June 2025	Warrnambool	Chief Executive Officer – Attended the CEO and Regional Development Victoria Regional Director Meeting.
11 June 2025	Melbourne	Mayor – 2025 Local Government Mayoral Advisory Panel.
11 – 12 June 2025	Shepparton	Mayor and Chief Executive Officer – Attended the Regional Cities Victoria General Meeting #3.
13 June 2025	Warrnambool	Chief Executive Officer – Attended the South West Victoria Alliance CEO's Meeting.
	Warrnambool	Chief Executive Officer – Attended the Regional Leaders Meeting.
18 – 19 June 2025	Melbourne	Mayor and Chief Executive Officer – Attended advocacy meetings with State politicians and Department heads.
20 June 2025	Warrnambool	Mayor and Chief Executive Officer – Attended the South West Victoria Alliance Planning Day.
24 June 2025	Warrnambool	Deputy Mayor Cr Jellie – Attended the Rotary Club of Warrnambool Changeover Dinner 2025-2026.
24 – 27 June 2025	Canberra	Mayor and Chief Executive Officer – Attended the National General Assembly.

Date	Location	Function
25 June 2025	Canberra	Chief Executive Officer – Attended the Australian Coastal Councils Association Roundtable.
	Warrnambool	Deputy Mayor Cr Jellie – Accepted a new piano for the Archie Graham Community Centre on behalf of Warrnambool City Council.
26 June 2025	Warrnambool	Cr Benter – Attended the Rotary Club of Warrnambool East Inc Changeover Dinner.
28 June 2025	Warrnambool	Cr Walsh – Attended Orchestra Victoria in Concert.
1 July 2025	Warrnambool	Mayor – Attended the Lions Club of Warrnambool Changeover Dinner 2025-2026.
3 July 2025	Warrnambool	Mayor and Chief Executive Officer – Attended the Warrnambool Beyond Bank Branch Grand Opening.
4 July 2025	Warrnambool	Cr Walsh – Attended the Warrnambool & District Artists Society Inc Annual Awards Exhibition Official Opening.

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