

# AGENDA

**SCHEDULED COUNCIL MEETING  
WARRNAMBOOL CITY COUNCIL  
5:45 PM - MONDAY 1 MARCH 2021**



---

## **VENUE:**

**Lighthouse Theatre Studio  
Timor Street  
Warrnambool**

---

### **COUNCILLORS**

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

Copies of the Warrnambool City Council's Agendas & Minutes  
can be obtained online at [www.warrnambool.vic.gov.au](http://www.warrnambool.vic.gov.au)

**Vikki King**  
**ACTING CHIEF EXECUTIVE OFFICER**

## **AUDIO RECORDING OF COUNCIL MEETINGS**

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

## **BEHAVIOUR AT COUNCIL MEETINGS**

Thank you all for coming – we really appreciate you being here. These meetings are the place where, we as Councillors, make decisions on a broad range of matters. These can vary greatly in subject, significance and the level of interest or involvement the community has. As part of making these decisions, we are presented with comprehensive information that helps us to form our position – you will find this in the agenda. It should also be remembered that the Council meeting is a “meeting of the Council that is open to the public”, not a “public meeting with the Council.” Each Council is required to have a local law that pertains to governance meeting procedures. Warrnambool City Council has followed best practice in this regard and its Local Law No.1 - Governance (Meeting Procedures) Local Law provides regulations and procedures for the governing and conduct of Council meetings. Copies of the Conduct and Behaviour excerpt from Warrnambool City Council Local Law No. 1 - Governance (Meeting Procedures) Local Law can be obtained online at [www.warrnambool.vic.gov.au](http://www.warrnambool.vic.gov.au) or are available from the table at the rear of the room.

We thank you in anticipation of your co-operation in this matter.

## ORDER OF BUSINESS

### Page No.

1. OPENING PRAYER & ORIGINAL CUSTODIANS STATEMENT .....	4
2. APOLOGIES.....	4
3. CONFIRMATION OF MINUTES.....	4
4. DECLARATION BY COUNCILLORS AND OFFICERS OF ANY CONFLICT OF INTEREST IN ANY ITEM ON THE AGENDA.....	4
5. MAYORAL PRESENTATION .....	5
6. REPORTS .....	5
6.1. COUNCILLOR ALLOWANCE REVIEW .....	5
6.2. DRAFT GOVERNANCE RULES - COMMUNITY CONSULTATION .....	8
6.3. ACTIVITIES & INITIATIVES 2020-2021: OCTOBER - DECEMBER (QUARTER 2) .....	11
6.4. PROPOSED EXTENSION TO THE CURRENT FREE TWO HOUR PARKING.....	13
6.5. CCTV SYSTEMS - POLICY ADOPTION POST PUBLIC CONSULTATION .....	15
6.6. STANLEY STREET - EDWARDS BRIDGE RENEWAL.....	21
6.7. ENDORSEMENT OF AUDITED MUNICIPAL EMERGENCY MANAGEMENT PLAN (MEMP) .....	24
6.8. PETITION - FOR REMOVAL OF SEAWEED ON LADY BAY BEACH .....	27
6.9. ZERO NET CARBON DEVELOPMENT OPPORTUNITIES & FEASIBILITY REPORT..	29
6.10. WILD COAST LANDSCAPE MASTER PLAN .....	33
6.11. COUNCILLOR REPRESENTATION ON PROJECT CONTROL GROUPS AND BOARDS .....	37
6.12. SPORTS GROUND SUMMER TENANCY FEE.....	40
6.13. INFORMAL MEETINGS OF COUNCIL REPORTS.....	42
6.14. MAYORAL & CHIEF EXECUTIVE OFFICER COUNCIL ACTIVITIES - SUMMARY REPORT.....	43
7. PUBLIC QUESTION TIME .....	44
8. CLOSED SECTION .....	44
8.1. MINUTES- IN-CAMERA MEETING HELD ON 7 DECEMBER 2020 .....	44
8.2. CEO EMPLOYMENT MATTERS ADVISORY COMMITTEE CHAIR .....	44

## 1. OPENING PRAYER & ORIGINAL CUSTODIANS STATEMENT

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

### ORIGINAL CUSTODIANS STATEMENT

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

## 2. APOLOGIES

## 3. CONFIRMATION OF MINUTES

---

### RECOMMENDATION

**That the Minutes of the Scheduled Meeting of Council held on 1 February 2021, 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. REPORTS**

### **6.1. COUNCILLOR ALLOWANCE REVIEW**

#### **PURPOSE:**

***The purpose of this report is to present the Councillor Allowance Review in accordance with section 74 of the Local Government Act 1989 to Council for resolution to progress to Community Engagement.***

---

#### **EXECUTIVE SUMMARY**

In accordance with section 74 of the Local Government Act 1989, Council must review and determine the level of Councillor and Mayor allowance within the period of 6 months after the general election of by the next 30 June, whichever is later.

Members of the public have the right to make a submission to Council under section 223 in regards to the proposed level of allowances. Section 223 requires Council to publish a public notice providing not less than 28 days for submissions to be received.

Council must provide due consideration to any submissions received and consider the adoption of the Mayoral and Councillor Allowances at a Council meeting before 30 June 2021.

It is recommended that Council gives public notice and invite submissions concerning its intention to retain the Mayoral and Councillor allowances at the maximum amount for a Category 2 Council, being \$81,204 Mayoral Allowance and \$26,245 Councillor Allowance

---

#### **RECOMMENDATION**

**That Council, in accordance with Section 74 of the Local Government Act 1989 (the Act), give public notice of its intention to retain the Mayoral and Councillor Allowances at the top of the band for a Category 2 Council being \$26,245 Councillor Allowance and \$81,204 Mayoral Allowance.**

---

#### **BACKGROUND**

Section 39 of the Local Government Act 2020 came into force on 6 April 2020 which provides for the Victorian Independent Remuneration Tribunal to make a determination on Mayor, Deputy Mayor and Councillor allowances under the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019.

However, as the Victorian Independent Remuneration Tribunal are yet to be convened on Councillor allowances, section 39(6) of the Local Government Act 2020 applies.

Section 39(6) states:

*“Despite the repeal of sections 73B and 74 to 74B of the Local Government Act 1989..., those sections continue to apply in respect of allowances payable to Mayors, Deputy Mayors and Councillors until the first Determination made by the Victorian Independent Remuneration Tribunal under section 23A of the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 comes into effect.”*

Council is, therefore, required to undertake an allowance review in accordance with section 74 of the Local Government Act 1989 which requires that Council must review allowances and prior to adoption, must present to the community and allow for public submissions for a period of 28 days in accordance with section 223 of the Local Government Act 1989.

Council is required to propose an allowance level within the limits set by the Minister for Local Government. These limits have regard to movements in the levels of remuneration of executives within the meaning of the *Public Administration Act 2004*.

Councils are classified into three categories based on the number of residents in each municipal area and their total recurrent revenue. The Mayoral and Councillor limits set by the Minister vary for each of the three categories. Warrnambool City Council is currently listed as a category 2 council.

Under section 73B, the Minister has conducted a review and determined that no adjustment to Mayoral or Councillors allowances will be made. This is in alignment with the 0% adjustment for Victorian Public sector executive remuneration for the 2020-2021 FY.

This report presents to Council that a review has been undertaken. Based on that review, the Minister's review in accordance with section 73B, and the pending review to be undertaken by the Victorian Independent Remuneration Tribunal, it is proposed that there be no change to the current allowances provided to the Mayor and Councillors respectively.

## **ISSUES**

As the election was held on the 24 October 2020, this review and determination must be completed by the 30 June 2021. In addition, section 74(4) requires that "A person has the right to make a submission under section 223 in respect of a review of allowances."

As such, Council will be required to provide due consideration to any submissions received and consider the adoption of the Mayoral and Councillor Allowances at a Council meeting before 30 June 2021.

Council can only determine an allowance level within the limits imposed by the Order in Council for a Category 2 council. That is, Council may propose the allowance be set at the maximum level for a Category 2 council or any other value between the minimum and maximum level for a Category 2 Council.

## **FINANCIAL IMPACT**

Warrnambool City Council is a Category 2 Council. The current range for allowances in that category is:

Councillors - \$10,914 - \$26,245 per annum

Mayor – Up to \$81,204 per annum

As no change to current rates is proposed, there would be no change financially.

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

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

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

## **TIMING**

Councillor allowances must be reviewed before 30 June 2021.

## **COMMUNITY IMPACT/CONSULTATION**

Section 223 (1)(a)(iii) stipulates that the Council must publish a public notice “*specifying the date by which submissions are to be submitted, being a date which is not less than 28 days after the date on which the public notice is published.*”

A public notice will be placed on Council’s website with information relating to the allowances and how submissions can be made to Council over the 28 day exhibition period.

## **LEGAL RISK/IMPACT**

Failure to review Mayoral and Councillor Allowances by the 30 June 2021 will result in the Council being in breach of the Act.

## **OFFICERS’ DECLARATION OF INTEREST**

Nil.

## **CONCLUSION**

In accordance with the Local Government Act 1989, Council is required to review and determine the level of Mayoral and Councillor Allowances by the 30 June 2021. Members of the public have the right to make a submission to Council under section 223 in regards to the proposed level of allowances.

Section 223 requires Council to publish a public notice providing not less than 28 days for submissions to be received.

Council will be required to provide due consideration to any submissions received and consider the adoption of the Mayoral and Councillor Allowances prior to 30 June 2021.

## **ATTACHMENTS**

Nil

---

## **6.2. DRAFT GOVERNANCE RULES - COMMUNITY CONSULTATION**

### **PURPOSE:**

***The purpose of this report is to seek the approval of Council to progress the draft Governance Rules to community consultation.***

---

### **EXECUTIVE SUMMARY**

To facilitate amendments to the Governance Rules proposed by Council, the draft Governance Rules are first presented to Council for their endorsement to proceed to community consultation through a public exhibition and submissions process.

In accordance with section 60(4) of the Local Government Act 2020, a process of community consultation must be undertaken when developing or amending the Governance Rules. It is proposed that the process of community engagement undertaken comply with section 223 of the Local Government Act 1989.

Community consultation through the public exhibition and submissions process will allow the community an opportunity to provide feedback or comment on the proposed changes to the Governance Rules. Any community feedback received on the draft Governance Rules will be presented to Councillors for their consideration prior to the Governance Rules being put to Council for final consideration.

The proposed changes to the Governance Rules include:

- Bringing 'Public Question Time' up the order of business closer to the beginning of the meeting.
- Making allowances for accepting petitions in an electronic form and bringing 'Petitions and Joint Letters' up the order of business closer to the beginning of the meeting.
- Including a requirement for all Council Meetings to be livestreamed, where this is possible.
- Including 'General Business' as a standing item in the order of business of Council Meetings.
- An amendment to provide for no limit to the number of requests for extension to speaking time by a Councillor.
- Including an option for a specialised meeting of the Council that is specifically for hearing submissions in accordance with section 223 of the Local Government Act 1989.

This report seeks the approval of Council to place the drafted Governance Rules on public exhibition for the purpose of allowing the community to make submissions on the proposed changes.

---

### **RECOMMENDATION**

**That Council approves that the draft Governance Rules (attachment 1 of this report) be placed on public exhibition in accordance with section 223 of the Local Government Act 1989.**

---

### **BACKGROUND**

Section 60 of the Local Government Act 2020 requires that Council must adopt and keep in force Governance Rules. The Governance Rules are for governing the conduct of a Council Meeting, the election of the Mayor and the Deputy Mayor, the procedures for disclosing a conflict of interest, matters that may be prescribed by any regulations, among other things.



A Council is allowed to amend its Governance Rules at any time; however, it must ensure that a process of community engagement is followed in developing and amending its Governance Rules. It is proposed that a process in accordance with section 223 of Local Government Act 1989 is followed. This allows community members 28 days to review the draft Governance Rules and provide comment through a submissions process.

Once the 28-day submission period closes, all submissions will be presented to Councillors for their review. Once submissions have been considered, the final draft will be submitted to the next available Council Meeting for Council's consideration.

This report was brought before Council at the 1 February 2021 Council Meeting, however, Councillors determined at that meeting *"That this matter be deferred to the 1 March 2021 Council Meeting."*

The Governance Rules were presented to a Councillor Briefing on 22 February 2021, to allow further discussion prior to their resubmission to a Council Meeting. The draft Governance Rules are now being brought back to Council for their consideration to progress to community consultation.

## **ISSUES**

Nil.

## **FINANCIAL IMPACT**

Nil.

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

It is proposed that the community consultation process be conducted in accordance with section 223 of the Local Government Act 1989.

In brief, section 223 states:

Where a person is given a right to make a submission to the Council under this section the Council must publish a public notice— specifying the matter and specifying the date by which submissions are to be submitted.

## **TIMING**

It is proposed that if endorsed by Council for community consultation, the draft Governance Rules will be made available on the Council website for exhibition and for community submissions between 8 February 2021 and 8 March 2021.

## **COMMUNITY IMPACT / CONSULTATION**

Throughout the 28 day exhibition period, the community will be able to provide submission to Warrnambool City Council on the proposed changes to the Governance Rules.

## **LEGAL RISK / IMPACT**

Nil.

## **OFFICERS' DECLARATION OF INTEREST**

Nil.

## **CONCLUSION**

The proposed changes, as presented in the draft Governance Rules, were completed in consultation with Councillors. They are now presented to Council and it is recommended that Council approve the draft Governance Rules' progression to being placed on public exhibition in accordance with section 223 of the Local Government Act 1989.

## **ATTACHMENTS**

1. Governance Rules - DRAFT - 1 February 2021 - Clean [**6.2.1** - 60 pages]
2. Governance Rules - DRAFT - 1 February 2021 - Changes indicated in Red [**6.2.2** - 60 pages]

---

### **6.3. ACTIVITIES & INITIATIVES 2020-2021: OCTOBER - DECEMBER (QUARTER 2)**

#### **PURPOSE:**

***This report provides information on the progress in achieving the Activities and Initiatives (A&I's) set down for 2020-2021 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 Activities and Initiatives set out in the Council Plan and Budget for the financial year 2020 –2021.

Council has been able to achieve the continuation of most of its services to the community despite the impacts of COVID-19 and has additionally altered its program focus where appropriate to respond to supporting the community through our program of works.

Council continues to deliver services that respond to the constraints by other levels of government to keep us safe. This has in many instances meant a rethink of how we provide our services. Council has adapted its service delivery methods and has continued to plan for a post COVID future for this community.

The A&I's underpin activities Council undertakes to work toward the vision of Warrnambool: A Cosmopolitan City by the Sea.

The 5 key objectives that support this Vision are:

1. Sustain, enhance and protect the natural environment.
2. Foster a healthy, welcoming city that is socially and culturally rich.
3. Maintain and improve the physical places and visual appeal of the city.
4. Develop a smarter economy with diverse and sustainable employment.
5. Practice good governance through openness and accountability while balancing aspirations with sound financial management.

---

#### **RECOMMENDATION**

**That the Activities & Initiatives 2020-2021 October – December Quarter 2, be received.**

---

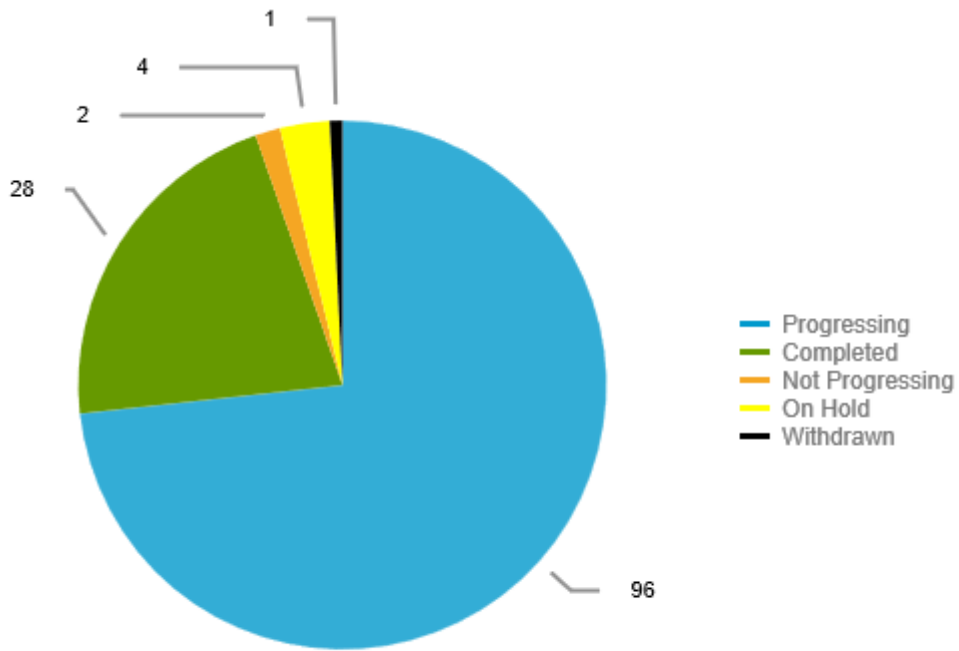
#### **BACKGROUND**

The 2017-2021 Council Plan (Revised 2020) is the principle planning and strategic document of the Council and details the Council strategic objectives for its community over a 4 year period.

Council is required to set down the A&I's 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.

#### **2020-2021 ACTIVITIES AND INITIATIVES OVERVIEW**

This report provides a snapshot as to the progress of the 2020-2021 A&I's.



## ATTACHMENTS

1. Activities & Initiatives 2020-2021 - Q2 Report [6.3.1 - 30 pages]

---

## **6.4. PROPOSED EXTENSION TO THE CURRENT FREE TWO HOUR PARKING.**

### **PURPOSE:**

***This report proposes an extension to the current two-hour (2P) free parking in Parkers, Crammond and Dickson and Ozone Car off street parks until 30<sup>th</sup> June 2021.***

---

### **EXECUTIVE SUMMARY**

- On December 7<sup>th</sup> 2020, Council resolved to extend the two-hour free parking until March 7<sup>th</sup> 2021 in response to the Covid 19 pandemic.
- With restrictions in place throughout Victoria due to the Covid 19 pandemic, and resultant financial impacts, it is considered appropriate to extend the current free parking arrangements until the end of the financial year.
- The cost of providing the free parking discussed in this report is approximately \$5,000 per month.

---

### **RECOMMENDATION**

**That Council resolves to extend the two hour (2P) free parking from 9am until 11am in the Parkers, Crammond and Dickson and Ozone Car Parks until 30 June 2021.**

---

### **BACKGROUND**

On December 7<sup>th</sup> 2020, Council resolved to extend the two-hour free parking until 14 March 2021 in response to the Covid 19 pandemic.

### **ISSUES**

With restrictions in place throughout Victoria due to the Covid 19 pandemic, and resultant financial impacts, it is considered appropriate to extend the current free parking arrangements until the end of the financial year.

### **FINANCIAL IMPACT**

The cost of providing the free parking discussed in this report is approximately \$5,000 per month.

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

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

5.4 Deliver customer-focused, responsive service

### **TIMING**

With immediate effect.

### **COMMUNITY IMPACT / CONSULTATION**

No community consultation was undertaken.

## **LEGAL RISK / IMPACT**

Risks are assessed as being financial and reputational. Council is responding to economic pressures caused by the Covid 19 pandemic.

## **OFFICERS' DECLARATION OF INTEREST**

No conflicts of interest were declared.

## **CONCLUSION**

In response to the ongoing Covid 19 pandemic, his report proposes an extension to the current two-hour (2P) free parking in Parkers, Crammond and Dickson and Ozone off street parks until 30 June 2021.

## **ATTACHMENTS**

Nil

## **6.5. CCTV SYSTEMS - POLICY ADOPTION POST PUBLIC CONSULTATION**

### **PURPOSE:**

***To adopt overarching Policy to provide direction and guidance on Council's management and use of CCTV systems in public places and at Council facilities and matters associated with the implementation of the management arrangements.***

---

### **EXECUTIVE SUMMARY**

- The Council has primary responsibility for compliance, maintenance, management and security of Council owned and operated closed circuit television (CCTV) systems.
- The Auditor-General has reported that Councils should have clear policies to govern the installation, use and oversight of surveillance technologies.
- The policies should set minimum expectations for decisions about installing surveillance devices, privacy considerations, the collection, management and use of information, physical and data security, access, disclosure, storage, retention and disposal of surveillance information, governance and oversight arrangements, monitoring, evaluation and accountability.
- A review of the current Council documentation has been undertaken. Memorandums of Understanding (MOU), the Code of Practice and the Operating procedures are all in place.
- However, the documentation for the overarching Policy is a missing link.
- This report submits CCTV Policy for adoption following public consultation from 14 December 2020 to 22 January 2021.
- The Policy provides that a CCTV Steering Committee shall exercise an oversight function over compliance with this policy.
- Terms of Reference for the Committee were adopted at the Ordinary Meeting of Council on 7 December 2020.
- The Policy commits the Council to undertaking audits and evaluation of its CCTV systems.
- An Annual Reporting Framework, including Audit and Evaluation, was noted at the Ordinary Meeting of Council on 7 December 2020.

---

### **RECOMMENDATION**

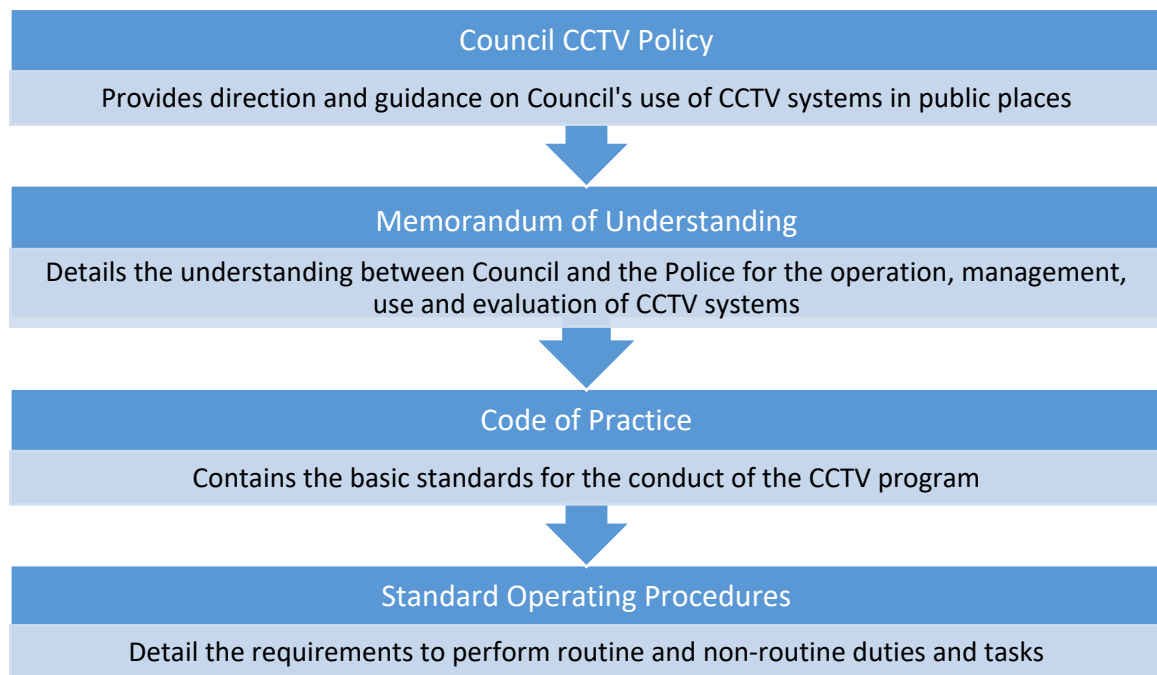
#### **That Council:**

- 1. Adopts the CCTV Policy following public consultation.**
- 2. Notes the one submission received during public consultation from 14 December 2020 to 22 January 2021.**

---

### **BACKGROUND**

The Council has installed CCTV surveillance systems at several sites in public places in the City. In principle, the authorisation and operation of CCTV systems is based around extensive documentation.



A review of the current Council documentation has been undertaken. Memorandums of Understanding (MOU), the Code of Practice and the Operating procedures are all in place.

However, the documentation for the overarching Policy is a missing link.

The MOU's commit the Council to having a CCTV Policy.

The Auditor-General undertook an audit of Security and Privacy of Surveillance Technologies in Public Places in 2018. It *outlines important considerations for all councils who manage CCTV* (further details on the audit are included below).

One of the considerations raised was that "*Councils should have clear policies to govern the installation, use and oversight of surveillance technologies*".

Clearly, there is a requirement for the Council to adopt a CCTV Policy.

Horsham Rural City Council was one of the councils included in the Auditor-General's audit. It developed a policy post the audit and this has been used as the basis for drafting the attached policy.

## AUDITOR-GENERAL'S REPORT

Report on 'Security and Privacy of Surveillance Technologies in Public Places', September 2018.

This audit examined whether information collected by councils' CCTV surveillance activities in public places is secure and whether the privacy of individuals is protected. The audit assessed whether:

- the use of council surveillance devices in public places adheres to relevant privacy laws and appropriate use policies; and
- the information collected from councils' surveillance activities in public places is protected from unauthorised disclosure.

The councils (5) examined could not demonstrate that they are consistently meeting their commitments to the community to ensure the protection of private information collected through CCTV systems.



Issues arising from the report to consider in developing the policy included:

Sec.	Content	Requirement	Questions arising
2.2	Council policies & procedures	Councils should have clear policies to govern the installation, use and oversight of surveillance technologies. The policies should set minimum expectations for decisions about installing surveillance devices, privacy considerations, the collection, management and use of information, physical and data security, access, disclosure, storage, retention and disposal of surveillance information, governance and oversight arrangements, monitoring, evaluation and accountability.	Does the Council's CCTV policy address the key Information Privacy Principles relevant to surveillance activities?
2.3		CCTV policy needs to be supported by comprehensive operating and procedure manuals or instructions to guide the day-to-day management and use of surveillance systems.	Do the operating procedures reflect the requirements of the <i>Privacy and Data Protection Act 2014</i> and the policy?

The Report included a table listing Key Criteria for a Council Policy on CCTV surveillance.

The most common gaps in councils' CCTV policies related to:

- referencing organisational policies on information technology and security—this was surprising given that CCTV systems clearly involve the collection and storage of information and data using electronic equipment
- training requirements for staff and contractors involved in using CCTV systems
- assurance, review and evaluation processes.

## POLICY CONTENT

The purpose of the Policy is to:

- ensure that the CCTV program operates fairly, within applicable legislation, only for the purposes for which it is established and with due regard to the privacy and human rights of individual members of the public and Council staff;
- provide a framework to inform and guide decision making on the implementation and installation of any CCTV system;
- assist Council to regulate the operation and management of Council-owned CCTV systems installed and operating in public places;
- ensure that the management of CCTV data inclusive of any footage, images, records or the observation of live feeds is appropriate in respect to the use, retention, security, privacy access, disclosure, storage and disposal of data;
- ensure there is appropriate and ongoing monitoring, evaluation and reporting systems and complaint handling processes; and
- ensure Council staff working with CCTV Systems undertake their duties in accordance with this Policy supplemented by Standard Operating Procedures.

The content of the draft policy has been checked for compliance with the criteria identified by the Auditor-General.

Criteria	Policy Check	Page
Policy covers both public safety and corporate CCTV	☑	
• purpose and objectives of CCTV surveillance	☑	4/5
• CCTV approval process	☑	6
• privacy considerations	☑	9
• signage	☑	7
• oversight arrangements	☑	9
• reference to council IT policies	☑	9
• training	☑	7
• inappropriate use	☑	9
• assurance and review mechanisms	☑	10
• evaluation of effectiveness	☑	9
• records management	☑	8

## CCTV SYSTEMS STEERING COMMITTEE

A CCTV Steering Committee has been appointed to oversee the implementation of the CCTV systems, the ongoing management and evaluation.

The Committee will exercise an oversight function over compliance with the Policy.

The Policy provides that the Committee will be chaired by a Council representative and consist of representatives from Council staff and Victoria Police.

Roles and responsibilities for the Committee include:

- Overseeing the implementation of the CCTV systems and the ongoing management
- Evaluating the CCTV systems
- Reporting on the management of CCTV systems
- Ensuring adherence to the relevant MOU for each system, Council policies and the law
- Promoting public confidence in CCTV systems by ensuring its operations are transparent and subject to public scrutiny
- Making recommendations to improve the integrity of CCTV systems

Terms of Reference for the Committee are attached.

## AUDIT AND EVALUATION

In addition to the drafting of the Policy document, a report has also been prepared on 'CCTV System Annual Reporting - including Audit and Evaluation'

The Dept. of Justice is requiring the Council to "*organise for an audit to be undertaken of the management of the CCTV system in Warrnambool City Council*".

The Dept. of Justice has also prepared a guide (refer to Attachment 4) to *assist local councils considering the implementation of CCTV systems to help address local safety issues*. Included in the guide is a section on evaluation. It outlines a range of elements suggested for inclusion in a *comprehensive evaluation framework*.

As a consequence of the documentation review, it is proposed that the evaluation will be in three parts:

- Achievement of Objectives
- Compliance with Good Governance
- Compliance with Operating Procedures

A copy of the Annual Reporting paper is attached, for information.

## **FINANCIAL IMPACT**

The Policy is an overarching document and does not, per se, commit the Council to any financial considerations.

Decisions to install CCTV Systems are subject to separate reports.

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

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

3.4 Maintain and enhance existing Council infrastructure

### **4 Develop a smarter economy with diverse and sustainable employment**

4.3 Enhance the visitor experience.

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

5.2 Develop policies, strategic plans and processes to address local and regional issues, guide service provision and ensure operational effectiveness

## **TIMING**

Routine.

## **COMMUNITY IMPACT / CONSULTATION**

The Policy was advertised for public consultation from 14 December 2020 to 22 January 2021, in line with the Council's normal practice in this regard.

## **LEGAL RISK / IMPACT**

Documentation on the use of CCTV Systems refers to the Council having a Policy in place. The Auditor-General has highlighted the need for such.

The Council would be failing in the overall management of these systems if it does not put an overarching Policy in place.

## **OFFICERS' DECLARATION OF INTEREST**

No officer involved in this report has declared a conflict of interest.

## **CONCLUSION**

That Council adopts the CCTV Policy following public consultation from 14 December 2020 to 22 January 2021.

## **ATTACHMENTS**

1. Attachment 1 CCTV Policy [6.5.1 - 10 pages]
2. Attachment 2 CCTV Steering Committee Terms of Reference [6.5.2 - 3 pages]
3. Attachment 3 CCTV Reporting Audit Evaluation [6.5.3 - 17 pages]
4. Request for additional CCTV Cameras at the Port of Warrnambool p [6.5.4 - 2 pages]

## **6.6. STANLEY STREET - EDWARDS BRIDGE RENEWAL**

### **PURPOSE:**

***For Council to confirm the concept design for the renewal of the Edwards Bridge, Stanley Street Warrnambool.***

---

### **EXECUTIVE SUMMARY**

- Edwards Bridge is an aging timber bridge, originally built in about 1895, that has reached the end of its serviceable life.
- Council was successful in obtaining up to \$1.5 million in Federal Government grant funding for the new bridge. The grant requires a dollar-for-dollar contribution. Council has allocated the required \$1.5 million matching funds from the annual road renewal program.
- To maintain access across the Merri River, the new bridge will provide for improved safety for pedestrians and cyclists, as well as ensure vehicle access is provided without restriction, i.e. the bridge will not be load limited.
- Up to four concept design options were developed and considered to meet the design requirements for a new bridge. The options were reviewed at a informal Council meeting in December 2020, and the two most viable options were presented to the community to seek feedback.
- The two options were functional, feasible and viable for the new bridge based on the preliminary cost estimates for the capital works ranging from \$2.7M - \$3M.
- Over a seven-week period, Council sought feedback from the community based on the two preferred options. At the close of the consultation period, Option B received 66.67% support and Option D received 33.33% support. Therefore, Option B is considered the preferred option based on the community consultation.
- To enable Council to meet the Australian Government Grant timeframes in delivering the project, it is important that a bridge concept is endorsed, with that option being in line with the majority support from the community.

---

### **RECOMMENDATION**

**That Council confirm the community preference of Option B concept design for the renewal of the Edwards Bridge, Stanley Street, Warrnambool and endorse the project proceeding to tender.**

---

### **BACKGROUND**

In December 2020, Council considered four design options that all met the requirements for a new bridge across Merri River. The four options included -

- Option A: Single span architecturally significant bridge.
- Option B: Two span heritage themed bridge.
- Option C: Retention of the existing bridge and additional two span road bridge.
- Option D: Single span contemporary bridge.

A review of the options determined that of the four options, options B and D were the two that provided a transport solution within budget that met the functional requirements. It was confirmed two options would be presented to the community and seek their feedback. The two options presented to the community were:

- Option B - Two span new bridge in the existing alignment with traditional design theme reminiscent of the Hopkins River Bridge.
- Option D – Single span bridge with contemporary design theme that is unique to Edwards Bridge.

The community consultation period commenced on 17 December 2020 and closed on 5 February 2021. At the close of the consultation period, Council had received 73 responses to the online survey.

The survey summary, which is attached to this report, showed a clear majority of the respondents nominated Option B as the preferred option.

## **ISSUES**

The current condition of the Edwards Bridge is poor, and access is currently limited to a 10 Tonne load limit. This, together with the substandard service for pedestrian and cyclist, has significant restriction for the serviceability of the Port of Warrnambool, access for residents, visitors and business owners to the harbour precinct and impacts on surety of access for emergency services.

By securing the Federal Government grant funding, Council can proceed with the replacement of this critical transport asset. The conditions of the grant funding require Council to proceed to construction within an ambitious timeframe which requires confirmation of the preferred option to be obtained to enable the project to progress through to design and delivery.

## **FINANCIAL IMPACT**

A preliminary cost estimate for Option B shows the bridge can be constructed and delivered within the available budget of \$3 million. Council has reprioritized the road renewal budget allocations across the 2020/21 and 2021/22 financial years to ensure sufficient budget is available to meet Council's financial obligations in line with the grant conditions.

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

This project aligns with the Council Plan and assists in the delivery of the following objectives.

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

- 2.2 Increase participation, connection, equity, access and inclusion
- 2.3 Increase community health and social connections.

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

- 3.1 Enhance movement in and around the city including better connections for cyclists and pedestrians
- 3.3 Build Infrastructure that best meets current and future community needs.

## **TIMING**

As per the requirements of the Federal Government grant, Council is required to commence the construction process within twelve months of signing the agreement. This requires the construction process no later than November 2021. The project is on track, subject to obtaining necessary statutory approvals, to meet this timeframe.

## **COMMUNITY IMPACT / CONSULTATION**

Community feedback was sought on the preferred bridge design options over a seven-week consultation period. The consultation summary is attached to this report for information.

Ongoing, Council will provide project updates to ensure the community remain informed.

### **LEGAL RISK / IMPACT**

The current key risk to the project relates to timeframes for confirming the preferred bridge option.

If this is delayed, this could impact on Council's ability to satisfy the requirements of the Federal Government grant conditions.

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

No officer declares an interest in the delivery of this project.

### **CONCLUSION**

Proceeding with Option B for the replacement of Edwards Bridge will provide a fit for purpose transport asset that will continue to deliver for the Warrnambool community for the next 100 years.

### **ATTACHMENTS**

1. Community Survey - Have Your Say - Edwards Bridge Renewal [6.6.1 - 19 pages]
2. SMEC Edwards Bridge Renewal D [6.6.2 - 55 pages]

---

## **6.7. ENDORSEMENT OF AUDITED MUNICIPAL EMERGENCY MANAGEMENT PLAN (MEMP) MUNICIPAL EMERGENCY MANAGEMENT PLAN 2021**

### **PURPOSE**

***To provide Council with the audited Municipal Emergency Management Plan for endorsement.***

---

### **EXECUTIVE SUMMARY**

- In accordance with the *Emergency Management Act 1986* s.20 (1) Warrnambool City Council must prepare and maintain a Municipal Emergency Management Plan (MEMP).
  - The MEMP is attached for information. **Refer attachments 1 to 6.**
  - The MEMP is prepared by the Municipal Emergency Management Planning Committee (MEMPC) for consideration by Council.
  - The MEMP was audited on 31 July 2020, consistent with Section 21A of the *Emergency Management Act 1986*.
  - Council received a report from Victoria State Emergency Service (VicSES) on 7 August 2020 stating that the Warrnambool City Council MEMP has been assessed as complying with the guidelines issued by the Minister. **Refer attachments 7 and 8.**
  - As there has been recent changes in personnel and Council representatives the plan has been updated to reflect those changes. Council is asked to endorse the audited MEMP as required. Subsequent changes such as changes in personnel will be updated from time to time.
- 

### **RECOMMENDATION**

**That Council endorse the Warrnambool City Council Municipal Emergency Management Plan.**

---

### **BACKGROUND**

In accordance with the *Emergency Management Act 1986* s.20 (1) Council must prepare and maintain a Municipal Emergency Management Plan (MEMP).

In order to meet the requirements of the audit the MEMP was updated. The new MEMP reflects best practice in emergency management.

As per Section 21A of the *Emergency Management Act 1986* the MEMP must be audited at least once every 3 years by the Victoria State Emergency Service

The audit of the MEMP was conducted on 31 July 2020 and was assessed as complying with the guidelines issued by the Minister.

Since Audit a number of staff and contact number changes have occurred both within the Council and other stakeholders. However, the Audited MEMP must be endorsed prior to any changes being made.

### **ISSUES**

Failure to endorse the Warrnambool City Council Municipal Emergency Management Plan will put Council in breach of the s.21 (4) of the *Emergency Management Act 1986*.



## **CURRENT STATUS**

The MEMP has passed audit and is submitted to Council for consideration and endorsement..

## **KEY CONSIDERATIONS**

The MEMP has been prepared by Council and feedback has been sought from the member agencies of the Joint Warrnambool City Council and Moyne Shire Council Municipal Emergency Management Planning Committee (MEMPC).

## **FINANCIAL IMPACT**

There is no financial impact for Council other than its commitment for emergency management staff to perform the roles and functions outlined in the MEMP after being formally requested by the Municipal Emergency Resource Coordinator or Incident Controller.

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

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

5.2 Develop policies, strategic plans and processes to address local and regional issues, guide service provision and ensure operational effectiveness

## **TIMING**

There are no timing requirements however, the audit stated that the MEMP should be presented to Council for consideration as soon as practical, after receipt of the audit report.

## **COMMUNITY IMPACT / CONSULTATION**

The MEMP was distributed for comment to all members of the Joint Warrnambool City Council and Moyne Shire Council Municipal Emergency Management Planning Committee. Membership includes: Country Fire Authority, Fire Rescue Victoria VicSES, Ambulance Victoria, Department of Land, Water and Planning, Wannon Water, Australian Red Cross, Victorian Council of Churches Emergency Ministry, Department of Economic Development, Jobs, Transport & Resources, Department of Health and Human Services, Parks Victoria, Regional Roads Victoria and Victoria Police.

## **LEGAL RISK/IMPACT**

Not having a plan endorsed by Council, fails to meet the legislative Emergency Management requirements and Council will be subject asked to endorse the plan by all emergency management stakeholders and the State Government.

Not endorsing the plan that has been prepared by the Municipal Emergency Management Planning Committee (MEMPC) for consideration by Council and successfully passing audit without any notes of recommended improvements would not be consistent with Statewide practices for Councils.

## **OFFICERS' DECLARATION OF INTEREST**

No conflicts of interest were declared.

## **CONCLUSION**

This report seeks Council endorsement of the audited MEMP in accordance with prevailing legislation.

## **6.8. PETITION - FOR REMOVAL OF SEAWEED ON LADY BAY BEACH**

### **PURPOSE:**

***Petition for the removal of seaweed on Lady Bay beach.***

---

### **EXECUTIVE SUMMARY**

- A petition has been received with 250 signatures asking Council to remove seaweed that has washed up on the Lady Bay beach adjacent to the Warrnambool Boat Ramp and the Pavilion Building.
- In accordance with Local Law L.1 Governance the petition is to be received, and referred to the Chief Executive for consideration and response.

---

### **RECOMMENDATION**

- 1. That in accordance with Local Law L1 Governance, the petition is received and the petition be referred to the Chief Executive for a report to a future Council meeting.**
  - 2. That a report be presented at a future Council Informal meeting outlining options for clearing the area in front of the Pavilion, including costs, environmental impacts and challenges.**
- 

### **BACKGROUND**

Council has received a petition 250 signatures asking Council to remove seaweed that has washed up on the Lady Bay beach adjacent to the Warrnambool Boat Ramp and the Pavilion Building. - **refer Attachment 1.**

Council's current level of service does not include clearing of the area directly in front of the Pavilion due to the difficult environmental conditions in this location, the absence of a dune face adjacent to the area, to a to place the seaweed and specialised machinery required to complete the works.

### **ISSUES**

In forming a response, consideration will be given to what actions if any will be taken and when.

There are a number of challenges with seaweed removal in front of the Pavilion. There has been significant depositing of seaweed in this location at least as long as the breakwater has been in place. The area accumulates seaweed consistently and in large quantities depending on the tide and current conditions. Over many years this has led to significant organic material rotting down through the sand layer, resulting in very soft and boggy geotechnical conditions. Previous efforts to clear the area with Council's loader (similar to activities on the rest of the beach) have been unsuccessful with the loader becoming bogged.

The area can be cleared by hiring an excavator to load into trucks capable of travelling along the beach. There then needs to be space further down the beach against the dunes for the trucks to unload the material, this is not always available depending on tides and other seaweed deposits already cleared. This is a costly and slow exercise with potential impacts on beach users where the trucks need to cart. It is also complex and time consuming in comparison to the programmed Council loader movements to clear seaweed on the other areas of beach.

Previous operations of this nature have also found that removing the top layer of fresh seaweed exposes the rotting layers mixed with sand below, resulting in a more powerful and pungent smell being released. The seaweed can also re-deposit in the area in large quantities in a matter of days with the right ocean conditions.

## **FINANCIAL IMPACT**

Council will assess the financial impact once a direction is provided regarding a desired course of action.

A further assessment on the impact to the immediate environment when determining how to treat the problem, will then enable an accurate forecast of the financial impact to be provided.

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

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

5.3 Ensure financial sustainability through effective use of Council's resources and assets and prudent management of risk

5.5 Foster an encouraging and positive staff culture

## **TIMING**

Routine.

## **COMMUNITY IMPACT/CONSULTATION**

The Chief Executive will arrange for contact to be made with the petition organiser, to inform them of the Council process in relation to petitions and subsequent recommendations or resultant actions.

## **LEGAL RISK/IMPACT**

The risks associated with heavy equipment movements in the suggested area of the beach are significant and Council will be required to hire specialised equipment to complete any removal, should this be the direction provided. Council's permit does not allow it to remove seaweed from the beach so space will need to be identified to track and place the identified seaweed further down Lady bay.

## **OFFICERS' DECLARATION OF INTEREST**

There were no officer declarations of interest made.

## **CONCLUSION**

The report be received.

## **ATTACHMENTS**

1. Petition for Better Beach Access by Users [6.8.1 - 13 pages]

---

## **6.9. ZERO NET CARBON DEVELOPMENT OPPORTUNITIES & FEASIBILITY REPORT**

### **PURPOSE:**

***This report provides an overview of the Zero Net Carbon Development Opportunities and Feasibility Report for the future growth area East of Aberline Road and outlines the next steps.***

---

### **EXECUTIVE SUMMARY**

- The East of Aberline growth area is located approximately 4 kilometres north east from the Warrnambool city centre and covers approximately 360 hectares of land. It has the potential to deliver 4,000 dwellings for the region.
- The Zero Net Carbon Development Opportunities and Feasibility Report has evaluated the potential low carbon opportunities to inform the development of the Structure Plan.
- Engagement and consultation with landowners, government agencies and other stakeholders was conducted in September 2020. Feedback received was incorporated within the opportunities and mechanisms identified in the report.
- The Precinct Structure Planning (PSP) process is currently underway for the East of Aberline growth area, and the findings of this report will be used to inform the development of the PSP. The Victorian Planning Authority (VPA) are the Planning Authority for the PSP, and it is recommended that a copy of this report be released to the VPA for implementation within the PSP.

---

### **RECOMMENDATION**

**That Council endorse the release of the Zero Net Carbon Development Opportunities and Feasibility Report for the East of Aberline Growth area to the Victorian Planning Authority to inform development of, and for implementation within, the Precinct Structure Plan.**

---

### **BACKGROUND**

The East of Aberline growth area is located approximately 4 kilometres north east from the Warrnambool City Centre, the East of Aberline (EoA) site covers an area of 360 hectares and has the potential to deliver 4,000 dwellings for the region. This area is likely to contain a mix of uses, such as residential, community and employment uses, subject to detailed Structure Planning.

Goal 10 of Warrnambool's W2040 Community Plan provides for the following goal:-

- **Warrnambool will pave the way for a Zero Net Carbon Housing Development.**

Green Warrnambool sets out Council's environment and sustainability strategy to 2040 and was adopted by Council in 2018. Green Warrnambool has set the goal for Warrnambool becoming the most environmentally sustainable regional city in Australia and includes a target of zero net greenhouse gas emissions by 2040. Green Warrnambool is a high-level, overarching strategic document that guides a suite of new and existing strategic plans and actions.

Green Warrnambool underpins a number of opportunities in which the EoA Precinct Structure Plan can assist in achieving the goals of Green Warrnambool including:

#### **Zero Warrnambool**

By 2040:

- The City of Warrnambool will have Zero net greenhouse gas emissions
- Warrnambool's energy is sourced from renewables
- 100% Homes and business use renewable energy for their energy needs

- Warrnambool community's main forms of transport are to walk, cycle or use solar powered vehicles
- Warrnambool has low emission public transport options

### **Adaptable Warrnambool**

By 2040:

- ESD principles used for all new developments and upgrade
- All new infrastructure is designed for the changed and changing climate
- Zero Carbon Neighbourhood
- There are several 'climate resilient' playgrounds in Warrnambool

### **Wise Warrnambool**

By 2040:

- Zero recoverable waste to landfill
- No litter and air pollution by EPA standards
- No wastewater or waterway pollution

### **Naturally Warrnambool**

By 2040:

- Over 330,000 plants planted and maintained
- Increased flora and fauna biodiversity
- Ensure protection and maintenance of existing established vegetation

### **Blue Warrnambool**

By 2040:

- Water Sensitive Urban Design principles are used in all infrastructure and open space developments and upgrades
- New developments incorporate roof water harvesting infrastructure
- No stormwater enters our waterways and coasts without treatment
- The Index of Stream Condition is Good to Excellent
- Warrnambool's use of potable water is 20% less than 2019 levels

### **Green Warrnambool**

By 2040:

- Warrnambool urban areas will have 30% vegetation canopy cover
- Over 50% of fresh produce consumed in Warrnambool is sourced locally, from backyards, community gardens, farmers markets and local businesses

Council engaged HIP V. Hype Sustainability to undertake analysis into low carbon and climate resilient responses that are able to inform the EoA Precinct Structure Plan. The Structure Plan will establish a land use planning and development framework that is able to be used by Council, the community, landowners and developers to guide future development within the growth area. Undertaking the low carbon review as part of the structure planning will ensure that sustainability is a core driver for the future planning of the precinct.

## **ISSUES**

Council's Sustainability Unit and the Strategic Planning team worked collaboratively with the Victorian Planning Authority (VPA) and HIP V. Hype Sustainability in the development of the **Zero Net Carbon Development and Feasibility Report, refer to attachment 1.3.1.**

The report recommends low carbon opportunities and implementation pathways for the following areas:

- Site Layout and Liveability
- Streets and Public Realm

- Energy
- Ecology
- Integrated Water Management
- Urban Heat
- Circular Economy

These areas have been compared to a “business as usual” scenario in order to evaluate the economic and carbon impact that these recommendations might have. The opportunities and mechanisms identified in the report are optional at this stage, they show all the possible scenarios. The purpose is to highlight opportunities for low carbon and climate resilience and a number of mechanisms which can be used to drive those opportunities through the Precinct Structure Plan.

## **FINANCIAL IMPACT**

The cost associated with this project are accommodated within the City Strategy and Development budget.

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

### **1 Sustain, enhance and protect the natural environment**

- 1.1 Protect and enhance our waterways, coast and land
- 1.2 Commit to being a carbon neutral organisation by 2040.
- 1.3 Assess our climate change preparedness
- 1.4 Review options for managing waste
- 1.5 Educate and partner with the community on Council's sustainability initiatives

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

- 2.1 Promote healthy lifestyles
- 2.2 Increase participation, connection, equity, access and inclusion
- 2.3 Increase community health and social connections.
- 2.4 Encourage and support participation in sport, recreation and physical activity.

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

- 3.1 Enhance movement in and around the city including better connections for cyclists and pedestrians
- 3.2 Create a more vibrant City through activating high quality public places.
- 3.3 Build Infrastructure that best meets current and future community needs.
- 3.4 Maintain and enhance existing Council infrastructure

### **4 Develop a smarter economy with diverse and sustainable employment**

- 4.1 Grow the Cities population through local economic growth
- 4.2 Encourage more sustainable local business.
- 4.3 Enhance the visitor experience.
- 4.4 Advocate for and improve infrastructure including transport, services and digital infrastructure.

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

- 5.1 Provision of opportunities for the community to actively participate in Council's decision-making through effective promotion, communication and engagement
- 5.2 Develop policies, strategic plans and processes to address local and regional issues, guide service provision and ensure operational effectiveness
- 5.3 Ensure financial sustainability through effective use of Council's resources and assets and prudent management of risk
- 5.4 Deliver customer-focused, responsive service

## **TIMING**

Routine.

## **COMMUNITY IMPACT / CONSULTATION**

Engagement and consultation with landowners and stakeholders was held in September 2020. Landowners and stakeholders had the opportunity to provide input into the recommended mechanisms and opportunities.

The consultation was delivered via Zoom due to COVID - 19 restrictions.

## **LEGAL RISK / IMPACT**

The project will demonstrate Council's commitment towards Carbon neutrality goals. The precinct has the opportunity to be a demonstration project and also an early adopter of a more sustainable development which minimises its ecological footprint.

## **OFFICERS' DECLARATION OF INTEREST**

None.

## **CONCLUSION**

The development of the Zero Net Carbon Development Opportunities and Feasibility Report is the first step in the development of the EoA growth area as a low carbon precinct. The findings in the report will inform the development of the Structure Plan for the area which will ensure low carbon practices are implemented within the development.

## **ATTACHMENTS**

1. Zero Net Carbon Development Eo A Final Report [6.9.1 - 82 pages]



---

## **6.10. WILD COAST LANDSCAPE MASTER PLAN**

### **PURPOSE:**

***This report outlines the draft Wild Coast Landscape Master Plan and recommends that it is released for community consultation.***

---

### **EXECUTIVE SUMMARY**

- The draft Wild Coast Landscape Master Plan provides recommendations for the future protection of environmental and cultural values of the Wild Coast precinct, whilst retaining the precinct's role as a recreation destination.
- A public survey was undertaken in June/July 2020 and the responses have informed the development of the draft plan.
- The draft plan has been developed in collaboration with Council staff, DELWP, Parks Victoria and Eastern Maar Aboriginal Corporation and is ready to be released for public comment.
- The community, interested parties and adjoining land holders will have the opportunity to provide comment on the draft plan, this feedback will inform the final Wild Coast Landscape Master Plan.
- Development of the plan has been funded by the Department of Environment Land Water and Planning (DELWP).

---

### **RECOMMENDATION**

**That Council approve the release of the draft Wild Coast Landscape Master Plan for community consultation.**

---

### **BACKGROUND**

Warrnambool City Council is the Committee of Management under the Crown Land (Reserves) Act 1978, for Warrnambool's coastline. The Wild Coast precinct is part of the coastal crown land located on the western edge of Warrnambool. It encompasses crown land from the municipal boundary to the western boundary of the Warrnambool Golf Club.

The Wild Coast precinct forms part of the broader area known as the Belfast Coastal Reserve. The precinct contains significant tangible and intangible cultural heritage, along with a rich array of flora and fauna which is important habitat for a numerous rare and threatened species. A range of recreational activities such as walking, cycling, fishing, horse riding, surfing, photography and conservation activities are undertaken in the area.

There a number of Council endorsed plans that cover the Wild Coast precinct such as the Warrnambool Coastal Management Plan 2013 and the Warrnambool Coast Vegetation Management Plan 2012 that recommend actions and strategies to help protect the biodiversity, landscape features and cultural heritage of the precinct. The Belfast Coastal Reserve Management Plan 2018 also applies to this area.

Council was successful in securing a grant from the Department of Environment Land Water & Planning (DEWLP) to develop a Landscape Master Plan to address risks and issues relating to beach access at Levys Point and Spookys Beach. The aim of the Master Plan is to provide a landscape approach to access to the coastline within the precinct. It will also assist in mitigating risks to the environment and cultural heritage within the area associated with illegal uses, improve safety for users and provide educational opportunities for the area.

The development of the Wild Coast Landscape Master Plan aligns with the following strategies:

- **Warrnambool 2040**
  - Warrnambool will be Australia's most sustainable city
- **Green Warrnambool**
  - Adaptable Warrnambool: We will adapt to the impacts of climate change
  - Naturally Warrnambool: We enjoy, love, respect and care for the natural environment
  - Blue Warrnambool: Water is for life, we will care for and regenerate our waterways, our coast and marine environment
  - Green Warrnambool: We will become a city in nature
- **Warrnambool Coastal Management Plan**
  - Sets the vision of 'an environment where the natural and cultural values of Warrnambool's unique coastline are protected and enhanced and the opportunities to access and enjoy the coastline are achieved in a sustainable way'.
  - The Coastal Management Plan identifies management objectives and divides the coastline into five precincts for identification of key values and key management issues.
  - The Wild Coast Precinct is the western section of the Warrnambool Coastal Reserve and contains environmental and cultural values and presents a range of key management issues relating to public risk and access.

## ISSUES

The **Wild Coast Landscape Master Plan Background Report** has been prepared. Refer to **Attachment 1.7.1**.

The project team have undertaken meetings with internal Council staff, Eastern Maar Aboriginal Corporation, DELWP, Aboriginal Victoria and Parks Victoria.

Council sought community feedback in the form of an online survey, for the preparation of the Wild Coast Landscape Master Plan in June/July 2020. The survey asked participants how they currently use the precinct, what they value in the precinct, what concerns they have about the precinct and what they would like to see addressed in the Landscape Master Plan. **Refer to Attachment 1.7.2 Consultation Analysis**.

Over 100 responses to the survey, six written submissions from individuals, community groups, organisations and volunteers with an interest in the area were also received. The principles, objectives and recommendations of the plan are based upon the insights and suggestions from the consultation conducted as well as the findings from site visits, site analysis, previous studies and plans.

The draft plan is in three parts: background, precinct context and community consultation outcomes; analysis and opportunities; and vision, principles, objectives and recommendations.

**Refer to Attachment 1.7.3 Draft Wild Coast Landscape Master Plan.**

Six place principles have been developed along with 12 key objectives to achieve the vision for the precinct to create a space that conserves and protects its environmental and cultural values, increases its biodiversity, references the important connection to Country for Eastern Maar and Gunditj Mirring Peoples and helps to maintain the area as a recreation and tourism destination for residents and visitors.

The key recommendations include:

- definition of beach access entrances and tracks
- installation of bollards to prevent off-road vehicle access
- weed management and revegetation

- sealing of Levys Point carpark
- installation of a viewing platform
- improvement of fire marshalling area along with entrance
- identification, directional, interpretive and information signage.

## **FINANCIAL IMPACT**

The preparation of the Wild Coast Landscape Plan has been funded by DELWP. The amount of funding was \$20,000. The development and preparation of the plan was also supported by Council's Sustainability and Natural Environment team.

Implementation of the plan will be accommodated within Council budget and funding opportunities as they become available.

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

### **1 Sustain, enhance and protect the natural environment**

- 1.1 Protect and enhance our waterways, coast and land
- 1.3 Assess our climate change preparedness

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

- 2.1 Promote healthy lifestyles
- 2.2 Increase participation, connection, equity, access and inclusion
- 2.6 Engage a broader range of people in cultural activities.
- 2.7 Actively acknowledge local Aboriginal culture.

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

- 3.1 Enhance movement in and around the city including better connections for cyclists and pedestrians
- 3.3 Build Infrastructure that best meets current and future community needs.
- 3.4 Maintain and enhance existing Council infrastructure

### **4 Develop a smarter economy with diverse and sustainable employment**

- 4.3 Enhance the visitor experience.

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

- 5.1 Provision of opportunities for the community to actively participate in Council's decision-making through effective promotion, communication and engagement
- 5.2 Develop policies, strategic plans and processes to address local and regional issues, guide service provision and ensure operational effectiveness
- 5.3 Ensure financial sustainability through effective use of Council's resources and assets and prudent management of risk

## **TIMING**

It is anticipated that the draft Wild Coast Landscape Master Plan will be released for public comment in March 2021.

Following the period for public comment, submissions in response to the draft Landscape Master Plan will be assessed and any necessary amendments will be made to the plan. The revised Landscape Master Plan will be presented to a future Council meeting.

## **COMMUNITY IMPACT / CONSULTATION**

Community consultation for the development of the Landscape Master Plan has been undertaken through a two staged approach.

The first stage comprised an online survey to establish how the community use and value the precinct along with concerns for the precinct and what should be addressed within the plan. The feedback received has influenced the vision of the draft plan. Council's Environment and Planning Advisory Committee provided early input into the plan.

The release of the draft Landscape Master Plan for community consultation is the second and stage in the consultation process.

The plan will be released on Councils Your Say website and notification will be included in the newspaper and social media. Adjoining landholders and key stakeholder groups will be notified of the release of the draft plan and community consultation 'drop in' sessions will be undertaken.

## **LEGAL RISK / IMPACT**

A risk audit undertaken by Council in 2015 identified several management issues, along with competing and conflicting uses within the Coastal Reserve. Consideration of the range of potential risks in addition to impacts on cultural heritage and environmental degradation informed the risk rating for the area to be extreme. The Wild Coast Precinct Master Plan has been developed to assist in mitigating these risks.

## **OFFICERS' DECLARATION OF INTEREST**

None.

## **CONCLUSION**

The draft Wild Coast Landscape Master Plan provides recommendations that will help ensure beneficial long term ecological and cultural outcomes are achieved, whilst retaining the precinct's role as a recreation destination.

It is proposed that the draft Wild Coast Landscape Master Plan will be released for public comment to provide the opportunity for the community and interested parties to make submissions and provide feedback on the plan.

## **ATTACHMENTS**

1. Wild Coast Landscape MP Background Report [6.10.1 - 69 pages]
2. Wild Coast Landscape Consultation Analysis [6.10.2 - 38 pages]
3. Wild Coast Landscape MP draft [6.10.3 - 49 pages]

---

## **6.11. COUNCILLOR REPRESENTATION ON PROJECT CONTROL GROUPS AND BOARDS**

### **PURPOSE:**

*This report considers Council representation on the Reid Oval Project Control Group, the Warrnambool Learning and Library Hub and the Corangamite Regional Library Corporation for the 2020-2021 Council year.*

---

### **EXECUTIVE SUMMARY**

To appoint Council representatives to the following Council Project Control Groups and the Boards for 2020-2021 including:

- Reid Oval Project Control Group - Terms of Reference refer **Attachment 1**.
- Warrnambool Learning and Library Hub Project Control Group - Terms of Reference refer **Attachment 2**.
- Corangamite Regional Library Corporation Board.

---

### **RECOMMENDATION**

- 1. The Council appoints and delegates Cr Debbie Arnott to the Reid Oval Project Control Group.**
  - 2. The Council appoints and delegates Cr Vicki Jellie to the Warrnambool Learning and Library Hub.**
  - 3. The Council appoints and delegates Cr Debbie Arnott to the Corangamite Regional Library Corporation.**
- 

### **BACKGROUND**

Councillor representation is required on the Control Group of these major projects to ensure that the best interests of Council and Community are represented and to aid in the consistent communication back to Councillors.

#### **Reid Oval PCG**

The objectives of the Reid Oval PCG are to:

- effectively provide strategic direction to the Project Working Group (PWG) in the resolution of important issues during the scoping and design phases of the project.
- ensure the key stakeholders have the opportunity to be involved in the design of any proposed facilities/amenities within the Reid Oval Sports Precinct and its proposed functions.
- provide a forum for discussion and feedback on issues relating to the planning, provision and development of the Reid Oval Redevelopment Project and future facilities.
- ensure the project is delivered on budget and within acceptable quality, time and risk parameters, using the 'report by exception' guiding project management principles.
- inform, update and consult with Council.

As the Project is now in the construction phase the PCG would only meet on an as needs basis and generally only if a significant project exception occurs.

## **Warrnambool Learning and Library Hub PCG**

The objectives of the Library PCG are:

- overseeing the Project Program, which shall include timeframes for the delivery of the Project Milestones;
- directing and overseeing the planning, design, construction and commissioning of the Works in accordance with the Works Program and Works Budget, with all final decisions to be made by DET (in relation to the agreements where it is the principal but at all times subject to the overarching obligation of collaboration and working together, provided that in relation to matters discussed by the PCG, DET has first raised its objection at the relevant PCG meeting;
- managing Project risks in the best interest of the Project;

The Library PCG meets every 2 months on a Wednesday at midday for 1 hour until the construction phase commences.

## **Corangamite Regional Library Board**

Councillor representation on the Corangamite Regional Library Corporation Board is a statutory requirement of the joint arrangement. The Corangamite Regional Library Board comprises one Councillor and one senior officer from each partner Council. The current Chair is Cr Ruth Gstrein from Corangamite Shire Council.

Meetings are generally bi-monthly and are generally held online or at Terang. The primary role over the next few months will be to support a smooth transition out of the CRLC with as little cost to Council as possible. This role will only be required until 30 June 2021.

## **ISSUES**

The appointment of a Council representative will aid in the consistent communication within the groups and back to Councillors.

## **FINANCIAL IMPACT**

Nil

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

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

3.2 Create a more vibrant City through activating high quality public places.

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

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

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

5.4 Deliver customer-focused, responsive service

## **TIMING**

To be implemented as from adoption at Council meeting.

## **COMMUNITY IMPACT / CONSULTATION**

N.A.

## **LEGAL RISK / IMPACT**

Nil

## **ATTACHMENTS**

1. 190925 Reid Oval PCG Terms of Reference FINAL [6.11.1 - 2 pages]
2. PCG Terms of Reference FINAL Library Learning Hub 20190901 [6.11.2 - 11 pages]

## **6.12. SPORTS GROUND SUMMER TENANCY FEE**

### **PURPOSE:**

***The report requests Council endorsement of a recommendation in regards to fees and charges for Council's summer sports ground tenants for the 2020/21 season.***

### **RECOMMENDATION**

**That Council issue invoices for the 2020/21 summer tenancy fee for the use of the sports ground and associated infrastructure.**

### **BACKGROUND**

Forty-five sport and recreation organisations who occupy and utilise fifteen Council owned or managed sports grounds for recreation and sports training and competition ceased operations during COVID-19 lockdown.

As part of Council's COVID response, fifteen winter user groups were not charged their tenancy fee for the 2020 season (football, netball, soccer, hockey, pony club and dog training). Clubs were severely impacted with no access or ability to operate during the lockdown, with competitions eventually being cancelled. The financial cost to Council was \$74,360.

During the time that the 2020/21 budget was being prepared there was still significant disruption due to the COVID-19 pandemic and it was uncertain whether there would be a resumption of summer sports. As a result the 2020/21 schedule of fees and charges for sports grounds were adopted without the inclusion of seasonal tenancy revenue.

With restrictions easing, summer sport was able to resume training and competition. Whilst the competition resumed later than normal (November), clubs were able to access and use facilities for training as usual. The Warrnambool & District Cricket Association advised a late start to the season was required in order to implement the strict COVID protocols set by the State Government and Cricket Victoria as well as providing time for clubs to be match ready.

In August 2020, Council provided indicative endorsement of the proposed pricing model and policy for occupancy of recreation facilities. Club consultation and refinement of the Policy and Pricing Model is to be reported back to Council for endorsement prior to implementation in July 2021.

Charges for 2020/2021 summer season are as per the 2019/20 Fees and Charges Schedule.

### **FINANCIAL IMPACT**

As tenancy fees are not budgeted for, revenue will be additional income for 2020/21.

The following summer user groups to be charged the following tenancy fee, noting that Nestles Cricket Club and East Warrnambool YCW Cricket Club will evenly share Jones Oval fee (relocating from Reid Oval during the redevelopment period).

<b>User Group</b>	<b>Reserve</b>	<b>Fee (pre GST)</b>
Dennington Cricket Club	Dennington Oval	\$4,033
Brierly Christ Church Cricket Club	Brierly Reserve	\$4,033



East Warrnambool YCW Cricket Club (shared)	Jones Oval	\$2,017
Merrivale Cricket Club	Merrivale Oval & Harris St	\$6,050
Nestles Cricket Club (shared)	Jones Oval	\$2,017
Russell's Creek Cricket Club	Jetty Flat & Mack Oval	\$6,050
Woodford Cricket Club	Bushfield Reserve	\$4,033
Wesley CBC Cricket Club	Walter Oval	\$4,033
West Warrnambool Cricket Club	Davidson Oval	\$4,033
	<b>Total</b>	<b>\$36,299</b>

## LEGISLATION/POLICY/COUNCIL PLAN CONTEXT

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

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

## TIMING

Due to the resumption of competition and timeframe for the pricing model and policy, it is recommended that invoices for the occupancy and use of sports grounds be forwarded to cricket clubs in early March.

## COMMUNITY IMPACT/CONSULTATION

Summer tenants are expecting a fee to be invoiced for their tenancy of sports grounds. An email will accompany the invoice, detailing why invoices were held until March.

## ATTACHMENTS

Nil

---

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

### **PURPOSE**

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

---

### **BACKGROUND INFORMATION**

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

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

### **REPORT**

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

1. Monday 8 February 2021 - refer **Attachment 1**.
2. Tuesday 9 February 2021 - refer **Attachment 2**.
3. Monday 22 February 2021 - refer **Attachment 3**.
4. Tuesday 23 February 2021 - refer **Attachment 4**.

### **ATTACHMENTS**

1. Assembly of Councillors Record 8 February 2021 [**6.13.1** - 1 page]
2. Assembly of Councillors Record 9 February 2021 [**6.13.2** - 1 page]
3. Assembly of Councillors Record 22 February 2021 [**6.13.3** - 2 pages]
4. Assembly of Councillors Record 23 February 2021 [**6.13.4** - 1 page]

---

### **RECOMMENDATION**

**That the record of the Informal Meetings of Council held on 8, 9, 22 and 23 February 2021 be received.**

---

---

## **6.14. 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**

---

<b>Date</b>	<b>Location</b>	<b>Function</b>
30 January 2021	Warrnambool	Mayor - Attended the Transport SAFETY Victoria FloatSafe life jacket clinic.
4 February 2021	Warrnambool	Mayor - Attended Emmanuel College whole of school Assembly.
17 February 2021	Warrnambool	Mayor - Attended online meeting with Great South Coast Mayors.
18 February 2021	Warrnambool	Mayor & Acting Chief Executive Officer - Attended online meeting of Regional Cities Victoria group.

---

### **RECOMMENDATION**

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

---

## **7. PUBLIC QUESTION TIME**

## **8. CLOSED SECTION**

---

### **RECOMMENDATION**

**That Council, pursuant to section 66 and 66(2)(a) of the *Local Government Act 2020*, close the meeting to members of the public to resolve on matters pertaining to items that deal with information that is confidential in accordance with section 3(1) of the Act, as follows:**

- 8.1. MINUTES- IN-CAMERA MEETING HELD ON 7 DECEMBER 2020** - confidential in accordance with section 3(1)(h) pertaining to confidential meeting information.
  
  - 8.2. CEO EMPLOYMENT MATTERS ADVISORY COMMITTEE CHAIR** - confidential in accordance with section 3(1)(f) pertaining to personal information, being information if released would result in unreasonable disclosure of information about any person or their personal affairs.
-