

AGENDA

**SCHEDULED COUNCIL MEETING
WARRNAMBOOL CITY COUNCIL
5:45 PM - TUESDAY 6 APRIL 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

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

Vikki King
ACTING CHIEF EXECUTIVE OFFICER

AUDIO RECORDING OF COUNCIL MEETINGS

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BEHAVIOUR AT COUNCIL MEETINGS

Thank you all for coming – we really appreciate you being here. These meetings are the place where, we as Councillors, make decisions on a broad range of matters. These can vary greatly in subject, significance and the level of interest or involvement the community has. As part of making these decisions, we are presented with comprehensive information that helps us to form our position – you will find this in the agenda. It should also be remembered that the Council meeting is a “meeting of the Council that is open to the public”, not a “public meeting with the Council.” Each Council is required to have 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 or are available from the table at the rear of the room.

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

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1. OPENING PRAYER & ORIGINAL CUSTODIANS STATEMENT

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

ORIGINAL CUSTODIANS STATEMENT

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

2. APOLOGIES

3. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Scheduled Meeting of Council held on 1 March 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. REPORTS

5.1. AUDIT & RISK COMMITTEE SELF-ASSESSMENT

PURPOSE:

To provide Council with the annual performance evaluation of the Audit and Risk Committee.

EXECUTIVE SUMMARY

- The Audit & Risk Committee charter under section 9 (c) sets out the requirement for the Chief Executive Officer to table the results of the annual performance evaluation at the next Council meeting.
 - The performance evaluation is a self-assessment by the independent members of the committee and is based on a survey from Local Government Victoria.
 - The three independent members completed the survey and the results were consolidated by Council officers.
 - Overall, the results were positive with an 88% satisfaction result.
 - A number of areas have been identified for future improvement with the committee and the Council officers developing plans for these.
-

RECOMMENDATION

That the Audit and Risk Committee performance evaluation be received.

BACKGROUND

Following the implementation of the Local Government Act 2020, Council is required under Section 54 (4) of the Act to provide a copy of the annual performance evaluation for tabling at the next Council meeting.

Council adopted a new Audit and Risk Committee charter in June 2020 that reflects the legislative requirements under section 9 (c).

ISSUES

The performance evaluation is a self-assessment by the independent members of the committee and is based on a survey from local Government Victoria. This is the first year that the committee has used this tool and therefore there is no historical information to compare the longer term trends in performance.

The survey was completed by the three independent members of the committee and the results were consolidated by Council officers. Overall, the results were positive with an 88% satisfaction result. The survey did highlight a number of areas for future improvement which included:

- Availability of training/professional development for the members
- Council's identification and management of risks
- The timing of the agenda's

The committee and Council officers will work together to develop action plans to address these issues.

FINANCIAL IMPACT

No financial Impact.

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

TIMING

The performance evaluation is to be included in the next Council meeting following its presentation to the Audit and Risk Committee.

LEGAL RISK/IMPACT

No risks identified.

OFFICERS' DECLARATION OF INTEREST

No conflicts of interest were declared.

CONCLUSION

The Chief Executive is tabling the performance evaluation to Council as required under section 9 (c) of the Audit and Risk Committee charter.

ATTACHMENTS

1. 2020 Self Assessment [5.1.1 - 3 pages]

5.2. COUNCIL ADVISORY COMMITTEES - REVIEW OF OPERATIONS

PURPOSE:

Review of Council Advisory Committees.

EXECUTIVE SUMMARY

Council presently has 7 Advisory committees that cover a range of topics and themes:

1. International Relations Advisory Committee
2. South West Livestock Exchange Advisory Committee
3. Australia Day Advisory Committee
4. Economic Development Advisory Committee
5. Visitor Economy Advisory Committee
6. Environment and Planning Advisory Committee
7. Health and Wellbeing Advisory Committee

The current term of office for these Advisory Committees expires on 30 April 2021.

The purpose of this report is to outline the outcomes of the review of Committees undertaken.

The report recommends on the number, make-up and purpose of these committees at the advent of a newly elected Council and the conclusion of the existing committees term.

The report outlines the committees to be recommended to continue, to cease, or to add as advice giving bodies for Council.

Council recognises Warrnambool has an active and involved community made up of many skilled individuals who have a broad and deep knowledge base on issues facing Council. Council seeks to tap into this knowledge to be best informed in specific areas of endeavour for the Council.

Council at least once in its term seeks community representation from suitably qualified and interested parties to share their knowledge and improve the overall service provision to the community through these selected specialist committees.

Council undertakes many consultative methods to seek advice and input from the community- the advisory committees make up one further way to gain information.

This report further outlines the process that will be undertaken to advertise for membership of the Advisory committees and the terms of reference for each of the advisory committees to be established.

RECOMMENDATION

1. That Council Advisory Committees for-

- **Economic Development & Tourism Advisory Committee**
- **Welcoming Cities Advisory Committee**
- **Planning Advisory Committee**
- **The South West Livestock Exchange Advisory Committee**

be established for the period 7 June 2021 to 31 May 2024 or for a period as outlined in the terms of reference for the individual Committees.

2. That Councillor representation for these Committees be nominated at the meeting of Council on 7 June 2021.

3. **That community nomination for vacancies to these Advisory Committees is advertised in the Warrnambool Standard and on Council's Web site from Saturday 17 April 2021 until a closing date for applications of Friday 7 May 2021.**
 4. **That Council declare the successful candidates to these Advisory Committees at its ordinary Council meeting of 7 June 2021.**
 5. **That all existing members of Advisory Committees receive a letter of thanks from Council for their services to the community over the previous term of the committee and where a Committee is continuing advise them of the process for nomination to the Advisory Committee.**
-

BACKGROUND

Council has maintained a varying number of Advisory committees over the life of this Council since amalgamation in 1994.

Advisory committees enable Council to get subject matter expertise and advice from the community on specialised areas of Councils operations. Council benefits greatly from the collective knowledge of these committees in the guidance around important areas of Councils operations.

The committees are set up as advisory committees of Council with both Councillor and officer representation to help support, facilitate and resource the committees.

Information flows to Council from the committees via reports and minutes of the meetings in a formalised format. Whilst the committees often follow formal meeting protocols and where items may be recommended or even voted upon the outcomes remain recommendations to Council.

The decision on items recommended and any allocation of Councils resources remains the strict remit of Councils powers.

The strength of the advisory committee structure is the collective wealth of knowledge that is gathered and the ability to garner fresh and informed views on important aspects of Councils operations and policies.

The committees may form as reference bodies to deal with the review and have input into policy work at its formative stage. Committees may recommend the appropriate conduits for broader community consultation.

In order to maintain their relevance usefulness and freshness Councils Advisory committee's terms of reference are reviewed periodically.

Council also chooses many other forms of Community consultation demographic information and data in the consideration of its decisions and resource allocation.

All terms of reference should at a minimum include:

PURPOSE OF COMMITTEE:

The reason for the committee to exist

NATURE OF ADVICE:

The form advice will take and not take the extent of that the committee will deal with issues and the range of issues the committee advice is pertinent to.

TERM

How long is the life of the Committee

COMMITTEE STRUCTURE:

How many community members
The expertise being sought for the committees make up
Selection criteria for community membership

COUNCIL MEMBERS:

What is the make-up of Councillor representation
What is the officer support to the committee

APPOINTMENT OF CHAIR:

Their term and method of appointment

MEETING TIME AND FREQUENCY:

MANAGING CONFLICT OF INTEREST:

The processes involved to deal with situations where conflicts of interest may arise

REPORTING REGIME:

Time frequency and form of feedback loops to and from the committee

MEETING PROCESS:

Procedural requirements and quorum requirements

AMENDMENT, MODIFICATION OR VARIATION

What is the formal mechanism to change the scope and nature of the committee if needed.

Current Warrnambool Council Advisory committees are:

1. International Relations Advisory Committee
2. South West Livestock Exchange Advisory Committee
3. Australia Day Advisory Committee
4. Economic Development Advisory Committee
5. Visitor Economy Advisory Committee
6. Environment and Planning Advisory Committee
7. Health and Wellbeing Advisory Committee

All advisory committees must at a minimum contain one Councillor Representative and one officer to support the committee.

Council wishes to review and develop a number of Advisory committees to aid in the breadth of knowledge it has available to it to make informed decisions on behalf of the community. Advisory committee terms of reference and make up and number should be reviewed periodically to ensure their relevance continues the form and function is appropriate and that they are adding value to the decision making of Council.

Warrnambool City Council chooses advisory committees as an important adjunct to its consultative and information gathering mechanisms.

It is recommended Council operates the following Advisory Committees effective from June 2021.

- Economic Development & Tourism Advisory Committee
- Welcoming Cities Advisory Committee
- Planning Advisory Committee
- The South West Livestock Exchange Advisory Committee

Following the review of the Advisory Committees, Council have chosen to review the nominations received for the Australia Day awards directly.

ECONOMIC DEVELOPMENT AND TOURISM ADVISORY COMMITTEE

Merge the existing Economic Development Advisory Committee and Visitor Economy Advisory Committee into one to be called the *Economic Development and Tourism Advisory Committee*. This is consistent with recent structure changes to combine the Economic Development and Tourism portfolios reporting into one Manager and generating enhanced cross-over between these two areas which share similar objectives.

A co-ordinated approach to both Economic Development and Tourism priorities is especially critical as Council prioritises work streams to support COVID-19 recovery efforts. The purpose of the Committee will be to:

- Advise Council on matters relating to the economic and tourism development of Warrnambool and the Great South Coast.
- To discuss new initiatives and major projects that support the Economic Development and Investment Strategy and Events Strategy.
- To review feasibility studies and business cases in line with Council priorities; and
- To act as a reference group and provide recommendations to Council on matters that fall within the Committees Terms of Reference.

WELCOMING CITIES ADVISORY COMMITTEE

The International Relations Advisory Committee be renamed the *Welcoming Cities Advisory Committee*. This change will retain the responsibilities of advising on Council's sister city relationships but also broaden its oversight to advise on Council's priorities and progress against the Welcoming Cities Standard. The Welcoming Cities Standard promotes acts of enabling all groups of people within a society to have a sense of belonging and to be able to participate in community life. The purpose of the Committee will be to:

- To promote and facilitate the Warrnambool community enjoying direct associations with international cities, promoting international friendship, cultural exchange and a general international awareness.
- To develop activities such as student exchange, teacher exchange, citizen exchange school language programs, cultural and sporting exchange, community involvement.
- To enhance Warrnambool's economy through improved business, trade and tourism links.
- To support Council in hosting international delegations where appropriate.
- To consider and provide advice to Council on sister city policy, strategy, current issues or trends.
- To consider and provide advice to Council on general international matters where appropriate.
- To provide oversight and advice towards Council's progress against the Welcoming Cities Standard. <https://welcomingcities.org.au/> <https://welcomingcities.org.au/the-standard/>

The Welcoming Cities Standard is a central element of the Welcoming Cities network, of which Warrnambool City Council is a member. The Standard establishes the framework for local councils to benchmark their cultural diversity and inclusion policies and practices across the organisation; identify where and how further efforts could be directed; and assess progress over time.

PLANNING ADVISORY COMMITTEE

That the Environment and Planning Advisory Committee be renamed the *Planning Advisory Committee*. The purpose of the Committee will be to provide advice on strategic planning projects (structure plans and key planning projects across City Strategy and Development branches. This does not preclude Environmental and Sustainability Projects coming before the Planning Advisory Committee if deemed relevant.

SOUTHWEST LIVESTOCK EXCHANGE ADVISORY COMMITTEE

Remains unchanged and will provide:

- advice in relation to the management and operation of the Warrnambool Livestock Exchange; and.
- provide a conduit for information between the Warrnambool City Council, saleyards management, stock agents, buyers, sellers, transporters, other stakeholders and the community.

HEALTH AND WELLBEING ADVISORY COMMITTEE

That the Health and Wellbeing Advisory Committee be disbanded and in its place Council facilitate the establishment of communities of practice for different thematic areas in partnership with the Victorian Department of Health and the South West Primary Care Partnership. The thematic areas will be guided by the priorities of the Municipal Health and Wellbeing Plan 2021-25.

Victoria's Local Government Act 2020 and the Public Health and Wellbeing Act 2008 stipulate the statutory role of Councils to 'protect, improve and promote public health and wellbeing within the municipal district.' The Climate Change Act 2017 also stipulates that both state and local governments must have regard to climate change when undertaking public health and wellbeing planning. The municipal public health and wellbeing plan (MPHWP) sets the broad mission, goals and priorities to protect and promote municipal public health and wellbeing.

The Victorian Health and Wellbeing Plan 2019-23 has identified 10 priority areas, with four pillars as focus areas, namely, tackling climate change its impact on health, increasing healthy eating, increasing active living and reducing tobacco-related harm. This plan also outlines that a joined-up approach across all parts of the public health and wellbeing system, based on evidence-informed coordinated approaches can maximise opportunities across communities to support Victorians to live healthy lives.

Warrnambool City Council set up the Health and Wellbeing Advisory Committee, chaired by a Councillor with representation from community, networks and additional membership of Council Officers in 2013. The Terms of Reference (TOR) for the Committee lays out its purpose as to: provide advice to Council on the development, review and implementation of the Warrnambool City Health and Wellbeing Plan and associated Action Plans. The TOR further stipulates that the Advisory Committee will comprise of 12 members with an interest and networks in one or more of nine thematic areas.

In its current structure, the Health and Wellbeing Advisory Committee is unable to include members from all the relevant networks and from the community, especially considering the broad scope of the municipal health and wellbeing plan. The Victorian Public Health and Wellbeing Outcomes Framework recommends a partnership approach at the local level involving local government, regional partnerships, social and aged care services, schools, women's health services, workplaces, hospitals, health and primary care organisations, Aboriginal community-controlled health organisations, human services provider agencies and community organisations. Discussion with stakeholders has also revealed that agencies across different sectors face challenges related to resourcing and technical capacity, thereby necessitating the need for a thematic approach to collaborating across the different issues of health, whereby significant synergies can be achieved through optimal use of limited resources.

NEXT STEPS

All committees will have a refreshed set of terms of reference to reflect up to date governance practice.

Members of the current committees will be written to, to inform them of the upcoming nomination process and thank them for their service.

A date for the resumption or establishment meeting for each committee will be advertised at this time.

Full nomination criteria and terms of reference for each committee will be available for consideration at this time.

Council will declare the successful candidates to these advisory Committees at its ordinary meeting of 7 June 2021. Successful and successful candidates will be notified in writing after this meeting.

Successful candidates will also be reminded of the meeting date and time for the initial establishment or resumption meeting for the advisory committees.

FINANCIAL IMPACT

The Advisory committees require resourcing in there administration and support. Whilst no direct resource allocation role exists for the committees they play an important part in the strategic planning direction and review of critical Council programs and facilities.

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

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

5.4 Deliver customer-focused, responsive service

COMMUNITY IMPACT/CONSULTATION

The Advisory Committee's terms of reference, eligibility criteria and call for membership will go through a public advertising process. Notification of Council's intent is included in this report.

OFFICERS' DECLARATION OF INTEREST

Nil

ATTACHMENTS

Nil

5.3. CHANGES TO EMERGENCY MANAGEMENT LEGISLATION IN RELATION TO COUNCIL'S INVOLVEMENT

PURPOSE:

This report provides information on the changes to The Emergency Management Acts in regard to the structure of the new Municipal Emergency Management Planning Committee (MEMPC).

EXECUTIVE SUMMARY

- On 1st December 2020 the Emergency Management Legislation Amendment Act (EMLA) 2018 repealed the legislative backing for the MEMPCs established previously under s21(3)-(4) of the Emergency Management Act (EMA) of 1986.
- The EMLA also inserted sections 59 and 59F into the EMA 2013, under which the Council is required to establish a new MEMPC with more specific membership and functions.
- This MEMPC, while chaired by Council, is no longer a Council Function.

RECOMMENDATION

- 1. That Council authorises the disestablishment of the existing Municipal Emergency Management Planning Committee (MEMPC) established under s21(3)-(5) of the Emergency Management Act 1986, in recognition that on 1 December these provisions are repealed by s82(2) of the Emergency Management Legislation Amendment Act 2018 and replaced by the provisions of s68 of the Emergency Management Legislation Amendment Act 2018.**
- 2. That council authorises the CEO to facilitate the establishment of the MEMPC in accordance with the provisions of s68 of the Emergency Management Legislation Amendment Act 2018 (which inserts a new 'Part 6-Municipal Emergency Management Planning Committees' into the Emergency Management Act 2013 on 1 December 2020).**
- 3. That council notes that under the Emergency Management Legislation Amendment Act 2018 (which inserts s59 and 59F into the Emergency Management Act 2013 on 1 December 2020), council's role is to establish the committee. Once established, the committee exists separately to Council and is not a committee of Council.**

BACKGROUND

In a letter to CEOs on 5 October, CEOs were advised that "In line with section 59(1) of the Local Government Act 2020, you are able to acquit this responsibility [to establish a MEMPC] through a council resolution that ensures a MEMPC is established in accordance with the legislation, including recognising that the MEMPC promotes shared responsibility for planning by requiring relevant agencies to participate in the planning process, and that the MEMPC reports directly to the Regional Emergency Management Planning Committee, not to council.

While there are similarities in membership and function between the previous and the reformed MEMPCs, there are also differences, for example the reformed committees are no longer a Council committee. While Council is required to formally establish the committee through a resolution, once established the committee's ownership passes to the multi-agency committee itself, which is subordinate to the REMPC (Regional Emergency Management Planning Committee), not to Council. In essence, the committee exists separately to Council, and is not a committee of Council.

This reform provides opportunity for a MEMPC to reconsider its membership and structure, especially given it is transitioning from a council-owned committee to a committee jointly owned by participating agencies.

The EMLA Act sets out a legislated core membership for MEMPCs. They are identified as:-

- Municipal council
- Victoria Police
- Country Fire Authority (if in your municipal district)
- Fire Rescue Victoria (if in your municipal district)
- Ambulance Victoria
- Victoria State Emergency Service
- Australian Red Cross
- Department of Health and Human Services

The EMLA Act also requires a MEMPC to invite at least one additional member for each of the following three categories:

- community representative
- recovery representative
- other representative (such as an industry, business or additional agency)

These additional memberships provide flexibility for the MEMPC to invite members that may address specific needs and requirements of your municipal district. Any members of your current MEMPC that are not reflected in the core membership of the reformed MEMPC remain eligible to sit on your committee as an additional member with the approval of the committee.

There is no longer a legislative requirement for council to approve a MEMPC. The audit process previously conducted by Victoria State Emergency Service (VICSES) has also been repealed and replaced with a new self-assurance arrangement. Under the new assurance process, the MEMPC will be responsible for ensuring that its plan complies with the new planning framework before that plan is provided to the relevant MEMPC for approval. The MEMPC now corporately belongs to the multi-agency MEMPC and not only to Council.

ISSUES

Council is required to pass a resolution to establish the MEMPC in accordance with the reformed legislation. s59 and 59F(a) of the EM Act 2013, to be inserted by the EMLA Act on 1 December 2020.

FINANCIAL IMPACT

There are no financial impacts on Council.

LEGISLATION / POLICY / COUNCIL PLAN CONTEXT

Emergency Management Act 1986
Emergency Management Act 2013
Emergency Management Legislation Amendment Act 2018

TIMING

The MEMPC is expected to report back to it's Regional Emergency Management Planning Committee (REMPC) Chair by 30th April 2021 that it is compliant with the reformed emergency management legislation and its intent.

COMMUNITY IMPACT / CONSULTATION

The MEMPC is run concurrently between Warrnambool City Council and Moyne Shire Council. Core membership includes: Country Fire Authority, Fire Rescue Victoria, VicSES, Ambulance Victoria, Australian Red Cross, Department of Families, Fairness and Housing and Victoria Police.

LEGAL RISK / IMPACT

Not having the MEMPC established by Council would cause it to fail to meet the legislative Emergency Management requirements and Council will be subject to pressure to establish the committee by all emergency management stakeholders and the State Government.

OFFICERS' DECLARATION OF INTEREST

None of the officers involved in the creation of this document have any conflicts of interest.

CONCLUSION

That Council disestablish the previous MEMPC and facilitates the CEO to establish the new MEMPC in accordance with s68 of the EMLA Act 2018, noting that the new Committee, once established, is no longer a committee of council.

ATTACHMENTS

Nil

5.4. PORT OF WARRNAMBOOL AND RIVERS FUNDING APPLICATIONS

PURPOSE:

This report provides information on funding applications lodged for the Port of Warrnambool, Merri and Hopkins Rivers.

EXECUTIVE SUMMARY

- Two funding streams have become available through Victorian Fisheries Authority and Better Boating Victoria providing opportunities for boating, fishing and related facilities.
- The following offers have been provided from Victorian Fisheries Authority through the Fishing and Camping Facilities Program 2020-21 at a funding ratio of 100% funded;

Supported applications;

- Jubilee Park Allansford Boat Ramp Extension; \$99,000 Inc. GST
- Fishing Pontoon Infrastructure Improvements (Seats and ladders); \$12,000 Inc. GST
- Jubilee Park Allansford Accessible Toilets; \$230,000 Inc. GST

Non-supported applications;

- Merri River Fishing Pontoon; \$112,000 Inc. GST

Items discussed but not included due to not meeting the criteria;

- Rowing club access improvements in the Hopkins and Merri Rivers
 - Hopkins and Merri Rivers Asset Management Plan
- The following applications have been lodged through the Better Boating Victoria, Boating Safety and Facilitate's Program 2020-21, with funding ratios of; Boating Infrastructure - 80% funded / 20% Council Contribution, Aids to Navigation - 100% funded;

Applications lodged;

- Jubilee Park Allansford Boat Ramp Extension; \$99,000 Inc. GST
- Port of Warrnambool Boat Wash Down Relocation; \$102,819.75 Inc. GST
- Hopkins and Merri Rivers Asset Management Plan; \$29,947.50 Inc. GST
- Hopkins River Buoy Capital Replacement; \$71,208.50 Inc. GST
- Hopkins River Boat Ramp Nav Aid Single Location Trail; \$11,313.50 Inc. GST

Items discussed but not included due to not meeting the criteria;

- Rowing club access improvements in the Hopkins and Merri Rivers
- Dredging (Above minor access maintenance)

Application lodge and awarded under a reallocated to emergency funding;

- Port of Warrnambool Boat Ramp Surface Treatment; \$12,911.80 Inc. GST

RECOMMENDATION

That Council:

- 1. Authorize CEO to enter into an Agreement with Victorian Fisheries Authority for offers provided.**
 - 2. Authorize CEO to enter into an Agreement with Better Boating Victoria should support be shown from Better Boating Victoria.**
-

BACKGROUND

Following the completion of the Council's in principal adoption of the Warrnambool Harbour Master Plan, funding applications remain ongoing to develop in line with this plan.

There is no strategic master plan or asset management plan for the Hopkins and Merri Rivers. The proposed works look to either improve existing facilities or incorporate consultation as part of the scope of works for new locations.

ISSUES

The applications made exclude the larger scaled works relating to the Port of Warrnambool including boat ramp upgrade, breakwater and car park improvements as the total grant pools are lower than each individual project.

The works identified are largely related to known issues and/or within the Port of Warrnambool Master Plan.

As there is no strategic master plan or asset management plan for the Hopkins and Merri Rivers the opportunities within these areas will need to incorporate individual consultation to confirm the final scope of works.

FINANCIAL IMPACT

If applications are successful through Better Boating Victoria a contribution of 20% will be required for items relating to Boating Infrastructure. Those relating to Aids to Navigation will be 100% funded.

The Fishing and Camping Facilities Program 2020-21 is 100% funded.

LEGISLATION/POLICY/COUNCIL PLAN CONTEXT

This report responds to the following Council Plan initiatives:

1 Sustain, enhance and protect the natural environment

1.1 Protect and enhance our waterways, coast and land

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

3.2 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

4.3 Enhance the visitor experience.

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

5.4 Deliver customer-focused, responsive service

TIMING

The outcome of the funding rounds is not defined however we anticipate an outcome by mid-April 2021.

If successful the delivery timeframes are to be finalised with the providers however, we anticipated a 12 month delivery timeframe from acceptance.

COMMUNITY IMPACT/CONSULTATION

Consultation for newly identified projects will be incorporated into the scope of works.

For information correspondence will be issued to key stakeholders and the general public for projects identified within Master Plans and upgrades to existing structures.

LEGAL RISK/IMPACT

The funding applications have been lodged under the signature of David Leahy, Director City Infrastructure. If the applications are successful formal signing of conditions will be required.

OFFICERS' DECLARATION OF INTEREST

No officer involved with the development of this report has declared a conflict of interest.

CONCLUSION

This report updates Council of the funding applications lodged for the Port of Warrnambool, Merri and Hopkins Rivers.

ATTACHMENTS

Nil

5.5. REVIEW OF THE REVEGETATION POLICY & GUIDELINES

PURPOSE:

This report outlines the review of the Revegetation Policy and Guidelines, presents the revised draft Revegetation Policy and Warrnambool Revegetation Guidelines for consideration and recommends their release for consultation.

EXECUTIVE SUMMARY

- The draft Revegetation Policy provides a consistent approach to revegetation projects carried out by Council and volunteer groups on Council owned or managed land.
- The draft Revegetation Guidelines are designed to provide an overview of issues to consider when planning and implementing revegetation projects and to provide clear direction regarding Council requirements for revegetation proposals.
- The draft policy and guidelines have been developed in collaboration with Council staff and are ready to be released for consultation with key stakeholders and the community.
- The community and key stakeholder feedback will inform the final Revegetation Policy and Revegetation Guidelines.

RECOMMENDATION

That Council approve the release of the draft Revegetation Policy and Revegetation Guidelines for consultation.

BACKGROUND

The Warrnambool City Council Revegetation Policy and the Revegetation and Maintenance Guidelines were endorsed in 2015 by the Management Executive Group.

The Warrnambool municipality has experienced extensive native vegetation removal and modification over the years, with less than 10% of native vegetation remaining. Warrnambool City Council owns or manages land which features rare flora and fauna, natural coastline, sites of international migratory importance and unique waterways and wetlands, all of which have significant natural, cultural, economic, educational and recreational values.

Native vegetation is crucial for the health of the environment and supporting biodiversity. Native vegetation controls erosion through protecting soils and riverbanks, reduces land degradation and salinity, improves water quality and availability and provides habitat for unique biodiversity including threatened species. Warrnambool's open space network plays an important role in protecting remaining areas of native vegetation. Some open space areas are of higher biodiversity importance than others.

Council supports revegetation on Council owned and managed land. When revegetation projects are planned and implemented appropriately they can provide a range of environmental and social benefits. However, inappropriate siting and design, along with plant mortality and insufficient maintenance can significantly reduce the benefits and success of the project. The Revegetation Policy 2015 and the Revegetation and Maintenance Guidelines 2015 were developed to provide clear direction regarding the Council's requirements for revegetation and rehabilitation activities on Council managed land. The guidance was designed to ensure the provision of consistent and successful revegetation projects.

However, there have been some changes since the Revegetation Policy and Revegetation and Maintenance Guidelines were developed, such as the adoption of the Green Warrnambool plan and the recent listing of assemblages of species associated with open-coast salt-wedge estuaries of Western and Central Victoria under the *Environment Protection and Biodiversity Conservation Act 1999*.

The Green Warrnambool plan aims to build knowledge, skills and involvement in the protection of biodiversity, waterways and the coast, increase the number of indigenous plant and animal species in the municipality and regenerate waterways among other things. As such Council encourages and supports revegetation within Council owned or managed open space land network.

A number of areas along both the Merri and Hopkins River corridors have been identified as priority and open for restoration or revegetation. The revegetation or restoration of these areas assists in reducing the impact of land uses and associated decline in water quality within the river systems, which is important due to the recent listing of assemblages of species associated with open-coast salt-wedge estuaries of Western and Central Victoria under the Environment Protection and Biodiversity Conservation Act 1999.

In order to remain current and incorporate new Council and State policies and vision/s, a review of the Revegetation Policy has been undertaken.

ISSUES

A review of the Revegetation Policy & Guidelines (2015) has been undertaken and a revised **draft Revegetation Policy and Warrnambool Revegetation Guidelines have been prepared, refer to Attachment 1.4.1 and 1.4.2.**

The draft Revegetation Policy (the Policy) provides a consistent approach to revegetation projects carried out by both Council and volunteer groups on Council owned or managed land. The Policy contains a number of policy principles that ensures projects align with Council's strategic requirements, complies with relevant policy, legislation or regulatory standards and that any changes to the community's assets are safe and considerate of any interconnected infrastructure.

Since 2015, over 20 applications for revegetation projects have been approved, however Council does not have recordings of the success of the projects to date. To assist with documenting the success of each project, will be the requirement to photograph the revegetation site from a fixed photo monitoring point and note observations at the time of photographic monitoring. Monitoring results are required to be communicated to Council on an annual basis unless otherwise agreed.

The Memorandum of Understanding has also been updated to reflect Council's current insurer requirements. The handover procedure is a new addition to the Guidelines and is designed to provide pertinent information around revegetation sites upon the cessation of the MOU and the subsequent transfer of site maintenance back to Council.

The amendments to the draft guidelines include:

- Further information in relation to planning a revegetation project, including new sections on weed hygiene and monitoring requirements;
- Updated application form;
- Updated risk management and MOU in line with the current requirements of the Council insurance policy; and
- Revegetation site handover procedure.

FINANCIAL IMPACT

The costs associated with the review and implementation of the Revegetation Policy and Guidelines have been considered within the City Strategy & 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
- 1.3 Assess our climate change preparedness
- 1.5 Educate and partner with the community on Council's sustainability initiatives

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.
- 3.4 Maintain and enhance existing Council 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
- 5.4 Deliver customer-focused, responsive service

TIMING

Routine - the draft Revegetation Policy and Revegetation Guidelines will be released for consultation.

COMMUNITY IMPACT / CONSULTATION

The review of the Revegetation Policy and Guidelines has been undertaken in consultation with internal stakeholders including the Natural Environment Project Team and Strategic Planning team.

Engagement and consultation on the revised draft Policy & Guidelines will be undertaken with key stakeholders including Landcare Groups and the Catchment Management Authority.

LEGAL RISK / IMPACT

The review of the policy and guidelines seeks to ensure current legislation, policy and practices are incorporated, while risks associated with revegetation projects are minimised and works on public land are undertaken in a coordinated way to ensure appropriate consideration is provided to the site.

OFFICERS' DECLARATION OF INTEREST

None.

ATTACHMENTS

1. 202028 Revegetation Guidelines Draft 23022021 [5.5.1 - 41 pages]
2. reveg guidelines policy [5.5.2 - 7 pages]

5.6. ADVISORY COMMITTEE & REFERENCE GROUP REPORTS

PURPOSE

This report contains the record of one Reference Group meeting.

REPORT

- **Airport Reference Group Minutes – 15 March 2021 – refer Attachment 1**

ATTACHMENTS

1. Minutes WARG 15 March 2021 [5.6.1 - 6 pages]

RECOMMENDATION

That the record of the Airport Reference Group Meeting held on 15 March 2021, be received.

5.7. 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:-

- Monday 15 March 2021 – refer **Attachment 1**
- Monday 22 March 2021 – refer **Attachment 2**
- Monday 29 March 2021 – refer **Attachment 3**
- Tuesday 30 March 2021 – refer **Attachment 4**

ATTACHMENTS

1. Assembly of Councillors Record 15 March 2021 [5.7.1 - 1 page]
2. Assembly of Councillors Record 22 March 2021 [5.7.2 - 1 page]
3. Assembly of Councillors Record 29 March 2021 [5.7.3 - 2 pages]
4. Assembly of Councillors Record 30 March 2021 [5.7.4 - 1 page]

RECOMMENDATION

That the record of the Informal Meetings of Council held on 15, 22, 29 and 30 March 2021, be received.

5.8. 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
26 February 2021	Portland	Mayor & Chief Executive Officer - Attended the meeting of the Great South Coast Board.
27 February 2021	Warrnambool	Cr. Taylor represented the Mayor at the Vauxhall Car Club of Australia Annual Rally dinner.
3 March 2021	Warrnambool	Mayor - Attended the Warrnambool Community Garden solar launch.
	Dennington	Mayor - Attended a meeting of the Dennington Community Association.
9 March 2021	Warrnambool	Mayor - Attended Emmanuel College International Women's Day event.
	Warrnambool	Mayor - Hosted a Civic Reception to front line health care workers to celebrate International Women's Day.
10 March 2021	Warrnambool	Mayor & Chief Executive Officer - Attended the launch of the Big Build Apprenticeships in regional Victoria by the Hon. Gayle Tierney MP, Minister for Training & Skills. A design update on the Warrnambool Learning & Library Hub was also provided to the Minister.
19 March 2021	Warrnambool	Mayor - Attended the Harmony Week Celebration held at the Archie Graham Centre.
		Mayor - Officially launched the Mirteetch Meering <i>Sea Country</i> exhibition by artist Lowell Hunter held in the Maar Nation Gallery in the Warrnambool Art Gallery.
24 March 2021	Virtual	Mayor - Attended a meeting of the Regional Cities Victoria group.
30 March 2021	Warrnambool	Mayor - Attended the Neighbour Day Event - Meet Your Street held at the West Warrnambool Neighbourhood House.
	Warrnambool	Mayor - Attended the Official Opening of "Tooram Memoriam Park" - Warrnambool's new cemetery.

31 March 2021	Warrnambool	Mayor & Chief Executive Officer - Met with the Hon. Shaun Leane MP, Minister for Local Government during his visit to south west Victoria.
	Warrnambool	Mayor & Councillors - Met with the Board of South West TAFE.

RECOMMENDATION

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

6. PUBLIC QUESTION TIME

7. CLOSE OF MEETING