



**CONTRACT 2019047
DESIGN OF PUBLIC AMENITIES RENEWAL 2019-2020
MCGENNANS CARPARK, WARRNAMBOOL
SITE SUITABILITY ASSESSMENT REPORT**

**FOR
WARRNAMBOOL CITY COUNCIL**

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GM20-203 site suitability assessment report-140520.doc | Page 1 of 16



SITE SUITABILITY ASSESSMENT REPORT

CONTRACT 2019047 – MCGENNANS FORESHORE CARPARK AMENITIES

Client: Warrnambool City Council

Date: 14th May 2020

Scope

Warrnambool City Council currently operates an existing stand alone public amenities block on the south side of Pertobe Road adjacent to the eastern vehicle entrance to McGennans Carpark. This facility is an old style conventional fully roofed amenities block, and is in demand all year round with a high sustained summer peak usage. Being in the foreshore precinct between Lake Pertobe and the beach area, a high number of children and families use this facility.

The Warrnambool Public Amenities Strategy 2013 identified a recommendation the existing toilet block be demolished and replaced with a new stand-alone facility within McGennans Carpark closer to the beach to better service beach visitors by concentrating toilets near the higher use section of the beach and reducing the maximum walking distance to approximately 500m for users further along the beach. A number of potential sites were identified in the strategy and included in the project brief.

This strategy also recommended providing change facilities by making toilet cubicles larger than standard with a small bench for placing clothing on, and providing external showers. The strategy also recommended multiple cubicles with their own lockable doors opening directly to public areas, thus enabling the number in use to be restricted during the low season or low use times to assist with reducing cleaning and maintenance costs, or allow for more frequent cleaning of open cubicles. The strategy also included recommendations that external shower facilities be located at least 5m away from the nearest toilet door.

Accessibility for people of all abilities is also a requirement for any new amenities facility. The Warrnambool Public Amenities Strategy 2013 identified legislation changes requiring all new toilet blocks with more than one toilet cubicle to have at least one fully compliant disability accessible cubicle, and at least one additional cubicle accessible for people with disabilities who are ambulant.

The strategy recorded a preference for new foreshore toilets accessible from a beach to have as a minimum:

- Separate gender facilities
- Three cubicles for each gender – one to be accessible for people with disabilities for each gender or two cubicles for each gender with a separate unisex cubicle accessible for people with disabilities
- Cubicles to be large and incorporate a change bench
- Disability cubicles to have baby change facilities and a junior toilet
- External showers.

The project brief specific to the current project doesn't include a specific design requirement, but expected the new facility to include a combination of the following:

- Outdoor showers
- Accessible cubicle with toilet and shower
- Family change rooms with toilet and shower, benches and baby change facilities
- Unisex cubicle toilets with hand wash facilities compliant with ambulant disability requirements
- Unisex cubicle toilets with hand wash facilities.

The project brief also includes provision for ancillary facilities including bathing change rooms, baby change facilities, external showers, and child toilet pans, and included a number of design guidelines

comply with best practice DDA and Crime Prevention Through Environmental Design (CPTED) principles.

Executive Summary

The Lady Bay West precinct includes McGennans Carpark which is part of the main foreshore activity node and allowances for the provision of new infrastructure, the impact to sites of cultural significance due to fragile and accessible nature, and various other matters.

The inclusion of public toilet facilities is an existing use and improves the amenity for users and future generations to enjoy, but needs to be respectful of the environment and traditional owners.

The existing site (Site 1) may not require native title recognition, but other proposed sites within the precinct will.

It is noted that all sites will require Marine and Coastal Act consent, including the existing site (Site 1) as it is probable the footprint of any new building will not be within the footprint of the existing building, and the value of the works will exceed \$100,000.

Specific to the actual building, provision is to be made for storage of consumables and other items regularly needed for cleaning and maintenance of the facility. All materials, fixtures and fittings will need to be high quality and durable and consistent with other council facilities.

Project costings will be prepared based on the preferred site and schematic design. The cost estimate will include all building works, associated building services, and a suitable allowance for consultant's fees, building permit fees, and other statutory fees.

An allowance for demolition costs for the existing toilets is excluded, as is asbestos removal, diversion or upgrade of existing services, and site penalties. However, an allowance for some or all of these items may need to be factored into the overall project cost dependent upon the final site selected.

Additional detail supporting this summary is included in the following pages and attachments.

Emergency Services Review

The initial stage of the site suitability analysis included a meeting with emergency services Victoria Police (VP), Ambulance Victoria (AV), Country Fire authority (CFA) was conducted on 6th March 2020 and included a number of recommendations for consideration. The State Emergency Service (SES) were invited, but whilst unable to attend, cited their requirements as being consistent with those of the CFA.

At this meeting, following a review of the various needs, requirements, and safety considerations of these agencies, it was determined McGennans Site 3 and McGennans Site 5 did not satisfy a number of their requirements, and it was thus recommended they not be considered further.

These two sites created significant challenges for public safety including location of the roadway separating the site from principal pedestrian traffic thus the need for users, many of which are small children, to cross the roadway, the relative proximity of vegetation and the inability to properly sufficiently illuminate all approaches to maximise user safety.

The risks associated with management and operation of public toilets relative to each site were assessed against Crime Prevention Through Environmental Design (CPTED) principles in respect to public safety and the suitability of each site. The CPTED guidelines identified significant risks at Site 3 and Site 5 avoided or significantly reduced at other sites.

The option of an additional Site 6 at far western end of carpark discussed for consideration. It was noted this option may be suitable if other preferred sites not acceptable to other stakeholders, but would likely incur the most cost. Further evaluation of this site to be considered.

Emergency services noted sites in order of preference as Site 4 and Site 2.

Discussion with emergency services regarding building design noted a preference for orientation to the north or east away from prevailing weather conditions with all doorways highly visible. Provision of suitable privacy whilst maintaining safe access was noted as important.

Safety design concerns highlighted by Victoria Police are as follows:

- Lighting to facility and around full perimeter including approach access ways and carparking
- Use of non-flammable materials in construction
- Proximity of potential places to conceal persons, particularly vegetation on north side of carpark
- Sufficient lines of sight and space for safe visible access and egress and to manage or see children running
- Vehicle access suitable for CFA will satisfy requirements of Victoria Police.

Safety and design concerns highlighted by Ambulance Victoria are as follows:

- Safe access for stretchers including pathways, hard stands, crossovers
- Preference to be able to park ambulance on a level area with direct access to rear of vehicle for loading and unloading stretchers
- Prefer doors to open outwards to reduce risk of person falling against doors and restricting emergency access.

Safety and access concerns highlighted by the Country Fire Authority are noted as follows:

- General area of McGennans Carpark not of major concern for CFA. Existing access suitable for fire trucks and other equipment.
- Prefer clearance in front of building if possible, possibly consider bollards to maintain access
- Existing fireplugs in the vicinity are sufficient to cover all of the nominated sites.

The State Emergency Service was not represented at the meeting, but email advice received prior noted the following:

- Public Safety Concerns: SES is the Control Agency for Flood, Storm, Tsunami, Landslide and Earthquake. The only concern would be around Flood and Storm Surge, the Council planning scheme should address the impacts of flooding in the local area in particular flooding from the Merri River in South Warrnambool. Storm Surge is also a risk however due to lack of intelligence and planning, for Storm Surge effects we have used the Flood Overlays to assist with possible impacts for flooding from this type of event.
- Access for SES vehicles will be in line with CFA requirements which may also be addressed within Councils Planning Scheme.
- SES does not have any specific facility requirements, apart from our control agency roles we would be a support agency to other agencies and believe this could all be conducted under normal business as usual response.

Native Title

Native title rights may include the possession, use and occupation of traditional country. In some areas it may be a right of access to the land, but it can also include the right for native title holders to participate in decisions about how others use their traditional land and waters. The Native Title Act 1993 describes the circumstances under which native title will be recognised.

In the terms of new works, native title may not be extinguished, and the rights and interests of Aboriginal and Torres Strait Islander people and organisations must be considered in the planning stage.

Should the existing site (Site 1) be the preferred site, native title rights may already be extinguished and native title recognition will likely not be applicable.

Should Site 2, 4 or 6 be the preferred site, native title consent will be required, and must include consultation with Aboriginal and Torres Strait Islander people with a connection to the land to determine the circumstances under which native title will be recognised as described in the Act.

The Native Title Act 1993 provides the legal principles for the recognition of native title, the processes involved in having native title recognised and the role and responsibilities of the different bodies involved in this process.

The Native Title Unit in the Department of Justice & Regulation is responsible for the administration and implementation of the Victorian Government's responsibilities under the Native Title Act 1993 and the Traditional Owner Settlement Act 2010 (Vic).

The Traditional Owner Agreement Unit in the Department of Environment, Land, Water & Planning (DELWP) is also involved in native title matters and settlements under the Traditional Owner Settlement Act 2010 (Vic).

Cultural Heritage

The Aboriginal Heritage Act 2006 (Vic) (AHA) together with the Aboriginal Heritage Regulations 2007 (Vic) established a new regime for the protection and management of Aboriginal cultural heritage in Victoria.

With the exception of the existing site (Site 1) whereby the footprint of the new building may be contained within the footprint or immediate vicinity of the existing building, and the land has been subject to significant ground disturbance, a Cultural Heritage Management Plan (CHMP) will be required.

A Cultural Heritage Management Plan is required for an activity if—

- (a) all or part of the activity area for the activity is an area of cultural heritage sensitivity; and
- (b) all or part of the activity is a high impact activity.

Should Site 2, 4 or 6 be the preferred site, the proposed development is a high impact activity on coastal Crown Land of cultural heritage sensitivity thus there is a mandatory requirement for a CHMP to be prepared for the Activity Area.

Depending on the complexity of the CHMP requirements for the selected site, it is likely the preparation of a CHMP will take a period of some months. This will likely include research, a desktop assessment of the Activity Area, field survey, and more complex methods of assessment, possibly including archaeological excavations, dependent upon the outcomes of the initial assessments.

The specific outcome of the CHMP may also impact the construction methodology of the proposed development to mitigate the impact or manage sensitivities within the Activity Area.

Marine and Coastal Consent

Should the existing site (Site 1) be the preferred site, Marine and Coastal Consent is not required if the new structure is within the same footprint of the existing structure, does not increase in height over the existing building, and the value of the works is less than \$100,000.

As the existing toilet block is a square footprint and doesn't include family change rooms, it is therefore unlikely the new structure will fit within the footprint of the existing structure. The value of the works will also exceed \$100,000, therefore Marine and Coastal Consent will be required for Site 1. Any increase in footprint is considered a higher risk and must undergo a formal assessment process including community consultation and ensuring all native title requirements are met.

Should Site 2, 4 or 6 be the preferred site, Marine and Coastal Consent will be required as this is a higher risk and is not subject to general consent. A new building must undergo a formal assessment process including community consultation and ensuring all native title recognition requirements are met.

Under the Marine and coastal Act 2018, Marine and Coastal Consent will be required and will require an application to the Department of Environment, Land, Water and Planning (DELWP). The application will need to include the following information:

- the location and use of the proposed works
- detailed plans of the proposed development
- justification for the proposed use / development
- how the development is to be undertaken
- details of the impact on the use / development
- the community's view of the proposal.

Initial contact with DELWP has indicated any application should comply with existing Coastal Management Plans and the Act, and all applications are assessed with regard to such plans. Additional assessment will be required to ensure alignment with siting guidelines and other regulations and Environmental Management Plans applicable to the land.

Once an application is accepted as valid, the Minister (or delegate) must make a decision within 60 business days. During this period, DELWP may request additional information depending on the nature of the works and the information provided.

It is noted that under Section 70(7) of the Marine and Coastal Act 2018, if the Minister does not make a decision within 60 business days, the application is deemed to be refused.

It is also noted that if the Minister consents to a proposed use or development under the Act, the proposed use may still require other statutory approvals. If a planning permit is required, a copy of the planning permit application can also be taken to be an application for consent under the Marine and Coastal Act 2018, and once an application for a planning permit has been made to the responsible authority, the application will be directed to DELWP for consideration.

Should a planning permit not be required, the consent application form can be submitted directly to the local DELWP office.

Town Planning Advice

Advice received from Council's planning department confirms that no planning permit is required for the public toilets within the McGennans car park vicinity.

'Buildings and works' are exempt from a planning permit if being carried out by or on behalf of Council and the project is less than \$1,000,000, including within the PPRZ, SLO1 and ESO1.

Another exemption which benefits the proposal is that it is specified in the Warrnambool Planning Scheme that park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets do not require a planning permit.

APPENDIX A: SITE SUITABILITY ASSESSMENT ANALYSIS

Assessment Criteria	Site 1 - Existing	Site 2 - Carnival	Site 4 - McGennans	Site 6 - McGennans West
Location	<p>Located on the east side of the vehicle entry to McGennans Carpark and adjacent to Pertobe Road and the Beach Kiosk Café.</p> <p>Direct access from south side of Pertobe Road, within close proximity of existing toilets at east end of Lake Pertobe playground on north side of Pertobe Road.</p> <p>Access from the beach boardwalk difficult as no direct pathways and steep slope for people with mobility issues.</p> <p>Excellent visibility from Pertobe Road, but poor visibility from boardwalk and McGennans Carpark.</p>	<p>Located on the east side of the vehicle entry roadway to McGennans Carpark at the eastern end of the carpark, adjacent to the beachfront boardwalk and beach access points.</p> <p>Direct access from the boardwalk, and further away from existing toilets at east end of Lake Pertobe playground on north side of Pertobe Road thus improving accessibility for pedestrians using boardwalk and accessing beach.</p> <p>Good access from McGennans Carpark, but some grade issues to be resolved to ensure full accessibility.</p> <p>Good visibility from Pertobe Road, boardwalk and McGennans Carpark.</p>	<p>Located centrally on the south side of McGennans Carpark, adjacent to the beachfront boardwalk and beach access points.</p> <p>Direct access from the boardwalk, and further away from existing toilets at east end of Lake Pertobe playground on north side of Pertobe Road thus improving accessibility for pedestrians using boardwalk and accessing beach.</p> <p>Excellent access from McGennans Carpark, no grade issues, fully accessible.</p> <p>No visibility from Pertobe Road, but good visibility from boardwalk and McGennans Carpark.</p>	<p>Alternative site suggested following meeting with emergency services at west end of McGennans Carpark, adjacent to the beachfront boardwalk, some beach access points, and adjacent to Shipwreck Bay Caravan Park.</p> <p>Direct access from the boardwalk, and further away from existing toilets at east end of Lake Pertobe playground on north side of Pertobe Road than all other options.</p> <p>Good access from McGennans Carpark, but some grade issues to be resolved to ensure full accessibility.</p> <p>No visibility from Pertobe Road, but good visibility from boardwalk and McGennans Carpark.</p>
Native Title	Existing site thus native title extinguished.	Native title recognition required.	Native title recognition required.	Native title recognition required.
Cultural Heritage Management Plan	High probability CHMP will not be required.	Required.	Required.	Required.

MACA / DELWP Approval	Required as likely building will not be contained within existing building footprint and cost of work will exceed \$100,000.	Required.	Required.	Required.
Emergency Services Advice	<p>Positives considered include:</p> <ul style="list-style-type: none"> • Opportunity for good lighting to facility and full perimeter including approach access ways • Proximity of potential places to conceal persons limited • Sufficient lines of sight and space for safe visible access and egress and to manage or observe children • Safe access for stretchers including pathways, hard stands, crossovers • Level area available for ambulances • Sufficient space for clearance in front of building to maintain access • Existing fireplugs in the vicinity provide suitable coverage • Existing vehicle access suitable for emergency services vehicles. <p>Negatives include:</p>	<p>Positives considered include:</p> <ul style="list-style-type: none"> • Opportunity for good lighting to facility and full perimeter including approach access ways • No proximity of potential places to conceal persons • Sufficient lines of sight and space for safe visible access and egress and to manage or observe children • Directly adjacent to boardwalk for direct access by users • Safe access for stretchers including pathways, hard stands, crossovers • Level area available for ambulances • Sufficient space for clearance in front of building to maintain access • Existing fireplugs in the vicinity provide suitable coverage • Suitable vehicle access for emergency services 	<p>Positives considered include:</p> <ul style="list-style-type: none"> • Opportunity for good lighting to facility and full perimeter including approach access ways • No proximity of potential places to conceal persons • Sufficient lines of sight and space for safe visible access and egress and to manage or observe children • Directly adjacent to boardwalk for direct access by users • Safe access for stretchers including pathways, hard stands, crossovers • Level area available for ambulances • Sufficient space for clearance in front of building to maintain access • Existing fireplugs in the vicinity provide suitable coverage • Suitable vehicle access for emergency services 	<p>Positives considered include:</p> <ul style="list-style-type: none"> • Opportunity for good lighting to facility and full perimeter including approach access ways • Sufficient lines of sight and space for safe visible access and egress and to manage or observe children • Dependent upon final location and carpark modifications, directly adjacent to boardwalk for direct access by users • Safe access for stretchers including pathways, hard stands, crossovers • Level area available for ambulances • Sufficient space for clearance in front of building to maintain access • Existing fireplugs in the vicinity provide suitable coverage • Suitable vehicle access for emergency services vehicles.

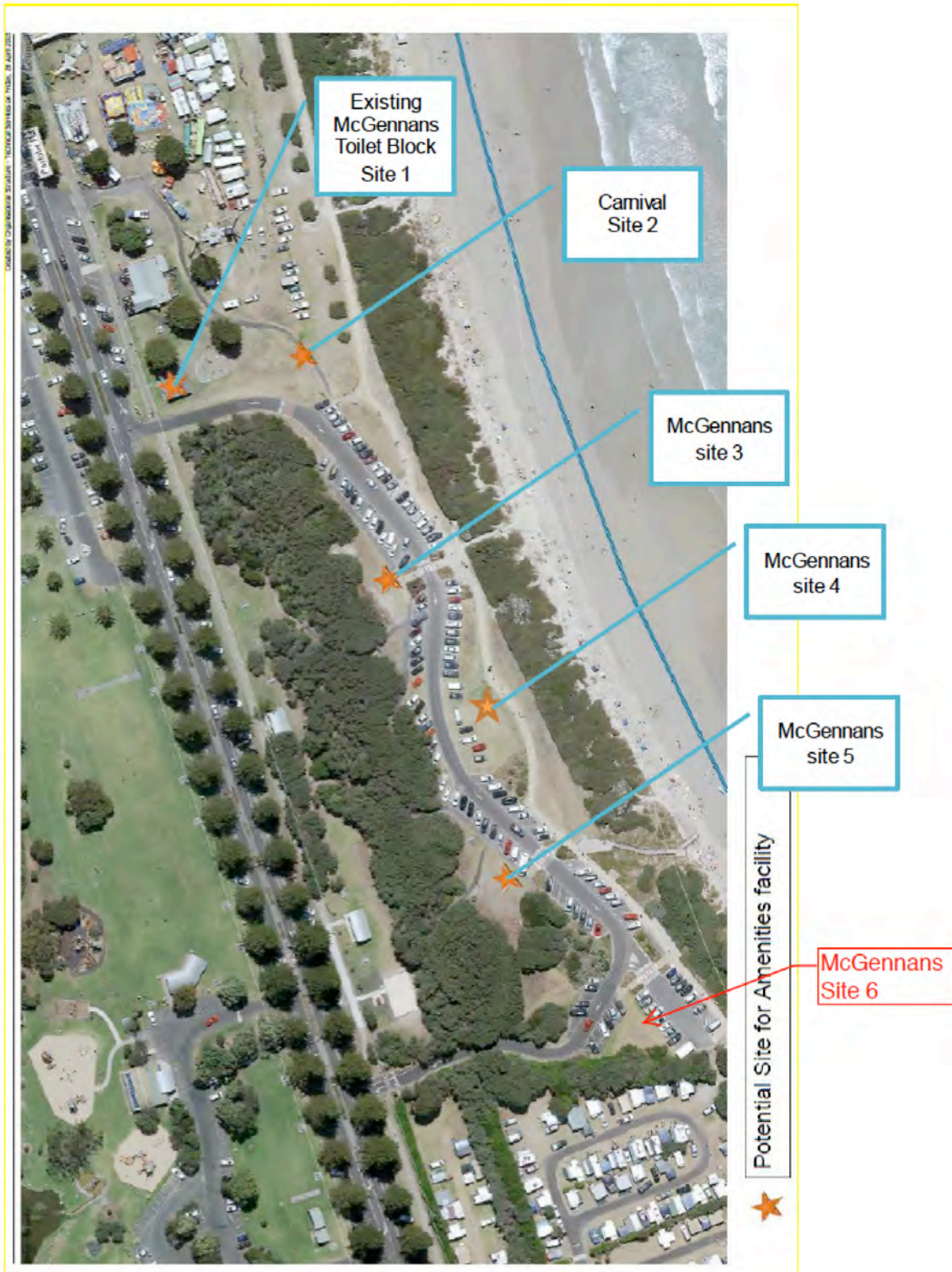
	<ul style="list-style-type: none"> • Lower lying area than other sites, thus more likely to be impacted by flooding or storm surge • Carparking for people with disabilities or limited mobility more challenging than other site options. 	<p>vehicles.</p> <p>Negatives include:</p> <ul style="list-style-type: none"> • Close proximity to existing toilets at Site 1 if existing toilets to be retained and refurbished for ongoing use in peak periods • Possible visibility directly from beachfront highest, thus some impact on visual amenity from beach • Minor modifications may be required to carpark to assist access for people with disabilities or limited mobility. 	<p>vehicles.</p> <p>Negatives include:</p> <ul style="list-style-type: none"> • Visibility directly from beachfront highest, thus largest impact on visual amenity from beach • Minor modifications may be required to carpark to assist access for people with disabilities or limited mobility. 	<p>Negatives include:</p> <ul style="list-style-type: none"> • Furthest distance from main parking area • Possible visibility directly from beachfront highest, thus some impact on visual amenity from beach • Proximity of potential places to conceal persons limited • Significant modifications may be required to carpark to assist access for people with disabilities or limited mobility.
Accessibility & Disability Access	<p>Accessibility from Pertobe Road excellent, but steep slope down from boardwalk and McGennans Carpark. Significant improvements to ramp and pathway gradients required to provide compliant access from boardwalk.</p> <p>Project brief notes preference for access from beach area rather than Pertobe Road.</p>	<p>Accessibility from boardwalk, beach access points and McGennans Carpark excellent, but some grade issues to be resolved to ensure full accessibility.</p>	<p>Excellent access from boardwalk, beach access points and McGennans Carpark, no grade issues, fully accessible.</p>	<p>Accessibility from boardwalk, beach access points and McGennans Carpark excellent, but some grade issues to be resolved to ensure full accessibility.</p>
Staff Access & Amenity	<p>Existing site easily accessible for cleaning and maintenance staff, easily accessed from Pertobe Road. No immediate</p>	<p>Location of site allows for provision for safe access for cleaning and maintenance staff, can easily be</p>	<p>Location of site allows for provision for safe access for cleaning and maintenance staff, can easily be</p>	<p>Location of site allows for provision for safe access for cleaning and maintenance staff, can easily be</p>

	proximity to potential places to conceal persons.	accommodated within design. Highly visible site, no proximity to places to conceal persons.	accommodated within design. Highly visible site, no proximity to places to conceal persons.	accommodated within design. Site visibility limited to western end of McGennans Carpark, limited proximity to places to conceal persons.
Building Services	Sewer, water, stormwater, power all available at existing site. No additional cost to extend services to new site.	Water supply may be available at existing site. Sewer, stormwater, power would require extension from nearest available point. Some additional cost to extend services to new site from existing site.	Water supply may be available at existing site. Sewer, stormwater, power would require extension from nearest available point. Additional cost to extend services to new site likely to exceed Site 2 due to greater distance from Pertobe Road and existing site.	Water supply may be available at existing site. Sewer, stormwater, power would require extension from nearest available point. Additional cost to extend services to new site likely to exceed Site 2 & 4 due to greatest distance from Pertobe Road and existing site.
User Parking & Access	As per existing facility. No onsite parking, access directly from Pertobe Road not fully in keeping with project brief. Users unable to use facility during construction period.	Onsite parking available, some reconfiguration of parking required to provide disabled parking spaces adjacent to new facility. Some grade issues to be resolved for fully accessible access. Existing facility can remain in use until new facility constructed and commissioned.	Onsite parking available, some reconfiguration of parking required to provide disabled parking spaces adjacent to new facility. No grade issues to be resolved for fully accessible access. Existing facility can remain in use until new facility constructed and commissioned.	Onsite parking available, but may be compromised due to reconfiguration of parking required to provide site area to accommodate new facility. Changes to parking also required to provide disabled parking spaces adjacent to new facility. Some grade issues to be resolved for fully accessible access. Existing facility can remain in use until new facility

				constructed and commissioned.
Environmental Opportunities & Energy Efficiency	Some opportunities for utilising solar panels with good orientation, but large avenue of Norfolk Island Pines on north side may reduce viability due to shading. Rainwater harvesting options included in project brief.	Excellent opportunities for utilising solar panels with open site not impeded by trees or vegetation, no shading. Rainwater harvesting options included in project brief.	Excellent opportunities for utilising solar panels with open site not impeded by trees or vegetation, no shading. Rainwater harvesting options included in project brief.	Some opportunities for utilising solar panels, but east facing site not preferred orientation. Rainwater harvesting options included in project brief.
Hazardous Materials	Possibility of hazardous materials in existing building probable due to age of building. Slight risk of unknown hazardous materials being uncovered during construction.	Minimal risk of unknown hazardous materials being uncovered during construction.	Minimal risk of unknown hazardous materials being uncovered during construction.	Very slight to minimal risk of unknown hazardous materials being uncovered during construction. Risk of contamination at this site marginally higher than Site 2 & 4 due to proximity to Shipwreck Bay caravan park.
Construction Risk	Some risk of latent conditions, some risk of deteriorated services, slight risk of concealed hazardous materials being uncovered during construction following demolition of existing building. Access to site for building works good. Unlikely to require disruption to McGennans Carpark or	Minimal risk of latent conditions or concealed hazardous materials being uncovered during construction. Access to site for building works good. Unlikely to require disruption to McGennans Carpark or access roadway apart from modification works directly associated with the new	Minimal risk of latent conditions or concealed hazardous materials being uncovered during construction. Access to site for building works good. Unlikely to require disruption to access roadway, may require some disruption to McGennans Carpark to install inground services. Some disruption for	Very slight to minimal risk of latent conditions or concealed hazardous materials being uncovered during construction. Access to site for building works fair. Will require disruption to egress roadway and parking area, may require some disruption to McGennans Carpark to install inground services.

	<p>access roadway.</p> <p>Localised traffic management may be required during construction to manage access from Pertobe Road.</p> <p>Sufficient space for site huts and builder's work area, minimal amenity impacts to other adjacent activities and uses.</p>	<p>facility.</p> <p>Localised traffic management may be required during construction to access roadway to McGennans Carpark.</p> <p>Sufficient space for site huts and builder's work area, minimal amenity impacts to other adjacent activities and uses.</p>	<p>modification works directly associated with the new facility.</p> <p>Localised traffic management may be required during construction to McGennans Carpark.</p> <p>Sufficient space for site huts and builder's work area, minimal amenity impacts to other adjacent activities and uses.</p>	<p>Localised traffic management more likely to be required on a regular basis during construction than other sites.</p> <p>Limited space for site huts and builder's work area, significant amenity impacts to west end of carpark, adjacent caravan park, and possibly other adjacent activities and uses.</p>
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APPENDIX B: SITE LOCATION PLAN (BASED ON PROJECT BRIEF)



APPENDIX C: PHOTOS OF SITE OPTIONS



Site 1 - Existing



Site 2 - Carnival



Site 4 – McGennans



Site 6 – McGennans (western end)

APPENDIX D: COST PLAN FOR PREFERRED SITE OPTION

To be provided for preferred site when identified and final concept design approved.