

**SUMMARY OF RESOLUTIONS  
ORDINARY COUNCIL MEETING  
TUESDAY, 10 MAY 2016**

*Please note the following do not constitute the formal minutes of the meeting, but are provided as a record of decisions reached.*

**1. 2016-2017 PROPOSED BUDGET**

<b>Source</b>	<b>Strategy &amp; Performance – Financial Services</b>
<b>General Manager</b>	<b>Dean Frost</b>
<b>Index Reference</b>	<b>Financial Management / Budget – Fin Yr 2016/2017</b>

**Moved and declared carried by the Interim Administrator:**

**That Council:**

**1) Pursuant to Section 127 of the LGA, the Council:**

- (a) Receive and consider the Proposed 2016-2017 Budget document, (Appendix 1), which includes the Budgeted Statements of Comprehensive Income, Cash Flows, Balance Sheet, Capital Works, Changes in Equity and Human Resources.**
- (b) Receive and consider the Four Year Strategic Resource Plan (Appendix 1, Section 3) including Budgeted Statements of Comprehensive Income, Cash Flows, Balance Sheet, Capital Works, Changes in Equity and Human Resources (under Section 126 of the LGA).**
- (c) Receive and consider the Rates, Municipal Charge, Waste Collection & Recycling charge and other income (required to meet the appropriate financial requirements as proposed in the 2016-2017 Budget package).**

**Receive and consider the proposed declaration of Rates and Charges (Appendix 2), for the purpose of:**

- (i) public scrutiny and comment, and**
  - (ii) inclusion within the Rating Strategy 2016-2017 of Rate waivers under section 171 of the LGA as detailed therein.**
  - (iii) inclusion within the Rating Strategy 2016-2017 of Rate rebates, under section 169 of the LGA as detailed therein.**
- 2) Advertise the Proposed Budget and make it available for inspection at Customer Service Centres and the Council website. The advertisement be placed in the Geelong Advertiser on Wednesday, 11 May 2016 inviting written submissions from the public by 5pm on Tuesday, 7 June 2016.**
- 3) Appoint a Budget Submissions Panel consisting of administrator(s) to hear submissions made in relation to the Budget and Differential Rating, such Panel to:**
- (a) consider any written submissions and to hear any person who wishes to address the Panel in support of a submission, on a date to be confirmed by administrator(s).**

- (b) report to Council in relation to the submissions that have been received and any recommended amendments to the Proposed Budget.**
- 4) After considering the report of the Budget Submissions Panel, adopt the Budget and declare the rates at a Council Meeting to be set prior to 31 July 2016.**
- 5) Advertise the adoption of the Budget and declaration of the rates following the Council meeting.**

## **2. PROPOSED CITY PLAN 2013-2017 (2016-2017 UPDATE)**

<b>Source</b>	<b>Strategy &amp; Performance - Strategy &amp; Program Delivery</b>
<b>General Manager:</b>	<b>Dean Frost</b>
<b>Index Reference</b>	<b>Subject: Corporate Strategy</b>

**Moved and declared carried by the Interim Administrator:**

**That Council:**

- 1) in accordance with section 125(7) of the Local Government Act 1989, City Plan 2013-2017 has been reviewed and as a result:**
  - a) 2016-2017 City Plan Actions have been added under each Strategic Direction/Priority;**
  - b) the Strategic Resource Plan and budget section will be updated once the 2016-2017 Annual Budget is adopted; and**
  - c) revised message from the interim Administrator.**
- 2) adopt the adjustments to City Plan 2013-2017 (2016-2017 Update) (as per Appendix 1) and take the necessary steps to advise the Minister of these adjustments pursuant to section 125(10) of the Local Government Act 1989.**

## **3. FINANCIAL MANAGEMENT REPORT – MARCH 2016**

**Moved and declared carried by the Interim Administrator:**

**That the Quarterly Financial Management Report to 31 March 2016 be endorsed by Council.**

#### **4. GEELONG LIBRARY & HERITAGE CENTRE - CAFE & CATERING FACILITIES**

**Source:** Strategy & Performance - Capital Projects  
**General Manager:** Dean Frost  
**Index Reference:** GLHC Capital Projects

**Moved and declared carried by the Interim Administrator:**

**That Council:**

- 1) commit an additional \$550,000 towards the Geelong Library & Heritage Project (C12856) for the development of the level 5 catering space;
- 2) fund this request through savings or offsets identified in the 2015-2016 budget year;
- 3) authorise the General Manager Strategy & Performance to accept a variation under the original construction contract for the café and catering space works.

#### **5. ADOPTION OF AMENDMENT C329 - REZONING OF LAND ADJACENT TO THE MULTICULTURAL AGED CARE SERVICES FACILITY, DE STEFANO DRIVE, NORTH GEELONG**

**Source:** Planning and Development - City Development  
**General Manager:** Peter Bettess  
**Index Reference:** Application: Amendment C329 and Planning Permit 108/2015

**Moved and declared carried by the Interim Administrator:**

**That Council:**

- 1) adopts Amendment C329 in the form outlined in Appendix 2 of this report;
- 2) submits the adopted Amendment with the prescribed information to the Minister for Planning requesting approval; and
- 3) recommends to the Minister that a Permit be granted pursuant to Section 96G of the Planning and environment Act 1987 (Planning Permit No, 108/2015 is contained in Appendix 3).

**6. AMENDMENT C317 & PERMIT 970/2014 ST LEONARDS GROWTH AREA 1  
- CONSIDERATION OF PANEL REPORT AND ADOPTION**

**Source** Planning & Development - Strategic Implementation  
**General Manager:** Peter Bettess  
**Index Reference** Amendment C317 & Permit 970/2014

**Moved and declared carried by the Interim Administrator:**

**That Council:**

- 1) Adopts Amendment C317 in the form as outlined in Appendix 1 of this report;**
- 2) Recommends to the Minister for Planning that Planning Permit 970/2014 be granted pursuant to Section 96G of the *Planning and Environment Act 1987* (the Planning Permit is in Appendix 2 of this report); and**
- 3) Submits the adopted Amendment together with the prescribed information to the Minister for Planning requesting approval.**
- 4) Signs and seals the Section 173 Agreement accompanying this Amendment to formalise development contributions arrangements (Appendix 3 is a copy of the Agreement).**

**7. INDENTED HEAD STRUCTURE PLAN REVIEW 2016**

**Source:** Planning Strategy & Urban Growth  
**General Manager:** Peter Bettess  
**Index Reference:** Project: Indented Head Structure Plan Review

**Moved and declared carried by the Interim Administrator:**

**That Council**

- 1) adopts the draft Indented Head Structure Plan 2016 including the Structure Plan Map in Appendix 2.**
- 2) resolves to prepare and exhibit a planning scheme amendment to include the necessary elements of the Structure Plan within the Greater Geelong Planning Scheme, subject to authorisation.**

## **8. PORTARLINGTON STRUCTURE PLAN REVIEW 2016**

**Source:** Planning Strategy and Urban Growth  
**General Manager:** Peter Bettess  
**Index Reference:** Project: Portarlington Structure Plan Review 2015

**Moved and declared carried by the Interim Administrator:**

**That Council:**

- 1) adopts the Draft Portarlington Structure Plan 2016, including the Structure Plan map as shown in Appendix 1.
- 2) resolves to prepare and exhibit a planning scheme amendment to include the necessary elements of the Structure Plan within the Greater Geelong Planning Scheme, subject to authorisation.

## **9. COUNCIL REPRESENTATION ON THE BOARD OF TOURISM GREATER GEELONG AND THE BELLARINE INC.**

**Source:** Investment & Attraction / Tourism Greater Geelong and The Bellarine  
**General Manager:** Brett Luxford  
**Index Reference:** Tourism

**Moved and declared carried by the Interim Administrator:**

**That Council nominates the General Manager Investment and Attraction as Council's nominee to the Board of Tourism Greater Geelong and The Bellarine Inc and that this nomination stays in place until such time as the issue of Board representation is considered by the newly elected Council.**

## **10. EXTERNAL MEMBERSHIP - POTATO SHED COMMITTEE**

**Source:** Investment & Attraction / Arts & Culture  
**General Manager:** Brett Luxford  
**Index Reference:** Subject: Arts & Culture/Strategies & Programs/Arts & Culture/Committees/Bellarine Multi Arts Committee

**Moved and declared carried by the Interim Administrator:**

**That Council:**

- 1) endorse the appointment of Ms Anne Brackley and Ms Helen Nikolas as the community representatives to the Bellarine Multi-Arts Facility Committee of Management (Potato Shed) in accordance with the terms and conditions of the Joint Development and Use Agreement;

- 2) thank Lorraine Hall for her contribution and service to the Potato Shed and the Committee of Management;
- 3) confirm that Committee members who are not Councillors are exempt from having to submit a primary and ordinary return as per section 81 (2A) of the Act.

## **11. GEELONG MAJOR EVENTS COMMITTEE - AMENDED INSTRUMENT OF DELEGATION AND TERMS OF REFERENCE**

**Source:** Investment & Attraction / Events, Central Geelong & Waterfront  
**General Manager:** Brett Luxford  
**Index Reference:** Geelong Major Events General

**Moved and declared carried by the Interim Administrator:**

**That Council:**

- 1) Notes the amended Geelong Major Events (GME) Events Matrix and GME Funding Criteria (Appendix 1);
- 2) Notes the amended Constituency of the Committee in the Geelong Major Events Terms of Reference to allow for up to six External Representatives on the Geelong Major Events Committee (Appendix 3);
- 3) Extends the existing term by 3 months of Julie Maxwell and Dean Anglin as External Representatives to the Geelong Major Events Committee, now to expire in August 2016.
- 4) Signs and seals the amended Instrument of Delegation to Geelong Major Events Committee (Appendix 2);
- 5) Adopts the amended Terms of Reference for the Geelong Major Events Committee (Appendix 3).

## **12. FUTURE PROOFING GEELONG ADVISORY BOARD TERMS OF REFERENCE REVIEW**

**Source:** Planning and Development - Planning Strategy and Urban Growth  
**General Manager:** Peter Bettess  
**Index Reference:** Subject: Future Proofing Geelong

**Moved and declared carried by the Interim Administrator:**

**That Council endorse the revised Terms of Reference for the Future Proofing Geelong Advisory Board as shown in Appendix 1 to this report.**

### **13. AUDIT ADVISORY COMMITTEE - UPDATED TERMS OF REFERENCE**

**Source:** Chief Executive Office - Internal Audit  
**General Manager:** Kelvin Spiller  
**Index Reference:** Audit Advisory Committee

**Moved and declared carried by the Interim Administrator:**

**That Council endorse the changes to the Audit Advisory Committee as outlined in Appendix 1.**

### **14. EXCHANGE OF LAND - BATMAN ROAD INDENTED HEAD – CONSIDERATION OF SUBMISSIONS**

**Source** Strategy & Performance - Property & Procurement  
**General Manager:** Dean Frost  
**Index Reference** Land Sales

**Moved and declared carried by the Interim Administrator:**

**That Council, having given public notice of its intention to exchange land at Indented Head and having considered all submissions received, resolves to:**

- 1) proceed with the exchange of Council land at 690 Batman Road, Indented Head for approximately 13.6ha of land on the following conditions:**
  - The land being exchanged for a payment to Council of \$95,000 plus GST;**
  - The developer obtaining planning approval to develop the land it will own following the exchange;**
  - Removal of the reserve restriction from the Council's land;**
  - Other appropriate terms and conditions; and**
- 2) notify in writing each person who has made a submission of the Council's decision.**

### **15. BAKER STREET GROUP, OCEAN GROVE ROAD CONSTRUCTION SPECIAL CHARGE SCHEME – SRC 340 – INTENTION TO DECLARE**

**Source:** City Services - Engineering Services  
**General Manager:** William Tieppo  
**Index Reference:** Council Reports 2016, Special Rates and Charges

**Moved and declared carried by the Interim Administrator:**

**That Council:**

- 1) Gives notice of its intention to declare a Special Charge Scheme in accordance with Section 163 (1A) of the Local Government Act 1989 ('the Act'), as follows:**

- a) **The Special Charge is declared for a period of five (5) years commencing upon completion of the works and scheme finalisation.**
- b) **The special charge be declared for the purposes of defraying expenses incurred by Council in relation to the construction of roads for streets including Field Street South, Baker Street, Osborne Street and Inskip Street, Ocean Grove which:**
  - b1) **will provide proper sealed road access, improved street drainage and enhancement to the general amenity for each of the properties included in the scheme;**
  - b2) **Council considers is or will be a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this Resolution); and**
  - b3) **arises out of Council's function of planning for and providing infrastructure for property owners.**
- c) **it be recorded that, for the purposes of Section 163 (2A) of the Act, the special charge proceeds will not exceed the amount calculated in accordance with the prescribed formula ( $R \times C = S$ ), the:**
  - c1) **'benefit ratio' (R) being calculated at 0.85 represents the special benefits to all persons liable to pay the special charge; and**
  - c2) **'total cost' (C) of performing the function described in Part b of this Resolution based on estimated cost be recorded as \$1,401,626.**
  - c3) **'maximum levy' (S) total amount of the special charge be levied and recorded as \$1,191,382.**
- d) **the following be specified as the area for which the special rate is so declared:**
  - d1) **the area within municipal district of Council highlighted in the plan attached to this Resolution ("the area").**
- e) **the following be specified as the land in relation to which the special charge so declared:**
  - e1) **All land within the area shown on the plan.**
- f) **the following be specified as the criteria which form the basis of the special charge so declared:**
  - f1) **Ownership of any land described in Part 1(e) of this Resolution.**
- g) **the following be specified as the manner in which the special charge so declared will be assessed and levied:**
  - g1) **The costs to be apportioned based on access and amenity benefits.**
  - g2) **The special charge will be levied by sending a notice to the person who is liable to pay, pursuant to section 163(4) of the Act.**
- h) **having regard to the preceding parts of this Resolution but subject to Section 166 (1) of the Act, it be recorded that:**
  - h1) **the owners of the land described in column 1 and 2 of Schedule C to the Resolution are estimated liable for the respective amounts set out in column 6 of Schedule C; and**



- b) **The Special Charge be declared for the purpose of defraying any expenses incurred by Council in relation to the construction of the footpath on Wyndham Street between Jetty Road and Sheileen Court, Drysdale which:**
- b1) **Will provide proper pedestrian access, improved pedestrian safety and enhancement to the general amenity for each of the properties included in the scheme;**
  - b2) **Council considers is or will be a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this Resolution); and**
  - b3) **Arises out of Council's function of planning for and providing infrastructure for property owners.**
- c) **The total cost of project, be recorded as \$242,434(Schedule A).**
- d) **It be recorded that, for the purposes of Section 163 (2A) of the Act, the special charge proceeds will not exceed the amount calculated in accordance with the prescribed formula ( $R \times C = S$ ), the:**
- d1) **'benefit ratio' (R) being calculated at 0.095 represents the special benefits to all persons liable to pay the special charge (Schedule B);**
  - d2) **'total cost' (C) of performing the function described in part 1 (b) of this resolution based on estimated cost be recorded as \$216,695; and**
  - d3) **'maximum levy' (S) be recorded as \$20,638.**
- e) **the following be specified as the area for which the special rate is so declared:**
- e1) **the area within municipal district of Council highlighted in the plan attached to this Resolution (Appendix 4).**
- f) **the following be specified as the land in relation to which the special charge so declared:**
- f1) **land within the area shown on the plan.**
- g) **the following be specified as the criteria which form the basis of the special charge so declared:**
- g1) **ownership of any land described in Part 1(e) of this Resolution.**
- h) **the following be specified as the manner in which the special charge so declared will be assessed and levied:**
- h1) **Each lot receives a primary access and amenity benefit;**
  - h2) **The maximum levy is divided equally on an access and frontage share basis;**
  - h3) **The special charge will be levied by sending a notice to the person who is liable to pay, pursuant to section 163(4) of the Act.**
- i) **having regard to the preceding parts of this Resolution but subject to Section 166 (1) of the Act, it be recorded that;**

- i1) the owners of the land described in column 1 of Schedule C to the resolution are estimated liable for the respective amounts set out in column 8 of Schedule C; and
  - i2) such owners may, subject to any further resolution of Council pay the special charge in the following manner;
    - i2a) the charge will become due and payable within one month of the issue of the notice requesting payment pursuant to Section 167 (3) of the Act;
    - i2b) interest will not be charged for six months after the issue of the notice provided the person liable makes timely payment in accordance with any repayment arrangements that may be agreed on by Council; and
    - i2c) in accordance with Section 172 of the Act, the interest rate payable on the special charge which has not been paid by the specific date is set at Council's overdraft rate, reviewed every three months (provided that it shall not exceed the rate fixed by the Governor in Council by Order for the purposes of Section 172 (2A) in which case the rate of interest shall be the maximum rate fixed by the Governor in Council by Order for the purposes of this section).
- 2) Authorise Council's Chief Executive Officer to levy the Special Charge in accordance with Section 163 (4) of the Act.

## 17. ELCHO CHANNEL AND DRAINAGE UPGRADE - SRC 322 - DECLARATION OF CHARGE

Source: City Services – Engineering Services  
General Manager: William Tieppo  
Index Reference: Subject: Special Rates and Charges; Drainage  
Street: Elcho Road, Lara

Moved and declared carried by the Interim Administrator:

That Council:

- 1) Resolves to declare a Special Charge Scheme in accordance with Section 163 (3) of the Local Government Act 1989 (the Act) as follows:
  - a) The special charge is declared for a period of five (5) years commencing upon commencement of the works.
  - b) The special charge be declared for the purpose of defraying expenses incurred by Council in relation to construction of an open channel between Bacchus Marsh Road and McManus Road, north of Heales Road, a detention basin in McManus Road opposite Minyip Road, underground drainage and associated works, Lara, and is a project which:
    - b1) will provide proper drainage and opportunity for subdivision and development of each of the properties included in the scheme;



- k2) such owners may, subject to any further resolution of Council pay the special charge in the following manner:
  - k2a) The charge will become due and payable within one month of the issue of the notice requesting payment pursuant to section 167 (3) of the Act.
  - k2b) The notice requesting payment shall be issued within one month of the works commencing on site.
  - k2c) Interest shall commence to accrue one month after the issue of the notice requesting payment in accordance with j2a) above or as agreed with Council at the time of notice issue.
  - k2d) In accordance with Section 172 of the Act, the rate of interest which is payable on the special charge which has not been paid by the specified date is set at Council's overdraft rate, reviewed every three months (provided that it shall not exceed the rate fixed by the Governor in Council by Order for the purposes of Section 172 (2A) in which case the rate of interest shall be the maximum rate fixed by the Governor in Council by Order for the purposes of this section).
- 2) Authorise Council's Chief Executive Officer to levy the Special Charge in accordance with Section 163 (4) of the Act.
- 3) Authorise Council's Chief Executive Officer to sign documentation relevant to land acquisition.
- 4) Authorise Council's Chief Executive Officer to sign and seal the transfers of land.

**18. HIGH STREET, BELMONT - CONSTRUCTION OF EASEMENT DRAIN - SRC 303 & BELMONT STREET, BELMONT - CARPARK CONSTRUCTION - SRC 304 - FINALISATION OF SCHEMES**

Source: City Services - Engineering Services  
General Manager: William Tieppo  
Index Reference: Special Rates and Charges, High Street and Belmont Street, Belmont

**Moved and declared carried by the Interim Administrator:**

That Council having declared Special Charges SRC 303 on 31 January 2012 and SRC 304 on 29 January 2013, for the purpose of defraying the expenses in relation to the construction of an easement drain for High Street, Belmont (Appendix 1 – Plan) and car park at Belmont Street, Belmont (Appendix 2 – Plan), in accordance with Section 163 of the *Local Government Act 1989* (The Act) resolves that:

- 1) The Special Charges as declared be decreased for the easement drain scheme as shown in Schedule A – Appendix 4;

- 2) The Special Charges as declared be increased by 9.95% for the car park scheme as shown in Schedule B – Appendix 5;
- 3) The concessions be applied to those properties forming part of the scheme which are used solely for residential purposes and are shown in Schedule C – Appendix 6;
- 4) The remaining increase in cost from the project estimate for the Car Park scheme be funded by Council;
- 5) The General Manager of Strategy and Performance be authorised to levy and recover the Special Charges, by sending notices to the persons who are liable to pay, in accordance with Section 167 of the *Act* and the Regulations; and;
- 6) In accordance with Section 172 of the *Act*, the rate of interest payable on the Special Charges, which have not been paid by the specified date, is set at Council's overdraft rate, reviewed every three months (provided that it shall not exceed the rate fixed by the Governor in Council by Order for the purposes of Section 172 2A of the *Act*, in which case the rate of interest shall be the maximum rate fixed by the Governor in Council by Order, for the purposes of the Section). The interest is to be calculated from the date the Special Charge is due, with a six month interest free period, providing those persons who choose to pay by instalments, adhere to their repayment plan.

**19. REVOCATION OF FLOOD-PRONE AREA DESIGNATION OF NEW LOTS AT ARMSTRONG VILLAWOOD ESTATE STAGES 14 AND 23**

Source: City Services – Engineering Services  
General Manager: William Tieppo  
Index Reference: Subject: Drainage - Floods

Moved and declared carried by the Interim Administrator:

That Council revoke the Council designation of 12 December 2006 of flood affected land as highlighted as Stages 14 and 23 on Armstrong Creek Urban Growth Plan Flood Map dated 29 November 2006 as liable to flooding pursuant to Regulation 802(2) of the Building Regulations 2006.

**20. CONSIDERATION OF TENDER SUBMISSIONS FOR TENDER NO. T1600011 SUPPLY OF ASPHALT WORKS, PRODUCTS AND SERVICES**

Source: General Manager City Services  
General Manager: William Tieppo  
Index Reference: T1600011

Moved and declared carried by the Interim Administrator:

That Council:

- 1) **accept the tender submission/s from Fulton Hogan Industries Pty Ltd, Boral Resources (Vic) Pty Ltd, Econopave Asphalt Services Pty Ltd and Hetakaro Pty Ltd trading as Asphalt Paving Services for Tender No T1600011 – Supply of Asphalt Works, Products and Services for the associated schedule of rates exclusive of GST;**
- 2) **the Chief Executive Officer be authorised to sign the contract documents for and on behalf of the City of Greater Geelong Council.**

## **21. AUDIT ADVISORY COMMITTEE SUMMARY REPORT**

**Source: Corporate Internal Auditor**  
**Chief Executive Officer: Kelvin Spiller**  
**Index Reference: Audit CG - Internal**

**Moved and declared carried by the Interim Administrator:**

**That in accordance with Section 89 (2) (h) of the Local Government Act 1989, this matter, which the Council considers would prejudice the Council or any person, be considered at the conclusion of all other business at which time the meeting be closed to members of the public.**

## **ASSEMBLY OF COUNCIL RECORD**

**Source: Strategy & Performance**  
**General Manager: Dean Frost**

**Moved and declared carried by the Interim Administrator:**

**That the information be received.**