CITY OF GREATER GEELONG

MINUTES

ORDINARY MEETING OF COUNCIL

Tuesday, 10 June 2014

Held at the
Council Conference and Reception Centre
City Hall, Little Malop Street, Geelong
commencing at 7.00p.m.

COUNCIL:

Cr. D. Lyons *Mayor*	(G21 Geelong Regional Alliance, Finance, Governance, Regional Cities)
Cr. T. Ansett *(Windermere)*	(Heritage, Rural Communities)
Cr. L. Ellis *(Coryule)*	(Coastal Communities, Infrastructure, Parks and Gardens)
Cr. J. Farrell *(Beangala)*	(Community Safety, Youth, Women in Community Life)
Cr. K. Fisher *(Corio)*	(Community Development, Aboriginal Affairs)
Cr. B. Harwood *(Kardinia)*	(Enterprise Geelong, Primary Industries)
Cr. M. Heagney *(Brownbill)*	(Central Geelong, Planning)
Cr. J. Irvine *(Austin)*	(Sport and Recreation)
Cr. E. Kontelj *(Cowie)*	(Aboriginal Affairs, Multicultural Affairs, Finance)
Cr. Dr. S. Kontelj *(Kildare)*	(Finance)
Cr. R. Macdonald *(Cheetham)*	(Major Projects, Knowledge Economy & Education)
Cr. R. Nelson *(Deakin)*	(Major Events, Tourism)
Cr. A. Richards *(Buckley)*	(Environment & Sustainability, Transport, Arts & Culture)

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MINUTES OF THE ORDINARY MEETING OF THE GREATER GEELONG CITY COUNCIL HELD AT THE COUNCIL CONFERENCE AND RECEPTION CENTRE CITY HALL, LITTLE MALOP STREET, GEELONG TUESDAY, 10 JUNE 2014 COMMENCING AT 7.00 P.M.

PRESENT: Cr B Harwood (Acting Mayor), Crs T Ansett, L Ellis, J Farrell, K Fisher, M Heagney, J Irvine, E Kontelj, S Kontelj, R Nelson, A Richards

Also present: D Frost (Acting Chief Executive Officer), M Kelly (Acting General Manager Corporate Services), P Bettess (General Manager Planning and Tourism), G Van Driel (General Manager City Services), J McMahon (General Manager Community Services), P Jane (Acting General Manager Projects, Recreation and Central Geelong), J Brown (Manager Administration and Governance), A Grant (Property Advisor), D Chiller (Co ordinator Communication and Marketing), A Paterson (EO – Mayor)

OPENING: The Acting Mayor declared the meeting open at 7.00pm

ACKNOWLEDGEMENTS:

Council acknowledges Wadawurrung Traditional Owners of this land and all Aboriginal and Torres Strait Islander People who are part of the Greater Geelong community today.

APOLOGIES: Cr D Lyons (Leave of Absence), Cr R Macdonald

LEAVE OF ABSENCE:

Cr Irvine moved, Cr E Kontelj seconded –

That Leave of Absence be granted to Cr Heagney from 26 June to 14 July, 2014.

Carried.

Cr Irvine moved, Cr Ellis seconded –

That Leave of Absence be granted to Cr Richards on 17 June 2014.

Carried.

CONFIRMATION OF MINUTES:

Cr Richards moved, Cr Ellis seconded -

That the Minutes of the Ordinary Meeting held on 27 May 2014 be confirmed and signed.

Carried.

DECLARATIONS OF CONFLICTS OF INTEREST:

Cr E Kontelj declared an Indirect Interest by a Conflicting Duty in Agenda Item – Consideration of Tender Submissions for Tender T1400025 – Supply of Concrete and Concrete Works in that the successful tenderer is a customer of his employer.

QUESTION TIME:

Question Time is an opportunity for questions to be addressed to Council and while the minutes record the general content, they do not purport to be a transcript of what was said by individuals. Likewise Councillor or Officer verbal responses are in summary form only. Views expressed may not be the views of Council.

Council's practice is to provide a separate document on its website setting out questions and responses including any more detailed written responses which may be provided subsequent to the meeting.

Questions submitted prior to the meeting by N Bateup and Carmen Ross were tabled for a written response.

Anthony Aitken asked the following questions:

I refer to the current issue of misuse of publicly funded travel expenditure by elected officials and wish to ask the following questions:

Under what policy did Council authorise the Chauffeur Drive publicly funded travel expenditure program for Cr Lyons?

Michael Kelly responded Cr Lyons opted not to receive the entitlement of a fully maintained vehicle which includes private use privileges.

What guidelines have been established for Chauffer Drive to protect this public expenditure from misuse?

Michael Kelly responded the use of a driver for the current Mayor has been agreed under arrangement by the City of Greater Geelong and is cheaper than a fully maintained vehicle.

Has Cr Lyons been advised that Chauffer Drive cannot be used for private purposes?

Is Chauffeur Drive being used by Elissa Friday, Alister Paterson and other members of Cr Lyon's entourage?

Has Council clearly defined what Public use is and what Private use is? eg. If Elissa Friday used Chauffeur Drive to attend the Christopher Pyne Liberal Party Fund Raiser held at the Lord of The Isles on May 21, I believe that such usage is clearly private and not public and should be articulated in the usage guidelines for Chauffeur Drive.

What recording and reporting proposes have been established to ensure Chauffeur Drive is only being used for public purposes and not private travel?

Will Council release expenditure associated with Chauffer Drive as part of the transparency of Councillors Expenditure that is regularly released by The City?

Is Council confident that Chauffeur Drive authorisation and its recording and reporting process to protect against misuse will stand up to investigation by the Local Government Investigations and Compliance Inspectorate and/or the Independent Broad-Based Anti-Corruption Commission?

Has or will Council seek a ruling from the Australian Tax Office in relations to possible Fringe Benefit Tax implications for Cr Lyons and Alister Paterson for using Chauffeur Drive?

Michael Kelly advised the remainder of questions will be responded to in writing.

Evan Hardie addressed Council as follows:

1) Is it normal procedure for significant verbal responses given during question time to not be recorded in the minutes, as happened re my questions put to Council on 13 May 2014? And, is it reasonable and within normal time limits for questions to be given written responses after more than one month has elapsed?

   Cr Harwood responded that where possible a response is given on the night, however if only comments are made, no written response is provided.

2) Following a statement by Mr Paul Jane at the Council Meeting of 13 May 2014, at what stage of review is Council at regarding policy on open space strategic planning, and when does Council anticipate that such a policy will be established and implemented?
3) Will such a policy be in line with other Victorian country regional councils, which already have such policies in place, such as Ballarat, Golden Plains, Colac/Otway and Surf Coast?
4) Regarding the possible rezoning to residential and sale of the Ocean Grove old netball reserve, will Council take into consideration this impending implementation of an open space strategy?
5) Is it wise to hurriedly sell this valuable land before a fully functional open space strategy is activated?
6) How will Council compensate, in future, for the loss of this informal open space and be in line with current guidelines as exampled by the recent investigative report of the Victorian Environmental Assessment Council?
7) At what cost would such compensation be, eg as has been incurred by the Whitehorse Council, where houses have been recently purchased and removed to create the required amount of open space?
8) Has Council, recently this year, consulted with the Ocean Grove Football and Cricket Clubs re their intended, ongoing active sport usage at Memorial Reserve Oval?
9) Are recent suggestions from some Council quarters that Memorial Reserve will be converted to an informal, passive open space, correct?
10) Does Council intend to treat their future open space strategy as a 'living document', as is the case with other regional Councils, eg Golden Plains, where review will be undertaken annually?
11) Will local community groups be encouraged to participate in the planning and management of future informal open spaces, and could this possibility occur with the Ocean Grove Netball Reserve, if it is retained?
12) In fairness to our local Ocean Grove Neighbourhood Community, as distinct from more distant sections of Ocean Grove beyond the safe, walkable catchment of approximately 400-500 metre radius, would Council be willing, at a moderate cost, to engage an independent Leisure and Open Space Auditor/Consultant to properly assess the open space needs of this neighbourhood?
13) Has Council considered the possible need of an audit for potential heavy metal contamination re Ocean Grove Netball Reserve owing to its history of possible rubbish tip activity, and also as an old Bellarine Shire Depot for various unspecified activities, as indicated by old local residents and aerial photo of 1966?

Cr Harwood tabled the remainder of questions for a written response.

Questions asked by Frank Thompson (Rotary Club Geelong) and Simon Stewart (Geelong Radio and Electronics Society) in relation to the Sale of the Old Geelong Gaol were addressed during debate of the item.

PETITIONS:

Cr E Kontelj presented a petition from Bell Post Hill residents asking Council to not proceed with the building of a public toilet on Beauford Avenue Carpark.

1. ADOPTION OF DISABILITY ACTION PLAN 2014-2017

Portfolio: **Community Development – Cr Fisher**
Source **Community Services – Aged and Disability Services**
General Manager: **Jenny McMahon**
Index Reference **Subject: Disability**

Purpose

To present to Council for adoption the Disability Action Plan 2014-17, inclusive of information gained through public consultation during April 2014.

Summary

- In accordance with the Victorian Disability Act 2006, Council has since 2002 developed a series of Disability Action Plans.
- The Disability Action Plan (DAP) specifies the actions Council will take to reduce discrimination of people with disabilities in the areas of goods, services and facilities, employment, community participation and attitudes and practices.
- Council considered the draft 2014-17 Disability Action Plan in March 2014 and resolved to exhibit it for community comment from 28 March 2014 to 25 April 2014.
- Consultation was invited from the community via the Geelong Australia Website and by email.
- Feedback was received from the community and Council's Disability Advisory Committee.
- The majority of input was focused on improving clarity of the document as well as noting specific roles and responsibilities within Council.
- A copy of the final plan is attached with highlighted changes.

Cr Fisher moved, Cr Ellis seconded -

That Council adopts the Disability Action Plan 2014-2017.

Carried.

Background

Council considered the draft DAP at its meeting on 25 March 2014. At this meeting Council agreed to release the draft document for community comment. The plan was subsequently placed on exhibition for the period 28 March 2014 to 25 April 2014. A total of 3 submissions were received by the closing date.

One submission proposed that Council support for the Visitors Access centre be a high priority. Another recommended that Council take an active role in creating opportunities for people with a disability to make a meaningful contribution by undertaking volunteer work. The Disability Advisory Committee also wished for there to be greater emphasis on Council being proactive in promoting inclusion and participation.

Discussion

The amended plan with minor changes highlighted to Section eight is attached (See appendix).

In addition to the DAP, Council sustains the process of continuous access and inclusion improvement by the:

1. Work of the Disability Advisory Committee (DAC): Community members who regularly review policies and plans. Most recent were specific recommendations to the consultant planning the Geelong Station disability access upgrade, lifts across Platforms 1 and 2.
2. Street Access Committee: Improvement of the accessibility of streets and roads. Community representatives on that committee participate in e.g. reviews of road crossings, parking spaces, footpaths and crossings.
3. Encouragement for the public to report hazards and faults in the built environment via the Street Access Committee and Customer Service 'Request for Service - RFS'. A recent example was the reporting of seriously cracked and uneven surfaces on and around an accessible parking bay. An urgent report was lodged by Council and the road surface repaired within 24 hours.
4. Regular Disability Access working group meetings to prioritise upgrade works to improve community facilities. Examples of the work carried out last financial year include hearing loops in three halls, construction of accessible toilets and ramps at halls and seniors centres, accessible car park works and an adult change table for a fully accessible bathroom.
5. Support of community groups working to improve community accessibility, for example the Visitor Access Centre working group, resourced by Aged & Disability Services.

Environmental Implications

This report will not have any discernible impact on the environment. Impacts on the environment, including energy use and green house gas emissions will however be lessened when accessible services and facilities are planned from the outset.

Financial Implications

Strategies outlined in the Action Areas of the 2014-2017 Disability Action Plan are generally within current Council budgets.

Any additional resources required will be considered as part of annual budget processes.

Policy/Legal/Statutory Implications

The Victorian Disability Act 2006 requires that all services and facilities are accessible to people with disabilities and also that planning approvals conform to this Act. The requirements of the Victorian Disability Act 2006 are reflected in the Disability Action Plan 2014-17.

Alignment to City Plan

The plan is referenced in the City Plan and is a component of the Health and Wellbeing actions.

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any direct, indirect or personal interest in the subject of this report beyond the general benefit that will accrue to all residents and visitors to the City of Greater Geelong.

Risk Assessment

The 2014-17 Disability Action Plan will enable Council to address its statutory requirements and the Disability Action Plan may also be viewed as a mitigating circumstance in any instance of a claim.

Social Considerations

It is anticipated that there will be considerable ongoing positive impact on people in the community with disabilities and their families as the DAP is implemented. It is also expected that there will be a flow on to the wider community of understanding and consideration for the inclusion of people with disabilities in all aspects of community life. Implementation of the plan promotes the development of sustainable organisational structures to help minimise access and inclusion issues.

There will be enhanced opportunities for people with disabilities to participate in community life and for the community to be enriched by their inclusion. In addition, providing equal access will greatly benefit the growing proportion of ageing residents in the City of Greater Geelong.

Human Rights Charter

The adoption of the plan will assist Council to meet its obligations under the Charter of Human Rights and Responsibilities Act 2006, as well as supporting the principles of the United Nations' Convention on the Rights of Persons with Disabilities.

Consultation and Communication

Progress reports on the 2014-17 Disability Action Plan will provide an opportunity for Council to showcase its ongoing commitment and leadership to the community, its commitment to consult with people as well as to work towards building equity of access and inclusion in the community.

Appendix 1

DISABILITY ACTION PLAN

with amendments, following a four week public exhibition period

2014-2017



1. Message from the Mayor, Cr. Darryn Lyons



It is with pleasure that I present the Disability Action Plan 2014-2017 for the City of Greater Geelong, which builds on and extends the scope of previous plans as part of the integrated approach to planning and service delivery.

The significant role played by Council staff in the development and implementation of this plan will further improve services and facilities for people with a disability, and show community leadership and accountability in the access and inclusion of people with disabilities.

This action plan is key, in that Geelong was the first Council in Australia to provide written support for the establishment of a National Disability Insurance Scheme (NDIS). With the Geelong region as the Victorian trial site for the National Disability Insurance Agency (NDIA) and the national office of the NDIS to be situated here in 2014, there is reason to celebrate and give thanks for the effort put in by so many people to secure the trial site and subsequently the NDIS.

We look forward to the Disability Action Plan furthering access and inclusion and promoting a Geelong that welcomes all abilities.

2. Introduction

Council is pleased to present the Disability Action Plan, which builds on the strengths of previous plans. It ensures people in Greater Geelong have universal access to the built and outdoor environment, and supports choices for inclusion in the life of the community. The Plan also supports the local community in including people with a disability in a dignified manner, and allows Council to actively build a culture where the community experience is one of inclusion. The plan allies to the 2014-2017 Municipal Public Health and Wellbeing Plan, which has goals and strategies to maximize health and wellbeing. Our thanks go to the Disability Advisory Committee who played an invaluable role in the development of this plan, and in advising Council of both the lived and professional experience of access and inclusion matters.

The Municipal Association of Victoria (MAV), in partnership with Office for Disability, Department of Human Services and the Victorian Local Government Disability Planners Network developed the 'Disability Access and Inclusion Strategy'. Workshops were held and resource guides have been made available:

- Local Government: Building Inclusive Communities. (MAV, 2012)
- Increasing civic participation and improving consultation with people with a disability (MAV, 2012)
- Creating employment opportunities for people with a disability (MAV, 2012)

These guides, along with results from consultations, have informed the development of our Disability Action Plan and will shape the goals and objectives.



3. The City of Greater Geelong: A Community Profile

The City of Greater Geelong is located in south-western Victoria, about 75 kilometres south west of Melbourne. The region is a rural, residential, commercial, industrial and resort area. Geelong is the largest regional city in Victoria with a total land area of about 1,250 square kilometres and the leading commercial centre for south-western Victoria.

The first Disability Action Plan was produced and adopted by Council in April 2002, when the population of the City of Greater Geelong was 191,018.

In 2011, the Estimated Residential Population was 210,874. Currently it is estimated that 11,877 people or 5.6% of the population in the City of Greater Geelong (CoGG) report needing help in their day-to-day lives due to disability (ABS, 2011).



4. Defining Disability

The World Health Organisation (WHO, 2013), describes disabilities as "an umbrella term, covering impairments, activity limitations, and participation restrictions. Impairment is a problem in body function or structure; an activity limitation is a difficulty encountered by an individual in executing a task or action; while a participation restriction is a problem experienced by an individual in involvement in life situations."

The City of Greater Geelong recognises the legislative definition as per the Disability Act 2006.



CITY OF GREATER GEELONG

5. National Disability Insurance Scheme Australia

The City of Greater Geelong was the first local government to formally support the development of the National Disability Insurance Scheme (NDIS) for people with disabilities. Following considerable lobbying, in August 2012 the Hon. Jenny Macklin announced that the Barwon region would, from 1 July 2013 become a launch site for the National Disability Insurance Scheme. In May 2013, Prime Minister Julia Gillard announced further that the national headquarters for the National Disability Insurance Scheme would be based in Geelong.

Council's Aged and Disability Services department is committed to partnering with the NDIA to ensure that the service system is seamless and that the launch and ongoing NDIA program will deliver great benefits to people with disabilities and enable their increased choice and control over the services they utilise. For more information on the NDIS, please refer to http://www.ndis.gov.au



6. The Journey of Development

In 2012, the following processes were undertaken to inform the Disability Action Plan:

- Statistical Review.
- Review and comparison of other local government Disability Action Plans and best practice.
- Consultation with community members, local disability service organisations, and internal CoGG units.
- Review of CoGG plans and policies.
- Review of key state and federal legislative requirements.

Statistical Review:

The ABS has defined disability as "self-reported need for assistance with core activities due to disability". ABS (2011) data identified that in the Greater Geelong region, people who have self-reported disability make up 5.6% of the population, which is higher than the state average of 4.8%. The statistics show that the percentage of people with disabilities in the Geelong Region is significantly correlated to people from a non English speaking or indigenous background, seniors, the frail elderly and socio economic disadvantage (SEIFA). These factors increase the likelihood of a person living with a disability.



Review of other Local Government Disability Action Plans:

In the process of developing this plan, eight local government Disability Action Plans were reviewed. The review identified opportunities to improve our plan and utilise best practice.

Consultations:

Consultations were undertaken with internal CoGG units, disability service organisations and the Disability Advisory Committee community members.

Results from the informal interview consultations with internal CoGG units were positive. They indicated that many CoGG departments and service units manage a wide range of services and facilities, and are considerate of access and inclusion for people with disabilities. There are a number of areas where CoGG units are doing well, including:

- Councillors being more aware of accessibility and supporting change
- Improved accessibility to infrastructure
- Working towards accessible communication
- Support for event organisers to hold accessible events
- Customer service improving communication
- Networking with local organisations
- Ensuring relevant legislative and statutory requirements are met
- Engaging consultants to conduct Access Audits of community facilities

Some of the areas for continual action were:

- Disability Inclusion training
- Ongoing audits and improvements to infrastructure
- Rural Access to continue to liaise with units to provide advocacy and support
- Continue to improve accessible communication and customer service sites
- Greater awareness and use of the Disability Action Plan for reference.

Telephone interview results from external Disability Service providers indicated that they utilise the CoGG Goods, Services and Facilities in a range of ways, including Home and Community Care (HACC) services, and access and participation in the local community.

Disability Service Providers also identified a range of barriers to Inclusion and Participation in the community. Suggested improvements to reduce these barriers have informed outcome areas in the 2014-2017 Disability Action Plan. In regard to Attitudes and Practices, Disability Service Providers identified that CoGG has a growing focus on people with disabilities and is open to changes and consultation. To improve attitudes and practices towards people with a disability, service providers propose that CoGG take an active role to increase awareness and promote diversity of people with disabilities, set a positive example for employment accessibility, and create opportunities for work experience and volunteering. The general comments provided show that Disability Service Providers would like to see a Disability Action Plan that has an increased community inclusion focus.

Survey results from the Disability Advisory Committee (DAC), shows that community members would like accessible parking spaces and footpaths to be made a priority in the Disability Action Plan. The DAC feel that social attitudes, access to information, and access to transport are the main issues that make it difficult for inclusion and participation in the community. Despite these issues, 100% of DAC members have had generally positive experiences of inclusion and participation in community events. DAC members rated the attitudes and practices of CoGG staff to people with a disability as positive and very positive, with 88.9% of members satisfied with attitudes and practices of CoGG staff.
A range of suggestions were made regarding improvement on attitudes and practices, and included:

- Disability Inclusion training for staff
- Networking with community groups
- Accessible information
- Consultation with people with disabilities

Review of CoGG Plans and Policies

While conducting internal consultation, a number of CoGG's plans and policies demonstrated Disability Access and Inclusion. This included accessible documentation and inclusive community consultation. Some areas for improvement were identified, and this plan aims to inform all relevant plans and policies in the future.

7. Priority Areas



Four priority areas have been identified by the Victorian Disability Act 2006. Themes from the research undertaken in the development of this plan are grouped within the four priority areas as follows:

1. Improved access to goods, services and facilities
    - Facilities
    - Events
    - Services

2. Better access to employment
    - Employment
    - Volunteering

3. Promoting an inclusive and participatory community
    - Community Inclusion
    - Accessible communication

4. Improved attitudes and practices
    - Disability awareness

8. Actions

The Disability Action Plan encompasses these themes in the actions outlined, and aims to develop a plan that is informed and achieved by the City of Greater Geelong, and the community.

See pages 15-35



9. Implementation

Implementation

Implementation of the 2014-2017 DAP will be commenced immediately following adoption by Council.

Monitoring

Monitoring of the Disability Action Plan will be ongoing, and carried out by The City of Greater Geelong by:

- Monitoring the Four Outcome areas on an ongoing basis to ensure ongoing improvement in universal access and inclusion;
- Encouraging ongoing policy development and consultation that fosters universal access and inclusion;
- Continuing to engage in processes that foster continuous service improvement and staff awareness;
- Encouraging community feedback; e.g. complaints, consultation comments and general feedback;
- Conducting a survey regarding staff attitudes to disability, analyse results and develop strategies for improvement.

Evaluation

Evaluation will be gathered on an annual or biennial basis, and will inform Council in the annual Disability Action Plan report.

Review

A full review of this Plan will be carried out in 2017, encapsulating recommendations from the 12 month Disability Action Plan evaluations. The conclusions from the evaluations will guide the Action Areas in the new Disability Action Plan.

10. References

Australian Federal Government, (1992). *Commonwealth Disability Discrimination Act 1992*.
Retrieved from: http://www.comlaw.gov.au/Details/C2013C00022

Commonwealth of Australia, (2009). *Shut Out: the experience of people with disabilities and their families in Australia. National Disability consultation report prepared by the National People with Disabilities and Carer Council.*
Retrieved from http://www.fahcsia.vic.gov.au

Department of Human Services, (2012). *Disability Amendment Act 2012*.
Retrieved from: http://www.dhs.vic.gov.au/for-service-providers/disability/service-quality-and-improvement/disability-act-2006-for-service-provider/overview-of-the-disability-act-2006/disability-amendment-act-2012

Department of Human Services, (2013). *Victorian State Disability Plan 2013–2016.*
Retrieved from http://www.dhs.vic.gov.au/about-the-department/plans,-programs-and-projects/plans-and-strategies/disability-services/state-disability-plan

Department of Families, Housing, Community Services and Indigenous Affairs, (2010). *National Disability Strategy.*
Retrieved from http://www.fahcsia.gov.au/our-responsibilities/disability-and-carers/program-services/government-international/national-disability-strategy

Municipal Association of Victoria, (2011). *Municipal Association of Victoria and Office for Disability Partnership project: Disability Access and Inclusion Strategy Background report on development of a Strategic Framework for Local Government.*
Retrieved from http://www.mav.asn.au/policy-services/social-community/disability/Pages/default.aspx

Parliament of Victoria, (2010). *Equal Opportunity Act 2010*.
Retrieved from
http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/51dea49770555ea6ca256da4001b90cd/7CAFB78A7EE91429CA25771200123812/$FILE/10-016a.pdf

Parliament of Victoria, (2006). *Victorian Charter of Human Rights and Responsibilities Act 2006*.
Retrieved from http://www.austlii.edu.au/au/legis/vic/consol_act/cohrara2006433/

PWC (2011). *Disability Expectations: investing in a better life, a stronger Australia*.
Retrieved from
http://www.pwc.com.au/industry/government/publications/disability-in-australia.htm

United Nations Convention on the Rights of Persons with Disabilities
http://www.un.org/esa/socdev/enable/conventioninfo.htm

Victorian Equal Opportunity & Human Rights Commission (2012). *Desperate Measures: The relinquishment of children with disability into state care in Victoria*.
Retrieved from www.humanrightscommission.vic./gov.au

Victorian Equal Opportunity & Human Rights Commission, (1995). *Victorian Equal Opportunity Act 1995*. Retrieved from
http://www.legislation.vic.gov.au/domino/Web_notes/LDMS/LTObject_Store/LTObjSt2.nsf/d1a8d8a9bed958efca25761600042ef5/b0c98922c32e73a2ca257761001fb804/$FILE/95-42a059.pdf

WHO, (2013). *Disabilities*. Retrieved from http://www.who.int/topics/disabilities/en

National Disability Insurance Scheme Act 2013
http://www.comlaw.gov.au/Details/C2013A00020

Section 8

8.1	Improved access to goods, services and facilities			
	Objective	**Action**	**Outcome Measure**	**Response**
8.1.1	Corporate facilities and spaces have been progressively audited for accessibility and prioritised for modification to reduce barriers to access.	a) The City of Greater Geelong's Disability Access Budget Working Group manages the Capital Budget allocated annually for accessibility audits and projects and includes members of Rural Access. The Group meets quarterly to discuss proposals, develop priorities and allocate funds.	Managing the allocation of the Capital Budget to agreed audits and individual projects, liaison with the community and the Capital Projects Department on each project.	Community Facilities Rural Access
		b) An independent Disability Access Audit will be carried out on all new buildings or significant building modifications prior to completion.	A Priority Checklist is developed for audits to Corporate Facilities and Spaces. Access improvements are included in the annual Disability Action Plan report to Council.	Capital Projects

8.1.2	The Street Access for the Aged and people with Disability (SAC) plays a key advisory role to ensure streets and roads in the municipality are universally accessible.	A minimum of four people with a disability will be invited to participate in SAC committee meetings in a consultative role to represent the access needs of all people with disability. Access improvements are reported in the DAP annually by 31 May.	Access improvements are included in the annual Disability Action Plan report to Council.	Engineering Services
8.1.3	People with a Disability Parking Permit are informed about use and location of disabled (accessible) parking bays in Geelong.	a) An audit of accessible parking spaces is conducted, reported on with priority recommendations by 30 November 2014. b) Modifications and installations made to improve access are reported to Rural Access annually by 31 May.	The general public has an increased awareness of use of disabled parking bays, demonstrated by the reduction of infringements for parking in a Disabled (accessible) Parking bay. Access improvements are included in the annual Disability Action Plan report to Council.	Customer Service Health and Local Laws
8.1.4	Pedestrian areas of footpaths are free from obstructions.	In accordance with the Footpath Trading & Activity Policy 2011, reports and requests for service must be reported to Health and Local Laws for prioritisation and works on a monthly basis.	Access improvements are included in the annual Disability Action Plan report to Council.	Health and Local Laws

8.1.5	The Disability Advisory Committee is consulted on Council plans and policies that have an impact on disability inclusion.	a) All relevant Council policies and plans to go to the Disability Advisory Committee for consultation and comment. b) To increase Council awareness of the Disability Advisory Committee, Rural Access will do one presentation per quarter to different CoGG units upon request or referral.	The number of Council policies and plans presented to DAC will increase. 100% of Council policies and plans presented to DAC for consultation will include reasonable suggested improvements. Access improvements are included in Council policies and plans, and reported in the annual Disability Action Plan report to Council.	All
8.1.6	Parks and reserves are universally accessible.	Parks, reserves and playgrounds are universally accessible to adults and children, with a priority list for works and upgrades identified by Sport & Recreation services on an annual basis.	Access improvements to parks and reserves are reported in the annual Disability Action Plan report to Council.	Sport and Recreation

8.1.7	Councillors, Council staff and volunteers understand and actively support the principles and practice of disability access and inclusion.	a) Disability access and inclusion forms part of the regular staff induction sessions for all new staff and volunteers. b) Disability access and inclusion to be presented at each Organisation Development 'Road Show' which will sequentially cover all CoGG units. c) Report on activities to be presented by June 30 each year. d) Council will collaborate with the community and disability agencies to achieve initiatives such as the Visitors Access Centre.	People with disability report experiencing greater ease of access and inclusion in a biennial community access and inclusion satisfaction survey.	Rural Access Organisation Development Volunteers Coordinator
		e) A Council facilities 'accessibility checklist' will be developed to be used by staff booking meeting spaces owned by Council.	Bookings for meetings and events held in Council facilities will have identified access needs ahead of the booking date and attendees will note greater ease of access and inclusion.	

		f) Reasonable adjustments will be made for meetings at council facilities on request, in support of access and inclusion requirements.	Feedback from governance indicates reasonable adjustments have been made to support access and inclusion.	Governance Events Services
		g) An events guide to promote access and inclusion will be made available by Rural Access and actively promoted to Council meeting conveners and staff by 30 June 2014.	100% of events will utilise the events guide to ensure access and inclusion is factored into planning.	Events Services
8.1.8	Council Information (electronic and media) is fully available to people with disability.	a) A review of documents and media will be conducted to ensure that information is written in plain English, with a Word copy published alongside any PDF. b) DVD information is captioned on request. c) Review results are reported annually by 30 June from 2015.	The review indicated that the Geelong Australia website is fully compliant to W3C Web Content Accessibility Guidelines WCAG 2.0 and provides a range of communication options for people with disability. The complaints mechanism on the Geelong Australia website is accessible and easy to locate.	CoGG Units Information Services Customer Service

8.1.9	All customer service staff have undertaken training in communication options for people with disabilities.	a) The 'Communication Access Symbol' is authorised to be displayed at customer service centres by December 2014. b) To obtain the Communication Access Symbol, Rural Access will consult with customer service staff, develop communication boards, and arrange an external Communication Access Audit by December 2014. c) The Communication Access Symbol is displayed in 100% of CoGG customer service centres and leisure services by 2017.	The Communication Access Symbol is displayed to indicate that staff can offer a range of communication options to improve access and inclusion for people with disability.	Customer Service Rural Access
8.1.10	Council offers a range of communication options to people with disability.	a) A biennial review is conducted to ensure a broad range of communication options are available. b) Recommendations for improving communication requirements are made by December 2015 and included in the annual DAP report to Council.	Communication options available include the National Relay Service (NRS), Auslan interpreters, Counter Loops, and an FM Assistive Listening Systems. Recommendations have been followed through.	Customer Service Governance

		c) Rural Access to conduct a biennial survey of staff to identify usage and knowledge of communication options.	Report of outcomes in the annual Disability Action Plan report to Council.	Customer Service Governance
		d) Rural Access to increase staff and public awareness of the availability of the Braille printer and alternative formats, by producing information guides and circulating them through networks. A report to be produced by 31 May each year.	The usage of the printer increases by 50%, as reported by Rural Access in the annual report to Council.	Rural Access
8.1.11	Council will promote features of Geelong that are easy to locate and use and accessible to all.	a) Council will actively promote accessible Geelong features on the GeelongAustralia website, in the media, and community, reporting to Council by 31 May each year.	Rural Access review and edit published material on a regular basis, and report to Council in the annual Disability Action Plan report.	All units and Rural Access

		b) A map of the Central Geelong waterfront accessible features is produced jointly with BDRC. Map to be completed by November 2014 and distributed widely in paper copies and electronic formats.	Map is produced and widely available in different formats.	Central Geelong and Waterfront Rural Access
		c) The Geelong Mobility Access Directory in the Community Directory is incrementally updated on a fortnightly basis.	Continuous improvement to the Access Directory is documented. Number of hits on the Directory and update pages reported. A record of the number of edited and new entries will be kept and reported annually in the Disability Action Plan report to Council.	Rural Access Information Technology

8.1.12	Council reports on the Disability Action Plan (DAP) in its Annual Report (Section 131 of the LGA 1989) and in accordance with requirements of (Victorian Disability Amendment Act 2012).	A report on the actions of the DAP will be gathered by 30 January each year and drafted into a report for submission to the A&DS Manager, for inclusion in the CoGG Annual Report to Council.	Council has complied with the legal reporting requirements of the DAP.	Rural Access Aged and Disability Services Corporate Services
8.1.13	The Events Planning Guide produced by the City of Greater Geelong contains information on planning accessible events to assist event holders.	a) Rural Access support Events Management and community event holders in providing inclusive and accessible events by producing an Inclusive Events Checklist and equipment for loan by June 2015.	An Inclusive Events Checklist is published in the CoGG Events Planning Guide and as a stand alone resource. Report to Council on access and inclusion at events in the annual Disability Action Plan report.	All Units
		b) A Community Access and Inclusion Satisfaction survey will be conducted on a biennial basis.	People with disability report experiencing greater ease of access and inclusion at events in the satisfaction survey, with outcomes reported in the DAP report to Council.	All Units

8.1.14	Council advocates and promotes accessible public transport options on behalf of people with disability in the municipality.	a) Access audits of all Geelong Railway Stations carried out as a baseline measure for advocacy to Public Transport Victoria (PTV) and V/Line to improve railway station access and inclusion.	Results from customer satisfaction surveys indicate improved access and inclusion at Geelong Railway Stations.	Aged and Disability Services Engineering Street Access Committee
		b) Council works with public transport operators to plan and to improve accessible public transport for Geelong on ongoing basis.	Results from forums, meetings and customer satisfaction surveys indicate improved access and inclusion at Geelong Railway Stations, buses and taxis.	
8.1.15	New Council vehicles purchased and available for community hire by Council are accessible in order to improve community inclusion.	Council to set priority list and budgets for accessible Council vehicles and the community bus fleet on an annual basis, reported to Rural Access by 31 May each year for the DAP report to Council.	Increase percentage of accessible Council vehicles demonstrated in the Disability Action Plan report to Council.	Community Development Parks and Support Services

8.2	Better access to employment			
	Objective	**Action**	**Outcome Measure**	**Response**
8.2.1	Council promotes and supports employment of people with disability.	A review of the employment processes including documentation is to be completed by June 30th each year to ensure that: • All employment documentation reflects inclusion principles. • Position descriptions promote Council as an equal opportunity employer. • Job applications may include an invitation for job applications from people with disability. • Disability employment agencies will be engaged with proactively. • Any barriers to employment for people with disability are addressed.	The review indicates that Council is an equal opportunity employer. Any recommendations for improvement were acted on within 6 months.	Organisation Development Aged and Disability Services Rural Access

8.2.2	Council provides an equal opportunity job application process.	A focus group of people with disability is convened biennially in 2015 and 2017 and a report is produced by 30th June to ensure: • Essential information about job vacancies is available in accessible formats. • Position descriptions do not contain unnecessary physical or other requirements. • Applicants are invited to request any specific requirements prior to interview. • The application or personnel file notes requests for specific requirements.	Results from the focus group confirm that 85 per cent of the focus group feels that Council has a fair and equitable job application process. Recommendations from the focus group were noted.	Organisation Development External Consultant Aged and Disability Services Rural Access

8.2.3	People with a disability are supported by Council to maintain their employment.	Questions about disability access and inclusion to be included in the next Employee Opinion Survey (EOS). Reasonable adjustment policy is reviewed against legislative requirements and rewritten if obligations are not met.	Results of the EOS indicate staff has good awareness of disability and workplace support. The review of the policy reflects legislative requirements.	Organisation Development Aged and Disability Services Rural Access Corporate Strategy (Research)

8.3	Promoting an inclusive and participatory community			
	Objective	**Action**	**Outcome Measure**	**Response**
8.3.1	Community inclusion and participation of people with disability is promoted and supported.	a) To develop and implement an inclusive community event for International Day of People with Disability in December annually.	Survey of event participants indicates an inclusive and participatory event. Review of the International Day celebrations is reported to Council on an annual basis.	Rural Access
		b) To engage CoGG units with a focus on promoting community inclusion and participation in local community planning.	People with disability report experiencing greater ease of access and inclusion in a biennial community access and inclusion satisfaction survey.	All Units, with support of Rural Access
		c) To improve access to health care information and services for people with a disability, in line with the CoGG Health and Wellbeing Plan, reported annually to Rural Access by 31 May.	People with disability report experiencing greater ease of access and inclusion in a biennial community access and inclusion satisfaction survey.	Aged and Disability Services

		d) Council will take an active role in identifying volunteer work opportunities for people with disabilities, and maintain ongoing links to Volunteering Geelong and NDIA.	People with disability will experience greater breadth of volunteering opportunities.	Aged & Disability Services
8.3.2	The 'Communication Access Symbol' is displayed at Customer Service Centres and in the broader community.	a) To improve communication access and inclusion for people with disabilities, Customer Service Centres and Leisure Services will display the Communication Access Symbol by December 2017. b) Rural Access will promote communication access and inclusion in the community, and will support organisations to obtain the Communication Access Symbol on request.	People with disability report experiencing greater ease of access and inclusion in a biennial community access and inclusion satisfaction survey.	Customer Service and Rural Access

8.3.3	Council makes decisions in line with the IAP2 Core Values, which reflect the interests and concerns of people with disability and their friends, family and core values.	a) Review Council community engagement policies and processes against the IAP2 Core Values, with a Council Inclusion Policy to be implemented by 31 July 2015 and reviewed annually. b) Council decisions involve inclusive consultation with people with disability on an ongoing basis.	People with disability report experiencing support when engaging with Council in a biennial community access and inclusion satisfaction survey.	Community Engagement, All Units
8.3.4	Disability Advisory Committee (DAC) remains an effective and meaningful advisory mechanism to Council on access and inclusion issues.	a) The DAC is resourced and reviewed by Council, and utilised as an advisory body on an ongoing basis.	Percentage of DAC Community Membership of people with a disability will not fall below 60%. Committee members hold an annual planning meeting to review DAC processes and practices.	All CoGG units Aged & Disability Services Rural Access
		b) Review of the DAC Terms of Reference on a biennial basis.	The DAC Terms of Reference will be reported to Council in the Disability Action Plan report to Council.	

		c) Portfolio responsibilities will be allocated to DAC members on an annual basis, to promote collaboration with Councillors and the community.	Portfolio allocation occurs each year with a copy of the document to committee members and Councillors.	
		d) DAC members collaborate with Councillors and community groups on an ongoing basis.	Outcomes of collaboration have been reported by DAC members to the committee on a monthly basis, by submitting a "DAC report from external meetings" or "DAC report from Council portfolio meeting" form. Access and inclusion improvements and issues reported to Council in the annual Disability Action Plan report.	
		e) DAC Community Members remain engaged with the review of the Disability Action Plan on an annual basis.	Minutes indicate that the DAC regularly reviews the Disability Action Plan. Feedback is reported to Council in the annual Disability Action Plan report.	

8.3.5	A broad range of community members with disability are available to be consulted by Council on disability related issues.	a) Focus groups may be held where people with complex communication needs may be consulted as required.	A register of people is maintained who are available for consultation. Number of focus groups or consultations held is documented.	Governance Community Development Aged and Disability Services Corporate Strategy
		b) Conduct regular surveys of people with a disability to determine the level of satisfaction regarding inclusion at Council consultations, meetings and events.	Responses to actions and recommendations reported in the annual Disability Action Plan report to Council.	Governance Community Development Aged and Disability Services Corporate Strategy

8.3.6	Inclusive consultation and engagement principles are incorporated into Council's broader policies, strategies and processes, and the broader community.	a) Incorporate inclusive consultation and engagement principles within Council's broader policies, strategies and processes by 2016. b) Advocate for inclusive consultation and engagement in the broader community on an ongoing basis.	To be part of 100% of CoGG community consultations by 2016.	Governance Community Development Aged and Disability Services Rural Access

8.4	Improved attitudes and practices			
	Objective	**Action**	**Outcome Measure**	**Response**
8.4.1	Equitable and inclusive practices are mainstream throughout Council.	A review of information to be reported on by December 1st each year on: a) Links highlighted on CityWeb to key Disability rights information on International, Federal and State level legislation, and b) Information on inclusive practices.	The review demonstrates that web links to legislative instruments are prominently available.	Information Services Organisation Development
8.4.2	A positive inclusive staff culture is nurtured.	Following Disability Access and Inclusion Awareness at staff inductions and questions in an Employee Opinion Survey, focus groups will be held at the end of 2015 to assess staff attitudes and awareness regarding disability.	Disability access and inclusion has been offered to staff at induction and at 'Road Shows' improving staff awareness. Staff feel more comfortable in disclosing disability and asking for support when required. CoGG have a clear direction for where improvement is required.	Organisation Development Information Services Corporate Strategy (Research)

8.4.3	Council acts to positively impact on community attitudes towards people with disability.	A review of positive Council actions is carried out each year and the report is produced by 30th June which includes: a) 'Good News' Newspaper articles. b) Annual celebration of 'International Day of People with Disability' in central Geelong. c) Promotion of accessible and inclusive facilities and events on the Geelong Australia website.	The review concludes that people with disability are represented in a positive light in newspaper articles, reports and events held for the general public.	Aged and Disability Services Rural Access Corporate Services
8.4.4	Strategies have been identified to strengthen positive community attitudes to disability.	A report to be produced on strategies arising from focus groups to: a) Address gaps in understanding of disability and b) Promote positive community attitudes. Report due January 2016.	Strategies have been adopted by Council and prioritised for action.	Community Development Aged and Disability Services Ancillary Rural Access Councillors

2. AMENDMENT C298 COMBINED REZONING AND PLANNING PERMIT APPLICATION- 400 MELBOURNE ROAD, NORTH GEELONG- MCDONALDS RESTAURANT- CONSIDERATION OF SUBMISSIONS

Portfolio:	**Planning - Cr Heagney**
Source	**Planning and Tourism- Strategic Implementation**
General Manager:	**Peter Bettess**
Index Reference	**Application: C298 - Consideration of submissions**

Purpose

The purpose of this report is to consider submissions about the exhibited rezoning and planning permit application for land at 400 Melbourne Road, North Geelong, being the land containing the McDonalds restaurant.

Summary

- C298 is a Council initiated planning scheme amendment. The amendment is accompanied by a planning permit application (ref: 782/2013).
- The amendment affects land at 400 Melbourne Road, North Geelong, forming part of Deppeler Park. The affected land includes a McDonalds restaurant and associated access and car parking arrangements. (See **Appendix 1** for site location plan.)
- The land is currently zoned Public Park and Recreation Zone and is owned by the City of Greater Geelong Council.
- The amendment proposes to rezone the land from Public Park and Recreation Zone to Commercial 2 Zone and apply the Environmental Audit Overlay (See **Appendix 2**).
- The planning permit application proposes to subdivide the land from the balance of the Deppeler Park Reserve and remove the Reserve Restriction from the land to be subdivided. The plan of subdivision will also create a carriageway easement to Melbourne Road in favour of the land to be subdivided. (See **Appendix 3**).
- At its meeting of 22 October 2013, Council resolved to exhibit the amendment, subject to authorisation from the Minister for Planning.
- The combined rezoning and planning permit application was exhibited from 20 March 2014 to 28 April 2014.
- Four submissions were received. VicRoads stated it does not object to the Amendment. Three objecting submissions were received from Geelong residents. One submitter formally withdrew their objection after speaking with Council officers.
- The two unresolved objecting submissions oppose the rezoning of the park to a commercial site, query who wishes to rezone the site, who will benefit from the sale of the site and state that such green areas should be left alone with the need for upgrading including landscaping.

- In accordance with the Planning and Environment Act 1987, Council must now either: change the Amendment in the manner requested by the objecting submissions; refer submissions to and Independent Panel appointed by the Minister for Planning; or abandon the Amendment or part of the Amendment.
- This report addresses the issues raised in the submissions and recommends they be referred to an Independent Panel appointed by the Minister for Planning.

Cr Heagney moved, Cr E Kontelj seconded -

That Council, having considered all submissions to Amendment C298 to the Greater Geelong Planning Scheme, resolves to:

1) **Request the Minister for Planning to appoint an Independent Panel under Part 8 of the Planning and Environment Act 1987;**
2) **Refer all submissions to the Independent Panel; and**
3) **Submit to the Independent Panel its response to the submissions generally as outlined in this report.**

Carried.

Background

Amendment C298 is a combined rezoning and planning permit application (ref: 782/2013) submitted to Council under s96A of the Planning and Environment Act 1987.

Council proposes to rezone, subdivide and sell the land that is occupied by the McDonalds restaurant. Prior to selling the land, it is proposed to 'tidy-up' the land through the rezoning and subdivision process, thereby, ensuring the appropriate controls are in place.

The amendment proposes to rezone an area of 3278 sq. metres at Deppeler Park from Public Park and Recreation Zone to Commercial 2 Zone and apply the Environmental Audit Overlay over the land to be rezoned (See **Appendix 2**).

The planning permit application is for the subdivision of the land containing the McDonalds restaurant (3278 sq. metres) from Reserve No.1 on Plan of Subdivision 424106U (Vol 10497 Fol 507), remove the Reserve restriction from Reserve No 1 of Plan of Subdivision 424106U (Vol 10497 Fol 507) as it applies to the lot to be subdivided, and include a carriageway easement in favour of the land to be subdivided for the entire length of the northern boundary (62.2m) extending north to the face of the kerb. (See **Appendix 3** Draft Plan of Subdivision.)

On 22 October 2013, Council resolved to exhibit the combined rezoning and planning permit application, subject to authorisation from the Minister for Planning.

On 5 February 2013, Council wrote to the Minister for Planning requesting authorisation to prepare and exhibit the amendment and planning permit application. In accordance with the Planning and Environment Act 1987, Council prepared the amendment without authorisation after 20 February 2014.

A notice of preparation of the amendment appeared in the Victorian Government Gazette on 20 March 2014. Notices also appeared in the City News section of the Independent on 14 March 2014 and the Geelong Advertiser on 15 March 2014. Letters and notices were sent to relevant Ministers and service authorities on 13 March 2014.

The amendment and planning permit application were exhibited from 20 March 2014 to 28 April 2014.

Discussion

The exhibition period resulted in a total of four submissions. A list of submitters is provided at **Appendix 4**.

VicRoads advised it has no objection to the amendment.

Three objecting submissions were received from Geelong residents. The submissions raised the following issues: opposed the loss of recreational open space; that the park requires upgrading including landscaping; queried why a new McDonalds restaurant is necessary; the reason for rezoning the land to a commercial zone; and who will profit from the rezoning.

The objectors misinterpreted the purpose of the amendment and planning permit application. During the consideration of submissions stage, Council officers endeavoured to rectify this issue by making contact with submitters.

Council officers were successful in resolving one objection. The objector stated that Geelong has enough McDonalds restaurants and advised that there is no reason for any more junk food outlets. After speaking with the objector and explaining the purpose of the amendment, the objector wrote to Council and requested that the objection be withdrawn on the basis that there is an existing McDonalds outlet at the site. (See **Appendix 4**).

The two unresolved objections queried a number of matters as detailed below. A Council officer response is also provided.

1) **Opposition to the rezoning of the Park to a commercial site. (The objections were based on the principle that the entire Park Reserve would be rezoned and the loss of public open space.)**

   Council officer response: The amendment proposes to only rezone the land which holds the McDonalds restaurant. No other part of the Park is being rezoned by Amendment C298.

   Council officers attempted to contact the two objectors about this misunderstanding and to explain the purpose and extent of the amendment. Contact was successfully made with one objector who, after being informed about the intent of the amendment, retained their objection on the basis of ongoing litter problems arising from the McDonalds restaurant in the park. Council officers were unsuccessful in contacting the other objector.

2) **The Park needs upgrading and landscaping to make it a more enjoyable place.**

   Council officer response: The amendment and permit application do not affect the remaining part of the Park. The request for the Park to be upgraded including landscaping works is a matter beyond the scope of this report.

3) **Who wishes to rezone the Park to a commercial zone?**

   Council officer response: The amendment is Council-initiated. The land is also in Council ownership. The McDonalds restaurant has occupied the site since the 1980's and has been operating in a Public Use and Recreation Zone.

   The justification for the proposed rezoning and subdivision application is confirmed through the conflicting nature of the current commercial use of the land in a Public Park and Recreation Zone and also, through the process of preparing Council owned land for sale.

4) Who will profit from this move?

Council officer response: Given the land is in Council ownership, the sale of the land and associated financial matters will be handled by Council.

A notice of intention to sell the land was published in the City News section of the Independent and Geelong Advertiser on 21 and 22 March 2014. Under the Local Government Act 1989, Council is required to publish a notice of intention to sell, thus allowing a person to make a submission and be heard before a Submissions Review Panel. The closing date for submissions in respect of the notice of intention to sell was 23 April 2014.

Environmental Implications

The amendment and planning permit are unlikely to create any adverse environmental issues. The amendment process will ensure that on-site environmental conditions are suitable for sensitive land uses by introducing a planning control, namely the Environmental Audit Overlay.

Financial Implications

There will be associated planning scheme amendment costs (amendment fees and panel costs) as part of the implementation process given this is a Council initiated amendment. These costs can be accommodated within the existing department budget.

Policy/Legal/Statutory Implications

Amendment C298 is consistent with the State and Local Planning Policy Frameworks, that comprise part of the Greater Geelong Planning Scheme, as outlined below.

The State Planning Policy Framework is relevant to the assessment of this proposal in so far as it discusses the use of contaminated and potentially contaminated land, at Clause 13.03-1 and the importance of planning facilitating economic development at Clause 17.

Clause 13.03-1 states that the objective is:

"*To ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely*."

The strategy for Clause 13.03-1 requires applicants to provide adequate information on the potential for contamination to have adverse effect on the future land use, where the subject land is known to have been used for industrial, mining or the storage of chemicals, gas, wastes or liquid fuel.

Clause 17 Economic Development states:

"*Planning is to contribute to the economic well-being of communities and the State as a whole by supporting and fostering economic growth and development by providing land, facilitating decisions, and resolving land use conflicts, so that each district may build on its strengths and achieve its economic potential*."

The Amendment satisfies the above requirements of planning in so far as facilitating decisions and resolving land use conflicts so that the City of Greater Geelong can build on its strengths and achieve its economic potential.

The Local Planning Policy Framework is relevant in so far as applying the Environmental Audit Overlay and the application of a commercial zone to recognise an established retail activity.

The introduction of Clause 45.03 Environmental Audit Overlay (EAO) to the land is considered a logical proposal. The purpose of the EAO is:

"*To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination*."

An EAO is required because the Commercial 2 Zone allows sensitive uses such as a childcare centre.

Clause 45.03 requires:

Before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or
- An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

Clause 22.03 Assessment Criteria for Retail Planning Applications requires that applications involving a planning scheme amendment in or adjoining existing activity centres clearly establish a retail need for such use and development and demonstrate that there are no adverse impacts on the operation of the retail activity centres hierarchy. The subject land is adjacent to an existing commercial precinct which forms part of the broader Geelong North Homemaker precinct. The proposed rezoning will in effect extend the commercial precinct to include the subject land. Given the historical commercial use of the site, it is considered there will be no adverse impacts on the operation of the homemaker precinct.

Alignment to City Plan

The amendment aligns with the City Plan's strategic direction, How We Do Business, and the priority relating to "Responsible and Sustainable financial management". The amendment will assist Council in maintaining a strong financial position by rezoning, subdividing and selling the subject land.

Officer Direct or Indirect Interest

No Council officers involved in the proposed rezoning and planning permit have a direct or indirect interest in matters contained in this report.

Risk Assessment

There are no significant notable risks that would arise as a consequence of the combined planning scheme amendment and planning permit.

Consideration has been given to the previous use of the site, which formed part of a landfill between the 1950's and 1970's. It is proposed that the Environmental Audit Overlay will be applied to the affected land to ensure that if a sensitive use is proposed in the future, the requirements of the Greater Geelong Planning Scheme and Ministerial Direction No.1 Contaminated Land, will be complied with, where relevant.

The preparation of the planning scheme amendment is in accordance with the requirements of Ministerial Direction No.1.

Social Considerations

The planning scheme amendment is unlikely to result in any adverse social impacts on adjoining land uses. The site has been used by McDonalds Australia Ltd. since the 1980's and will remain in commercial use as a consequence of the proposed rezoning from Public Park and Recreation Zone to Commercial 2 Zone. One of the purposes of the Commercial 2 Zone is to ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

Human Rights Charter

The amendment will not impact on any basic rights, freedoms, responsibilities as set out in the Charter. Planning legislation ensures an open community consultation process occurs enabling people to freely express their views and if necessary, obtain a fair hearing before an Independent Planning Panel.

Consultation and Communication

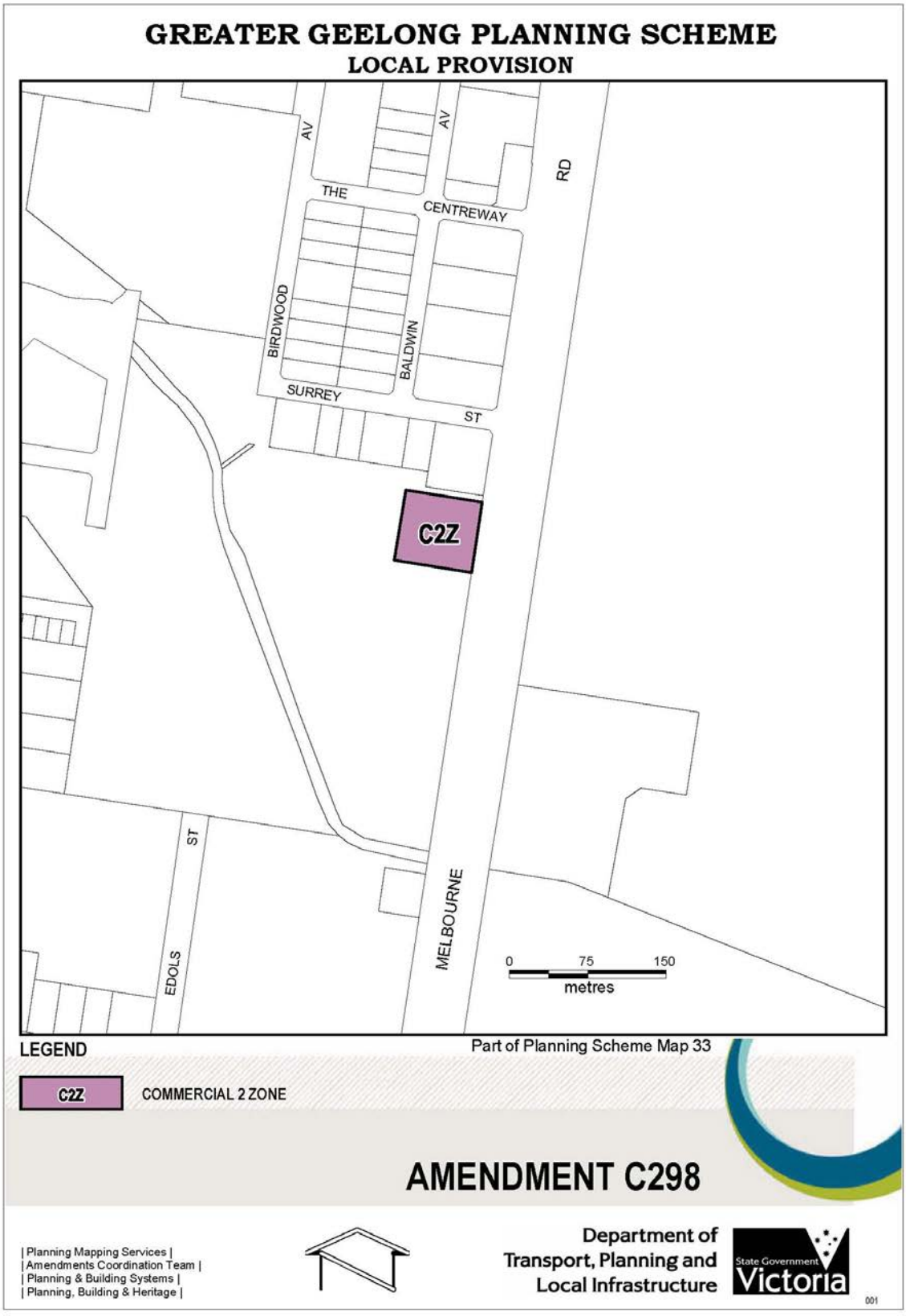
The exhibition of C298 afforded residents an opportunity to make a submission to the exhibited documents.

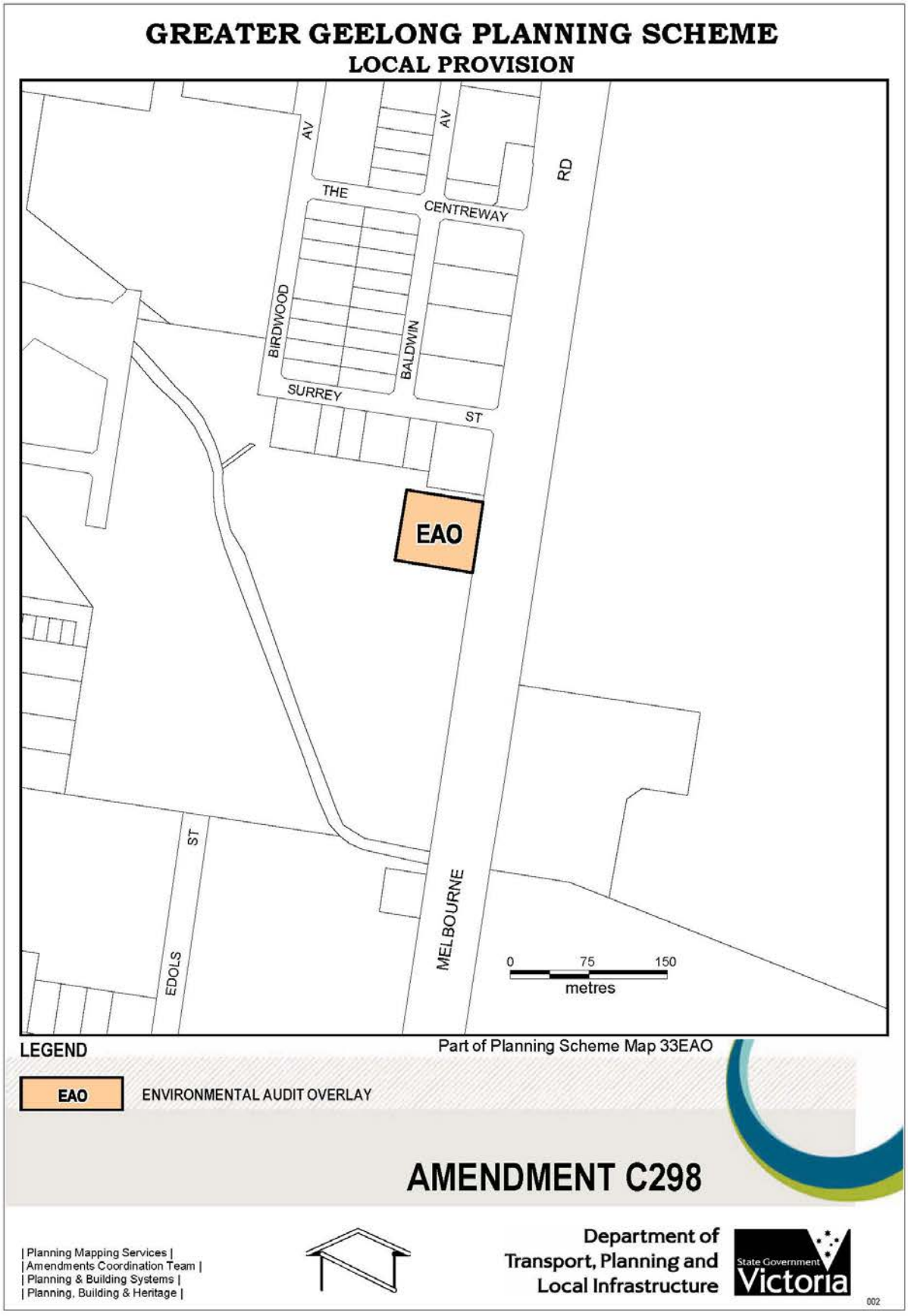
This report recommends that Council resolve to request the Minister for Planning to appoint an Independent Panel to hear all submissions. Once appointed, the Minister for Planning will write to all submitters offering them an opportunity to be heard before the independent panel.

Appendix 1: Site location plan



Appendix 2: Proposed Zoning and Overlay




GREATER GEELONG PLANNING SCHEME
LOCAL PROVISION
AV
AV
RD
THE
CENTREWAY
BIRDWOOD
BALDWIN
SURREY
ST
EAO
ST
EDOLS
MELBOURNE
0
75
150
metres
LEGEND
Part of Planning Scheme Map 33EAO
EAO
ENVIRONMENTAL AUDIT OVERLAY
AMENDMENT C298
| Planning Mapping Services |
| Amendments Coordination Team |
| Planning & Building Systems |
| Planning, Building & Heritage |
Department of
Transport, Planning and
Local Infrastructure
State Government
Victoria
002

Appendix 3: Draft Plan of Subdivision

PLAN UNDER SECTION 24A OF THE SUBDIVISION ACT 1988

LV USE ONLY
EDITION 1_ PS616247F

GREATER GEELONG CITY COUNCIL

LOCATION OF LAND

PARISH : Moorpanyal
TOWNSHIP : ———
SECTION : ———
CROWN ALLOTMENT : 1(Part), 2(Part), 39(Part)
CROWN PORTION : ———
TITLE REFERENCE : Vol 10497 Fol 507

LAST PLAN REFERENCE : Reserve No 1 PS424106U
POSTAL ADDRESS : 400 Melbourne Road
(At time of subdivision) North Geelong 3215

MGA94 Co-ordinates
(of approx centre of land in plan) E 267880 N 5779440 ZONE: 55 GDA 94

VESTING OF ROADS AND/OR RESERVES

IDENTIFIER	COUNCIL/BODY/PERSON
Reserve No 1	City of Greater Geelong

NOTATIONS

DEPTH LIMITATION Does not apply

Survey: This plan is/is not based on survey.
To be completed where applicable.
This survey has been connected to permanent marks no(s)
In Proclaimed Survey Area No. ——

STAGING This ~~is~~/is not a staged subdivision.
Planning Permit No.

NOTATIONS

Purpose
Removal by Greater Geelong City Council of the reservation from the whole of Reserve No 1 on PS424106U & shown as lot 1 & Reserve No 1 (3 pieces) in the diagram
Grounds for Removal
Greater Geelong City Council Planning Permit No

Additional Purpose
To create new lot1 & Reserve No 1 (3 pieces) for the use of the City of Greater Geelong over the land in the plan

This plan is subject to the consent of Statutory Authorities and has been prepared for the purpose of obtaining a Planning Permit to Subdivide the land

The dimensions,area & connection for lot one are approximate & subject to final survey

EASEMENT INFORMATION

LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

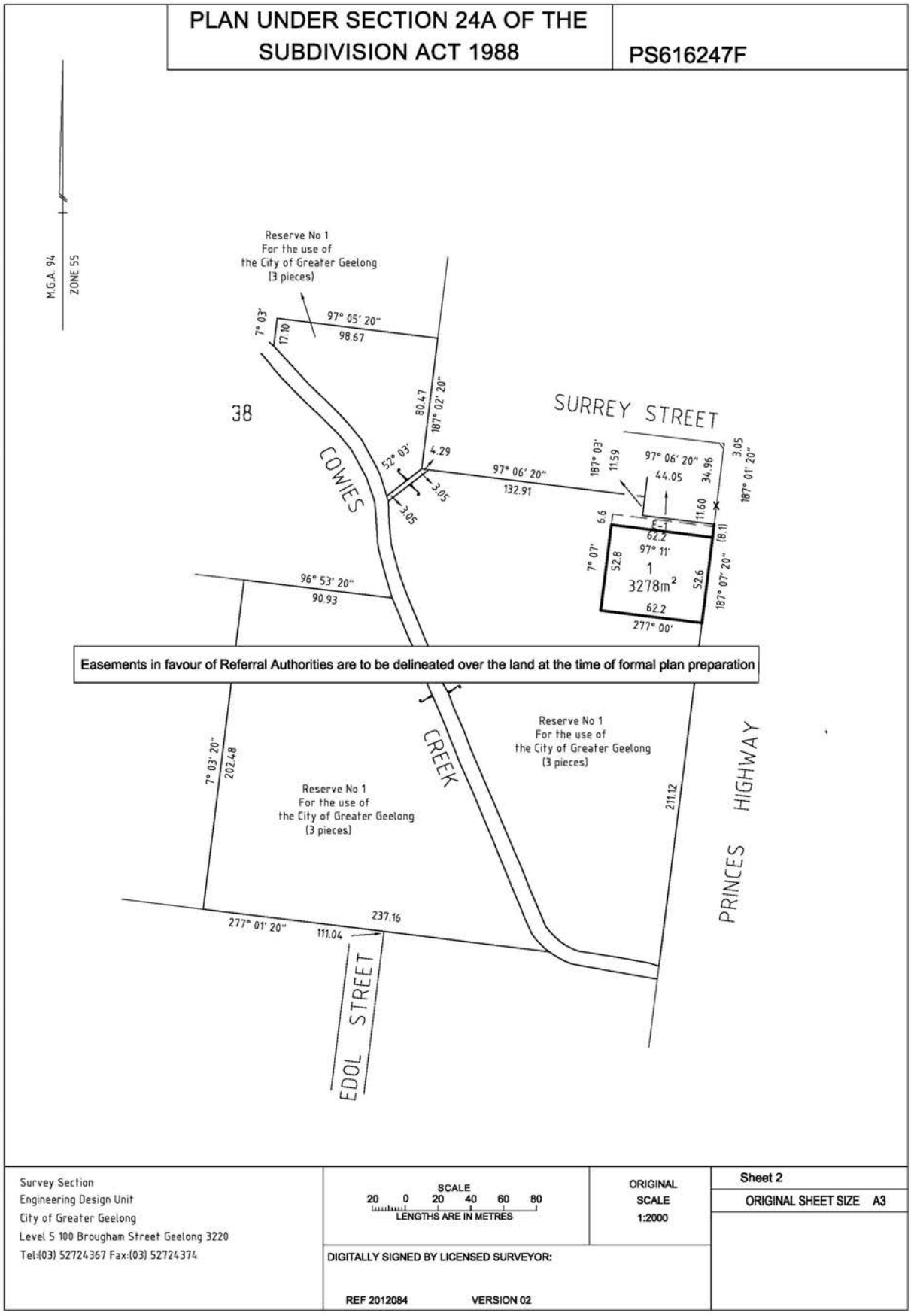
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
	Easements in favour of Referral Authorities are to be appropriated at the time of formal plan preparation The width of the carriageway easement E-1 is to be confirmed at the time of formal survey			
E-1	CARRIAGEWAY	6.6	THIS PLAN	LOT 1

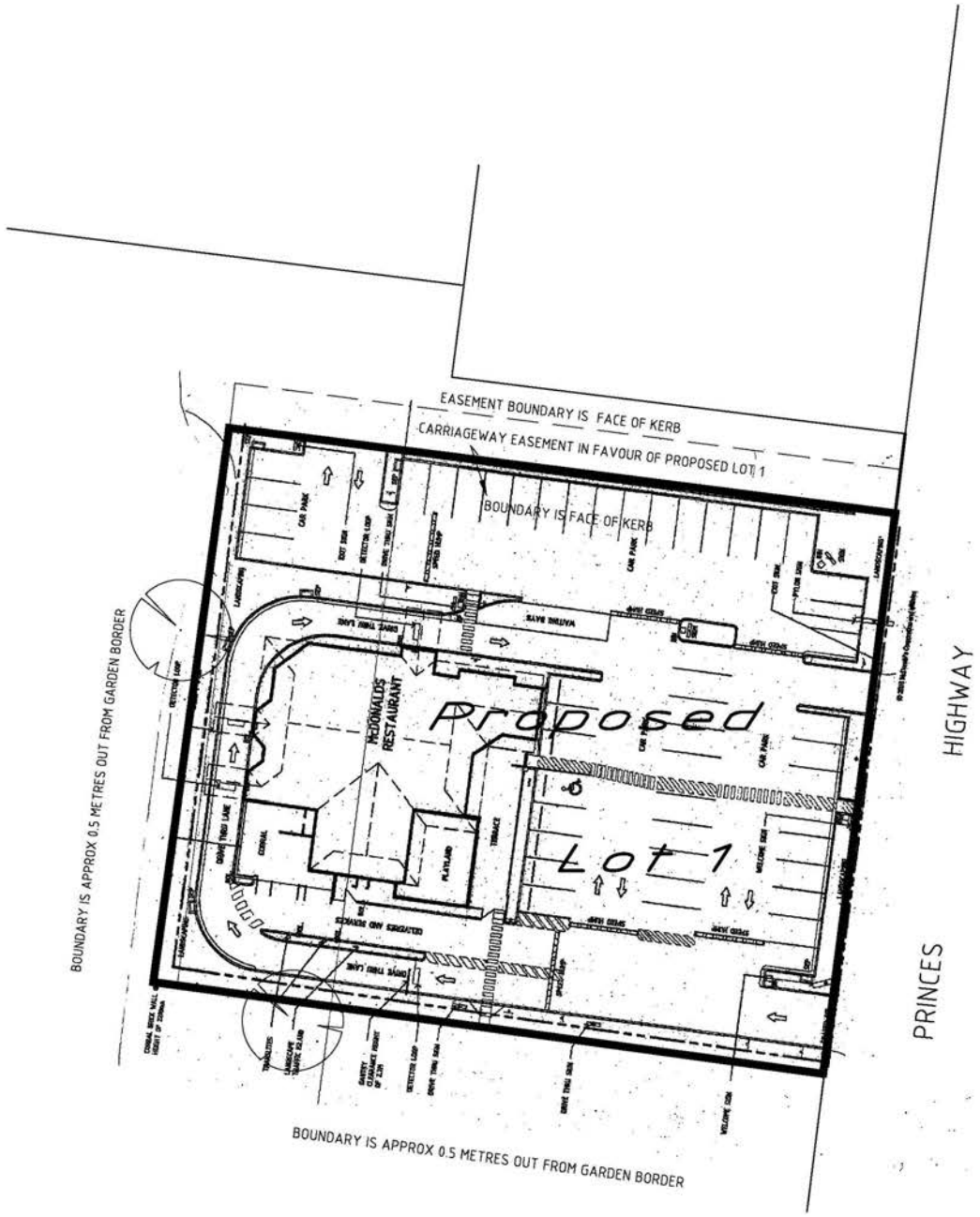
Survey Section
Engineering Design Unit
City of Greater Geelong
Level 5 100 Brougham Street Geelong 3220
Tel:(03) 52724367 Fax:(03) 52724374

DIGITALLY SIGNED BY LICENSED SURVEYOR:

REF 2012084 VERSION 02

Sheet 1 of 2 Sheets
ORIGINAL SHEET SIZE A3


PLAN UNDER SECTION 24A OF THE SUBDIVISION ACT 1988
PS616247F
M.G.A. 94
ZONE 55
Reserve No 1
For the use of
the City of Greater Geelong
(3 pieces)
97° 05' 20"
98.67
7° 03'
17.10
80.47
187° 02' 20"
38
SURREY STREET
COWIES
52° 03'
4.29
3.05
3.05
97° 06' 20"
132.91
187° 03'
11.59
97° 06' 20"
44.05
34.96
3.05
187° 01' 20"
11.60
6.6
(8.1)
62.2
97° 11'
7° 07'
52.8
1
3278m²
52.6
187° 07' 20"
62.2
277° 00'
96° 53' 20"
90.93
Easements in favour of Referral Authorities are to be delineated over the land at the time of formal plan preparation
CREEK
Reserve No 1
For the use of
the City of Greater Geelong
(3 pieces)
7° 03' 20"
202.48
Reserve No 1
For the use of
the City of Greater Geelong
(3 pieces)
211.12
PRINCES HIGHWAY
277° 01' 20"
111.04
237.16
EDOL STREET
Survey Section
Engineering Design Unit
City of Greater Geelong
Level 5 100 Brougham Street Geelong 3220
Tel:(03) 52724367 Fax:(03) 52724374
SCALE
20 0 20 40 60 80
LENGTHS ARE IN METRES
ORIGINAL SCALE
1:2000
Sheet 2
ORIGINAL SHEET SIZE A3
DIGITALLY SIGNED BY LICENSED SURVEYOR:
REF 2012084
VERSION 02



NOT TO SCALE

Survey Section
Engineering Design Unit
City of Greater Geelong
Level 5 100 Brougham Street Geelong 3220
Tel:(03) 52724367 Fax:(03) 52724374

Surveyors Ref 2012084 Version 02

PROPOSED SUBDIVISION
Mc DONALDS
400 MELBOURNE ROAD
NORTH GEELONG 3215

Appendix 4: List of Submitters

Submitter Name	Submitter Address	Submission	Council officer response
Vic Roads	PO Box 775 GEELONG VIC 3220	No objection	Noted.
Ken Best	87 Ernest St, BELL POST HILL VIC 3215	I am totally opposed to changing a park into a commercial site. We need green spaces for pleasure and good health. It is a park that needs to be upgraded as a park with landscaping to make it more enjoyable place. I still remember Harding Park- what a disaster to sell it.	See Council report.
Barbara McMahon	36 St Albans St, ST ALBANS VIC 3219	Who wishes to move it to a commercial zone? Who will profit from this move? The residents of this area are entitled to have their green area left alone.	See Council report.
John Wyllie	3/53 Isabella Street, GEELONG WEST VIC 3218	Geelong has quite enough McDonalds and I see no reason for the City of Greater Geelong to allow more junk food outlets.	**The submission was formally withdrawn on 24 March 2014.**

3. LEOPOLD BAY ACCESS PROJECT - REVISED SCOPE

Portfolio: **Planning - Cr Heagney**
Source **Planning and Tourism- Planning Strategy**
General Manager: **Peter Bettess**
Index Reference **Council Reports 2014**

Purpose

The purpose of this report is to seek Council approval for the revised scope of this project from what was previously approved by the Council at its meeting on 10 December 2013.

Summary

- As part of Council's adoption of the Leopold Structure Plan on 29 January 2013, the Council resolved to request "that the project brief for investigating access to Port Phillip Bay includes the investigation of land uses (other than urban development) in this area, north of the Portarlington Highway".
- The project options were considered by the Council at its meeting on 10 December 2013. The Council resolved at that meeting to undertake a broad land capability analysis of rural land around Leopold to investigate where urban development could be directed in any future structure plan review and to assist in providing direction in relation to realising public access to the bay. The Council also resolved to pursue State Government funding to match the Council's 2013/14 budget allocation of $100,000 to undertake the land capability/land constraint project. .
- Funding for the land capability analysis was sought via a grant application under the Putting Local Firsts program in the Victorian Regional Growth Fund, however the application was unsuccessful.
- The scope of work has been revised to reflect the available Council budget of $100,000. The project will provide guidance on issues to be addressed as part of future development proposals and identify locations which offer development opportunities.
- The project will identify the opportunities and constraints within the area including views, topography, access, infrastructure provision, drainage, coastal hazards, availability of services, cultural heritage, native vegetation, acid sulphate soils and coastal processes.
- Engagement with landowners within the study area will also be undertaken to inform the project.
- The land capability analysis will be used to inform the next review of the Leopold Structure Plan and to provide direction to the development industry about the opportunities in Leopold.

Cr Heagney moved, Cr Ellis seconded -

That Council approves the revised scope of work for the Leopold land capability and bay access analysis as outlined in this report.

Carried.

Background

The Leopold Structure Plan includes a direction to provide public access to the Bay. The investigation area is between Clifton Avenue and Grand Scenic Drive north of Portarlington Road.

There is no public land in this area with private freehold extending up to the high water mark. Public access cannot be achieved without the purchase of land or alternatively the negotiation of a public open space contribution as part of a development.

The three options to facilitate public access presented to Council on 10 December 2013 were;

1. to acquire privately owned foreshore land to build a walking track and or boat ramp;
2. facilitate a rezoning request (planning scheme amendment) from the interested landowner; or
3. to undertake detailed work to examine the potential for all rural land around Leopold to accommodate urban development with the intention being to negotiate an open space contribution along the foreshore. This would be dependent of two factors; if the land north of Portarlington Road is deemed to be capable of being developed for urban development and if Council was prepared to change its long standing policy of limiting the growth of Leopold to land south of the Portarlington Road.

Council resolved to pursue option 3 and to apply for matching State funding to undertake this work.

The Council resolution was to

1. *Undertake a broad land use capability and land constraint analysis on all rural zoned areas adjacent to Leopold to inform potential growth options and future structure plan review and to assist in providing direction in relation to realising public access to the bay.*
2. *The direction in relation to bay access shall provide detailed recommendations in respect to preferred methodology to pursue bay access in an area approximate to Leopold, and provide clear direction in relation to long term land use in the event that urban development is not considered appropriate.*
3. *Pursue funding though the Victorian Regional Growth Plan Fund to match committed budget from Council to undertake the land capability/land constraint project.*

Appendix 1 defines the study area for the land capability analysis. It is the rural land to the west and north of Leopold. The study area is used for a variety of land uses including the Leopold shopping centre, caravan parks, rural living housing, farming, rural dwellings and a nursery.

The City is currently considering two planning permit applications to develop land for a caravan park with a market and a boat club in this area. The assessment of the Leopold shopping centre expansion is also underway.

Discussion

An application for matched funding under the Putting Locals First program under the Victorian Regional Growth Fund was lodged to assist in funding the land capability assessment project. The application was unsuccessful. By necessity the scope of works has been refined to reflect the budget without the matched State funding.

The project will examine views, topography, access, infrastructure provision, drainage, coastal hazards, availability of services, cultural heritage, native vegetation, acid sulphate soils and coastal processes via a desk top analysis of existing information. The project brief will emphasise the need to address in greater detail the needs to manage storm water and flooding in the broader Leopold catchments.

The project brief is currently being finalised and expert assistance will be engaged thereafter.

The project will provide basic information about the potential to develop land within the study area for urban development. It is anticipated that the land capability analysis will show that parts of the study area are constrained and would be difficult to develop whilst other areas are less constrained and would offer opportunities to landowners who may wish to lodge development applications for Council's consideration.

The project will involve consultation with key agencies and service providers such as VicRoads, the Department of Environment and Primary Industries and Barwon Water. The views of landowners in the study area will also be sought through targeted consultations to ensure their input in included.

When complete, the land capability analysis will inform the next review of the Leopold Structure Plan. The land capability analysis will also be a useful starting point for landowners seeking to pursue development opportunities as it will assist in defining the work that would need to be undertaken to support any development proposal.

Residential land supply

Recent analysis suggests that Council is well placed to manage further demand for residential land and to ensure it complies with State planning policies which require a fifteen year supply across the municipality. The supply of zoned residential land on the Bellarine Peninsula is over 25 years (40,000 people) according to the *Housing Capacity Analysis* undertaken in 2011. The supply of land in Leopold was estimated at 1093 lots in March 2013 (*Residential Land Supply Monitoring Project)*.Depending on take up rates this equates to between 10 and 23 years supply. Dwelling approvals in Leopold declined from 301 in 2011/12 to 212 in 2013, this may have been due to increased land availability at other locations including Armstrong Creek.

Current proposals

Planning applications for a boat club and caravan park have been lodged for land within the subject area. These will be assessed using the current provisions of the Greater Geelong Planning Scheme.

Environmental Implications

Environmental implications will be considered through the development of the land capability analysis and prior to any planning scheme amendment processes.

Financial Implications

The Land Capability Analysis is a Community Priority Project funded under the 2013/14 budget. This budget of $100,000 will be required to be carried over to the 2014/15 financial year if the recommendation is approved.

There are no ongoing costs associated with the project.

Policy/Legal/Statutory Implications

Pursuing the land capability analysis will inform future Council decisions in relation to reviews of the Leopold Structure Plan. Leopold is a designated growth location in Council's Municipal Strategic Statement.

Alignment to City Plan

This report aligns with the directions of the Sustainable and Built Environments theme in City Plan.

Officer Direct or Indirect Interest

No Council officer involved in the drafting of this report has any direct or indirect interest, in accordance with Section 80(C) of the Local Government Act in the land to which this report relates.

Risk Assessment

Stage two of the land capability analysis will examine in greater detail risks associated with rising sea levels and acid sulphate soils.

Social Considerations

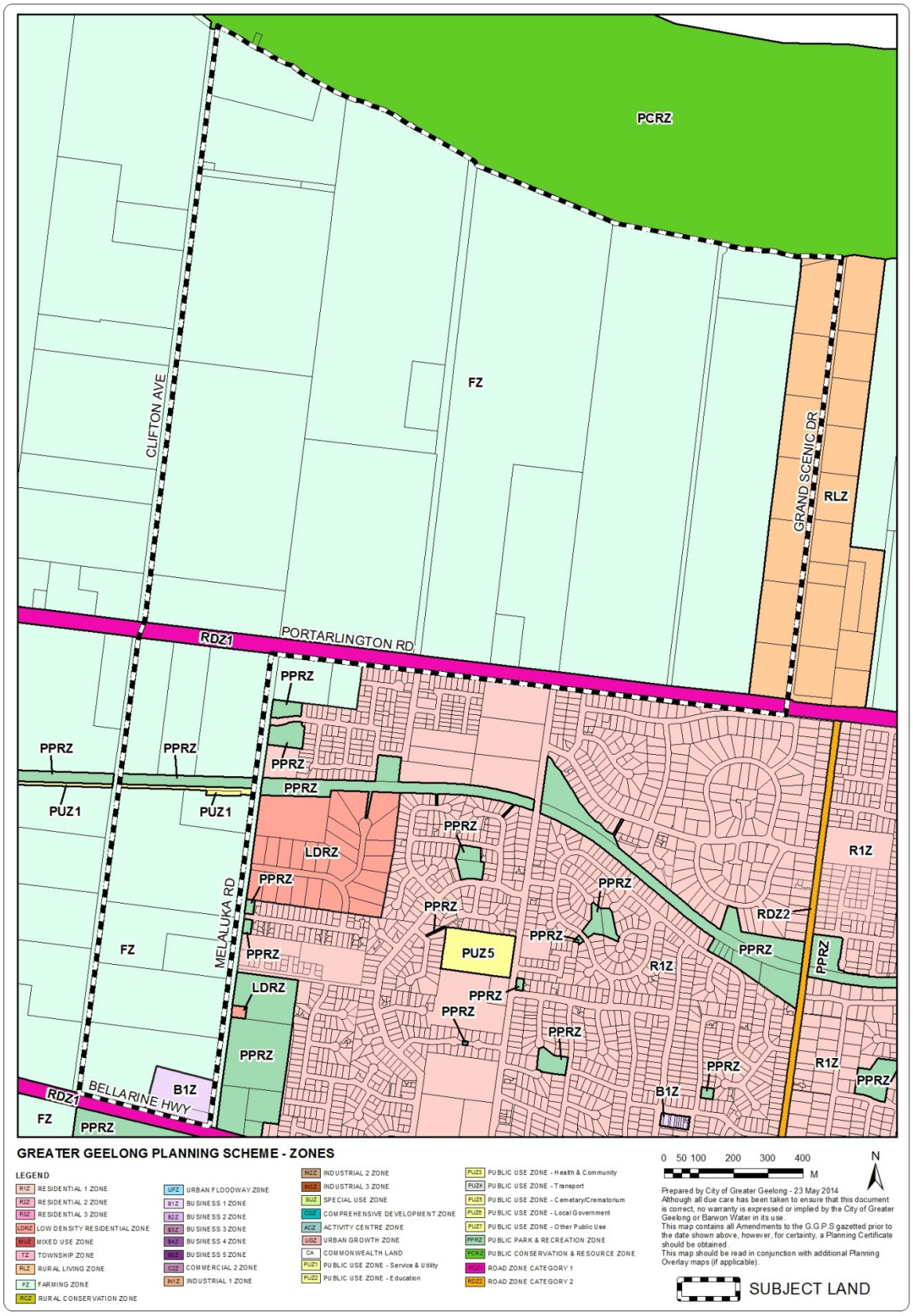
Social considerations would be addressed through future reviews of the Leopold Structure Plan.

Human Rights Charter

We have taken into consideration the human rights relative to the subject matter of this report, including rate-payers property rights and the right to a fair hearing.

Consultation and Communication

Consultation on public access to the Bay was undertaken in March 2013 and there was widespread support for some form of access. Community consultation would be undertaken as part of the Leopold Structure Plan review. In addition any future planning scheme amendment would be subject to the statutory one month exhibition period.


PCRZ
FZ
CLIFTON AVE
GRAND SCENIC DR
RLZ
RDZ1
PORTARLINGTON RD
PPRZ
PUZ1
LDRZ
MELALUKA RD
PUZ5
RDZ2
R1Z
B1Z
BELLARINE HWY
GREATER GEELONG PLANNING SCHEME - ZONES
LEGEND
R1Z RESIDENTIAL 1 ZONE
R2Z RESIDENTIAL 2 ZONE
R3Z RESIDENTIAL 3 ZONE
LDRZ LOW DENSITY RESIDENTIAL ZONE
MUZ MIXED USE ZONE
TZ TOWNSHIP ZONE
RLZ RURAL LIVING ZONE
FZ FARMING ZONE
RCZ RURAL CONSERVATION ZONE
UFZ URBAN FLOODWAY ZONE
B1Z BUSINESS 1 ZONE
B2Z BUSINESS 2 ZONE
B3Z BUSINESS 3 ZONE
B4Z BUSINESS 4 ZONE
B5Z BUSINESS 5 ZONE
C2Z COMMERCIAL 2 ZONE
IN1Z INDUSTRIAL 1 ZONE
IN2Z INDUSTRIAL 2 ZONE
IN3Z INDUSTRIAL 3 ZONE
SUZ SPECIAL USE ZONE
CDZ COMPREHENSIVE DEVELOPMENT ZONE
ACZ ACTIVITY CENTRE ZONE
UGZ URBAN GROWTH ZONE
CA COMMONWEALTH LAND
PUZ1 PUBLIC USE ZONE - Service & Utility
PUZ2 PUBLIC USE ZONE - Education
PUZ3 PUBLIC USE ZONE - Health & Community
PUZ4 PUBLIC USE ZONE - Transport
PUZ5 PUBLIC USE ZONE - Cemetary/Crematorium
PUZ6 PUBLIC USE ZONE - Local Government
PUZ7 PUBLIC USE ZONE - Other Public Use
PPRZ PUBLIC PARK & RECREATION ZONE
PCRZ PUBLIC CONSERVATION & RESOURCE ZONE
RDZ1 ROAD ZONE CATEGORY 1
RDZ2 ROAD ZONE CATEGORY 2
0 50 100 200 300 400
M
N
Prepared by City of Greater Geelong - 23 May 2014
Although all due care has been taken to ensure that this document is correct, no warranty is expressed or implied by the City of Greater Geelong or Barwon Water in its use.
This map contains all Amendments to the G.G.P.S gazetted prior to the date shown above, however, for certainty, a Planning Certificate should be obtained.
This map should be read in conjunction with additional Planning Overlay maps (if applicable).
SUBJECT LAND

4. NATIONAL PARTNERSHIP AGREEMENT ON PREVENTIVE HEALTH (NPAPH)

Portfolio: **Community Development - Cr Fisher**
Source **Community Services - Aged and Disability Services**
General Manager: **Jenny McMahon**
Index Reference **Subject: General Health Promotion**

Purpose

This report seeks to update Councillors on the implications of the 2014-15 Commonwealth budget plans for cessation of the National Partnership Agreement on Preventive Health (NPAPH) and Commonwealth funding of the Healthy Together Program.

Summary

- The announcement of the defunding of the NPAPH program came as a complete surprise to the Victorian State Government and Local Governments' Healthy Together partners.
- The loss of the NPAPH may mean significant cuts to Healthy Together Geelong effective from July 2014.
- Fortunately, due to delays in programmatic expenditure to date, and the opportunity to redirect non committed income, Healthy Together Geelong has the potential to continue at a reduced level of operations until 30 June 2015.
- Until the budget announcement it was expected that the Healthy Together Victorian initiative would in fact be extended until 2018, albeit at a reduced level.
- The early withdrawal of funds will mean that the results of Healthy Together Geelong at a population level may not have the anticipated effect.
- This short term budget response will have significant and long term cost implications for the health system in responding to chronic lifestyle conditions such as obesity, poor nutrition and inadequate physical activity.
- Councils across Victoria have started approaching local Federal and State Members to seek support for the continuation of the National Partnership Agreement on Preventive Health.

Cr Fisher moved, Cr E Kontelj seconded -

That Council write to local Federal and State Members of Parliament seeking a meeting to seek their support for the continuation of funding to the National Partnership Agreement on Preventive Health (which funds Healthy Together Victoria and Healthy Together Geelong).

Carried.

Background

The National Partnership Agreement on Preventive Health funded States and Territories to combat the obesity epidemic and declining rates of physical activity and fruit and vegetable intake in children and adults. The State Government of Victoria Department of Health rolled out Healthy Together Victoria across 14 Local Governments in Victoria in 2012.

Healthy Together Victoria supports local governments to address the social factors that create health promoting environments and facilitate and measure health promoting behaviours such as increasing physical activity; eating more fruit and vegetables; reducing alcohol consumption and eliminating smoking.

The National Partnership Agreement on Preventive Health represented the single biggest investment by Australian governments in primary health promotion and sought to apply systemic change to the local environments of health.

Local government were identified as the key agent in addressing these health issues as it is in the best position to influence and affect the most change in the areas that will impact significantly on people's lives, eg. in the design of public spaces that create attractive, usable, well maintained environments and connecting to workplaces, schools and child care facilities.

The funding to Geelong was $5.25M over 3.5 years.

Discussion

As a Barwon Health representative on the Healthy Together Geelong Governance group recently wrote, 'Healthy Together is like fluoride to oral health, it has been a large upfront investment and we are now seeing some of the benefits to our community members wellbeing. To truly maximise on this investment further time is required.'

The loss of funding will mean that some of the initiatives of Healthy Together Geelong will need to wind up early. The ability to enable sustainability and mainstreaming of the program in the local community beyond the period of funding will be reduced as the program life is shortened.

The immediate impact on Council will be the removal of capacity to engage and support settings to work through the Achievement Program and achieve their full Health Promoting Status. Currently the achievement program reaches over 50,000 (two in every nine people in Geelong).

Achievement Program

Summary of reach to date:

	Registered			**Committed**			**Health Promoting Status**		
	Number	**%**	**Population**	**Number**	**%**	**Population**	**Number**	**%**	**Population**
Workplaces large	21	38	22,800	1		400			
Workplaces medium	35	14	2230	1		70			
Early learning centres and kindergartens	76	84	6905 53%	29	32	3513 27%	13	14	810 6%
Primary schools	36	54	8818 46%	12	18	2925 15%	0	0	0
Secondary schools	7	28	7940 34%	0	0	0	0	0	0

Workplaces

The current population reach is 25,030, 79.7% of total workers in medium and large businesses in Geelong currently reached through the Achievement Program.

Ninety five per cent of the workers who work in the G21 area live in the G21 area thereby ensuring benefits of any investment in workplace interventions stays within the region and is readily detectable.

There will be a significant impact on the capacity of Council to deliver on the Municipal Public Health and Wellbeing Plan and Council's Physical Activity Strategy. Another significant impact given this cut is the substantial work Healthy Together Geelong has begun to lead in developing a prevention system and leading a G21 wide prevention effort.

At the time of writing this report, no formal advice had been received from the Department of Health regarding the need to terminate or wind down Healthy Together Geelong. The Department of Health has advised Councils to review their cash position, and contracts and programming activities to optimise outcomes pending the cessation of commonwealth funding. It is not known if the State Government will be in a position to maintain its contribution to the program until 2015 or beyond. The Department of Health is, however required as part of its funding and service agreement with Council to give written notice to Council as soon as possible and may terminate the agreement by forwarding reasonable notice.

In response to this uncertainty a transition plan has been developed to manage the existing funds to maximise the impact of the program in the local community and to achieve a level of sustainability in the longer term. This plan has been developed assuming a 'worst case' scenario, that is, that no State Government funding will be received in 2014/2015.

The defunding of the initiative will have devastating long term impacts on the acute health system and the health of the community.

Environmental Implications

The future of Healthy Together Geelong will not significantly impact on the environment.

Financial Implications

The transition plan has been developed to achieve optimum outcomes within the existing funding allocation. Unspent grant funds at the end of 2013/2014 will be carried over to 2014/2015. If no further grant income is received, these funds will be managed to deliver optimum outcome while respecting staff contracts and other program commitments where possible.

Policy/Legal/Statutory Implications

The transition plan has taken into account Council's legal and contractual obligations.

Alignment to City Plan

The loss of Healthy Together Geelong will impact on the ability of Council to implement City Plan, the Municipal Health and Wellbeing Plan and the Physical Activity strategy as well as contributing to the G21 Health and Wellbeing Strategy implementation and expansion to the other Local Government Authorities. Healthy Together Geelong's ability to contribute and/or take the lead in this Plan and Strategy was on the basis of funding through to 2015 and high likelihood of funding through to 2018 when the National Partnership Agreement on Preventive Health was to culminate.

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any direct or indirect interest in the subject of this report, other than as an officer of Council.

Risk Assessment

The risks of withdrawing the program and supports prematurely are that maximum positive benefits will not be achieved for the Geelong community. Further, the long term risk of the wider policy issue to withdraw funding from prevention activities will have a costly long term impact on the acute health expenditure of the future, the quality of life and life expectancy.

Social Considerations

The premature loss of these Healthy Together Geelong positions will impact on local employment and the opportunities for these skilled staff to work in Geelong. This will in turn impact on the families of these staff and to a small extent on the local economy.

Human Rights Charter

The decision of the Commonwealth to defund the NPAPH has forced the hand of Council to conclude the program commensurate with the resources available.

Consultation and Communication

Council's Aged and Disability Department is responsible for the communication of this report in conjunction with Council's Media and Communication Unit.

5. CENTRAL GEELONG TASK FORCE SPECIAL COMMITTEE APPOINTMENTS

Portfolio:	**Central Geelong - Cr Heagney** **Brownbill Ward – Cr Heagney**
Source	**Projects, Recreation & Central Geelong**
General Manager:	**Dean Frost**
Index Reference	**Subject: Central Geelong Task Force Special Committee**

Purpose

To appoint committee members to the Central Geelong Task Force Special Committee consistent with the provisions of the Special Committee terms of Reference.

Summary

- On the 28 January 2014 Council endorsed the ongoing role of the Central Geelong Task Force Special Committee under Section 86 of the Local Government Act along with a revised Terms of Reference.
- The Special Committee Terms of Reference call for the appointment of five external representatives with a range of relevant specialist skills. Four Priority Action Advisory Committees have also been identified to support the work of the Special Committee focusing on the 10 priority projects identified in the Central Geelong Action Plan.
- Expressions of Interest have been sought for representation on the Special Committee as well as the Advisory Committees. All expressions of interest were assessed by the selection panel consistent with criteria identified in the Terms of Reference and published application guidelines.
- This report recommends the appointment of six candidates as identified by the selection panel be appointed to the Central Geelong Task Force Special Committee and that the Special Committee Terms of Reference be amended to extend the number of panel members to 11 including up to 7 external representatives.

Cr Heagney moved, Cr Richards seconded -

That Council:

1) **Amend the Central Geelong Task Force Special Committee Terms of Reference to increase the total numbers of members from nine (9) to eleven (11) including up to seven (7) independent expert members as per Appendix 1;**

2) **Endorses the recommendations of the selection panel and appoints the following members to the Central Geelong Task Force Special Committee:**

   - **Rory Costelloe**
   - **Todd Devine**
   - **Mark Edmonds**
   - **Roz Hansen**
   - **Nicholas Heath**
   - **Dan Simmonds**

3) Acknowledge and thank all Expression of Interest applicants for their interest and efforts in preparing submissions;

4) Notes the Central Geelong Task Force Special Committee role in appointing Priority Action Advisory Committee members.

Carried.

Background

Council on the 28 January 2014 adopted the Central Geelong Action Plan developed by the Central Geelong Task Force. The Action Plan recommended continuation of the Task Force Special Committee under Section 86 of the Local Government Act along with a revised Terms of Reference which proposed a different membership structure and the establishment of four (4) Action Plan Priority Advisory Committees.

Discussion

The current Terms of Reference for the Central Geelong Task Force Special Committee provides for nine (9) members including the Mayor, Brownbill Ward Councillor/Central Geelong Portfolio holder (Chair), Transport portfolio holder and up to five (5) external independent experts with skills in the one or more of the following areas:

- business and investment;
- development feasibility;
- planning;
- marketing and promotions;
- place making.

Formal Council approval is required under the Terms of Reference to appoint members to the Special Committee.

The Terms of Reference also provide for the establishment of up to four (4) priority Action Plan Committees to focus on driving delivery of the 10 priority actions:

- Transport and infrastructure – Public transport and City loop bus; Connecting people and places;
- Health and education – Town and Gown; Integrated health and wellbeing project;
- Place making – City heart; Greening Central Geelong; An arts and events city; and
- Investment attraction – Investment attraction; Making our assets work harder; Postcode 3220.

Formal Council approval is not required for appointment of members to the Advisory Committees as membership is likely to change from project to project and involve different project timescales. Advisory Committee members will be appointed by the Central Geelong Task Force in consultation with the Special Committee.

An Expression of Interest process was run for a three week period between 22 February - 14 March 2014 for both the Special Committee and Advisory Committees. A selection panel involving the current three councillor members of the Special Committee and CEO reviewed all applications consistent with the Terms of Reference and advertised guideline criteria.

The selection panel has recommended the appointment of the following members:

- Rory Costelloe – property developer, currently Executive Director Villawood Properties, director with UDIA, planning and property lecturer RMIT, fellow of VEPLA;
- Todd Devine – certified practising valuer and property advisor, currently employed by Costa Asset Management has extensive property experience and knowledge within Central Geelong;
- Mark Edmonds – extensive retail experience, currently CEO Faggs Mitre 10 and Vice president Geelong Chamber of Commerce and Central Geelong Marketing Committee member;
- Roz Hansen – urban and regional planner with extensive public and private sector project experience, previous member of Central Geelong Task Force Special Committee;
- Nicholas Heath – advertising and marketing consultant, Central Geelong landowner and business operator (Pace Advertising), president Tourism Geelong, previous board member Geelong Major Events;
- Dan Simmonds – business lawyer, Chairman/Managing principle with Harwood Andrews, brings extensive business law experience as well as experience on a range of boards and committees including Committee for Geelong, Geelong Business Excellence Awards,

Given the breadth of skills offered by the candidates and to retain the option of extending representation to include future skill sets in the future it was considered necessary to include the number of independent experts to seven (7). This will require an amendment to the Special Committee's Terms of Reference (contained in Appendix 1).

A good cross section of applications was also received for the four Advisory Committees which will be considered by the full Special Committee.

Environmental Implications

There are no environmental implications relevant to this report.

Financial Implications

The establishment of the Special Committee will have financial expenditure implications that are included in Council's 2014/15 draft budget.

Policy/Legal/Statutory Implications

Section 86 of the Local Government Act requires Council to appoint members of the Special Committee.

Alignment to City Plan

A *Successful and Vibrant City Centre* is a priority in City Plan under the *Growing Our Economy* strategic direction. Implementation of the Central Geelong Action Plan is the central tenet of this priority.

Officer Direct or Indirect Interest

No officers associated with the writing of this report have any direct or indirect interest in accordance with Section 80C of the Local Government Act.

Risk Assessment

There are no significant risks associated with this report.

Social Considerations

The Central Geelong Action Plan implementation will assist in addressing some of the social issues in Central Geelong.

Human Rights Charter

The work of the Taskforce and implementation of an Action Plan does not impact upon the rights and principles identified in the Charter. Ongoing communication with key stakeholders and land owners will be required for a range of Action Plan projects.

Consultation and Communication

An extensive notice and media campaign was run to promote the committee expression of interest process and encourage applications.

COMMITTEE TERMS OF REFERENCE

Central Geelong Task Force Special Committee	Document No:	CTR235.3
	Approval Date:	10 June 2014
	Approved By:	Council
	Review Date:	30 June 2018
Responsible Officer: **General Manager, Projects, Recreation & Central Geelong**		
	Version No:	02
Authorising Officer:		**Chief Executive Officer**

1. OBJECTIVES

The Central Geelong Task Force Special Committee will advise the Central Geelong Task Force in the implementation of the Central Geelong Action Plan which is focused on making Central Geelong the premier mixed use activity hub for Geelong and the region.

In particular, the Central Geelong Task Force Special Committee will:

1. Oversee the implementation of the Central Geelong Action Plan consistent with the principles of the Action Plan;

2. Provide advice on key strategic policy and statutory processes relating to central Geelong including making decisions of major planning permit applications referred to it by Council or the Task Force manager;

3. Oversee the development of business incentives and programs that could be considered to support Central Geelong development; and

4. Identify events and activities to bring more vitality to Central Geelong.

2. TERMS OF REFERENCE

2.1. Expected / Definite life of the Committee

- Committee members appointed from the date as determined by Council will be appointed until 30 June 2018 to coincide with the short term actions timeframe identified in the Central Geelong Action Plan or other period as determined by the Council.

2.2. Constituency of the Committee

- The Special Committee shall consist of up to eleven (11) persons. The Committee will comprise:
  - Mayor;
  - Brownbill Ward Councillor;
  - Councillor, Transport Portfolio Holder;
  - CEO;
  - Up to seven (7) external independent experts in one or more of the following fields: business and investment, development feasibility, planning, marketing and promotions, and place making.
- A vacancy for a member (not being a Councillor) may occur upon their resignation, death, failure to attend without cause three consecutive meetings, or by removal by resolution of the Council.
- The Special Committee may establish Priority Action Advisory Committees, informal sub-committees or working groups comprising Special Committee members or other persons to assist in fulfilling its responsibilities and functions.
- Councillors not appointed to the Special Committee will be invited to attend in an observer capacity.
- The Special Committee may invite other observers as it sees fit.
- The person heading the Task Force will attend the Committee as an advisor.

2.3. Authority of the Committee

- The Council endorses the establishment and function of the Committee as a Section 86 Special Committee of Council. The powers, duties and functions of the Committee are as described in the sealed Instrument of Delegation. The Committee will have the ability to develop procedures as required to perform its assignment.

2.4. Appointment to the Committee

- It is proposed that the Council would invite relevant organisations to nominate a member or members to the Committee. The nominees will be appointed to the Committee by resolution of the Council.

2.5. Special Committee Responsibilities and Functions

- The Special Committee will be responsible for:
  - Overseeing the implementation of the Central Geelong Action Plan;
  - Overseeing the development of business incentives and programs that could be considered to support Central Geelong development; and
  - Identifying events and activities to bring more vitality to Central Geelong.

- The Special Committee must work with Enterprise Geelong and Central Geelong Marketing to align efforts and activities.
- The Special Committee may establish Priority Action Advisory Committees which comprise membership from a mix of external and City of Greater Geelong representatives from related areas of expertise and service delivery, a Task Force Special Committee independent expert, Enterprise Geelong and Central Geelong Marketing and other stakeholders including agencies, public and private sector stakeholders as appropriate to:
  - Guide and inform the implementation of priority actions identified in the Central Geelong Action Plan;
  - Inform policy and strategy development, provide feedback on suggestions and comments or identify collaborative actions;
  - Respect any confidentiality requirements.

2.6. Obligations of Special Committee Members

- Special Committee Members, in performing their duties, shall:
  - Act in accordance with Council's Values.
  - Act honestly and in good faith.
  - Participate in the work of the Special Committee.
  - Perform their duties in a manner that public trust in the integrity, objectivity, and impartiality of the Special Committee is conserved and enhanced.
  - Exercise the care, diligence and skill that would be expected of a reasonable person in comparable circumstances.
  - Comply with the Terms of Reference of the Special Committee.
  - Comply with Council's Code of Conduct.
  - Appoint the Ward Councillor as chairperson and the Mayor as lead spokesperson for the committee

2.7. Conflicts of Interest

- In the event of a conflict of interest arising for any member of the Special Committee, the conflict must be immediately declared and the member must leave the room and abstain from any discussion or decision making regarding the matter.

2.8. Meetings and Minutes

- The Special Committee will establish its own schedule of meeting which it will provide to the Council. It is anticipated that the Committee will meet determine its own meeting pattern, although it is expected to meet no less than six (6) times per year. Special Committee members must be either physically present at the meeting or participate in the meeting through pre-arranged technologies.

- Meetings of the Special Committee shall be called by the Chairperson with notice of the meeting being forwarded to members with an agenda with at least seven (7) day's notice.
- In the absence of the Chairperson at a meeting, the Special Committee will elect a Chairperson from the members present to chair that meeting.
- The quorum for meetings shall be as shown in the following table.

Number of Members present	Quorum
11	6
10	6
9	5
8	5

- If the Committee decides to record a vote, the Chairperson will have a casting vote, as well as an original vote.
- Special Committee meeting minutes are to be approved for distribution by the Chairperson and confirmed at the next Meeting of the Special Committee. The Minutes will be distributed to Special Committee members, Councillors, Council's Executive Management Team and available on Council's website for general access. As per normal Council procedures, any items of a commercial in-confidence nature will be excluded from the publicly available minutes.

2.9. Reports

- Advice and recommendations of the Special Committee relating to specific Council projects and policies will be reported to Council as part of the project reporting process.
- Any other matters identified by the Special Committee that require a separate decision of Council will be reported to Council by the Central Geelong Task Force Manager through the CEO.
- The Special Committee shall submit a report of its activities to the Council at least annually.

2.10. Media Communication

- Media communication will be managed through the Council's Media Unit, unless the CEO authorises another person to be spokesperson on an issue.

2.11. Evaluation and Review

- A review of the Central Geelong Task Force Special Committee will be undertaken every two years to ensure that the purpose, membership and operation of the Committee is current and to make appropriate changes if required.

2.12. Remuneration and Expenses

- The reasonable sitting and attendance expenses of the external independent experts will be paid with prior approval of Council's nominated officer. These expenses must relate directly to tasks completed for the Special Committee business.

- No member of the Special Committee will incur any expenses in relationship to his or her activities as a member of the Special Committee, without prior approval.

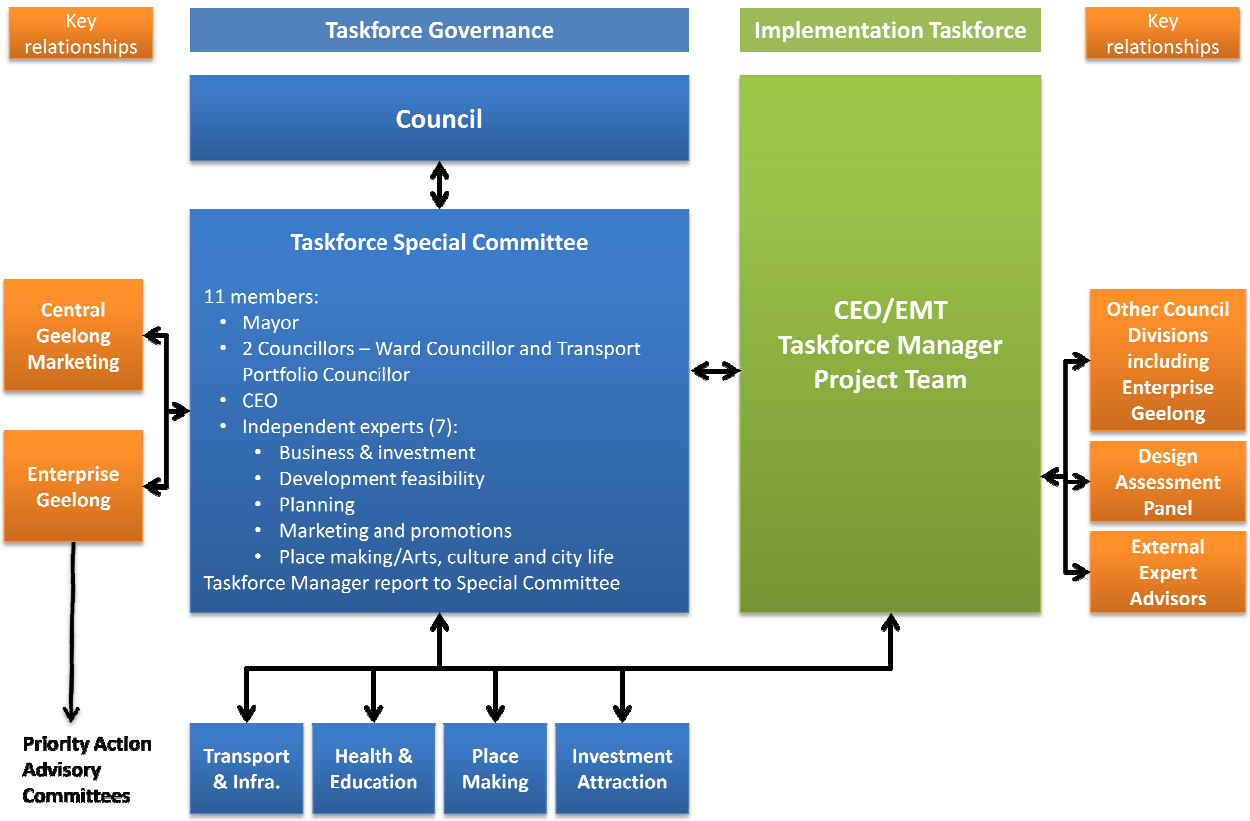
3. QUALITY RECORDS

Quality Records shall be retained for at least the period shown below.

Record	Retention/Disposal Responsibility	Retention Period	Location

4. ATTACHMENTS

- Organisation Structure



Instrument of Delegation

Greater Geelong City Council
Instrument of Delegation
Central Geelong Task Force Special Committee

Greater Geelong City Council (**Council**) delegates to the special committee established by resolution of Council and known as the "Central Geelong Task Force Special Committee" (**The Committee**), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 28 January 2014.

2. the delegation:

   2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation; and

   2.2 is to be exercised in accordance with the Guidelines set out in the Schedule and any further guidelines or policies which Council from time to time adopts; and

3. all appointed members the Committee will have voting rights.

THE COMMON SEAL of **GREATER**)
GEELONG CITY COUNCIL was)
Affixed hereto in the presence of:)

…….
Mayor

……
Chief Executive Officer

Powers and functions

To exercise Council's functions and powers and to perform Council's duties in relation to:

a) the implementation of the short term actions as identified in the adopted Central Geelong Action Plan to the extent delegated by the Council

and for those purposes:

a) To enter into contracts, and to incur expenditure within the budget that may be allocated by the Council;
b) To make recommendations to the Chief Executive Officer or Council for funding or to enter into multi-year contracts;
c) To exercise its functions duties and powers within the financial parameters set out in the budget that may be allocated by the Council;
d) For planning permit applications referred to it, exercise the powers or functions of the Council as the planning authority and responsible authority under Section 61 of the Planning and Environment Act 1987; and
e) To do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

Exceptions, conditions and limitations

The Committee is not authorised by this Instrument to:

a) exercise the powers or functions which, by force of section 86(4) of the Act cannot be delegated;
b) exercise the powers or functions of the Council as the planning authority and responsible authority under the Planning and Environment Act 1987 not delegated above;
c) determine an issue, take an action or do a thing which is already the subject of exclusive delegation to another Committee; or
d) Enter into contracts related to the sale, exchange, transfer or lease of land.

Guidelines

The powers, duties and functions set out in the Instrument are delegated to the Committee. This means that the Committee can only act under delegation when sitting in a formally constituted meeting.

This means that a meeting must be called and conducted in a manner that complies with the provisions of the Act and with the Council's meeting procedures local law.

This Committee cannot exercise its delegated powers when gathered outside the formal meeting structure as described above. For example, an informal coming together of members could not resolve to act under delegation.

Similarly the delegations do not extend to individual members of the Committee.

The Committee must not exercise its delegated powers unless it has first been the item of business on an agenda for transaction at a meeting of the Committee.

All delegations must be read in conjunction with this document and any policies and guidelines that may be adopted by the Council from time to time.

The Committee must report to Council in writing every 6 months.

6. GEELONG INDOOR RECREATION FACILITIES STRATEGY

Portfolio:	**Sport & Recreation – Cr Irvine**
Source	**Projects, Recreation & Central Geelong – Sport & Recreation**
General Manager:	**Paul Jane (Acting)**
Index Reference	**Subject: Sport Leisure & Recreation / Reports** **Subject: Sport Leisure & Recreation / Other Sport / Recreation/Leisure Strategies**

Purpose

To provide a strategic approach for the future provision and development of indoor recreation facilities for the next 20 years.

Summary

- The Geelong Indoor Recreation Facilities Strategy was undertaken to review the City's existing provision of indoor recreation facilities and to provide a strategic approach for the future provision and development of indoor recreation facilities for the next 20 years
- The strategy provides recommendations relating to the location, enhancement and development of indoor recreation facilities.
- The review of the City's existing provision of indoor recreation facilities indicated that there is currently a significant deficiency in indoor courts available to the community.
- The strategy was developed to address the current deficiencies in provision and future needs resulting from future population growth. Key recommendations critical to the strategy that were identified include:
    - A new Regional Centre at Brearley Reserve, Marshall - New 8 to 10 court facility proposed to meet existing and future southern area facility gaps and future population growth.
    - Expansion of the Leisuretime Centre, Corio – Plan for up to a four court extension over the outdoor netball courts plus new amenities to meet existing and future northern area population growth
    - Development of new courts on the Bellarine including proposed new court extensions at Bellarine Aquatic & Sports Centre and Drysdale Secondary College to meet existing and future eastern area population growth
    - Greater use of existing facilities - Encouraging greater use of underutilised community/school indoor recreation facilities to provide more local area facility use/access.
    - Develop growth areas indoor facilities – Develop planned new growth areas indoor recreation facilities at Armstrong Creek Precincts (3x2 & 1X3 court facilities) and Lara West (1x3 court facility) as development is taken up and population triggers are met.
- The draft strategy was publically exhibited from 7 February to 7 March 2014. The draft strategy received ten public responses from various sporting and/or social groups during the public exhibition period. A summary of feedback received is outlined in Appendix 1.

Cr Irvine moved, Cr Richards, seconded -

That Council endorse the Geelong Indoor Recreation Facilities Strategy.

Carried.

Background

Current indoor recreation facilities are a mix of Council, school and privately owned and managed venues. Indoor facilities within the City of Greater Geelong have developed and evolved over time in the absence of an integrated approach and overall indoor facility planning framework.

The City is expected to experience significant growth over the next 20 years, with the population expected to reach 297,956 by 2031. This equates to an increase of 76,609 people or 35% of the current population. It is important that future provision and development of indoor recreation facilities is done strategically to account for this expected growth.

Due to the expected population growth and the absence of a strategic framework, Council initiated the creation of the Geelong Indoor Recreation Facilities Strategy with two key aims:

1. To review the City's existing provision of indoor recreation facilities and provide an analysis of indoor facility provision across the Geelong Region, both private and government.
2. To provide a strategic approach for the future provision and development of indoor recreation facilities for the next 20 years, including recommendations for the location, enhancement and development of indoor recreation facilities, having regard to key partnerships and initiatives.

Discussion

The Geelong Indoor Recreation Facilities Strategy found that there is currently a deficiency in indoor courts available to the community within the municipality. Specifically:

- There are 46 full or large size courts exist within the City, of which; Council owns eleven (11), education institutions own twenty-five (25) and ten (10) courts are owned by other organisations. Only thirty-four (34) of the forty-six (46) large/full size courts are available to the community.
- Indoor recreation facility provision is low, with only (34) large/full size indoor courts available for community use in the municipality, whilst adjoining Council areas (excluding Wyndham) only provided a further six (6) large indoor courts.
- Benchmarking against other regional local government areas found that the City has the lowest numbers of useable courts per capita of any areas reviewed including Frankston City Council, City of Greater Bendigo and Ballarat City Council.

The Geelong Indoor Recreation Facilities Strategy identified a number of major challenges in the provision in indoor recreation facilities. These include:

- Useable courts per capita (compared to like municipalities)
- Forecasted population growth without strategy to improve provision
- Forecasted growth in sport participation numbers

Actions within the strategy were based on the current available indoor recreation facility supply being inadequate for the City's population needs.

Specific strategy recommendations were based on:

- The need to increase use at existing centres that allow community use.
- Improved access to indoor recreation facilities at education institutions that do not currently allow community use.
- Planning for 8 to 10 courts to be built and operational by 2018 and a further 10 courts planned and operational by 2031.
- Continue to operate and manage the facilities under direct Council management to ensure all user groups have access and that maximum facility occupancy is encouraged.

To overcome these deficiencies, the Geelong Indoor Recreation Facilities Strategy includes five key recommendations:

- A new Regional Centre at Brearley Reserve, Marshall - New 8 to 10 court facility proposed to meet existing and future southern area facility gaps and future population growth.
- Expansion of the Leisuretime Centre, Corio – Plan for up to a four court extension over the outdoor netball courts plus new amenities to meet existing and future northern area population growth
- Development of new courts on the Bellarine including proposed new court extensions at Bellarine Aquatic & Sports Centre and Drysdale Secondary College to meet existing and future eastern area population growth
- Greater use of existing facilities - Encouraging greater use of underutilised community/school indoor recreation facilities to provide more local area facility use/access.
- Develop growth areas indoor facilities – Develop planned new growth areas indoor recreation facilities at Armstrong Creek Precincts (3x2 & 1X3 court facilities) and Lara West (1x3 court facility) as development is taken up and population triggers are met.

Environmental Implications

The Geelong Indoor Recreation Facilities Strategy has no direct impact on the environment; however any future development which may occur as a result of this strategy should seek to support initiatives that facilitate long-term environmental sustainability.

Financial Implications

The implementation plan provides a broad estimate of cost specific to each of the recommended actions. These actions are assessed as Mandatory, Critical, High, Medium and Low to guide Council decision making in terms of development.

The Geelong Indoor Recreation Facilities Strategy outlines the recommended implementation schedule and indicative capital costs for the works identified. The total cost of all works is significant and cannot be funded solely by Council. The adoption of this report does not have any direct financial implications, but acts as guide for Council Officers to explore opportunities for partnership and funding opportunities at all levels of government and private industry to support the plans implementation.

It is expected that the strategy will be implemented over an approximate timeframe of 15-20 years.

The table below summarises the capital estimated cost and the annual operational cost by action priority level.

Geelong Indoor Recreation Facilities Strategy Actions Resources Summary By Priority Level Action Priority Level	Estimated Capital Cost	Estimated Operating Cost (exc. depreciation)
Mandatory: Required by legislation or regulation or connected with a developer contribution plans.	$0	$0
Critical: Relating to risk mitigation or safety or an item that has a serious impact on service delivery.	$0	$0
High: Important action that underpins the key outcomes connected with the Geelong Indoor Recreation Facilities Strategy.	$28M to $30M	$150,000
Medium: Action that contributes to meeting overall intent of the Geelong Indoor Recreation Facilities Strategy	$27M to $28M	$330,000
Low – 2026 to 2031: Action that contributes to overall improvement in indoor sport and recreation.	$22M to $23M	$240,000

Where implementation of specific recommendations requires a new budget allocation or contribution from Council, above what will be funded through developer contributions or partner agencies a business case will be prepared and considered as part of the overall annual budget process.

Policy/Legal/Statutory Implications

The Geelong Indoor Recreation Facilities Strategy recognises that all community members have equal rights to participate in and enjoy the benefits of sport and physical activity.

Alignment to City Plan

The Geelong Indoor Recreation Facilities Strategy has clear connections to Council's community well-being objectives. The uptake of indoor sport as recreation and physical activity provides health benefits to the community participants.

Officer Direct or Indirect Interest

No Council staff or persons engaged under contract have a direct or indirect interest in the development of the Geelong Indoor Recreation Facilities Strategy.

Risk Assessment

There are no immediate risks associated with this report. Appropriate risk management measures will be established when implementing the recommendations of the report.

Social Considerations

The Geelong Indoor Recreation Facilities Strategy recognises that supporting indoor sport is not just about participation in physical activity.

Indoor sport is recognised as providing a range of broader benefits to the community, including contributions to social capital, community cohesiveness, and community connection. Participation in sport and physical activity brings about a range of personal, social, health and economic benefits for individuals and communities.

Human Rights Charter

This report has no direct impact on the human rights of the residents of the City of Greater Geelong.

Consultation and Communication

The preparation of the Geelong Indoor Recreation Facilities Strategy has been managed by a three-tiered management structure:

- Project Control Group (PCG) consisting of key representatives from the City of Greater Geelong and Sport & Recreation Victoria. The PCG provided high level strategic direction on key issues and opportunities.
- Project Reference Group (PRG) – Strategic Partners. Consisting of Council officers and senior management from the following organisations:
    - Department of Education & Early Childhood Development
    - Surf Coast Shire
    - Golden Plains Shire
    - Deakin University
    - Leisure Networks
    - Department of Planning & Community Development
    - Sport & Recreation Victoria
- Project Reference Group (PRG) – Sport. Consisting of representatives from:
    - Basketball Geelong
    - Futsal Geelong
    - Barwon Sports Academy
    - Football Geelong
    - Bellarine Basketball Association
    - Volleyball Geelong
    - Table Tennis Geelong Incorporated
    - Gymnastics – YMCA
    - Badminton Geelong
    - Centre Court – Indoor Tennis
    - Geelong Squash Racquets Association
    - Netball Victoria

The main consultation tasks have included:

- Establishment of the PCG, PRG – Strategic Partners, PRG – Sports. These groups have met in the lead up to this report

All avenues of local media will be utilised to highlight the public exhibition of the draft Geelong Indoor Recreation Facilities Strategy. This includes a media release, Community Update, notification and promotion to key stakeholders.

The draft facilities strategy was publically exhibited between and inclusive of 7 February and 7 March 2014.

- The draft strategy received ten public responses from various sporting and/or social groups during the public exhibition period.
- A summary of the ten public responses inclusive of the consultant response and the changes made to the final report are outlined in Appendix 1.
- A meeting was held with Geelong Netball and Basketball Centre on their request following the exhibition to clarify information previously provided by this organisation. Changes were made to the report including noting that registered players had been used to determine demand and that management modelling assessment would take place as part of the feasibility of any new venue.

7. CITY OF GREATER GEELONG PHYSICAL ACTIVITY STRATEGY

Portfolio:	**Sport and Recreation – Cr Irvine** **Community Development - Cr Fisher**
Source	**Projects, Recreation and Central Geelong - Sport and Recreation** **Community Services - Aged and Disability**
General Manager:	**Paul Jane (Acting) and Jenny McMahon**
Index Reference	**Subject: Planning and Strategy – Sport, Leisure & Recreation/Other Sports, Recreation, Leisure Strategies** **Subject: Public Health Management / Municipal Public Health Plan**

Purpose

The purpose of this report is for Council to formally adopt the Greater Geelong Physical Activity Strategy 2014-2017.

Summary

- Regular physical activity is one of the most important things you can do for your health, the Greater Geelong Physical Activity Strategy 2014-2017 seeks to outline Council's role in encouraging more people to be more active more often.
- The City of Greater Geelong can positively contribute to the health and wellbeing of the community by making physical activity the easy choice.
- This can be done through careful and considered design of public spaces and the built environment, and by ensuring the needs of people are paramount when making decisions about the spaces in which they live, learn, work and play.
- The Strategy focuses on identifying cost effective physical activity interventions such as facility development, policies, programs and services that are most likely to succeed in increasing people's ongoing participation in physical activity.
- The Strategy provides a clear direction for investing in supporting active travel as the most cost effective approach to increasing participation in physical activity across Greater Geelong.
- The Greater Geelong Physical Activity Strategy delivers on Action 3.1 in the Municipal Public Health and Wellbeing Plan 2013-2017.
- The draft Greater Geelong Physical Activity Strategy was released for public consultation from 12 March to 9 April 2014. During the consultation period; four submissions were received in favour of the strategy or with general comments regarding physical activity. No changes to the strategy were required.

Cr Irvine moved, Cr Ansett seconded -

That Council adopt the Greater Geelong Physical Activity Strategy 2014-2017.

Carried.

Background

The need to address physical activity in our community beyond the traditional role of sport and recreation facility provision was identified by the City of Greater Geelong and the G21 Sport and Recreation Pillar in their Strategic Directions and Action Plan 2012/2013.

Specific objectives of the strategy are to:

- provide the policy context that describes the role of the City of Greater Geelong and other key stakeholders in planning, developing, managing and supporting opportunities that foster physical activity
- integrate planning for physical activity at a regional and municipal level
- foster partnerships that influence physical activity across the region
- identify levels of physical activity at a regional and local level
- identify key social and economic determinants of physical inactivity at a regional and local level
- identify enablers and barriers to physical activity at a local level
- provide evidence to develop guidelines and principles to inform policy and decision making that supports physical activity
- provide recommendations for resource allocation to support physical activity.

Development of the Greater Geelong Physical Activity Strategy has been primarily resourced by VicHealth funding through the BE ACTIVE initiative.

An overall report has been developed for the G21 region with broad recommendations. Specific strategies including local action plans have been developed for the City of Greater Geelong and Colac-Otway Shire.

The main body of the report provides and overview of the importance of physical activity and the ways in which the City of Greater Geelong can help to create environments that support physical activity in the community, based on specific interventions supported by national and/or international literature.

An accompanying Background Report provides a summary of the research and consultation outputs which led to the development of the actions contained within this strategy. An evidence review summaries key points from documents and research papers assessed as part of the project.

Discussion

Based on a systematic review of incidental physical activity research in order to create a healthier community, a strategic approach needs to be adopted to encourage physical activity at every opportunity in people's daily lives.

It is imperative, therefore, that the City of Greater Geelong recognises that participation in physical activity is a cornerstone of good health and wellbeing and that such participation contributes to the building of thriving, connected and active communities.

According to VicHealth there are many benefits of physical activity including the prevention of injuries and the onset of non-communicable diseases such as:

- cardiovascular disease
- breast cancer

- colon cancer
- type 2 diabetes
- obesity
- osteoporosis.

The research also demonstrates that physical activity can help:

- increase people's self-esteem and confidence
- improve sleep quality
- provide people with a greater sense of energy
- reduce depression, stress and anxiety
- improve mental health
- increase life expectancy
- enhance social connectedness.

The VicHealth research demonstrates physical inactivity is estimated to cost Australia $13.8 billion annually, and the health sector alone $719 million. In addition to the financial costs, it is estimated that 16,178 premature deaths can be attributed to physical inactivity each year. From a workplace perspective, approximately 1.8 working days per employee per year are lost to physical inactivity, or the equivalent of $458 per employee.

Whilst physical inactivity is a whole of community issue and can affect anyone, those members of the community who are less likely to be active are women, older adults, people from culturally and linguistically diverse communities, people with a disability, Indigenous Australians and people with a low socio-economic status.

Specific initiatives need to be implemented that take into consideration the needs of these communities and to address their barriers to participation. In order to assist the City of Greater Geelong to develop an environment that fully supports physical activity, the following principles have been adapted from the Toronto Charter for Physical Activity: A Global Call to Action (2010)

- Implement evidence-based strategies
- Implement cost-effective strategies
- Target whole of population and specific target groups
- Address the determinants of physical inactivity
- Adopt an equitable approach to physical activity
- Develop partnerships
- Build organisational capacity
- Utilise a whole of life approach
- Utilise appropriate settings
- Ensure appropriate local and cultural responses
- Make physical activity options easy
- Advocate for additional resources and commitments

In line with the charter for physical activities, overwhelming research indicates that there is not one simple solution and that several different strategies at once are needed to increase physical activity levels.

The Greater Geelong Physical Activity Strategy has based its actions around the best investments for physical activity, as determined by the British Journal of Sports Medicine (2012) and Heath *et al* (2012). These investments include (in no particular order):

- Whole of school programs
- Transport policies and systems that prioritise walking, cycling and public transport
- Urban design
- Physical activity and non-communicable disease prevention integrated into primary health care systems.
- Public education, including mass media to raise awareness and change social norms of physical activity
- Community-wide programs
- Sports systems and programs

Although all actions identified are considered important within the suite of interventions and initiatives, they have been initially prioritised on the following basis:

- Impact – intervention or initiative is likely to have a positive impact on increasing levels of physical activity participation, based on the evidence review undertaken as part of the Strategy
- Feasibility – intervention or initiative can be achieved using existing networks and partners, or such networks and partners will be relatively easy to develop in the short term
- Affordability – intervention or initiative can be achieved using existing resource levels, or likelihood of obtaining sufficient resources within the short term is high
- Acceptability – intervention or initiative likely to be acceptable and relevant to Council, the target market and the broader communities
- Sustainability – intervention or initiative is likely to result in changed behaviours, practices and attitudes, and be sustainable from a cost and ongoing resourcing perspective.

Environmental Implications

The Greater Geelong Physical Activity Strategy includes actions that will improve the environment across the City of Greater Geelong.

A key focus and direction of the Strategy is the promotion of Active Travel. Strategies that seek to improve pedestrian and cycle infrastructure, urban design and that facilitate active travel will facilitate more people to choose sustainable modes of transport.

Financial Implications

Development of the Greater Geelong Physical Activity Strategy has been funded through the VicHealth funding initiative BE ACTIVE. City of Greater Geelong and Colac-Otway Shire respectively funded their local action plans.

The appointment of an Active Travel Officer has been identified as critical to the implementation of the Strategy. A budget proposal for this position will be sought in the 2015/2016 budget.

The cost of actioning other components for the Strategy will be the subject of business cases in subsequent budgets. External sources of funding will also be sought.

Policy/Legal/Statutory Implications

The development of the Greater Geelong Physical Activity Strategy is not a statutory requirement but is closely integrated with the Municipal Public Health and Wellbeing Plan that is a requirement of the *Public Health and Wellbeing Act 2008*.

Specifically the strategy has been developed in response to Action 3.1 in the Municipal Public Health and Wellbeing Plan 'Develop and support implementation of the Geelong Region Physical Activity Strategy'.

The strategy is also identified as a key initiative in the G21 Health and Wellbeing Plan 2013-2017 to harness the combined interest across pillar groups to increase levels of physical activity across our population.

Alignment to City Plan

The Greater Geelong Physical Activity Strategy is aligned to City Plan 2013-2017 and seeks to address the City Plan's three strategic priorities for Community Wellbeing: Healthy Lifestyles, Healthy Environments and Connected, Creative and Strong Communities.

A number of proposed actions also seek to address priorities identified under the strategic priority for Sustainable Built and Natural Environment.

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any direct or indirect interest to the advice provided in the report.

Risk Assessment

The most effective way to achieve many of the objectives and actions contained within this physical activity strategy and to ultimately increase physical activity participation within our community is to appoint an Active Travel Officer.

Participation in physical activity is a cornerstone of good health and wellbeing and that such participation contributes to the building of thriving, connected and active communities.

Not implementing the key recommendations of the Greater Geelong Physical Activity Strategy risks the development of a happy, healthy and connected community.

Social Considerations

The Greater Geelong Physical Activity Strategy reinforces Council's commitment to addressing the determinants of physical inactivity and recommends strategies that seek to address the whole population in addition to specific groups who are traditionally not as active as other members of the community.

The strategy recommends actions that will improve participation in physical activity by specific groups in the community so that a more equitable approach to physical activity opportunities and resources can be implemented.

Human Rights Charter

In order to assist the City of Greater Geelong to develop an environment that is fully supportive of Physical Activity, a series of guiding principles have been adapted from the Toronto Charter for Physical Activity: A Global Call to Action (2010). These principles explicitly consider issues relating to diversity, equity and community participation and empowerment.

Consultation and Communication

The Greater Geelong Physical Activity Strategy has involved an evidence review comprising of documents and articles related to physical activity within the City of Greater Geelong and Colac Otway Shire, as well as initiatives and research at a national and international level.

It also involved a review of recent consultation outcomes from a range of studies that were underway concurrently or just completed, including the Greater Geelong City Plan, the City of Greater Geelong Municipal Early Years Plan, and the G21 Health and Wellbeing Plan.

Two stakeholder workshops were conducted in Geelong and Colac with relevant community health, sport and recreation, strategic planning, engineering, transport and disability workers from Local Government Authorities and various community based organisations. Key stakeholder interviews were also held with representatives from these particular areas of expertise.

During the public exhibition period, copies of the draft strategy were made available at all City of Greater Geelong Customer Service centres and online, with the consultation period then being promoted in the following ways:

- Media release
- City News
- 'Have Your Say' sections of the Geelong Australia website

Four submissions were received in favour of the strategy or with general comments regarding physical activity. No changes to the strategy were required. Appendix 1 contains a summary of the feedback received.

The Strategy was updated post the exhibition period to reflect the new National Physical Activity Guidelines released by the Australian Government's Department of Health released in February 2014.

8. COUNCIL ATTENDANCE AT INTERNATIONAL GAMBLING CONFERENCE

Portfolio:	**Community Safety, Youth – Cr Farrell**
Source	**Community Services / Community Development**
General Manager:	**Jenny McMahon**
Index Reference	**Community and Social Planning / Gambling Geelong Gambling Advisory Committee**

Purpose

The purpose of this report is to update Council on matters learned from Councillor and staff attendance at the 5th International Gambling Conference and the preceding international think tank held in Auckland New Zealand on 17–21 February 2014.

Summary

- The 5th International Gambling Conference hosted by the Problem Gambling Foundation of New Zealand (PGFNZ) was held 19–21 February, 2014. It was attended by Cr Farrell, along with an officer.
- In accordance with Council Policy, a report of the conference is presented for Council's information (refer Appendix 1).
- More than $108 million was lost on electronic gaming machines (EGMs) in the City of Greater Geelong during the 2012/13 financial year. While this represents an eight percent reduction on the previous year, problem gambling remains a continuing issue for Council in its efforts to reduce harm in the community.
- New Zealand is arguably the most progressive jurisdiction in dealing with problem gambling via a Public Health model.
- Attending the conference provided Cr Farrell, as chair of the Gambling Advisory Committee, an opportunity to stay abreast of developments on issues relating to problem gambling, as well as engaging with practitioners and researchers from around the world.
- The conference provided an excellent networking opportunity for attendees and raises the potential for future collaborations. It was hoped that several of the papers and presentations delivered at the conference would be included in this report. They are not yet available online.
- It is expected that conference papers and presentations will be available on the PGFNZ website at a later date.

Cr Farrell moved, Cr Fisher seconded -

That Council:

1) **notes the report on the attendance by Councillor Farrell at the 5th International Gambling Conference in New Zealand (Appendix 1);**

2) **refers the key messages of the conference report and the actions contained therein to the Geelong Gambling Advisory Committee for consideration.**

Carried.

Background

Cr Farrell currently chairs the Geelong Gambling Advisory Committee with secretariat provided by Council staff. The Committee has representation from gambling venues, Gamblers Help, welfare services as well as G21, and the neighbouring municipalities of Surf Coast, Queenscliffe and Golden Plains.

The Committee provides advice to Council on gambling-related matters and co-ordinates activities that promote responsible gambling. It also provides a valuable source of information sharing and networking between the four municipalities and committee members.

In particular, the Committee has provided a valuable conduit for neighbouring Councils by disseminating information on the latest changes in the electronic gambling environment and assisted with their policy development and dealing with EGM applications.

As Committee Chair, Cr Farrell has a leadership role in the promotion of responsible gambling issues in the Geelong region. She also attends the bi-monthly meetings of the Victorian Local Government Working Group on Gambling (LGWGOG), a long-standing policy working group that is auspiced by the Victorian Local Governance Association.

The Council resources the Geelong Gambling Advisory Committee and supports the Committee to deliver an annual Gambling Action Plan. This includes a range of community education activities as well as involvement in Responsible Gambling Awareness Week, held annually in May.

Council officers deal with gambling applications to the Victorian Commission for Gambling and Liquor Regulation (VCGLR) and any subsequent appeals to the Victorian Civil and Administrative Tribunal (VCAT).

Cr Farrell and a Community Development Officer attended the 5th International Conference hosted by the Problem Gambling Foundation of New Zealand (PGFNZ). The organisers claim to be the only international gambling conference that does not accept gambling industry funding.

This is in stark contrast to the Australian organisation, the National Association for Gambling Studies (NAGS), which holds its annual gambling conferences in Australia each year and has strong ties to the gaming industry. In the past NAGS has actually held its conferences in casinos.

While a report from the PGFNZ on the 2014 conference is not as yet available on their website, attendance at previous conferences number around 230 with participants from more than fifteen countries including New Zealand, Canada, South Africa, United Kingdom, Australia, Japan, Sweden, Germany, Singapore, Finland, Macau, Singapore, China, Switzerland and the USA.

The conference and its diversity of presentations and attendees provided an outstanding opportunity for increasing Council's knowledge in the responsible gambling sector. It also provided an opportunity to network and engage with others who are working to minimise the harms caused by gambling. Including the international think tank and pre-conference workshops, the conference took place over five full days (17-21 February 2014.

The papers delivered for the conference are as yet unavailable, however internet links to the Conference presentations have been provided by PGFNZ:

- Powerpoint presentations along with the abstracts by conference speakers is available on the International Gambling Conference website.
- Videos of many of the presentations https://www.youtube.com/user/IGCAuckland.

Discussion

The conference sessions were conducted under four general streams:

- Treatment
- Public health
- Research
- Regulation.

Some of the key messages from the conference and recommendations for consideration are:

1. Addiction is not an abnormal reaction to gambling. It is connected to the reward response mechanism in the brain. Some forms of gambling such as electronic gaming machines trigger a higher level response in the brain thus making people more vulnerable to gambling at levels that cause harm.

   ACTION: *Council will support programs, initiatives and mechanisms that aim to provide consumer protection such as pre-commitment programs and safety improvements on EGMs.*

2. The advent of the internet as a platform for gambling raises the level of risk for problem gambling in the community. Evidence suggests that the developers of gambling sites are taking a keen interest in social gaming sites. These 'legal' sites not only provide a means of developing a potential customer base, but also offer the opportunity to provide pseudo casino type games as a means of normalising gambling and developing a sense of confidence as a gambler.

   Further to this recent development, the rise of sports betting continues to normalise gambling within the context of Australia's high level of interest in sport. This ongoing normalisation has the potential to increase the level of problem gambling in the community, especially among young men. Mobile technology and the internet provide a convenient and unsupervised platform for such gambling.

   However, the internet also offers the opportunity to provide websites and applications which work with gamblers in deterring them from gambling online. Websites can offer on-line counselling for those who prefer anonymity or who cannot physically attend a problem gambling counselling venue.

   ACTION: *Council will review its community education program to include specific actions to address internet based gambling.*

3. The provision and promotion of non gambling environments and alternate recreational pursuits offer an important alternative to those experiencing problems with their gambling. This is important when considering the proliferation of 'pokie' venues across the Geelong region and the promotion of sports betting in the media. For some years the Responsible Gambling Foundation of New Zealand has promoted a 'gamble free day'. The gamble free day not only encourages gamblers and non-gamblers to visit gamble free environments, it also serves to promote the issue of problem gambling in the community.

   ACTION: *The Geelong Gambling Advisory Committee will investigate a regional 'gamble free day', similar to that promoted by PGFNZ.*

That Council will develop and/or support initiatives that promote alternative venues and activities to gambling.

4. The gambling industry is increasing its sophistication in marketing its product to the community. This is evident in the advertisements on television promoting sports betting, particularly to young men. Social marketing sites are also now developing more 'female friendly' looking games in order to entice women to play. The careful use of words such as 'play the pokies' rather than 'gamble on the pokies' are aimed at making the activity look less harmful.

   ACTION: *That Council reviews the wording of its policies, communications and community education programs to avoid any language that promotes the normalisation of gambling in our community.*

   That Council reviews its policies, communications and community education programs to ensure that the community is made aware of the potential harmful effects of gambling.

The Victorian Local Government Act 1989 requires all local governments to provide the best outcomes for the community, while having regard for the long term and cumulative effects of decisions. The Victorian Public Health and Wellbeing Act (2008) give Council the responsibility of overseeing the wellbeing of its residents. The Gambling Regulation Act (2003) requires that there is no net detriment to the community as a result of the introduction of electronic gaming machines.

However, the Act does not define net detriment and it is often a combative process between Council and gambling permit applicants in the Victorian Commission for Gambling and Liquor Regulation hearings to convince the presiding members that some applications will deliver a net detriment to our community.

Increasing Council's body of knowledge on how to determine the social and economic impacts of gambling is critical in this process. There is no definitive research which compels tribunal members to support or deny a gambling permit application.

The draft Gambling Action Plan will be reconsidered in the context of the above recommendations from the conference.

Environmental Implications

Not applicable.

Financial Implications

The cost to Council for the travel, accommodation and attendance at the conference for Cr Farrell and the officer was met within budget.

Policy/Legal/Statutory Implications

Overseas travel by Councillors is undertaken within the context of the Councillor travel policy which includes endorsement by Council. Council endorsed Cr Farrell's attendance at its meeting on 12 November 2013. The officer attendance was in accordance with Council policy.

Alignment to City Plan

The conference raised ideas for minimising harm from problem gambling. This is consistence with Council's City Plan in increasing community wellbeing as well as Council's Health and Wellbeing Plan 2013–2017 in reducing harm from gambling in the community.

Officer Direct or Indirect Interest

No officers involved in the preparation of this report have a direct or indirect interest in matters to which this report relates.

Risk Assessment

Conference attendance has contributed to Council's body of knowledge regarding problem gambling and similarly will enhance Council's capacity to respond to gambling permit applications.

Social Considerations

The City of Greater of Geelong has a leadership role in providing for the wellbeing of its residents. The negative impacts of gambling in the community have an enormous impact on some individuals and their families. Attending the international conference offered an excellent opportunity to increase Council's knowledge on how to best minimise the harm on our community from gambling.

Human Rights Charter

The recommendations contained in this report do not run counter to Council's Human Rights Charter.

Consultation and Communication

The Community Development Department is responsible for the communication of this report in conjunction with Council's Media and Communications Unit.

Report of my attendance at the 5th International Conference hosted by the Problem Gambling Foundation of New Zealand (PGFNZ) 19 to 21 February, 2014 – Cr Jan Farrell

The context for attending the Conference is the extent of gambling losses in the City of Greater Geelong – more than $108 million was lost on electronic gaming machines (EGMs) in the City of Greater Geelong during the 2012/13 financial year – and my role as the chair of Council's Gambling Advisory Committee.

The benefits of attending the conference included an opportunity to remain abreast of new thinking, initiatives and research on issues relating to problem gambling, as well as engaging with problem gamblers, service providers and practitioners, and academics and researchers. The conference provided an excellent networking opportunity as well as access to individuals and organisations who may become partners for future collaborations.

The following is not an attempt to report on the full content of the conference as there were over fifty presenters covering a broad range of research topics and projects.

The presentations and discussions fell under four general streams:

- Treatment,
- Public Health
- Research
- Regulation.

I have sought to report on those presenters whose subject matter best aligns with Council's draft Gambling Action Plan, Council's Strategic Gaming Policy's overarching aim of reducing harm in the community from gambling.

Councillors and other interested parties can read the full abstracts and powerpoint presentations from the conference at the following site:

http://www.internationalgamblingconference.com/Paper-Abstracts--Developments/0,2744,14432,00.html

And also see various presentations at the following You Tube site:

https://www.youtube.com/user/IGCAuckland

The key themes that presented opportunities and challenges for Council and the Geelong Gambling Advisory Committee fell under five broad categories:

- The necessity of increasing the level of **consumer protection** from the potential harms of gambling
  eg safer machines, pre-commitment strategies, self-exclusion initiatives.

- The need for reducing the risk associated with current and new platforms for gambling such as the **internet**
  eg sports betting, online gaming, internet-based poker games.
- The opportunity to use **mobile technology as a safety aid** to deliver initiatives that support those experiencing problems with their gambling
  eg apps for phones and web-based problem gambling counselling and support services.
- Engaging in **community education** by the promotion of alternate recreational and leisure pursuits to our community that will counter the aggressive marketing by gambling agencies
  eg promote safe alternatives for recreation to the general community like sporting, cultural and social pursuits.
- The need to consider how Council can improve its **advocacy** role in minimising the actual and potential harm to our community from gambling
  eg 'gamble free' days, workshops and events during Responsible Gambling Awareness Week, the 'March away from March' project.

Consumer Protection

While electronic gaming machines are promoted as a legal and enjoyable means of recreating, a number of presenters raised the need for stronger consumer protection measures to be put in place due to the inherent risks in the machines.

Dr Anne Macaskill presented the results of her collaborative research (Dr Anne Macaskill, Mr Lorance Taylor, Mr Robbie Taylor, Victoria University of Wellington, New Zealand) into how EGMs motivate problem gamblers to keep playing by displaying certain losses as near wins.

Dr Anna Thomas, (Swinburne University of Technology AND Australian Gambling Research Centre, Australian Institute of Family Studies) spoke of the importance of consumer protection measures such as the removal of ATMs from gambling venues in the State of Victoria. She demonstrated that the results of state-wide data showed a clear drop in EGM expenditure over the six months post implementation. Further, the removal of ATMs had a positive effect on feelings of control for both high – and low-risk gamblers.

Ms Angela Rintoul (Australian Institute of Family Studies) raised the importance of pre-commitment technology in her presentation. Regular EGM gamblers reported that their loss of control of spending on EGMs is not uncommon. When combined with the potential for high intensity gambling, this can put EGM users at considerable risk. The ability to access expenditure data and set money and time limits on gambling are key components of pre-commitment technology that can assist people to control their gambling.

Internet Gambling

Council's major focus in dealing with problem gambling has been with EGMs. This has justifiably been because this sector represents the highest cause of problem gambling in our local community. However, in recent years there has been a growing concern with the rise of problem gambling driven by internet based gambling. The internet also provides a ready means for advertising gambling activities to current and potential gamblers.

Prof Nerilee Hing (Centre for Gambling Education & Research, Southern Cross University, Australia) reported that her research showed general population gamblers stated that they were occasionally gambling more than intended (increased consumption) in response to free bet and deposit offers.

Increased gambling was reported in a proportion of treatment-seekers, particularly associated with bonus plays that must be played through several times before any winnings can be collected. Some advertisements and promotions invoked strong temptations among treatment-seeking gamblers, and appeared to be designed to target individuals who had taken steps to limit or cease gambling.

It was interesting to hear presentations from researchers whose focus was on internet gaming (i.e. non-gambling) rather internet gambling. The primary issue of concern was that that the seemingly innocuous area of gaming seemed to border on gambling or would provide a means to encourage people to move into gambling.

James Driver (NetAddiction NZ) highlighted in his presentation that video games increasingly use psychological hooks to keep players engaged and spending on these games. Games reward players for logging in daily, require them to spend real money for a chance at in-game bonuses, threaten players with the loss of progress, and use coercive monetisation tricks such as the abstraction of currency to disguise the cost of gaming.

He highlighted that combined with the prevalence of smart phones and other mobile gaming devices, more and more players worldwide are developing video gaming addictions, with recent studies indicating that as many as 10% of people aged 16-25 experience video gaming addiction.

He went on to quote Andy Yang, CEO of the mobile monetization research firm PlayHaven, "the top 10 percent of players can account for as much as 50 percent of all in-app purchase revenue."

Game developers are increasingly modifying their websites to attract female players (Johanna Järvinen-Tassopoulos, THL – National Institute for Health and Welfare, Finland) reported that young women have been a target group to many gambling operators for some years now.

Bingo is no longer seen as a game for little old ladies, Keno can be feminised, and jackpots may realise dreams of shopping and travelling. With an internet connection or a smart phone, women can play without being noticed at home or at work.

Mobile technology as a safety aid

Aside from making EGMs safer to play, two speakers spoke of the use of mobile technology that individual consumers could use as a tool in reducing the frequency of their gambling.

Jenny Crocker (Senior Communications Officer for the Responsible Gambling Fund within the NSW Office of Liquor, Gaming and Racing) and Dr Susan Rennie (North East Primary Care Partnership) presented respectively on two mobile phone applications that aim to help support and educate frequent gamblers who are at risk of developing a problem.

The NSW application is marketed as a handy tool to help bettors keep track of their wins and losses, and also educates users to set a gambling budget each pay cycle and stick to it.

The Victorian application uses the GPS platform available with smart phones to send gamblers messages at the time of entry to a poker machine gaming venue. The app will have a primary focus on encouraging alternative activities to gambling.

Gamblers will be able to use the app to find other things to do in their local area and be reminded of other ways in which they could spend their time. The app will present them with closest cafes and cinemas but also be pre-programmed by the user to include friends and other sources of help including help lines and chat rooms.

Community Education

Community education already features strongly in Council's program in minimising harm from gambling in our community. It was therefore of considerable personal interest to attend a number of presentations on this subject.

Research by Dr Keis Ohtsuka (Victoria University) and Dr Anastasia Ejova (University of Adelaide) discussed the issue of erroneous gambling-related beliefs (EGRBs). These included: the 'illusion of control', the 'gambler's fallacy', 'beliefs in the value of persistence (aka gambler's regret)' and 'beliefs in luck and other supernatural forces'.

For example, the illusion of control refers to the use of systems and strategies in gambling. These systems and strategies, in turn, often reflect gambler's-fallacy-type reasoning – the expectation that chance outcomes 'even out' in the long run, producing, for example, a win after a series of losses on a slot machine and a red after a series of blacks in roulette.

Council already uses materials developed by Victoria's Responsible Gambling Foundation in correcting misunderstanding of the inherent randomness in gambling technologies.

Mr John Wong (Director, Asian Family Services at the Problem Gambling Foundation New Zealand) spoke on the benefits of having Gamblefree Day as a means of raising awareness of gambling harm and to reduce the stigma associated with it by using a public health activity to facilitate conversations about gambling both in the community and between friends and family.

Further to this Serge Sardo (Chief Executive Officer, Victorian Responsible Gambling Foundation) highlighted that through the www.fightforyou.com.au website, participants gained access to an online brief intervention designed to motivate and empower participants to achieve their goals.

By September 2013, the website had received over 190,000 unique visits, and over 2,000 people were actively taking the challenge to change the way they gamble. The campaign and associated 100 day challenge is an example of innovation in a public health mass media campaign, encompassing a comprehensive and integrated program that is engaging, delivers constructive information and most importantly, offers an avenue for people to take action.

Advocacy

Under the Victorian Health and Wellbeing Act, Council has a clear mandate to advocate for the health and wellbeing of its residents. This very much underpins Councils advocacy role in proactively taking measures to reduce the harm caused by problem gambling.

It was with much interest therefore that I attended the presentation by Tony Milne (Problem Gambling Foundation of New Zealand) who spoke about the unintended consequences of using language that suggests that problem gambling should be an individual concern rather than one of public health.

Continuing to use such terms as problem gambler, compulsive gambler or player, individual choice and addictive personality implies that the individual is the source of the problem rather than the product itself being the cause of harm.

Helen Miller (School of Health and Society, University of Wollongong) argued that the debate about problem gambling was highly politicised with few consumer or public health voices.

Council at a local and regional level is well placed to provide leadership in changing the discussion from one about individual problem gamblers and addictive behaviours and move to address the issue of problem gambling via a public health model.

9. CPL 275.1 FLOOD WARNING POLICY REVIEW

Portfolio: **Infrastructure - Cr Ellis**
Source: **City Services - Engineering Services**
General Manager: **Gary Van Driel**
Index Reference: **Emergency Planning - Flood Warning**

Purpose

This report seeks Council approval of Council Policy CPL 275.1 Flood Warning following a standard review process.

Summary

- The review date for Council Policy on Flood Warnings expired in December 2013.
- A review of the policy has been carried out and minor updates of the most relevant reference documents and reference to a new state wide Emergency Alert (EA) system were included.

Cr Ellis moved, Cr Heagney seconded -

That Council adopt the revised Flood Warning policy Version 3 with a further review to be carried out by 31 December 2016.

Carried.

Background

The flood warning policy was introduced to provide guidance for the Flood Warning Officer in providing flood warning information to the community.

Discussion

Flood Warning Policy:

Reference documents relating to flood warnings are updated on regular intervals in a similar manner to Council Policies. The main review change for the Flood Warning Policy is the date changes brought about by updates to these reference documents. Specifically, recent updates of the Flood Warning Manual and Municipal Emergency Management Plan are now reflected in version 3 of the policy.

Section 5.7 of the policy (System Management Responsibilities of the Flood Warning Officer) has also been amended to reflect the new state wide Emergency Alert (EA) system. This system allows emergency services the use of mobile phones and text messaging to alert the general public to flood emergency situations. This new system has replaced the old FM88 warning system.. This system was first used as an FM radio emergency broadcast system for tourists. It had a limited range of around 10KM from the Geelong CBD and has been relegated to a 'last resort' warning system only.

Officer responsibilities:

The current Flood Warning Officer is the Coordinator Engineering Services Design Unit. This officer is responsible for Council's civil design program and development and management of Council's Special Rates and Charge Schemes. This officer, along with Coordinator Maintenance and Coordinator Project Implementation are Deputy MERO's for the City.

The current MERO for the City is the Coordinator Emergency Management and Fire Prevention. This officer is allocated on a full time basis to emergency management planning for the City and the Borough of Queenscliffe. This position is funded by the State Government's Municipal Emergency Resourcing Program.

Support and Control Agency:

Part 7 of the Emergency Management Manual Victoria stipulates which organisation/government department is allocated to control the response activities to a specific emergency. For example the Control Agency for a bushfire is the Country Fire Authority and the Control Agency during a flood is the State Emergency Service. During the response 'phase' to an event, a municipal Council acts as a Support Agency, i.e. an agency which provides essential services, personnel, or material to support or assist a control agency or affected persons. Where an event has no nominated agency, for example a landslide event, then Victoria Police undertakes the Control Agency role.

Environmental Implications

There are no environmental implications for Council in accepting the recommendation in this report.

Financial Implications

There are no financial implications for Council in accepting the recommendation in this report.

Policy/Legal/Statutory Implications

The next Flood Warning policy review date is 31 December 2016.

Alignment to City Plan

This policy review is in line with Council's obligation to review and update all Council policies on a regular basis. The policy also enhances Councils plan for Community Wellbeing in that its communities are better informed and protected through emergency plans and processes.

Officer Direct or Indirect Interest

No Council Officer involved with this process has any direct or indirect interest in the review of this policy.

Risk Assessment

There are no notable risks associated with implementing the recommendation in this report.

Social Considerations

A current Flood Warning Policy, in conjunction with all relevant reference documents, provides the flood warning officer with the most up to date information. This will provide the more effective flood warning service to the community and reduce the risk to life and property and asset damage due to flooding.

Human Rights Charter

In developing this report to Council, the subject matter has been considered to determine if it raises any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in this report. It is considered that the subject matter does not raise any adverse human rights issues.

Consultation and Communication

The Flood Warning policy review has been overseen by the Coordinator Emergency Management and Municipal Emergency Manager.

COUNCIL POLICY

FLOOD WARNING	Doc. No.	CPL275.1
	Approval Date:	27 May 2014
	Approved By:	Council
	Review Date:	23 May 2017
Responsible Officer: **General Manager City Services**	Version No:	04
Authorising Officer:		**Chief Executive Officer**

1. PURPOSE

To provide advice and guidance for the Flood Warning Officer or nominee regarding the issue of flood warnings for the City of Greater Geelong.

2. SCOPE

This policy covers all minor to major flood events on rivers, creeks, streams and watercourses within the municipality.

3. REFERENCES

- Flood Warning Manual (Sub Plan No 15) – Instructions and information for Flood Warning Officer – City of Greater Geelong 2014.
- Municipal Emergency Management Plan – City of Greater Geelong 2013.
- Municipal Emergency Management Sub-plan No. 1, Flood Management – City of Greater Geelong.
- Bureau of Meteorology (and other web sites) accessing weather data.
- Emergency Management Manual Victoria – 2013.

4. DEFINITIONS

- Municipal Emergency Resource Officer – the appointed Council Officer responsible for management, preparation planning and response to emergency situations.
- Flood Warning Officer – the appointed Council Officer responsible for the collation and evaluation of predictive flood related information and dissemination of flood warnings and information both within Council and for the Council owned / managed properties.

5. COUNCIL POLICY

5.1. General

- The Council of the City of Greater Geelong shall provide sufficient resources to implement an effective Flood Warning System.
- At all times during a flood event, Council in conjunction with the Police and the Control Agency will endeavour to disseminate accurate, timely and relevant flood related information to the affected communities and the public in general.
- The City of Greater Geelong Flood Warning arrangements shall be capable of being mobilised at any time and any day of the year.

5.2. Appointment of Flood Warning Officer

- The Municipal Emergency Resource Officer (MERO), in consultation with the members of the Municipal Emergency Planning Committee shall appoint a suitable Officer to undertake the role as Flood Warning Officer (F.W.O).
- The Flood Warning Officer shall be provided with sufficient resources and training to enable an effective flood Warning System to be put in place.
- At times when the Flood Warning Officer is away from the municipality a suitably trained Deputy Flood Warning Officer shall be appointed to undertake the role of Flood Warning Officer.

5.3. Flood Warnings

- The F.W.O. shall access all relevant information, including but not limited to, Bureau of Meteorology (B.O.M.) flood warnings, locally supplied information and observed information. This information shall be collated at the earliest possible time during the flood event.
- Given all the information at hand, the F.W.O. shall then assess the magnitude and extent of the impending flood. As soon as possible, this assessment shall be conveyed to Council's Municipal Emergency Manager, the MERO and the Municipal Recovery Manager
- This prediction along with information from the Control Agency shall then form the basis of the warning to be disseminated.

5.4. Dissemination of Flood Warning

- The F.W.O. shall determine, in conjunction with the Control Agency the most appropriate means for dissemination of the flood warning, given the magnitude of the particular event.
- The highest priority will be given to the community most likely to be affected.
- Consideration will also be given to providing flood related information to the greater Geelong community.
- The Control Agency may utilise all or any combination of ABC 774 Radio, B.O.M. website, telephone, fax or site visitation, to alert the affected community
- Follow up warnings will be provided during the course of the flood event, where resources are available.

5.5. Follow up

- The F.W.O. in conjunction with the M.E.R.O. and Control Agency shall evaluate all matters and information relating to the issue of flood warnings for an event. Any data and reports shall be permanently recorded for future reference.

5.6. Continuous Improvement

- The Council through its appointed officers shall strive to continuously improve the Flood Warning System for the City of Greater Geelong.
- Trends, experiences, Agency information both in Australia and overseas shall be used in this continuous improvement program.

5.7. System Management Responsibilities of the Flood Warning Officer

- Management of all council flood warning systems including:
  - Hovells Creek Flood Warning System
  - Moolap Industrial Flood Warning System
  - Updating the FWO's Flood Warning Manual
  - Emergency Alert System via mobile phone and text

6. QUALITY RECORDS

Quality Records shall be retained for at least the period shown below.

Record	Retention/Disposal Responsibility	Retention Period	Location
General flood warning information relating to flood levels	F.W.O.	5 Years	Corporate Records
Post flood reports and predictive information	F.W.O.	Permanent	Corporate Records

7. ATTACHMENTS

- Nil

10. CHIEF EXECUTIVE OFFICER RECRUITMENT

Portfolio: **Governance – Cr Lyons (Mayor)**
Source: **Corporate Services – Organisation Development**
A/General Manager: **Michael Kelly**
Index Reference: **Subject – Selection Committee CEO Recruitment**

Purpose

The purpose of this report is to seek an amendment to the Special Committee of Council, Chief Executive Officer Recruitment.

Summary

- The Special Committee, CEO Recruitment was formed by resolution of Council on 25 March 2014.
- Local Government Victoria has advised that changes to the *Local Government Act 1989* are likely to be passed by Parliament on the 18 June 2014. One of the amendments to the Act is that a suitably qualified independent chairperson must be appointed to the Committee when appointing a new CEO.
- To ensure that Council compiles with these legislative changes it is recommended that the current Terms of Reference and Instrument of Delegation be amended to include an independent chairperson.
- The recommended nominee for the chairperson is Professor Jane den Hollander, Vice-Chancellor, Deakin University.

Cr Heagney moved, Cr Fisher seconded -

That Council:

1) **adopts the amended Instrument of Delegation and Terms of Reference for the Special Committee to include an independent chairperson (refer Appendix 1 and Appendix 2);**

2) **endorses the appointment of Professor Jane den Hollander as the independent chairperson for the Special Committee CEO Recruitment.**

Carried.

Background

When the previous Chief Executive Officer did not accept a renewal of his employment contract, Council determined that the Mayor, in consultation with Councillors, initiate a recruitment process for a new Chief Executive Officer. It was recommended that a suitable Executive Recruitment consultant should be engaged to assist with this process.

Discussion

The Special Committee CEO Recruitment Instrument of Delegation and Terms of Reference were established and endorsed by Council on March 25, 2014. The original composition of the Committee was the Mayor (as chairperson) and 4 Councillors nominated by Council.

The composition of the Committee was amended by Notice of Motion, to include 2 independent (non-voting) advisors on April 8, 2014.

The Local Government Amendment (Governance and Conduct) Bill (the Bill) is currently before Parliament. One of the proposed amendments to the Local Government Act is the appointment of an Independent Chairperson for CEO Employment Matters Committee(s). It is anticipated that this amendment will be passed by Parliament as soon as June 18, 2014.

Local Government Victoria has written to Council advising that arrangements for the recruitment process are consistent with the Bill. A copy of the letter from Department of Transport, Planning and Local Infrastructure is included as Attachment 1.

Professor Jane den Hollander was previously appointed to the committee as an independent advisor. Professor den Hollander is suitably qualified and cognisant of the current recruitment process being undertaken by Council.

Environmental Implications

No known environmental implications

Financial Implications

No known financial implications

Policy/Legal/Statutory Implications

The Local Government Amendment (Governance and Conduct) Bill 2014 states that Council must establish a CEO Employment Matters Committee with an independent suitably qualified chairperson

Alignment to City Plan

The Manager Organisation Development, and or the selected Recruitment Consultant will ensure the recruitment brief reflects the strategic initiatives of the City Plan.

Officer Direct or Indirect Interest

No council officer involved in the preparation of this report has a direct or indirect interest.

Risk Assessment

The independent chairperson is deemed to be a suitably qualified person in accordance with the Act

Social Considerations

No known social considerations.

Human Rights Charter

Human Rights Charter has been considered and no impacts have been identified.

Consultation and Communication

Appointment of the CEO will be communicated to Council and relevant stakeholders at the time of appointment.

Appendix 1

Greater Geelong City Council
Instrument of Delegation
Selection Committee - Chief Executive Recruitment

Council delegates to the special committee established by resolution of Council passed on 10 June 2014 and known as the "Selection Committee - Chief Executive Recruitment" ("the Committee"), the powers and functions set out in the Terms of Reference, and declares that:

1. the delegation:

    1.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

    1.2 remains in force until such time as Council enters a contract for a Chief Executive Officer or Council resolves to vary or revoke the delegation; and

    1.3 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and

2. the purposes of the Committee are those set out in the Terms of Reference.

3. the Committee comprise an independent chairperson, the Mayor, 4 Councillors, and 1 independent advisor.

4. the Committee is required to report to Council at the intervals as specified in the Terms of Reference.

5. the quorum for the Committee shall be the independent chairperson and 3 Councillors.

6. all members of the Committee, except the 1 independent advisor, have voting rights on the Committee.

THE COMMON SEAL of GREATER)
GEELONG CITY COUNCIL was affixed)
hereto in the presence of:)

_____
Mayor

_____
Chief Executive Officer

Appendix 2

COMMITTEE TERMS OF REFERENCE

Selection Committee - Chief Executive Recruitment	Document No:	CTR5.2
	Approval Date:	10 June 2014
	Approved By:	Council
	Review Date:	As per 4.1
Responsible Officer: **Manager Organisation Development**		
	Version No:	
Authorising Officer:		

1) SUMMARY

The Selection Committee - Chief Executive Recruitment has been appointed by Council as a Special Committee pursuant to Section 86 & 87 of the Local Government Act 1989 to oversee the recruitment of a Chief Executive Officer.

2) OBJECTIVES

To recommend to appointment of a Chief Executive Officer through a process which is clear, transparent, open and accountable.

To establish the authority and responsibility conferred by Instrument of Delegation conferred by Council on the Selection Committee - Chief Executive Recruitment.

3) DEFINITIONS

"Contract" refers to the Chief Executive Officer Employment contract.

“Consultant” means the Executive Recruitment Consultant engaged by Council.

"Instrument of Delegation" refers to the Delegation conferred on the Committee by resolution of Council on 10 June 2014.

“Independent Chairperson” means a suitably qualified person who is not a Councillor or Officer of Council

“Independent Advisor” means a suitably qualified person who is not a Councillor or an Officer of Council, and is a non-voting member of the Committee

4) TERMS OF REFERENCE

1.1. Expected / Definite life of the Committee

- The Committee shall cease to function upon the appointment by Council of a Chief Executive Officer to replace the previous incumbent.

1.2. Constituency of the Committee

- The Independent Chairperson
- The Mayor and 4 Councillors
- 1 Independent Advisor (non-voting).

1.3. Authority of the Committee

- To finalise project brief for the purpose of seeking registrations of interest from Executive Recruitment consultants.
- To determine the range of remuneration package to be offered.
- To review registrations of interest received from Executive Recruitment consultants, interview and select a firm to assist Council in conducting the process.
- In consultation with the appointed consultant:
    - establish a timetable for the recruitment process,
    - develop a recruitment profile that identifies core competencies for the position,
    - arrange advertising of the position,
    - interview short listed candidates.
- All communications with the consultants to be through the Mayor unless otherwise determined by the Council.
- The two preferred applicants will be interviewed by the full Council, prior to formal appointment.
- To authorise payment of the consultants expenses within the agreed fee structure.
- If necessary, authorise reimbursement of out of pocket travel expenses incurred by applicants selected for interview.
- To appoint any sub committee deemed necessary to research and provide advice to the Committee.

1.4. Meeting Procedure

- The committee shall be chaired by the Independent Chairperson and may determine its meeting procedures.

1.5. Reporting Requirements

- The Committee shall report back to the Council at appropriate intervals during the recruitment process to advise the Council on progress. Reporting may include:
    - advice of appointment of a recruitment consultant to assist Council,
    - details of remuneration package for the Chief Executive Officer,
    - at close of applications to provide general information on the level of interest,
- upon short listing of applicants by the Committee, the Committee shall report to Council at the earliest opportunity after it has conducted interviews, making its recommendation to Council regarding the appointment of a Chief Executive Officer.

1.6. Secretariat

- The consultant shall primarily be responsible for secretarial support to the Committee. Where necessary the Governance Unit may assist.

1.7. Facilities & Resources

- Where necessary the Committee may call upon the services of the Manager Organisation Development or other Council staff.

5) QUALITY RECORDS

Quality Records shall be retained for at least the period shown below.

Record	Retention/Disposal Responsibility	Retention Period	Location
Instrument of Delegation	Not Applicable	Permanent	Council Minutes
Applications for Position CEO	Manager Human Resources	Permanent	Corporate Records
Minutes of Meeting	Corporate Records	Permanent	Dataworks

6) ATTACHMENTS

- Nil

11. SALE OF LAND - 16-18 WILKINS CLOSE CORIO

Portfolio:	**Finance – Cr Lyons (Mayor), Cr S Kontelj & Cr E Kontelj**
Source	**Corporate Services – Property Management**
A/General Manager:	**Michael Kelly**
Index Reference	**Land Sales**

Purpose

The purpose of this report, is to recommend the sale of two vacant lots at 16-18 Wilkins Close, Corio.

Summary

- Council owns two unused residential lots in Wilkins Close, Corio. The land has a total area of 1,294m2 and is zoned Residential 1.
- The land was acquired for open space in 1980 by the former Shire of Corio, however it has never been improved or used for any particular purpose.
- There are alternative conveniently located open space areas in the immediate neighbourhood and it is recommended that the land be sold.
- Prior to selling the land Council is required to give public notice of its intention to do so under s189 of the Local Government Act and allow for the hearing of submissions. If submissions are received they will be heard by the Submissions Review Panel and a further report will be put to Council. If no submissions are received the land will be sold by listing.

Cr S Kontelj moved, Cr E Kontelj seconded -

That Council in respect of the land ("the Land") at 16-18 Wilkins Close Corio;

1) commence the procedures to sell the Land on the following terms:

- **the Land being sold by listing through an agent;**
- **the price being no less than a certified valuation of the Land obtained no more than 6 months prior to the date of sale;**
- **other appropriate terms and conditions; and**

2) commence the procedures under section 189 of the Local Government Act 1989 ("the Act") to sell the Land and that public notice of and the right of a person under section 223 of the Act to make a submission in relation to the proposed sale of the Land be given in the Geelong Advertiser and Geelong Independent; and

3) appoint the Submissions Review Panel to hear and report to the Council on any submissions in relation to the proposed sale of the Land; and

4) in the event that no submissions are received sell the Land by listing through an agent;

5) authorise the General Manager – Corporate Services to execute the Contract of Sale; and

6) authorise the Chief Executive Officer to sign and seal the Transfer of Land.

Carried.

Background

The two residential lots at 16-18 Wilkins Close Corio were compulsorily acquired by the former Shire of Corio in 1980 for the purposes of "providing a place of public resort and recreation". The land remains unfenced and unimproved and appears to have never been used for any purpose.

The land exists as two adjacent residential lots on a single title with a combined area of 1,294 m2 and are zoned Residential 1.

Discussion

There exists a 2,000m2 Council reserve and playground 150m to the west of the land to be sold and other incidental recreation spaces have been created in the immediate area through the closure of through roads. Goldsworthy Reserve is approximately 600m to the east.

Environmental Implications

The land proposed to be sold contains no significant flora and fauna.

Financial Implications

The land will be sold for a price being no less than the certified valuation obtained within six months of the date of sale.

The proceeds from the sale of the land will be non recurrent income for which provision is to be made in the 2014/15 budget. As property assets are disposed of the written down value is adjusted on the asset register.

Policy/Legal/Statutory Implications

The Local Government Best Practice Guideline for the Sale and Exchange of Land recommends that land be sold by a public process such as auction or listing. It is proposed that the land will be sold by listing which will be managed by an agent involved in property sales in the area.

Section 189 of the Local Government Act ("LG Act") requires that Council obtain a certified valuation dated not more than six months prior to the sale of the land being the date of the contract of sale. Prior to sale a certified valuation of the land will be obtained and the final sale price will not be less than the Council's valuation.

Under the same section of the LG Act the Council is required to give public notice of its intention to sell the land and consider any submissions received. If any submissions are received they will be heard by the Submissions Review Panel followed by a report to Council. If no submissions are received the land will be listed for sale.

There are no restrictions on the title that would prevent the Council from selling the land.

Alignment to City Plan

The recommendation supports the action priority relating to Responsible and Sustainable Financial Management where the sale of assets no longer required will support the identified progress indicators.

Officer Direct or Indirect Interest

No officers or contractors involved in the preparation of this report have a direct or indirect interest in matters to which this report relates.

Risk Assessment

The risks associated with the sale of this land are able to be managed following normal management procedures and processes.

Social Considerations

There are no social implications associated with the recommendations of this report.

Human Rights Charter

The recommendations of this report will have no effect on the human rights of individuals.

Consultation and Communication

Consultation will occur when notice of Council's intention to sell the land is given in City News.

Attachment 1

16-18 Wilkins Close Corio



12. SALE OF LAND - 91 THE PARADE OCEAN GROVE

Portfolio:	**Finance – Cr Lyons (Mayor), Cr S Kontelj & Cr E Kontelj**
Source	**Corporate Services – Corporate Property Management**
A/General Manager:	**Michael Kelly**
Index Reference	**Sale of Land**

Purpose

The purpose of this report is to recommend that the Council commence the process to sell the property at 91 The Parade, Ocean Grove.

Summary

- The Council is the owner of a property at 91 The Parade ("the land") Ocean Grove currently occupied by the Ocean Grove Neighbourhood Centre Inc.
- The tenant is due to be relocated to the former Surfside Kindergarten in John Dory Drive when renovations are complete at the end of 2014.
- The possible sale of this property was foreshadowed in a Council report in May 2011 which set out the development strategy for the Ocean Grove Integrated Early Childhood and Care Centre.
- The Council has no identified alternative use for the land and it is recommended that the land be sold by public auction. The premises are suitable for office or residential use subject to minor changes.
- Prior to selling the land Council is required to give public notice of its intention to do so under s189 of the Local Government Act and allow for the hearing of submissions. If submissions are received they will be heard by the Submissions Review Panel and a further report will be put to Council. If no submissions are received the land will be sold by public auction.

Cr S Kontelj moved, Cr E Kontelj seconded -

That Council in respect of the land at 91 The Parade Ocean Grove ("the Land"):

1) commence the procedures to sell the Land on the following terms:

- **the Land being sold by a public auction;**
- **the price being no less than a certified valuation of the Land obtained no more than 6 months prior to the date of sale;**
- **other appropriate terms and conditions; and**

2) commence the procedures under section 189 of the Local Government Act 1989 ("the Act") to sell the Land and that public notice of and the right of a person under section 223 of the Act to make a submission in relation to the proposed sale of the Land be given in the Geelong Advertiser and Geelong Independent; and

3) appoint the Submissions Review Panel to hear and report to the Council on any submissions in relation to the proposed sale of the Land; and

4) in the event that no submissions are received sell the Land by public auction;

5) authorise the General Manager – Corporate Services to execute the Contracts of Sale; and

6) authorise the Chief Executive Officer to sign and seal the Transfer of Land.

Carried.

Background

Formerly a residential building the land at 91 The Parade Ocean Grove has been owned by the Council since 1996 and has undergone several renovations to enable its use as a neighbourhood centre and office. It is currently occupied by the Ocean Grove Neighbourhood Centre Inc under a monthly overholding lease and paying a nominal rent.

The land has an area of 811.7m2 and is zoned Mixed Use.

Discussion

It is intended that the current of tenant at 91 The Parade will be offered a lease of the former Surfside Kindergarten in John Dory Drive which is currently being renovated for this purpose and is expected to be complete in late 2014. There is no other identified use or requirement for the Council to retain the property.

The possible sale of this property was foreshadowed in a Council report in May 2011 which set out the development strategy for the Ocean Grove Integrated Early Childhood and Care Centre ("the new Centre"). In that report the future of the then Surfside Kindergarten in John Dory Drive was a potential site for the new Centre along with the selected nearby greenfields site. A key factor in selecting the greenfields site for the new Centre was the option of moving the Neighbourhood House from 91 The Parade to the Surfside Kindergarten, avoiding the higher cost of the Neighbourhood House's eventual relocation to another greenfields site.

The Ocean Grove Township Urban Design Framework (UDF) identifies the land as being appropriate for development of up to 3 storeys and being suitable for office and residential use. The UDF has undergone public review and is scheduled to be considered by Council in late June 2014 for implementation.

The premises at 91 The Parade are suitable, as is or with little improvement, for a range of commercial and residential uses permitted under the zone.

Environmental Implications

The land proposed to be sold contains no significant flora or fauna.

Financial Implications

The land will be sold for a price being no less than the certified valuation obtained within six months of the date of sale.

The proceeds from the sale of the land will be non recurrent income for which provision is to be made in the 2014/15 budget. As property assets are disposed of the written down value is adjusted on the asset register.

Policy/Legal/Statutory Implications

The Local Government Best Practice Guideline for the Sale and Exchange of Land recommends that land be sold by a public process such as auction or listing. It is proposed that the land will be sold by public auction which will be managed by an agent involved in property sales in the area.

Section 189 of the Local Government Act ("LG Act") requires that Council obtain a certified valuation dated not more than six months prior to the sale of the land being the date of the contract of sale. Prior to sale a certified valuation of the land will be obtained and the final sale price will not be less than the Council's valuation.

Under the same section of the LG Act the Council is required to give public notice of its intention to sell the land and consider any submissions received. If any submissions are received they will be heard by the Submissions Review Panel followed by a report to Council. If no submissions are received the land will be sold by public auction.

There are no restrictions on the title that would prevent the Council from selling the land.

Alignment to City Plan

The recommendation supports the action priority relating to Responsible and Sustainable Financial Management where the sale of assets no longer required will support the identified progress indicators.

Officer Direct or Indirect Interest

No officers or contractors involved in the preparation of this report have a direct or indirect interest in matters to which this report relates.

Risk Assessment

The risks associated with the sale of this land are able to be managed following normal management procedures and processes.

Social Considerations

There are no social implications associated with the recommendations of this report.

Human Rights Charter

The recommendations of this report will have no effect on the human rights of individuals.

Consultation and Communication

Consultation will occur when notice of Council's intention to sell the land is given in City News.

Attachment 1

91 The Parade Ocean Grove



13. SALE OF THE OLD GEELONG GAOL

Portfolio: **Finance - Cr Lyons (Mayor) Cr S Kontelj & Cr E Kontelj**
Source **Corporate Services – Corporate Property Management**
A/General Manager: **Michael Kelly**
Index Reference **Sale of land**

Purpose

The purpose of this report is to recommend that Council sell the Old Geelong Gaol ("the Gaol").

Summary

- Council purchased the Gaol from the State Government in 1994. Since purchase the property has been leased to Geelong Rotary which operates the main cell block as a tourist attraction and subleases other parts of the complex to a range of tenants.
- In recent years the average annual rental income payable by Rotary has been $35,700 and the average annual expenditure on maintenance has been $30,700. Parts of the complex have been shut down due to structural deterioration, non compliance with building regulations and safety risks. The built infrastructure continues to deteriorate.
- An estimate of $1,559,000 has been made for required building maintenance. It is likely that a substantial further allocation will be required due to the limited nature of inspections, access restrictions and the need for further detailed audits. No provision has been made for conservation or restoration works.
- If the maintenance and compliance backlog is addressed at substantial cost, the Gaol will remain in its current form and use. Any upgrade of buildings and services to allow for new or innovative uses will require additional expenditure.
- In June 2013 the Council resolved that the preferred option for the property was not to retain ownership. Noting the cost projections associated with retaining ownership of the Gaol, the Council established a Reference Group for the purpose of receiving a report on potential future uses of the property prior to further considering the sale of the property.
- A review of the Conservation Management Plan has been completed which sets a context for future use and development of the complex and will assist potential purchasers to interpret opportunities and respond in an informed manner to the sale process.
- It is recommended that the Gaol be sold by expressions of interest which will be assessed by a panel to report back to Council on the recommended purchaser. Prior to offering the property for sale the Council is required to give notice of intention to do so under s189 of the Local Government Act and to consider any submissions received.

Cr S Kontelj moved, Cr E Kontelj seconded -

That Council in relation to the Old Geelong Gaol ("the Gaol") at 200-202 Myers Street, Geelong:

1) **commence the procedures to sell the Gaol by expressions of interest;**
2) **give notice under section 189 of the Local Government Act 1989 ("the Act") of its intention to sell the Gaol and that public notice of and the right of a person to make a submission be given in the Geelong Advertiser and the Geelong Independent;**
3) **appoint the Submissions Review Panel to hear any submissions and report to the Council on any submissions received;**
4) **if no submissions are received, offer the Gaol for sale by expressions of interest and appoint a Panel as described herein, with the addition of the Finance and Heritage Portfolio holders, to report to the Council on the outcome of the sale process;**
5) **make the Conservation Management Plan review publicly available when the property goes on the market.**

Amendment

Cr Farrell moved, Cr Fisher seconded –

That Council in relation to the Old Geelong Gaol ("the Gaol") at 200-202 Myers Street, Geelong:

1) **commence the procedures to sell the Gaol by expressions of interest;**
2) **give notice under section 189 of the Local Government Act 1989 ("the Act") of its intention to sell the Gaol and that public notice of and the right of a person to make a submission be given in the Geelong Advertiser and the Geelong Independent;**
3) **appoint the Submissions Review Panel to hear any submissions and report to the Council on any submissions received;**
4) **make the Conservation Management Plan review publicly available when the property goes on the market.**

The amendment was put and carried.

The amendment became the motion.

The motion was put and carried.

Background

In 1991 the State Government decommissioned the Old Geelong Gaol and offered the property for sale by tender in 1994. The Council (under the control of Commissioners) supported a private tender to purchase and use it for a car museum, however the tenderer withdraw shortly after acceptance.

After giving consideration to the Government's conditions of release for the private tenderer, the Council stepped in as purchaser using an interest free Government loan to purchase the property. Soon after purchase in November 1994 the Council installed Geelong Rotary as the head tenant and since then the property has been sub let to a range of tenants and the main cell block has been operated by Rotary as a tourist attraction.

The title to the Gaol consists of a Crown Grant of estate in fee simple meaning that the land is owned freehold by the Council which may dispose of the property. The Minister for Planning has indicated that the outstanding loan is payable upon disposal of the property.

Over the last seven financial years the average annual rent to Council from Rotary has been $35,700 and the average annual maintenance expenditure for the same period has been $30,700. Apart from replacement of the main gates maintenance expenditure has been minimal and no improvements of any significance have been implemented since the Gaol was decommissioned. Parts of the complex have been shut down due to structural deterioration, non compliance with building regulations and safety risks. The built infrastructure continues to deteriorate, mainly in the non masonry elements.

At present the income from sub tenancies to Rotary is approximately $76,000 per year and under the lease Rotary is responsible for operating and utility costs.

On 25 June 2013 a report on the future of the Gaol was presented and the Council resolved to:

1) *Note the cost projections for the continued ownership of the Gaol:*

2) *Note that the projections will fund some outstanding maintenance and achieve a modest level of compliance without providing any improvements that will allow the property to be used for alternative uses;*

3) *(Recognise) that the preferred option is that Council does not wish to retain ownership of the subject property;*

4) *Establish the Old Geelong Gaol reference group for the purposes of receiving a report on potential future uses by a third party, prior to proceeding with the sale or transfer of ownership.*

Discussion

Maintenance Projections

Technical reports commissioned indicate that maintenance and compliance works required are expected to cost $1,559,000.

The actual backlog amount will exceed the total above for the following reasons:

- All the works included in the above estimate were identified on a walk through inspection basis only and some areas remain inaccessible.
- Due to the age and construction of the complex and heritage restrictions it is likely that significant contingency allowances will be required for any works programs.
- Further detailed audits are required to determine compliance works to meet standards.
- No conservation and restoration works have been identified or costed.

If the above works were implemented much of the deteriorating elements of the complex will be stabilised and increased allocations for recurrent maintenance budgets will be required to ensure that maintenance backlogs do not accumulate again. These works will only stabilise the existing infrastructure and will not upgrade the complex to allow any new or innovative uses. Parts of the complex are likely to remain unusable due to non compliance and a lack of services.

Old Geelong Gaol Reference Group ("Reference Group")

Following the Council's resolution of 25 June 2013 the Reference Group was formed consisting of:

Crs S Kontelj, Heagney and Ansett
Sue De Guilo (Geelong Rotary)
Jeff Wall and Lindsay Allan (Corporate Services)
Roger Grant (Geelong Otway Tourism)
David Rowe (Heritage Advisor)

The Reference Group met twice and was supported by Peter Brookes (Heritage Victoria), Frank Thompson (Geelong Rotary) and Alan Grant (Corporate Services).

The Reference Group's main brief was to review the research on alternative uses of other Australian gaols and consider any further possible uses for the complex that would not require the Council to contribute further funds. In doing so the Reference Group:

- Noted the conclusion of the research that apart from gaols well positioned in terms of heritage and special interest, there are no examples of successful sustained private or public investment in adapting cell block buildings for alternative uses. Greater success however has been achieved in developing non cell block elements associated with former gaols such as residences, workshops and land.
- Noted alternative uses not requiring the commitment of significant funding including a farmer's market, storage, ghost tours and involvement with The Block television series.
- Considered that the highest and best use for the Old Geelong Gaol in its current form is likely to be the current use – subject to maintenance expenditure.
- Advised that if the Council was to proceed with the sale of the property it should revise the Conservation Management Plan (CMP) to provide guidelines for the future use and development of the complex.

Conservation Management Plan Review

Conservation consultant Ivar Nelson was engaged to prepare a review of the CMP which is now complete. The main purpose of the review was to take the original 1997 CMP and identify the significance of the structures and parts of structures within the complex.

The following table provides a snapshot of allocation of significance levels by the CMP review.

Level of Significance	**Elements Included in level**
Significant Fabric (mandatory retention)	Original fabric and changes up to 1900 including: • Cell block • Perimeter and internal walls, watchtowers and front and rear entrances. • Governor's and warder's residences.

	• Forecourt and SW yard.
Fabric of some value (retention not mandatory, may be altered)	• Laundry and boiler room. • Recreation building. • Trade workshop • Showers • Other yards.
Fabric of little or no significance (removal recommended)	• Courtyard porches. • SE yard cellblock porch. • E cellblock sheds. • SE courtyard WC.

The CMP must be interpreted as a whole to understand how the future of the complex is to be managed to retain, maintain and enhance its heritage values. Significantly the review states:

"The conservation of the Geelong gaol must give due regard to its on going and sustainable use and maintenance when considering changes to its fabric.

Change is inevitable. It is not necessarily a threat to conservation but, if directed appropriately, can contribute to the ongoing and sustainable use and maintenance of the Gaol.

Change can be minor changes to Significant Fabric, the removal of Fabric of Some Value and/or the introduction of new fabric to contribute to the use and future of the Gaol."

The CMP review provides a progressive overview of the complex and provides a framework for change to encourage sustainability and viability of the complex.

Future Ownership Options

The Council is free to consider its options for future ownership of the Old Geelong Gaol including on going ownership or sale.

Should the Council continue to own the complex and not fund the works backlog, access to various parts of the complex over time will be further prevented including the main cell block where the central wooden skylight structure continues to deteriorate. At a minimum it is likely that unsupervised public access to the main cell block will be restricted.

Council could continue to own the Gaol and fund maintenance and compliance works from internal and external sources. External funding sources include State and Federal Government grant programs, however funding from these sources is likely to be limited with the Council remaining exposed to most of the costs and risks.

On going ownership will mean that in addition to the identified works, the cost of unidentified maintenance, changes to compliance requirements and any future conservation works will remain the prime responsibility of the Council. The cost of unidentified works, including capital improvements for alternative uses, is likely to be substantial.

In addition to exposure to building related costs the Council faces risks relating to tenancies and public access.

Addressing the outstanding maintenance and compliance works will not enhance the utility of the complex or the comfort of the tenants. This work will only stabilise the fabric, achieving questionable value for money.

Conclusion and Recommendation

The option of on going arms length management of the Gaol by the Council through a head and sub lease structure, while convenient, is neither generating sufficient funds to meet maintenance and compliance requirements, nor does it represent a sustainable model for long term management.

On going ownership of similar disused prisons in Victoria has not been supported either by the State or Councils, with the State Government having sold many to private owners and the Mt Alexander Shire Council having disposed of the Castlemaine Gaol in 2012. It is difficult to reconcile ownership of a disused Gaol with Council's primary role as a local government authority.

It is recommended that the Council give notice under s189 of the Local Government Act to sell the Old Geelong Gaol by expressions of interest.

Environmental Implications

The recommendations of this report have no environmental implications.

Financial Implications

The Minister for Planning in June 2013 advised Council that the interest free Government loan of $360,000 given to Council in 1996 for the transfer of the Gaol shall be repayable in full upon sale of the asset. However the Minister also advised that upon repayment of the loan consideration will be given to establishing a Geelong Heritage Restoration Fund for the conservation of heritage places in the City of Greater Geelong.

Policy/Legal/Statutory Implications

When selling land the Council is required to obtain and have regard to a certified valuation.

Under s189 of the Local Government Act the Council is required to give public notice of its intention to sell land and consider any submissions received. If any submissions are received they will be heard by the Submissions Review Panel followed by a report to the Council. If there are no submissions the property will be listed for sale by an appointed agent.

When selling land the Council is guided by the Local Government Best Practice Guideline on the Sale and Exchange of Land which provides that land should be sold by a public process. Sale of land by expression of interest satisfies this requirement of the Guideline.

The expression of interest process will proceed through the following steps:

- Agent is appointed and prepares a marketing plan in conjunction with the Council and implements the plan.
- EOI document is prepared and made available along with the revised CMP.
- EOI's close on a set date.
- An assessment panel ("the panel") is appointed to interview purchasers and make a recommendation to the Council on the outcome of the sale process.
- The panel shall consist of the Ward Councillor, General Manager – Corporate Services and the Manager – Corporate Strategy and Property Management.
- EOI's are assessed using price as the primary consideration although other criteria including provision of community benefit will be taken into account.

- The property is offered for sale without predetermined vendor conditions, although conditions may be applied as a condition of sale.

Alignment to City Plan

The recommendation supports the action priority relating to Responsible and Sustainable Financial Management by avoiding significant maintenance and capital costs through the continuing ownership of the Old Geelong Gaol.

Officer Direct or Indirect Interest

No officers or contractors involved in the preparation of this report have a direct or indirect interest in matters to which this report relates.

Risk Assessment

On going ownership and arms length management of the property by the Council in the absence of a commitment to fund maintenance and improvements represents an unacceptable risk.

Should the Council continue to own the property it will be accepting risk relating to the use of buildings for which they were not designed along with growing and unavoidable cost of maintenance and capital improvements.

The risks associated with the sale of the complex can be managed by obtaining appropriate advice and following normal management procedures.

Social Considerations

One of the tenants is providing support services for both mildly and severely disabled people from the complex and any actions to sell the property will have regard to their needs and the needs of other tenants.

Human Rights Charter

The recommendations of this report and the subsequent sale process have no implications relating to the Human Rights Charter.

Consultation and Communication

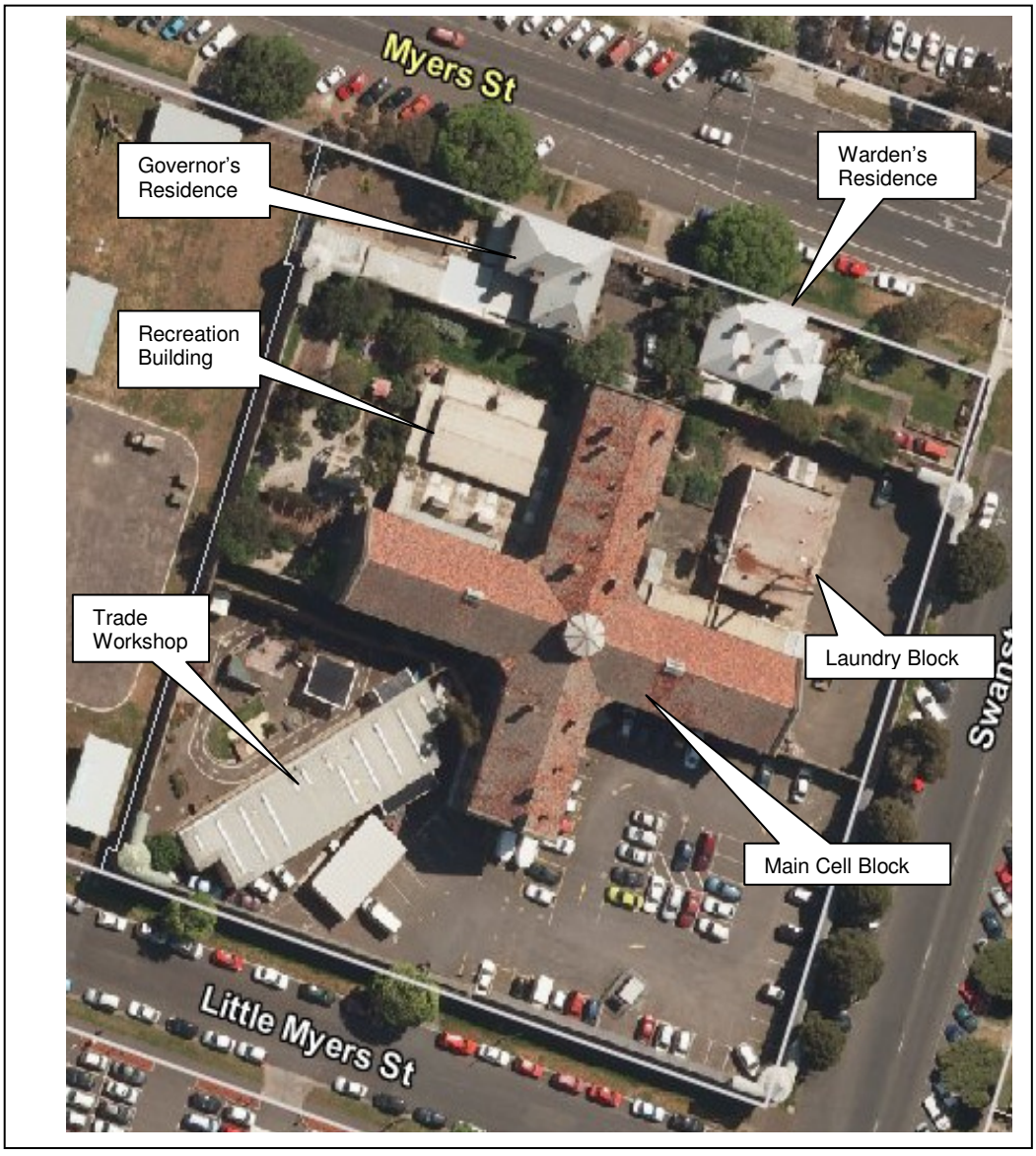
Discussions have been held with most tenants relating to the possible future sale of the complex and the outcome of those discussions was detailed in the June 2013 report to Council.

The meetings of the Reference Group provided an opportunity for the head tenant Geelong Rotary to be part of the decision making process for the future of the complex.

All persons including tenants will be provided an opportunity to make a submission following the giving of notice of intention to sell the property under s189 of the Local Government Act. Anyone making a submission will have the opportunity to be heard.

Attachment 1

Aerial Image Old Geelong Gaol



14. CONSIDERATION OF TENDER SUBMISSIONS FOR TENDER NO. T1400025 SUPPLY OF CONCRETE & CONCRETE WORKS

Portfolio: **Infrastructure Parks & Gardens – Cr Ellis**
Source: **City Services – Engineering Services**
General Manager: **Gary Van Driel**
Index Reference: **Project T1400025**

Purpose

To provide Council with the requisite information to facilitate the approval of the tender evaluation panel's recommendation in relation to the supply of the Concrete and Concrete Works tender.

Summary

- Council has sought tenders for the supply of concrete and concrete works through out the municipality for a period of one year from 1 July 2014 to 30 June 2015 with the option for a further one year term at sole discretion of Council.
- The works in this annual contract includes supply and laying of all concrete pedestrian pavements and kerb and channel for construction works, kerb and channel and footpath replacement works and kerb and channel, footpath and other concrete maintenance works within the municipality of the City of Greater Geelong.
- Council will appoint a panel of contractors for the supply of concrete and concrete works through out the municipality.
- A total of ten (10) companies have provided tender submissions for the supply of concrete and concrete works. Tender submissions include an extensive schedule of rates for all manner of concrete works and the supply of concrete.
- The estimated annual value of the works program associated with this contract $2,775,000.
- A detailed evaluation of all tender submissions has been undertaken by an evaluation panel of Council officers, as identified in the body of this report.
- Following an evaluation of each of the submissions the following suppliers have been recommended for inclusion to the panel of preferred suppliers:-

  Aaron McCurdy Concreting Pty Ltd

  Armstrong Creek Concreting & Outdoor Constructions Pty Ltd

  CCP Group Pty Ltd

  CJ Walters Concreting Pty Ltd

  Coppards Concreting Pty Ltd

  De Fran Concreting Pty Ltd

  Geelong Kerbing Pty Ltd

  Zac McGuane t/a Prestige Concrete Services

  V.R & A.R Roti Roti Pty Ltd

Cr Ellis moved, Cr Richards seconded -

That Council:

1) Accept the tender submission/'s from:

Aaron McCurdy Concreting Pty Ltd

Armstrong Creek Concreting & Outdoor Constructions Pty Ltd

CCP Group Pty Ltd

CJ Walters Concreting Pty Ltd

Coppards Concreting Pty Ltd

De Fran Concreting Pty Ltd

Geelong Kerbing Pty Ltd

Zac McGuane t/a Prestige Concrete Services

V.R & A.R Roti Roti Pty Ltd

for Tender No T01400025 – Panel arrangement for Supply of Concrete and Concrete Works for the associated schedule of rates (exclusive of GST); and

2) Sign and seal the contract documents.

Carried.

Report

Background

The City of Greater Geelong invited tenders for the supply of concrete and concrete works via public advertisement in Tenderlink, the Geelong Advertiser and The Age on Saturday 8 March 2014.

At the close of tenders on 2 April 2014 the following tender submissions were received:

Tenderer
Aaron McCurdy Concreting Pty Ltd
Andrew Streeton t/a Andrew Streeton Concreting
Armstrong Creek Concreting & Outdoor Constructions Pty Ltd
CCP Group Pty Ltd
CJ Walters Concreting Pty Ltd
Coppards Concreting Pty Ltd
De Fran Concreting Pty Ltd
Geelong Kerbing Pty Ltd
Zac McGuane t/a Prestige Concrete Services
V.R & A.R Roti Roti Pty Ltd

All tenders have been submitted exclusive of GST.

Discussion

The tender submissions were evaluated by a panel consisting of:

Gary Van Driel	General Manager City Services
Vicki Shelton	Manager Engineering Services
Mathew Trezise	Senior Civil Inspector
Colin Vagg	Maintenance Officer - Infrastructure NZ
David Neil	Project Officer Construction

Stage One – Mandatory Criteria

Mandatory requirements apply to this Tender are:

Must comply with OH&S requirements detailed in the tender schedule

All submissions complied with the mandatory criteria and proceeded to the second stage evaluation.

Stage Two –Comparative Criteria

Tender submissions were assessed based on the respondent's performance or tender response in the following areas:

Criteria	Weighting
Methodology/plan for performing contract	10%
Capability and experience	60%
Proposed Staff, Plant & Equipment, extent of subcontracting	20%
Economic Contribution to the Geelong Region	10%
	100%

Tenders were assessed against the comparative criteria to determine whether they possess the necessary resources, experience and ability. Suppliers who achieved a rating of acceptable or higher were then evaluated on their ability to provide value for money to Council.

The suppliers who combined the necessary skills while providing the most competitive prices were rated suitable for inclusion on the concrete services panel (refer below).

Recommended Panel of Suppliers

Tenderer	Ranking
Aaron McCurdy Concreting Pty Ltd	1
Geelong Kerbing Pty Ltd	2
V.R & A.R Roti Roti Pty Ltd	3
Armstrong Creek Concreting & Outdoor Constructions Pty Ltd	4
Zac McGuane t/a Prestige Concrete Services	5
CJ Walters Concreting Pty Ltd	6
Coppards Concreting Pty Ltd	7
De Fran Concreting Pty Ltd	8

CCP Group Pty Ltd	9

Unsuccessful Tenderers

Tenderer
Andrew Streeton t/a Andrew Streeton Concreting

Andrew Streeton t/a Andrew Streeton Concreting offered limited pricing against the specific tender pricing schedules requested, generally pricing was higher than competitors. Andrew Streeton t/a Andrew Streeton Concreting submitted pricing with a number of exclusions against the scope requirements of the price schedule eg in Schedule A being maintenance and construction of footpaths and driveways excluded preparation of base, remove existing concrete and reinstate nature strip etc.

Overview of Preferred Suppliers

Aaron McCurdy Concreting are a Geelong based supplier who has operated for 8 years and are long term contractors for Council working consistently to a high standard.

Geelong Kerbing is a contracted supplier with 27 years experience offering good quality experienced staff and well maintained equipment. They consistently deliver quality work, on time and with minimal supervision.

VR & AR RotiRoti are also long term Council suppliers offering consistently a high standard outcome based on quality staff and equipment. As Geelong based suppliers they source materials, engage subcontractors and employ staff from within the local community.

Armstrong Creek Concreting & Outdoor Construction Pty Ltd is a current contractor on the Council's concreting panel with a reputation for providing excellent work offering an alternative where volume of work necessitates additional capacity is required.

Zac McGuane t/a Prestige Concrete Services has suitable staff and offers an alternative to Geelong Kerbing given they have the specialist equipment to undertake kerbing works, being an integral component of the concrete works required.

CJ Walters Concreting is a Geelong based contractor currently on Council's Concrete panel. Work practises are good and the standard of work is satisfactory. CJ Walters Contracting are currently contracted to provide concrete footpaths for the Surf Coast Shire.

Coppards Concreting is a local contractor employing local staff, has demonstrated good work practises and work to a satisfactory standard. Although rates are slightly higher Coppards Concreting offers an alternative panel member to support timely completion of works in the north zone.

De Fran Concreting is a current incumbent on the contracted supplier panel performing predominantly footpath work. De Fran Concreting has been a consistent performer for a few years and is supported by adequate staff and equipment.

CCP Group Pty Ltd is a local contractor employing local staff and purchasing product locally. CCP Group have provided enough information that confirms a satisfactory outcome would be achieved.

The evaluation panel agreed that additional contractors be appointed to the panel to support, in particular, the growth in capital works associated with the footpath renewal program. This recommendation supports the addition of two panel members increasing

the panel to nine members. In appointing additional members attention has been paid to addressing the requirement for additional Kerbing expertise within the appointed panel.

Environmental Implications

Any environmental implications associated with this contract will arise from the execution of this service / works. It is considered that these are the responsibility of the Contractor and will be managed through the contract documentation.

Financial Implications

This is a schedule of rates tender and will rely upon the funds allocated in Council's budget code C02307 for the 2014/15 financial year. The budget allocation for this service is approximately $2,775,000 per annum.

Policy/Legal/Statutory Implications

The requirements of Section 186 of the Local Government Act have been complied with for this tender. There are no other policy, legal or statutory implications associated with this tender process.

Officer Direct or Indirect Interest

No officers or contractors involved in the preparation of this report have a direct or indirect interest in matters to which this report relates.

Risk Assessment

There are not considered to be any risks associated with the acceptance of this tender that cannot be managed through the contract conditions.

Social Considerations

There are no social implications that will arise from the acceptance of this tender.

Communications

There are no communication issues associated with the acceptance of this tender. Councils representative will liaise with affected community groups.

Cr E Kontelj declared an Indirect Interest by a Conflicting Duty in Agenda Item – Consideration of Tender Submissions for Tender T1400025 – Supply of Concrete and Concrete Works in that the successful tenderer is a customer of his employer and left the room prior to discussion at 9.00pm

15. CONSIDERATION OF TENDER SUBMISSIONS FOR TENDER NO. T1400026 SUPPLY OF ASPHALT WORKS PRODUCTS & SERVICES

Portfolio: **Infrastructure Parks & Gardens – Cr Ellis**
Source: **City Services – Engineering Services**
General Manager: **Gary Van Driel**
Index Reference: **Project T1400026**

Purpose

To provide Council with the requisite information to facilitate the approval of the tender evaluation panel's recommendation in relation to the supply of Asphalt Works Products and Services tender.

Summary

- Council has sought tenders for the annual supply of asphalt works, reinstatement / maintenance patching works and asphalt products throughout the municipality for a period of one year from 1 July 2014 to 30 June 2015 with the option for a further year dependant on satisfactory performance.
- The works in this annual supply contract include three components:
  a) supply and lay of Asphalt works program
  b) supply Asphalt and associated Asphalt products
  c) supply of Asphalt reinstatement / maintenance patching works.
- A total of four (4) companies have provided tender submissions for a) the supply and lay of Asphalt works program.
- A total of four (4) companies have provided tender submissions for b) the supply of Asphalt and associated Asphalt products.
- A total of five (5) companies provided tender submissions for c) the supply of Asphalt reinstatement / maintenance patching works.
- The estimated annual value of the a) supply and lay of Asphalt works program associated with this contract is $3,000,000.
- The estimated annual value of b) supply of asphalt associated products with this contract is $0.750M.
- Maintenance patching works will predominantly relate to a range of reinstatement work carried out by Council for other Authorities throughout the financial year/s. Quantity, timing and value of the portion of this reinstatement work allocated to Council is dependant on periodic maintenance works, capital upgrade programs and urgent maintenance carried out by those Authorities and cannot be accurately predicted in advance.
- Following a detailed evaluation of each of the submissions it is considered that the tender submission submitted by Fulton Hogan Industries Pty Ltd for a) supply and lay of Asphalt Works program is preferred.

- Following a detailed evaluation of each of the submissions it is considered that the tender submissions submitted by Fulton Hogan Industries Pty Ltd and Boral Resources (Vic) Pty Ltd for b) supply of Asphalt and associated Products are preferred.
- Following a detailed evaluation of each of the submissions it is considered that the tender submission submitted by Fulton Hogan Industries Pty Ltd, Hetekaro Pty Ltd trading as Asphalt Paving Services and Econopave Asphalt Services Pty Ltd for supply of Asphalt reinstatement / maintenance patching works are preferred.

Cr Ellis moved, Cr Richards seconded -

That Council:

1) **accept the tender associated with Tender No. T1400026 submitted by Fulton Hogan Industries Pty Ltd for part a -The supply and lay of asphalt works program (part a) in accordance with the rates submitted in their Tender exclusive of GST;**

2) **accept the schedule of rates tender associated with Tender No. T1400026 submitted by Boral Resources (Vic) Pty Ltd & Fulton Hogan Industries Pty Ltd for part b -The supply of Asphalt and associated products in accordance with the rates submitted in their Tender exclusive of GST; and**

3) **accept the schedule of rates tender associated with Tender No. T1400026 submitted by Hetekaro Pty Ltd trading as Asphalt Paving Services, Econopave Asphalt Services Pty Ltd & Fulton Hogan Industries Pty Ltd for part c - The supply of Asphalt reinstatement / maintenance patching works in accordance with the rates submitted in their Tender exclusive of GST; and**

4) **sign and seal the contract documents.**

Cr Farrell left the meeting room at 9.09pm
Cr Farrell re-entered the meeting room at 9.11pm

Amendment

Cr Heagney moved, Cr Farrell seconded –

That Council:

1) **accept the tender associated with Tender No. T1400026 submitted by Fulton Hogan Industries Pty Ltd for part a -The supply and lay of asphalt works program (part a) in accordance with the rates submitted in their Tender exclusive of GST;**

2) **accept the schedule of rates tender associated with Tender No. T1400026 submitted by Hetekaro Pty Ltd trading as Asphalt Paving Services, Econopave Asphalt Services Pty Ltd & Fulton Hogan Industries Pty Ltd for part c - The supply of Asphalt reinstatement / maintenance patching works in accordance with the rates submitted in their Tender exclusive of GST; and**

3) **sign and seal the contract documents.**

Lost.

Cr Richards moved, Cr Heagney seconded –

That consideration of the report be deferred.

Lost.

The motion was then put and carried.

Background

Tenders for the Annual Supply of Asphalt Works, Reinstatement / Maintenance Patching Works and Asphalt Products were invited via public advertisement in the Geelong Advertiser and The Age on Saturday 8 March 2014.

At the close of tenders on Wednesday 2 April 2014 the following tender submissions were received:

Tenderer
Fulton Hogan Industries Pty Ltd
Boral Resources (Vic) Pty Ltd
Greenhall Pty Ltd
Hetekaro Pty Ltd trading as Asphalt Paving Services
Econopave Asphalt Services Pty Ltd
Alex Fraser Asphalt Pty Ltd

All tenders have been submitted exclusive of GST.

Discussion

The tender submissions associated with this (project/service) were evaluated by a panel consisting of:

Gary Van Driel	General Manager City Services
Vicki Shelton	Manager Engineering Services
Mat Trezise	Senior Civil Inspector
Colin Vagg	Maintenance Officer Works NZ
Joshua King	Co-ordinator Construction
Jeff McArthur	Contracts Officer (non voting member)

Stage One – Mandatory Criteria

OHS mandatory requirements applies to this Tender.

Each of the submissions responded to the mandatory requirements set down in the Tender documents.

Stage Two –Comparative Criteria

a) Supply and lay of Asphalt Works Program

Tender submissions were assessed based on the respondent's performance or tender response in the following areas:

Criteria	Weighting
Financial Assessment	60%
Project Delivery	25%
Quality	5%
Economic Contribution to Region	5%
Customer Service	5%

At the conclusion of the evaluation the tenderers were ranked in the following order in accordance with the above criteria:

Tenderer	Ranking
Fulton Hogan Industries Pty Ltd	1
Boral Resources (Vic) Pty Ltd	2
Alex Fraser Asphalt Pty Ltd	3
Greenhall Pty Ltd	4

Alex Fraser Asphalt Pty Ltd provided the lowest priced tender submission. Whilst their submission overall was confirming, the evaluation panel determined that when both price and non price criteria were considered that Alex Fraser Asphalt Pty Ltd did not represent best value to Council.

At the conclusion of the evaluation process, the evaluation panel determined that Fulton Hogan, the highest ranked tender, represented best value to Council.

Fulton Hogan Industries Pty Ltd has undertaken the works component of this tender for the past fourteen (14) years and during that time has provided excellent service that consistently met quality, time and cost considerations.

Fulton Hogan Industries Pty Ltd fully understand Council's requirements and their costing structure and methodologies are reflected in their competitive pricing. Fulton Hogan Industries Pty Ltd provided an excellent tender submission highlighted by their commitment to quality, customer service, flexibility and responsiveness. Fulton Hogan Industries Pty Ltd have demonstrated their ability to successfully undertake the placement of asphalt under the works component of this contract and the evaluation panel believe that they will continue to provide an excellent quality service to Council.

Therefore, Fulton Hogan Industries Pty Ltd is recommended by the evaluation panel to undertake the Supply and lay of Asphalt Works Program.

b) Supply Asphalt and associated Asphalt Products

Tender submissions were assessed based on the respondent's performance and tender response in the following areas:

Supply Only – Asphalt Products	
Criteria	**Weighting**
Project Delivery	60%
Quality	10%
Economic Contribution to Region	10%
Quality	10%
Environment & Risk	10%
Total	100%

At the conclusion of the evaluation the tenderers were ranked in the following order in accordance with the above criteria:

Tenderer	Rank
Fulton Hogan Industries Pty Ltd	Equal 1st
Boral Resources Pty Ltd Trading as Boral Asphalt	Equal 1st
Greenhall Pty Ltd	3
Alex Fraser Asphalt Pty Ltd	4

Tenders were assessed against the comparative criteria to determine whether they possess the necessary project delivery resources, experience and ability. Suppliers who achieved a rating of acceptable or higher were then evaluated on their ability to provide value for money to Council.

The suppliers who combined the necessary skills while providing competitive prices were rated suitable for inclusion on the supply panel.

Fulton Hogan Industries Pty Ltd and Boral Resources (Vic) Pty Ltd are the incumbent preferred suppliers for the supply of asphalt and associated products to Council. Both companies provided competitive pricing for supply of asphalt and associated products; it was therefore considered that for the supply component of this tender that Fulton Hogan Industries Pty Ltd along with Boral Resources (Vic) Pty Ltd be engaged as the preferred suppliers.

c) Supply of Reinstatement / Maintenance Patching Works and Asphalt Products

Tender submissions were assessed based on the respondent's performance and tender response in the following areas:

Supply of Reinstatement / Patching Works and Asphalt Products	
Criteria	**Weighting**
Project Delivery	60%
Quality	10%
Environment & Risk	10%
Customer Service	10%

Economic Contribution to Region	10%
Total	100%

At the conclusion of the evaluation the tenderers were ranked in the following order in accordance with the above criteria:

Tenderer	Rank
Fulton Hogan Industries Pty Ltd	1
Hetekaro Pty Ltd trading as Asphalt Paving Services	2
Econopave Asphalt Services	3
Alex Fraser Asphalt Pty Ltd	4
Greenhall Asphalt Pty Ltd	5

Tenders were assessed against the comparative criteria to determine whether they possess the necessary project delivery resources, experience and ability. Suppliers who achieved a rating of acceptable or higher were then evaluated on their ability to provide value for money to Council.

The suppliers who combined the necessary skills while providing competitive prices were rated suitable for inclusion on the Supply of Reinstatement / Maintenance Patching Works and Asphalt Products panel.

The evaluation panel determined that three (3) tenderers satisfactorily addressed the evaluation criteria and provided competitive pricing for the supply of reinstatement / patching works and asphalt products. Therefore, the evaluation panel recommend that Fulton Hogan Industries Pty Ltd, Hetekaro Pty Ltd trading as Asphalt Paving Services, and Econopave Asphalt Services Pty Ltd be appointed to a Council panel of suppliers.

Environmental Implications

Any environmental implications associated with this contract will arise from the execution of this service / works. It is considered that these are the responsibility of the Contractor and will be managed through the contract documentation.

Financial Implications

This is a schedule of rates tender and will rely upon the funds allocated in primarily Council's budget code C02306 for the 2014/15 financial year. The estimated annual costs of this contract are as follows:

Supply and lay of Asphalt Works Program - $3,000,000.00

Supply Asphalt and associated Asphalt Products - $750,000.00

Supply of Reinstatement / Maintenance Patching Works and Asphalt Products - Maintenance patching works will predominantly relate to a range of reinstatement work carried out by Council for other Authorities throughout the financial year/s. Quantity, timing and value of the portion of this reinstatement work allocated to Council is dependant on periodic maintenance works, capital upgrade programs and urgent maintenance carried out by those Authorities and cannot be accurately predicted in advance.

Policy/Legal/Statutory Implications

The requirements of Section 186 of the Local Government Act have been complied with for this tender. There are no other policy, legal or statutory implications associated with this tender process.

Officer Direct or Indirect Interest

No officers or contractors involved in the preparation of this report have a direct or indirect interest in matters to which this report relates.

Risk Assessment

There are not considered to be any risks associated with the acceptance of this tender that cannot be managed through the contract conditions.

Social Considerations

There are no social implications that will arise from the acceptance of this tender.

Communication

There is no communication issues associated with the acceptance of this tender. Council's representative will liaise with affected community groups.

16. AUDIT ADVISORY COMMITTEE SUMMARY REPORT

Portfolio: **Governance – Cr Lyons (Mayor)**
Source: **Corporate Internal Auditor and Ombudsman**
A/Chief Executive Officer: **Dean Frost**
Index Reference: **Audit CG - Internal**

Cr Richards moved, Cr Nelson seconded -

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

Carried.

RECORD OF ASSEMBLIES OF COUNCILLORS
(Council Meeting 10 June 2014)

Assembly Details	Councillor Attendees	Officer Attendees	Matters Discussed	Conflict of Interest Disclosures
Women in Community Life Advisory Committee **2 June 2014**	Cr Farrell	J Wager (CO ORD) H Waterson (OFF)	• Mapping of existing networks • Events/activities for women in Geelong • Training and leadership development • Council policies and references – Gender Equality • Girl Rising • Response, request to join WICLAC • Victorian Honor Roll for Women • Facebook page – updates • Kelly Nagle • Draft WICLAC key themes • Prioritizing of Activities	Nil.
Councillor Briefing **3 June 2014**	Crs Ansett, Ellis, Farrell, Fisher, Harwood, Heagney, Irvine, S Kontelj, E Kontelj, Richards	D Frost (A/CEO) J McMahon (GM) P Bettess (GM) G Van Driel (GM) P Jane (A/GM)) M Kelly (A/GM) R Walker (EXEC DIR) J Brown (MGR) A Grant (PROP ADV) B Johnsen (OFF) A Paterson (EO – MAYOR)	• Update on GREP Activities – May 2014 (Confidential) • Sale of Land – Old Geelong Gaol • Sale of Land – 91 The Parade, Ocean Grove • Sale of Land – 16-18 Wilkins Close, Corio • CEO Recruitment Committee • Amendment C298 Combined Rezoning and Planning Permit Application 782/2013 – Consideration of Submissions • Leopold Bay Access Project – Revised Scope • National Partnership Agreement on Preventive Health • Geelong Regional Library Corporation Municipal Contribution • Central Geelong Taskforce Special Committee Appointments • Sustainable Sport Strategy (Service Review) – Strategy Objectives and Guiding Principles • Adoption of Disability Action Plan 2014-2017 – Submission and Proposed Contribution by the Owner • Council Attendance at International Gambling Conference	Cr E Kontelj declared a Conflicting Personal Interest in Tender T1400025 – Supply of Concrete and Concrete Works, however the item was not discussed.

			• Tender T1400026 – Provision of Asphalt Works, Services and Products • Tender T1400025 - Supply of Concrete and Concrete Works • CPL275.1 Flood Warning Policy Review • Geelong Indoor Recreation Facilities Strategy • City of Greater Geelong Physical Activity Strategy	

ASSEMBLY OF COUNCILLORS RECORD

Portfolio: **Governance – Cr Lyons (Mayor)**
Source: **Corporate Services**
Act/General Manager: **Michael Kelly**

Summary

- Section 80A (2) of the Local Government Act 1989 requires the record of an Assembly of Councillors be reported to the next practicable Ordinary Meeting of Council.
- A record of Assembly of Councillors meeting(s) is attached as an Appendix to this report.

Cr Ellis moved, Cr Fisher seconded

That the information be received.

Carried.

CLOSE OF MEETING

Cr Richards moved, Cr Heagney seconded –

That the meeting be closed to the public.

Carried.

The Meeting was closed to the public at 9.13pm

A record of the proceedings of this section of the meeting is contained in a Confidential Minute Book.

The Meeting was opened to the public at 9.16pm

As there was no further business the meeting closed at 9.16pm. Tuesday, 10 June 2015.

Signed: _____
Chairperson

Date of Confirmation: _____