

QUESTIONS AND RESPONSES TO QUESTION TIME TUESDAY, 10 JUNE 2014

The following questions were addressed to the above meeting. Some questions were adequately responded to at the meeting, however others required a more detailed response in writing.

This document includes both verbal and written responses. In this instance, no written responses were provided as issues were adequately addressed at the meeting.

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

Letters of response have been forwarded to the above in relation to their submitted questions.

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 Chauffeur 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 Chauffeur 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.

**A subsequent written response was provided by the
Manager Customer Services and Councillor Support in the following terms:**

The following provides the City of Greater Geelong's response to your questions raised during question time at the Council Meeting dated 10 June 2014:

- Upon his election in November 2013, the Mayor Cr Darryn Lyons opted not to receive the entitlement of a fully maintained vehicle, which includes private use privileges. Instead, the use of a driver for the current Mayor was agreed under arrangement by the City of Greater Geelong.
- When engaged by the City, the driver is commissioned by officers with authority specific to expenditure activities pertaining to the Mayor's role and civic duties.
- There are effective governance and decision making arrangements in place to ensure appropriate use and scrutiny of this resource.
- The current arrangement excludes private use purpose.
- The approval of any expenditure by the City is reconciled against such permitted use.
- The driver is fully aware of the City's requirements and has received appropriate guidance in meeting their responsibilities.
- The extent to which Darryn Lyons approaches or utilises the driver for private purposes is a matter between them.
- The use of a driver has been permitted by the City of Greater Geelong on the basis that the costs not exceed the provision of a fully maintained Mayoral vehicle. At the time of writing this response we can advise that the cost associated with this activity since being introduced is well below that of the provision of a fully maintained vehicle.
- The city is currently conducting an internal review of this arrangement which will be completed by June 30, 2014. The results of this review will determine whether this service should be maintained under new or extended arrangement or alternately will offer consideration of the alternatives.

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 exemplified 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.

**A subsequent written response was provided by the
Acting General Manager Projects, Recreation & Central Geelong in the following terms:**

I refer to your questions raised at Council's meeting of 10 June 2014 regarding Open Space Strategic Planning. Please find below responses to the four questions you raised at the meeting.

Question 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?

RESPONSE: Council minutes are not verbatim record of what was verbally discussed on the night, rather it records the salient points of the response. Normal practice is for questions taken on notice to be responded to within 14 days.

Question 2

- a) 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?

RESPONSE: The Open Space Plan is underway with an expected completion date of April 2015.

- b) Will such a policy be in line with other Vic Country Regional Councils, which already have such policies in place, such as:- Ballarat, Golden Plains, Colac/Otway and Surf Coast?

RESPONSE: Council's plan will be unique to the City and reflect its unique characteristics.

- c) Regarding the possible re-zoning to residential and sale of the Ocean Grove old Netball Reserve, will Council take into consideration this impending implementation of an Open Space Strategy?

RESPONSE: No we have a current Open Space Strategy and a number of supporting Master Plan documents that support the sale.

- d) Is it wise to hurriedly sell this valuable land before a fully functional Open Space Strategy is activated?

RESPONSE: The land sale is noted in a number of recent strategic plans that support the sale of this land.

- e) How will Council compensate, in future, for the loss of this informal open space, and be in line with current guidelines as exemplified by the recent Investigative Report of the Victorian Environmental Assessment Council (VEAC) (Presented to Vic Govt)?

RESPONSE: I assume that you are referring to the Melbourne investigation of 2011, and if so Council will determine its own policies and practices through the Open Space Strategy.

- f) 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?

RESPONSE: The situation at Whitehouse is significantly different from that of Geelong. Council's Open Space plan will include a strategy for the acquisition and sale of lands.

- g) Has Council, recently this year, consulted with the Ocean Grove Football and Cricket Clubs re: their intended on-going Active Sport usage at Memorial Reserve Oval?

RESPONSE: The Ocean Grove sporting Infrastructure plan refers to the future use. Council is in constant discussions with the Ocean Grove sporting clubs.

- h) Are recent suggestions from some Council quarters that Memorial Reserve will be converted to an informal, passive open space correct?

RESPONSE: I am unaware of these discussions and they are inconsistent with the endorsed plan.

- i) 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? Will review be undertaken annually?

RESPONSE: There is little value in an annual review. The document intent is to set the policy framework that allows officers to make considered decisions and will be integrated into the planning scheme; the other council's plans you refer to are of a lesser order than the City's – given its planning scheme connection.

- j) 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?

RESPONSE: Council will always consider community ownership and management of spaces for the best community outcome.

Question 3

In fairness to our local Ocean Grove neighbourhood community, as distinct from more distant sections of Ocean Grove beyond the safe, walkable catchment of approx 400 to 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? (This recommendation was recently suggested to me by Mr Jayson Moran, who was the Manager of the project: 'Bellarine Peninsula Recreation and Leisure Needs Study 2005')

RESPONSE: This is not required. The decision to retire has been previously independently assessed (J Moran, Sporting Infrastructure Plan).

Question 4

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?

RESPONSE: An environmental site assessment will be undertaken.

Should you require any further information, please contact me on telephone 5272 4693 or email pjane@geelongcity.vic.gov.au

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.