



MINUTES

ORDINARY MEETING OF COUNCIL

Tuesday, 10 March 2015

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

COUNCIL:

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

SECTION A - PROCEDURAL MATTERS

Acknowledgements	1
Apologies	1
Confirmation of Minutes	1
Declarations of Conflicts of Interest.....	1
Question Time.....	2-4
Petitions	4

SECTION B – REPORTS

1. Council Land in Draper Street, Ocean Grove – Consideration of Submissions and Sale by Expressions of Interest.....	5-9
2. Financial Management Report – December 2014.....	10-17
3. Emergency Management – Municipal Management Plan 2015-2017	18-21
4. Delegations and Authorisations – Council to Staff	22-27

SECTION C – NOTICES OF MOTION

❖ Review of Electronic Bill Distribution and Payment Opportunities	28
❖ Re-establishment of Asbestos Working Group	29

SECTION D – ASSEMBLY OF COUNCILLORS

**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 MARCH 2015
COMMENCING AT 7.00P.M.**

PRESENT: Crs D Lyons (Mayor), T Ansett, L Ellis, J Farrell, K Fisher, B Harwood, M Heagney, J Irvine, E Kontelj, R Macdonald, A Richards

Also present: G Miles (Chief Executive Officer), A Keen (Acting General Manager Strategy & Performance), P Bettess (General Manager Planning and Tourism), J McMahon (Acting General Manager City Services), L Quinn (Acting General Manager Community Services), J Brown (Manager Administration and Governance), J Merlo (Senior Media Officer), A Paterson (EO – Mayor)

OPENING: The 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: Crs R Nelson, S Kontelj

LEAVE OF ABSENCE:

Cr Irvine moved, Cr Harwood seconded –

That Leave of Absence be granted to Cr Nelson from 3-13 March 2015, inclusive, Cr S Kontelj from 8 – 22 March 2015, inclusive and Cr Lyons (Mayor) from 27 March to 2 April 2015, inclusive.

Carried.

CONFIRMATION OF MINUTES:

Cr Ansett moved, Cr Ellis seconded -

That the Minutes of the Ordinary Meeting held on 24 February 2015 be confirmed and signed.

Carried.

DECLARATIONS OF CONFLICTS OF INTEREST:

Nil.

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.

Debra Schulz submitted a question prior to the Council Meeting but as she was not present at the meeting a written response will be forwarded.

Andrew Kelly asked the following in relation to Amendment C276:

- 1) The summary of Amendment C276 speaks at dot point 10 of Council awaiting a formal response from the Department of State Development, Business and Innovation regarding the potential impact of the Boral limestone quarry on the subject land and associated separation distances. Has this formal response been received and if so, what does it say?

Peter Bettess responded that a response was received during mid-November which indicates the distance being 250 metres from the limit of extraction shown on the VicRoads plan. Mr Bettess indicated he would forward a copy of the VicRoads plan. A report will be coming back to Council outlining all the relevant information.

- 2) A Notice of Motion regarding traffic and vehicle infrastructure in Waurn Ponds approved Council officers to prepare a report covering current and future traffic infrastructure needs for Waurn Ponds and present it to Council by the end of February 2015. I recall the date being quite specific because although not noted in the Minutes, Cr Heagney to her credit was keen to ensure any recommendations could be included in the 15/16 budget. Has this report been completed in the agreed timeframe and if so, is it publicly available?

Cr Richards responded Council officers preparing the report have advised it has become a substantial piece of work. A report is scheduled to be presented to Council at the end of March.

- 3) How are the existing user groups (swimming, netball, football (local), football (AFL) and cricket) and wider community users of the precinct protected or compensated from development of the Park which may include the loss of space, car parking, fields, training facilities, amenity, trees etc?

The Mayor advised this has now become a State Government issue.

Rieny Nieuwenhof – President – Geelong Vietnam Veterans Association asked the following:

Councillors may be aware that the Geelong Vietnam Veterans Association has communication with the City of Greater Geelong regarding the Vietnam Veterans Association Avenue of Honour Project (2014-2016).

This project involved three stages:

Stage One – replacement trees have been planted and new signage erected.

Stage Two – a pathway and illuminated panel with the names of the 521 KOA is in process.

Stage Three – will see panels erected along Swinburne Street telling the Vietnam story.

Tonight I wish to speak in regard to the relocation of the large community billboard located within the Vietnam Veterans Avenue of Honour.

Whilst we did receive a phone call that our letter had been received and a further phone call that Council Officers would contact us by mail to organise a meeting, nothing (as this stage) has been progressed further.

As our Councillors are great supporters of the Vietnam Vets, and knowing what we are trying to do to restore the integrity to the Avenue of Honour, I ask that the matter of the community billboard be brought forward in your discussions. I am aware that a budget allocation will need to be made for the relocation of the billboard in the 2016 Budget and hence my urgency in getting some resolution to this matter.

The Mayor responded he will set up a meeting as a matter of urgency to discuss and bring back to Council.

Cr E Kontelj added he has been in contact last week to offer assistance and support regarding the issue. He indicated he would take it up with officers tomorrow and advised he had also briefed Cr S Kontelj (Portfolio Holder for Veteran Affairs) last week. Contact will be made with you upon Cr S Kontelj's return.

Cr Farrell asked that any Budget allocations be circulated to all Councillors.

Kirrily Hayward asked her question in relation to supported accommodation for people with disabilities:

Can Council please advise how long it would take to occur from here for an actual building to go up on the allocated land for disability housing?

Linda Quinn advised there is a lot of planning to happen and is unable to provide an exact timeframe.

Damian Tom – President – Manifold Heights Cricket Club

Is Council aware of the risk and state of Oval Number 2 Hurst Reserve?

What can Council do to help us redevelop that ground?

Cr Irvine responded he is personally aware of the condition of the land and agreed it is a disgrace and dangerous and will be considered in Council's Budget deliberations.

Paul Jane advised he will take up the matter with his staff.

PETITIONS: Nil.

1. COUNCIL LAND IN DRAPER STREET OCEAN GROVE – CONSIDERATION OF SUBMISSIONS AND SALE BY EXPRESSIONS OF INTEREST

Portfolio: Community Development - Cr Fisher
Source: Community Services - Aged and Disability Services
Act/General Manager: Linda Quinn
Index Reference: **Subject:** Aged and Disability Care – Disability
Subject: Community and Social Planning – Housing
Property: 77-79 Draper Street, Ocean Grove

Purpose

The purpose of this report is for Council to consider submissions received and approve the 'expressions of interest' (EOI) process for the transfer of land at 77 and 79 Draper Street Ocean Grove to a provider of supported accommodation for people with disabilities.

Summary

- At its meeting on 22 July 2014, Council resolved to offer the land at 77 and 79 Draper Street, Ocean Grove ("the land") to a not for profit organisation for the purpose of providing supported accommodation for people with disabilities.
- Due to anomalies with the initial notice of intention to sell the land, Council resolved on 14 October 2014 to republish its notice of intention to sell the land. 8 supporting submissions were received and none sought to be heard. A summary of all submissions is provided in Attachment 1.
- There is a lack of suitable supported accommodation for people with disabilities in the municipality and in particular on the Bellarine.
- Council's intention is to ensure that the land continues to be used for local community benefit and to broaden the availability of alternative housing options for people with disabilities.
- This report and Attachment 2 provide the Terms of Reference for the EOI process which include:
 - Process and timelines.
 - Objectives.
 - An assessment Panel consisting of senior management staff to assess EOI's and recommend to Council a preferred provider.
 - Selection criteria.

Cr Farrell moved, Cr Fisher seconded -

That Council having considered all submissions made in response to the notice of intention to sell the land at 77-79 Draper Street ("the land"), Ocean Grove:

- 1) to offer the land for sale by expressions of interest at nil consideration to a provider of supported accommodation for people with disabilities.**
- 2) notifies in writing, each person who has made a submission of Council's decision and the reasons for that decision; and**
- 3) endorses the Terms of Reference for the Expression of Interest for the land at 77 and 79 Draper Street, Ocean Grove.**

Carried.

Division Requested:

For: Crs Ansett, Ellis, Farrell, Fisher, Harwood, Heagney, Irvine, Macdonald,
Richards

Against: Cr Lyons, E Kontelj

Background

At its meeting on 22 July 2014, Council resolved to offer the land at 77 and 79 Draper Street, Ocean Grove ("the land") to a not for profit organisation for the purpose of providing supported accommodation for people with disabilities.

Due to anomalies with the initial notice of intention to sell the land, Council resolved on 14 October 2014 to republish its notice of intention to sell land at 77-79 Draper Street, Ocean Grove.

This report considers all submissions received to that notice and recommends an expression of interest process to implement Council's intentions in relation to the land.

A total of 8 supporting submissions were received to the notice and they are summarised in Attachment 1. Two of those submissions initially indicated that they wished to be heard in respect of their submissions, however those requests were subsequently withdrawn. As no submitters wanted to be heard the Submissions Review Panel was not required to convene.

There is a shortage of community based accommodation, particularly for young people with disabilities. Young people whose disabilities limit their ability to live with their family, those who are ready to leave home and adults up to the age of 65 who require supported accommodation have few appropriate housing options. There are also many young people whose only supported accommodation option was in residential aged care. Residential aged care has been found to be inappropriate for most young people with disabilities, resulting in an inferior life experience, limited lifestyle and choice.

Council's decision to transfer ownership of the Draper Street land for the purposes of community supported accommodation will ensure that more housing opportunities for people with disabilities will be realised on the Bellarine Peninsula.

In accordance with Council's resolution of 21 October 2014, the expression of interest process has been appropriately defined through terms of reference which includes the decision making process and the selection criteria (see Attachment 2). These are being presented for Council's endorsement.

Discussion

Consideration of Submissions Received

All submissions received support the recommendations.

EOI Process and Selection Criteria

The following section describes the EOI process and selection criteria recommended to enable the land to be transferred to a provider of supported accommodation for persons with disabilities.

- **Selection Criteria, Selection Panel, Probity and Timetable**

Refer to Attachment 2 – Terms of Reference.

The proposed terms of reference details the process and timelines for seeking expressions of interest, the objectives which Council is wanting to achieve, the establishment of a panel to make a recommendation to Council and the selection criteria.

The proposed process and timelines section outlines the method of advertising the expression of interest, the period of time for advertising and the process of evaluation. It is expected that interviews with a shortlist of interested parties will be held. Reference checking will also be an important part of the process.

Objectives have been detailed in the terms of reference to provide guidance to interested parties as to Council's intent. This is further articulated in a contextual statement, which is also included in the terms of reference.

It is proposed that a four member panel, consisting of the General Manager Community Services, General Manager Strategy and Performance, Manager Community Development and an Independent Member or their delegates be established to assess the EOIs. The panel will call upon other expertise as necessary.

The selection criteria have been developed to ensure that the best outcome is achieved. The criteria include experience in disability services, knowledge and capacity of the organisation to deliver a successful outcome. It is important that the successful organisation be financially sound and able to continue to deliver accommodation services in the long term.

- **Advertising**

The EOI will be widely advertised including Geelong Australia website, The Independent, Geelong Advertiser, and any other relevant media. In addition, local organisations with known expertise in this area will be informed of the EOI process, in addition to those who have already registered interest.

Reference to the EOI process also will be made in the regular internet and print media notices relating to Council procurement requirements.

- **EOI Document**

An EOI document will be made available to all respondents. The document will include Council's objectives, land locality and title details, statutory obligations of Council as vendor, EOI process and program, transfer of land process and s173 Agreement details. The evaluation criteria will also be incorporated to ensure interested organisations clearly understand how their proposal will be assessed. This will ensure transparency in the process.

- **Contractual documents**

Contractual documents which will be made available in draft form as part of the EOI process include the contract of sale, vendor's statement and the s173 Agreement which will ensure Council's objectives are met and its financial interest in the land to be transferred without consideration are protected. Details of the s173 Agreement are provided in the Policy/Legal/Statutory Implications section of this report.

Environmental Implications

Due to the former use of the land for a Council depot, an environmental site assessment (ESA) has been commissioned and will be made available as part of the EOI process.

Financial Implications

As property assets are disposed of the written down value is adjusted on the asset register.

The transfer of the Draper Street lots without consideration will create a funding gap in Council 2014-15 budget.

Policy/Legal/Statutory Implications

Under the Local Government Best Practice Guideline for the Sale and Exchange of Land, the Council is required to -

- Explain the circumstances, reasons and factors relating to the decision if land is to be sold at less than market value. The reason for offering the land at nil consideration is to support and encourage the need for supported accommodation for people with disabilities in the local and wider community.
- Sell land by public process wherever possible. Sale of the land by publicly inviting expressions of interest will address this requirement.

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.

As part of the contract of sale the purchaser (provider) will be required to register a s173 Agreement on the title immediately following transfer which contains the following summary conditions:

- The purchaser must apply for and obtain a planning permit for the provision of supported accommodation for people with disabilities ("the intended purpose") within a defined period of transfer of the land.
- The purchaser is required to commence construction of supported accommodation for a minimum of 5 people with disabilities on the land within defined period of obtaining a planning permit, and complete the building within defined period of commencement of construction.
- The purchaser may only use the land for the intended purpose.
- If the purchaser fails to obtain a planning permit, or complete the building within the defined period, or intends to cease use for the intended purpose, it must notify Council. If the owner fails to notify Council of any of these events Council may give notice.
- Either event triggers the right for Council to purchase. The right to purchase is on the basis that Council pays the owner for the value of the improvements if any at a valuation to be obtained. The Council may choose to exercise or not exercise the right to purchase.
- If the Council does not exercise the right the owner may sell the land and improvements and pay the Council the market value of the unimproved land.
- If the owner is in default of any of its obligations defined in the Agreement, and fails to remedy the default following a notice from the Council, it must transfer the land and improvements to the Council and the Council has no obligation to reimburse the owner for the land or improvements.

Alignment to City Plan

The transfer of the land to a provider of supported accommodation for people with disabilities is consistent with the connected, creative and strong communities priority under the Community Wellbeing strategic priority.

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 transfer of this land are able to be managed following normal management procedures and processes.

Social Considerations

The provision of supported accommodation in Ocean Grove for people with disabilities will ensure that this community is able to access specialised housing and support services.

Human Rights Charter

The subject of this report enhances the rights of people with disabilities in the local community in that it assists in the provision of disability specific housing.

Consultation and Communication

A consultation plan will be developed to ensure that the decision of Council is clearly communicated to the community. This will be delivered by Community Services through Council's media and communications department.

Attachment 1 – Submission Received in Response to the Notice of Intention to Sell Land

Sale 77-79 Draper Street Ocean Grove – Written Submissions to Notice of Intention to Sell Land Notice Published 25 October 2014 ending 24 November 2014 All supporting submissions unless other wise indicated		
#	Submitter	Submission Summary
1	Kylie Payne Scope West Division	• Supports proposal to offer land for provision of supported accommodation for people with disabilities. • Full potential of NDIS will not be realised if people cannot access suitable housing. • Scope supports rights of people with disabilities to live independently within their own communities. • Nationwide shortfall in suitable accommodation. • The cost of land is a barrier to providing suitable accommodation.
2	Annette Wilkinson	• Commends Council's decision to offer land for provision of supported accommodation for people with disabilities. • Urges Council to proceed as soon as possible.
3	Luisa Brent	• Submission relates to planning scheme zoning of the Draper and Asbury Sts land. • Supports rezoning providing land is used for provision of supported accommodation for people with disabilities. • Wants some of Asbury St land used for community type housing.
4	Housing Choices Australia	• Supports sale of land for provision of supported accommodation for people with disabilities. • Housing Choices is a not for profit housing association which supports people who are disadvantaged and struggling to find homes. • Draper St land is well located for this use.
5	Ocean Grove Community Association	• Recognises the need for and supports the provision of land for provision of supported accommodation for people with disabilities. • Supports Bellarine Supported Living a local group seeking to provide supported accommodation. • Highlights that Council has legal advice that it is free to transfer land without consideration. • Disputes the statement that there will be a funding gap for the Shell Road Sports Pavilion. • Will lobby Bellarine candidates for funding commitment for construction of accommodation.
6	Sophie Thomas Norm Thomas	• Supports sale of land for provision of supported accommodation for people with disabilities. • Have been investigating provision and funding for the service for many years. • Appreciates Council's decision to make land available.
7	Lyn Swan	• Concerned about on going care for disabled children once parents are no longer able to care for them. • No supported accommodation available on Peninsula. • Supports sale of land for provision of supported accommodation for people with disabilities.
8	Robyn Bradshaw	• Supports sale of land for provision of supported accommodation for people with disabilities. • Seeks prompt implementation of EOI process to allocate Draper St land to a provider.

EXPRESSION OF INTEREST PROCESS COMMUNITY BASED SUPPORTED ACCOMMODATION 77 AND 79 DRAPER STREET OCEAN GROVE

TERMS OF REFERENCE

1. PURPOSE

The purpose of this Terms of Reference is to detail the method by which Council will seek, assess and determine the most suitable organisation, with experience in the development and operation of supported accommodation for people with a disability, for which land at 77 and 79 Draper Street, Ocean Grove will be transferred.

2. PROCESS AND TIMELINES

STEPS	TIMELINE
1. Advertisements placed	
2. EOI closes	
3. Assessment by panel commences	
4. Interviews held	
5. Recommendation to Council	

3. CONTEXT

People whose disabilities limit their ability to live with their family, those who are ready to leave home and adults who require supported accommodation have, limited appropriate housing options.

For many people with disabilities, their only supported accommodation option is in residential aged care. Residential aged care is, invariably inappropriate for young people with disabilities, resulting in limited lifestyle choices and experiences.

Both the Commonwealth and State Governments recognise this through “My Future My Choice”. This joint program was initiated in response to the need for more appropriate community based housing options for younger people with disabilities. It is designed to assist young people who are currently living in, or are at risk of entry into residential aged care to be accommodated in more appropriate housing, with people of similar age.

4. OBJECTIVES

Council’s objectives are to:-

1. Use its landholding at 77 and 79 Draper Street Ocean Grove to facilitate the establishment of community based supported accommodation for people with disabilities living in Ocean Grove or on the Bellarine Peninsula as a priority.
2. Broaden the availability of alternative housing options for people with disabilities.
3. Ensure that this land currently in public ownership continues to be used for community good into the future.

5. PANEL

Council will establish a panel consisting of the General Manager Community Services, General Manager Performance & Strategy, Manager Community Development and an Independent Member or their delegates. The panel will be supported by appropriate officers as needed.

The role of the panel is to assess all expressions of interest against the established criteria (see point 6).

The panel will report to Council recommending a preferred organisation for which the land will be transferred.

6. SELECTION CRITERIA

Mandatory

- 6.1.1. The organisation is legally constituted and operates as a not for profit entity
- 6.1.2. Ability to deliver within timeframe and budget
- 6.1.3. The organisations statement of purpose and philosophy is consistent with the principles of self determination and inclusion of residents;
- 6.1.4. Financial capacity of the organisation; including the ability and certainty to finance the project

Comparative

- 6.1.5 Experience, capability and past performance in the management of supported residential accommodation facilities
- 6.1.6 Experience and capability in successfully developing, constructing, owning and operating similar facilities
- 6.1.7 Knowledge of demand and process for selection of residents
- 6.1.8 Can demonstrate community benefit
- 6.1.9 Proposed business plan for project and service delivery
- 6.1.10 Building concept and site layout (detailed plans not required).

7. PROBITY ADVISOR

The selection process will be governed by the principles of probity as outlined in an approved Probity Plan. To assist with this, a Probity Advisor to assist and contribute throughout the process will be appointed. Any changes to this process must be approved by the Probity Advisor and Probity Committee.

8. QUALITY RECORDS

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

Record	Retention/Disposal Responsibility	Retention Period	Location
Meeting minutes / agendas	Committee	Permanent	TBC
Correspondence	Committee	Permanent	TBC
Submissions	Committee	Permanent	TBC

2. FINANCIAL MANAGEMENT REPORT – DECEMBER 2014

Portfolio: Finance - Cr Lyons (Mayor), Cr Farrell, Cr E Kontelj
Source Strategy & Performance - Financial Services
Act/General Manager: Andrew Keen
Index Reference Financial Management \ Financial Reporting 2014-2015

Purpose

The Quarterly Financial Report for the period ending 31 December 2014 is prepared as a requirement of Section 138 of the Local Government Act 1989.

Summary

- Council approved amendments to the adopted Budget on 26 August 2014 and variances are reported based on comparing actuals to amended budget.
- The recurrent operating surplus for the half year is \$6.1M, being \$9.1M favourable to amended budget and reflects favourable performance and timing issues.
- The non-recurrent surplus for the half year is \$32.2M, being (\$0.3M) unfavourable to budget with unfavourable Gain/Loss on Sale of Property (\$1.0M), Capital Income (\$0.8M), offset by favourable Recognition of Infrastructure \$0.9M and Loss on Disposal of Infrastructure \$0.6M.
- Capital expenditure for the year to date is \$53.0M against a year to date projection of \$61.6M, which is \$8.6M underspent to projection.
- The cash and investment balance of \$48.0M is \$17.1M favourable to budget.

Cr E Kontelj moved, Cr Heagney seconded -

That Council note the Quarterly Financial Management Report to 31 December 2014.

Carried.

Background

The report is prepared as a requirement of Section 138 of the Local Government Act 1989 which requires that at least every three months a statement be presented to Council comparing the budget with the actual revenue and expense for the financial year-to-date.

Discussion

Operating

The December Management reports are provided in the following table to report year-to-date performance and full-year projection performance versus budget.

Summary

	YTD Actual \$M	YTD Am. Bgt \$M	YTD Var Fav/ (UnFav) \$M	FY Proj \$M	FY Am. Bgt \$M	FY Var Fav/ (UnFav) \$M
Recurrent Surplus/(Deficit)	6.10	(3.03)	9.13	(6.94)	(6.87)	(0.07)
Non-Recurrent Surplus/(Deficit)	32.16	32.48	(0.32)	72.72	74.15	(1.43)
Net Surplus/(Deficit)	38.26	29.45	8.81	65.78	67.28	(1.50)
Capital Expenditure	52.99	61.63	8.64	149.12	146.26	(2.86)
Closing Net Cash Positive/(Neg)	48.02	30.94	17.08		58.86	

The Adopted Budget was amended by Council on 26 August 2014 to include Carryover Capital and discretionary projects, plus other Capital and recurrent amendments.

The impact on the Recurrent Expenditure Budget is (\$7.06M), consisting of carryover discretionary projects funded in 2013-2014, plus other budget amendments.

The impact on Non Recurrent income was \$0.73M for carryover of capital income from 2013-2014 projects, plus other budget amendments.

The amended capital expenditure budget included an additional \$42.85M to complete 2013-2014 Projects, including Corio Landfill Rehabilitation, Geelong Library & Heritage Centre, Grovedale Integrated Children's Centre, Leopold Community Hub and Barwon Heads Early Learning Centre.

Other budget amendments (increase in Vic Roads Black Spot funding) increased total budget by \$1.06M.

1. Recurrent Variance Commentary	
1.1	1.1.1
1.2	1.2.1
1.3	1.3.1
1.4	1.4.1
1.5	1.5.1
1.6	1.6.1
1.7	1.7.1
1.8	1.8.1
1.9	1.9.1
1.10	1.10.1
1.11	1.11.1
1.12	1.12.1
1.13	1.13.1
1.14	1.14.1
1.15	1.15.1
1.16	1.16.1
1.17	1.17.1
1.18	1.18.1
1.19	1.19.1
1.20	1.20.1
1.21	1.21.1
1.22	1.22.1
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1.27	1.27.1
1.28	1.28.1
1.29	1.29.1
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1.41	1.41.1
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1.68	1.68.1
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1.88	1.88.1
1.89	1.89.1
1.90	1.90.1
1.91	1.91.1
1.92	1.92.1
1.93	1.93.1
1.94	1.94.1
1.95	1.95.1
1.96	1.96.1
1.97	1.97.1
1.98	1.98.1
1.99	1.99.1
1.100	1.100.1

	YTD Actual \$M	YTD Am. Bgt \$M	YTD Var Fav/ (UnFav) \$M	FY Proj \$M	FY Am. Bgt \$M	FY Var Fav/ (UnFav) \$M
Recurrent Income	149.67	147.29	2.38	291.27	292.32	(1.05)
Recurrent Expenditure	143.57	150.32	6.75	298.21	299.19	0.98
Recurrent Surplus/(Deficit)	6.10	(3.03)	9.13	(6.94)	(6.87)	(0.07)

YTD Variance - \$9.13M Favourable

The following major variances to budget contributed to this result:

Recurrent Income

\$M

General Rates and Charges – Favourable rates generation and supplementary rates YTD, expected to be offset by objections in full year. 1.58

Government Grants 0.86

Main favourable variances consist of:

- State Recurrent \$730K favourable (Aged & Disability Services \$646K (*HACC Services*) and Family Services \$85K).
- Federal Child Care Assistance \$403K favourable (Centre Based Long Day Care - offset by unfavourable Program Fees).
- Federal Other (\$117K) unfavourable – Grants Commission.
- State Recurrent (\$254K) unfavourable – Vic Roads School Grant not yet received.

User Charges (1.39)

Main unfavourable variances consist of:

- Activities & Program Fees (\$1,195K) unfavourable - Centre Based Long Day Care \$407K and Leisure Services \$854K (*Leisurelink \$483K and Waterworld \$213K*).
- Waste Disposal – Commercial (\$241K) unfavourable (Drysedale Landfill \$165K and North Geelong Transfer Station \$203K, offset by favourable Commercial Collection \$127K).

Offset by:

- Private Works Income \$268K favourable (Reinstatements \$246K).

Other Fees & Charges 0.22

Favourable mainly due to :

- Misc Approvals & Permits \$116K favourable (Building & Planning Permits).
- Planning Permit Applications \$107K favourable.

Sundry Income 0.75

Favourable due to unbudgeted receipt of:

- Community Education project funding \$343K to Waste Services (offsetting expenditure to be incurred during the year)
- Compensation from Developers for land and easements \$435K.

Interest on Investments 0.36

Higher than budgeted cash balances.

Recurrent Income Sub-total **\$2.38M**

Recurrent Expenditure

\$M

Employee Related Expenditure – Favourable salary costs \$1,801K mainly relating to unfilled vacancies and favourable workcare costs \$101K. 1.90

Partially offset by unfavourable supplementary labour costs (\$1,146K) (see external services).

General Works: 2.73

Materials \$87K favourable with the main variance being Ground Maintenance Materials \$136K (phasing only).

Plant / Equip / Vehicle Costs \$310K favourable with the main variances being Fuels, Oils & Greases \$89K, External Plant & Equipment Hire \$71K, Minor Plant, Furniture & Equipment \$43K, Repairs & Maintenance \$77K (all phasing only).

External Services is \$2,329K favourable mainly due to:

- Contractors \$2,850K favourable - Phasing variances in Discretionary Projects \$2,438K and in Recurrent Projects \$412K.
- Insurance Premium \$330K favourable – Full year savings \$342K.
- Contributions \$323K favourable – Phasing variances in Events Services \$227K and Sport & Recreation \$118K.
- Waste Disposal & Recycling \$416K favourable - Green Waste Service \$219K, North Geelong Transfer Station \$109K.
- Levies & Contributions (\$285K) unfavourable – Drysdale Landfill \$306K (EPA levy unfavourable).
- Supplementary Labour (\$1,146K) unfavourable – mainly, Fleet (\$159K), Operations (\$303K), Waste Services (\$221K) and Parks (\$207K).

Administration costs \$93K favourable mainly due to:

0.09

- Interest Paid \$218K favourable – Savings due to deferment of \$16.5M of budgeted loans for three months.
- Computer Software (\$464K) unfavourable – Information Services \$465K mainly due to transfer from capital of Microsoft Enterprise license costs \$223K. Balance phasing only.
- Other phasing variances \$339K favourable – mainly in Postage, Printing, Bank Fees, Staff Amenities and Debt Collection.

	\$M
Professional Services costs \$870K favourable mainly due to:	0.87
- Consultants \$933K favourable – Phasing variances mainly in Central Geelong Task Force \$330K and Enterprise Geelong \$202K. - Legal Expenses (\$68K) unfavourable.	
Utility costs are \$702K favourable mainly due to Communications costs \$78K (phasing only) and Electricity \$540K (removal of Carbon Tax approximately \$200K and balance is phasing).	0.70
Depreciation costs \$597K favourable (phasing only).	0.60
Gain/(Loss) on Sale of Plant and Equipment (\$140K) unfavourable.	(0.14)
Recurrent Expenditure Sub-total	\$6.75M

<i>Full Year Recurrent Projection – (\$0.08M) unfavourable to Amended Budget</i>

<i>The main projection changes are favourable / (unfavourable)</i>	\$M
User Charges Income – Leisure Services Aquatic Centres	(0.80)
Rates Income – Net of Objections & Supplementaries	(0.50)
Parking Infringements Income	(0.50)
Grants Commission decrease	(0.23)
Computer Software Costs – Microsoft costs transferred from Capital	(0.22)
New Cycling Event	(0.15)
Rental Income Reduction	(0.04)
Fire Services Levy Funding	(0.05)
Interest Payment Savings – deferment of loans	0.89
Electricity savings – Carbon Tax removal	0.50
Insurance Premium Savings	0.34
Interest Income	0.30
Workcover Premium savings	0.30
Central Geelong Night Bus – program cancelled	0.08
	(\$0.08)

2. Non Recurrent Variance Commentary

	YTD Actual \$M	YTD Am. Bgt* \$M	YTD Var Fav/ (UnFav) \$M	FY Proj \$M	FY Am. Bgt* \$M	FY Var Fav/ (UnFav) \$M
Non-Recurrent Surplus/(Deficit)	32.16	32.48	(0.32)	72.72	74.15	(1.43)

YTD Variance – (\$0.32M) unfavourable

	\$
Capital Grants & Income (\$803K) unfavourable. Projected to be \$938K favourable full year (offset by increased Capital expenditure).	(0.80)
Recognition of Infrastructure \$921K favourable.	0.92
Developer Contributions \$117K favourable.	0.12
Gain/(Loss) on Sale of Property (\$1,027K) unfavourable – budgeted sales not proceeding or deferred. Projected to be (\$2,368K) unfavourable full year.	(1.03)
Loss on Disposal of Infrastructure \$631K favourable.	0.63
Prior Year Adjustments (\$159K) unfavourable.	(0.16)

3. Capital Expenditure Variance Commentary

	YTD Actual \$M	YTD Projection \$M	YTD Var Fav/ (UnFav) \$M	FY Proj \$M	FY Am. Bgt* \$M	FY Var Fav/ (UnFav) \$M
Capital Expenditure	52.99	61.63	8.64	149.12	146.26	(2.86)

YTD Variance – \$8.64M favourable

The capital program is \$8.64M underspent compared to Projection year to date, with project behind budget schedule as follows:

	\$M
• Light Fleet Replacement	0.77
• Heavy & Dedicated Fleet	0.62
• Austin Park Redevelopment	0.60
• Development of 162 McManus Rd	0.56
• Myers St Unifying Streetscape Works	0.49
• Light & Decorate – Catenary Lighting	0.43
• Leopold Community Hub	0.32
• Griggs Creek Rehabilitation	0.28
• Lara Town Centre Expansion	0.25
• Walter Conservatory Repairs	0.22
• Light & Decorate – Street Trees	0.19
• Other	3.91
	\$8.64

4. Cash and Investments						
	YTD Actual \$M	YTD Am. Bgt* \$M	YTD Var Fav/ (UnFav) \$M	FY Proj \$M	FY Am. Bgt* \$M	FY Var Fav/ (UnFav) \$M
Closing Net Cash Positive/(Neg)	48.02	30.94	17.08		58.86	

<i>YTD Variance – \$17.08 favourable</i>

The month end cash and investments balance was \$48.02M. This was \$17.08M favourable to budget, mainly due to favourable recurrent surplus \$9.1M and underspend on Capital \$8.6M.

Council has future commitments for \$24.2M, which are fully cashed back:

Long Service Leave	\$18.5M
Statutory Reserves	\$ 1.3M
Refundable Deposits	\$ 1.9M
Income in Advance	\$ 1.5M
Asset Development	\$ 1.0M
Total	<u>\$24.2M</u>

The Landfill Provision balance is currently \$18.7M.

Environmental Implications

There are no environmental implications arising from this report.

Financial Implications

As detailed in the attached report.

Policy/Legal/Statutory Implications

The report is provided in accordance with requirements under the Local Government Act 1989.

Alignment to City Plan

This report contributes to responsible and sustainable financial management as aligned in Council's City Plan objective on How We Do Business.

Officer Direct or Indirect Interest

Council staff preparing this report have no direct or indirect interest.

Risk Assessment

There are no risk implications arising from this report.

Social Considerations

There are no social implications arising from this report.

Human Rights Charter

There are no known positive or negative effects.

Consultation and Communication

The attached report is provided for information and public record and is available from the Council Governance or Financial Reporting units.

3. EMERGENCY MANAGEMENT - MUNICIPAL EMERGENCY MANAGEMENT PLAN 2015-2017

Portfolio: Infrastructure, Parks and Gardens - Cr Ellis
Source: City Services - Emergency Management and Fire Prevention Unit
Act/General Manager: Jenny McMahon
Index Reference: Subject: Municipal Emergency Management Plan 2015 - 2017

Purpose

This report recommends the adoption of the Municipal Emergency Management Plan 2015 – 2017.

Summary

- Part 4, s21(3) of the *Emergency Management Act 1986* (the Act), requires a municipal council to appoint a Municipal Emergency Management Planning Committee (MEMPC) constituted by persons appointed by the municipal council being members and employees of the municipal council, response and recovery agencies and local community groups involved in emergency management issues;
- Part 4, s21(4) of the Act states that the function of a MEMPC is to prepare a draft municipal emergency management plan for consideration by the municipal council;
- Part 4, s21(5) of the Act requires that the MEMPC must give effect to any direction guidelines issued by the Co-ordinator in Chief, i.e. the Minister of Police and Emergency Services;
- The City of Greater Geelong Municipal Emergency Management Plan (MEMPlan) complies with the abovementioned provisions of the *Emergency Management Act 1986* and undergoes an annual update so as to ensure it reflects the agreed arrangements, new developments or directions issued by the Co-ordinator in Chief. Every 3-years the MEMPlan undergoes full and extensive review following the external independent audit which is required under Part 4, s21A of the Act;
- The 2015-2017 MEMPlan is the new revised and MEMPC endorsed version to that recently audited and includes all audit recommendations as well as amendments agreed to by the Municipal Emergency Management Planning Committee; and
- In order to maintain its currency, the 2015-2017 MEMPlan will continue to receive annual updates that are agreed to by the Municipal Emergency Management Planning Committee. These updates will occur in November 2015, 2016 and will be followed by a full review in November 2017.

Cr Ellis moved, Cr Ansett seconded -

That Council endorse the Municipal Emergency Management Plan 2015 – 2017.

Carried.

Background

Part 9 of the Emergency Management Manual Victoria contains the *Emergency Management Act 1986*. Under Part 4, s21 and 21A of the Act, a municipal council must:

- prepare and maintain a Municipal Emergency Management Plan (MEMPlan);
- appoint a Municipal Emergency Resource Officer(s). This officer is responsible to the municipal council for ensuring the co-ordination of municipal resources to be used in emergency response and recovery;
- appoint a Municipal Emergency Management Planning Committee and this committee must prepare the Municipal Emergency Management Plan for consideration of the council; and
- submit the MEMPlan for audit every 3-years.

Council's Municipal Emergency Management Plan (MEMPlan) 2012-2014 was audited during June 2014 and council was presented the audit certificate during November 2014. Following the June audit the MEMPlan underwent a review. This review considered all recommendations made by the external audit panel.

This new plan, i.e. the Municipal Emergency Management Plan 2015-2017 is now the current plan and as such council needs to consider the plan in accordance with s21(4) of the *Emergency Management Act 1986*.

Discussion

The Municipal Emergency Management Plan (MEMPlan) is a plan that outlines the agreed arrangements for preparing for, responding to and recovering from emergencies and, as mentioned above, is a legislative requirement for all Victorian municipalities under the *Emergency Management Act 1986*.

As part of the quality control that applies to the Municipal Emergency Management Plans, council's MEMPlan undergoes an annual update and a full review following the independent audit which is conducted every 3-years. These updates and reviews are overseen by the Municipal Emergency Management Planning Committee.

Presently, VicSES chair all MEMPlan audit panels across the state with representatives from Victoria Police and the Department of Human Services comprising the balance of the audit team. These officers represent the Regional Response Planning Committee and Regional Recovery Planning Committee respectively.

As part of the audit process, the MEMPlan is assessed against preset criteria and then the audit panel interviews the Municipal Emergency Resource Officer and the Municipal Recovery Manager. These two officers represent the larger Municipal Emergency Management Planning Committee.

Following the audit and full review of the plan, the plan is then presented to the Council for formal adoption.

At the November 2014 Municipal Emergency Management Planning Committee, the committee endorsed the 2015 - 2017 MEMPlan update and recommended that Council now adopt the Plan.

Environmental Implications

It is an important fact that many emergency events do have an impact on the environment. Well planned and coordinated response and recovery practices will only assist to minimise this impact. This is a important reason for why Council needs to pay close attention to its emergency management role and has a plan that guides these practices.

Financial Implications

The costs associated with reviewing the Plan have not been estimated, but have been covered within the current approved budget.

Burning the MEMPlan to 40 compact disks and the distribution of the compact disks has also been budgeted for within the Emergency Management and Fire Prevention Unit's approved budget.

Policy/Legal/Statutory Implications

In accordance with the *Emergency Management Act 1986*, Council has a statutory responsibility to resource, plan, respond and provide assistance to emergency situations. Council is also required to have a Municipal Emergency Management Plan and appoint officers to particular positions under this Act and the *Country Fire Authority Act 1958*. Council is, via the Municipal Emergency Management Planning Committee, required to review this plan annually and conduct a risk assessment via the Community Emergency Risk Assessment (CERA) program every 3-years. Council is meeting these obligations.

The 2015 - 2015 MEMPlan complies with the *Emergency Management Act 1986* along with recent amendments to the Emergency Management Manual Victoria.

Alignment to City Plan

Responding to emergency events ties into City Plan 2013-2017 Community Wellbeing strategic direction. These responses are provided as per the agreed arrangements outlined by the Municipal Emergency Management Plan (MEMPlan) which is also listed as a master plan to assist in delivering Community Wellbeing priorities.

Officer Direct or Indirect Interest

No council officers associated with writing this report have any direct or indirect interest, in accordance with Section 80 (C) of the *Local Government Act 1989*.

Risk Assessment

The annual update and 3-year review of the MEMPlan will ensure, as far as is practicable, that the MEMPlan will pass the next external audit process which is scheduled for 2017.

Social Considerations

Generally, the community expects council to take a lead role in emergency situations and particularly the recovery 'phase'. This phase needs to, and does, commence simultaneously with response operations. Council's role in emergency management both during and after an event is critical to the continuing well being of the affected communities. The impact of an event such as bushfire or flood or heatwave not only affects property/infrastructure but can also have long term impacts in terms of the communities social, health and economic well being.

This is a further compelling reason for Council's close attention to its emergency management role.

Human Rights Charter

An emergency, depending upon its size and nature can affect the whole community and, once again, depending upon the type of emergency can have long lasting community impact. The on-going development of the Municipal Emergency Management Plan 2015-2017 and compliance with the *Emergency Management Act 1986* strives to enhance community safety and is consistent with the obligation under the Victorian Charter of Human Rights and Responsibility.

Consultation and Communication

Consultation is undertaken via the members of the Municipal Emergency Management Planning Committee. This committee is a multi agency committee and includes organisations such as: City of Greater Geelong, Victoria Police, VicSES, Country Fire Authority, Department of Environment and Primary Industries, Barwon Health, Red Cross, Lifesaving Victoria, Corangamite Catchment Management Authority, Barwon Water, Ambulance Victoria, St Johns Ambulance as well as industry representatives including Viva Energy, Terminals, Avalon Airport and Geelong Port.

A copy of the report has previously been circulated for Councillor information.

4. DELEGATIONS AND AUTHORISATIONS – COUNCIL TO STAFF

Portfolio:	Governance – Cr Lyons (Mayor)
Source	Strategy & Performance – Administration & Governance
Act/General Manager:	Andrew Keen
Index Reference	Subject: Delegations

Purpose

To appoint Council Officers as Authorised Officers under the *Planning and Environment Act 1987*.

To update the delegations from Council to members of Council staff, incorporating changes to legislation as advised by Maddocks lawyers.

Summary

- Council officers are appointed as Authorised Officers to exercise statutory powers under various Acts and Regulations. Appointments are to individual staff members unlike delegations which are position based.
- Previously authorised officers were appointed under sub-delegation by the Chief Executive Officer pursuant to the general powers of the *Local Government Act 1989*. Legal advice has informed Council that where there is a specific power within an Act, Council should appoint Authorised Officers pursuant to that Act, rather than the general powers of the *Local Government Act 1989*. Council has some officers that are required to be appointed under the *Planning and Environment Act 1987*.
- Appendix 1 sets out the new Instrument of Appointment and Authorisation and lists those staff required to be appointed as Authorised Officers under the *Planning and Environment Act 1987*.
- Section 98 of the *Local Government Act 1989*, section 188 of the *Planning and Environment Act 1987*, section 58A of the *Food Act 1984* and other legislation empowers Council to delegate its powers duties and functions to appropriate Council staff holding positions within Council.
- While most delegations to staff are in the form of sub-delegation from the Chief Executive Officer, there are a small number that require specific delegation from Council.
- Updated delegations (Appendix 2) reflect recent legislative amendments that are advised by Maddocks lawyers bi-annually.

Cr Heagney moved, Cr E Kontelj seconded -

In the exercise of the powers conferred by section 224 of the Local Government Act 1989 and section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached Instrument of Appointment and Authorisation (Appendix 1) and Instrument of Delegation (Appendix 2), Greater Geelong City Council (Council) resolves that -

- 1) the members of Council staff referred to in the Instrument of Appointment and Authorisation (Appendix 1) are appointed and authorised as set out in the instrument;**

- 2) there be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff* (Appendix 2), the powers, duties and function set out in that instrument, subject to the conditions and limitations specified in that instrument;
- 3) these instruments come into force immediately the common seal of Council is affixed to the instruments.

Carried.

Background

This report addresses:

- The appointment of Authorised Officers under the *Planning and Environment Act* 1987 directly by Council;
- Updates for Council to Staff delegations. These delegations include legislative changes up to December 2014 and are based on the Maddocks Lawyers model who is engaged to provide an update service.

Discussion

The *Planning and Environment Act* 1987 regulates enforcement and is reliant on authorised officers acting on behalf of the Responsible Authority (Council).

Recent legal advice has recommended that the appointment of authorised officers pursuant to the specific powers contained within the *Planning and Environment Act* 1987. Therefore this requirement needs to be a Council to Staff delegation rather than the broader authorisation of section 244 of the *Local Government Act*, which has previously has been sub delegated by the Chief Executive Officer. It is proposed that future Instruments of Appointment under the *Planning and Environment Act* 1987 will be included in the Planning Delegation section of Council meetings.

Appendix 1 sets out the Instrument of Appointment and Authorisation under the *Planning and Environment Act* 1987 and lists staff members to whom this authorisation applies (Attachment 1).

The proposed delegations of Council to members of staff detail sections of Acts and Regulations and nominate officers by position title to undertake specific powers, duties and functions on behalf of Council. Appendix 2 outlines the instrument of delegation from Council to Staff.

Delegations were last approved by Council in March 2014.

The changes in the December update were minor with a new duty inserted to keep a copy of levy certificates under the *Planning and Environment Act* 1987, and amending records to reflect the updated *Planning and Environment(Fees) Further Interim Regulations* 2014.

Attachment 2 to the Instrument of Delegation sets out the complete schedule of the relevant powers, duties and functions being delegated.

Attachment 3 lists the changes from the previous delegations approved in March 2014.

Environmental Implications

There are no environmental implications relative to this report.

Financial Implications

There are no financial implications relative to this report.

Policy/Legal/Statutory Implications

The delegation schedule has been prepared in accordance with the Maddocks lawyer's model.

Alignment to City Plan

How we do business.

Officer Direct or Indirect Interest

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

Risk Assessment

A properly prepared system of delegations and authorisations minimises the likelihood of officers acting outside their powers and exposing Council to unacceptable risk. Regular review of the delegations and authorisations ensures accountability and responsibility for decisions when the decision makers are identified. Delegations and authorisations can be subject to legal scrutiny in courts and tribunals.

Social Considerations

There are no social considerations relative to this report.

Human Rights Charter

No Human Rights are affected by the contents of this report.

Consultation and Communication

All delegations and authorisations are published on Council's internal website, Cityweb. All relevant Managers have been consulted in the implementation of authorising officers under the *Planning and Environment Act 1987* and any changes to delegations have been reviewed and endorsed by relevant Managers.

Appendix 1

**Greater Geelong City Council
Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987*)**

By this instrument of appointment and authorisation Greater Geelong City Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officers listed in Attachment 1 to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 232 of the *Local Government Act 1989* authorises the officers listed in Attachment 1 generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Greater Geelong City Council
On **<DATE>**.

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

Mayor

Chief Executive Officer

Date: / /

Appendix 2

Greater Geelong City Council Instrument of Delegation to Members of Council Staff

In exercise of the power conferred by section 98(1) of the *Local Government Act* 1989, and the other legislation referred to in the Schedule (Attachment 2), Greater Geelong City Council ("Council") by this instrument:

1. delegates each duty and/or function and/or power described in columns 1 and 2 of the Schedule (and summarised in column 3 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 4 of the Schedule;
2. delegates each duty and/or function and/or power described in columns 1 and 2 of the Schedule (and summarised in column 3 of the Schedule) to any member of Council staff to whom a member of Council staff listed in column 4 of the Schedule reports;
3. declares that a delegate is not authorised by this Instrument of Delegation to:
 - 3.1 determine any planning permit application which any Councillor requests be referred to the Development Hearings Panel, Planning Committee or Council and such request is made before the delegate has made a decision on the permit application; or
 - 3.2 exercise the power conferred by the *Planning and Environment Act* 1987 to determine upon any application in cases where six or more objections to the grant of the permit have been made.
 - 3.3 refuse a permit under Section 52(1A) of the *Planning and Environment Act* 1987.
4. declares that—
 - 4.1 this Instrument of Delegation is authorised by a resolution of Council passed on <DATE> and
 - 4.2 the delegation authorised by a resolution of Council passed on 11 March 2014 is revoked; and
 - 4.3 the delegation:
 - 4.3.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 4.3.2 remains in force until Council resolves to vary or revoke it;
 - 4.3.3 is to be exercised in accordance with the exceptions, conditions and limitations set out in the Schedule and with the guidelines or policies which Council from time to time adopts.

- 4.3.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
- 4.4 the delegate must not determine the issue, take the action or do the act or thing:
 - 4.4.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 4.4.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (i) policy; or
 - (ii) strategyadopted by Council; or
 - 4.4.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 4.4.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff

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

Mayor

Chief Executive Officer

Date: / /

NOTICE OF MOTION – Cr Macdonald

Review of Electronic Bill Distribution and Payment Opportunities

Background

The increasing costs associated with billing distribution and payment, along with a rapid change in technologies to manage these processes provide an opportune time for council to review the options available to it. The recent increases in postal rates imposed by Australia Post are a prime example of the changes occurring in our country.

Council has a large volume of posted mail as well as account distribution. Regular accounts such as rates, animal registration, premises licensing renewals are among those transactions conducted by council. Technology is currently available to streamline the operation of these services and in doing so provide a cost saving to council and provide an improved service.

Within the City of Greater Geelong, 74% of dwellings (ABS Census 2011) have some form of internet connection. The service provided will improve as the NBN is introduced across our region and the number of connections is expected to rise. This represents a significant opportunity for council to develop its services to make use of the technology to reach residents who are “on-line”.

At a time when officers have been considering the method of managing these services, it is appropriate that a report be presented to council to provide recommendations to move to technology based business solutions. In assessing the options, value for money, quality of service and ease of use should be considered as key elements.

Cr Macdonald moved, Cr Ellis seconded -

That officers conduct a review of bill distribution and payment methods and provide a report to Council within three months that:

- 1) assesses opportunities to introduce electronic distribution and payment of accounts, and**
- 2) provide recommendations, including an implementation plan.**

Carried.

NOTICE OF MOTION – Cr Richards

Council to Re-establish Asbestos Working Group

The City of Greater has previously run an Asbestos Working Group involving several stakeholders such as the EPA, WorkSafe, Geelong Trades Hall, the Regional Waste Management Group and others. This group met for approximately eighteen months from 2010 to 2012 to work through several issues relating to the management and removal of asbestos from the community. The main issue it dealt with was the lack of co-ordination between regulators to deal with asbestos in the domestic housing area.

In 2010, a wide ranging review was established by the Commonwealth Government to make recommendations for the development of a national strategic plan to improve asbestos management in Australia. The review encompassed asbestos management issues beyond work health and safety to include environmental and public health issues. The review also looked at issues including education and public awareness, removal, transport and disposal of asbestos. The *Asbestos Management Review Report* released in August 2012 recommended the development of a national strategic plan to improve asbestos awareness and management in the broader community.

Council made a submission to the review, including advocating for Geelong to be a site for any trial works the Commonwealth Government may wish to carry out.

The Victorian State Government has announced a review of the Environmental Protection Agency, and within that review, the regulation of how asbestos is managed in the Victorian community.

Cr Richards moved, Cr Irvine seconded -

That Council:

- a) reconvenes the Asbestos Working Group, as a Committee of Council;**
- b) establishes Terms of Reference for the Committee;**
- c) receives a report from the Committee setting out the current regulatory and management framework for dealing with asbestos in the City of Greater Geelong, and any problems or issues associated.**

Carried.

ASSEMBLY OF COUNCILLORS RECORD

Portfolio: Governance – Cr Lyons (Mayor)
Source: Strategy & Performance
Act/General Manager: Andrew Keen

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 Heagney moved, Cr Macdonald seconded -

That the information be received.

Carried.

RECORD OF ASSEMBLIES OF COUNCILLORS
(Council Meeting 10 March 2015)

Assembly Details	Councillor Attendees	Officer Attendees	Matters Discussed	Conflict of Interest Disclosures
Advisory Group Street Access for the Aged and People with Disabilities 10 February 2015	Cr Ellis	J Bryce (OFF) R Misquitta (OFF) J Withanaarachchi (OFF) C Carlyon (OFF) S Lovejoy (OFF) M Renwick (OFF)	Update on actions related to infrastructure impacting the aged and people with disabilities.	Nil.
Budget Discussion 2 March 2015	Crs Ansett, Harwood, Richards, Ellis, Fisher, Macdonald, Farrell, Heagney	P Bettess (GM) L Quinn (A/GM) J McMahon (A/GM) P Jane (A/GM) G Miles (CEO) M Kelly (MGR) K Fulton (CO ORD)	- Analysis of Capital Projects - Community Concepts - Property Sales List - Borrowing Program	Cr Harwood declared a potential Conflict of Interest and left the meeting prior to discussion.
Councillor Briefing 3 March 2015	Crs Ansett, Ellis, Farrell, Fisher, Harwood, Heagney, S Kontelj, Macdonald, Richards	G Miles (CEO) J McMahon (ACT/GM) P Bettess (GM) A Keen (ACT/GM) P Jane (ACT/GM) L Quinn (ACT/GM) A Grant (PROP ADV) M Kelly (MGR) R Bourke (CO ORD)	- G21 Update – Presentation - Corporate Risk Profile (Confidential) - Bill Payment Service Costs – Australia Post - Emergency Management – Municipal Management Plan 2015-2017 - Council Land in Draper Street, Ocean Grove – Consideration of Submissions and Sale by Expressions of Interest - Delegations and Authorisations – Council to Staff - Quarterly Financial Management Report	Nil.

CLOSE OF MEETING

As there was no further business the meeting closed at 8.10pm on Tuesday, 10 March 2015.

Signed: _____
Chairperson

Date of Confirmation: _____