

MINUTES

ORDINARY MEETING OF COUNCIL

Tuesday, 31 January 2012

Held at the
Council Conference and Reception Centre
City Hall, Little Malop Street, Geelong
commencing at 7.05pm

COUNCIL:

Cr. J. Mitchell (*Austin*)

- **Mayor**

(Communications / Sport and Recreation / Democracy & Governance / Central Geelong
Looking Forward)

Cr. B.H. Abley (*Brownbill*)

(Arts and Culture)

Cr. J. Doull (*Coryule*)

(Environment and Sustainability / Climate Change)

Cr. J. Farrell (*Beangala*)

(Education and Youth / Community Safety)

Cr. K. Fisher (*Corio*)

(Community Development)

Cr. C. Granger (*Windermere*)

(Heritage)

Cr. B. Harwood (*Kardinia*)

(Finance / Tourism / Major Events / Strategic Development)

Cr. E. Kontelj (*Cowie*)

(Aboriginal Affairs / Multicultural Affairs)

Cr. Dr. S. Kontelj (*Kildare*)

(Major Projects)

Cr. R. Macdonald (*Cheetham*)

(Economic Development / Planning)

Cr. R. Nelson (*Deakin*)

(Rural and Regional Affairs)

Cr. A. Richards (*Buckley*)

(Transport / Infrastructure / Parks and Gardens)

SECTION A - PROCEDURAL MATTERS

Acknowledgements	1
Apologies	1
Confirmation of Minutes	1
Declarations of Conflicts of Interest	1
Question Time	2-3
Petitions	3

SECTION B – REPORTS

1. Consideration of Panel Report and Adoption Amendment C187 – Geelong Ring Road Employment Precinct	4-40
2. Adoption of Amendment C249 – Combined Permit/Rezoning Rollins Road, Bell Post Hill	41-54
3. Barwon Heads Early Learning Centre (Kindergarten) Development	55-58
4. Little Malop Street Water Feature	59-61
5. Whittington land Use Concept Strategy	62-63
6. Geelong Adolescent Sexuality Program (GASP) – Youth Suicide Prevention Project	64-72
7. Children’s Week 2011 Evaluation	73-80
8. Bellarine Local Coastal Hazard Assessment – Third Pass Assessment	81-86
9. Ocean Throughway, Ocean Grove – Proposed Footpath Construction SRC297 – Declaration of Charge	87-96
10. The Terrace, Ocean Grove – Proposed Road Construction SRC314 – Declaration of Charge	97-108
11. Bailey Street, Grovedale – Proposed Footpath, Kerb and Channel and Road Construction SRC313 – Declaration of Charge	109-117
12. High Street, Belmont – Proposed Construction of Easement Drain SRC303 – Declaration of Charge	118-127
13. Manton Road and Lester Street, Moolap – Proposed Road Construction SRC311 – Intention to Declare	128-138
14. Consideration of Tender Submission for Tender T12059 – Provision of Park, Playground and Fitness Equipment, Outdoor Furniture, Structures and Signage and Related Products and Services	139-146
15. Funding Application (<i>Confidential</i>)	147

NOTICES OF MOTION

URGENT BUSINESS

COMMON SEAL REGISTER

ASSEMBLY OF COUNCILLORS RECORD

PLANNING DELEGATIONS

**MINUTES OF THE ORDINARY MEETING
OF THE GREATER GEELONG CITY COUNCIL
HELD AT THE COUNCIL CONFERENCE AND RECEPTION CENTRE
CITY HALL, LITTLE MALOP STREET
TUESDAY, 31 JANUARY 2012
COMMENCING AT 7.05 P.M.**

PRESENT: Cr J Mitchell (Mayor), Crs B Abley, J Doull, J Farrell, K Fisher, C Granger, B Harwood, E Kontelj, S Kontelj*(7.13pm), R Macdonald, R Nelson, A Richards

Also present: S Griffin (Chief Executive Officer), J Wall (General Manager Corporate Services), P Bettess (General Manager Economic Development, Planning and Tourism), P Jane (Acting General Manager Projects, Recreation and Central Geelong), G Van Driel (General Manager City Services), P Jamieson (Acting General Manager Community Services), J Brown (Manager Administration and Governance), R Bourke (Governance Co ordinator), D Chiller (Co-ordinator Communication & Marketing)

OPENING: The Mayor declared the meeting open at 7.05pm

ACKNOWLEDGEMENTS:

The Mayor acknowledged that we are here today on the land of the Wathaurong People and we pay our respects to Aboriginal elders past and present.

APOLOGIES: Nil.

CONFIRMATION OF MINUTES:

Cr Abley moved, Cr Harwood seconded -

That the Minutes of the Ordinary Meeting held on 13 December 2011 be confirmed and signed.

Carried.

DECLARATIONS OF CONFLICTS OF INTEREST: Nil.

QUESTION TIME:

Ruth Lee asked what is the legal basis for the City of Geelong's possible annexing of parkland that was originally given to the community of Barwon Heads over 50 years ago?

Paul Jane, Acting General Manager Projects, Recreation and Central Geelong, responded that the land in question is Crown Land vested in Council and that Council is working with the Department of Sustainability and Environment to achieve permission.

Cr Richards indicated a letter of response would be forwarded within the next 14 days.

Russell Mitten asked if Councillors were aware that the Community Arts Garden site is already becoming a community hub for mothers and preschoolers. The facility is currently used as a meeting place every week by three mother and child groups (about 40 mums), as well as a Steiner Kinder. These groups find the site convenient and safe. The provisional kinder plan for the adjacent vacant site shows further development of the service road and parking, enhancing the safety. The area is connected by off-road paths to the popular estates off Sheepwash Road where many likely users of the kinder currently live. The site is large and would allow for any needed future further development.

Paul Jane responded that Council officers have been looking at a number of suitable locations within Barwon Heads to build an Early Learning Centre - the Village Park site being the preferred location.

The Mayor responded the project will be the subject of a public consultation process at which time there will be an opportunity for the public to comment.

Karen Howie asked why is Council voting to have a kindergarten put on a Masterplan for the Village Park when there has been no community consultation about this Masterplan whatsoever. I draw your attention to the report which states and I quote, "Given that the Village Park site option has only recently been developed the community have not had the opportunity to consider it as part of the Masterplan process".

So I ask again, why is Council voting to have an Early Learning Centre placed on a Masterplan in an open space between the tennis club and the oval without any community consultation?

* *Cr Kontelj entered the meeting room at 7.13pm*

Cr Richards responded that a Masterplan process started some time ago before Council had established that the Village Park may be a site for the Early Learning Centre. The Masterplan was suspended for 4 to 5 months and Council is now trying to get that process going again. In regard to community consultation, Council is going through an Open Space Planning Process and that is where the consultation is to take place.

Sue Filby asked where in Barwon Heads will the Masterplan and Open Spaces Plan be displayed? What is the timeline? When will the plans be displayed?

Paul Jane responded a report will be presented to Council regarding the Masterplan for Village Park within the coming weeks. There will also be a four week public consultation period on the Masterplan which will include the Kindergarten facility. The Open Spaces Planning process will be open during the same time.

Notice of display will be via public notice in both the Geelong Advertiser and local newspaper. A mail-out notifying nearby residents will also be carried out.

PETITIONS: Nil

1. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C187 – GEELONG RING ROAD EMPLOYMENT PRECINCT

Portfolio:	Planning – Cr Macdonald
Source:	Economic Development, Planning & Tourism – Strategic Implementation
General Manager:	Peter Bettess
Index Reference:	Subject: Council Reports 2012
	Project: C187 – Reports Council & Other

Summary

- Amendment C187 is a Council initiated amendment to:
 - Amend the Framework Plan at Clause 21.07-9, to;
 - Reflect the re-branding of the Heales Road Industrial Estate as the Geelong Ring Road Employment Precinct (GREP),
 - Reduce the minimum lot size of the Industrial 1 zoned land adjacent to the Geelong Ring Road from 4,000 square metres to 2,000 sq. m, and
 - Identify the location of connecting roads and revised locations and extent of retarding basins.
 - Amend Schedule 18 to the Design and Development Overlay (DDO18) to reflect the changes resulting from the revision of the Geelong Ring Road Employment Precinct Framework Plan.
 - Introduce the Geelong Ring Road Employment Precinct Urban Design Guidelines.
 - Apply a Restructure Overlay (RO) to the New Station Estate (NSE), located in Broderick Road, Corio.
- The exhibition of Amendment C187 resulted in the receipt of six (6) submissions; 4 from landowners objecting to the Amendment or requesting modifications, 1 from a public authority which did not object and another submission from the Department of Transport which queried the potential impact on the transport network of the Amendment, but which did not state that it objected to the Amendment.
- Council resolved on 14 June 2011 to refer the Amendment and submissions to an Independent Planning Panel appointed by the Minister for Planning.
- The Panel Hearing was held in Geelong on 23 September 2011.
- The Independent Panel has recommended that the Amendment be adopted generally as exhibited, with minor modifications.
- It is recommended that the Amendment be adopted as described in this report.

1. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C187 - GEELONG RING ROAD EMPLOYMENT PRECINCT (CONT'D)

Cr Macdonald moved, Cr Granger seconded -

That Council:

- 1) Adopt Amendment C187 in the form as outlined in Appendix 1-1 (A) – (L) to this report;**
- 2) Adopt the New Station Estate Restructure Plan in the form contained at Appendix 1-2 to this report;**
- 3) Adopt the Geelong Ring Road Employment Precinct Urban Design Guidelines in the form contained at Appendix 1-3 to this report; and**
- 3) Submit the adopted Amendment together with the prescribed information to the Minister for Planning requesting approval.**

Carried.

Report

Background

Amendment C187 seeks to ensure that the GREP will be developed in a manner consistent with current community expectations through the revision of the local planning policy; the reduction of the minimum lot size for Industrial 1 zoned land within the GREP from 4,000 square metres to 2,000 square metres; the introduction of the Restructure Overlay and the application of a Restructure Plan to the NSE and the adoption of Urban Design Guidelines for the GREP.

Maps showing the changes to the application of Zones and Overlays are contained at Appendices 1-1I – 1-1K.

The Amendment was exhibited for a one month period between 18 February 2011 and 21 March 2011. Six submissions were received in response, of which 4 were from landowners objecting to the Amendment or requesting modifications, 1 from a public authority which did not object and 1 from the Department of Transport which queried the assessment of the potential impact on the transport network contained in the Explanatory Report, but which did not object to the Amendment.

Council considered the submissions at its meeting on 14 June 2011 and resolved to refer Amendment C187, together with all submissions received, to an Independent Planning Panel.

Discussion

A one person Panel consisting of Chair, Jennifer Moles, conducted a directions hearing on 15 August 2011 and a public hearing of the submissions on 23 September, 2011. Both hearings were held at Geelong City Hall. Council provided a detailed presentation to the Panel and 1 submitter made a verbal presentation on his own behalf and that of another submitter.

A list of submitters is included as Appendix 1-4 to this report.

The Panel report for Council's consideration was received on 21 October 2011, a full copy of which is available on the City website.

The Panel has assessed the Amendment in considerable detail, specifically the planning policy context, strategic basis for the Amendment, site specific issues and the points of submission put to it during the Hearing and as contained in the submissions.

1. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C187 - GEELONG RING ROAD EMPLOYMENT PRECINCT (CONT'D)

Panel Conclusions and Recommendations

The Panel has recommended that the Amendment be supported subject to changes, for the reasons set out in its report.

The Panel recommends:

- 1) **Amendment C187 to the Greater Geelong Planning Scheme should be adopted as exhibited subject to the following:**
 - the Urban Design Guidelines for the employment precinct should be reviewed to ensure that the standards included in part 2.2 and all other provisions are expressed in non-mandatory terms so as to avoid any confusion about their discretionary status when combined with the provisions of Schedule 18 to the Design and Development Overlay
 - consideration might be first given to making direct reference in the New Station Estate Restructure Plan to the Council brokering/purchasing activities as part of the restructuring process for the Estate
 - consideration could also be given to including below the table of minimum lots sizes in Schedule 18 to the Design and Development Overlay an exception for smaller balance lots in Restructure Overlay areas
 - in the New Station Estate Restructure Plan, the nature of the 'integrated development' envisaged for the Integrated Development Site should be clarified.
- 2) **Careful consideration will need to be given to the fairness and timing of the application of any later Special Rate or Charge for the precinct to unstructured lots in the New Station Estate.**

Having considered the Panel Report Council Officers recommend that Amendment C187 to the Greater Geelong Planning Scheme should be adopted with the following recommended changes, for the reasons set out later in this report:

- Schedule 18 to the Design and Development Overlay (DDO18) to be adopted in the amended form contained in Appendix 1-1C, consistent with the Panel Recommendation;
- The New Station Estate Restructure Plan to be adopted in the amended form contained in Appendix 1-2, consistent with the Panel Recommendation;
- The Urban Design Guidelines for the employment precinct to be adopted in the amended form contained in Appendix 1-3, consistent with the Panel Recommendation.

Response to Panel Recommendations

The Panel's recommendations in relation to the Amendment are consistent with the intent of Council's exhibited Amendment and are generally supported. The following excerpts from the Planning Panel Report, together with related officer comments, provide direction for Council with respect to the detail recommended to be included in the adopted amendment.

1. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C187 - GEELONG RING ROAD EMPLOYMENT PRECINCT (CONT'D)

1. Department of Transport;

The Panel Report states that:

"While not expressing explicit objection to the Amendment, the Victorian Department of Transport in their written submission expressed concerns which on one view amount to such an objection. The Department expressed concerns that that the development of this area in accordance with the Precinct Framework Plan would have transport implications that required - but perhaps did not receive - adequate consideration under the Transport Integration Act 2010."

Panel Recommendation:

No change should be made to the Amendment in response to the Department of Transport submission.

Officer Comment:

The Panel Recommendation is supported.

2. Landscape Buffer

The Panel Report states that:

"...there was concern by one submitter (Bates Pipes and Products) that the Design Guidelines would increase the rear landscaping buffer for its property from 3 metres to 5 metres, thereby affecting future factory expansion plans. The submitter seeks an exemption for the property or Bacchus Marsh Road generally from the Guidelines' provision. ..."

The Panel notes that a schedule to the Design and Development Overlay may include mandatory requirements and/or requirements which can be varied with permission. In the case of DDO18 no provision is mandatory and all can be varied. ..."

While it is true that the Guidelines (albeit part of the Planning Scheme by incorporation) are merely an aid to the exercise of discretion and their provisions are not in the nature of a requirement, it would be preferable if the language adopted made this clear. The wording should indicate that the setbacks should be met as occurs with other elements of the Guidelines."

Panel Recommendation:

The Council should review the Urban Design Guidelines for the employment precinct to ensure that the standards included in part 2.2 and all other provisions are expressed in non-mandatory terms so as to avoid any confusion about their discretionary status when combined with the provisions of Schedule 18 to the Design and Development Overlay.

1. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C187 - GEELONG RING ROAD EMPLOYMENT PRECINCT (CONT'D)

Officer Comment:

The Urban Design Guidelines, contained at **Appendix 1-3** have been reviewed and modified in accordance with the Panel Recommendation, the terminology on pages 5 -7 of the Guidelines has been modified so that it is clear that development applications 'should' meet the guidelines, consistent with the discretion allowed under the provisions of the DDO. .

3. Public acquisition of lots in the restructure area

The Panel Report states that:

"As noted two related submitters, Messrs Milenko and Dusan Busija, who each own a lot of 675 square metres in area in Bedford Street in the New Station Estate, objected to the Amendment on the basis that their property would 'effectively disappear' and that the land which they believed could be taken against their will would not be developed by the Council but sold on to a developer who would reap the profits from re-subdivision. They indicated their belief that there was no opportunity for them to consolidate their property with other land. ...

The Panel's view is that there should be no change to the Amendment as a result of these submissions. It is clear that the restructuring of the New Station Estate is appropriate having regard to the nature of the demand for industrial lots in the general locality and the severely constrained development opportunities offered by the existing subdivision. It would appear to the Panel that the submitters' desire to develop their properties might now be realised under buyback or land swap arrangements. The Panel notes the submitters' concern about past low monetary offers but accepts that the payments which can be offered by Council are constrained by its statutory obligations."

Panel Recommendation:

No change should be made to the exhibited Amendment in response to the issues raised in the Busija submissions.

Officer Comment:

The Panel Recommendation is supported.

4. Other issues raised by Panel

4.1 Identification of buy-back activities by Council

The Panel Report states that:

"The fact that these activities are being undertaken by the Council in the restructure area nowhere appears in the Planning Scheme or the Incorporated Document which simply indicate that land may be developed only in accordance with the Restructure Plan.

1. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C187 - GEELONG RING ROAD EMPLOYMENT PRECINCT (CONT'D)

While advice about these Council activities would likely come to the attention of a landowner seeking a statement of compliance for a plan of subdivision (as provided in the Incorporated document), the Panel would suggest that it may be appropriate that the Incorporated Document make a direct reference to the Council brokering/purchasing activities as part of the restructuring process for the Estate. This would perhaps assist in engendering a cooperative attitude by the landowners rather than being presented only with a planning scheme provision which they can't meet without that brokering assistance of the Council.

Panel Recommendation:

Consideration should be given to making direct reference in the New Station Estate Restructure Plan to the Council brokering/purchasing activities as part of the restructuring process for the Estate.

Officer Comment:

The New Station Estate Restructure Plan, contained at Appendix 1-2 has been reviewed and modified in accordance with the Panel Recommendation.

The Restructure Plan has been modified by the addition of the 'NOTE' which has been added to the plan which describes Council's voluntary purchase scheme.

4.2 DDO minimum lot size for restructuring

The Panel Report states that:

"The restructured lots that are required by the Restructure Plan require the combination of three or more existing lots. However the larger new lots do not sit square with the old lots in the southern part of the Estate. This would appear to mean that when consolidations and re-subdivisions occur, there will be small residual (generally triangular-shaped) pieces of land which are left outside the boundaries of the new amalgamated lot. The question of how these new small lots sit with the requirement of Clause 3 of DDO18 which provides in part that: 'subdivision in ... [Precinct 2] should ensure... a minimum lot size ...[of] 2000 square metres' arises. ...

This issue arises because these overlays of the Planning Scheme operate independently of each other and the requirements of both must be met.

While as earlier noted, all 'requirements' of DDO18 are not mandatory (instead discretionary) because of the provisions of the DDO itself at Clause 42.03-2 that 'A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise', the Panel would suggest that consideration might be given to including below the table of minimum lots sizes in Schedule 18 an exception for smaller balance lots in Restructure Overlay areas.

Panel Recommendation:

Consideration should be given to including below the table of minimum lot sizes in schedule 18 to the Design and Development Overlay an exception for smaller balance lots in Restructure Overlay areas.

1. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C187 - GEELONG RING ROAD EMPLOYMENT PRECINCT (CONT'D)

Officer Comment:

It is the view of Council officers that it would be undesirable to allow for the small residual pieces of land to be treated as separate lots, as recommended by the Panel.

Such lots would be considerably smaller than the pre-existing lots, and would therefore undermine the purpose of the Restructure Overlay. In addition, some such residual pieces of land would lack a road frontage.

Ideally, at the time of the creation of restructure lots, each pre-existing lot would be subsumed within either a restructure lot and / or a road or reserve, consistent with the Restructure Plan.

Where this is not possible, for example where an adjoining land owner is not prepared to participate in the restructuring of the lots, it would be preferable for the residual land to be consolidated with adjoining land in public ownership, whether by Council, Barwon Water or VicRoads.

When a restructure lot is subsequently created on the adjoining land the lot boundaries can then be established in accordance with the Restructure Plan.

As a result of the amount of the NSE already in public ownership, or proposed to be included in the PAO, it will be possible for this approach to be applied in all instances where residual pieces of land result from the creation of a restructure lot.

Therefore, having considered the Panel recommendation on this issue, it is recommended that no change be made to the DDO18 to allow for an exception for smaller balance lots in Restructure Overlay areas.

4.3 Clarification of Integrated Development Site

The Panel Report states that:

"The third matter relates to the identification of an 'Integrated Development Site' of 1051 square metres on the Restructure Plan towards the eastern end of the New Station Estate. There is no other reference to this site and its function. ...

Accepting that the site is now all Council-owned, for transparency of the planning system, it is appropriate that the Restructure Plan should clarify the nature of the 'integrated development' envisaged.

Panel Recommendation:

In the New Station Estate Restructure Plan, the nature of the 'integrated development' envisaged for the Integrated Development Site should be clarified.

Officer Comment:

The purpose of identifying the 'Integrated Development Site' (IDS) on the Restructure Plan was to provide for a lot of sufficient dimensions to allow for the beneficial use and development of all of the IDS. Given the extent to which it is constrained by setbacks on two road frontages, as well as its narrow width at its eastern end is considered appropriate.

1. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C187 - GEELONG RING ROAD EMPLOYMENT PRECINCT (CONT'D)

The identification of the IDS alters neither the uses allowed of the land - either as or right or subject to permit - in the Industrial 1 Zone nor the requirements for a permit for development under the zone or overlay controls. Therefore, in the view of Council officers, the absence of a description of the nature of the future development of the IDS in the restructure plan in no way adversely impacts on the transparency of the plan.

4.4 Forthcoming Special Rate or Charge

The Panel Report states that:

"In the minutes of the Council meeting of 14 September 2010, mention is made of a proposed Special Rate or Charge for the precinct to recover all or part of the cost of land acquisition and construction of the drainage detention basin, as well as works at the intersection of Luton and Broderick Roads. It is not clear whether this pending levy would apply in the New Station Estate as well as to other parts of the precinct - but it seems likely. ...

The Panel commented at the Hearing and reiterates here that it may be that it could be successfully argued by an owner of an unstructured lot in the Estate that their land would not receive a special benefit from the works to be funded by the special rate or charge on the basis that it cannot be developed while unstructured, the fairness of application of the levy upon unstructured lots warrants close consideration in the decision about the properties to which the levy is to be applied."

Panel Recommendation:

Careful consideration will need to be given to the fairness and timing of the application of any Special Rate or Charge for the precinct to unstructured lots in the New Station Estate.

Officer Comment:

Having given consideration to the comments of the Panel, it remains the view of Council officers that, because the Restructure Plan will significantly improve the development potential of NSE, all affected land will benefit from the proposed drainage scheme. Even in instances where land is yet to be restructured and hence cannot be developed, accepted mechanisms exist to value the benefit of any special charge scheme to that land.

Environmental Implications

The change in the minimum lot size, application of the RO and adoption of the NSE Restructure Plan and the GREP Urban Design Guidelines will have no adverse environmental implications.

Financial Implications

The change in the minimum lot size, application of the RO and adoption of the NSE Restructure Plan and the GREP Urban Design Guidelines will have no adverse financial implications for Council.

Any increase in the number of permit applications is not likely to be of a significant magnitude, relative to the total resources of Council's Statutory Planning unit.

1. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C187 - GEELONG RING ROAD EMPLOYMENT PRECINCT (CONT'D)

Council will face costs as an acquiring authority for land to be included in the PAO, the provision of infrastructure and for the development of the land in accordance with the NSE Restructure Plan.

These costs will however be off-set by the application of a special charge scheme for the development of roads and drainage and through the sale of restructured lots.

It is considered likely that the sale of restructured lots within the NSE will be off-set by the costs of acquiring lots from the remaining private landowners, the re-subdivision of the land in accordance with the NSE Restructure Plan and the introduction of a Special Charge Scheme for the provision of drainage infrastructure.

Policy/Legal/Statutory Implications

The amendment is considered to be consistent with State and Local planning policies as set out in the Explanatory report which forms part of the Amendment documentation.

Officer Direct or Indirect Interest

No Council officers involved in the preparation of this report have a direct or indirect interest, in accordance with Section 80(c) of the Local Government Act, to which this Amendment relates.

Risk Assessment

There are no risks to Council associated with the application of the revised planning controls, including the application of the Restructure Overlay to the New Station Estate.

Social Considerations

The amendment is expected to result in net community benefit, in that the revised planning controls will provide for the development of the New Station Estate in a manner consistent with current community expectations in relation to land in the Industrial 1 zone. The GREP Urban Design Guidelines will ensure that the GREP is developed in a manner which preserves and enhances the amenity of the area.

Communication

Amendment C187 has been through a formal exhibition process with consideration of submissions by Council and review by an Independent Panel. All submitters have been advised of the timing of Council's consideration of this report and will be advised of the final decision of the Minister.

Appendix 1-1 –Instruction Sheet, Ordinance, Zone &Overlay Map Changes

1 A Instruction Sheet

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

AMENDMENT C187

The planning authority for this amendment is the City of Greater Geelong. The amendment was prepared by the City of Greater Geelong.

The Greater Geelong Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 4 attached maps:

Zoning Maps

1. Planning Scheme Map No. 26 is amended in the manner shown on the attached map marked "Greater Geelong Planning Scheme, Amendment C187".

Overlay Maps

2. Planning Scheme Map No. 26 is amended in the manner shown on the 2 attached maps marked "Greater Geelong Planning Scheme, Amendment C187 26PAO and 26 D-PAO".
3. Insert a new Planning Scheme Map No. 26 in the manner shown on the attached map marked "Greater Geelong Planning Scheme, Amendment C187 26 RO".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

4. Replace Clause 21.07 with the attached document.
5. Replace Clause 43.02-18 with the attached document.
6. Replace the Schedule to Clause 45.01 with the attached document.
7. Introduce Clause 45.05 to the planning scheme.
8. Introduce Clause 45.05-1 in the form of the attached document.
9. Replace Clause 61.03 with the attached document.
10. Replace Clause 81.01 with the attached document.

End of document

1 B Clause 21.07

GREATER GEELONG PLANNING SCHEME

21.07 ECONOMIC DEVELOPMENT AND EMPLOYMENT

--/120--
C187

21.07-1 Key issues and influences

14/10/2010
C188

Economic Role and Function

Geelong is the largest regional city in Victoria and the primary service and employment hub for the G21 Geelong Region Alliance.

The City's infrastructure base includes Avalon Airport, the Geelong Port and major road and rail connections to Metropolitan Melbourne and Victoria's western regions.

The provision of high quality living, working and recreational environments is critical to attracting and retaining highly skilled people and the businesses in which they work.

Industry

There is a need to provide support for ongoing employment and economic development in the Geelong region.

There is a need to provide a diverse range of appropriately located, well serviced industrial land which meets the needs of a range of industry types and minimises land use conflicts.

Traditional manufacturing industries will continue to be key economic and employment drivers in the municipality, however at the same time the City's economy will need to focus on emerging industry sectors that underpin economic development, prosperity and employment growth in the new economy.

The changing nature of industrial development means that most industrial development now requires high amenity land that offers a high quality environment for workers and visitors.

There is a need to support industry through the maintenance and improvement of infrastructure including the road, rail, Avalon Airport, deep water port and associated facilities.

The extractive industry operations in the municipality make a vital contribution to the building and construction industries and are of major economic importance to the Geelong region.

Retail

The City of Greater Geelong Retail Activity Centre Hierarchy has been established to articulate the role and function fulfilled by centres of different sizes.

The retail hierarchy supports the primacy of Central Geelong as the focus of retail activity in the region.

There is a need to ensure a mix of commercial uses in activity centres.

The retail hierarchy will be enhanced through high quality urban design and improved pedestrian and public transport accessibility.

There is increasing development pressure for sites located away from activity centres, particularly for bulky goods and other large format retail development types that seek large sites with the capacity for significant car parking.

Greater Geelong exhibits a number of factors that contribute to an increased vulnerability to problem gambling which requires sensitive consideration of their location.

GREATER GEELONG PLANNING SCHEME

Rural

Agricultural production is modest, but locally important and economically significant for landowners.

There is potential for growth in agricultural production, particularly aquaculture.

Farming activity and the rural landscape are very significant elements to the identity, image and liveability of the City of Greater Geelong.

Farming and rural landscapes form non urban breaks and are a critical element to the settlement strategy, tourism function and lifestyle of the region.

Farming and agriculture are important and valued activities in the northern area of the municipality, particularly in the Anakie area.

Rural land in a number of urban fringe areas accommodates a range of uses and developments which require buffers from residential areas.

The City's rural areas contain important environmental assets.

Tourism

Tourism is a key part of the economy of the Geelong region. The region includes major tourism destinations such as the Bellarine Peninsula and the coast.

Tourism activities in rural and coastal areas must be carefully managed so as not to compromise the natural environment and/or agricultural activities.

21.07-2

--/20--
C187

Industry

Objectives

- To provide an adequate supply of appropriately located industrial land that meets the needs of different industries.
- To direct different types of industrial development to appropriate locations.
- To facilitate well designed and serviced industrial development that provides a high level of amenity for workers and visitors.
- To minimise land use conflicts.

Strategies

- Focus new industrial development around major transport routes and infrastructure assets.
- Protect existing and designated future industrial areas from encroachment by incompatible land uses.
- Support the development of a technology/business park in the South Western Armstrong Creek Employment Area.
- Encourage regional and national scale industrial businesses to locate in the southern part of the Geelong Ring Road Employment Precinct, and in appropriate locations in the future South Western Armstrong Creek Employment Area.
- Direct industries which require substantial buffer zones from sensitive land uses to the core of the Industrial 2 Zone in the Geelong Ring Road Employment Precinct.
- Ensure all industrial development incorporates best practice water sensitive urban design and waste management practices.

GREATER GEELONG PLANNING SCHEME

- Ensure all industrial development is appropriately serviced by road, drainage, water, sewerage and telecommunications infrastructure.
- Ensure all industrial development provides high quality urban design and landscaping.
- Ensure new development in the Geelong Ring Road Employment Precinct is configured to minimise the individual and societal risk levels attached to the Shell LPG Storage Facility.
- Protect identified stone resources for future extraction and potential extraction industry operations from the encroachment of incompatible land uses.
- Direct materials recycling industries to locations that minimise land use conflicts and impacts on the amenity of surrounding areas.
- Support the establishment of infrastructure that reduces costs for business and industry.
- Support an integrated Geelong Transport Strategy, ensuring that industrial areas are well connected to each other and the rail/freeway network.
- Provide sufficient industrial land to meet a range of industrial needs in Geelong, including small to medium sized industry.
- Develop the North East Industrial Precinct as a vibrant, new generation, master planned industry and business park that will attract a wide range of users and respond to the changing needs of industry sectors over time, as a key business address in the region and Victoria.

21.07-3

Retail

14/10/2010
C168

Objectives

- To facilitate the development of vibrant and viable retail activity centres in accordance with the Geelong Retail Activity Centre Hierarchy included at Clause 21.07-8.
- To ensure all major retail developments, and out of centre developments, provide a clear net community benefit.
- To avoid the risk of exacerbating problem gambling.

Strategies

- Ensure that new retail development is directed to activity centres and is consistent with the role and function described in the Retail Activity Centre Hierarchy included at Clause 21.07-8.
- Ensure Central Geelong remains the primary retail activity centre in the G21 Region and the focus of retail activity in the G21 region.
- Direct restricted retail (bulky goods) use and development to Central Geelong, the nominated homemaker precinct at Waurin Ponds, the Corio homemaker precinct subject to appropriate re-zoning and other homemaker precincts and activity centres as detailed in Clause 21.07-8.
- Discourage restricted retail (bulky goods) development in industrial areas.
- Encourage a mix of retail, office, cafes, entertainment, housing, education and community facilities to locate within activity centres.
- Support accommodation uses above ground level floor space in activity centres subject to appropriate provision of parking and access requirements.

GREATER GEELONG PLANNING SCHEME

- Require that applications for new centres establish the retail need for such use and development and demonstrate that there are no adverse impacts on the operation of the retail activity centres hierarchy.
- Direct the location of gaming machines to venues that makes gaming accessible but not convenient as detailed in Clause 22.57.

21.07-4
28/01/2010
C129(Part1)

Economic growth sectors

Objective

- To facilitate development in the City's strategic economic growth sectors.

Strategies

- Support industry development in the following strategic growth sectors:
 - Knowledge, Innovation and Research.
 - Advanced Manufacturing.
 - Health.
 - Tourism.
 - Small, Micro and Home Based Business.
 - Food and Horticulture.
- Support the development of the Geelong Technology Precinct located at the Deakin University Waurn Ponds campus, particularly biotechnology industry.
- Support the development of seafood and aquaculture industries in appropriate locations, particularly in North Geelong, Portarlington and Avalon.
- Support the development of health and medical industries, particularly in the Medical Health Cluster in central Geelong (as identified on the Central Geelong Structure Plan Map at Clause 21.09), and around the Deakin University campus at Waurn Ponds.
- Support the development of food, horticulture and viticulture industries in appropriate locations, particularly on the Bellarine Peninsula.
- Support the development of aerospace industries within the confines of the Avalon Airport site.

21.07-5
28/01/2010
C129(Part1)

Rural Areas

Objectives

- To support the use of the northern, western and southern rural areas for productive agriculture.
- To ensure that rural areas provide an attractive setting through the preservation of a farmed rural landscape.
- To protect and enhance the Bellarine Peninsula as a productive rural area with highly significant landscapes based on farming and environmental features.

GREATER GEELONG PLANNING SCHEME

Strategies

- Maintain rural land in large and productive parcels, in accordance with the schedules to the farming zones.
- Minimise non farming land uses in rural areas.
- Ensure that any non farming land uses will not compromise farming activity in the area.
- Ensure development in rural areas respects the farmed landscape character, particularly significant landscapes identified through the Coastal Spaces Landscape Assessment Study.
- Ensure that new dwellings do not compromise the productive potential of land and are associated with the productive agricultural use of the land.
- Encourage agricultural development with export potential and specifically encourage aquaculture and horticulture activities in the rural areas around Avalon Airport.

21.07-6

28/01/2010
C129(Part1)

Tourism in rural areas

Objectives

- To support tourism development in rural areas that respects the open farmed landscape of the area, and contributes to the economy.

Strategies

- Within the Bellarine Peninsula rural areas, support appropriately scaled, high quality, landscape responsive tourism uses that are subservient and complimentary to their rural landscape and environmental setting and are associated with agricultural activity on the land.
- In all other rural areas support tourism uses and developments in the Farming Zone that are associated with agricultural activity on the land.
- Support a limited number of larger scale rural based tourism development within rural areas that require rezoning.
- Direct major accommodation facilities to urban areas.

21.07-7

14/10/2010
C168

Implementation

These strategies will be implemented by:

Using policy and the exercise of discretion

Where appropriate, referring applications for the development of land in the Heales Road Industrial Estate to Worksafe.

Using the Discretionary Uses in Residential Areas Policy at Clause 22.01.

Using the Sexually Explicit Adult Entertainment Venues, Adult Sex Bookshops and Adult Cinemas Policy at Clause 22.02.

Using the Assessment Criteria for Retail Planning Applications Policy at Clause 22.03.

Using the Agriculture, Rural Dwellings and Subdivision Policy at Clause 22.05.

Using the Tourism Development in Rural Areas Policy at Clause 22.06.

Using the Racing Dog Keeping and Training Policy at Clause 22.07.

GREATER GEELONG PLANNING SCHEME

Using the Materials Recycling Policy at Clause 22.08.

Using the Gaming Policy at Clause 22.57.

Applying zones and overlays

Applying the Rural Activity Zone to major tourism proposals in accordance with Clause 22.06 – Tourism Development in Rural Areas.

Applying Schedule 1 to the Urban Growth Zone to the Armstrong Creek North East Industrial Precinct area in accordance with the North East Industrial Precinct, Precinct Structure Plan, May 2010.

Applying Schedule 1 to the Development Contributions Plan Overlay to the Armstrong Creek North East Industrial Precinct area in accordance with the North East Industrial Precinct, Precinct Structure Plan, May 2010.

Further work

Support the development of a masterplan for the Avalon Airport site.

Implement Coastal Spaces Landscape Assessment Study (Department of Sustainability and Environment, 2006).

As a priority, commence an investigation into the future residential and industrial land use needs for Geelong, as a basis for future growth area planning that would include:

- assessment of the environmental, resource, landscape, development pattern, access, servicing, land use, economic and social constraints and opportunities associated with possible growth areas around Geelong,
- identification of a preferred growth area or areas, and
- preparation of detailed growth area plans.

References

Heales Road Industrial Estate Framework Plan, MacroPlan Australia and the City of Greater Geelong, 2007.

Armstrong Creek Urban Growth Plan, City of Greater Geelong, 2006.

City of Greater Geelong Retail Strategy, Essential Economics and Hansen Partnership, 2006.

City of Greater Geelong Economic Development Strategy, City of Greater Geelong, 2005.

Geelong Seafood Industry Strategy, City of Greater Geelong, 2003.

City of Greater Geelong Rural Land Use Strategy, City of Greater Geelong, 2007.

Coastal Spaces Landscape Assessment Study, Department of Sustainability and Environment, 2006.

North East Industrial Precinct, Precinct Structure Plan, May 2010.

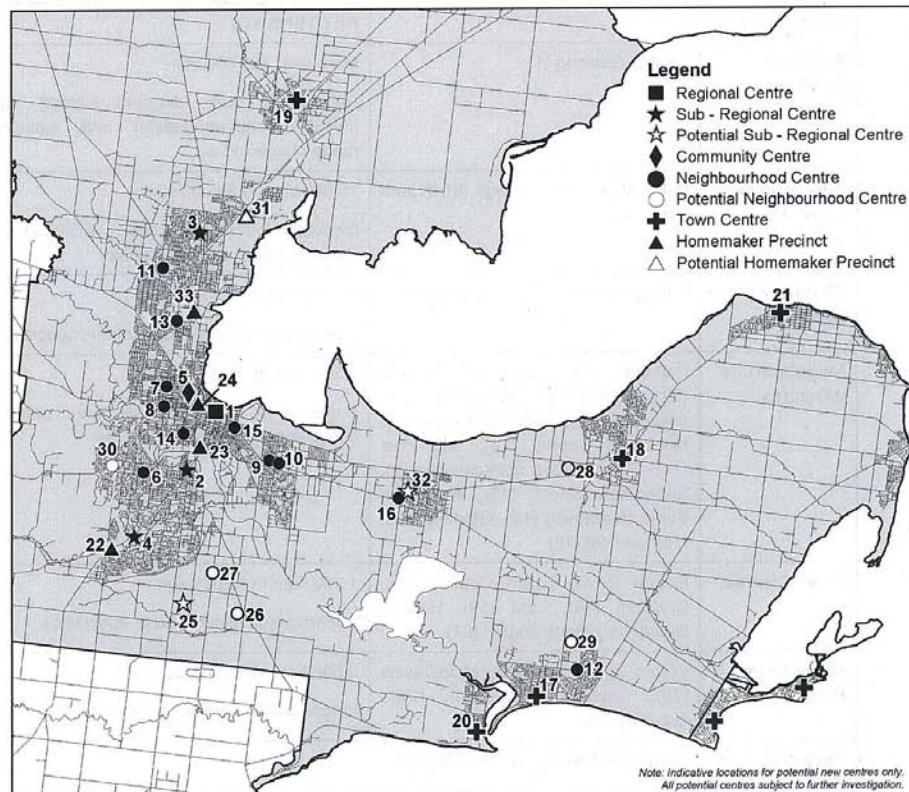
North East Industrial Precinct, Development Contributions Plan, May 2010

Greater Geelong Gaming Policy Framework, City of Greater Geelong, 2007.

GREATER GEELONG PLANNING SCHEME

21.07-8 City of Greater Geelong Retail Activity Centre Hierarchy

10/06/2010
C226



GREATER GEELONG PLANNING SCHEME

CITY OF GREATER GEELONG RETAIL ACTIVITY CENTRE HIERARCHY		
LEVEL IN HIERARCHY	IDENTIFIED CENTRES	INDICATIVE FLOORSPACE AND EXAMPLE KEY TENANTS
Regional Centre	Central Geelong (1)	More than 100,000 sqm Department store, discount store(s), mini major(s), supermarkets(s) and extensive range of specialties
Sub-regional Centres	Belmont (2), Corio Village (3), Waurn Ponds (4)	15,000 sqm to 35,000 sqm Discount department store(s), mini major(s) supermarket(s) and specialties
Community Centre	Pakington Street (Geelong West) (5)	10,000 sqm to 25,000sqm Supermarket(s), mini major(s) and specialties
Neighbourhood Centres	Highton (6), Shannon Avenue (Geelong West) (7), Shannon Avenue (Newtown) (8), Bellarine Village (9), Newcomb Central (10), Bell Post (11), Ocean Grove marketplace (12), Separation Street (13), Pakington Street (Newtown) (14), Geelong East (15) Leopold (16)	2,500 sqm to 25,000 sqm Supermarket (small or full line), primarily convenience oriented specialties
Town Centres	Ocean Grove (Town Centre) (17), Drysdale (18), Lara (19), Barwon Heads (20), Portarlington (21)	1,500 sqm to 15,000 sqm Supermarket, mini major(s), specialties
Homemaker Precincts	Waurn Ponds (22), Moorabool/Fyans (23), Geelong West (24), North Geelong (33)	5,000 sqm to 50,000 sqm Large restricted retail type tenants
Potential Subregional Centres	Armstrong Creek (25), Leopold (32)	
Potential Neighbourhood Centres	Armstrong Creek East (26), Armstrong Creek Horseshoe Bend Rd (27), Jetty Road Growth Area (28), Ocean Grove north east growth corridor (29), Wandana Heights (30)	
Potential Homemaker Precincts	Corio (31)	

GREATER GEELONG PLANNING SCHEME

21.07-9

Geelong Ring Road Employment Precinct Framework Plan map

--/--/20--
C187



GREATER GEELONG PLANNING SCHEME

~/-/20-
C187

SCHEDULE 18 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO18**

Geelong Ring Road Employment Precinct

1.0

~/-/20-
C187

Design objectives

To facilitate the development of the Geelong Ring Road Employment Precinct as a high amenity industrial area suited to the needs of advanced manufacturing and production support industries.

To provide a high level of amenity for workers on and visitors to the estate.

To ensure development provides an attractive frontage to the Geelong Ring Road.

To ensure development provides a high level of visual amenity when viewed from major transport routes and surrounding non-industrial land uses.

To promote best practise sustainable design including storm water quality and reuse measures.

2.0

~/-/20-
C187

Buildings and works

Permit Requirement

- A permit is only required for a fence located along a boundary that has a frontage to a street, where the fence is impermeable and/or greater than 1.5 metres in height above natural ground level.

Requirements

Site Layout

The layout of individual sites should ensure:

- On all lots directly adjacent to the Geelong Ring Road, the positioning and orientation of public entrances to buildings to front the Ring Road.
- On all lots that are not directly adjacent to the Geelong Ring Road, the positioning and orientation of public entrances to buildings to front the street.
- The provision of footpaths from the street to main building entrance(s).
- The separation of pedestrian and vehicle circulation.
- The location of loading and unloading areas, truck parking and outdoor goods or waste storage (including tanks) at the rear of or within buildings and the use of landscaping to screen them from street frontages.
- The separation of loading and truck parking areas from car parking areas.
- Adequate on-site provision for queuing trucks.
- Wherever possible, the visibility of all parking spaces from the interior of the building(s), especially entrances.
- The location of ancillary buildings behind main building(s). The integration of ancillary buildings with or their compatibility in design with the main building(s).

A Site Context Plan must also be submitted which details how the proposed development of an allotment relates to any adjoining existing building to ensure compatibility of height, bulk, landscape planting and vehicular access.

GREATER GEELONG PLANNING SCHEME

Landscaping and Building Design

The design of new buildings and extensions of individual sites should ensure:

- High standards of design quality and building appearance in all locations, particularly on all lots that are directly adjacent to the Geelong Ring Road.
- The location of office or showroom components on the side(s) of the building facing a street or open space area, or the incorporation of windows or articulation of the facade to avoid blank facades facing the public realm.
- A unified architectural treatment for the office and industrial parts of buildings, or designs that make an architectural feature of the office component and a neutral backdrop of the industrial component.
- Massing and articulation, window and door treatments, materials and colours to create attractive public facades which avoid unrelieved and/or blank facades facing street frontages.
- The use of low-maintenance external materials.
- The avoidance of highly reflective roof and wall materials.
- The avoidance of exposed plain concrete block walls.
- The integration of service equipment within the design of the building or its screening from view.
- Energy efficient building design and orientation.
- The use of hardy indigenous plantings with sufficient allowance for water delivery and quality ground conditions for healthy growth.
- The use of trees in car park areas to reduce the heat island effect of large areas of pavement and to provide shade for vehicles.

The external design and landscaping of individual sites should ensure:

Requirement	Precinct 1 (m)	Precinct 1a (m)	Precinct 2 (m)
Building setback (incl. front landscaping buffer)	24	20	18
Front landscaping buffer	9	5	3
Landscaping buffer to any side street	5	5	3
Landscaping buffer adjacent to any farm zone	5	5	20
Landscaping buffer adjacent to a rural living zoned land and the Geelong Melbourne Railway line	5	5	20
Landscape buffer to apply from end of road acquisition	5	5	3

- The use of landscaping to screen and soften open air car parks, soften buildings (particularly their interface with parking areas), shade buildings, define entrances and buffer adjoining sites.
- Drainage basins must not be located within any landscape buffer.
- If more than 10 car spaces are provided in any one area, the use of landscaped island beds to break up the hard surface area and improve visual amenity.
- Common themes in driveway and car park materials.
- The provision of appropriate lighting to ensure safety and legibility.

GREATER GEELONG PLANNING SCHEME

- The development of a distinctive, unifying design for all outdoor and street furniture.
- The creation of distinctive entries from the street to the site.

Front and Side (fronting a street) Fences

- Fencing should be constructed of materials that integrate with and complement the building and surrounding area and be of a muted colour.
- Wherever possible, fencing should be softened and screened by vegetation planting.
- Uncoated galvanised steel and wire fencing should be avoided.
- Galvanised steel and wire fencing should be coated with polyurethane.
- Fencing should provide a reasonable degree of visual transparency.

Stormwater Quality and Re-Use

Wherever possible, all development is to incorporate:

- Best practice storm water quality and reuse measures.
- The harvesting of rainwater from roofs and its reuse including for washing vehicles, flushing toilets, irrigating landscape and other appropriate uses.
- The recycling of grey water.

3.0
-/-/20-
C187

Subdivision

Subdivision within the estate should ensure:

- The provision of an appropriate range of lot types and settings.
- The provision of lot configurations that facilitate energy efficient site and building design.
- That no lots have a rear aspect to the Geelong Ring Road.
- The following minimum lot sizes within each precinct in the estate, as defined on the Structure Plan Map at clause 21.22-1 of this Planning Scheme:

Precinct	Minimum Lot Size
1	5 Hectares
1a	1 Hectare
2	2000 square metres

Street Design

The design of new local streets within the estate should ensure:

- The provision of footpaths on both sides of every street.
- Generous street tree planting (clear-stemmed to 2 metres) in conformance with a consistent 'language' that reinforces the identity of the estate and specific precincts within it.
- The incorporation of on-street parking on as many streets as possible.
- The location of all services, including electricity supply, underground, wherever possible.
- The provision of sufficient lighting to ensure pedestrian security.
- The use of lights that minimise glare.

GREATER GEELONG PLANNING SCHEME

4.0 Advertising signs

--/20--
C187

- On sites which have more than one tenant, signage should be co-located so as to avoid sign clutter.
- Signage should be co-ordinated and compatible with the building design.

5.0 Decision guidelines

--/20--
C187

Before deciding on an application the Responsible Authority must consider:

- Advertising Sign Guidelines, City of Greater Geelong 1997.
- Geelong Ring Road Employment Precinct Urban Design Guidelines, City of Greater Geelong, July 2010

1 D Schedule to Clause 45.01

GREATER GEELONG PLANNING SCHEME

—/—/20—
VC187

SCHEDULE TO THE PUBLIC ACQUISITION OVERLAY

PS Map	Acquisition Authority	Purpose of Acquisition
PAO1	Education Department	Proposed School
PAO2	City of Greater Geelong	Proposed Public Open Space
PAO3	VicRoads	Proposed Road - Category 1
PAO4	City of Greater Geelong	Proposed Road (no category)
PAO5	City of Greater Geelong	Proposed Car Park
PAO6	VicRoads	Proposed Road - Category 2
PAO7	Barwon Water	Proposed Water and Sewerage Infrastructure
PAO8	Department of Human Services	Proposed Health and Community Infrastructure
PAO9	Director of Public Transport	Proposed Railway Station
PAO10	Roads Corporation	Outer Metropolitan Ring / E6 Transport Corridor
PAO11	Department of Sustainability and Environment	Western Grassland Reserves
PAO12	City of Greater Geelong	Proposed Drainage Infrastructure
PAO13	City of Greater Geelong	Proposed drainage Infrastructure and Road (no category)

1 E Clause 45.05

45.05

19/01/2006
VC37

RESTRUCTURE OVERLAY

Shown on the planning scheme map as **RO** with a number.

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To identify old and inappropriate subdivisions which are to be restructured.

To preserve and enhance the amenity of the area and reduce the environmental impacts of dwellings and other development.

45.05-1

19/01/2006
VC37

Subdivision

A permit is required to subdivide land.

A subdivision must be in accordance with a restructure plan for the land listed in the schedule to this overlay. This does not apply if the subdivision is for one of the following purposes and no additional lots or subdivision potential is created:

- To realign boundaries between lots that have been consolidated in accordance with the restructure plan.
- To consolidate a restructure lot with a section of closed road or other land not included in a proposed restructure lot.

Each lot must be provided with reticulated sewerage if available. If reticulated sewerage is not available, the application must be accompanied by:

- A land assessment report which demonstrates that each lot is capable of treating and retaining all waste water in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- A plan which indicates the building envelope and effluent disposal area for each lot.

Before deciding on an application to subdivide land into residential lots, the responsible authority must consider Clause 56.

45.05-2

19/01/2006
VC37

Dwellings and other buildings

A permit is required to construct or extend a dwelling or other building.

A permit must be in accordance with a restructure plan for the land listed in a schedule to this overlay. This does not apply if:

- No restructure plan is listed in the schedule and the permit is required to extend an existing dwelling or other building.
- The land is a lot for which a permit has been granted under Clause 45.05-1.

45.05-3

19/01/2006
VC37

Exemption from notice and review

An application under this overlay is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

45.05-4
19/01/2006
VC37

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The objectives of the restructure plan for the area.
- Appropriate measures to cope with any environmental hazard or constraint affecting the land, including slope, drainage, salinity and erosion.
- The protection and enhancement of the natural environment and the character of the area including the retention of vegetation and fauna habitats and the need to revegetate along waterways, gullies, ridge lines and property boundaries.
- The availability of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- The relationship of the intended use and development to the existing or likely use and development of adjoining and nearby land.
- The effect on surrounding uses, especially agricultural uses and nearby public land.
- The design of buildings.

Notes:

Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check the requirements of the zone which applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.

1 F Schedule to Clause 45.05

GREATER GEELONG PLANNING SCHEME

---/20---
C187

SCHEDULE TO THE RESTRUCTURE OVERLAY

PS Map reference	Land	Title of restructure plan
RO1	'New Station Estate', Broderick Road, Corio	New Station Estate Restructure Plan, July 2010

1 G Schedule to Clause 61.03

GREATER GEELONG PLANNING SCHEME

24/11/2011
C127(Part 2)

SCHEDULE TO CLAUSE 61.03

Maps comprising part of this scheme:

- 1, 1VPO, 1SLO, 1WMO
- 2, 2ESO, 2VPO, 2SLO, 2HO, 2WMO
- 3, 3ESO, 3VPO, 3HO, 3LSIO-FO, 3PAO
- 4, 4ESO, 4HO, 4PAO
- 5, 5ESO, 5VPO, 5SLO, 5HO, 5WMO, 5DDO14
- 6, 6ESO, 6VPO, 6SLO, 6HO, 6LSIO-FO
- 7, 7ESO, 7VPO, 7SLO, 7HO, 7LSIO-FO, 7PAO, 7WMO
- 8, 8ESO, 8SLO, 8HO, 8LSIO-FO, 8PAO, 8WMO
- 9, 9ESO, 9HO, 9LSIO-FO
- 10, 10ESO, 10HO, 10LSIO-FO
- 11, 11ESO, 11LSIO-FO
- 12, 12ESO, 12SLO, 12LSIO-FO, 12VPO, 12WMO
- 13, 13ESO, 13SLO, 13HO, 13VPO, 13WMO
- 14, 14ESO, 14VPO, 14LSIO-FO
- 15, 15ESO, 15PAO, 15VPO, 15HO, 15LSIO-FO
- 16, 16ESO, 16LSIO-FO
- 17, 17ESO, 17HO, 17DDO, 17LSIO-FO, 17VPO
- 18, 18ESO, 18DDO, 18DPO, 18LSIO-FO, 18PAO, 18DDO14, 18SBO
- 19, 19ESO, 19VPO, 19HO, 19LSIO-FO, 19DDO14, 19DDO
- 20, 20ESO, 20VPO, 20DPO, 20LSIO-FO, 20DDO
- 21, 21ESO, 21DPO, 21DDO, 21LSIO-FO
- 22, 22ESO, 22PAO, 22LSIO-FO
- 23, 23ESO, 23LSIO-FO
- 24, 24ESO, 24HO, 24LSIO-FO, 24DDO14
- 25, 25ESO, 25DPO, 25LSIO-FO, 25PAO, 25EAO, 25HO, 25DDO14, 25DDO, 25SBO
- 26, 26ESO, 26HO, 26SBO, 26PAO, 26EAO, 26DDO, 26DDO14, 26RO
- 27, 27ESO, 27VPO, 27HO, 27LSIO-FO, 27EAO
- 28, 28ESO, 28DPO, 28DDO
- 29, 29ESO, 29DPO, 29DDO, 29LSIO-FO
- 30
- 31, 31ESO, 31HO, 31DPO, 31LSIO-FO, 31PAO, 31EAO
- 32, 32ESO, 32HO, 32PAO, 32DDO14, 32SBO
- 33, 33HO, 33DDO14, 33DPO, 33DD, 33SBO
- 34, 34HO, 34DDO14, 34DDO

GREATER GEELONG PLANNING SCHEME

- 35, 35DDO
- 36, 36ESO, 36HO, 36DPO, 36LSIO-FO, 36PAO, 36EAO, 36DDO14, 36SBO
- 37, 37HO, 37DDO, 37EAO, 37DDO14, 37DPO, 37LSIO-FO, 37SBO
- 38, 38HO, 38EAO, 38DDO14, 38DDO, 38SBO
- 39
- 40, 40ESO, 40HO, 40DDO
- 41, 41HO, 41DDO14, 41SLO
- 42, 42ESO, 42HO, 42PAO, 42DDO14, 42DDO, 42SLO
- 43, 43ESO, 43VPO, 43HO, 43EAO, 43DDO14, 43DPO, 43DDO, 43SLO
- 44, 44VPO, 44HO, 44DDO14, 44DDO
- 45
- 46, 46LSIO-FO, 46HO
- 47, 47SLO, 47HO, 47DDO, 47LSIO-FO, 47PAO, 47EAO, 47DDO14, 47DPO, 47RXO
- 48, 48HO, 48DDO, 48DPO, 48LSIO-FO, 48EAO, 48DDO14
- 49, 49SLO, 49HO, 49DDO, 49LSIO-FO, 49PAO, 49DDO14, 49EAO, 49RXO, 49SBO
- 50, 50HO, 50DDO, 50EAO, 50LSIO-FO, 50DDO14, 50SBO
- 51, 51ESO, 51HO, 51DDO, 51DDO14
- 52, 52HO, 52LSIO-FO, 52PAO, 52DDO14, 52DDO, 52DPO
- 53, 53ESO, 53HO, 53LSIO-FO, 53PAO, 53DDO14, 53DDO
- 54, 54ESO, 54HO, 54LSIO-FO, 54PAO, 54DDO, 54DDO14, 54EAO
- 55, 55HO, 55LSIO-FO, 55DDO, 55DDO14, 55SBO
- 56, 56ESO, 56HO, 56DDO, 56LSIO-FO, 56DDO14, 56SBO
- 57, 57VPO, 57HO, 57DPO, 57DDO14, 57DDO
- 58, 58VPO, 58HO, 58DDO
- 59, 59VPO, 59HO, 59PAO, 59DDO14, 59DDO, 59DPO
- 60, 60HO, 60PAO, 60DDO14, 60SLO
- 61, 61VPO, 61SLO
- 62, 62ESO, 62VPO, 62HO, 62DDO14, 62DDO, 62DPO, 62SLO
- 63, 63DDO
- 64, 64VPO, 64SLO, 64PAO
- 65, 65VPO, 65SLO, 65HO, 65DDO, 65DPO, 65PAO, 65DDO14
- 66, 66VPO, 66HO, 66DPO, 66LSIO-FO, 66PAO, 66DDO14, 66ESO, 66DDO
- 67, 67VPO, 67HO, 67LSIO-FO, 67PAO, 67ESO, 67DDO14, 67SBO, 67DDO, 67DCPO
- 68, 68ESO, 68HO, 68LSIO-FO, 68DDO14, 68SLO
- 69, 69ESO, 69HO, 69LSIO-FO, 69DDO14, 69DPO, 69SLO
- 70, 70VPO, 70HO, 70LSIO-FO, 70PAO, 70SLO
- 71, 71ESO, 71VPO, 71HO, 71PAO, 71DPO, 71SLO
- 72, 72ESO, 72VPO, 72HO, 72SLO

GREATER GEELONG PLANNING SCHEME

- 73, 73ESO, 73VPO, 73SLO
- 74, 74ESO, 74DDO14, 74SLO
- 75, 75VPO
- 76, 76VPO, 76PAO
- 77, 77VPO, 77HO, 77LSIO-FO, 77ESO
- 78, 78ESO, 78VPO, 78LSIO-FO, 78PAO, 78HO
- 79, 79ESO, 79VPO, 79LSIO-FO, 79PAO, 79HO, 79SLO
- 80, 80ESO, 80LSIO-FO, 80SBO, 80PAO, 80HO, 80DDO14, 80SLO
- 81, 81ESO, 81VPO, 81SLO, 81HO, 81DDO, 81LSIO-FO, 81SBO, 81PAO, 81DDO14, 81WMO
- 82, 82ESO, 82VPO, 82SLO, 82HO, 82DDO, 82DPO, 82LSIO-FO, 82PAO 82DDO14, 82WMO
- 83, 83ESO, 83VPO, 83HO, 83DDO, 83LSIO-FO, 83PAO, 83DDO14, 83WMO, 83DPO, 83SLO
- 84, 84ESO, 84VPO, 84SLO
- 85, 85ESO, 85WMO, 85DDO
- 86, 86ESO, 86HO, 86LSIO-FO, 86WMO, 86DDO
- 87, 87ESO, 87HO, 87SLO, 87DDO14, 87SBO
- 88, 88ESO, 88HO, 88LSIO-FO, 88DDO14, 88DDO, 88SBO
- 89, 89ESO, 89DDO14, 89WMO, 89SLO

1 H Schedule to Clause 81.01

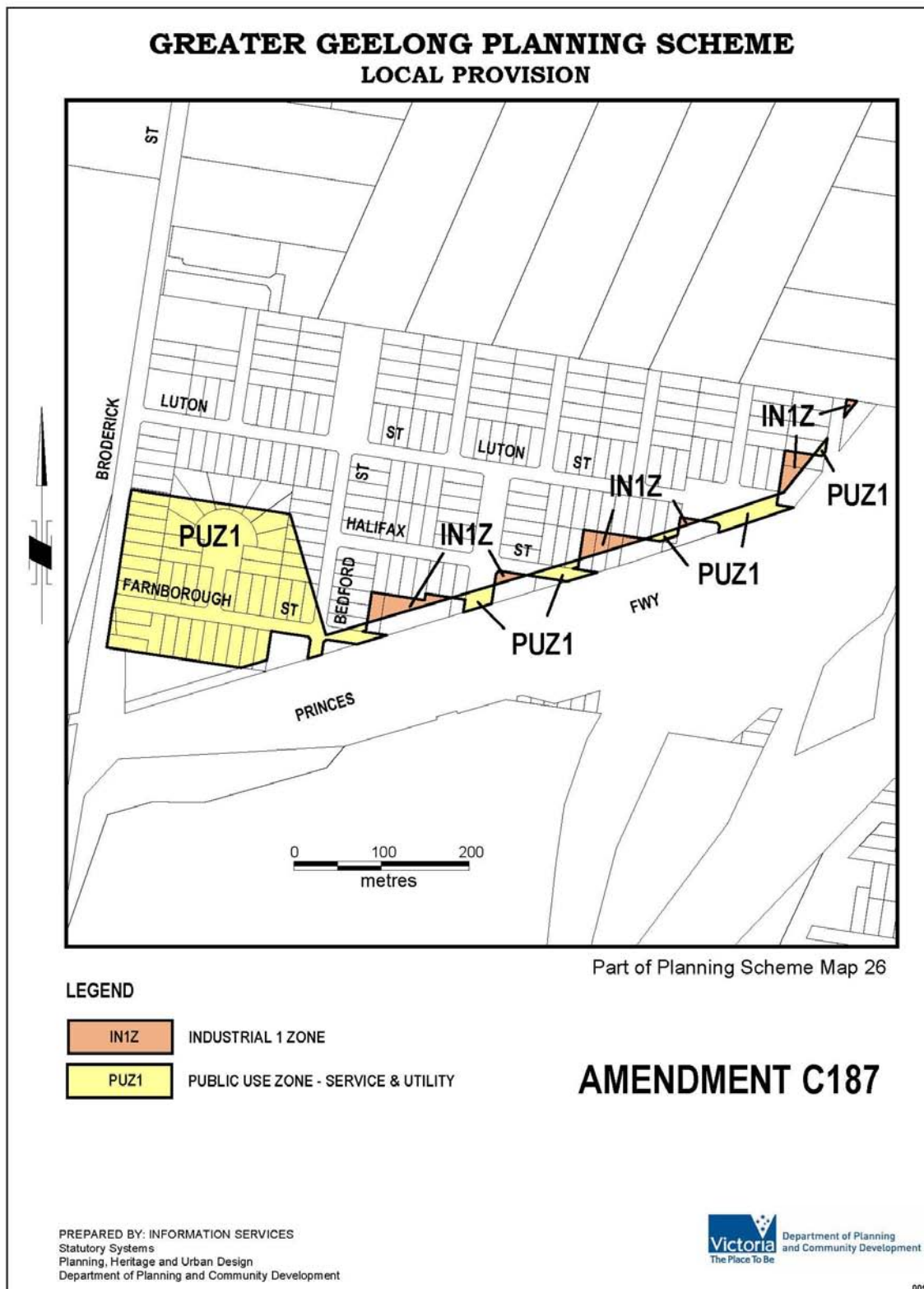
GREATER GEELONG PLANNING SCHEME

23/09/2011
VC77

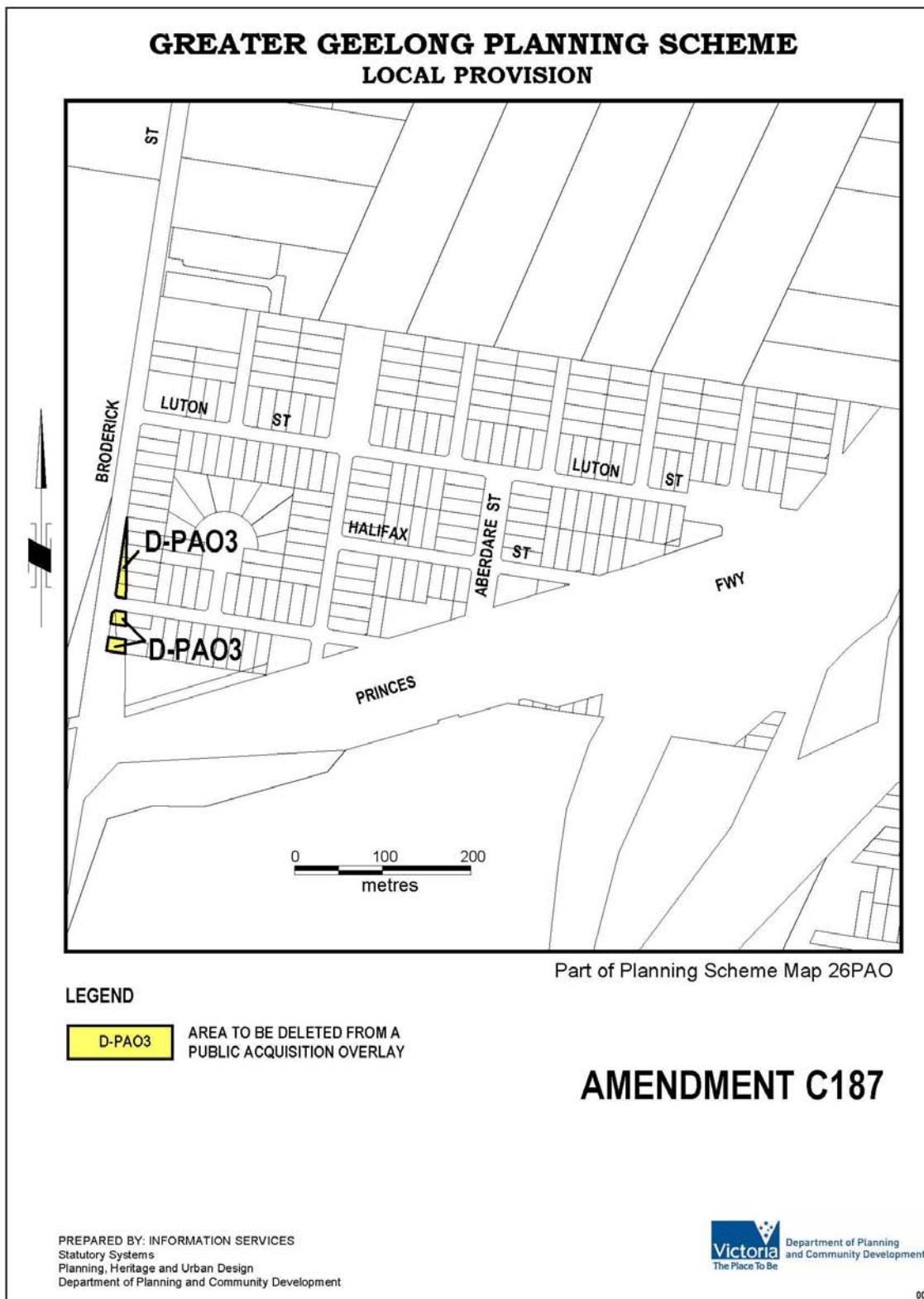
SCHEDULE TO CLAUSE 81.01

Name of document	Introduced by:
14 Shepherd Court, North Geelong, Cotton On Office Redevelopment, July 2011	C257
Advertising Sign Guidelines, City of Greater Geelong, November 1997.	NPS1
Armstrong Creek East Native Vegetation Precinct Plan, May 2010	C206
Armstrong Creek East Precinct Structure Plan, May 2010	C206
Armstrong Creek North East Industrial Precinct Development Contributions Plan, May 2010.	C207
Armstrong Creek North East Industrial Precinct Growing Grass Frog Conservation Management Plan, May 2010.	C207
Armstrong Creek North East Industrial Precinct Native Vegetation Precinct Plan, May 2010.	C207
Armstrong Creek North East Industrial Precinct, Precinct Structure Plan, May 2010.	C207
Armstrong Creek Urban Growth Plan Framework Plan, November 2008, Updated May 2010	C206
Australian Standard AS 2021-1994, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction. Standards Association of Australia 1994.	NPS1
Environmental Weeds, City of Greater Geelong, September 2008	C129(Part 1)
Geelong Ring Road – Section 4C Incorporated Document, June 2010.	C232
Geelong TAC Office Development, October 2006.	C142
Heritage and Design Guidelines, City of Greater Geelong, 1997.	NPS1
Key Development and Increased Housing Diversity Areas, July 2009, Drysdale IHDA updated Sept 2010	C103
Melbourne Geelong Interconnection Project, June 2010.	C229
Newtown Heritage Study Review Report, Volume 3, City of Greater Geelong, 2008	C191
Rail Infrastructure Projects (comprising the Rail Gauge Standardisation Project, the Regional Fast Rail Project and the Fibre Optic Project), December 2002.	VC17
Rail Upgrades at Geelong Port Project, May 2010.	C211
Rippleside Comprehensive Development Plan, February 2000.	C2
Rippleside Urban Design Guidelines, June 2000.	C2
Thirteenth Beach Golf Resort Barwon Heads, Barwon Heads Comprehensive Development Plan, Land Design Partnership, Anthony Cashmore & Associates and the Planning Group, May 2001 amended September 2006.	C54
Waterfront Geelong Design and Development Code, Keys Young, July 1996	NPS1
West Fyans-Fyans Street Precinct Structure Plan, June 2009	C205
Geelong Ring Road Employment Precinct Urban Design Guidelines, July 2010	C187

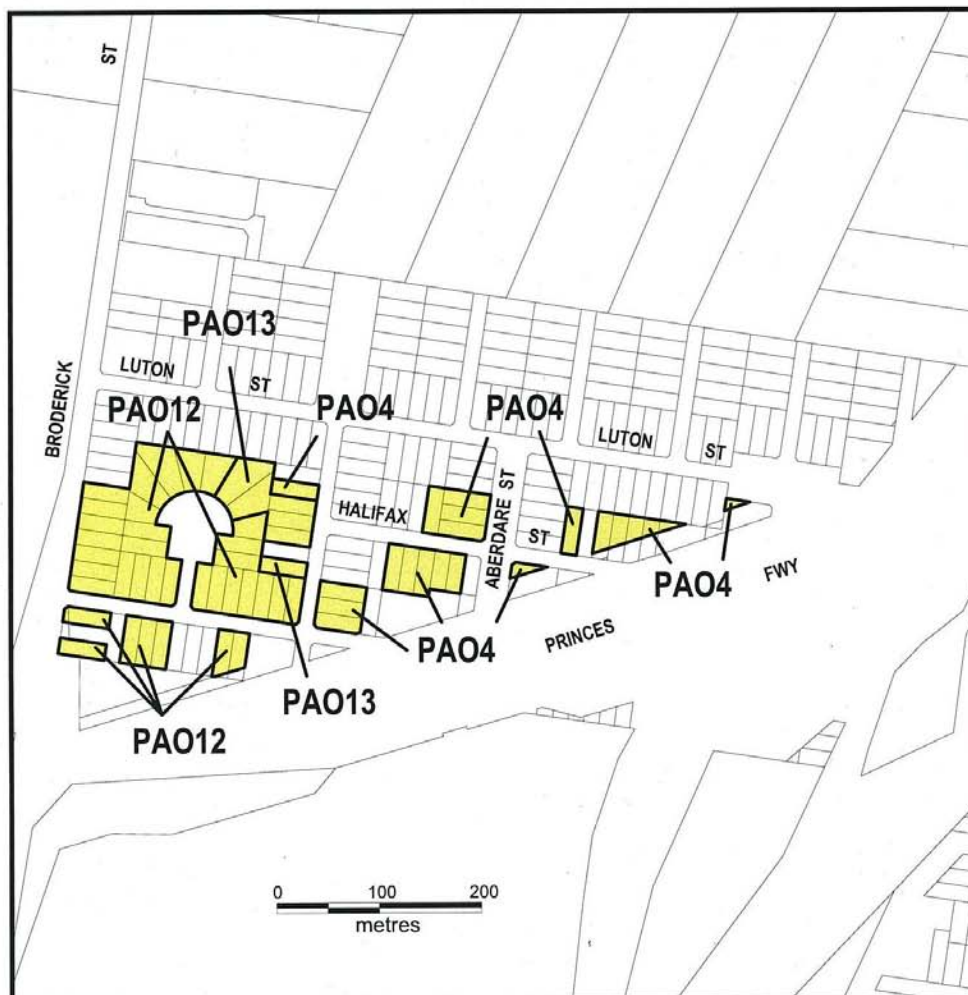
11 Changes to Zone map 26



1 J Deletions from PAO Map 26



GREATER GEELONG PLANNING SCHEME LOCAL PROVISION



Part of Planning Scheme Map 26PAO

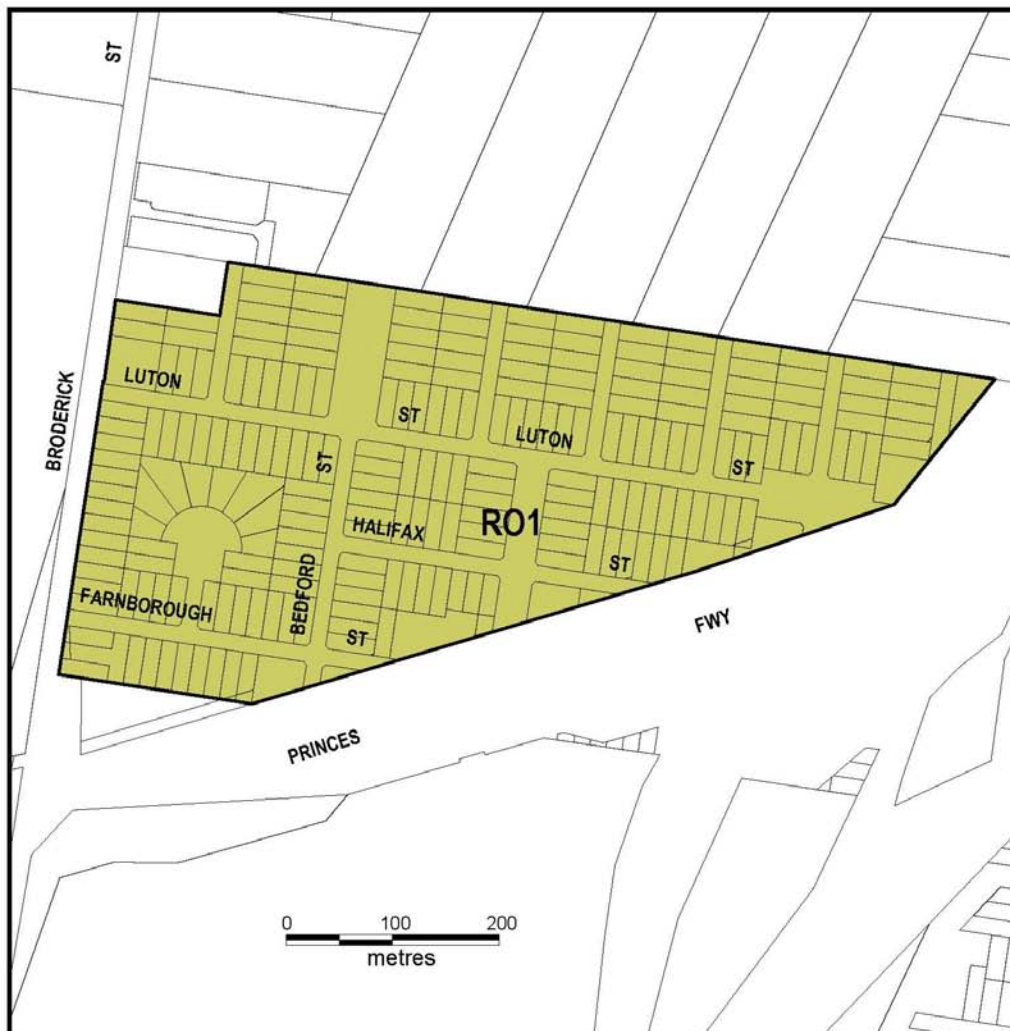
LEGEND

PA04	PUBLIC ACQUISITION OVERLAY (PA04)
PA012	PUBLIC ACQUISITION OVERLAY (PA012)
PA013	PUBLIC ACQUISITION OVERLAY (PA013)

AMENDMENT C187

PREPARED BY: INFORMATION SERVICES
Statutory Systems
Planning, Heritage and Urban Design
Department of Planning and Community Development

GREATER GEELONG PLANNING SCHEME LOCAL PROVISION



Part of Planning Scheme Map 26RO

LEGEND



AMENDMENT C187

PREPARED BY: INFORMATION SERVICES
Statutory Systems
Planning, Heritage and Urban Design
Department of Planning and Community Development

Appendix 1-2 – New Station Estate Restructure Plan

NEW STATION ESTATE RESTRUCTURE PLAN, JULY 2010

RO1 New Station Estate Restructure Plan applies to all land shown within the heavy black outline on the plan hereunder and identified as RO1 on Map no 26RO of the Greater Geelong Planning Scheme.

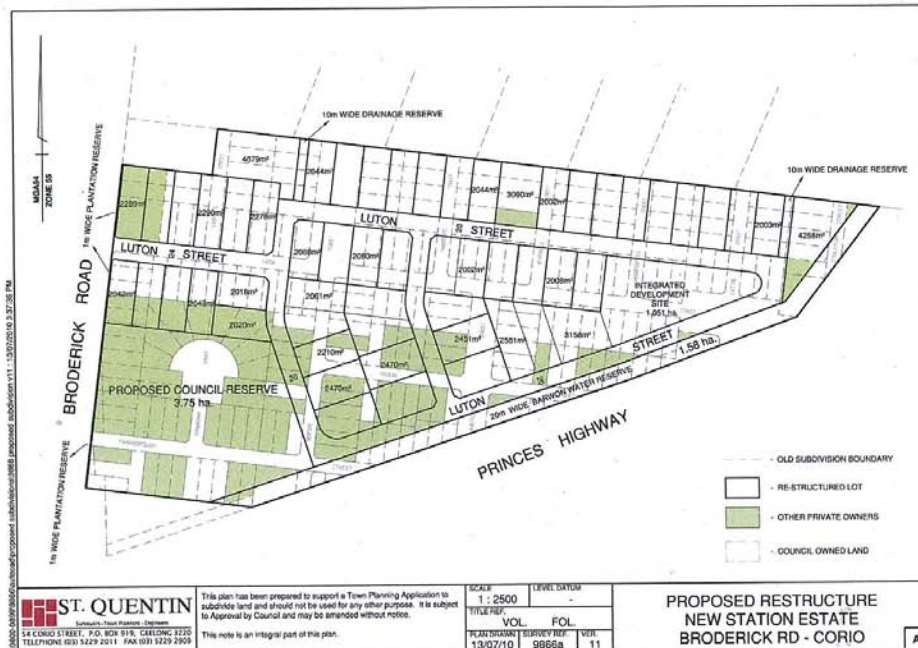
Restructure provisions

No land to which the New Station Estate Restructure Plan applies shall be used or developed for any purpose prior to obtaining a statement of compliance for a plan of subdivision, or stage thereof, which consolidates the land consistent with the pattern of lots identified on the plan entitled 'PROPOSED RESTRUCTURE NEW STATION ESTATE BRODERICK RD – CORIO', dated 13/7/10, hereunder.

Prior to the issue of a statement of compliance for a plan of subdivision or stage thereof :

- Each lot must be provided with fully constructed road access, to Council standards for roads in industrial zones;
- Redundant easements for drainage and / or sewer must be extinguished.

Restructure Plan



NOTE:

Council has for a number of years operated indicated to private owners of lots within the New Station Estate that it is prepared to purchase these lots – identified in green on the plan - on the basis of the value of the land, as determined through independent sworn valuation.

Subject to agreement, and based on the value of all affected lots being agreed, Council may also consider the transfer of titles by private landowners in part exchange for the purchase of lots elsewhere within New Station Estate, in circumstances where the private owners are unable to facilitate the restructuring of their existing lots, due to the lack of co-operation by other private landowners.



Urban Design Guidelines

JULY 2010

Table of Contents

1 Access and Circulation

- 1.1 Pedestrians & Cyclists
- 1.2 Car Parking & Circulation
- 1.3 Truck Parking, Loading & Servicing
- 1.4 Accessibility

2 Development Envelope

- 2.1 Site Layout & Building Orientation
- 2.2 Building and Landscape Setbacks and Buffers
- 2.3 Building Heights

3 Building Design Standards

- 3.1 General Approach
- 3.2 Architectural Style
- 3.3 Building Design
- 3.4 Building Services
- 3.5 Office Design
- 3.6 Materials & Finishes

4 Water Sensitive Urban Design

- 4.1 Principles & Objectives

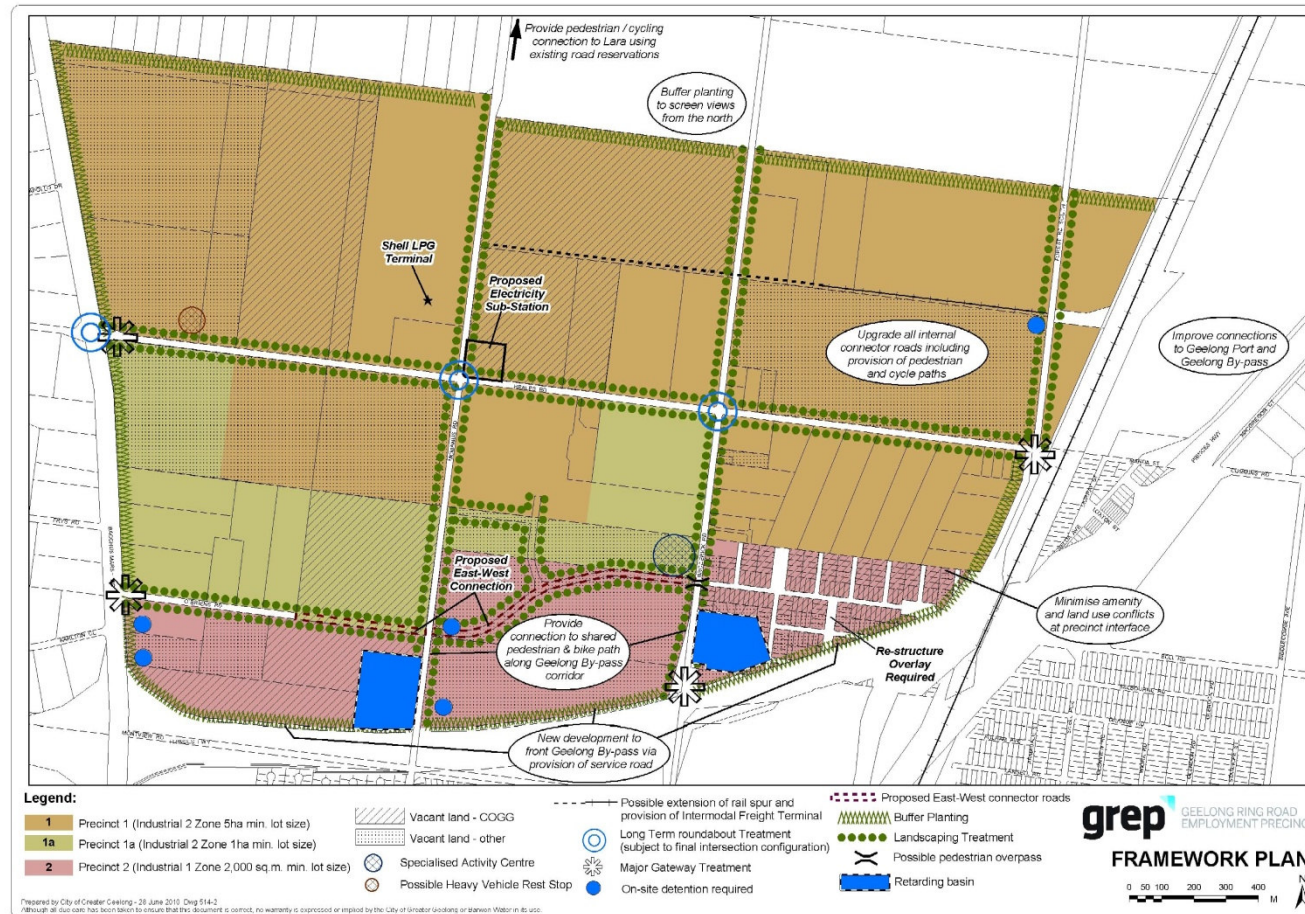
5 Landscape Design Standards

- 5.1 Design Approach
- 5.2 CPTED & Safer Design
- 5.3 Preferred Plant Species
- 5.4 Landscape Materials & Finishes
- 5.5 Front Setback Landscaping
- 5.6 Fencing
- 5.7 External Lighting
- 5.8 Signage

6 Site Amenity

- 6.1 Waste Storage & Disposal
- 6.2 Storage Areas
- 6.3 Building Maintenance
- 6.4 Infrastructure & Existing Road System





This document outlines Councils Urban Design expectations for all lots within the Geelong Ringroad Employment Precinct. All development applications will be assessed with reference to these guidelines in conjunction with the Greater Geelong Planning Scheme – DDO18.

1 Access and Circulation

The Geelong Ringroad Employment Precinct (GREP) will be designed to accommodate the competing needs of pedestrians, cyclists, cars and heavy vehicles in a safe and functional environment.

1.1 Pedestrians & Cyclists

Many areas will contain paths for use by both pedestrians and cyclists. Wherever possible, pedestrian and cyclist routes should be physically delineated from vehicular movements and clear site lines should be maintained at vehicular crossovers.

1.2 Car Parking & Circulation

Car parking and efficient vehicle circulation are key design considerations for the GREP. Parking areas should provide an adequate number of spaces for the proposed use of the development.

Car drivers prefer to park in the shade therefore all car parking areas should be landscaped and planted to an appropriate level to provide shade and screening for cars and a safe environment for users. Planting softens the visual impact of massed cars and well-designed car parks shaded by trees and screened by plants are a relief from stark expanses of asphalt and concrete. Integration of the car park within the landscape of the development is an essential requirement for both aesthetic and functional outcomes.

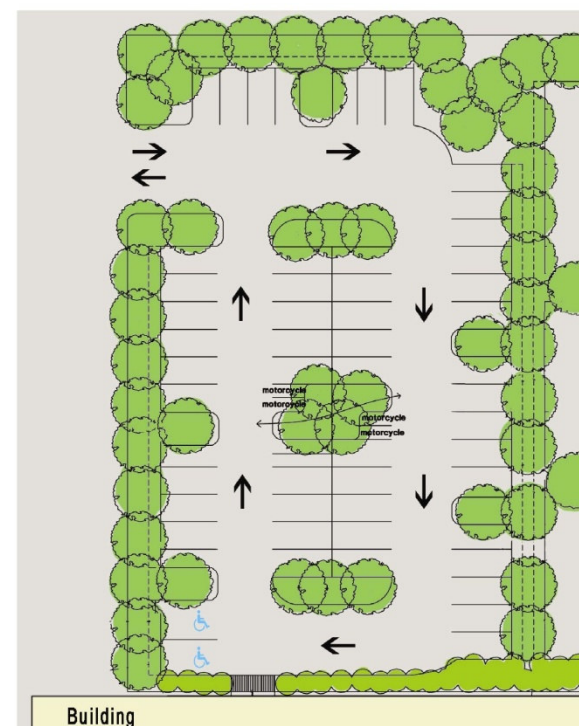


Figure 1 - Indicative Car Park Layout

For all developments within the GREP, the following guidelines should be met.

- The car park layout should be designed to be sympathetic with the building form and surrounding landscape;
- Car parks should include canopy trees which are spaced to provide shade for vehicles at the rate of approximately one large canopy tree to every 10 vehicles. Planting "islands" should be incorporated into very large car parking areas;
- Plant species for all landscape areas (including canopy trees) should be selected to allow clear sightlines for all users;
- Car parking areas should be set back the required distance from the front of the property to allow for the landscape buffer as specified in the table at Schedule 18 of Clause 43.02 of the Greater Geelong Planning Scheme.
- Wherever possible, car parking areas should be visible from inside the building;
- Set backs should be landscaped to partially screen cars whilst preserving site lines into and throughout the car park for user safety. Planting should not provide hiding spaces;
- The design should provide for all vehicles to enter and exit the car park in a forward direction;
- The overall design should minimize the probability of vehicle/vehicle or vehicle/pedestrian conflict;
- Car parks should provide direct access via pedestrian paths to designations;
- Provision of car parking spaces for people with disabilities should be provided and conform to Australian Standards. Full width access ramps should be provided along the front of disabled car parking bays.
- Pervious pavements should be used rather than solid surfaces to harvest storm water run-off for plant irrigation;
- Sufficient lighting should be provided where the car park will be regularly used after dusk;
- Car parking areas should not be sited adjacent to outside air intake or natural ventilation;
- Car parking areas should not be used for the temporary or permanent storage of goods for servicing, usage or loading;
- The design of the car park should consider site drainage, sewer mains, water pipes and easements;
- Common themes in design and materials should be used for car parks and driveways;
- In addition to these guidelines, all car parking should comply with the standards set by the Greater Geelong Planning Scheme and the relevant Australian Standards.

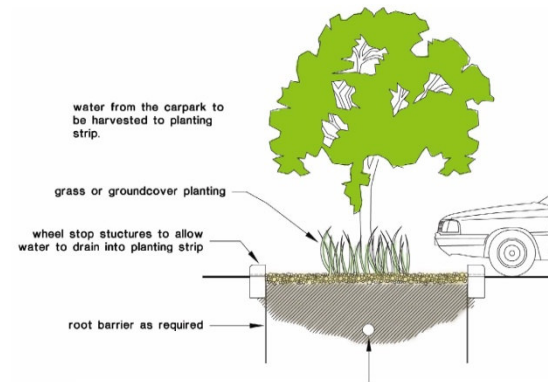


Figure 2 - Indicative Car park cross section showing water harvesting

1.3 Truck Parking, Loading & Unloading

In any industrial area, the design of truck circulation, loading and parking is integral to the overall efficient operation and safety of the area. The following guidelines should be met.

- Adequate on-site provision for queuing trucks should be provided;
- Truck parking areas should be incorporated onto the development site;
- Truck parking is prohibited within the designated landscape buffer;
- Truck parking areas should not be sited adjacent to outside air intake or natural ventilation;
- Truck loading and unloading should only occur within the site. Loading, unloading and servicing on public roads is strictly prohibited;
- Truck loading bays should be situated within the building or screened from street view;
- Truck loading and service bays should be separate from vehicles, pedestrian and cycling routes.

1.4 Accessibility

All design and construction decisions impact accessibility. Equal access for all individuals is an integral part of the planning, programming, design, construction, operation and maintenance of all buildings and facilities within the GREP. Accessible features should be incorporated into the initial concepts to optimize the accessibility of the site and its building(s).

2 Development Envelope

Developers should consult the title for all easements and encumbrances and for any additional requirements relating to their site.

2.1 Site Layout & Building Orientation

Building orientation should take advantage of passive solar access and prevailing winds as an important consideration to environmental building principles during site evaluation and planning. Where possible, the following guidelines should be met.

- The main building entrance should face the main street frontage;
- Pedestrian paths should be provided from the main street frontage to the main building entrance;
- Building orientation and design should maximize northern and southern solar exposure and minimize or shade east and west facing windows and openings;
- Orientation and openings should maximize natural cross-flow ventilation;
- Ancillary buildings should be located behind the main building(s) and should be compatible in design with the main building(s);
- The development of any lot should relate to adjacent existing buildings to ensure compatibility of built form, height, landscape character and vehicular access;
- Site landscaping should be designed to provide summer shade and winter solar access.

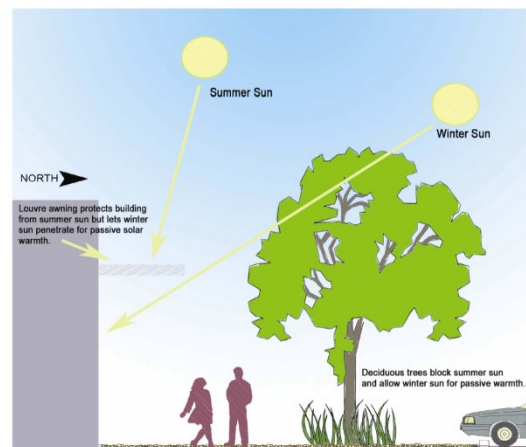


Figure 3 - Indicative Solar Access

2.2 Building and Landscape Setbacks and Buffers

The external design and landscaping of individual sites is to include the setbacks and buffers in the table below.

REQUIREMENT	PRECINCT 1 (M)	PRECINCT 1A (M)	PRECINCT 2 (M)
Building setback including front landscaping buffer	24	20	18
Front landscaping buffer	9	5	3
Landscaping buffer to any side street	5	5	3
Landscaping buffer adjacent to any farm zone	5	5	5
Landscaping buffer adjacent to zoned rural living land and the Geelong – Melbourne rail line.	5	5	N/A
Landscape buffer to apply from end of road acquisition	5	5	3

3 Building Design Standards

3.1 General Approach and Requirements

The style and design of the built form has the potential to improve the operational efficiency of a business, on-going operational costs, working conditions and the quality of the working environment.

To achieve a high quality environment for the GREP the following design initiatives should be incorporated:

- Buildings should “face” or “address” the street with the more public activities located at the front to activate the frontage and provide passive street surveillance;
- Integration of internal and external areas;
- Locate and screen hard stand, loading, storage, rubbish disposal, plant, equipment and the like in side and rear areas;
- Implement environmentally sustainable design initiatives including building orientation, materials, energy and water consumption.

3.2 Architectural Style

Innovative design is encouraged within the GREP. This includes active street frontages and environmentally sustainable design. Buildings should be of a contemporary style with a unique solution for each site, to provide visual interest and site identification. Graphics and art will be encouraged as part of this expression.

All structures on the site should be designed in a coordinated manner to achieve consistent built form.

All services, plant and equipment should be concealed or designed to compliment the overall building expression.

3.3 Building Design

Buildings should be designed to incorporate passive design techniques. Items to be considered for the building design include:

- environmentally sustainable materials;
- landscaping to provide occupant amenity and to modify the building microclimate;
- shading devices to reduce summer heat (solar access);
- natural ventilation and in particular cross ventilation;
- natural light.

3.4 Building Services

Building services such as lighting, heating and cooling should be used to improve the environmental performance and efficiency of the proposal. Innovative energy and water saving initiatives are encouraged.

3.5 Office Design

A good indoor office environment improves health, worker satisfaction, retention rates and productivity.

- Natural lighting is preferred to artificial light;
- Control direct sun in work areas (solar access);

- Control radiant heat through glazed facades by shading or the use of performance glass;
- Consider the use of indoor plants to filter air pollutants.
- Provide a landscaped outdoor amenity area for staff for lunch and recreation.

3.6 Materials and Finishes

Materials and finishes should be selected for appropriateness to their use and their environmental impact:

- Materials used for construction of walls on or near boundaries should be of a similar standard to the materials used for the remainder of the building. These walls should be fully integrated into the building design;
- Where practical, materials should be sourced locally to reduce transportation costs and impacts.

4 Water Sensitive Urban Design

4.1 Principles & Objectives

The water sensitive urban design (WSUD) principles at GREP are focused on the collection, treatment and reuse of waste water, rain water and storm water. This approach is designed to minimize the quantities of potable water consumed and optimize the reuse of all water collected, harvested and used by the site. The following guidelines should be met.

- The collection, treatment and subsequent reuse of waste, storm and rain water should be maximized;
- Site irrigation systems should contain demand management initiatives such as drip flow and night/early morning irrigation to reduce evaporation;
- Drainage basins should not be located within any landscape buffer;
- Impervious surfaces should contain storm water inlets to ensure all storm water is handled within the site prior to legal discharge;
- Discharge from the site, equipment, cleaning and servicing not captured by a waste water system, should be cleaned and filtered prior to entry into the storm water system.

5 Landscape Design Standards

5.1 Design Approach

It is the intention of Council to ensure that the GREP makes a positive contribution to the landscape by ensuring that there is a strong relationship between the public realm and the private domain. This is to be achieved through site landscape design solutions that contribute positively to the streetscape. The following guidelines should be met.

- A Landscape Architect should be engaged to prepare the Landscape Plan for the site;
- The site landscape should provide a high level of amenity for staff by providing sun, wind and rain protection;
- Staff amenity areas should be sited away or shielded from potentially harmful site activities;
- Trees and vegetation should be positioned to respond to solar access;
- Run-off from paved areas should be harvested to be re-used for site irrigation;
- Sites should be landscaped with an emphasis on the street frontages;
- All designs should be practical and easily maintained to a high standard of presentation.

5.2 CPTED & Safer Design

Crime Prevention Through Environmental Design (CPTED) is a multi-disciplinary approach to deterring criminal behavior through the design of the built environment. It relies upon the ability to influence offender decisions that precede criminal acts. The layout and design of all sites within the GREP should conform to CPTED principles. These principles include:

- Clear sight lines;
- Open access and connections between buildings;
- Active and passive surveillance of private and public spaces;
- “Neck to knee” clearance zones in all landscaped areas, particularly car parks to provide better surveillance;
- Lighting of all vehicle, bicycle and pedestrian routes;
- Visually permeable fencing;
- Use of robust materials for external furniture and fittings to deter vandalism.

5.3 Preferred Plant Species

- Native and indigenous species should be used. Indigenous plants are adapted to local climatic conditions and generally require less water and maintenance. In addition they provide habitat for local fauna.
- A list of indigenous plant species can be found at www.geelongaustralia.com.au. The GREP is located in Zone 17.

5.4 Landscape Materials & Finishes

As much as possible, landscape materials should be sourced from an environmentally sustainable supply. Locally sourced sustainable, recycled and re-used materials should be used where possible.

A schedule of materials and finishes should be outlined in the landscape plans and specifications.

5.5 Front Setback Landscaping

The following guidelines should be met.

- Solar access should be considered in planting schemes by planting deciduous trees closer to buildings on the south side of east-west streets and planting evergreen trees to the north;
- Landscaping should comply with CPTED principles;
- Minimise exposed back fences and blind walls.

Also refer to section 2.2 – Building and Landscaping Setbacks and Buffers.

5.6 Fencing

The following principles and design objectives should be met.

- Fencing should provide a high degree of visual transparency to comply with the principles of CPTED;
- Fencing should be constructed of materials that are unobtrusive and integrate, coordinate and compliment the built form on the site;
- Fencing should be softened by low-level vegetation, of a form consistent with the planting principles outlined in Section 5.2 & 5.3 of these Guidelines;
- Galvanised steel and wire fencing should be plastic coated;
- Fencing should be fully specified and dimensioned on the Landscape Plans for the site.

5.7 External Lighting

The City of Greater Geelong is committed to the safety of the community. Part of this commitment is providing lighting in public spaces to help increase safety and security. In addition to the lighting to be installed in the public realm, businesses within the precinct should meet the following guidelines.

- Lighting should be adequate to ensure a safe and secure environment across the site;
- Car parks, cycling routes and pedestrian paths should be lit;
- Lighting systems should be energy efficient with the use of solar lighting as much as possible;
- Lighting should be fully specified and dimensioned on the Landscape Plans for the site.

5.8 Signage

Due to the prominent location of the GREP to the Princes Freeway and the Melbourne to Geelong rail line, well designed and integrated signage is an important element of the overall design. Extensive and dominant external signage pollutes the visual environment and diminishes visual literacy. The following guidelines should be met.

- Businesses will be encouraged to develop an overall site signage strategy incorporating business and directional signage;
- Signage should be co-located on sites which have more than one tenant so as to avoid sign clutter;
- Signage should be incorporated into the built form and compatible with the building design in scale, colour and style;
- Directional signage should assist with way-finding for pedestrians, vehicles and cyclists, including entry and exit points, parking controls, delivery and reception areas;
- All planning permit or amendment applications should be accompanied by a comprehensive drawing showing the proposed location and dimensions of signage structures including dedicated signage areas visible from the site or the public realm.

6 Site Amenity

6.1 Waste Storage & Disposal

As part of an overall site management strategy, sites within the precinct should meet the following guidelines.

- Waste storage and disposal is to be integrated within the site design in a purpose-built facility, screened from street frontages and staff amenity areas;
- Recycling storage facilities should be provided.

6.2 Storage Areas

All external plant, service yards and bulk storage areas should be sited at the rear of the property unless otherwise approved by Council.

6.3 Building Maintenance

All buildings, signage, car parks, paths and paved areas should be maintained to a high level of presentation.

6.4 Infrastructure & Existing Road System

Crossovers will be provided for each lot. A written request should be made to Council if the applicant wishes to vary the location or number.

Appendix 1-4 List of Submitters.

No.	Submittor	Affected Property
1	Barwon Water	None Specified
2	Department of Transport	None Specified
3	Mr John Juhas	62 Farnborough Street, Corio
4	Mr Milenko Busija	12 Bedford Street, Corio
5	Mr Benjamin Bates	340 Bacchus Marsh Road, Corio
6	Mr Dusan Busija	10 Bedford Street, Corio.

2. ADOPTION OF AMENDMENT C249 COMBINED PERMIT/REZONING ROLLINS ROAD, BELL POST HILL

Portfolio: Planning – Cr Macdonald
Source: Economic Development, Planning and Tourism –
Strategic Implementation
General Manager: Peter Bettess
Index Reference: Subject Council Report 2012
Application: 249 Strategic Implementation

Summary

- This report is for Council to consider submissions received to Amendment C249 and to adopt the amendment.
- Amendment C249 is a combined Planning Scheme Amendment and Planning Permit application, initiated by Councils Property and Services Unit.
- The Amendment seeks to rezone part of the land at 1-33, 33-37 Rollins Road and 305 Ballarat Road Bell Post Hill from part Farming Zone (FZ) and Public Park and Recreation Zone (PPRZ) to a Residential 1 Zone (R1Z). The amendment seeks to delete the Public Acquisition Overlay 3 (PAO3) and introduce Design and Development Overlay 14 (DDO140) to the site.
- The Planning Permit (243/2011) seeks to remove Municipal Reserves 1 and 2 from Council land at 1-33 and 33-37 Rollins Road, Bell Post Hill.
- Amendment C249 applies to both Council and private landholdings, in which the owners are supportive.
- The Amendment will allow the subject site to be developed in accordance with the Residential 1 Zone provisions.
- Council resolved on 8 June 2011 to support the preparation of the amendment and seek authorisation from the Minister for Planning to prepare and exhibit the amendment.
- Ministerial authorisation was granted on 3 August 2011.
- The Amendment was placed on public exhibition from 15 September 2011 to 29 October 2011. Public notification was placed in the local media and letters sent to surrounding landowners, service authorities and Ministers.
- Four submissions were received from VicRoads, EPA, Corangamite Catchment Management authority and SPI Ausnet.
- The submissions do not object to the proposal but raised concerns regarding access, sound attenuation measures and construction over easements. These issues can be dealt with when considering a planning permit for any future uses for the site.
- The proposal is considered to be consistent with State and Local Planning policies and will assist in providing minor urban infill within a developed area.
- It is recommended that the Amendment be adopted as described in this report.

2. ADOPTION OF AMENDMENT C249 COMBINED PERMIT/REZONING ROLLINS ROAD, BELL POST HILL (CONT'D)

Cr Macdonald moved, Cr Granger seconded -

That Council:

- 1) adopt Amendment C249 in the form as outlined in Appendix 2-3 to this report;**
- 2) submit the adopted Amendment together with the prescribed information to the Minister for Planning requesting approval;**
- 3) recommend to the Minister that a Planning Permit be granted pursuant to Section 96 of the Planning and Environment Act (The permit is included in Appendix 2-3); and**
- 4) note that a Section 173 Agreement will be prepare as part of the sale of the subject site, to set aside 1317 sqm for public open space.**

Carried.

Report

Background

Amendment C249 to the Greater Geelong Planning Scheme is a combined Planning Scheme Amendment and Planning Permit Application initiated by Council Property Services Unit.

The Amendment seeks to rezone the following properties to the Residential 1 Zone:

- 1-31 Rollins Road, Bell Post Hill – a linear parcel of Council land to the rear of the existing Rollins Road properties;
- 33-37 Rollins Road, Bell Post Hill – a small rectangular parcel of 1317 sqm, in Council ownership. It is currently subject to the Public Park and Recreation Zone (PPRZ), however this is not a true reflection of its current on the ground uses; and
- 305 Ballarat Road, Bell Post Hill – a linear parcel sandwiched between the Council properties and the Geelong Ring Road. The private property of 1.72ha is encumbered by a power easement on which a 220kV transmission power line and other local supply lines/poles are located.

Planning Permit 243/2011, associated with the Amendment, removes the following Municipal Reserves:

- Reserve No.1, which is a linear reserve (approximately 0.3 metres wide and 500 metres long) located to the immediate rear of the residential properties fronting Rollins Road, south of Bingley Court; and
- Reserve No. 2, which applies to the PPRZ land at 33-37 Rollins Road.

2. ADOPTION OF AMENDMENT C249 COMBINED PERMIT/REZONING ROLLINS ROAD, BELL POST HILL (CONT'D)

The majority of both properties (3.5ha) are already subject to the Residential 1 Zone. This Amendment applies to the balance of both properties (approximately 2.0 ha) which is still within a remnant Farming Zone.

This has been left over after VicRoads purchased land to develop the Geelong Ring Road. The rezoning of the properties is required to enable the land to be made available for development consistent with the provisions of the Residential 1 Zone. The properties subject of this amendment falls within the urban growth boundary and its retention in the Farming Zone is inconsistent with surrounding residential zoning and development.

The amendment also seeks to apply the Design and Development Overlay Schedule 14 (DDO14) and delete the Public Acquisition Zone Overlay 3 (PAO3) from the affected properties. The introduction of DDO14 will require a planning permit for dwellings above 7.5 metres and its application is consistent with the surrounding residential area. The removal of PAO3 is justified as the land is no longer required by VicRoads for the Geelong Ring Road development.

Council and the adjoining private landowner intend to offer for sale all of the land affected by this amendment, subject to its approval. Through the future sale of this site, a condition will be imposed on the Section 173 Agreement requiring that land equating to 1,317 sqm shall be set aside for public open space in addition to the regular open space provisions required through the planning permit process.

It is important to note that both properties are encumbered with various easements, which will affect any future development of the site. The private property at 305 Ballarat Road is entirely encumbered by a power easement which houses a 220kV transmission powerline and other local supply poles and lines. The Barwon Water, Montpellier Lovely Banks water main and easement runs through the southern part of Council's land. There is also a fibre optic cable, controlled by Nextgen running along the eastern boundary of Council's land, which has no easement.

Discussion

Public Exhibition and Submissions

Ministerial Authorisation (No: A2012) for the Amendment was received from the Minister for Planning on 3 August 2011. Exhibition of Amendment C249 took place between 15 September and 31 October 2011 with notices placed in local newspapers and in the Government Gazette. Notice of the Amendment was sent to adjoining landowners and occupiers, and to the required Government and Statutory Authorities.

Council received four submissions, all in support of the amendment. The submissions also outlined requirements that must be met through any redevelopment of the land. Issues raised in the submissions included the following:

- No new vehicle access to any major arterial roads and highways.

2. ADOPTION OF AMENDMENT C249 COMBINED PERMIT/REZONING ROLLINS ROAD, BELL POST HILL (CONT'D)

- Implementation of appropriate noise attenuation measures for the future development.
- Impact on existing drainage issues of the area
- Constraints of Power Easements and associated regulations

The responses to the above key issues are as follows:

No new vehicle access to any major arterial roads and highways

VicRoad's submission clearly articulates that no additional access are to be created for vehicles to enter/exit arterial roads or highways from Rollins Road/Bingley Court, as a result of any future development of the subject properties.

Officer response

It is envisaged that the existing road arterial road network will be able to cater for any future traffic generated as a result any development of the subject site. The current Hamilton Highway exit off the Geelong Ring Road is sufficient to serve any future residents of the development. An additional vehicle access point may need to be created to Rollins Road – a Council road, as advised in by Councils engineering department, however this will be addressed through the planning permit phase of development.

Implementation of appropriate noise attenuation measures for the future development

As the site is adjacent to the Geelong Ring Road, submissions from VicRoads and the EPA raised the need for attenuation measures to be in place for the future residents of the proposed development.

VicRoad's submission stated that noise walls have already been provided to sections of the Geelong Ring Road that were subject to development. As this section is being rezoned after the completion of the Ring Road, any implementation of noise walls for this section of the Ring Road should be undertaken as the developers cost.

EPA's submissions also acknowledges that no noise attenuation fencing is in place for this section of the Geelong Ring Road, and any future residents of the site will be subject to some degree of noise from the highway. Proponents should be clearly advised of this and should take this into consideration when designing new dwellings for the site. It is important to note that the permit/rezoning does not require approval and/or licensing under the *Environment Protection Act 1970*.

Officer response

Given the constraints of the subject site, any future residential development would primarily occur on the Council land (1-31 Rollin Road), with 305 Ballarat Road to complement to development of Council land through providing roads, open space etc. Council's site at 1-31 Rollins Road has a varying setback from the Geelong Ring Road of 57m – 110m. The section of the Ring Road does sit beneath natural ground level and may act as a natural sound buffer to the future residential development.

2. ADOPTION OF AMENDMENT C249 COMBINED PERMIT/REZONING ROLLINS ROAD, BELL POST HILL (CONT'D)

As there are no requirements triggered by the *Environment Protect Act 1970*, it is not mandatory that a noise wall be constructed for this section of the freeway. A more appropriate attenuation measure is to ensure that individual dwellings are appropriately 'sound proofed'. This issue should be highlighted in the sale of Council's land, and further encouraged during the planning permit phase of any development.

Impact on existing drainage issues of the area

VicRoad's submission raises concerns that prior to completion, sections of the Ring Road in Bell Post Hill, were subject to regular drainage issues. Necessary measures were implemented for the area, to allow the Ring Road to proceed. As a result of any future development of the area, VicRoads would not wish to see the hydraulics of the area being altered and adversely impacting on the Geelong Ring Road.

A submission of support from the Corangamite Catchment Water Authority, states that the subject site is at the top of an urban catchment that has now been split by the bypass road, and is unlikely to increase flooding downstream but may impact on local drains around Creamery Road.'

Officer response

The submission from the Corangamite Catchment Management Authority further supports the site for development given its location at the top of an urban catchment. It will not affect the hydraulics of the area and/or the operation of the Ring Road.

Constraints of Transmission Easements and associated regulations

The submission from SPI Ausnet states part of the site (land at 305 Ballarat Road) is encumbered with an SPI Ausnet power easement, containing a 220kV transmission line and the provision for a future 220kV line. No building is permitted within the easement land and approval from SPI Ausnet will be required for any development of land 60m from the easement.

Officer response

It is acknowledged that development of the subject site will be restricted through the operation and location of the power easements.

The land in private ownership at 305 Ballarat Road will have greater restrictions on development potential due to presence of the transmission lines and easements which prevent the building of permanent structures within the easement. It is envisaged that this site will play a complementary role to the development of Council land by providing open space, roads, drainage etc. Through further discussions with officers at SPI Ausnet, this option is favoured, however will still require approval from the Power Authority.

If the rezoning were to proceed, any future subdivision will be subject to planning approval, and any outstanding issues can be dealt with through permit conditions.

2. ADOPTION OF AMENDMENT C249 COMBINED PERMIT/REZONING ROLLINS ROAD, BELL POST HILL (CONT'D)

Environmental Implications

The Amendment is not expected to have an adverse effect on the environmental values of the land, as it only contains mowed grassland and non-native trees.

Financial Implications

The Amendment will have positive financial implications for Council as it will enable it to offer its land for sale for development consistent with the provisions of the Residential 1 Zone. It would be expected that any potential purchaser would meet all normal costs associated with the future development of the land.

Policy/Legal/Statutory Implications

The Amendment supports Clause 11 Settlement of the State Planning Policy Framework (SPPF) by facilitating 'sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities'. It supports the objectives and strategies of Clause 11.02-1 of the SPPF by providing additional land supply to meet urban growth demands and utilising an opportunity to consolidate and intensify an existing urban area.

The Amendment also supports Clause 11.05-4 Regional planning strategies and principles by 'directing growth into existing settlements, promoting and capitalising on opportunities for urban renewal and redevelopment' and providing an opportunity for affordable accommodation 'in locations with good access to transport, commercial facilities and community services.'

The Amendment is consistent with the Local Planning Policy Framework, in particular, Clause 21.06 - Settlement and Housing, which emphasises the importance of urban consolidation and providing for accessibility to urban services.

Under the Local Government Best Practice Guideline for the Sale and Exchange of Land, the Council is required to ensure that 'prior to being offered for sale, property should be appropriately zoned. This will ensure that the ultimate use of the land is determined by that zone and the highest possible sale price is achieved'.

Officer Direct or Indirect Interest

No Council staff involved in the preparation of this report has a direct or indirect interest in the matter to which the report relates.

Risk Assessment

There are not expected to be any notable risks associated with either implementing or not implementing the recommendations contained in this report.

2. ADOPTION OF AMENDMENT C249 COMBINED PERMIT/REZONING ROLLINS ROAD, BELL POST HILL (CONT'D)

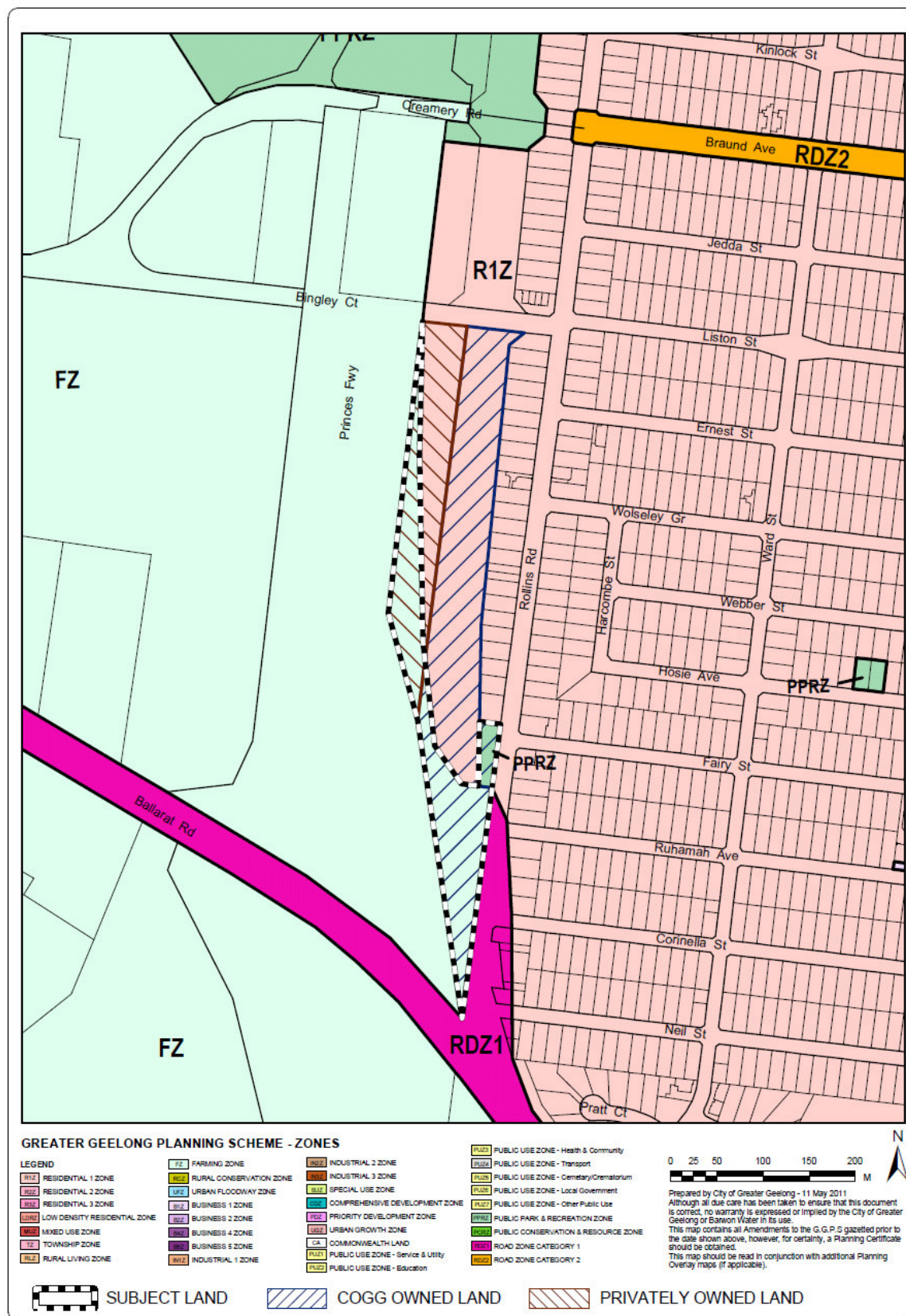
Social Considerations

Beneficial social effects include the future provision of additional housing in an established suburb and the benefit to ratepayers of better utilisation of council resources.

Communication

The amendment was exhibited for a one month period in accordance with the *Planning and Environment Act, 1987*. Submissions have been acknowledged and submitters will be notified of Council's determination and any decision of the Minister for Planning.

Appendix 2-1 – Subject Site



Appendix 2-2 - Aerial photographs of the subject site



Appendix 2-3 – Amendment Documentation for Adoption

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

AMENDMENT C249

The planning authority for this amendment is Greater Geelong City Council who prepared the amendment.

The Greater Geelong Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 3 attached maps:

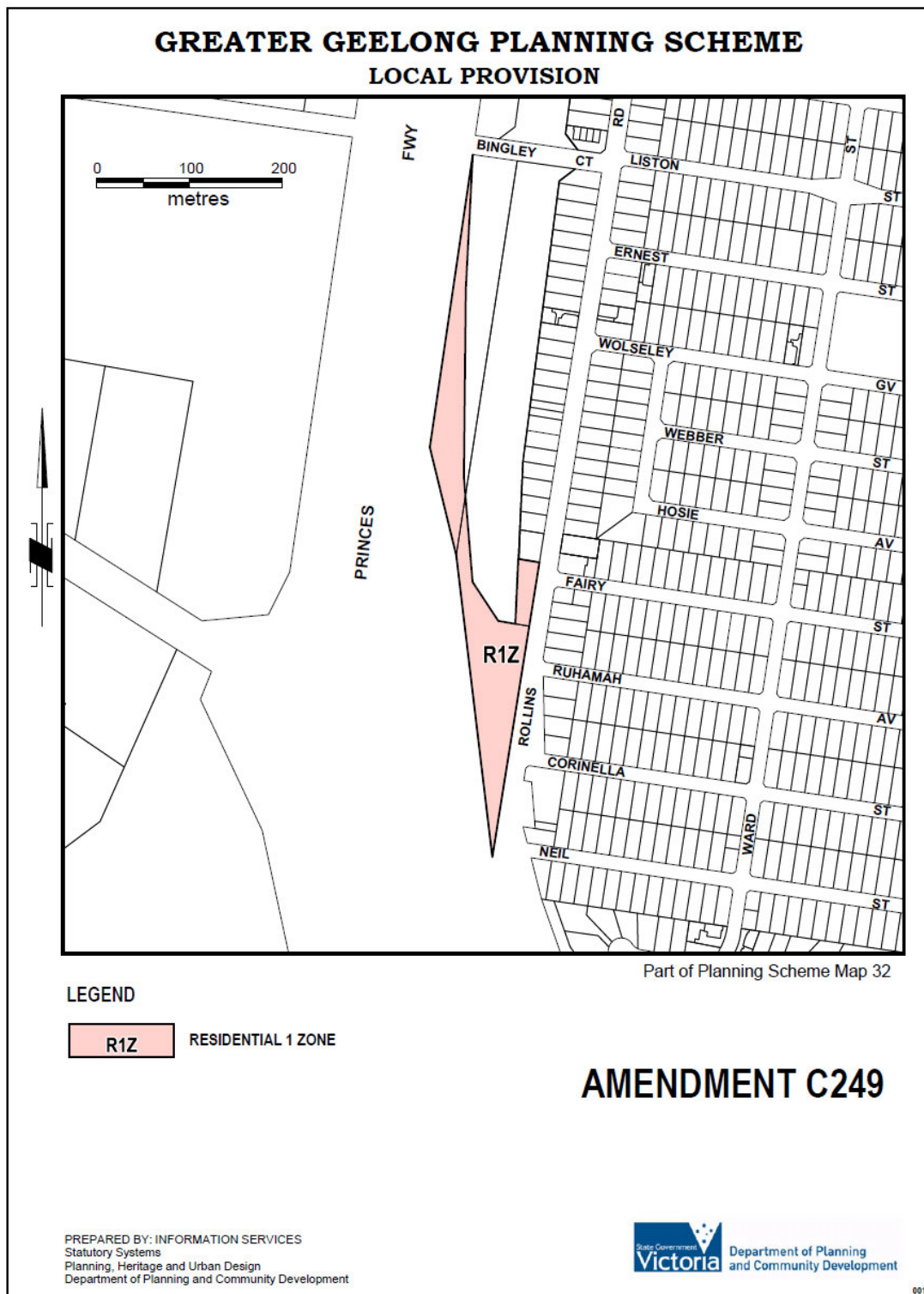
Zoning Maps

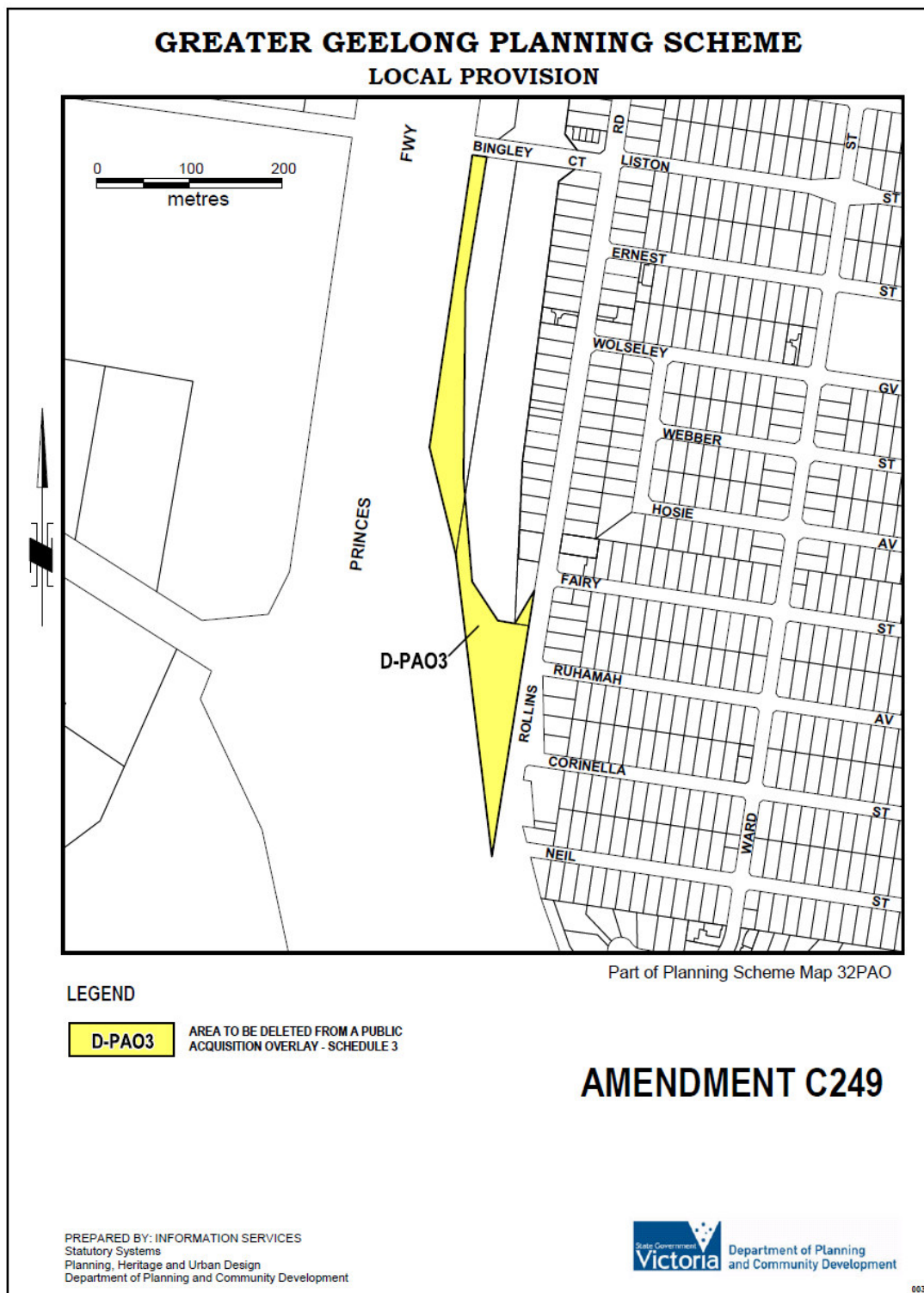
1. Planning Scheme Map No. 32 is amended in the manner shown on the attached maps marked "Greater Geelong Planning Scheme, Amendment C249".

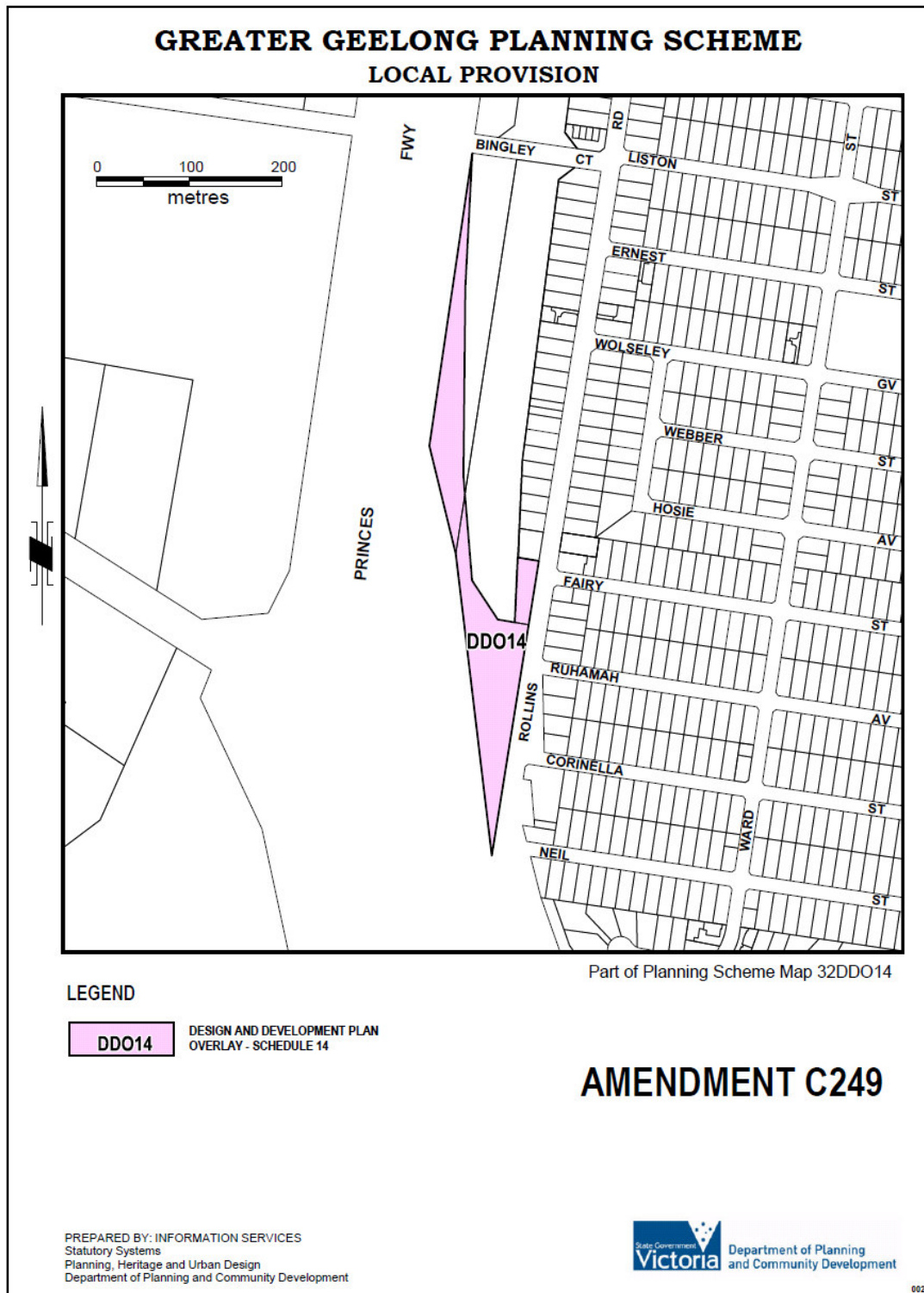
Overlay Maps

2. Planning Scheme Map No. 32DDO14 is amended in the manner shown on the attached map marked "Greater Geelong Planning Scheme, Amendment C249".
3. Planning Scheme Map No. 32PAO is amended in the manner shown on the attached map marked "Greater Geelong Planning Scheme, Amendment C249".

End of document







Planning and Environment Regulations 1998 Form 5

PLANNING PERMIT

GRANTED UNDER DIVISION 5 OF
PART 4 OF THE PLANNING AND
ENVIRONMENT ACT 1987

Permit No: 243/2011

Planning Scheme: Greater Geelong
Planning Scheme

Responsible Authority: Greater Geelong
City Council

ADDRESS OF THE LAND:

1-31 & 33-37 Rollins Road, Bell Post Hill

THE PERMIT ALLOWS:

Removal of Reserve No 1 and No 2 from LP96433
generally in accordance with the endorsed plans

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

ENDORSED PLAN

1. The plan showing the removal of Reserve No. 1 and No. 2 from LP96433 (prepared by Survey Section, Engineering Design unit, City of Greater Geelong - REF: 2010077 Version 01) hereby approved, is to accord with the endorsed plan of planning permit 243/2011 and the plan must not be modified or altered without the prior written consent of the Responsible Authority.

EXPIRY

2. This permit will expire if one of the following circumstances applies:
 - a) The Plan of Subdivision is not certified within two (2) years of the date of this permit.
 - b) Statement of Compliance must be issued within five (5) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

Date Issued:

**Date Permit comes into
operation:**

(or if no date is specified, the permit
comes into operation on the same day
as the amendment, to which the permit
applies, comes into operation)

**Signature for the
Responsible Authority**

3. BARWON HEADS EARLY LEARNING CENTRE (KINDERGARTEN) DEVELOPMENT

Portfolio: Community Development – Cr Fisher
Source: Projects, Recreation & Central Geelong
Act/General Manager: Paul Jane
Index Reference: Project: C12827 Barwon Heads Early Learning Centre

Summary

- The State Government has provided \$1 million toward the construction of a Early Learning Centre (Kindergarten) in Barwon Heads.
- Since receiving confirmation of the funding Council has been actively working with the Department of Education and Early Childhood Development (DEECD), School Council and community representatives to identify suitable locations within Barwon Heads to build an Early Learning Centre (Kindergarten). Following investigation of several site options two potential sites were identified, Geelong Road – Village Park (Appendix 3-1) and Barwon Heads Road – Community Garden (Appendix 3-2).
- The Barwon Heads Early Learning Centre (Kindergarten) is being developed to meet increasing demands from preschool education and care that exist within the township and will replace the existing preschool and Maternal and Child Health Centres in Clifford Parade.
- Council's forward budget estimates provide a notional allocation of \$1.170 million in 2012/13, including expected income of \$1 million. A \$2.5 million allocation is provided in 2013/14. A payment of \$250,000 has been received from the State Government. These funds make up part of the \$1 million that had been predicted as income in 2012/13
- Budgets for the project would need to be finalised as part of the 2012/13 budget process. At this stage it is not expected that any material changes would need to be made to this provision.
- In identifying the preferred site, Council has been mindful to ensure the best possible location is found which allows for access and linkages for the local community to the new facility.

Cr Richards moved, Cr Fisher seconded -

That Council:

- 1) Adopts the Geelong Road – Village Park site (Appendix 3-1) adjacent to the tennis courts and athletics area as their preferred location for the Barwon Heads Early Learning Centre (Kindergarten);**
- 2) Notes the total project cost is expected to be \$3.67 million and that Council's contribution to the project will be approximately \$2.67 million;**
- 3) Agrees to a service provision that includes two kindergarten rooms, a single maternal and child health consulting room, a multi purpose room and ancillary areas;**
- 4) Authorises officers to commence the necessary public consultation process, and identifies this site in the Village Park master plan document that is currently being prepared. The consultation process is to include a traffic and pedestrian study in regard to Geelong Road.**

Carried.

3. BARWON HEADS EARLY LEARNING CENTRE (KINDERGARTEN) DEVELOPMENT (CONT'D)

Background

The State Government has provided \$1 million toward the construction of an Early Learning Centre (Kindergarten) in Barwon Heads, a scoping study and site selection study has been undertaken.

Over the past 12–18 months Council has been working with the Barwon Heads Kindergarten and the Barwon Heads Kindergarten Futures Committee to consider options and needs to meet demands for family and children's services in Barwon Heads.

Following confirmation of State funds and in accordance with State Government policy, the initial focus of this works was aimed at co-locating the new centre on the Barwon Heads school site.

After an extensive options study that involved Department of Education and Early Childhood Development (DEECD), School Council representatives, Council, Barwon Heads Kindergarten and the Barwon Heads Kindergarten Futures Committee and it was determined that it was not feasible to place a centre development on the school site.

As a result of exhausting all opportunities on the school site, Council, in consultation with the Barwon Heads Kindergarten and Barwon Heads Futures Committee representatives, identified a number of other site options including the existing site on Clifford Parade, purchased sites, Thompson Street Recreation Reserve, Community Arts Garden, and four sites on Village Park.

Investigation of these sites revealed that while it could have been possible to explore some of these further there were a number of constraints that precluded many of the sites. These constraints included:

- 1) Allotment size and shape associated with the 'existing' and 'Thompson Street' sites;
- 2) Cost and availability issues associated with 'purchased' opportunities;
- 3) Flood, environmental and heritage aspects which precluded many of the 'Village Park' options.

Of the sites identified, the preliminary investigations found that the Village Park Site (Geelong Road – Site Option Plan 1) and the Community Arts Garden Site (Barwon Heads Road – Site Option Plan 2) were most practicable. Concept proposals for these sites are attached as Appendix 3-1 & 3-2.

A detailed investigation was then undertaken by an external architectural firm on these two sites. This investigation assessed service provision, contamination, cultural heritage, flora and fauna and traffic aspects.

The conclusion from these investigations were that both sites could be developed for the purposes of a centre. However, there were more benefits in terms of community connectives, road safety, accessibility and integration on the Village Park site.

3. BARWON HEADS EARLY LEARNING CENTRE (KINDERGARTEN) DEVELOPMENT (CONT'D)

Discussion

The current Barwon Heads Kindergarten building is owned by Council and is located in Clifford Parade. It incorporates a single kindergarten room licensed for 30 children and a Maternal and Child Health Centre with a single small consulting room.

The kindergarten is adjacent to the Senior Citizens Centre and while in sound condition, is ageing and not suitable for future redevelopment.

The limited capacity of the current kindergarten makes it unable to adequately meet current community requirements, future growth and policy direction such as Universal Access to Early Childhood Education.

Council has been actively working with the local community, School Council and DEECD to consider options that will meet the needs of local children and also provide a modern flexible environment that can be used for both registered and informal programs and activities.

Development of options for this facility has endeavoured to consider both program needs as well as the integration of the new facility in the wider Barwon Heads community.

Over the last 18 months, Council has been running a master planning process for Village Park which has focussed on its use as public open space. Throughout the master planning process the community have been consulted extensively regarding the use and development of the reserve.

The master plan process was put on hold pending the outcome of the Barwon Heads Early Learning Centre (Kindergarten) site selection process.

Given that the Village Park site option has only recently been developed the community have not had the opportunity to consider it as part of the master plan process. It is therefore unclear as to how other tenant clubs, users and community see this proposal fitting with in the precinct.

Following the construction of the new Barwon Heads Early Learning Centre (Kindergarten), services will be transferred from the current facility. Further work will need to be undertaken to determine what (if any) future uses for the site. This will be subject to a separate report to Council.

Environmental Implications

A fauna and flora study has been carried out on the two proposed sites. Although there have been some significant flora species identified on both sites, these would not preclude development.

Financial Implications

Council's forward budget estimates provides an allocation of \$1.170 million in 2012/13 including expected income of \$1 million. A further forward estimate of \$2.5 million has been provided in 2013/14.

A payment of \$250,000 has been received from the State Government. These funds make up part of the \$1 million that had been predicted as income in 2012/13.

3. BARWON HEADS EARLY LEARNING CENTRE (KINDERGARTEN) DEVELOPMENT (CONT'D)

Policy/Legal/Statutory Implications

The provision of integrated service delivery is being encouraged and supported by State and Federal Government Policy.

Council will be required to follow its Approval Procedure for Open Space Development Projects as part of its approval process for this site.

Officer Direct or Indirect Interest

Council's General Manager Community Services has declared a conflict of interest in relation to one of the site options proposed. She has therefore not been involved in determining this recommendation. Her involvement in the project has remained focussed on service provision requirements and process planning only.

In light of this conflict Council's General Manager Projects Recreation and Central Geelong has taken the lead responsibility for this project.

No other officer preparing this report or involved with the project has declared a conflict of interest.

Risk Assessment

Council has carried out a risk assessment of the site and identified potential constraints.

While some risks still exist, these have been mitigated through an extensive site investigation that has included fauna and flora, cultural heritage, and contamination assessments.

Social Considerations

There is significant demand in the Barwon Heads community for additional kindergarten places and improved Maternal and Child Health facilities. The existing facilities in Clifford Parade do not have capacity to be improved or extended to meet these needs.

In considering options in the Village Park or adjacent to the Community Arts Garden, Council needs to consider what implications its decision may have on open space provisions within the Barwon Heads community.

Research has shown that the provision of open space has an impact on the physical and mental wellbeing of the community.

Communication

As part of the approval process for this development Council will need to undertake community consultation about the proposed location. This consultation will occur in accordance with Council's Approval Procedure for Open Space Development Projects.



SITE OPTION 1 - PLAN (GEELONG ROAD – VILLAGE PARK SITE)



insite
ARCHITECTS
DESIGNING AND THE FUTURE BETTER WORLD IN MIND

Appendix 1

BARWON HEADS EARLY LEARNING CENTRE (Kindergarten)



SITE OPTION 2 - PLAN (BARWON HEADS ROAD – COMMUNITY ARTS GARDEN SITE)

BARWON HEADS EARLY LEARNING CENTRE (Kindergarten)



insite
ARCHITECTS
we are not just architects, we are storytellers. let the world hear.

Appendix 2

4. LITTLE MALOP STREET WATER FEATURE

Portfolio: Central Geelong Looking Forward - Cr Mitchell
Source: Projects, Recreation & Central Geelong
Act/General Manager: Paul Jane
Index Reference: Central Geelong & Waterfront Management / General

Summary

- The purpose of this report is to obtain approval to transfer \$80,000 of 2011/12 capital funding within the Events, Central Geelong and Waterfront budget to enable the reactivation of the Little Malop Street Water Feature.
- The Water Feature has not operated since 2006 because of regional water restrictions. In 2010 the fountain's plant room flooded and was damaged from heavy rain.
- The recent Central Geelong Looking Forward Forums have identified the reactivation of the Water Feature as a priority task to stimulate visitation and amenity in the Little Malop/Moorabool Street area.
- Investigations and expert advice have recommended a range of works and design changes to repair the damage that will make the future operation safer and more reliable.
- The cost of the recommended work is \$80,000.
- Assuming the transfer of funds is approved, the Little Malop Street Water Feature is scheduled to be up and running by the end of March 2012.

Cr Abley moved, Cr Harwood seconded -

That Council approve the re-allocation of \$80,000 from the 2011/12 budget Little Malop Street Retail Booths (C12705) into the Little Malop Street Water Feature Reactivation project.

Cr Granger left the meeting room at 7.39pm

Cr Granger re-entered the meeting room at 7.41pm

Carried.

Report

Background

The Little Malop Street Water Feature was installed in 2001 as part of the Central Activities Area Revitalisation Program.

The fountain is a purpose built 75m interactive and artistic water feature designed to activate the public space by providing movement, activity and interest. The feature consists of a series of water jets that shoot sequenced water spouts into the air.

The feature was turned off for an extended period during the drought because of regional water restrictions. The Water Feature has not run since 2006. In Spring 2010 the fountain's underground plant room flooded and was damaged from heavy rain.

Due to the combination of these factors, significant work is needed to reactivate the Water Feature. Design improvements have been investigated to ensure that the fountain can have a long and reliable working life.

4. LITTLE MALOP STREET WATER FEATURE (CONT'D)

Discussion

Recent consultations and feedback has highlighted an ongoing challenge in getting the right behaviours and mix of people in Little Malop Central. There already exists a range of strategies such as programmed street performances, markets, special events, economic development activities, promotions and youth programs.

Consultation, stakeholder recommendations, research of successful initiatives in other cities, and consultant advice has recommended the installation of retailing booths as a solution to activating this open 'Mall' area within the City. The amount of \$350,000 has been provided in the 2011/12 capital budget for the installation of retail booths in Little Malop Street.

There has been some concern expressed by a couple of traders on the introduction of more retailing into the City centre during challenging financial times. As a result of this, further investigations are looking at options for the retail booths. This will be subject to a further Council report.

The recent Central Geelong Looking Forward Forums have identified the reactivation of the Water Feature as a priority task to improving the amenity, attractiveness and activation of the Little Malop/Moorabool Street area.

The intent of the Little Malop Retail Booth projects is to add to and enhance the choices of attractors for the general public to visit and frequent the Little Malop Central area.

This proposal to activate the Water Feature in the place is consistent with the same intent and objectives.

The scope of works recommended re-activating the Water Feature and ensuring a safe and reliable operation includes:

- Repair of pumps and electricals damaged in the 2010 flooding
- Complete cleaning and servicing of all water jets and filtration system
- Relocation of the electrical switchboard from underground to a safe, dry above ground place

Environmental Implications

The Water Feature operates on a closed water use sequence that recycles and filtrates its own water supply. The activation of the water feature complies with current water saving requirements.

The system will continue to use water efficient technologies.

4. LITTLE MALOP STREET WATER FEATURE (CONT'D)

Financial Implications

The estimated cost to reactivate the water feature is \$80,000.

The ongoing maintenance and operating costs will be covered by Council's City Services existing recurrent budget allowance for this asset.

An amount of \$350,000 has been approved in the 2011/12 capital budget for the installation of retail booths into Little Malop Street. It is proposed that the \$80,000 required to activate the Little Malop Water Feature and improve its design be transferred from the Little Malop Retail Booths Capital funds allocated in the 2011/12 Council Budget.

Policy/Legal/Statutory Implications

There is no policy or statutory issues to consider.

Officer Direct or Indirect Interest

Staff involved in the preparation of this report do not have any direct or indirect interests related to the report.

Risk Assessment

All risks associated with the repair works will be managed via robust project management processes.

Social Considerations

The intent of the Little Malop Retail Booth projects is to add to, and enhance the choices of attractors for the general public to visit and frequent the Little Malop Central area.

This proposal to activate the Water Feature in the place is consistent with the same intent and objectives.

It has shown to be successful in attracting families and young children, which helps to create a fun and calming culture in the area.

Communication

This recommendation has come about from a thorough process of consultation in the Central Geelong Looking Forward Forums and Workshops. An information board would be placed in Little Malop Street during the works to inform the traders and visitors of the scope and timing. A 'Turning on of the Water Feature' launch would provide a public announcement of this initiative.

5. WHITTINGTON LAND USE CONCEPT STRATEGY

Portfolio:	Community Development – Cr Fisher
Source:	Community Services / Community Development
General Manager:	Paul Jamieson (Acting)
Index Reference:	Project: Whittington Community Renewal

Summary

- The purpose of this report is to inform Council of the outcome of the consultation on the Whittington Land Use concept strategy and to seek Council in principle support for the strategies.
- The Department of Human Services (DHS), in partnership with Council and Department of Planning and Community Development (DPCD), engaged FMSA Consulting Group to prepare a Land Use Concept Strategy that could inform future Council and DHS land use planning while supporting social sustainability and improving perceptions of community safety. Refer Attachment 5-1.
- The Concept Strategies have been developed after reviewing a range of documentation, including previous community consultations and Council policies.
- Council's Community Development, Planning, Urban Design and Recreation and Sports Departments have all been engaged in the development of the Strategy.
- The Concept Strategies are based on best practice urban design and Crime Prevention Through Environment Design (CPTED) principles.
- The five Concept Strategies are:
 - Increasing natural surveillance, particularly in the reserve and paths leading to the reserve
 - Orientating new housing strategically so the primary living areas can overlook adjacent reserve areas and public paths leading to the reserve spaces
 - Using urban design features, paving, landscaping and public lighting to more clearly define public and private land ownership boundaries
 - Removing blind spots and maximising length of sightlines along public pathways
 - Providing upgraded pedestrian routes to and through Whittington to increase and focus pedestrian traffic along the main paths.
- In 2010, \$1.7 million of major upgrade works to the open space in Whittington, known as The Link, were successfully completed. The works were largely funded by the Australian Government Federal Stimulus Package with contributions from Council and DPCD of \$150,000 and \$200,000 respectively.
- Following a report to Council in September 2011, the Whittington Land Use Concept Strategy prepared by FMSA Consulting Group was made available for public comment via promotion in: City News, Whittington Voice, local newspapers, mail-box drop, notice on community notice-boards, libraries, community health centres and shops.

5. WHITTINGTON LAND USE CONCEPT STRATEGY (CONT'D)

- Four separate objections signed by nine residents in total were received in relation to one aspect of the strategy, namely the creation of a walkway from Midas Court, through 164 Coppards Road. The residents raised concerns that one or more dwellings would need to be demolished to implement the strategy at the location proposed. There were also concerns that the new walkway would diminish the privacy and sense of safety, particularly for residents of 164 Coppards Road, and may require installation of measures to ensure pedestrian safety for those crossing Coppards Road.
- Residents affected by this aspect of the Concept Strategy were invited to meet with Council Officers and representatives of DHS to discuss their concerns. Three residents attended the meeting.
- No other submissions were received.

Cr Fisher moved, Cr Macdonald seconded -

That Council:

- 1) Endorses the five concept strategies underpinning the Whittington Land Use Concept Strategy**
- 2) Acknowledges the concerns raised by residents with regard to Option 1, the creation of a walkway between Solar Drive and Coppards Road**
- 3) Supports, in principle, the proposed actions arising from the Concept Strategy and gives an undertaking that further consultation with residents will occur if and when opportunities arise to progress the actions.**
- 4) Re-assures residents that Council will not support taking any further action implementing works if they impact in any way on existing tenancies.**

Cr Granger moved, Cr Richards seconded –

That consideration of the report be deferred.

Carried.

6. GEELONG ADOLESCENT SEXUALITY PROGRAM (GASP) – YOUTH SUICIDE PREVENTION PROJECT

Portfolio:	Community Safety, Education and Youth – Cr Farrell
Source:	Community Services – Community Development
General Manager:	Paul Jamieson (Acting)
Index Reference:	Subject: Community Services – Youth Geelong Adolescent Sexuality Program

Summary

- The purpose of this report is to provide Council with an update of the Geelong Adolescent Sexuality Program (GASP) – Youth Suicide Prevention program.
- In May 2010, in acknowledgement of the increased risk of suicide, self harm and psychological distress experienced by same sex attracted and gender questioning (SSAGQ) young people, the Victorian Government announced funding of \$3.57 million to be allocated over four years, for the development of youth suicide prevention community programs that focus on this target group.
- The funding provides for a pilot project over two sites – City of Greater Geelong, and Shepparton (project delivered by Uniting Care Cutting Edge in Shepparton).
- In January 2011 the Victorian Department of Health granted \$215,000 per annum for 3.5 years for each of the two pilot sites. The funding is for the development of a new program for prevention, identification and early intervention targeted at SSAGQ young people aged 10–25 years.
- This funding was granted in recognition of the work already being done by Council through the existing GASP program.
- The program also provides broader, health promoting SSAGQ support groups, networks and youth engagement programs.
- The City of Greater Geelong is home to 208,138 residents of which 41,069 are 10–25 years of age and are considered to be within the target of the GASP youth suicide prevention project.
- A snapshot of key achievements realised in the first six months of the project is provided in Attachment 6-1.

Cr Farrell moved, Cr Fisher seconded -

That Council notes the progress report on the GASP Youth Suicide Prevention project.

Cr Macdonald left the meeting room at 7.58pm

Cr Macdonald re-entered the meeting room at 8.00pm

Carried.

Report

Background

The Geelong Adolescent Sexuality Project (GASP) is a social and support service for same sex attracted gender questioning (SSAGQ) young people that has been operating in Geelong since 1996.

6. GEELONG ADOLESCENT SEXUALITY PROGRAM (GASP) – YOUTH SUICIDE PREVENTION PROJECT (CONT'D)

Prior to the recent additional funding from the Department of Health of \$215,000 per annum for 3.5 years, the project was funded by the City of Greater Geelong. The annual budget for the program was \$8,000. Throughout its 15 year history GASP has provided professional development and secondary school consultation for health, education and wellbeing professionals as well as support, information, referral, resources, and social opportunities for young people who are SSAGQ.

There are currently no other agencies, programs or workers whose primary focus is on gay, lesbian and transgender health and wellbeing in Geelong.

Sexuality

There are currently over 41,000 people between the ages of 10 and 25 living in the City of Greater Geelong. The widely accepted statistic is that 10 per cent of young people identify as same-sex attracted and a smaller percentage as transgender. This indicates that there could be approximately 5,000 young people in the municipality who identify as same sex attracted or gender diverse.

Youth Suicide

In the Barwon South West region, which includes Geelong, 8.3 per cent of young people aged 18–24 years reported seeking help for a mental health problem during the previous year, compared to the Victorian average of 5.4 percent. One in three young people reported feeling suicidal at some stage in their lives. Suicide is the second most common cause of death, after traffic accidents, for 15–34 year old males.

Substance Abuse

Data indicates that young people in Barwon South West have very high rates of alcohol and cigarette consumption in comparison with other Victorian young people. In the 18–24 age group, 39.2 per cent are at risk of alcohol harm – more than twice the Victorian average of 18.7 per cent.

Discrimination

The impact of discrimination on wellbeing and mental health has been well documented. A 2010 Latrobe University national study of SSAGQ young people, *Writing Themselves In*, found that young people experience homophobia at alarming levels and that this has a significant impact on their mental health and wellbeing. This means that SSAGQ young people may need to access services more than other young people. Young people who are same sex attracted and experience homophobia are at significantly increased risk.

The study found that, of young people who are same sex attracted: 61 per cent were verbally abused because of their sexuality; 18 per cent were physically assaulted because of their sexuality; and 69 per cent experienced other forms of homophobic bullying.

SSAGQ young people who experience homophobia/discrimination are at increased risk of:

- Depression and anxiety
- Self harm and suicide
- Contracting an STI
- Drug and alcohol abuse
- Pregnancy
- Homelessness.

6. GEELONG ADOLESCENT SEXUALITY PROGRAM (GASP) – YOUTH SUICIDE PREVENTION PROJECT (CONT'D)

In 2010, in acknowledgement of the increased risk of suicide, self harm and psychological distress experienced by SSAGQ young people, the Department of Health increased funding for the Geelong Adolescent Sexuality Project (GASP). This has enabled the development of youth suicide prevention community programs that focus on SSAGQ youth in Geelong.

The SSAGQ youth suicide prevention initiative has increased the capacity of the existing GASP program. The project now delivers prevention, identification and early intervention programs targeting young SSAGQ people aged 10–25 years who are at risk of, or experiencing, distress, poor social and emotional wellbeing as well as providing broader, health promoting SSAGQ support groups, networks and youth engagement programs.

Discussion

The funding of the City of Greater Geelong to deliver this important pilot GASP Youth Suicide Prevention project is an acknowledgement of the ongoing work of Council in supporting and advocating for the rights of young people. The project is a unique opportunity to draw on existing policies and networks to create a model that is built on the concepts of: Prevention, Early Intervention, Recovery, and Social Inclusion.

These concepts are at the core of the Victorian Government's *Because Mental Health Matters: Victorian Mental Health Reform Strategy 2009–2019*. Improving mental health outcomes for SSAGQ people is a key area of focus in the strategy, which takes a whole of government / whole of population approach to improving health, and social and economic outcomes for people with a mental illness.

Further, the *Mental Health Reform Strategy* focuses strongly on intervening earlier in life and illness to improve mental health outcomes for children and young people and their families. It also emphasises building protective factors and reducing risk factors associated with mental health problems, including prevention of suicide. Reducing rates of suicide in SSAGQ young people and improving support for individuals and communities after a suicide are two areas the *Mental Health Reform Strategy* identifies for early implementation.

Enhancing the quality of care provided through health, human services and funded agencies is also the key aim of *Well Proud: A guide to gay, lesbian, bisexual, transgender and intersex inclusive practice for health and human services (GLBTI)*, 2009. This resource was developed by the Ministerial Advisory Committee on GLBTI Health and Wellbeing in collaboration with the Department of Health, the Department of Human Services and peak bodies. It provides a series of recommendations for services to enhance their capacity to better respond to the needs of SSAGQ people, and acknowledges the particular risks and vulnerabilities experienced by this group.

Beyond Homophobia, meeting the needs of same sex attracted and gender questioning young people in Victoria, released by Latrobe University's Australian Research Centre in Sex, Health and Society, and Gay and Lesbian Health Victoria, is both a policy blueprint and practice guide. It provides guidelines for youth-related services and programs to be more sensitive to, and better able to meet the needs of SSAGQ young people.

The GASP Youth Suicide Prevention program draws on the recommendations of all of these policies, especially *Beyond Homophobia*.

6. GEELONG ADOLESCENT SEXUALITY PROGRAM (GASP) – YOUTH SUICIDE PREVENTION PROJECT (CONT'D)

Environmental Implications

Not applicable.

Financial Implications

The City of Greater Geelong's budget for the GASP program for 2011–12 is \$232,299. This figure is comprised of State Government funding, \$215,000 and Council funding, \$17,299.

Policy/Legal/Statutory Implications

Local councils, because they work so closely with the community, can play a vital role in building understanding and respect for many everyday human rights.

The *Charter of Human Rights and Responsibilities* places responsibility on local councils in Victoria to respect human rights in the way they go about their work and how they deliver their services.

The *Equal Opportunity Act 2010* encourages the identification and elimination of discrimination, sexual harassment and victimisation and their causes, and to promote and facilitate the progressive realisation of equality. Under the Act, it is against the law to discriminate against a person on the basis of a range of personal characteristics, which includes gender identity and sexual orientation.

It is also against the law to sexually harass someone or to victimise them for speaking up about their rights, making a complaint, helping someone else make a complaint or refusing to do something that would be contrary to the Act.

Officer Direct or Indirect Interest

No officer has direct or indirect interest in this report.

Risk Assessment

In line with Council policy, the Youth Development Unit has in place risk management procedures to cover its programs and activities.

Social Considerations

The GASP Youth Suicide Prevention project:

- Recognises Council's role in providing an environment in the municipality where all young people can achieve and realise their aspirations and needs
- Builds upon State Government policies of inclusion and respect for diversity

6. GEELONG ADOLESCENT SEXUALITY PROGRAM (GASP) – YOUTH SUICIDE PREVENTION PROJECT (CONT'D)

- Works with service providers, agencies, other levels of government, individuals and the wider community to develop spaces and services that are appropriate and consider the needs of all young people in the municipality, including those who may be same sex attracted or gender diverse.

The program's necessity, positive action and leadership role has clearly been demonstrated in the first six months.

Continued focus and action will help to ensure that Geelong is the best place to live for all young people, regardless of their sexuality or gender identity.

Communication

Communication relating to the GASP Youth Suicide Prevention program is the responsibility of the Youth Development Unit. For the purposes of this report, a glossary is provided in Attachment 6-2.

Project Achievements – Year One, Six Monthly Evaluation Snapshot January–August 2011

Objective 1

To provide gender/sexuality sensitive health promotion to young people, families and their communities

The project has:

- Provided health promotion materials to five schools and at a range of community events
- Held a community event for International Day Against Homophobia in partnership with Headspace, Jigsaw, Pulse FM, advertised through schools, attended by young people and community members
- Encouraged schools to participate in health promotion by utilising networks to advertise and provided materials for IDAHO, R U ok? Day and Celebrate Bisexuality Day
- Provided new posters about the impact of homophobia now displayed at five secondary schools
- Organised inclusive sexual health training through Country Awareness Network 2x2 hour sessions – for 20 young people.

Objective 2

To actively engage SSAGQ young people in the design and implementation of activities that promote and celebrate diversity, address discrimination and homophobia and create community awareness

- A strategy for engaging young people is in progress, to be completed by Dec 2011
- Established one new Gay Straight Alliance (GSA) at North Geelong Secondary College
- Met with Bellerine Senior Campus and Newcomb Secondary College about supporting them to establish new GSAs.

Mentoring

- Research for a peer mentoring model is complete. Project workers have met with the regional mentoring coordinator, reference group, team meetings as well as researching existing models
- An evaluation and review of group processes, mission statement and guidelines was conducted in a workshop with the group.

Young peoples' involvement in community awareness-raising

- The GASP group meet weekly. This is a space for young people to discuss how to raise community awareness and where they are able to develop their own ideas and activities
- The project has convened a working Group of seven young people who meet fortnightly to focus on the project and awareness raising activities.

Engage young people to participate in or initiate community events and activities that celebrate diversity, address discrimination and homophobia and create community awareness

During this reporting period the group participated in 10 events:

- 3 x Equal Love rallies
- Pride March
- Midsumma Carnival
- Blokes day out
- R U OK? Day
- Body image forum – Headspace
- Youth Foundations Victoria presentation evening
- Youthfest.

Initiated one event – International Day Against Homophobia BBQ for other young people and community.

- Participated in the making of a short film about discrimination
- Wrote letters and met with local MPs about marriage equality.

Objective 3

To increase community awareness of the impact of homophobia on the health and wellbeing of SSAGQ young people and the whole community

Project media

- Two articles about the project appeared in local media
- Young people conducted one radio interview on local radio about the project
- Young project participants were interviewed and appeared in a short film about discrimination
- An article about the project was included in the Department of Education and Early Childhood Development, Regional Director's monthly newsletter – sent to all education staff in the Barwon South West region.

Education and support for young people

- The GASP group has met 32 times during this reporting time. The group provides a safe learning space for young people (approximately 20 young people attend each week). Throughout 2011 the topics covered have included: sexual health, mental health, coming out, drugs and alcohol, discrimination, the law, relationships, sexuality and religion, gender and transitioning gender. Activities included: guest speakers, films, activities, creative arts, discussion.

Presence at community and other youth events

- GASP facilitated informative activities at five community events for over 2000 people, including: Blokes day out (150 community), R U OK? Day (150 community and young people), Youth Foundations Victoria presentation evening (60 young people), Youthfest (1500 young people)
- GASP marched in Pako Festa street parade (viewed by 100,000) and facilitated activities (150) at Pako Festa carnival.

Social Media

- GASP Facebook currently has 262 friends – it is a source of information about regular group activities and the primary communication tool with GASP group members. GASP staff regularly post information about events, activities and media relating to the project.

Partnerships with agencies include:

- The reference group – composed of members from DoH, Headspace, Jigsaw mental health services, school nurses program, Glastonbury Child and Family Services
- G21 Freedom from Discrimination working group
- Deakin University – Ally Network
- Barwon Adolescent Taskforce (independent peak body for youth services)
- Safe Schools Coalition Victoria
- Several local secondary schools
- School nurses program
- Headspace.

Objective 4

To promote existing (or create new networks) for young people (GASP) – see partners (above)

New networks to be established 2011–2012

- Neighbourhood houses
- The Gordon
- Leisure Networks
- PFLAG.

Objective 5

To establish partnerships and strengthen pathways between project and other networks

See also partnerships and networks (above)

Engaging schools

During this reporting period the project has;

- Met with four secondary schools.
- Provided resources for five schools
- Established a GSA at one school
- Provided training for staff from four schools.

Objective 6

To develop a sustainable model for organisational change and strengthen the capacity of the sector to respond to SSAGQ young people (broader sector)

- A review of existing resources, policies and training programs has been completed – the model draws on the growing body of existing data, programs and policies for organisational change – including *Writing Themselves In*, *Well Proud*, *Beyond Homophobia*, *Safe Schools Coalition Vic*, *Pridentity*, and more.

Training

- *So Gay, So What? Homophobia and Mental Health Training* was conducted in August, as part of the Barwon Health seminar series, supported by Barwon Health and the G21 Freedom from Discrimination group – over 20 professionals attended from health, mental health, education, youth sectors. Feedback was highly positive
- Interactive workshops were conducted with over 50 young people as part of a camp for local young leaders.

Partnerships with the tertiary sector

Deakin University

- Meetings with Access and Equity, Social Work and Health
- Represented on reference group
- Training for Deakin University; hosted *Ally Network Social Inclusion Conference*, October 2011
- Discussion about student placements for project
- Discussion about curriculum review – consult with project re inclusive curriculum

Objective 7

To increase the early identification and referral to treatment for at risk young people

- Evidence based policy and procedures for good practice in early identification and referral developed and in use
- Developed in consultation with reference group, Headspace, Jigsaw
- Process for referral into and out of program identified and advertised to agencies/schools
- Referral forms disseminated to agencies
- Program advertised to networks through meetings, team meetings, newsletters
- Presentations about program and referral process at six team meetings.

Objective 8

To provide gender/sexuality sensitive informed assessment and proactive care coordination for SSAGQ young people

- Research conducted in collaboration with reference group, local youth mental health agencies, and project team – including literature review – to inform strategy for best practice assessment and care coordination

- Consultation with young people complete – recommendations integrated into coordinated care strategy
- Consistent internal process for referral, consultation and information provision developed.

Advertising coordinated care role to agencies and young people:

- Presentations to agency team meeting
- Network presentations to: Reference group, G21 Freedom from Discrimination group, BATforce regional youth meeting
- GASP advertising cards distributed to schools, headspace, and other youth based agencies
- Business cards produced for individual workers.

Project support services:

- Nineteen young people receiving ongoing support through the program
- Seven parents or family members have accessed support through the program
- Three referrals have been made to housing support services
- Ongoing support for participants to access or reconnect with mental health services.

Objective 9

To provide young people, their families and communities with rapid, coordinated and sustained support after a completed suicide, or an attempted suicide to reduce the potential risk of further attempts

- Model for assessment; processes for ongoing, interactive and supportive coordinated care; consent to share information between services all complete.
- Young people receive prompt and appropriate support.
- Referral from other services for preventative support increasing.

Objective 10

To enhance community responses to the warning signs of suicide and self harm in SSAGQ young people

Community Education

See Training, Community events (above)

- *So Gay, So What? Homophobia and Mental Health Training* focused on relationship between homophobia and mental health, including self harm and suicidality, offered practical advice about inclusive service, including appropriate intake processes and appropriate response and referral in relation to coming out, depression and self harm.

Attachment 6-2

Glossary

Bisexual

A person who is sexually and emotionally attracted to people of both sexes.

Coming out

The process through which individuals come to recognise and acknowledge, both privately and publicly, their sexual orientation, gender identity or intersex status.

Gay

A person whose primary emotional and sexual attraction is toward people of the same sex. The term is most commonly applied to men, although some women use this term.

Gender identity

A person's deeply felt sense of being male, female, both, in between, or something other. Everyone has a gender identity.

Gender questioning

Refers to the process whereby an individual comes to question the usefulness or validity of their current biological sex and/or assigned gender. This includes people who see the binary categories of male and female/masculine and feminine as meaningless or unduly restrictive, and those who feel that their gender does not align with the sex assigned to them at birth.

Heterosexism

The belief that everyone is, or should be, heterosexual and that other types of nonheteronormative sexualities or gender identities are unhealthy, unnatural and a threat to society. Heterosexism includes both homophobia and transphobia (see below) and a Beyond Homophobia fear of intersex people who challenge the heterosexist assumption that there are only two sexes.

Homophobia

The fear and hatred of lesbians and gay men and of their sexual desires and practices that often leads to discriminatory behaviour or abuse.

Inclusive service provision

The provision of services that are culturally sensitive and aware. This includes the provision of services that are able to meet the needs of GLBT (Gay, Lesbian, Bisexual, Transgender) people in a culturally appropriate and sensitive manner.

Lesbian

A woman whose primary emotional and sexual attraction is towards other women.

Same sex attracted

An umbrella term often applied to young people to describe individuals who experience feelings of sexual attraction to others of their own sex. This includes young people who are exclusively homosexual in their orientation, bisexual, undecided young people, and heterosexual young people who have these feelings at some time.

Transgender

An umbrella term and for some people an identity term used to describe all kinds of people who sit outside the gender binary or whose gender identity is different from the sex assigned to them at birth. Transgender people may or may not feel the need to access hormone therapy and/or surgery.

Transphobia

A fear and hatred of people of who are transgender that often leads to discriminatory behaviour or abuse.

7. CHILDREN'S WEEK 2011 EVALUATION

Portfolio:	Community Development – Cr Fisher
Source:	Community Services – Family Services
General Manager:	Paul Jamieson (Acting)
Index Reference:	Subject: Childrens Events

Summary

- The purpose of this report is to present to Council the outcomes and evaluation of the 2011 Geelong Children's Week celebrations, held between 21 and 30 October, 2011.
- Children's Week is an international event designated by the United Nations and celebrated annually. The focus of Children's Week is to recognise and promote the unique role and contributions to the community of young children.
- Council has been responsible for the coordination, planning and promotion of Children's Week in Geelong since 2005. The annual development and implementation of the Children's Week program represents a positive collaboration between a wide range of local community organisations, groups and Council services.
- The program of events conducted throughout Geelong during Children's Week has demonstrated continual growth in participation and interest from the local community. This year, the Children's Week in Geelong program incorporated 68 separate events hosted by 48 local organisations.
- The diverse range of local events held during this year's Children's Week targeted children aged between 0–12 years, and resulted in high levels of participation by children and adults, including involvement by over 801 paid staff and volunteers.
- A total of 12 grants of \$300 each were provided to local services and community groups to support and facilitate local Children's Week events, in addition to funding of key events provided through Council services.
- Over 100,000 Children's Week Calendars were published and distributed as a lift out section in the 14 October edition of the Geelong Independent newspaper. Electronic and social media were also used extensively to promote Children's Week alongside more traditional forms of marketing through community billboards and newspaper advertising.
- Council's support for Children's Week is consistent with key objectives contained within the Municipal Early Years Plan.

Cr Fisher moved, Cr Richards seconded -

That Council:

- 1) acknowledges the success of Children's Week in Geelong, October 2011, and the contribution by volunteers and local organisations.**
- 2) refer an amount of \$50,000 to the 2012–13 budget deliberations.**

Carried.

7. CHILDREN'S WEEK 2011 EVALUATION (CONT'D)

Report

Background

In 1954 the United Nations General Assembly proclaimed Universal Children's Day as a day to promote friendship and understanding amongst children of the world. Since then, Universal Children's Day has been incorporated into Children's Week which is celebrated annually in Australia in the fourth week of October, supported by the Children's Week Council of Australia.

Council, through the Family Services Department, has been responsible for the coordination, planning and promotion of Children's Week in Geelong since 2005. Children's Week in Geelong has continued to grow strongly, and provide enhanced opportunities to encourage children's civic participation, and the promotion of the unique contributions that children make to the Geelong community.

In 2011 Children's Week in Geelong attracted registration of 68 different events and activities.

Discussion

The success of the Geelong Children's Week Program is evidenced by the significant level of participation by local children and families in the wide range of events and activities held throughout the week-long celebration. Geelong's Children's Week program represents one of the largest celebrations of Children's Week hosted currently by any municipality in Victoria.

Children's Week generates significant good will and is truly unique in that it is a community driven event. While Council coordinates the local planning, promotion and funding for the event program, the majority of the events and activities that are held during Children's Week are hosted by local community groups and organisations.

In preparation for Children's Week 2011, an invitation was sent to approximately 500 local organisations, including: early childhood services, toy libraries, playgroups, child care centres, kindergartens, schools, maternal and child health centres, family support agencies, and community groups, encouraging them to be part of the Children's Week Program.

In response, the Geelong Children's Week Program received registration of 68 separate events and activities hosted by 48 different local organisations. The events targeted children aged between 0–12 years, and attracted high participation rates by children and families, including involvement by over 801 paid staff and volunteers.

Pre-planning and preparation for Children's Week also entailed the establishment of a planning committee, with representation from a range of local organisations. The committee met to discuss ideas and coordinate the scheduling of events. This process resulted, for the first time, in the alignment of the popular Poppykettle Children's Festival, hosted by the Geelong Performing Arts Centre (GPAC), with the Children's Week Program.

7. CHILDREN'S WEEK 2011 EVALUATION (CONT'D)

Council published 100,000 Children's Week calendars to promote local events and activities. A media partnership was negotiated with the Geelong Independent newspaper for editorial promotion of Children's Week, which resulted in increased exposure in the period leading up to the event, along with front page pointers, strip promotional advertisements, as well as a four page lift-out calendar.

A further 10,000 copies of the Children's Week Program were distributed to local early childhood services, primary schools, community groups and Council Customer Service Centres.

A feature of the 2011 Children's Week promotion was trialling the use of social media through Council's 'Facebook' page. The Facebook promotion appeared to approximately 20,000 people.

The Children's Week Calendar was also distributed in electronic format to all local early childhood and education services, along with being posted on both the Council and Department Education and Early Childhood Development websites.

Local television station Channel 31 filmed and conducted interviews at the South Early Childhood Expo, held at Grovedale Community Centre, and Kids Place Circus School events held during Children's Week. The interviews were screened on the 6.30 pm edition of the Geelong News on Friday 28 October, 2011.

Both the Geelong Independent and Geelong Advertiser newspapers published details and photographs of various events and activities held throughout Children's Week.

A total of 12 grants of \$300 each were provided to local organisations and other Council departments to facilitate and support their Children's Week events and activities. Additional funding was also provided for key community events provided through a range of Council services and centres.

Geelong Children's Week 2011 was launched by Mayor Cr John Mitchell at a special children's story-time event held at the Belmont Library on Friday 21 October.

Feedback from Geelong's Children's Week events included many positive comments from participants, and also revealed that families had travelled some distance out of their local areas to attend particular key regional events.

Several events held during Children's Week resulted in participation by thousands of children and families, and attracted a significant number of visitors from Melbourne and other parts of the region. Overall most organisations were very pleased with participation rates for their events.

The table in Attachment 1 presents a summary of the 2011 Children's Week events and program of activities held across the City of Greater Geelong, by location and estimated participation rates.

Other outcomes identified by local organisations through the Children's Week evaluation include:

- The majority of organisations rated this year's Children's Week program and the level of support provided by Council as being very good or excellent.
- Respondents to this year's Children's Week evaluation also rated the program published in the Geelong Independent and other promotional material as being very good to excellent.

7. CHILDREN'S WEEK 2011 EVALUATION (CONT'D)

- The program provided a diverse range of activities. Some areas of the municipality did not have any local services engaged in hosting events and activities. However, these areas were well provided for through other regional events and activities in surrounding areas.
- The value of Children's Week was identified as: "A great opportunity to promote services and provide fun activities for children and for the community to have the opportunity to enjoy activities they normally couldn't afford."
- A number of organisations identified that Children's Week provides a positive platform to promote their services to local families and the community, and to engage new members.

In 2012 Children's Week will be celebrated 20–28 October.

Environmental Implications

All events and activities conducted during Children's Week attempt to promote and operate according to good environmental sustainability practices and principles, including appropriate waste management and recycling wherever possible.

Financial Implications

The cost to Council of this year's Children's Week Program was \$50,000. This includes a total of \$17,850 in grants and direct event funding, \$10,675 in promotions and \$21,475 for staffing costs associated with planning, coordination and implementation.

A small contribution of \$500 was received from the Victorian State Government through the Department of Education and Early Childhood Development.

All applications received for Children's Week grants submitted from local community organisations were successful. Funding and grants to support the provision of Children's Week events were provided to the events/organisations listed in the table at Attachment 2.

The sustainability of Council's role in coordinating and promoting future Children's Week programs and activities remains subject to continued funding and resources being provided through Council.

Policy/Legal/Statutory Implications

Council's role in supporting provision of local programs and activities for children and families is consistent with local government requirements stipulated under Section 3E (a); (b); (c); and (d) of the Victorian Local Government Act 1989 and also the Victorian Charter of Human Rights and Responsibilities.

Council's City Plan 2010–14 also details corporate planning objectives, service delivery priorities and commitments that are consistent with and closely aligned to the matters contained in this report, especially in relation to the development and provision of opportunities to facilitate community participation and engagement.

7. CHILDREN'S WEEK 2011 EVALUATION (CONT'D)

Council's role and responsibilities toward the hosting and support of Children's Week are consistent with key recommendations endorsed by Council in the existing Municipal Early Years Plan and Children's Services Policy (2006).

Key recommendations within the Municipal Early Years Plan reflect Council's commitment to: "Continue to provide opportunities for children and families to actively participate in the community and civic activities". This includes: 'Promotion of community events for children and families throughout the municipality'. (Municipal Early Years Plan: recommendation 20, page 26.)

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 future planning and promotion of Children's Week in Geelong remains subject to continued financial support from Council. Any reduction in available funding is likely to significantly curtail and diminish the potential to support future events and participation by local children and families.

Risk assessment planning is routinely completed for all Council hosted events in accordance with Council event planning guidelines.

Social Considerations

Children's active engagement and participation in their community has significant social and developmental benefits that are shared by children, families, and the whole community.

Children's Week provides a unique opportunity to promote civic participation by young children and acknowledge the contributions provided by children toward realising the Council vision of making 'Geelong a great place to live'.

Growth in participation in Children's Week by a large and diverse range of organisations and community groups (including schools, kindergartens, childcare services, family support agencies, playgroups, toy libraries, neighbourhood houses, and churches) provides a positive platform for partnership – building the further development of major local events.

Communication

The communication of this report along with material produced in relation to the development and promotion of Children's Week in Geelong is the responsibility of Council's Family Services Department.

Summary of 2011 Children's Week events and activities held across the City of Greater Geelong by location and estimated participation rates

Location	Event	Estimated Participation
Whittington	Whittington Flamefest Festival	950
Newcomb	Splashdown Family Fun Day	210
Breakwater	Free Children's Circus Class	100
Whittington	Family Fun Day	*
Breakwater	KidsPlace Circus Showcase (1)	100
Newcomb	Kids Circuit Class - Splashdown	10
Newcomb	Kids Zumba - Splashdown	12
Moolap	Club Italia Children's Disco	430
Breakwater	KidsPlace Circus Showcase (2)	110
Ocean Grove	Kids Big Day Out - BASC	478
Ocean Grove	Come and Try Begin with Gym - BASC	9
Ocean Grove	Come and Try Cuppa & Toddler Play - BASC	12
Ocean Grove	Come and Try Water Polo - BASC	20
Ocean Grove	Fresh Food Fair – Surfside PS	1,300
Ocean Grove	Celebration of Childhoods – Ocean Grove CLAC	15
Geelong West	Geelong West Toy Library 10th Annual Toy Sale	200
Geelong	Very Hungry Caterpillar - Geelong Botanic Gardens	105
Geelong	GPAC Poppykettle Children's Festival - Kinder Day	1,535
Geelong	GPAC Poppykettle Children's Festival - Primary Day	300
Geelong	Mums and Bubs Stroller Fitness class (1)	*
Geelong	Children's Week Family Art Project: Theme 'Family'	20
Geelong	Playgroup in the Park – Playspace Playground	110
Geelong	Mums and Bubs Stroller Fitness class (2)	*
Geelong	Carousel - 2 rides for the price of 1	10
Geelong	Smurf With Us – Geelong Market Square!	400
Geelong	Waterfront Kids Racing Carnival	*
Grovedale	South Early Childhood Expo	153
Waurin Ponds	Child & Infant CPR Workshop	20
Drysdale	Potato Shed - Prep Workshops	786
Leopold	Animal Farm Visit - Allanvale Pre-School	76
Leopold	A Splash with Mum or Dad – Leopold Swim School	36
Leopold	Leopold Toy Library Teddy Bear's Picnic	130
Drysdale	Family Fun Day @ The Shed	3,400
Corio	Let's Play Together – Cloverdale Community Centre	10
Corio	North Early Childhood Expo	64
Corio	Polyglot Theatre Workshop – NBC Young Parents	48
Norlane	Play Date in the Park – Trudy Moritz CLAC	138
Corio	Northern Suburbs Schools Career Expo 2011	330
Corio	Where's the Maths – NBC Vermont Campus	420
Norlane	Free Children's Fun Day @ Waterworld	1,800
Corio	Animal Farm Visit - CLAC Corio	140
Corio	A Week Full of Fun - CLAC Corio	140
Drysdale	The Bellarine Railway Family Day	40
North Geelong	Ron Nelson Memorial Junior Fishing Clinic	300
North Geelong	One World Open Day - Dr Froth Bubble Artist	40
North Geelong	Free After School Play	100
North Geelong	Musical Garden Children's interactive concert	450
Bell Post Hill	Kardinia Kids Art Show	500
Belmont	Come and Try Fishing	36
Belmont	On the Farm Story Session - Barwon Valley Fun Park	57
Belmont	Geelong Children's Week Launch – Belmont Library	54
Belmont	Belmont Toy Library Family & Open Day	*
Herne Hill	Road to Reading Open Day	75
Herne Hill	GAMBA Playgroup	43
Herne Hill	Body Back Fitness for mums/dads and bubs	11
Newtown	Celebrating the Arts at Newtown Primary School	455
Newtown	Be an Artist Workshop – Bluebird Foundation (1)	10
Newtown	Be An Artist Workshop – Bluebird Foundation (2)	33

* Estimated participation numbers not available for these events.

**Summary of 2011 Children's Week events and activities held across the
City of Greater Geelong by location and estimated participation rates
(Cont'd)**

Location	Event	Estimated Participation
Lara	Back to the Bush at Serendip Sanctuary	21
Lara	Dance with the animals at Serendip Sanctuary	35
Lara	Lara's Biggest Morning Walk	24
Lara	On Safari with the Funky Mummies	41
Freshwater Creek	Freshwater Creek Steiner School Spring Fair	3,000
Freshwater Creek	Steiner Playgroup Open Morning (1)	10
Freshwater Creek	Steiner Playgroup Open Morning (2)	10

Funding and grants provided to events and organisations for Children's Week 2011:

Event/Organisation	\$
Family Fun Day – Splashdown Whittington	1,500
Glastonbury Community Services	300
Kids Big Day Out – BASC	1,500
Surfside Kindergarten	300
Playgroup in the Park	800
Friends of the Botanic Garden	300
Club Italia	300
Potato Shed Family Fun Day	1,500
Leopold Toy Library	300
Allanvale Preschool – Leopold	300
Cloverdale Community Centre	250
Northern Bay College – Vermont Campus	300
Corio CLAC	300
Trudy Moritz CLAC	300
Bethany Community Support	300
Family Fun Day Waterworld	5,000
Kardinia Childcare Inc	300
South Early Childhood Expo	1,500
Belmont Library Children's Week Launch	400
Leisurelink Workshops	1,500
Bluebird Foundation	300
Newtown Primary School	300
Total	\$ 17,850

8. BELLARINE LOCAL COASTAL HAZARD ASSESSMENT – THIRD PASS ASSESSMENT

Portfolio:	Environment & Sustainability - Cr Doull
Source:	City Services & Economic Development, Planning & Tourism
General Manager:	Gary Van Driel & Peter Bettess
Index Reference:	Council Reports 2011 Environment, Coastal Management

Summary

- DSE's Future Coasts program was established to examine the vulnerability of Victoria's coastal assets and includes a state wide assessment of the physical impacts of climate change.
- First Pass (national level) and Second Pass (state level) Climate Change Assessments have been completed. Funding of up to \$1million exists to undertake four Third Pass local level pilot project assessments along the Victorian coastline. The Bellarine Peninsula being one of the four project areas.
- Recently a framework for Managing Coastal hazards and Vulnerability on the Bellarine Peninsula has been development in consultation with stakeholder authorities.
- The Future Coasts Bellarine Local Coastal Hazards Assessment - Third Pass Assessment for the coast from Thomson Creek to Point Henry and inner Corio Bay to Point Wilson is due to commence early in 2012.
- Councils Environment & Natural Resources Department will project manage the technical stage of the Third Pass Assessment. Councils Engineering as well as Planning Strategy & Economic Development Departments will also be actively involved. Council will have representation on the following groups once the project commences: Project Control Group, Technical Support Group, Project Reference Group and the Senior Strategic Partnership Group.
- A Memorandum of Understanding for the project has been developed with DSE and project partners to identify governance and project management arrangements. Members of the Senior Strategic Partnership Group will be signatories to the MOU.

Cr Doull moved, Cr Richards seconded -

That Council:

- 1) note the involvement of the City in this project.**
- 2) recognise that this project will have potential implications for environmental management and future planning along the Coast and Corio Bay.**

Carried.

8. BELLARINE LOCAL COASTAL HAZARD ASSESSMENT – THIRD PASS ASSESSMENT (CONT'D)

Report

Background

DSE's Future Coasts program was established to examine the vulnerability of Victoria's coastal assets and includes a state wide assessment of the physical impacts of climate change and development of a range of data sets.

The Future Coast program has completed First and Second Pass Assessments. The First Pass Assessment provided inundation modelling on a National level. The Second Pass Assessment resulted in the development of a detailed digital elevation model (DEM) and bathymetric (depth) data for the Victorian coast as well as probability and scenario modelling for extreme events.

This modelling used the results of elevation and bathymetric mapping to produce high resolution information relating to the potential extent of inundation resulting from climate change. It incorporated storm tide and sea level rise while allowing for land instability. This information was analysed for a variety of scenarios and included predicted changes in the years 2030, 2070 and 2100.

This information is regarded as being useful for state level planning policy guidance and risk assessment at a regional level.

Funding of up to \$1million exists via the Municipal Association of Victoria (MAV) to undertake four Third Pass local level pilot project assessments for different coastal types along the Victorian coastline.

The Third Pass Assessment will include more detailed localised data capture of, but not limited to the following parameters:

- Catchment inundation
- Storm surge
- Erosion hazards
- Ecological / infrastructure assets

A range of localised adaptation responses will also be identified.

An essential element to all stages of the project will be to develop and implement a community engagement strategy.

Future work will be required to develop local planning controls (zones, overlays and policy).

DSE have identified The Bellarine Peninsula from Thomson Creek at Breamlea to Point Henry as one of the pilot projects for the State. The Project Control Group comprising of DSE, Corangamite Catchment Management Authority (CCMA), The Borough of Queenscliffe and The City of Greater Geelong have agreed to extend the study area into Corio Bay from Point Henry to Point Wilson. This component of the project will be funded by COGG as part of Council's Climate Change Adaption Strategy.

In addition to funds provided through the Future Coasts Program a number of other agencies are contributing funds to undertake related work which will be incorporated into the Third Pass Assessment:

8. BELLARINE LOCAL COASTAL HAZARD ASSESSMENT – THIRD PASS ASSESSMENT (CONT'D)

- CCMA have committed approximately \$47,000 to undertake a climate change modelling project for the Barwon River estuary;
- Barwon Coast Committee of Management has committed \$50,000 to the Third Pass Assessment of the Bellarine;
- Bellarine Bayside Foreshore Committee of Management have recently completed a Coastal Processes Study which will be included to avoid duplication;
- MAV have received funding from DSE to improve the quality and consistency of spatial coastal asset and hazard information, this is a component of the Future Coasts Coastal Asset Information Project; and
- The City of Greater Geelong has committed \$100,000 to fund the extension of the project into Corio Bay via Council Climate Change Adaptation Strategy budget.

Discussion

It is hoped that the coordination by multiple stakeholder agencies will result in:

- An superior result due to an integrated approach
- Improved efficiency in project delivery
- Complementary technical expertise
- Potential to build adaptive capacity
- Input from stakeholders with broad and diverse experience
- Identify issues across all stakeholders authorities and jurisdictions

Involvement in the Third Pass Assessment for the Bellarine and Corio Bay has a number of key advantages for Council, including:

- Improving knowledge on potential climate change impacts on both public assets, private property and environmental values. This is critical to future planning and issues identified within recent structure plans as well as Council's Climate Change Adaptation Strategy;
- Informing the planning application process and improving the rigor surrounding the requirement for coastal hazard vulnerability assessments. Currently these assessments are required to be undertaken in potentially vulnerable locations which is based on the Victorian Coastal Strategy recommendation of land within 1km of the coast and less than 5m Australian Height Datum (AHD);
- The opportunity to perform an accurate strategic assessment of larger geographical areas, rather than smaller areas based on townships; and
- The opportunity to complete the Bellarine Local Coastal Hazards Assessment – Third Pass Assessment for the remainder of Geelong's coastline, inner Corio Bay to Point Wilson.

The recently completed Framework report provides an understanding of project governance, key partners and deliverables. It identifies the need for community consultation and outlines the key objectives for developing a Memorandum of Understanding.

8. BELLARINE LOCAL COASTAL HAZARD ASSESSMENT – THIRD PASS ASSESSMENT (CONT'D)

Governance

The model advocated by DSE and adopted in the Framework is that local government should be the project manager and in this case the City of Greater Geelong. Project funding will be via MAV.

The role of project manager involves a range of administrative support tasks including development of project tender briefs, procurement process, managing funds, consultant appointment / management, convening meetings and reporting.

It has been noted that DSE will continue to provide support and leadership through their stewardship of the Future Coasts Program.

The other aspects of project governance presented in the Framework include:

- **Project Control Group** – comprising of a representative from DSE, Corangamite Catchment Management Authority, City of Greater Geelong and the Borough of Queenscliffe. The Project Control Group will provide general oversight of the project and be the key focus group for the project.
- **Technical Support Group** – comprising of a representative from DSE, City of Greater Geelong, Borough of Queenscliffe, Corangamite Catchment Management Authority, and technical specialists commissioned by DSE. The Technical Support Group who provide input to the project at key points as well as liaise directly with consultants.
- **Project Reference Group** – comprising of a representative from DSE, Department of Planning & Community Development (DPCD), City of Greater Geelong, Borough of Queenscliffe, Barwon Coast Committee of Management, Bellarine Bayside Foreshore Committee of Management, Corangamite Catchment Management Authority, Parks Victoria, Barwon Water, Association of Bayside Municipalities, and Central Coastal Board. The Project Reference Group are stakeholders of the project and will be briefed intermittently and asked to provide comment on an as needs basis.
- **Senior Strategic Partnership Group** – comprising of general and regional managers of DSE, DPCD, COGG and Borough of Queenscliffe. The Senior Strategic Partnership Group will be provided with 6 monthly briefing notes by the Project Control Group. They will review the Framework and the MOU at the pause point following the completion of the Third Pass Assessment.

The expected outputs will be:

- Historical aerial imagery dating back every 5 years to 1950s.
- Detailed Digital Elevation Model and bathymetry for the coast of Victoria to 10m above and 20m below sea level with resolution of 1m.
- Coastal erosion hazard mapping.
- Coastal processes modelling.
- Asset mapping of ecological communities and infrastructure

8. BELLARINE LOCAL COASTAL HAZARD ASSESSMENT – THIRD PASS ASSESSMENT (CONT'D)

In addition to detailed mapping a final technical report will be produced which will identify project methodology, key findings and issues and recommendations. It is intended that the project will be structured so that modular components can be added in the future i.e an Asset Management Plan, Adaptation Strategy, Strategic Planning Assessment etc.

Community consultation

Community consultation will occur once the technical phase of the Third pass Assessment has been completed. Following the Third Pass Assessment there will be community engagement on a number of discussion points, this will be a complex task and require specialist skills. For this reason it is considered that DPCD should have involvement on the Senior Strategic Partnership Group to assist with this component.

Project timing and resources

While there are no specific funding timeframes it is anticipated that the project tendering process will commence early in 2012 and potentially take 12 months to complete.

Next steps

For Council to commit to the project and sign the Memorandum of Understanding.

The Environment and Natural Resources department provide project management, with ongoing representation from Planning Strategy and Engineering Services at Technical Support Group and Project Reference Group meetings.

Environmental Implications

There are significant environmental implications associated with climate change. Council's Climate Change Adaptation Strategy provides a strategic response to a range of these challenges including improving data and knowledge, community consultation and developing improved planning controls. The Third Pass Assessment will provide additional information in relating to infrastructure and environmental assets, as well as erosion hazards and will model the effects of predicted impacts of climate change. This will assist in implementing effective planning provisions and in the management of coastal land.

Financial Implications

Council will provide funding for the Third Pass Assessment from the Climate Change Adaptation Strategy budget. It will also provide a significant contribution to the project through its role as project manager and representation on the Project Control Group, Technical Support Group, Project Reference Group and Senior Strategic Partnership Group.

Policy/Legal/Statutory Implications

The project will provide a basis to further support and develop key planning policy and assist strategic and statutory decision making.

8. BELLARINE LOCAL COASTAL HAZARD ASSESSMENT – THIRD PASS ASSESSMENT (CONT'D)

Officer Direct or Indirect Interest

Officers involved in the project to date and preparation of the report have no direct or indirect interest in the project matter.

Risk Assessment

The Bellarine Local Coastal Hazards Assessment - Third Pass Assessment will provide Council with a basis for managing risk by informing future strategic and statutory decision making, as well as policy development consistent with the Climate Change Adaptation Strategy.

Social Considerations

Climate Change has the potential to have a range of social considerations as identified in the Climate Change Adaptation Strategy. This project however will largely be focused on providing raw data and information to assist further policy development around adaptation.

Communication

Progress on this project to date has been as a result of cross divisional cooperation and working relationships. Further communication will be critical as the project moves into the next phases. Broader community consultation will also be a critical component of this project.

9. OCEAN THROUGHWAY, OCEAN GROVE - PROPOSED FOOTPATH CONSTRUCTION - SRC297 - DECLARATION OF CHARGE

Portfolio:	Infrastructure - Cr Richards
Source:	City Services - Engineering Services
General Manager:	Gary Van Driel
Index Reference:	Subject: Special Rates and Charges
	Street: Ocean Throughway, Ocean Grove
	Street: Bonnyvale Road, Ocean Grove

Summary

- This report relates to a proposed special charge scheme for footpath construction in Ocean Throughway, Ocean Grove and Bonnyvale Road north and west sides, between Lockyer Court and Pembroke Road as shown on the plan – Appendix 9-3.
- The section of path proposed, services a large residential area and Council has received complaints and enquiries over a period of time.
- There are 55 property owners in the scheme and costs have been apportioned on the basis of frontage as shown in Schedule B – Appendix 9-2 with charges varying from \$977 to \$9,645.
- Council contribution to the scheme is \$125,782 being half the cost plus the full cost of two properties owned by Council. The total estimated project cost is \$231,754. Private property owners contribute \$105,971 (refer Schedule A – Appendix 9-1).
- Property owners receive benefit from the works by way of improved pedestrian access, improvement to the area fronting the property and possible increase in property value.
- The scheme was advertised and seven submissions were received. The Submissions Review Panel considered and heard submissions and resolved to recommend Council proceed with the scheme.
- The scheme has been prepared in accordance with the Special Rate and Charge provisions of the Local Government Act, along with Council's Special Rates and Charges Policy.
- This report seeks a resolution by Council to "Declare the Charges" for the footpath scheme in Ocean Throughway and Bonnyvale Road, Ocean Grove in accordance with the Special Charge Scheme process as shown in Process Chart – Attachment 9-1.

Cr Richards moved, Cr Granger seconded -

In accordance with the provisions of Section 163 of the Local Government Act 1989, Council resolves that:

1) The following declaration of a Special Charge be confirmed:

- a) A special charge be declared for the period until the work has been completed and the scheme finalized.**
- b) The special charge be declared for the purpose of defraying any expenses incurred by Council in relation to the construction of footpath in Ocean Throughway, north side from Lockyer Court to Bonnyvale Road,**

9. OCEAN THROUGHWAY, OCEAN GROVE - PROPOSED FOOTPATH CONSTRUCTION - SRC297 - DECLARATION OF CHARGE (CONT'D)

and Bonnyvale Road west side from Ocean Throughway to Pembroke Road which project:

- b1) will provide proper pedestrian access, improved nature strip and enhancement to the general amenity for each of the properties included in the scheme;
 - b2) Council considers is or will be a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this Resolution); and
 - b3) arises out of Council's function of planning for, and providing infrastructure for property owners.
- c) The:
- c1) total cost of performing the function described in Part 1 (b) of this Resolution based on estimated cost, be recorded as \$231,754.
 - c2) total amount of the special charge to be levied, as based on estimated cost, be recorded as \$115,877.
- d) It be recorded that, for the purposes of Section 163(2A) of the Local Government Act 1989, the special charge proceeds will not exceed the amount calculated in accordance with the prescribed formula ($R \times C = S$), the:
- d1) 'benefit ratio' (R) being calculated at 100%, and representing the total benefits of the special charge scheme that will accrue as special benefits to all persons liable to pay the special charge; and
 - d2) 'community benefit' (C) being assessed as 50% in Ocean Throughway and Bonnyvale Road, Ocean Grove.
- e) The following be specified as the area for which the special rate is so declared:
- e1) The area within municipal district of Council highlighted in the plan attached to this Resolution ("the area").
- f) The following be specified as the land in relation to which the special charge so declared:
- f1) All land within the area shown on the plan.
- g) The following be specified as the criteria which form the basis of the special charge so declared:
- g1) Ownership of any land described in Part 1(e) of this Resolution.
- h) The following be specified as the manner in which the special charge so declared will be assessed and levied:
- h1) The frontage of lots abutting the works shall be used to calculate the individual cost to a lot.
 - h2) the special charge will be levied by sending a notice to the person who is liable to pay, pursuant to section 163(4) of the Local Government Act 1989.

9. OCEAN THROUGHWAY, OCEAN GROVE - PROPOSED FOOTPATH CONSTRUCTION - SRC297 - DECLARATION OF CHARGE (CONT'D)

- i) **Having regard to the preceding parts of this Resolution but subject to Section 166(1) of the Local Government Act 1989, it be recorded that, subject to any further Resolution of Council, the special charge will be due and payable on the date(s) fixed under Section 167 of the Local Government Act 1989 as the date or dates on or by which Council's general rates are due.**
- 2) There are no incentives declared as incentives to be given by Council for the payment of the special rate before the date(s) specified for its payment under Section 167(3) of the Local Government Act 1989.**
- 3) Council's Chief Executive Officer be authorised to levy the Special Charge in accordance with Section 163(4) of the Local Government Act 1989.**

Carried.

Report

Background

The report relates to a proposed special charge scheme for footpath construction in Ocean Throughway and Bonnyvale Road, Ocean Grove.

These roads service a considerable residential area and are relatively close to the foreshore. The present nature strip area shows signs of being a worn pedestrian path.

Council has had approaches in the past for a footpath in this area. The proposal represents a length of path of 1130m and 1.5m in width.

At the 22 September 2009 meeting, Council considered a report regarding this project and resolved to proceed to advertise and call for submissions. Seven submissions were received and these have been previously circulated to all Councillors. Reasons put forward in the submissions/objections included:

- an unnecessary cost and causes financial hardship;
- removes 'seaside' ambience;
- would not use the footpath;
- others outside the area would use the path;
- perceived lack of support by Local Community;
- both to have link along foreshore;
- cost allocation needs to be reviewed;
- loss of roadside parking a concern;
- need to adopt 'seaside' theme;
- no significant benefit; and
- will attract pedestrians who currently use other side of the road.

The Submissions Panel considered these views and requested further information on an alternative footpath style being an exposed aggregate type. This was investigated and results in an additional cost of approximately 20%.

9. OCEAN THROUGHWAY, OCEAN GROVE – PROPOSED FOOTPATH CONSTRUCTION – SRC297 – DECLARATION OF CHARGE (CONT'D)

In view of the request for a differing surface treatment a survey was sent to all 35 owners. A total of 24 responded, 4 owners indicated a preference for the exposed aggregate surface. The other owners indicated a preference for plain concrete or alternatively no footpath.

Discussion

Property owners receive benefit from footpath by way of improved pedestrian access, improved general amenity and possible increase in property values.

Council policy provides for Council to meet a minimum of 50% of the cost of footpath projects in recognition of the community benefit of the project.

There are two Council properties and the following is a summary of the estimated costs:

	Estimated Cost
Council half share	\$105,971.74
Owners half share	\$105,971.74
Full cost to Council for two properties	\$19,810.52
Total	\$231,754.00

Council considered the matter of the cost implication for the provision of infrastructure of differing standards, at the 8 March 2011 meeting. Council resolved that any construction requested and applied in excess of the normal standard, be funded by property owners. This principle has been applied to this scheme and the scheme has been developed using our standard concrete type footpath.

The survey indicated little support for the specialized treatment involving additional cost. It is proposed not to proceed with the exposed aggregate treatment.

The Declaration of Charge report was previously presented to Council at its meeting on 28 June 2011 and was deferred pending a review of the Special Rate and Charge process.

Environmental Implications

Footpath projects in general are aimed at providing a safe off road facility for pedestrians and as well to encourage walking in lieu of using a motor vehicle.

During the course of construction and the manufacture and procurement of materials there is expenditure of energy and greenhouse emission. This does cease however, when construction is complete. Should the footpath project achieve the aim in part, to encourage walking over driving, there will be a positive environmental impact.

The project does not create waste with the exception of some excess spoil. The proposal does not affect any natural habitats.

9. OCEAN THROUGHWAY, OCEAN GROVE - PROPOSED FOOTPATH CONSTRUCTION - SRC297 - DECLARATION OF CHARGE (CONT'D)

Financial Implications

The project has a one off capital cost as indicated above and there will be minimal ongoing maintenance costs. The scheme may proceed in the current financial year if approved. Owners meet half the cost of the works.

Policy/Legal/Statutory Implications

The scheme has been prepared in accordance with the special rate and charge provisions of the Local Government Act along with Council's Special Rate and Charges Policy.

Officer Direct or Indirect Interest

There are no Council Officers involved in the administration or subsequent construction of the works, who have a direct or indirect interest in the project.

Risk Assessment

There are no risks associated with Council proceeding to adopt the recommendation and advertising the scheme. The footpath, should it proceed, will have a positive impact on risk reduction relating to vehicle / pedestrian accidents and slips and falls.

Social Considerations

A footpath is a project which encourages walking and could be considered to enhance the social well being of the local community.

Communication

A letter has been sent to property owners advising of a likely footpath scheme. Owners have had the opportunity to be heard through the Submissions process.

Appendix 9-1

SCHEDULE 'A'

The works for the construction of footpath in Ocean Throughway and Bonnyvale Road, Ocean Grove which consist of excavation, footpath, reinstatement of nature strip, miscellaneous construction works, legal advice and professional services associated with survey, engineering design, drafting, supervision and administration of the project all as included in the cost estimate shown below.

**COST ESTIMATE FOR CONSTRUCTION OF FOOTPATH
OCEAN THROUGHWAY BONNYVALE ROAD, OCEAN GOVE**

ITEM	DESCRIPTION	QUANTITY	UNIT	RATE \$	AMOUNT \$
1.00	Site establishment, set out and traffic control		item		6,000
2.00	Excavation, trimming, supply and placement of bedding and formwork	1130	m	5	5,650
3.00	Supply and place 75mm depth reinforced concrete footpath	1287	sqm	100	128,700
4.00	Supply and place 125mm reinforced concrete footpath	406	sqm	105	42,630
5.00	Make good disturbed nature strips with 100mm depth approved loam and seed	1057	lm	5	5285
Sub Total					\$188,265
6.00	Contingency 10%				18,827
7.00	Design and Administration of Special Charge Scheme				24,662
Total					\$231,754
Private owners proportion of cost					105,972
Council proportion of cost to match private owners					105,972
Cost for Council owned land					19,810
TOTAL					\$231,754

**Appendix 9-2
Page 1**

SCHEDULE 'B'
SPECIAL CHARGE SCHEME FOR FOOTPATH CONSTRUCTION
OCEAN THROUGHWAY / BONNYVALE ROAD, OCEAN GROVE

COL 1	COL 2	COL 3	COL 4			
DESCRIPTION OF PROPERTY	ESTIMATED COST (\$)	PROPERTY REFERENCE	PROPERTY DETAILS			
Lot 17 LP 84004	\$7,088.91	245797	110	0	Bonnyvale Road	Ocean Grove
Lot 16 LP 84004	\$1,952.65	245798	116	0	Bonnyvale Road	Ocean Grove
Lot 15 LP 84004	\$1,952.65	245799	118	0	Bonnyvale Road	Ocean Grove
Lot 14 LP 84004	\$1,952.65	245800	120	0	Bonnyvale Road	Ocean Grove
Lot 13 LP 84004	\$1,952.65	245801	122	0	Bonnyvale Road	Ocean Grove
Lot 12 LP 84004	\$1,952.65	245802	124	0	Bonnyvale Road	Ocean Grove
Lot 11 LP 84004	\$1,952.65	245803	126	0	Bonnyvale Road	Ocean Grove
Lot 10 LP 84004	\$1,952.65	245804	128	0	Bonnyvale Road	Ocean Grove
Lot 9 LP 84004	\$1,952.65	245805	130	0	Bonnyvale Road	Ocean Grove
Lot 1 SP 36000	\$ 976.86	269380	132	1	Bonnyvale Road	Ocean Grove
Lot 2 SP 36000	\$ 976.86	269381	132	2	Bonnyvale Road	Ocean Grove
Lot 7 LP 84004	\$1,952.65	245807	134	0	Bonnyvale Road	Ocean Grove
Lot 6 LP 84004	\$1,952.65	245808	136	0	Bonnyvale Road	Ocean Grove
Lot 5 LP 84004	\$1,952.65	245809	138	0	Bonnyvale Road	Ocean Grove
Lot 4 LP 84004	\$1,952.65	245810	140	0	Bonnyvale Road	Ocean Grove
Lot 3 LP 84004	\$1,952.65	245811	142	0	Bonnyvale Road	Ocean Grove
Lot 2 LP 84004	\$1,952.65	245812	144	0	Bonnyvale Road	Ocean Grove
Lot 1 PS 439079	\$1,606.75	312451	146	1	Bonnyvale Road	Ocean Grove
Lot 2 PS 439079	\$ 345.90	312452	146	2	Bonnyvale Road	Ocean Grove
Lot 3 LP 111001	\$1,708.17	245814	148	0	Bonnyvale Road	Ocean Grove
Lot 2 LP 111001	\$1,708.17	245815	150	0	Bonnyvale Road	Ocean Grove
Lot 1 LP 111001	\$1,708.17	245816	152	0	Bonnyvale Road	Ocean Grove
Lot 14 LP 94054	\$3,199.62	257069	139	0	Ocean Throughway	Ocean Grove
Lot 13 LP 94054	\$2,320.98	257068	137	0	Ocean Throughway	Ocean Grove
Lot 12 LP 94054	\$1,939.84	257067	135	0	Ocean Throughway	Ocean Grove
Lot 11 LP 94054	\$1,939.84	257066	133	0	Ocean Throughway	Ocean Grove
Lot 1 PS 623628	\$ 934.16	339553	129	1	Ocean Throughway	Ocean Grove
Lot 2 PS 623628	\$ 933.09	339554	129	2	Ocean Throughway	Ocean Grove
Lot 8 LP 94054	\$1,867.24	257063	127	0	Ocean Throughway	Ocean Grove
Lot 7 LP 94054	\$1,867.24	257062	125	0	Ocean Throughway	Ocean Grove
Lot 6 LP 94054	\$1,867.24	257061	123	0	Ocean Throughway	Ocean Grove
Lot 5 LP 94054	\$1,867.24	257060	121	0	Ocean Throughway	Ocean Grove
Lot 4 LP 94054	\$1,867.24	257059	119	0	Ocean Throughway	Ocean Grove
Lot 3 LP 94054	\$1,850.16	257058	117	0	Ocean Throughway	Ocean Grove
Lot 64 LP 55384	\$1,952.65	257057	115	0	Ocean Throughway	Ocean Grove

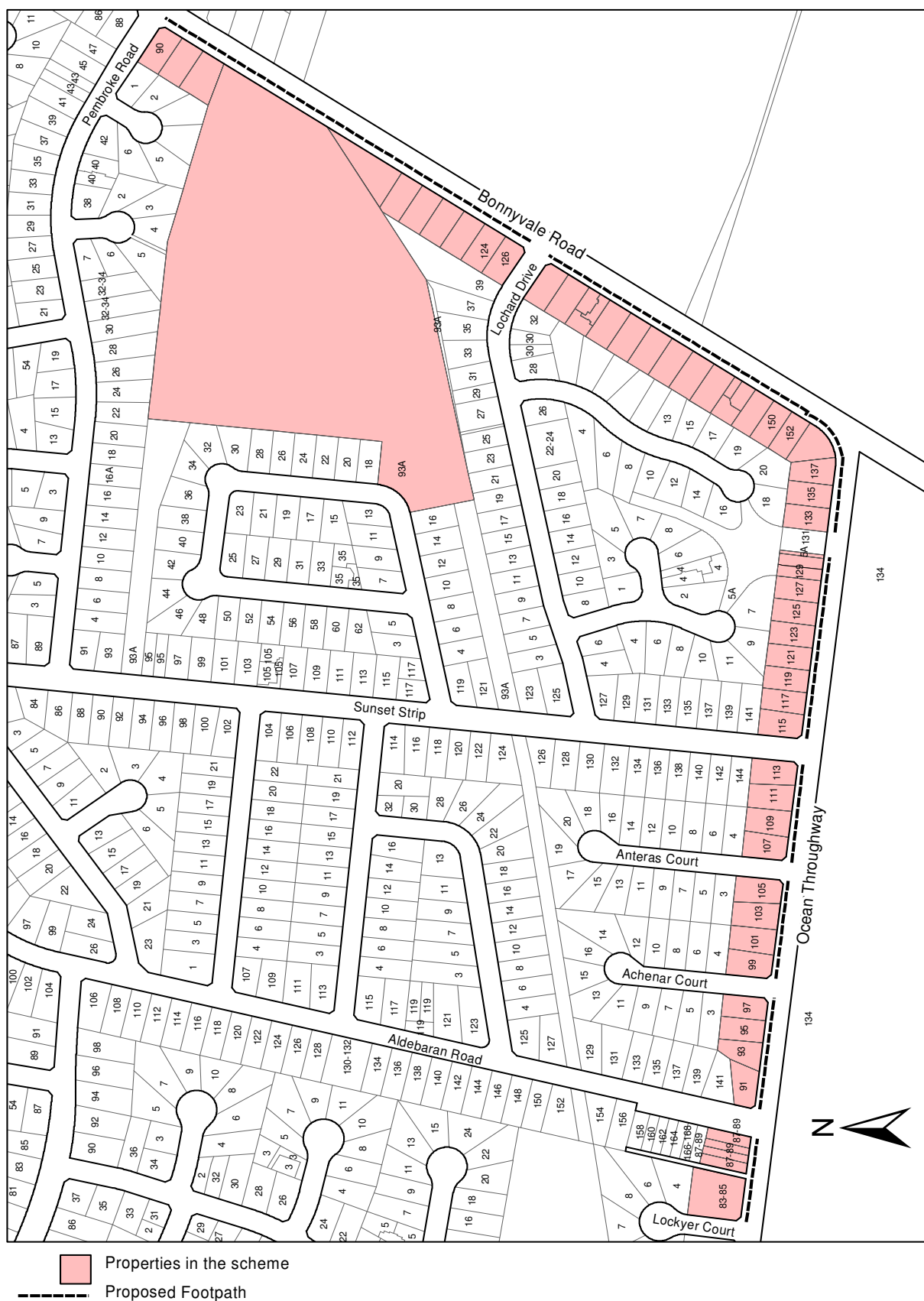
Appendix 9-2
Page 2

SCHEDULE 'B'
SPECIAL CHARGE SCHEME FOR FOOTPATH CONSTRUCTION
OCEAN THROUGHWAY / BONNYVALE ROAD, OCEAN GROVE

COL 1	COL 2	COL 3	COL 4			
DESCRIPTION OF PROPERTY	ESTIMATED COST (\$)	PROPERTY REFERENCE	PROPERTY DETAILS			
Lot 65 LP 55384	\$1,952.65	257056	113	0	Ocean Throughway	Ocean Grove
Lot 66 LP 55384	\$2,149.09	257055	111	0	Ocean Throughway	Ocean Grove
Lot 233 LP 55384	\$2,149.09	257054	109	0	Ocean Throughway	Ocean Grove
Lot 232 LP 55384	\$1,952.65	257053	107	0	Ocean Throughway	Ocean Grove
Lot 213 LP 55384	\$1,952.65	257052	105	0	Ocean Throughway	Ocean Grove
Lot 212 LP 55384	\$2,149.09	257051	103	0	Ocean Throughway	Ocean Grove
Lot 211 LP 55384	\$2,149.09	257050	101	0	Ocean Throughway	Ocean Grove
Lot 210 LP 55384	\$1,952.65	257049	99	0	Ocean Throughway	Ocean Grove
Lot 195 LP 55384	\$1,855.50	257048	97	0	Ocean Throughway	Ocean Grove
Lot 194 LP 55384	\$1,855.50	257047	95	0	Ocean Throughway	Ocean Grove
Lot 193 LP 55384	\$2,382.90	257046	93	0	Ocean Throughway	Ocean Grove
Lot 192 LP 55384	\$3,156.91	257045	91	0	Ocean Throughway	Ocean Grove
Lot 4 PS 403882	\$ 893.59	301420	87	1	Ocean Throughway	Ocean Grove
Lot 3 PS 403882	\$ 649.11	301421	87	2	Ocean Throughway	Ocean Grove
Lot 2 PS 403882	\$ 649.11	301422	87	3	Ocean Throughway	Ocean Grove
Lot 1 PS 403882	\$ 886.11	301423	87	4	Ocean Throughway	Ocean Grove
Lot 1 CP 159412	\$3,514.56	257044	83	0	Ocean Throughway	Ocean Grove
Res LP 97336, Res LP 94054	\$ 260.50	269058	5	0	Achilles Court	Ocean Grove
Lot 2 LP 125689, 1/2 Share of Res LP 84004, Res 1 LP 94896, Res 2 LP 94896	\$9,644.76	260735	93	0	Sunset Strip	Ocean Grove
Lot 20 LP84004	\$1,952.65	270305	90		Bonnyvale Road	Ocean Grove
Lot 19 LP84004	\$1,952.65	245795	92		Bonnyvale Road	Ocean Grove
Lot 18 LP84004	\$1,952.65	245796	94		Bonnyvale Road	Ocean Grove
Total	\$115,876.89					

Appendix 9-3

PLAN



Attachment 9-1

PROCESS CHART

**SPECIAL CHARGE PROJECTS –
(Section 163 – Local Government Act 1989)**

OCEAN THROUGHWAY / BONNYVALE ROAD, OCEAN GROVE

Stage	Status	Description
<i>Approval to prepare scheme</i>	✓	Decision made to prepare scheme following consideration of surveys of property owners and feed back from the community. Council may then place the project in the budget system or proceed immediately to prepare a scheme. Scheme preparation involves survey, design and preparation of an apportionment of costs.
<i>Intention to Declare Scheme</i>	✓	Report to Council providing information on scheme including advice of impending advertising of scheme and declaration of charge. Seeks Council approval by resolution to proceed with process. 22 September 2009.
<i>Advertisement</i>	✓	The scheme is advertised in the local newspaper and all allotted property owners are notified by mail. This advertisement indicates Council's intention and notification to 'declare' a scheme in a month's time. 3 October 2009.
<i>Submissions</i>	✓	From the time of advertising property owners have 28 days (as set down by the Local Government Act) to lodge submissions, either in support or opposition to the scheme.
<i>Submissions Review Panel Hearing</i>	✓	A Submissions Review Panel is convened (quorum of three Councillors) and meets to consider submissions. Some submissions are written only, and other submitters may wish to be heard before the Panel. The Panel makes a recommendation to Council regarding the scheme. 22 March 2010.
<i>Declaration Report</i>	✓	Any time 28 days after advertising the scheme and after the Submissions Review Panel has met and considered submissions, Council considers a report and may proceed to "declare" the charges in accordance with its advertised intent. Subsequent to this the Finance Manager issues the levy notices and there is a formal charge placed on the property. This is the final step in the process for Council to make a decision on the scheme.
<i>Appeal</i>		Property owners may lodge an application for review with the Victorian Civil and Administrative Tribunal (VCAT) within one month of issue of the levy notice. An appeal is listed, heard and determined by the Tribunal and this process generally takes three to four months. Decisions made by VCAT are binding on all parties.
<i>Construction</i>		Council may then proceed to construct the works. Invoices are issued seeking payment of the estimated cost within one month of commencement.
<i>Final Cost Report</i>		At the completion of the works the scheme is "finalised" taking into account actual costs incurred and payments are adjusted accordingly.

10. THE TERRACE OCEAN GROVE - PROPOSED ROAD CONSTRUCTION - SRC 314 - DECLARATION OF CHARGE

Portfolio:	Infrastructure - Cr Richards
Source:	City Services - Engineering Services
General Manager:	Gary Van Driel
Index Reference:	Subject: Special Rates and Charges
	Street: The Terrace, Ocean Grove

Summary

- This report relates to a proposal to construct pavement and seal the parking lanes in The Terrace, Ocean Grove between Hodgson Street and Tuckfield Street and also to replace selected sections of kerb and channel (Refer Plan – Appendix 10-3).
- The works proposed involve a length of approximately 625 metres and includes both sides.
- The estimated cost of the project is \$663,506 with property owners paying \$309,567 and a Council contribution of \$353,939 which includes replacement of kerb and channel, underground drainage and resealing the existing central pavement, refer Schedule A – Appendix 10-1.
- There are 86 properties included in the scheme and the estimated costs vary from \$463 to \$11,310, refer Appendix 10-2.
- Council has received numerous enquiries over a period of time regarding the poor condition of the current gravel parking lanes.
- The scheme has been prepared in accordance with the special rate and charge provisions of the Local Government Act, along with Council's Special Rates and Charges Policy.
- This report seeks a resolution by Council to "Declare the Charges" for road construction in The Terrace, Ocean Grove in accordance with the Special Charge Scheme process.

Cr Richards moved, Cr Granger seconded -

That

1) the following declaration of a Special Charge be confirmed:

- a) a special charge be declared for the period until the work has been completed and the scheme finalized.**
- b) the special charge be declared for the purpose of defraying any expenses incurred by Council in relation to the construction of parking lanes in The Terrace, Ocean Grove, both sides between Hodgson Street and Tuckfield Street which project:**
 - b1) Council considers is or will be a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this Resolution); and**
 - b2) arises out of Council's function of planning for and providing infrastructure for property owners.**

10. THE TERRACE OCEAN GROVE - PROPOSED ROAD CONSTRUCTION - SRC 314 - DECLARATION OF CHARGE (CONT'D)

- c) The:
 - c1) of performing the function described in Part 1 (b) of this Resolution based on estimated cost, be recorded as \$663,506.
 - c2) total amount of the special charge to be levied, as based on estimated cost, be recorded as \$309,567.
- d) It be recorded that, for the purposes of Section 163 (2A) of the Local Government Act 1989, the special charge proceeds will not exceed the amount calculated in accordance with the prescribed formula ($R \times C = S$), the:
 - d1) 'benefit ratio' (R) being calculated as 1 for The Terrace, and representing the total benefits of the special charge scheme that will accrue as special benefits to all persons liable to pay the special charge; and
 - d2) 'community benefit' (C) being assessed as zero.
- e) the following be specified as the area for which the special rate is so declared:
 - e1) the area within municipal district of Council highlighted in the plan attached to this Resolution ("the area").
- f) the following be specified as the land in relation to which the special charge so declared:
 - f1) land within the area shown on the plan.
- g) the following be specified as the criteria which form the basis of the special charge so declared:
 - g1) ownership of any land described in Part 1(e) of this Resolution.
- h) the following be specified as the manner in which the special charge so declared will be assessed and levied:
 - h1) costs have been allocated on the basis of frontage of each of the properties fronting the works and in the case of Unit development the cost has been distributed to each of the Units in accordance with Schedule of Entitlements and Liabilities as shown on the Plan of Subdivision.
 - h2) the special charge will be levied by sending a notice to the person who is liable to pay, pursuant to section 163(4) of the Local Government Act 1989.
- i) having regard to the preceding parts of this Resolution but subject to Section 166 (1) of the Local Government Act 1989, it be recorded that, subject to any further Resolution of Council, the special charge will be due and payable on the date(s) fixed under Section 167 of the Local Government Act 1989 as the date or dates on or by which Council's general rates are due.

10. THE TERRACE OCEAN GROVE - PROPOSED ROAD CONSTRUCTION - SRC 314 - DECLARATION OF CHARGE (CONT'D)

- 2) there are no incentives declared as incentives to be given by Council for the payment of the special charge before the date(s) specified for its payment under Section 167 (3) of the Local Government Act 1989.**
- 3) Council's Chief Executive Officer be authorised to levy the Special Charge in accordance with Section 163 (4) of the Local Government Act 1989.**

Carried.

Report

Background

This report relates to a proposed special charge scheme for the construction of the outer lanes (parking lanes) of The Terrace between Hodgson Street and Tuckfield Street. This includes both sides excepting the south side between Wedge Street and Tuckfield Street which is already constructed. The current arrangement is a central sealed pavement for through traffic in both directions, flanked by lightly gravelled lanes between the edge of seal and kerb and channel. This area becomes easily potholed and rutted and appears unsightly.

Council has received enquiries over a long period regarding the upgrading of this area of The Terrace. The lanes referred to are not for through traffic but are more predominately for parking and local access.

There are 86 properties involved and this includes a considerable number of Units.

The scheme was advertised and 17 submissions/objections were received. A copy of all submissions was distributed to all Councillors. A Submissions Panel Hearing took place on 30 November 2010. Eleven owners or representatives addressed the Panel.

A number of issues were raised both in writing and verbally and the following is a brief summary of the principal issues raised:

- The Terrace is the predominant access to Collendina and is not a private access road, but rather a public road.
- The road is used for public parking.
- On the basis of usage, there is no justification for property owners paying for the works.
- Concern that rates paid by Ocean Grove Property owners are not returned to the town.
- Considers the full responsibility for construction to be Council or VicRoads.
- Considers that sealing of parking lanes will increase speed of traffic.
- Parking lanes should be subdivided by islands.
- Difficulty in accessing parking outside property (at Hodgson Street end) and suggests "Residents Only Parking" if project proceeds.
- Speed limit could be permanently reduced to 50kmph.
- Believes Council assumed responsibility for The Terrace when connection to Collendina was made.

10. THE TERRACE OCEAN GROVE - PROPOSED ROAD CONSTRUCTION - SRC 314 - DECLARATION OF CHARGE (CONT'D)

- Proposed works of no benefit.
- Other Councils do not charge for street replacement works.
- There is no evidence the works are necessary or public demand.
- Surveys taken in past are not relevant.
- No evidence provided that works will increase property values.
- Satisfied with current condition of road.
- Appears to be no charge for 90-92 The Terrace, also confusion with 122-126 The Terrace.
- Interest should not be charged.
- Appears to be no need for expenditure for what is essentially a 'tidy up'.
- Complete disagreement if this is the first stage to linking Grubb Road with The Terrace.
- No allowance for pensioners.
- The issue of whether the central pavement would be resealed was raised.

Discussion

A number of issues were raised during the course of receiving written submissions, the Submissions Hearing and ongoing discussions.

These issues raised resulted in further consideration of matters outlined below:

- As stated in the previous report, this project is not the pre-cursor to a change in status of The Terrace to a main road and the connection with Grubb Road. This matter has been considered several times over the last 20 years and there has not been a decision or strategy ever put in place to put this into effect. What may happen in the long term is hypothetical and should not be a consideration in terms of the current project.
- The parking lanes are for the use of properties abutting The Terrace and not for through traffic. The central lanes are not the subject of this scheme and are quite sufficient to accommodate through traffic. Therefore there can be no substantial argument that the works are for the benefit of the Collendina residents and through traffic.
- There are issues with parking particularly at the Hodgson Street end and during the holiday season. The matter has been considered by Council's Traffic Department who advise that consideration should be given to extending the 2hr restrictions. Residents may receive permits to enable longer stay parking.
- There is no evidence to suggest that sealing of the parking lanes will increase the speed of traffic. At most times there will be some parked vehicles present which would severely limit the use of the parking lane for through traffic.
- Council has received many inquiries over a long period regarding the construction of parking lanes.
- The non inclusion of 90-92 The Terrace relates to the fact that the road is fully constructed outside this property.

10. THE TERRACE OCEAN GROVE - PROPOSED ROAD CONSTRUCTION - SRC 314 - DECLARATION OF CHARGE (CONT'D)

- Properties which would be logically numbered 122-126 The Terrace have the address 135-139 Dare Street as one owner owns 6 blocks, 3 fronting The Terrace and 3 fronting Dare Street, all having the one address.
- Resealing of the central pavement has been reconsidered and will be included in the project at no cost to the scheme.

Special benefit is a fundamental element for any special charge scheme. As previously indicated, special benefit is derived in the following manner:

- Proper sealed road access to properties.
- Proper drained road reserve.
- Removal of nuisance, wind blown dust.
- General improvement to the amenity of the area; and
- Possible increase in property value.

The Victorian Civil and Administrative Tribunal is often the arbiter on such schemes. Almost without exception, the Tribunal would confirm that special benefit applies when a road, in full or part, is constructed adjacent to properties.

A further matter considered was the method of apportionment of the costs to Units constructed on one of the original lots. On a subdivision plan involving Units, there is invariably 'common property' which is land all the Unit owners have part ownership of and responsibility. Costs associated with the common property, such as road construction, are shared in accordance with the Schedule of Entitlements and Responsibilities as shown on the plan of subdivision. A complicating factor sometimes occurs where one lot has exclusive frontage to the road being part of the scheme. This owner pays for the frontage, as any other owner would as well as the proportion of the cost associated with the common property. This may result in an imbalance of cost within the Unit development and cannot be avoided unless by mutual agreement, owners all pay a similar amount.

This scheme has an apportionment based on frontage to each lot on the original plan of subdivision. Where a further apportionment is undertaken on one block, frontage to the road is used to determine costs.

There were two other matters considered in the scheme review:

- The frontage used in the apportionment of costs over 95 The Terrace, which contains five Units, was originally an error and has been corrected.
- 147 The Terrace has a home with a Unit built behind. This was originally considered as 2 properties, however has never been subdivided. Essentially it is only one lot and the cost has been adjusted on the basis of one lot frontage.

The above changes result in only a nominal change in the costs to all properties.

Environmental Implications

Unmade roads and parts of unmade roads in urban areas typically cause dust problems. They also lead to silt being deposited in the drainage systems and outfalls. Construction eliminates these problems.

10. THE TERRACE OCEAN GROVE - PROPOSED ROAD CONSTRUCTION - SRC 314 - DECLARATION OF CHARGE (CONT'D)

There is some increase in energy use during manufacture of materials and construction, however, the work itself does not lead to any ongoing energy use or greenhouse emissions. There is no carbon offset applicable.

Excess, excavated material will be removed from the site and most likely used as cover material at the Drysdale Landfill site.

There are no natural habitats which will be affected by the proposal.

Financial Implications

The scheme can be accommodated within Council's Special Rate and Charges program in the next financial year.

Policy/Legal/Statutory Implications

The scheme has been prepared in accordance with the Special Rate and Charge provisions of the Local Government Act as well as Council's Special Rates and Charges Policy. There are no Human Rights Charter issues associated with the project.

Officer Direct or Indirect Interest

Council Officers involved with the project do not own property forming part of the scheme. Therefore there is no direct or indirect interest from staff involved.

Risk Assessment

Construction of the parking lanes will provide a safer road environment for property owners and particularly persons moving to and from vehicles.

Social Considerations

There are no specific social considerations associated with this project, however provision of a sealed parking lane will provide greater safety and improve the general amenity of the area.

Communication

Letters have been sent out to owners advising of the upcoming scheme. A survey was carried out in 2005.

The Special Charge Submission process has provided a means for property owners to have input to the process.

**Appendix 10-1
Page 1**

SCHEDULE 'A'

The works for the construction, pavement and sealing of the parking lanes in The Terrace, Ocean Grove between Hodgson Street and Tuckfield Street and also to replace selected sections of kerb and channel, legal advice and professional services associated with survey, engineering design, drafting, supervision and administration of the project all as included in the cost estimate shown below.

SECTION A : Road Pavement & Sealing – Property Owners					
ITEM	DESCRIPTION	QUANTITY	UNIT	RATE \$	AMOUNT \$
1.00	General				
1.01	Site establishment		item		4,679
1.02	Set out		item		1,638
1.03	Traffic control		item		9,356
2.00	Earthworks				
2.01	Excavate for new pavement including disposal of spoil	1,190	cm	35	41,650
2.02	Sawcut seal edge	1,100	m	8	8,800
3.00	Pavement Works				
3.01	Supply and place 200mm depth 40mm CR Sub-base	680	cm	100	68,000
3.02	Supply and place 100mm depth 20mm FCR base	340	cm	120	40,800
3.03	Supply and place 30mm nom depth asphalt	3,400	sqm	25	85,000
4.00	Contingency				
4.01	Contingency – 10%				25,992
5.00	Administration & Design				
5.01	Design 5.8%				15,075
5.02	SRC Administration 3.3%				8,577
	Total Section A				\$309,567

**Appendix 10-1
Page 2**

SECTION B : Drainage and Kerb & Channel & Central Pavement – Council					
ITEM	DESCRIPTION	QUANTITY	UNIT	RATE \$	AMOUNT \$
1.00	General				
1.01	Site establishment		item		5,323
1.02	Set out		item		1,863
1.03	Traffic control		item		10,644
2.00	Earthworks				
2.01	Excavation and removal of kerb and channel	170	cm	45	7,650
3.00	Pavement Works				
3.01	Supply and place bedding for kerb and channel	80	cm	150	12,000
3.02	Repairs to central pavement		item		20,000
3.03	Supply and place asphalt to central pavement	6,480	sqm	25	162,000
3.00	Concrete Works				
3.01	Supply and place kerb and channel	532	m	50	26,600
3.02	Reinstate concrete driveways		item		20,000
4.00	Drainage				
4.01	Supply trench for lay and backfill 300mm dia RCP	114	m	150	17,100
4.02	Supply and place SEP's with gatic type covers	2	No	1,500	3,000
4.03	Supply and place JP's with gatic type covers	1	No	1,500	1,500
5.00	Landscaping				
5.01	Supply and loam disturbed naturestrip areas	1,000	sqm	8	8,000
6.00	Signing and Linemarking				
6.01	Signing and linemarking		item		1,500
7.00	Contingency				
7.01	Contingency – 10%				29,718
8.00	Administration & Design				
8.01	Design 5.8%				17,236
8.02	SRC Administration 3.3%				9,807
	Total Section B				\$353,939

Appendix 10-2
Page 1

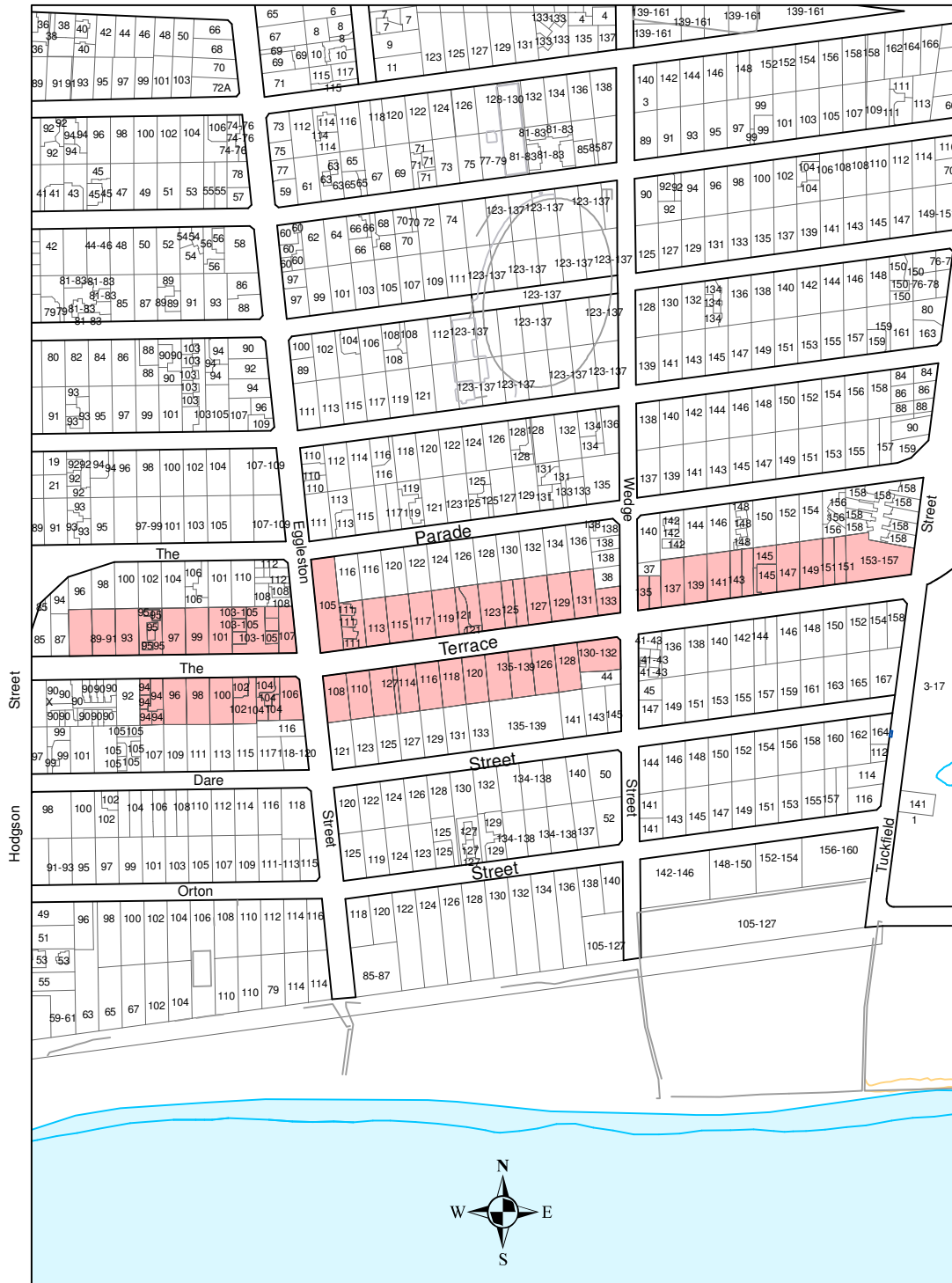
COL 1	COL 2	COL 3	COL 4
DESCRIPTION OF PROPERTY	ESTIMATED COST (\$)	PROPERTY REFERENCE	PROPERTY DETAILS
Lot 180 LP 1855	6020.27	261190	89-91 The Terrace, Ocean Grove
Lot 181 LP 1855	6020.27	261191	93 The Terrace, Ocean Grove
Lot 1 RP 13533	1290.05	261192	1/95 The Terrace, Ocean Grove
Lot 2 RP 13533	1290.05	261193	2/95 The Terrace, Ocean Grove
Lot 3 RP 13533	1290.05	261194	3/95 The Terrace, Ocean Grove
Lot 4 RP 13533	1290.05	261195	4/95 The Terrace, Ocean Grove
Lot 5 RP 13533	860.04	261196	5/95 The Terrace, Ocean Grove
Lot 183 LP 1855	6020.27	261196	97 The Terrace, Ocean Grove
Lot 184 LP 1855	6020.27	261197	99 The Terrace, Ocean Grove
Lot 191 LP 1855	6020.27	261199	101 The Terrace, Ocean Grove
Lot 1 RP 4586	2006.77	261200	1/103-105 The Terrace, Ocean Grove
Lot 2 RP 4587	2006.77	261201	2/103-105 The Terrace, Ocean Grove
Lot 3 RP 4587	2006.77	261202	3/103-105 The Terrace, Ocean Grove
Lot 4 RP 4587	2006.77	261203	4/103-105 The Terrace, Ocean Grove
Lot 5 RP 4587	2006.77	261204	5/103-105 The Terrace, Ocean Grove
Lot 6 RP 4587	2006.77	261205	6/103-105 The Terrace, Ocean Grove
Lot 188 LP 1855	4591.65	261206	107 The Terrace, Ocean Grove
Lot 1 PS 344244	421.42	250226	1/105-111 Eggleston Street, Ocean Grove
Lot 2 PS 344244	421.42	250227	2/105-111 Eggleston Street, Ocean Grove
Lot 3 PS 344244	421.42	250228	3/105-111 Eggleston Street, Ocean Grove
Lot 4 PS 344244	421.42	250229	4/105-111 Eggleston Street, Ocean Grove
Lot 5 PS 344244	541.82	250230	5/105-111 Eggleston Street, Ocean Grove
Lot 6 PS 344244	541.82	250231	6/105-111 Eggleston Street, Ocean Grove
Lot 7 PS 344244	541.82	250232	7/105-111 Eggleston Street, Ocean Grove
Lot 8 PS 344244	541.82	250233	8/105-111 Eggleston Street, Ocean Grove
Lot 9 PS 344244	541.82	250234	9/105-111 Eggleston Street, Ocean Grove
Lot 10 PS 344244	541.82	250235	10/105-111 Eggleston Street, Ocean Grove
Lot 11 PS 344244	541.82	250236	11/105-111 Eggleston Street, Ocean Grove
Lot 12 PS 344244	541.82	250237	12/105-111 Eggleston Street, Ocean Grove
Lot 1 RP 17507	2006.77	261207	1/111 The Terrace, Ocean Grove
Lot 2 RP 17507	2006.77	261208	2/111 The Terrace, Ocean Grove
Lot 3 RP 17507	2006.77	261209	3/111 The Terrace, Ocean Grove
Lot 160 LP 1854	6020.27	261210	113 The Terrace, Ocean Grove
Lot 159 LP 1854	6020.27	261211	115 The Terrace, Ocean Grove
Lot 158 LP 1854	3010.14	261212	1/117 The Terrace, Ocean Grove
Lot 158 LP 1854	3010.14	264881	2/117 The Terrace, Ocean Grove
Lot 157 LP 1854	6020.27	261214	119 The Terrace, Ocean Grove
Lot 5 RP 7437	3668.42	261215	121 The Terrace, Ocean Grove
Lot 6 RP 7437	2351.86	261216	121A The Terrace, Ocean Grove
Lot 155 LP 1854	6020.27	261217	123 The Terrace, Ocean Grove
Lot 1 PS 432671	3010.14	310685	1/125 The Terrace, Ocean Grove
Lot 2 PS 432671	3010.14	310686	2/125 The Terrace, Ocean Grove
Lot 153 LP 1854	6020.27	261219	127 The Terrace, Ocean Grove
Lot 152 LP 1854	6020.27	261220	129 The Terrace, Ocean Grove
Lot 151 LP 1854	6020.27	261221	131 The Terrace, Ocean Grove
Lot 2 PS 615566	5855.70	336861	133 The Terrace, Ocean Grove
Lot 1 PS616598	3072.97	338825	2/135 The Terrace, Ocean Grove
Lot 2 PS616598	2947.30	338824	1/135 The Terrace, Ocean Grove
Lot 148 LP 1854	6020.27	261224	137 The Terrace, Ocean Grove
Lot 147 LP 1854	6020.27	261225	139 The Terrace, Ocean Grove
Lot 146 LP 1854	6020.27	261226	141 The Terrace, Ocean Grove
Lot 2 PS 434510	2998.17	310723	1/143 The Terrace, Ocean Grove
Lot 1 PS 434510	3022.10	310722	2/143 The Terrace, Ocean Grove

**Appendix 10-2
Page 2**

COL 1	COL 2	COL 3	COL 4
DESCRIPTION OF PROPERTY	ESTIMATED COST (\$)	PROPERTY REFERENCE	PROPERTY DETAILS
Lot 1 PS 349683	5014.90	301141	1/145 The Terrace, Ocean Grove
Lot 2 PS 349683	1077.19	301142	2/145 The Terrace, Ocean Grove
Lot 143 LP 1854	6020.27	267305	1/147 The Terrace, Ocean Grove
Lot 142 LP 1854	6020.27	261230	149 The Terrace, Ocean Grove
Lot 1 PS 519013	3025.10	323680	1/151 The Terrace, Ocean Grove
Lot 2 PS 519013	2995.18	323681	2/151 The Terrace, Ocean Grove
Lot 1 CP 157997	5685.15	261232	153 - 157 The Terrace, Ocean Grove
Lot 4 PS 449178	3571.92	314253	1/94 The Terrace, Ocean Grove
Lot 1 PS 449178	816.12	314250	2/94 The Terrace, Ocean Grove
Lot 3 PS 449178	816.12	314252	3/94 The Terrace, Ocean Grove
Lot 2 PS 449178	816.12	314251	4/94 The Terrace, Ocean Grove
Lot 148 LP 1855	6020.27	261290	96 The Terrace, Ocean Grove
Lot 147 LP 1855	6020.27	261291	98 The Terrace, Ocean Grove
Lot 1 LP 97842	6020.27	261292	100 The Terrace, Ocean Grove
Lot 2 PS 445923	4033.46	313939	1/102 The Terrace, Ocean Grove
Lot 1 PS 445923	1986.81	313938	2/102 The Terrace, Ocean Grove
Lot 1 PS 513037	5121.63	303971	1/104 The Terrace, Ocean Grove
Lot 3 PS 513037	462.80	319254	2/104 The Terrace, Ocean Grove
Lot 2 PS 513037	462.80	319255	3/104 The Terrace, Ocean Grove
Lot 1 PS 420618	5086.71	303972	106 The Terrace, Ocean Grove
Lot 114 LP 1854	6020.27	261295	108 The Terrace, Ocean Grove
Lot 115 LP 1854	6020.27	261296	110 The Terrace, Ocean Grove
Lot 116 LP 1854	6020.27	261297	112 The Terrace, Ocean Grove
Lot 110 LP 1854	1101.12	248950	127 Dare Street, Ocean Grove
Pt 117 LP1854	4925.13	261298	114 The Terrace, Ocean Grove
Lot 118 LP 1854	6020.27	261299	116 The Terrace, Ocean Grove
Lot 119 LP 1854	6020.27	261300	118 The Terrace, Ocean Grove
Lot 120 LP 1854	6020.27	261301	120 The Terrace, Ocean Grove
Lot 121 LP 1854	6020.27	270713	135 - 139 The Terrace, Ocean Grove
Lot 122 LP 1854	6020.27	270713	135 - 139 The Terrace, Ocean Grove
Lot 123 LP 1854	6020.27	325484	136 - 139 The Terrace, Ocean Grove
Lot 124 LP 1854	6020.27	261303	128 The Terrace, Ocean Grove
Lot 1 PS 508990	11310.45	323728	130 -132 The Terrace, Ocean Grove
	\$309,567.00		

Appendix 10-3
Page 1

PLAN



Properties in the scheme

Attachment 10-1

PROCESS CHART

SPECIAL CHARGE PROJECTS – (Section 163 – Local Government Act 1989)

THE TERRACE, OCEAN GROVE – PROPOSED ROAD CONSTRUCTION

Stage	Status	Description
<i>Approval to prepare scheme</i>	✓	Decision made to prepare scheme following consideration of surveys of property owners and feed back from the community. Council may then place the project in the budget system or proceed immediately to prepare a scheme. Scheme preparation involves survey, design and preparation of an apportionment of costs.
<i>Intention to Declare Scheme</i>	✓	Report to Council providing information on scheme including advice of impending advertising of scheme and declaration of charge. Seeks Council approval by resolution to proceed with process. – 9 March 2010
<i>Advertisement</i>	✓	The scheme is advertised in the local newspaper and all allotted property owners are notified by mail. This advertisement indicates Council's intention and notification to 'declare' a scheme in a month's time. – 16 April 2010
<i>Submissions</i>	✓	From the time of advertising property owners have 28 days (as set down by the Local Government Act) to lodge submissions, either in support or opposition to the scheme.
<i>Submissions Review Panel Hearing</i>	✓	A Submissions Review Panel is convened (quorum of three Councillors) and meets to consider submissions. Some submissions are written only, and other submitters may wish to be heard before the Panel. The Panel makes a recommendation to Council regarding the scheme. – 30 November 2010
<i>Declaration Report</i>	✓	Any time 28 days after advertising the scheme and after the Submissions Review Panel has met and considered submissions, Council considers a report and may proceed to "declare" the charges in accordance with its advertised intent. Subsequent to this the Finance Manager issues the levy notices and there is a formal charge placed on the property. This is the final step in the process for Council to make a decision on the scheme.
<i>Appeal</i>		Property owners may lodge an application for review with the Victorian Civil and Administrative Tribunal (VCAT) within one month of issue of the levy notice. An appeal is listed, heard and determined by the Tribunal and this process generally takes three to four months. Decisions made by VCAT are binding on all parties.
<i>Construction</i>		Council may then proceed to construct the works. Invoices are issued seeking payment of the estimated cost within one month of commencement.
<i>Final Cost Report</i>		At the completion of the works the scheme is "finalised" taking into account actual costs incurred and payments are adjusted accordingly.

11. BAILEY STREET, GROVEDALE - PROPOSED FOOTPATH, KERB & CHANNEL AND ROAD CONSTRUCTION – SRC 313 – DECLARATION OF CHARGE

Portfolio:	Infrastructure - Cr Richards
Source:	City Services - Engineering Services
General Manager:	Gary Van Driel
Index Reference:	Street: Bailey Street
	Subject: Special Rates and Charges

Summary

- This report relates to a proposed special charge scheme for footpath, kerb & channel and road pavement construction in Bailey Street, Grovedale.
- The report previously put before Council referred to two areas of work, Schemes A and B.
- Scheme A which includes 2 properties, 207-211 and 212 Bailey Street and Scheme B which includes 134 Bailey Street and 182 – 188 Torquay Road. Objections were received from both owners in Scheme A.
- Due to the urgency of works associated with scheme B, being adjacent to the Grovedale Primary School, this report which is a declaration of charges report, relates to Scheme B only.
- Bailey Street is generally fully constructed however progressive development over years, has left these two sections without the full complement of infrastructure.
- The total cost of the project is \$42,038 with owners paying \$37,582. Council pays for half the cost of footpath.
- Property owners receive benefit from the works by way of improved pedestrian access, improved drainage and access, improvement to the area fronting the property and possible increase in property values.
- The scheme has been prepared in accordance with the special rate and charge provisions of the Local Government Act, along with Council's Special Rates and Charges Policy.
- This report seeks a resolution by Council to "Declare the Charges" for the, footpath, kerb and channel and road pavement scheme in Bailey Street, Grovedale, in accordance with the Special Charge Scheme process as shown in the Process Chart - Attachment 11-1.

Cr Richards moved, Cr Granger seconded -

That:

1) The following declaration of a special charge be confirmed:

- a) A special charge be declared for a period until the works have been completed and the scheme finalised;**
- b) the special charge be declared for the purposes of defraying any expenses incurred by Council in relation to construction of footpath, kerb and channel and road pavement in Bailey Street, Grovedale abutting Number 134 Bailey Street and 182 – 188 Torquay Road, which project:**

11. BAILEY STREET, GROVEDALE - PROPOSED FOOTPATH, KERB & CHANNEL AND ROAD CONSTRUCTION – SRC 313 – DECLARATION OF CHARGE (CONT'D)

- b1) will provide proper pedestrian access, proper drainage, sealed road pavement, improved nature strips and enhancement to the general amenity of each of the properties in the scheme;
 - b2) Council considers is or will be a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this Resolution); and
 - b3) arises out of Council's function of planning for and providing infrastructure for property owners.
- c) The:
 - c1) total cost of performing the function described in Part 1 (b) of this Resolution based on estimated cost, be recorded as \$42,038.
 - c2) total amount of the special charge to be levied, as based on estimated cost, be recorded as \$37,582.
- d) It be recorded that, for the purposes of Section 163 (2A) of the Local Government Act 1989, the special charge proceeds will not exceed the amount calculated in accordance with the prescribed formula ($R \times C = S$), the:
 - d1) 'benefit ratio' (R) being calculated at 100%, and representing the total benefits of the special charge scheme that will accrue as special benefits to all persons liable to pay the special charge; and
 - d2) 'community benefit' (C) being assessed 50% for footpath and zero for other infrastructure, in Bailey Street, Grovedale.
- e) The following be specified as the area for which the special rate is so declared:
 - e1) the area within the municipal district of Council highlighted in the plan attached to this Resolution ("the area").
- f) The following be specified as the land in relation to which the special charge so declared:
 - f1) all land within the area shown on the plan – Appendix 11-3.
- g) The following be specified as the criteria which form the basis of the special charge so declared:
 - g1) ownership of any land described in Part 1(e) of this Resolution.
- h) The following be specified as the manner in which the special charge so declared will be assessed and levied:
 - h1) the frontage of lots abutting the works shall be used to calculate the individual cost to lot.

11. BAILEY STREET, GROVEDALE - PROPOSED FOOTPATH, KERB & CHANNEL AND ROAD CONSTRUCTION – SRC 313 – DECLARATION OF CHARGE (CONT'D)

- h2) the special charge will be levied by sending a notice to the person who is liable to pay, pursuant to section 163(A) of the Local Government Act 1989.
 - i) Having regard to the preceding parts of this Resolution but subject to Section 166 (1) of the Local Government Act 1989, it be recorded that:
 - i1) the owners of the land described in Column 1 of Schedule B to the resolution are estimated liable for the respective amounts set out in Column 2 of Schedule B; and
 - i2) such owners may, subject to any further resolution of Council pay the special charge in the following manner:
 - i2a) The charge will become due and payable within one month of the issue of the notice requesting payment pursuant to Section 167 (3) of the Local Government Act 1989.
 - i2b) Interest will not be charged for six months after the issue of the notice provided the person liable makes timely payment in accordance with any repayment arrangements that may be agreed on by Council.
 - i2c) In accordance with Section 172 of the Act, the rate of interest which is payable on the Special Charge which has not been paid by the specified date is set at Council's overdraft rate, reviewed every three months (provided that it shall not exceed the rate fixed by the Governor in Council by Order for the purposes of Section 172 (2A) in which case the rate of interest shall be the maximum rate fixed by the Governor in Council by Order for the purposes of this section).
- 2) Any submissions made under Section 223 of the Local Government Act 1989 and the proposed declaration be considered by Council's Submissions Review Panel and then by Council at its meeting on 26 April 2011 or subsequent meeting, at which time Council will consider whether to make a declaration in the form of the proposed declaration.
- 3) Council's Chief Executive Officer be authorised to give public notice of the proposed declaration in accordance with Sections 163 (1a) and (1b) of the Local Government Act 1989 and send a copy of the public notice to each person who is liable to pay the special rate in accordance with Section 163 (1c) of the Local Government Act 1989.

Carried.

Report

Background

This project provides for infill infrastructure in Bailey Street, Grovedale. The properties include 182-188 Torquay Road and 134 Bailey Street.

11. BAILEY STREET, GROVEDALE - PROPOSED FOOTPATH, KERB & CHANNEL AND ROAD CONSTRUCTION – SRC 313 – DECLARATION OF CHARGE (CONT'D)

A considerable amount of development has taken place in Bailey Street in recent years and progressively, Developers have provided the necessary road pavement, kerb & channel and footpath to service the subdivisions.

The area near the school has a considerable associated amount of pedestrian activity. As indicated this project was originally put up as two schemes:

- Scheme A – 207-211 & 212 Bailey Street
- Scheme B – 134 Bailey Street and 182 – 188 Torquay Road.

The scheme was subsequently advertised and objections received in relation to Scheme A but not scheme B. It was considered therefore that Scheme B should proceed and Scheme A be considered separately considering the objections received.

Discussion

Property owners receive benefit from the footpath, kerb & channel and associated road pavement by means of improved pedestrian access, proper drainage, proper street access, enhancement to the nature strip area, improved general amenity and a possible increase in property values.

Council policy provides for the Council to meet 50% of the cost of footpath project in recognition of community benefit with abutting owners meeting 50%. Roadworks such as kerb and channel and road pavement directly benefit the property owners and they therefore pay the full cost of these works.

Estimated costs are as follows:

Council half share of footpath	\$4,456
Owners half share of footpath	\$4,456
Cost to owners for kerb & channel and road pavement	\$33,126
Total	\$42,038

Environmental Implications

Footpath projects in general are aimed at providing a safe off road facility for pedestrians and as well to encourage walking in lieu of using a motor vehicle.

The road pavement and kerb & channel will provide an efficient means of collecting stormwater runoff.

During the course of construction and the manufacture and procurement of materials there is expenditure of energy and greenhouse emissions. This does cease however, when construction is complete. Should the footpath project achieve the aim in part, to encourage walking over driving, there will be a positive environmental impact.

The project does not create waste with the exception of some excess spoil. The proposal does not affect any natural habitats.

11. BAILEY STREET, GROVEDALE - PROPOSED FOOTPATH, KERB & CHANNEL AND ROAD CONSTRUCTION – SRC 313 – DECLARATION OF CHARGE (CONT'D)

Financial Implications

The project has a one off capital cost as indicated above and there will be minimal ongoing maintenance costs. The scheme may proceed in the current financial year if approved. Owners meet half the cost of the works.

Policy/Legal/Statutory Implications

The scheme has been prepared in accordance with the special rate and charge provisions of the Local Government Act along with Council's Special Rates and Charges Policy.

Officer Direct or Indirect Interest

There are no Council Officers involved in the administration or subsequent construction of the works, who have a direct or indirect interest in the project.

Risk Assessment

There are no risks associated with Council proceeding to adopt the recommendation and advertising the scheme. The footpath component, should it proceed, will have a positive impact on risk reduction relating to vehicle / pedestrian accidents and slips and falls.

Social Considerations

The footpath component of the project encourages walking and could be considered to enhance the social well being of the local community.

Communication

Owners have been advised of the likelihood of a footpath and road construction scheme.

Appendix 11-1

SCHEDULE 'A'

The works for the construction of footpath, kerb & channel and road pavement in Bailey Street, Grovedale which consist of excavation, footpath, kerb & channel, road pavement and sealing, reinstatement of nature strip, miscellaneous construction works, legal advice and professional services associated with survey, engineering design, drafting, supervision and administration of the project all as included in the cost estimate shown below.

COST ESTIMATE FOR CONSTRUCTION OF FOOTPATH, KERB & CHANNEL AND ROAD PAVEMENT IN BAILEY STREET, GROVEDALE

B1 - FOOTPATH CONSTRUCTION					
Item	Description	Unit	Qty	Rate	Amount
1	Site establishment, set out and traffic control		ITEM		\$530
2	Excavation, trimming supply and placement of bedding and formwork	61	M	5	\$305
3	Supply and place 75mm RC footpath	61	M	100	\$6,100
4	Make good disturbed nature strips	61	M	5	\$305
5	Contingency 10%				\$724
6	Design and admin				\$949
					\$8,912

B2 - KERB & CHANNEL & ROAD PAVEMENT CONSTRUCTION					
Item	Description	Unit	Qty	Rate	Amount
1	Site establishment, set out and traffic control		ITEM		\$1,970
2	Excavation for kerb and channel and pavement	116	CM	35	\$4,060
3	Supply and place 30mm depth class 2 FCR	100	CM	120	\$12,000
4	Supply and place 30mm asphalt	255	SQM	24	\$6,120
5	Supply and place kerb and channel	46	M	60	\$2,760
6	Supply and place CR to driveways		ITEM		
7	Contingency 10%				\$2,691
8	Design and admin				\$3,525
					\$33,126

Appendix 11-2

SCHEDULE 'B'

**PROPOSED SPECIAL CHARGE SCHEME FOR FOOTPATH, KERB &
CHANNEL AND PAVEMENT - BAILEY ST, GROVEDALE**

PROPERTY DESCRIPTION	ESTIMATED COST	PROPERTY REFERENCE	ADDRESS
COL 1	COL 2	COL 3	COL 4
Lot 2 PS 417819	\$17,198	220390	134 Bailey Street, Grovedale VIC 3216
Lot 1 TP 885482B	\$20,384	299624	182-188 Torquay Road, Grovedale VIC 3216

Appendix 11-3

Plan



Attachment 11-1

PROCESS CHART

**SPECIAL CHARGE PROJECTS –
(Section 163 – Local Government Act 1989)**

BAILEY STREET AND TORQUAY ROAD, GROVEDALE

Stage	Status	Description
<i>Approval to prepare scheme</i>	✓	Decision made to prepare scheme following consideration of surveys of property owners and feed back from the community. Council may then place the project in the budget system or proceed immediately to prepare a scheme. Scheme preparation involves survey, design and preparation of an apportionment of costs.
<i>Intention to Declare Scheme</i>	✓	Report to Council providing information on scheme including advice of impending advertising of scheme and declaration of charge. Seeks Council approval by resolution to proceed with process. 22 March 2011
<i>Advertisement</i>	✓	The scheme is advertised in the local newspaper and all allotted property owners are notified by mail. This advertisement indicates Council's intention and notification to 'declare' a scheme in a month's time. 9 April 2011
<i>Submissions</i>	N/A	From the time of advertising property owners have 28 days (as set down by the Local Government Act) to lodge submissions, either in support or opposition to the scheme.
<i>Submissions Review Panel Hearing</i>	N/A	A Submissions Review Panel is convened (quorum of three Councillors) and meets to consider submissions. Some submissions are written only, and other submitters may wish to be heard before the Panel. The Panel makes a recommendation to Council regarding the scheme.
<i>Declaration Report</i>	✓	Any time 28 days after advertising the scheme and after the Submissions Review Panel has met and considered submissions, Council considers a report and may proceed to "declare" the charges in accordance with its advertised intent. Subsequent to this the Finance Manager issues the levy notices and there is a formal charge placed on the property. This is the final step in the process for Council to make a decision on the scheme.
<i>Appeal</i>		Property owners may lodge an application for review with the Victorian Civil and Administrative Tribunal (VCAT) within one month of issue of the levy notice. An appeal is listed, heard and determined by the Tribunal and this process generally takes three to four months. Decisions made by VCAT are binding on all parties.
<i>Construction</i>		Council may then proceed to construct the works. Invoices are issued seeking payment of the estimated cost within one month of commencement.
<i>Final Cost Report</i>		At the completion of the works the scheme is "finalised" taking into account actual costs incurred and payments are adjusted accordingly.

12. HIGH STREET, BELMONT – PROPOSED CONSTRUCTION OF EASEMENT DRAIN - SRC 303 – DECLARATION OF CHARGE

Portfolio:	Infrastructure – Cr Richards
Source:	City Services - Engineering Services
General Manager:	Gary Van Driel
Index Reference:	Subject: Special Rates and Charges
	Street: High Street & Belmont Street, Belmont

Summary

- This report relates to a proposed special charge scheme for an easement drain to service 153 – 159 High Street, 11 Belmont Street and part of the proposed Belmont Street Carpark (refer plan Appendix 12-3).
- Council applied for and was granted, a planning permit for the development of the Belmont Street carpark. This easement drain scheme was a condition of the planning permit.
- There are four shops / businesses fronting High Street, one residential property fronting Belmont Street and the carpark, which is the equivalent of three lots, included in the scheme. This is a total of six properties, refer Schedule B – Appendix 12-2.
- The total cost of the scheme is \$39,437 (refer Schedule A – Appendix 12-1) and is shared equally between the equivalent eight lots at \$4,930 each.
- Property owners receive benefit from the works in usage of the drain for stormwater purposes and protection from stormwater passing from higher properties onto lower properties.
- Subsequent to Council considering a report at the 23 March 2010 meeting, the scheme was advertised and submissions invited. The Panel considered a written submission and a verbal submission and subject to further consultation agreed to recommend the scheme proceed.
- The scheme has been prepared in accordance with the Special Rate and Charge provisions of the Local Government Act, along with Council's Special Rates and Charges Policy.
- This report seeks a resolution by Council for an easement drain construction to service lots bounded by High Street and Belmont Street, Belmont being 153 – 159 High Street, 11 Belmont Street and part of the Council owned carpark.

Cr Richards moved, Cr Granger seconded -

Council resolves that in accordance with the provisions of the Local Government Act 1989, Section 163 and 163 B(2)(a);

- 1) the following declaration of a Special Charge be confirmed:**
 - a) a special charge be declared for the period until the work has been completed and the scheme finalized.**

12. HIGH STREET, BELMONT - CONSTRUCTION OF EASEMENT DRAIN - SRC 303 - DECLARATION OF CHARGE (CONT'D)

- b) The special charge be declared for the purposes of defraying any expenses incurred by Council in relation to construction of an easement drain in the block bounded by High Street and Belmont Street, Belmont being 153-159 High Street, 11 Belmont Street and part 9 Belmont Street which project:

 - b1) will provide proper drainage and enhancement to the general amenity for each of the properties included in the scheme;
 - b2) Council considers is or will be a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this Resolution); and
 - b3) arises out of Council's function of planning for and provided infrastructure for property owners.
- c) The:

 - c1) total cost of performing the function described in Part 1(b) of this Resolution based on estimated cost be recorded as \$39,437.
 - c2) total amount of the special charge be levied and be recorded as \$39,437.
- d) It be recorded that, for the purposes of section 163(2)(a) of the Local Government Act 1989, the special charge proceeds will not exceed the amount calculated in accordance with the prescribed formula ($R \times C = S$), the:

 - d1) 'benefit ratio' (R) being calculated at 100% and representing the total benefits of the special charge scheme that will accrue as special benefits to all persons liable to pay the special charge; and
 - d2) 'community benefit' (C) being assumed as nil.
- e) The following be specified as the area for which the special charge is so declared:

 - e1) The area within municipal district of Council highlighted in the plan attached (Appendix 3) to this Resolution ("the area").
- f) The following be specified as the land in relation to which the special charge so declared:

 - f1) All land within the area shown on the plan.
- g) The following be specified as the criteria which form the basis of the special charge so declared:

 - g1) Ownership of any land described in Part 1(e) of this Resolution.
- h) The following be specified as the manner in which the special charge so declared will be assessed and levied:

 - h1) all lots have been allocated one unit of cost and the carpark allocated 3 units of cost;
 - h2) dischargers and receivers have been allocated cost units on the basis of receipt of equal benefit; and

**12. HIGH STREET, BELMONT - CONSTRUCTION OF EASEMENT DRAIN - SRC
303 - DECLARATION OF CHARGE (CONT'D)**

- h3) the special charge will be levied by sending notice to the person who is liable to pay, pursuant to section 163(4) of the Local Government Act 1989.
 - i) Having regard to the preceding parts of this resolution but subject to Section 166 (1) of the Local Government Act 1989, it be recorded that;
 - i1) the owners of the land described in column 1 of Schedule B to the resolution are estimated liable for the respective amounts set out in column 2 of Schedule B; and
 - i2) such owners may, subject to any further resolution of Council pay the special charge in the following manner:
 - i2a) The charge will become due and payable within one month of the issue of the notice requesting payment pursuant to section 167 (3) of the Local Government Act 1989.
 - i2b) Interest will not be charged for six months after the issue of the notice provided the persons liable make timely payment in accordance with any repayment arrangements that may be agreed on by Council.
 - i2c) In accordance with Section 172 of the Act, the rate of interest which is payable on the special charge which has not been paid by the specified date is set at Council's overdraft rate, reviewed every three months (provided that it shall not exceed the rate fixed by the Governor in Council by Order for the purposes of Section 172 (2A) in which case the rate of interest shall be the maximum rate fixed by the Governor in Council by Order for the purposes of this section).
 - 2) there are no incentives declared as incentives to be given by Council for the payment of the special charge before the date(s) specified for its payment under Section 167 (3) of the Local Government Act 1989.
 - 3) Council's Chief Executive Officer be authorised to levy the Special Charge in accordance with Section 163 (4) of the Local Government Act 1989.

Carried.

Report

Background

This scheme relates to the proposed construction of an easement drain along the rear of properties fronting High Street, Belmont being 153-159 High Street.

Council has been planning for some time to develop a carpark at 9 Belmont Street, Belmont. This land was surplus to the needs of Aldi Foods Pty Ltd who recently developed the supermarket at the corner of High Street and Regent Street, Belmont. Council finalized the purchase in late 2007.

Council had resolved in 2006 to purchase the land and develop a carpark and to recover half the cost by means of a special charge scheme. This scheme has been prepared and the two schemes are being run jointly.

12. HIGH STREET, BELMONT – CONSTRUCTION OF EASEMENT DRAIN – SRC 303 – DECLARATION OF CHARGE (CONT'D)

The scheme has come about as a result of the planning application for the Council carpark at 9 Belmont Street. There has been an issue of drainage over a number of years and the planning permit required Council to initiate a drainage scheme to resolve long term issues.

Council considered a report at the 23 March 2010 Meeting, which was the "Intention to Declare Charges" report. The scheme was subsequently advertised and submissions invited.

One written submission was received which has previously been circulated to all Councillors.

A Submissions Panel Hearing was held on 21 September 2010 and two owners chose to be represented. The owner of one property fronting High Street indicated that the building satisfactorily catered for roof drainage via gutters and downpipes. A second owner fronting Belmont Street indicated the runoff from the roof of this building had previously caused flooding of the backyard and subsequently this owner, at his own expense, had constructed a drain through his property to convey the water to Belmont Street.

At the Hearing, Council Officers were invited to visit the site, and subsequently a site visit was held with the owner of number 159 High Street and his representative. The owner did not believe there was significant runoff from the site, however it was obvious a large proportion of the site had at least a 1 metre fall to the rear. The owner considered that any runoff should pass into the through the block at the rear.

The second submission came from the owner of the block behind 159 High Street whose address is 11 Belmont Street. This owner has provided a private drainage system to overcome the immediate problem.

Given there is a drainage issue, and no underground drainage available, the Panel considered the scheme should proceed, provided contact was made with the owner mentioned above and this has been done.

Discussion

It is an appropriate time to resolve drainage, in conjunction with the carpark construction. As in all schemes Council must establish special benefit which is provided in the following way:

- Provides proper drainage for land and buildings fronting High Street.
- Provides protection from overland flow for properties fronting Belmont Street.
- Provision of drainage assists and facilitates long term development of the properties involved.
- Provision of underground drainage eliminates any public health problems which may arise from discharge of water to surface.

The above are sufficient for Council to be confident the scheme would not be quashed, on appeal, for lack of special benefit.

All lots have been allocated a single unit of cost which is a fair and equitable approach. A hypothetical subdivision of the carpark, as part of the scheme, would realise three similar sized lots. Therefore Council has been allocated three cost units.

12. HIGH STREET, BELMONT - CONSTRUCTION OF EASEMENT DRAIN - SRC 303 - DECLARATION OF CHARGE (CONT'D)

There has been no allowance for compensation made, for the acquisition of easements within the scheme. This is on the basis that this cost would be paid out, but then claimed back by the scheme, being essentially cost neutral.

This scheme is a stand alone scheme and could proceed, if for any reason, the carpark did not proceed.

In one instance, as explained to the Submissions Panel, an owner has provided a temporary drainage solution to solve backyard flooding. This action should not be seen as a permanent solution, as at any time this drain could be removed by the current or subsequent owner for a range of reasons. Redevelopment of the site is an obvious reason by which this arrangement may become redundant. It has no legal standing unlike a formal easement drain scheme as proposed.

There is no mechanism within a scheme to compensate the owners in any way. Preferential treatment for this owner, if challenged via appeal, would almost certainly result in the scheme being quashed. All properties need to be considered on an equal basis regardless of any "self help" efforts made in the past.

The other issue is that permanent works are likely to take place in the near future, being the construction of the carpark and redevelopment of at least two of the properties fronting High Street. After these works have taken place, it will be more difficult and expensive to construct an easement drain.

The recommended Council resolution refers to a declaration in accordance with Section 163 and 163 (2)(a) of the Act. The latter relates to an exemption provided for special rate or charge schemes, such as drainage schemes which Council considers are being provided for public health reasons. The exemption relates to majority objection and Council's ability to recover the full cost of the work.

Environmental Implications

The underground drainage project is aimed at solving a stormwater runoff problem which causes a build up of water which currently has no effective outlet.

During the course of construction and the manufacture and procurement of materials there is expenditure of energy and green house gas emissions. This does cease, however, when construction is complete. There will be a positive environmental impact in the removal of flooding and stagnant water.

The project does not create waste with the exception of some excess spoil. The works do not affect any natural habitats.

Financial Implications

The estimated cost of the scheme is as follows:

Council – 3 lots	\$14,789
Owners – 5 lots	\$24,648
Total	\$39,437

Funds can be sourced to proceed with the project in the current financial year.

12. HIGH STREET, BELMONT - CONSTRUCTION OF EASEMENT DRAIN – SRC 303 - DECLARATION OF CHARGE (CONT'D)

Policy/Legal/Statutory Implications

The scheme has been prepared in accordance with the Special rates and charges provisions of the Local Government Act as well as Council's Special Rates and Charges Policy.

Officer Direct or Indirect Interest

No Council Officer involved with the project has any direct or indirect interest in the properties under consideration.

Risk Assessment

There are no risks associated with Council proceeding to adopt the recommendation.

Provision of underground drainage will effectively capture stormwater from the roof as well as surface water. This provides a safer and healthier environment for owners.

Social Considerations

Underground drainage removes any likelihood of pooling, stagnant surface water and is particularly relevant for the property being used for residential purposes, which forms part of the scheme.

Communication

Council has received enquiries regarding the drainage in this area over a period of time. A circular was sent to owners in 2007 indicating the likelihood of an easement drain.

The submissions review process has provided a means of direct communication with Council.

Special Rates and Charges Schemes have an established communication process with the public as outlined in the Process Chart – Attachment 12-1.

Appendix 12-1

SCHEDULE 'A'

The works for the construction of an easement drain in the block bounded by High Street and Belmont Street, Belmont which consists of excavation, supply and placement of underground drains and pits, miscellaneous repair works, reinstatement, legal advice, professional services associated with survey, engineering design, drafting, supervision and administration of the project all as included in the cost estimate shown below.

**COST ESTIMATE FOR CONSTRUCTION OF EASEMENT DRAIN,
HIGH STREET, BELMONT STREET, BELMONT**

ITEM	DESCRIPTION	QUANTITY	UNIT	RATE	AMOUNT
1.00	General				
1.01	Site establishment, set out and traffic management		Item		\$3,000
2.00	Drainage				
2.01	Supply and place 225mm diameter pipe	53	m	120	\$6,360
2.02	Supply and place 300mm diameter pipe	43	m	150	\$6,450
2.03	Supply and place 600 x 600 mm junction pits	2	No	1,500	\$3,000
2.04	Supply and place property inlets	4	No	1,000	\$4,000
3.00	Reinstatement				
3.01	Reinstate fences and loam area of trench		Item		\$1,500
4.00	Legal				
4.01	Title searches		Item		\$250
4.02	Preparation of plan of creation of easement		Item		\$1,000
4.03	Title production, titles office lodging fees		Item		\$3,500
4.04	Administration relating to creation of easements, lodging etc.		Item		\$1,500
Subtotal					\$30,560
5.00	Contingency 10%				\$3,560
6.00	Administration				
6.01	Design costs		Item		\$3,331
6.02	Administration of special charge scheme		Item		\$1,986
Total Scheme Cost					\$39,437

Appendix 12-2

SCHEDULE 'B'

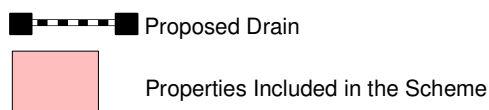
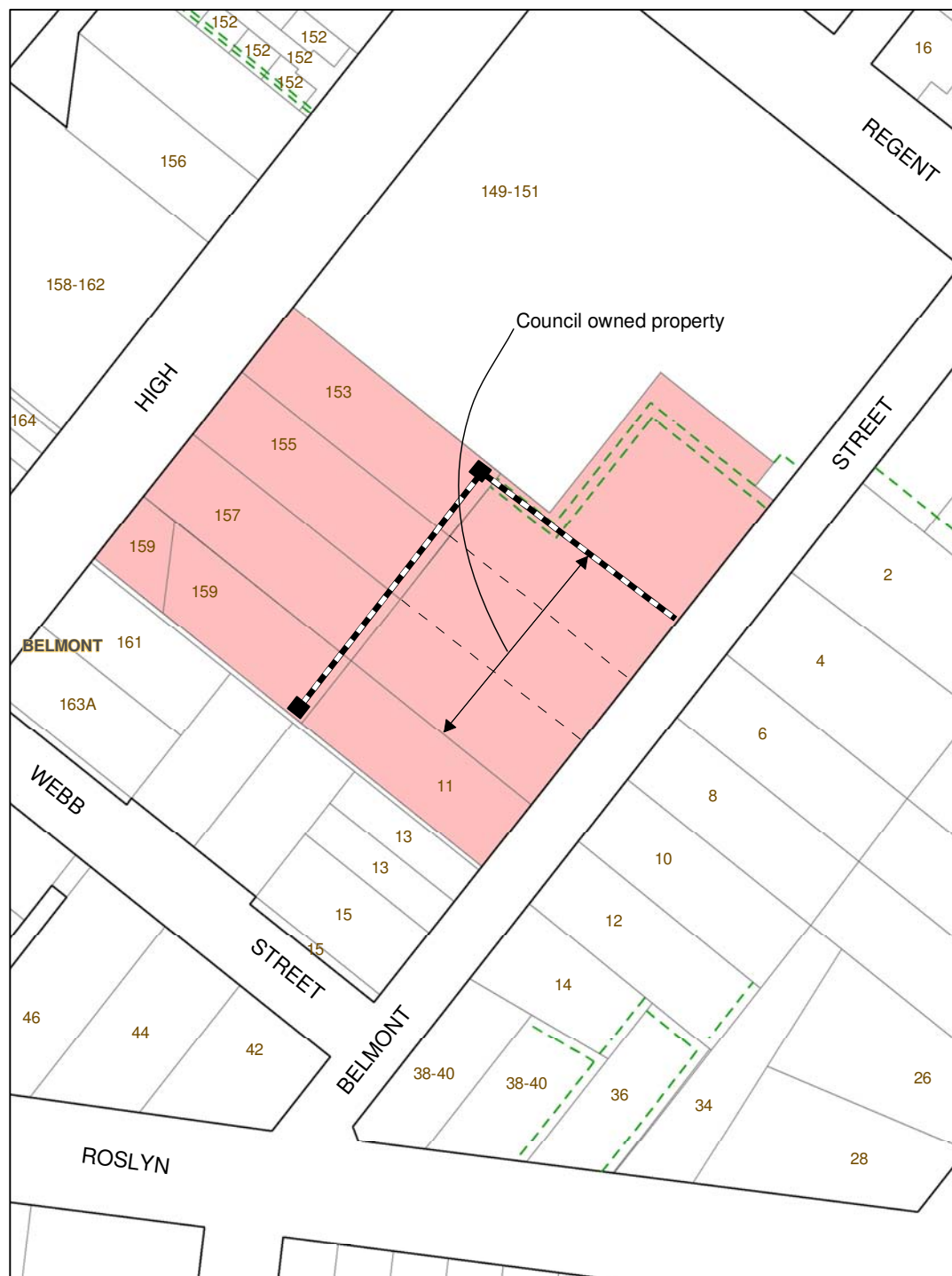
**SPECIAL CHARGE SCHEME FOR EASEMENT DRAIN CONSTRUCTION
BLOCK BOUNDED BY HIGH STREET AND BELMONT STREET, BELMONT**

COL 1	COL 2	COL 3	COL 4
DESCRIPTION OF PROPERTY	ESTIMATED COST (\$)	PROPERTY REFERENCE	PROPERTY DETAILS
Lot 1 LP 14613	4,930	221372	11 Belmont Street Belmont
Lot 2 TP 119165, Lot 1 TP 119165	4,930	229263 229264 229265	159 159A High Street Belmont 159B
Lot 1 TP 6327	4,930	229261	157 High Street Belmont
Pt Sec 24 CA 2	4,930	229259	155 High Street Belmont
Pt Sec 24 CA 2	4,930	229255	153 High Street Belmont
Lot 2 PS 527884	14,789	335793	5 Belmont Street Belmont
Total	39,439		

Appendix 12-3

PLAN

**SPECIAL CHARGE SCHEME FOR EASTMENT DRAIN CONSTRUCTION
BLOCK BOUNDED BY HIGH STREET AND BELMONT STREET, BELMONT**



Attachment 12-1

PROCESS CHART

SPECIAL CHARGE PROJECTS – (Section 163 – Local Government Act 1989)

**EASTMENT DRAIN CONSTRUCTION
BLOCK BOUNDED BY HIGH STREET AND BELMONT STREET, BELMONT**

Stage	Status	Description
<i>Approval to prepare scheme</i>	✓	Decision made to prepare scheme following consideration of surveys of property owners and feed back from the community. Council may then place the project in the budget system or proceed immediately to prepare a scheme. Scheme preparation involves survey, design and preparation of an apportionment of costs.
<i>Intention to Declare Scheme</i>	✓	Report to Council providing information on scheme including advice of impending advertising of scheme and declaration of charge. Seeks Council approval by resolution to proceed with process. 23 March 2011
<i>Advertisement</i>	✓	The scheme is advertised in the local newspaper and all allotted property owners are notified by mail. This advertisement indicates Council's intention and notification to 'declare' a scheme in a month's time. 23 April 2011
<i>Submissions</i>	✓	From the time of advertising property owners have 14 days (as set down by the Local Government Act) to lodge submissions, either in support or opposition to the scheme.
<i>Submissions Review Panel Hearing</i>	✓	A Submissions Review Panel is convened (quorum of three Councillors) and meets to consider submissions. Some submissions are written only, and other submitters may wish to be heard before the Panel. The Panel makes a recommendation to Council regarding the scheme. 21 September 2011
<i>Declaration Report</i>	✓	Any time 28 days after advertising the scheme and after the Submissions Review Panel has met and considered submissions, Council considers a report and may proceed to "declare" the charges in accordance with its advertised intent. Subsequent to this the Finance Manager issues the levy notices and there is a formal charge placed on the property. This is the final step in the process for Council to make a decision on the scheme.
<i>Appeal</i>		Property owners may lodge an application for review with the Victorian Civil and Administrative Tribunal (VCAT) within one month of issue of the levy notice. An appeal is listed, heard and determined by the Tribunal and this process generally takes three to four months. Decisions made by VCAT are binding on all parties.
<i>Construction</i>		Council may then proceed to construct the works. Invoices are issued seeking payment of the estimated cost within one month of commencement.
<i>Final Cost Report</i>		At the completion of the works the scheme is "finalised" taking into account actual costs incurred and payments are adjusted accordingly.

13. MANTON ROAD AND LESTER STREET, MOOLAP - PROPOSED ROAD CONSTRUCTION - SRC 311 - INTENTION TO DECLARE

Portfolio:	Transport and Infrastructure - Cr Richards
Source:	City Services - Engineering Services
General Manager:	Gary Van Driel
Index Reference:	Subject: Special rates and charges
	Street: Manton Road and Lester Street

Summary

- This report relates to a proposed special charge scheme for construction of Manton Road and Lester Street, Moolap as shown on Locality Plan Appendix 13-4.
- In addition to the special charge scheme, it is proposed to initiate a road discontinuance at the south end of Manton Road, in order to deny access by Business 4 Zone properties.
- The zoning of properties abutting the proposed road construction is Low Density Rural Zone
- Council has received enquiries over a long period, regarding construction.
- There are 22 properties in the scheme and all pay the same amount estimated to be \$12,538, see Appendix 13-2 – Schedule B and Appendix 13-1 – Schedule A.
- The scheme has been prepared in accordance with the special rate and charge provisions of the Local Government Act, along with Council's Special Rates and Charges Policy.
- The report seeks a resolution by Council to give notice of its "Intention to Declare" a special charge for road construction in Manton Road and Lester Street, Moolap in accordance with the special charge scheme process, refer Attachment 13-1.
- This report also seeks a resolution by Council to commence a road discontinuance process for the south end of Manton Street, see plan Appendix 13-3.

Cr Richards moved, Cr Granger seconded -

A - Special Charge Scheme

In accordance with Section 163 of the Local Government Act 1989, Council resolves that:

- 1) the following declaration of a special charge be proposed ("the proposed declaration"):**
 - a) the special charge be declared for a period until the works have been completed and the scheme finalised.**
 - b) the special charge be declared for the purposes of defraying any expenses incurred by Council in relation to construction of road pavement, sealing and drainage in Manton Road and Lester Street, Moolap which project:**

13. MANTON ROAD AND LESTER STREET, MOOLAP - PROPOSED ROAD CONSTRUCTION - SRC 311 - INTENTION TO DECLARE (CONT'D)

- b1) will provide proper sealed vehicular access, improvements to drainage and enhancement to the general amenity for each of the properties included in the scheme;
 - b2) Council considers is or will be a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this Resolution); and
 - b3) arises out of Council's function of planning for and providing infrastructure for property owners.
- c) the:
 - c1) total cost of performing the function described in Part b of this Resolution based on estimated cost be recorded as \$275,836.
 - c2) total amount of the special charge be levied and be recorded as \$275,836.
- d) it be recorded that, for the purposes of Section 163 (2A) of the Local Government Act 1989, the special charge proceeds will not exceed the amount calculated in accordance with the prescribed formula ($R \times C = S$), the:
 - d1) 'benefit ratio' (R) being calculated at 100%, and representing the total benefits of the special charge scheme that will accrue as special benefits to all persons liable to pay the special charge; and
 - d2) 'community benefit' (C) being assumed as zero for road pavement in Manton Road and Lester Street, Moolap.
- e) the following be specified as the area for which the special rate is so declared:
 - e1) the area within municipal district of Council highlighted in the Locality Plan (Appendix 13-4) attached to this Resolution ("the area").
- f) the following be specified as the land in relation to which the special charge so declared:
 - f1) all land within the area shown on the plan.
- g) the following be specified as the criteria which form the basis of the special charge so declared:
 - g1) ownership of any land described in Part e of this Resolution.
- h) the following be specified as the manner in which the special charge so declared will be assessed and levied:
 - h1) each allotment has been allocated a single unit of cost; and
 - h2) the special charge will be levied by sending a notice to the person who is liable to pay, pursuant to section 163(4) of the Local Government Act 1989.
- i) having regard to the preceding parts of this Resolution but subject to Section 166 (1) of the Local Government Act 1989, it be recorded that;

13. MANTON ROAD AND LESTER STREET, MOOLAP - PROPOSED ROAD CONSTRUCTION - SRC 311 - INTENTION TO DECLARE (CONT'D)

- i1) the owners of the land described in column 1 of Schedule B to the Resolution are estimated liable for the respective amounts set out in column 2 of Schedule B; and
 - i2) such owners may, subject to any further resolution of Council pay the special charge in the following manner:
 - i2a) the charge will become due and payable within one month of the issue of the notice requesting payment pursuant to Section 167 (3) of the Local Government Act 1989;
 - i2b) interest will not be charged for six months after the issue of the notice provided the person liable makes timely payment in accordance with any repayment arrangements that may be agreed on by Council; and
 - i2c) in accordance with Section 172 of the Act, the rate of interest which is payable on the special charge which has not been paid by the specified date is set at Council's overdraft rate, reviewed every three months (provided that it shall not exceed the rate fixed by the Governor in Council by Order for the purposes of Section 172 (2A) in which case the rate of interest shall be the maximum rate fixed by the Governor in Council by Order for the purposes of this section).
- 2) Any submissions made under Section 223 of the Local Government Act 1989 and the proposed declaration be considered by Council's Submissions Review Panel, and then by Council at its meeting on 27 March 2012, at which time Council will consider whether to make a declaration in the form of the proposed declaration.
- 3) Council's Chief Executive Officer be authorised to give public notice of the proposed declaration in accordance with sections 163 (1A) and (1B) of the Local Government Act 1989 and send a copy of the public notice to each person who is liable to pay the special rate in accordance with Section 163 (1C) of the Local Government Act 1989.

B - Road Discontinuance

Pursuant to Section 3(a), Schedule 10 of the Local Government Act 1989, Council proceed with the process of a road discontinuance for the south end of Manton Road, Moolap in accordance with plan Appendix 3 including advertising the proposal in accordance with clauses 207(9) and 223 of the Act, and that any submissions be considered by the Council Submissions Review Panel and the matter be further reported to Council with a recommendation.

Carried.

13. MANTON ROAD AND LESTER STREET, MOOLAP - PROPOSED ROAD CONSTRUCTION - SRC 311 - INTENTION TO DECLARE (CONT'D)

Report

Background

This report relates to a proposed special charge scheme for road construction and drainage in Manton Road and Lester Street, Moolap. In addition and complimentary to the special charge scheme, it is proposed to commence a road discontinuance process for a small parcel of the Manton Road reserve at the south end.

This general area is semi rural, zoned Low Density Rural. Allotment sizes are around 4000sqm. The area is not sewered which is a prohibiting factor with respect to rezoning and redevelopment.

Three properties to the south which have access from the Bellarine Highway are zoned Business 4. These properties are not included in the scheme.

The two roads do not require the full urban standard of construction and the proposal is to add pavement to the existing gravel surface with a 5.2m wide seal. Some underground drainage would be provided, table drains improved and new driveway culverts provided.

Council constructed a number of similar streets in the area in the mid 1990's. This was a similar form of construction as proposed for Manton Road and Lester Street and a special charge scheme was initiated. Streets included Cooney, Grinter, Alice, Kingston, Hunter, September and June.

Council has had enquiries over a period of time regarding a possible street construction scheme. Dust in summer and poor surface conditions in winter are the main concerns.

As indicated there is a zoning boundary at the south end. The Business zone does not need access to Manton Road although at least one owner would prefer to retain the option. The mix of industrial and residential traffic is not appropriate and it would be an unfair impost on the majority of property owners to pay a higher cost for an industrial standard road. Road safety issues would also be a concern.

A further issue could arise if the Business zoned properties are redeveloped at some future time and for whatever reason, which may include a Tribunal discussion, access is permitted to Manton Road. This would also be unjust as these Business properties are not included in funding the Manton Road construction.

The permanent solution to this future access issue is to undertake a road discontinuance on a small portion of the south end of Manton Road which will permanently remove the road status and vest the land in Council. There would then be no legal access to the road.

This report therefore recommends the commencement of the road discontinuance process along with the special charge scheme.

13. MANTON ROAD AND LESTER STREET, MOOLAP - PROPOSED ROAD CONSTRUCTION – SRC 311 - INTENTION TO DECLARE (CONT'D)

Discussion

Property owners receive benefit as a result of road construction in the following manner:

- proper sealed access to properties;
- improvements to drainage of area;
- removal of nuisance being dust and mud during various times of the year;
- improvements to road safety;
- enhancement to the general amenity of the area; and
- likely increase in property values.

There are no Council properties in the scheme and therefore the scheme is being fully funded by property owners.

The estimated total cost is \$275,836 with 22 properties paying a unit cost of \$12,538 each. In this instance the unit cost apportionment method appears to be the fairest option.

Some lots have larger frontages and some smaller. Two corner blocks have a considerable length of road construction over frontage and sideage.

In relation to benefit, all properties receive a similar benefit, that is a similar use of the road infrastructure. There is no immediate prospect of subdivision, given the zoning and lack of sewer infrastructure. Should this have been different, another method of cost apportionment may have been appropriate.

The road discontinuance has the goal of providing a permanent vehicular separation between the two zones which is a logical step.

A road closure is already in place at the end of Manton Road and this was installed to restrict Hotel patrons from using the back exit. The basis of the closure is unknown and could reasonably be revised at a future time. The road discontinuance provides a permanent solution.

Environmental Implications

The provision of a sealed road surface provides a permanent and safe means of access. Dust is eliminated and storm water runoff is not contaminated with silt.

During the course of construction and the manufacture and procurement of materials there is expenditure of energy and some greenhouse emissions occur. This does cease however, when construction is complete.

The project does not create waste with the exception of some excavated material.

The proposal does not affect any natural habitats.

13. MANTON ROAD AND LESTER STREET, MOOLAP - PROPOSED ROAD CONSTRUCTION – SRC 311 - INTENTION TO DECLARE (CONT'D)

Financial Implications

The project is a one off capital cost and there will be minimal ongoing maintenance costs. If approved, the scheme could proceed in the next financial year.

Policy/Legal/Statutory Implications

The scheme has been prepared in accordance with the special rate and charge provisions of the Local Government Act along with Council's Special Rates and Charges Policy. The project does not impinge on any Human Rights Charter issues.

Officer Direct or Indirect Interest

There are no Council Officers involved in the administration or subsequent construction of the works, who have a direct or indirect interest in the project.

Risk Assessment

There are no risks associated with Council proceeding to adopt the two recommendations which would result in advertising the special charge scheme and similarly the road discontinuance.

Social Considerations

There are social benefits in the provision of appropriate improvements, to infrastructure such as road construction.

Consultation

A survey of owners was undertaken some time ago and correspondence has been forwarded out on two occasions.

Should Council resolve its intention to declare charges, the scheme will be advertised and submissions invited.

The original survey indicated a majority in favour of construction. There has been little response from a recent letter sent out indicating the approximate cost to property owners.

Appendix 13-1

SCHEDULE 'A'

The works for the construction of road pavement in Manton Road and Lester Street, Moolap which consists of excavation, reinstatement of nature strip, pavement works, sealing, miscellaneous construction works, legal advice and professional services associated with survey, engineering design, drafting, supervision and administration of the project all as included in the cost estimate shown below.

MANTON ROAD AND LESTER STREET MOOLAP.

ITEM	DESCRIPTION	QUANTITY	UNIT	RATE \$	AMOUNT \$
1.00	General				
1.01	Sire establishment and setup		Item		12,500
1.02	Traffic Management		Item		5,000
1.03	Set out of works		Item		1,000
2.00	Earthworks:				
2.01	Excavation for new road pavement and disposal of spoil and driveway culverts. Formulation of new table drains	400	cm	35	14,000
2.02	Place and compact filling under pavement and in verge	250	cm	45	11,250
3.0	Pavement Works				
3.01	Supply and place 150mm depth 40mm. nom class 3 sub base	350	cm	110	38,500
3.02	Supply and place and prepare for seal 150mm depth 20 mm nom class 1 base	350	cm	120	42,000
3.03	Prime and seal	3,400	sqm	6	20,400
4.00	Drainage				
4.01	Supply and place rural type vehicle crossings with driveable end walls	31	No	1,500	46,500
4.02	Supply and place precast endwall for 300mm dia pipe	4	No	500	2,000
4.03	Supply and install 300mm dia pipe	165	m	130	21,450
4.04	Supply and place junction pits	3	No	1,500	4,500
5.0	Landscaping				
	Top soil and seed table drains and disturbed areas	2,500	sqm	5	12,500
Sub Total					\$231,600
6.00	Contingency 10%				23,160
7.00	Design and Administration of Special Charge Scheme				21,076
Total					\$275,836

Appendix 13-2

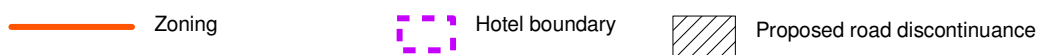
SCHEDULE "B"

PROPOSED SPECIAL CHARGE SCHEME ROAD CONSTRUCTION OF MANTON ROAD AND LESTER STREET, MOOLAP

DESCRIPTION OF PROPERTY	ESTIMATED COST (\$)	PROPERTY REFERENCE	PROPERTY DETAILS		
Lot 1 GLS 660	\$12,538	253200	18	High Street	Moolap
Lot 14 GLS 660	\$12,538	255459	11	Manton Road	Moolap
Lot 1 TP 2386	\$12,538	255460	13	Manton Road	Moolap
Pt CA 2 Sec 13	\$12,538	255461	15	Manton Road	Moolap
Lot 17 GLS 660	\$12,538	255462	17	Manton Road	Moolap
Lot 18 GLS 660	\$12,538	255463	19	Manton Road	Moolap
Lot 1 TP 805307	\$12,538	255464	21	Manton Road	Moolap
Lot 1 TP 95375	\$12,538	255465	23	Manton Road	Moolap
Lot 21 GLS 660	\$12,538	255466	25	Manton Road	Moolap
Lot 1 TP 82361	\$12,538	255467	27	Manton Road	Moolap
1/2 Share of Lot 1 TP 832459	\$12,538	255468	29	Manton Road	Moolap
Lot 9 GLS 1226	\$12,538	255469	31	Manton Road	Moolap
Lot 2 GLS 660	\$12,538	253201	20	High Street	Moolap
Lot 13 GLS 660	\$12,538	255454	8	Manton Road	Moolap
Lot 1 TP 124430	\$12,538	255455	14	Manton Road	Moolap
4047m2 Lot 11 GLS 660	\$12,538	255456	18	Manton Road	Moolap
Lot 10 GLS 660	\$12,538	255457	22	Manton Road	Moolap
Lot 1 TP 14852	\$12,538	255458	26	Manton Road	Moolap
Pt Sec 13 CA 2	\$12,538	262055	12	Twitt Street	Moolap
Lot 1 TP 8958	\$12,538	262056	14	Twitt Street	Moolap
Lot 2 GLS 1226	\$12,538	262057	16	Twitt Street	Moolap
Lot 3 GLS 1226	\$12,538	262058	18	Twitt Street	Moolap
	\$275,836				

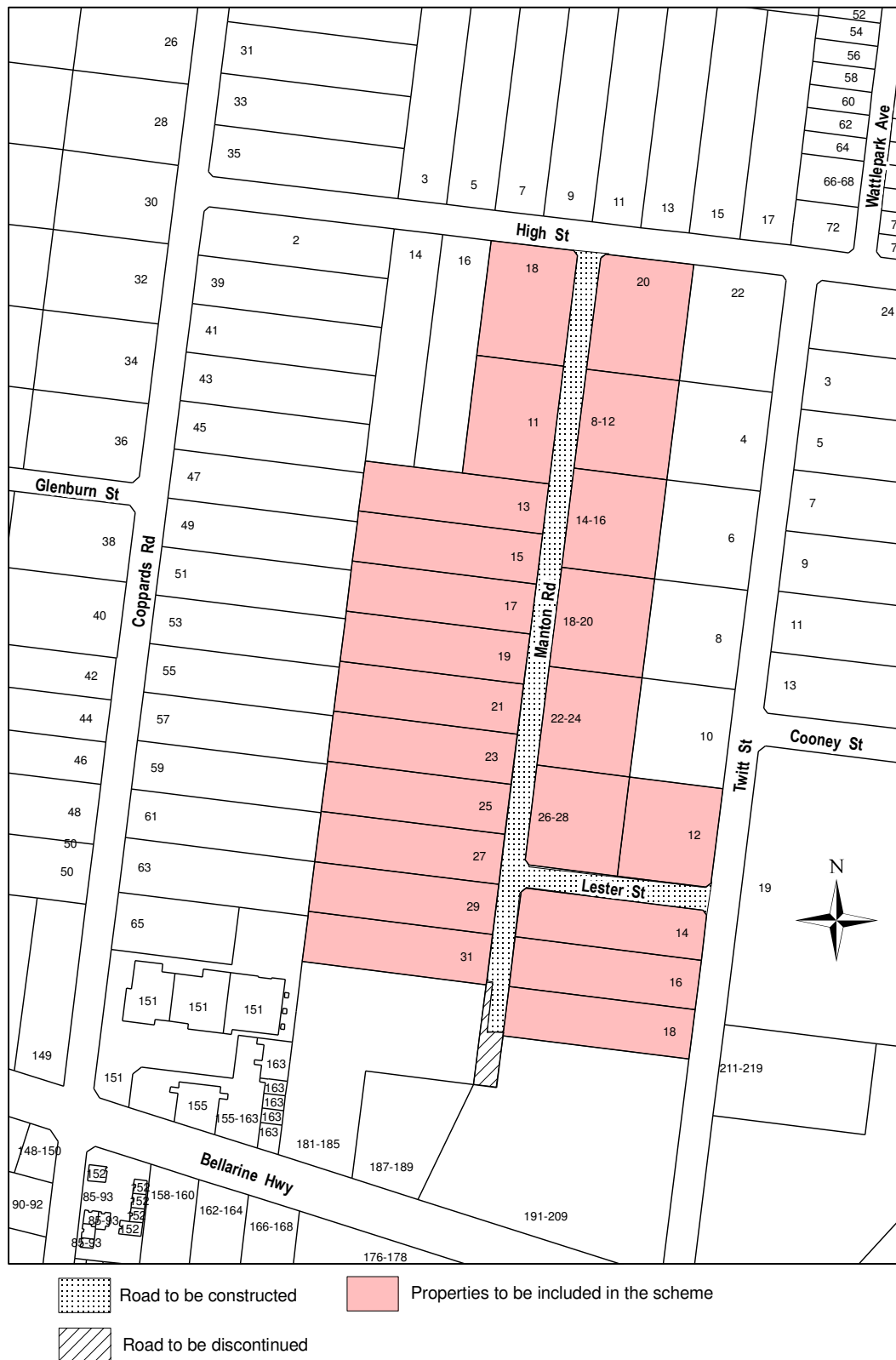
Appendix 13-3

PLAN



Appendix 13-4

LOCALITY PLAN



Attachment 13-1

PROCESS CHART

**SPECIAL CHARGE PROJECTS –
(Section 163 – Local Government Act 1989)**

Manton Road and Lester Street

Stage	Status	Description
<i>Approval to prepare scheme</i>	✓	Decision made to prepare scheme following consideration of surveys of property owners and feed back from the community. Council may then place the project in the budget system or proceed immediately to prepare a scheme. Scheme preparation involves survey, design and preparation of an apportionment of costs.
<i>Intention to Declare Scheme</i>	✓	Report to Council providing information on scheme including advice of impending advertising of scheme and declaration of charge. Seeks Council approval by resolution to proceed with process.
<i>Advertisement</i>		The scheme is advertised in the local newspaper and all allotted property owners are notified by mail. This advertisement indicates Council's intention and notification to 'declare' a scheme in a month's time.
<i>Submissions</i>		From the time of advertising property owners have 28 days (as set down by the Local Government Act) to lodge submissions, either in support or opposition to the scheme.
<i>Submissions Review Panel Hearing</i>		A Submissions Review Panel is convened (quorum of three Councillors) and meets to consider submissions. Some submissions are written only, and other submitters may wish to be heard before the Panel. The Panel makes a recommendation to Council regarding the scheme.
<i>Declaration Report</i>		Any time 28 days after advertising the scheme and after the Submissions Review Panel has met and considered submissions, Council considers a report and may proceed to "declare" the charges in accordance with its advertised intent. Subsequent to this the Finance Manager issues the levy notices and there is a formal charge placed on the property. This is the final step in the process for Council to make a decision on the scheme.
<i>Appeal</i>		Property owners may lodge an application for review with the Victorian Civil and Administrative Tribunal (VCAT) within one month of issue of the levy notice. An appeal is listed, heard and determined by the Tribunal and this process generally takes three to four months. Decisions made by VCAT are binding on all parties.
<i>Construction</i>		Council may then proceed to construct the works. Invoices are issued seeking payment of the estimated cost within one month of commencement.
<i>Final Cost Report</i>		At the completion of the works the scheme is "finalised" taking into account actual costs incurred and payments are adjusted accordingly.

14. CONSIDERATION OF TENDER SUBMISSIONS FOR TENDER NO. T12059 PROVISION OF PARK, PLAYGROUND & FITNESS EQUIPMENT, OUTDOOR FURNITURE, STRUCTURES & SIGNAGE AND RELATED PRODUCTS AND SERVICES

Portfolio: Parks and Gardens, Infrastructure – Cr Richards
Source: Projects, Recreation & Central Geelong / Capital Projects
Act/General Manager: Paul Jane
Index Reference: Project: T12059 Parks & Playground Equipment & Outdoor Furniture

Summary

- Council engaged MAV Procurement to act as its Tendering Agent for the Provision of Park, Playground & Fitness Equipment, Outdoor Furniture, Structures & Signage and Related Products and Services tender. The tender was divided into three categories: Category (1) Park, Playground and Fitness Equipment, Category (2) Outdoor Furniture, Structures and Signage and Category (3) Associated Services.
- Tenders were then sought via MAV Procurement for the Provision of Park, Playground & Fitness Equipment, Outdoor Furniture, Structures & Signage and Related Products and Services to the 38 Councils participating in the tender.
- The successful tenderer's will be appointed as preferred suppliers to a panel of providers for the provision of this service.
- The contract is for three [3] years with the option of an additional two [2] years.
- A total of thirty one [31] companies provided tender submissions for the Provision of Park, Playground & Fitness Equipment, Outdoor Furniture, Structures & Signage and Related Products and Services for the City of Greater Geelong.
- Following a detailed review of the Provision of Park, Playground & Fitness Equipment, Outdoor Furniture, Structures & Signage and Related Products and Services tender conducted by MAV Procurement it is recommended that Council immediately endorse the utilisation of the selected suppliers for Categories (1) Park, Playground and Fitness Equipment and (2) Outdoor Furniture, Structures and Signage of their contract for the Provision of Park, Playground & Fitness Equipment, Outdoor Furniture, Structures & Signage and Related Products and Services as detailed in the Recommendation section of this report.

It is recommended that Council reserve the right to utilise Category (3) Associated Services during the course of the contract period.

Cr Richards moved, Cr Macdonald seconded -

That Council:

- 1) Accept the tender submissions and submitted schedule of rates from the below listed suppliers for Categories (1) Park, Playground and Fitness Equipment and (2) Outdoor Furniture, Structures and Signage as a result of the tender process undertaken by MAV Procurement, acting as Tendering Agent on behalf of Council, for the Provision of Park, Playground & Fitness Equipment, Outdoor Furniture, Structures & Signage and Related Products and Services.**

14. CONSIDERATION OF TENDER SUBMISSIONS FOR TENDER NO. T12059 PROVISION OF PARK, PLAYGROUND & FITNESS EQUIPMENT, OUTDOOR FURNITURE, STRUCTURES & SIGNAGE AND RELATED PRODUCTS AND SERVICES (CONT'D)

Category (1) Park, Playground and Fitness Equipment only
A-Play
Ikonic Playgrounds Pty Ltd
IMPACT Solutions Australia
Kompan Playscape Pty Ltd
Lappset Australia Pty Ltd
Play Matta
Playrope Pty Ltd
Proludic Pty Ltd
The Play Works
Category (2) Outdoor Furniture, Structures and Signage only
Adshel Town and Park
Danthonia Designs
Fleetwood Urban Pty Ltd
GR Design and Construct
IMPACT Solutions Australia
Landmark Products Limited
Rechenberg Pty Ltd
SULO Australia
Category (1) and Category (2)
Adventure Playgrounds
Forpark Australia
Omnitech Playgrounds
Playscape Creations Australia
Replas

- 2) Delegate authority to the Chief Executive Officer to sign agreements with MAV Procurement for Categories (1) Park, Playground and Fitness Equipment and (2) Outdoor Furniture, Structures and Signage which allows Council to access their contract with the aforementioned suppliers.
- 3) Delegate authority to the Chief Executive Officer to endorse Councils use of Category (3) Associated Services suppliers during the course of the contract period should Council wish to use these services.
- 4) Delegate authority to the Chief Executive Officer to sign agreements with MAV Procurement which allows Council to access their contract with the Category (3) Associated Services suppliers.

Carried.

Report

Background

Public tenders were advertised in the Herald Sun newspaper on Wednesday the 14th September 2011.

14. CONSIDERATION OF TENDER SUBMISSIONS FOR TENDER NO. T12059 PROVISION OF PARK, PLAYGROUND & FITNESS EQUIPMENT, OUTDOOR FURNITURE, STRUCTURES & SIGNAGE AND RELATED PRODUCTS AND SERVICES (CONT'D)

At the close of submissions 4.00 pm AEDT on Thursday the 6th of October 2011, the following tenders were received:

Tenderer
Active Areas Pty Ltd
Adshel Town and Park
Adventure Playgrounds
A-Play
Danthonia Designs
E.P. Draffin Manufacturing Pty Ltd
Fleetwood Urban Pty Ltd
Forpark Australia (Vic)
Furphy's Foundry Sales Pty Ltd
GR Design & Construct
Ideal Shade Solutions
Ikonic Playgrounds Pty Ltd
IMPACT Solutions Australia
Kico Inspection & Testing Services Pty Ltd
Kompan Playscape Pty Ltd
Landmark Products Limited
Lappset Australia Pty Ltd
Omnitech Playgrounds
Play Matta
Playrope Pty Ltd
Playscape Creations Australia
Proludic Pty Ltd
Public Outdoor Ping Pong (POPP)
Rechenberg Pty Ltd
Replas
Shadespan Shade Sails & Structures
Sign Express
SULO Australia
The Play Works
Urban Maintenance Systems (UMS)
Wm. Loud (Aust.) Pty Ltd

All tenders have been submitted exclusive of GST.

Discussion

Council was notified of an opportunity to participate in a state-wide tender through MAV Procurement for Provision of Park, Playground & Fitness Equipment, Outdoor Furniture, Structures & Signage and Related Products and Services.

MAV Procurement nominated the following three categories that will be covered by the tender:

Category (1) Park, Playground and Fitness Equipment

- All abilities playground equipment
- Outdoor fitness/exercise equipment
- Impact absorbing surfaces (e.g. safety matting, softfall, wetpour)
- Related products, spare parts and accessories

14. CONSIDERATION OF TENDER SUBMISSIONS FOR TENDER NO. T12059 PROVISION OF PARK, PLAYGROUND & FITNESS EQUIPMENT, OUTDOOR FURNITURE, STRUCTURES & SIGNAGE AND RELATED PRODUCTS AND SERVICES (CONT'D)

Category (2) Outdoor Furniture, Structures and Signage

- Shade structures
- Barbecues
- Street furniture
- Park furniture
- Gazebos
- Bicycle racks
- Litter bins and bin enclosures
- Playground and park signage (safety, direction, council reporting)
- Outdoor lighting (including sustainable or green power options)
- Related products, spare parts and accessories

Category (3) Associated Services

- Equipment and furniture design
- Installation
- Maintenance and repair
- Safety checks and quality inspections (e.g. inspections that ensure equipment is compliant with relevant Australian Standards)
- Demolition and removal

Interest was sought across Council to determine whether it was worthwhile for Council to participate. The Capital Projects department had previously identified this procurement category as a potential tendering opportunity so they led Councils endorsement of tender participation.

The identified benefits to Council of the MAV Procurement collaborative purchasing approach is the expected value for money gained from the collective purchasing power of the 38 Councils participating and the ability to attract a variety of quality suppliers from across the state and beyond to ensure our Park, Playground & Fitness Equipment, Outdoor Furniture, Structures & Signage and Related Products and Services continue to meet and exceed expectations across the municipality.

MAV Procurement was formally selected, via letter, to act as Councils Tendering Agent for the Provision of Park, Playground & Fitness Equipment, Outdoor Furniture, Structures & Signage and Related Products and Services tender.

The tender submissions associated with this service were evaluated by a panel consisting of MAV Procurement staff and associated representatives from other Councils. The City of Greater Geelong was not represented on the MAV Procurement evaluation panel but undertook its own evaluation of the MAV Procurement provided recommendation report.

Mandatory Criteria

An initial compliance check was conducted by MAV Procurement to identify submissions that were non-conforming with the immediate requirements of the tender.

All tenders were processed through to qualitative criteria assessment on the basis that all standard terms and conditions and mandatory requirements of the tender had been sufficiently met.

14. **CONSIDERATION OF TENDER SUBMISSIONS FOR TENDER NO. T12059 PROVISION OF PARK, PLAYGROUND & FITNESS EQUIPMENT, OUTDOOR FURNITURE, STRUCTURES & SIGNAGE AND RELATED PRODUCTS AND SERVICES (CONT'D)**

A number of partial compliances to the standard terms and conditions of contract were identified by a number of the suppliers however these were not deemed significant enough to impact the ongoing assessment of each submission.

Comparative Criteria

Tender submissions were assessed by the MAV Procurement evaluation panel based on the respondent's performance or tender response in the following areas:

Criteria	Weighting
Corporate Social Responsibility	26%
Experience	20%
Goods and Services	31%
Legislative Compliance	3%
Contract Management	20%
	100%

The tenderers were ranked according to their scores in the following order:

Tenderer	Ranking
A-Play	1
Kompan Playscape Pty Ltd	2
The Play Works	3
Rechenberg Pty Ltd	4
Playscape Creations Australia	5
Ikonic Playgrounds Pty Ltd	6
Danthonia Designs	7
Lappset Australia Pty Ltd	8
Omnitech Playgrounds	9
Urban Maintenance Systems Pty Ltd	10
Play Matta Pty Ltd	11
Adventure Playgrounds Pty	12
Adshel Town and Park	13
Landmark Products Ltd	14
Forpark Australia (Vic)	15
Playrope Pty Ltd	16
IMPACT Solutions Australia	17
Wm. Loud (Aust) Pty Ltd	18
SULO MGB Australia Pty Ltd	19
Fleetwood Urban Pty Ltd	20
Replas	21
Proludic Pty Ltd	22

14. CONSIDERATION OF TENDER SUBMISSIONS FOR TENDER NO. T12059 PROVISION OF PARK, PLAYGROUND & FITNESS EQUIPMENT, OUTDOOR FURNITURE, STRUCTURES & SIGNAGE AND RELATED PRODUCTS AND SERVICES (CONT'D)

Tenderer (cont'd)	Ranking
GR Design & Construct	23
Kico Inspection & Testing Services	24
Shadespan Shade Sails & Structures	25
Sign Express	26
Furphy's Foundry Sales Pty Ltd	27
Active Areas Pty Ltd	28
Ideal Shade Solutions	29
E.P. Draffin Manufacturing Pty Ltd	30
Public Outdoor Ping Pong	31

At the completion of the qualitative assessment, the MAV Procurement evaluation panel undertook an evaluation and comparison of the pricing submissions received.

The MAV Procurement evaluation panel felt that a reasonably sized panel of suppliers was the best outcome for this tender, given the large number of councils participating in the tender process, the wide range of goods and services required and the location of the participant councils. The panel of suppliers was chosen by the evaluation panel based on the results of the qualitative assessment (i.e. based on the relative position of the supplier). The varied range of goods and services offered by the suppliers on the panel was also a factor in determining the size of the panel.

Across the three categories the MAV Procurement evaluation panel selected the top twenty four (24) ranked suppliers for inclusion on their panel.

The Council panel established to evaluate the MAV Procurement tender recommendation and provide a recommendation to Council consisted of the following officers:

Scott Cavanagh	Manager Capital Projects
Erin McHugh	Community Development Facilities Officer
Paul Cotter	Senior Recreation & Open Space Officer
Tony Kerr	Coordinator Procurement Services

The Council evaluation panel undertook a detailed review of the report compiled by MAV Procurement for the Provision of Park, Playground & Fitness Equipment, Outdoor Furniture, Structures & Signage and Related Products and Services tender. Following this review it is the recommendation of the Council evaluation panel that Council immediately endorse the utilisation of the MAV Procurement selected suppliers for Categories (1) Park, Playground and Fitness Equipment and (2) Outdoor Furniture, Structures and Signage of their contract for the Provision of Park, Playground & Fitness Equipment, Outdoor Furniture, Structures & Signage and Related Products and Services.

14. CONSIDERATION OF TENDER SUBMISSIONS FOR TENDER NO. T12059 PROVISION OF PARK, PLAYGROUND & FITNESS EQUIPMENT, OUTDOOR FURNITURE, STRUCTURES & SIGNAGE AND RELATED PRODUCTS AND SERVICES (CONT'D)

The suppliers selected for categories (1) and (2) are:

Category (1) Park, Playground and Fitness Equipment only
A-Play
Ikonic Playgrounds Pty Ltd
IMPACT Solutions Australia
Kompan Playscape Pty Ltd
Lappset Australia Pty Ltd
Play Matta
Playrope Pty Ltd
Proludic Pty Ltd
The Play Works
Category (2) Outdoor Furniture, Structures and Signage only
Adshel Town and Park
Danthonia Designs
Fleetwood Urban Pty Ltd
GR Design and Construct
IMPACT Solutions Australia
Landmark Products Limited
Rechenberg Pty Ltd
SULO Australia
Category (1) and Category (2)
Adventure Playgrounds
Forpark Australia
Omnitech Playgrounds
Playscape Creations Australia
Replas

Categories (1) Park, Playground and Fitness Equipment and (2) Outdoor Furniture, Structures and Signage were assessed by Councils evaluation panel as categories that Council has an immediate requirement to address. Council regularly requires suppliers to undertake these services and allocates significant funding to these areas so it was determined by the Council evaluation panel that it is beneficial for Council to access these value for money contracts.

It is also the recommendation of the Council evaluation panel that Council reserve the right to utilise Category (3) Associated Services during the course of the contract period.

All applicable areas of Council were engaged during the course of the tender process. Through this process Council had not identified a requirement to contract the services nominated in Category (3). Councils evaluation panel is conscious that formal endorsement will send the perception of Council commitment to the suppliers therefore it is recommended that no formal commitment to utilising Category (3) Associated Services be made at this time. However Councils evaluation panel determined that Council should retain the flexibility to access this category during the course of the contract period.

From an operational perspective, existing suppliers on our Preferred Suppliers System will include references to these contracts on their supplier page but new suppliers to Council will not be entered onto the system until they are actually engaged by a Council Officer.

**14. CONSIDERATION OF TENDER SUBMISSIONS FOR TENDER NO. T12059
PROVISION OF PARK, PLAYGROUND & FITNESS EQUIPMENT, OUTDOOR
FURNITURE, STRUCTURES & SIGNAGE AND RELATED PRODUCTS AND
SERVICES (CONT'D)**

Environmental Implications

Any environmental implications associated with this contract will arise from the execution of the associated 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 whereby services will be drawn from various recurrent and project budgets throughout the term of the contract.

The estimated budget for the Provision of Park, Playground & Fitness Equipment, Outdoor Furniture, Structures & Signage and Related Products and Services is approximately \$500,000 per annum over the term of the contract.

It is worth noting that the MAV Procurement contract is structured in a manner which allows councils to seek selective quotations off the panel of suppliers to ensure the most competitive outcome to each individual job requirement.

Policy/Legal/Statutory Implications

The requirements of Section 186 of the Local Government Act have been complied with for this tender. The use of this panel will allow Council to achieve efficiencies by enabling selective tenders to be sought from contracted panel members. 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 on a project by project basis.

15. FUNDING APPLICATION

Portfolio: Community Development – Cr Fisher
Source: Community Services / Family Services
Act/General Manager: Paul Jamieson
Index Reference: Subject: Community Services / Family

Cr Granger moved, Cr Fisher seconded -

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

Carried.

NOTICE OF MOTION – Cr Eddy Kontelj

WESTERN HEIGHTS COLLEGE FUNDING DELAY

Background

The \$13 million budget for Stage 2 of the Western Heights College development, first announced in May 2010, is insufficient to complete the Project to include the school stadium as was originally planned.

As a consequence the stadium has been earmarked to form part of Stage 3 of the construction project. Stage three funding has not been allocated.

This will require the College to maintain the use of the existing stadium on the Quamby Campus for the delivery of the physical education curriculum until the stadium is delivered on the Vines Road Campus. Students will be required to walk between campuses which is practically a very poor arrangement and one fraught with OH&S hazards and many challenges such as:

- Students having to walk off site on public roads to access the old school site to use the stadium. This is not safe, effective or practical.
- The old school site will need to be maintained in a safe and secure manner for an extended period of time whilst the stadium continues to be used by the school. The stadium will be the only asset being used by the school on the old school site.
- Our partners and community will not be able to access any form of stadium as first anticipated and planned for in Stage 2 i.e. Bell Park Sport & Recreation Club, in particular the Netball club.

The CoGG and DPCD have allocated funding in the current years budget to enhance the change room/toilet area for community use of the Western Heights College precinct. This funding was allocated in the expectation the Stadium would be built as part of Stage 2. At this stage it is anticipated that Stage 2 will begin construction early in 2012.

Cr E Kontelj moved, Cr Fisher seconded -

That Council write to Minister Martin Dixon, Andrew Katos MP, all State Upper House MP's, Hon Hugh Delahunty and Ian Trezise MP requesting the State Government review the decision regarding the stadium construction time line and make available the required funding to enable the construction and completion of the stadium in Stage 2 of the Western Heights College development.

Carried.

NOTICE OF MOTION – R Nelson REALLOCATION OF FUNDS

The following reallocation is proposed:

A reallocation of the \$10,000 in the 2011/12 budget for project C11837 – Queens Park Netball Facilities, which is expected to be delivered with a budget surplus, to be applied to Newtown & Chilwell Cricket Club storage shed disbursement.

Cr Nelson moved, Cr E Kontelj seconded –

That Council support the following reallocations:

Ward	Project	Budget	Budget ID
Deakin	Queens Park Netball Facilities	- \$10,000	C11837
Deakin	Newtown & Chilwell Cricket Club Storage Shed Disbursement	\$10,000	TBA

Carried.

URGENT BUSINESS

Note: Introduction of Urgent Business requires two-thirds majority of Councillors present.

Cr Richards proposes to raise two items as Urgent Business:

Cr Richards moved, Cr Granger seconded -

That Council considers as Urgent Business a motion concerning Funds Reallocation within Buckley Ward and State Government Roads Maintenance.

Carried.

REALLOCATION OF FUNDS

Barwon Heads Festival of the Sea is a key community event that runs from Tuesday 13th March through to Sunday 18th March in 2012. The festival committee wishes to broaden it's offering to young people and is holding the Skate Jam event as part of the festival in 2012. The festival committee is also seeking sponsorship for the community event held on the Sunday of the Festival of the Sea, known as the Duck Race. This presents an opportunity for the City of Greater Geelong in events sponsorship and marketing.

The Barwon Grove Golf Club (Project # D66130) has been allocated funding but is not ready to commence, as it is seeking further funding from state and federal government.

Cr Richards moved, Cr Granger seconded -

That Council support the following reallocation of funds within the 2011/2012 budget:

Ward	Project	Allocation
Buckley	Barwon Grove Golf Club (Project # D66130)	-\$3000
Buckley	Barwon Heads Festival of the Sea events – Skate Jam, and Duck Race Sponsorship (Disbursement to Festival Committee)	\$3000

Carried.

MAINTENANCE OF ROADS UNDER STATE GOVERNMENT RESPONSIBILITY

The road network in City of Greater Geelong is a shared responsibility between local and state governments, and is also funded in part by the federal government. Within the City there are several roads that are a state responsibility and are managed by the state government agency, Vicroads, in regard to the repair and maintenance of the road itself, and the roadside and centre median vegetation.

Whilst the City has faced an ongoing problem in getting the state government to maintain these roads to a better standard, several of these roads are now in need of serious repair. Some examples from southern Geelong include Pioneer Road, Torquay Road, Barwon Heads Road, and the Princess Highway from the Barwon River to the City's south western border. There are many other examples from the Bellarine, Lara, and the northern and central parts of the City. An increase in road maintenance funding would bring about improvements in the maintenance these roads.

Cr Richards moved, Cr Macdonald seconded -

That Council write to the Premier, Deputy Premier, Leader of the Opposition, Roads and shadow Roads ministers, and all local state lower and upper house MPs, advocating a substantial increase in funding for the maintenance of roads for which the state is responsible, including a list of roads that council officers have identified as needing immediate repair and maintenance work.

Carried.

COMMON SEAL REGISTER

Cr Abley moved, Cr Macdonald -

That the following documents be signed and sealed by Council.

Carried.

1. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND DARYN GLEN ANTHONY AND SUSAN LYNN ANTHONY FOR 21 DE BURGH ROAD, DRYSDALE

Portfolio:	Planning – Cr Macdonald
Source:	Economic Development, Planning & Tourism
General Manager:	Peter Bettess
Property:	21 De Burgh Road, Drysdale
Application No:	922/2010/A

Officers' Comments

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 15 of Planning Permit No. 922/2010/A issued on 03 March 2011 which allowed the Construction of Two (2) Dwellings and a Three (3) Lot Subdivision.

The purpose of the Agreement is to ensure the development approved by Planning Permit No. 922/2010/A is constructed in accordance with the plans even if the land is subdivided prior to the development commencing.

This Agreement has been peer reviewed by one of Council's panel solicitors.

Owner's Obligations

That all development on the Subject Land will be in accordance with the endorsed plans forming part of the Planning Permit (or any amendment to the Planning Permit), or any subsequent planning permit to be issued by the Council, unless otherwise agreed in writing by the Council.

Council Obligations

Nil.

2. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND PRECISION PLASTERING (VIC) PTY LTD FOR 33 HOCKING DRIVE OCEAN GROVE

Portfolio:	Planning – Cr Macdonald
Source:	Economic Development, Planning & Tourism
General Manager:	Peter Bettess
Property:	33 Hocking Drive, Ocean Grove
Application No:	1272/2010

Officers' Comments

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 11 of Planning Permit No. 1272/2010 issued on 30-Mar-2011 which allowed Construct Two (2) Dwellings & Two (2) Lot Subdivision

The purpose of the Agreement provides for all development to be in accordance with the endorsed plans forming part of Planning Permit 1272/2010 (or any amendment to that permit) or any subsequent Planning Permit for the abovementioned site. Before construction commences on site for the dwelling, application must be made to the Registrar of Titles to register the Section 173 Agreement on Title to the land under Section 181 of the Act.

This Agreement has been peer reviewed by one of Council's panel solicitors.

Owner's Obligations

The owner of the land must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority which provides for all development to be in accordance with the endorsed plans forming part of Planning Permit 1272/2010 (or any amendment to that permit) or any subsequent Planning Permit. The owner must pay the costs of preparation, execution and registration of the agreement and the agreement must be registered on the newly created title/s. The Section 173 Agreement may be ended by the Responsible Authority at the written request of the owner and at no cost to Council.

Council Obligations

Nil

3. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND MARILYN RAE STEPHENS FOR 8 MELROSE AVENUE HIGHTON

Portfolio:	Planning – Cr Macdonald
Source:	Economic Development, Planning & Tourism
General Manager:	Peter Bettess
Property:	8 Melrose Avenue, Highton
Application No:	720/2010

Officers' Comments

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 11 and 12 of Planning Permit No. 720/2010 issued on 22 December 2010 which allowed Construction of Second Double Storey Dwelling and Two (2) Lot Subdivision.

The purpose of the Agreement provides for all development to be in accordance with the endorsed plans forming part of Planning Permit 720/2011 (or any amendment to that permit) or any subsequent Planning Permit for the abovementioned site. Before construction commences on site for the dwelling, application must be made to the Registrar of Titles to register the Section 173 Agreement on Title to the land under Section 181 of the Act.

Owner's Obligations

The owner of the land must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority which provides for all development to be in accordance with the endorsed plans forming part of Planning Permit 720/2011 (or any amendment to that permit) or any subsequent Planning Permit. The owner must pay the costs of preparation, execution and registration of the agreement and the agreement must be registered on the newly created title/s. The Section 173 Agreement may be ended by the Responsible Authority at the written request of the owner and at no cost to Council.

Prior to the commencement of development the land owner must enter an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987. All costs associated with setting up the agreement must be borne by the land owner. The agreement is to be registered on title and run with the land, and is to provide to the satisfaction of the Responsible Authority:

- a) In the event of any operational difficulties with the pump system, it is the Responsibility of the land owner to rectify these difficulties;
- b) Any pump system is to be replaced by gravity discharge if and when available, and if directed by the Responsible Authority, at the land owner's full cost.

Council Obligations

Nil

4. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND ROBERT EVAN MACDONALD FOR 862-1100 SWAN BAY ROAD, MANNERIM

Portfolio:	Planning – Cr Macdonald
Source:	Economic Development, Planning & Tourism
General Manager:	Peter Bettess
Property:	862-1100 Swan Bay Road, Mannerim
Application No:	1525/2010

Officers' Comments

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 2 of Planning Permit No. 1525/2010 issued on 6-July-2011 which allowed the subdivision of the land into (5) lots, removal/lopping of native vegetation and alteration of existing access to a Road Zone Category 1.

The purpose of the Agreement is to implement the Environmental Management Plan that is endorsed as part of permit 1525/2010.

This Agreement has been peer reviewed by one of Council's panel solicitors.

Owner's Obligations

Ensure the Environmental Management Plan is implemented.

Council Obligations

Nil

5. DEED OF RELEASE AND TRANSFER OF LAND - GREATER GEELONG CITY COUNCIL AND VICROADS - PURCHASE OF LAND AT 1A GHAZEEPORE ROAD WAURN PONDS

Portfolio:	Finance – Cr Harwood
Source:	Corporate Services – Corporate Strategy and Property Management
General Manager:	Jeff Wall
Property:	1A Ghazeepore Road

Officers' Comments

VicRoads has constructed part of Stage 4 of the Geelong Ring Road over part of the Waurn Ponds Creek open space owned by Council near the intersection of the Colac and Anglesea Roads. The land VicRoads seeks to purchase has an area of 2,939m², is zoned Residential 1 and is designated as a reserve on the title.

The land came into Council's ownership in 2004 partly through an allocation from the developer of the adjacent land, and partly through a payment by the Council to the developer for the provision of open space in excess of the required 10%.

The sale price of the land has been in dispute since 2008 and in the process the parties have received valuations and planning advice. Due to the complexity of the issues involved, legal advice was provided to Council on the basis of the valuation. Following consideration of the legal advice by Council's valuer, the land was valued at \$100,000 plus GST. The valuation has been accepted by VicRoads along with all Council's costs.

Under the CEO's delegation a Notice of Intention to Sell Land was given in City News and no submissions were received.

Purchaser's Obligations

VicRoads is required to register a plan of subdivision, pay Council the consideration and meet all Council's costs.

Council's Obligations

The Council as vendor is to make its title available upon registration of the plan of subdivision of the land.

6. APPLICATION TO CREATE EASEMENT - 4 HIGH STREET DRYSDALE

Portfolio:	Finance – Cr Harwood
Source:	Corporate Services – Corporate Strategy and Property Management
General Manager:	Jeff Wall
Index/Reference:	4 High Street Drysdale Land formerly comprising Wyndham Street

Officers' Comments

The owners of land at 6 High Street Drysdale want to subdivide a building consisting of shops and offices which were constructed approximately 20 years ago on the boundary of land owned by the Council. In order to subdivide the building the owner requires an easement of way created in favour of the land at 6 High Street over the Council's land.

The Council's land is zoned Business 1 Zone and consists of two separate lots, one of which was the former Wyndham Street now discontinued and forming part of the open space in the town centre. The proposed easement recognises existing access to a building formerly approved by the Council.

A certified valuation of the easement of \$67,000 excl GST has been obtained.

The proposal to create an easement was approved using the CEO's delegation and was advertised under s189 of the Local Government Act. No submissions were received.

Planning permit 495/2010 has been issued to subdivide the building subject to the owner providing legal points of access to all lots to be created.

Owner's Obligations

The responsibilities of the parties are set out in an Agreement for Creation of Easement.

In addition to the payment of the consideration, the owner of 6 High Street is required to prepare all plans relating to the creation of the easement and pay all Council's reasonable costs.

Council's Obligations

Under the Agreement for Creation of Easement the Council is required to do all things required for the registration of the easement plans.

7. LEASE TO WHARF SHED COMPLEX PTY LTD FOR PREMISES AT CORIO BAY FORESHORE, 15 EASTERN BEACH ROAD, GEELONG, KNOWN AS THE WHARF SHED

Portfolio:	Finance – Cr Harwood
Source:	Corporate Services – Corporate Strategy & Property Management
General Manager:	Jeff Wall
Index Reference:	Subject: Council Meetings File No: 21/MONTH/2007

Officers' Comments

A Lease has been prepared commencing 1 July, 2011 for a term of four (4) years, with three (3) further terms of four (4) years each and one (1) further term of one (1) year.

Tenant's Obligations

The Tenant is required to comply with the Crown Land (Reserves) Act 1978 and must provide a Guaranteed Sum of \$10,000.00 to Council in accordance with the new Lease.

Council Obligations

Council is appointed Committee of Management of the Land by the Minister of the Crown.

Council has prepared new Lease documents to consolidate the variations made since the Tenant commenced their occupation of the premises and have arranged the Lease documents to be executed by the Tenant.

8. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND YVONNE DIANA THOMAS, MICHAEL MANNING BLANCHE AND REPERTOIRE PTY LTD FOR 79-175 HARVEY ROAD, ST LEONARDS

Portfolio:	Planning – Cr Macdonald
Source:	Economic Development, Planning & Tourism
General Manager:	Peter Bettess
Property:	49 Blanche Street, St Leonards
Application No:	800/2010

Officers' Comments

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 2 of Planning Permit No. 800/2010 issued on 28-Mar-2011 which allowed the subdivision of the land into twelve (12) lots and the removal of native vegetation.

The purpose of the Agreement is to provide for the planting of offsets in accordance with the recommendations of the reports required pursuant to conditions 32 and 33 of this permit on Lot 1 PS 607935 (79-175 Harvey Road, St Leonards).

8. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND YVONNE DIANA THOMAS, MICHAEL MANNING BLANCHE AND REPERTOIRE PTY LTD FOR 79-175 HARVEY ROAD, ST LEONARDS (CONT'D)

Prior to the commencement of any works on site, application must be made to the Registrar of Titles to register the Section 173 Agreement on Title to the land under Section 181 of the Act.

This Agreement has been peer reviewed by one of Council's panel solicitors.

Owner's Obligations

To provide for the planting of offsets in accordance with the recommendations of the reports required pursuant to conditions 32 and 33 of this permit on Lot 1 PS 607935 (79-175 Harvey Road, St Leonards).

Council Obligations

Nil.

9. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND PAKINGTON PROPERTIES PTY LTD FOR 45-47 THE AVENUE, BELMONT

Portfolio:	Planning – Cr Macdonald
Source:	Economic Development, Planning & Tourism
General Manager:	Peter Bettess
Property:	45 - 47 The Avenue, Belmont
Application No:	688/2010

Officers' Comments

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 5 of Planning Permit No. 688/2010 issued on 26 October 2010 which allowed a six lot subdivision.

The purpose of the Agreement is to register the following:

- That all development is to be in accordance with the endorsed plans forming part of Planning Permit 864/2009 (or any amendment to that permit) or any subsequent Planning Permit.

The owner must pay the costs of preparation, execution and registration of the agreement and the agreement must be registered on the newly created title/s.

This Agreement has been peer reviewed by one of Council's panel solicitors.

Owner's Obligations

The Owner covenants and agrees with the Council that the development of the Land will be in accordance with the endorsed plans forming part of the Permit or any amendment to that permit or any subsequent planning permit issued by the Council, unless otherwise agreed in writing by the Council.

(The permit referred to is 864/2009, which allowed the construction of 6 dwellings.)

Council Obligations

Nil.

ASSEMBLY OF COUNCILLORS RECORD

Portfolio: Democracy and Governance – Cr Mitchell
Source: Corporate Services
General Manager: Jeff Wall

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 Abely moved, Cr Macdonald seconded -
That the information be received.**

Carried.

RECORD OF ASSEMBLIES OF COUNCILLORS
(Council Meeting 31 January 2012)

Assembly Details	Councillor Attendees	Officer Attendees	Matters Discussed	Conflict of Interest Disclosures
Barwon Heads Pre School – Project Control Group Meeting 7 December 2011	Cr Richards	J McMahon (GM) D Frost (GM) P Jamieson (MGR) S Cavanagh (MGR) D Ash (OFF)	- Sites Assessment - Council Endorsement - Consultation Process	Nil.
Graffiti Reference Group 13 December 2011	Cr Farrell Cr Fisher	H Menzl (CO ORD) M McKenzie (AUD) L Armstrong-Rowe (OFF) J Wager (CO ORD)	- Audit Update - Budget - Police and Court Report - Graffiti Team Leader Report - Councillor Notification of Project Opportunities	Nil.
Disability Advisory Committee 12 December 2011	Cr Fisher	K Pritchard (MGR) C Carlyon (OFF)	- Street Access Committee Report from last meeting - Draft Geelong Play Strategy - Beach Wheelchair Information - Recharge Points – charger cables - Profiles and Portfolios - City Hall: Gheringhap Street steps - Trainshed way - Geelong Libraries – Invitation to make suggestions regarding library collection - Accessibility of Council Information - Smoking at Bus stops - Simmonds Stadium – accessible seating - Waterfront walk-through - Reporting Forms for Access Issues	Nil.

Assembly Details	Councillor Attendees	Officer Attendees	Matters Discussed	Conflict of Interest Disclosures
Councillor Briefing 24 January 2012	Crs Abley, Doull, Farrell, Fisher, Granger, Harwood, E Kontelj, S Kontelj, Mitchell, Macdonald, Nelson, Richards	S Griffin (CEO) P Jane (ACT-GM) J Wall (GM) P Jamieson (ACT-GM) P Bettess (GM) S Cavanagh (MGR) R Bourke (CO ORD)	• Amendment C249 Adoption – Rollins Road, Bell Park • Amendment C187 Adoption – Geelong Ring Road Employment Precinct • Little Malop Street Water Feature • Barwon Heads Early Learning Centre (Kindergarten) Development • Manton Road and Lester Street, Moolap – Proposed Road Construction SRC 311 – Intention to Declare • Bellarine Local Coastal Hazard Assessment – Third Pass Assessment • Whittington Land Use Concept Strategy – Consideration of Submissions • Children's Week 2011 Evaluation • Funding Application (Confidential) • High Street Belmont Proposed Construction of Easement Drain SRC303 – Declaration of Charge • The Terrace Ocean Grove – Proposed Road Construction SRC314 – Declaration of Charge • Proposed Footpath, Bonnyvale Road and Ocean Throughway, Ocean Grove – Proposed Footpath Construction SRC297 – Declaration of Charge • The Geelong Project Update • Geelong Adolescent Sexuality Program (GASP) Youth Suicide Prevention Project • Consideration of Tender Submissions for Tender T12059 – Provision of Park, Playground and Fitness Equipment, Outdoor Furniture, Structures and Signage and Related Products and Services	Nil.

PLANNING DELEGATIONS

Portfolio:	Planning – Cr Macdonald
Source:	Economic Development, Planning & Tourism - City Development
General Manager:	Peter Bettess
Index Reference:	Delegation

Summary

- Section 98 of the Local Government Act 1989 and section 188 of the Planning and Environment Act 1987 empower Council to delegate its powers, duties and functions under relevant legislation to members of Council staff.
- Council may also delegate to committees comprising Councillors and staff or a combination of both, pursuant to sections 86 and 87 of the Local Government Act and section 188 of the Planning and Environment Act.
- At its meeting on 13 March 2007 Council established a Planning Committee and a Development Hearings Panel with delegated powers to determine upon any development applications which have been the subject of an objection or in circumstances where officers have recommended refusal of the application.
- At its meeting on 23 September 2008 Council adopted a recommendation to allow Officers (restricted to Manager, Coordinator and Team Leader level) the ability to consider and approve applications with five or less objections.
- The appendix to this report contains a schedule of all applications determined under these delegations.

Cr Abley moved, Cr Macdonald seconded -

That the information be received.

Carried.

Monthly Decision Report – December 2011

App Number	Location	Application Type	Decision Date	Description	Authority Description
483/2011	80 Balliang Street, South Geelong	Construction of Additional Dwelling	16-Dec-2011	Refusal to Grant a Planning Permit	Development Hearings Panel
807/2011	44 Forster Street, Norlane	Buildings and Works Associated with Construction of Two Additional Dwellings and Garage for Existing Dwelling	2-Dec-2011	Notice of Decision to Grant a Planning Permit	Development Hearings Panel
94/2010	2495 Ballan Road, Anakie	Use and Development of a Dwelling, Creation of Access to a Road in a Road Zone, Category 1 and Removal of Vegetation	2-Dec-2011	Support Refusal at VCAT	Development Hearings Panel
995/2011	3 Edith Court, St Leonards	Construction of Two (2) Double-Storey Dwellings and Three (3) Lot Subdivision	19-Dec-2011	Notice of Decision to Grant a Planning Permit	Development Hearings Panel
1058/2011	5 Wintersun Court, Clifton Springs	Construction of one dwelling more than 7.5m in height	6-Dec-2011	Notice of Decision to Grant a Planning Permit	Delegated Authority - 2 objectors
1079/2011	12 Dahlhaus Court, Leopold	Four lot subdivision	23-Dec-2011	Notice of Decision to Grant a Planning Permit	Delegated Authority - 2 objectors
1087/2011	121 Verner Street, Geelong	Subdivision of the Land into Two (2) Lots	14-Dec-2011	Notice of Decision to Grant a Planning Permit	Delegated Authority - 1 objector
1193/2011	120 Aberdeen Street, Geelong West	Partial Demolition of Rear of Existing Dwelling, and Alterations and Additions to an Existing Dwelling within a Heritage Overlay	16-Dec-2011	Notice of Decision to Grant a Planning Permit	Delegated Authority - 2 objectors
345/2011	2-20 Kingston Downs Drive, Ocean Grove	Buildings and Works (Retaining Wall, Acoustic Fencing and Drainage) Associated with Existing Shopping Centre	15-Dec-2011	Notice of Decision to Grant a Planning Permit	Delegated Authority - 2 objectors
639/2011	44 Wedge Street, Ocean Grove	Removal of Restriction from Title (PS508990C 23/5/2006)	15-Dec-2011	Notice of Decision to Grant a Planning Permit	Delegated Authority - 2 objectors
645/2011	9 Lascelles Avenue, Manifold Heights	Alterations and Additions to Existing Dwelling, and Construction of Two (2) Dwellings	20-Dec-2011	Notice of Decision to Grant a Planning Permit	Delegated Authority - 2 objectors

Monthly Decision Report – December 2011

App Number	Location	Application Type	Decision Date	Description	Authority Description
693/2011	447-449 Bellarine Highway, Moolap	Two (2) Lot Subdivision and Creation of Access to a Road Zone Category One	14-Dec-2011	Notice of Decision to Grant a Planning Permit	Delegated Authority - 2 objectors
729/2011	22 Clarke Street, Portarlington	Construction of Dwelling over 7.5 metres in height..	13-Dec-2011	Notice of Decision to Grant a Planning Permit	Delegated Authority - 2 objectors
830/2011	210 Pakington Street, Geelong West	Use of Land for the sale and consumption of liquor associated with a Restaurant/Cafe Liquor License	14-Dec-2011	Notice of Decision to Grant a Planning Permit	Delegated Authority - 2 objectors
952/2010	47 Forest Road South, Lara	Three Lot Subdivision (adjacent to a road in a Road Zone, Category 1), Construction of Works within PAO3 (Accessway and associated works), Demolition of Existing Building within PAO3 (Stone Shed), Removal of Vegetation within PAO3 and Creation of Access t	21-Dec-2011	Notice of Decision to Grant a Planning Permit	Delegated Authority - 1 objector
983/2011	33 Eton Road, Belmont	Additions to the existing dwelling, construction of second dwelling and a two (2) lot subdivision	14-Dec-2011	Notice of Decision to Grant a Planning Permit	Delegated Authority - 1 objector

Cr Macdonald moved, Cr Abley seconded –

That the meeting be closed to the public.

Carried.

The Meeting was closed to the public at 8.49pm

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 8.52pm

CLOSE OF MEETING

As there was no further business the meeting closed at 8.52pm. Tuesday, 31 January 2012.

Signed: _____
Chairperson

Date of Confirmation: _____