

MINUTES

COUNCIL MEETING

TUESDAY, 23 FEBRUARY 2021

6.00PM

**COUNCIL CONFERENCE AND RECEPTION CENTRE
CITY HALL
LITTLE MALOP STREET, GEELONG**

COUNCIL:

Cr S Asher (Bellarine Ward)

Mayor

Cr T Sullivan (Bellarine Ward)

Deputy Mayor

Cr J Mason (Bellarine Ward)

Cr E Kontelj (Brownbill Ward)

Cr S Mansfield (Brownbill Ward)

Cr P Murrihy (Brownbill Ward)

Cr B Harwood (Kardinia Ward)

Cr B Moloney (Kardinia Ward)

Cr R Nelson (Kardinia Ward)

Cr A Aitken (Windermere Ward)

Cr K Grzybek (Windermere Ward)

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**MINUTES OF THE COUNCIL MEETING
OF THE GREATER GEELONG CITY COUNCIL
HELD AT THE COUNCIL CONFERENCE AND RECEPTION CENTRE
CITY HALL, LITTLE MALOP STREET, GEELONG
ON TUESDAY, 23 FEBRUARY 2021
COMMENCING AT 6.00 PM**

PRESENT: Cr S Asher (Mayor), Crs A Aitken, K Grzybek, B Harwood, S Mansfield, J Mason, P Murrihy, B Moloney, R Nelson, T Sullivan

Also present: M Cutter (Chief Executive Officer), R Leonard (Director Governance, Strategy and Performance), G Smith (Director Planning, Design and Development)

OPENING: The Mayor declared the meeting open at 6.00pm.

ACKNOWLEDGEMENTS:

Council acknowledges Wadawurrung Traditional Owners of this land and pays its respects to all Elders past and present and to all Aboriginal and Torres Strait Islander People who are part of the Greater Geelong community today.

APOLOGIES: Cr E Kontelj.

LEAVES OF ABSENCE: Nil.

DECLARATIONS OF CONFLICTS OF INTEREST: Nil.

CONFIRMATION OF MINUTES:

Cr Sullivan moved, Cr Grzybek seconded -

That the Minutes of the Council Meeting held on 2 February 2021 be confirmed.

Carried.

PUBLIC QUESTION AND SUBMISSION TIME:

The following questions were submitted prior to the Council meeting from Tegan (Wetlands Armstrong Creek), John Verikios (Better Bike Connections), Terry Fahey (Dogs – Ocean Grove Beach), Monica Winston (Climate Change Response Plan). As they were not in attendance at the Meeting, responses addressing their concerns have been provided via email.

Angela Mangan asked the following questions in relation to a proposed Geelong West Development:

- 1) I would like to ask how Council is planning to deal with the increased traffic congestion problem along Pakington Street Geelong West, which is already at gridlock at certain times, if approval is given to development of medium-high density apartments in the area?
- 2) I refer to the twin tower 13 level development proposal in Gordon Avenue as an example, and would like to know what consideration has been given to, and how Council would address the problems of increased traffic traveling along Pakington Street if this twin tower development proceeds?
- 3) Related to this, how will Council prevent the residential, and often narrow side streets, running off Pakington Street from becoming "rat run" alternatives as traffic gridlock worsens - as there was evidence of this occurring during January when traffic came to a standstill on Pakington?

Gareth Smith (Director Planning Design and Development) responded:

Thank you for your questions, Angela.

With regards to the current application for Gordon Avenue, traffic generation and issues are considered as part of the review of the Planning Permit application. The applicant has submitted a traffic study which will be reviewed by Council's Traffic Engineers. In order for a permit to be considered, all proposed developments must provide a plan to minimise traffic generation and demonstrate that generated traffic will not cause unreasonable delay on the local road network. Issues raised by objectors, such as those in your question, are also considered as part of the review.

The Urban Design Framework, currently being developed for Gordon Avenue and the northern part of Pakington Street, will investigate current traffic issues and the potential traffic impacts of the proposed future development of these precincts. However, the actual development of these precincts will be defined by planning applications received over the next 30 years. During this time, improvements to local public transport, walking and cycling facilities and services are required, all of which will help reduce reliance on private cars for local trips.

PETITIONS: Nil.

1. NORTHERN AQUATIC & COMMUNITY HUB – FEDERAL FUNDING OPPORTUNITIES

Source: Governance, Strategy & Performance – Government Relations & Advocacy
Director: Rebecca Leonard

Purpose

1. To seek Council approval to apply for two federal funding opportunities for Northern Aquatic & Community Hub.

Background

2. The Northern Aquatic & Community Hub is a \$61.6 million transformative community infrastructure project that will provide health, fitness, community and civic facilities for Geelong's northern suburbs as well as serve a rapidly growing population.
3. Council has committed \$20.6 million to this priority project and is seeking the remaining \$41 million required through state and federal government funding.
4. Two federal funding opportunities have become available, where the Northern Aquatic & Community Hub is both an eligible project and is the preferred project for submission; the Building Better Regions Fund (Round 5) and the Local Roads & Community Infrastructure Fund (Phase 2).

Key Matters

5. The Northern Aquatic & Community Hub meets the eligibility to apply for \$20,000 to \$10 million under the Infrastructure Project Stream of the Building Better Regions Fund (Round 5), with applications closing on 5 March 2021.
6. The federal government has allocated the City of Greater Geelong \$8,262,225 under the Local Roads & Community Infrastructure Fund (Phase 2). The City must nominate project/s that meet the fund guidelines for approval via a Work Schedule up to the allocated amount.
7. The Northern Aquatic & Community Hub meets the eligibility criteria for the Local Roads & Community Infrastructure Fund (Phase 2) other than the completion date of June 2022. This deadline could not be met due to still seeking additional funding to deliver the project and the length of time to complete this substantial project once funding is secured. The guidelines, however, provide for an extension of time under exceptional circumstances.
8. The City believes Northern Aquatic & Community Hub would meet the definition of exceptional circumstances due to the significant benefit of the project to the Geelong community in immediate economic stimulus and jobs during construction as well as long term health benefits and the provision of community infrastructure for a growing population.
9. A two-year extension would allow the City reasonable time to secure additional funding and deliver the project.
10. Whilst there are many other worthy projects in the region that qualify to apply for this funding, the City recommends that this is the priority project for these funds for the Council.

Cr Aitken moved, Cr Grzybek seconded -

11. That Council:

- 11.1 Approve an application to the Building Better Regions Fund (Round 5) for \$10 million for the Northern Aquatic and Community Hub; and**
- 11.2 Approve the submission of a Work Schedule for approval to the federal Department of Infrastructure, Transport, Regional Development and Communications allocating \$8,262,225 in Local Roads & Community Infrastructure (Phase 2) funding to Northern Aquatic & Community Hub and requesting a two-year extension of the funding agreement under exceptional circumstances.**

Carried.

Attachment 1

Financial Implications

1. Construction of Northern Aquatic & Community Hub is currently costed at \$61.6 million. Council has committed \$20.6 million in its forward budget to the project and is seeking state and federal government funding for the remaining \$41 million.
2. Additionally, the City has invested \$2.2 million in planning and design so that the project is shovel ready and ready to begin construction tender once it is fully funded.
3. A business case was prepared by Deloitte in 2017, including detailed costings which have recently been re-confirmed.
4. The business case estimates that construction will inject \$67 million into the local economy and support 111 jobs.
5. Preventative health savings are estimated at \$111 million in the first decade.
6. The guidelines list that the objective of the Local Roads & Community Infrastructure Program is to stimulate additional infrastructure construction activity in local communities across Australia to assist communities to manage the economic impacts of COVID-19.
7. A two-year extension would need to be sought and approved by the federal government, to June 2024, under exceptional circumstances for the Local Roads & Community Infrastructure Fund (Phase 2). This allows some additional time to seek the remaining funding and deliver a project of this significance.
8. Northern Aquatic & Community Hub was not eligible under Local Roads and Community Infrastructure (Phase 1) funding as projects had to be completed by 31 December 2021, with no provision for an extension under exceptional circumstances.
9. The City has twice applied to the Building Better Regions Fund for \$10 million for the Northern Aquatic & Community Hub (then referred to as Northern ARC), when the project has been eligible under the fund guidelines.

Community Engagement

10. The Northern Aquatic & Community Hub project has included extensive community engagement over a number of years during its planning and design.
11. The project is supported as a priority project for Geelong by a number of key stakeholders including the Barwon Regional Partnership, G21, Committee for Geelong and the Geelong COVID Recovery Collective.

Social Equity Considerations

12. Northern Aquatic & Community Hub addresses social equity through the provision of equitable community infrastructure.
13. A key requirement of the facility is to provide access to the diverse community residing in Geelong's northern suburbs.
14. Norlane and Corio are ranked among the most vulnerable postcodes in Australia.

15. A recent survey (City of Greater Geelong 2019, Geelong Preventative Health Survey 2017) found that 22.6 per cent of respondents from Corio are classified as sedentary and 21.2 per cent rated their health as fair or poor. Over 21 per cent considered themselves to have high or very high distress rates. All these rates were double the average in the municipality. Over 54 per cent of respondents also identified themselves as obese or overweight.
16. Norlane and Corio have lower median household income, higher unemployment and a higher proportion of older people requiring assistance, compared to both Geelong and Victoria.
17. In August 2020, Corio/Norlane was listed as the second highest location in the state for JobSeeker recipients, numbering 3,071. This statistic, combined with the underlying issues listed above, clearly demonstrate residents in these areas are likely to be particularly hard hit by economic hardship as a result of the recession caused by the COVID-19 pandemic, including the attendant consequences for physical and mental health.
18. All these factors signal a greater need for wrap-around services and accessible public health facilities, particularly preventative health. Northern ARC has a focus on diversity, accessibility and inclusion, leading to better health outcomes and increased community resilience.
19. Geelong's significant current population growth, and projected future growth for the northern and western growth areas, requires careful planning and delivery of community infrastructure to maintain social equity. Northern Aquatic & Community Hub helps deliver current and future health needs for a large catchment area of the northern suburbs and well beyond.

Policy/Legal/Statutory Implications

20. If successful in the Building Better Regions Fund application, the City will enter into a funding agreement with the federal government.
21. If Northern Aquatic & Community Hub is approved by the Department of Infrastructure, Transport, Regional Development and Communications for Local Roads & Community Infrastructure funding, the City will enter into a funding agreement with the federal government.

Alignment to Council Plan

22. The recommendations in this report align with the strategic priorities detailed in the *Council Plan 2018-2022* of:
 - 22.1 Improved health and safety of our community;
 - 22.2 Informed social infrastructure and planning;
 - 22.3 A more inclusive and diverse community; and
 - 22.4 A thriving and sustainable economy.

Conflict of Interest

23. There is no known conflict of interest arising from any officer involved in the preparation of this report.

Risk Assessment

24. The risk of not being able to deliver the project within the deadlines for the Local Roads & Community Infrastructure Fund (Phase 2) has been acknowledged and mitigated by proposing a request for an extension of time under the provision of 'exceptional circumstances' in the guidelines.

Environmental Implications

25. There are no environmental implications related to this report.
26. The Northern Aquatic & Community Hub is aiming for a 5-star Greenstar certification in accordance with Council's *Sustainable Building Policy*.

**A copy of the article from Page 7 of the Geelong Advertiser dated 8 October 2020
has been removed due to licence requirements.**

2. BARWON HEADS VILLAGE PARK DOG CONTROL ORDERS

Source: Planning, Design & Development – Health & Local Laws
Director: Gareth Smith

Purpose

1. To recommend changes to the Dog Controls in Public Places Policy and dog control orders at the Barwon Heads Village Park (BHVP) in response to community engagement on the appropriateness of current dog control measures.

Background

2. In 2018, the City of Greater Geelong consulted with the Greater Geelong community for a review of the Dog Controls in Public Places Policy (the Policy). Feedback informed a policy position that increased the number of reserves that provide dogs off leash areas by 150%. The Policy changes also included that dogs should be on a leash in all municipal equestrian/pony club areas as a safety measure. This Policy was endorsed by Council at its 11 December 2018 meeting.
3. An audit of reserve signage was undertaken in 2019 to identify improvements in signage across the municipality, including those relating to dog orders. Funding was included in the 2020-21 budget to implement the audit findings which has seen signage upgrades progressively implemented in 2020.
4. The signage at 'Pony Paddocks' at Barwon Heads Village Park (BHVP), was replaced around September 2020 and caused an immediate community response as they were not aware of the 2018 Policy changes.
5. The current Policy regarding dog controls only permit dogs to be off leash on the two playing ovals at BHVP outside times when they are being used for organised sport and training.
6. The City has a licence agreement with the Barwon Heads and District Pony Club. Historically the Pony Club have used the pavilion and grounds within the BHVP once a month. Attachment 2 includes a plan of the BHVP, including the equestrian centre.

Key Matters

7. In response to local feedback and concurrent with the BHVP Masterplan process, the City investigated whether the application of the Policy should be modified, allowing for dogs to be walked off-leash within part of, or all of the reserve under certain circumstances.
8. A community survey on the matter was opened in January 2021, which received 304 responses. 82% of respondents support a change to the Policy to increase off-leash spaces in the BHVP, with the equestrian centre being the most supported space for dogs off-leash. Attachment 3 provides a summary of the community engagement. A petition, through change-org, to allow dogs off-leash within the equestrian grounds had 485 signatures by 31 January 2021.
9. Given the community feedback was overwhelmingly in support of permitting dogs off-leash in the equestrian centre of BHVP, it is recommended that the Policy and dog control orders be amended to enable dogs off-leash when the equestrian area is not in use.

Cr Asher moved, Cr Sullivan seconded -

10. That Council:

- 10.1 Note the findings from the community engagement on dog control orders in the Barwon Heads Village Park;**
- 10.2 Authorise the necessary amendment of the Dog Controls in Public Places Policy as shown in Attachment 4;**
- 10.3 Authorise the making of the Order under Section 26 (2) of the Domestic Animals Act 1994 to allow for dogs off-leash and supervised in the equestrian centre at the Barwon Heads Village Park when there are no horses present; and**
- 10.4 Delegate the Manager of Health and Local Laws the authority to carry out the required statutory advertising in the making of the Order by Council.**

Carried.

Attachment 1

Financial Implications

1. There are no financial implications associated with respect to amending the Policy and authorisation of the making of this Order by Council. There is small cost to update signage which can be funded from the 2020-21 budget allocation.

Community Engagement

2. Community engagement on dog controls at BHVP occurred between 6 January 2021 to 31 January 2021. A summary of the community engagement is provided in **Attachment 3**.
3. The survey was available online through the City's Have Your Say page and officers attended the BHVP on Friday, 8 January and Monday, 11 January to seek direct community input.
4. 304 survey responses were received by the City.
5. A change-org petition to allow dogs off-leash within the equestrian area had 485 signatures at the end of the community engagement period on 31 January 2021.
6. Prior to the community engagement taking place the Barwon Heads and District Pony Club indicated that they would support dogs off-leash when there are no horses present.
7. The community feedback in the survey regarding dog controls will also be considered as part of consulting the community regarding the draft BHVP Master Plan process planned to commence in April 2020.

Social Equity Considerations

8. The proposed changes to the Policy and orders aim to achieve a balanced approach, for the benefit of all members of the community.

Policy/Legal/Statutory Implications

9. The Dog Controls in Public Places Policy provides guidance to the community with respect to understanding dog control rules within the municipality and conditions that apply in open public spaces to ensure community safety, environment protection and fair and equitable access to such spaces.
10. The Policy notes that Council will review the effectiveness of 'Off Leash – Supervised Areas' on an ongoing basis and will consider any request for new 'Off Leash – Supervised Areas' to be established based on the following criteria, which will ensure safety, and equitable access to such spaces. These include:
 - 10.1 Linear open public spaces (i.e. green corridors, easements) may be considered if there is sufficient width to ensure safe use and passage;
 - 10.2 Public open spaces that do not contain a playground or where the playground is fully enclosed/fenced. Open public spaces with centrally located playgrounds are not suitable as an 'Off Leash - Supervised Area';
 - 10.3 Public open spaces that are located at a safe distance from busy roads;
 - 10.4 Any other public open space not mentioned above that is not adjoining/adjacent to a water body and where no wildlife is present;
 - 10.5 Places where there is no detriment to public safety or the environment through the use of such open public spaces; and

- 10.6 Suitable open spaces will be reviewed annually to monitor performance and identify any additional reserves that may be suitable as "Off Leash - Supervised Areas".
11. The BHVP equestrian centre/pony paddocks meet the above criteria for consideration as a new Off Leash – Supervised Area.
12. The Dog Controls in Public Places Policy has been amended to support BHVP equestrian centre/pony paddocks as an Off Leash – Supervised Area when horses are not present. A copy of the proposed amendments to the Policy are included as **Attachment 4**.
13. In order for dog control orders to have legal effect, Council, after agreeing to adopt the proposed orders, is required under Section 26 (2) of the Domestic Animals Act 1994 to formally authorise the 'making' of such Orders. The resolution of this report facilitates this need to create new orders and provides the appropriate delegations to progress in a timely manner.

Alignment to Council Plan

14. Improved Health and Safety of our Community:
- 14.1 Providing safer public places;
 - 14.2 Encouraging responsible pet ownership; and
 - 14.3 Promoting active living.
15. Informed Social Infrastructure and Planning:
- 15.1 Provide more quality spaces that support active lifestyles.

Conflict of Interest

16. There is no conflict of interest with respect to any officer in the preparation of this report.

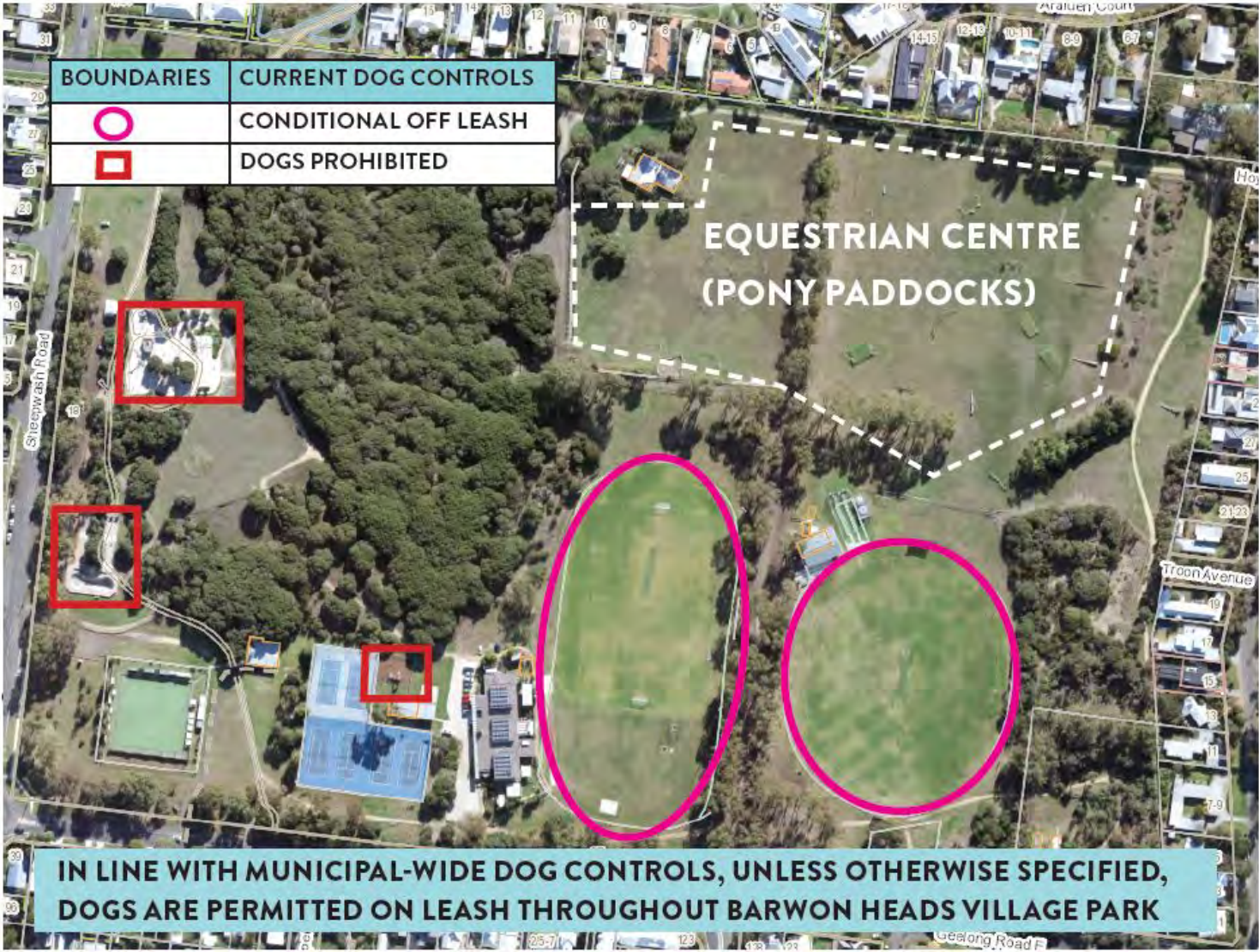
Risk Assessment

17. Signage will be placed in the BHVP to ensure that users of the park are aware that dogs are required to be on-leash when the equestrian grounds are in use.

Environmental Implications

18. There are no environmental implications associated with the recommendations contained in this report.

Attachment 2



COMMUNITY ENGAGEMENT SUMMARY

– DOG CONTROLS IN BARWON HEADS VILLAGE PARK

In line with the City's municipal-wide Dog Controls in Public Places Policy, dogs are currently required to be on-leash in most parts of the Barwon Heads Village Park (BHVP), including within the pony paddocks which is shared with the local pony club.

Dogs are only permitted to be off-leash on the two BHVP playing ovals, outside times when they are being used for organised sport and training.

In response to local feedback, and concurrent with the Barwon Heads Village Park Masterplan process, the City is investigating whether the application of the policy should be modified, allowing for dogs to be walked off-leash within part of or all of the reserve under certain circumstances.

In particular, in recognition that the pony paddocks are not used for equestrian activity most of the time, the City is considering whether dogs should be permitted off-leash in the equestrian centre, only when there are no horses and riders present.

In order to determine the best outcome for the reserve, we asked the community for their views about the current dog control measures at this site.

HOW WE ENGAGED

An online survey was available through the City's Have Your Say page from 6 January – 31 January 2021 and City officers surveyed the community in person at the BHVP on the morning of Friday 8 January and the afternoon of Monday 11 January 2021.



25 DAYS

of engagement



304

Total surveys received



628

Views of the Have Your Say page



40

Face to face surveys at the Village Park

COMMUNICATIONS

The community engagement was promoted predominantly by social media, using platforms Facebook, Instagram, Twitter, and Linked In. There was good engagement across the various platforms.

SOCIAL MEDIA



235

Actions (Clicks, reactions, shares, comments etc.)

9,364

Reach/Impressions



4

Posts – Instagram, Facebook, LinkedIn and Twitter

WHO WE ENGAGED WITH

PARTICIPATION

A total of 304 survey responses were received, 40 received in-person and 77% of those that responded live in Barwon Heads.

WHAT WE HEARD

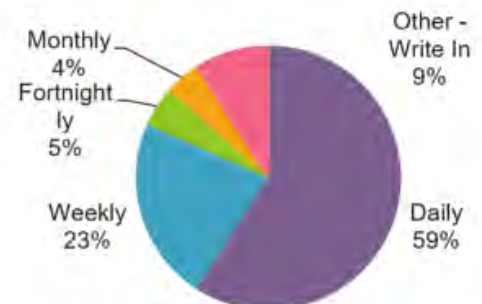
THE FEEDBACK

Dog walking was the most common reason people used the reserve at 79.2%, jointly followed by exercise or sport and general use/passive recreation.



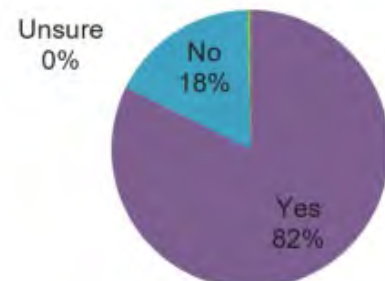
Most respondents who use the reserve for dog walking, do so daily or weekly mainly between the times of 9am to 5pm on weekdays and closely followed by 9am to 5pm on weekends.

Weekdays before 9am was also a popular time for dog walking.



Currently dogs are required to be on-leash in the reserve and only allowed off-leash and supervised on the playing ovals (outside times when they are being used for organised sport and training).

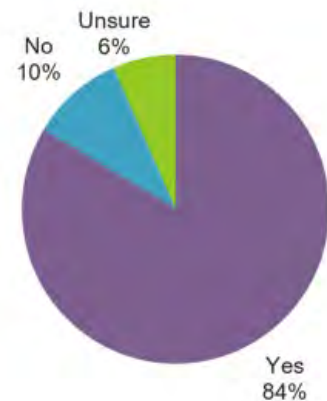
The majority of respondents (82.3%) were supportive of a change to the current policy that would provide for increased off-leash spaces.



PONY PADDOCKS

96.3% of those that were supportive of policy changes were supportive of off-leash times at the pony paddocks when there are no horses or riders present.

Asked if a change to the policy did occur to increase off-leash space or times for dogs, would respondents continue to use the reserve, 84% said yes.



RESPONDENT FEEDBACK

Most the respondents were very supportive of Council considering expanding off-leash areas citing health, wellbeing and community connectedness as the key benefits. Respondents with concerns raised issues mostly relating to owner lack of supervision of dogs off leashes, lack of poop collecting and the need for enforcement.

"I live here all year round. The horse oval is empty most of the time."

"I would appreciate the opportunity to use the reserve with our dog off-leash, respecting the days/times for use by the pony club and avoiding the area at those times."

"There needs to be a balance. The enormous number of dog owners in the area pay rates as well."

"Off leash dogs scare little children, disrupt picnic and barbecue for others and leave poop which their owners can't find or pick-up. Sometimes they fight with other dogs."

"The park is a wide, open space, it makes absolute sense for the walking track to be off leash under control. Many dog owners walk their dogs there and I have never seen a problem."

"I am disappointed that council want to limit off-leash areas as it is such a social experience for dog owners promoting wellbeing for all."

"I have two children who play sport and train and have games at the village park. The dog owners have no respect for the children playing sport and the dogs do whatever they want. I would only support off-leash if the dog owners follow the rules."

"I used to use this park for walking but after several dog attacks I stopped going there."

"The park is essential space for exercising our dog off-leash especially in summer where nearly all beaches prohibit dogs. Walking around the whole reserve for exercise as a person with our children is something we enjoy, and having him off leash exercising used to work really well. Being constrained to the two ovals when not in sporting use is limiting for off leash exercise."

"Our dogs get so much joy and exercise in these areas especially with young kids in my family we can get out all together and enjoy."

"Since October I have been looking after a friend's dogs due to border restrictions continuous alter our plans to get him to QLD and I have had nothing but joy chatting to others and him playing with another dog or getting a friendly pat from a walker by. Happy dogs off leads is healthy!"

"Let's all share these spaces and respect each other. Why are dogs being targeted and banned from everywhere. I've walked my dogs daily for 20 years in the Village Park and have never seen a negative incident involving dogs. Let's hope common sense prevails and we can all share these spaces."

KEY FINDINGS

The objective of this engagement was to learn about the current use of the reserve and the appropriateness of the current dog control measures at BHVP reserve.

In recognition that the pony paddocks are not used for equestrian activity most of the time, the City is considering whether dogs should be permitted off-leash in the equestrian centre when there are no horses present.

Key findings

97% of respondents were users of the reserve and 79.2% of respondents said the main reason for their visit was to walk their dogs.

Of respondents, 84% live locally, with 77% in Barwon Heads and 7.5% in neighbouring Ocean Grove.

The engagement demonstrated that:

- A large majority of respondents to the survey support a change to the current policy that would increase the off-leash dog areas in the reserve (82.3%)
- The pony paddocks are the most supported additional space for dogs off-leash (96.3%).
- In response to the question why people might not support an increase in off-leash areas, the four key themes that emerged include that:
 - Dogs are currently not appropriately supervised off-leash in this area.
 - Dog owners are not attentive enough in the clearing of dog poop.
 - Some respondents are concerned for themselves or their children around off-leash dogs.
 - There are already designated spaces in the park for dogs off-leash.
- In response to why people do support an increase in off-leash areas for dogs, four key themes emerged:
 - Appreciate having an off-leash space predominantly used by local residents.
 - Dogs are well behaved and under control, there is a lack of incidents, and owners are respectful of other park users.
 - The health and wellbeing benefits of being able to share the space with family members, children and dogs.
 - It would be a fair use and sharing of the spaces.

NEXT STEPS

- These feedback results will be shared with Council for consideration when determining if any change should be made to the current dog controls within the BHVP.
- The results from Council's deliberations will be shared with survey respondents who supplied their details and promoted to local residents and the wider community.
- If any changes are determined by Council, new signage will be installed to inform park users about the dog controls for that area.

Attachment 4

COUNCIL POLICY



DOG CONTROLS IN PUBLIC PLACES	Document No:	CPL50.3
	Approval Date:	11/12/2018
	Approved By:	Council
	Review Date:	
Responsible Officer: Director Planning, Design and Development	Version No	03
Authorising Officer: Chief Executive Officer		

PURPOSE

The purpose of this policy is to recognise that dog controls in public places are necessary, and implemented with a balanced approach, for the benefit of all members of the community.

The policy will guide the community with respect to understanding dog control rules within the municipality and conditions that apply in public open spaces to ensure community safety, environment protection and fair and equitable access to such spaces.

SCOPE

The policy applies to all Council managed lands subject to a Council Resolution and Order under Section 26 (2) of the Domestic Animals Act 1994.

REFERENCES

Domestic Animals Act 1994

Domestic Animal Management Plan 2018 - 2021

DEFINITIONS

Road has the same meaning as ascribed to it by Section 3 of the Local Government Act

COUNCIL POLICY

The following principles will be used for the implementation of this policy:

Off Leash 'Supervised' Areas

Locations

Dogs are allowed off leash and supervised in specific designated public open space areas and/or any area as indicated by the relevant signage. This includes, amongst other designated public open spaces:

- Those paths and adjoining land located on the Fyansford Common and the shared path on the northern side of the Barwon River upstream from the Queens Park Bridge to Fyansford Common including Zillah Crawcour Park);
- Sporting grounds/ovals (playing area) outside times when being used for organised sports, including training (as defined by a formal booking with Council); except those playing surfaces/spaces with artificial surfaces and dogs must be kept a minimum of 10 metres away from turf wickets;
- Sporting complexes/reserves – outside times when being used for organised sports, including training (as defined by a formal booking with Council). The exception to this is any equestrian centre which is an on-leash area at all times, unless otherwise allowed through a site specific Dog Control Order authorised by the Council ;
- A range of Reserves and broad Open Space Parks as listed in the attachment to this Policy and as represented by Table 1; and
- Council approved Dog Parks.

Council will review the effectiveness of these 'Off Leash – Supervised Areas' on an ongoing basis and will also consider any request for new 'Off Leash – Supervised Areas' to be established based on the following criteria, which will ensure safety, and equitable access to such spaces. These include:

- Linear open public spaces (i.e. green corridors, easements) may be considered if there is sufficient width to ensure safe use and passage;
- Public open spaces that do not contain a playground or where the playground is fully enclosed/fenced. Open public spaces with centrally located playgrounds are not suitable as an 'Off Leash - Supervised Area';
- Public open spaces that are located at a safe distance from busy roads;
- Any other public open space not mentioned above that is not adjoining/adjacent to a water body and where no wildlife is present;
- Places where there is no detriment to public safety or the environment through the use of such open public spaces; and
- Suitable open spaces will be reviewed annually to monitor performance and identify any additional reserves that may be suitable as "Off Leash - Supervised Areas".

Conditions Applicable to 'Off Leash - Supervised Areas'

The following conditions must be followed when using the 'Off Leash - Supervised Areas':

- Dog owners must have a leash in their possession at all times so as to secure their dog when required and to place their dog back on the leash when leaving an off-leash area; and
- Dogs that are over excitable and providing unwanted attention towards people, wildlife, cyclists or other dogs, should be kept on leash in such circumstances. Those dogs that are aggressive and/or behave in an anti-social manner towards other people, wildlife, cyclists or other dogs should be muzzled and on leash when in public.

When encountering other people or animals using this area, the dog must be supervised and under effective control, which includes:

- The handler must be able to demonstrate audible control of the dog;
- Dogs must remain in visual and audible range of their handler to allow it to be effectively recalled at any time;
- The dog owner applying necessary recall and restraint to their dog when the dog interacts with other dogs or persons within an off-leash area, unless permitted otherwise by the owner of the other dog(s) or persons to enable the safe socialisation of dogs;
- Dogs must not enter water habitats that contain wildlife, beach nesting birds or chase wildlife in these areas;
- Dogs attracted to the motion of wheels must be controlled at all times;
- Dogs declared menacing/dangerous/restricted breed are not permitted to be walked off-lead in 'Off Leash – Supervised Areas'; and
- The handler must at all times have a means to pick up and appropriately dispose of dog droppings in a waste bin.

Signage

- Signs will clearly indicate those parks, reserves or public open spaces where dogs are permitted to be off a leash and supervised.

On Leash 'Controlled' Areas

- Within the City of Greater Geelong, unless otherwise designated by signage as an 'off leash' area (Table 1), all public open space Areas, parks, reserves and other Council lands shall be designated as 'On Leash - Controlled Areas'.

More specifically this includes:

- All roads and footpaths/nature strips/shared paths;
- Beaches, reserves and parks;
- Shopping centres;
- High use areas pedestrian and/or cycling areas (for example the Waterfront Precinct in Geelong);
- Sporting complexes and reserves (not including playing area) during times of organised sports (as defined by a formal booking with Council which includes times booked for sports practice/training). The exception to this is any equestrian centre which is an on-leash area at all times, unless otherwise allowed through a site specific Dog Control Order authorised by the Council;
- All areas in the Kardinia Park Reserve Precinct (except for the Kardinia Park West ground playing surface and Geelong Cricket Ground) at all times;
- At Council sanctioned/approved events, markets etc.;
- Shared use paths or walking paths and including areas either side of the abutting edge of the path; (except those in designated 'Off Leash – Supervised Areas');
- Dogs are prohibited within ten (10) metres of a children's playground but can be safely tethered no less than ten (10) metres from any play equipment; beyond ten (10) metres, the dog rules (as per the signage) for that location would apply;
- Dogs being within and/or tethered within ten (10) meters of picnic and barbecue areas (as defined by Council provided barbecues and/or tables and associated seating);
- In areas designated as environmentally significant ;
- Jetties, piers and boat ramps;
- Water bodies such as creeks, rivers, lakes and beaches unless signposted as a dedicated swimming area for dogs;
- Beach foreshore and coastline areas (except those designated otherwise): and
- Other Council lands.

Conditions applying to all 'On Leash Controlled Areas' and 'Off Leash Supervised Areas'

- The handler must at all times have a means to pick up and appropriately dispose of dog droppings in a waste bin;
- Dogs when tethered in a public place must be safely secured within the line of sight and able to be adequately and promptly supervised; and
- All leads including retractable leads must be restricted to approximately 2 metres in length in 'On Leash – Controlled Areas' when encountering other people, wildlife, cyclists or dogs.

Dog Control Categories

Dog Control Categories (applicable to coastline areas and other public open spaces as designated) apply to reflect the needs of all public open space users and ensure community safety and environmental protection.

Category 1 (Green) – Off leash 'Supervised' Area

- Areas where dogs are permitted off leash and supervised all year round.

Category 2 (Yellow) – Conditional Off Leash 'Supervised' Area

- Allow dogs off leash and supervised during specified times all year round; in the mornings prior to 10.00 a.m. and in the evenings after 5.00 p.m. Dogs would be required to be on leash at all other times.

Category 4 (Brown) – On Leash 'Controlled' Area (Environmentally Sensitive Areas) and/or high use pedestrian/tourist precincts

- Areas where dogs are required to be on leash all year round due to:
 - environmental sensitivity;
 - where there is an Order by Council;
 - the land management authority (not being Council) has regulated dog access under their own rules or legislation; and
 - high use pedestrian/tourist precincts.

Category 5 (Purple) – Conditional on Leash ‘Controlled’ Area (Hooded Plover and Wildlife Zones)

- Allow dogs on leash during specified periods as designated by signage including periods during the hooded plover nesting season and/or other periods dedicated to protecting other wildlife (i.e. seals, penguins). Dogs are permitted to be off leash and supervised at other times/periods.

Category 6 (Red) - Exclusion Area All Year Round

- Areas that will have dogs prohibited where:
 - there is extremely high environmental sensitivity;
 - there is an Order by Council;
 - the land management authority (not being Council) has prohibited dogs under their own rules or legislation (effected by a dog control order);
 - there are artificial sporting playing surfaces;
 - organised sport is being played on a sporting reserve/oval (playing area only);
 - they are Council buildings (Guide/Assistance Dogs exempted); and
 - the facilities are of Regional importance; these include the John Landy Athletics Track/Field, Goldsworthy Athletics Track/Field, Geelong Baseball Centre (Pioneer Park).

Table 1 - Designated 'Off Leash - Supervised Areas'

Park/Reserve	Location
North Zone	
All Sporting Grounds/Ovals (playing surfaces) when no organised sport is being played	21 (as at September 2018)
All Sporting Reserves (non-playing surfaces) when no organised sport is being played	14 (as at September 2018)
Elcho Park (all areas other than the Equestrian Centre)	125 Elcho Road, Lara
Abe Wood Reserve	300 Evans Road, Lovely Banks
Sutcliffe Reserve	240-268 Plantation Road, Corio
Stead Park	190-216 Princes Highway, Corio
Myers Reserve	5-35 Bluestone Bridge Road, Bell Post Hill
Seagull Paddock	380-400 Melbourne Road, North Geelong
Fyansford Common	Deviation Road, Fyansford
Goldsworthy Open Space Reserve	49 Goldsworthy Road, Corio
Rennie Street, Hovells Creek Reserve	106 Rennie Street, Lara
Rippleside Park (conditional off leash – before 10.00am. and after 5.00 pm)	42 Bell Street, Rippleside
Haines Reserve	1A Wilks Street, Hamlyn Heights
Kevin Kirby Reserve	39-49 Heytesbury Street, Herne Hill
Chirnside Park	39-65 Patullos Road, Lara
Weddell Street Reserve	56-98 Weddell Road, North Geelong
Hovells Creek Reserve, Limeburners Point Open Space areas	150 Foreshore Road, Corio
Sparrow Park	158-178 Hope Street, Geelong West
South Zone	
All Sporting Grounds/Ovals (playing surfaces) when no organised sport is being played	25 (as at September 2018)
All Sporting Reserves (non-playing surfaces) when no organised sport is being played	16 (as at September 2018)

Park/Reserve	Location
Rotary Centennial Park	188A West Fyans Street, Newtown
Frank Mann Reserve	5 Heal Street, Ceres
Grinter Reserve (all areas other than the Equestrian Centre)	125-177 Coppards Road, Moolap
Brearley Reserve	Grove Road, Marshall
Breakwater Road Reserve	Breakwater Road, Belmont
Gun Dog Lane	26-76 Gun Dog Lane, Marshall
Aldershot Reserve	41-55 Aldershot Reserve, St Albans Park
Barwon Valley Park	42-120 Barrabool Road, Belmont
Pepperdine Park	84-102 Thornhill Road, Highton
Montpellier Park	8-10 Westbury Terrace, Highton
Woolscour Lane	5-23 Woolscour Road, Marshall
Eastern Park – open space areas	Eastern Park Circuit, East Geelong
John Croft Reserve	35-53 Heyers Road, Grovedale
Transmission Line Reserve	14A Greenville Drive, Grovedale
Transmission Line Reserve	37 Burdoo Drive, Grovedale
East Zone	
All Sporting Grounds/Ovals (playing surfaces) when no organised sport is being played	14 (as at September 2018)
All Sporting Reserves (non-playing surfaces) when no organised sport is being played	13 (as at September 2018)
Portarlington Recreation Reserve	4-22 Sproat Street, Portarlington
Drysdale Recreation Reserve	30 Duke Street, Drysdale
Charles McCarthy Memorial Reserve	Leviens Road, St Leonards
Kingston Park Recreation Reserve	8-52 Adco Grove, Ocean Grove
Green Acre Drive Reserve	14-24 Green Acre Drive, Leopold
Lake Avenue Reserve	36-66 Blue Waters Drive, Ocean Grove
Collendina Reserve	93A Sunset Strip, Ocean Grove
Beacon Point Reserve	Beacon Point Road, Clifton Springs

Dog Controls in Coastal and Other Open Space Areas

The following maps (19 in total) show various coastal beaches and any adjoining reserves and open space areas within the City of Greater Geelong. The maps commence at the south western boundary of the municipality and work around the coastline to the north eastern boundary near Little River.

MAP NO	DESCRIPTION
Map 1	Overview of Municipality Coastline.
Map 2	Designated 'Off Leash - Supervised' Areas within Sporting Complexes and Reserves.
Map 3	Redgum Island, Fyansford Common – Barwon River.
Map 4	Breamlea Beach and Bancoora Beach.
Map 5	Ocean Grove, Collendina and Point Lonsdale Beaches.
Map 6	Deleted
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Map 9	Ramblers Road; The Dell; Jetty Road and west of Jetty Road Beaches Clifton Springs.
Map 10	Point Henry (east and west side).
Map 11	Waterfront Precinct, Geelong.
Map 12	Western Beach; Rippleside Beach and St. Helens Beach.
Map 13	Moorpanyal Beach, North Shore; Shell Foreshore (beach area); Grammar School Beach; Limeburner's Lagoon and Avalon Beach.
Map 14	Batesford Reserve, Batesford.
Map 15	Land along Barwon River from Queens Park Bridge to Breakwater. This land is managed by Corangamite Catchment Management Authority (with a small portion managed by Barwon Water near the McIntyre Footbridge). Existing dog controls have been implemented by these land managers and Council does not have the authority to amend these controls.

Colour coding of the maps demonstrates dog controls at a glance. The category of controls in turn relate back to Council's Policy on Dogs in Public Places.

The areas depicted on the Maps are those where Council has made a decision in relation to dog controls on coastal reserves. Map 2 is a quick reference to the other open space off leash areas applicable at the time of the policy update.

QUALITY RECORDS

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

Record	Retention/Disposal Responsibility	Retention Period	Location
Domestic Animals Act 1994	Victorian Government	N/A	N/A
Domestic Animal Management Plan 2018-2021	Council Record Management System	4 years	Electronic Data System

Attachment 2



COMMUNITY ENGAGEMENT SUMMARY

In line with the City's municipal-wide Dog Controls in Public Places Policy, dogs are currently required to be on-leash in most parts of the Barwon Heads Village Park (BHVP), including within the pony paddocks which is shared with the local pony club.

Dogs are only permitted to be off-leash on the two playing ovals, outside times when they are being used for organised sport and training.

In response to local feedback and as part of the Barwon Heads Village Masterplan process, the City is investigating whether the application of the Policy should be modified, allowing for dogs to be walked/supervised? off-leash within part of or all of the reserve under certain circumstances.

In particular, in recognition that the pony paddocks are free from equestrian activity most of the time, the City is considering whether dogs should be permitted off-leash in the equestrian centre when there are no horses and riders present.

In order to determine the best outcome for the reserve we asked the community what they thought about the current dog control measures at this site.

HOW WE ENGAGED

An online survey was available through the City's Have Your Say page from 6 January – 31 January 2021 and City officers surveyed the community in person at the Barwon Heads Village Park on the morning of Friday 8 January and the afternoon of Monday 11 January 2021.



COMMUNICATIONS

The community engagement was promoted predominantly by social media, using platforms Facebook, Instagram, Twitter, and Linked In. A good response resulted.



WHO WE ENGAGED WITH

PARTICIPATION

A total of 304 survey responses were received, 40 received in-person and 77% of those that responded live in Barwon Heads.

WHAT WE HEARD

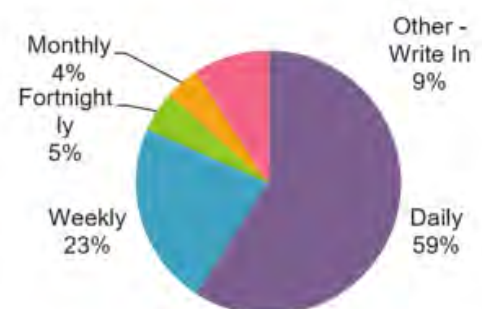
THE FEEDBACK

Dog walking was the most common reason people used the reserve at 79.2% then jointly followed by exercise or sport and general use or passive recreation.



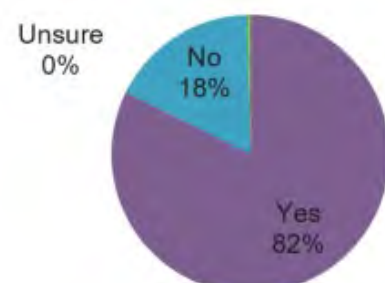
Most respondents who use the reserve for dog walking, do so daily or weekly mainly between the times of 9am to 5pm on weekdays and closely followed by 9am to 5pm on weekends.

Weekdays before 9am was also a popular time for dog walking.



Currently dogs are required to be on leash in the reserve and only allowed off leash and supervised on the playing ovals (outside times when being used for organised sport and training).

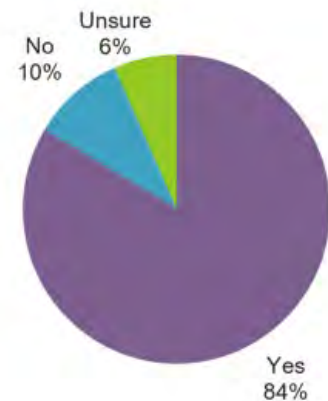
The majority of respondents (82.3%) were supportive of a change to the current policy that would provide for increased off-leash spaces.



PONY PADDOCKS

96.3% of those that were supportive of policy changes were supportive of off lease times at the pony paddocks when there are no horses or riders present.

Asked if a change to the policy did occur to increase off leash space or times for dogs, would respondents continue to use the reserve? 84% said yes.



RESPONDENT CONCERNS

While mostly the respondents were positive about expanded off-leash areas, there were also concerns raised about the current control of dogs at the Village Park

"Dogs aren't supervised off-leash"

"No one takes much notice of on-leash rules anyway (much to many park users' frustration). I only would support more time and areas if the rules were actually regularly enforced and people were fined."

"I have two children who play sport and train and have games at the village park. the dog owners have no respect for the children playing sport and the dogs do whatever they want. I would support off-leash in the dog owners follow the rules."

"Dogs approach children and cause fear."

KEY FINDINGS

It is important to note that 84.5% of respondents were residents of Barwon Heads (77%) and neighbouring Ocean Grove (7.5%).

The objective of this engagement was to learn about the current use of the reserve and the appropriateness of the current dog control measures at Barwon Heads Village Park reserve.

In particular, in recognition that the pony paddocks are free from equestrian activity most of the time, the City is considering whether dogs should be permitted off-leash in the equestrian centre when there are no horses present.

The engagement told us that:

- An overwhelming majority of respondents to the survey support a change to the current policy that increases the off-leash dog areas in the reserve.
- The pony paddocks are the most supported additional space for dogs off-leash.
- In response to the question why people might not support and increase in off-leash areas, the two key themes that emerged include that:
 - Dogs are not appropriately supervised in this area.
 - Respondents are concerned that dog walkers are not following the current guidelines
 - There are already designated spaces in the park for dogs off-leash.

Attachment 4

COUNCIL POLICY



DOG CONTROLS IN PUBLIC PLACES	Document No:	CPL50.3
	Approval Date:	11/12/2018
	Approved By:	Council
	Review Date:	
Responsible Officer: Director Planning, Design and Development	Version No	03
Authorising Officer: Chief Executive Officer		

PURPOSE

The purpose of this policy is to recognise that dog controls in public places are necessary, and implemented with a balanced approach, for the benefit of all members of the community.

The policy will guide the community with respect to understanding dog control rules within the municipality and conditions that apply in public open spaces to ensure community safety, environment protection and fair and equitable access to such spaces.

SCOPE

The policy applies to all Council managed lands subject to a Council Resolution and Order under Section 26 (2) of the Domestic Animals Act 1994.

REFERENCES

Domestic Animals Act 1994

Domestic Animal Management Plan 2018 - 2021

DEFINITIONS

Road has the same meaning as ascribed to it by Section 3 of the Local Government Act

COUNCIL POLICY

The following principles will be used for the implementation of this policy:

Off Leash 'Supervised' Areas

Locations

Dogs are allowed off leash and supervised in specific designated public open space areas and/or any area as indicated by the relevant signage. This includes, amongst other designated public open spaces;

- Those paths and adjoining land located on the Fyansford Common and the shared path on the northern side of the Barwon River upstream from the Queens Park Bridge to Fyansford Common including Zillah Crawcour Park)
- Sporting grounds/ovals (playing area) outside times when being used for organised sports, including training (as defined by a formal booking with council); except those playing surfaces/spaces with artificial surfaces and dogs must be kept a minimum of 10 metres away from turf wickets
- Sporting complexes/reserves – outside times when being used for organised sports, including training (as defined by a formal booking with council). The exception to this is any equestrian centre which is an on leash area at all times, unless otherwise allowed through a site specific Dog Control Order authorised by the Council
- A range of Reserves and broad Open Space Parks as listed in the attachment to this Policy and as represented by Table 1
- Council approved Dog Parks.

Council will review the effectiveness of these 'Off Leash – Supervised Areas' on an ongoing basis and will also consider any request for new 'Off Leash – Supervised Areas' to be established based on the following criteria, which will ensure safety, and equitable access to such spaces. These include:

- Linear open public spaces (i.e. green corridors, easements) may be considered if there is sufficient width to ensure safe use and passage
- Public open spaces that do not contain a playground or where the playground is fully enclosed/fenced. Open public spaces with centrally located playgrounds are not suitable as an 'Off Leash - Supervised Area'
- Public open spaces that are located at a safe distance from busy roads
- Any other public open space not mentioned above that is not adjoining/adjacent to a water body and where no wildlife is present
- Places where there is no detriment to public safety or the environment through the use of such open public spaces
- Suitable open spaces will be reviewed annually to monitor performance and identify any additional reserves that may be suitable as "Off Leash - Supervised Areas'.

Conditions Applicable to 'Off Leash - Supervised Areas'

The following conditions must be followed when using the 'Off Leash - Supervised Areas':

- Dog owners must have a leash in their possession at all times so as to secure their dog when required and to place their dog back on the leash when leaving an off leash area
- Dogs that are over excitable and providing unwanted attention towards people, wildlife, cyclists or other dogs, should be kept on leash in such circumstances. Those dogs that are aggressive and/or behave in an anti-social manner towards other people, wildlife, cyclists or other dogs should be muzzled and on leash when in public.

When encountering other people or animals using this area, the dog must be supervised and under effective control, which includes:

- The handler must be able to demonstrate audible control of the dog
- Dogs must remain in visual and audible range of their handler to allow it to be effectively recalled at any time
- The dog owner applying necessary recall and restraint to their dog when the dog interacts with other dogs or persons within an off leash area, unless permitted otherwise by the owner of the other dog (s) or persons to enable the safe socialisation of dogs
- Dogs must not enter water habitats that contain wildlife, beach nesting birds or chase wildlife in these areas
- Dogs attracted to the motion of wheels must be controlled at all times
- Dogs declared menacing/dangerous/restricted breed are not permitted to be walked off-lead in 'Off Leash – Supervised Areas'
- The handler must at all times have a means to pick up and appropriately dispose of dog droppings in a waste bin.

Signage

- Signs will clearly indicate those parks, reserves or public open spaces where dogs are permitted to be off a leash and supervised.

On Leash 'Controlled' Areas

- Within the City of Greater Geelong, unless otherwise designated by signage as an 'off leash' area (Table 1), all public open space Areas, parks, reserves and other Council lands shall be designated as 'On Leash - Controlled Areas'.

More specifically this includes:

- All roads and footpaths/nature strips/shared paths
- Beaches, reserves and parks
- Shopping centres
- High use areas pedestrian and/or cycling areas (for example the Waterfront Precinct in Geelong)
- Sporting complexes and reserves (not including playing area) during times of organised sports (as defined by a formal booking with council which includes times booked for sports practice/training). The exception to this is any equestrian centre which is an on leash area at all times, unless otherwise allowed through a site specific Dog Control Order authorised by the Council
- All areas in the Kardinia Park Reserve Precinct (except for the Kardinia Park West ground playing surface and Geelong Cricket Ground) at all times
- At Council sanctioned/approved events, markets etc
- Shared use paths or walking paths and including areas either side of the abutting edge of the path; (except those in designated 'Off Leash – Supervised Areas')
- Dogs are prohibited within ten (10) metres of a children's playground but can be safely tethered no less than ten (10) metres from any play equipment; beyond ten (10) metres, the dog rules (as per the signage) for that location would apply
- Dogs being within and/or tethered within ten (10) meters of picnic and barbecue areas (as defined by council provided barbecues and/or tables and associated seating)
- In areas designated as environmentally significant
- Jetties, piers and boat ramps
- Water bodies such as creeks, rivers, lakes and beaches unless signposted as a dedicated swimming area for dogs
- Beach foreshore and coastline areas (except those designated otherwise)
- Other council lands.

Conditions applying to all 'On Leash Controlled Areas' and 'Off Leash Supervised Areas'

- The handler must at all times have a means to pick up and appropriately dispose of dog droppings in a waste bin
- Dogs when tethered in a public place must be safely secured within the line of sight and able to be adequately and promptly supervised
- All leads including retractable leads must be restricted to approximately 2 metres in length in 'On Leash – Controlled Areas' when encountering other people, wildlife, cyclists or dogs.

Dog Control Categories

Dog Control Categories (applicable to coastline areas and other public open spaces as designated) apply to reflect the needs of all public open space users and ensure community safety and environmental protection.

Category 1 (Green) – Off leash 'Supervised' Area

- Areas where dogs are permitted off leash and supervised all year round.

Category 2 (Yellow) – Conditional Off Leash 'Supervised' Area

- Allow dogs off leash and supervised during specified times all year round; in the mornings prior to 10.00 a.m. and in the evenings after 5.00 p.m. Dogs would be required to be on leash at all other times.

Category 4 (Brown) – On Leash 'Controlled' Area (Environmentally Sensitive Areas) and/or high use pedestrian/tourist precincts

- Areas where dogs are required to be on leash all year round due to:
 - environmental sensitivity
 - where there is an Order by Council
 - the land management authority (not being Council) has regulated dog access under their own rules or legislation
 - high use pedestrian/tourist precincts.

Category 5 (Purple) – Conditional on Leash ‘Controlled’ Area (Hooded Plover and Wildlife Zones)

- Allow dogs on leash during specified periods as designated by signage including periods during the hooded plover nesting season and/or other periods dedicated to protecting other wildlife (i.e. seals, penguins). Dogs are permitted to be off leash and supervised at other times/periods.

Category 6 (Red) - Exclusion Area All Year Round

- Areas that will have dogs prohibited where:
 - there is extremely high environmental sensitivity
 - there is an Order by Council
 - the land management authority (not being Council) has prohibited dogs under their own rules or legislation (effected by a dog control order)
 - there are artificial sporting playing surfaces
 - organised sport is being played on a sporting reserve/oval (playing area only)
 - they are Council buildings (Guide/Assistance Dogs exempted)
 - the facilities are of Regional importance; these include the John Landy Athletics Track/Field, Goldsworthy Athletics Track/Field, Geelong Baseball Centre (Pioneer Park).

Table 1 - Designated 'Off Leash - Supervised Areas'

Park/Reserve	Location
North Zone	
All Sporting Grounds/Ovals (playing surfaces) when no organised sport is being played	21 (as at September 2018)
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Dog Controls in Coastal and Other Open Space Areas

The following maps (19 in total) show various coastal beaches and any adjoining reserves and open space areas within the City of Greater Geelong. The maps commence at the south western boundary of the municipality and work around the coastline to the north eastern boundary near Little River.

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

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ATTACHMENTS

3. ADOPTION OF COMMUNITY ENGAGEMENT POLICY

Source: Governance, Strategy & Performance – Corporate Affairs
Director: Rebecca Leonard

Purpose

1. For Council to adopt the Community Engagement Policy, taking into account feedback received by the community.

Background

2. A draft Community Engagement Policy (the Policy) was developed to reflect Council's ongoing commitment to meaningful community engagement, to replace the City's existing Community Engagement Policy and to meet community engagement requirements of the Local Government Act (Vic) 2020 (the Act).
3. On 15 December 2020, Council endorsed the draft Community Engagement Policy for community consultation.
4. Under the Act, Councils must adopt a Community Engagement Policy by 1 March 2021.

Key Matters

5. A program of deliberative engagement was undertaken to receive community feedback on the draft Policy.
6. The community engagement included:
 - 6.1 The City's *Have Your Say* page detailed the Policy project and diverse methods for providing feedback which included:
 - 6.1.1 An online feedback survey, quick poll and written submissions form; and
 - 6.1.2 Three online facilitated workshops.
7. The feedback received during this engagement process was representative of a wide variety of views and diversity of individuals, community groups and partner organisations.
8. The community feedback received through the engagement process is summarised in the Engagement Summary Report **Attachment 2**. In response to the feedback received, the following amendments to the Policy are recommended:
 - 8.1 Throughout the document, edits and wording change are proposed to improve the simplicity and readability of the document, using concise, plain English;
 - 8.2 Throughout the policy tables and images have been converted to text and hyperlinks added for external references to ensure the final document is accessible and suitable for screen-readers;
 - 8.3 Page 2, the addition of Acknowledgement of Country and overarching statement promoting genuine reconciliation with Aboriginal and Torres Strait Islander People;
 - 8.4 Page 3, re-wording of the Purpose, definition of Community Engagement and Why it is Important, to better represent the collaborative partnership between Council and community and the value of harnessing community knowledge and expertise;

- 8.5 Page 4, removal of third item from Out of Scope to better meet the requirements of the Act. (Noting how Council will proceed with submissions and panel hearing engagements is now included on Page 7, see below);
 - 8.6 Page 5, the inclusion of definitions for Engagement and Stakeholders;
 - 8.7 Page 6, some re-wording to better acknowledge the barriers to engagement participation and Council's responsibility to breaking down these barriers;
 - 8.8 Page 6, inclusion of distinction between pre-planning for emergencies, when engagements can take place, and a live emergency when Council may not engage;
 - 8.9 Page 7, inclusion of Council's approach to submission and panel hearing engagements previously conducted under section 223 of the Act 1989;
 - 8.10 Page 7 & 8 removal of sections of text under 'How we will engage' to reduce repetition and simplify the information to more clearly outline how forms of engagement will be identified and used;
 - 8.11 Page 9 removal of table with engagement tools, and inclusion of example tools being included under the Participatory and Deliberative sections instead;
 - 8.12 Page 9, inclusion of how Council may report back to community during engagement processes, not only after engagements have closed;
 - 8.13 Page 10, increased accountability regarding the use of this Policy within Council; and
 - 8.14 Page 10, improved identification of monitoring processes.
9. This Policy provides guidance about why we engage, when we will engage, who we will engage with, and how we will engage and includes the amendments proposed in the summary report in track changes (**Attachment 3**) and in a finalised version (**Attachment 4**).

Cr Mason moved, Cr Aitken seconded -

10. That Council:

- 10.1 Note the summary report, its recommendations and proposed amendments to the draft Community Engagement Policy;**
- 10.2 Adopt the engagement summary report recommendations; and**
- 10.3 Endorse and adopt the final Community Engagement Policy.**

Carried.

Attachment 1

Financial Implications

1. To ensure the City delivers on community expectations for meaningful and quality engagement, officers are reviewing engagement resources in line with the annual budget process.

Community Engagement

2. An engagement plan was delivered to ensure that the Policy was developed in consultation with the community.
3. The engagement plan included three stages of engagement in Policy development:
 - 3.1 Stage one – Engagement Practice Review (internal employee and external community surveys undertaken to gather sentiment on current engagement practice and recommendations for future practice);
 - 3.2 Stage two – Policy development consultation (internal stakeholder and Council liaison to inform the draft Policy and provide feedback and recommendations for the further development of the draft Policy); and
 - 3.3 Stage three – draft Policy consultation. Endorsed by Council, the draft Policy was published, and a number of deliberative engagement activities were delivered to provide accessible and inclusive engagement opportunities.

Social Equity Considerations

4. The Policy recognises the importance of equity, access and inclusion as a key priority to best practice engagement.
5. Social equity, diverse and inclusive participation, has been considered during workshops and interviews and considered in the development of the Policy.

Policy/Legal/Statutory Implications

6. Community engagement is an essential part of good governance. It supports the community to consider, respond to and participate in decision making.
7. The Policy:
 - 7.1 Ensures people who live, work and do business across our region have the opportunity to engage with Council and the City about upcoming decisions;
 - 7.2 Promotes effective, authentic and accessible community engagement as a mechanism to driving greater trust, stronger relationships and better outcomes for Council and the communities it represents;
 - 7.3 Establishes transparent processes to show how community input is used to inform and influence decision-making; and
 - 7.4 Guides Council to meet its legislated engagement obligations with the community, giving effect to the engagement principles under the Act.
8. The development of Council's Community Engagement Policy adheres to the legislated requirements set out in the Act.
9. The Policy must give effect to the legislated requirements set out in the Act.

10. Council adheres to the legislative requirements set out in the Act in implementation of the Policy.
11. The Act requirements have been considered and outlined in the development of this policy, the advice and guidance of the City Legal department has been sought and incorporated in the policy.

Alignment to Council Plan

12. Community engagement relates to the majority of areas of Council Plan. Community engagement is central to the development, implementation and evaluation of impact and effectiveness of the Council Plan.

Conflict of Interest

13. Council Officers have no general or material conflict of interest in preparing this report.

Risk Assessment

14. Community engagement is directly linked and impacts the City's reputation and trust with the people who live, work and invest in Greater Geelong.

Environmental Implications

15. No environmental implications will result from the recommendation of this report.

COMMUNITY
ENGAGEMENT
POLICY
feedback

OUTCOMES REPORT
FEBRUARY 2021

INTRODUCTION

This outcomes report summarises for Council the community engagement process undertaken by the City of Greater Geelong to determine its new Community Engagement Policy.

This process is part of the City's requirement to meet its engagement obligations with the community, as described under sections 55 and section 56 of the Local Government Act 2020 (Vic).

In a sense, the process undertaken to develop an engagement policy highlights the value of community engagement itself. The valuable insights and expertise contributed by members of the community has ensured that future community engagement endeavours receive richer information to drive better decisions for those who live and work in the region.

PROCESS

In order to develop a Community Engagement Policy that is truly reflective of the needs and desires of the greater Geelong community, Council commenced a process of engagement in August 2020.

There was thoughtful consideration by Council to provide various methods to collect feedback to ensure the process was inclusive and accessible to the diverse Geelong community, recognising the importance of equity, access and inclusion in engagement.

Two online surveys through the Have Your Say website encouraged community members and staff members to contribute to the conversation.

Following receipt of this feedback, in December 2020 Council endorsed a draft Community Engagement Policy to be shared with the community for review and feedback.

Council encouraged all of its community members to participate and to provide feedback. Five written submissions were received, and an online survey had 11 responses, with community members giving the draft policy an average score of 3.7 out of 5.

In order to more deeply explore the extent to which the draft policy reflected the community's preferences for Council engagement, two virtual workshops were held in January and February 2021. The virtual workshops attracted 13 participants representing diverse aspects of the Geelong community. The workshops were independently facilitated by Melbourne Leadership Group, who have a team of online facilitation experts with experience in community engagement.

The workshops were structured to enable community participants to provide both written and verbal feedback on the main structural elements of the proposed community engagement policy, as well as giving them an opportunity to reflect upon the feedback previously provided by the community through online surveys and earlier workshops.

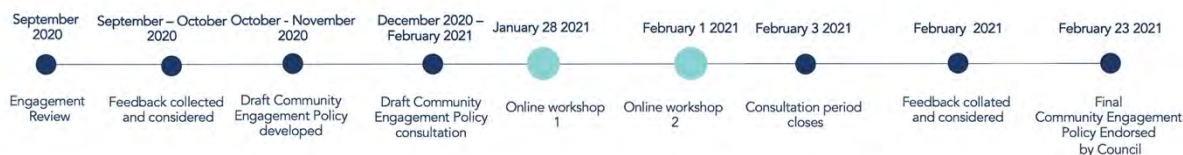
Objectives for the virtual workshops set a clear and aligned purpose for the workshops and its participants. The workshop objectives were to:

- Review the main themes of community feedback and test whether the draft policy is in line with community expectations
- Identify any specific gaps in when, how and with whom Council proposes to engage and how that engagement is reported back to the community
- Propose changes to the engagement policy for Council consideration

Participation in the virtual workshops was strong, with attendees engaging enthusiastically and providing thoughtful and reflective suggestions to further strengthen Council's draft community engagement policy.

An internal staff workshop involved 11 participants, who provided particularly helpful implementation feedback about how engagement may work in different parts of the organisation.

A timeline of the community engagement process for the policy is detailed below:



WHAT WE HEARD

Community members acknowledged the positive step Council was making in seeking to genuinely improve its community engagement process.

They participated enthusiastically and genuinely in the engagement process, and demonstrated great passion for future involvement in the decision-making processes of their local Council.

Feedback on the policy document was positive and broadly consistent across online survey respondents, virtual workshop participants and written community submissions.

Participants acknowledged the general simplicity and readability of the document, whilst encouraging Council to ensure it continued to use concise, plain English. For this reason, much discussion centred around what level of detail should be in the policy, and what should be reserved for more detailed supporting documents.

The section of the policy which generated most discussion was that centred on Who should be engaged. Community members were adamant that rigorous identification and selection of representative members of diverse parts of the community was absolutely critical to the success of the engagement process.

Linked to this idea, in the Victorian context of Treaty and self-determination, participants noticed the absence of reference to Aboriginal and Torres Strait Islander people in the policy. Council was strongly encouraged to have discussions with traditional owners of country to establish appropriate, meaningful, and more formalised arrangements for engagement.

There was, however, much enthusiasm for the idea that this engagement policy could represent something bold, ambitious and transformative. Rather than engagement being something that Council did to the community to fulfil a legislative requirement, it could instead be something community did *with* Council to generate better outcomes for the region. This may be an idea that builds momentum as the Council and community develop more sophisticated methods of engagement over time.

Specific pieces of feedback on each section of the document follow hereafter.

"After reviewing a few different local government policies currently open for review, this document is great and the best example I have seen. Its strengths include its use of language, ease of reading and a clear and well-structured layout."

PURPOSE

The feedback on this section of the policy was positive. Participants recognised the need for the Community Engagement Policy to have a clear purpose, and felt it needed to indicate not only that Council was required by law to engage with the community in certain situations, but also that there was a tremendous value to Council in connecting with the community.

Acknowledging the diverse experience, knowledge and expertise of the Geelong community in this section would help to explain the value of community engagement and the rich benefits to Council and the community it serves.

"Authentic and genuine engagement is vital to this policy. It's not merely ticking a box to say 'we engaged' when there was not genuine effort to reach those affected community members. The community should be collaborative partners rather than stakeholders on a checklist."

WHAT IS ENGAGEMENT?

Participants acknowledged the need for a clear and concise definition of community engagement. However, they also wished to incorporate references to the value that collaboration can bring to the decision-making of Council.

Placing reference to the skills and experience of the community at the heart of this section of the policy would make it clear that engagement is not something that Council 'does' to the community in a one-way communication effort, but rather is a two-way process of working with each other, in a spirit of partnership.

There was also considerable conversation about the need to reference the IAP2 spectrum in this section of the document, however this needs to be balanced against the desire expressed by many people to keep the policy simple and concise. To ensure that the document contains an appropriate level of detail, more sophisticated references to the IAP2 principles, frameworks and tools might be better reflected in internal Council documents that guide Council staff in the recommended methods for undertaking community engagement.

Finally, participants wanted a strong acknowledgement that engagement was more than simply seeking feedback. Seeking feedback was seen as a passive or 'least-we-can-do' option, whereas the community desires authentic, genuine engagement in a partnership that goes beyond simply seeking the community's view.

WHY IS IT IMPORTANT?

The feedback on this section of the document was very positive. Some participants felt that some of the sentiments in this section would be valuably expressed in the earlier Purpose or What sections of the policy. This led to some discussion that the appropriate order for the sections of the policy might be Purpose, followed by Why, followed by What. However, we believe most readers will find the current layout of the policy sections logical and understandable.

Participants liked the reference to authenticity and trust, and encouraged Council to consider how a robust community engagement process also helps to build confidence in the strength of local democracy. More than just enriching outcomes, it can also serve to build greater confidence in the leadership of the city and the future direction of the region. Best practice community engagement creates the ability for residents to play an influential role in decisions that affect where they live.

"The reasons for community engagement are well summarised, though more could have been said about why it matters to the community, versus its utility to Council – that is, the sense of being heard, empowered, engaged in decisions, and countering vested interests and organised lobbyists."

WHO WILL WE ENGAGE WITH?

The overwhelming reflection from participants about this section of the policy was the strong need for Council to engage groups who are hardest to reach, 'under-involved' or not typically engaged.

Participants questioned how Council intended to identify and select appropriately representative groups and individuals for engagement, and what methods would be used to best engage them. There was a strong caution to staff not to make assumptions about which people would be interested in a given policy, but rather to have vigorous methods for identifying broad groups of people who might indicate their interest in being engaged on particular Council decisions.

In order to assist with this, staff were encouraged to make use of existing, non-Council sponsored networks such as the Geelong Food Relief Network, Barwon Health's advisory committees, or local neighbourhood houses.

Alternatively, participants pointed out that existing community organisations could be funded to engage with community on specific topics, as they have trusted relationships with key members of the community. That level of trust and rapport could be crucial in uncovering valuable community advice, particularly from groups that may not traditionally engage with Council.

Council might also wish to make greater use of its own existing advisory committees for specific engagement purposes. This series of suggestions might best be incorporated in implementation guidelines for staff.

There was also a very strong theme in the discussion to bring the acknowledgement and involvement of traditional owners of country to the heart of the policy, rather than thinking of Aboriginal people as simply another stakeholder group to engage. Participants encouraged Council to have discussions with traditional owners of country in a spirit of self-determination to design appropriate, meaningful and more formal means of engagement.

Whilst acknowledging that Council is well-practised at including those people who have easy and regular access to Council information, bridging the digital divide was front of mind for the whole group. Lack of access to technology, or lack of comfort and confidence using Council websites or social media, was seen as a potential barrier for Council hearing valuable feedback and insights from the full breadth of the community.

In order to bridge this digital divide, the group encouraged Council to consider a wide range of engagement tools to ensure that diverse views can be heard. This might include non-digital means of engagement, including informal morning teas, home visits, flyers, and drop-in meetings at local community locations, including libraries and neighbourhood houses.

The feedback from the group specifically called out the need to ensure participation from groups that may find it more difficult to engage, including people with disabilities, culturally and linguistically diverse communities, renters, and people beyond the strict city boundaries who are nonetheless impacted by Council decisions.

Ultimately participants felt that Council must place great rigour in getting the right people to participate engagement activities in order to harness the expertise and knowledge for the good of the whole community. The spirit of “go where community are, don’t expect them to come to you” underpinned much of the mood of our workshop conversations.

“A good start to valuing community. To date this has not been done well and only those with loud voices have been heard. The importance of community engagement is captured well but more needs to be done to make sure all sectors are heard.”

“Apply intersectional praxis rather than inclusion, as inclusion tends to centre whiteness and those privileged in community engagement. Reframe inclusion being mindful of groups and majorities.”

“This section mentions barriers to engagement, however genuine engagement should be about breaking down those barriers to reach community members. My experience is engagement is really only sought from those who are active in providing feedback regularly or already motivated. This should have a target of new engagement participants to ensure barriers really do come down.”

WHEN WILL WE ENGAGE?

This section of the policy document was broadly welcomed by the participant group. It received the highest satisfaction scores in the online survey, and the least amount of feedback.

Of most interest to workshop participants were the circumstances in which Council may not engage with the community. Whilst encouraging Council to be broad in its application of engagement, participants acknowledged that Council cannot engage over every small decision that may be made.

However, a useful discussion centred around an important distinction in emergency management. Whilst participants acknowledged that during a live emergency engagement was not likely to be possible, participants felt that the planning phase of emergency management was an area where the community could provide valuable feedback. Further, a longer running emergency, such as a pandemic, provides many opportunities for community groups to be engaged to give valuable advice and insight to Council.

Participants also discussed whether Council should engage on discrete topics if asked to do so by the community or by one of its advisory committees. Council may like to give further consideration to this idea in future.

An interesting insight to emerge from these discussions was the idea that the policy could better reflect how Council might engage at different points of the decision-making process and be flexible in changing its method of engagement based on the feedback it receives along the way. For example, Council may commence an engagement initiative, realise that the issue at hand had a deeper intensity of feeling within the community than expected, and might then extend its consultation reach to more members of the community in response.

Retaining flexibility in the timing of engagements might also extend to changing the nature of the engagement process – moving from participatory methods early in the engagement process to more deliberative methods later, for example.

HOW WILL WE ENGAGE?

Participants felt this section of the policy was dense and repetitive. Council was encouraged to simplify the expression of the community engagement principles and consider how much detail on engagement processes needed to be documented in the policy. Several discussions supported the view that methods for engagement and details of engagement processes were more helpful to include in an implementation guide that might be used by Council staff.

In choosing the best engagement processes, Council was encouraged to learn from other best practice examples. It was pointed out that there may be best practice multicultural engagement examples that exist in other jurisdictions, such as New Zealand, and that even local organisations, such as Barwon Health, have robust and effective engagement processes that Council could learn from.

Council was encouraged to be very clear on which elements of Council plans and policies are negotiable and which are not. Acknowledging that there are limits to what can be achieved with consultation, participants felt that a spirit of honesty and authenticity created the obligation for Council to let people know how influential or powerful their voice would be in the ultimate decision-making process.

Some participants pointed out the inherent flexibility of some of the language used in this section of the policy, and the need, during its implementation, for Council staff to be conscious that different people in the community give different meanings to different terms. For example, what is genuine, appropriate, inclusive and accessible for one person may be very different to another. This makes the evaluation of community engagement methods critical to ensuring that they meet the expectations of all members of the community.

Several discussions focused on the value of including overt references to the IAP2 framework, principles and code of ethics. It was acknowledged that this framework is central to the underpinning philosophies of the new Local Government Act 2020 (Vic), and have also been core to long-established practises of community engagement undertaken in previous Council terms.

Some participants, however, felt that the IAP2 framework and tables unnecessarily duplicated other information already explained in the policy, or were complicated and pitched at a level that community members may not need or understand. Ultimately, the desire for brevity and simplicity in the policy means that specific references to the IAP2 framework might be best incorporated in implementation guidelines for Council staff rather than in the policy itself.

"Perhaps a supporting procedure and template to support Council staff in stepping through the engagement process would be valuable. Including some tick-box questions to ensure that the engagement principles have been taken into account, as well as information of the different engagement methods available."

"This section should include how to reach participants, not just the tool mentioned but to advertise to participants, the request to engage/provide feedback. For example, when seeking engagement, the channels are important to reach participants effectively. There needs to be a mix of channels - digital, traditional, face to face etc. Older people aren't generally going to see a social media post (as was used recently during engagement on local library opening times)."

HOW WE WILL REPORT ON ENGAGEMENT

Participants felt that this section of the policy was highly valuable. They recognised that reporting back to the community builds confidence in both the value of the engagement process and the decisions reached by Council.

They encouraged the incorporation of notions of accountability, wanting Council to feel true ownership of and commitment to the engagement process. Demonstrating a real obligation to report back to the community and explaining how community advice and insights had been incorporated into Council thinking and decision-making would strengthen the sense of partnership between Council and the community.

Participants also encouraged Council to make reporting back to the community a regular part of day to day operations. They saw tremendous value in the data and learnings arising from community engagement being shared with the community, but not only after decisions have been made. If feedback was reported to the community *during* the engagement process, it may be possible to listen to the community's reaction and change the nature of the community engagement process accordingly.

Recognising the digital divide which creates technological barriers to participation for some people, Council was encouraged to consider non-digital forms of reporting back, including notices in libraries and neighbourhood houses, and direct feedback via letters, phone calls and meetings with engagement participants and affected residents.

"How is feedback to be delivered? Honesty is promised, but what if Council completely ignores the inputs? Is this really made public? On what grounds might suggestions - or a consensus - be rejected or adopted or partially adopted?"

"It is important that feedback is clear, honest and in a form relevant to the participants."

RECOMMENDATIONS

1. Create Implementation Guidelines

A detailed policy implementation framework would be very valuable for staff, and indirectly increase community confidence in Council's engagement processes. It should set out how community engagement might be carried out for a variety of situations, based on the principles and code of ethics of the IAP2 framework. Standard templates and tools could be listed for particular styles of engagement. Matrices to assess level of community feeling or risk might also be helpful. Specific lists of stakeholders to be considered should form part of the guidelines.

2. Train staff in community engagement

In order to ensure continuous improvement in the breadth and quality of community engagement, relevant Council staff will need ongoing refresher and upskilling opportunities to deepen their familiarity with the policy and contemporary engagement techniques. This would also help to ensure consistency across the organisation in the form of engagement undertaken.

3. Consider the involvement of advisory committees

Council may like to give further consideration to the use of its existing advisory committees and examine whether they may have a useful or more frequent role to play in selected community engagement activities.

4. Ensure accessibility of the final document

The final document should be published in formats that enable screen readers to accurately read tables and headings for people using those devices. Hyperlinks which connect the reader to external resources would also be helpful.

5. Consider more ambitious approaches over time

As Council broadens and deepens its engagement practice through implementation of this policy, it might consider opportunities to be bolder and more transformative. After 12 months, for example, the growing sophistication and proficiency of Council staff in

conducting engagement processes might allow the next iteration of the document to be bolder and more transformative. This might include, for example, writing the document from the perspective of the community member, incorporating a central role for Aboriginal and Torres Strait Islander people in the spirit of self-determination, or setting targets for a certain percentage of community feedback to be incorporated into final decisions of Council.

MELBOURNE LEADERSHIP GROUP

www.melbourneleadershipgroup.com

THE CITY OF
GREATER GEELONG

COMMUNITY ENGAGEMENT POLICY

VERSION: 1

Approval Date: 23 February 2021

Approved by: Council

Review Date: 1 March 2025

Responsible Officer: Director, Governance, Strategy
and Performance

Authorising Officer: Chief Executive Officer

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ACKNOWLEDGEMENT OF COUNTRY

The City of Greater Geelong acknowledges the Wadawurrung People as the Traditional Owners of this land. We also acknowledge all other Aboriginal and Torres Strait Islander People who are part of the Greater Geelong community today.

We recognise the important civic leadership role that community engagement can play in promoting and fostering genuine reconciliation leading to real outcomes. We want to understand Aboriginal and Torres Strait Islander cultures and histories; and to acknowledge the experiences and needs of Aboriginal and Torres Strait Islander peoples living within the City of Greater Geelong region, so they feel listened to, respected and valued.

Introduction

PURPOSE

A collaborative partnership between Council and the community can be a powerful way to deliver positive changes across our region. Greater Geelong has a proud history of community-inspired leadership and our community is rich in lived experience and diverse in its expertise. The participation of everyone in our community is encouraged, welcomed, and valued because it helps us make better decisions and achieve better outcomes.

This policy is designed to ensure that Council not only meets its engagement obligations as described under sections 55 and section 56 of the Local Government Act 2020 (Vic), but does so in a way that truly harnesses the expertise and advice of the community it serves.

WHAT IS COMMUNITY ENGAGEMENT?

Community Engagement is a collaborative process used by Council to connect with the community.

The purpose of the engagement process is to seek feedback and insights about issues that might affect, impact or interest the community, such as planning, decisions or general council activities.

Council uses both participatory and deliberative forms of engagement, to ensure that the skills and experience of the community are used to help Council make better decisions.

WHY IS ENGAGEMENT IMPORTANT?

Engaging with the community ensures that Council makes decisions based on lived experience and in line with community views and values.

Being heard and engaged in decision making empowers members of our community to contribute to the future direction of the places where they live and work. Authentic community engagement promotes greater trust and confidence in local democracy, builds stronger relationships and leads to better outcomes for all of us . That's why it is critical that the decisions which shape the region's liveability and prosperity are informed and influenced by the people who live, work, visit or do business in the region.

Community engagement brings people from different backgrounds, experiences and perspectives together to share their views and shape the future. While the views of the community may not always align, best practice community engagement helps demonstrate to the community that a decision was made based on the views of the people living within the city.

SCOPE

This policy provides direction on all formal, legislative and informal community engagement planning and activities conducted by Council and anyone carrying out delegated duties or functions of Council. This includes:

- Councillors
- City officers
- external providers
- contractors and
- volunteers.

The following engagements are outside the scope of this policy:

- those related to planning permit applications and planning scheme amendments governed by the *Planning and Environment Act 1987* (Vic)
- legislated engagements governed under other Acts
- ~~Council or City matters where the statutory form of community engagement is governed by section 223 and section 119 of the *Local Government Act 1989* (which is being progressively repealed).~~

Definitions

ACT

Local Government Act (Vic) 2020.

THE CITY

The City of Greater Geelong organisation led by the Chief Executive Officer.

COMMITTEE

A delegated committee, joint delegated committee or community asset committee under sections 63, 64 and 65 of the Act, respectively.

COUNCIL

The Greater Geelong City Council comprising Councillors and its Delegated Committees.

DELIBERATIVE ENGAGEMENT

Deliberative engagement is a process of engagement that brings participants closer to the decision makers than other forms of engagement; where participants are provided with a clear task or question, have access to appropriate resources and information, and are given the time and space required to deliberate and reach their consensus.

ENGAGEMENT

A process for improved decision-making that invites the feedback from, and incorporates the insights, wisdom and concerns of, affected stakeholders and also meets the needs of the decision-making body.

PARTICIPATORY ENGAGEMENT

Participatory engagement involves one-way information exchange either from Council to community or community to Council. Participatory engagement typically occurs when feedback is invited on ideas, alternatives or draft documents.

STAKEHOLDERS

An individual or group with an interest in the decisions of Council, that is directly or indirectly impacted by the decisions made and the final outcomes.

WHO WE WILL ENGAGE WITH

We will engage with people likely to be affected by, or interested in, planning and decision-making by Council, including individuals, community groups, advisory committees, businesses and organisations, peak bodies and other levels of government.

However, we recognise that there are barriers to participation for some of these people and groups. Barriers could include abilities, language and cultural differences, carer and work responsibilities, technology, age and lack of access to transport.

To hear a full range of perspectives and make sure our decisions are meeting the needs of the community, we will tailor and plan our engagement processes to ensure the greatest number of people and groups can contribute. We will identify, reach out and engage directly with relevant people and groups where barriers are particularly significant, or certain people are under-represented. We will work to break down the barriers that see some people under-involved in decisions which affect their community.

Engaging with the community more broadly in this way will give us the best chance to make decisions that are informed and meet the needs of the community.

WHEN WE WILL ENGAGE

We will engage when Council anticipates decisions or plans are likely to impact the community. This may include situations where we are:

- making plans – for example, developing strategic plans or policies, or planning for emergencies
- changing something – for example changes to a service where those changes may have an impact on the community
- making a decision that is likely to impact people and the places they live, work, invest or play – for example, introducing a new project, initiative or service
- required by law to do so
- seeking to address an issue affecting the community that has been raised and requires a decision.

We may also engage in cases where Council:

- sees that the broader community has raised, or expressed an interest in, a policy, initiative or service
- requires assistance to identify community needs or aspirations
- desires to build capacity, provide information to increase knowledge and change behaviour
- seeks new or wishes to strengthen existing relationships with the community.

Situations where we may not engage

There are times when we may decide it is not appropriate to engage with the community. This would include situations where:

- decisions must be made immediately – for example, during a live emergency, or for occupational health and safety reasons
- decisions relate to the City's day-to-day organisation operations
- legal or commercial restrictions prevent it
- Council does not have the decision-making power.

HOW WE WILL ENGAGE

Community engagement principles

We will give effect to the five engagement principles described below in the design, delivery and reporting of all engagement activities.

1. A community engagement process must have a clearly defined objective and scope.
2. Participants taking part in community engagement must have access to objective, relevant and timely information to inform their participation.
3. Participants taking part in community engagement must be representative of the persons and groups affected by the matter that is the subject of community engagement.
4. Participants taking part in community engagement are entitled to reasonable support to enable meaningful and informed engagement.
5. Participants taking part in community engagement are informed of the ways in which the community engagement process will influence Council decision making.

In observance of the community engagement principles, we will:

- plan Council engagements to be proactive, timely, open and easily understood
- make sure engagement activities are inclusive, accessible and seek a diverse range of perspectives
- be upfront about how much opportunity there is to influence a decision
- define the community's role in any community engagement process
- provide community members with reasonable support to help them participate
- provide accessible information to support meaningful community participation
- let the community know how their input has influenced our decision,
- be flexible and adaptive as we engage, including being open to changing our approach, and
- learn from each experience to review and improve future engagement practices.

Choosing the form of engagement

We will match the appropriate tools and techniques for engagement to suit the purpose and scope of the engagement, and the community members being engaged. This will ensure that we use the appropriate variety of tools, activities and methods to produce the most meaningful feedback.

[For matters where the form of community participation and engagement is by an invitation to make submissions and to be heard at panel hearings, Council will continue to proceed in a manner modelled on section 223 of the Local Government Act 1989 in line with the engagement principles above.](#)

Factors that may influence the form of engagement chosen include:

- level of influence people and groups can have on the decision
- level of complexity and risk associated with a project
- specific project goals
- stages and timeframes of a project
- resources
- the legal and governance framework under which the Council operates.

Once the form of engagement for a given planning or decision-making process has been determined, the appropriate tools, activities and data-collection methods will then be identified. Broadly, the form of engagement can be described as either deliberative or participatory in nature.

Deliberative engagement

Deliberative engagement is a tailored process that brings participants closer to the decision makers than other forms of engagement. Deliberative practices, which may be co-designed, take place to allow for a representative group to deliberate on an issue in depth, over time, before coming to an informed consensus or decision.

Deliberative engagement methods include workshops, community panels, focus groups, advisory committees, citizen juries and ballots.

As part of the deliberative process, participants must:

- be provided with a clear task or question
- have access to appropriate resources and information and
- be given the time and space required to deliberate and reach the desired outcome, consensus or decision.

Deliberative engagement should be conducted when participants have a high level of influence over, or impact on the outcomes or decision to be made.

Council will engage deliberatively when developing things such as:

- the Community Vision
- Council Plan
- Asset Plan
- Financial Plan
- other significant projects or initiatives as considered appropriate.

Participatory engagement

Participatory engagement is an engagement process that enables participants to provide feedback that does not necessarily include a conversation or dialogue with us. Participatory engagement methods include informing people via fact sheets, websites and information sessions, or consulting with people through surveys, feedback forms, public meetings and drop-in sessions.

While participatory engagement may be a simpler process than deliberative engagement, it is valuable for hearing important and useful information from a broad range of people and groups.

Examples of situations where we may engage in participatory engagement include, but are not limited to:

- program development and evaluation
- determining satisfaction with services
- inviting community ideas or views
- seeking feedback on alternative draft documents, designs or plans
- gauging support for a proposal
- asking the community for local knowledge

HOW WE WILL REPORT ON ENGAGEMENT

We are accountable for reporting back to the community:

1. What we learnt during the engagement process – that is, the data and information collected as part of the process.
2. How this has influenced the decisions, plans and activities of Council.

In determining the best ways to report this information back, we will consider the people and groups involved, barriers to engagement, and the level of interest to the wider community.

Where it is valuable to do so, we will report back during the engagement process, so that the methods of exploring an issue with the community might be altered based on what we are learning and that newly identified stakeholders might engage as necessary throughout the process.

Methods for reporting back could include, but are not limited to:

- updates on Geelong Australia website
- updates on the project Have Your Say page
- posts on social media

-
- public notices and newspaper advertisements
 - printed materials in community facilities
 - direct communication, such as letters, phone calls and meetings, with the involved people and groups.

Implementing this Policy

RESPONSIBILITIES

Party/parties	Roles and responsibilities
Councillors	- Champion the commitment and principles for community engagement through leadership and decision-making. - Adopt the Community Engagement Policy, oversee its implementation, and hold staff accountable for its use and improvement.
Executive Leadership Team	- Demonstrate behaviours that foster good engagement practice and drive the community engagement principles through policy, process and leadership. - Implement and ensure compliance with this policy, and hold staff accountable for its use and improvement.
Leadership Team	Manage areas of responsibility to ensure community engagement is consistent with this policy.
All staff involved in community engagement planning and delivery	Design and deliver best-practice community engagement that aligns with this policy, in consultation with managers and the Corporate Affairs team.
Corporate Affairs' Community Engagement team	- Monitor the implementation of this policy and conduct periodic reviews to drive continuous improvement. - Support Council to plan and deliver best-practice engagement processes.

MONITORING AND REPORTING

The City commits to monitoring processes, information sharing and decision making to understand the overall level of success in the policy's implementation. Key evaluation measures of success over each 12 month period will include:

- community satisfaction with community consultation and engagement (annual survey)
- number of engagements
- number of participants
- adequacy of representation of under-involved or hard-to-reach communities
- percentage of deliberative and participatory engagements
- timeliness and regularity of reporting back to the community

and may also include measures such as:

- diversity of engagement methods
- information delivery modes
- effectiveness of participant identification process across target groups

This evaluation will be presented to Council annually.

ADVICE AND ASSISTANCE

The Responsible Officer, Manager Corporate Affairs, for this policy is responsible for advising the organisation about this policy, monitoring its implementation, and assisting community members with questions about the policy.

RECORDS

The City must retain records associated with this policy and its implementation for at least the period shown below.

Record	Retention / Disposal Authority	Retention Period	Location
This policy	Manager, Corporate Affairs	Four years	Geelong Australia

Record	Retention / Disposal Authority	Retention Period	Location
Feedback archives	Manager, Corporate Affairs	Four years	CityWeb location

REVIEW

Council should review and, if necessary, amend this policy before 1 March 2025. A periodic review of this policy will also be undertaken to ensure necessary changes or updates are made in a timely manner.

References

External references

- *Victorian Local Government Act 2020 (Vic)*
- *Victorian Local Government Act 1989 (Vic)* (being progressively repealed)
- *Public Participation in Government Decision-making Better Practice Guide – Victorian Auditor-General's Office 2015*
- *Public Participation and Community Engagement: Local Government Sector – Victorian Auditor-General's Report 2017*
- *Public Participation in Government Decision-Making – Victorian Auditor-General's Report 2017*
- *Victorian Government Draft Public Participation Framework (2020)*
- *Local Government Act 2020 – Principles Community Engagement (DELWP)*

4. OSBORNE HOUSE – SUSTAINABLE DEVELOPMENT PLAN – EOI PROCESS

Source: Community Life – Social Planning & Investment
Director: Robyn Stevens

Purpose

1. To seek approval from Council to undertake an expression of interest (EOI) process for the sustainable development and use of Osborne House.

Background

2. At the Council meeting on 8 September 2020 Council resolved (in part) to receive a further report in January 2021, outlining the terms of an EOI process, for the purpose of seeking interest from potential investors and government in the future redevelopment of Osborne House. This report was to also include an outline of options for the maritime and naval collection housed in the Osborne House Stables.

Key Matters

3. An EOI document (**Attachment 2**) has been developed to seek the engagement of potential investors, in partnering with Council on the redevelopment of Osborne House. The significant elements of the proposed EOI document and process include:
 - 3.1 A requirement for all expressions of interest to address the sustainable development parameters and principles previously adopted by Council;
 - 3.2 The EOI process will be a competitive process designed to occur in two stages. The aim of this being to provide confidence that only parties who can demonstrate a capacity and capability for the contemporary redevelopment and repurposing of historical buildings will be seriously considered; and
 - 3.3 A series of panels with persons representing areas of expertise and general community are involved in the decision-making process. This is achieved through the establishment of three assessment panels on the topics of 'Finance & Capability', 'Activation & Use' and 'Planning, Design & Heritage'.
4. The options paper (**Attachment 3**) for the future of the maritime and naval collection, broadly indicates a range of opportunities to house these collections in the future. The role of Osborne House will be the subject of further deliberation and should be consistent with the direction of Council's Cultural Heritage Strategy, which is currently being developed.

Cr Aitken moved, Cr Grzybek seconded -

5. That Council:

- 5.1 Endorse the implementation of an Expression of Interest process for Osborne House as outlined in the corresponding report to Council;**
- 5.2 Note the options paper for the future of maritime and naval collections, and that the housing of the collections at Osborne House will also be considered as part of the proposed redevelopment and the Expression of Interest process;**
- 5.3 Authorise the amendment of the draft Expression of Interest document (Attachment 2) prior to its endorsement by the Project Control Group to accurately reflect the area defined as 'Osborne House' is consistent with the definition adopted by Council in February 2020, that is, any reference to 'Osborne House' incorporates the house, stables, Council depot (being the former Russell Polo Field) and adjacent landscape; and**
- 5.4 Note that an option for sale of the land and buildings is not being considered as part of the Expression of Interest process.**

Carried.

Attachment 1

Financial Implications

1. The high-level financial analysis of the sustainable development options considered by this report, indicate potential total costs for redevelopment of Osborne House ranging from approximately \$21 million to \$48 million depending on the type of future uses and development proposed, with all options potentially attracting various levels of government and private partnership investment.
2. The type of development and level of government and private investment will have a significant impact on the Council's financial capacity to renew and redevelop Osborne House.
3. A budget of \$2 million has been made available in the 2020-21 financial year for restoration and maintenance works. These priority works are underway, consistent with the findings of the Lovell Chen Conservation Management Plan 2009.
4. A key principle adopted by Council in August 2020 was an acknowledgement that to restore the heritage asset, reopen for public uses and leverage other potential funding, Council will contribute up to \$10 million over three to four years (including the \$2 million contribution as per clause 3 above).

Community Engagement

5. The development of the EOI documentation and process has been done in consultation with the Osborne House Project Control Group. The members of that group include City of Greater Geelong and representatives from Heritage Victoria (HV), National Trust of Australia (Victoria) (NTAV) and an executive member of the Osborne Park Association (OPA).
6. During the course of 2020 a series of regular meetings have been held with the broader executive members of the OPA and this consultation has also indirectly informed the development of the proposed process.
7. The EOI process proposes that a series of advisory panels be formed to consider in detail any expressions of interest received from this process. These advisory panels are 'Finance & Capability'; 'Activation & Use'; and 'Planning, Design & Heritage'. The membership of these groups is proposed to have a mix of independent technical/subject matter experts and one community representative on each advisory panel, with each panel being chaired by an officer from the City of Greater Geelong.
8. The EOI process is to be conducted in two stages and is outlined as follows:
 - 8.1 Stage 1 open EOI - March 2021;
 - 8.2 Stage 1 close EOI - April 2021;
 - 8.3 PCG assessment of EOIs - May 2021;
 - 8.4 Stage 2 request for proposal released - June 2021;
 - 8.5 Request for proposal closed - September 2021; and
 - 8.6 Advisory panel meetings and assessment - October-November 2021.

Social Equity Considerations

9. The EOI process will be guided by the principles adopted in Council's previous report on this matter in February 2020. These principles are as follows:

9.1 Culturally:

- 9.1.1 Interpret, protect and celebrate the values of the land known as Osborne Park;
- 9.1.2 Any future development of Osborne House should involve the interpretation, protection and celebration of the First Nations' heritage along with the significant post-settlement heritage buildings and landscape;
- 9.1.3 Any future development should consider the total restoration of the significant heritage buildings of Osborne House, as identified in the Lovell Chen Conservation Management Plan 2009, including giving consideration to its naval heritage;
- 9.1.4 That a heritage interpretation plan shall accompany any proposal for the future development and use of Osborne House; and
- 9.1.5 The Muirhead and Russell buildings to be made available for general public use and ensure contemporary heritage interpretation of the spaces/buildings.

9.2 Socially:

- 9.2.1 The future management and development of Osborne House should consider a mix of community, public and commercial uses, while also providing for public access and community use;
- 9.2.2 Future management and development of Osborne House should ensure the ongoing public recreational use of the adjoining Osborne Park sports fields;
- 9.2.3 Uses that are complementary to and consistent with the concept of a community and cultural heritage precinct, with a proportion (percentage) of appropriately designed space made available for community use (e.g. accommodation of groups, meeting rooms, function area, etc.);
- 9.2.4 Opportunities to co-locate people and small scale organisations who can benefit from the sharing of facilities and ideas in the areas of innovation and cultural activities/business; and
- 9.2.5 A community governance structure in place to oversee the future use of Osborne House.

9.3 Financially:

- 9.3.1 Any future proposal will consider ideas from private partners for developments to occur in zone 1 and/or zone 3 of the Osborne House site under a long-term lease arrangement, noting that any future development must comply with principles of the Conservation Management Plan (2009) by Lovell Chen;
- 9.3.2 Osborne House shall be retained in public ownership;

- 9.3.3 Tenancy arrangements can be considered over all or part of Osborne House, to generate income to cover ongoing maintenance and ensure the viability and financial sustainability of Osborne House, however these arrangements must ensure an appropriate level of public access and use;
 - 9.3.4 All and any areas identified for sole use by community groups and general public, to be under direct control of the City, in perpetuity;
 - 9.3.5 To make safe and secure, restore the heritage asset, reopen for public uses and leverage other potential funding, Council will contribute up to \$10 million over three to four years (including the \$2 million contribution made during 2019/20 and 2020/21);
 - 9.3.6 Future funding will be accumulated and held in an Osborne House (Heritage Restoration) Provision; and
 - 9.3.7 That any future development of Osborne House should also give regard to broader government objectives (i.e. employment creation and increased local civic and economic development).
- 9.4 Environmentally:
- 9.4.1 Osborne House be developed and maintained consistent with Council's Sustainability and Asset Management Policy(s) for public buildings; and
 - 9.4.2 That the surrounding landscape of Osborne House be developed and maintained consistent with Council's policies and incorporating the heritage principles identified in the Lovell Chen Conservation Management Plan 2009.

Policy/Legal/Statutory Implications

10. The EOI process is a non-binding arrangement. Council can at its discretion, seek to adopt or consider any or all expressions of interest as part of this process. The future development of Osborne House and the EOI process will need to be cognisant of the following policy and legal constraints:
- 10.1 Osborne House is entered on the Victorian Heritage Register (H1101) and future options for development will need to consider the permit approval requirements of Heritage Victoria under the Heritage Act 2017. These requirements will take precedence over any heritage requirements arising from the City of Greater Geelong planning scheme;
 - 10.2 The Council Depot (former Russell Polo Field) and parts of the foreshore, along with Osborne House, are separately entered in the Victorian Heritage Inventory for its archaeological potential, and future options for development will also need to consider the permit approval requirements of Heritage Victoria;
 - 10.3 Osborne House, adjoining parts of the Foreshore Reserve and Swinburne Street Road Reserve contain Aboriginal artefact sites and are within an area of Aboriginal cultural sensitivity. Future options for development will need to consider First Nation values while a Cultural Heritage Management Plan will be required prior to any development works; and

- 10.4 The land Osborne House is on is currently zoned PUZ6 for Local Government Use under the planning scheme. Future management and development options should not be limited by this consideration, but a future amendment to the scheme will be submitted to Council once the future use requirements have been determined.

Alignment to Council Plan

11. The potential redevelopment of Osborne House as an enduring, creative, productive and protected heritage and community asset is consistent with:
- 11.1 Council's Vision for a Clever and Creative City, which states specifically that success (in part) *"will be achieved by attracting creatively oriented and artistic industries to the region through the creative re-use of heritage assets"*; and
- 11.2 The UNESCO City of Design key objective being to *"work towards placing creativity and cultural industries at the heart of their development plans"*.
12. The *Council Plan 2018-22* and several Council key priorities including:
- 12.1 A Vibrant Arts and Culture, incorporating arts and cultural initiatives into infrastructure development, to enhance our sense of place and specifically commencing the remediation of Osborne House; and
- 12.2 Informed Social Infrastructure and Planning, specifically Council's priority to deliver accessible and attractive community infrastructure, based on community need.

Conflict of Interest

13. No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Risk Assessment

14. There is a financial, reputational and asset risk related to Osborne House. If an agreed plan for the use and development of the building is not actioned, the building will continue to fall into disrepair and the heritage values of the building could be lost. To offset this risk Osborne House requires investment and activation to ensure an enduring, creative and productive future which celebrates and protects the significant heritage status of the building.
15. The current pandemic presents both a financial and delivery risk. This current environment may have a negative impact on the number of private partners indicating an interest in the development of Osborne House. The proposal to release the EOI for early 2021 is designed to mitigate the impact the current pandemic may have on investor interest.
16. The Council principle that requires the land and buildings of Osborne House to remain in public ownership may present a risk to potential investment by private partners. Council may need to consider other mechanisms that will provide certainty of tenure and development rights over the land and buildings to attract any potential private partnership.

17. The current land is zoned public use. This zoning may not be compatible with future interest that arise through the next stages of the process. Dependant on the nature of any interest that does emerge, Council may need to consider facilitating a future rezoning of the current land use and any rezoning will be contingent on adoption by the Minister for Planning.

Environmental Implications

18. The future development of Osborne House will give consideration to Council's Sustainability Framework.
19. Any redevelopment of Osborne House will require a Cultural Heritage Management Plan to ensure the indigenous cultural heritage of the landscape is understood and protected.

Greater Geelong City Council

Invitation for Expression of Interest

*For the redevelopment and use of Osborne House and Stables,
North Geelong*

EOI Number: {Insert Number}-EOI

Invitation for Expression of Interest

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Invitation for Expression of Interest

Schedule

Item 1 - Property

The property known as 51 Swinburne Street, North Geelong as described in certificate of title volume 6400 folio 850 being Lot 56A on PP3179

Item 2 - Opening Date

March 2021

Item 3 - Closing Date

April 2021 at 3.00pm

Item 4 - Inspection Dates

Marketing of the Property is being managed by who has been appointed by the Council's Real Estate Agent who will advise Inspection Dates.

Item 5 - Tender Site

Visit www.eProcure.com.au/geelong/ to download and respond to this EOI. All submissions are to be provided online as an electronic response through the eProcure portal, with documentation supporting responses added where necessary. The tenderer must complete and submit their response by completing the questions listed within the eProcure Response Schedule (including submitting any documents requested).

Invitation for Expression of Interest

1 Definitions and interpretation

1.1 Definitions

In this EOI:

Authorised Person means in relation to a proponent or Council:

- (a) the directors, secretary and any other person appointed to act as an authorised officer of that party;
- (b) the employees of that party;
- (c) the legal, financial and other advisers of that party; and
- (d) the respective officers and employees of those legal, financial and other advisers.

Business Day means any day that is not a Saturday, Sunday or public holiday in Melbourne, Victoria.

Closing Date means the date stated in Item 3 of the Schedule.

Confidential Information means all information disclosed to or acquired by the Receiving Party or the Receiving Party's Authorised Persons before or after the date of this agreement, whether orally, in writing or in electronic or machine readable form but does not include information that:

- (a) the Receiving Party can prove by contemporaneous written documentation was in the lawful possession of the Receiving Party before the Disclosing Party had any dealings with the Receiving Party or was independently generated by the Receiving Party or on its behalf;
- (b) is in the public domain otherwise than as a result of a breach of this EOI or any other obligation of confidentiality owed to the Disclosing Party; or
- (c) was legally and properly obtained by the Receiving Party from any other source without restriction on further disclosure.

Council means the Greater Geelong City Council.

Council's Authorised Representative means the person detailed in Item 5 of the Schedule.

Disclosing Party means a party who discloses its Confidential Information to the Receiving Party.

Documentation means any document or material regardless of form that contains, refers to or stores Confidential Information including emails, abstracts, memoranda, notes, correspondence, records, photographs, drawings, plans, papers, magnetic tapes, computer software or any other documents or medium capable of recording or storing Information.

EOI means this Expression of Interest document (including any attachments or annexures) and any valid variations to this document.

eProcure portal - an electronic response portal at www.eProcure.com.au/geelong/

Arts and Culture Precinct Masterplan July 2017 means the masterplan prepared by the Revitalising prepared by the Revitalising Central Geelong Partnership in association with Town Matters Pty Ltd and Perry Mills and Associates. © The State of Victoria Department of Environment, Land, Water and Planning 2017

Government Authority means any government department, local council, government or statutory authority, public or private utility or other public or private body, that has a right to impose a requirement (including a requirement that its consent be obtained) or charge a fee in connection with the Property.

Inspection Dates will be arranged by Council's Representative as provided in Item 4 of the Schedule.

Maintenance Program means a maintenance program which addresses the outstanding maintenance works to the Property including the proposed timing of those work, including works to achieve compliance with the adopted policies within the Conservation Management Plan;

Masterplan means a plan prepared by the proponent which indicates the intended use and development of the Property including any leases and/or operating arrangements with other parties;

Opening Date means the date stated in Item 2 of the Schedule.

Property means the property and improvements detailed in Item 1 of the Schedule.

Receiving Party means a party who receives the Confidential Information from or on behalf of the Disclosing Party.

Real Estate Agent means the person whose details are provided in Item 5 of the Schedule.

s173 Agreement means an agreement under s173 of the *Planning and Environment Act* which will include the Key Provisions.

Contract means the contract to be entered into by the successful proponent and Council, which includes the Key Provisions of any land use and tenure arrangements .

Tender means the request for tender documents that will be issued to the proponents who have been shortlisted under Clause 5.

1.1 Interpretation

In this EOI, headings are inserted for convenience only and do not affect the interpretation of the EOI and unless the context otherwise requires:

- (a) Item numbers refer to those items in the schedule;
- (b) the singular includes the plural and vice versa;
- (c) a gender includes the other gender;
- (d) if a word or phrase is defined, its other grammatical forms have a corresponding meaning;

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- (e) the meaning of general words is not limited by specific examples introduced by 'includes', 'including', 'for example' or 'such as' or similar expressions;
 - (f) a reference to a document or instrument, including this EOI, includes all of its clauses, paragraphs, recitals, parts, schedules and annexures and includes the document or instrument as amended, varied, novated, supplemented or replaced from time to time;
 - (g) a reference to a statute, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them;
 - (h) a reference to a party is to a party to this EOI and includes the party's successors and permitted transferees and assigns and if a party is an individual, includes executors and personal legal representatives;
 - (i) a reference to a person includes an individual, a partnership, a corporation or other corporate body, a joint venture, a firm, a trust, an association (whether incorporated or not) and a Government Authority;
 - (j) no provision of this EOI will be construed to the disadvantage of a party merely because that party was responsible for the preparation of the EOI or the inclusion of the provision in the EOI;
 - (k) all monetary amounts are in Australian dollars, unless otherwise stated and a reference to payment means payment in Australian dollars;
 - (l) if the day on or by which something must be done is not a Business Day, that thing must be done on the preceding Business Day;
 - (m) a right includes a benefit, remedy, discretion, authority or power;
 - (n) a reference to writing includes any mode of representing or reproducing words in tangible and permanently visible form and includes facsimile transmissions; and
 - (o) an obligation includes a warranty or representation and a reference to a failure to observe or perform an obligation includes a breach of a warranty or representation.

2 Overview and purpose

2.1 Overview

- (a) The Council is seeking expressions of interest for the development and use of the Property.
- (b) The EOI process will be carried out in 2 Parts. Part 1 will assess all submissions using the criteria described in 5(b). Following that assessment, a short list of proponents will be selected to lodge a Tender.

2.2 Purpose

Council's purposes in undertaking this expression of interest are:

- (a) to provide sufficient details to enable purchasers or lessees to make a preliminary assessment of the Property and prepare an informed submission;

-
- (b) to enable Council to identify potential partners in the future development and use of the Property, which meet Council's objectives and develop a shortlist of potential purchasers to lodge a Tender; and
 - (c) to permit Council to consider and assess any other pertinent issues in relation to any proposed development and future use of the Property.

2.3 Background

At the Council meeting on 23 February 2021 Council resolved (in part) to seek expressions of interest from potential investors and government for the future redevelopment of Osborne House.

3 Council's objectives

Council's objectives are to:

- (a) Sustainable use of Osborne House as a significant cultural and community building as an enduring, creative, productive and protected heritage and community asset.
- (b) Enduring protection of the heritage values of the property.
- (c) Implementation of the policies identified in the Conservation Management Plan
- (d) Use of the building for a mix of public and commercial purposes
- (e) Financially sustainable solutions for the redevelopment and ongoing operations and maintenance of the building.

The EOI process will be guided by the principles adopted in Council. These principles are:

Culturally

- a) Interpret, protect and celebrate the values of the land known as Osborne Park.
- b) Any future development of Osborne House should involve the interpretation, protection and celebration of the First Nations' heritage along with the significant post-settlement heritage buildings and landscape.
- c) Any future development should consider the total restoration of the significant heritage buildings of Osborne House, as identified in the Lovell Chen Conservation Management Plan 2009, including giving consideration to its naval heritage.
- d) That a heritage interpretation plan shall accompany any proposal for the future development and use of Osborne House.
- e) The Muirhead and Russell buildings to be made available for general public use and ensure contemporary heritage interpretation of the spaces / buildings.

Socially

- a) The future management and development of Osborne House should consider a mix of community, public and commercial uses, while also providing for public access and community use.
- b) Future management and development of Osborne House should ensure the ongoing public recreational use of the adjoining Osborne Park sports fields.

-
- c) Uses that are complimentary to and consistent with the concept of a community and cultural heritage precinct, with a proportion (percentage) of appropriately designed space made available for community use (e.g. accommodation of groups, meeting rooms, function area, etc).
 - d) Opportunities to co-locate people and small scale organisations who can benefit from the sharing of facilities and ideas in the areas of innovation and cultural activities/business.
 - e) A community governance structure in place to oversee the future use of Osborne House.

Financially

- a) Any future proposal will consider ideas from private partners for developments to occur in zone 1 and/or zone 3 of the Osborne House site under a long-term lease arrangement, noting that any future development must comply with principles of the Conservation Management Plan (2009) by Lovell Chen.
- b) Osborne House shall be retained in public ownership.
- c) Tenancy arrangements can be considered over all or part of Osborne House, to generate income to cover ongoing maintenance and ensure the viability and financial sustainability of Osborne House, however these arrangements must ensure an appropriate level of public access and use.
- d) All and any areas identified for sole use by community groups and general public, to be under direct control of the City, in perpetuity.
- e) To make safe and secure, restore the heritage asset, reopen for public uses and leverage other potential funding Council will contribute up to \$10 million over three to four years (including the \$2 million contribution made during 2019/20 and 2020/21).
- f) That any future development of Osborne House should also give regard to broader government objectives (i.e. employment creation and increased local civic and economic development).

Environmentally

- a) Osborne House be developed and maintained consistent with Council's Sustainability and Asset Management Policy(s) for public buildings.
- b) That the surrounding landscape of Osborne House be developed and maintained consistent with Council's policies and incorporating the heritage principles identified in the Lovell Chen Conservation Management Plan 2009.

4 The expression of interest process

4.1 Timetable

- (a) Submissions to this EOI open on the Opening Date.
- (b) The last time for acceptance of submissions from proponents is 3.00pm on the Closing Date.

4.2 Inspection

Inspections will be arranged through Council's nominated representative.

4.3 Enquiries

All enquiries concerning this EOI should be addressed to Council's nominated representative.

4.4 Submissions

Each submission must be made in writing and must include:

- (a) a completed, signed and dated registration form in the form contained in Annexure A;
- (b) a completed, signed and dated Acknowledgement Declaration in the form contained in Annexure B;
- (c) a completed, signed and dated Information to be Provided in the form described in Annexure C.

4.5 Procedure for Lodgement

- (a) All submissions must be completed in accordance with clause 4.4 and must be lodged in through the eProcure portal by no later than 3.00pm on the Closing Date. All submissions are to be provided online as an electronic response through the eProcure portal, with documentation supporting responses added where necessary. The tenderer must complete and submit their response by completing the questions listed within the eProcure Response Schedule (including submitting any documents requested).
- (b) No postal deliveries, facsimile or e-mail transmissions will be accepted. Late or misplaced expressions of interest will not be accepted.

4.6 Variations to Submission

- (a) Council is not under any obligation to:
 - (i) provide a proponent with a further opportunity to respond to this EOI; or
 - (ii) allow a proponent to vary its submission, once that submission has been lodged.
- (b) A proponent will only have the right to lodge a variation to its submission, or lodge a supplementary submission, where it has sought the approval of Council's Authorised Representative in writing to do so and the Authorised Person, in writing, has granted its consent to such a request. Approval may be given or not by Council's Authorised Representative's at its absolute discretion.

5 Evaluation process

- (a) The process will occur in 2 parts:
 - (i) Part 1 - all submissions will be assessed using the criteria set out in 5(b) from which a shortlist of proponents will be selected.
 - (ii) Part 2 - the successful proponent will be selected from the shortlist following a further evaluation process which will include the criteria set out in 5(b) and consideration of further information to be provided including

financial consideration and terms of tenure, a site plan, detailed designs, staging plans and budget information.

- (b) In assessing each submission under Part 1, Council will use the following evaluation criteria:

The proponent:

- (i) has the experience, capability and financial capacity to deliver consistent with the policies and recommendations within the Conservation Management Plan: Lovell Chen (2009);
 - (ii) proposes a use and development of the property which is complementary to the overall Civic & Cultural precinct and consistent with the Conservation Management Plan: Lovell Chen (2009);
 - (iii) The financial consideration and general terms of the proponent's submission
- (c) The impact of any proposed variations to the terms of the EOI document will also be considered in evaluating the Proponent's submission.
- (d) An evaluation panel will be responsible for evaluating submissions, selecting a short list and making a recommendation to the Council on the successful proponent.
- (e) Council reserves the right to assess the merits of each submission by taking into account any matter, fact or circumstance which Council may deem appropriate, in its absolute discretion.

6 Tender

- (a) Depending upon the response to this EOI, it is intended that a short list of purchasers will be invited to lodge a Tender for the Property.
- (b) The conditions of the Tender will be set out in the tender documents to be made available.
- (c) Council reserves the right to not proceed with any Expression of Interest.

7 Legislative and statutory requirements

The statutory processes relating to the sale of land under sections 189 and 223 of the Local Government Act 1989 have been completed.

If the successful tender is for a lease, the statutory processes relating to the lease of land under sections 190 and 223 of the Local Government Act 1989 will need to be completed.

8 No obligation

- (a) Upon completion of the EOI process or any stage thereof, Council may:

-
- (i) seek further information;
 - (ii) negotiate with any one or several of the proponents; or
 - (iii) proceed to public or selective tender; or
 - (iv) do nothing.
- (b) Council will not be bound to engage any proponent or review any submission to this EOI that does not conform with the requirements set out in this EOI.
- (c) Council reserves the right not to select a successful proponent and not proceed with its submission.
- (d) The proponent acknowledges that Council is not bound to accept its submission or any submission submitted in response to this invitation and may terminate the EOI process at any time.

9 Form of Documentation

The successful proponent will be required to enter into a Sale Contract or Commercial Lease for the Property and such other documentation that may be required by Council to achieve Council's objectives. Note that Proponents are not required to sign the Sale Contract or Lease when responding to this EOI.

10 No fettering of Council's powers

Nothing in this EOI shall fetter or restrict the power or discretion of the Council to make or impose requirements or conditions in connection with any use or development of the Property or the granting of any planning approval, the approval or certification of any plans of subdivision or consolidation applicable to the Property or the issue of a statement of compliance in connection with any such plans.

11 Costs and expenses

Proponents will be responsible for all costs associated with making and lodging their submission under this EOI.

12 Third Parties / Agencies

If proponents are responding through agents, then they must:

- (a) note that the agent is acting on their behalf and will be remunerated by the proponent; and
- (b) provide formal written confirmation of authority from the proponent with their response.

Neither Council nor any of its consultants will deal with or recognise any party other than those who have submitted the requested formal authority.

13 Confidentiality

13.1 Obligation of confidence

- (a) The Receiving Party must:
 - (i) maintain the confidential nature of the Confidential Information;
 - (ii) only disclose Confidential Information;
 - (A) to an Authorised Person where the Authorised Person has a need to know and after the Receiving Party has made the Authorised Person fully aware of the confidential nature of the Confidential Information;
 - (B) with the prior written consent of the Disclosing Party; or
 - (C) as required by law, provided that the Receiving Party must give the Disclosing Party reasonable prior notice of the proposed disclosure;
 - (iii) not use the Confidential Information for the Receiving Party's own or another's advantage, or to the competitive disadvantage of the Disclosing Party; and
 - (iv) not copy or duplicate or allow the copying or duplication of any Confidential Information.
- (b) If requested to do so by the Disclosing Party, the Receiving Party must immediately cease all use of the Confidential Information and must, at its own expense:
 - (i) return to the Disclosing Party or destroy, as the Disclosing Party directs, all Documentation, whether prepared by the Receiving Party or for the Receiving Party as is in the possession, power or control of the Receiving Party or the Receiving Party's Authorised Persons; and
 - (ii) provide to the Disclosing Party a statutory declaration duly executed by the Receiving Party confirming that the Receiving Party has complied with all of its obligations under this clause 13.
- (c) Return or destruction of Documentation and Confidential Information does not release the Receiving Party from its obligations of confidence under this clause 13.

14 Canvassing

- (a) The proponent, its employees or consultants must not approach, or request any other person to approach, any Councillor, member of evaluation panel, member of the Council's staff or consultant engaged by Council:

-
- (i) to solicit support for its submission; or
 - (ii) otherwise seek to influence the outcome of the EOI process.
 - (b) The proponent will, to the extent practicable and reasonable, avoid socialising with Councillors or members of Council's panel evaluating the submissions and, where such socialising occurs, refrain from discussing its submission or the proposed transfer.
 - (c) The proponent will direct all communications during the EOI process to the Council's Authorised Representative in written form refer Schedule Item 5.

15 Disclaimer

- (a) This EOI is intended to provide prospective proponents with background information to this proposed sale or lease of the Property. Whilst every care has been taken in the preparation of the information contained in this EOI, and it is believed to be accurate, the Council gives no warranty, expressed or implied, as to the accuracy or completeness of any information contained in this EOI or which may be provided in association with it, in writing or oral, or whether provided on or before the date of this EOI or in future by the Council, its officers or agents in relation to this EOI, the Property or the proposed transfer or lease.
- (b) The lodgement of a submission by a proponent will not give rise to any contract governing, or in any way concerning, the EOI process or any aspect of the EOI process. Council expressly disclaims any intention to enter into any such contract.
- (c) Neither the Council nor any of its consultants accept any responsibility to any proponent or other third parties under the law of contract, tort or otherwise for any loss or damage which may arise from anything contained in this EOI, any matter deemed to form part of this EOI, the supporting information or documents referred to in this EOI or any information supplied on behalf of the Council.
- (d) All information given to a proponent and ultimately the successful proponent by the Council or its respective officers or agents will be given on an "all care and no responsibility" basis.
- (e) This EOI and attachments are not intended to be exhaustive or to replace the need for prospective proponents to make their own enquiries. It is incumbent on each organisation and ultimately the successful proponent to make its own enquiries, examinations, investigation, interpretations, deductions and conclusions and rely on its own information and verification of information provided. The information is provided on the basis that it is not binding on the Council.
- (f) By receiving delivery of this EOI, each organisation and ultimately the transferee or lessee will, without qualifications, be deemed to have acknowledged acceptance of and shall be bound by the provisions of this clause 15.
- (g) Council reserves the right not to proceed with the proposed transfer or lease of the Property and to decline to discuss the proposed transfer or lease further with any parties. No reimbursement of costs will be paid to persons or organisations preparing submissions in relation to this EOI.

-
- (h) No unsuccessful organisation will be entitled to any redress against the Council or in the event that the Council permits any amendments or additions to any submission or enters into any agreement in relation to the proposed transfer or lease with any other person whether an organisation or not.
 - (i) In lodging its submission a proponent acknowledges that it has relied solely upon its own enquiries in relation to the Property and has not relied upon the matters set out in this EOI.
 - (j) All business and commercial aspects of a submission are at the sole risk of the proponent.
 - (k) By lodging a submission the successful proponent licenses Council to copy, reproduce, use, modify and adapt any of the information provided in the submission for the purpose of assessing the submission.

16 Further information

All requests for further information regarding this EOI, should be directed to Council's Real Estate Agent.

Invitation for Expression of Interest --EOI

Annexure A - Registration Form

Proponents interested in the purchase or lease of this property are invited to complete this form and lodge it via eProcure by no later than 3.00 pm ?? 2021.

SUBMITTING ENTITY

Entity Name _____
Address _____
ABN _____ Contact _____
Contact No.: _____ Email Address _____

SOLICITOR

Company: _____ Contact _____
Address _____
Contact No.: _____ Email Address _____

Signed for on behalf of the submitting entity _____ Date _____
Name of Signatory (please print) _____

Please Note: An assessment period will follow the Expression of Interest, after which Council may (at its discretion) elect to deal with one or more parties. Please note that Council reserves the right and absolute sole discretion to accept or reject any offer or withdraw from the process or any part of it or amend the terms and conditions prior to the execution of the formal documentation.

Annexure B - Expression of Interest {Insert Number}-
EOI - Acknowledgement Declaration

I/We acknowledge that, by submitting this submission, I/we accept, and acknowledge that I/we are bound by, the terms and conditions stated in the invitation for EOI.

I/We declare that I/we have no direct or indirect conflict of interest in participating in the development outlined in the invitation for EOI.

I/We consent to Council undertaking such due diligence enquiries as are considered relevant including, without limitation, authorising Council to contact our financial institution, accountant and referees for the purpose of assessing my/our submission to the EOI for Property.

I/We acknowledge that submission of a submission to the EOI confers on Council a licence to copy, reproduce, use, modify and adapt material contained in the submission and that Council may provide copies of the submission to its advisors for the purposes of assessment and consideration of the submission.

DATED: / /2021

If Proponent is a company:

SIGNED for and on behalf of)
by)
Name:
Title:

If Proponent is an individual:

SIGNED by)
in the presence of:)
.....

.....
Witness

Annexure C - Information to be Provided

Proponents are requested to provide a brief written submission with their EOI responding to the evaluation criteria outlined in part 5 of the Invitation for Expression of Interest.

	Criteria	Response
6(b)(i)	Demonstrated capability and experience in the repurposing, redevelopment and/or renewal of significant heritage assets	Documentation of similar projects including delivery outcome, explanation of scale and scope, program of delivery and project referees.
6(b)(i)	Demonstrated financial and resource capacity to deliver a redevelopment in the order of \$20M.	Documentation including business and financial reports (preferably audited) that provide an up to date and correct position relating to the financial state of the organisation and its financially capacity to deliver.
6(b)(ii)	How the proposed use and development of the property is complementary to the overall Civic & Cultural precinct and consistent with the Conservation Management Plan: Lovell Chen (2009)	Provide a Master Plan or Business Plan for the Property indicating development and uses for existing buildings and spaces
		Indicate how the use will complement the Civic and Cultural Precinct
		Indicate how the project would be delivered and funded.

DATED: / /2021

If proponent is a company:

SIGNED for and on behalf of

by

)
)
)
Name:
Title:

If proponent is an individual:

SIGNED by

in the presence of:

)
)
)

.....
Witness

GEELONG NAVAL AND MARITIME COLLECTIONS



REPORT ON OPTIONS FOR THE (GEELONG) MARITIME AND NAVAL COLLECTIONS HOUSED AT OSBORNE HOUSE STABLES

Background

The *Our Heritage, Our Collection: Strategic Report on the Use and Management of the City of Greater Geelong's Heritage Collection* (Endorsed by Council April 2020) outlined several challenges and priorities specific to the Geelong Naval and Maritime collection. These include resolving ownership and management responsibilities, completing the cataloguing audit and the development and implementation of Collections Policy and Management Guidelines across the entirety of Council's Art and Heritage Collections.

At the Greater Geelong City Council Community Focus Council Meeting on 8 September 2020, Resolution 10.5 stated: That Council receive a further report in January 2021 to outline options for the Maritime and Naval Collection housed in the Osborne House Stables.

Update

There are currently five significant projects underway that will help shape the future of the Geelong Naval and Maritime Collections:

1. **The Arts & Cultural Strategy** (due early 2021). This includes a framework to support Art and Heritage Collections.
2. **Museum and heritage asset review and strategic vision**, due to commence February 2021. The Arts & Culture and Economic Development Departments are partnering on this comprehensive two-part project that will include:
 - a. The **30 Year Vision** and **5 Year Business Plan** (2022 – 2027) for the National Wool Museum. This Museum vision and strategy will include strategic direction for the National Wool Museum (facility) and Council's primary Art and Heritage Collections: National Wool Museum; Naval and Maritime; Art, Artefact and Heritage; Outdoor and Public Art and Geelong Gaol. It will include priority initiatives and success targets, along with collection and interpretation policies with management guidelines for all Council's Art and Heritage Collections. This is a direct response to key priorities and measures of success outlined in *Clever and Creative Vision* and *Council Plan*.
 - b. Review of the City's Cultural and Heritage Assets to align with and strengthen Geelong's UNESCO City for Design objectives.
3. **Art and Heritage Collections Officer** - new role will begin 1 February 2021. In place for 12 months, the role will help shape policy and guidelines for Council's Art and Heritage Collections.
4. **Digitisation of First World War objects** that are part of the Naval and Maritime (Museum) Collection. These are in the process of being added to online collections: *Geelong Heritage Collections* and *Victorian Collections*.
5. **Interim policies** - Officers are drafting a recommendation to implement a temporary interim Collection and Interpretation Policy. This will help guide short-term decisions regarding art and heritage collections while the Museum's vision is in development.

Options for the future management and interpretation of the Geelong Naval and Maritime Collection to be incorporated into the 30 Year Museum Vision.

5. COUNCILLOR CODE OF CONDUCT 2021

Source: Governance, Strategy & Performance - Governance
Director: Rebecca Leonard

Purpose

1. For Council to adopt the updated Councillor Code of Conduct (the Code).

Background

2. Section 139 of the *Local Government Act 2020* (the Act) requires Council to review and adopt the Code within 6 months of a General Election, 24 February 2021.
3. The Code includes the standards of conduct expected to be observed by Councillors in the performance of their duties.
4. The *Local Government (Governance and Integrity) Regulations 2020* (the Regulations) prescribe the standards of conduct that must be included in the Code.
5. The previous Councillor Code of Conduct was adopted 27 February 2018.

Key Matters

6. The Code has been reviewed and updated to reflect the new requirements under the Act and Regulations, including best practice examples sourced by Local Government Victoria. There are minimal changes to the foundations established in the previous 2018 Code.
7. The Regulations prescribe the 5 standards of conduct that replace primary principles of conduct that were previously prescribed in section 76B and of the *Local Government Act 1989*. These new standards are:
 - 7.1 Treatment of others;
 - 7.2 Performing the role of Councillor;
 - 7.3 Compliance with good governance measures;
 - 7.4 Councillor must not discredit or mislead Council or public; and
 - 7.5 Standards do not limit robust political debate.
8. The Code has been updated to reflect new provisions in the Act, including:
 - 8.1 Roles and functions of the Mayor, Deputy Mayor and the Chief Executive Officer; and
 - 8.2 Dispute resolution process when dealing with allegations of Councillor Misconduct.

Cr Asher moved, Cr Sullivan seconded -

9. **That Council adopt the Councillor Code of Conduct 2021 (Attachment 2).**

Carried.

Attachment 1

Financial Implications

1. There are no financial implications associated with this report.

Community Engagement

2. Consultation with Councillors and relevant City officers has been undertaken.
3. The Code will be publicly available on Council's website.

Social Equity Considerations

4. There are no social equity considerations associated with this report.

Policy/Legal/Statutory Implications

5. The Code ensures compliance in accordance with the Act and Regulations, specifically section 139 of the Act requiring adoption by 24 February 2021.

Alignment to Council Plan

6. This report aligns to the Council Plan's strategic priority 'Organisational leadership, strategy and governance'.

Conflict of Interest

7. No officer involved in the preparation of this report has declared a general or material interest in the matter.

Risk Assessment

8. The Code, upon adoption, will ensure statutory compliance and mitigate reputational, governance and financial risks associated with Councillor misconduct.
9. The Code also mitigates the risks associated with conflicts of interest attached to the roles of the Mayor, Councillors, the CEO and arbiters in the conduct management process.

Environmental Implications

10. There are no environmental implications associated with this report.



THE CITY OF
GREATER GEELONG

COUNCILLOR CODE OF CONDUCT

23 FEBRUARY 2021

THE CITY OF GREATER GEELONG

COUNCILLOR CODE OF CONDUCT

DOCUMENT CONTROL

Version: 9
Approval Date: 23 February 2021
Approved by: Council
Review Date: February 2025
Responsible Officer: Manager Governance
Authorising Officer: CEO



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COUNCILLOR CODE OF CONDUCT

PURPOSE

This Councillor Code of Conduct (Code) is a public declaration that Councillors of the Greater Geelong City Council (Council) are committed to provide good governance to the whole of the municipality and its administration (the City).

SCOPE

This policy applies to the Councillors of the Greater Geelong City Council (Council). This Code does not apply to Council officers, who are instead bound by the City's Staff Code of Conduct.

COMMITMENT

This Code:

- is a statement of how Councillors will behave and work with the Greater Geelong community, with each other and with Council officers; and
- represents the Councillors' commitment to govern the municipality and the City effectively and observe the principles of good governance and integrity that the Greater Geelong community expects and deserves.

All Councillors are committed to working together constructively as a team.

Councillors acting together constitute the Council. As individuals, Councillors cannot bind the Council to any actions or decisions. All Councillors will act to ensure that decision making is only exercised in Council meetings; decisions are not made in Council briefings, strategic discussion forums, or in meetings with the CEO, ELT and other Council officers (as appropriate to the Councillor function).

STANDARDS OF CONDUCT

The Councillor Code of Conduct provisions are set out in sections 139 and 140 of the *Local Government Act 2020* (the Act). Section 139(3) stipulates the Code include the provisions prescribed by the regulations, being the *Local Government (Governance and Integrity) Regulations 2020* (the Regulations). Regulation 12 makes provision for the Standards of Conduct (the Standards), as set out in Schedule 1 to the Regulations:

- treatment of others;
- performing the role of Councillor;
- compliance with good governance measures;
- councillor must not discredit or mislead Council or public; and
- standards do not limit robust political debate.

These Standards must be observed by every Councillor. The community has a right to expect these Standards of all Councillors.

An aerial photograph of Geelong, Australia, showing the city's urban landscape, the harbor with numerous boats, and the surrounding greenery. A large Ferris wheel is visible on the left side of the image.

VALUES

The four Values of the City are to:

- respect and encourage each other;
- create a healthy and safe environment for all;
- embrace new ideas and better ways to work;
- make people the centre of our business.

The four Values prioritise people and provide a clear framework for how Councillors and Council officers engage with each other and with other people, including Council officers.

Councillors are required to actively model and foster the Values. Values-based leadership is required of all Councillors, cognisant that the standards set by Councillors inform and guide all of those people who work for the organisation and the greater Geelong community.

Core to the delivery of effective and efficient community outcomes, the Values reinforce that Councillor behaviour must always be appropriate, positive and productive when Councillors are, or are reasonably assumed to be, acting in connection with the Council. This includes the use of social media.

COMMUNITY EXPECTATIONS

Councillors recognise the community's high expectations of Councillors as their representatives, who they have elected into a position of public trust.

Councillors will regularly report back to the community on legislative obligations and the obligations in this Code through the reporting commitments outlined herein.

Councillors are expected to observe the standards of conduct and the principles of good governance and integrity. Central to both of these are transparency and accountability:

- transparency achieved through following proper processes that are open to public scrutiny; and
- accountability achieved through being accessible and responsive to the needs of the whole Greater Geelong community.

1. TREATMENT OF OTHERS

Local Government (Governance and Integrity) Regulations 2020 **Schedule 1—Standards of conduct, Regulation 12**

1. TREATMENT OF OTHERS

A Councillor must, in performing the role of a Councillor, treat other Councillors, members of Council staff, the municipal community and members of the public with dignity, fairness, objectivity, courtesy and respect, including by ensuring that the Councillor—

- (a) takes positive action to eliminate discrimination, sexual harassment and victimisation in accordance with the Equal Opportunity Act 2010; and
- (b) supports the Council in fulfilling its obligation to achieve and promote gender equality; and
- (c) does not engage in abusive, obscene or threatening behaviour in their dealings with members of the public, Council staff and Councillors; and
- (d) in considering the diversity of interests and needs of the municipal community, treats all persons with respect and has due regard for their opinions, beliefs, rights and responsibilities.

1 TREATMENT OF OTHERS

1.1 GENERAL CONDUCT

General Councillor Conduct Principles

In performing the role of a Councillor, a Councillor must:

- avoid conflicts between their public duties as a Councillor and their personal interests and obligations;
- act honestly and avoid statements (whether oral or in writing) or actions that will or are likely to mislead or deceive a person;
- treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other Councillors, Council officers and other persons;
- exercise reasonable care and diligence and submit themselves to the lawful scrutiny that is appropriate to their office;
- endeavour to ensure that public resources are used prudently and solely in the public interest;
- act lawfully and in accordance with the trust placed in them as an elected representative; and
- support and promote these principles by leadership and example and act in a way that secures and preserves public confidence in the office of Councillor.

1.2 PROMOTING WELLBEING IN THE WORKPLACE

The City of Greater Geelong is committed to being a community leader in the promotion of health and wellbeing. In alignment with Council officers, Councillors will:

- promote and support health and wellbeing in the community; and
- provide leadership and act as role models for community health and wellbeing.

1.3 INTERACTING WITH CHILDREN AND YOUNG PEOPLE

Council prides itself on being a child safe organisation and has zero tolerance for child abuse. Councillors must adhere to the Victorian Child Safe Standards and related legislation.

Councillors will respect, listen to and promote the rights of children and ensure behaviour and interactions with children are age appropriate, respectful and adhere to the behavioural expectations outlined in the Child Safe standards.

1.4 HANDLING AND USE OF CONFIDENTIAL AND PERSONAL INFORMATION

Councillors will be provided with relevant information from the organisation to help them make informed decisions and fulfil their duties. This information may be publicly available, or in some instances, restricted or confidential. Councillors will act in accordance with the Access to Information Protocol, including when requesting a briefing from Council officers or requesting information on Council matters.

A Councillor may request operational or confidential information in order to gain a broader understanding of an issue that falls under their role and responsibilities (for example, as a committee delegate), or if it relates to a matter currently before – or expected to come before – Council for a decision. Requested information by one Councillor will be provided to all Councillors. Information may be unable to be provided if the CEO determines that providing the information is likely to be a breach of privacy, prejudice Council or any person, breach legal privilege or in his or her sole discretion be otherwise inappropriate to disclose. The CEO will provide all Councillors with information on any declined requests for information, including the reason the information was not able to be provided.

1.5 RELATIONSHIP BETWEEN COUNCILLORS AND COUNCIL OFFICERS

The relationship between Councillors and Council officers must be one of mutual co-operation and support with a clear understanding of each other's roles and responsibilities. It is acknowledged that from time to time Councillors and Council officers will interact outside of their respective roles, particularly in social environments or where Council officers are also ratepayers and citizens of the municipality or patrons of Council facilities or services.

In accordance with:

- clause 3.53 of the Governance Rules; and
- the Councillor Interaction with Council Staff Protocol; and
- the principles reflected in this Code,

Councillors will:

- work cooperatively with the CEO and Council officers;
- treat Council officers with respect and dignity at all times, ensuring written and verbal communication is professional, courteous, fair, constructive, honest, equitable and ethical;
- avoid engaging in any form of inappropriate or intimidating behaviour, including discrimination, harassment, bullying, victimisation or vilification;
- demonstrate a commitment to working co-operatively and constructively with Council officers to achieve the Council's common goals;
- refer their requests for service through the relevant Director, or where they are seeking direct support from the Mayor & Councillor Support Unit, in accordance with the abovementioned protocol;
- understand and respect the distinction in roles of Councillors and Council officers, acknowledging that the CEO is responsible for the operations of Council and the management of Council officers. Councillors will not involve themselves, directly or indirectly, in any personnel matter relating to a Council officer;
- recognise the role of Council officers to provide professional, 'best' advice to Council;

- acknowledge that Councillors must not in any way direct, reward, instruct or inculcate members of staff in the performance of their duties;
- refrain from using the Councillor position to improperly influence Council officers in their duties or functions, or to seek preferential treatment or gain an advantage for themselves or others;
- advise the CEO in a timely way of any concerns relating to a Council officer who has acted in a manner contrary to a formal Council policy or decision, or the Council officers' Code of Conduct. Any discussions pertaining to the performance of a Council officer must be held privately with the CEO or appropriate Director in a constructive and objective manner; and
- refrain from publicly criticising or vilifying Council officers in a way that casts aspersions on their professional competence or credibility.

Councillors must not engage in any of the following inappropriate interactions:

- Councillors approaching officers to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters;
- Council officers approaching Councillors to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters;
- Council officers refusing to give information that is available to other Councillors to a particular Councillor;
- Councillors discussing a matter with Council officers other than the CEO or a Director in staff-only areas of the Council;
- Councillors approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the Councillor has a right to be heard by the panel at the meeting;
- Councillors being overbearing or threatening to Council officers;

- Council officers being overbearing or threatening to Councillors;
- Councillors making personal attacks on council officers or engaging in conduct towards officers that would be contrary to the general conduct provisions of this Code in public forums including social media;
- Councillors directing or pressuring Council officers in the performance of their work, or recommendations they should make;
- Council officers providing ad hoc advice to Councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community;
- Councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the City associated with current or proposed legal proceedings, unless permitted to do so by the Council's CEO.

1.6 PERSONAL DEALINGS WITH COUNCIL

Councillors may have reason to deal with Council in a personal capacity (for example, as a ratepayer, recipient of a Council service or applicant for a development consent granted by Council). Councillors must not expect or request preferential treatment in relation to any matter in which they have a private interest because of their position. Councillors must avoid any action that could lead members of the public to believe that they are seeking preferential treatment.

Councillors must undertake any personal dealings they have with the Council in a manner that is consistent with the way other members of the community deal with the Council. Councillors must also ensure that they disclose and appropriately manage any conflict of interest they may have in any matter in accordance with the requirements of this Code.

1.7 UNLAWFUL CONDUCT

It is incumbent upon Councillors to ensure that they do not allow, permit, aid, foster, encourage, reward, incite or instruct any form of unlawful conduct, nor engage in a manner that condones unlawful conduct. Councillors have individual legal obligations and can be held accountable as individuals by external courts and tribunals, for conduct that compromises the rights of other Councillors, Council officers and members of the community.

Under the Victorian *Equal Opportunity Act 2010* it is against the law for local governments to treat, or propose to treat, someone unfavourably because of a personal characteristic protected by law. It is also against the law to sexually harass. For example, a Councillor must not discriminate against, harass or sexually harass another Councillor, Council committee member, Council officer or community member.

Council also has responsibilities in other areas of public life covered by the *Equal Opportunity Act 2010* including employment and provision of goods and services.

1.7.1 DISCRIMINATION AND HARASSMENT

Direct discrimination is unfavourable treatment due to a personal characteristic protected by law. Indirect discrimination occurs when an unreasonable requirement, condition or practice is imposed resulting in disadvantage for a person or group because of a personal characteristic protected by law.

Systemic discrimination relates to behaviour and action that affects a person or group with personal characteristics protected by law, and the outcomes of the behaviour and action have become entrenched or part of the culture and are reinforced by policies or procedures.

Harassment is a form of discrimination. It is unwelcome conduct that offends, humiliates or intimidates on the basis of a personal characteristic protected by law. Intent or motive is irrelevant – it is the nature and the impact of the behaviour that is assessed. A single incident can amount to harassment.

Sexual harassment is unwelcome behaviour of a sexual nature that offends, intimidates or humiliates. It can be physical, verbal, written or online conduct. Sexual harassment is unlawful and can also be criminal. Intent or motive is irrelevant – it is the nature and impact of the behaviour that is assessed. A single incident can amount to sexual harassment.

You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status or political, religious or other affiliation.

For the purposes of this Code, “harassment” is any form of behaviour towards a person that:

- is not wanted by the person;
- offends, humiliates or intimidates the person; or
- creates a hostile environment.

1.7.2 PERSONAL CHARACTERISTICS PROTECTED BY LAW IN VICTORIA

The personal characteristics protected by law in Victoria are:

- age
- breastfeeding
- carer and parental status
- disability (physical, sensory, intellectual disability, work-related injury, medical conditions, and mental, psychological and learning disabilities)
- employment activity
- expunged homosexual conviction
- gender identity
- industrial activity
- lawful sexual activity
- marital status
- physical features
- political belief or activity
- pregnancy (including potential pregnancy)
- race (including colour, nationality, ethnicity and ethnic origin)
- religious belief or activity
- sex
- sexual orientation
- association with someone who has one of the personal characteristics.

The *Australian Human Rights Commission Act 1986* provides guidance in relation to the inappropriate nature of discrimination on the basis of irrelevant criminal record, irrelevant medical record and social origin. These characteristics are adopted by the Council and are deemed protected personal characteristics under this Code and shall be adhered to in the same manner as all other protected personal characteristics identified under the *Victorian Equal Opportunity Act 2010*. It is noted that under the Code, ‘social origin’ is used by Council to refer to place of origin, place of residency and presumed social status.

1.7.3 VICTIMISATION

Victimisation is subjecting, or threatening to subject, someone to reprisal or detriment because they have asserted their rights under equal opportunity law, made a complaint, helped someone else to make a complaint, or refused to do something because it would be discrimination, sexual harassment or victimisation.

1.7.4 VILIFICATION

Vilification is behaviour that incites physical harm or hatred, serious contempt, revulsion or severe ridicule of a person or group because of their race or religion. It is unlawful conduct.

1.7.5 BULLYING

You must not engage in bullying behaviour towards others.

For the purposes of this Code, “bullying behaviour” is any behaviour in which:

- a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons;
- the behaviour creates a risk to health and safety.

Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:

- aggressive, threatening or intimidating conduct;
- eye-rolling, snorting, scoffing and pen-tapping;
- belittling or humiliating comments;
- interrogatory manner;
- spreading malicious rumours;
- teasing, practical jokes or ‘initiation ceremonies’;
- exclusion from work-related events;

- unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level;
- displaying offensive material;
- pressure to behave in an inappropriate manner.

Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this Code. Examples of reasonable management action may include, but are not limited to:

- performance management processes;
- disciplinary action for misconduct;
- informing a worker about unsatisfactory work performance or inappropriate work behaviour;
- directing a worker to perform duties in keeping with their job;
- maintaining reasonable workplace goals and standards;
- legitimately exercising a regulatory function;
- legitimately implementing a Council policy or administrative processes.

1.8 FAIRNESS AND EQUITY

Councillors must consider issues impartially and fairly by taking into consideration all relevant facts known to them. Councillors must have regard to the specific merits of each case and must not take irrelevant matters or circumstances into consideration when making decisions.

Councillors must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.

Councillors must take all relevant facts known to them, or that they should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.

An act or omission in good faith, whether or not it involves error, will not constitute a breach.

2. PERFORMING THE ROLE OF THE COUNCILLOR

Local Government (Governance and Integrity) Regulations 2020 Schedule 1—Standards of conduct, Regulation 12

2. PERFORMING THE ROLE OF COUNCILLOR

A Councillor must, in performing the role of a Councillor, do everything reasonably necessary to ensure that the Councillor performs the role of a Councillor effectively and responsibly, including by ensuring that the Councillor—

- (a) undertakes any training or professional development activities the Council decides it is necessary for all Councillors to undertake in order to effectively perform the role of a Councillor; and
- (b) diligently uses Council processes to become informed about matters which are subject to Council decisions; and
- (c) is fit to conscientiously perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and
- (d) represents the interests of the municipal community in performing the role of a Councillor by considering and being responsive to the diversity of interests and needs of the municipal community.

2.1 PRIMARY PRINCIPLE OF COUNCILLOR CONDUCT

Each Councillor will act in accordance with the primary principle of Councillor conduct:

- act with integrity;
- impartially exercise their responsibilities in the interests of the local community; and
- not improperly seek to confer an advantage or disadvantage on any person.

2.2 ROLE OF THE COUNCIL

The Council is responsible for setting the vision and strategic direction for the Greater Geelong region, determining strategic policy and appointing the CEO of the City.

2.3 THE ROLE OF COUNCILLOR

In accordance with section 28 of the Act, in performing the role of a Councillor, each Councillor will:

- consider the diversity of interests and needs of the municipal community; and
- support the role of the Council; and
- acknowledge and support the role of the Mayor; and
- act lawfully and in accordance with the oath or affirmation of office; and
- act in accordance with the standards of conduct; and
- comply with Council procedures required for good governance.

2.4 COUNCILLORS AS MEMBERS OF COUNCIL

Councillors are able to exercise authority as members of Council after they are formally sworn in and when they meet formally as Council.

Councillors:

- participate in decision-making of Council;
- represent the local community in that decision making; and
- contribute to the strategic direction of the Council through the development and review of key strategic documents of the Council, including the Council Plan.

In performing their role as Councillor, a Councillor must:

- consider the diversity of interests and needs of the local community;
- observe principles of good governance and act with integrity;
- provide civic leadership in relation to the exercise of the various functions and responsibilities of the Council under the Act and other Acts;
- participate in the responsible allocation of Council resources through the annual budget; and
- facilitate effective communication without bias or discrimination between Council and the community.

In addition, Councillors will behave in a transparent, collaborative and professional manner in undertaking their civic responsibilities, and will:

- ensure transparency and accountability in decision making;
- abide by the confidentiality requirements of the Act;
- avoid conflicts of interest;
- ensure that they do not misuse their position:
 - to gain or attempt to gain, directly or indirectly, an advantage for themselves or for another person; or
 - to cause, or attempt to cause, detriment to the Council or another person;
- strive to achieve the best outcomes by working with colleagues and Council officers in a manner that demonstrates mutual respect and worthiness;
- be respectful to each other, and will listen and communicate in a way which is inclusive and collaborative;
- be honest and open with other Councillors and adopt a 'no surprises' approach;
- recognise and respect the individual strengths of fellow Councillors, and where possible, offer encouragement and support as needed;
- prioritise their attendance at Council and committee meetings;
- ensure punctual attendance at meetings;
- read all appropriate documentation prior to engaging in debate and decision making;
- debate contentious issues respectfully and be open minded, and value perspectives of their Councillor colleagues, Council officers and the community;

- seek to expand their knowledge and understanding of issues before making decisions;
- consider the best interests of the Council and municipality as a whole;
- refrain from personal attacks or conduct that demeans, bullies or vilifies other Councillors, Council officers or members of the public, ensuring a focus on the issue at hand; and
- participate in any internal resolution procedure specified in the Code, in good faith.

The role of a Councillor does not include the performance of any responsibilities or functions of the CEO.

2.4.1 RELATIONSHIPS

Developing and maintaining positive and productive working relationships between Councillors is integral to achieving the best outcomes for the community. It is incumbent upon each Councillor to recognise and value diversity and ensure deferential regard is shown to Councillor colleagues.

It is the responsibility of Councillors to recognise and embrace the importance of appropriate and productive relationships. As part of their role, Councillors will demonstrate a commitment to professional engagement that supports the relationships that they have with each other, Council officers and the community as they work cooperatively to achieve Council's strategic vision in a way that ensures the organisation is not brought into disrepute.

2.4.2 POSITIVE DUTY

It is the responsibility of Councillors to adopt the principles of positive duty as relevant to the mode of operation of the Council at large. Introduced as a requirement of Council under the *Victorian Equal Opportunity Act 2010*, positive duty places an onus on the Council to ensure that reasonable and proportionate measures to identify and eliminate inappropriate and unlawful workplace and work-related behaviour across all levels, are undertaken in an informed and timely way.

This positive duty places an obligation on the Council and in turn those who represent the mind and will of the Council, to be proactive and pre-emptive. It requires action that educates about, and prevents, unlawful discrimination, harassment, victimisation, vilification and bullying. There is an obligation that potential problems are identified and dealt with thoroughly and swiftly by persons in leadership roles, including Councillors.

Employing the concept of positive duty is both a group and an individual responsibility that places people first. Councillors have a positive duty to act in order that any risk of unfair treatment or harm to others is mitigated.

2.5 THE ROLE OF THE MAYOR

2.5.1 THE ROLE OF THE MAYOR

The role of the Mayor is to:

- chair Council meetings;
- be the principal spokesperson for the Council;
- lead engagement with the municipal community on the development of the Council Plan;
- report to the municipal community, at least once each year, on the implementation of the Council Plan;
- promote behaviour among Councillors that meets the standards of conduct set out in the Code;
- assist Councillors to understand their role;
- take a leadership role in ensuring the regular review of the performance of the CEO;
- provide advice to the CEO when the CEO is setting the agenda for Council meetings; and
- perform civic and ceremonial duties on behalf of the Council.

2.5.2 THE MAYOR TAKES PRECEDENCE

The Mayor takes precedence within the Council in particular circumstances.

- The Mayor take precedence at all municipal proceedings within the municipal district.
- The Mayor must take the chair at all meetings of the Council at which he or she is present.
- If there is a vacancy in the office of the Mayor, or the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting, or is incapable of performing the duties of the office of Mayor for any reason, including illness, if the Council has by resolution appointed a Deputy Mayor, the Deputy Mayor must perform the role of the Mayor and may exercise any of the powers of the Mayor until the Mayor is capable of acting, or is willing to act, as Mayor again.

Where the Mayor is not present but his or her attendance is required to carry out the Mayoral functions or duties,

the Deputy Mayor will carry out the functions and duties of the Mayor that require the Mayor to be present.

If a Council has not established an office of Deputy Mayor, a Council may appoint a Councillor to be the Acting Mayor in accordance with section 20B of the Act.

2.5.3 SPECIFIC POWERS OF THE MAYOR

The specific powers of the Mayor as per the provisions of section 19 of the Act are to:

- appoint a Councillor to be the chair of a delegated Committee;
- direct a Councillor, subject to any procedures or limitations specified in the Governance Rules, to leave a Council meeting if the behaviour of the Councillor is preventing the Council from conducting its business; and
- require the CEO to report to Council on the implementation of a Council decision.

2.6 THE ROLE OF THE DEPUTY MAYOR

The role of the Deputy Mayor is to represent the Mayor in all capacities in the event of the Mayor's inability to carry out his or her functions. In practice, the Deputy Mayor, being elected by all Councillors, provides a critical role in supporting the Mayor's leadership of Council. Given the demands and complexity of the role of the Mayor, the Deputy Mayor, with the agreement of the Mayor, will provide support in areas such as:

- assistance with communication between Councillors and between Councillors and the Mayor;
- providing leadership support to Councillors to ensure adherence with Council values and behaviours;
- taking the lead on strategic Council initiatives on behalf of the Mayor;
- liaising with Council's administration on behalf of Councillors to ensure organisation support meets their role requirement; and
- advising the Mayor on a broad range of Council and Councillor matters.

Where the Mayor is not present but his or her attendance is required to carry out the Mayoral functions or duties, the Deputy Mayor will carry out the functions and duties of the Mayor that require the Mayor to be present.

2.7 ROLE OF THE CHIEF EXECUTIVE OFFICER

The City's administration is accountable to Council through the CEO, who is responsible for the management and administration of the organisation. The organisation is responsible for implementing Council policy and decisions, operational policy and procedures, service delivery and providing professional advice to Council.

The CEO will provide professional, relevant and timely information to the Council, and maintain a close working relationship that supports the Mayor.

In accordance with section 46 of the Act, the CEO is responsible for:

- supporting the Mayor and the Councillors in the performance of their roles;
- ensuring the effective and efficient management of the day to day operations of the Council;
- ensuring that the decisions of the Council are implemented without undue delay;
- ensuring that the Council receives timely and reliable advice about its obligations under this Act or any other Act;
- supporting the Mayor in the performance of the Mayor's role as Mayor;
- setting the agenda for Council meetings after consulting the Mayor;
- when requested by the Mayor, reporting to the Council in respect of the implementation of a Council decision;
- carrying out the Council's responsibilities as a deemed employer with respect to Councillors, as deemed workers;
- establishing and maintaining an organisational structure for the Council;
- being responsible for all staffing matters, including appointing, directing, managing and dismissing members of Council staff;
- appointing as many Council officers as are required to enable the functions of the Council under the Act or any other Act to be carried out and to enable the CEO to carry out his or her functions; and
- managing interactions between members of Council staff and Councillors and ensuring that policies, practices and protocols that support arrangements for interaction between members of Council staff and Councillors are developed and implemented.

2.8 COUNCILLOR ACCESS TO COUNCIL BUILDINGS

Councillors are entitled to have access to the Council Chamber, Mayor's office (subject to availability), Councillors' rooms, and public areas of Council's buildings during normal business hours and for meetings. Councillors needing access to these facilities at other times must obtain authority from the Director.

Councillors must ensure that when they are within a staff only area, they refrain from conduct that could be perceived to improperly influence Council officer decisions.

2.9 ROLE OF DELEGATE OR COUNCIL REPRESENTATIVE ON COMMITTEES

The participation on a range of local specific issues committees established by Council, peak body/sector associations, and local and regional forums, is an essential part of Council's representative role. The Mayor and/or the Council nominates or appoints representatives and delegates to these committees annually, or as needed, in accordance with the Council Committee Representation Policy.

A Councillor appointed as a delegate or representative to a committee will represent the position of Council, and report back to Council at a Council Meeting on the issues or progress of the committee, and any recommendations made by the committee for Council to consider.

2.10 THE COMMUNITY

Councillors are elected to govern the municipality as Council. On behalf of the community, Councillors are committed to representing constituents and the broader community, working together to achieve the Council's strategic vision, common goals and associated outcomes that are in the best interests of the municipality.

Consultation, representation, fair and equitable treatment, ethical engagement, openness and accountability are the key features of the relationships that are to be established and maintained between Council and the community. Councillors will:

- treat members of the community with respect and dignity at all times ensuring written and verbal communication is professional, courteous, fair, constructive, honest, equitable and ethical;
- strive to understand and acknowledge diversity, including the emergence of different points of view within the community;
- be available to interact, listen actively and respond to community concerns, mindful of the need to avoid promising outcomes which cannot, or may not, be delivered;
- make decisions in the best interest of the whole community after considering all relevant interests and points of view;
- be cognisant of the principles of procedural fairness prior to making statements on issues where public submissions have been invited;
- encourage partnerships with the community so that mutual strengths can be utilised to achieve common goals; and
- encourage understanding, tolerance and harmony across the community, ensuring to act to discourage divisiveness among citizens of the municipality.

2.11 BINDING CAUCUS VOTES

Councillors must not participate in binding caucus votes in relation to matters to be considered at a Council or committee meeting.

For the purposes of this Code, a binding caucus vote is a process whereby a group of Councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the Council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the Council or committee.

This does not prohibit Councillors from discussing a matter before the Council or committee prior to considering the matter in question at a Council or committee meeting, or from voluntarily holding a shared view with other Councillors on the merits of a matter.

2.12 MULTIMEMBER WARD REPRESENTATION

Councillors will share information and work collaboratively with their fellow ward Councillors on ward-based issues and initiatives. In relation to sharing information, a Councillor will inform their fellow ward Councillors, the Mayor, the Deputy Mayor and the CEO, and then the remaining Councillors if appropriate.

2.13 MEDIA RELATIONS

Councillors will comply with the Council's Media and Engagement Policy.

2.14 MAYORAL ROBE AND CHAIN PROTOCOL

The Mayor will decide whether to wear or not to wear the current Mayoral robe and /or chain during their term of office, subject to the conditions set out below.

The Mayoral robe and chain can only be worn by the Mayor:

- at official swearing in of the Mayor ceremony;
- at Citizenship ceremonies held in the municipality;
- at Australia Day Civic ceremonies and presentation of Order of Australia awards;
- Remembrance Day memorial services;
- as a representative of the Council at graduation and dedication ceremonies held by universities and education institutions;
- for the purposes of official portraits to be placed at City Hall and advertising materials which signify official capacity;
- on occasions when the Mayor represents or is asked to officially represent the Council as the Mayor at events, functions and delegations where the objective is to showcase the City's profile, only with the approval of the CEO; and
- as otherwise agreed from time to time with the CEO to the benefit, official promotion and credit of the Council.

The Mayoral robe and chain are not to be worn by other elected Councillors, Council officers or citizens, with the exception of the Deputy Mayor if standing in for the Mayor.

The Mayoral robe and chain will be stored in a secure Council location at the direction of, and as determined solely by, the CEO.

The CEO will be responsible for ensuring the maintenance of the Mayoral robe and chain, and for arranging the necessary delivery to, and collection from the Mayor promptly after use.

The Mayoral robe and chain must not be left unattended when not stored in a secure Council location.

3. COMPLIANCE WITH GOOD GOVERNANCE MEASURES

Local Government (Governance and Integrity) Regulations 2020 Schedule 1—Standards of conduct, Regulation 12

3. COMPLIANCE WITH GOOD GOVERNANCE MEASURES

A Councillor, in performing the role of a Councillor, to ensure the good governance of the Council, must diligently and properly comply with the following—

- (a) any policy, practice or protocol developed and implemented by the Chief Executive Officer in accordance with section 46 of the Act for managing interactions between members of Council staff and Councillors;
- (b) the Council expenses policy adopted and maintained by the Council under section 41 of the Act;
- (c) the Governance Rules developed, adopted and kept in force by the Council under section 60 of the Act;
- (d) any directions of the Minister issued under section 175 of the Act.

3.1 ELECTIONS (COUNCIL, STATE & FEDERAL)

Councillors will be mindful of the intersections between the three tiers of government and avail themselves of the requirements of the various legislation if necessary.

3.1.1 COUNCILLOR ELIGIBILITY

Section 34 of the Act sets out qualification to be a Councillor and provides that a person is not qualified to be a Councillor if the person is a member of the Parliament of Victoria or of the Parliament of the Commonwealth of Australia or of another State or a Territory of the Commonwealth.

Section 256(8) of the Act addresses "candidate for election" and states:

- (8) A person who is not qualified to be a Councillor under this Act only because they hold a position or office specified in section 34(2)(b) or (d), is not prevented from nominating as a candidate at an election if for the duration of the election period for that election—
- (a) the person has taken leave from that office or position; and
 - (b) the person does not perform any of the duties of that office or position. Note A person who holds a position specified in section 34(2)(b) or (d) cannot take the oath or affirmation of office as a Councillor unless they resign from that office or position before taking the oath or affirmation of office. A Councillor will notify the CEO in writing as soon as practicable of any change in circumstance that affects their right or eligibility to hold office as a Councillor.

Section 69 of the Act states that a Council must include an Election Period Policy in its Governance Rules. Councillors will adhere to the ways in which this Policy stipulates the restriction of the use of Council resources during the election period (being to ensure the integrity of Councillors, the Council and a democratic, fair and equitable election process).

3.2 CAMPAIGN DONATION RETURNS

In accordance with section 306 of the Act, all candidates in Victorian council elections must submit a Campaign Donation Return within 40 days of election day. All fields must be filled out and the declaration signed by the candidate. Failure to submit a Campaign Donation Return, or providing false or misleading information on a Return, can result in prosecution and fines. Forms must be completed and submitted to the CEO within this legislated timeframe.

3.3 PERSONAL INTEREST RETURNS

Personal Interests Returns are a new requirement under Division 3 of Part 6 (sections 132-136) of the Act. In addition, the Regulations set out the detail that needs to be provided for each interest return.

3.3.1 INITIAL PERSONAL INTEREST RETURNS

In accordance with section 133 of the Act, Councillors need to provide an initial Personal Interests Return within 30 days of taking the oath or affirmation.

3.3.2 BIENNIAL PERSONAL INTEREST RETURNS

Between 1 March and 31 March, and between 1 September and 30 September each year, a Councillor must lodge a Biennial Personal Interest Return. This should provide updates to any information provided in the last submitted return.

3.3.3 PUBLIC ACCESS TO INFORMATION IN PERSONAL INTEREST RETURNS

Sections 135 and 136 of the Act and the Regulations set out the level of information that can be accessed or disclosed publicly from information submitted in the Public Interest Returns. Councillors acknowledge the public access to this information upholds the Public Transparency Principles of the Act and is conduct in accordance with Council's Public Transparency Policy.

3.3.4 PENALTIES REGARDING PERSONAL INTEREST RETURNS

Failure to submit an initial Personal Interests Return or subsequent Biennial Personal Interest Returns by the due dates can attract a penalty of up to 60 penalty units. There are also penalties for intentionally or recklessly providing false or incomplete information.

3.4 LAND USE PLANNING, DEVELOPMENT ASSESSMENT AND OTHER REGULATORY FUNCTIONS

Councillors recognise the separation of their roles and responsibilities from those of the CEO and Council officers and as such will abstain from involvement in functions such as the issuing of permits, the consideration of fines, prosecutions and other similar regulatory functions of the City.

In relation to planning matters, this extends to there being no meetings with applicants, objectors and any

other related party unless accompanied by Planning Officers and only if the meeting has been authorised by the Director Planning, Design & Development. The meeting must be recorded in Councillors calendars by the Mayor & Councillor Support Unit.

Councillors will observe due regard to procedural fairness, the absence of bias in decision-making and will conform with relevant legislation and policies in the consideration of planning matters, including conflict of interest provisions, and the Councillor Interaction with Council Staff Protocol.

3.5 COUNCIL RECORD KEEPING

As a government agency with record keeping obligations determined by the *Public Records Act 1973* in accordance with the *Privacy and Data Protection Act 2014*, Councillors will treat every electronic communication of Council as a discoverable document. Councillors acknowledge their individual obligations under the Freedom of Information Act 1982.

These obligations extend to any document read or created as a Council document, including any record of the Councillor portal, those housed on personal devices or with a personal internet service provider.

Councillors will manage all records in accordance with the relevant policies and legislation, whether it be to store, alter, share, destroy or dispose of council records.

3.6 INTERNET ACCESS

Councillors are permitted to use technology and information assets that are required to perform their duties, including access to the internet.

Councillors are responsible for knowing and understanding the policies that apply to use of the City's technology resources and for exercising good judgment in adherence to the statements in this policy regarding the use of the City's technological and information resources. The fact that an action is technically possible does not mean that it is appropriate or permitted.

Use of the City's internet is primarily for business purposes during normal day to day operations. Personal use is also permitted but must be reasonable and appropriate and not bring the City into disrepute.

3.7 APPROPRIATE USE OF COUNCIL RESOURCES

Councillors are responsible for ensuring the resources of Council are allocated efficiently and effectively to meet the needs of the community. In doing so, Councillors are expected to balance the competing needs of different sections of the community in deciding resource allocations within budget constraints. This requires an understanding of community needs alongside a commitment to sound financial management. It also encompasses ensuring the Council remains in a sustainable financial position into the future.'

Councillors are able to access reasonable resources and facilities to support them in fulfilling their Council role. .

Councillors must use Council resources ethically, effectively, efficiently and carefully in exercising their official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.

Councillors must be scrupulous in their use of Council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.

Councillors must avoid any action or situation that could create the appearance that Council property, official services or public facilities are being improperly used for their benefit or the benefit of any other person or body.

Councillors must not use Council resources (including Council officers), property or facilities for the purpose of assisting their election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.

Councillors must not use the Council letterhead, Council logos, Council email or social media or other information that could give the appearance it is official Council material:

- for the purpose of assisting their election campaign or the election campaign of others, or
- for other non-official purposes.

Councillors must not convert any property of the Council to their own use unless properly authorised.

3.8 REQUESTS FOR SERVICE/ COMPLAINTS

A Councillor request for service is a request made by a Councillor on their own behalf, or on behalf of a community member.

In accordance with the Victorian Ombudsman's good practice guide, to ensure transparency and fairness, complaints received by Councillors should be treated the same way as ones made to Council officers. A Councillor must not seek to direct or influence the complaint handling process.

Councillors are aware the same service standards apply to a Councillor request, as a request for service from a community member. All requests will be entered into Council's customer service system and sent to the appropriate Director for actioning. A Councillor may contact the relevant Director about the progress of the complaint but will not attempt to direct or influence the process. Council officer investigations and actions will be recorded and monitored in Council's customer request system, and status reports will be provided regularly to Councillors.

3.9 CONDUCT AT COUNCIL MEETINGS

The Governance Rules govern the conduct of Council Meetings. The Chair plays a crucial role in facilitating an orderly, respectful, transparent and constructive meeting by ensuring all Councillors have the opportunity to be heard, matters are adequately discussed, meeting procedures are followed and statutory requirements are met.

Councillors will comply with the Governance Rules and this Code when participating in Council meetings. Councillors will act respectfully towards the Chair, their fellow Councillors, Council officers, guests and any community members or media attending the meeting.

3.10 DECISION MAKING IN THE COMMUNITY INTEREST

Councillors will make decisions in the best interests of the whole Greater Geelong community. Councillors will act fairly and without bias when making decisions that affect the rights and interests of others, and in accordance with 'natural justice'.

Councillors will listen to each other as matters are discussed in Council Meetings, and not pre-determine any decisions proposed to be made prior to consideration at a Council Meeting. As part of this consideration, Councillors will take into account the outcomes of consultation or feedback from the community on a matter.

3.11 MANAGING DISPUTES

Councillors should use prevention, negotiation or mediation processes to avoid disputes or escalation of disputes and to resolve disputes as quickly as possible.

Council recognises the important role of the Mayor in Councillor dispute management.

Prior to embarking on the legislative processes under the Act, the following mechanisms may be used proactively to resolve disputes.

3.11.1 PREVENTION

Councillors should seek to prevent disputes about, and breaches of, this Code. In seeking to prevent disputes, Councillors should:

- be open to other points of view;
- communicate to manage differences;
- give everyone the chance to respectfully communicate their points of view;
- listen and try to understand other points of view;
- find out what the other people involved want, for example by asking them;
- think of the other people involved as 'equal and different'; and
- accept some or all of the needs of the other people involved.

In communicating to manage differences, Councillors should endeavour to:

- Listen:
 - for what they have in common with other parties. This is a good place to start looking for an outcome;
 - for what other parties need or are concerned about, responding reasonably to what they are saying,

then checking with the other parties involved to make sure they have been understood.

- Ask questions:
 - that start with 'How can we' or 'What possibilities are there for';
 - to try to find out what is important to the other parties involved, for example by asking 'How is that important to you?';
 - about how the other parties involved would like to move forward.
- Respond:
 - after listening well;
 - using 'I think', 'I'd prefer' or 'I wonder whether',

instead of 'I want' or 'I have decided';

- making suggestions for an outcome that meets the other parties' needs and that can be accepted;
- first allowing others to speak for themselves and listening to the other parties.
- Avoid:
 - reacting to demands or threats;
 - asking questions that accuse, such as 'You did' or 'You told me that';
 - saying 'You did' or 'You are', which can lead to blaming;
 - saying 'Obviously', which can seem demeaning;
 - making conclusions about what the other parties involved said without confirming that those conclusions are valid.

3.11.2 NEGOTIATION

Councillors who are parties to a dispute, have an individual and collective responsibility to try every avenue possible to resolve such issues themselves in a courteous and respectful manner.

Councillors should attempt to achieve a resolution to a dispute themselves in the first instance through negotiation where the parties:

- listen to and are heard by each other;
- work out what the disputed issues are;
- work out what is agreed;
- work out what is important to each other;
- aim to reach a workable agreement;
- develop options to resolve each issue; and
- consider what can be done next if an agreement cannot be reached through negotiation.

To facilitate resolution of disputes through negotiation, Councillors should:

- seek guidance from the Mayor;
- talk to the other people before making decisions (talk first, decide last);
- think about what is behind the disputed issues for themselves and each of the other people involved;
- try to think of options for outcomes that address what each party wants;
- think about what they will do if you do not reach an agreement at the negotiation;
- commit to finding an outcome that benefits everyone;
- choose a time and place for the negotiation that suits all of the parties;

- be hard on the problem by talking about all the issues completely;
- be soft on the person by avoiding blaming the other people involved;
- focus on the issues in dispute, not the personalities of the other people involved;
- emphasise any common ground the parties involved share to help to understand each other;
- think creatively about options that could resolve the dispute;
- not use unfair tactics;
- manage their emotions;
- make sure that the parties involved understand what each other is saying;
- communicate well;
- look for an outcome that will work for everybody;
- be clear that an agreement has been reached by writing the agreement down at the end of the negotiation.

Direct negotiation, where the parties talk about the dispute and seek a resolution themselves, can be used where the parties:

- can have a discussion and make decisions without the assistance of another person;
- want to make the decision themselves;
- want to maintain the best possible ongoing relationship;
- want to control the outcome, rather than ask someone else to decide;
- want to keep discussions confidential;
- want to find innovative ways to resolve the dispute, such as an outcome where everybody benefits.

3.11.3 MEDIATION

Councillors should consider using mediation to assist to resolve a Councillor dispute.

Mediation is where the parties are assisted to achieve a negotiated resolution by the Mayor, and can be used where the parties:

- think mediation can set up a respectful discussion on the issues;
- feel safe in the presence of each other;
- want a third person to assist the discussion;
- want to control the outcome, rather than ask someone else to decide the outcome;
- want to make the decision themselves;

- want to maintain an ongoing relationship;
- want to keep discussions confidential;
- want to find innovative ways to resolve the dispute, such as an outcome where everybody benefits.

The Mayor can:

- design a mediation to suit the circumstances;
- help decide whether mediation is suitable for the situation;
- use their experience and knowledge and provide some information;
- bring the appropriate people together;
- explain how the mediation process will work;
- provide a supportive environment;
- set the guidelines or ground rules for how the mediation will work;
- help the parties to understand each point of view;
- help the parties to stay focused on resolving the dispute;
- make sure the parties know and understand what issues have been agreed;
- help the parties to keep communication going;
- manage interactions so that they are fair;
- help the parties to decide whether possible solutions are realistic;
- support the parties to try to reach a final agreement that is agreed to be appropriate.

The Mayor will not:

- take sides;
- make decisions;
- tell the parties what to agree to;
- decide which party is right or wrong;
- give legal, financial or other expert advice;
- provide counselling.

The Mayor should not mediate disputes where he or she has a conflict of interest in the matter or where it is likely that they might be perceived as being influenced by a personal interest in the matter. Where the Mayor believes that he or she has a conflict of interest, the Deputy Mayor shall be appointed as the mediator. Where the Deputy Mayor has a conflict of interest in a matter to be mediated or where it is likely that they might be perceived as being influenced by a personal interest in the matter, an independent mediator with appropriate skills and qualifications will be appointed by the CEO to mediate the Councillor dispute.

3.12 COUNCILLOR MISCONDUCT

The Act makes provision for allegations of Councillor misconduct to be made by Council or a Councillor or group of Councillors. An allegation of misconduct is reviewed by the Principal Councillor Conduct Registrar and an internal arbitration process is to be applied to any breach of the prescribed standards of conduct which are the basis of this Code. The arbiter may suspend the Councillor for one month or direct an apology or training.

3.13 SERIOUS MISCONDUCT

The Act provides that an allegation of serious misconduct may be made by Council, a Councillor or group of Councillors or the Chief Municipal Inspector.

Serious misconduct includes the refusal of a Councillor to abide by internal arbitration process, bullying, sexual harassment, the disclosure of confidential information or a breach of conflict of interest obligations.

Allegations of serious misconduct will be reviewed by Principal Councillor Conduct Registrar undertaking the Councillor Conduct Panel Process which may suspend the Councillor for up to 12 months, reprimand the Councillor, or direct that an apology be given.

Unless the Councillor Conduct Panel decides otherwise, a finding of the Panel will prevent a Councillor from becoming Mayor or Deputy Mayor.

3.14 GROSS MISCONDUCT

The Act makes provision for only the Chief Municipal Inspector to allege gross misconduct by a Councillor. The Councillor and the respondent will then be parties to a proceeding commenced in VCAT under this section of the Act.

VCAT may order that a Councillor is disqualified for up to 8 years and that the office of the Councillor is vacated.

3.14.1 INTERNAL ARBITRATION PROCESS

Section 141 of the Act provides for an internal arbitration process applicable to any breach of the prescribed standards of conduct. The Act and the Regulations set out the process to be undertaken, should negotiation and mediation prove unsuccessful.

4. COUNCILLOR MUST NOT DISCREDIT OR MISLEAD COUNCIL OR PUBLIC

Local Government (Governance and Integrity) Regulations 2020
Schedule 1—Standards of conduct, Regulation 12

4. COUNCILLOR MUST NOT DISCREDIT OR MISLEAD COUNCIL OR PUBLIC

- (1) In performing the role of a Councillor, a Councillor must ensure that their behaviour does not bring discredit upon the Council.
- (2) In performing the role of a Councillor, a Councillor must not deliberately mislead the Council or the public about any matter related to the performance of their public duties.

4.1 MISUSE OF POSITION

Section 123 of the Act states that circumstances involving misuse of position includes:

- making improper use of information acquired as a result of the position which is held;
- disclosing confidential information;
- directing or improperly influencing, or seeking to direct or improperly influence a member of Council staff;
- exercising or performing, or purporting to exercise or perform, a power, duty or function that he or she is not authorised to exercise or perform;
- utilising public funds in an improper or unauthorised manner; and
- failing to disclose a conflict of interest.

The penalty for breach of section 123 of the Act is 600 penalty units or imprisonment for 5 years.

4.2 DIRECTING COUNCIL STAFF

Section 124 of the Act states a Councillor must not intentionally direct, or seek to direct, a member of Council staff in:

- the exercise of a delegated power, or the performance of a delegated duty or function of the Council;
- the exercise of a power or the performance of a duty or function exercised or performed by the member as an authorised officer under the Act or any other Act;
- the exercise of a power or the performance of a duty or function the member exercises or performs in an office or position the member holds under another Act; or
- relation to advice provided to the Council or a delegated committee, including advice in a report to the Council or special committee.

The Mayor is the conduit between the Council and the CEO and all direction should be formally undertaken via this channel and the Chief Executive Officer Employment and Remuneration Committee.

The penalty for breach of section 124 of the Act is 120 penalty units.

4.3 CONFIDENTIAL INFORMATION

Section 125 of the Act states a Councillor must not intentionally or recklessly disclose information that the Councillor knows, or should reasonably know, is confidential information.

Councillors will observe the confidentiality of the information they receive in the course of performing their Councillor duties and responsibilities, and will not convey (electronically, verbally, or in writing) information they know, or should reasonably know, is confidential.

The penalty for breach of section 125 of the Act is 120 penalty units.

Information is confidential as defined by section 3(1) of the Act:

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
- (b) security information, being information that if released is likely to endanger the security of Council property or the safety of any person;
- (c) land use planning information, being information that if prematurely released is likely to encourage speculation in land values;
- (d) law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person;
- (e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;
- (f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
- (g) private commercial information, being information provided by a business, commercial or financial undertaking that—
 - (i) relates to trade secrets; or
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;
- (h) confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);
- (i) internal arbitration information, being information specified in section 145;

- (j) Councillor Conduct Panel confidential information, being information specified in section 169;
- (k) information prescribed by the regulations to be confidential information for the purposes of this definition;
- (l) information that was confidential information for the purposes of section 77 of the *Local Government Act 1989*.

Chapter 7, sub-Rules 12.1 and 12.2 also stipulate the designation of confidential information by the CEO:

- 12.1 If, after the repeal of section 77(2)(c) of the *Local Government Act 1989*, the Chief Executive Officer is of the opinion that information relating to a meeting is confidential information within the meaning of the Act, they may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.
- 12.2 Information which has been designated by the Chief Executive Officer as confidential information within the meaning of the Act, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.

Additionally, all briefing material provided to Councillors shall be considered to be confidential, unless that information is otherwise publicly available.

Councillors will treat Council information appropriately by:

- not using information gained by virtue of being a representative for any purpose other than to exercise their role as a Councillor;
- adhering to Council's policy in relation to public comments and communication with the media;
- not releasing information deemed 'Confidential Information';
- recognising the requirements of the *Privacy and Data Protection Act 2014* regarding the access, use and release of personal information; and
- adhering to this Code of Conduct when seeking to access Council information.

4.4 CONFLICT OF INTEREST

Sections 126 – 131 of the Act pertaining to conflict of interest. These sections are related to other sections of the Act:

- Section 60: Governance Rules (Chapter 6 – Disclosure of Conflicts of Interest)
- Sections 132 – 136: Personal Interest Returns
- Sections 137 – 138: Gifts.

Two types of conflict of interest are defined by the Act:

- **General conflict of interest** based on assessment of an impartial, fair-minded person (private interests conflicting with public duty).
- **Material conflict of interest** based on an affected person gaining a benefit or suffering a loss.

4.4.1 CONFLICT OF INTEREST EXEMPTIONS

Some exemptions to these conflict of interest provisions exist, including but not limited to:

- if it so remote or insignificant it could not be reasonably regarded as capable of influence;
- if it is in common with a substantial proportion of others;
- if the person could not reasonably know of the conflict;
- if the person is the representative of a not-for-profit organisation and receives no personal advantage;
- the matter being exempt by the regulations.

4.4.2 PERCEIVED AND POTENTIAL CONFLICTS OF INTEREST

While the above exemptions exist under the Act, in the interests of good governance and sound community relationships, it is essential that Councillors understand and are responsive to potential conflicts of interest and perceived conflicts of interest.

A potential conflict of interest is one that may arise between the Councillor's public duties and their private interests.

A perceived conflict of interest is where a third party (such as a community member or business owner) could reasonably form the view that a conflict exists and that the Councillor's private interests could improperly influence their actions in the immediate or longer term.

4.4.3 DISCLOSURES OF CONFLICT OF INTEREST

Chapter 6 of the Governance Rules provides for the various processes to be followed when a disclosure of a conflict of interest is made by a Councillor at a:

- Council Meeting;
- Delegated Committee Meeting;
- Community Asset Committee Meeting; and
- Meeting Conducted Under the Auspices of Council.

4.4.4 CONFLICT OF INTEREST ACCOUNTABILITY

Councillors play a key role in ensuring the reputation of the Council and are required to diligently manage their duties and personal circumstances so as maintain professional credibility. Early identification, appropriate disclosure and timely action in relation to conflict of interest, including potential and perceived conflict of interest, is incumbent upon each individual Councillor.

Councillors are required to proactively assess their individual circumstances and are personally responsible for determining if they have a conflict of interest in an honest, timely and transparent manner. Where necessary, additional information and advice to enable a Councillor to determine whether a conflict of interest exists can be provided by persons authorised by the CEO.

If not managed appropriately, conflict of interest can bring the Council into disrepute and undermine confidence in the Council and local government at large. While managing conflicts of interest is an important part of Council business, it is the conduct of individual Councillors that will ensure operational success and in turn protect the public interest.

If a Councillor fails to comply with the conflict of interest provisions, an application may be made under section 154 to a Councillor Conduct Panel alleging serious misconduct.

4.4.5 INFORMAL MEETINGS OF COUNCILLORS

An informal meeting of Councillors is a meeting that is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors, that is attended by at least one City officer, and is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting.

In accordance with section 131 of the Act, Chapters 6 and 7 of the Governance Rules, and in the interests of full disclosure and public transparency, Councillors will disclose conflicts of interest prior to, at the beginning of, or as the Councillor becomes aware of a conflict of interest in the prescribed manner and take all actions as prescribed.

4.5 GIFTS & BRIBERY

4.5.1 ACCEPTANCE AND DECLARATION OF GIFTS AND HOSPITALITY

- Any gifts that are inconsistent with community values and could bring a Councillor's integrity, or that of the Council, into disrepute (eg. if accepting a gift could be perceived as an endorsement of a product or service) must be declined. All Councillors must refuse prohibited gifts.
- Councillors and Delegated Committee members should be aware that any gift or hospitality in the amount of \$500, received from one source, over a five year period, will give rise to a conflict of interest, which must be declared in accordance with the Governance Rules and the Act.
- A Councillor who receives a gift offer that they believe is an attempted bribe must refuse the offer.
- Councillors will comply with the Councillor Gift Policy, including by disclosing receipt of any gifts and hospitality, including any offers of gifts or hospitality declined, on the gift declaration form, for recording in Council's gift register.

4.5.2 GIVING CIVIC GIFTS

A civic gift is a gift given on behalf of the Council. Gifts should be sourced from the City's corporate merchandise unless determined otherwise by the CEO.

4.5.3 BRIBERY

Councillors must not use their positions to influence other Council officials in the performance of their official functions to obtain a private benefit for themselves or for somebody else. A Councillor will not be in breach of this clause where the Councillor seeks to influence other Council officials through the proper exercise of their role as prescribed under the Act.

4.5.4 FRAUD AND CORRUPTION

Councillors must not take advantage (or seek to take advantage) of their status or position with Council, or of functions they perform for Council, in order to obtain a private benefit for themselves or for any other person or body. Councillors are to conduct themselves in accordance with the Fraud Control and Reporting Policy.

5. STANDARDS DO NOT LIMIT ROBUST POLITICAL DEBATE

Local Government (Governance and Integrity) Regulations 2020
Schedule 1—Standards of conduct, Regulation 12

5. STANDARDS DO NOT LIMIT ROBUST POLITICAL DEBATE

Nothing in the standards of conduct set out in the *Local Government (Governance and Integrity) Regulations 2020* is intended to limit, restrict or detract from robust public debate in a democracy.

5.1 POLITICAL AFFILIATIONS

- While Councillors may have affiliations with a political party or political body, Councillors will remain mindful of their obligations and duty to the Greater Geelong community with respect to any real or perceived conflict of interest and the importance of impartiality of their position.
- Councillors will not use Council resources to promote a political party or related organisation in a manner which is inconsistent with their duties as Councillors or the legitimate operations of Council.

IMPLEMENTATION OF THIS POLICY

MONITORING AND REPORTING

The Director, Governance, Strategy & Performance and the Manager, Governance are responsible for monitoring and reporting on this policy.

ADVICE AND ASSISTANCE

The Responsible Officer for this policy manages the provision of advice to the organisation regarding this policy.

A person who is uncertain how to comply with this policy should seek advice from this person or from their Manager.

RECORDS

The City must retain records associated with this policy and its implementation for at least the period shown below.

Record	Retention / Disposal Authority	Retention Period	Location
Councillor Code of Conduct	Manger, Governance	As per PROV	EDRMS

REVIEW

The City will review thus policy every four years or as needed from time to time.

REFERENCES

- Governance Rules
- Public Transparency Policy
- Council Expenses Policy
- Councillor Gift Policy
- Council Media and Engagement Policy
- Election Period Policy
- Council's Information Technology Policies and Procedures
- Privacy and Health Records Policy
- Diversity Policy
- Council Committee Representation Policy
- Occupational Health & Safety Policy
- Councillor Interaction with Staff Protocol
- Protected Disclosure Act 2012
- Child Wellbeing and Safety Act 2005 and Child Safe Standards
- Equal Opportunity Act 2010
- Charter of Human Rights and Responsibilities Act 2006

DEFINITIONS

THE ACT *Local Government Act 2020*

CEO The Chief Executive Officer of the City of Greater Geelong.

CITY The City of Greater Geelong organisation, led by the CEO.

COUNCIL The City of Greater Geelong Council comprised of elected Councillors and led by the Mayor.

ELT The Executive Leadership Team of the City, as constituted from time to time.

REGULATIONS *Local Government (Governance and Integrity) Regulations 2020*

THE STANDARDS The Standards of Conduct, as prescribed in the Regulations.



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CUSTOMER SERVICE CENTRE

100 Brougham Street

Geelong VIC 3220

8.00am – 5.00pm

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6. SUSTAINABLE TRANSPORT

Source: City Services – Engineering Services
Director: Guy Wilson-Browne

Purpose

1. To update Council on sustainable transport planning, collaboration and projects.

Background

2. At the 30 June 2020 meeting, Council requested a report (**Attachment 2**) to outline planning for sustainable transport, collaboration with stakeholders and active transport projects (completed, current and proposed). The resolution is at **Attachment 3**.

Key Matters

3. Geelong's population is forecast to grow significantly which places an increased importance on sustainable transport to enable connectivity and movement for our community and the economy.
4. The community's vision is outlined in *Clever and Creative Future*, setting an aspiration for 50% of all journeys to work to be made by public transport, walking or cycling.
5. Sustainable transport is embedded within several Council-adopted strategies, generally related to infrastructure, parking, freight and growth.
6. The City's Comprehensive Integrated Transport Plan was developed in 2015. The plan is outdated and no longer serves the needs of the community or responds to the future growth predicted for Geelong.
7. A new Integrated Transport Plan (ITP) is proposed, to establish a framework approach to transport planning that responds to evolving transport and connection issues with a 30 year vision to align decision makers from multiple implementation agencies and assist collaboration. The ITP will identify future network enhancements, for all users, inform infrastructure investment and will be a key advocacy document for Council.
8. Collaboration with stakeholders such as Department of Transport and G21 is essential. The ITP will be a key input to the G21 Regional Transport Strategy. It's critical Geelong's ITP precedes the G21 Regional Transport Strategy, to ensure Geelong's future transport vision and actions is accurately represented in broader regional planning.
9. The City currently has limited resourcing (2 EFT) to enable the numerous transport planning activities underway in the region. Transport is important for our community and has significant implications for liveability. Growth presents an ongoing challenge.

Cr Harwood moved, Cr Mansfield seconded -

10. That Council:

10.1 Note the Sustainable Transport Approach in Attachment 2; and

10.2 Note the development of the Geelong Integrated Transport Plan as a priority project to be considered in the 2021-22 budget.

Carried.

Attachment 1

Financial Implications

1. The ITP project is in preliminary planning stages and is not confirmed in future budgets.
2. A business case is being developed for Council to consider as part of the 2021/22 budget process to enable development of the ITP.
3. Current resourcing is limited to 2 EFT for all transport planning initiatives. This includes the development and delivery of projects such as Shared Trails Masterplan, Geelong Growth Area Transport Infrastructure Study, Northern and Western Geelong Growth Area planning, Barwon Heads Transport and Parking Study, Building Better Bike Connections, among other 'business as usual' transport planning, customer service, active transport management and public transport advocacy functions.
4. Additional resourcing will be required to effectively develop, plan and deliver on future strategic transport planning needs, such as the ITP.
5. The infrastructure projects listed in this report require additional funds to be realised and funding applications will be submitted as part of annual budget considerations.

Community Engagement

6. No community consultation has been undertaken in the preparation of this report however numerous stakeholders and community groups are identified for engagement to inform the development of the ITP.
7. The ITP aims to set a 30-year vision and its development is expected to take up to two years. This timeframe allows for advocacy and community engagement across a broad range of transport users and stakeholders.
8. Various community engagements were undertaken in developing existing strategies and plans (ie. Shared Trails Masterplan, Clever and Creative Future).

Social Equity Considerations

9. Providing accessibility to all is an important factor in a sustainable transport network.
10. Access for all considers the social, physical, economic and safety barriers that form some of the constraints which influence accessibility for communities.

Policy/Legal/Statutory Implications

11. Council is the road management authority for local roads.
12. Public transport and arterial roads are the responsibility and management of the Department of Transport. The Sustainable Transport Approach considers supporting broader regional movements, goods and logistics and public transport (buses and trains).

Alignment to Council Plan

13. Sustainable transport is directly linked to the actions and priorities set in the City's Council Plan 2018-22. Further information is provided in **Attachment 2**.

Conflict of Interest

14. No officer involved in the preparation of this report has declared a general or material interest in the matter.

Risk Assessment

15. There is a risk to the liveability and amenity of Geelong if sustainable, active and integrated transport solutions are not planned and delivered to accommodate the current and growing movement needs of our community.

Environmental Implications

16. Council's adopted Sustainability Framework acknowledges sustainable transport as a related material topic the contributes to many actions set out in the framework's Action Plan.

THE CITY OF
GREATER GEELONG

SUSTAINABLE TRANSPORT APPROACH

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Current and Future Transport Planning

Sustainable transport is embedded in many of Councils existing adopted strategies and plans. The graphic below aims to illustrate these various pieces and how they relate and influence each other.



CLEVER AND CREATIVE FUTURE

Developed in 2018, the Clever and Creative Future is a 30-year vision developed from contributions from over 16,000 community members. community aspirations were formed, one which specifically related to transport: A fast, reliable and connected transport network. With a specific measure of success centred on 50 per cent of journeys to work are made by public transport, walking or cycling. This, amongst others centred on sustainability, health & wellbeing and inclusive & connected communities, set a clear mandate that supporting sustainable transport is a key priority of Council. This document provides the vision and foundation to inform key Council strategies and Council Plan.

COUNCIL PLAN 2018-22

*Council Plan 2018-22 – Putting Our Community First outlines how we will work towards making Greater Geelong a clever and creative city-region. It will guide the City of Greater Geelong's resources to deliver infrastructure, services and programs to the community in a sustainable way (Council Plan 2018-22). 11 strategic priorities form the focus of the four-year plan. Many of the focus areas rely on sustainable and active transport in order to achieve their specific outcome. Such priorities centred on; *planned sustainable development; integrated transport connections; a thriving and sustainable economy; growing our tourism and events; a more inclusive and diverse community; informed social infrastructure planning; and, improved health and safety of our community.* Council Plan 2018-22 aligns with the Clever and Creative Future and further provides guidance on Council's key strategies and plans*

GUIDING STRATEGIES AND PLANS

There are several guiding strategies and plans that inform how sustainable transport contributes to the prosperity of the Geelong community. These documents provide guidance a wholistic view of the various touch points transport has across Council and community, and the challenges we face now and into the future. These documents can generally be categorised into *Land Use*, *Sustainability*, *Urban Development* and *Economic Development & Tourism*. These various strategies and plans will also inform the ITP on how the transport system needs to respond, provide and support the community now and into the future. Such documents include, but not limited to:

1. *Land Use* – Settlement Strategy, G21 Regional Growth Plan, Northern and Western Geelong Framework Plan, Social Infrastructure Plan
2. *Sustainability* – Sustainability Framework, Zero Carbon Emissions Strategy, Community Zero Carbo Action Plan
3. *Urban Development* – Revitalising Central Geelong Action Plan, Armstrong Creek Precinct Structure Plans
4. *Economic Development & Tourism* –Tourism Greater Geelong and The Bellarine – Tourism Development Plan

INTEGRATED TRANSPORT PLAN

An overarching long-term vision, guided by Councils existing strategies and plans, of how Geelong's transport network will integrate to support the Geelong community. Embedded within will be several short-term tactile actions that will support step change to align and achieve this long-term vision.

Preliminary project planning has commenced on Geelong's Integrated Transport Plan (ITP). The plan will be an integration of Council's existing strategies and plans to form and articulate Greater Geelong's long-term future movement and access vision. The plan will also articulate the implications existing challenges and future growth will have on the way our community moves. An action plan, which focuses on short-term tactical actions, will be the final component of the project that will inform Council's role in implementing changes to the local road network and/or advocating for changes to transport matters that are not the responsibility of Council (i.e. public transport, arterial road network).

The ITP will be a Council owned document. Various stakeholders will be engaged with for input; however, the plan is to specifically focus on matters Council can influence or advocate for. This will allow opportunity for Council to advocate on matters that may be at difference with other management authorities or agencies.

The Department of Transport have agreed to be a key stakeholder to contribute to the ITP.

The proposed process for developing the ITP is a framework approach that seeks to respond to a future transport vision, while providing tangible short-term actions that can respond to evolving transport issues.

Completing the framework approach to developing the ITP will require on-going analysis to measure the effectiveness of actions delivered and any iteration of these actions to deliver step change over the long-term.

SUSTAINABLE TRANSPORT ACTIONS

Following completion of the ITP, Council will be able to make informed action to support the communities need and ensure sustainability across the transport system. These actions may vary across the *delivery* of infrastructure, development of *strategy* and *policy*, further network *planning*, *educate* our community and *advocate* for changes to public transport and the arterial road network.

Collaboration with State Government

The Transport Integration Act sets out the legislative framework for the various transport and land use authorities to work together to achieve a fairer, safer and more environmentally sustainable transport system.

Council and the Department of Transport have different roles and responsibilities under the Road Management Act 2004. Generally;

- Council are the road management authority for local roads. This is largely confined to local streets, footpaths and shared paths.
- The Department of Transport are the responsible authority for public transport and arterial roads. This also considers broader regional movements, goods and logistics and public transport services (buses and trains).

Council can advocate for change and alteration to roads and services that are under the authority of the Department of Transport, however, ultimately cannot deliver or implement these changes.

The City is working in partnership with the Department of Transport and the Victorian Planning Authority on the Greater Geelong Growth Areas Infrastructure Strategy. The strategy will develop a long-term transport infrastructure plan for the municipality that will set the overarching framework for investment in state significant road and rail infrastructure projects to support greenfield development. The project will provide an in-depth understanding to the challenges facing the Greater Geelong transport network and how changing our approach to future large-scale projects can influence congestion, travel time and delay for users.

Council are working with the Department of Transport on several active State Government projects, such as:

- Rail duplication (Geelong to Waurin Ponds)
- Rail station upgrades (South Geelong, Marshall and Waurin Ponds)
- Armstrong Creek Transit Corridor
- Barwon Heads Road duplication
- Bellarine Link

Council and the Department of Transport are both active members of the G21 and specifically the G21 Transport Pillar. This committee includes membership from other G21 Councils (Surf Coast Shire, Golden Plains Shire and the Borough of Queenscliffe) as well as other industry stakeholders, associations and agencies.

Through G21, Council have endorsed the G21 Region Road Transport Plan 2017-20 and the G21 Region Public Transport Strategy 2014, amongst others, which incorporate and combine local and state transport plans and initiatives.

The G21 Transport Pillar are in the process of scoping a G21 Regional Transport Strategy. The Geelong Integrated Transport Plan will be a critical to inform and contribute to the broader G21 Regional Transport Strategy.

Council are an active member of the Committee for Geelong, as are the Department of Transport, which provides opportunity to unify advocacy across the variety of membership base and community.

In July 2020, Council wrote to the State Government DoT seeking support and funding for the development of the Geelong ITP.

Active Transport Infrastructure Projects

Council delivered the Western Link of the Better Bike Connections project in early 2020, linking Central Geelong to Geelong West and Hamlyn Heights.

The Southern Link of the Better Bike Connections Project extends from Central Geelong, through Belmont, to Waurn Ponds and is split into two Stages. Stage One from Central Geelong to Barwon River. Stage Two Barwon River to Waurn Ponds (including High Street, Belmont).

Stage One of the Southern Link is scheduled to commence procurement late 2020 with construction planned to commence early 2021.

Stage Two of the Southern Link requires confirmation of detailed design, following Council adoption of the concept in 2019. Procurement of detailed design is anticipated in early 2021.

The Shared Trails Masterplan was adopted by Council in March 2020. The plan identified 17 network gaps, 10 trail gaps and various trail deficiencies in the existing trail network. It is anticipated that investigation, design, and delivery of all 19 network connections could take up to 10 years to complete given the complexity of some segments.

Four paths from the Shared Trails Masterplan are planned for construction this financial year, which include;

1. 13th Beach Road shared path – between 13th Beach Surf Lifesaving Club and existing shared path (Trail Gap #10)
2. Bay Trail at Rippleside – St. Helens Boat Ramp (Trail Gap #6)
3. Bay Trail at Rippleside – link between existing Corio-Waurn Ponds Rd shared path (to North Geelong Station) and Corio Quay Rd and Bay Trail (Trail Gap #6)
4. Bay Trail to North Shore Station – connection along Corio Quay Rd, Esplanade, Alberty Rd, Station St (Trail Gap #2)

Note: these projects may be subject to change or alteration as further detailed investigation, service proofing and designs are undertaken.

In addition to the abovementioned construction projects, project development and feasibility have commenced on several larger scale network gaps across the Bellarine, aimed at linking the townships of Ocean Grove, Drysdale, Portarlington, St Leonards and Point Lonsdale. These investigations are still underway, however have identified challenges in determining viable routes due to available land, environmental and native vegetation, road safety and the location of existing services. Further updates will be provided by briefing to Council on these projects.

Further investigation and project development will also commence on the connection from Lara to You Yangs and Little River (Network Gap #3). Preliminary route analysis and discussion with Serendip Sanctuary have commenced and further work will be undertaken to resolve the route alignment this financial year.

Proposed Sustainable Transport Projects

SHARED TRAILS MASTERPLAN

Further project investigations are required to inform if viable routes are available and costs for the delivery of major Network Gaps, some of these investigations are underway however outcomes and results from these assessments are not complete. Further information will be provided to Council through briefing. These projects include;

1. Drysdale to Ocean Grove (Network Gap #15)
2. Drysdale to Portarlington (Network Gap #14)
3. Drysdale to St Leonards (Network Gap #13)
4. Ocean Grove to Point Lonsdale (Network Gap #16)
5. Lara to You Yangs (Network Gap #3)

Network Gaps often involve complex challenges due to available land, environmental and native vegetation, road safety and the location of existing services. Detailed investigation is required to determine available route options. Should a Network Gap contain a viable route, additional cost estimates will then be provided to Council for land acquisition (if required) and construction.

Two of the ten priority trail gaps identified in the Shared Trails Masterplan will be delivered with existing 2020-21 budget. Additional investigation on the remaining trail gaps will to develop and identify link connections to unlock the shared trails network.

INTEGRATED TRANSPORT PLAN

The ITP will solidify Greater Geelong's future transport vision and establish tactile short-term actions for implementation. These short-term actions will be frequently reviewed within the plans framework to ensure responsiveness to changes in the community.

The development of the ITP is currently unfunded and the delivery method is being considered by officers. A budget request will be submitted should funds be required for consultant support or data collection.

Once complete, the actions from the ITP will require funding for further development, investigation and implementation across the municipality.

There are several active projects occurring across Council that incorporate sustainable transport within their actions, design or outcomes. Such projects include, but are not limited to:

- Central Geelong Car Parking Strategy
- Sustainability Framework
- Malop Street green spine
- South Geelong Urban Design Framework
- Pakington Street Urban Design Framework
- Northern and Western Geelong Growth Area Precinct Structure Plans
- Geelong Growth Area Infrastructure Strategy

Attachment 3

The Council resolution from the 30 June 2020 Council meeting requesting a report on active and planned sustainable transport:

'That Council request the Chief Executive Officer to provide a report back to Council by December 2020 that:

- 1. Outlines how Council will continue planning for transport to become increasingly sustainable as growth across the region continues, including how existing plans align with strategic transport planning underway by the City and other agencies;*
- 2. Describes how we are collaborating with key stakeholders and State Government agencies to coordinate the municipality's transport planning;*
- 3. Provides an update on completed, current and proposed active transport infrastructure projects; and*
- 4. Identifies short and long-term sustainable transport projects that are ready for funding, particularly those that support active travel and other means to reduce dependence on vehicle travel for commuting, shopping and recreation'.*

7. QUARTERLY FINANCIAL MANAGEMENT REPORT – DECEMBER 2020

Source: Customer & Corporate Services – Financial Services
Director: Michael Dugina

Purpose

1. To present to Council the financial performance information to 31 December 2020.

Background

2. On 30 June 2020 the 2020-21 budget was adopted with a recurrent operating deficit of (\$24.6m) and a non-recurrent surplus of \$110.2m, resulting in a net surplus of \$85.6m.
3. The financial statements and commentary are for the period July 2020 to December 2020.

Key Matters

4. The recurrent operating result for the six-month period is a deficit of (\$7.6m), which compares to the budgeted deficit of (\$15.8m). This represents a better than anticipated outcome by \$8.2m. A summary of the year to date variances are provided in **Attachment 2** of this report.
5. The non-recurrent result (e.g. gifted assets from development, capital income, sale of properties, developer cash contributions to infrastructure etc.) for the six months was a surplus of \$69.2m, which compares to the budgeted surplus of \$53.4m. This represents a better than anticipated outcome by \$15.8m. A summary of the non-recurrent variances is provided in **Attachment 2** of this report.
6. The total surplus of \$61.6m is \$24.0m favourable to the year to date budget.
7. Through the Working for Victoria fund, the City is set to receive around \$8m this financial year to employ just under 200 FTE to help stimulate employment throughout the region. To the end of December, \$5.6m of income has been recognised, of which \$3.5m has been used to fund these FTE.
8. The City has also been sourcing Government grants to support recovery from COVID-19 pandemic. To date we have received funding of \$500k to support outdoor dining initiatives and further \$2.1m boost for local roads and infrastructure to fund shovel ready projects.
9. Capital expenditure year to date is \$56.5m against a year to date budget of \$60.2m. Spend on capital projects is continually being reviewed throughout the year. A summary of capital expenditure variances is provided in **Attachment 2** of this report.
10. The cash and investment balance of \$118.0m is \$35.6m higher than budgeted mainly due to higher rates receipts, developer cash contributions, grants income, loan borrowings and capital income, offset by lower land sales and fees and charges.
11. During September a \$45m loan was taken out in order to fund the Civic Precinct and LED Streetlighting capital projects. The budget allows for total loan borrowings of \$66.9m for the financial year if required.

12. The full year forecast in our September 2020 Quarterly Financial Management Report indicated a (\$33.4m) recurrent deficit, which was (\$8.8m) unfavourable to the budget. This variance was largely driven by additional COVID-19 support packages adopted by Council and revenue losses in leisure facilities due to continued forced closures, unbudgeted building demolition costs, partly offset by FTE vacancies and favourable waste/landfill income.
13. Since September, a stronger outlook in leisure centres and waste service costs, lower utility expenses, and savings from continued office closures indicates a full year recurrent forecasted deficit of (\$30.4m), or (\$5.8m) unfavourable to budget. The forecast will be further refined in Q3, which will be outlined in the March 2021 Quarterly Financial Management Report.

Cr Aitken moved, Cr Asher seconded -

14. **That Council endorse the Financial Management Report to 31 December 2020.**

Carried.

Attachment 1

Financial Implications

1. Any financial implications are addressed within the body of the report.
2. It has been determined by the Chief Executive Officer that a revised budget is not required for the 2020-21 financial period.

Community Engagement

3. Project managers have been consulted and provided the latest project updates which have been factored into this report.

Social Equity Considerations

4. There are no social equity implications arising from the subject of this report.

Policy/Legal/Statutory Implications

5. The report is provided in accordance with requirements under the *Local Government Act 2020*.

Alignment to Council Plan

6. The report is aligned to the Council Plan Strategic Objective 'Innovative Finances and Technology'.

Conflict of Interest

7. No City Officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Risk Assessment

8. There are no high or extreme risks arising from the subject of this report.

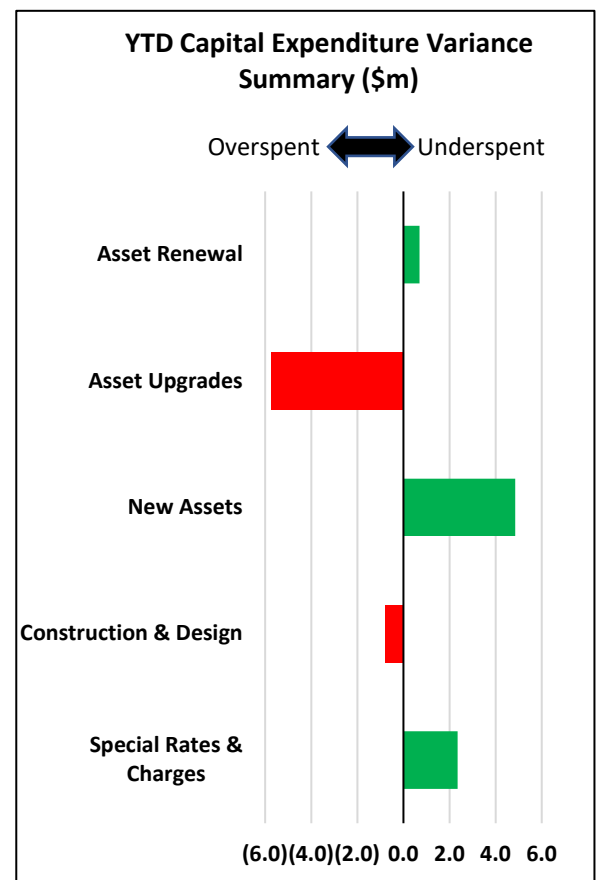
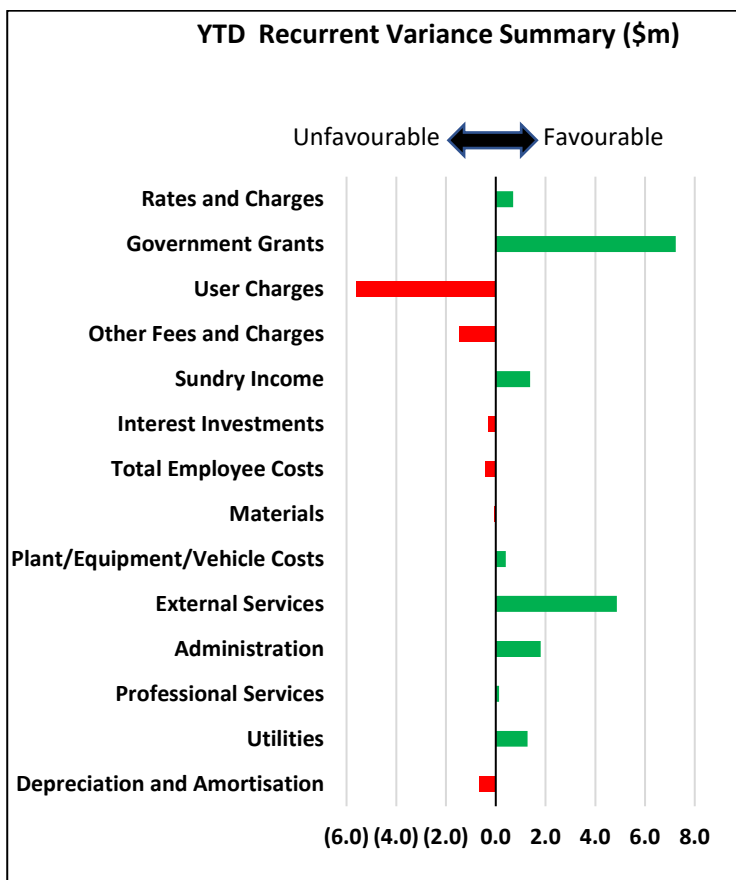
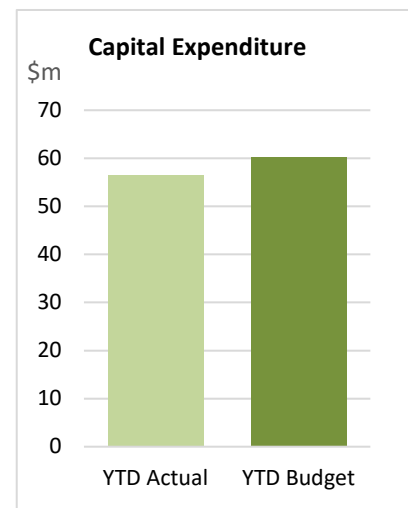
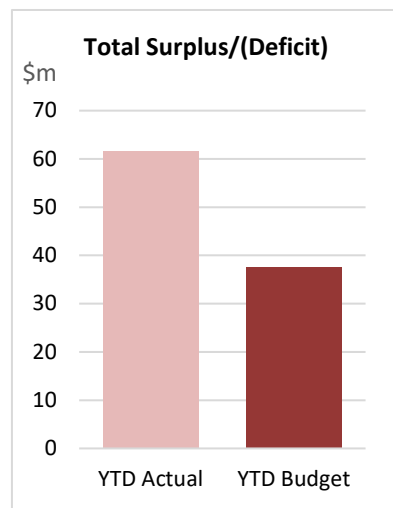
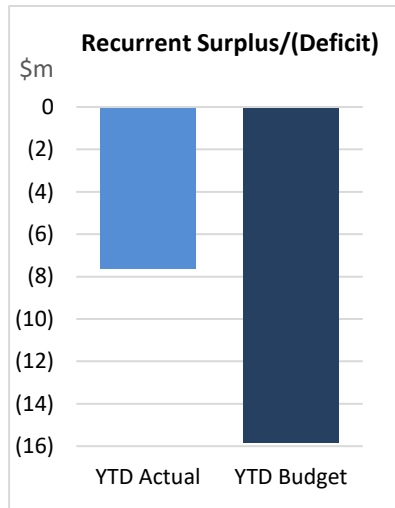
Environmental Implications

9. There are no environmental implications arising from the subject of this report.

Attachment 2

QUARTERLY FINANCIAL MANAGEMENT REPORT

December 2020



1. The December 2020 data is provided in the following table to report year to date performance versus the budget. The full year high level forecast is expecting a recurrent (\$5.8m) unfavourable and non-recurrent \$19.1m favourable result.

Overall Summary						
	YTD Actual \$m	YTD Budget \$m	YTD Var Fav/ (Unfav) \$m	FY Budget \$m	FY Forecast \$m	FY Var Forecast v Budget \$m
Recurrent Surplus/(Deficit)	(7.6)	(15.8)	8.2	(24.6)	(30.4)	(5.8)
Non-Recurrent Surplus/(Deficit)	69.2	53.4	15.8	110.2	130.5	20.3
Net Surplus/(Deficit)	61.6	37.5	24.0	85.6	100.1	14.5
Capital Expenditure	56.5	60.2	3.7	160.4	160.4	0.0
Closing Net Cash Positive/(Negative)	118.0	82.4	35.6	106.6	85.7	(20.9)

Recurrent Summary						
	YTD Actual \$m	YTD Budget \$m	YTD Var Fav/ (Unfav) \$m	FY Budget \$m	FY Forecast \$m	FY Var Forecast v Budget \$m
Recurrent Income	184.5	182.6	1.9	372.4	370.4	(2.0)
Recurrent Expenditure	192.1	198.4	6.3	397.0	400.8	(3.8)
Recurrent Surplus/(Deficit)	(7.6)	(15.8)	8.2	(24.6)	(30.4)	(5.8)
YTD Variance - \$8.2m Favourable						

2. The following major variances contributed to this recurrent result:

Income:

- 2.1 **Rates & Charges \$695k favourable** – Mostly driven by higher supplementary rates (an increase of 2,428 rateable properties compared to budget), however this is subject to be offset by objections as the year progresses.
- 2.2 **Government Grants \$7,233k favourable** – Timing of Working for Victoria Fund receipts \$5,600k (offset by \$3,463k expenditure), favourable Home Care Packages due to high demand and additional grants in Family Services due to additional state funding and transition payment to support the under-utilisation and freeze on fee increases. This is partly offset by Food Act reimbursement for closures.
- 2.3 **User Charges (\$5,595k) unfavourable** – Lower Activity/Program fees (\$4,023k – Leisure & Family Services), car parking fees (\$928k) due to free parking initiatives, commercial rent relief (\$367k).
- 2.4 **Other Fees and Charges (\$1,453k) unfavourable** – Food Act Licences waived due to COVID (\$1,372k) and lower parking fines (\$989k), offset by higher planning approvals/submissions \$838k.

Expenditure:

- 2.5 **Employee costs (\$409k) net unfavourable** – Working for Victoria spend and other redeployment related costs, offset by savings due to vacancies/staff turnover and changed EBA uplift assumptions (budget assumed 2.3%).
- 2.6 **External Services \$4,869k favourable** – Timing of contractors \$2,986k, Waste Disposal/Recycling savings to due redirecting waste from Wyndham – lower gates fees and transport costs and unbudgeted internal income), Building Maintenance \$522k and Events/Functions \$513k, offset by unbudgeted building demolition works (\$1,048k) and timing of grants/contributions payments (\$485k).
- 2.7 **Administration \$1,808k favourable** – Lower training/development costs \$744k, printing/stationery/photocopying costs \$431k, debt collection costs \$174k (no expenses incurred YTD) and computer software \$156k.
- 2.8 **Utilities \$1,275k favourable** – lower costs for Water \$886k (mostly due to wet weather) and Electricity/Gas \$352k (due to office and facility closures).

Non-Recurrent Summary						
	YTD Actual \$m	YTD Budget \$m	YTD Var Fav/ (Unfav) \$m	FY Budget \$m	FY Forecast \$m	FY Var Forecast v Budget \$m
Non-Recurrent Surplus/(Deficit)	69.2	53.4	15.8	110.2	130.5	20.3
YTD Variance – \$15.8m favourable						

3. This non-recurrent result was driven by favourable developer contributions \$14.2m, capital income \$7.5m and the favourable operating position \$8.2m, offset by lower than expected subdivision gifted assets (\$2.6m) and gain on property sales (\$4.7m).

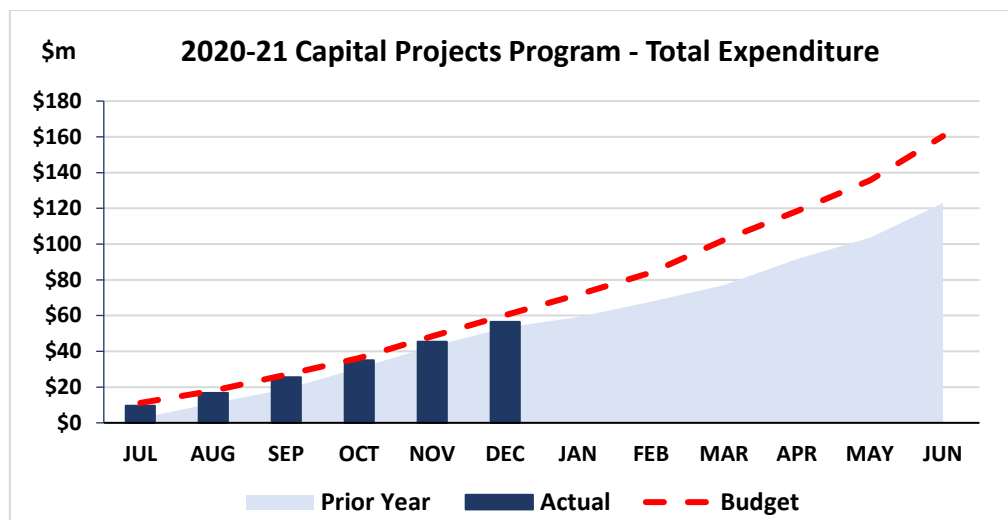
Capital Expenditure Summary				
	YTD Actual \$m	YTD Budget \$m	YTD Var Underspent/ (Overspent) \$m	FY Budget \$m
Capital Expenditure	56.5	60.2	3.7	160.4
YTD Variance – \$3.7m underspent				

4. The capital program is currently \$3.7m underspent, mostly due to the timing of project spend. Large project variances to budget are as follows.

Project	YTD Var Underspent/(Overspent) \$m
C20420 - Civic Accommodation Project	6.27
C17301 - Elcho Channel SRC Scheme	1.48
C20312 - Safe Travel in Local Streets	1.35
C11206 - New Corio/New Station Estates Purchase Scheme	0.87
C19204 - ICT Strategy Projects	0.74

Project	YTD Var Underspent/(Overspent) \$m
C19201 - Waterworld Canopy Replacement	0.50
C68902 - DCP - JR Tivoli Drive Curlewis _ R001, R003 and P003	(1.14)
C20402 - Herne Hill Reserve	(1.42)
C19413 - Polworth Pavilion and West Oval - Pavilion Construction	(4.31)

5. The graph below summarises total capital gross expenditure to date.



Environmental Upgrade Agreements

6. The City has two environmental upgrade agreements in place.

6.1 An environmental upgrade agreement was entered into in June 2017 for Lot 2 on Plan Subdivision 041455, Volume 08704 Folio 526.

- The total charge for this agreement is \$115k and all payments that have fallen due have been remitted.
- The total value of payments that are yet to fall due is \$75k.

6.2 An environment upgrade agreement was signed in April 2020, with payments deferred until 30 September 2020 due to COVID-19 for Lot 3 on Plan Subdivision 74780, Volume 08651 Folio 328.

- The total charge for this agreement is \$122k. The first payment due to be remitted 30 September 2020, is still outstanding and is under discussion.

**OPERATING STATEMENT
as at 31 December 2020**

Figures in \$000s	Current Month			Year to Date			Full Year		
	ACT	BUD	Δ BUD	ACT	BUD	Δ BUD	F/CAST	BUD	Δ BUD
Rates and Charges	21,072	20,959	113	128,842	128,147	695	254,884	254,042	842
Government Grants	3,728	2,732	996	30,560	23,328	7,232	57,261	45,907	11,354
User Charges	2,827	4,462	(1,635)	15,523	21,118	(5,595)	39,169	50,943	(11,774)
Other Fees and Charges	816	1,233	(417)	6,004	7,458	(1,454)	14,460	15,877	(1,417)
Sundry Income	544	196	348	3,208	1,833	1,375	3,977	4,236	(259)
Interest Investments	39	95	(56)	350	670	(320)	640	1,400	(760)
Total Recurrent Income	29,026	29,676	(650)	184,488	182,553	1,935	370,391	372,405	(2,013)
Salaries	16,254	15,290	(964)	84,614	84,153	(461)	172,691	169,903	(2,788)
Workcover	260	240	(20)	1,327	1,379	52	2,695	2,724	29
General Works - Materials	550	720	170	3,725	3,663	(62)	7,985	7,734	(251)
General Works - Plant/Equipment/Vehicles	867	763	(104)	3,879	4,287	408	8,272	8,609	337
General Works - External Services	9,720	9,313	(407)	47,419	52,288	4,869	101,878	103,050	1,172
Administration	1,093	1,054	(39)	5,101	6,909	1,808	12,184	14,582	2,398
Professional Services	909	868	(41)	4,567	4,706	139	13,884	8,278	(5,606)
Utilities	682	1,102	420	4,571	5,847	1,276	10,107	12,232	2,125
Efficiency Dividend	-	(200)	(200)	-	(1,200)	(1,200)	(2,400)	(2,400)	-
Depreciation	6,241	6,037	(204)	37,002	36,332	(670)	73,446	72,263	(1,183)
(Gain)/Loss on Sale of Plant & Equipment	-	5	5	(111)	30	141	45	59	14
Total Recurrent Expenditure	36,577	35,194	(1,383)	192,095	198,392	6,297	400,787	397,034	(3,753)
Recurrent Surplus/(Deficit)	(7,550)	(5,518)	(2,032)	(7,607)	(15,838)	8,231	(30,396)	(24,629)	(5,767)
Subdivision Gifted Assets	10,472	6,250	4,222	34,865	37,500	(2,635)	80,000	75,000	5,000
Capital Grants and Income	3,037	70	2,967	14,629	7,099	7,530	23,505	16,801	6,704
Developer Contributions	2,615	2,126	489	20,991	6,802	14,189	30,981	14,510	16,471
Gain/(Loss) on Sale of Property	1	791	(790)	1	4,747	(4,746)	5,437	9,495	(4,058)
Total Non-Recurrent Income	16,125	9,238	6,887	70,486	56,148	14,339	139,923	115,805	24,117
Loss on Disposal of Infrastructure	24	464	440	338	2,785	2,447	5,570	5,570	0
Prior Year Adjustments	-	-	-	985	-	(985)	3,830	-	(3,830)
Total Non-Recurrent Expenditure	24	464	440	1,324	2,785	1,461	9,400	5,570	(3,830)
Non-Recurrent Surplus/(Deficit)	16,101	8,774	7,327	69,163	53,363	15,800	130,523	110,235	20,287
TOTAL SURPLUS/(DEFICIT)	8,551	3,256	5,295	61,556	37,525	24,031	100,127	85,606	14,521

**STATEMENT OF FINANCIAL POSITION
at 31 December 2020**

<i>Figures in \$000s</i>	YTD ACTUAL	PRIOR MONTH	Comments on major monthly movements
CURRENT ASSETS			
Cash and Cash Equivalents	118,048	127,246	
Trade and Other Receivables	183,810	204,020	Reduction mostly due to continued rate payments.
Prepayments	4,819	6,089	
Inventories	1,317	1,391	
TOTAL CURRENT ASSETS	307,994	338,746	
CURRENT LIABILITIES			
Trade and Other Payables	47,268	52,271	
Unearned Income	137,475	156,534	Reducing as revenue is recognised on the Operating Statement.
Loans	11,829	11,791	
Refundable Deposits	10,079	10,664	
Employee Benefits	40,982	39,147	
Landfill Provision	124	124	
TOTAL CURRENT LIABILITIES	247,756	270,531	
NET CURRENT ASSETS	60,238	68,215	
NON-CURRENT ASSETS			
Land and Buildings	1,224,246	1,224,178	
Plant and Equipment	31,691	32,013	
Infrastructure	1,505,904	1,499,662	
Intangible Assets	2,644	2,676	
Work In Progress	104,482	94,792	Capital projects not yet finalised.
Right Of Use Assets	4,725	4,991	
Investments	11,835	11,835	
Receivables	9,429	9,429	
TOTAL NON-CURRENT ASSETS	2,894,956	2,879,575	
NON-CURRENT LIABILITIES			
Developer Contributions Liability	68	26	
Loans	113,889	115,038	\$45m loan drawdown in Sep, less loan principal repayments.
Employee Benefits	1,913	1,953	
Landfill Provision	16,559	16,559	
TOTAL NON-CURRENT LIABILITIES	132,430	133,577	
NET ASSETS	2,822,764	2,814,213	
Represented by:			
RATEPAYER EQUITY			
Surplus Year to Date	61,556	53,005	
Accumulated Surplus	1,541,041	1,541,041	
Asset Revaluation Reserve	1,187,580	1,187,580	
Reserves	32,588	32,588	
TOTAL RATEPAYER EQUITY	2,822,764	2,814,213	

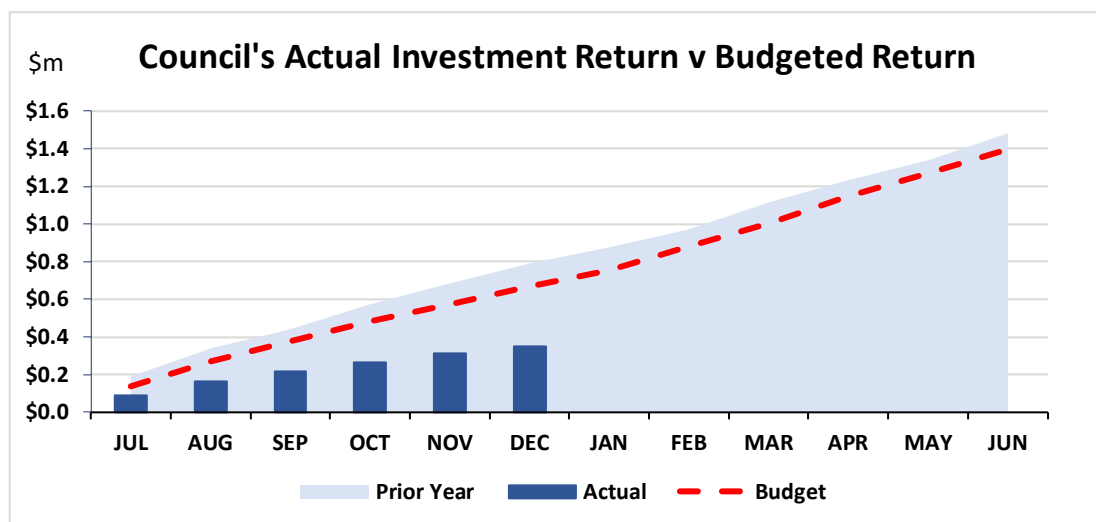
**STATEMENT OF CASH FLOWS
at 31 December 2020**

<i>Figures in \$000s</i>		ACTUAL	BUDGET	Δ BUDGET
Cash Flows from Operating Activities				
<i>Payments</i>				
	Employee Costs	(80,664)	(87,391)	6,727
	General Works / Utilities / Disbursements	(78,189)	(70,008)	(8,181)
	Administration / Professional Services	(9,036)	(10,529)	1,493
	Interest Expense	(1,409)	(1,388)	(21)
		(169,298)	(169,316)	18
<i>Receipts</i>				
	General Rates	101,526	85,832	15,694
	Fire Services Levy	429	0	429
	Fees and Charges	20,737	31,802	(11,065)
	Investment Income	350	670	(320)
	GST Recoveries on Operating Transactions	10,637	5,124	5,513
	Government Grants	31,110	23,328	7,782
		164,789	146,757	18,032
Net Cash Inflow/(Outflow) from Operating Activities before Capital Income		(4,509)	(22,560)	18,051
Cash Flows from Investing Activities				
Payments for Land & Buildings, Plant & Equipment and Infrastructure Assets		(56,548)	(60,232)	3,684
Capital Income		14,629	7,099	7,530
Proceeds from Sale of Land & Buildings		1	12,125	(12,124)
Proceeds from Sale of Plant & Equipment		256	653	(397)
Developer Cash Contribution		21,033	6,802	14,231
Net Cash Outflow from Investing Activities		(20,629)	(33,554)	12,925
Cash Flows from Financing Activities				
Repayment of Borrowings		(5,183)	(4,755)	(428)
Proceeds from New Loans		45,000	39,936	5,064
Net Cash Outflow from Financial Activities		39,817	35,181	4,636
Net Increase (Decrease) in Cash Held		14,679	(20,933)	35,612
Cash at the Beginning of the Financial Year		103,369	103,369	
Cash at the End of Current Period		118,048	82,436	35,612

	YTD Actual \$m	YTD Budget \$m	YTD Var Fav/ (Unfav) \$m	FY Budget \$m
Closing Net Cash Positive/(Negative)	118.0	82.4	35.6	106.6
YTD Variance – \$35.6m favourable				

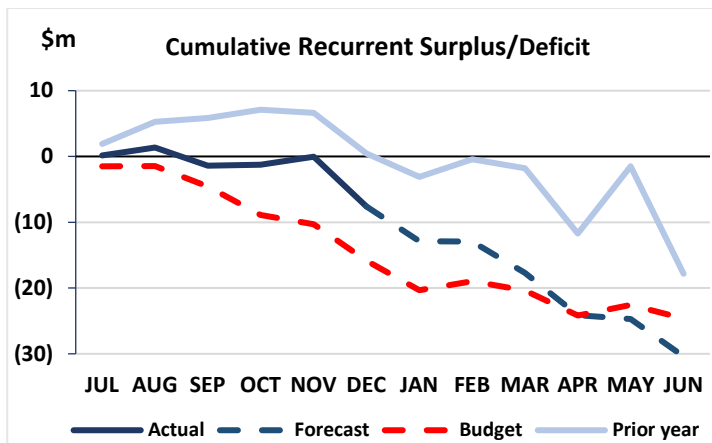
7. As at the end of December the cash and investments balance was \$118.0m or \$35.6m favourable to budget, mostly due to higher rates receipts, developer cash contributions, grants income, loan borrowings and capital income, offset by lower land sales and fees & charges. Cashflow continues to be closely monitored, especially given the pressures resulting from COVID-19.
8. Council has future commitments for \$52.6m, as detailed below:

Long service leave	\$23.9m
Statutory reserves	\$ 7.9m
Refundable deposits	\$10.1m
Income in advance	\$10.7m
Asset development	\$ 0.1m
Total	\$52.6m
9. The landfill provision balance is currently \$16.6m.
10. Working capital funds are invested in short term deposits and investment returns are as follows:



11. Investment returns are currently (\$320k) below budget and (\$439k) lower compared to the same time last year. This is driven by declining interest rates and lower amounts invested, due to a focus on maintaining a healthy cash balance due to the uncertainty caused by COVID-19.

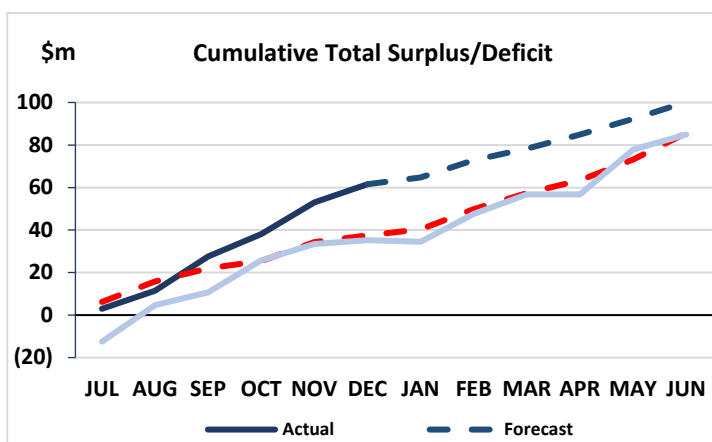
Financial Performance Indicators



Our recurrent deficit of (\$7.6m) is favourable to budget due to timing benefits relating to contractor and consultant costs and the receipt of the Working for Victoria Fund (of which the favourability will be eroded over the coming months as the grant is spent). In addition, income loss due to COVID-19 is offset by favourable supplementary rates (subject to be offset by objections later in the year), planning permits and government grants and lower expenditure on landfill costs, building maintenance, training/development, printing/stationary, events/functions and utility costs.

At the same time last year, the recurrent surplus was \$0.4m. In the current year, income is (\$3.5m) lower, due to lower user charges, offset by higher rates and grants income. Expenditure is \$4.6m higher, due to higher salaries and depreciation.

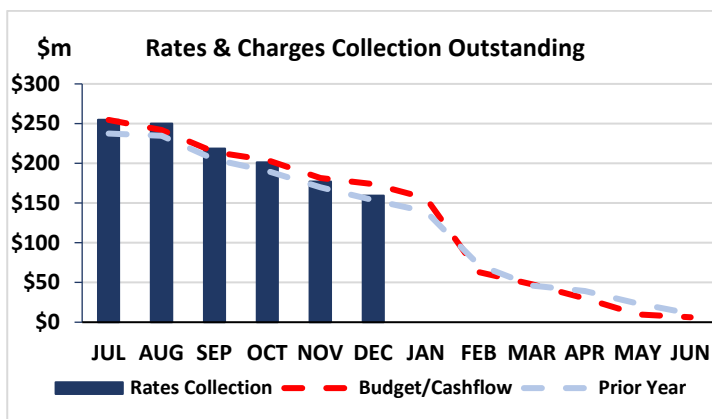
The full year recurrent forecast indicates a deficit of (\$30.4m).



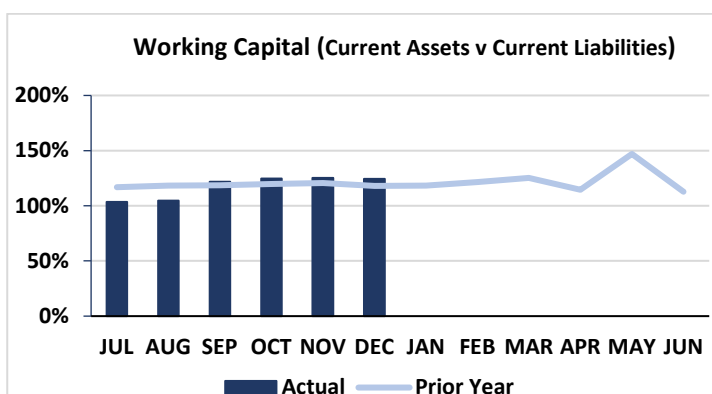
Our total surplus of \$61.6m is favourable to budget, due to higher developer contributions, capital income and the favourable operating position, offset by lower than expected subdivision gifted assets and gain on property sales.

At the same time last year, the total surplus was \$42.4m. In the current year, developer contributions, capital income and subdivision gifted assets are higher, which is partly offset by this year's unfavourable recurrent position.

The full year total forecast indicates a surplus of \$100.1m.



Rates collection is around \$15m ahead of budget, with 39% of full year rates received as at 31st December. The continuation of monitoring of collections and hardship is a key focus.



Working Capital ratio is marginally favourable compared to the same time last year, mostly due to a higher cash balance due to a \$45m loan taken out during September. This loan is to fund the Civic Precinct and LED Streetlighting capital projects.

The budget allows for total loan borrowings of \$66.9m to be taken out during the financial year if required.

8. TERMS OF REFERENCE - CENTRAL GEELONG BUSINESS REFERENCE GROUP

Source: Economy, Investment & Attraction – Central Geelong & Waterfront
A/Director: Tim Ellis

Purpose

1. For Council to endorse the Terms of Reference for a Central Geelong Business Reference Group.

Background

2. A Geelong Central Business District (CBD) Engagement Taskforce was established in 2020, comprising of 31 business and property owners in Central Geelong to provide feedback and suggestions on public transport servicing the CBD, on and off-street parking in the CBD, Central Geelong Marketing Committee and levy and commercial rates through a series of online workshops.
3. The Geelong CBD Engagement Taskforce – Findings Report (2020) was presented to Council on 21 September 2020. The report was referred to the incoming Council.

Key Matters

4. Following a number of workshops in 2020, a post-workshop survey of the participants showed an interest in continuing to provide their perspective on the key topic areas.
5. It was resolved at the 15 December 2020 Ordinary Council Meeting that Council:
 - 5.1 thank and note the advice, feedback and suggestions from the Task Force contained in the Geelong CBD Engagement Task Force - Findings Report, which identified the four topics of:
 - 5.1.1 public transport servicing;
 - 5.1.2 on and off-street parking;
 - 5.1.3 Central Geelong Marketing Committee and Levy; and
 - 5.1.4 commercial rates;
 - 5.2 request the Chief Executive Officer by 23 February 2021 draft Terms of Reference for Council's consideration to establish an ongoing engagement process to be conducted three times per year with members of the original Geelong CBD Task Force regarding the four topics above in order to provide Council with feedback regarding Geelong's CBD precinct; and
 - 5.3 officers, when presenting future reports to Council on the four topics above, consider and reference the advice and feedback from the Geelong CBD Taskforce report in their recommended initiatives to Council.
6. The Terms of Reference (**Attachment 2**) recommend a change of name from 'Geelong CBD Engagement Taskforce' to 'Central Geelong Business Reference Group' to reflect the ongoing nature of the engagement with the members of the group.
7. An annual funding allocation of \$30,000 is required to retain an external facilitator to prepare, facilitate and provide the reports and documents associated with the group independent of Council Officers.

Cr Sullivan moved, Cr Aitken seconded -

8. That Council:

- 8.1 Endorse the Terms of Reference for a Central Geelong Business Reference Group (Attachment 2);**
- 8.2 Include in the 2021/22 budget an allocation of \$30,000 to support the Central Geelong Business Reference Group;**
- 8.3 Authorise the Chief Executive Officer or delegate to invite business members of the Geelong CBD Engagement Taskforce to be members of the Central Geelong Business Reference Group; and**
- 8.4 That Council officers update in the Central Geelong Business Reference Group (the Group) Terms of Reference the:**
 - 8.4.1 Objectives to include the option for the Group to provide advice and feedback on other strategic items to be first submitted in writing to the Chief Executive Officer for inclusion at their discretion; and**
 - 8.4.2 Membership to include:**
 - 8.4.2.1 A maximum number for the Group be set at 45;**
 - 8.4.2.2 Membership be reviewed on an annual basis;**
 - 8.4.2.3 Business and/or property owners from the Central Geelong Action Plan area (refer Attachment 2) may express in writing to the Chief Executive Officer or delegate an interest in being a member of the Group;**
 - 8.4.2.4 Once the maximum number for the Group has been reached, applicants may submit an Expression of Interest to be considered by the Chief Executive Officer or delegate as part of the annual review process; and**
 - 8.4.2.5 Members of Central Geelong Marketing Committee be excluded from being members of the Group.**

Carried.

Attachment 1

Financial Implications

1. The cost for retaining an external facilitator will be up to \$30,000 per year to prepare, facilitate and provide the reports and documents associated with the group independent of Council Officers.

Community Engagement

2. The appointment of members to the Reference Group will include:
 - 2.1 The participants of the Geelong CBD Engagement Taskforce will be invited to be members of the Central Geelong Business Reference Group; and
 - 2.2 Members of the Central Geelong Business Reference Group must be current business and/or property owners in the Central Geelong Action Plan area.
3. The timing for engagement with the Reference Group will be determined at the discretion of the Director Economy, Investment and Attraction taking into consideration emerging business-related issues relevant to the four identified topics commencing from 1 July 2021.
4. The Central Geelong Business Reference Group will contribute via the deliberative engagement model, as described in the draft Community Engagement Policy.

Social Equity Considerations

5. The impact of COVID-19 may have greater impacts in health and/or financial terms across the local community. As Geelong navigates through the pandemic and plans its move towards recovery, it is important to support a healthy, active and thriving CBD.
6. Social equity considerations will be assessed as part of the ongoing engagement with the Central Geelong Business Reference Group.

Policy/Legal/Statutory Implications

7. Feedback and suggestions from the Geelong CBD Engagement Task Force – Findings Report (2020) can be considered and implemented by the City. Other suggestions will require the City to take on an advocacy role, as the responsibility sits with other levels of government. This approach will apply to the outputs of the group throughout the proposed one-year term.
8. The Terms of Reference provide clear governance for the group.

Alignment to Council Plan

9. The advice, feedback and suggestions outlined in the Geelong CBD Engagement Task Force – Findings Report, align directly to the strategic priorities outlined in the *Council Plan 2018-22* with regard to 'A Thriving and Sustainable Economy', 'Informed Social Infrastructure and Planning', 'Growing our Tourism and Events', and 'Integrated Transport Connections'.

Conflict of Interest

10. No City officer involved in the preparation of this report has declared a general or material interest in this matter.

Risk Assessment

11. COVID-19 still presents many risks to the community and businesses. As the City navigates through the current challenges and toward a recovery post COVID-19, it is extremely important we transition out of the Pandemic environment with a healthy and active Central Geelong Business District (CBD).
12. Further risk assessments would be conducted should Council request for specific initiatives to be explored and evaluated through the Central Geelong Business Reference Group.

Environmental Implications

13. The advice, feedback and suggestions relating to the priority topic areas of public transport servicing the CBD and on and off-street parking in the CBD would require further assessment in relation to environmental implications, should Council request for specific initiatives to be explored and evaluated further.

THE CITY OF
GREATER GEELONG

TERMS OF REFERENCE

CENTRAL GEELONG BUSINESS REFERENCE GROUP

VERSION: DRAFT 1

Approval Date: XX February 2021

Approved by: Council

Review Date: XX February 2025

Responsible Officer: Director, Economy, Investment
& Attraction

Authorising Officer: Chief Executive Officer

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Introduction

BACKGROUND

As the City endeavours to navigate through the challenges of COVID-19, there is a recognition by Council that business and property owners in Central Geelong have experiences and viewpoints that can contribute to the recovery of the city's economy by focusing on particular topics that are seen as important strategic areas for review.

In August 2020 Council created a Geelong Central Business District (CBD) Engagement Taskforce consisting of 31 prominent, experienced and respected business people in Central Geelong. A series of workshops were held focusing on:

- Public transport servicing;
- On and off-street parking;
- Central Geelong Marketing committee and levy; and
- Commercial rates.

A Geelong CBD Engagement Taskforce – Findings Report (2020) was presented to Council in September 2020.

Following a Council resolution in February 2021, participants in the Geelong CBD Engagement Taskforce will be invited to participate in an ongoing Central Geelong Business Reference Group (Reference Group) as part of an ongoing deliberative engagement process with business and/or property owners in Central Geelong.

The main function of this group is to assist Council in the consultative process and provide valuable information to support the decision making of Council and in turn, the achievements of its objectives under the Council Plan. The Reference Group would generally have a lifespan beyond one year (subject to a review by the Group members) and be focused in conjunction with relevant City Plans and Strategies.

Advice from the Reference Group will help to achieve Council's objective of providing for the best outcomes for the community to ensure that:

- resources are used efficiently and effectively;
- decision making by the City and Council reflects the best interest of all sections of our community;
- the community has confidence in Council and the decisions that it makes; and,
- the focus is on a thriving and sustainable Central Geelong.

Advice from the Reference Group will also support the City's role, which includes maintaining the viability of Council by ensuring that resources are managed in a responsible and accountable manner.

PURPOSE

The aim of Central Geelong Business Reference Group is to support Council decision making for matters related to COVID-19 recovery and growth of Central Geelong by providing feedback and advice through a deliberative engagement process.

The Reference Group will also provide a platform for prominent, experienced and respected businesspeople to advocate on priorities that are important to the business community in Central Geelong.

OBJECTIVES

To deliver on the aim, the Reference Group will consider the collective interests of the business community in Central Geelong and specifically:

- Provide advice, knowledge and experience to Council on the agreed priority issues of:
 - Public Transport;
 - Car Parking;
 - Central Geelong Marketing;
 - Commercial rates.
- Provide feedback to actions that support the progression of priorities identified in the Geelong CBD Engagement Taskforce - Findings Report (2020) via the Director Economy, Investment and Attraction.

ENGAGEMENT

An Engagement Plan will provide guidance for the Reference Group and Council that aligns with the expectations for deliberative community consultation in accordance with the (2021 draft) Community Engagement Policy. The expectation is that the engagement will be meaningful, appropriate and respectful.

The intent is to follow a deliberative engagement process that brings participants closer to the decision makers than other forms of engagement; where participants are provided with a clear task or question, have access to appropriate resources and information, and are given the time and space required to deliberate and respectfully reach consensus.

Engagement may be delivered virtually or in person.

DURATION

This Reference Group commences on XXXX and will be in place for a period of more than one year but less than 2 years subject to review by the Reference Group in conjunction with Council.

This Terms of Reference and effectiveness of the Reference Group will be reviewed prior to the conclusion of the 2-year period and a report will be prepared for Council with recommendations on the future of the Reference Group.

MEMBERSHIP

The appointment of members to the Reference Group will occur via the following process:

- The participants of the Geelong CBD Engagement Taskforce will be invited to be members of the Central Geelong Business Reference Group.
- Members of the Central Geelong Business Reference Group must be current business and/or property owners in the Central Geelong Action Plan area.
- Councillors and Council Officers may attend in an observatory capacity.

COMPOSITION

All participants of the Geelong CBD Engagement Taskforce shall make up the composition of this Reference Group.

The Reference Group will be led by a facilitator as appointed by the Chief Executive Officer or delegate.

AUTHORITY

- The Reference Group has no delegated authority to act on behalf of Council.
- The Reference Group has no financial delegation or authority.
- The Reference Group is not a voting forum.
- The Mayor and the Director Economy, Investment & Attraction are the designated media spokespeople for Council in accordance with Council's Media Policy.
- Reference Group members may speak to the media about their own views but must not purport to represent Council.

CODE OF CONDUCT

- Reference Group members must commit themselves to the Terms of Reference of the Reference Group.
- Reference Group members must attend meetings of the Reference Group personally (no proxy allowed) and respond with an RSVP no later than by the designated RSVP date.
- Reference Group members must abide by best practice in the conduct of Advisory Reference Groups.
- Reference Group members must treat others with respect and have due regard to the opinions, rights and responsibilities of others.
- Reference Group members must maintain the confidentiality of all information provided unless otherwise advised.
- Reference Group members shall act in a voluntary capacity.
- Reference Group members who act as a "representative" of an organisation are expected to be able to represent the views and ideas of that organisation while participating in the Reference Group as an individual with their own views, ideas and experience to be contributed for the benefit of the Reference Group.
- If a Reference Group member does not comply with the Terms of Reference, the matter will be referred to the Director Economy, Investment & Attraction or delegate. If a Reference Group member is found to have not complied with the Terms of Reference, termination of their membership from the Reference Group may result.

MEETINGS

- The Reference Group will meet no more than three (3) times per year.
- The Reference Group will be hosted by Council in an appropriate venue or on-line.
- A meeting of the Reference Group will not be called with less than two weeks' notice to all members, unless there are exceptional circumstances.

MEETING PROCEDURE

- The convenor shall convene the engagement meetings, taking account of both the need for efficiency and the importance of accountability.
- If the convenor is not present the meeting will be led by one of the members present.

MEETING QUORUM

- A quorum is **not** required but the convenor will note the numbers attending the meeting.

REPORTING

- The Reference Group shall report to Council providing an update of Reference Group activities as required but, at least annually.
- Distribution time for agendas is one week prior to the scheduled meeting date.
- Notes or artefacts from the Reference Group meeting will be circulated two weeks after the meeting has been held.

FACILITIES & RESOURCES

- The Reference Group will not have a budget for approved activities but will advise Council annually on budget requirements in relation to infrastructure, research, advocacy, promotions and community engagement for inclusion in respective program budgets.
- Reasonable administrative resources shall be provided.

ATTACHMENTS

- Geelong CBD Engagement Taskforce – Findings Report (2020)

Definitions

Central Geelong means all land within the Central Geelong Action Plan Area.

Central Geelong Action Plan area is defined as the land area indicated in the map below.

City means the administrative organisation of the Council, led by the Chief Executive Officer.

Convener means the independently appointed facilitator for this Reference Group.

Council means the Greater Geelong City Council constituted in accordance with the *Local Government Act (Vic) 2020*.

Member means a member of this Reference Group.

Reference Group means the Central Geelong Business Engagement Reference Group (formerly known as the Central Geelong Business Task Force).

Central Geelong Action Plan area map

Map 1 – Action Plan area



Record	Retention/Disposal Responsibility	Retention Period	Location

9. CENTRAL GEELONG MARKETING – INTENTION TO DECLARE SPECIAL RATE

Source: Economy, Investment & Attraction – Central Geelong & Waterfront
A/Director: Tim Ellis

Purpose

1. To commence the statutory process to renew the Central Geelong Special Rate and Charge Scheme, for the 1 July 2021 to 30 June 2026 period, for the purpose of marketing, promotion and business development of the Central Geelong CBD.

Background

2. Central Geelong Marketing (CGM) has provided a placemaking function in Central Geelong through marketing, activation, business development and events throughout Central Geelong since 2001 via the Central Geelong Special Rate. The Committee, made up of 14 business and stakeholder representatives, fully supports the continuation of the program.
3. The award-winning activities of CGM have consistently demonstrated considerable economic, social and strategic benefit for the Central Geelong business community and the wider municipality who work, study, shop, dine, visit professional services and spend leisure time in Central Geelong. The CGM program has provided an average return on investment of \$15.90 for every \$1 invested within the current special rate period.
4. The Geelong CBD Engagement Task Force Findings Report tabled at the Ordinary Council Meeting on 21 September 2020 indicated general support for the services delivered by the but felt the program also provided broad benefits to the entire Greater Geelong municipality and that the costs related to the delivery of the program should not be borne by the Central Geelong businesses and property.
5. Supporting a vibrant, ever growing CBD and assisting business recovery for those sectors hit hardest by COVID-19 is critical to region's ongoing success. There were approximately 54% of Central Geelong businesses closed during April 2020 with only 13% indicating they were trading as normal. Approximately 92% of the businesses in Central Geelong were impacted by the pandemic.

Key Matters

6. Without a Council resolution to consider a further five-year Special Rate program or alternate recurrent funding models, the current five-year Special Rate program ends 30 June 2021 and all activities delivered by Central Geelong Marketing will cease immediately.
7. For the CGM program to continue in its current form, the process requires Council to decide to proceed with an Intention to Declare a Special Rate, followed by a consultation process with commercial and business property owners including a hearing of submissions. Council would receive a further report for decision to declare the Special Rate based on the engagement phase including the result of the Council Hearing Panel process and any amendments made by that Panel.

8. The special rate is declared for the purpose of fully funding CGM to develop programs to bring boosted visitation and increased economic benefit through the promotion of businesses and activity delivery within the Central Geelong precinct on the basis that the outputs of the CGM will be a special benefit to those persons required to pay the special rate in the area as shown in **Attachment 2**.

Cr Murrihy moved, Cr Sullivan seconded -

9. That Council:

- 9.1. in accordance with the provisions of section 163 of the *Local Government Act 1989* (the Act), resolve to give notice of its intention to declare the Central Geelong Marketing Special Rate as follows:

- 9.1.1. A special rate be declared for the period commencing on 1 July 2021 and concluding on 30 June 2026. The special rate be declared for the purpose of financing the operation and administration of the Central Geelong Marketing office, marketing, promotion and advertising initiatives, the provision of business information, business training and networking, the provision of events and activities and the associated encouragement and development of commerce and trade within the Geelong Central Business Precinct.

- 9.1.2. It be recorded that, for purposes of Section 163(2A) of the Act, the special rate proceeds will not exceed the amount calculated in accordance with the prescribed formula ($R \times C = S$), the:

- 9.1.2.1. 'benefit ratio' (R) being calculated at 100%, and representing the special benefits to all persons liable to pay the special rate; and

- 9.1.2.2. 'total cost' (C) of performing the function described in part 9.1.3 of this resolution be recorded as per part 9.1.4 of this resolution; and

- 9.1.2.3. 'maximum levy' (S) be recorded as per part 9.1.4 of this resolution.

- 9.1.3. The following be specified as the area for which the special rate is so declared:

- 9.1.3.1. The area within the municipal district of Council highlighted in the plan (Attachment 2) attached to this Resolution ("the area").

- 9.1.4. The following be specified as the land in relation to which the special rate so declared:

- 9.1.4.1. All land within the area other than land used exclusively for residential purposes.

- 9.1.5. The following be specified as the criteria which form the basis of the special rate so declared:

- 9.1.5.1. Ownership of any land described in part 9.1.6 of this Resolution.

9.1.6. The following be specified as the manner in which the special rate so declared will be assessed and levied:

9.1.6.1. An amount calculated by applying 0.00059986 cents in the dollar of the Capital Improved Value to each parcel of rateable land together with such further amount as represents any increase in the Consumer Price Index (Capital Cities Weighted Average – All Groups) during the immediately preceding 12 month period, in respect of each 12 month period from 1 July 2022 onwards.

9.1.6.2. For the purposes of part 9.1.6.3 of the Resolution, the Capital Improved Value of each parcel of land is the Capital Improved Value of that parcel of land at the time of levying the special rate (so that the Capital Improved Value may alter during the period in which the special rate is in force, reflecting any revaluations and supplementary valuations which take place).

9.1.6.3. Having regard to the preceding parts of this Resolution but subject to section 166(1) of the Act, it be recorded that, subject to any further Resolution of Council, the special rate will be due and payable on the date(s) fixed under section 167 of the Act as the date or dates on or by which Council's general rates are due.

9.2. Consider any submissions made under section 223 of the Act and the proposed declaration via a Submissions Review Panel, and then at a subsequent Council meeting, at which time Council will consider whether to make a declaration in the form proposed.

9.3. Authorise the Chief Executive Officer to give public notice of the proposed declaration in accordance with sections 163(1A) and (1B) of the Act 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 Act.

9.4. Refer the intention to declare the Central Geelong Marketing Special Rate to the Central Geelong Business Reference Group for consideration and feedback, and report any recommendations the Reference Group may make to Council as part of the final report to accept or reject this special rate.

Carried.

Attachment 1

Financial Implications

1. The total amount of the proposed special rate for 2021/2022 is \$1,139,605 (same as the 2020/2021 amount) with expenditure to be approved by the Committee annually. The annual budget is generally fully expended each year.
2. The CGM Special Rate was applicable to 1,477 businesses across Central Geelong as an additional charge on their rates notice for 2020/2021. The income is \$1,139,605 from the Special Rate as well as other minor income from other sources. The rate is set on the capital improved value of the property. The average property/ business would pay \$14.83 per week for the 2021/2022 period.
3. The CGM program has provided an average return on investment of \$15.90 for every \$1 invested within the current special rate period and is highly regarded for its financial management. Refer **Attachment 4** for an evaluation report prepared by an independent subject matter expert consultant providing an assessment of the effectiveness of the Central Geelong Special Rate and comparison with other regional centres.

Community Engagement

4. The decision to renew the special rate is made every five years – 2021 will be the fifth time the program has been put to Council over 20 years. Following the *Intention to Declare a Special Rate* all businesses in the CBD (1,477) are provided the opportunity to make a submission regarding the proposed special rate, which are heard by a Council panel.
5. The Central Geelong Marketing Committee – representing business and stakeholder organisations in Central Geelong - resolved in May 2020 to request the continuation of the Central Geelong Marketing program.
6. During the consultation period prior to the renewal of the current Special Rate (2016 – 2021), a stakeholder survey showed majority of respondents supported the continuation of the program. The Submissions Hearing Panel for the current special rate received a total of 51 submissions from the 1,496 properties which 29 were in favour; 3 supported the scheme with suggestions for alternate funding sources; 16 were objections and 2 were outside the scope of the Special Rate scheme. The January 2020 CGM Stakeholder Survey results indicated a high level of support for the consolidated marketing body. The feedback from the Geelong CBD Engagement Task Force Report indicated the services provided by CGM are generally valued but property and business owners suggest council fund the program.

STAKEHOLDER SURVEY STATISTICS	
90%	of businesses surveyed indicated they were aware of CGM's programs;
81%	thought CGM had provided a central focus for businesses and the promotion of Central Geelong
93%	agreed there is a benefit in having a collective approach to marketing Central Geelong.
44%	thought Special Rate paid for the activities of Central Geelong Marketing represents good value,
50%	were unsure if the special rate represents good value
4%	did not think the amount paid by the Special Rate provided good value

7. The consultation process is through a Public Notice in the print media (Friday 5 February and Saturday 6 February) in City News. The Public Notice period is 28 days.
8. A Submissions Review Panel would be established to receive and hear from submitters. The hearings shall take place on one day with a date of Friday 19 March proposed to meet the timeframes for a final report to Council on 27 April.
9. The Effectiveness of Central Geelong Marketing Program report (McNabb, 2020) (**Attachment 4**) is an independent assessment of the current program and includes opportunities for CGM in the future.

Policy/Legal/Statutory Implications

10. The special rate scheme has been prepared in accordance with the special rate and special charges provision of the Local Government Act 1989, and Regulation 10 of the *Local Government (General) Regulations 2015*.

Alignment to Council Plan

11. Links to our Clever & Creative Vision:
 - 11.1 Support and promote across the region, local businesses, markets and products;
 - 11.2 People feel safe wherever they are; and
 - 11.3 An inclusive, diverse, healthy and socially connected community.
12. 2018-2022 Council Plan
 - 12.1 A thriving and sustainable economy:
 - 12.1.1 Support and promote across the region, local businesses, markets and products.
13. The CGM placemaking approach supports the Municipal Public Health and Wellbeing Plan (2018-2021) including encouraging organisations (such as trader groups) and individuals to work collectively to improve local decision making and accountability for health in Neighbourhoods and, the place-based approaches of potential placemaking initiatives to create spaces with good surveillance, safe pedestrian access, walking paths, trees for shade and accessible public amenities around activity centres. (See **Attachment 5** – Placemaking for Greater Geelong Discussion Paper – December 2020)

Conflict of Interest

14. CGM staff are funded via the special rate however there are no other officers involved in preparing this report who have declared a general or material interest.

Risk Assessment

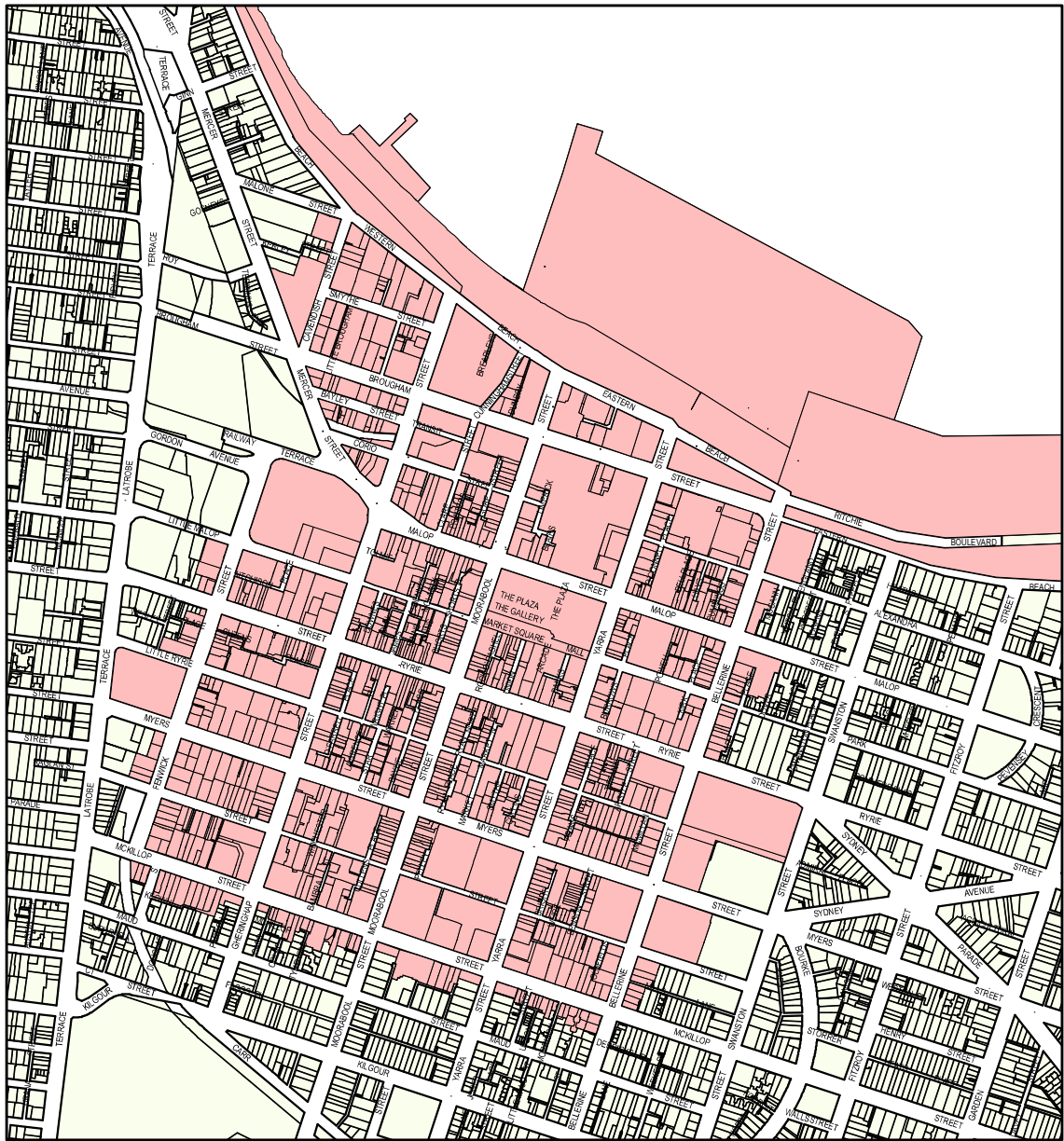
15. Disbanding of the CGM function will result in a loss of 4 FTE staff and the delivery of the successful programs and return of investment that the businesses and community have experienced for almost 20 years will cease.
16. There is a risk of reputational damage through the local media caused by job losses and the City withdrawing the CGM funding through the special levy.

17. There will be no coordinated marketing and place activities in Central Geelong and there could be future demands on the City for additional funds for place activation and marketing in Central Geelong should the activities of CGM cease. Refer **Attachment 3** for the list of activities undertaken by the Committee.

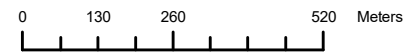
Environmental Implications

18. There are no environmental implications associated with this report.

PLAN



- All properties in Central
- Activities Area Special Rate Scheme
(Plan includes residential properties in
area not subject to the rate)



Activities that will cease should the Central Geelong Special Rate end 30 June 2021

Marketing - Raise the community's appreciation of Central Geelong	
Consolidated Advertising, including Central Geelong Branding	No branding for Central Geelong as a destination
Consolidated Advertising – Video / TVC - Regional & Metro	No Central Geelong videos produced or promotion via social media or in cinemas or regional TV
Consolidated Advertising – Print Campaign – Regional & Metro	No branded ads encouraging visitation to Central Geelong
Consolidated Advertising – Signage Campaign – Regional & Metro	No Signage boards in Central Geelong of upcoming events, activities or new businesses
Attract increased visitation to Central Geelong	No promotion of Geelong Weekend encouraging visitation from regional and metro areas.
Digital Communications Strategy	
Web	Love Central Geelong website with up to date business directory for Central Geelong will cease
Mobile (App)	Love Central Geelong app with over 12,000 downloads will cease to be updated and will be deleted
Social media	Deletion of Love Central Geelong Facebook page (25,000+ followers) / Love Central Geelong Instagram (6500+ followers)
Email and Database Management	No further communication with over 30,000 subscribers for information on Central Geelong Marketing activities, events and promotions
Promotions- Undertake promotions that attract people to Central Geelong and raise the profile of Central Geelong businesses	
Tastes of Central Geelong	No Tastes of Central Geelong delivered - <i>expected Total Economic Loss (TEO - Remplan) loss to businesses over 5 years - \$12M</i>
Central Geelong Shopping Festival + Sidewalk Sales	No Sidewalk Sales delivered - <i>expected Total Economic Loss (TEO - Remplan) loss to businesses over 5 years - \$25M</i>
May Magic	No May Magic / Spend and Win / Proof of Purchase promotions delivered - <i>expected Total Economic Loss (TEO - Remplan) loss to businesses over 5 years - \$2.25M</i>
Central Geelong School Holiday Program including Storyfest	No School Holiday Kids Fun Programs delivered - <i>expected Total Economic Loss (TEO - Remplan) loss to businesses over 5 years - \$15M</i>
Christmas in Central Geelong	No Christmas in Central Geelong activities delivered in support of COGG program - <i>expected Total Economic Loss (TEO - Remplan) loss to businesses over 5 years - \$18M</i>
Central Geelong Magic Meter Elves	No Central Geelong Christmas Elves
Off street parking promotion - Park & Ride Shuttle	Financial support and promotion of park & ride service will cease/ bus locator service will cease via Central Geelong app.
Central Geelong Parking Options	No Central Geelong Parking Maps produced and distributed to businesses

Key Target Markets / Business Type - Engagement Activities

Worker Engagement	No workers engagement program including weekly business profiles or worker offer ballots/ communications with database will cease
Seniors	No support for Seniors week including provision of park and ride shuttle to coincide with VLine free service days
Students	No support for Deakin Graduations or Open Days at Deakin or The Gordon
Residents	No resident engagement programs or promotions
Professional Services Campaign- Regional & Metro	No promotion of professional services offered to Wyndham / Regional - loss of average impressions and CTR

Events - Develop, support, and / or implement events that grow Central Geelong reputation as a leading business and cultural precinct

Street Entertainment Programs	No financial support for Street Entertainment Program - will lead to reduced performances in Central Geelong and on key event days
Activity and Event Participation	No Central Geelong representation at activities or events including markets/ sporting events/ performances/ occasions.
Sponsorship	No support for events to encourage visitation to Central Geelong businesses eg - Geelong Gallery/ Platform/ Wine Walk/ Revival etc
GPAC Family Magic	No financial support for this family-based theatre program/ no promotion to CGM databases
Makers & Growers Market	No financial support for this event / no communication with CGM market database
GeeLONG Weekend	No promotion of GeeLONG weekend to regional / metro west

Communications - Effectively communicating the positive strengths of Central Geelong to the Geelong region and wider community

Partnerships	No partnerships for key events, activities or exhibitions
Geelong Cats	No promotion of Central Geelong at home games or player ambassadors for key events including Tastes / Sidewalk Sales / School Holidays
Geelong Arts Centre - Flash your ticket	No Flash Your Ticket promotion with Geelong Arts Centre in promote and support hospitality venues for patrons

Business Presentation - Foster improved business presentation and appearance

Business Presentation Programs	No visual merchandising toolkits/ workshops/ themed activities
Support activation activities in specific precincts	No support for business led activities or events including; Mardi Gras / Halloween / Business Opening / 3D Wall Art / Walking tours / Little Malop Central / The Carousel / Customs Park / Little Malop West

Business Capability - Support improved business capability & sustainability through education, training and the dissemination of relevant information

Training and Professional Development	No business training or professional development offer - could be picked up by Economic Development/ Tourism
Central Focus Newsletter for business operators & property owners	No communications with business operators/ property owners - often included broader council initiatives

Information Updates / Engagement	No communications with business operators/ property owners - often included broader council initiatives
Business Engagement	No direct and regular contact with business operators to encourage engagement/ provide support via promotions/ marketing or events.
B2B	No support for B2B activities - encouraging businesses within Central Geelong to support each other with offers or recommendations
Networking- Foster effective networking between Central Geelong businesses, business organisations and key agencies	
Central Geelong Networking Events	No networking events/ launches of events or promotions - networking could be picked up by Economic Development/ Tourism/ Chamber
New Business Support- Encourage new business to Central Geelong and assist to promote new business operators.	
New Business Welcome Kit	No new business kit/ no tenancy database/ no business directory for Central Geelong
Investigate opportunities to influence the tenancy mix	No tenancy database/ no business directory - no business mix or vacancy rate information for Central Geelong
Vacant Property Activation Initiatives	No activation of vacant properties for events or promotions. No support for vacant property initiatives. No collation of vacancy rates
Administration and Governance	
Administration of Committee	Not applicable - no delegated committee representing Central Geelong business owners / stakeholder representatives
Evaluation and Surveys	All evaluations and surveys would cease including Christmas in Central Geelong / Tastes / Stakeholder Surveys. All support for Device Counts / Pulse Checks / Place Score would cease.
Review of Best Practice within Australia and overseas	Involvement in Mainstreet Australia, ICTC, Australian Event Awards, Place Leaders, Place Management SIG LGPro would cease.
Strategic influence	CGM's ability to provide feedback and advocate on behalf of Central Geelong businesses would cease - internally and externally
Strategic Framework and Annual Activities Plan	Not applied - as no program
Increasing financial support	No partnerships with local media / businesses / organisations to promote, support and sponsor Central Geelong initiatives
Long term sustainability of CGM beyond June 2021	Not applicable



Effectiveness of Central Geelong Marketing Program



November 2020

Peter McNabb and Associates

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EXECUTIVE SUMMARY

This report provides an independent assessment of the effectiveness of the Central Geelong Marketing Program in relation to best practice approaches in Australia related to centre management, marketing, and business development programs in main street centres funded by special rates and/or charges. It compares the effectiveness of the Central Geelong Program with that in two other major special rate programs in Regional Victoria - at Mildura City and Swan Hill.

The review involved obtaining information about the three programs in relation to best practice performance indicators, interviewing key people connected with the Central Geelong Program, and analysing issues raised by them and in the Report of the Geelong CBD Engagement Task Force to Greater Geelong City Council released in September 2020.

The conclusion from the review is that the Central Geelong Marketing Program is very effective. It represents the gold standard for main street centre management, marketing and business development programs in terms of best practice in Australia. It is one of the most productive special rate programs and is frequently being referred to and commented on by other organisations across Victoria and other parts of the country.

The reasons for its effectiveness are:

- Its ambitious and entrepreneurial approach
- The very large annual budget currently over \$1.1 million that has been developed through enterprising proposals put forward at the five yearly renewals of the program
- The secure source of funding provided for almost 20 years by a special rate levied by Greater Geelong City Council. This approach has required annual contributions from businesses and/or property owners in the designated Central Geelong area. It is more effective than direct funding of the program by the City Council through general rates, given the limitation in Council resources and the fairness of this approach vis-a-vis other main street centres in the municipality.
- The extensive and distinctive range of activities undertaken not only in marketing Central Geelong but also in business development through training and networking, in the park and ride services into Central Geelong, and in advocacy for physical improvements in the centre. This mix of activities has provided special benefits not only to retail and hospitality businesses but also commercial, health and community service operations in the centre
- The strong connections with community organisations and the general community
- The extent and professionalism of its management and marketing team over many years
- The support provided by Greater Geelong City Council particularly in developing a place management approach with linkages to several key departments within Council
- The regular and rigorous monitoring and evaluation of the events and other activities using sophisticated techniques such as REMPLAN
- The achievement of a very high return on investment - \$58.50 for every dollar spent on the five flagship promotional activities in 2019

1. INTRODUCTION

1.1 Purpose of the Report

The purpose of this project is to provide an independent assessment of the effectiveness of the Central Geelong Marketing Program in relation to best practice approaches in Australia to centre management, marketing, and business development programs in main street centres funded by special rates and/or charges.

The report also is designed to compare the effectiveness of the Central Geelong Program with that in two other major special rate programs in Regional Victoria - at Mildura City and Swan Hill.

1.2 Methodology

The assessment is based on:

- An outline of a “best practice” indicators in main street programs funded by special rates or charges
- Organisation and review of information related to those indicators about the Central Geelong Marketing Program compared with the programs in Mildura City and Swan Hill for 2019 prior to the impact of the COVID-19 virus.
- Review of the findings in the Report of the Geelong CBD Engagement Task Force to Greater Geelong City Council in September 2020
- Interviews with and information provided by key people connected with the Central Geelong, Mildura City Heart and Swan Hill programs

The list of people involved in the project is outlined in the Appendices.

2. BEST PRACTICE APPROACHES

Our involvement in more than 100 main street programs over more than 25 years has enabled our company to develop a “best practice” approach to these programs. The key ingredients are covered under the following headings:

Marketing

- Distinctive branding
- Effective advertising of a centre
- Memorable promotional events
- High customer numbers responding to the marketing campaigns

Business Development

- Good business training
- Effective business networking
- High numbers of business attendees at the training and networking events
- Assistance in attracting appropriate new businesses to a centre
- Assistance in improving the business mix of a centre

Community Development

- Strengthening of connections with the local community
- Extensive use of community people and resources in the marketing and promotional program
- Financial and in-kind support for community initiatives
- Sponsorship of program activities by community organisations

Advocacy for and Provision of Infrastructure and Services

- Successful lobbying to obtain new infrastructure or services
- Financial support for ongoing services such as public transport services

Governance

- A well-functioning committee of management (e.g., strong leadership, clearly defined roles and responsibilities, diverse range of business people on the committee representing different types of businesses from different parts of the centre, regular meetings, good administrative and financial systems, excellent communication and decision-making, accountability)
- A productive centre management support team (e.g., strong leadership, excellent administration and reporting, accountability)
- Outstanding delivery of agreed programs and activities within budget
- Sound business planning of future activities

- Excellent communication with stakeholders (businesses and property owners in the special rate scheme, local council representatives, sponsors/partners, community organisations) including outlining the benefits and achievements of the program
- Effective problem solving of issues raised in the centre
- Regular monitoring and evaluation of the program and its governance arrangements against agreed performance measures
- Continuous operation over many years

Funding and Return on Investment

- Secure source of funding
- Availability of funding over many years
- Large amount of funding to undertake the marketing and other activities
- Low level of business and property owner opposition to the funding arrangements
- High level of return on investment

3. KEY CHARACTERISTICS

3.1 Central Geelong Marketing

Central Geelong Marketing was established in 2001 to promote Central Geelong in a coordinated and integrated manner aimed at enhancing its economic and social viability and its general amenity. The program is funded by a special rate organised by the City of Greater Geelong and applied to properties in a designated Central Geelong area. It is the largest special rate of this kind in Regional Victoria. Other key characteristics of the program are outlined in the following chart:

Key Features	Characteristics
Special Rate Structure	
Basis of special rate	% of each property's capital improved value
Total amount raised	\$1.136 million in 2019-20
Average contribution per property	\$767
Length of time of current special rate	Five years since 1 July 2016
Total time period of special rate	19 years
Breakdown of Special Rate Budget	
Advertising	32%
Events & Other Promotions	30%
Business Development	8%
Management team	30%
Total	100%
Management Structure	
Type of structure	Section 86 Committee of Council with staff administrative and financial management support.
Size & composition of Committee	13 members. 8 represent stakeholder groups - Ward Councillor, VECCI, Tourism Geelong, Waterfront Operators Group, REIV, Geelong Chamber of Commerce, Centre Manager – Westfield Geelong, Centre Manager – Market Square Shopping Centre. 5 elected from businesses.
Centre/Marketing Support Team	Six staff (3.9 EFT) reporting to Council's Central Geelong & Waterfront Manager
Frequency of meetings of Committee	Monthly

Communication with businesses	Monthly newsletter, regular emails and visits
Business Planning & Monitoring	
Business Plan	3-year strategic plan
Annual Marketing Plan	Annual marketing plan
Monitoring and measurement of progress	Every activity is evaluated via evaluation template and findings reviewed by committee

3.2 City Heart and Swan Hill Inc.

Mildura City Heart and Swan Hill Inc. are the two other major special rate marketing and business development programs operating in Regional Victoria. As with Central Geelong, both have been operating for a long period of time - Mildura City Heart since 2001 and Swan Hill Inc. since 2002. However, both have much smaller budgets than the Central Geelong Program and cover fewer properties. The key characteristics of each program are outlined in the following charts:

Mildura City Heart

Key Features	Characteristics
Special Rate Structure	
Basis of Special Rate	% of each property's capital improved value
No. of properties in the schemes	368
Total amount raised	\$610,000 in 2019-20
Average contribution per property	\$1,658
Length of time of current special rate	Three years
Total time period of special rate/charge	19 years (from 2001)
Breakdown of Special Rate Budget	
Advertising	40%
Events & Other Promotions	10%
Visual projects (banners, lighting, Christmas garlands,)	10%
Marketing team	30%
Administration	10%
Total	100%
Management Structure	

Type of structure	Incorporated business association with committee of management
Size of Committee	President, Vice President, Secretary, Treasurer, five Committee Members
Centre or Marketing Co-ordinator	Yes
Frequency of meetings	Monthly, with the exception of January
Communication with members/businesses	Very good
Relationship between the Association and Council	Council staff meets monthly with Marketing Coordinator
Business Planning & Monitoring	
Annual Business Plan	Yes
Annual Marketing plan	Yes
Monitoring and measurement of progress	Yes.

Swan Hill Inc.

Key Criteria	Swan Hill Characteristics
Special Rate or Charge Structure	
Type of Special Rate or Charge	Special rate with different rates in the CIV for tourism/hospitality, commercial and industrial properties
No of properties in the scheme	680
Total amount raised	\$359,180 in 2019-20
Average contribution per property	\$528
Length of time of current special rate/charge	One year
Total time period of special rate/charge	18 years (from July 2002)
Breakdown of Special Rate Budget	
Branding and Advertising, promotional events and visual projects	65%
Promotional events	10%
Business Development	5%
Marketing and admin staff	15%
Other Administration	5%
Special Rate Management Structure	
Type of structure	Incorporated association with Committee of

	Management
Size & composition of Committee	14 members including 4 executive members
Centre or Marketing Co-ordinator	Yes
Frequency of meetings	Monthly
Members of the Association	All tenants and property owners are members.
Communication with members	Monthly newsletter with minutes of meetings and financials.
Relationship between the Association and Council	Very good. Monthly high level meetings involving CEO, Director and Board Chair
Business Planning & Monitoring	
Annual Business Plan	Yes
Annual Marketing Plan	Annual plan
Monitoring and measurement of progress	Not a lot of formal measurement. Hits on the website

4. ISSUES

The following issues about the Central Geelong Marketing Program were raised in the Report of the Geelong CBD Engagement Task Force or in our discussions with key people connected with the program:

Marketing and Promotion

- Central Geelong should be branded more ambitiously
- “Central Geelong Marketing” is relevant and effective as a branding statement to the stakeholders who pay the special levy but not as relevant to the general public. There is a need for a different branding message. “Love Central Geelong” is better for the wider community
- The range of promotional events should be broadened to include one-day events that will encourage day trippers, multi-day events that would attract overnight stays and benefit accommodation providers, and large-scale events that would gain major media focus and attract interstate visitors
- The promotional focus should be on distinct Geelong experiences rather than trying to copy things that Melbourne already does well
- It is important to highlight the unique goods and services that Geelong produces to provide a point of difference and encourage a diverse range of visitors, thereby benefiting a wide range of local businesses
- Promotional event opportunities should be leveraged with corporate sponsors
- One major CBD event should be held each quarter
- The events calendar should be established further in advance enabling long lead times for business coordination and involvement
- There should be more contemporary promotion with a stronger focus on social media strategies and less on printed brochures
- The promotional events should be based on ongoing research demonstrating evidence of success
- There should be greater promotion of Christmas in Geelong
- Geelong CBD has an identity issue. It lacks ambience, variety of shopping and convenience. There is a need to give the CBD a theme – “Wool Capital of Australia”, or “Milan of Australia” to create a tourist destination for Australians and overseas visitors
- There should be more promotion of free parking, the conveniences of Central Geelong and the positives of supporting its businesses rather than focus on more events

Business Development

- The Central Geelong Program should be involved in attracting businesses to fill long-term vacant shops
- Business networking events should be removed from the program. Other organisations are offering this

Community Development

- Planning for the marketing of Central Geelong should involve a wide cross-section of the community

Governance

- There needs to be greater transparency in how the Central Geelong Marketing Committee operates
- Committee members should reach out more to businesses owners about the program
- Business owners should have greater role in shaping the type of events to be pursued
- The program should be managed solely by a group of business owners with no involvement from Council at all
- There needs to be a more open and transparent program
- The Committee and its marketing support team need to speak to traders after major events for feedback
- The program needs an open and transparent process of review and return on investment for all events
- The program is tailored only to benefit those businesses that pay the levy
- The entire program should be tendered out to a private provider with expertise in event design and promotion
- There is not enough promotion of what the Central Geelong Marketing Committee and support team does and achieves
- There is limited participation of Committee members in the discussions and decision-making

Funding and Return on Investment

- The promotional events and marketing budget should be determined first as a basis for working out the amount of the special levy
- The program's expenditure should be eternally benchmarked in terms of return on investment and reported back to those who pay the levy.
- It would be better for the program to be funded directly by Council through general rates or by State Government tourism initiatives. The promotional events benefit the whole city and region so they should be covered by general Council rates
- Payment of the special levy should be optional
- More of the levy should be on research
- Council should match the levy funds as the program provides benefits not only to businesses but also to the wider community
- The levy needs to be removed

These issues are addressed in the following sections of the report.

5. EFFECTIVENESS

The effectiveness of the Central Geelong Marketing Program in comparison with the programs at Mildura City Heart and Swan Hill inc. was evaluated through detailed information obtained about each program and discussions with key people involved in the Central Geelong Program. Information about each program against the best practice indicators is outlined in the appendices in section 8 of the report. A summary of the material is presented below and has been organised to address the issues related to Central Geelong raised in the previous section.

Marketing and Promotion

- Central Geelong has a much larger and more extensive marketing program than Mildura City Heart or Swan Hill Inc. because of the size of its budget reflected in the larger number of contributors to the program (1,482 properties compared with 368 at Mildura City and 680 at Swan Hill) and the high level of special rate contributions from Central Geelong businesses and property owners
- The branding of Central Geelong, particularly through “Love Central Geelong” is distinctive and effective, as is the branding for Mildura City Heart and Swan Hill inc. The branding for Central Geelong has evolved over many years and is current and consistent. The program provides a regular opportunity to review the branding approach and to make any modifications. One suggestion during this review is to strengthen the branding related to “Love Central Geelong” and rely less on the “Central Geelong Marketing” branding
- The advertising efforts of Central Geelong Marketing, Mildura City Heart and Swan Hill Inc. are all effective in their own way. In the Central Geelong Program, the mix of traditional and digital media is well balanced. There is a strong focus on various forms of digital media not only social media. The Committee and marketing team continue to consider this mix carefully based on the different campaigns and their target market.
- The marketing approach of the Central Geelong program does not focus unduly on events but promotes the free parking and other conveniences of Central Geelong as well as the positives of supporting its businesses.
- Although there is a much larger number and range of promotional events in the Central Geelong Program compared with Mildura City Heart and Swan Hill inc., all three programs offer very good and memorable promotional events in responding to their target markets.
- The Central Geelong events (e.g., Side Walk Sales/Magic Meter Elves/Taste of Central Geelong/Spend & Win Promotion) are unique to the Geelong market. These campaigns are all designed to increase customer visitation to the Geelong CBD and increase the sales turnover of both retail and non-retail businesses there. The Christmas promotion is extensive and includes many elements with the most popular being the Santa Morning Teas and Magic Meter Elves.
- The Central Geelong events are distinctive and clever, attracting a large number of visitors to the centre. One comment during the review is that the events need to be more creative and edgy, and include, for example, major musical events to meet the changing

lifestyle needs of new residents, particularly those with young families and from multicultural backgrounds,

- The Central Geelong promotional events are leveraged with corporate sponsors. In 2019, 26 partnerships were created across CGM's flagship programs including local media, businesses and organisations to create leveraging opportunities.

Business Development

- The Central Geelong Program provides direct business training opportunities. This makes the Central Geelong approach very distinctive to that taken at Mildura City Heart and Swan Hill Inc. From the number of attendees at the training modules, the training at Central Geelong is very good. It appeals not only to retail and hospitality businesses but also to representatives from commercial, health and community services. This provides special benefits to a wide range of businesses covered by the program.
- All three programs provide effective business networking in their centres. Although it is recognised that there are other networking opportunities provided in Geelong, the networking offered by Central Geelong is considered overall to be valuable.
- Central Geelong is not actively involved in attracting appropriate new businesses to a centre, particularly to fill vacant premises and improve the business mix. However, it provides support for new businesses once established. This is in contrast to Mildura City Heart where the program is actively involved in creating a list of desirable businesses to improve the mix, undertaking discussions with commercial real estate agents regarding the gaps in products and services within the centre, and encouraging landlords to do pop up shops and other projects to fill empty premises.

Community Development

- All three programs have strengthened their connections with their local communities over the 20 years. Central Geelong takes a more structured approach than the other two programs to monitoring and evaluating this by gathering community and social benefit data.
- The Central Geelong Program makes more extensive use of community people and resources in its promotional program compared with Mildura City Heart and Swan Hill Inc. In 2019, Central Geelong Marketing directly engaged with 466 Central Geelong businesses and organisations across the five flagship programs to provide/host activities or provide goods and service for use in programs.

Advocacy for and Provision of Infrastructure and Services

- All three programs are involved in lobbying to obtain new infrastructure or services in their centres. Central Geelong Marketing has been particularly active with its direct involvement with Council in the refresh of Little Malop Central precinct. This has involved the reinstatement of the water feature, removal of the public toilet, installation of a performance space, festoon lighting and public seating to counteract anti-social behaviour occurring in this space. Central Geelong Marketing also has engaged PlaceScore Pty Ltd to provide accurate measurement of how the community feels about Central Geelong and clear identification of what attributes positively or negatively shape

the community's Central Geelong experience. This is valuable input into the future design of Central Geelong's public spaces.

- Central Geelong is unique among the three programs in providing direct financial support for ongoing public services. The program provides an ongoing financial contribution and in-kind support to the Central Geelong Park & Ride service (parking and transport to and from work for \$3 per day for Central Geelong workers) This service includes a Park and Ride mapping system with GPS live tracker of the bus on the Love Central Geelong App. The program also provides ongoing financial contribution and in-kind support to the Central Geelong Street Performers Program (live entertainment and on street activation with over 200 activities in 2019). Central Geelong Marketing works in partnership with the City Council to deliver and support these programs. It also contributed financial and in-kind support to the Geelong Waterfront Makers & Growers Market which attracted 52,750 participants in 2019.

Governance

- The Central Geelong governance approach based on a Section 86 Committee of Council is distinctive in terms of the management of a large coordinated centre management and marketing program in that it is only one of two among the 68 such programs in Victoria that uses this approach. All of the other programs including for Mildura City Heart and Swan Hill are administered by an incorporated not-for-profit business association with a management committee under a funding agreement with the local councils. Neither approach is, in itself, superior to the other. It is more a case of "horses for courses". The key consideration is how effective each model operates within the context of the centre, its business community, and local council.
- In an overall sense, the Central Geelong Committee functions very well, as does the committee at Mildura City and the board at Swan Hill Inc. In all cases, the roles and responsibilities of the executive members and the general committee or board members are clearly defined. The committees all have a diverse range of representation from different types of businesses operating in different parts of the centre. Very good decision-making and financial systems are in place to enable strong leadership from all three groups.
- A distinctive feature of the Central Geelong Program is the very strong and productive marketing support team led by Jodie Reyntjes. The team of almost four full-time equivalent staff is much larger and has a much bigger budget than the two people that provide the support for Mildura City Heart and the one marketing coordinator for Swan Hill Inc. The Central Geelong team run a very extensive marketing and business development program that is very well regarded by all the people interviewed for this review. Excellent, detailed reports are provided to the Committee and, if required, to any business wanting to obtain information. An open and accountable process is in place. The delivery of agreed programs and activities within budget is outstanding. The only suggested improvement raised in this review is that the team should promote what they do more strongly.
- In all three programs, a considerable effort is put into business planning of future activities.

- In all three programs, there is excellent communication with the program's key stakeholders (businesses and property owners in the special rate scheme, Council representatives, sponsors/partners, community organisations). This includes regular information about the benefits and achievements of the program.
- Central Geelong Marketing, Mildura City Heart and Swan Hill inc. all provided evidence of effective problem solving of issues raised in the centres.
- A very significant feature of the Central Geelong Program compared with Mildura City Heart and Swan Hill Inc. is the very considerable extent of monitoring and evaluation undertaken. The evaluation involves customer feedback from surveys at events and online, analysis of event participant numbers, and surveys of business operators. This provides a consistent evaluation framework, allowing for program-to-program and year-on-year comparisons. REMPLAN, a sophisticated analysis program, uses the data to analyse the economic impact of the various activities. This is expressed in terms of estimated economic value (EEV), total economic output (TEO) and jobs created. The return on investment (ROI) is calculated for each event and program. Promotional events are based on this ongoing research demonstrating evidence of success and positive return on investment. This comprehensive and structured approach is unique to the Central Geelong Program.
- Central Geelong Marketing, Mildura City Heart and Swan Hill inc. all have coordinated programs that have operated for about 20 years. This is a considerable achievement. The continuous funding provided by special or differential rates together with a very active business committee or board are the key factors that have contributed to the longevity of these programs.

Funding and Return on Investment

- Central Geelong Marketing, Mildura City Heart and Swan Hill inc. all have a secure source of funding provided continuously over many years through its special or differential rates. The use of special rates has been a key ingredient in the best practice approaches in the three centres.
- Central Geelong Marketing has a significant amount of total funding (\$1.136 million in 2019-20) compared with Swan Hill Inc. (\$359,180 in 2019-20) and Mildura City (\$610,00 in 2019-20). This is due, in part, to the large increase in the special rate at the last renewal where the total amount raised increased by \$200,000 per annum to \$1,045 million in 2016-17 to cover four new programs.
- All three programs are close to or above the average property contribution of \$593 in 2019-20 in the 68 centres in Victoria that raised at total of over \$11 million in special rates or charges that year for centre management and marketing programs. Mildura City has the highest average special rate property contributions of the three centres. At that centre, it is \$1,657 per property in 2019-20, the highest average in the State, compared with \$767 for Central Geelong and \$528 for Swan Hill for the same financial year. However, Centre Geelong's average is considerable being 29% above the State average.
- All three programs have had a high level of business and property owner support or very limited opposition as measured by the responses to the advertisement of the most recent

renewal of their special rates. At Central Geelong, it is reported that the level of business support for the last renewal in 2015 was 83%. There were only 16 written objections representing 1% of the 1,450 properties in the scheme at that time. This compares with 63 objections or 9% of the 674 properties in the Swan Hill scheme at the renewal in 2018, and 41 objections relating to 48 properties or 13% of the 368 properties in the Mildura City scheme at the renewal in 2019.

- The return on investment from the Central Geelong Program is very high at \$1: \$58.50 for its five flagship activities in 2019. The extensive use of REMPLAN, a sophisticated research company to undertake regular surveys so as to collate and analyse data on the total economic output (TEO) and return on investment (REO) of its events and other activities is a distinctive feature of the program. By contrast, Mildura City has not used REMPLAN to monitor the return on investment and Swan Hill Inc. uses it to a more limited extent through Swan Hill Rural City Council.

6. CONCLUSIONS

The Central Geelong Program is very effective. It represents the gold standard for main street centre management, marketing and business development programs in terms of best practice in Australia. It is one of the most productive special rate programs and is frequently being referred to and commented on by other organisations across Victoria and other parts of the country.

The reasons for its effectiveness are:

- Its ambitious and entrepreneurial approach
- The very large annual budget currently over \$1.1 million that has been developed over many years through enterprising proposals put forward at the five yearly renewals of the program
- The secure source of funding provided for almost 20 years by a special rate levied by Greater Geelong City Council. This approach requiring contributions from businesses and/or property owners in the designated Central Geelong area. It is more effective than direct funding of the program by the City Council through general rates, given the limitation in Council resources and the fairness of this approach vis-a-vis other main street centres in the municipality.
- The extensive and distinctive range of activities undertaken not only in marketing Central Geelong but also in business development through training and networking, in the park and ride services into Central Geelong, and in advocacy for physical improvements in the centre. This mix of activities has provided special benefits not only to retail and hospitality businesses but also commercial, health and community service operations in the centre
- The strong connections with community organisations and the general community
- The extent and professionalism of its management and marketing team over many years
- The support provided by Greater Geelong City Council particularly in developing a place management approach with linkages to several key departments within Council
- The regular and rigorous monitoring and evaluation of the events and other activities using sophisticated techniques such as REMPLAN
- The achievement of a very high return on investment at \$1: \$58.50 for the five flagship activities in 2019.

The program also is effective in its commitment to ongoing review and refinement. Issues arising in this project that should be considered as part of a future review include:

- A refresh of the branding strategy
- Development of a dedicated program to fill vacant premises and improve the business mix in the centre
- Further efforts to improve stakeholder engagement with the program particularly to provide more information to businesses that are critical of the program
- The membership of the Section 86 management committee including more representation from major retailers and hospitality operators and more frequent rotation of city councillors on the committee so that more councillors are aware of the extent and positive impact of the activities that are undertaken

APPENDICES

List of People Involved in the Project

Central Geelong Marketing Performance Evaluation

Mildura City Heart Performance Evaluation

Swan Hill Inc. Performance Evaluation

List of People Involved in the Project

Central Geelong

- Peter Murrihy, Greater Geelong City Ward Councillor and Chair Central Geelong Marketing Committee
- Mark Gallon, Manager, Central Geelong & Waterfront, City of Greater Geelong
- Jodie Reyntjes, Coordinator, Central Geelong Marketing
- Emma Wadling, Project Officer, Central Geelong Marketing
- Ben Flynn, CEO, Geelong Chamber of Commerce and Central Geelong Marketing Committee member
- Mark Edmonds, MRE Consulting and President, Geelong Chamber of Commerce
- Angela Simmons, Manager, Renew Australia
- Sandy Kelly-Burton, Centre Manager, Market Square Shopping Centre
- Nicholas Heath, Pace Advertising and Central Geelong Marketing Committee member
- Hugo Armstrong, Blues Train

Mildura City

- Danielle Hobbs, Manager, Mildura City Heart

Swan Hill Inc.

- Kaylee Whitfield, Marketing Coordinator, Swan Hill Inc.

Central Geelong Marketing Performance Evaluation

Best Practice Indicator	Central Geelong Marketing Performance in 2019
Distinctive branding	• Consistent high-quality branding under the Central Geelong Marketing (CGM) banner assisted by a Style Guide. • CGM logo featured across all printed material and digital communications. • This branding is considered more useful to the businesses contributing to the special rate rather than the general public. • "Love Central Geelong" branding has a stronger connection with the general community.
Effective advertising of the centre	• Excellent annual consolidated advertising campaign developed at beginning of the year to guide all advertising including print, radio, TVC, cinema, static and transit advertising. • In excess of 610 print and radio ads, 944 regional television commercials across 3 networks and 21,000 generic cinema ads in 2019. • Five transit advertising campaigns (3 x bus panels and 2 x interior metro train panels). • Estimated total combined impressions of over 7M. • In addition to the consolidated campaign 'Central Geelong At Your Service' Professional Service Campaign showcases the 600 plus professional service business located in Central Geelong. • Campaign includes extensive print ads, over 14,300 cinema and Google advertising. • Participation in Geelong & Bellarine Visitor Guide annual publication and distribution of the 'Central Geelong Guide' at local events, CoGG Customer Service Centres and Visitor Information Centres. • 438,551 visits to www.centralgeelong.com.au • 31,779 Love Central Geelong social media followers • 12,427 Love Central Geelong App downloads • 29,414 people signed up to Central Geelong databases

Best Practice Indicator	Central Geelong Marketing Performance in 2019
Memorable promotional events	• Five distinctive flagship programs held in 2019 - Central Geelong Kids Fun Program, May Magic, Tastes of Central Geelong & Christmas in Central Geelong (including the Central Geelong Christmas Elves). • Breakdown of each program below. • 134,508 public participants across five flagship programs. • In addition, 605 passengers on Free Central Geelong Shuttle as part of Seniors Week Festival • 1798 workers signed up to Central Geelong Workers Engagement • Program (Incentive program that showcases Central Geelong businesses to Central Geelong workers) 3571 people attended the Love Central Geelong Family Magic Program at Geelong Arts Centre
	• Kids Fun Program delivered Autumn (StoryFest), Winter and Spring School Holidays. • See second worksheet for breakdown of individual results for each program. • Combined results - 29,984 participants, 677 total experiences /activities (213 unique activities) and 19 special offers. 81 participating businesses. • Estimated Economic Value - \$1,143,408.26. • Total Economic Output \$3,295,000. ROI = \$1: \$53.21.
	• May Magic delivered May 2019. • 4786 entries. • Average spend pp of \$87.76 resulting in a total spend of \$420,041.13 at CG businesses. • 390 unique businesses impacted by direct spend at their business. • 67% of participants said they spent/increased spend directly due to promotion, creating a total of \$282,850.48. • Sponsorship and total prize pool valued at \$204,233 (including car/vouchers/in kind sponsorship etc). • Total Economic Output of \$854,000. ROI = \$1: \$16.56
	• Tastes of Central Geelong delivered July 2019. • 25,297 participants, 758 experiences/activities (146 unique elements). • 113 participating businesses. • Estimated Economic Value - \$1,152,102.44.

Best Practice Indicator	Central Geelong Marketing Performance in 2019
	• Total Economic Output \$2,673,000, ROI = \$1: \$33.72.
	• Shopping Festival + Sidewalk Sales delivered November 2019. • 33,416 participants, 253 total special offers/activities delivered, 203 participating businesses. • Estimated Economic Value \$2,833,138. • Total Economic Output - \$9,253,000. • ROI = \$1: \$159.96
	• Christmas program delivered November/December 2019. • 41,025 participants. • 524 experiences/activities (16 unique elements). • 41 participating businesses. • Estimated Economic Value \$1,214,832. Total Economic Output of \$2,489,000. • ROI \$1: \$39.06. • The Central Geelong Christmas Elves provided 9060 minutes of free parking to shoppers (via coin contributions) and distributed 18,000 lolly bags & 637 fruit tokens. • The Elves had over 26,000 interactions with Central Geelong shoppers, visitors & businesses
Business Development	
Good business training	• Extensive annual training program • 11 face to face training sessions delivered in 2019 • 10 online training videos offered • Variety of topics and speakers offered • 525 people registered to attend business training sessions • 368 actual participants attended business training sessions
Effective business networking	• Very good business networking with four networking events held in 2019 and a high level of registrations • 23rd April - 169 RSVP's • 26th June - 230 RSVP's • 25th September - 218 RSVP's • 20th November - 290 RSVP's • 907 RSVP's in total.

Best Practice Indicator	Central Geelong Marketing Performance in 2019
Assistance in attracting appropriate new businesses to a centre	• No direct assistance in attracting new businesses. • However, 82 new business welcome kits distributed. • Social media posts on Love Central Geelong social media to support new businesses when they open.
Assistance in improving the business mix of a centre	• Ongoing collaboration with City of Greater Geelong (CoGG) Central Geelong & Waterfront Place Management Unit, CoGG Economic Development Dept, Real Estate Agents/property owners where possible to influence the tenancy mix within Central Geelong. • Partnership and MOU developed with Renew Geelong (program that connects artists with vacant properties to create activation). • Regular audit of CG businesses to ensure that the online business register is up to date and provides vital information regarding business mix within Central Geelong and vacancy information.
Community Development	
Strengthening of connections with the local community	• Community and social benefit data gathered as part of CGM evaluation process.
Extensive use of community people and resources in the marketing program	• CGM directly engaged with 466 Central Geelong businesses and organisations in 2019 across five flagship programs to provide/host activities or provide goods and service for use in programs.
Financial and in-kind support for community initiatives	• Financial and in-kind support provided to eight events and programs within Central Geelong in 2019. In-kind support value provided to all eight events estimated at in excess of \$49,000.
Sponsorship of program activities by community organisations	• Continued partnership in 2019 with Geelong Arts Centre to deliver the Love Central Geelong Family Magic Program & Flash Your Ticket Initiatives that encourages families and children into Central Geelong. • Partnership with Geelong Cats AFL team to broaden audiences and foster community pride in Central Geelong. • Partnership with Tourism Geelong & The Bellarine and joint delivery of training program for Central Geelong businesses.

Best Practice Indicator	Central Geelong Marketing Performance in 2019
	• 26 individual partnerships created across CGM's flagship programs including local media, businesses and organisations to create leveraging opportunities and maximise CGM's budget.
Successful Advocacy for and Provision of Infrastructure and Services	• Advocacy for and direct involvement in CoGG refresh of Little Malop Central precinct - reinstatement of water feature, removal of public toilet, installation of a performance space, festoon lighting and public seating to counteract antisocial behaviour occurring in this space. • Advocacy for and engagement of PlaceScore Pty Ltd to provide accurate measurement of how the community feels about Central Geelong and clear identification of what attributes positively or negatively shape the community's Central Geelong experience. • Continual involvement by CGM in both programs.
Financial support for ongoing services (e.g., public transport)	• Ongoing financial contribution and in-kind support to Central Geelong Park & Ride service (provides parking and transport to and from work for \$3 per day for Central Geelong workers) Includes Park and Ride mapping system with GPS live tracker of the bus on the Love Central Geelong App. • Ongoing financial contribution and in kind support to the Central Geelong Street Performers Program (live entertainment and on street activation with over 200 activities in 2019). • CGM works in partnership with CoGG to deliver and support these programs. • Financial & in-kind Support to Geelong Waterfront Makers & Growers Market which attracted 52,750 participants in 2019.
Governance	
A well-functioning committee of management	• A good committee comprising 13 members, either elected from the rate-paying community or nominated by various stakeholder bodies, in accordance with the committee structure in the Committee's Terms of Reference. • Formal induction held for new Committee members and provision of new members kit. • Committee meetings held each month that are open to the public. • Preparation and distribution of monthly meeting packs including activity/evaluation and financial reports to all Committee members. • Adherence to CoGG auditing, reporting and governance

Best Practice Indicator	Central Geelong Marketing Performance in 2019
	requirements.
A productive centre management support team	• An extensive team of six CGM staff (3.9 EFT) implement the programs of the CGM Committee. • Team consists of Executive Officer, Assistant Executive Officer, Senior Administration Officer, Digital Marketing Officer and two Project Officers. • Attendance of CGM staff at Mainstreet annual conference and industry workshops as appropriate. • Engagement with other Councils and trader groups by Executive Officer including presentations on CGM initiatives. • CGM receives regular contact via phone and email for information about CGM programs by other cities, Councils and consultants. • EO participates in LG Pro Place Management Special Interest Groups relating to place management and place marketing. • CGM staff involvement in COGG corporate activities including training and project working groups as appropriate.
Outstanding delivery of agreed programs and activities within budget	• Excellent delivery of its program within budget. • CGM was recognised for its achievements as a finalist at the 2019 Australian Event Awards for two flagship activities - the Kids Fun Program (StoryFest) and Tastes of Central Geelong. • The CGMC also received a commendation for its programs at the 2019 Place Leaders Asia Pacific Awards. • CGM created partnerships, event leveraging opportunities and attracted financial and in-kind sponsorship valued in excess of \$529,172 in 2019.
Sound business planning of future activities	• Very effective business planning approach. • A strategic planning session held with Committee members at the beginning of the 2016-2021 special rate period and subsequent 5 Year Strategic Plan developed. • Annual planning session held with Committee members leading up to each new financial year, including a review of all program evaluation reports. • Key priorities and programs determined and subsequent Annual Activity Plan developed for each of the five years in the special rate period.

Best Practice Indicator	Central Geelong Marketing Performance in 2019
Excellent communication with stakeholders	• Very extensive communication from CGM with stakeholders - 29 Electronic Information Updates sent to businesses; 12 physical mailouts sent to all CG businesses including newsletters, event registration information, event kits, invitations for participation in networking events and training opportunities. • Provision of annual documents 'How Central Geelong Marketing Can Help Your Business', 'Planning & Opportunities Calendar' and 'Opportunities & Benefits Guide'. • Despite this, there is a perception among some businesses that the communication and engagement with businesses has been inadequate. • This needs to be reviewed.
Effective problem solving of issues raised in the centre	• Very good problem solving of issues. • CGM is a business unit, reporting to the Central Geelong & Waterfront Manager as Place Manager. • This structure ensures that CGM works daily with asset managers, place activation and economic development staff in other parts of Council as part of a place management program. • This close alignment between departments enables a cooperative and consolidated approach to the coordination and improvement of Central Geelong and the ability to effectively rectify problems.
Regular monitoring and evaluation of the program and its governance arrangements against agreed performance measures	• An outstanding monitoring and evaluation process. • An evaluation plan is established at the beginning of each year financial identifying how evaluation is to be undertaken. • At flagship programs and other activities, data is collected from pedestrian counts, ticket sales, face to face and online surveying. • 'City Insights' data (device counting and on street pedestrian activity) is also used to identify trends and monitor the impact of activities and events. • All data is compiled in an evaluation summary demonstrating economic, social/community strategic impacts. • Evaluation reports are presented to the CGMC and results are provided to Central Geelong businesses and Council via newsletters and updates and CGM's annual report to Council. • Annual document produced at the end of each financial

Best Practice Indicator	Central Geelong Marketing Performance in 2019
	year highlighting key evaluation results.
Continuous operation over many years	• Continuous operation for 20 years. • CGM was established in July 2001 for a five-year term. • At the conclusion of the five-year term, the CGMC was able to clearly demonstrate the direct and indirect economic and social benefits of a special rate scheme and associated marketing body and successfully renewed CGM and the scheme for three additional consecutive five-year terms. • CGM is currently in the fifth year of its fourth special rate term.
Funding & Return on Investment	
Secure source of funding	• The special rate organised by GGCC has provided a very secure source of funding.
Availability of funding over many years	• The initial special rate scheme established in 2001 and the three consecutive renewals has enabled the funding for the program for 20 years
Large amount of funding to undertake the marketing and other activities	• Very significant level of funding. • The special rate funds have increased from \$480,000 in 2001-02 to \$1.136 million in 2019-20. • This has occurred not only through annual CPI increases but a series of specific additional amounts of \$50,000 to cover additional activities targeted to regional Victoria and the western areas of Melbourne.
Low level of business and property owner opposition to the funding arrangements	• Consistently low level of business and property owner opposition. • Only 16 objections representing 1% of the 1,450 properties in the scheme when the special rate renewal was advertised in 2015
High level of return on investment	• Very high level of return on investment as documented regularly by REMPLAN. • ROI of \$1: \$58.50 for five flagship activities in 2019 - Kids Fun Program (StoryFest/Winter/Spring School Holiday Programs), May Magic, Tastes of Central Geelong, Shopping Festival + Sidewalk Sales and Christmas in Central Geelong.

Sources: Information provided by Central Geelong Marketing and Greater Geelong City Council; Analysis by Peter McNabb and Associates.

Mildura City Heart Performance Evaluation

Best Practice Indicator	Mildura City Heart Performance in 2019
Distinctive branding	• Very good branding through Shop Local • #Love This Place • Banners and Flags • Website Refresh • Community Group equipment in kind support - branded marquees, barriers, new Christmas branding • MCH Gift Cards
Effective advertising of the centre	• Extensive advertising on television, Facebook, Instagram, and through sponsorship
Memorable promotional events	• Shop Local • Mural Project • Christmas Gift Card Giveaway • Mother's Day & Father's Day • Leap Year Promotion • The Great Australian Vanilla Slice Triumph, Annual Good Friday Show & Shine • Beach in the City • School Holiday Programs • Twilight Christmas Market • Free Santa Photos • Gift Card System • Estimated attendees - o Show & Shine - 15000 - o TGAVST - 5000 - o Twilight Christmas Market - 5000 - o Beach in the City approx. 50 visits to sand pit per day for four week period • Gift Cards given away in three weeks leading up to Christmas • Immense positive feedback to Shop Local campaign, • Murals constantly photographed by tourists and used by photographers as backdrops

	• 74 mural poster sales and 110 postcards • Santa photos distributed • Increase in gift card sales by 35%
Business Development	
Good business training	• Monitoring of Business Victoria program and extending invitation to all stakeholders to any trainings on offer
Effective business networking	• Quarterly trader networking events • Inclusion of trader evening • Feedback in development of strategic plan
Assistance in attracting appropriate new businesses to a centre	• Creation and distribution of Prospectus and Welcome Pack. • Encouraging landlords to do pop up shops and consider empty space projects. • Peppercorn lease of a large long term vacant building and encouraging community groups to utilise the space which in turn opens up the space for viewing to potential new tenants • Small Business Bus twice per year • Discussion and research of empty commercial properties with prospective new business owners
Assistance in improving the business mix of a centre	• Created list of desirable businesses to improve the mix • Undertaking discussions with commercial real estate agents regarding the gaps in products and services within the centre.
Community Development	
Strengthening of connections with the local community	• Introduction of busking program • Community group inclusion in all events • Live music program • School holiday programs • Cultivator involvement in Mural Project • Offering all events free to the community • Shop Local highlighting business owners and their connection to the community
Extensive use of community people and resources in the marketing program	• Incorporation of local community groups in all events and promotions • Introduced more local vehicle clubs to Show & Shine • Utilised local ballet guild performers as entertainment for TGAVST

	- Local musicians, dance school and cultural groups for Twilight Market - Local theatre groups to assist in Christmas events - CFA to assist with Multicultural Festival, diverse locals as models for Fashion events and advertising production - Local artists in mural project - Local sporting, environmental, singing and art groups involved in school holiday program
Financial and in-kind support for community initiatives	Support for an extensive range of community activities: Goanna Run, Vietnamese Fair, Multi-Cultural Festival, Arts Mildura Small Works Prize, Gender Equity Dad's Day Out, Sunassist Motorshow, White Lotus Buddhism New Moon Festival, Merbein P-10 College Amazing Race Prizes, Jeannies Kitty Krib Open Day Fundraiser, MASO RUOK Day, Rotary Longest Lunch, MDAS Naidoc Week, Headspace Youthspace Trivia Prizes, Our Lady of Sacred Heart End of year raffle prizes, Buronga Food Festival, Mildura Grand Pro Tennis Tour, Sunraysia Baseball League Fundraiser Prizes, Trinity School Raffle prize, Homebase Midnight Basketball prizes, Pasadena Preschool raffle prizes, Mildura Senior College Awards, Nichols Point Cricket Club raffle prizes, Home Base Christmas Prize, Carols By Candlelight, SCHS Easter Day Out, Crafted By Mildura Taste Better Walk, Country Music Festival, Carols By Candlelight
Sponsorship of program activities by community organisations	- Sponsorship of Coffee with a Cop - MASP Blanket Drive - White Ribbon Walk - Salvation Army Toy Drive - Local support services RUOK Day
Successful Advocacy for and Provision of Infrastructure and Services	- Lobbying MRCC and Powercor for installation of banner arms - Involvement and feedback to MRCC future CBD plan - Repair and upgrade to sound system. - Ongoing discussion regarding public facilities with toilets and family change areas, playground and trees
Financial support for ongoing services (e.g., public transport)	Not applicable
Governance	
A well-functioning committee of management	Effective board of seven members made up of both community members and traders

A productive centre management support team	Staff team of two full time employees and three casual team members
Outstanding delivery of agreed programs and activities within budget	- Annual budget is set and reviewed at bi-monthly meetings - all programs, projects and events have individual budgets to guide planning. - Acquittals and reflection meetings following events and campaigns
Sound business planning of future activities	Business Plan and strategic plan in place with twelve month reviews
Excellent communication with stakeholders	Communication with stakeholders include face to face visits, email, monthly newsletter and closed Trader Facebook group
Effective problem solving of issues raised in the centre	- Very good problem solving through conduits between MRCC and traders regarding concerns and communications. - CRM process in place to address issues
Regular monitoring and evaluation of the program and its governance arrangements against agreed performance measures	- Six monthly reporting to MRCC - Six-monthly full-time staff reviews - Acquittal of events, bi-monthly financial and governance meetings - Monthly marketing meetings - Monthly board member review of financial reports - MRCC member in attendance at monthly board meetings with opportunity to give advice and ask questions
Continuous operation over many years	Continuous operation for 18 years
Funding & Return on Investment	
Secure source of funding	The special rate organised by MRCC has provided a very secure source of funding.
Availability of funding over many years	The initial differential rate scheme established in 2002, subsequent renewals and establishment of the special rate has enabled the funding for the program for 18 years
Large amount of funding to undertake the marketing and	Significant level of funding in 2019-20 of \$610,000 from the 368 properties in the scheme – very high average property contribution of \$1,657

other activities	
Low level of business and property owner opposition to the funding arrangements	• Low level of business and property owner opposition. • 41 objections representing 48 properties when the special rate renewal was advertised in 2015 - 13% of the 368 properties in the scheme
High level of return on investment	• Good return on investment based on anecdotal evidence. • More detailed information on economic development outcomes currently compiled by Mildura Regional Development. Being considered as a future activity to be undertaken by Mildura City Heart

*Sources: Information provided by Mildura City Heart and Mildura Rural City Council;
Analysis by Peter McNabb and Associates*

Swan Hill Inc. Performance Evaluation

Best Practice Indicator	Swan Hill Inc. Performance in 2019
Marketing & Promotion	
Distinctive branding	Prominent branding under the "Heart of The Murray" banner - well known throughout Australia
Effective advertising of the centre	Good advertising through both metropolitan and regional television as well as social media and other programmed advertising run through Alchemy Media
Memorable promotional events	- A limited number of distinctive promotional events - the annual Swan Hill Region Food and Wine Festival and two Market Days. - The Swan Hill Region Food and Wine Festival attracts around 2,000 people annually and continues to grow. - The Food and Wine Festival generates total economic output of \$670,000 with increases in employment of 2 jobs, and \$ 318,000 in terms of value added - Both Market Days attract 200 attendees each. - Each Market Day generates total economic output of approximately \$150,000 and \$70,000 in terms of value added
Business Development	
Good business training	Currently developing a program for ongoing business training, in previous years, hosted forums with guest speakers including Max Walker, Chris Helder and Stan Grant.
Effective business networking	- A very good range of networking events throughout the year as well as monthly traders' meetings that gives the opportunity for our attendees to discuss various topics relating to Swan Hill businesses. - Ongoing promotion of online webinars through partnership with the Murray Regional Tourism Board as well as any other webinars that are believed to be beneficial for our business community. - A reasonable number of business attendees at networking and other events - 35 attendees representing 33 local businesses at the Swan Hill Gift Card Launch in 2019. - An average of 10 businesses attending the webinars presented by Murray Regional Tourism
Assistance in	No direct involvement in attracting new businesses to the

attracting appropriate new businesses to a centre	centre
Assistance in improving the business mix of a centre	No direct involvement in improving the business mix in the centre
Community Development	
Strengthening of connections with the local community	- A monthly newsletter sent out to all businesses in Swan Hill as well as updates through Swan Hill Inc. Facebook and Instagram. - Weekly visits with Swan Hill Rural City Council (SHRCC) Economic Development Unit to a number of businesses in the Swan Hill area
Extensive use of community people and resources in the marketing and promotional program	- Use of specialists such as Jessica Warburton, General Manager of the Pioneer Settlement, Greg Roberts, CEO of the Murray Downs Golf and Country Club, and local business consultant Neville Brady. Monthly meetings of the Swan Hill Inc. - Traders Committee with an average of 10 traders in attendance
Financial and in-kind support for community initiatives	Annual support for the Swan Hill Show and the Lake Boga Easter Regatta.
Sponsorship of program activities by community organisations	No direct sponsorship of activities by community organisations
Advocacy for and Provision of Infrastructure and Services	
Successful lobbying to obtain new infrastructure or services	Lobbying to SHRCC contained to advocating for the continuation of the special rate in 2019
Financial support for ongoing public services	No direct financial support for public services

Governance	
A well-functioning committee of management	• Very active and effective board of management - monthly meetings with high attendance and participation rate. • Actions from all meetings followed up quickly. Very good relationships with SHRCC. • Three representatives of the Board meet on a monthly basis with Council's CEO John McLinden, the Director of Development and Planning Heather Green, and the Economic and Community Development Manager
A productive centre management support team	• Very productive and cost-effective approach - one full-time Marketing Coordinator working closely with the Chair of the Swan Hill Inc. and staff from Council's Economic Development Unit
Outstanding delivery of agreed programs and activities within budget	• Very good delivery of the four key Swan Hill Inc. strategies related to visitation to the region, shopping in the region, advocacy, and business support. • 15 initiatives from these strategies completed each year within budget.
Sound business planning of future activities	• Very good business planning. A four-year strategic document prepared at the beginning of each special rate period as well as an annual marketing plan and budget document with a communication plan. These are reviewed annually and presented to SHRCC for approval.
Excellent communication with stakeholders	• An effective approach. • Business and property owner stakeholders receive monthly newsletters, updates via social media, and personal visitation to business premises as well as access to strategic, marketing and communication documents on the Swan Hill Inc. website.
Effective problem solving of issues raised in the centre	• Any issue brought to the Board's attention is attended to in an immediate and effective manner
Regular monitoring and evaluation of the program and its governance arrangements against agreed performance measures	• Twice yearly review and evaluation of the program activities against the strategic and marketing documents to ensure the annual actions in the four strategies are completed.

Continuous operation over many years	Continuous operation of the special rate program for 18 years.
Funding & Return on Investment	
Secure source of funding	The special rate organised by SHRCC has provided a very secure source of funding.
Availability of funding over many years	The initial special rate scheme established in 2002 and the three consecutive renewals have enabled funding for the program for 18 years.
Large amount of funding to undertake the marketing and other activities	- Reasonable level of funding. - The special rate funds in 2019-20 total \$359,180 representing an average property contribution of \$528 from the 680 properties in the program.
Low level of business and property owner opposition to the funding arrangements	- Low level of business and property owner opposition to the special rate scheme. 63 objections representing 9% of the 674 properties in the scheme when the special rate renewal was advertised in 2019
High level of return on investment	Reasonable level of return on investment based on the economic output generated by the key promotional events, as indicated by REMPLAN

Sources: Information provided by Swan Hill Inc. and Swan Hill Rural City Council; Analysis by Peter McNabb and Associates.

10. PROPOSED PARTIAL ROAD DISCONTINUANCE AND SALE ABUTTING 248 KILGOUR STREET, EAST GEELONG

Source: Customer & Corporate Services – Property, Procurement and Assets
Director: Michael Dugina

Purpose

1. To recommend the Council resolve to discontinue and sell part of an unnamed laneway abutting the property at 248 Kilgour Street, East Geelong.

Background

2. The City was approached by the abutting property owner at 248 Kilgour Street, to purchase approximately 20m² of the laneway. See **Attachment 2** for location.
3. The laneway is unmade and properties abutting this laneway utilise Normanby Street and St Albans Road for property access.
4. At the Council meeting held on 1 December 2020, Council resolved to begin the road discontinuance and sale process by giving notice under section 223 Local Government Act 1989 (LGA89) to invite submissions.

Key Matters

5. The process of a road discontinuance is commenced by giving public notice under section 223 of LGA89, that the City intends to discontinue and sell the section of road reserve and invites submissions under section 207A of LGA89 on the proposed discontinuance.
6. A public notice was published and the period for submissions closed on 16 January 2021.
7. No submissions were received.
8. If the proposed discontinuance is completed part of the laneway will be sold to the abutting neighbour.

Cr Murrihy moved, Cr Mansfield seconded -

9. That Council:

- 9.1 Resolve to discontinue part of the unnamed laneway (approximately 20m²) abutting the property at 248 Kilgour Street, East Geelong;**
- 9.2 Authorise the sale of the discontinued portion of the unnamed laneway to the abutting owner of 248 Kilgour Street, East Geelong;**
- 9.3 Authorise the Chief Executive Officer to publish a notice in the Victorian Government Gazette detailing the road discontinuance; and**
- 9.4 Authorise the signing of all documents to complete the sale of the land.**

Carried.

Attachment 1

Financial Implications

1. The purchaser will bear any costs incurred for the discontinuance and sales process.

Community Engagement

2. A public submissions process under s223 of LGA89 was required for the proposed discontinuance and sale outlined in this report. This provided an opportunity for the community provide its feedback to the Council on the proposed discontinuance.
3. The submissions process expired on 16 January 2020. No submissions were received.

Social Equity Considerations

4. There are no adverse social equity impacts created as a result of this road discontinuance.

Policy/Legal/Statutory Implications

5. Council has the power to discontinue a road under Clause 3(a) of Schedule 10 of the LGA89 notice published in the Government Gazette.
6. Council has the power to sell the resulting land from a road discontinuance under Clause 3(b) of Schedule 10 of the LGA89.

Alignment to Council Plan

7. The proposal aligns with the objective of organisational leadership, strategy and governance where one of the key priorities is proactively managing our assets, including land holdings.

Conflict of Interest

8. There is no identified conflict of interest for any officer involved in the preparation of the road discontinuance, submissions and sales process.

Risk Assessment

9. Internal consultations with key stakeholders including Engineering, Social Planning and Infrastructure Planning have been undertaken as part of the risk assessment process. External stakeholders including Barwon Water, Telstra and Powercor have also been consulted.
10. Internal and external stakeholders support the discontinuance and sale of this portion of laneway.
11. There are no other notable risks associated with the implementation of the recommendations.

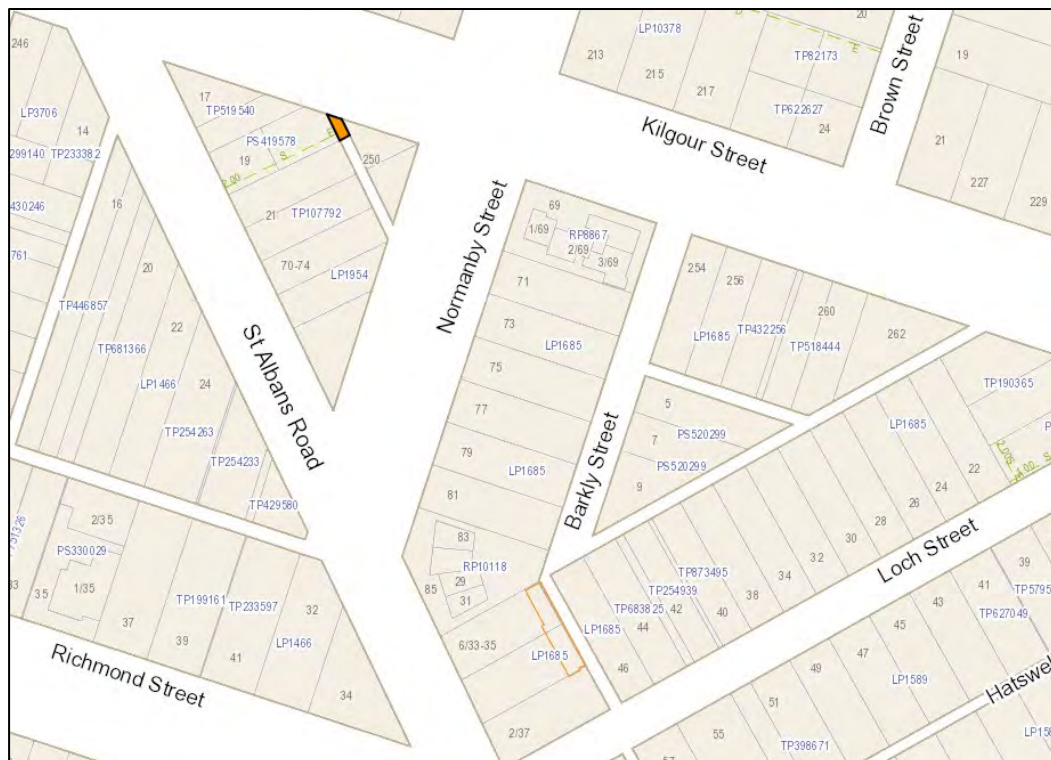
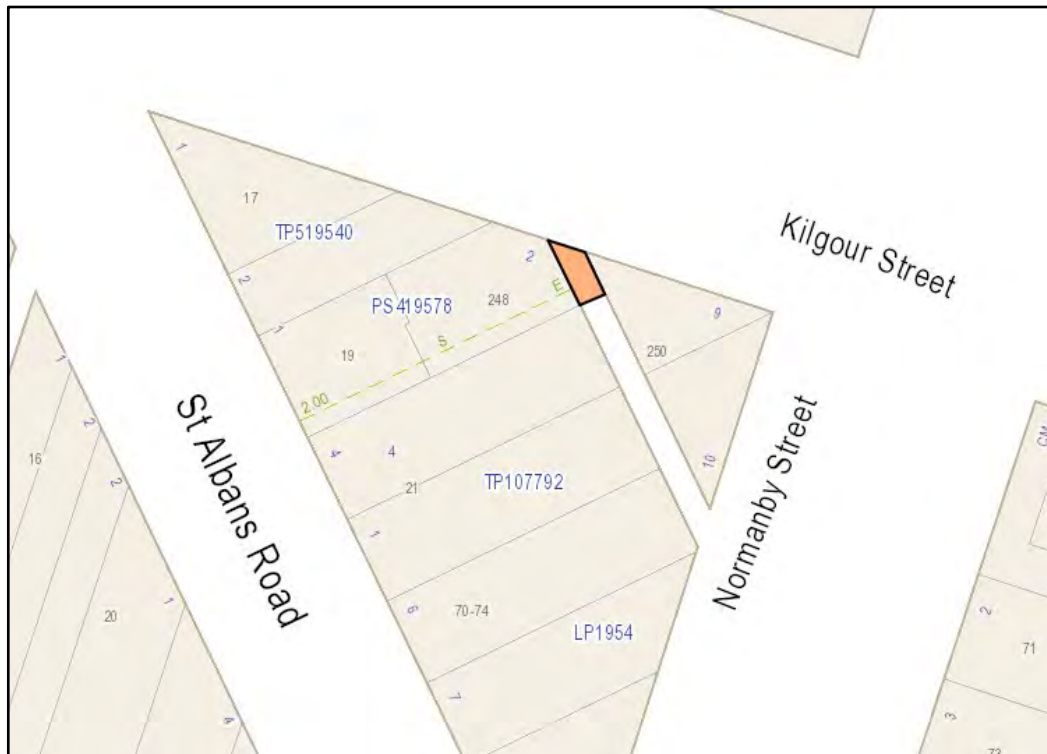
Environmental Implications

12. There are no environment implications to this proposal.

Attachment 2

Proposed Part Road Discontinuance and Sale

Locality Plan



11. STATION STREET, DRYSDALE - ROAD CONSTRUCTION – FINALISATION OF SPECIAL CHARGE SCHEME – SRC 349

Source: City Services – Engineering Services
Director: Guy Wilson-Browne

Purpose

1. To finalise the Special Charge Scheme for road construction works in Station Street, Bridge Street and Crimea Street, Drysdale.

Background

2. This project involved road construction in Station Street, Bridge Street and Crimea Street, Drysdale (see plan – **Attachment 3**). to address complaints over a considerable period about the condition of these unsealed roads. The majority of property owners supported the simple rural road construction option to provide safer access for road users.
3. The works were facilitated via a Special Charge Scheme which was declared by Council at its meeting of 28 February 2017. Prior to the declaration, administrators were appointed to act as the Greater Geelong City Council when the scheme Submissions Review Panel Hearing was conducted, and the scheme was declared.
 - 3.1 There are 47 residential properties abutting the works that were determined to receive special benefit;
 - 3.2 There are no City owned properties in the scheme; and
 - 3.3 The total estimated scheme cost was \$313,186 (made up of \$250,549 from property owners and \$62,637 funded by the City).

Key Matters

4. The works have been completed (**Attachment 5**) consisting of Special Charge Scheme works totalling \$468,405 plus \$253,060 funded by the City for additional related works, resulting in a total project cost of \$721,465.
5. In consultation with the property owners, the scheme scope was intentionally restricted, which reallocated a range of risks and scope requirements to the City to deliver the whole project and enabled the scheme to proceed.
 - 5.1 Additional works delivered by the City separate to the scheme related to VicRoads upgrade works, underground drainage, backfill, road closure infrastructure, fencing, second road seal, removal of asbestos pipes and asphalt cost.
6. The Special Charge Scheme can be finalised based on the recommended cost as shown in Schedule A – **Attachment 2**.
 - 6.1 Total property owner charges are proposed to be a total of \$22,549 more than the declared charge representing a 9% increase guided by the *Local Government Act Section 166* without the need to formally vary the scheme.

Cr Mason moved, Cr Sullivan seconded -

7. That Council:

- 7.1 Endorse the Special Charge Scheme final costs and amendments to the special charges on properties as shown in Schedule A – Attachment 2; and**
- 7.2 Instruct the Chief Executive Officer to adjust the special charge and notify the property owners as required by Section 166 of the Local Government Act 1989 as shown in Schedule A – Attachment 2.**

Carried.

Attachment 1

Financial Implications

1. The project has been funded under the core Street Construction program (C02301).
2. The final design and construction costs are summarised below:

	Estimate	Actual	% Change
Revised Scheme cost to property owners	\$250,549	\$273,098	9% increase
Scheme cost to Council	\$62,637	\$195,306	312% increase
Scheme Total	\$313,186	\$468,404	50% increase
Direct Funding by Council to construct VicRoads upgrade, underground drainage, engineered fill, bollards for closure, fencing for path, 2 nd seal of double Primerseal, removal of AC pipes, asphalt	Not determined and/or excluded at scheme declaration	\$253,060	N/A
Works Total	\$313,186	\$721,465	

3. There were several additional actual costs for the project and listed in **Attachment 6**.
4. Amending the scheme to include the full cost increase (50%) would require a formal variation to the scheme, whereas an increase less than 10% without a formal scheme variation is permitted under the *Local Government Act 166(3)*, which stipulates that:
"A Council must ensure that those persons who are liable to pay a special rate or special charge which is varied are notified if it is varied. If a variation of a special rate or special charge will result in—
(a) persons being required to pay a special rate or special charge who were not previously required to do so; or
(b) an increase equal to or greater than 10% in the amount of the special rate or special charge payable by a person".
5. The actual cost increase in the scheme cost is \$155,219, whereas the revised scheme cost to the property owners reflects a 9% increase (\$22,549) with all other costs being funded by the City.
6. The recommended final special charges consistent with a 9% increase to property owners have been prepared as shown in **Attachment 2**.
7. Property owners can nominate a payment plan and may access our hardship policy if applicable. Further details on the payment plan and how to access the hardship policy are outlined in the levy notice sent to all affected property owners.

Community Engagement

8. Initial property owner feedback to the scheme indicated that most property owners preferred the simple road construction option which included sealing 685 metres of unsealed portions of road including Station, Crimea and Bridge Street.

9. Concerns raised were considered as part of the declaration report and Council determined to proceed with the scheme as the recovery of cost was less than one third of the total cost.
10. On 24 May 2016, Administrators were appointed to act as Council until 28 October 2017. New Council was sworn in on 14 November 2017. During this period the following engagement was undertaken also outlined in **Attachment 4**.
 - 10.1 26 July 2016 – Intention to declare a scheme was endorsed.
 - 10.2 8 November 2016 – A panel hearing was conducted following 6 objection submissions
 - 10.3 29 November 2016 – A letter was sent to property owners advising of Council's decision and reason to declare the scheme.
 - 10.4 28 February 2017 – The scheme was declared on 28 February 2017.
 - 10.5 2 March 2017 – A levy notice was issued to property owners.
 - 10.6 26 October 2017 – Nine property owners jointly appealed to VCAT for a review of the scheme. A VCAT hearing commenced with an Order issued on 9 November 2017 as follows:
 - 10.6.1 *"This application for review is dismissed and the special charge is confirmed pursuant to section 185(3)(c) of the Local Government Act 1989."*

Social Equity Considerations

11. The provision of properly sealed and drained roads and footpaths provides improved amenity, connectivity and safety for pedestrians.

Policy/Legal/Statutory Implications

12. The scheme has been prepared in accordance with the Special Rate and Charge provisions of the *Local Government Act 1989* and guided by the 2004 ministerial guidelines and Council's Special Rates and Charges Policy. The process chart for Special Rate Schemes is shown in **Attachment 4**.
13. In accordance with Council's Special Rates and Charges Policy, once the project has reached final completion and all costs have been aggregated, a finalisation report will be presented to Council. Any cost adjustments will be in accordance with requirements of the Act.

Alignment to Council Plan

14. This report aligns with the Council Plan as follows:
 - 14.1 Integrated Transport Connections and key priority to improve our road management and engagement program;
 - 14.2 Implement a Council program of infrastructure upgrades including streets, roads and drains.

14.3 Other connections to the Council Plan include:

- 14.3.1 An investment into sustainable infrastructure, reducing operation and maintenance liability; and
- 14.3.2 Encourages use of active transport, such as walking due to the footpath construction creating a safer public space.

Conflict of Interest

- 15. No Council Officer involved with this process has any general or material interest in the project or properties included in the Special Charge Scheme.

Risk Assessment

- 16. Provision of a sealed pathway provides safer walking conditions for pedestrians by minimising the risk of personal injuries through conflict with vehicles and the elimination of uneven and slippery surfaces. Provision of a footpath constructed to standards and suitably drained will provide safer passage for pedestrians.
- 17. Improved, sealed roads and proper drainage lowers the City's ongoing maintenance requirements and deliver a higher level of service
- 18. Inclusion of the construction of VicRoads upgrade, underground drainage, engineered fill, bollards for closure, fencing for path, second seal of double Primerseal, removal of AC pipes and asphalt provides enhancement of all road user safety.

Environmental Implications

- 19. The new footpath and sealed road provides proper sealed access and improved amenity as dust and mud concerns are mitigated.
- 20. No significant vegetation removal was required to complete the project.

Attachment 2

SCHEDULE "A"

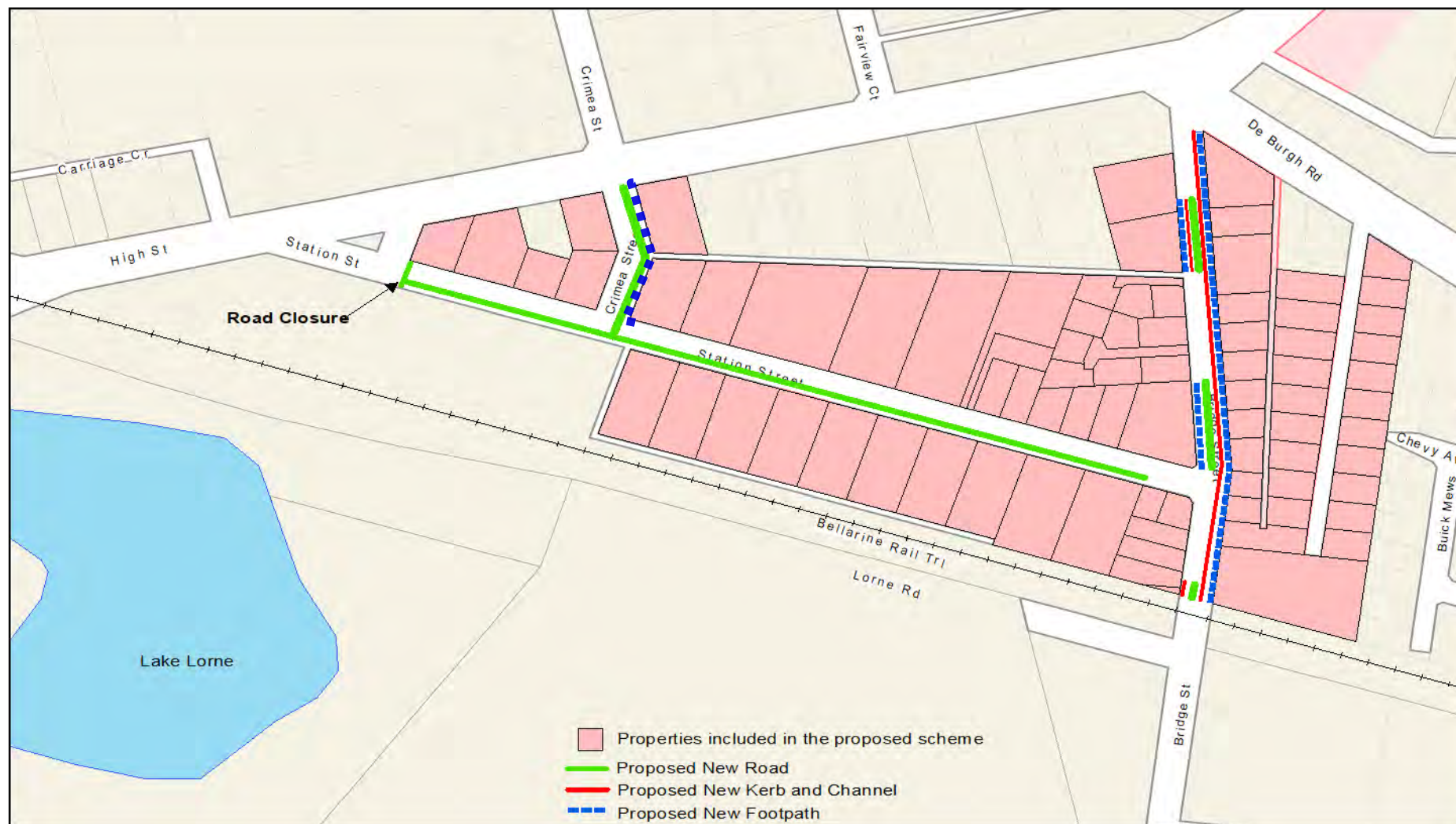
SPECIAL CHARGE SCHEME - ROAD CONSTRUCTION, DRYSDALE

Property Key	ADDRESS	ESTIMATED COST	REVISED COST
253109	97-99 High Street, DRYSDALE	\$6,874.88	\$7,493.62
253118	119 High Street, DRYSDALE	\$5,570.89	\$6,072.27
325926	121 High Street, DRYSDALE	\$4,978.22	\$5,426.26
253120	123 High Street, DRYSDALE	\$6,299.19	\$6,866.12
253121	125 High Street, DRYSDALE	\$7,617.76	\$8,303.36
253122	127 High Street, DRYSDALE	\$6,449.37	\$7,029.81
349400	1 Madison Court, DRYSDALE	\$1,659.26	\$1,808.59
349401	2 Madison Court, DRYSDALE	\$1,659.26	\$1,808.59
349402	3 Madison Court, DRYSDALE	\$1,659.26	\$1,808.59
349404	1 Ryder Court, DRYSDALE	\$1,659.26	\$1,808.59
349405	2 Ryder Court, DRYSDALE	\$1,659.26	\$1,808.59
349406	3 Ryder Court, DRYSDALE	\$1,659.26	\$1,808.59
349407	4 Ryder Court, DRYSDALE	\$1,659.26	\$1,808.59
349408	5 Ryder Court, DRYSDALE	\$1,659.26	\$1,808.59
349409	6 Ryder Court, DRYSDALE	\$1,659.26	\$1,808.59
351075	18 Bridge Street, DRYSDALE	\$1,659.26	\$1,808.59
351075	24 Bridge Street, DRYSDALE	\$10,284.78	\$11,210.41
352569	30 Bridge Street, DRYSDALE	\$1,659.26	\$1,808.59
355435	32A Bridge Street, DRYSDALE	\$1,659.26	\$1,808.59
355435	32B Bridge Street, DRYSDALE	\$1,659.26	\$1,808.59
325927	9 Station Street, DRYSDALE	\$8,352.68	\$9,104.42
260514	2-10 Station Street, DRYSDALE	\$19,439.18	\$21,188.71
260507	11 Station Street, DRYSDALE	\$8,502.03	\$9,267.21
260515	12 Station Street, DRYSDALE	\$6,752.46	\$7,360.18
260508	13 Station Street, DRYSDALE	\$6,895.89	\$7,516.52
264862	14 Station Street, DRYSDALE	\$6,752.46	\$7,360.18
260509	15-19 Station Street, DRYSDALE	\$13,790.60	\$15,031.75
260516	16 Station Street, DRYSDALE	\$6,895.89	\$7,516.52
364999	1/18 Station Street, DRYSDALE	\$6,895.89	\$7,516.52
364998	2/18 Station Street, DRYSDALE	\$0.00	\$0.00
260518	20 Station Street, DRYSDALE	\$6,895.89	\$7,516.52
260510	21-23 Station Street, DRYSDALE	\$8,087.16	\$8,815.00
260519	22 Station Street, DRYSDALE	\$6,895.89	\$7,516.52
260520	24 Station Street, DRYSDALE	\$6,895.89	\$7,516.52
260511	25-27 Station Street, DRYSDALE	\$8,087.59	\$8,815.47
260521	26 Station Street, DRYSDALE	\$6,895.89	\$7,516.52
298815	28 Station Street, DRYSDALE	\$7,482.63	\$8,156.07

Property Key	ADDRESS	ESTIMATED COST	REVISED COST
343495	29 Station Street, DRYSDALE	\$3,809.26	\$4,152.09
298816	30 Station Street, DRYSDALE	\$7,482.63	\$8,156.07
343496	31 Station Street, DRYSDALE	\$3,792.66	\$4,134.00
352567	32 Station Street, DRYSDALE	\$1,659.26	\$1,808.59
343495	33 Station Street, DRYSDALE	\$5,215.07	\$5,684.43
352568	34 Station Street, DRYSDALE	\$1,659.26	\$1,808.59
343494	35 Station Street, DRYSDALE	\$5,215.07	\$5,684.43
351072	37 Station Street, DRYSDALE	\$5,689.21	\$6,201.24
351073	39 Station Street, DRYSDALE	\$5,410.66	\$5,897.62
351074	41 Station Street, DRYSDALE	\$5,452.14	\$5,942.83
	TOTAL	\$250,548.71	\$273,098.09

Note: Officially declared amounts and proposed charges are shown in **Attachment 2 – Schedule A**, whereas values shown in the report have been rounded.

PLAN OF SCHEME AREA



Attachment 4

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

Station Street, Crimea Street and Bridge Street, Drysdale

Stage	Status	Description	Date
<i>Approval to prepare scheme</i>	✓	Decision made to prepare scheme following consideration of surveys of property owners and feedback 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.	January 2015
<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.	26 July 2016
<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.	6 August 2016
<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.	5 September 2016
<i>Submissions Review Panel Hearing</i>	✓	A Submissions Review Panel is convened 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.	8 November 2016
<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.	28 February 2017
<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.	9 November 2017
<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.	Commenced 12 June 2018. Completed 13 September 2018.
<i>Final Cost Report</i>	✓	At the completion of the works the scheme is "finalised" considering actual costs incurred and payments are adjusted accordingly.	For endorsement

Attachment 5

Photos of Completed Works



Attachment 6

Design Changes:	Additional Costs	Responsibility
Existing pavement was not able to be used due to limited depth and poor quality. Additional costs to excavate 150mm depth over entire site and provide backfill of class 3 Fine Crushed Rock (FCR).	\$55,364.00	Council
VicRoads required upgrade of pavement at intersection of Crimea St with High St. This included 100mm extra pavement and 40mm asphalt surface. (asphalt cost included in item 4 below).	\$1,876.24	Council
Total A	\$57,240.24	

Excluded from scheme:	Additional Costs	Responsibility
Excavation costs for table drain formation	\$35,932.90	Council
Drainage works other than pipe crossings for driveways	\$10,866.00	Council
Nature strip topsoiling and seeding	\$48,535.00	Council
Placement of engineering fill	\$10,251.00	Council
Bollards	\$4,820.00	Council
Fencing	\$5,059.80	Council
Double instead of single Primerseal-minimal cost. Tender amount was \$3988 more but deduction due to asphalt work of \$7502.	-\$3,514.14	Council
Total B	\$111,950.56	

Variations identified during works:	Additional Costs	Responsibility
Remove & dispose of Asbestos Cement pipes	\$3,277.00	Council
Asphalting Station/Crimea intersection rather than seal	\$25,265.00	Council
Additional drainage at Station/Crimea	\$13,318.00	Council
Additional concrete laybacks and crossovers	\$5,570.00	Council
Additional gravel driveways	\$3,253.00	Council
Extension of house drains to new table drain	\$7,840.00	Scheme
Alteration to water and gas services	\$12,250.00	Council
Inadequate allowance for traffic control	\$42,516.75	Scheme
Inadequate allowance for Rural type vehicle crossing	\$81,065.00	Scheme
Inadequate allowance for Set Out	\$11,432.87	Scheme
Balance of remaining contract prices compared to scheme estimate	\$187.03	Scheme
Additional Design Costs	\$20,936.55	Council
Total C	\$226,911.20	

Total of all additional works (A+B+C):	\$408,279.00	
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12. MONTPELLIER DRIVE, HIGHTON: STREET CONSTRUCTION – SRC 345 – FINALISATION OF SCHEME

Source: City Services – Engineering Services
Director: Guy Wilson-Browne

Purpose

1. To finalise the Special Charge Scheme for footpath construction in Montpellier Drive and Reigate Road, Highton.

Background

2. This project involved footpath construction in Montpellier Drive and Reigate Road, Highton to link with footpaths in Lansbury Crescent to the north, Cheam Walk and Lambhill Crescent to the west and Mount Pleasant Road to the south, for an improved pedestrian network around Montpellier Primary School (plan – **Attachment 3**).
3. Development of a Special Charge Scheme was considered as early as 2005.
4. The affected property owners were advised of the current scheme proposal in June 2015. From surveys provided to property owners, out of the 20 properties affected by the scheme 12 property owners responded.
5. The results included two yes votes for the proposed footpath and 10 no votes.
6. Council resolved its Intention to Declare the Scheme on 27 January 2016, with four submissions received. At a Submissions Panel Hearing of 7 September 2016, the advice from the panel was to proceed to declaration. The Special Charge Scheme was declared by Council at its meeting of 13 December 2016.

Key Matters

7. The works have been completed (refer to **Attachment 5**) with the total of Special Charge Scheme works being \$130,824 made up of:
 - 7.1 \$41,863.68 from property owner scheme contributions; and
 - 7.2 \$88,960.32 scheme funded by Council.
8. Additional related works of \$82,871 were funded by Council.
9. Construction of the 1.5-metre-wide footpath (440 metres) improves pedestrian safety and connectivity near Montpellier Primary School.
10. There are no Council owned properties in the scheme.
11. The Special Charge Scheme can now be finalised based on the recommended cost as shown in Schedule A – **Attachment 2**.

Cr Nelson moved, Cr Harwood seconded -

12. That Council:

- 12.1 Endorse the Special Charge Scheme final costs and amendments to the special charges on properties as shown in Schedule A – Attachment 2; and**
- 12.2 Instruct the Chief Executive Officer to adjust the special charge and notify the property owners as required by Section 166 of the Local Government Act 1989 as shown in Schedule A – Attachment 2.**

Carried.

Attachment 1

Financial Implications

1. The project is a one-off capital cost and there will be ongoing maintenance costs.
2. The project has been funded under the Footpath Construction program (C02303).
3. The final design and construction costs are summarised below:

	Estimate	Actual	Change	% Change
Scheme cost to property owners	\$41,864	\$41,864	\$0	0%
Scheme cost to Council	\$88,960	\$88,960	\$0	0%
Total Scheme	\$130,824	\$130,824	\$0	0%

4. The declared levies to the property owners are unchanged.
5. The recommended final special charges have been prepared as shown in **Attachment 2**
6. Property owners can nominate a payment plan and may access our hardship policy if applicable. Further details on the payment plan and how to access the hardship policy were outlined in the levy notice sent to all affected property owners.

Community Engagement

7. Community consultation for the current footpath construction Special Charge Scheme has been carried out as follows:
 - 7.1 30 June 2015 – Initiation letter including a concept plan, cost estimate, apportionment of charges, Special Rates and Charges brochure and survey to property owners;
 - 7.2 29 January 2016 – Letter to owners advising of Council's Intention to declare the scheme and invitation to make a submission;
 - 7.3 17 May 2016 – Update letter to owners advising of the upcoming panel hearing and process;
 - 7.4 7 September 2016 – Panel Hearing. Three property owners presented to the panel in support of their submissions;
 - 7.5 5 October 2016 – Letter to owners advising of the results of the panel hearing and decision to proceed to declaration. Some phone calls were received in response to the correspondence;
 - 7.6 The Special Charge Scheme was declared by Council at its meeting of 13 December 2016; and
 - 7.7 A levy notice was issued to property owners on 15 December 2016.

Social Equity Considerations

8. The provision of properly sealed and drained roads and footpaths provides improved amenity, connectivity and safety for pedestrians.

Policy/Legal/Statutory Implications

9. The scheme has been prepared in accordance with the Special Rate and Charge provisions of the *Local Government Act 1989* with the 2004 ministerial guidelines and Council's Special Rates and Charges Policy. The process chart for Special Rate Schemes is shown in **Attachment 4**.

Alignment to Council Plan

10. This report aligns with the Council Plan as follows:
 - 10.1 Integrated Transport Connections and key priority to improve our road management and engagement program; and
 - 10.2 Implement a Council program of infrastructure upgrades including streets, roads and drains.
 - 10.3 Other connections to the Council Plan include:
 - 10.3.1 An investment into sustainable infrastructure, reducing operation and maintenance liability; and
 - 10.3.2 Encourages use of active transport, such as walking due to the footpath construction creating a safer public space.

Conflict of Interest

11. In preparing this report, no Council officer has any general or material interest in the properties affected by the scheme.

Risk Assessment

12. Provision of a sealed footpath will provide safer walking conditions for pedestrians by minimising the risk of personal injuries through conflict with vehicles and the elimination of uneven and slippery surfaces.

Environmental Implications

13. During construction, the manufacture and procurement of materials, energy is used resulting in some greenhouse gas emissions. This stopped when construction was completed.
14. The project did not create waste with the exception of some excavated material.
15. The proposal did not affect any natural habitats.
16. The proposal required some nature strip and property trees and shrubs to be trimmed. Two small nature strip trees were removed. A specialised porous pavement was used around the root zones of some of the more established trees within the nature strip. This will protect and preserve the tree roots.

Attachment 2

SCHEDULE 'A'

**SPECIAL CHARGE SCHEME – MONTELLIER DRIVE, HIGHTON
FOOTPATH CONSTRUCTION**

Property Key	ADDRESS	ESTIMATED COST	ACTUAL COST
233261	2 Montpellier Drive, HIGHTON VIC 3216	\$2,049.60	\$2,049.60
233263	4 Montpellier Drive, HIGHTON VIC 3216	\$1,927.22	\$1,927.22
233265	6 Montpellier Drive, HIGHTON VIC 3216	\$1,989.99	\$1,989.99
233267	8 Montpellier Drive, HIGHTON VIC 3216	\$2,187.13	\$2,187.13
233269	10 Montpellier Drive, HIGHTON VIC 3216	\$1,691.58	\$1,691.58
233271	12 Montpellier Drive, HIGHTON VIC 3216	\$1,641.24	\$1,641.24
233273	14 Montpellier Drive, HIGHTON VIC 3216	\$2,320.24	\$2,320.24
233275	16 Montpellier Drive, HIGHTON VIC 3216	\$2,033.27	\$2,033.27
233277	18 Montpellier Drive, HIGHTON VIC 3216	\$2,368.92	\$2,368.92
233278	20 Montpellier Drive, HIGHTON VIC 3216	\$1,532.15	\$1,532.15
233280	22 Montpellier Drive, HIGHTON VIC 3216	\$1,761.51	\$1,761.51
233282	24 Montpellier Drive, HIGHTON VIC 3216	\$2,346.89	\$2,346.89
233283	25 Montpellier Drive, HIGHTON VIC 3216	\$2,505.71	\$2,505.71
233284	26 Montpellier Drive, HIGHTON VIC 3216	\$2,147.13	\$2,147.13
233285	27 Montpellier Drive, HIGHTON VIC 3216	\$2,254.72	\$2,254.72
338914	28 Montpellier Drive, HIGHTON VIC 3216	\$1,808.62	\$1,808.62
233287	29 Montpellier Drive, HIGHTON VIC 3216	\$1,492.24	\$1,492.24
233881	262 Mt Pleasant Road, HIGHTON VIC 3216	\$2,594.43	\$2,594.43
236566	44 Reigate Road, HIGHTON VIC 3216	\$2,664.09	\$2,664.09
236568	46 Reigate Road, HIGHTON VIC 3216	\$2,546.99	\$2,546.99
	Totals	\$41,863.67	\$41,863.67

Attachment 3

Plan



Properties included in the proposed scheme

Location of proposed footpath

Attachment 4

PROCESS CHART

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

**MONTPELLIER DRIVE & REIGATE ROAD, HIGHTON – FOOTPATH
CONSTRUCTION**

Stage	Status	Description	Date
<i>Approval to prepare scheme</i>	✓	Decision made to prepare scheme following consideration of surveys of residents and feedback from the community via informal survey. 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.	June 2015
<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.	27 January 2016
<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.	6 February 2016
<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.	Closed 7 March 2016
<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.	7 September 2016
<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.	Declared 13 December 2016 Levy notice sent 15 December 2016.
<i>Appeal</i>	N/A	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.	Closed 15 January 2017
<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.	Construction was completed in February 2018
<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.	

Attachment 5

Photos of Completed Works





13. BARWARRE ROAD, MARSHALL – ROAD, KERB AND CHANNEL CONSTRUCTION – FINALISATION OF SPECIAL CHARGE SCHEME - SRC 351

Source: City Services – Engineering Services
Director: Guy Wilson-Browne

Purpose

1. To finalise the Special Charge Scheme for the construction of three road segments along Barwarre Road (east side) between Marshalltown Road and Reserve Road, Marshall.

Background

2. This project involved the road construction in Barwarre Road, Marshall (see plan – **Attachment 3**) of three under-developed sections and included road widening, kerb and channel, underground drainage and footpath works.
3. Barwarre Road between Marshalltown Road and Reserve Road has experienced ad-hoc development over time. In the three under-developed sections, the road edges remained unconstructed with no footpath between 129 - 137 Barwarre Road.
4. The works were facilitated via a Special Charge Scheme which was declared by Council at its meeting on 20 September 2017:
 - 4.1 There are six residential properties abutting the proposed works that were determined to receive special benefit.
 - 4.2 There are no City owned properties in the scheme.
 - 4.3 The total estimated scheme cost was \$344,758 made up of \$82,197 from property owners and \$262,561 funded by the City.
5. No submissions were received during the scheme submissions period.

Key Matters

6. Completed construction (**Attachment 5**) represents a total of Special Charge Scheme works of \$563,089 made up of \$89,595 from property owner contributions and \$473,494 funded by the City. The cost increases are outlined in **Attachment 6**.
7. While the total scheme cost has increased by around 63%, the total property owner charges are proposed to be capped at \$89,595 representing a 9% increase from the declared charge of \$82,197 permitted under the *Local Government Act (Sec 166)* without the need to formally vary the scheme.
8. Construction consisted of three) sub-projects components
 - 8.1 Sub-project 1 is adjacent to three properties between 129 and 137 Barwarre Road. The works included road widening, kerb and channel and a new footpath section.
 - 8.2 Sub-project 2 is adjacent to two properties between 181 and 185 Barwarre Road. The works consisted of road widening and kerb and channel.
 - 8.3 Sub-project 3 is adjacent to one property at 193-197 Barwarre Road and also included road widening and kerb and channel.
9. The Special Charge Scheme can now be finalised based on the recommended cost as shown in Schedule A – **Attachment 2**.

Cr Harwood moved, Cr Moloney seconded -

10. That Council:

- 10.1 Endorse the Special Charge Scheme final costs and amendments to the special charges on properties as shown in Schedule A – Attachment 2; and**
- 10.2 Instruct the Chief Executive Officer to adjust the special charge and notify the property owners as required by Section 166 of the *Local Government Act 1989* as shown in Schedule A – Attachment 2.**

Carried.

Attachment 1

Financial Implications

1. The project is a one-off capital cost and there will be ongoing maintenance costs.
2. The project has been funded under the Road Construction Program (C02301).
3. The final design and construction costs are summarised below:

	Estimate	Actual	Change	% Change
Estimated scheme cost to property owners				
Sub-project 1 - \$49,021	\$82,197	\$89,595	\$7,398	9% increase
Sub-project 2 - \$22,844				
Sub-project 3 - \$10,332				
Estimated scheme cost to Council				
Sub-project 1 – \$142,762	\$262,561	\$473,494	\$210,933	80% increase
Sub-project 2 – \$57,557				
Sub-project 3 - \$62,242				
Scheme Total	\$344,758	\$563,089	\$218,331	63% Increase

The cost increases were due to actual costs being higher than estimated for the Pebble Lite paving and road pavement items. A detailed breakdown of these costs is included in **Attachment 6**.

4. Amending the scheme to include the full cost increase (63%) to the property owners would require a formal scheme variation, whereas an increase less than 10% without a formal scheme variation is permitted under the *Local Government Act sec 166(3)*, which stipulates that:
 - a. "A Council must ensure that those persons who are liable to pay a special rate or special charge which is varied are notified if it is varied. If a variation of a special rate or special charge will result in—
 - i. persons being required to pay a special rate or special charge who were not previously required to do so; or
 - ii. an increase equal to or greater than 10% in the amount of the special rate or special charge payable by a person"
5. The actual increase in the scheme cost is \$218,331 and the revised Scheme cost to the property owners is shown in the table above and reflects a 9% increase in the liability of the property owners under the Act.
6. The recommended final special charges consistent with the 9% increase to property owners have been prepared as shown in **Attachment 2**.
7. Property owners can nominate a payment plan and may access the City's hardship policy if applicable. Further details on the payment plan and how to access the hardship policy were outlined in the Levy notice sent to all affected property owners.

Community Engagement

8. Consultation with the affected property owners has taken place as follows:

2013/14 – Mail out and community meeting held at the Grovedale Community Centre regarding the proposed 'up front' agreement. Majority agreement was assessed at this time.

March 2017 – an update letter was mailed advising of the change to a Special Charge Scheme. This letter included advice on the revised scheme charges.

27 June 2017 – Council gave notice of its Intention to Declare a Scheme.

3 July 2017 – Letter advising of Council's Intention to Declare a Scheme and invitations to make a submission.

8 July 2017 – Public notice in the local newspaper.

11 July 2017 – A copy of the public notice was mailed out to property owners.

20 September 2017 – Scheme was Declared by Council.

25 September 2017 - a levy notice was issued to property owners

Social Equity Considerations

9. The provision of road segments is aligned to Council's City Plan as described above and provides improved connectivity and safety for pedestrians.

Policy/Legal/Statutory Implications

10. The scheme has been prepared in accordance with the Special Rate and Charge provisions of the *Local Government Act 1989* along with the 2004 ministerial guidelines and Council's Special Rates and Charges Policy. The process chart for Special Rate Schemes is shown in **Attachment 4**.

Alignment to Council Plan

11. This report aligns with the Council Plan objective of Integrated Transport Connections and key priorities to improve our road management and engagement program through implementing a program of infrastructure upgrades including streets, roads and drains.
12. Other connections to the Council Plan include:
- 12.1 Investment into sustainable infrastructure, reducing operation and maintenance liability.
 - 12.2 Encourages use of active transport, such as walking due to the footpath construction creating a safer public space.

Conflict of Interest

13. No Council Officer involved with this process has any general or material interest in the properties.

Risk Assessment

14. Provision of sealed roads will provide safer driving conditions for motorists and cyclists with a defined and widened road profile.
15. Walking conditions for pedestrians will also be enhanced by minimising the risk of personal injuries through conflict with vehicles.

16. The improved drainage will reduce the hazards associated with water over roads and the effects of nuisance flooding to property.

2

Environmental Implications

17. Minimal vegetation removal was required to complete the project. The design took existing vegetation into consideration.
18. During construction and the manufacture and procurement of materials, there was expenditure of energy sources and greenhouse gas emissions. This ceased when construction was completed.
19. The project did not create waste except for some excess spoil. The construction did not affect any natural habitats.
20. Storm water runoff will be less contaminated with silt prior to discharge as the bulk of the storm water will be cleaner coming off a sealed environment.

Attachment 2

SCHEDULE 'A'
**SPECIAL CHARGE SCHEME – BARWARRE ROAD CONSTRUCTION,
MARSHALL**

Property Key	ADDRESS	ESTIMATED COST	REVISED COST
340265	129-131 Barwarre Road, MARSHALL VIC 3216	\$12,015.32	\$13,096.70
220760	135 Barwarre Road, MARSHALL VIC 3216	\$16,660.03	\$18,159.43
220759	137 Barwarre Road, MARSHALL VIC 3216	\$20,345.61	\$22,176.71
220754	181-183 Barwarre Road, MARSHALL VIC 3216	\$13,286.18	\$14,481.94
220756	185 Barwarre Road, MARSHALL VIC 3216	\$9,557.65	\$10,417.84
312728	193-197 Barwarre Road, MARSHALL VIC 3216	\$10,332.04	\$11,261.92
TOTALS		\$82,196.83	\$89,594.54

The map shows a residential area with various streets including Marshalltown Rd, Krisanway Dr, Basford Ct, Smith St, and Muscovy Dr. Three specific sections of Barwarre Rd are highlighted for road improvement works. Section 1 covers properties 129-131, 135, and 137. Section 2 covers properties 181-183 and 185. Section 3 covers properties 195-197. The map also shows other streets like Ellesby Ct, Emile Pl, Bradley Pl, Malkeith Ct, Hyndford Ct, Carstairs Ct, Wicklow Pl, and Moira Lane. A legend in the bottom right corner explains the pink shading for properties included in the scheme and blue lines for the works area. A north arrow is also present.

SECTION 1
- Road Widening
- Kerb and Channel
- Footpath

SECTION 2
- Road Widening
- Kerb and Channel

SECTION 3
- Road Widening
- Kerb and Channel

Properties included in the proposed scheme

Works area

Attachment 4

PROCESS CHART

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

BARWARRE ROAD, GROVEDALE

Stage	Status	Description	Date
<i>Approval to prepare scheme</i>	✓	Decision made to prepare scheme following consideration of surveys of residents and feedback from the community via informal survey. 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.	April 2015
<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.	27 June 2017
<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.	8 July 2017
<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.	No submissions
<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.	Not required
<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.	Declared 20 September 2017 Levy notice sent 25 September 2017
<i>Appeal</i>	N/A	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.	Closed 25 October 2017
<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.	Commenced 7 November 2018 Completed 2 April 2019
<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.	

Attachment 5

Photos of completed works





Attachment 6

Reasons for additional costs

Reasons for Additional Costs				
129-137 BARWARRE ROAD	Scheme	Actual	Change	Responsible
Traffic Management under-estimated	\$4,400	\$24,582	-\$20,182	Scheme
Pebble Lite paving more expensive than estimate	\$23,716	\$109,040	-\$85,324	Scheme
Repair to existing road - CoGG responsibility	\$0	\$9,340	-\$9,340	Scheme
Sewer manhole adjustments for footpath	\$0	\$9,411	-\$9,411	Scheme
Linemarking	\$0	\$2,286	-\$2,286	Scheme
Extra cost for making driveway stronger at #131-133	\$0	\$2,679	-\$2,679	Scheme
Remaining costs	\$147,685	\$157,691	-\$10,006	Scheme
Design	\$7,991	\$7,902	\$89	Scheme
Project Admin	\$7,991	\$0	\$7,991	Scheme
TOTAL A	\$191,783	\$322,931	-\$131,148	
181-185 BARWARRE ROAD				
Traffic Management under-estimated	\$4,400	\$13,360	-\$8,960	Scheme
Linemarking	\$0	\$1,345	-\$1,345	Scheme
Tree Replacement	\$0	\$1,760	-\$1,760	Scheme
Road Pavement	\$34,727	\$56,862	-\$22,135	Scheme
Crushed Rock driveways	\$0	\$6,235	-\$6,235	Scheme
Pit works	\$0	\$1,522	-\$1,522	Scheme
Sub-soil drainage	\$0	\$4,964	-\$4,964	Scheme
Remaining Works	\$34,574	\$32,986	\$1,588	Scheme
Design	\$3,350	\$2,742	\$608	Scheme
Project Admin	\$3,350	\$0	\$3,350	Scheme
TOTAL B	\$80,401	\$121,776	-\$41,375	
193-197 BARWARRE ROAD				
Traffic Management under-estimated	\$4,400	\$13,360	-\$8,960	Scheme
Linemarking	\$0	\$1,144	-\$1,144	Scheme
Road Pavement	\$27,624	\$47,736	-\$20,112	Scheme
Crushed Rock driveways	\$0	\$4,097	-\$4,097	Scheme
Drainage incl sub-soil drainage	\$2,310	\$10,173	-\$7,863	Scheme
Remaining Works	\$32,192	\$40,023	-\$7,831	Scheme
Design	\$3,024	\$1,849	\$1,175	Scheme
Project Admin	\$3,024	\$0	\$3,024	Scheme
TOTAL C	\$72,574	\$118,382	-\$45,808	
TOTAL of all works (A+B+C)	\$344,758	\$563,089	-\$218,331	

14. REVOCATION OF FLOOD-PRONE AREA DESIGNATION OF NEW LOTS AT ARMSTRONG MT DUNEED, STAGE 47A & STAGE 65A

Source: City Services – Engineering Services
Director: Guy Wilson-Browne

Purpose

1. To revoke Council's designation of 12 December 2006 of flood affected land at Armstrong Mt Duneed, Stage 47A and Stage 65A as liable to flooding pursuant to regulation 153 of the *Building Regulations 2018*.

Background

2. Council has a statutory obligation under the *Building Regulations 2018* to designate land as liable to flooding where it reasonably knows it to be prone to flooding. Conversely, there is an obligation to remove the encumbrance of designation from land that is no longer considered to be flood-prone.
3. The current designated flood mapping (**Attachment 2**) was designated by Council at its meeting of 12 December 2006.
4. This revocation will result in another two stages of new lots in Armstrong Mt Duneed Estate, one fronting 80 Penedrel Drive and the other fronting 110A Boundary Road, Mount Duneed being free of their flood prone status, paving the way for homes to be built on this land.

Key Matters

5. The flood mapping is subject to a revision due to the subdivision and development at 80 Penedrel Drive, Mount Duneed and 110A Boundary Road, Mount Duneed. Prior to subdivision the parent lots were considered liable to flooding. These development sites, which are also known as Armstrong Mt Duneed, Stage 47A & Stage 65A achieves flood immunity for newly created lots for flood events up to and including the 100 year Average Recurrence Interval (**ARI**) event due to the completion of approved internal works.
6. The recommendation by Council engineers that the flood prone status can be removed includes assessment of internal drainage, road construction and earthworks to contain potential floodwaters from the 100 year ARI event within road and drainage reserves (**Attachment 3**).
7. It should be noted that designation is separate to the creation of flood overlays within the Planning Scheme, which generally follows designation. In the case of this development, the planning scheme amendment to create post-development flood zones or overlays is proposed after the design of the proposed precincts.

Cr Moloney moved, Cr Nelson seconded -

8. **That Council revoke the Council designation of 12 December 2006 of flood affected land at Armstrong Mt Duneed, Stage 47A & Stage 65A as liable to flooding pursuant to regulation 153 of the *Building Regulations 2018*.**

Carried.

Attachment 1

Financial Implications

1. There are no financial implications arising from the subject of this report.

Community Engagement

2. A revocation of designation does not warrant public consultation as it constitutes the removal of an encumbrance on land.
3. Relevant City databases and flood maps will be revised and updates sent to the Corangamite Catchment Management Authority and Building Control Commission.

Social Equity Considerations

4. Council have a responsibility to the community to provide the best possible information on areas that are flood prone. The removal of flood prone designation allows owners to build on their land without a special permit from the City, and without raising the floor level of their home. It also reduces the cost of property insurance.

Policy/Legal/Statutory Implications

5. The City has various statutory responsibilities for drainage management and flood management (prevention, response and recovery) as set out in the *Local Government Act 1989*, *Local Government Regulations 1990*, *Planning and Environment Act 1987*, *Building Regulations 2018*, *Water Act 1989*, *Subdivision Act 1988* and *Emergency Management Act 1986*.
6. The works have resulted in the lots being protected from flooding during a major storm event that has a one per cent probability of occurring in any one year, and occurs on average once in 100 years. This is the required standard for new subdivisions.

Alignment to Council Plan

7. The recommendations of this report are consistent with the Council Plan, in relation to planned sustainable development.

Conflict of Interest

8. No City officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Risk Assessment

9. Council has some risk exposure with any failure to disclose the flood-prone status of a property in a Land Information Certificate.
10. The revocation of the designation is the final step in minimising Council's risk.

Environmental Implications

11. The revocation of flood-prone areas designation and designation of revised flood data through the design of this stage is considered unlikely to result in any known adverse environmental impacts.

Attachment 2
Current Flood Map



Attachment 3
Amended Flood Map



NOTICE OF MOTION – Cr Nelson

REQUEST FOR OFFICER REPORT - POTENTIAL TRAFFIC MANAGEMENT IMPROVEMENTS

Over many years, members of the community have raised concerns directly with Councillors in relation to pedestrian safety at the following locations:

- Burdekin Drive, Highton (at or near the entrance to Christian College);
- Highmont Drive and Charolais Court, Belmont;
- Meadowvale Drive and Amarina Crescent, Grovedale; and
- Carter Road, Armstrong Creek.

Residents have emphasised that the safety of pedestrians is paramount and believe that pedestrian wombat crossings are required to ensure their safety.

This Notice of Motion calls for the Chief Executive Officer to present a report to Council suggesting a process for community consultation regarding potential traffic management improvements in these locations. This consultation is intended to provide community members with the opportunity to have their say and their views considered.

Cr Nelson moved, Cr Grzybek seconded -

- 1. That Council request the Chief Executive Officer present a report to Council in March 2021 suggesting a process for community consultation regarding potential traffic management improvements at the following locations:**

- 1.1 Burdekin Drive, Highton (at or near the entrance to Christian College);**
- 1.2 Highmont Drive and Charolais Court, Belmont;**
- 1.3 Meadowvale Drive and Amarina Crescent, Grovedale; and**
- 1.4 Carter Road, Armstrong Creek.**

Carried.

INFORMAL MEETINGS OF COUNCILLORS

Source: Governance, Strategy and Performance
Chief Executive Officer: Martin Cutter

Summary

1. The Governance Rules of the City of Greater Geelong require the tabling of records of informal meetings of Councillors at the next convenient Council meeting and that their record be included in the minutes of that Council meeting.
2. A summary of the informal meetings of Councillors is attached as an Appendix to this report.

Cr Sullivan moved, Cr Aitken seconded -

3. **That Council receive the Record of Informal Meetings of Councillors for the period to 23 February 2021.**

Carried.

INFORMAL MEETINGS OF COUNCILLORS
(Council Meeting 23 February 2021)

Informal Meeting Details	Councillors	Officer Attendees	Agenda Items	Conflict of Interest Disclosures
Finance Portfolio Meeting 4 February 2021	Crs Asher and Aitken	M Dugina (DIR) K Olesnicky (Chief Financial Officer) N O'Shea (Head Financial Planning) C Francis (OFF)	Discussion relating to Finance Matters	Nil
Council Briefing 9 February 2021	Crs Asher, Aitken, Grzybek, Harwood, Kontelj, Mansfield, Mason, Nelson Moloney, Murrihy, Sullivan	M Cutter (CEO) M Dugina (DIR) G Smith (DIR) R Leonard (DIR) R Stevens (DIR) B Ince (EXEC DIR TOURISM) I Hicks (MGR) J Daly (MGR) S McKew (MGR) M Gallon (MGR) A Miller (MGR) K Ivens (Senior Advisor - Mayor & CEO) L Dundas (OFF) J Hurse (MGR) S Beck (MGR) J Harris (MGR) J Brown (CO ORD) D Bushell (OFF)	- Northern Aquatic and Community Hub – Federal Funding Opportunities - Barwon Heads Village Park Dog Control Orders - Adoption of Community Engagement Policy - Osborne House – Sustainable Development Plan – EOI Process - Terms of Reference – Central Geelong Business Reference Group - Proposed Partial Road Discontinuance and Sale Abutting 248 Kilgour Street, Geelong - Councillor Code of Conduct - Station Street, Drysdale – Street and Footpath Construction SRC349 – Finalisation of Scheme - Montpellier Drive, Highton – Street Construction SRC345 – Finalisation of Scheme - Revocation of Flood Prone Area Designation of New Lots at Armstrong Mt Duneed - Stages 47A and 65A - Barwarre Road, Marshall – Street Construction SRC351 – Finalisation of Scheme - Sustainable Transport - Quarterly Financial Management Report October-December 2020	Nil.

Informal Meeting Details	Councillors	Officer Attendees	Agenda Items	Conflict of Interest Disclosures
Council Budget Meeting 13 February 2021	Crs Asher, Aitken, Grzybek, Harwood, Kontelj, Mansfield, Mason, Nelson Moloney, Murrihy, Sullivan	M Cutter (CEO) M Dugina (DIR) G Wilson-Browne (DIR) G Smith (DIR) R Leonard (DIR) K Phyland (DIR) R Stevens (DIR) T Ellis (ACT/DIR) K Olesnicky (Chief Financial Officer) N O'Shea (Head Financial Planning) T Kirwood (MGR) S Beck (PROJ MGR)	Discussion relating to Council's Budget	Nil

PLANNING DELEGATIONS

Source: Planning, Design & Development – City Development
Director: Gareth Smith

Purpose

1. To provide the schedule of planning permit applications determined under delegation since the last report.

Background

2. 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.
3. Sections 86 and 87 of the *Local Government Act 1989* and section 188 of the *Planning and Environment Act 1987* allow Council to establish special committees with delegated powers to determine planning permit applications.
4. At its meeting on 21 September 2020, Council:
 - 4.1 Amended the Council to staff instrument of delegation to allow staff delegates to determine planning permit applications where there are less than 6 objections lodged; and
 - 4.2 Amended the Planning Committee's terms of reference to provide for its determination, if required, of planning permit applications where there are 6 or more objections lodged.
5. The City is required by Council to provide information on planning permit applications determined under delegation.

Key Matters

6. The Schedule attached to this report provides information on the planning permit applications determined under delegation since the last report.

Cr Grzybek moved, Cr Sullivan seconded -

7. **That Council receive the information in the Schedule entitled Planning Decisions Report – January 2021.**

Carried.

Planning Decisions Report - January

App Number	Location	Application Type	Decision Date	Description	Authority Description
PP-155-2011/B	297-301 Moorabool Street, GEELONG VIC 3220	Demolition of a dwelling, partial demolition of a building, use and development of a place of assembly (including bingo, live theatre, cinema, concerts, function centre, exhibition centre and restricted place of assembly but excluding nightclub, amusement parlour, carnival, circus, library and place of worship) with associated car parking and ancillary food and drink premises, display of associated business identification signage, external painting, and reduction in the required car parking provision	6/1/2021	Extended Planning Permit	Delegated Authority
PP-243-2018	48-58 Station Lake Road, LARA VIC 3212	Development of seventeen (17) double storey dwellings and one (1) single storey dwelling and works in a Road Zone	4/1/2021	Permit Issued - VCAT	VCAT
PP-340-2019	1 Ewing Blyth Drive, BARWON HEADS VIC 3227	Buildings and Works including Partial Demolition and Removal of Native Vegetation	5/1/2021	Grant a Planning Permit	Delegated Authority
PP-420-2015	740-750 Torquay Road, MOUNT DUNEED VIC 3217	Use of Land in a Farming Zone for the Purpose of a Service Station; Buildings and Works in a Farming Zone (Including Building within 100m of a Road Zone; Removal of Native Vegetation; Advertising Signs; Vary Requirements of Clause 52.12; Create an Access to a Road Zone	25/1/2021	Extended Planning Permit	Delegated Authority
PP-60-2020	17-21 Calcium Park Crescent, POINT LONSDALE VIC 3225	Buildings and Works Associated with the Construction of Four (4) Dwellings and a Four (4) Lot Subdivision	5/1/2021	Grant a Planning Permit	Delegated Authority

PP-606-2018	104-108 Sparks Road, NORLANE VIC 3214	Use and Development of a Medical Centre, Associated Pharmacy and Business Identification Signage	6/1/2021	Extended Planning Permit	Delegated Authority
PP-660-2019	135 Aphrasia Street, NEWTOWN VIC 3220	Construction of a Sports Pavilion at Carey Oval (St Josephs College) Including Signage	12/1/2021	PI - Permit Issued - VCAT	VCAT
PP-1129-2020	1-3 Bell Street, OCEAN GROVE VIC 3226	Construction of Two Dwellings Over 7.5m and a Two Lot Subdivision	25-Jan-2021	NOD - Delegate	3
PP-282-2020	315-325 Hamilton Highway, FYANSFORD VIC 3218	Buildings and Works associated with a Concrete Batching Plant	11-Jan-2021	NOD - Delegate	1
PP-83-2020	25 Weeroona Avenue, HAMLYN HEIGHTS VIC 3215	Construction of Two (2) Dwellings and Two (2) Lot Subdivision	25-Jan-2021	NOD - Delegate	4
PP-853-2020	1 St Georges Road, NORLANE VIC 3214	Construction of Two (2) Dwellings and Alter Access to a Road Zone Category 1	28-Jan-2021	NOD - Delegate	1
PP-877-2019	205 West Fyans Street, NEWTOWN VIC 3220	Buildings and Works Associated with the Construction of Two (2) Dwellings	15-Jan-2021	NOD - Delegate	2
PP-953-2020	10 South Street, BELMONT VIC 3216	Construction of Two (2) Dwellings and a Two (2) Lot Subdivision	15-Jan-2021	NOD - Delegate	2
PP-993-2020	217-227 Colac Road, WAURN PONDS VIC 3216	Building and Works to Existing Building and Change of Use associated with an additional 11 gaming machines	21-Jan-2021	NOD - Delegate	4

CLOSE OF MEETING

As there was no further business the meeting closed at 7.51pm Tuesday, 23 February 2021.

Signed: _____

Cr Stephanie Asher (Mayor)

Date: _____