

MINUTES

COUNCIL MEETING

Tuesday 23 August 2022
6:00 pm

City Hall
57 Little Malop Street, Geelong 3220

LIVE STREAMED ON THE CITY'S WEBSITE:

www.geelongaustralia.com.au/meetings

COUNCIL:

Cr P Murrihy (Brownbill Ward) - Mayor
Cr T Sullivan (Bellarine Ward) - Deputy Mayor
Cr S Asher (Bellarine Ward)
Cr J Mason (Bellarine Ward)
Cr E Kontelj (Brownbill Ward)
Cr S Mansfield (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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Present: Cr P Murrhiy (Mayor), Crs A Aitken, S Asher (Virtual Attendance), K Grzybek, B Harwood, E Kontelj, S Mansfield, J Mason, B Moloney, R Nelson, T Sullivan

Also Present: M Cutter (Chief Executive Officer), G Smith (Director City Planning and Economy), G Wilson-Browne (Director City Services), R Stevens (Director Community Life), K Phyland (Director Strategy, People & Performance), T Kirwood (Manager Property, Procurement & Assets), S McKew (Manager Governance)

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

1. PROCEDURAL MATTERS

1.1. Acknowledgement of Country

Council acknowledges the Wadawurrung People as the Traditional Owners of the Land, Waterways and Skies. We pay our respects to their Elders, past and present. We acknowledge all Aboriginal and Torres Strait Islander people who are part of our Greater Geelong community today.

1.2. Apologies

Nil

1.3. Leaves of Absence

Cr Moloney moved, Cr Nelson seconded -

That Leave of Absence be granted to Cr Kontelj for the period 17 October 2022 to 3 November 2022, inclusive.

Carried

1.4. Declarations of Conflicts of Interest

Nil

1.5. Confirmation of Minutes

Cr Harwood moved, Cr Grzybek seconded -

That the Minutes of the Council Meeting held on 26 July 2022 be confirmed.

Carried

Cr Harwood moved, Cr Sullivan seconded -

That the Minutes of the Council Meeting held on 9 August 2022 be confirmed.

Carried

1.6. Public Question and Submission Time

The following persons submitted questions prior to the Council Meeting on the following various subjects:

1. Melanie Walter on behalf of GSODA – Permanent Home for the Geelong Society of Operatic & Dramatic Arts
2. Michael Loughnan – The Community Outpost
3. Jackie Hollins – Tree Planting and Replacement of Trees
4. Andrew van Gemert – Planning Amendment C339ggee Lara Flood Overlay
5. Katerina-Larisa Izdebskaia – Removal of the Minimum Garden Areas
6. Frank Chalifour – Planning Amendment C339ggee Lara Flood Overlay
7. Deborah Walker – Planning Amendment C339ggee Lara Flood Overlay
8. Barry White – Planning Amendment C339ggee Lara Flood Overlay
9. Greaves – Planning Amendment C339ggee Lara Flood Overlay
10. Katherine Talbot – Proposed Social Housing – 5A Dean Street, Belmont
11. Vanessa Whitem – Tree Canopy and the Urban Forest Strategy
12. Bill Marshall – Resource Subscriptions – Sustainability and Environment
13. Jeanne Nel de Koker – Urban Forest Strategy KPI's and Removal of Trees at 5A Dean Street, Belmont
14. Jennifer Bantow – Bluestone Cottage Relocation Feasibility Study – 375 Barwon Heads Road
15. Kim Rosenow – Proposed Social Housing – 5A Dean Street, Belmont

Melanie Walter asked:

Question 1:

Thank you for your time at the last council meeting. The reply received to the question from Zoe and her friends was unfortunately not relevant to the needs of GSODA and did not address the essence of the question. As such, the teenagers who were in attendance were left feeling that their cry for support and equal treatment went unheard. For this reason, I am here again tonight representing the 100+ children and teenagers who actively participate in the various GSODA programs each year and also the 100+ volunteers and families currently involved. Not to mention, the creative young children and infants in the Greater Geelong region, who need and deserve GSODA to continue into the future! The G21 Geelong Plan states that sport and recreation play a major part in generating feelings of community pride and individual well-being.

The COGG community directory lists 315 sport and recreation clubs that use COGG owned land and/or facilities, the majority are not-for-profit organisations with a focus on youth involvement, just like GSODA. Just as sporting clubs need a place to undertake activities and store equipment, so do recreation organisations who engage in artistic and cultural pursuits, therefore, can council please advise in relation to the following question:

GSODA has State Government support for any future building funding we may seek, but the road block faced is the lack of a permanent address required to move forward with a COGG Community Infrastructure Planning Grant application. Sport Victoria have confirmed GSODA are eligible to apply for grants under the Sporting Club Grants Program, as dance is defined as 'active recreation'.

As such, the children and teenagers involved in GSODA should be able to access the same Council support and funding opportunities as other sport and recreation clubs in the Greater Geelong region.

There are plentiful sport and recreation sites across Geelong and we are therefore seeking your support to access excess land, an unused building or to work with another club who would use a facility at different times of the week and could share a site. Thus, we seek proactive Council assistance to please facilitate meetings with the relevant staff within COGG who manage sport and recreation land and facilities, and can help us resolve this issue that is denying the children and teenagers involved in GSODA to a level playing field to that of other children and teenagers involved in sporting clubs. Can this support be provided, including a thorough review of all possible properties and/or land that may be able to meet the needs of an organisation that is a Geelong institution and has positively impacted the lives and well-being of thousands of Geelong families over the past 70 years?

Question 2:

Examples of potential sites located with a brief review – land next to the Geelong Cycling Club, that may not be suitable for other recreation uses such as a playground or dog walking, as it is in between main roads, or Pettitt Park Hall to renovate and revive. If these example sites are not suitable for further review/discussion, can Council please detail the reasons for this decision?

Question 3:

The COGG Community Infrastructure Planning Grant applications were due yesterday - is there any scope for an extension to this submission so GSODA does not lose another valuable year awaiting grant rounds? If an extension is possible, could we use a holding address in the application, to be updated once a suitable address has been established?

Thank you for your questions, Melanie.

Response to Question 1:

The City is aware that the grants team has spoken with you to discuss the grant application process. The lack of a permanent address for the club does not deem the club ineligible for grant applications and I can confirm the group has commenced an application for planning funding in the upcoming Community Infrastructure Grants program within the Smarty Grants system. If the planning grant is successful, the proposed location assessment study will consider the group's needs and conduct a detailed location analysis of existing sites for suitability in the first instance, and may also consider new development in the absence of suitable existing facilities.

Outside of the grants process, City officers are happy to facilitate a conversation with GSODA in relation to finding the group a suitable future home and officers can set up a convenient time to meet.

It will be important to first understand the group's needs and requirements for a future home, which will then enable a review of current council facilities that may be suitable for use by the group. The review would include an assessment of suitable infrastructure across the City - including halls and community infrastructure located within sporting reserves.

In relation to the planning and development of a new facility, this may only be explored in the absence of a suitable existing location that could be re-purposed or re-developed for the needs of the group.

Response Question 2:

Thank you for your suggestions regarding the potential development sites listed. Further discussion will be required regarding future development and use of these sites (in particular, any proposed development to be located on what is currently public open space). Any site under consideration would also need to meet required planning and zoning considerations and may be subject to broader community consultation.

Response Question 3:

The City is aware you have now submitted your application to the Community Grants program and the City wishes you all the best in the process.

Michael Loughnan asked:

Question 1:

Council provided a site for Outpost to operate for over 20 years in council's own building. Council now wants someone else to provide a location for Outpost.

Does Council appreciate that Outpost is helping Council do what Council is elected to do i.e. look after the Geelong population?

Question 2:

Will Council provide a service as good as Outpost located centrally as soon as Outpost is put out of Council's building?

Question 3:

Will Council publish for the next Council meeting its plan to replace the service provided by Outpost and its timeline please?

Thank you for your questions, Michael.

The City recognises the important work that Outpost does in the community and has supported the program in a number of ways since 2006 including:

- *Mental Health First Aid training provided to 20 Outpost volunteers*
- *Resources including "where do I turn to" booklets, clothing and sleeping bags for distribution to Outpost program participants*
- *Peppercorn lease contracts from 2006 to 2017.*

The City has and continues to engage in positive discussions with Outpost to support it in finding a suitable location for its program.

More broadly the City acknowledges the important work of food relief organisations by investing resources and funding into food relief programs locally. This has recently included but has not been limited to:

- *A \$350,000 infrastructure grant to the Lazarus Community Centre*
- *\$80,000 in Community Meals Grants for community groups to support older vulnerable people and people living with disability to access low cost, health and nutritious meals*
- *\$50,000 to Geelong Food Relief Centre and advocacy to the State Government for an additional \$100,000 contribution*
- *12,500 meals and 300 hygiene and sanitary packs for young people*
- *Multiple community grants allocated to community support organisations to provide counselling and homelessness support.*

Frank Chalfour asked:

Question 1:

Planning Amendment C339ggee Lara Flood overlay Council vote 23 August 2022
Question:

Why has statutory planning and the cities engineering department handling this amendment not been required to keep promises made to answer written questions put to them from affected parties that were part of the public exhibition-question solicitation-submission process?

[Officer names removed] City officers assigned to this task fobbed off answering my 3 September 2021 questions.

Question 2:

Why has Council not required statutory planning to submit to them and to the affected parties prior to tonight's vote what minimum and maximum compliance steps and costs will be required of an applicant as part of a planning permit application to be required on SBO (Special Building Overlay) properties and the obligations, costs and effects to the applicant including site remediating, drainage works, insurance ramifications and credible asset devaluation studies from non-compliance of existing structures to the proposed new SBO criteria?

Question 3:

Given the flood study consultants printed declaration that "wide gaps existed in available data used to create their "desktop only-modelled flood mapping" why would Council even consider validating such a over-reaching scheme that will encumber and devalue 6000+ existing homes in Lara to be re-designated as "non-compliant" to "new minimum floor heights" from 1 in 100 year rain storms declared as being based on projected global warming rain falls 50+ years from now?

Thank you for your questions, Frank. I understand that City officers have responded to you in writing on several occasions and that you were able to attend the drop-in session the City held at Lara Hall and online. Please contact the City if you feel you still have unanswered questions.

Response Questions 1 & 2:

The amendment is applying flood overlays to properties identified as flood prone in the Lara Flood Study and other flood studies.

The older, urban parts of Lara are mostly identified as flood prone due to the stormwater system not being able to cope with 1 in 100-year frequency (or 1% AEP) rainfall storm events. The Special Building Overlay is applied in this case, in order to trigger a planning permit for any substantial buildings or works such as a new dwelling. A permit is usually issued to set floor levels above the flood level. The land liable to flood designation does not make existing houses non-compliant. Instead, it will ensure any new builds or redevelopments are done in a way that protects them and neighbouring properties against any future flooding.

These types of issues or themes are further addressed in the report to the December 2021 Council meeting, which can be viewed online.

<https://www.geelongaustralia.com.au/common/public/documents/amendments/8d8c14bb1962deb-C339-CouncilMeeting-14December2021.pdf>. For instance, see pages 210 and 211 for information on insurance and property values.

The City has further reviewed around 50 of the more complex submissions in Lara, Avalon and Fyansford and is now reporting back to Council, recommending that the newer housing estates in Lara and Fyansford that have been constructed since the flood studies were undertaken be taken out of the amendment. This removes around 2,000 properties.

The remaining maps the City believe are accurate and fit for purpose for a planning overlay. The City has confidence in the methodology used by Water Technology. The report was reviewed at key stages by partner agencies and peer-reviewed by an independent consultant for quality assurance.

Response Question 3:

The City has confidence in the methodology used by Water Technology. In preparing the report, Water Technology followed the national guideline, Australian Rainfall and Runoff: A Guide to Flood Estimation. The report was also reviewed at key stages by partner agencies and peer-reviewed by an independent consultant for quality assurance.

The land liable to flood designation does not make existing houses non-compliant. Instead, it will ensure that any new builds or redevelopments are done in a way that protects them and neighbouring properties against any future flooding.

Barry White asked:

Question 1:

1. My comments and questions relate to the Lara Flood component of the proposed C339 amendment. My name is Barry White presenting on behalf of Lara Care Group (and I am also an affected property owner subject to application of a SBO.)
2. The information is very technical and still confusing and needs further clarification for residents before this Amendment is approved.
3. Application of SBO zoning to areas identified by theoretical modelling, but marginally affected by surface flooding in the past, is extreme and can overreach with potential financial consequences and increased future regulation for many existing residents. We were advised that the SBO is a very simple overlay that triggers a planning permit for not only a new dwelling but for other works, including fences, roadworks, pools, decks, etc.
4. Long term residents will potentially face penalties because of the failure to provide infrastructure in the past. The impact of these overlays on future land valuation, insurance assessments and premiums is uncertain.
5. Fundamental questions need to be answered:
 - Who instigated the project and why?
 - What were the ultimate objectives?
 - What are the implications (including financial) for property owners?

Question 2:

Will you please arrange a public information session in Lara, ASAP, including projection of a map showing the affected Lara area, the recent exemptions and why these were approved, and a clear statement of the implications of Amendment C339?

Thank you for your questions, Barry.

The Lara Flood Study began in 2018 and was a joint initiative between the City, Corangamite Catchment Management Authority, and the Department of Environment, Land, Water and Planning (DELWP).

With Lara particularly vulnerable to flooding, and with inadequate existing data and maps, the study was identified as an action in the Corangamite Regional Floodplain Management Strategy.

The study aims to better protect residents, their properties, community infrastructure and floodplains.

Council officers have undertaken a significant number of one-on-one meetings, telephone calls and emails exchanges with those affected by the proposed amendment to explain what it means for individual properties. The City has found this to be the most effective way of providing accurate answers to individuals. Frequently asked questions (FAQs) and other information is also available on the C339 website and regular updates have been provided.

The SBO is a standard overlay that triggers a permit for building and works with several exemptions. The City has published information on how it sees impacts on property values and insurance in the FAQs and other material. The December 2021 Council report on submissions received addresses these issues.

If Council resolves to refer the submissions to Amendment C339 to an independent Panel (as recommended by Council officers) the Panel hearing is a good opportunity for submitters to further articulate their concerns. Council officers will also present the full background and explanation of the amendment to the Panel and put forward an expert witness from Water Technology to explain the study in detail and be cross examined.

Katherine Talbot asked:

Question 1:

The COGG Public Open Space Policy states that residents should be able to access public open space within 400 metres of their homes. The Council are currently calling for community feedback on the Highton Open Space plan that includes three sights and the COGG Million Trees plan. What about Dean Street Belmont? This area of Belmont is in desperate need for useable open space.

Residents have been calling for this through our petition that was presented to council and through their comments on the proposed use of Dean Street for Social Housing. Can Council show equity to residents of Belmont and also get feedback on an open space site plan for Dean Street before bullying the local community and pushing a housing plan on us? The Council asked residents about the site, according to the report, of those who responded, 80% of residents who have a connection to the site said they are opposed to a development at Dean Street?

These existing local residents pay rates and have a connection to the area and desperately want accessible recreation areas within walking distance to their homes.

Question 2:

Can the Council inform the community more openly about what criteria led to the Dean Street site being identified for possible development for Social Housing? Was the areas severe lack of public open green space taken into consideration?

Given the proposed development is on the areas only available public open green space was this proposed developments' detrimental effect on existing residents as well as the proposed social housing residents taken into consideration?

Question 3:

Where the future social housing resident's quality of living on this narrow site considered when identifying the Dean St site for social housing development?

How can this site be considered appropriate for high density social housing with its severe lack of proper street frontage?

How are the social housing residents meant to feel incorporated into the local community when their properties are sandwiched behind local residents back fences without proper street frontage and front gardens?

Has the council considered how car parking would work at the Dean Street site for the proposed residents without proper street frontage?

Has the council considered how emergency vehicle access would work at the Dean Street site for the proposed residents without proper street frontage?

Has the council considered how rubbish removal would work at the Dean Street site for the proposed residents without proper street frontage?

Has the Council considered the impact of the increased traffic at school pick up and drop off times on the proposed social housing residents themselves? Is the council aware that the site is 3 km from the nearest train station?

Would a site with better access to rail public transport be more appropriate for social housing development?

Thank you for your questions, Katherine.

Response Question 1:

There are no current plans or associated budget to develop this site as public open space as Council has not made a decision on whether to commit the site for social housing development.

Response Question 2:

Since the endorsement of the Social Housing Plan 2020-2041, the City has and continues to audit its own land to identify potential sites for social housing. The current sites which have been identified as suitable for social housing have been assessed against criteria such as location to services, the zoning for residential use, the amount of land available, and location to public transport. One of the key recommendations from the Social Housing Plan 2020-2041 was to look at diversity of social housing across the municipality rather than have it represented in one suburb.

5a Dean Street was leased to Scouts Victoria for its community facility and operations, not for open space. The Scouts have since relocated to another site.

Response Question 3:

The City has not proposed a “high density” development on 5a Dean Street. A design for the site, which would include the most appropriate density and layout, has not been developed because the Council has not made a decision on whether to commit the site for social housing development.

Through the 6-week community engagement in early 2022, many residents expressed concerns about a lack of detail about what the potential social developments might include and how they might impact the local area. To address this, the City intends to undertake a collaborative design process in 2023 to work together with an appointed community housing provider and the local community on the potential social housing developments. The City intends for the selected community housing provider to provide the City and the community with greater detail about the houses that might be delivered and other potential uses of the sites and enable the City and the community to make an informed decision.

Vanessa Whitem asked:

Question 1:

We at Cool Geelong are very grateful that Council has committed to planting 1 million trees over the next 10+ years.

In light of the YourSay web site claim that tree cover is currently 7-10%, we would like to establish some certainty regarding the actual current tree cover in Geelong. The UTS Institute for Sustainable Futures report Benchmarking Australia’s Tree Canopy dated May 2014 showed that Greater Geelong had 10.9% tree cover and an additional 5.3% shrub cover using the iTree tool. The 2020 report Where will all the trees be? Prepared by the Centre for Urban Research, RMIT University showed that the City of Greater Geelong had total green cover at that time of 14%, an increase of 2.5% between 2016 and 2020, indicating that in their 2016 report the green cover was 11.5%.

This report is based on samples using the iTree tool. The CoGG 2015 Urban Forest Strategy reported that ‘Urban Geelong has a tree canopy cover of 14%, with approximately 7% on private land and 7% on Council land and the Annual Report 2020-21 which stated a suburban tree canopy of 14% in Nov 2019 showing no net change.

How was the 14% tree canopy figure quoted in the 2015 Urban Forest Strategy arrived at?

Question 2:

Has Council conducted any LIDAR (Light Detection & Ranging) studies of tree canopy?

Question 3:

How does Council record changes in tree canopy cover on private land from year to year in the City of Greater Geelong?

Thank you for your questions, Vanessa.

Response Question 1:

The City has used the i-Tree Canopy tool to measure the canopy coverage of the City of Greater Geelong.

Response Question 2:

LIDAR has not been used to undertake canopy studies to date. The City plans to explore possibilities for the technology in the future.

Response Question 3:

The City uses the i-Tree Canopy tool to measure the overall tree canopy for the municipality which includes both the private and public realm.

Jennifer Bantow asked:

My question relates to Agenda Item 2.1. Bluestone Cottage Relocation Feasibility Study - 375 Barwon Heads Road.

The Feasibility Study presents a preferred option (Option 3) based on a scoring system of 10 Criteria which do not adequately include the paramount consideration of heritage value.

Do Councillors agree that the added 5 Criteria suggested in the Marshall Bluestone Cottage Community Group submission and called Option 1 in the Feasibility Study, that is:

- a. Retention of sense of place of the cottage in accordance with Burra Charter principles, in particular Article 8
- b. Authentic reconstruction in accordance with Burra Charter principles
- c. Landmark presence to signify the Marshall environment
- d. Complementing existing community infrastructure
- e. Transforming 'heritage value' into a measurable asset

are valid considerations and should be included as assessment Criteria and the scoring be adjusted accordingly?

Could Council consider an alternative procurement method in order to quantify the probable costs of the project, based on actual market costs?

Thank you for your questions, Jennifer.

The City would like to acknowledge and thank the Marshall Bluestone Community Group for its continued advocacy to save this building of local heritage significance, as well as its role in the feasibility study.

The criteria for assessing the options for relocating and reconstructing the Marshall Bluestone Cottage included heritage considerations, as well as a wider range of impacts, including;

- *the practicality and accessibility of the site*
- *legislative requirements*
- *usability for the wider community*
- *the sustainability of a new community facility.*

The Marshall Bluestone Community Group were engaged in the development of the final criteria, which was used by independent consultants to assess all of the proposed options. Option 3, which has been selected for further investigation, offers the most usable outcome for the wider community and presents the least constraints in terms of access, loss of open space and in meeting necessary building codes.

Kim Rosenow asked:

Question 1:

Has Council engaged a Community Housing Provider/Partner to submit design options for public housing at the Dean Street Reserve?

Question 2:

Belmont has the least amount of open community green space in our region and Council has been made aware of this and provided detailed information as well. Belmont residents have consistently enquired why Council has not committed to investigating developing the Dean Street Reserve to such a space that can be accessed by locals.

Council has stated that "As our city grows, so do our needs for play, relaxation, recreation and socialization" and is asking for submissions from the public on how three reserves in Highton can be improved and enhanced for public use. Why isn't Belmont being given the opportunity to have the Dean Street Reserve improved and enhanced in a similar way?

Thank you for your questions, Kim.

Response Question 1:

A community housing provider has not yet been engaged. The Expression of Interest process has now closed and officers are assessing the submissions and shall determine a shortlist which will then proceed to the next stage.

Response Question 2:

5a Dean Street is land owned by the City, that was leased to Scouts Victoria for the purpose of operating as a community facility, not as public open space. The Scouts have since relocated to another site. Given the City's commitment to social housing and the implementation of the Social Housing Plan 2020-2041, the City and the Council considers social housing a priority for the community and as part of that commitment will consider its own land for social housing where appropriate.

At this stage, 5a Dean Street is being considered for social housing by the City and Council. There are no current plans or associated budget to develop this site as public open space as Council has not made a final decision on whether to commit the site for social housing development.

Timothy Holt asked the following regarding the Lara Flood Strategy:

Why would I bother to make a submission – no contact?

The Mayor thanked Mr Holt for raising the question and asked that he provide his details to the Director Planning and Economy.

Virginia Johnson asked the following in relation to the Bluestone Cottage Relocation Feasibility Study:

Will Council reassess the Assessment Criteria scoring to include a measurable score for Heritage value and to recognize the landmark presence and respect an authentic reconstruction following Burra Charter and Heritage guidelines?

Will Council consider the community consultation undertaken by MSCCG reflecting the importance to the people of Greater Geelong that the cottage needs to be saved and authentically reconstructed?

The Mayor noted and thanked Ms Johnson for the comments.

1.7. Petitions

Nil

2. REPORTS

2.1. Bluestone Cottage Relocation Feasibility Study - 375 Barwon Heads Road

Source: City Planning & Economy
Director: Gareth Smith

Purpose

1. To report the outcomes of the feasibility study into the relocation of McAteer's Bluestone Cottage, 375 Barwon Heads Road, as requested in the council resolution of 22 June 2021, and determine how to proceed.

Background

2. McAteer's Bluestone Cottage was of local heritage significance in (i) demonstrating the location of the Marshalltown, an estate of farms, industrial sites, and worker housing now all but lost, and (ii) demonstrating the unusual application of bluestone in a detached workers house.
3. Duplication of the Barwon Heads Road has necessitated removal of the cottage, which was recorded, dismantled, and stored by Major Road Projects Victoria (MRPV).
4. In response to the removal of the cottage, the Marshall Bluestone Cottage Community Group (MBCCG) formed and put forward a proposal to relocate the cottage to the JF Field Memorial Park opposite its original location, where the City would maintain it as a community-run 'History House.'
5. Council resolved on 21 June 2021, that the Chief Executive Officer seek MRPV's support to dismantle and store the cottage and consider options by which the cottage may be restored for public use within the Marshall and Charlemont areas.
6. Consultants were engaged to prepare a feasibility study in consultation with the MBCCG.

Key Matters

7. The Feasibility Study (**Attachment 1**) examines five options including proposals from the community group (MBCCG) and MRPV, along with three options that had the potential to provide for enhanced access and community use, greater sustainability, and cost effectiveness.
8. The community group's proposal ranked lower due to construction costs and siting issues, but the study emphasises that with some compromise to use flexibility and rebuild costs, usage, and siting limitations, that the proposal could score more highly.
9. The highest scoring option (3) is a variation of the community's proposal located on a more suitable site and with a more flexible layout.

10. Based on the study findings, more detailed investigations on the design and operation of option 3 are recommended along with seeking State Government funding support if option 3 was to be implemented.

ORIGINAL RECOMMENDATION

That Council:

1. **Note the findings of the independent Bluestone Cottage Relocation Feasibility Study – 375 Barwon Heads Road;**
2. **Support further work on option 3 to detail design, use and costings in preparation for planning approval; and**
3. **Request the Chief Executive Officer to seek full funding for all costs from the State Government to deliver option 3.**

MOTION:

Cr Mason moved, Cr Harwood seconded -

That Council defer consideration of the report entitled Bluestone Cottage Relocation Feasibility Study – 375 Barwon Heads Road.

Carried

Financial Sustainability

11. The relocation and reconstruction of the Bluestone Cottage is not aligned with Council's 10-Year Financial Plan.
12. Capital: The indicative construction costs for the five options (excl. GST) are as follows:
 - 12.1. Option 1 - \$848,000
 - 12.2. Option 2 - \$128,000
 - 12.3. Option 3 - \$688,000
 - 12.4. Option 4 - \$599,000
 - 12.5. Option 5 - \$599,000
13. Recurrent: ongoing operational and maintenance costs are additional and from the analysis these have the potential to be partially offset by future community use, dependent on the nature of use and charge model imposed by the City.
14. Should Council decide to proceed with further investigating option 3, the costs for all works to prepare for a planning permit will be \$25,000, which can be obtained within the existing 2022-23 budget.
15. Should Council decide to proceed to construction following planning approval, the preliminary cost for associated works will be in the order of \$60,000, which would require a business case in the 2023-24 budget.
16. Should Council proceed to construction, funding of \$700,000 to \$1,000,000 will be required, which would be subject to a business case in the 2024-25 budget if the Council was to fund works.
17. Given the need to relocate the Bluestone Cottage has arisen because of the Barwon Heads Road duplication works, it is recommended that Council requests the Chief Executive Officer to seek full funding from the State Government.

Community Engagement

18. The Feasibility Study has been prepared with detailed input from the MBCCG, MRPV and various City departments.
19. The Feasibility Study was presented to delegates of the MBCCG in June 2021 and they have made a detailed submission in response – refer **Attachment 2**.
20. MRPV was provided an early draft of the study and invited to comment but has not yet responded.
21. To date, the wider community has not been consulted or engaged on this matter and may or may not support the MBCCG's preferred option, or one of the alternate options considered in the feasibility study.

Social Equity and Sustainability

22. Relocation and rebuilding of the cottage close to its original location (options 1 & 3) will retain the cottage as a symbolic landmark of the hamlet of Marshalltown.
23. Relocation and rebuilding of the cottage will provide the opportunity for a limited use community facility in an area where there are few presently.

24. Relocation and rebuilding of the cottage will require a substantial outlay totalling \$700,000-\$1,000,000 in the 2024 and 2025 budgets (depending on the option approved) for a modest heritage and community facility outcome.
25. The community group perceives this cost as justifiable for the benefit of the local Marshall community, but given the heritage and facility needs across the region, the wider community may not share that perception. It is therefore recommended the City seek funding from the State Government.
26. Relocation and rebuilding of the cottage, nor the provision of additional community facilities in the JF Field Reserve or immediate area, are not included in Council's Social Infrastructure Plan or the Community Plan. If the City was to fund these works other priorities in these plans would need to be amended by Council.

Relevant Law/Policy/Legal Implications

27. Any rebuilding of the cottage will trigger the need for compliance with the building code and equal access legislation. This will necessitate minor changes to the original design including such things as ramped/on-grade access, increased doorway widths, exit signs, etc.

Alignment to Community Plan and Vision

28. This report aligns with Our Community Plan 2021-2025 strategic priority:
Healthy, caring, and inclusive community.
Sustainable growth and environment.
29. This report aligns with the Community led 30-year Vision, "Greater Geelong: A Clever and Creative Future" community aspiration:
An inclusive, diverse, healthy, and socially connected community.

Conflict of Interest

30. No officer involved in the preparation of this report declared a general or material conflict of interest.

Risk Assessment

31. Option 1: MBCCG proposal and their preferred option.
Heritage-wise, this is a good outcome with high visibility and proximity to the original location, noting the replication of the building is not necessarily a superior outcome to Options 3-5; there is added complexity and is the highest cost; use and accessibility is more limited than the other options. Modest heritage/use outcome.
32. Option 2: MRPV interpretive footprint.
This option has the most limited heritage outcome providing the interpretation and limited recycling of stone. There's integration within the park but limited enhancement of its use, it has the cheapest implementation cost and potential funding by MRPV who previously committed to spending \$200,000 on this option, but as yet has not committed funding towards the relocation of the cottage. Minor heritage/use outcome.

33. Option 3: Relocation to reserve adjoining park and potential community garden.
The community garden is not critical to assessment outcomes for option 3. It should be considered an additional potential benefit due to the available land at this site, which is not possible for the other four options. Heritage-wise, this is a good outcome with high visibility and proximity to the original location; it has the greatest future community use options; potential to integrate additional aspects of option 1; has the second highest cost; is the only option other than option 1 that MBCCG have indicated any willingness to support, subject to qualifications that will compromise use and cost. Highest heritage/use outcome.
34. Option 4. Marshall Station Reserve.
Heritage-wise, this retains the building but at a distance from the original context; it has good community use options and joint lowest cost but cannot guarantee this outcome as the land is owned by VicTrack who may not support including the cottage in the proposed reserve. Modest heritage/use outcome compromised by land ownership uncertainty.
35. Option 5. Cobbin Farm with St Cuthberts.
Heritage-wise this option retains the building alongside St Cuthberts Church (previously relocated from Marshall Reserve) and has particularly good community use options and joint lowest cost. Modest heritage/use outcome. This option emerged during the feasibility study and was considered worth investigating given its relationship with the current site of the Bluestone Cottage, however, it is outside the area specified in the Council resolution.
36. The cost of construction projects within the current economic climate is highly variable, with contingencies upwards of 40 per cent being indicated as necessary by Victorian Local Government Areas (LGAs).
37. Given the uncertainty associated with the capacity of community groups to manage such facilities on an ongoing basis, there is a risk that the City will have to undertake this role and the costs involved.

Environmental Sustainability

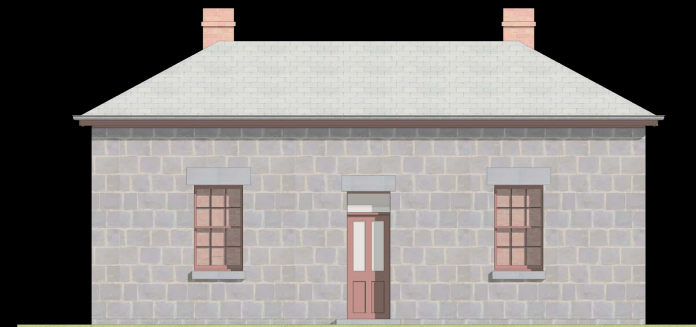
38. Relocation and rebuilding of the cottage has the benefit of recycling of some material (bluestone), but as a total rebuild it will consume more energy than the repair and adaptation of an existing building, like any new build.
39. Any rebuild of the cottage can incorporate several unseen environmental enhancements such as ceiling and floor insulation, double glazing, energy efficient lights, etc.

Attachments

1. Bluestone Cottage Relocation Feasibility Study [2.1.1 - 30 pages]
2. MBCCG Response [2.1.2 - 17 pages]

Bluestone Cottage Relocation Feasibility Study

Final Draft Report For
City of Greater Geelong
July 2022



Consultant Team:

▲ theo.cd.com.au

SBP Advisory

WT PARTNERSHIP

Acknowledgment of Country

WE ACKNOWLEDGE THE WADAWURRUNG PEOPLE AS THE TRADITIONAL OWNERS OF THE LAND, WATERWAYS AND SKIES. WE PAY OUR RESPECTS TO THEIR ELDERS, PAST AND PRESENT. WE ACKNOWLEDGE ALL ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE WHO ARE PART OF OUR GREATER GEELONG COMMUNITY TODAY.

Contents

Draft for review.

Version: 07

Date: July 2022

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Disclaimer:

The information and concepts contained within this report are exploration concepts and intended for informative and illustrative purposes only. Further development of the preferred concepts would be required to confirm the overall feasibility and scope of any options moving forward.



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02 Executive Summary

01.01 Summary overview

City of Greater Geelong engaged the OCD, SBP Advisory and WT Partnership in late 2021 to undertake a high level feasibility analysis of Bluestone Cottage.

The purpose of this feasibility report is to explore future options and opportunities to reconstruct the now dismantled Bluestone Cottage, formerly located at 375 Barwon Heads Road Charlemont, Geelong.

The team were requested to explore the community proposal to accurately reconstruct the cottage and locate it on public land at Marshall Reserve, also known as JF Field Memorial Park, as a history house and tourist information centre.

In addition, the team developed 4 alternative options for comparison and discussion as outline in 01.02.

01.02 Reconstruction concepts.

Four alternative options for the reconstruction and adaptive re-use of Bluestone Cottage have been developed in conjunction with the City.

The concept options are presented in section 6 of this report and are not listed in any order of preference. However the concept options do vary in reconstruction complexity and associated costs.

It is noted that concept 1 has been provided by MBCCG and concept 2 provided by MRPV. The remaining concepts are developed by The OCD/SBP with input from the City.

The options listed below are not exhaustive or the “only possible solutions” and are not listed in any order of priority. They have been developed as potential variations or alternatives to the MBCCG concept.

The concept options are:

- 1. MBCCG - Marshall Town History House.**
(The building to be used as a tourist information centre, history house or for community purpose.)
- 2. MRPV Interpretation footprint.**
(Interpretation concept provided by RBA Architects.)
- 3. Mixed Use & Community Garden.**
(A hybrid community purpose option derived from MBCCG concept and developed by The OCD/SBP.)
- 4. Marshall Station Precinct.** *(Alternative site relocation and reconstruction option for community purpose to the Marshall Train Station Precinct.)*
- 5. Cobbin Chapel & Homestead, Grovedale.**
(Relocation and adaptive re-use for a City operated venue for hire. Co-located with St Cuthberts Church)

01.03 Evaluation criteria

In order to fairly and evenly assess the different options we have developed a series of criteria in conjunction with the City.

Each option has been evaluated against the criteria to give an overall score. The criteria allowed the team to make a fair assessment between all the options.

The scoring was conducted by 3 contractors from the OCD and SBP independently and then averaged out.

The criteria are:

1. Community benefit
2. Fit for purpose design and flexibility of usage options.
3. Retention and reinstatement of original design.
4. Impact on open space.
5. Impact on proposed option to site and surrounds.
6. Impact on public amenity.
7. Industry standards and Council Policy alignment (Sustainability, CPTED, Accessibility & universal design, COGG design objectives and guidelines).
8. Traffic (proximity to road, access to building, parking availability, DDA parking, impact on existing parking) considerations of proposal.
9. Indicative/estimated construction costs.
10. Project establishment, delivery risk and associated timeframes risk.

01.04 Evaluation results

The detailed scoring of the options can be found in section 7, page 26.

The scoring results are as follows:

- **Option 1: 15.9**
- **Option 2: 18.0**
- **Option 3: 25.5**
- **Option 4: 18.7**
- **Option 5: 22.7**

Given that the demonstrable heritage value of the cottage previously lay in it being a landmark than a period home; ie the significance was derived primarily from its visible external envelope and ability to demonstrate size, architectural style and materials, rather than interior aspects, there is negligible difference in the heritage conservation benefits of options 1, 3, 4 & 5.

The evaluation results show that concept options 3 (mixed use & community garden) and 5 (relocation to Cobbin Chapel & Homestead) would likely deliver both better value for money and a higher level and diversity of community patronage.

Option 5 has the added benefit of complementary relocation to an existing heritage precinct and the adjacency of St Cuthberts, formerly located within Marshall Reserve. It is noted that both buildings were historically located within approximately 120 metres of each other.

The preferred option of the MBCCG, (Marshalltown history house) scored lower due to its higher implementation costs and reduced community benefit/flexibility.

Whilst all options can be value managed and improved, we suggest that options 3 and 5 merit further investigation if COGG decide to progress with a more detailed concept design and functional operating model.

02 Introduction



File image of Bluestone Cottage

02.01 Introduction to this report

Information for this report has been sourced from multiple organisations and the key stakeholders outlined below. We recognise the following sources and provide a general acknowledgment for the content within this report.

1. City of Greater Geelong.
2. Marshall Bluestone Cottage Community Group.
3. Major Roads Projects Victoria
4. Schramms Cottage, Doncaster.
5. Original cottage site location. (MBCCG)
6. Marshall Reserve. (MBCCG)
7. Retained materials storage site. (MRPV)

02 Introduction

02.02 Background

The Bluestone Cottage at 375 Barwon Heads Road was removed in 2021 due to the duplication of the Barwon Heads Road. Works are currently being undertaken by State agency Major Road Projects Victoria (MRPV). MRPV have also facilitated the deconstruction and storage of the retained building materials.

The Cottage possessed historical values associated with the development of farming and tanning in the Marshalltown area during the 19th Century, and aesthetic value through its bluestone and slate roofed construction.

The preference of local community groups is for the Cottage to be relocated to the Marshall Reserve and operated as a community facility.

Cr Murrinhy moved, Cr Asher seconded –

That Council request the Chief Executive Officer to:

1. Write to Major Roads Project Victoria to seek agreement to appropriately dismantle and store the cottage, and consider options that facilitate the cottage to be restored for use within the local area; and

2. Investigate sustainable options for the cottage to be restored for public purposes in the Marshall and Charlemont areas and report to Council by December 2021.

This has the benefit of retaining it within the historical context of ‘Marshalltown’, however there are a number of consideration to take into account, including the Park’s existing values and amenity; short-term capital resourcing, and recurrent resourcing and management consequences in operating the Cottage as an ongoing public facility.

02.03 Scope

The City of Greater Geelong (COGG) is investigating the feasibility of relocating and reconstructing the Cottage on an alternative site as a means to ensuring its survival.

A high level scope of the feasibility analysis is outlined below, as per the COGG brief to the project team.

1. Gather critical and contextual information relating to the site, cottage, history, proposed use and surrounding sites to inform the analysis. Review reports, and relative documentation.
2. Undertake key stakeholder consultations, materials investigation and undertake site investigations.
3. Investigate and analyse potential options for the relocation and reconstruction of the cottage.
4. Provide high level scope costings for the options that include capital costs, site works, fit-outs and historical interpretations.
5. Benchmark facility operational models.
6. Provide a preferred option outcome and summary of recommendation.
7. Provide cost plans by a suitably qualified cost planning consultant.

02.04 Purpose of this feasibility

The purpose of the Feasibility Study is to inform COGG as to the implications of the relocation and future use for public purposes of the Bluestone Cottage from 375 Barwon Heads Road to within Marshall Reserve, consistent with the preference of local community groups.

This Feasibility Study aims to assess and inform COGG of these considerations.

The City wished that a range of alternative options including the interpretation strategy developed by RBA Architects on behalf of MRPV be explored for comparative purposes. .

The authors of this report acknowledge that the options included are by no means exhaustive and are listed as possible solutions.

The scope of the study does not include a detailed heritage assessment, critique of background works or interpretation of heritage planning principles.

This report presents a series of high level options to assist the City in making an informed decision that leads to successful outcomes for the greater community of Geelong. The options are not exhaustive but cover a broad range of physical adaptations and uses for comparative purposes.

Detailed development of any preferred option(s), the preparation of working drawings and specifications and the obtaining of regulatory approvals would need to occur before any relocation can be implemented.

02.05 Glossary of abbreviations

COGG/ the City	City of Greater Geelong
MBCCG	Marshall Bluestone Cottage Community Group
MRPV	Major Roads projects Victoria
PSP	Precinct Structure Plan
CHMP	Cultural Heritage Management Plan
RBA	Roger Beeston Architects
The OCD	The Office for Collective Design
SBP	Sports Business Partnership Advisory
WTP	WT Partnership

01 Introduction

02.06 Methodology

The below outlines the general methodology undertaken for the feasibility. Due to the high level nature of the project and the fact that the cottage was already demolished at the time of the creation of this report, our team were unable to inspect the original building. However, MRPV provided access to the retained materials.

The process undertaken to create the report was:

- Information gathering.
- Stakeholder meetings and consultations.
- Developing base drawings and 3D model.
- Site investigations.
- Document review.
- Schramms cottage site visit.
- Retained materials inspection.
- Develop a detailed plan that represents the community group preferred option, known here as option 1.
- Develop additional feasibility options and agree with key stakeholders.
- Develop initial sketch plans for the options for confirmation and approval from stakeholder groups.
- Develop detailed site plans reflecting proposals.
- Benchmark operating models of comparable community buildings.
- Undertake high level costings of the options. (WSP)
- Review options against an agreed criteria table.
- Develop a draft report for the City and Councilors to review.
- Present a high level series of options to the community for comment.
- Finalise the report and recommendations.

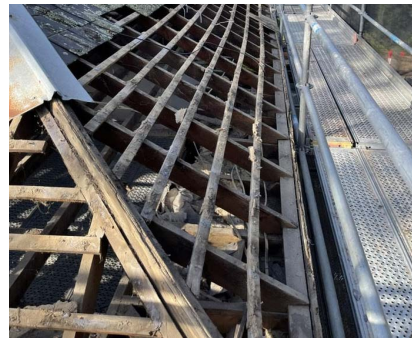
02.07 Project responsibility

To date, MRPV have undertaken all preliminary site investigations, demolished the building and have currently made a commitment to funding the interpretation concept known in this report as option 2.

Given that MRPV had agreed to funding and delivering an interpretation scheme, only the general levels of documentation required to deliver this were completed and also reflected within the deconstruction methodology.

An outstanding issue to resolve will be storage of the retained materials that are currently located in a depot on loan to MRPV in North Geelong. It is understood that this availability is limited to a number of months and ongoing storage of materials while COGG investigates the future of the cottage reconstruction must be considered.

MRPV has not committed or obliged to funding any rebuilding work that would be required for the other options outside of option 2, the interpretation scheme.



Roof structure exposed but not retained during deconstruction.

02.08 Project associated risks of reconstructing the Marshalltown Bluestone Cottage.

Risks associated with the reconstruction and feasibility of the project exist such as:

- General building records and data.
- Inconsistencies between the available building drawing plan data. We assume the RBA plan to be the most accurate.
- Only a portion of the original red brick for internal partitions have been retained.
- General degrading of structural performance and condition of retained building materials.
- Reconstruction of building due to a lack of adequate records can only ever be interpretive.
- Costs of detailed reconstruction.
- Feasibility of the proposed use and function.
- Responsibility for project and associated project costs.
- Costs of associated works dependent on site locations.
- DDA/building code compliance.
- Land ownership outside of council (option 4).



Retained external bluestone blocks ready for storage.

02.09 Consideration given to works undertaken to date.

Consideration needs to be given to the works and costs undertaken to date to visually survey, document, dismantle and store materials and preserve examples of detailing of the cottage to date in the works engaged by MRPV.

We also recognise the significant contribution made by MRPV during these stages and understand that MRPV have completed their commitments to the project.

Whilst we are unable to provide the detailed costs of works undertaken by MRPV to date, it is understood to be costs are considerable.

Given the extensive works and process undertaken to date a logical conclusion and outcome would be continuation of the project and to utilise these preliminary stages and the stored stonework.

***We note that at the time of dismantling, an exact reconstruction of the cottage was not being considered and as such, only general existing building information was documented.*



• 1 & Stage 2 Uncover works
Archaeological survey of footings and floor structure.

03 Bluestone Cottage

03.01 History and Heritage Significance

Francis McAteer first constructed a temporary dwelling on the property at 375 Barwon Heads Road as the Geelong Rate Books listed a Mrs McAteer at Breakwater as owner of a two-roomed weatherboard dwelling and garden in 1865-66. It would appear that McAteer built the existing bluestone cottage in the immediate ensuing years.

The locally unusual bluestone construction of the cottage might have emanated from surplus bluestone from the enlargement of the nearby Brearley Brothers' Australian Tannery in the 1860s.

McAteer and his family continued to reside at the bluestone cottage until his death in 1901. Catherine McAteer was listed in the South Barwon Rate Books as the owner and occupier in 1902-03, and she remained a "life tenant" of the property until her death in 1915. The second son of Francis and Catherine, Edward McAteer, continued to reside and own the bluestone cottage as well as the property directly opposite a 1 Tannery Road until his death.

By 1957, the property was owned by Reno Saccardo, a market gardener. By the late 20th century, the cottage had fallen into disrepair. In 2004, the cottage was restored and a cafe and art gallery operated there until recent years.

Following a heritage assessment by GJM consultants, the building was demolished in 2021 as part of the road alignment project being undertaken by MRPV.

Heritage Significance

The bluestone cottage formerly located at 375 Barwon Heads Road, Charlemont, was architecturally and historically significant at a LOCAL level.

Source: Armstrong Creek Urban Growth Area: Marshall & Western Employment Precincts Heritage Citations 2013-14

03.02 Cottage Description

The symmetrical, single level, bluestone, Victorian styled cottage was characterised by a hipped roof form at the front and double hipped roof forms that project at the rear. These roofs were clad in early slate (except from the central inner roof faces not visible to street that were clad in corrugated sheet metal).

Two original face brick chimneys adorn the roofline and assisted to define the symmetry of the dwelling. The symmetry was also accentuated by the original central front doorway with bluestone lintel, and the early timber framed transom and four panelled timber door (the glazing in the upper panels was introduced) and the flanking window openings with introduced timber framed 8 paned double hung windows (these windows replaced the original 12 paned double hung windows shown in the photograph of 1998).

Other original features of the design include the bluestone window sills and the tooled edges to the bluestone on the building corners and door and window openings. The window canopies, vertical panels flanking the front door, and violet over-painting to the door and windows were all introduced.

Source: Armstrong Creek Urban Growth Area: Marshall & Western Employment Precincts Heritage Citations 2013-14



Bluestone Cottage 3D scan

03.03 MRPV Road Alignment Project

The Barwon Heads Road upgrades project extends for 4 kilometres from Settlement Road to Reserve Road and is proposed to be completed in 2023.

As part of the upgrade additional land has been acquired including the site of the cottage. The results of a heritage report undertaken by GJM Heritage, concluded that: *"The bluestone cottage at 375 Barwon Heads Road does not demonstrate any characteristics that elevate it above the large numbers of this class of place that are included on the Heritage Overlay."*

The report also touched on possible options for sale and relocation of the building or an interpretation to be located in nearby Marshall Reserve. MRPV opted to pursue the option of demolishing the cottage and creating an interpretive footprint on the JF Field Park as per Option 2 in this report.

MRPV has supported relocation of several heritage buildings where road duplication is occurring, including a current plan to relocate the Wollert Methodist Church in Whittlesea to the Carome Homestead in Mernda.



MRPV proposed road alignment with cottage outlined in green

03.04 Campaign to Save the Cottage

The demolition of the cottage by MRPV was objected to by a local group of concerned residents who formed a community group to oppose the total demolition of the cottage.

The group set up a website and campaigned for a commitment to save or relocate the cottage.



Campaign poster on site

03 Bluestone Cottage

03.05 Bluestone Cottage Community Group

On 9th December 2020 the Marshall Bluestone Cottage Community Group was formed. The Group has engaged with the community to garner broader support.

The Group's objective is to save, relocate and re-purpose the two heritage buildings as community assets to be open to the public for multiple purposes.

Source: Marshall Bluestone Cottage Community Group Proposal Concept March 2021

<https://marshallbluestonecottage.org>

After engaging with this group, Major Road Projects Victoria determined it would dismantle rather than demolish the cottage so that relocation options could be pursued.



Marshall Bluestone Cottage Community Group

03.06 Cottage Dismantling and Storage

In early 2021, dismantling and partial demolition of the cottage was undertaken.

The dismantling process retained all external large bluestone face blocks. These have been individually tagged and coded to allow for accurate placement during reconstruction. Samples of timber detailing have been saved.

A portion of the internal brickwork has been retained, approximately 2500 red bricks, as well as a portion of the internal rubble wall.



Demolition and conservation images

03.07 The Community Group Concept

It is proposed that the future location for these buildings is within the J F Field Marshall Park at the same intersection on the diagonally opposite north-west corner.

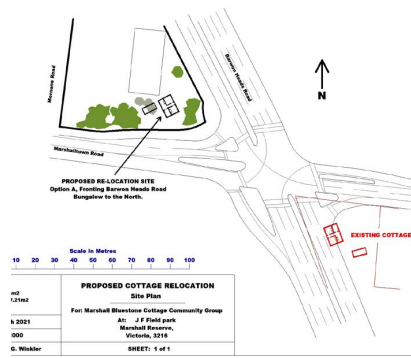
The J F Field public parkland was gifted to the public, and is now a community precinct with tennis court and playground. There are no public conveniences at the park.

The Park has the space to accommodate these buildings. It is proposed that the Cottage be named Marshall Town History House, and the associated outhouse be re-purposed as a separate convenience block for park and cottage users.

Source: Marshall Bluestone Cottage Community Group Proposal Concept March 2021

Authors note: The original concept included the outbuilding which was not retained as part of the MRPV conservation works. The detailed community group proposal is included in the attachments of this report.

eg, a courtyard could be created between the outbuilding and the tennis court.



Marshall Bluestone Cottage Community Group concept plan

03.08 Marshall Reserve / JF Field Memorial Park

Marshall Reserve, also known as JF Field Memorial Park, is a community recreation area located on the corner of Barwon Heads Road and Marshall Town Road.

Marshall Reserve is classified as a local level reserve, and primarily services nearby residents within a 400m catchment.

As a local level reserve, it should include seating, a picnic table, access to water and a play space, however is not required to have public toilets, on-site car parking, shelter or lighting.

The reserve is of local heritage importance and the site of several building structures during its history.

The buildings were sighted mainly on Marshall Town Road before the Barwon Heads Road realignment.

In 1987, the last building on the site, St. Cuthberts, was relocated 2.8 Km away to Cobbin Farm in Grovedale and is still operated by COGG as a venue for hire.



Marshall Reserve and location past buildings on site.

03 Bluestone Cottage

03.09 Existing Cottage Drawings

The following illustrations reflect our efforts to reconstruct the design of the cottage based on the available drawings, photographs and information. We note that there may be more accurate documentation of the existing condition of the building that was not readily available at hand during the creation of these drawings.

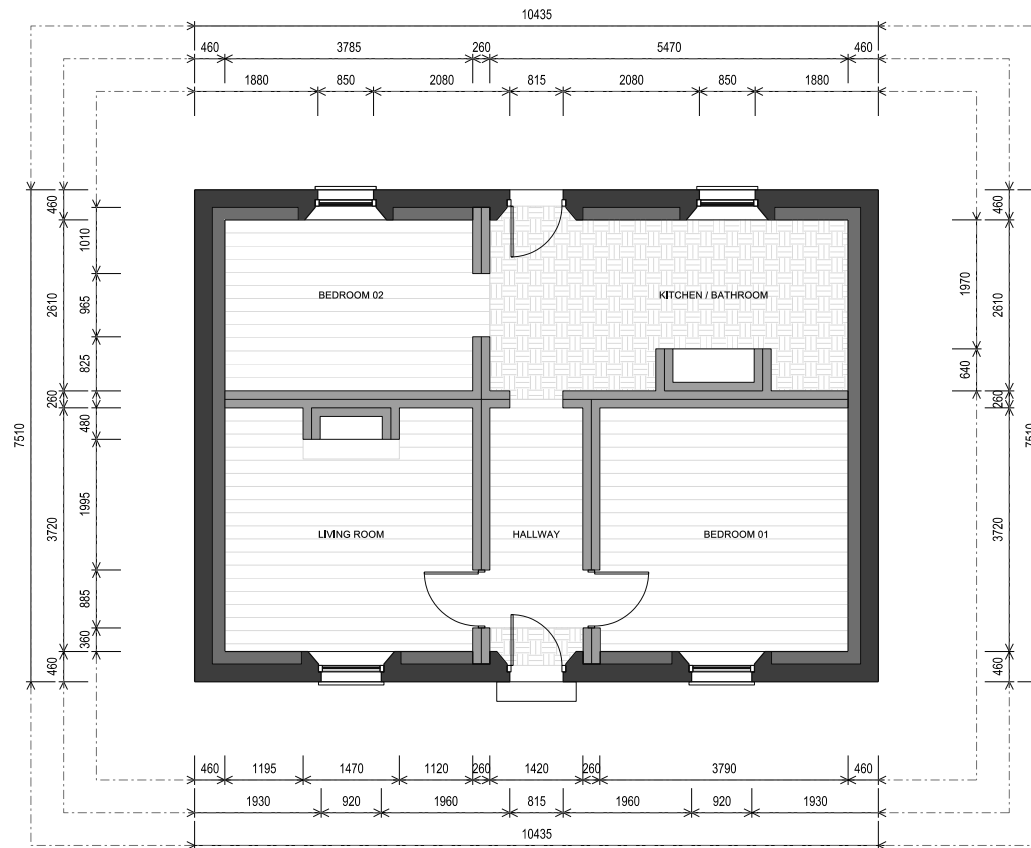
The illustrations are derived from a compilation of the following:

- Archaeological footings documentation.
- MBCCG plans and elevations.
- RBA Architects plans.
- MRPV photographs.
- Deconstruction images.
- Other general images and information.
- 3D scan. (images extracted only)

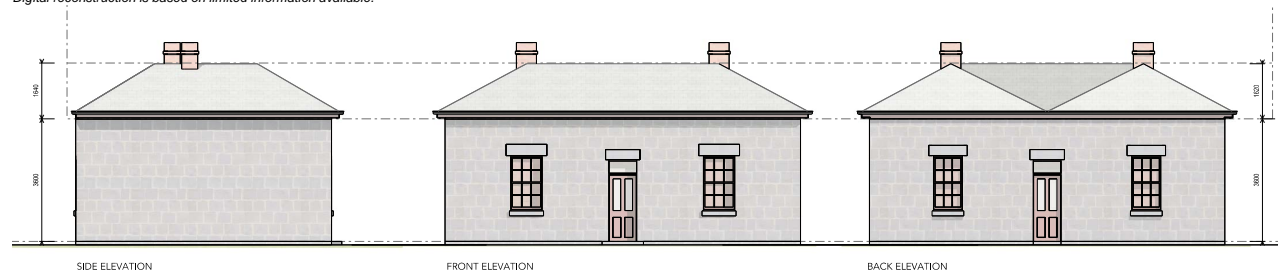
It is observed that overall there was a general constituency between the documentation however we note an inconsistency in the building width between the existing conditions plan provided by RBA Architects, the handdrawn plan from MBCCG and the footings plan provided by the Archaeological dig. For the instances of this report we deferred to the overall dimensions provided by RBA Architects and overlaid the additional information to build up the most accurate representation possible.

The general detail of the information was high level. Thus we have attempted add to the level of detailed based on the deconstruction images.

The reasoning for developing a detailed set of drawings is that we can provide a higher level of accuracy for costings and understanding the physical impact on the original building design.

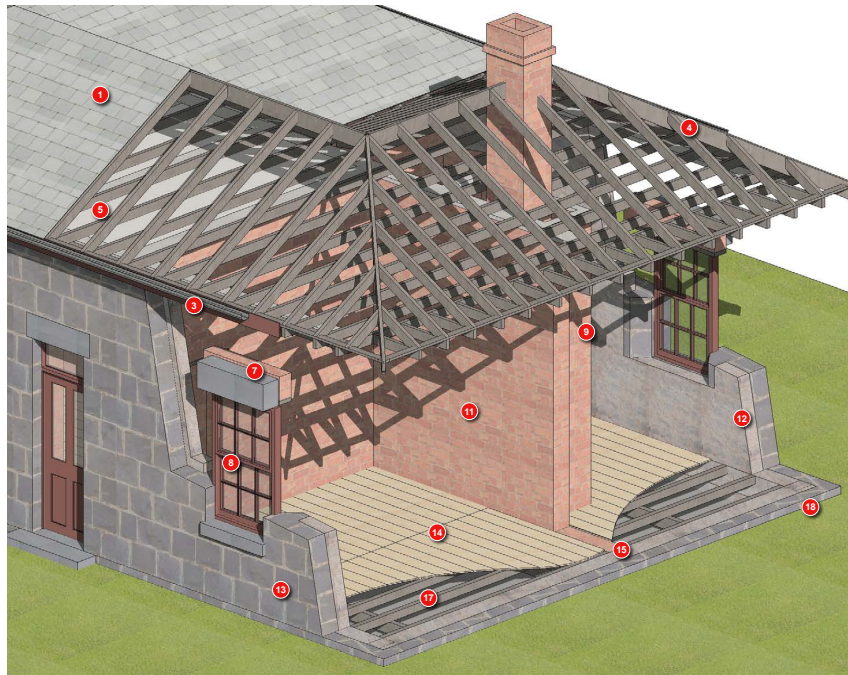
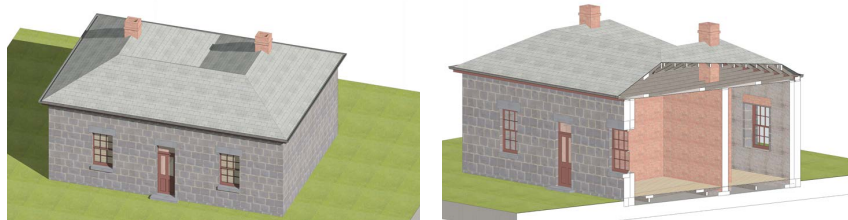


Digital reconstruction is based on limited information available.

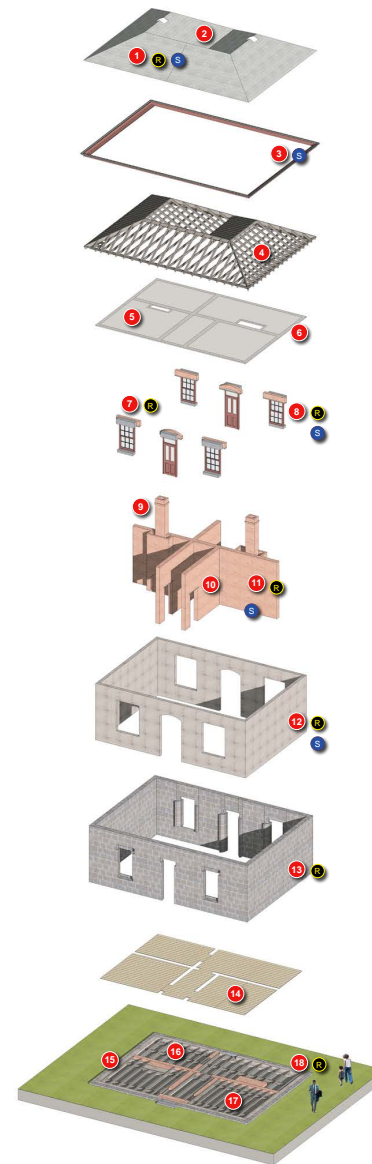


03 Bluestone Cottage

03.10 Digital reconstruction/interpretation of design.



Digital reconstruction is based on limited information available.



- 1 Slate tile roof.
 2 Most tiles have been retained, however are in a poor condition so will require replacement.
 3
- 2 Corrugated steel roof.
- 3 Fascia, eaves and gutter.
 4 Some visual details of structure provided.
- 4 Roof framing.
- 5 Ceilings.
- 6 Wall capping mortar.
- 7 Bluestone/brick lintels.
 8 Bluestone lintels have been retained.
- 8 Timber frame doors and windows.
 9 Windows have been retained however are in a poor condition and therefore cannot be re-used.
 4
- 9 Chimneys.
- 10 Timber door lintels.
- 11 Internal walls.
 12 Approximately 2500 only bricks have been retained due to the poor condition of the internal walls.
 13 Samples of timber detailing have been retained.
- 12 Internal rubble and mortar wall.
 14 Larger rubble has been retained to allow for a sample element of reconstruction.
 4
- 13 External bluestone wall.
 15 These stones have been retained and documented as part of the dismantling works.
- 14 Internal Floor boards.
- 15 Rubble/Brickwork footings.
- 16 Timber tree stump footings.
- 17 Timber floor joists and bearers .
- 18 External bluestone base course.
 19 These stones have been retained and documented as part of the dismantling works.

LEGEND

- 2 Denotes retained materials.
- 3 Denotes possible sample retained.

04 Document Review Summary

04.01 Document Review Summary

To better understand the background and inform the report, a number of documents, articles, drawings and images have been reviewed.

It is clear from the available information reviewed that at the time of dismantling, an exact reconstruction of the cottage was not being considered and as such, only general existing building information exists.

There are no documents or drawings that reflect an intent to completely reconstruct the building in its original form.

We note that only a general layout plan created by RBA heritage architects exists as the most accurate plan. No elevations, sections or detailed architectural drawings exist that would be able to be used to inform accurate reconstruction.

04.02 Document Review List

The following documents have been generally reviewed to assist the preparation of this report.

- COGG project brief
- <https://marshallbluestonecottage.org/>
- MRPV alignment plans
- Armstrong Creek Urban Growth Plan: Marshall & Western Employment Precincts, Heritage Assessments, 2014
- GJM Heritage. Strategic Heritage Report: Bluestone Dwelling at 375 Barwon Heads Road, Charlemont 25 February 2020
- Former McAteer Farming Complex, Archival Record. RBA ARCHITECTS + CONSERVATION CONSULTANTS, August 2021
- Draft Activity method Statement for dismantle and recovery.
- CONCEPT PROPOSAL, Marshall Bluestone Cottage Community Group
- The Burra Charter
- 20210219 - BHR Approved CHMP 14866.
- Signed Survey Plan SP24296-SP24343 - WP3
- Draft Heritage Interpretation Schematic Design (November 2020)
- BHR - Matrix Archaeology - Assessment of Marshall Reserve and Bluestone Cottage
- H7721-0539_Consent to Damage application
- H7721-0539_Consent to Uncover application v2
- H7721-0540_Consent to Damage application document v2
- H7721-0540_Consent to Excavate application document_v002
- H7721-0540_Consent to Uncover application document v003
- Marshall Precinct Structure Plan, July 2019
- Armstrong Creek Urban Growth Plan, background report
- Floor plan - RBA via MRPV
- Hand drawn floor plan & elevations - MBCCG

04.03 The Burra Charter

The Burra Charter is a document published by the Australian ICOMOS which defines the basic principles and procedures to be followed in the conservation of Australian heritage places

As part of this project the Burra charter was referred to for guidance given the unique nature of the project.

The relevant guiding articles reviewed are:

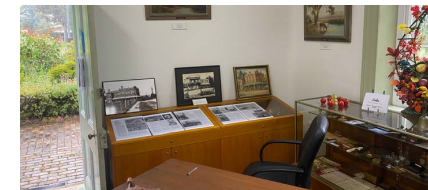
- Article 8. Setting.
- Article 9. Location.
- Article 12. Participation.
- Article 13. Co-existence of cultural values.
- Article 14. Conservation processes.
- Article 15. Change.
- Article 18. Restoration and reconstruction.
- Article 20. Reconstruction.
- Article 22. New work.
- Article 33. Removed fabric.

04.04 Schramms Cottage, Doncaster

Schramms Cottage was put forward by the MBCCG as a preferred benchmark for the proposed community concept. Schramms cottage was dismantled and relocated in 1975 to make way for a road enlargement. The cottage is currently listed on their website as being open Sundays and public holidays 2 pm - 5 pm.

The reconstruction project was started by the local community and finished by Council at a cost of \$50,000 in 1975 which equates to approximately \$400,000 in 2022. It is uncertain if this amount also covers site infrastructure works and other associated costs.

The cottage is an acceptable benchmark for this project however there may still be differences between how the project was undertaken, differences and changes of standards and practices since 1975 as well as the quality and amount of dismantled materials retained for reconstruction.



Schramms Cottage site visit

05 Consultation Summary

05.01 Stakeholder Consultation Overview

SBP Advisory and The OCD conducted a series of site visits and consultation sessions with a range of community group members and key project stakeholders.

The key findings from these sessions are another important data input into the feasibility study.

The specific stakeholder groups consulted include:

- Marshall Bluestone Cottage Community Group;
- National Trust of Australia - Geelong & Region Branch;
- Major Road Projects Victoria, and;
- Council officers from Urban Design and Heritage, Social Planning and Investments, and Social Infrastructure.

05.02 Potential Benefits and Opportunities

As a landmark building facing a major road intersection, the cottage was of sentimental value to the Marshall community and is supported by over 850 community members.

The Cottage could be a heritage tourism gateway or a hub for the area.

Appeals to a specific segment of the community who might not engage with the majority of community facilities/assets.

The cottage has been used as a residence, wellbeing centre and art gallery in the past.

Three separate studies have established the significance of the bluestone cottage:

- **Armstrong Creek Urban Growth Plan: Marshall & Western Employment Precincts, Heritage Assessments, 2014**
- **GJM Heritage. Strategic Heritage Report: Bluestone Dwelling at 375 Barwon Heads Road, Charlemont 25 February 2020**
- **Former McAteer Farming Complex. Archival Record. RBA ARCHITECTS + CONSERVATION CONSULTANTS, August 2021**

Reconstruction could potentially involve local TAFE and community volunteers – as an education and engagement process.

A reconstructed cottage could be re-purposed for various flexible uses: public art, community garden, meeting space, maze, tool or maintenance shed, shelter structure, etc.

05.03 Key Barriers to Overcome

There is no designated funding, or any funding obligations from key stakeholders, for the reconstruction of the Cottage.

The GJM study was commissioned by MRPV; it concluded relocation was not practical or warranted; consequently MRPV explored an interpretive footprint as per option 2.

There is no arrangement in place for the indefinite ongoing storage of the materials from the former cottage so unless long-term storage arrangements can be made, a decision on rebuilding will need to be made within this year.

If the building is to be reconstructed in a different form, Council will be obligated to ensure compliance with relevant building standards.

The City's preference would not be for tenanted use.

If re-purposed as a tourist Information Centre, the cottage may possibly need to be open seven days per week in order to be accessible to visitors. This may require a mixture of paid and volunteer staffing.

Any groundwork needed may potentially require further applications for archaeological consent to uncover or a consent to damage from Heritage Victoria as well as numerous planning and associated permits.

05.04 Additional Considerations

Council's current position is:

- Identify options.
- Develop objective criteria for feasible, desirable use.
- Assess options based on criteria.

Rebuilding the MBCCG option will require original stumps, floorboards, 12-pane windows, chimneys and chimney walls, indication of other original walls, original doors and internal rubble on plaster.

The physical proximity of the place to Marshalltown is part of its cultural significance.

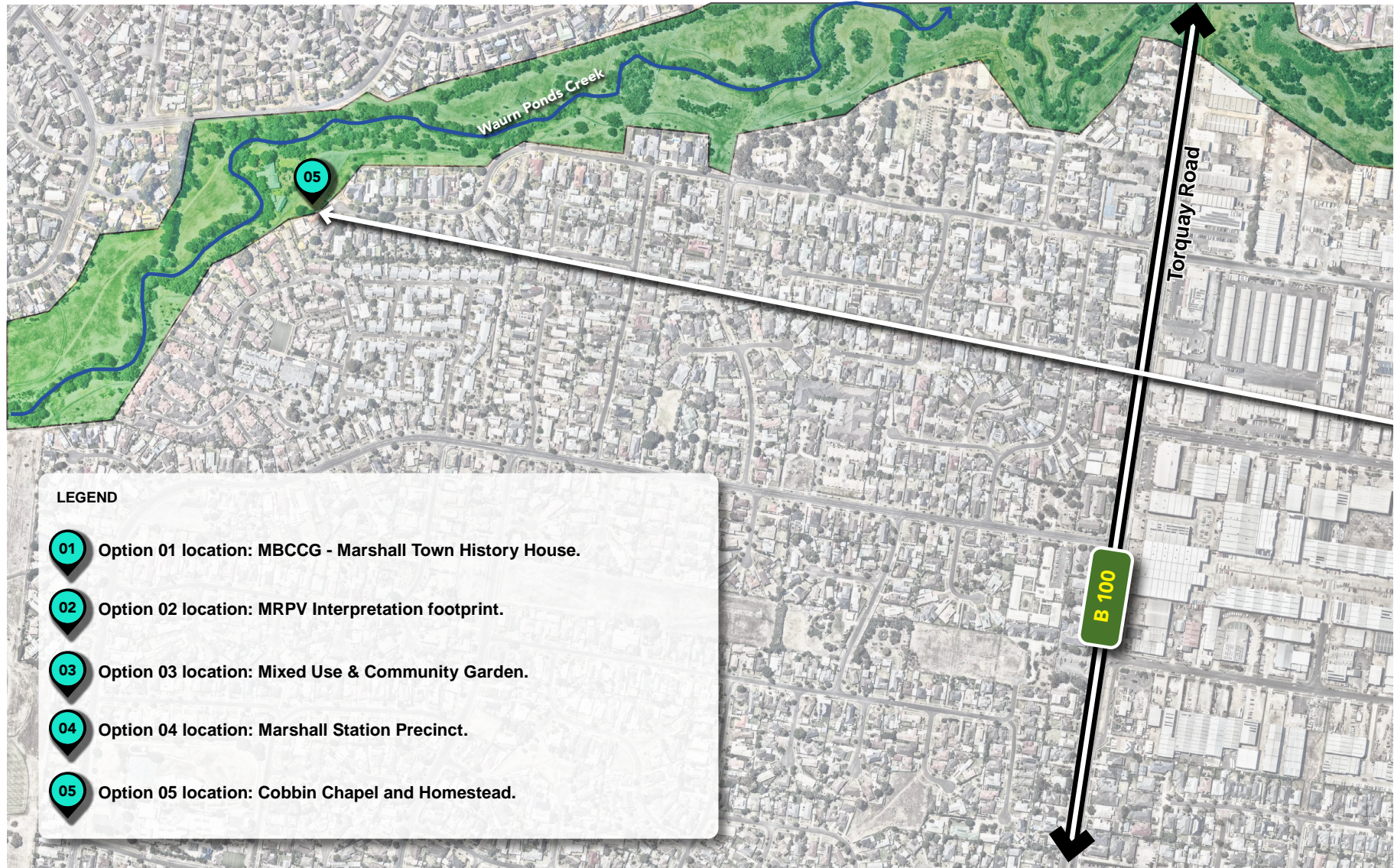
The Marshall Bluestone Cottage Community Group see the Cottage being staffed by a volunteer community management group

Archival reporting and data generated on history of the cottage (3d scanning) is substantial.

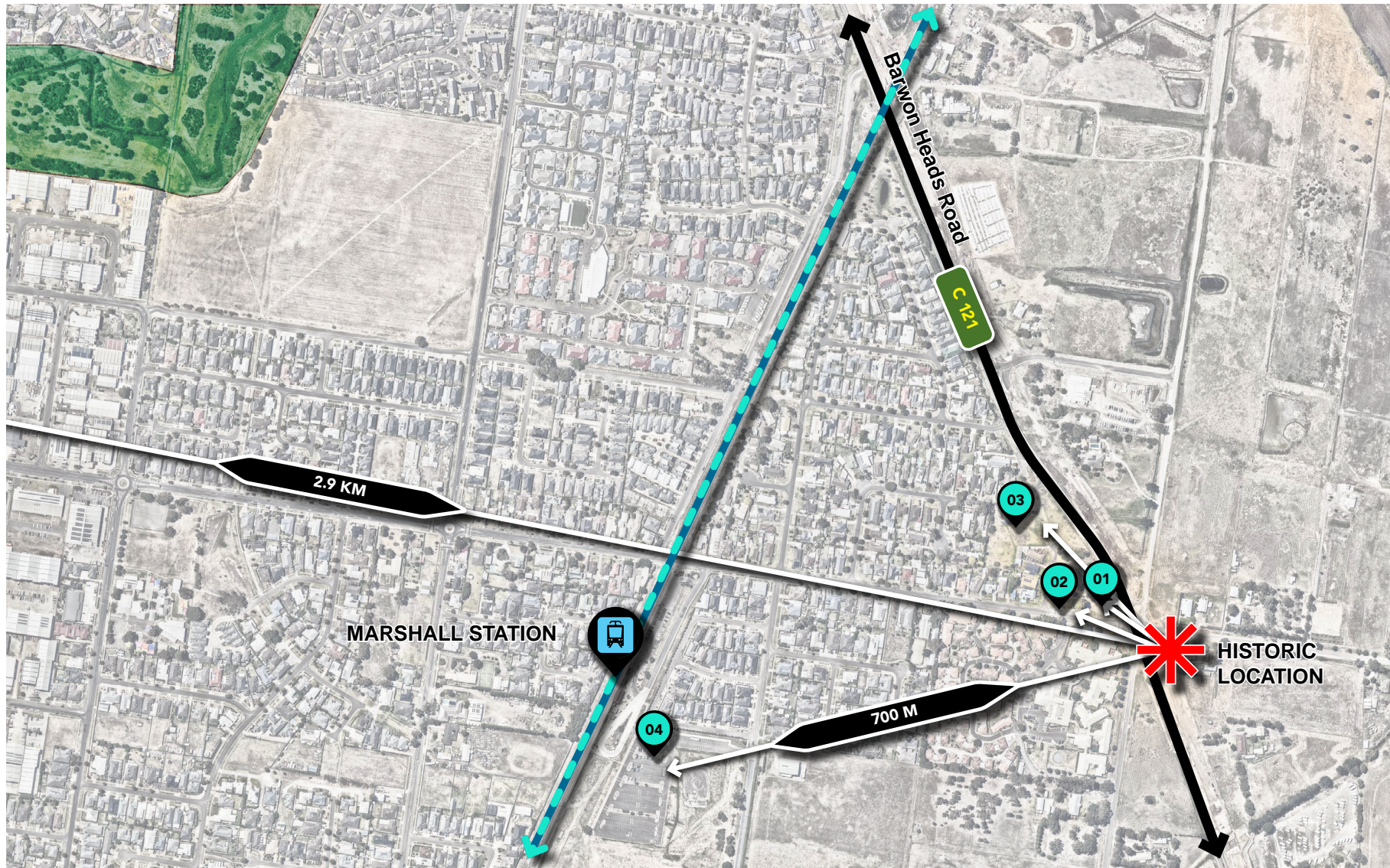
Any reconstruction will need to be tendered out via a formal procurement process subject to the relevant permit, building code and construction industry compliances; it could not be undertaken by volunteers.

Possible relocation sites include future open space reserves, Marshall Station precinct (shown as option 4 in this report) or a City owned heritage site such as Cobbin Homestead which is already the site of the relocated St Cuthberts Church.

06 Feasibility Options Location Plan



06 Feasibility Options Location Plan



06 Feasibility Options

OPTION 01
Distance from Historical Location: 95 m

06.01 MBCCG - Marshall Town History House.

The MBCCG concept proposes to almost entirely reconstruct the cottage true to its original form, materials and detailed components. The building would be reconstructed front facing Barwon Heads Road in an 180° orientation from its original alignment.

Patrons are to enter via the front door facing the road. Amenities are provided in an external building constructed in the same orientation and similar to the former outbuilding.

Partial removal of the living room wall allows for a more flexible use of the building and is the only area in plan not to be reconstructed. The building is proposed to be named as the "Marshall Town History House".

The history house is proposed as a history museum, tourist information centre, venue hire space and for informal gatherings. The group proposed 2 management options in their concept proposal.

The detailed proposal can be downloaded from the groups website.

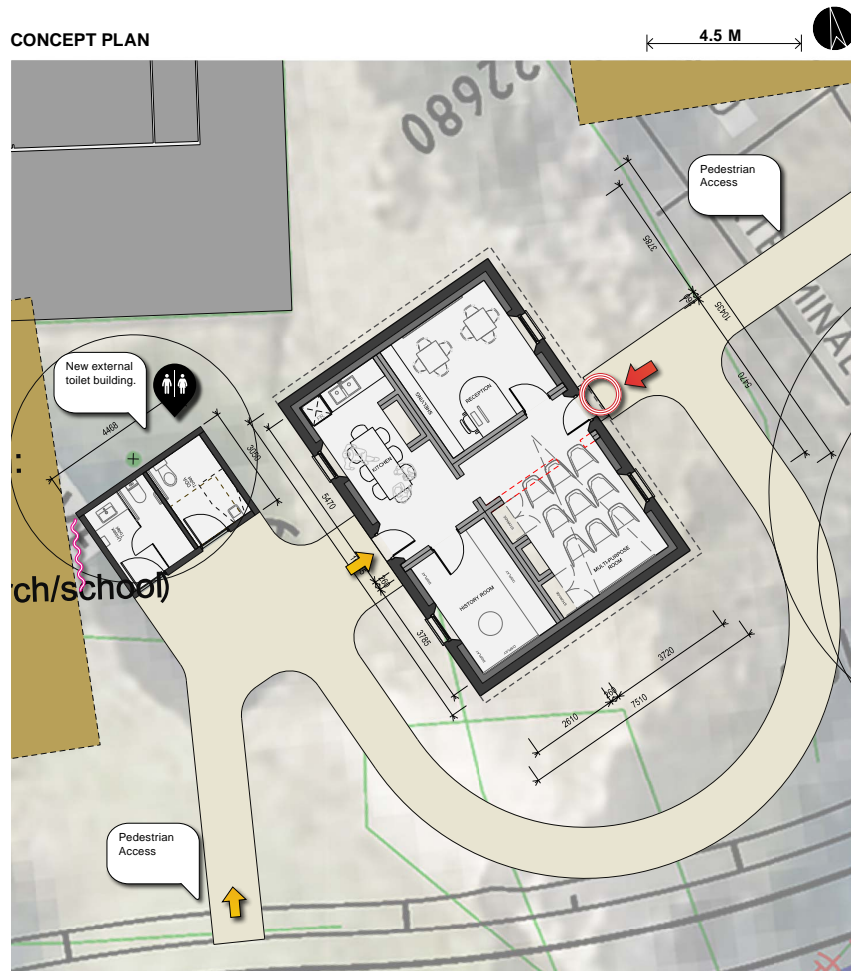
Key Proposal Features

- Dedicated museum history room.
- Separate toilets for use within the reserve.
- Located visually prominent.
- Available for public hire.
- Includes a kitchen.
- Potential for small food service.
- COGG to manage and operate.
- Full reconstruction of the bluestone cottage.
- Provide tourist information.
- Close proximity to original location.

Key Considerations

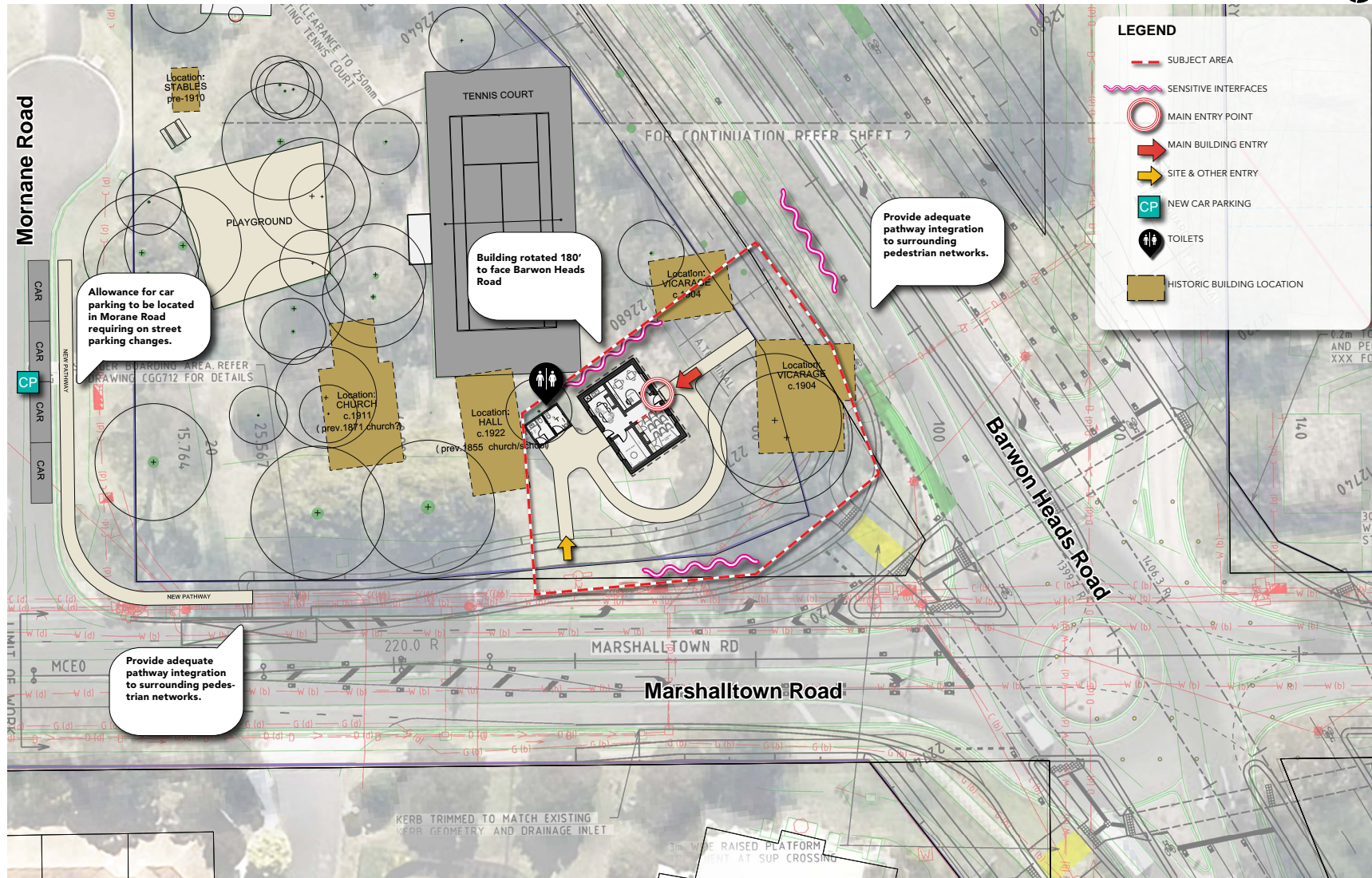
- Impact on local parking.
- DDA parking requirements.
- Distance from available parking.
- Loss and impact on open space.
- Space configuration limitations of building.
- Sensitivity to heritage of the reserve.
- Acoustic impact from Barwon Heads road.
- Functional operating limitations.
- Value for money of complete detailed reconstruction.
- Siting conflicts with existing reserve functions.
- Building security.

CONCEPT PLAN



06 Feasibility Options

SITE PLAN 20 M



Proposed road location indicative. Source: MRPV

06 Feasibility Options

06.02 MRPV Interpretation footprint.

RBA Architects were commissioned by MRPV to develop an interpretation scheme. 3 alternative locations for the scheme are proposed across the reserve.

The proposal conceives a reconstruction of the general floor plan of the cottage with some partial walling.

The structure is proposed to be constructed from the recycled bluestone from the original cottage.

In addition, interpretive panels and signage are to be provided outlining the history of the cottage and of the Marshall Reserve site context as well as public art.

Prior to dismantling of the cottage, MRPV previously advised it had budgeted the order \$180,000-\$200,000 to implement this option, however the current availability of MRPV funds to proceed will need to be confirmed.

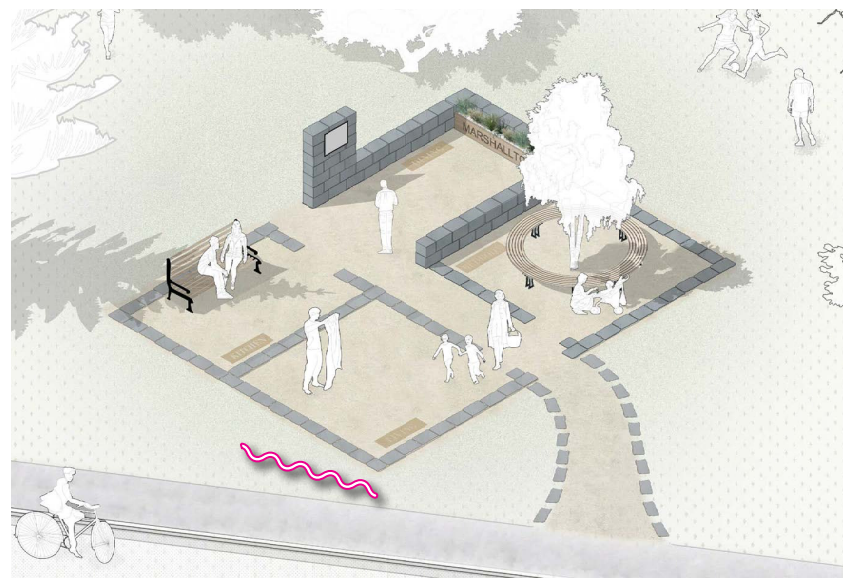
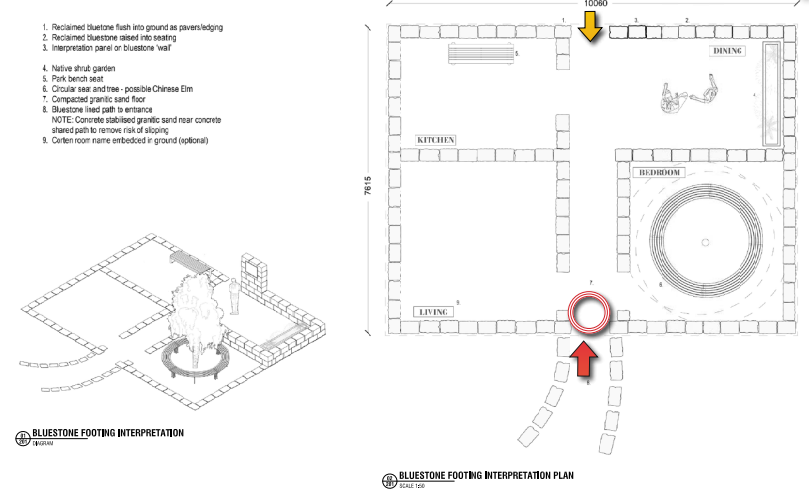
Key Proposal Features

- Bluestone cottage footprint interpretive plan.
- Interpretation panels.
- Interactive St Cuthberts Pillar.
- Public art.
- Seating.
- Landscaping.

Key Considerations

- Maintenance and vandalism.
- Negative community feedback on concept.
- Limited potential community use options.
- Impact on public open space.
- Limited usefulness.
- Wastage of retained materials.
- Orientation and location.

OPTION 02



06 Feasibility Options



06 Feasibility Options

OPTION 03
Distance from Historical Location: 220 m

06.03 Mixed Use & Potential Community Garden.

Option 3 proposes a hybrid concept plan that delivers elements of the community groups proposal whilst aiming to deliver greater and more flexible community purpose.

The proposed relocation site is north-west of Marshall Reserve, located within council owned land and accessed via Field Court.

The concept is sited here to reduce the impact on the open space, set back from the road to improve acoustic amenity, reduce impact on heritage and archeology of the reserve, surrounding trees as well as providing closer access to car parking.

There is sufficient available area to provide a community garden and additional landscaping for the cottage.

The floor plan design increases community space and flexible use within the building whilst maintaining the dedicated museum room.

While the exterior of the building would be historically accurate, the interior and structural elements would be constructed to a standard value-managed manner to reduce cost and specialist trades.

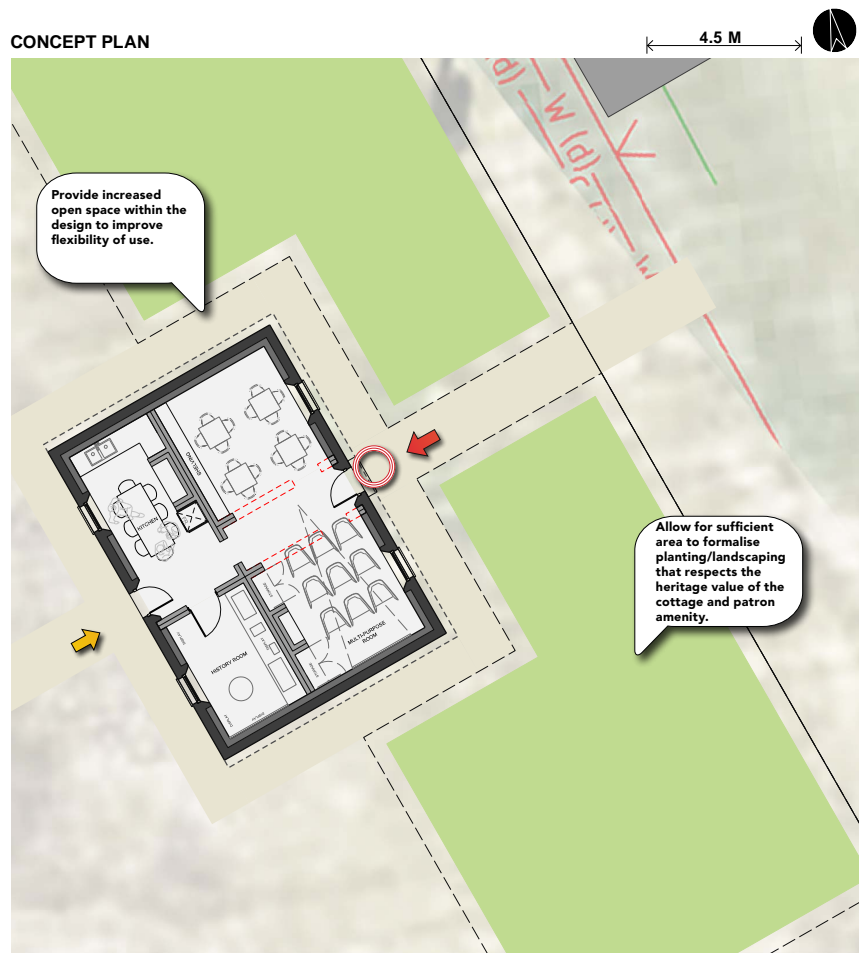
Alternatively, the interior could be configured as a large single hall to provide greater flexibility for the wider community.

Key Proposal Features

- Dedicated museum history room.
- Separate toilets for use within the reserve.
- Aligned with historic road location.
- Available for public hire.
- Includes a kitchen.
- Community Garden potential 3,000m2.
- COGG to manage and operate.
- External reconstruction of the cottage.
- Close to parking/DDA access.
- Open floor plan.
- Available area for sufficient landscape treatment.
- Setback from Barwon Heads Road.

Key Considerations

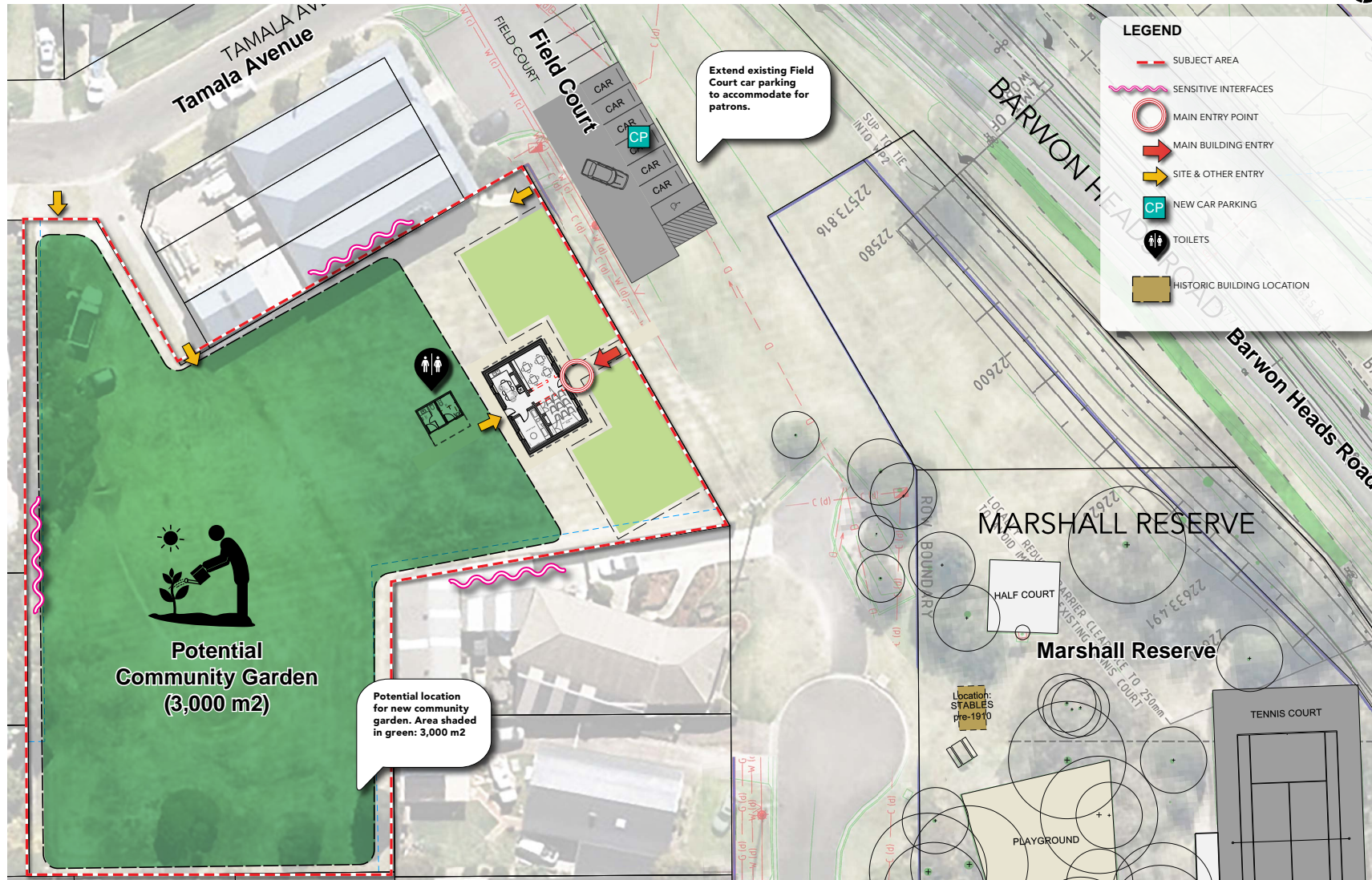
- Impact on local parking.
- Adjacent commercial business.
- Requires flexible operation shared with community garden.
- Increase in scope and use.
- Space configuration limitations of building.
- No dedicated reception room.



06 Feasibility Options

SITE PLAN

20 M



Proposed road location indicative. Source: MRPV

06 Feasibility Options

OPTION 04
Distance from Historical Location: 700 m

06.04 Marshall Station Precinct.



This option proposes relocation of the cottage to a precinct or site where the cottage can be adapted and re-used for flexible community purposes.

The building can be configured as open plan and may require a kitchenette, storage and amenities as part of its reconstruction.

The materials would be stored until an appropriate site is found.

Logical locations currently available include proposed open space and reserve areas within the Marshall PSP with the station precinct suggested as being the most sensible and appropriate location.

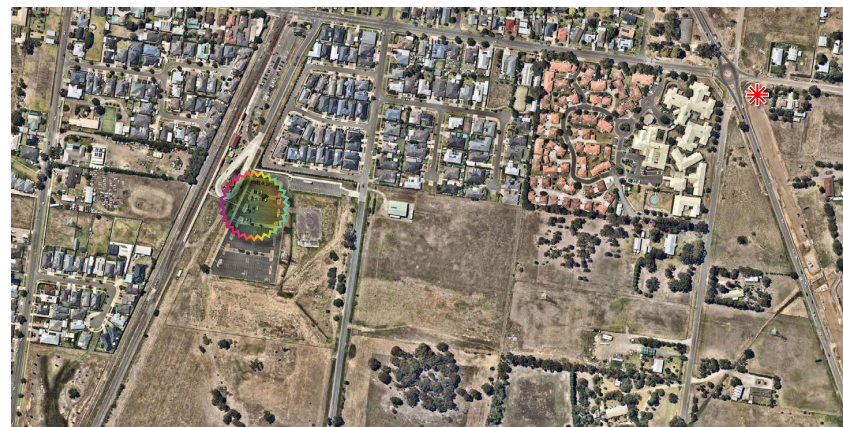
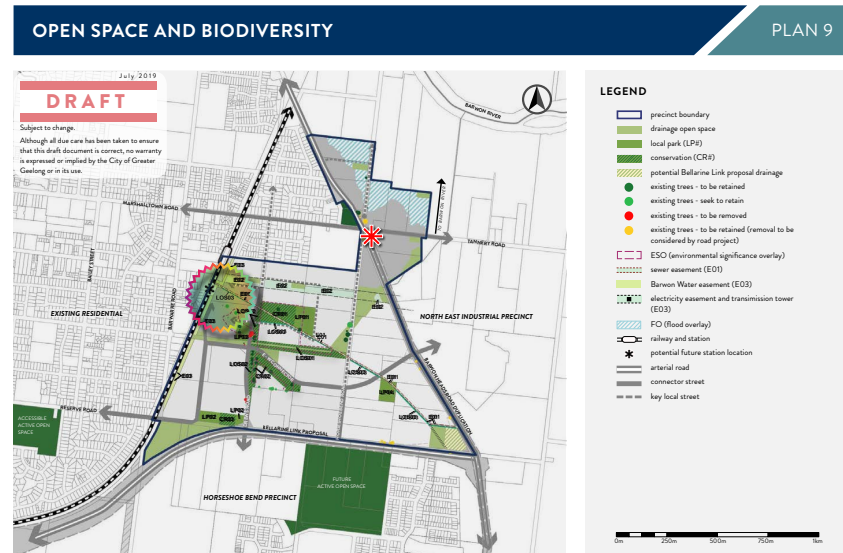
The level of reconstruction detail would focus on the external building envelope while the internal layout is to be open plan and flexible for greater use opportunities.

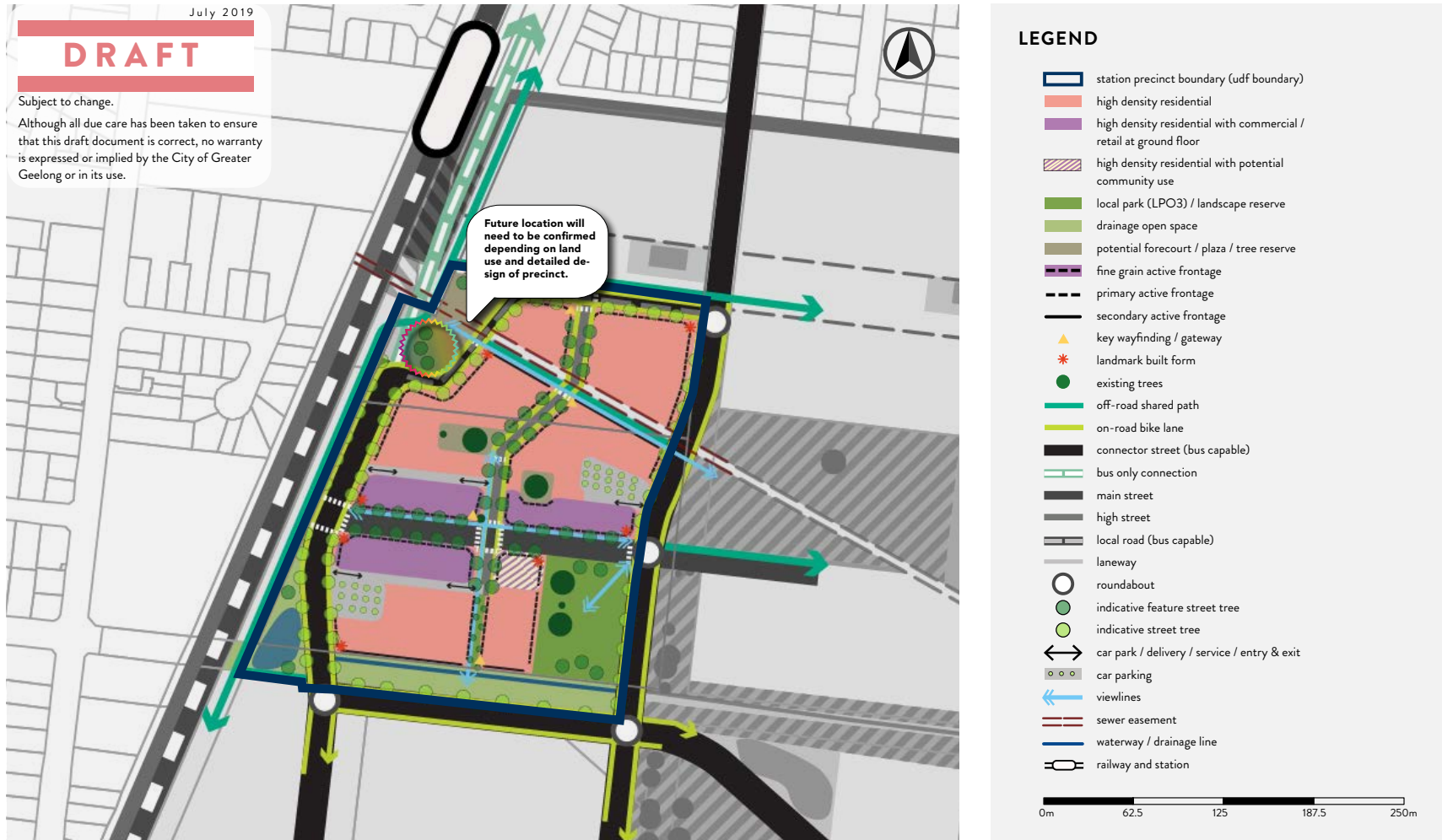
Key Proposal Features

- Flexible open plan for multiple users.
- Venue for hire options.
- History room/interpretation potential.
- Value for money design approach.
- Amenities.
- Kitchenette.
- Storage.

Key Considerations

- Land ownership.
- Delay of reconstruction.
- Storage of materials.
- Locating an appropriate site.
- Future needs and requirements.
- Escalated costs.
- Limited detail for siting location.
- Delays to project completion.





06 Feasibility Options

OPTION 05
Distance from Historical Location: 2.9 km

06.05 Relocated to Cobbin Chapel & Homestead

Option 5 proposes to relocate the building to the Cobbin Chapel & homestead, currently under management by the City and is also the location of St Cuthberts Church, originally located at Marshall reserve.

The chapel was relocated to its current home in 1987 after being used as a community facility by the City of South Barwon between 1983-1987.

Cobbin Chapel & Homestead is currently operated as a community venue for hire with the chapel being popular for weddings. The cottage could potentially provide a smaller more intimate venue for hire.

Key Proposal Features

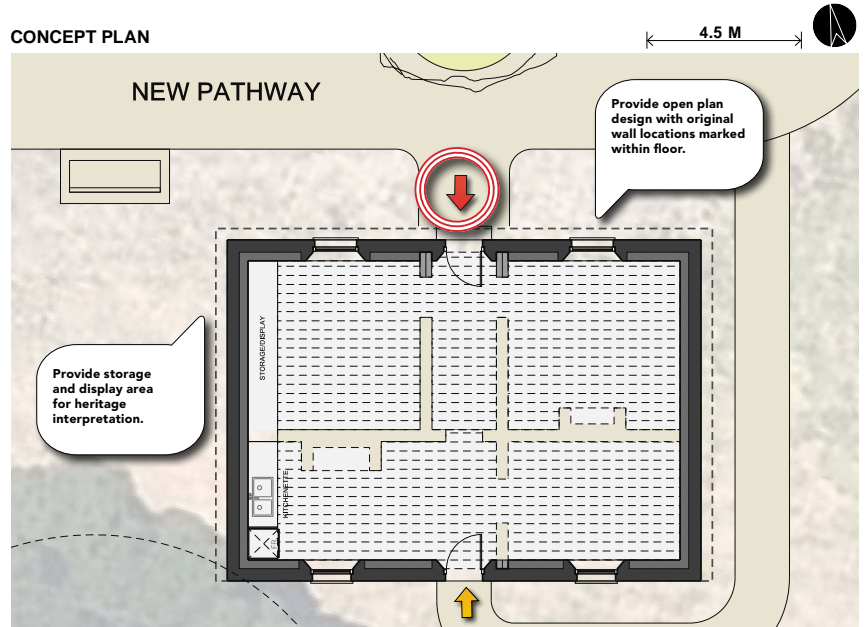
- Flexible open plan for multiple users.
- Venue for hire options.
- History room/interpretation potential.
- Value for money design approach.
- Greater community use potential.
- Co-location with St Cuthberts chapel.

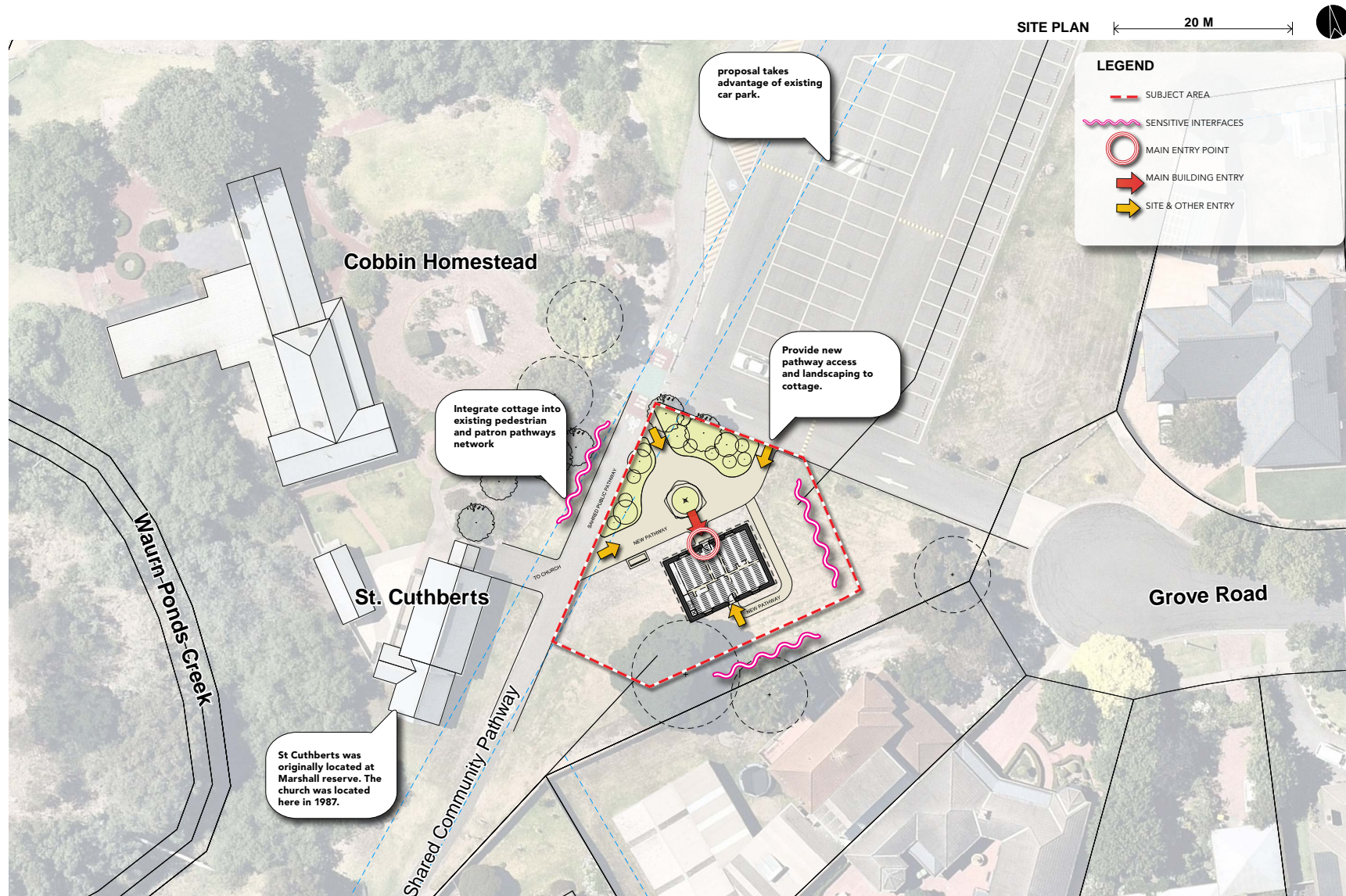
Relocation of the Bluestone Cottage to the site may provide beneficial outcomes to the greater community through flexible use opportunities and the incorporation of the building into a City owned asset.

Relocating the cottage to the site would also have the benefit of a meaningful co-location with the chapel, formally located approximately 120 metres away from the cottages historic location within Marshall Reserve.

Key Considerations

- Land ownership.
- Impact on public open space.
- Distance from historic location.
- Incorporation with site and accessibility.





07 Feasibility Assessment

07.01 Assessment Criteria Table

Criteria	Description	Scoring criteria:					Notes
		Option 01	Option 02	Option 03	Option 04	Option 05	
		1= Limited benefits	1= Limited benefits	1= Limited benefits	1= Limited benefits	1= Limited benefits	
		2= Medium benefits	2= Medium benefits	2= Medium benefits	2= Medium benefits	2= Medium benefits	
		3= Higher benefits	3= Higher benefits	3= Higher benefits	3= Higher benefits	3= Higher benefits	
Community benefit	Does the proposed option deliver a benefit to the broader community? 3= broadly appealing to the community, 2= moderate appeal for the community, 1= narrow appeal for the community	1.5	1.0	2.5	1.5	2.0	Option 2 provides a low level of community appeal and is not seen to have a specific purpose for the community to engage with other than passive recreation.
Fit for purpose design and flexibility of usage options	Is the proposed configuration flexible in both its function and purpose for multiple users? Does the building suit its proposed function and use?	1.5	1.3	2.5	2.5	2.5	Options 1 and 2 provide limited flexibility of use and a relatively narrow scope for activation beyond the intended usage.
Retention and reinstatement of original design	How much of the historic building plan is required to be adapted to suit purpose? 1= significant alterations of original plan, 2= moderate alterations, 3= minimal alterations.	3.0	1.0	2.0	1.7	1.7	Option 1 has the highest retention of the original materials and design.
Impact on open space	Does the proposal impact the open space of the proposed location? 1= reduction in open space and activation potential, 2= maintenance of open space and activation, 3= enhancement of open space and activation	1.5	2.0	3.0	2.0	2.5	Option 3 provides potential for the highest amount of use and activation based on being located on City owned land adjacent to Marshall Reserve with specific and aligned needs for a complementary flexible-use building space.
Impact on proposed option to site and surrounds	Does the proposal have a generally positive or negative impact on the option site? 1= negative impact on amenity, 2= minimal impact on amenity, 3= positive impact on amenity	2.0	2.0	3.0	2.0	3.0	Option 2 provides a complementary passive recreation to the proposed site which is consistent with other current site uses. Options 3 & 5 both provide strengthening to the surrounding purpose and use.
Impact on public amenity	Does the proposal impact the amenity of the intended site or space?	1.7	2.3	3.0	2.0	2.0	Option 2 provides a unique aesthetic point of difference to the proposed site and does not compromise any existing visual elements of the site. Options 1 & 2 do impact on public open space amenity within the reserve.
Industry standards and Council Policy alignment (Sustainability, CPTEd, Accessibility & universal design, CoGG design objectives and guidelines)	1= poor alignment, 2= general alignment, 3= adequate alignment	1.2	2.2	2.0	2.0	2.0	Option 1 has the lowest level of alignment with industry standards and Council Policies based on the age of the design and building layout, and the evolution of contemporary standards.
Traffic (proximity to road, access to building, parking availability, DDA parking, impact on existing parking) considerations of proposal	1= negative impact on traffic, 2= moderate impact, 3= compliance with standards and minimal impact on traffic	1.0	1.5	3.0	2.0	2.5	Options 1 will increase traffic to the proposed site which will create additional planning and development considerations. Options 3 & 5 have scope to include adequate parking within their locations with reduced impact to surrounding properties..
Indicative/estimated construction costs & value for money	Proposal construction costs: 1= high costs, 2=value for money, 3= low-cost outcome.	1.0	2.7	2.0	2.0	2.0	Option 1 has a significantly higher cost based on the preservation of design and materials.
Project establishment, delivery risk and associated timeframes risk.	Proposal delivery risk: 1= high risk, 2=standard risk, 3= low risk.	1.5	2.0	2.5	1.0	2.5	Option 1 has a significantly higher cost based on the preservation of design and materials as well as greater levels of detail required during the planning and design process.
TOTAL		15.9	18.0	25.5	18.7	22.7	

07.02 Indicative Reconstruction Costs

The overview of costs, including non-construction costs, i.e. contingency/escalation/fees are:

- Option 1 - \$848,000 (Excl. GST)
- Option 2 - \$128,000 (Excl. GST)
- Option 3 - \$688,000 (Excl. GST)
- Option 4 (excl. design options) - \$599,000 (Excl. GST)
- Option 5 (excl. design options) - \$599,000 (Excl. GST)

Other issues include:

1. The building has been demolished with the only retained materials consisting of the external facade blue stones, a portion of the internal brickwork, window frames and doors, some slate roofing in poor condition, samples of timber detailing and some rubble for the internal lining of the external facade.
2. Whilst the external stone and brickwork appear to be in generally good condition, the remaining materials are in poor condition and therefore replacing these for new would be a sensible approach.
3. No detailed existing conditions drawings and construction documentation of the original building to allow for detailed or accurate reconstruction. We do note that all external stones have been numbered to allow for replacement into original locations.
4. Reconstruction would require a high level of interpretation based on photographs and other available materials.

High level project costings have been undertaken by WT Partnership quantity surveyors and provided to the City as a separate document.

07 Feasibility Assessment

**07.03 Benchmark Operating Financials
Marshall Town History House**

The following table is included to illustrate the general operating costs and revenues of similar facilities to assist in understanding the probable operation of the cottage as a heritage house museum as per option 1.

The operating financial benchmarks publicly reported by the Historical Societies displayed in the table demonstrate modest turnovers with a strong reliance on donations, memberships, fundraising and grants.

The notable omissions in the reported financials include rent/lease fees, insurances, grounds and building maintenance, and depreciation, which we assume are all paid for by their respective Local Councils.

2018/19 Comparisons	Torquay Museum Without Walls	Torquay and District Historical Society Inc.	Anglesea and District Historical Society Inc.	Winchelsea and District Historical Society Inc.	Schramms Cottage (estimates from consultation)	Schramms Cottage (financial notes)
Revenue						
Donations	\$100	\$840	\$344	\$282	\$1,152	12 visitors is a big day. Assume average of 4 adults (\$5) and 4 kids (\$1) per week (\$24 * 48 weeks)
Membership/Subscription	\$320	\$375	\$1,225	\$210	\$1,800	\$20 single membership, \$30 family membership, \$10 student membership (up to 21 years of age). Currently have approximately 90 members. Assume 90 * \$20
Fundraising revenue	\$0	\$3,748	\$224	\$0	\$900	Hold external functions for nominal hire fees. Assume 6 functions at \$150 per year.
Grants	\$11,761	\$9,000	\$195	\$0	\$0	
Sponsorship	\$0	\$0	\$0	\$0	\$0	
Other Sales and Operating Revenue	\$5,473	\$360	\$5,128	\$161	\$0	
Total Revenue	\$17,654	\$14,323	\$7,116	\$653	\$3,852	
Expenses						
Affiliations	\$75	\$0	\$710	\$0	\$300	Assumption for Museum Accreditation program
Collateral	\$3,846	\$0	\$0	\$0	\$0	
Rent	\$0	\$0	\$0	\$500	\$0	
Events and Exhibitions	\$162	\$0	\$0	\$0	\$1,500	Assumption for catering for member events/functions
Equipment/Capital Expenditure	\$106	\$3,175	\$2,713	\$0	\$0	
Other/General Expenses	\$3,947	\$2,576	\$4,037	\$228	\$1,500	Assumption for utilities, repairs and restorations.
Insurance	\$0	\$0	\$0	\$590	\$0	
Acquisitions	\$0	\$1,025	\$0	\$0	\$0	
Total Expenses	\$8,137	\$6,776	\$7,460	\$1,318	\$3,300	
Income less Expenses	\$9,517	\$7,547	-\$344	-\$665	\$552	

07 Feasibility Assessment

07.04 Mixed Use, Potential Community Garden & Discussion of Models

As Option 3 scores the highest in the criteria table and expected to have the highest rate of return, we have provided an indicative baseline operating model for this option based on the benchmarks reviewed.

Options 3&5 will likely provide the most flexibility for alternative revenue streams via community events. Returns and operating costs will be comparable and have not been separately assessed.

To create a viable operating model for Bluestone Cottage, the group will need to focus on the core revenue streams of donations, memberships, fundraising and grants, while also identifying alternative and innovative revenue streams.

The benchmark historical societies are recipients of financial support/expense coverage by their respective Councils, however, the strategic objective for this cottage should be to establish a financially sustainable model, or at least continually reduce its reliance on Council support.

The following indicative/conceptual operating model will need to be refined based on preferred design options and functional alignment.

Potential Operating Model	Bluestone Cottage	Financial Notes/Assumptions.
Revenue		
Donations	\$1,000	200 visitors donating \$5 each
Membership/Subscription	\$2,000	100 members paying \$20 each
Fundraising revenue	\$4,000	200 event/exhibition attendees paying \$20
Grants	\$0	
Sponsorship	\$500	Notional figure based on community supporters.
Other Sales and Operating Revenue	\$0	
Total Revenue	\$7,500	
Expenses		
Affiliations	\$500	Allowance for heritage and museum affiliations.
Collateral	\$1,000	Allowance for producing educational and promotional materials.
Rent	\$0	Peppercorn lease arrangement with Council - TBC.
Events and Exhibitions	\$2,000	50% of fundraising revenue to cover event, catering and cleaning costs.
Equipment/Capital Expenditure	\$0	
Other/General Expenses	\$1,000	Assumption for utilities, repairs and restorations.
Insurance	\$500	Notional figure based on benchmarks.
Acquisitions	\$0	
Total Expenses	\$5,000	
Income less Expenses	\$2,500	Critical importance to enable investment into developing new/alternate revenue streams.

07 Feasibility Assessment

07.05 Evaluation results

The detailed scoring of the options can be found in section 7, page 26.

The scoring results are as follows:

- **Option 1: 15.9**
- **Option 2: 18.0**
- **Option 3: 25.5**
- **Option 4: 18.7**
- **Option 5: 22.7**

Given that the demonstrable heritage value of the cottage previously lay in it being a landmark than a period home; ie the significance was derived primarily from its visible external envelope and ability to demonstrate size, architectural style and materials, rather than interior aspects, there is negligible difference in the heritage conservation benefits of options 1, 3, 4 & 5.

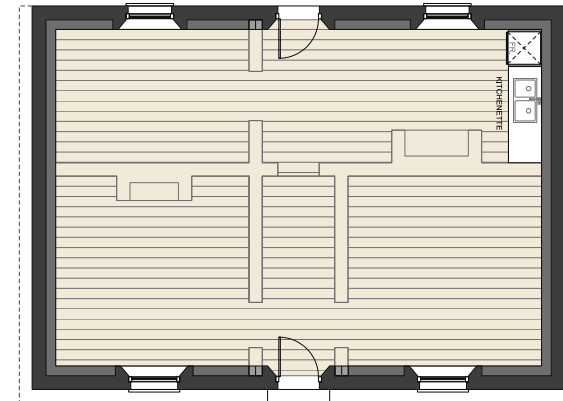
The evaluation results show that concept options 3 (mixed use & community garden) and

5 (relocation to Cobbin Chapel & Homestead) would likely deliver both better value for money and a higher level and diversity of community patronage.

Option 5 has the added benefit of complementary relocation to an existing heritage precinct and the adjacency of St Cuthberts, formerly located within Marshall Reserve. It is noted that both buildings were historically located within approximately 120 metres of each other.

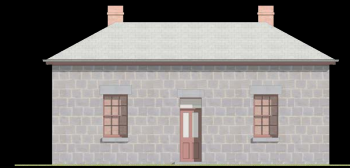
The preferred option of the MBCCG, (Marshalltown history house) scored lower due to its higher implementation costs and reduced community benefit/flexibility.

Whilst all options can be value managed and improved, we suggest that options 3 and 5 merit further investigation if COGG decide to progress with a more detailed concept design and functional operating model.



Illustrative plan indicating open plan configuration for greater flexible use.





▲ theo.cd.com.au

SBP Advisory

WT PARTNERSHIP



TO: City of Greater Geelong Council
FROM: Marshall Bluestone Cottage Community Group
CONTACT: President - XXXXXXXXXX
E: XXXXXXXXXXXXX
M: XXXXXXXXXXXXX
DATE: 11th July 2022

SUBJECT: Response to two documents:

• *Bluestone Cottage Relocation Feasibility Study
 Final Draft Report for Discussion June 2022*

• *WT Bluestone Cottage Marshall Preliminary Cost Estimate
 No 1 4 February 2022*

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1. Executive Summary

The Challenge

The challenge of the *Feasibility Study* June 2022 was to reply to the City of Greater Geelong resolution of 22nd June 2021, and provide ... *a sustainable option for the cottage to be restored for public purposes in the Marshall and Charlemont areas.*

The mission and objectives of the Marshall Bluestone Cottage Community Group are to conserve and reconstruct a Bluestone Cottage which was built in 1866 by Frank McAteer, a long time pioneer resident of Marshall. The Cottage was located at the intersection of Barwon Heads Road with Tannery and Marshalltown Roads, on land required for the duplication of Barwon Heads Road.

The Group formed to advocate for the Cottage to be carefully dismantled and relocated as close as possible in its original location, and to be reconstructed in its original form, as a connection to Marshall's history.

The Marshall Bluestone Cottage Community Group has a web site and Facebook page, and membership of 870 supporters who regularly receive update emails.

The Process

This submission responds to two documents, a City of Greater Geelong Consultant's *Bluestone Cottage Relocation Feasibility Study* June 2022, giving details of five Options for the future of the Bluestone Cottage, and a part of that *Feasibility Study*, the *WT Preliminary Cost Estimate* February 2022, which gives details for four Options.

The *Feasibility Study* attributes a score to each of the five Options according to ten Criteria. These scores are somewhat perplexing. The lowest score was given to the Marshall Bluestone Cottage Community Group Concept Proposal.

Marshall Bluestone Cottage Community Group submit that the *Feasibility Study* ten Criteria do not include assessment of other factors which are held dearly by local people to be important considerations. MBCCG suggest five additional Criteria should be added and assessed to reach a score on the merits of the Options.

MBCCG submit that three Options, 2, 4 and 5, are not suitable because they do not comply with Council's resolution 22nd June 2021.

Another Option, No 3 proposes a new build with a modern interior, rather than an authentic best practice reconstruction according to Burra Charter guidelines.

This submission considers Option 1 and Option 3

The Solution

The following submission gives detailed reasons why the Marshall Bluestone Cottage Community Group Option 1 is the best solution to fulfil Council's Resolution to find a ... "sustainable option for the cottage to be restored for public purposes in the Marshall and Charlemont areas".

The Rationale

Until recently, those travelling to Barwon Heads from Geelong were reminded of the history of Marshall because the Bluestone Cottage was within their view in its original location. This structure prompted consideration of and reflection on the nature of everyday life in Marshall in the days of “horse and cart”.

The continued role of the Bluestone Cottage as a connection to that history is the Mission of the Marshall Bluestone Cottage Community Group. This “connection with history” is the heritage value of the Bluestone Cottage. This “value” confers a sense of identity and belonging as a member of the Marshall Community, i.e., “we live in Marshall, and this is where we came from”.

Despite the immense heritage value of the Bluestone Cottage, this attribute was not included in the criteria used to evaluate the five options for relocation and rebuilding of the now dismantled Bluestone Cottage. This aspect of the Report was very disappointing.

MBCCG was further dismayed by the suggestion that the Bluestone cottage would be rebuilt with a “renovated” and modernised interior. When locals and visitors enter the Bluestone Cottage, it is an opportunity to reflect on our increasingly distant past and consider the change that the passage of time has brought about.

To rebuild the Bluestone Cottage with “Gyprock” walls and plastic flooring will rip the heart out of the structure and diminish its meaning as a “History House” of great relevance to the local community.

For these reasons, MBCCG are firm on our preference for Option 1 as a site for rebuilding the Bluestone Cottage. As a site, Option 3 would be considered as a second preference only if good reason can be provided as to why the Option 1 site is not suitable, and only if the reconstruction was carried out in the way described for Option 1.

The site/outcome options suggested in Report Options 2, 4, and 5, are wholly rejected.

The idea that the Bluestone Cottage be rebuilt with a modern interior is in total contradiction with the concept of its function as a “History House”. MBCCG reject any suggestion that reconstruction be undertaken to any other standard than that indicated by the Burra Charter.

It is the intent and hope that Council and the people of Geelong will share MBCCG’s Mission to again allow the Bluestone Cottage to be a “signpost” to the past for those travelling through the town of Marshall.

2. The reasons why it was important to save, dismantle and store the Marshall bluestone cottage, and now relocate, reconstruct and reuse the Cottage as

MARSHALL TOWN HISTORY HOUSE.

Marshall Bluestone Cottage Community Group Mission: Bluestone Cottage as a *History House*

As time moves on, our recollection of history tends to dilute to those events of significance and broad, far-reaching effect. Local history is the casualty of this phenomenon.

Those factors that defined and formed a local community centuries ago are increasingly lost to us. How we sourced food, clothes, constructed homes, and engaged the economy, were very much centred in our immediate locality.

Our connection with this rich and significant history is limited to remaining “signposts” of how communities flourished (or not) in the distant past. Unfortunately, these signposts are becoming fewer in number and recognition.

Our capacity to reshape the landscape to suit our immediate needs is now defining our communities, - at the expense of our history. The real estate development extending from Grovedale towards Barwon Heads is a stunning example of the power that we have to reshape our environment. The Barwon Heads Road will be a multi-lane highway immune to flooding. New estates are perfectly flat with no hint of their historical agricultural utility.

An understanding of where we have come from is an important part of where we are going if we are to have a genuine perspective of progress at the community level. Hence the value of Heritage!

The Bluestone Cottage is an important connection with our past. It is an example of how we constructed a dwelling; how we cooked food; how we stayed warm; and how we secured ourselves in a time when we were very much subject to all the variables in our immediate environment. Despite its modest size and compact spaces, the Bluestone Cottage was home to a family of seven at the time of its construction.

As such, the Bluestone Cottage can serve as a significant part of the community’s understanding of “Where we have come from; Where we are now; and Where we are going”.

When the Bluestone Cottage is re-constructed, this should be considered its primary and most important function; to connect us with our past. Visitors to the Cottage should gain a sense of what it was like to be part of a family and a community at that time in history. It is an opportunity to accurately depict the history of the Marshall community as a defined “Town”.

For this reason, the undertaking to rebuild the Bluestone Cottage should be historically accurate and its value as a “History House” given prominence.

3. Background

Attempts have been made to save the Marshall bluestone cottage for twenty-five years.

3.1. 1998 - 2000 **City of Greater Geelong Outer Areas Heritage Study Stage 2 by Authentic Heritage Services Pty Ltd, David Rowe & Lorraine Huddle**

Statement of Significance:

*... the cottage at 375 Barwon Heads Road is **aesthetically significant** at a local level ... it demonstrates original design qualities of the Victorian style ... including hipped slate roof, course bluestone wall construction, timber framed twelve pane double hung windows with tooled bluestone surrounds including the lintels and sills, central four panelled timber door with highlight and tooled bluestone lintel, narrow eaves and the placement and construction of the unpainted brick chimneys ...*

*... the cottage at 375 Barwon Heads Road is **historically significant** at a local level ... it is associated with the development of farming and tanning in Marshall in the 19th century*

Recommendation: Heritage Overlay City of Greater Geelong
(Unfortunately this recommendation was not implemented)

3.2 2019 July **City of Greater Geelong MARSHALL Precinct Structure Plan Page 30** Character Heritage and Housing, Heritage Requirements, Heritage Guidelines

- *The Bluestone cottage (CHA01) to be preserved and included where possible in any future development.*

•

3.3 2020 August **Consultation with Major Road Projects Victoria**

Representatives from Mount Duneed History Group and Geelong and Region Branch National Trust were invited to meet Major Road Projects Victoria, for consultation about Marshall heritage places impacted by Barwon Heads Road duplication

3.4 2020 December **Marshall Bluestone Cottage Community Group was formed** (herein abbreviated as MBCCG)

4. Recent Consultation

Marshall Bluestone Cottage Community Group (MBCCG) wish to thank Council for their involvement in the project to relocate and reconstruct the Marshall Blue Stone Cottage.

In particular the commissioning of Consultants to provide the feasibility report which has looked at five options for the site location and possible modifications to the original cottage for future community uses. MBCCG also thanks Council for the opportunity to be briefed on the Feasibility Study and be able to lodge a response.

.....

Marshall Bluestone Cottage Community Group (MBCCG) five member committee, received a briefing from Matt Drysdale Office of Collective Design (OCD), representing the Consultant Team ODC, SBP Advisory and WT Partnership, on 21st June 2022. We were asked to provide a response within three weeks.

The briefing was about the five Options and the conclusions of the *Bluestone Cottage Relocation Feasibility Study Final Draft Report for Discussion* June 2022.

This MBCCG committee was representing a database of 870 people supporting a **Concept Proposal** for the Cottage to be relocated and rebuilt on the J F Field Park, as Marshall Town History House, for tourist information, public use by community groups and a collection repository for Marshall history.

From February 2021 to June 2022 the MBCCG web page has had 7,899 views, see web page at: <https://marshallbluestonecottage.org>

Marshall Cottage Facebook page has 752 followers: <https://www.facebook.com/marshallcottage>

This MBCCG **Concept Proposal** is described as Option 1. In the *Bluestone Cottage Relocation Feasibility Study Final Draft Report for Discussion* June 2022 (herein referred to as *Feasibility Study*).

5. Reasons for MBCCG seeking genuine reconstruction

The dismantling of the Cottage revealed in detail the construction methods used by working class rural people to build a modest sized, strong, well proportioned and enduring family home 160 years ago.

A genuine reconstruction using the original materials, or like for like materials, and referencing the video recording and any other records including photographs, taken by *Abode Restorations*, their subcontracting *Archaeologists*, and their subcontracting dismantling firm *Norris Group* and their subcontractors, and *Major Road Projects Victoria*, will be a rare opportunity to create a place of lasting architectural interest.

The knowledge of the building materials, and construction methods and techniques of early pioneer buildings, concerned with domestic and functional rather than public or monumental buildings, is a chance to learn about early Geelong region vernacular architecture.

6. Response to the proposed locations, or outcomes, of the five options

The MBCCG Option 1 location was suggested based on the resolution carried by Council on 22nd June 2021.

22nd June 2021 City of Greater Geelong Council meeting

Cr Murrhiy moved, Cr Asher seconded -

That Council request the Chief Executive Officer to:

- 1. Write to Major Roads Project Victoria to seek agreement to appropriately dismantle and store the cottage, and consider options that facilitate the cottage to be restored for use within the local area; and**
- 2. Investigate sustainable options for the cottage to be restored for public purposes in the Marshall and Charlemont areas and report to Council by December 2021.**

Carried.

MBCCG does not accept that the location / outcomes of three of the five Options are suitable. We suggest that the following three Options should not be considered because they do not fulfil the intent of the City of Greater Geelong Council resolution 22nd June 2021.

Option 2 Major Road Projects Victoria Interpretation footprint

This Option proposes three alternative locations in J F Field Reserve. Although this does fulfil the intent of the Council Resolution as far as the requirement to be in the Marshall Charlemont area goes, the concept of an "Interpretation Footprint" using some recycled bluestone does not investigate the cottage being 'restored for public purposes', as per the 22nd June 2021 resolution

Option 4 Marshall Station Precinct

This Option is too distant from the original site and is complicated by the land not being Council owned, and therefore the building use may not be available for 'public purposes', as per the 22nd June 2021 resolution

Option 5 Cobbin Chapel and Homestead Grovedale

This option is in Grovedale, not in the 'Marshall and Charlemont areas', as per the 22nd June 2021 resolution

The intent and spirit of Council's 22nd June 2021 resolution is to retain the Cottage within the historical context of Marshall.

Therefore this submission will consider only Options 1 and 3 because the other three locations or outcomes proposed for Option 2, Option 4 and Option 5, do not comply with Council's 22nd June 2021 resolution.

OPTION 1 does comply with the 22nd June 2021 resolution

Option 1 provides for sustainable future uses for public purposes, and for genuine restoration. The location in J F Field Park, is on a highly visible site of the Marshall area. It has the added advantage of provision of public conveniences, and proposed car parking, for users of the adjacent tennis court and playground.

OPTION 3 does comply with some aspects of the 22nd June 2021 resolution

The Option 3 location is in an area off Field Court north-west of Marshall Reserve, which is set well back from Barwon Heads Road and is not clearly visible to passers by. This location does not enable the Cottage to be a 'landmark'. Although Option 3 provides for public use purposes, it does not provide for authentic restoration of the Cottage, but proposes a heritage façade only rebuild.

7. Assessment criteria table (*Feasibility Study 07.01*), five more Criteria

The ten evaluation criteria in the *Feasibility Study* on page 26, are broad and justifiable from the standpoint of Council probity and trying to achieve value for money for the community, however the heritage value of the Cottage was not considered in these ten Criteria.

The scoring based on these Criteria is baffling, for example Option 2, which is described as "*having limited community use options, wastage of retained materials, and negative community feedback*", scores higher than Option 1.

In addition to the ten Criteria listed on page 26 of the *Feasibility Study*, there are more specific aspects of this project that are also important from a local community viewpoint.

The MCCGG believe that the most beneficial outcome for the community would be for the cottage to be rebuilt in as close as possible location to the original cottage, and to be authentically reconstructed in order to give the community a direct link to the historical past of this particular Marshall area.

Also to gain the greatest advantage from the careful dismantling, retention and storage of the original fabric, by Major Road Projects Victoria, and now the City of Greater Geelong commitment to a best practice outcome for this undertaking, we suggest the Criteria need augmenting.

To this end MBCCG suggest that five additional evaluation criteria, A, B, C, D and E are added to the ten in the Assessment Criteria Table (07.01 page 26).

A. Retention of sense of place of the cottage in accordance with Burra Charter principles, in particular Article 8

Article 8. Setting

Conservation requires the retention of an appropriate *setting*. This includes retention of the visual and sensory setting, as well as the retention of spiritual and other cultural relationships that contribute to the *cultural significance* of the *place*.

New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate

Article 1. Definitions

1.2 *Cultural significance* means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

Cultural significance is embodied in the *place* itself, its *fabric, setting, use, associations, meanings, records, related places* and *related objects*.

Places may have a range of values for different individuals or groups.

Article 9. Location

9.1 The physical location of a *place* is part of its *cultural significance*. A building, work or other element of a place should remain in its historical location. Relocation is generally unacceptable unless this is the sole practical means of ensuring its survival.

9.3 If any building, work or other element is moved, it should be moved to an appropriate location and given an appropriate *use*. Such action should not be to the detriment of any *place* of *cultural significance*.

B. Authentic reconstruction in accordance with Burra Charter principles

Article 1. Definitions

1.7 *Restoration* means returning a *place* to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material.

1.8 *Reconstruction* means returning a *place* to a known earlier state and is distinguished from *restoration* by the introduction of new material.

Article 3. Cautious approach

3.1 *Conservation* is based on a respect for the existing *fabric, use, associations* and *meanings*. It requires a cautious approach of changing as much as necessary but as little as possible.

3.2 Changes to a *place* should not distort the physical or other evidence it provides, nor be based on conjecture.

Article 4. Knowledge, skills and techniques

4.1 *Conservation* should make use of all the knowledge, skills and disciplines which can contribute to the study and care of the *place*.

C. Landmark presence to signify the Marshall environment

A landmark is defined as an object or feature of a landscape or town that is easily seen and recognised from a distance, especially one that enables someone to establish their location.

The Cottage on its original site at the intersection south-east corner was a well known Marshall landmark.

From the MBCCG Concept Proposal:

- the Cottage was a well known local landmark with high visibility and relocation at the same intersection is appropriate

Option 1 - rebuilding the Cottage on the south-west corner of the same intersection, enables the Cottage to be easily seen when approaching from four directions when approaching the intersection. From Barwon Heads Road, looking north and looking south, from Tannery Road looking west and from Marshalltown Road looking east.

D. Complementing existing community infrastructure

J F Field Park Marshall Reserve already serves community leisure and family purposes with the tennis court and playground facilities. The provision of public toilets and off-street parking will enhance this existing infrastructure. The area proposed in Option 1 for the Cottage is not open space that is used for any outdoor activity.

E. Transforming 'heritage value' into a measurable asset ¹

Whether a heritage place should be conserved, or how it should be conserved, is often decided according to the financial cost.

Cost underlies the choice between what is proposed in Option 3, which is an external heritage facade with a cheaper modern interior, compared to Option 1, which is a genuine reconstruction, externally and internally.

The value of heritage needs to be translated into a quantifiable value to compete with the other costs that are easily estimated in dollar terms. The extra cost of a proper best practice conservation reconstruction of the Cottage is worthwhile because of the intangible heritage value.

The term 'heritage value' refers to **the meanings and values that individuals or groups of people bestow on heritage** (including collections, buildings, archaeological sites, landscapes and intangible expressions of culture, such as traditions).

The heritage value of a site, building or object lies in its **cultural significance**, which is a combination of historical, symbolic, spiritual, aesthetic and social values.

From an economic point of view, the value of a cultural heritage asset lies in the benefits that can be derived from its direct and indirect use.

There are several ways in which cultural heritage can directly and indirectly contribute to society and economy. This can be contributions to commercial activities and citizens' cultural participation. The contribution can be to other cultural areas, the tourism and leisure sector. More specifically, contributions for instance include:

- Cultural tourism, tangible cultural heritage as tourist attractor (experiential value)
- Regional regeneration, conservation and (adaptive) re-use of historic buildings

¹ Environmental Economics Research Hub ANU, *Measuring the Economic and Cultural Values of Historic Heritage Places* David Throsby, Vinita Deodhar, Bronwyn Hanna Bronwyn Jewell, Zena O'Connor, Anita Zednik November 2010

- Education
 - Citizen cultural participation, museum/site visits, cultural learning, volunteering
 - Soft location factors, quality of life, historical depth, cultural identity, sense of belonging.
- The contribution of the educational function of heritage places is included under citizens' cultural participation. Particularly highlighted should be the contribution cultural heritage makes to soft location factors such as cultural identity, quality of life and sense of belonging. While museums and sites will rarely be a determining factor in locational decisions of businesses and individuals, their presence can still be an important secondary factor.

But contributions may not be realised just by the existence of cultural heritage, especially if it sits in a museum storage or archive. Even if it is present in the public sphere, it may contribute to a lesser degree than it could. Therefore, the emphasis is on the communication of cultural heritage content and experiences through innovative approaches, products and services.

The five criteria above, are based on local knowledge, and community input about the values that local people attribute to the Cottage. These values have been acquired by local people interacting with their surroundings – people, landscape, culture etc. It is the knowledge that the local people have and people who live elsewhere do not.

When these five criteria are added, **Option 1** is significantly elevated against the other options. A possible scoring for these five Criteria might be:

	Option 1	Option 2	Option 3	Option 4	Option 5
<i>Feasibility Study scores</i>	15.9	18.0	25.5	18.7	22.7
Criteria A: Retention of sense of place of the cottage in accordance with Burra Charter principles	3	0	1	1	1
Criteria B: Authentic reconstruction in accordance with Burra Charter	3	0	1	1	1
Criteria C: Landmark presence to signify the Marshall environment	3	0	0	0	0
Criteria D: Complementing existing community infrastructure	3	0	0	0	0
Criteria E: Translation of 'heritage value' into a measurable asset	3	0	1	1	1
REVISED TOTAL	30.9	18.0	28.5	21.7	25.7

MBCCG believe that **Option 1** fulfils the objectives of retaining an historic building in the most adjacent available site to the original site, and also gives current residents a direct link to the immediate past. This retains a sense of place, reconstructs according to Burra Charter best practice, provides community benefits, and demonstrates the practical measurable value of a heritage place such as social community use, and a venue for cultural activities.

8. Option 3 - mixed use and community garden

MBCCG agree that Option 3 has some merit when taking into consideration the criteria developed by Council and the consultant, which are different to the criteria being suggested by MBCCG, under which it is the second best viable option.

Option 3 is a renovation, not a reconstruction of the Cottage. It proposes a façade only end result. Facadism is often employed as an easy option to deal with heritage places, it ignores authenticity and adaptive reuse. The result is a hollow imitation of the character and value of a heritage place.

Option 3 Location

Whilst MBCCG supports some aspects of Option 3, the location of Option 3 is unsuitable in comparison to Option 1.

The location is visible only from Barwon Heads Road, it is set back too far from the road and obscured by car parking.

This obscurity is liable to lead to vandalism.

Option 3 location has no advantage regarding zoning because it is zoned PPRZ Public Parks and Recreation the same zoning as the location of Option 1

Option 3 Rebuild

The *Feasibility Study* says on page 20 that Option 3 proposes that only the exterior of the building will be reconstructed, not the interior. Internally the Cottage will be “constructed to a standard value-managed manner to reduce cost and specialist trades”.

Indicative Reconstruction Costs *Feasibility Study* page 26, 07.02 and *WT Partnership Bluestone Cottage Marshall Preliminary Cost Estimate No 1, 4th February 2022*

The *WT Partnership Bluestone Cottage Marshall Preliminary Cost Estimate No 1, 4th February 2022*, pages 3 and 5, calls Option 3 a ... *new build with internal modern construction and finishes.*

Page 3 *OPTION 3 – NEW BUILD OF BLUESTONE COTTAGE*

Page 5 ... *The façade will match the previous design however the internal construction and finishes will be more modern.*

In the same document cost estimates for Options 1 and 3 are detailed and provide a reasonable interpretation of rebuilding works, with “like for like” for Option 1.

However option 3, which is the Consultant’s preferred option, contains building elements which are inconsistent with authentic reconstruction.

These include:

- A concrete slab on ground with timber finish
 - not timber stumps as in original
 - notes at the end of the estimate assume a vinyl floor
- internal walls to be timber framed with plasterboard finish
 - original internal brick walls were brick
- roof to be engineered meaning trusses
 - roofing to be sheet metal
 - original roof was slate
- chimneys have been allowed for but the extent is unclear
 - there was discussion at the briefing about building *faux* (fake) chimneys with just the top of the chimney appearing above the roof but no actual internal working chimney and fireplace
 - the two chimneys and fireplaces in the original Cottage were complete and in working order

MBCCG does not accept the construction methodology for Option 3 outlined in *Bluestone Cottage, Marshall - Preliminary Cost Estimate no 1*, 4th February 2022 by WT Partnership because it is not consistent with a genuine reconstruction of the original Cottage.

9. Option 1 Reconstruction - per the Burra Charter

The *Feasibility Study* investigates in great detail the fabric of the building and the possible methodology of reconstruction. This will be extremely beneficial in the process going forward and the consultants are to be commended for their work.

The MBCCG committee members who have contributed to this response, have experience and knowledge of other conservation projects and would be happy to assist in the areas of technical engineering, building and architecture, research, heritage property management, graphic art design, retailing and tourism.

Detailed knowledge of various aspects of the building is available.

9.1 Option 1 Reconstruction of the built fabric of the Cottage.

Specialised **heritage engineers and builders with heritage building experience** are required to be involved in the reconstruction of the building.

Not all of the salvaged materials may be suitable for the reconstruction of the cottage. MBCCG suggest that the following items be considered in the reconstruction.

9.2 Option 1 Reconstruction goals

The building be reconstructed in as close as possible form, to the original, including timber floors, complete fireplaces and chimneys, rubble wall construction of interior skin of external walls - required if bluestone is not evenly dimensioned in depth.

Any walls removed should still give evidence of the existence of the wall, by reconstructing nib walls and parts of walls over the proposed openings. Retaining evidence of the hallway would be desired.

Establish a subfloor space of minimum 600mm, in order to re-establish a timber framed floor. Boards to be same timber and dimension as original.

Stumps should be dressed round, not square sawn, but circular sawn through small tree trunks, as in the original building, and seen in the filming taken by Major Roads during dismantling.

Provide foundations to the underside of bluestone walls in order to start bluestone at ground level. All internal walls (excluding the inner skin of the external walls) should be solid brick. Internal skin of external wall to be constructed in the same manner as original, utilising a bluestone rubble.

Unpainted fireplaces and chimneys should be reconstructed in accordance with proven design to provide working fireplaces. Exposed chimneys should utilise the salvaged bricks from the original chimneys.

Roofing slate tiles should be the same size as original. If some of the existing slates are deemed to have reached their useful life, then new Spanish or Welsh slate could be considered.

Appropriate curtilage being designated around the cottage to provide a context of "residence". Evidence found in the MRPV Archaeology Report would contribute to this.

Historical information regarding the Marshall area Indigenous people, and the development of European settlement in the Marshall area, be curated by Council, and available in the Cottage historical collection.

10. Option 1 - Future sustainable use, community benefit and public purposes

The priority is to provide a sustainable use in Marshall Town History House that gives the local community and visitors a sense of the history of Marshall.

MBCCG believe there are many community users who would be happy to utilise the spaces a reconstructed cottage in its original form would offer.

For long term viability the Cottage original room sizes should be retained for small group use, as it's not easy for Council to fulfil the need to accommodate small groups.

These groups might be:

Gardening groups

Children's play groups

Local history groups,

Art groups

Disability groups

Hobby groups

Fitness groups

Morning coffee groups

Other uses include:

- booked school excursions

- booked visitor bus groups

10.1 Option 1 - Tourism information

Genuine reconstruction of the Cottage adds to Greater Geelong’s stable of tourist attractions. Providing a Tourist / Visitor information Centre is a public benefit and is also another example of a sustainable use.

Locating the Cottage at the intersection of Barwon Heads Road with Tannery and Marshalltown Roads makes an ideal walk-up tourist information centre for visitors arriving from the south of Geelong. There is no other information centre on the south of the city for tourists coming via the Queenscliff ferry or via Barwon Heads. This centre could provide an online internet search facility. Different accreditation requirements vary the hours the centre has to be open.

The white **i** Tourist Information Centre does not need to open every day.

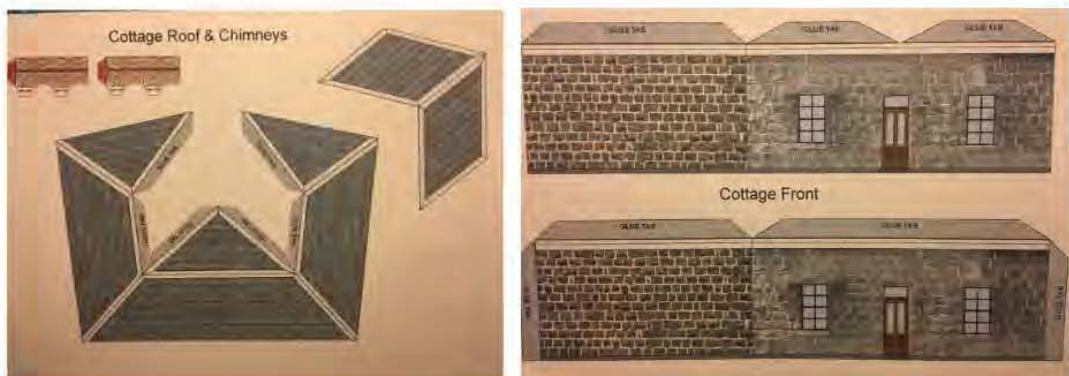


The Cottage could be part of the new strategy of *Pause Stop*, launched recently by Victoria Tourism Industry Council (VTIC), or any other new tourism promotion possibilities. With the increase in self-drive holidays across the State, VTIC announced an extension of their popular *Pause Stop* program throughout Victoria to encourage motorists to plan their road trips ahead and take a regular break at one of the information centres on their route.

10.2 Option 1 - specialised local artisan gifts, souvenirs and information

MBCCG foresees a range of goods being available for sale at **Marshall History House** relating to the wool industry history of the Marshall area, and the heritage of the Cottage. Some examples produced by MBCCG members shown below.

- cottage model



- postcards



Other suggestions:

- soap (related to early local industries)
- spreads (made from local ingredients)

10.3 Option 1 - Car parking

The highlighted pink outline on the image below indicates an approximate curtilage of the Option 1 proposal. Within this curtilage there is sufficient area to cater for several car parking spaces and access driveways.



Car parks are suggested within this curtilage with the requirement that there would be very little impact on usable open space, or damage to any significant trees.

This would create off-street car parking so that there is no interference to or lessening of local car parking.

MBCCG suggest appropriate arrangements are made in relation to car parking to ensure the safety of children using the adjacent play ground.

Additionally there are seven car parks proposed in Field Court approximately 80 metres away, that could be utilised to link to for Option 1 with facilitated footpaths.

11. City of Greater Geelong visionary and aspirational strategic plans

The Bluestone Cottage *Feasibility Study* on page 13 refers to consultation with ... *Council Officers from Urban Design and Heritage, Social Planning and Investments, and Social Infrastructure.*

The *Feasibility Study* has omitted to measure and consider important values and priorities of the City of Greater Geelong, outlined in strategic planning documents such as "Our Community Plan 2021-25".

"Healthy, Caring And Inclusive Community" is a pillar central to everything council does and requires broader input and perspectives by stakeholder City of Greater Geelong departments: Tourism, Marketing, Art and Culture, Events, Health and Wellbeing, and Community Life.

The MBCCG proposal identifies the rich architectural history and industrial heritage of the local area and recognises that supporting economic growth by leveraging tourism, staging and marketing events and creating intergenerational and intercultural opportunities for social connection fulfils community aspirations of the City of Greater Geelong Council.

Another strategic plan, *Greater Geelong 'Clever and Creative Future*, written in 2017 after input from 16,000 local people, says that one of Greater Geelong's community values is preserving our heritage, and that one of the measures of success is increasing the percentage of the community actively participating in arts and cultural activities

The MBCCG Option 1 proposal enables the possibility of achieving these aspirations.

12. Support from local businesses and / or corporate sponsors

In accordance with City of Greater Geelong policy of sponsorship, MBCCG members are confident it would be possible to acquire contributions and donations of materials or other support, from businesses or corporations, for the reconstruction and future ongoing operations of the Cottage.

13. Conclusion

The heritage value of the Bluestone Cottage is central to the Mission of the Marshall Bluestone Cottage Community Group (MBCCG). The overarching goal of the Group is to give the Marshall Community a tangible sense of connection with its past.

Despite this, the assessment criteria used to evaluate the various options did not include the heritage value of the Bluestone Cottage. This aspect of the Report is considered as a fundamental failing due to omission.

The Report proposed 5 site options. Again, proper regard of the heritage value of the Bluestone Cottage demands that genuine reconstruction take place on a site as close as possible to the original site. For this reason, only Option 1 is considered in keeping with the Mission of the MBCCG because it has the closest location to the original site, and an accurate reconstruction methodology.

2.2. Establishment of an LGBTQIA+ Advisory Committee

Source: Community Life
Director: Robyn Stevens

Purpose

1. For Council to endorse the establishment of a Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and Asexual (LGBTQIA+) Advisory Committee.

Background

2. At the 28 June 2022 meeting Council, in support of LGBTQIA+ community, requested the Chief Executive Officer prepare a report for the August 2022 Council meeting that considers the establishment of an LGBTQIA+ Advisory Committee including:
 - 2.1. Terms of Reference;
 - 2.2. membership composition;
 - 2.3. relevant timelines;
 - 2.4. resourcing/budget allocation requirements; and
 - 2.5. other governance details relating to the functioning of the Advisory Committee.
3. To date, Council has supported the LGBTQIA+ community and individuals through a range of programs and events. These have included the establishment of the Gender and Sexuality Project for young people, flag raising, staff training and events such as IDAHOBIT and Wear It Purple Day.

Key Matters

4. The establishment of an LGBTQIA+ Advisory Committee presents an opportunity for strong engagement with this community. A draft Terms of Reference (Attachment 1) sets out the roles and responsibilities of the Committee and its operations.

RESOLUTION - Item 2.2

Cr Mansfield moved, Cr Moloney seconded -

That Council:

1. **Endorse the establishment and resourcing of an LGBTQIA+ Advisory Committee;**
2. **Endorse the LGBTQIA+ Advisory Committee Terms of Reference; and**
3. **Allocate \$20,000 from the 2022/23 budget for the establishment of the LGBTQIA+ Advisory Committee.**

Carried

Financial Sustainability

5. Establishment of the LGBTQIA+ Advisory Committee will have financial implications which will need to be considered. Staff resourcing and other costs associated with coordination of the Committee is estimated at \$40,000 including facilitation of meetings, recruitment and two events per annum to celebrate days of significance.
6. A budget allocation of \$40,000 annually is required for the establishment and operation of the Committee. This includes a combination of staff and other costs. In addition to its advisory function the Committee will assist in the coordination of events such as IDAHOBIT, Wear It Purple and other days of significance to the LGBTQIA+ community.

Community Engagement

7. The establishment of an advisory Committee will provide the City with improved opportunities to engage and consult with members of our local LGBTQIA+ community.
8. Membership composition proposed is that that one Councillor, the Director Community Life or delegate, and a minimum of six and up to ten community members be chosen to represent the LGBTQIA+ community.
9. A draft timeline (Attachment 2) for establishment of the committee and recruitment of members has been formulated with recruitment beginning 5 September 2022 and recommendations of members being endorsed by Council in November 2022. The first LGBTQIA+ Advisory Committee is proposed for February 2023.

Social Equity and Sustainability

10. The Social Equity Framework identifies LGBTQIA+ communities as a priority group for the City of Greater Geelong. According to our research and data, we know that identified priority groups experience increased disadvantage such as accessing services, structural inequalities, linguistic and cultural barriers, discrimination and stigma, and geographical distance and isolation. We recognise and commit to addressing barriers experienced by these groups and build a safer and more inclusive community.

Relevant Law/Policy/Legal Implications

11. This report complies with Council's obligations under the *Local Government Act 2020*.
12. Other relevant legislation:
 - 12.1. *Victorian Gender Equality Act 2020*;
 - 12.2. *Victorian Public Health and Wellbeing Act 2008*;
 - 12.3. *Victorian Equal Opportunity Act 2010*; and
 - 12.4. *Victorian Charter of Human Rights and Responsibilities Act 2006*.

Alignment to Community Plan and Vision

13. This report aligns with Our Community Plan 2021-2025 strategic priority:
Healthy, caring and inclusive community.
14. This report aligns with the Community led 30-year Vision, “Greater Geelong: A Clever and Creative Future” community aspiration:
An inclusive, diverse, healthy and socially connected community.

Conflict of Interest

15. No officer involved in the preparation of this report declared a general or material conflict of interest.

Risk Assessment

16. It is considered that there are no risk considerations associated with this report.

Environmental Sustainability

17. It is considered that there are no Environmental Sustainability considerations associated with this report.

Attachments

1. LGBTQIA Advisory Committee Terms of Reference 2022-2024 [2.2.1 - 9 pages]
2. 2022 2024 LGBTQIA Advisory Committee - Recruitment process and timeline [2.2.2 - 2 pages]

THE CITY OF
GREATER GEELONG

LGBTQIA+ ADVISORY COMMITTEE



TERMS OF REFERENCE

VERSION: 01

Approval Date	<i>DRAFT</i>
Approved by	Council
Review Date	Click here to enter a date.
Responsible Officer	Manager Connected Communities
Authorising Officer	CEO

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Introduction

PURPOSE

The Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual, Plus (LGBTQIA+) advisory committee's purpose is to provide advice and recommendation to council on issues that affect people in the City of Greater Geelong who identify as LGBTQIA+ and their families. The committee will also promote and advocate for equality and social inclusion of LGBTQIA+ community.

The advisory committee is part of the City's commitment of a 'Safe and Inclusive City for all' – A Clever and Creative initiative and will contribute to the promotion of Council and community collaborations focusing on the inclusion of the LGBTQIA+ community.

AUTHORITY

The committee is an advisory committee and does not have delegated authority, reporting to Council as required.

The committee may appoint working groups to pursue specific projects and issues on an as-needed basis.

The committee has no financial delegation authority.

Individual committee members have no authority to independently represent the committee, the City or Council or provide independent submissions, information or feedback on behalf of the committee to any external bodies, committees, forums, meetings or organisations.

OBJECTIVES AND FUNCTIONS

To represent the interests of all people within the LGBTQIA+ community in the Greater Geelong municipality.

Provide feedback and advice to Council on the impacts of its policies, plans and services on the LGBTQIA+ community.

Support Council in community engagement and consultation with LGBTQIA+ groups and communities.

Provide advice to Council on issues and barriers that affect people who identify as LGBTQIA+.

Participate and contribute in discussions about Council's role in addressing and reducing homophobia, biphobia, transphobia and other forms of sex or gender based discrimination in the community.

Definitions

Act

The *Local Government Act 2020*.

CEO

The Chief Executive Officer of the City appointed by Council.

City

The administration of the Greater Geelong City Council, led by the Chief Executive Officer.

Council

The Greater Geelong City Council.

Councillor

Elected officials representing the City of Greater Geelong, including the Mayor.

Council officer

All staff of the City, including all contractors and volunteers engaged by the City, and the Executive Leadership Team.

Conflict of interest

Has the same meaning as defined in the Act.

ELT

Executive Leadership Team consisting of the Directors of the City who all report to the Chief Executive Officer.

LGBTQIA+

The Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual, Plus.

Terms of Reference

COMMITTEE TERM

Term starts

The committee's term starts on the day following the Council resolution to adopt the committee's terms of reference.

Term ends

The committee's term ends on the day of a Council resolution to abolish the committee.

MEMBERSHIP

Appointment of the chairperson

Council by resolution, will appoint a councillor to be chairperson.

If the chairperson is absent from a meeting, the members present shall elect a chairperson for that meeting.

Role and responsibility of the chairperson

The chairperson is expected to perform the following roles:

- Ensure the committee functions follows the terms of reference;
- Approve the agenda;
- Conduct meetings with the degree of formality appropriate;
- Facilitate the flow of information during meetings; and
- Approve draft minutes after each meeting.

Membership and Eligibility

The committee will comprise a membership that is appropriately experienced and skilled in matters relating to LGBTQIA+ community. Membership will be drawn from Council, City officers, representatives of relevant authorities and community representatives.

The committee will be made up from the following eligible members:

- One councillor: Chair;
- One council officer: Director Community Life, or delegate; and
- A minimum of six and up to ten community members chosen to represent the broader spectrum of people living or working in the City of Greater Geelong representing the diversity of the Geelong's LGBTQIA+ community and allies.

Specific areas desirable to be covered may include young people, Aboriginal and Torres Strait Islander people, people from a Culturally and Linguistically Diverse (CALD) Background, people with a disability.

ROLE AND RESPONSIBILITY MEMBERS

Nomination of Eligible Members

Terms of Appointment

Eligible members will be appointed for a period of two years.

LGBTIQA+ Advisory Committee member completing a two-year term may re-apply for a further two year term.

No community member may serve more than two consecutive terms.

If a member does not attend at least three (3 i.e. half of the minimum number of meetings to be held in a calendar year) meetings per year without prior notification being given, their position may be become vacant.

Eligible members must remain as such in order to maintain membership. If an eligible member no longer meets the criteria to be an eligible member during their term, their membership will be revoked, and a new eligible member appointed in accordance with the selection process for the remainder of the term of the person who becomes ineligible.

Vacancies

If a vacancy occurs for any reason, it will be filled at the discretion of the Director Community Life.

A position will be deemed to be vacant if a community representative fails to attend for three consecutive meetings without reasonable excuse.

Facilities and Resources

Any disability-related support required to enable participation in the committee will be provided by the City. Support for access requirements, includes attendant care, language interpreters, (including Auslan) and other reasonable costs.

Meeting visitors

Persons may be invited to attend meetings to give a presentation or provide information related to the committee's business and in direct line with the City's Core Business. Approval for attendance will be provided by the City.

Meeting visitors will be made aware of their responsibilities and obligations about conflicts of interest and use and disclosure of information.

MEETINGS

Frequency of meetings

The committee will meet quarterly but may meet more regularly as it deems necessary.

Notice of a meeting will be given to all members at least two weeks in advance of the meeting unless exceptional circumstances exist.

Meeting minutes and agendas will be circulated at least one week prior to the meeting.

Minimum meeting attendees

A quorum for a meeting shall be one more than half of the membership of the committee.

The minimum number of meeting attendees must at all times include at least one representative of elected committee members.

Conflicts of interest

If a member has a conflict of interest in relation to an agenda item this must be declared, and the member must refrain from participating in the decision-making process.

Misuse of information

All information received by members in the course of their work as members is confidential and must not be shared with any party outside Council.

REPORTING

Accurate minutes will be kept of each meeting.

Full copies of the minutes, including attachments, will be provided to all members no later than one week following each meeting.

SECRETARIAT

The Community Inclusion unit of Council accepts responsibility for directly supporting the committee and will provide secretariat services for the committee. This involves convening meetings, providing all documentation, recording meeting notes and publishing the annual report to Council and the community.

REVIEW

The terms of reference for this committee will be reviewed every four years.

Records

Records shall be retained for at least the periods shown below.

Table 1: Record retention and disposal schedule

Record	Retention / Disposal Authority	Retention Period	Location
Records relating to arranging and facilitating committee meetings.	PROS 09/05 VAR 1 Retention and Disposal Authority for Records of Local Government Functions	Temporary	Destroy after administrative use has concluded.
Records of general administrative nature relating to management of committee meetings, including the preparation and circulation of minutes, use of premises where the meetings take place and travel arrangements for attendees.			

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CITY OF GREATER GEELONG

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CUSTOMER SERVICE CENTRE

Geelong
100 Brougham Street
Geelong VIC 3220
8:00am – 5:00pm

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THE CITY OF
GREATER GEELONG

PROPOSED RECRUITMENT AND TIMELINE FOR THE LGBTQIA+ ADVISORY COMMITTEE 2023 -2024



PROCESS AND TIMELINE FOR MEMBER SELECTION (NOV 2022)

The City's LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER, INTERSEX, ASEXUAL, PLUS (LGBTQIA+) Advisory Committee consists of up to ten Community members plus two Council (Councillors) representatives.

The positions will be advertised as an Expressions of Interest, and the recruitment process will take place in accordance with the Terms of Reference.

APPOINTMENT OF MEMBERS – as outlined in the Terms of Reference

1. Recruitment

There are 10 positions on the Committee, these positions will be advertised, and LGBTQIA+ community members are encouraged to apply.

Advertising for members will be promoted throughout the City utilising local and daily newspapers and other avenues as appropriate in both print and digital media starting on the 5 September 2022.

2. Selection Criteria

The recruitment and selection criteria will include a focus to encourage people with a lived experience and identifies as someone on the LGBTQIA+ spectrum, and that a balanced membership is achieved ensuring the following representation:

- Knowledge, lived, living or experienced of the needs and issues relevant to the inclusion of the Greater Geelong LGBTQIA+ community
- An interest or experience in local community partnerships, advocacy, networks or activities
- The ability to contribute to the strategic development of LGBTQIA+ inclusion at local government level
- Ability to consult with the LGBTQIA+ community and represent a wide range of views
- Knowledge and/or experience of the role of an advisory committee

Specific areas desirable to be covered in this round may include young people, Aboriginal and Torres Strait Islander people, people from a Culturally and Linguistically Diverse (CALD) Background, people with a disability.

3. Selection Panel

The selection panel consists of two Council representatives and one external representative and will include the following members:

- Manager Connected Communities
- Team Leader Community Inclusion
- Person who identifies as part of the LGBTQIA+ Community

The Selection Panel will make recommendations to Council following consultation with the Portfolio Holder. Council has the final decision on appointments.

4. ACTIONS REGISTER - Recruitment Timeline and Procedure

DUE DATE	PROCEDURE	OFFICER	STATUS & DATE
	APPROVAL PROCESS		
23 August 2022	Council Meeting	Director Community Life	
	APPLICATIONS OPEN		
5 September 2022	Marketing and Communication Plan activated. Print and digital media advertising to occur calling for EOIs		
5 September 2022	Emails sent to local networks inviting EOIs from community members	Team Leader Community Inclusion	
	APPLICATIONS CLOSE		
10 October 2022	Assess applications and make recommendation to Manager Connected Communities and Coordinator Community Inclusion	Team Leader Community Inclusion	
17 October 2022	Interviews are booked with shortlisted candidates via online platform	Team Leader Community Inclusion	
17 October 2022	Candidate application emailed to Panel	Team Leader Community Inclusion	
24 October 2022	Interviews conducted	Selection Panel	
	RECRUITMENT COMPLETED		
31 October 2022	Briefing report with recommendations to Director, Robyn Stevens, for endorsement	Manager Connected Communities	
7 November 2022	Recommendations endorsed by the Director	Manager Connected Communities	
14 November 2022	Recommendations sent to the CEO for endorsement	Manager Connected Communities	
21 November 2022	Recommendations endorsed by the CEO	Director Community Life	
28 November 2022	Mayor and Councillor update that the CEO has endorsed the recommendations	Manager Connected Communities	
5 December 2022	Successful applicants notified followed by unsuccessful applicants	Team Leader Community Inclusion	
12 December 2022	Media release	Communications and Media Officer	
30 January 2023	Council induction booked for the new LGBTIQ+ advisory committee members	Team Leader Community Inclusion	
February 2023	Proposed first LGBTIQ+ Advisory Committee meeting	Team Leader Community Inclusion	

2.3. Proposed Amendment C435ggee and Planning Permit PP-468-2021 - 190-216 Princes Highway, Corio (KFC Site Stead Park)

Source: City Planning & Economy
Director: Gareth Smith

Purpose

1. To seek Council support to prepare and exhibit Amendment C435ggee to the Greater Geelong Planning Scheme under Section 96A of the *Planning and Environment Act 1987*.

Background

2. The amendment affects the land at 190-216 Princes Highway, Corio forming part of Stead Park. The affected land includes a KFC restaurant and take away food premises and associated access and car parking.
3. An application has been received from St Quentin Consultants on behalf of Council to rezone the land in advance of its sale which was endorsed as part of the recent budget.
4. The site is currently zoned Public Park and Recreation Zone (PPRZ) and is partly affected by the Special Building Overlay (SBO).
5. The amendment seeks to rezone the land from PPRZ to the Commercial 2 Zone (C2Z) and apply the Road Closure Overlay (RCO).

Key Matters

6. The purpose of the combined application is to amend the planning zoning and to subdivide to assist the future sale of the site and provide the future owner with a commercially useable and developable site.
7. The land is currently leased on a retail lease to KFC until 2033, which has occupied the site since the 1980s. Through the recent council budget, it has been resolved to sell the land as it is not used for or required by Council for public open space purposes.
8. Significant drainage assets are located within proposed Lot 2 and a 7m wide easement for drainage purposes is proposed over the main drain.
9. The St Georges Road Flood Study recommended augmentation of the main drain to mitigate flooding higher in the catchment. Whilst construction is not currently a high priority, any subdivision must not compromise the ability for works to be undertaken. The draft permit will include a condition to set aside an additional easement within the 'car park' portion of Lot 2 to allow for a future pipe alignment.

ORIGINAL RECOMMENDATION

Cr Murrhly moved, Cr Aitken seconded –

That Council:

- 1. Support the preparation and exhibition of Amendment C435ggee to the Greater Geelong Planning Scheme to:**
 - 1.1 Rezone the affected land at 190-216 Princes Highway, Corio, from Public Park and Recreation Zone to Commercial 2 Zone; and**
 - 1.2 Apply the Road Closure Overlay to part of the land.**
- 2. Consider the application for a planning permit to:**
 - 2.1 Re-subdivide the land containing the KFC restaurant and take away food premises and associated access and car parking facilities from the balance of the land;**
 - 2.2 Remove the existing drainage easement from Lots 3, 4 and 5 on LP 13397; and**
 - 2.3 Create a new drainage easement on proposed new Lot 2.**
- 3. Request the Minister for Planning to authorise the preparation and exhibition of Amendment C435ggee and Planning Permit PP-468-2021.**

AMENDMENT

Cr Grzybek moved, Cr Nelson seconded –

Add Point 4:

- 4. Request the Chief Executive Officer, consistent with the Council Open Space Policy 2003, ensure the proceeds of the sale of the site be deposited into the Open Space Reserve Fund for future open space purchases or upgrades, including any opportunities for open space improvement locally specifically including Stead Park.**

AMENDED MOTION

Cr Grzybek moved, Cr Nelson seconded -

That Council:

- 1. Support the preparation and exhibition of Amendment C435ggee to the Greater Geelong Planning Scheme to:**
 - 1.1 Rezone the affected land at 190-216 Princes Highway, Corio, from Public Park and Recreation Zone to Commercial 2 Zone; and**
 - 1.2 Apply the Road Closure Overlay to part of the land.**
- 2. Consider the application for a planning permit to:**
 - 2.1 Re-subdivide the land containing the KFC restaurant and take away food premises and associated access and car parking facilities from the balance of the land;**
 - 2.2 Remove the existing drainage easement from Lots 3, 4 and 5 on LP 13397; and**
 - 2.3 Create a new drainage easement on proposed new Lot 2.**
- 3. Request the Minister for Planning to authorise the preparation and exhibition of Amendment C435ggee and Planning Permit PP-468-2021.**
- 4. Request the Chief Executive Officer, consistent with the Council Open Space Policy 2003, ensure the proceeds of the sale of the site be deposited into the Open Space Reserve Fund for future open space purchases or upgrades, including any opportunities for open space improvement locally specifically including Stead Park.**

Carried

Financial Sustainability

10. Council's budget for the 2022-2023 financial year included the approval to sell the council land at 200 Princes Highway, Corio being contained within portions of Lots 28-30 and Lot 14 on title plan 955288J, portion of Lots 5 and 23 of lodged plan 133967 and portion of Ballara Avenue, an unmade road which will be discontinued. Consistent with the Council Open Space Policy 2003, the proceeds of the sale of the site will be deposited into the Open Space Reserve Fund for future open space purchases or upgrades, including any opportunities for open space improvement locally.
11. It is necessary to rezone this land from PPRZ to C2Z to enable it to be sold.

Community Engagement

12. Should Council support the preparation and exhibition of the combined planning scheme amendment and planning permit, the City will request authorisation from the Minister for Planning to exhibit the application. The exhibition will take place for a one month period and will provide the community an opportunity to review the proposal and make a submission. Notices will be sent to affected owners and occupiers and will be published in the local newspapers.
13. Consultation with relevant authorities has taken place during consideration of the proposal and will be undertaken again formally as part of the exhibition process.

Social Equity and Sustainability

14. The combined planning scheme amendment and planning permit is unlikely to result in any adverse social impacts on the area and adjoining land uses. The site has been used by KFC for many years and will remain in commercial use following the rezoning and land sale.
15. The land is not required for public open space purposes and does not reduce the open space offering in this part of the municipality.

Relevant Law/Policy/Legal Implications

16. Amendment C435ggee is consistent with the Planning Policy Framework of the Greater Geelong Planning Scheme as outlined in **Attachment 1**.
17. The amendment is prepared to accord with the requirement that public land to be sold must be zoned appropriately.
18. To ensure that the land is not used for a sensitive use, a condition on the planning permit will require the owner to enter into a Section 173 Agreement.

Alignment to Community Plan and Vision

19. This report aligns with Our Community Plan 2021-2025 strategic priority:
Sustainable growth and environment.
20. This report aligns with the Community led 30-year Vision, "Greater Geelong: A Clever and Creative Future" community aspiration:
Sustainable development that supports population growth and protects the natural environment.

Conflict of Interest

21. No officer involved in the preparation of this report declared a general or material conflict of interest.

Risk Assessment

22. It is necessary to rezone the land before it can be sold. There is a risk of a delay to the sale of the land if the planning scheme amendment is not supported or deferred. There are no other significant notable risks that will arise from the combined planning scheme amendment and planning permit.
23. An easement is proposed to be included in the planning permit to address potential augmentation of the main drain to mitigate flooding higher in the catchment arising from the St Georges Road Flood Study. The applicant accepts this easement which will extend across open or car parking areas of the site.
24. Consideration has been given to the current and past use of the site and surrounding land. There is a low risk of the site experiencing transfer of potential contamination from external land. For the unlikely possibility that the land would be used in the future for a sensitive use, it is proposed that the draft planning permit include a condition requiring the landowner to enter into a Section 173 Agreement that the land cannot be used for a sensitive land use.

Environmental Sustainability

25. The amendment and planning permit are unlikely to create any adverse environmental issues as it is reflecting an existing commercial use and development on the site.
26. The land is highly modified and comprises relatively sparse vegetation except for grasses and plantings within the existing road reserves.
27. No development is proposed within the amendment and permit area so there will be no impacts on existing vegetation.
28. The Special Building Overlay applies to a portion of the site and will remain untouched by the amendment. Any future development will be assessed against this established provision and also the proposed C2Z which has as one of its purposes to ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.
29. Whilst there is no documented history of potentially contaminating activities on the site since the 1980s, there is a low risk of transfer of contamination from a former landfill to the north-east of the site. Sensitive uses are to be restricted through conditions on the draft planning permit.

Attachments

1. Attachment 1 - Amendment C 435 ggee [2.3.1 - 13 pages]

ATTACHMENT 1

Background

1. Amendment C435ggee and permit application PP-468-2021 is a combined planning permit application and planning scheme amendment under section 96A of the *Planning and Environment Act 1987*.
2. The land subject to the amendment and the concurrent planning permit is at 190-216 Princes Highway, Corio. See **Appendix 1** for plan of the subject site and area. **Appendix 2a and 2b** show the current zoning and overlays.
3. The land included in the application comprises the following lots:
 - 3.1 LP13397. L5, 8, 11, 13, 16, 44, 48, 55, 56, 60, 61, 62, 63, 64, 65, 66, 67, 71, 72;
 - 3.2 LP14404. L3-7;
 - 3.3 TP213232. L1;
 - 3.4 TP254237. L1, 2;
 - 3.5 TP258192. L1;
 - 3.6 TP258962. L1-3;
 - 3.7 TP431302. L1; and
 - 3.8 TP955288. L1-43
4. The application has been made by St Quentin consulting on behalf of the City of Greater Geelong.
5. Council proposes to rezone, subdivide, and sell the land which is occupied by the KFC restaurant and take away. Prior to selling the land, it is proposed to 'tidy-up' the land through the rezoning and subdivision process to ensure the appropriate land planning controls are implemented.
6. The amendment proposes to rezone the land from Public Park and Recreation Zone (PPRZ) to the Commercial Zone Schedule 2 (C2Z) to facilitate its sale. Refer to **Appendix 3a and 3b** for the proposed new zone and overlay.
7. Specifically, the amendment will:
 - 7.1 Rezone 1570 square metres of land that is currently PPRZ to C2Z; and
 - 7.2 Apply the Road Closure Overlay (RXO) to both Ballara Avenue and Stasia Avenue within the site.
8. The planning permit application is sought to facilitate the subdivision and consolidation of the allotments comprising the site. Refer to **Appendix 4** for a plan showing the proposed subdivision. Specifically, it proposes to allow, subject to conditions:
 - 8.1 Three-lot subdivision;
 - 8.2 Subdivision of land adjacent to a Transport Zone 2 (TRZ2);
 - 8.3 Creation of an easement for drainage; and
 - 8.4 removal of an existing drainage easement.
9. The existing zoning of the land is PPRZ. Land to the immediate north of the area proposed to be rezoned is included in the C2Z (the Corio McDonalds restaurant).

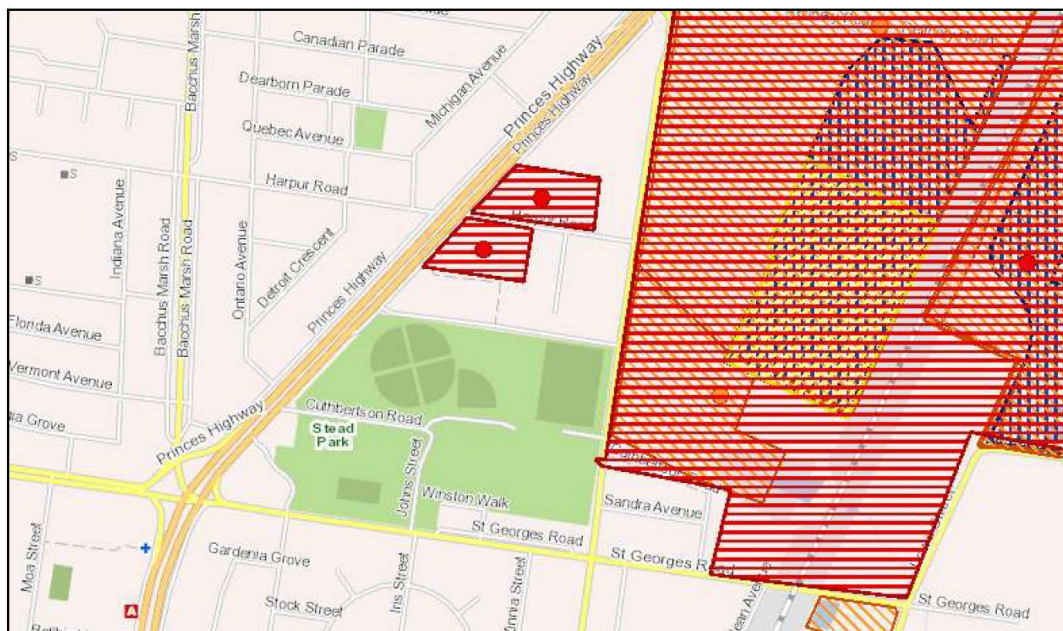
Princes Highway to the west of the land is included in the TRZ2 with St Georges Road to the south included in the TRZ2. The broader extent of the Stead Park land to the east and north is included in the PPRZ. Land to the west and south of the adjoining roads is included in the General Residential Zone Schedule 4 (GRZ4) and General Residential Zones Schedule 1 (GRZ1) respectively. (See **Appendix 2.**)

10. The affected land is relatively flat. It contains a KFC restaurant and associated access and car parking.
11. The land is owned by Council. KFC has leased the land to be subdivided from Council since the 1980s. The current lease to KFC commenced on 25/3/2019 and extends through to December 2033.

Discussion

12. The justification for the proposed rezoning and subdivision application is confirmed through the conflicting nature of the current use of the land in the Public Park and Recreation Zone and, through the process of preparing council owned land for sale.
13. The use of the land as a food and drink premises conducted by/on behalf of a private operator conflicts with the purpose of the PPRZ. A purpose of the PPRZ is:
 - 13.1 "To recognise areas for public recreation and open space".
14. The PPRZ is the main zone for public open space and public recreation areas. Generally, land in the PPRZ is overseen by a public land manager, for example, a Council, and any use is conducted on their behalf.
15. Ministerial Direction on The Form and Content of Planning Schemes advises that:
 - 15.1 "A planning scheme may only include land in a Public Use Zone, a Public Park and Recreation Zone or a Public Conservation Zone and Resource Zone if the land is Crown land, or is owned by, vested in or controlled by a Minister, government, public authority or municipal council."
16. The land is in council ownership, but it is not available for public use or as a park and it has been leased to KFC since the 1980s. Should the land be sold to a private buyer whilst in the PPRZ, this would conflict with the Ministerial Direction.
17. To reflect the long-term use of the land and to accord with the Ministerial Direction, consideration must be given to the appropriate 'non-public use' zone for the land. Clause 34.02 Commercial 2 Zone (C2Z) is the most appropriate zone.
18. A purpose of the C2Z is:
 - 18.1 "To develop commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services."
19. The C2Z allows the current use of the land subject to obtaining a planning permit. Given the KFC restaurant and take away is an established use, a permit is not required for the use in this instance. The C2Z is considered the most appropriate zone in the context of the current use of the site and any likely uses and development that Council would support in the future.
20. The C2Z zoning is the same as the nearby McDonalds restaurant and takeaway premises.
21. As part of any rezoning of land to a zone that would allow for a sensitive use, Ministerial Direction No. 1 Potentially Contaminated Land, applies.

22. Ministerial Direction No. 1 establishes two tests that must be met in determining if land is potentially contaminated:
- 22.1 1. Zoning of the land allowing sensitive uses to establish (whether or not subject to a permit); and
- 22.2 2. Land is potentially contaminated.
23. Planning Practice Note 30 – Potentially Contaminated Land provides steps to determine whether land is potentially contaminated. If these steps have been undertaken and Council are satisfied that the land is not potentially contaminated, Ministerial Direction No. 1 does not apply.
24. Ministerial Direction No. 1 states:
- Requirement to be met - sensitive uses, children’s playground or secondary school**
5. In preparing an amendment which allows (whether or not subject to the grant of a permit) land to be used for a sensitive use, children’s playground or secondary school a planning authority must:
- satisfy itself whether or not the land, or parts of the land, are potentially contaminated;
 - where it has determined that the land is not potentially contaminated, state the determination in the amendment Explanatory Report; and
 - where it has determined the land, or parts of the land, are potentially contaminated, must state the determination in the amendment Explanatory Report and satisfy itself that the environmental conditions of that land are or will be suitable for that use.
25. A ‘sensitive’ use includes a residential hotel, primary School, childcare centre, and caretaker’s house. These uses are section 2 permit required uses in the proposed C2Z with all other sensitive uses prohibited in the zone.
26. It is noted the land is currently zoned for public open space, however public open space is not strictly a sensitive use as defined by Ministerial Direction No. 1 and Planning Practice Note 30 (PPN30).
27. It is highly unlikely the site will be used as a residential hotel, primary/secondary school, childcare centre, or caretaker’s house, given the proposed sale to KFC and their ongoing intention to continue operating at the site, but the possibility cannot be absolutely dismissed.
28. In its role as an applicant, Council has stated to their planning consultant that the site has not had potentially contaminating activities undertaken on it since at least the mid 1980s. However, as mentioned in PPN30 2021, potential contamination may occur from activities undertaken on land adjacent to the subject site. One of the activities listed within PPN30 2021 which has the potential to contaminate adjacent land is landfill operations. From a brief search of the area on Vic Unearthed, the applicant notes that a former landfill located to the north-east of the site along with other notable sites as specified on Vic Unearthed.
29. Identified by the EPA Priority Sites Register and highlighted on the below Vic Unearthed extract:
- 29.1 Address: 246 - 258 Princes HWY Corio Issue: Former petroleum storage site;
- 29.2 Address: 232 - 244 Princes HWY Corio Issue: Former petroleum storage site; and
- 29.3 Address: 90 Refinery Rd Corio Issue: Current petroleum storage site/Viva Energy Australia Geelong Refinery 1/Formal Corio landfill.



Extract from Vic-Unearthed

30. As part of deciding on this combined rezoning and planning permit application, Council must be satisfied that the land is not potentially contaminated. The reports submitted by the proponent provide that the risk of transfer of potential contamination to the subject site of the permit and amendment is low.
31. As the land is currently zoned PPRZ, and given its land use history, its low potential contamination risk and its ongoing use as a convenience restaurant, the recommended action is to include a condition on the draft planning permit requiring the landowner to enter into a Section 173 Agreement pertaining that the land known as Lot 2 containing the fast-food premises cannot be used for any sensitive land use, unless otherwise agreed in writing by the Responsible Authority.
32. In support of the proposal, the applicant has summarised their justification for the proposed rezoning:
 - 32.1 There is no identified shortage of open space;
 - 32.2 The size of land owned by Council in Stead Park will be reduced by approximately 1.8 per cent following the sale of the lot to be created;
 - 32.3 The land to be sold has not been used for public park purposes since the restaurant was constructed in the early 1980s and is unlikely to revert to a park in the future; and
 - 32.4 The Council has sold a part of Stead Park in the past to McDonalds. Council has no plans to sell other parts of the park.
33. The amendment is consistent with the Planning Policy Framework in the Planning Scheme. Specifically, the amendment supports and implements Clause 15.01-3S Subdivision design and Clause 15.01-1S Urban design through the subdivision's response to the:
 - 33.1 Existing development responding to its context in terms of character, cultural identity, natural features and surrounding landscape;

- 33.2 Ensure the interface between the private and public realm protects and enhances personal safety; and
- 33.3 The formalisation of the site's layout which creates a neighbourhood centre that includes services to meet day to day needs and an urban place with a strong sense of place that is functional, safe and attractive.
34. The amendment supports and implements Clause 17.01-1S Diversified economy as the proposal will allow the existing restaurant and take away food premises to operate on a single title which enables future use of the premises to operate with increased certainty.
35. The amendment supports and implements Clause 18.02-3S Road systems as the creation of the internal road which is constructed and in use, will ensure that the road space complements land use and is managed to meet community and business needs.
36. The amendment supports and implements Clause 21.07-4 Economic Development and Employment by facilitating business opportunities within the City's strategic economic growth sectors.
37. The amendment supports and implements Clause 21.18-1 Corio Norlane by providing for a safe, functional, and efficient road network, areas of active open space and appropriately sited economic opportunities.
38. The combined planning scheme amendment and planning permit application is considered a logical proposal and the planning scheme provisions to be applied will yield a good planning outcome.
39. The proposal provides for the orderly subdivision of the land that is responsive to its characteristics, opportunities, and constraints and appropriately consolidates an established urban area.

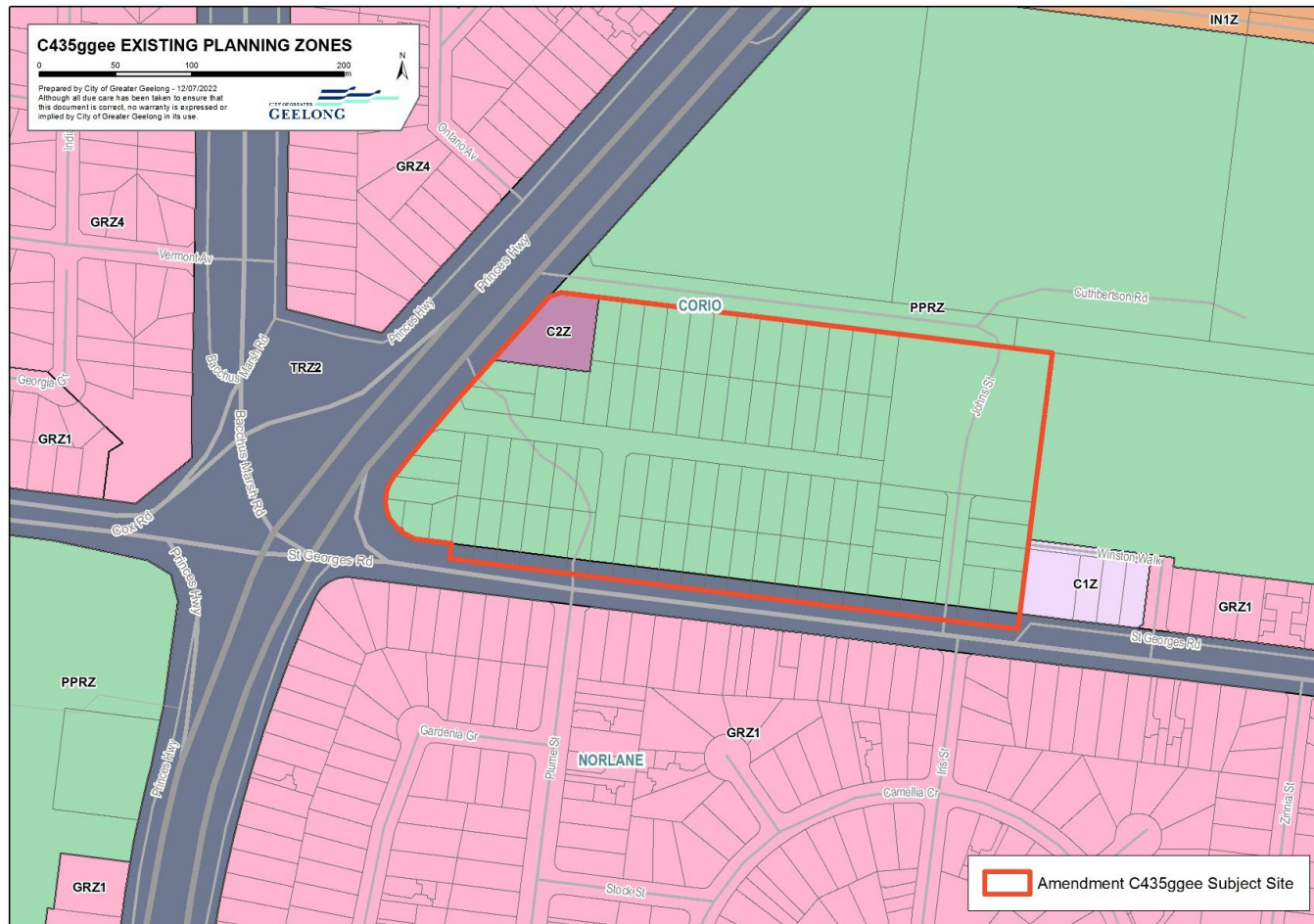
The Proposed Planning Permit

40. The purpose of the planning permit application is to seek approval for the re-subdivision of numerous dated titles to reflect the existing conditions of the site of Stead Park along with the removal of an easement no longer required, the creation of a new easement for drainage purposes and for access to land adjacent to the TRZ2.
41. The proposed subdivision seeks to create three allotments all of which will partially front Princes Highway, Lot 2 which is proposed to hold the existing KFC fast food premises will feature two parts to account for the existing car parking associated with the use, the subdivision will also create a council road which dissects the overall site from the existing access from the Princes Highway to St Georges Road which borders the southern boundary of the site.
42. The proposed Lot 1 (corner allotment entailing The Fort Youth Centre and The Northern Skate Park, car parking and open space) is currently contained wholly within the Public Park and Recreation Reserve and will remain so.
43. The proposed Lot 2 is to be held over two parts (existing KFC and associated car parks) and is proposed to be zoned C2Z.
44. The remainder of the land is to be held in a balance allotment Lot 3 of 3.895 hectares (Norlane Bowling Club, Stead Park Playground, Rollerama Drain, Dog Park and the remainder of Ballara Avenue and Staisa Avenue) which will be wholly contained in the PPRZ and will consolidate a range of existing titles.

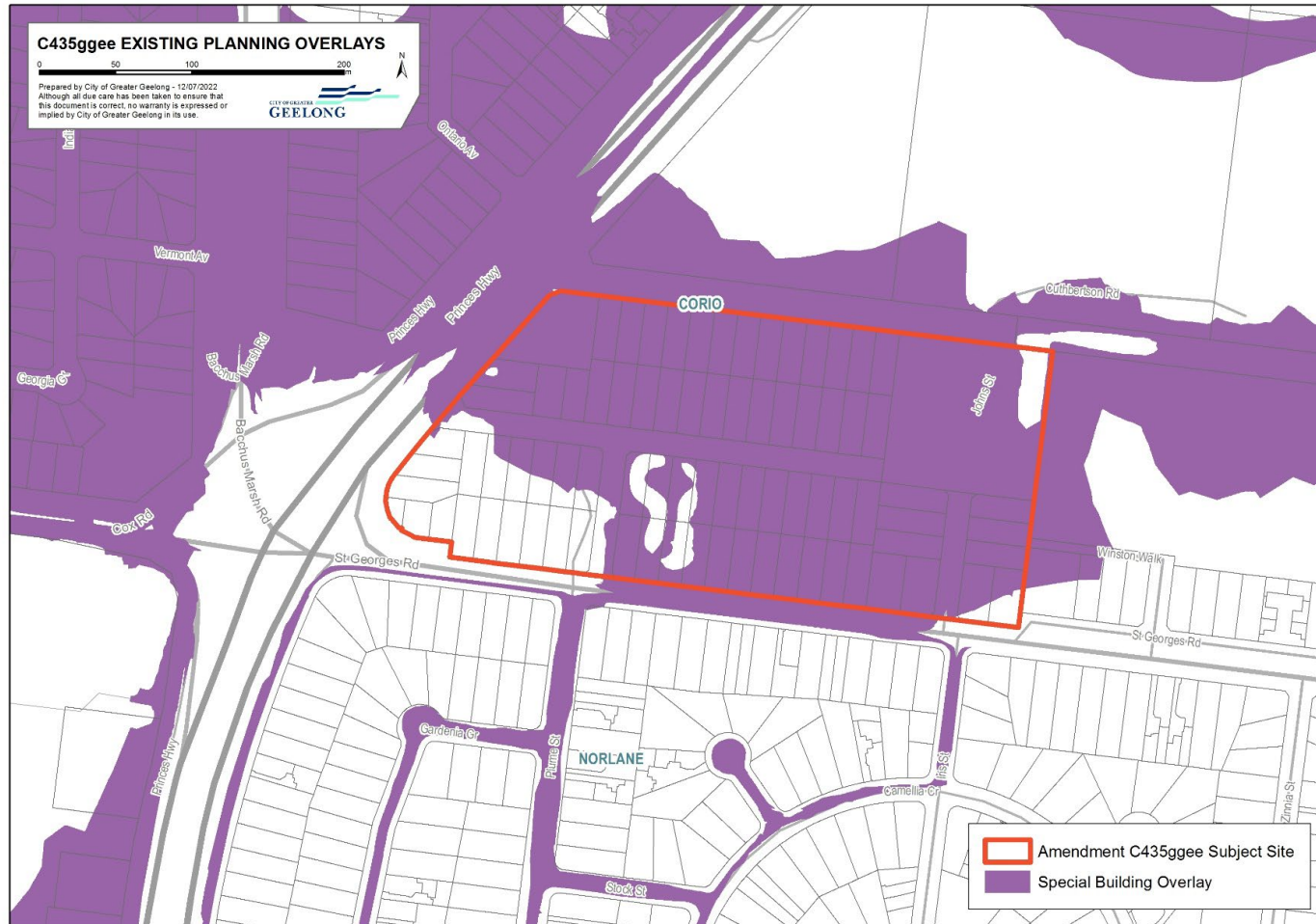
45. The subdivision proposes the creation of the road which will be in both the PPRZ and C2Z to reflect the zones abutting the proposed road and to reflect the existing conditions of the site.
46. A redundant easement affecting Lots 3, 4 and 5 on LP13397 (to become proposed Lot 2) as noted on the submitted subdivision plan will be removed as part of the application.
47. A new easement is proposed to provide for any future main drain upgrades that are needed to accommodate augmentation works for the main catchment. The proponent accepts this proposed additional easement.
48. The permit to subdivide the land from the reserve and remove the reserve restriction is a logical proposal and will facilitate the sale of the land. The subdivision of the land will form a new Lot for the KFC site.
49. Internal referrals were sent to Council's Engineering, Transport, Recreation and Open Space units. Comments received have informed the initial assessment of the permit application. VicRoads was also notified and offered no objection. Barwon Water, Powercor and Downer were also consulted, and they have contributed conditions for the preparation of a draft planning permit.
50. From an open space perspective, there are no fundamental issues with the permit or the planning scheme amendment, as this is a situation that formalises the current state of the land and facilitates the sale of the KFC site.
51. A recommendation that proceeds from the sale of land rezoned from PPRZ to C2Z be deposited into the Open Space Reserve Fund for future open space purchases or upgrades will be a matter for budget consideration and is not relevant to the consideration of the combined amendment and planning permit.
52. A draft permit will be prepared for exhibition.



Appendix 2a Existing Zoning Map



Appendix 2b Existing Overlay Map



Appendix 3a Proposed Commercial 2 Zone Extent



2.4. Armstrong Creek West Community Hub - Naming

Source: Community Life
Director: Robyn Stevens

Purpose

1. To seek Council approval to name Poa Banyal Mount Duneed Community Hub.

Background

2. Poa Banyal Mount Duneed Community Hub (the Hub) is a City of Greater Geelong and state government project which responds to the need to provide new facilities to accommodate current and expected population growth in the south.
3. The new facility located at 110-122 Unity Drive, Mount Duneed is proposed to accommodate a range of early years and family services including sessional kindergarten, maternal and child health, family support consulting rooms and flexible community spaces. The Hub will also complement the nearby community shed.
4. The new facility will commence operation in mid-2023.

Key Matters

5. The proposed name, Poa Banyal Mount Duneed Community Hub translates to Grassy Hill. This best reflects the location of the service without conflict for emergency services or duplication.
6. Ten online submissions were received during the engagement period. Five were in support of the naming, four with mixed comments and one with concern. The concern was the need for a traditional name. The four mixed comments were ensuring that the name reflected the suburb of Mount Duneed and not Armstrong Creek. Refer **Attachment 1**.
7. The name meets the criteria under the *Geographical Place Names Act 1998*, and as outlined in the guidelines, Naming Rules for Places in Victoria 2016.

RESOLUTION - Item 2.4

Cr Nelson moved, Cr Harwood seconded -

That Council:

1. Approve the official naming of the Poa Banyal Mount Duneed Community Hub; and
2. Note that once approved the naming will be submitted to the Office of Geographical Names for official registration.

Carried

Financial Sustainability

8. Council is responsible for the cost of the signage to the new building. This cost is accounted for within the Capital Project Budget.

Community Engagement

9. The proposed naming of the facilities was advertised on the Geelong Australia webpage for four weeks between 29 June and 29 July 2022. A media release was sent to local media on 30 June 2022. The online Have Your Say page opened on 29 June 2022.
10. The Have Your Say page had 328 visitors with 27 submissions received. Details of the responses received are outlined in the Have Your Say Engagement Findings Report (**Attachment 1**).
11. Ten online submissions were received, five in support of the naming, one with a concern and four with mixed comments. This concern was the need for a traditional name, and the four mixed comments were ensuring that the name reflected the suburb of Mount Duneed and not Armstrong Creek. During concept and planning stages the proposed building has been referred to as Armstrong Creek West Community Centre, by linking name to place.
12. Subject to Council and Geographical Registrar approval, the relevant authorities and abutting owners and surrounding residents will be notified of the naming.

Social Equity and Sustainability

13. The proposal promotes and respects Aboriginal culture, helps build relationships between Aboriginal and non-Aboriginal Australians, and promotes education of Aboriginal history and culture within Council and across the community.

Relevant Law/Policy/Legal Implications

14. All *Geographical Place Names Act 1998* guidelines and Council policies have been followed and met in relation to the naming proposal.

Alignment to Community Plan and Vision

15. This report aligns with Our Community Plan 2021-2025 strategic priority: Healthy, caring and inclusive community.
16. This report aligns with the Community led 30-year Vision, "Greater Geelong: A Clever and Creative Future" community aspiration:
An inclusive, diverse, healthy and socially connected community.

Conflict of Interest

17. No officer involved in the preparation of this report declared a general or material conflict of interest.

Risk Assessment

18. The naming of the Poa Banyal Mount Duneed Community Hub considers the risk of emergency services not being able to locate the facility. The risk is minimal, as the name is not duplicated elsewhere in the municipality and the naming complies with the *Geographical Place Names Act 1998*. The Emergency Services Telecommunications Authority (ESTA) responsible for responding to 000 calls, will be notified of the name change if approved.

Environmental Sustainability

19. There are no environmental issues arising from this report.

Attachments

1. Attachment 1 HYS Engagement Report Drysdale Library and Armstrong Creek Hub July 2022 [2.4.1 - 4 pages]

Engagement Findings Report

Naming of Community Facilities



COMMUNITY ENGAGEMENT SUMMARY

Earlier this year, the City proposed to name three new facilities within the municipality, based on community feedback, the proposed names of the buildings are as follows:

- Armstrong Creek West Community Centre, 110 - 122 Unity Drive, Mt Duneed - Poa Banyul Mt Duneed Community Hub
- Drysdale Library, 10 Wyndham St, Drysdale - Boronggook Drysdale Library
- Armstrong Creek Library, 10 Main Street, Armstrong Creek - Biyal-a Armstrong Creek Library

The City engaged with the Wathaurong Aboriginal Corporation in the development and the inclusion of language in the naming of the new building to reflect Wadawurrung cultural heritage. The naming of the facilities is being completed in accordance with the Naming Rules for Places in Victoria, by linking the name to place.

Based on feedback from emergency services (that they have an inability to list and search locations with hyphens in emergency situations), further consultation with Wathawurrung traditional owners is required regarding the Armstrong Creek Library project. Due to this, this summary and report will focus on community engagement for the remaining two projects. Endorsement for naming Armstrong Creek Library will be sought at a later date.

This report summarises the community feedback on the naming of two community facilities – Armstrong Creek West Community Centre and Drysdale Library. The findings will be considered by the City and Council.

ENGAGEMENT APPROACH

The four-week consultation period allowed time to reach stakeholders across the community, residents, visitors to the area and the general public.



HOW WE ENGAGED

HAVE YOUR SAY ONLINE PORTAL [YOURSAY.GEELONGAUSTRALIA.COM.AU](https://yoursay.geelongaustralia.com.au)

An online HYS feedback page was designed to share relevant information to encourage community feedback on the naming of the community facilities.

HOW WE ENGAGED

	The online page opened on 29 June 2022 and closed 5pm 29 July 2022. The page had 328 visitors with 27 submissions being received.
SUBMISSIONS (ONLINE)	Submissions were open on the City's HYS platform to allow community to provide feedback on the proposed names.
WRITTEN SUBMISSIONS	Open at any time during the public engagement period. Submissions could be provided by email or mail. One email was received requesting no use of traditional owner language.
MEDIA RELEASE AFTER COUNCIL MEETING	A media release was sent out on the 30 June directing people to visit the HYS platform to provide feedback.

COMMUNICATIONS

The engagement was listed on the Geelong Australia Webpage and a media release was prepared and sent to local media outlets on 30 June directing people to visit the HYS platform to provide feedback.

WHO WE ENGAGED WITH

PARTICIPATION

During the engagement period (29 June to 29 July 2022) there were 19 submissions for the two locations.

Of these 94.74% engaged online, 5.26% engaged by written submission.

70 percent of respondents for the naming of Armstrong Creek West Community Centre, resided in Mt Duneed.

Approximately 90 percent of the respondents for Drysdale Library, resided in the Bellarine district.

WHAT WE HEARD

THE FEEDBACK

Armstrong Creek West Community Centre

The new facility, located at 110-122 Unity Drive, Mount Duneed, is proposed to accommodate: a range of early years and family services including a sessional kindergarten, maternal and child health, family support consulting rooms and flexible community spaces. The Hub will also compliment the nearby community shed.

The proposed name Poa Banyul Mount Duneed Community Hub has been created, agreed upon and approved by traditional landowners from Wathaurong Aboriginal Corporation. Poa Banyul translates to Grassy Hill.

During concept and planning stages the proposed building has been referred to as Armstrong Creek West Community Centre, by linking name to place and after consultation with the traditional landowners the name Poa Banyul Mount Duneed Community Hub reflects the history of the land and its connection to culture.

Feedback

Ten online submissions were received for Armstrong Creek West Community Centre, five in support of the naming, four with mixed comments and one with a concern. This concern was 'is there a need for a traditional name?', and the four mixed comments were more focused on ensuring the name reflected the suburb of Mt Duneed and not Armstrong Creek.

One email submission was received which referred to both sites. The response was negative and questioned the need for a traditional names and stated that they were hard to pronounce and confusing.

1 Your submission Required Analyse
 Long Text | Skipped: 0 | Answered: 10 (100%)

Sentiment



Some verbatim comments

Fabulous name Pos Banyul Mount Duneed. Loving the First Nations names and the Mount Duneed reference (instead of Armstrong Creek West?!) fits in nicely with our beautiful Mirripoa Primary.

I am happy with the name

Maybe just Mount Duneed Community Hub? What's wrong with keeping it simple?

Drysdale Library

The new facility, located at Drysdale Town Centre at 10 Wyndham Street, Drysdale, is proposed to accommodate: civic social infrastructure for the growing community providing access to a library service, community spaces, adult changing places facility and outdoor spaces.

The proposed name Boronggook Drysdale Library has been created, agreed upon and approved by traditional landowners from Wathaurong Aboriginal Corporation. The proposed name, Bo-rong-gook is the Wadawurrung name for the immediate Drysdale locality and refers to 'turf', and best reflects the location of the service without conflicting for emergency services or duplication.

Feedback

Eight responses were received, five in support of the naming, one with concerns of the naming and two with mixed comments around the meaning of Boronggook, the immediate Drysdale locality (turf), the traditional name linking land to place and reflective of the history of the land. This concern was related to the name being traditional and not a person renowned with literacy.

One email submission was received which referred to both sites. The response was negative and questioned the need for a traditional names and stated that they were hard to pronounce and confusing.

1 Your submission Required Analyse
 Long Text | Skipped: 0 | Answered: 8 (100%)

Sentiment

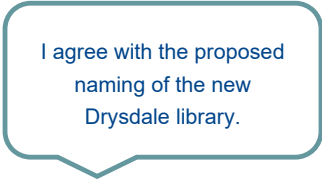


Verbatim comments

I support the name Boronggook for the Drysdale Library

There are no facilities in the area that I can think of which have a name depicting indigenous heritage. A public facility recognising our own indigenous history is long overdue

The name of the library Boronggook does not reflect its purpose as a place for meeting, engaging, learning, exploring, and enjoying. Would it not be more appropriate to seek an indigenous first nation name that reflects heritage and purpose?



I agree with the proposed
naming of the new
Drysdale library.

CONCLUSION/NEXT STEPS

The engagement findings report provides an essential step in helping us to understand the community's views regard the naming of the two community facilities.

Report findings, recommendations will be presented to Council in August, 2022 to inform deliberation and decision making.

The Council report and findings will be shared with the community via the City's HYS website.

2.5. Drysdale Library - Naming

Source: Community Life
Director: Robyn Stevens

Purpose

1. To seek Council approval to name Boronggook Drysdale Library.

Background

2. The Drysdale Library is a City of Greater Geelong and state government project which responds to the need to provide new facilities to accommodate current and expected population growth in the east.
3. The new facility located at Drysdale Town Centre at 10 Wyndham Street, Drysdale is proposed to accommodate civic social infrastructure for the growing community providing access to library services, community spaces, adult changing places facility and outdoor spaces.
4. The new facility will commence operation in mid-2023.

Key Matters

5. The proposed name Bo-rong-gook is the Wadawarrung name for the immediate Drysdale locality and refers to turf. This best reflects the location of the service without conflict for emergency services or duplication.
6. Eight online submissions were received, five in support of the naming, one with a concern and two with mixed comments. This concern was related to the name being traditional and not a person renowned with literacy. Refer **Attachment 1**.
7. This name meets the criteria under the *Geographical Place Names Act 1998* and is outlined in the guidelines, Naming Rules for Places in Victoria 2016.

RESOLUTION - Item 2.5

Cr Mason moved, Cr Sullivan seconded -

That Council:

1. **Approve the official naming of the Boronggook Drysdale Library; and**
2. **Note that once approved the naming will be submitted to the Office of Geographical Names for official registration.**

Carried

Financial Sustainability

8. Council is responsible for the cost of the signage to the new building. This cost is accounted for within the Capital Project Budget.

Community Engagement

9. The proposed naming of the facilities was advertised on the Geelong Australia webpage for four weeks between 29 June and 29 July 2022. A media release was sent to local media on 30 June 2022.
10. The Have Your Say page has 328 visitors with 27 submissions received. Details of the responses received are outlined in the Have Your Say Engagement Findings Report (**Attachment 1**).
11. Eight responses were received, five in support of the naming, one with concerns of the naming and with mixed comments around the meaning of Boronggook the immediate Drysdale locality (turf), the traditional name linking land to place and reflective of the history of the land. This concern was related to the name being traditional and not a person renowned with literacy.
12. Subject to Council and Geographical Registrar approval, the relevant authorities and abutting owners and surrounding residents will be notified of the naming.

Social Equity and Sustainability

13. The proposal promotes and respects Aboriginal culture, helps build relationships between Aboriginal and non-Aboriginal Australians and promotes education of Aboriginal history and culture within Council and across the community.

Relevant Law/Policy/Legal Implications

14. All *Geographical Place Names Act 1998* guidelines and Council policies have been followed and met in relation to the naming proposal.

Alignment to Community Plan and Vision

15. This report aligns with Our Community Plan 2021-2025 strategic priority: Healthy, caring and inclusive community.
16. This report aligns with the Community led 30-year Vision, "Greater Geelong: A Clever and Creative Future" community aspiration:
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Conflict of Interest

17. No officer involved in the preparation of this report declared a general or material conflict of interest.

Risk Assessment

18. The naming of Boronggook Drysdale Library considers the risk of emergency services not being able to locate the facility. The risk is minimal as the name is not duplicated elsewhere in the municipality and the naming complies with the *Geographical Place Names Act 1998*. The Emergency Services Telecommunication Authority (ESTA) responsible for responding to 000 calls, will be notified of the name change if approved.

Environmental Sustainability

19. There are no environmental issues arising from this report.

Attachments

1. Attachment 1 HYS Engagement Report Drysdale Library and Armstrong Creek Hub July 2022 (1) [2.5.1 - 4 pages]

Engagement Findings Report

Naming of Community Facilities



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The City engaged with the Wadawurrung Traditional Owners Aboriginal Corporation in the development and the inclusion of language in the naming of the new building to reflect Wadawurrung cultural heritage. The naming of the facilities is being completed in accordance with the Naming Rules for Places in Victoria, by linking the name to place.

Based on feedback from emergency services (that they have an inability to list and search locations with hyphens in emergency situations), further consultation with Wathawurrung traditional owners is required regarding the Armstrong Creek Library project. Due to this, this summary and report will focus on community engagement for the remaining two projects. Endorsement for naming Armstrong Creek Library will be sought at a later date.

This report summarises the community feedback on the naming of two community facilities – Armstrong Creek West Community Centre and Drysdale Library. The findings will be considered by the City and Council.

ENGAGEMENT APPROACH

The four-week consultation period allowed time to reach stakeholders across the community, residents, visitors to the area and the general public.



4 WEEKS

of engagement



27

contributions were received



328

Views of the HYS page



1

Person following the project

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WHAT WE HEARD

THE FEEDBACK

Armstrong Creek West Community Centre

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1 Your submission Required
 Long Text | Skipped: 0 | Answered: 10 (100%) Analyse



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Verbatim comments

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 There are no facilities in the area that I can think of which have a name depicting indigenous heritage. A public facility recognising our own indigenous history is long overdue

The name of the library Boronggook does not reflect its purpose as a place for meeting, engaging, learning, exploring, and enjoying. Would it not be more appropriate to seek an indigenous first nation name that reflects heritage and purpose?

I agree with the proposed
naming of the new
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CONCLUSION/NEXT STEPS

The engagement findings report provides an essential step in helping us to understand the community's views regard the naming of the two community facilities.

Report findings, recommendations will be presented to Council in August, 2022 to inform deliberation and decision making.

The Council report and findings will be shared with the community via the City's HYS website.

2.6. Review of Governance Rules and Public Question and Submission Time Policy

Source: Office of the Chief Executive
Chief Executive Officer: Martin Cutter

Purpose

1. For Council to adopt the Governance Rules (**Attachment 1**) and Public Question and Submission Time Policy (**Attachment 2**) following a period of community engagement.

Background

2. The *COVID-19 Omnibus (Emergency Measures) Act 2020*, which permitted councils to temporarily hold meetings virtually and facilitate livestreaming, is due to expire on
3. 2 September 2022.
4. The *Regulatory Legislation Amendment (Reform) Act 2022* (the Amendment Act) provides for changes to the *Local Government Act (Vic) 2020* (the Act) to facilitate ongoing attendance and participation by electronic means of communication.
5. Changes to the Act effective from 2 September 2022, include the additions underlined to section 60 relating to Governance Rules:

(1) A Council must develop, adopt and keep in force Governance Rules for or with respect to the following—

(a) the conduct of Council meetings (including holding Council meetings by electronic means of communication);

(b) the conduct of meetings of delegated committees (including holding meetings of delegated committees by electronic means of communication);

(ba) requesting and approval of attendance at Council meetings and meetings of delegated committees by electronic means of communication.

Key Matters

6. The draft Governance Rules and Public Question and Submission Time Policy were released for community consultation for three weeks from 28 June 2022. Three submissions were received and are detailed in **Attachment 3**.
7. The submissions raised the following general issues:
 - 7.1. Increase the 3 minute time limit for questions;
 - 7.2. Councillors to answer questions that pertain to items on the Agenda prior to consideration; and
 - 7.3. Increased time for submissions in relation to planning matters.
8. Council thanks the submitters for their submissions and provide the following:
 - 8.1. The setting of time limits allows for all community members to have fair and equitable access whilst balancing the efficient conduct of Council meetings;
 - 8.2. Questions relating to Agenda items cannot be answered by Councillors prior to consideration of the item when a full and transparent debate can be undertaken without prejudice; and

- 8.3. Planning submissions are subject to a statutory process, including advertisement and consideration of submissions prior to formal adoption.
9. A summary of officer responses to the submissions is included in **Attachment 3**.

RESOLUTION - Item 2.6

Cr Sullivan moved, Cr Moloney seconded -

That Council:

1. **Adopt the Governance Rules (Attachment 1 and Public Question and Submission Time Policy (Attachment 2); and**
2. **Note that a further report will be presented to Council following an extensive review of the Governance Rules in 2023.**

Carried

Financial Sustainability

10. There are no financial implications associated with the contents of this report.

Community Engagement

11. Section 60(4) of the Act requires Council to undertake a process of community engagement in developing and reviewing the Governance Rules.
12. Community and stakeholder consultation on the draft Governance Rules and draft Public Question and Submission Time Policy was undertaken for three weeks commencing on 29 June 2022.
13. The limited statutory timeframe for Council's adoption of the necessary amendments to the Governance Rules has limited Council's ability to conduct a more comprehensive and consultative review at this time, therefore it is intended a more fulsome review of the Governance Rules will commence within one year of the adoption of these necessary legislative changes.

Social Equity and Sustainability

14. The Governance Rules outline transparent processes for how council decisions are to be made which support fairness and equity and public participation in decision making.
15. By incorporating permanent provisions that allow meetings to be held electronically and be livestreamed, this will enable community members to have a wider range of access to council meetings.

Relevant Law/Policy/Legal Implications

16. The Governance Rules have been updated in accordance with and reflect the requirements of section 60 of the Act and the new requirements defined in the Amendment Act.
17. The Public Question and Submission Time Policy forms part of the Governance Rules.

Alignment to Community Plan and Vision

18. This report aligns with Our Community Plan 2021-2025 strategic priority: High-performing council and organisation.
19. This report aligns with the Community led 30-year Vision, "Greater Geelong: A Clever and Creative Future" community aspiration: Development and implementation of sustainable solutions.

Conflict of Interest

20. No officer involved in the preparation of this report declared a general or material conflict of interest.

Risk Assessment

21. Adopting the Governance Rules by 2 September 2022 ensures compliance with the Act.

Environmental Sustainability

22. There are no direct environmental implications associated with the contents of this report.

Attachments

1. Governance Rules [2.6.1 - 38 pages]
2. Public Question and Submission Time Policy [2.6.2 - 9 pages]
3. Submissions Governance Rules and Public Question and Submission Time [2.6.3 - 2 pages]

THE CITY OF
GREATER GEELONG

GOVERNANCE RULES

VERSION: 2

Approval Date:
Approved by: Council
Review Date: 1 September 2024
Responsible Officer: Manager Governance
Authorising Officer: Chief Executive Officer

GOVERNANCE RULES

Introduction

1. Nature of Rules

These are the Governance Rules of Greater Geelong City Council, made in accordance with section 60 of the *Local Government Act 2020*.

2. Date of Commencement

These Governance Rules commence on 1 September 2020.

3. Contents

These Governance Rules are divided into the following Chapters:

Chapter	Name
Chapter 1	Governance Rules Framework
Chapter 2	Meeting Procedure for Council Meetings
Chapter 3	Meeting Procedure for Delegated Committees
Chapter 4	Meeting Procedure for Community Asset Committees
Chapter 5	Joint meetings of councils
Chapter 6	Disclosure of Conflicts of Interest
Chapter 7	Miscellaneous
Chapter 8	Election Period Policy

4. Definitions

In these Governance Rules, unless the context suggests otherwise the following words and phrases mean:

Act means the *Local Government Act 2020*.

Chief Executive Officer includes an Acting Chief Executive Officer.

Community Asset Committee means a Community Asset Committee established under section 65 of the Act.

Council means Greater Geelong City Council.

Council meeting has the same meaning as in the Act.

Delegated Committee means a Delegated Committee established under section 63 of the Act.

Joint Council meeting means a meeting in accordance with section 62 of the Act.

Mayor means the Mayor of Council.

Rules means these Governance Rules.

CHAPTER 1 – GOVERNANCE RULES FRAMEWORK

1. Context

These Rules should be read in the context of and in conjunction with:

- 1.1 the overarching governance principles specified in section 9(2) of the Act; and
- 1.2 the following documents approved by Council:
 - 1.2.1 Transparency Policy;
 - 1.2.2 Community Engagement Policy; and
 - 1.2.3 Public Question and Submission Time Policy.

2. Decision Making

- 2.1 In any matter in which a decision must be made by Council (including persons acting with the delegated authority of Council), Council must consider the matter and make a decision:
 - 2.1.1 fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and
 - 2.1.2 on the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations
- 2.2 Council must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered).
- 2.3 Without limiting anything in paragraph 2.2:
 - 2.3.1 before making a decision that will directly affect the rights of a person, Council (including any person acting with the delegated authority of Council) must identify the person or persons whose rights will be directly affected, give notice of the decision which Council must make and ensure that such person or persons have an opportunity to communicate their views and have their interests considered before the decision is made;
 - 2.3.2 if a report to be considered at a Council meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered;
 - 2.3.3 if a report to be considered at a Delegated Committee meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered; and
 - 2.3.4 if a City officer proposes to make a decision under delegation and that decision will directly affect the rights of a person or persons, the City officer must, when making that decision, complete a Delegate Report that records that notice of the decision to be made was given to the person or persons and such person or persons were provided with an opportunity to communicate their views and their interests considered.

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PART 1 - PRELIMINARY

1.1 Purpose of this Chapter

The purpose of this Chapter is to:

- 1.1 provide for the election of the Mayor and any Deputy Mayor;
- 1.2 provide for the appointment of any Acting Mayor; and
- 1.3 provide for the procedures governing the conduct of Council meetings.

DRAFT

1.2 DEFINITION OF THE WORDS USED IN THIS CHAPTER

<i>Absolute Majority</i>	means a number of votes greater than one-half of the total number of votes cast, and if necessary, includes the vote by a ballot.
<i>Amendment</i>	means a proposed alteration to improve the terms of a motion, without being contradictory.
<i>Chairperson</i>	means the chair of a meeting and includes acting, temporary, or substitute chairperson.
<i>City</i>	means the City of Greater Geelong.
<i>City officer</i>	has the same meaning given to that term in section 3 of the Act, namely: <ul style="list-style-type: none"> a. a natural person who is employed by the Chief Executive Officer (other than an independent Contractor under a contract of service or a volunteer) to enable: <ul style="list-style-type: none"> i. the functions of the Council under the Act or any other Act to be carried out; ii. the Chief Executive Officer to carry out their functions; b. the Chief Executive Officer.
<i>Clause</i>	means a clause of these Rules.
<i>Councillor</i>	means a person elected to the office and is a member of Council.
<i>Deliver</i>	means to hand over or mail to a recipient and includes transmission by facsimile, electronic mail or publication on the Geelong Australia Website.
<i>Deputy Mayor</i>	means a Councillor elected to be the Deputy Mayor in accordance with the Division 3 of the Act.
<i>Geelong Australia Website</i>	means the Council website www.geelongaustralia.com.au or such other website which replaces it.
<i>Joint letter</i>	means a letter which has been signed by at least ten people or executive/committee representatives from ten separate entities whose names and physical addresses also appear on the letter.
<i>Majority</i>	in relation to votes or Councillors means the number of votes or Councillors constituting more than half of the total number.
<i>Municipal District</i>	means the area from time to time comprising the municipal district of the City.

2. PART 2 - ELECTION OF MAYOR & DEPUTY MAYOR

2.1 ELECTION OF THE MAYOR

- 2.1.1 The Mayor will be elected for a term of 2 years.
- 2.1.2 The Mayor must be elected within 1 month of the date of the general election.
- 2.1.3 At the end of the Mayoral term, the Council must meet at a date as close as possible to the end of the Mayoral term to conduct the election of the next Mayor.
- 2.1.4 If the office of the Mayor becomes vacant:
 - 2.1.4.1 a new Mayor must be elected within one month after any vacancy in the office of the Mayor; and
 - 2.1.4.2 the Councillor elected to fill the vacancy serves the remaining period of the previous Mayor's term.

2.2 PROCEDURE FOR ELECTION OF THE MAYOR

- 2.2.1 The Chief Executive Officer must open the meeting at which the Mayor is to be elected and preside until a Mayor is elected.
- 2.2.2 The Chief Executive Officer will be responsible for:
 - 2.2.2.1 the receipt of nominations for the election of Mayor; and
 - 2.2.2.2 the election of Mayor.
- 2.2.3 The election of the Mayor shall be by vote, unless there is only one Councillor nominated for Mayor.
- 2.2.4 The Councillor who receives the *absolute majority* of votes cast must be declared the elected Mayor.
- 2.2.5 The Chief Executive Officer shall be responsible for the counting of votes.
- 2.2.6 For the purpose of Clause 2.2.1, the following will apply:
 - 2.2.6.1 nominations for Mayor must be moved and seconded;
 - 2.2.6.2 a Councillor nominated for Mayor must be asked if they accept their nomination, noting that Councillor may decline their nomination as a mayoral candidate;
 - 2.2.6.3 where only one Councillor is nominated for Mayor, and that nomination is moved and seconded, that Councillor must be declared the Mayor;
 - 2.2.6.4 where two nominations are received, the Councillor with an absolute majority of votes cast must be declared the Mayor. Where there is an equal number of votes, the successful candidate shall be determined by ballot conducted by the Chief Executive Officer in the presence of the meeting. In drawing the ballot, the candidate whose name is first drawn must be declared the Mayor;
 - 2.2.6.5 where there are more than two nominations received, the Councillor who receives an Absolute Majority at the first round of votes cast must be declared elected as the Mayor. If no candidate receives an absolute majority of votes, the candidate with the least number of votes must be eliminated as a candidate and a new vote must be taken for the remaining candidates. This procedure must be repeated until a candidate receives an absolute majority of votes and that candidate shall be declared the Mayor. If the final two candidates receive an equal number of votes, the successful candidate shall be determined by ballot conducted by the Chief Executive Officer in the presence of the meeting.

In drawing the ballot, the candidate whose name is first drawn is deemed to be the Mayor;

- 2.2.6.6 if for the purpose of eliminating the candidate with the least number of votes, two or more candidates have the same least number of votes, the candidate to be eliminated shall be determined by ballot conducted by the Chief Executive Officer in the presence of the meeting. The candidate whose name is first drawn will be eliminated.

2.3 OFFICE OF THE DEPUTY MAYOR

- 2.3.1 Immediately after the election of the Mayor following a general election, the Council must vote to establish the office of the Deputy Mayor for the Council's term.
- 2.3.2 The Deputy Mayor will be elected for a term of 2 years to coincide with the term of the Mayor.
- 2.3.3 At the end of the Deputy Mayor's term, at the same meeting conducted to elect the Mayor at the end of their term, the Council must conduct the election of the next Deputy Mayor.
- 2.3.4 If the office of the deputy Mayor becomes vacant:
- 2.3.4.1 a new Deputy Mayor must be elected within one month after any vacancy in the office of the Deputy Mayor; and
- 2.3.4.2 the Councillor elected to fill the vacancy of Deputy Mayor serves the remaining period of the previous Deputy Mayor's term.
- 2.3.5 The Deputy Mayor must perform the role of the Mayor and may exercise any of the powers of the Mayor if:
- 2.3.5.1 The Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or
- 2.3.5.2 the Mayor is incapable of performing the duties of the office of Mayor for any reason including illness; or
- 2.3.5.3 The office of the Mayor becomes vacant, until the next election of the Mayor.

2.4 PROCEDURE FOR ELECTION OF THE DEPUTY MAYOR

For the purposes of the election of the Deputy Mayor, the provisions of clause 2.2 for the election of the Mayor will apply to the election of the Deputy Mayor, save for any reference to the Chief Executive Officer being substituted by a reference to the Mayor, and any reference to the Mayor shall become a reference to the Deputy Mayor.

2.5 ELIGIBILITY TO BE MAYOR OR DEPUTY MAYOR

Any Councillor is eligible for election to the office of Mayor or Deputy Mayor, unless they are precluded from doing so under section 167 of the Act.

2.6 APPOINTMENT OF ACTING MAYOR

If Council has not established an office of the Deputy Mayor and it becomes required to appoint an Acting Mayor, it can do so by:

- 2.6.1 resolving that a specified Councillor be so appointed; or
- 2.6.2 following the procedure set out in Rule 2.2 of this Chapter, at its discretion.

PART 3 - PROCEDURE AT MEETINGS

3.1 PURPOSE

To regulate the conduct of all Council meetings.

3.2 SCOPE

Governance Rules apply to all Council meetings.

3.3 DATES AND TIMES OF MEETINGS FIXED BY COUNCIL

Subject to Rule 3.4, Council must from time to time fix the date, time and place of all Council meetings.

3.4 COUNCIL MAY ALTER MEETING DATES

Council may change the date, time and place of any Council meeting which has been fixed by it and must provide reasonable notice of the change to the public.

3.5 MEETINGS NOT FIXED BY COUNCIL

- 3.5.1 The Mayor or at least 3 Councillors may by a written notice call a Council meeting.
- 3.5.2 The notice must specify the date and time of the Council meeting and the business to be transacted.
- 3.5.3 The Chief Executive Officer must convene the Council meeting as specified in the notice.
- 3.5.4 Unless all Councillors are present and unanimously agree to deal with any other matter, only the business specified in the written notice can be transacted at the Council meeting.

3.6 NOTICE

- 3.6.1 Council must, at least 7 days before the holding of a Council meeting give public notice of the Council meeting, including the time, date and location of the meeting, or such notice as is reasonably practicable in the circumstances.
- 3.6.2 A notice of a fixed meeting, incorporating or accompanied by an agenda, must be delivered to every Councillor at least 72 hours before the meeting.
- 3.6.3 A notice of a meeting that is not fixed must be delivered to every Councillor at least 48 hours before the meeting. A period less than 48 hours may, however, be justified if exceptional circumstances exist.

3.7 QUORUM

- 3.7.2 A Quorum is established when at least a majority of the Councillors are present at a Council meeting.
- 3.7.3 If after 30 minutes from the scheduled starting time of any meeting, or at any point in time during a meeting, a quorum cannot be obtained or maintained:
 - 3.7.3.1 the meeting will be deemed to have lapsed;
 - 3.7.3.2 the Mayor must convene another Council meeting, the agenda for which will be identical to the agenda for the lapsed meeting; and
 - 3.7.3.3 the Chief Executive Officer must give all Councillors written notice of the meeting convened by the Mayor.

3.8 ADJOURNED MEETINGS

- 3.8.2 Council may, by resolution, adjourn any Council meeting to a later time on the same day, or for a period not exceeding seven (7) days.
- 3.8.3 The Chief Executive Officer, or an authorised City officer, must give notice to each Councillor of the date, time and place to which the Council meeting stands adjourned and of the business remaining to be considered.

3.9 CANCELLATION OR POSTPONEMENT OF A MEETING

- 3.9.1 The Chief Executive Officer may, in the case of an emergency necessitating the cancellation or postponement of a Council meeting, cancel or postpone a Council meeting.
- 3.9.2 The Chief Executive Officer must present to the immediately following Council meeting a written report on any exercise of the power under this rule.

3.10 CHAIRPERSON

- 3.10.1 The Mayor must preside at all meetings at which they are present, in the role of Chairperson.
- 3.10.2 In the absence of the Mayor, the Deputy Mayor must preside at any Council meeting at which they are present, in the role of Chairperson.
- 3.10.3 In the event that both the Mayor and Deputy Mayor are absent, Council must elect a Chairperson to preside at that meeting.

3.11 DUTIES AND RESPONSIBILITIES OF THE CHAIRPERSON

The duties and responsibilities of the Chairperson are:

- 3.11.1 to formally declare a Council meeting open, after ascertaining that a quorum is present, and to welcome guest speakers and other visitors;
- 3.11.2 to preside over and control the meeting, and to conduct it impartially and according to the rules to ensure the smooth passage of business;
- 3.11.3 to sign minutes of meetings as correct when they have been confirmed;
- 3.11.4 to present any reports for which they are responsible;
- 3.11.5 to ensure that debates are conducted in the correct manner;
- 3.11.6 to declare the results of all votes;
- 3.11.7 to give rulings on points of order and other questions of procedure;
- 3.11.8 to preserve order; and
- 3.11.9 to adjourn (when so resolved) or formally declare the meeting closed when all business has been concluded.

In addition, the Chairperson:

- 3.11.10 must not accept any motion which is determined by the Chairperson to be:
 - 3.11.10.1 defamatory;
 - 3.11.10.2 objectionable in language or nature;
 - 3.11.10.3 vague or unclear in intention;
 - 3.11.10.4 outside the powers of Council; or
 - 3.11.10.5 irrelevant to the item of business on the *agenda* and has not been admitted as urgent, or purports to be an amendment but is not;
- 3.11.11 must not accept any motion, question or statement that is derogatory of any Councillor, City officer, or member of the community; and
- 3.11.12 must call to order any person who is disruptive or unruly during any meeting.

3.12 ORDER AND CONTENT OF BUSINESS

- 3.12.1 The order and content of business of any Council meeting will be determined by the Chief Executive Officer, after consulting with the Mayor, in order to facilitate and maintain open, efficient and effective processes of government.

- 3.12.2 Once an agenda has been sent to Councillors, the order of business for that meeting may be altered with the consent of a majority of the Councillors attending that meeting.

3.13 COUNCILLOR LEAVE OF ABSENCE AND ABSENCE FROM MEETING

- 3.13.1 Any Councillor seeking leave of absence from Council duties must do so in writing addressed to the Chief Executive Officer. Applications for leave shall be listed for consideration at the next Council meeting and the Council must not unreasonably refuse to grant the request for leave of absence.
- 3.13.2 Where a leave of absence has been granted to a Councillor, the Chief Executive Officer must record the leave of absence in the minutes of the Council meeting held during the period of the leave of absence.
- 3.13.3 If Councillor intends to be absent from a meeting, the Councillor must give the Chairperson of that meeting notice of apology prior to the meeting.

3.14 NO PHOTOGRAPHY OR RECORDING OF MEETINGS

With the exception of a City officer authorised by the Chief Executive Officer, no person is permitted to photograph or video or audio record any Council meetings without specific approval by resolution at the meeting.

3.15 RECORD OF PROCEEDINGS

The Chief Executive Officer or a City officer authorised by the Chief Executive Officer shall record in the minutes of each meeting:

- 3.15.1 the place, date and time of each meeting;
- 3.15.2 the names of all Councillors present at the meeting;
- 3.15.3 the names of Council staff present;
- 3.15.4 the names of all Councillors for whom apologies were received, or for whom leave of absence was granted and will also record leave of absence in the meeting agenda;
- 3.15.5 arrivals and departures, including temporary departures, of Councillors during the course of the meeting;
- 3.15.6 all declarations of a conflict of interest by Councillors in agenda items, including an explanation given by the Councillors under Chapter 5 of these Rules;
- 3.15.7 questions from the public;
- 3.15.8 each motion and amendment moved, including motions and amendments withdrawn by consent of the Council, or which lapse for want of a seconder;
- 3.15.9 each motion put to the vote;
- 3.15.10 the vote cast by each Councillors on each division called;
- 3.15.11 the adjournment of the meeting and any reason for the adjournment;
- 3.15.12 the time at which standing orders were suspended and resumed; and
- 3.15.13 the failure to meet a quorum.

3.16 CONFIRMATION OF MINUTES

At every Council meeting the minutes of the preceding meeting must be dealt with as follows:

- 3.16.1 a copy of the minutes must be delivered to each Councillor no later than 72 hours before the next meeting;
- 3.16.2 if no Councillor indicates opposition, the minutes must be declared to be confirmed;
- 3.16.3 subject to clause 3.17, if a Councillor indicates opposition to the minutes:

- 3.16.3.1 they must specify the item(s) to which they object;
- 3.16.3.2 the objected item(s) must be considered separately and in the order in which they appear in the minutes;
- 3.16.3.3 the Councillor objecting must move accordingly without speaking to the motion;
- 3.16.3.4 the motion must be seconded;
- 3.16.3.5 the Chairperson must ask

"Is the motion opposed?"
- 3.16.3.6 if no Councillor indicates opposition, the Chairperson must declare the motion carried without discussion and ask the second question described in Clause 3.16.3.10;
- 3.16.3.7 if a Councillor indicates opposition, the Chairperson must call on the mover to address the meeting;
- 3.16.3.8 after the mover has addressed the meeting, the seconder may address the meeting;
- 3.16.3.9 after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not), the Chairperson must invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion;
- 3.16.3.10 if, after the mover has addressed the meeting, the Chairperson invites debate and no Councillor speaks to the motion, the Chairperson must put the motion and, after all objections have been dealt with, ultimately ask:

"That the Minutes be confirmed" or
"That the Minutes, as amended, be confirmed",
and they must then put the question to the vote.
- 3.16.3.11 a resolution of Council must confirm the minutes and the minutes must, if practicable, be signed by the Chairperson of the meeting at which they have been confirmed.
- 3.16.3.12 the minutes must be entered in the minute book and each item in the minute book must be entered consecutively; and
- 3.16.3.13 unless otherwise resolved or required by law, minutes of a Delegated Committee requiring confirmation by Council must not be available to the public until confirmed by Council.

3.17 NO DEBATE ON CONFIRMATION OF MINUTES

No discussion or debate on the confirmation of minutes is permitted except when the accuracy of the minutes as a record of the meeting to which they relate is questioned.

3.18 DEFERRAL OF CONFIRMATION OF MINUTES

Council may defer the confirmation of minutes until later in the Council meeting or until the next meeting if considered appropriate.

3.19 PUBLICATION OF MINUTES

- 3.19.1 The Chief Executive Officer must ensure that the minutes of any Council meeting are:
 - 3.19.1.1 published on Council's website and will use reasonable endeavours to do so within 3 business days of a meeting; and

3.19.1.2 available for inspection at Council's office during normal business hours.

3.19.2 Nothing in these rules requires Council or the Chief Executive Officer to make public any minutes relating to a Council meeting or part of a Council meeting closed to members of the public in accordance with section 66 of the Act.

3.20 DECLARATION OF DIRECT AND INDIRECT INTERESTS

3.20.1 If a Councillor has a direct or indirect interest in relation to an agenda item, that interest must be declared at the time specified in the agenda. The Councillor must leave the room until the matter is concluded.

3.20.2 Nothing in this section takes away from a Councillor's duty under the Act to disclose the existence, nature and class of any conflict of interest that Councillor has in an item of business immediately before the consideration or discussion of that item of business.

3.21 PUBLIC QUESTION AND SUBMISSION TIME

Questions and submissions may be submitted by the public at any Council meeting, and responded to or answered by Council, in accordance with Council's Public Question Time Policy.

3.22 PETITIONS AND JOINT LETTERS

3.22.1 Petitions or joint letters to Council may be presented to Council by a Councillor or a member of the public.

3.22.2 It is incumbent on every Councillor presenting a petition or joint letter to acquaint themselves with the contents of that petition or joint letter, and to ascertain that it does not contain language disrespectful to Council.

3.22.3 Every Councillor presenting a petition or joint letter to Council must:

3.22.3.1 write or otherwise record their name at the beginning of the petition or joint letter; and

3.22.3.2 confine themselves to a statement of the persons from whom it comes, the number of signatories to it, the material matters expressed in it and the text of the request.

3.22.4 A petition or a joint letter:

3.22.4.1 must not be in pencil;

3.22.4.2 may be in any other legible and permanent written form including in an electronic form;

3.22.4.3 must not be defamatory, indecent, abusive or objectionable in language or substance;

3.22.4.4 must for the purpose of a response, contain the name and address of the person or organisation co-ordinating the petition or joint letter;

3.22.4.5 must contain the name and address of each petitioner or signatory;

3.22.4.6 must be signed by at least 12 people; and

3.22.4.7 shall not relate to a matter outside Council's powers and functions.

3.22.5 Every page of a petition or joint letter shall contain the whole of the petition or request.

3.22.6 Any signature appearing on a page which does not contain the whole of the petition or request shall not be considered by the Council.

3.22.7 Every page of a petition or joint letter shall be a single piece of paper and shall not be pasted, stapled, pinned or otherwise affixed to any other piece of paper.

- 3.22.8 The purpose of any petition shall be recorded in the minutes and shall be the subject of a written response.
- 3.22.9 The Council may pass a resolution:
 - 3.22.9.1 that a written report be prepared on the contents of the petition or joint letter for presentation to a meeting; and
 - 3.22.9.2 that the petition be referred for consideration in conjunction with an item on the agenda.
- 3.22.10 If a petition or joint letter relates to an operational matter, that petition or joint letter must be referred to the Chief Executive Officer for action and response.

3.23 MOVING OF MOTIONS OR AMENDMENTS

- 3.23.1 Motions and amendments must be:
 - 3.23.1.1 within the powers and functions of the Council;
 - 3.23.1.2 related to an item of business on the agenda or to be considered at the meeting; and
 - 3.23.1.3 clear, unambiguous and not defamatory or objectionable in content or nature.
- 3.23.2 The Chairperson must refuse to accept a motion or amendment which conflicts with this Rule 3.23.
- 3.23.3 Council must not consider similar agenda items *en bloc*. Each agenda item must be considered individually and must have a mover and a seconder.
- 3.23.4 A Councillor may move a recommendation in the same form as recommended by City officers or they may move an amended version of that motion in relation to the report being presented.

3.24 INTRODUCING A MOTION OR AMENDMENT

- 3.24.1 The procedure for moving any motion or amendments to motions at a Council meeting is as follows:
 - 3.24.1.1 the mover must state the subject and nature of the motion or amendment and not speak to it;
 - 3.24.1.2 the motion or amendment must be seconded by a Councillor other than the mover. If there is no seconder for a motion or amendment, the Chairperson must declare the motion or amendment to have lapsed;
 - 3.24.1.3 an amendment may be moved or seconded by any Councillor except the mover or seconder of the original motion;
 - 3.24.1.4 if the motion or amendment is moved and seconded the Chairperson must ask whether the motion is opposed and/or whether any Councillor wishes to speak to the motion;
 - 3.24.1.5 if no Councillor indicates opposition or a desire to speak to the motion, the Chairperson must put the motion to the vote;
 - 3.24.1.6 if a Councillor indicates opposition or a desire to speak to the motion or amendment, then the Chairperson must call on the mover to address the meeting;
 - 3.24.1.7 the Chairperson must call upon the seconder of a motion to speak to the motion after the mover has spoken. The seconder of a motion may reserve their right to respond;
 - 3.24.1.8 the Chairperson must call upon any other Councillor who may wish to speak to the motion, after the mover and seconder of the motion have spoken to the motion;

- 3.24.1.9 if, after the mover has addressed the meeting, the Chairperson has invited other Councillors to speak to the motion or amendment and no Councillor speaks to the motion or amendment, the Chairperson must put the motion or amendment to the vote.

3.25 RIGHT OF REPLY AND DEBATE OF MOTION OR AMENDMENT

- 3.25.1 If there has been any opposition to a motion, the mover of a motion has the right of reply to matters raised during the debate.
- 3.25.2 The mover of an amendment has no right to speak in reply.
- 3.25.3 Subject to any Councillor exercising their right to ask any question concerning or arising out of a motion, the Chairperson must put the motion to the vote immediately after the mover of the motion has spoken in reply.
- 3.25.4 Any Councillor can debate an amendment irrespective of whether the Councillor has spoken or proposes to speak to the original motion.
- 3.25.5 Debate on an amendment must be confined to the terms of the amendment.

3.26 MOVING AN AMENDMENT

- 3.26.1 Subject to this clause, a motion which has been moved and seconded may be amended by leaving out or adding words. Any added words must be relevant to the subject of the motion.
- 3.26.2 A motion to confirm a previous resolution of Council cannot be amended.
- 3.26.3 An amendment must not be the negative of, or substantially contrary to, the motion.

3.27 HOW MANY AMENDMENTS MAY BE PROPOSED

- 3.27.1 Any number of amendments may be proposed to a motion but only one (1) amendment may be accepted by the Chairperson at any one (1) time.
- 3.27.2 No second or subsequent amendment, whether to the motion or an amendment of it, may be taken into consideration until the previous amendment has been dealt with.
- 3.27.3 Any one Councillor cannot move more than one (1) amendment in succession.

3.28 AN AMENDMENT ONCE CARRIED

- 3.28.1 If the amendment is carried, the amended motion then becomes the substantive motion before the meeting and can be further amended.
- 3.28.2 The mover of the original motion retains the right of reply to the substantive motion.

3.29 PRIORITY OF ADDRESS AND RIGHT TO SPEAK TO MOTION

- 3.29.1 In the case of competition for the right to speak, the Chairperson must decide the order in which the Councillors concerned will be heard.
- 3.29.2 A Councillor may speak once on a motion and once on an amendment, except for the mover of a motion who has the right to speak in reply to any opposition to the motion (but not a right to speak in reply to an amendment).

3.30 FORESHADOWING MOTIONS

- 3.30.1 At any time during debate a Councillor may foreshadow a motion to inform the meeting of their intention to move a motion at a later stage in the meeting. This does not extend to any special right to the foreshadowed motion.
- 3.30.2 A motion foreshadowed may be prefaced with a statement that in the event of a particular motion before the Chairperson being resolved in a certain way, a Councillor intends to move an alternative or additional motion.

- 3.30.3 The Chief Executive Officer or a City officer authorised to take the meeting minutes is not expected to record foreshadowed motions in the minutes until the foreshadowed motion is formally moved.
- 3.30.4 A foreshadowed motion has no procedural standing and is merely a means of assisting the flow of a meeting.

3.31 WITHDRAWAL OF MOTIONS

- 3.31.1 Before any motion or amendment is put to the vote, it may be withdrawn by the mover and seconder with the leave of the Council.
- 3.31.2 Where the mover and seconder call for a motion or amendment to be withdrawn, the Chairperson will ask all Councillors if they agree to the withdrawal. If the majority of Councillors objects to the withdrawal of the motion or amendment, it may not be withdrawn and the Chairperson must proceed to put the motion or amendment to the vote.

3.32 MOTIONS OR AMENDMENTS IN WRITING

- 3.32.1 The Chairperson may require that a complex or detailed motion or amendment be in writing.
- 3.32.2 The Chairperson may adjourn the meeting while the motion or amendment is being written or may defer the matter in the order of business, until the motion or amendment has been written.

3.33 REPEATING A MOTION

The Chairperson may request the person taking the minutes of the meeting to read the motion or amendment to the meeting before the vote is taken.

3.34 DEBATE OF THE MOTION

- 3.34.1 Debate must always be relevant to the motion or amendment before the meeting, and, if not, the Chairperson must request the speaker to confine the debate to the motion or amendment.
- 3.34.2 If the speaker continues to debate irrelevant matters after being requested to confine debate, the Chairperson may direct the speaker to be seated and not to speak further in respect of the motion or amendment before the Chairperson.
- 3.34.3 A speaker to whom a direction has been given under this clause must comply with that direction.
- 3.34.4 Councillors may remain seated to address the Chairperson, to move or second a motion or amendment, or to take part in a debate.
- 3.34.5 The Councillor acknowledged by the Chairperson is to speak and must not be interrupted unless:
 - 3.34.5.1 they are called to order; or
 - 3.34.5.2 their speaking time has expired; or
 - 3.34.5.3 a point of order is raised.

3.35 ADDRESSING THE MEETING

If the Chairperson so determines:

- 3.35.1 any person addressing the Chairperson must refer to the Chairperson as:
 - 3.35.1.1 Mayor; or
 - 3.35.1.2 Madam Mayor; or
 - 3.35.1.3 Mr Mayor; or
 - 3.35.1.4 Chair; or

3.35.1.5 Madam Chair; or

3.35.1.6 Mr Chair

as the case may be;

3.35.2 all Councillors, other than the *Mayor*, must be addressed as Cr(Surname).

3.35.3 all members of Council staff must be addressed by their official title followed by their surname where appropriate.

3.35.4 Councillors must address each other by their official titles during debate and throughout a meeting.

3.36 LOST MOTIONS

If a motion is lost without a subsequent motion then being carried it will not be automatically determined that the outcome is contrary to the lost motion. Councillors should instead move a motion detailing further requirements or actions after any motion which is lost.

3.37 TIME LIMITS

3.37.1 A Council meeting must start within 30 minutes of the advertised start time.

3.37.2 A meeting may not continue after 10.00 pm unless a majority of Councillors present vote in favour of its continuance. In the absence of such continuance, a meeting must stand adjourned to a time, date and place announced by the Chairperson immediately before the standing meeting is adjourned.

3.37.3 A Councillor may speak for no longer than the time specified below, unless the Chairperson grants an extension:

3.37.3.1 the mover of a motion 5 minutes

3.37.3.2 any other speaker 3 minutes

3.37.3.3 the mover of a motion exercising the right of reply 2 minutes

3.38 VOTING

3.38.1 To determine a motion before a meeting, the Chairperson must first call for those in favour of the motion, then those opposed to the motion. The Chairperson must declare the result of the vote.

3.38.2 Councillor must vote by show of hands when the Chairperson puts a motion to the vote.

3.38.3 All Councillors present in the meeting room when a vote is taken must vote once only.

3.38.4 The Chairperson must use a casting/second vote if the number of votes in favour of a motion is half the number of Councillor present.

3.38.5 The Chairperson may direct that a vote be recounted to be satisfied of the result.

3.38.6 The Chief Executive Officer must direct that the minutes of the meeting record the name of any Councillor who requests that their vote be recorded against the motion or amendment.

3.38.7 Voting must take place in silence.

3.39 DIVISION

3.39.1 Immediately after the vote on any motion at a meeting and before the next item of business has commenced, a Councillor may call for a division.

3.39.2 When a division is called for, the vote already taken must be treated as set aside and the division shall decide the question, motion or amendment.

- 3.39.3 The Chairperson must first call upon Councillors to vote in favour of the motion and then call upon Councillor to vote against the motion if a Councillor has requested a division.
- 3.39.4 Councillors must vote by show of hands and the Chairperson must declare the result of the division.
- 3.39.5 The Chief Executive Officer must direct that the minutes record the names of the Councillors who voted in favour of the motion, the names of the Councillors who voted against the motion, and the result of the division.

3.40 POINTS OF ORDER

- 3.40.1 A point of order is taken when a Councillor officially draws the attention of the Chairperson to an alleged irregularity in the meeting proceedings or procedures.
- 3.40.2 A Councillor may make a point of order on the grounds that a matter is:
 - 3.40.2.1 contrary to these Rules;
 - 3.40.2.2 defamatory or derogatory of any Councillor, City officer, or member of the community;
 - 3.40.2.3 irrelevant;
 - 3.40.2.4 offensive;
 - 3.40.2.5 constitutes a tedious repetition of something already said;
 - 3.40.2.6 prejudicial to any other person or the Council;
 - 3.40.2.7 a matter that should be considered in a session of a meeting closed to the public, in accordance with the Act;
 - 3.40.2.8 outside the Council's functions or power; or
 - 3.40.2.9 improper,
 or on the grounds that a person in the chamber is being disruptive or unruly during any meeting.
- 3.40.3 The Chairperson must decide on all points of order.
- 3.40.4 The Chairperson may adjourn the meeting to consider a point of order but otherwise must rule on it as soon as it is raised.
- 3.40.5 All other questions before the meeting are suspended until the point of order is decided.

3.41 DISAGREEMENT WITH CHAIRPERSON'S RULING

- 3.41.1 A Councillor may move that the meeting disagree with the Chairperson's ruling on a point of order, by moving:

"That the Chairperson's ruling [stating that ruling or part of that ruling] be dissented from"
- 3.41.2 When a motion in accordance with this Rule is moved and seconded, the Chairperson must leave the chair and the Deputy Mayor (or if there is no Deputy Mayor, a temporary Chairperson elected by the meeting) must take their place.
- 3.41.3 The Deputy Mayor or temporary Chairperson must invite the mover to state the reasons for their dissent and the Chairperson may then reply.
- 3.41.4 The Deputy Mayor or temporary Chairperson must put the motion in the following form:

"That the Chairperson's ruling be dissented from"
- 3.41.5 If the vote is in the negative, the Chairperson resumes the chair and the meeting proceeds.

- 3.41.6 If the vote is in the affirmative, the Chairperson must then resume the chair, reverse their previous ruling and proceed.
- 3.41.7 The defeat of the Chairperson's ruling is in no way a motion of censure or no-confidence and must not be so regarded by the meeting.

3.42 PROCEDURE FOR POINT OF ORDER

A Councillor raising a point of order must:

- 3.42.1 State the point of order; and
- 3.42.2 State any section, Rule, paragraph or provision relevant to the point of order.

3.43 VALID POINTS OF ORDER

A point of order may be raised in relation to:

- 3.43.1 a motion, which should not be accepted by the Chairperson under these Rules;
- 3.43.2 a question of procedure; or
- 3.43.3 any act of disorder.

3.44 PROCEDURAL MOTIONS

- 3.44.1 Unless otherwise prohibited, a procedural motion may be moved at any time, and once seconded, must be dealt with immediately by the Chairperson.
- 3.44.2 A procedural motion requires a seconder.
- 3.44.3 Notwithstanding any other provision in these Rules, procedural motions must be dealt with in accordance with the following table:

PROCEDURAL MOTIONS TABLE

Procedural Motion	Form	Mover and seconder	When motion prohibited	Effect if carried	Effect if lost	Debate permitted on
1. Adjournment of debate to later hour and/or date	That this matter be adjourned to *am/pm and/or *date	Any Councillor who has not moved or seconded the substantive motion or otherwise spoken to the substantive motion	(a) During the election of a Chairperson; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes
2. Adjournment of debate indefinitely	That this matter be adjourned until further notice	Any Councillor who has not moved or seconded the substantive motion or otherwise spoken to the substantive motion	(a) During the election of a Chairperson; (b) When another Councillor is speaking; (c) When the motion would have the effect of causing Council to be in breach of a legislative requirement	Motion and amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes

Procedural Motion	Form	Mover and seconder	When Motion	Effect if carried	Effect if lost	Debate permitted on
3. The closure	That the motion be now put	Any Councillor who has not moved or seconded the Substantive motion or otherwise to the substantive motion	During nominations for Chairperson	Motion or amendment in respect of which closure is carried is put to the vote immediately without debate subject to any Councillor exercising their right to ask any question or arising out of the motion	Debate continues unaffected	No

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Procedural Motion	Form	Mover & seconder	When Motion	Effect if carried	Effect if lost	Debate permitted on
4. Proceeding to next business	<p>That the meeting proceed to the next business</p> <p>Note: This motion:</p> <p>(a) may not be amended;</p> <p>(b) may not be debated; and</p> <p>(c) must be put to the vote as soon as seconded</p>	Any Councillor who has not moved or seconded the substantive motion or otherwise to the substantive motion	<p>(a) During the election of a Chairperson;</p> <p>(b) When another Councillor is speaking;</p> <p>(c) When a motion would have the effect of causing Council to be in breach of a legislative requirement</p>	<p>If carried in respect of:</p> <p>(a) An amendment, Council considers the motion without reference to the amendment;</p> <p>(b) A motion - no vote or further discussion on the motion until it is placed on an agenda for a later Council meeting</p>	Debate continues unaffected	No

3.45 REPITITIOUS MOTIONS

Once a meeting has rejected a motion, with or without amendment, similar motions to the same effect, even in a different form, are considered to be out of order at that meeting. A motion similar to an amendment to a motion already dealt with at a meeting is also not permissible. However, the matter can be legitimately raised again at a subsequent meeting in accordance with the provisions of these Rules.

3.46 NOTICES OF MOTION

- 3.46.1 Councillors wanting to include a matter on the agenda may submit a Notice of Motion to the Chief Executive Officer.
- 3.46.2 A Notice of Motion must:
- 3.46.2.1 be signed by the Councillor lodging the Notice of Motion;
 - 3.46.2.2 be lodged with the Chief Executive Officer not less than two working days before the agenda is due to be published to enable the Chief Executive Officer to give each other Councillor notice of such Notice of Motion; and
 - 3.46.2.3 relate to the objectives, role and functions of Council as outlined in the Act.
- 3.46.3 A Notice of Motion must call for an officer report if the Notice of Motion proposes any action that:
- 3.46.3.1 impacts the levels of Council services;
 - 3.46.3.2 commits Council to expenditure greater than \$100,000 that is not included in the adopted budget;
 - 3.46.3.3 proposes to establish, extend or amend Council policy;
 - 3.46.3.4 proposes to impact the rights of any person who has not had the opportunity to contribute their views;
 - 3.46.3.5 commits Council to a contractual arrangement; and/or
 - 3.46.3.6 concerns any litigation in respect of which the City is a party, unless the matter to be considered by the Notice of Motion is urgent business in which Rule 3.46.11 applies.
- 3.46.4 The Chief Executive Officer must reject any Notice of Motion that:
- 3.46.4.1 is vague;
 - 3.46.4.2 is identical or substantially similar to a Notice of Motion or other motion that has been considered by Council in the preceding six (6) months;
 - 3.46.4.3 is defamatory;
 - 3.46.4.4 may be prejudicial to any person or Council;
 - 3.46.4.5 is objectionable in language or nature;
 - 3.46.4.6 is outside the powers of Council; and/or
 - 3.46.4.7 does not meet the requirements of clause 3.46.3.
- 3.46.5 The Chief Executive Officer may reject a Notice of Motion if it:
- 3.46.5.1 relates to a matter that can be addressed through the operational service request process; or
 - 3.46.5.2 relates to a matter that has previously been resolved by Council or is acted upon.

- 3.46.6 If rejecting a Notice of Motion, the Chief Executive Officer must:
- 3.46.6.1 inform the Councillor who lodged it of that rejection and the reasons for the rejection within 24 hours of receiving the Notice of Motion;
 - 3.46.6.2 give the Councillor who lodged it an opportunity to amend it, which must be completed within 24 hours;
 - 3.46.6.3 if the Notice of Motion cannot be amended to the satisfaction of the Chief Executive Officer, notify the Councillor who lodged it that it will be rejected and explain the reasons for the rejection; and
 - 3.46.6.4 when a Notice of Motion is to be rejected or wording changed by the Chief Executive Officer, the Councillor proposing the Notice of Motion may request the Chief Executive Officer consult with the Mayor to seek their advice on the Chief Executive Officer's ruling and interpretation before the Chief Executive Officer's final decision.
- 3.46.7 The full text of any Notice of Motion accepted by the Chief Executive Officer must be included in the agenda. The Chief Executive Officer must cause all Notices of Motion to be numbered, dated and entered in the Notice of Motion book in the order in which they were received.
- 3.38.1 Except by leave of Council, each Notice of Motion must be considered in the order in which they were received by the Chief Executive Officer.
- 3.46.8 If a Councillor who has given a Notice of Motion is absent from the meeting or fails to move the Motion when called upon by the Chairperson, any other Councillor may move the Motion.
- 3.46.9 If a Notice of Motion is not moved at the meeting at which it is listed, it lapses.
- 3.46.10 The Chief Executive Officer may designate a Notice of Motion to be confidential in accordance with the Act, in which case the Notice of Motion will be considered in a session of a meeting that is closed to members of the public.
- 3.46.11 If the matter to be considered by the Notice of Motion is urgent, then:
- 3.46.11.1 the provisions in these Rules relating to urgent business apply; and
 - 3.46.11.2 to assist Councillors to make an informed decision regarding an urgent Notice of Motion, the Chief Executive Officer must provide a written report to Councillors regarding the implications of the matters to be considered in the proposed Notice of Motion and that report must be published online before the meeting where it is reasonably practicable to do so.

3.47 NOTICE OF RESCISSION

- 3.47.1 A Notice of Rescission is a form of Notice of Motion and accordingly all provisions in these Rules regulating Notices of Motion equally apply to Notices of Rescission.
- 3.47.2 Motions to revoke, rescind or alter a previous resolution can be made:
- 3.47.2.1 by a Notice of Rescission delivered to the Chief Executive Officer;
 - 3.47.2.2 by recommendation contained in a report by a City officer and included in the agenda, that a previous resolution be altered or revoked.
- 3.47.3 A Councillor may propose a Notice of Rescission provided that:
- 3.47.3.1 the resolution proposed to be rescinded has not been acted on;
 - 3.47.3.2 the effect of rescinding the resolution will not place the Council at significant legal, financial or other risk, including non-compliance with statutory obligations; and

- 3.47.3.3 the resolution proposed to be rescinded has not been acted upon; and
- 3.47.3.4 the Notice of Rescission is delivered to the Chief Executive Officer and sets out:
 - 3.47.3.4.1 the resolution to be rescinded; and
 - 3.47.3.4.2 the meeting and date at which the resolution was made.
- 3.47.4 A resolution will be deemed to have been acted on if:
 - 3.47.4.1 its contents have, or substance has, been formally communicated to a person whose interests are materially affected by it; or
 - 3.47.4.2 a statutory process has been commenced, so as to vest enforceable rights in or obligations on Council or any other person.
- 3.47.5 The Chief Executive Officer or an appropriate City officer must defer implementing a resolution that:
 - 3.47.5.1 has not been acted on; and
 - 3.47.5.2 is the subject of a Notice of Rescission which has been Delivered to the Chief Executive Officer in accordance with this Rule, unless deferring implementation of the resolution would place the Council at significant legal, financial or other risk.

3.48 LOSS OF MOTION FOR RESCISSION

If a Notice for Rescission is lost, a similar Notice may not be put before Council for at least two (2) months from the date it was last lost, unless Council resolves that the Notice of Rescission be re-listed at a future meeting.

3.49 NOTICE FOR RESCISSION NOT MOVED

If a Notice for Rescission is not moved at the meeting at which it is listed, it lapses.

3.50 ANY COUNCILLOR TO MOVE NOTICE OF RESCISSION

A Notice for Rescission listed on an agenda may be moved by any Councillor present but may not be amended.

3.51 NOTICE OF RESCISSION NOT REQUIRED

A Notice of Rescission is not required when Council wishes to amend a policy.

3.52 URGENT BUSINESS

- 3.52.1 Business can only be admitted as urgent business by resolution of the meeting, if the motion is carried by the required number of Councillors present as follows:

Councillors present	Votes required to carry motion
11	8
10	7
9	6
8	6
7	5
6	4

- 3.52.2 Even if the required Councillors carry the motion, it still will not be accepted as urgent business unless it:

- 3.52.2.1 relates to or arises out of a matter which has arisen since distribution of the agenda; and
 - 3.52.2.2 cannot be deferred until the next meeting without having a negative impact on the Council, the municipal district or the local community; and
 - 3.52.2.3 cannot be addressed through the operational service request process.
- 3.52.3 A Councillor proposing that a matter be admitted as urgent business must lodge a request in writing with the Chief Executive Officer by 4.00 pm on the day of the meeting.
- 3.52.4 The Chief Executive Officer will advise the Chairperson of any matter that they determines to be appropriate for Council to consider admitting as urgent business.

3.53 DISCIPLINE AND SUSPENSIONS

- 3.53.1 If any Councillor behaves offensively towards any other Councillor or City officer, the offending Councillor will be required by the Chairperson to withdraw the expression and make a satisfactory apology to the meeting.
- 3.53.2 A Councillor must not use defamatory, indecent, abusive or offensive words in reference to any other Councillor or City officer.
- 3.53.3 The Chairperson may require a Councillor to withdraw any remark which is defamatory, indecent, abusive or offensive in language or substance.
- 3.53.4 A Councillor who is required to withdraw a remark must do so immediately, without qualification or explanation.
- 3.53.5 A Councillor must not make any noise or disturbance while another Councillor or City officer is speaking. If they do so, the Chairperson must call upon the Councillor by name and the Councillor must immediately cease such disturbance.
- 3.53.6 The Chairperson may suspend from a meeting, for the balance of the meeting, any Councillor whose actions have disrupted the business of the Council and impeded its orderly conduct.

3.54 REMOVAL FROM THE MEETING ROOM

- 3.54.1 The Chairperson, an authorised City officer, may have any person removed from the Meeting room for reasons of disorderly conduct or for failing to act in accordance with a direction from the Chairperson.
- 3.54.2 A person removed from a meeting must leave the room in which the meeting is being held where they can no longer disrupt the meeting.

3.55 PUBLIC ADDRESSING THE MEETING

- 3.55.1 Members of the public do not have a right to address the Council and may only do so in accordance with these rules or with the consent of the Chairperson.
- 3.55.2 Any member of the public addressing Council must extend due courtesy and respect to Council and the processes under which it operates and must take direction from the Chairperson whenever called on to do so.
- 3.55.3 Members of the public present at a meeting must not disrupt or interject during a meeting.

3.56 CHAIRPERSON MAY ADJOURN DISORDERLY MEETING

If the Chairperson is of the opinion that disorder at the Council table or in the gallery makes it desirable to adjourn the Council meeting, they may adjourn the meeting to a

later time on the same day or to some later day as they think proper. In that event, the provisions for adjournment of meetings in these Rules apply.

3.57 REMOVAL FROM CHAMBER

The Chair, or Council in the case of a suspension, may ask the Chief Executive Officer or a member of the Victoria Police to remove from the Chamber any person who acts in breach of this Chapter and whom the Chair has ordered to be removed from the gallery under these Rules.

3.58 SUSPENSION OF STANDING ORDERS

3.58.1 To expedite the business of a meeting, Council may suspend standing orders.

3.58.2 The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of *Council*. An appropriate motion would be:

"That standing order be suspended to enable discussion on....."

3.58.3 No motion can be accepted by the *Chair* or lawfully be dealt with during any suspension of standing orders.

3.58.4 Once the discussion has taken place and before any motions can be put, the resumption of standing orders will be necessary. An appropriate motion would be:

"That standing orders be resumed."

3.59 DETERMINATION OF MEETING FORMAT

3.59.1 By default, Council meetings shall be conducted in person except as provided for in this Part.

3.59.2 Despite 3.59.1, Council may by resolution determine that a specific meeting or meetings will be conducted:

3.59.2.1 in person;

3.59.2.2 by electronic means of communication.

3.60 MEETINGS CONDUCTED IN PERSON

3.60.1 At meetings conducted in person, Councillors shall physically attend the meeting unless a request to participate by electronic means of communication has been granted in accordance with this section.

3.60.2 A request to participate by electronic means of communication must be in writing, signed by the Councillor, and lodged or sent to the Chief Executive Officer at least 6 hours before the commencement of the meeting.

3.60.3 A request to participate by electronic means of communication must provide an explanation as to why the Councillor cannot reasonably participate in the meeting in person. For the avoidance of doubt, a Councillor's personal preference to participate by electronic means of communication does not constitute sufficient grounds for making a request. The Chief Executive Officer, shall, if requested by the Councillor, keep confidential the submitted reasons for the request.

3.60.4 If a request to participate in a meeting by electronic means of communication does not comply with 3.60.3, the Chief Executive Officer shall decline to accept it, and shall notify the Councillor and, if time permits, provide them an opportunity to submit a further request.

3.60.5 Subject to 3.60.6 the Chief Executive Officer shall grant all requests to participate in a meeting by electronic means of communication, and shall notify all Councillors of the decision.

- 3.60.6 Unless extraordinary circumstances warrant it, the Chief Executive Officer may not grant a request to participate in a meeting by electronic means of communication at the first meeting of Councillors after a General Election, or if the meeting will consider:
- 3.60.6.1 the election of the Mayor under section 25 of the Act;
 - 3.60.6.2 the election of the Deputy Mayor under section 27 of the Act;
 - 3.60.6.3 the adoption of Governance Rules under section 60 of the Act;
 - 3.60.6.4 the adoption of a Community Vision under section 88 of the Act;
 - 3.60.6.5 the adoption of a Council Plan under section 90 of the Act;
 - 3.60.6.6 the adoption of a Long Term Financial Plan under section 91 of the Act;
 - 3.60.6.7 the adoption of an Annual Budget under section 94 of the Act;
 - 3.60.6.8 the adoption of a Revised Budget under section 94 of the Act;
 - 3.60.6.9 the presentation by the Mayor of an Annual Report under section 100 of the Act; or
 - 3.60.6.10 the adoption of a Councillor Code of Conduct under section 139 of the Act.
- 3.60.7 A Councillor who is not physically in attendance at a meeting but is present by electronic means of communication without approval, shall be recorded as absent, and cannot to participate in the meeting.

3.61 MEETINGS CONDUCTED BY ELECTRONIC MEANS OF COMMUNICATION

- 3.61.1 Should the Chief Executive Officer receive requests under 3.59 to participate in a meeting by electronic means of communication from an absolute majority of Councillors, the meeting shall be conducted solely by electronic means of communication.
- 3.61.2 Should the Chief Executive Officer determine that extraordinary circumstances warrant it, they are authorised to determine that any meeting be conducted solely by electronic means of communication.
- 3.61.3 The Chief Executive Officer may take all relevant factors into account in making a determination that extraordinary circumstances warrant a meeting being conducted solely by electronic means of communication including, but not limited to:
- 3.61.3.1 any risk to the health and safety of Councillors, staff and the community;
 - 3.61.3.2 whether all or part of the meeting is planned to be closed to members of the public under section 66(2) of the Act; or
 - 3.61.3.3 whether the orderly conduct of a meeting may be affected by the format of the meeting.

3.62 ADJUSTMENTS TO MEETING RULES

- 3.62.1 If a meeting is conducted by electronic means of communication, the following modifications to the application of the Rules in this Chapter are to be made:
- 3.62.2 References to a Councillor being present at a meeting shall be a reference to a Councillor being able to both hear and see other members in attendance and be heard and be seen by other members in attendance;
- 3.62.3 The Chairperson may, with the consent of the meeting, modify the application of any of the Rules in this Chapter to facilitate the more efficient and effective transaction of the business of the meeting.

3.63 PROCEDURE NOT PROVIDED IN THIS CHAPTER

In all cases not specifically provided for by these Rules, resort must be had to the Standing Orders and Rules of Practice of the Upper House of the Victorian Parliament (so far as the same are capable of being applied to Council proceedings).

3.64 CRITICISM OF CITY OFFICERS

- 3.64.1 The Chief Executive Officer may make a brief statement at a Council meeting in respect of any statement by a Councillor made at the Council meeting criticising them or any City officer.
- 3.64.2 A statement under this Rule must be made by the Chief Executive Officer, through the Chairperson, as soon as it practicable after the Councillor who made the statement finished addressing Council.

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CHAPTER 3 – DELEGATED COMMITTEES

1. Election Chairs of Delegated Committees

Any election for the Chair of a Delegated Committee will be regulated by Chapter 2 of these Rules as if the reference to the:

- 1.1 Chief Executive Officer is a reference to the Mayor; and
- 1.2 Mayor is a reference to the Chair of the Delegated Committee (as the case may be).

2. Meeting Procedure Generally

If Council establishes a Delegated Committee:

- 2.1 all of the provisions of Chapter 2 apply to meetings of the Delegated Committee; and
- 2.2 any reference in Chapter 2 to:
 - 2.2.1 a Council meeting is to be read as a reference to a Delegated Committee meeting;
 - 2.2.2 a Councillor is to be read as a reference to a member of the Delegated Committee; and
 - 2.2.3 the Mayor is to be read as a reference to the Chair of the Delegated Committee.

3. Meeting Procedure Can Be Varied

Notwithstanding Rule 1 of this Chapter, if Council establishes a Delegated Committee that is not composed solely of Councillors:

- 3.1 Council may; or
- 3.2 the Delegated Committee may, with the approval of Council

resolve that any or all of the provisions of Chapter 2 are not to apply to a meeting of the Delegated Committee, in which case the provision or those provisions will not apply until Council resolves, or the Delegated Committee with the approval of Council resolves, otherwise.

CHAPTER 4 – MEETING PROCEDURE FOR COMMUNITY ASSET COMMITTEES

1. Introduction

In this Chapter, “Instrument of Delegation” means an instrument of delegation made by the Chief Executive Officer under section 47(1)(b) of the Act.

2. Meeting Procedure

Unless anything in the instrument of delegation provides otherwise, the conduct of a meeting of a Community Asset Committee is in the discretion of the Community Asset Committee.

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CHAPTER 5 – JOINT MEETINGS OF COUCNILS

Regional collaboration provides benefits through collective procurement, increased advocacy and alignment for major projects. While on some matters that are worked on in partnership it's possible for the participating Councils to make their own decisions and determinations, in some circumstances, it may be beneficial to hold Joint Council Meetings as are provided for in the Act.

1. Council may resolve to participate in a Joint Council meeting to consider:
 - 1.1 Collaborative projects;
 - 1.2 Collaborative procurement; and/or
 - 1.3 Emergency Response.
2. If Council has resolved to participate in a Joint Council meeting, the Chief Executive Officer will agree on the applicable governance rules for the meeting with the participating Councils, before the meeting starts.
3. Where the Greater Geelong City Council is the lead Council on a matter to be brought for consideration at a Joint Council meeting, the Mayor will be nominated to Chair the Joint Council meeting
4. At a majority of Councillors will be appointed to represent Council at a Joint Council meeting Consistent information will be provided to Councillors prior to any Joint Meeting and every endeavour will be made by the Chief Executive Officer to facilitate a joint briefing.
5. A joint briefing arranged in accordance with this Rule may be held electronically.

CHAPTER 6 - DISCLOSURE OF CONFLICTS OF INTEREST

1. Introduction

The following Rules in this Chapter apply only upon Division 1A of Part 4 of the Local Government Act 1989 being repealed.¹

2. Definition

In this Chapter:

- 2.1 “meeting conducted under the auspices of Council” means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a ‘Councillor Briefing’ or by some other name); and
- 2.2 a member of a Delegated Committee includes a Councillor.

3. Disclosure of a Conflict of Interest at a Council Meeting

A Councillor who has a conflict of interest in a matter being considered at a Council meeting at which they:

- 3.1 are present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Council meeting immediately before the matter is considered; or
 - 3.2 intend to be present must disclose that conflict of interest by providing to the Chief Executive Officer before the Council meeting commences a written notice:
 - 3.2.1 advising of the conflict of interest;
 - 3.2.2 explaining the nature of the conflict of interest; and
 - 3.2.3 detailing, if the nature of the conflict of interest involves a Councillor’s relationship with or a gift from another person, the:
 - 3.2.3.1 name of the other person;
 - 3.2.3.2 nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - 3.2.3.3 nature of that other person’s interest in the matter,
- and then immediately before the matter is considered at the meeting announcing to those present that they have a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.

The Councillor must, in either event, leave the Council meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

4. Disclosure of Conflict of Interest at a Delegated Committee Meeting

A member of a Delegated Committee who has a conflict of interest in a matter being considered at a Delegated Committee meeting at which they:

- 4.1 are present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Delegated Committee meeting immediately before the matter is considered; or

¹ At the time of making these Rules the date on which Division 1A of Part 4 of the *Local Government Act 1989* is expected to be repealed is 24 October 2020.

- 4.2 intend to present must disclose that conflict of interest by providing to the Chief Executive Officer before the Delegated Committee meeting commences a written notice:
- 4.2.1 advising of the conflict of interest;
 - 4.2.2 explaining the nature of the conflict of interest; and
 - 4.2.3 detailing, if the nature of the conflict of interest involves a member of a Delegated Committee's relationship with or a gift from another person the:
 - 4.2.3.1 name of the other person;
 - 4.2.3.2 nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - 4.2.4 nature of that other person's interest in the matter, and then immediately before the matter is considered at the meeting announcing to those present that they have a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.

The member of a Delegated Committee must, in either event, leave the Delegated Committee meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

5. Disclosure of a Conflict of Interest at a Community Asset Committee Meeting

A Councillor who has a conflict of interest in a matter being considered at a Community Asset Committee meeting at which they:

- 5.1 are present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Community Asset Committee meeting immediately before the matter is considered; or
- 5.2 intend to present must disclose that conflict of interest by providing to the Chief Executive Officer before the Community Asset Committee meeting commences a written notice:
 - 5.2.1 advising of the conflict of interest;
 - 5.2.2 explaining the nature of the conflict of interest; and
 - 5.2.3 detailing, if the nature of the conflict of interest involves a member of a Councillor's relationship with or a gift from another person the:
 - 5.2.3.1 name of the other person;
 - 5.2.3.2 nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - 5.2.4 nature of that other person's interest in the matter, and then immediately before the matter is considered at the meeting announcing to those present that they have a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.

The Councillor must, in either event, leave the Committee Asset Committee meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

6. Disclosure at a Meeting Conducted Under the Auspices of Council

A Councillor who has a conflict of interest in a matter being considered by a meeting held under the auspices of Council at which they are present must:

- 6.1 disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered;
- 6.2 absent themselves from any discussion of the matter; and
- 6.3 as soon as practicable after the meeting concludes provide to the Chief Executive Officer a written notice recording that the disclosure was made and accurately summarising the explanation given to those present at the meeting.

7. Disclosure by Members of Council Staff Preparing Reports for Meetings

- 7.1 A City officer who, in their capacity as a City officer, has a conflict of interest in a matter in respect of which they are preparing or contributing to the preparation of a Report for the consideration of a:
 - 7.1.1 Council meeting;
 - 7.1.2 Delegated Committee meeting;
 - 7.1.3 Community Asset Committee meeting

must, immediately upon becoming aware of the conflict of interest, provide a written notice to the Chief Executive Officer disclosing the conflict of interest and explaining the nature of the conflict of interest.

- 7.2 The Chief Executive Officer must ensure that the Report referred to in sub-Rule 7.1 records the fact that a City officer disclosed a conflict of interest in the subject-matter of the Report.
- 7.3 If the City officer referred to in sub-Rule 7.1 is the Chief Executive Officer:
 - 7.3.1 the written notice referred to in sub-Rule 7.1 must be given to the Mayor; and
 - 7.3.2 the obligation imposed by sub-Rule 7.2 may be discharged by any other City officer responsible for the preparation of the Report.

8. Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power

- 8.1 A City officer who has a conflict of interest in a matter requiring a decision to be made by the City officer as delegate must, immediately upon becoming aware of the conflict of interest, provide a written notice to the Chief Executive Officer explaining the nature of the conflict of interest.
- 8.2 If the City officer referred to in sub-Rule 8.1 is the Chief Executive Officer the written notice must be given to the Mayor.

9. Disclosure by a City officer in the Exercise of a Statutory Function

- 9.1 A City officer who has a conflict of interest in a matter requiring a statutory function to be performed under an Act by the City officer must, upon becoming aware of the conflict of interest, immediately provide a written notice to the Chief Executive Officer explaining the nature of the conflict of interest.
- 9.2 If the City officer referred to in sub-Rule 9.1 is the Chief Executive Officer the written notice must be given to the Mayor.

10. Retention of Written Notices

The Chief Executive Officer must retain all written notices received under this Chapter for a period of three years.

CHAPTER 7 – MISCELLANEOUS**11. Informal meetings of Councillors**

If there is a meeting of Councillors that:

- 11.1 is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- 11.2 is attended by at least one City officer; and
- 11.3 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting.

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

- 11.4 tabled at the next convenient Council meeting; and
- 11.5 recorded in the minutes of that Council meeting.

12. Confidential Information

- 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.

CHAPTER 8 – ELECTION PERIOD POLICY

DRAFT

THE CITY OF
GREATER GEELONG

PUBLIC QUESTION AND SUBMISSION TIME POLICY

VERSION: 2

Approval Date:

Approved by: Council

Review Date: 12 May 2024

Responsible Officer: Manager Governance.

Authorising Officer: Chief Executive Officer

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Introduction

PURPOSE

The purpose of this policy is to outline the rules and guidelines by which the public asks questions or provides information at Council meetings under section 61, 62, 63 and 64 of the *Local Government Act 2020* in a way that:

- provides a more resourceful and accountable platform for the public to submit questions or provide information to be considered at Council meetings; and
- allow Council sufficient time to consider the issues arising from the questions or information provided.

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Definitions

This section defines the key terms used in this policy.

ACT

The *Local Government Act (Vic) 2020*

MEETING

Means an ordinary meeting of the Council under section 61 of the Act, a joint meeting of Councils under section 62 of the Act, a delegated committee under section 63 of the Act or a joint delegated committee under section 64 of the Act.

MEMBER

A Councillor or other member of a delegated committee under section 63 of the Act.

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Policy

1. Public Question and Submission Time

Public Question and Submission Time will be provided at the start of a Meeting to enable members of the public to ask questions or make submissions to Council.

There will be no Public Question and Submission Time at Meetings:

- to consider the election of the Mayor and Deputy Mayor; or
- not fixed by Council in accordance with section 3.5 of the Governance Rules, unless otherwise determined by the Chairperson.

2. Time Allocation and Number of Questions

Forty five (45) minutes will be allocated for Public Question and Submission Time at a Meeting. The duration of Public Question and Submission Time may be extended by:

- the Chairperson, given due consideration to the business to be considered at the Meeting; or
- by resolution of the Meeting.

No more than two (2) questions may be asked or submissions made by any person at any one (1) Meeting. Questions or submissions made over and above these requirements, at the discretion of the Chairperson:

- may be deferred until all other persons wishing to ask a question or make a submission have had an opportunity to be heard; or
- may not be asked or submitted if the time allotted for public question and submission time has expired.

A maximum time limit of 3 minutes applies to each question asked or submission made by a person.

3. How to ask a question or make a submission

Questions to be asked or submissions to be made at a Meeting must be in writing, and state the name and address of the person submitting the question, and generally be in a form approved by the Chief Executive Officer; and lodged:

- in person at any Customer Service Centre within the City; or
- electronically, by using the online form provided on Council's website.

Questions and submissions lodged will be provided to the Members by the Chief Executive Officer before the Meeting.

4. Language and Accessibility

The Chief Executive Officer will use all reasonable endeavours to have a question or submission made in a language other than English translated into English before the Meeting. A question or submission that cannot be translated prior to the commencement of the Meeting will be translated prior to the next scheduled Meeting. The submitter will be notified accordingly.

The Chief Executive Officer will take reasonable steps to ensure that the processes and procedures provided for in this policy are accessible to all members of the community.

5. Questions Without Notice

At the Chairperson's discretion, a person can ask a question or make a submission at a Meeting without notice.

6. Responding to Questions

In person attendance

At a Meeting, preference will be given to hear from those people who have provided their questions or submissions to the City in writing by noon on the day prior to the scheduled Meeting.

The Chairperson may request the Chief Executive Officer, or the appropriate Member or a City employee, to respond to a question or a submission. The Chairperson or the Chief Executive Officer may reserve the right to take the question on notice and provide a written response to the person who asked the question within seven (7) days of the Meeting.

Council will respond to a question asked to a Meeting if the person who asked the question is present at the Meeting.

The question asked and the answer given will be recorded in the Minutes of the Meeting.

All questions, submissions and answers must be brief, and discussion will be entered into only for the purpose of clarification.

Submitter not present at the Meeting

All councillors will receive a copy of pre-submitted questions and submissions.

A summary of the question or submission and the name of the submitter will be recorded in the Minutes.

The Chief Executive Officer will cause a written response to be provided to the person asking the question within ten (10) days of the Meeting.

7. Question Eligibility

The Chairperson of a meeting may preclude a person from asking a question or making a submission if the Chairperson determines that it:

- relates to a matter outside the duties, functions and powers of Council;
- is defamatory, indecent, abusive, offensive, vexatious, frivolous, irrelevant, trivial or objectionable in language;
- is the subject of a current dispute, whether formal or informal or is of a commercially sensitive nature;
- in the Chairperson's opinion, seeks to or has the potential to embarrass a Member or a City employee;
- relates to the matters of the City's personnel;
- relates to industrial matters;
- deals with subject matter already answered or declined;
- relates to contractual matters;
- relates to legal advice sought and/or obtained by Council or the City;
- relates to matters affecting the security of a City employee or their property;
- relates to a matter to be considered by Council at the meeting at which the question is proposed to be asked which may prejudice the decision-making process.

- relates to any other matter which the Chairperson considers would prejudice Council, a City employee, or any person; or
- relates to a matter for which the meeting would normally be closed to the public in accordance with section 66 of the Act.

A copy of any question which has been precluded by the Chairperson must be made available to any other Member upon request.

Public Question and Submission Time is not a substitute for formal appeal and review systems, formal business procedures, formal Council decisions and any other legal processes required for the proper conduct of Council business.

8. Questions Considered in Bulk

Similar questions may be grouped together and a single answer provided by the Council.

9. Number of Questions

A Member or the Chief Executive Officer may advise the Chairperson that, in his or her opinion, any question to be asked or information to be submitted should be given in a Meeting that is closed to the public, stating the reasons for his or her opinion. Unless the Members of the Meeting resolve to the contrary, the question should be asked and answered, or the information submitted, in a Meeting closed to the public.

10. Special Consideration

In the event that Meetings are conducted by electronic means of communication and in person attendance is not permitted due to exceptional circumstances the processes for public question and submission time at these Meetings may be varied to the following extent:

1. Members of the public who wish to appear at a Meeting may do so by providing a written question or submission to the City by using the online form provided on Council's website and submitting it by 12pm the day before the Meeting;
2. The City will post the question, together with the appropriate response, and/or the submission on the City's website before the meeting;
3. The Chief Executive Officer at their discretion will direct whether and how questions and submissions may be read out and/or answered at a Meeting, noting that the City is required to remove or mitigate risks associated with public health and safety; and
4. The City will publish the question and answer and/or the submission in the minutes of the meeting.

Implementation of this Policy

MONITORING AND REPORTING

The City's Governance Department will monitor and report on public questions and submissions as requested from time to time.

ADVICE AND ASSISTANCE

The Responsible Officer for this policy manages the provision of advice to the organisation regarding this 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
Approved policy	Governance Officer	Permanent	Rex (Approved and archived documents folders)

REVIEW

The City should review and, if necessary, amend this policy within four years of the approval date.

References

Greater Geelong City Council Governance Rules

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GOVERNANCE RULES and PUBLIC QUESTION & SUBMISSION TIME POLICY SUBMISSIONS REPORT



On 29 June 2022 the City commenced community engagement inviting the community to have their say on the draft Governance Rules and draft Public Question and Submission Time Policy documents.

The engagement was open on the Have Your Say page for a period of 3 weeks and closed on 20 July 2022.

The following submissions were received and considered in relation to the draft documents:

Ref	Submission	Officer comments
GR*	<p><i>No. This is ridiculous. We do not need this. And we should never accept this in any way shape or form.</i></p> <p><i>This is linked to a social credit system which we do not want that will be similar to China's.</i></p> <p><i>You will use this system unconventionally to prevent people from accessing necessary public meetings.</i></p> <p><i>This is an absolute disgrace that you would suggest such a thing.</i></p>	<p>Council meetings are open to the public in accordance with current health advice. The adoption of the Governance Rules is a requirement of the <i>Local Government Act 2020</i>, no changes are proposed in response to this submission.</p>
Both	<p><i>I want to see the 3 minute allocation per person at question time extended to at least 10 minutes during standard sessions of Council and to 15 minutes each for sessions of the planning committee. I want a written policy inserted stating that one person can speak for other specified persons and have their time allocated to the speaker. CoGG Planning has 1-2 years in many cases to draft and present their recommendations contained in 50+ page highly comprehensive reports. The ludicrous 3 minute time limit is a sham on democracy and patently unfair to the constituency who are unable to even scratch the surface of the scope of printed contents to challenge claims and legitimacy of planning officer findings. A 14-day minimum release of planning officer recommendation reports to Council on all permits is badly needed out of fairness verses the 1-2 day notice release now given. In most cases the planning officer has or could have the report completed weeks prior to release so this requirement would not be a burden and would go a long way into boosting public confidence that the system was fair.</i></p> <p><i>In addition, I want verbal and written answers to questions submitted at Council. No attempt is ever made to answer questions submitted at sessions of council even when critical voting on a given proposal is on for that night's agenda. I have never once received an answer written or otherwise to questions submitted in writing and verbally at council meetings for over ten years. I want to see the restriction on having an elected councillor be able to speak on an issue presented as a question removed. This draconian policy has the public seeing Council as a secret society with sealed lips and councillors see the "can't comment" policy as an excuse to remain mute to the public on all subjects and to remain misinformed to ease their jobs.</i></p>	<p>A time limit of 3 minutes has been set to ensure an equitable and fair access for all submitters.</p> <p>It should be noted that the main process for objectors to have their concerns raised and considered for Planning Applications is via the advertising process which is a legislated process. The 3 minutes allocated for the Planning Committee is to ensure the Committee understands the main concerns.</p> <p>With regard to Planning Scheme Amendments which are considered by Council, again the main process for the community to voice their opinion is via the legislated submission process.</p> <p>Questions pertaining to items on Council Agenda will not be answered prior to consideration by the Council. This allows Council to have a full and frank debate on the item without prejudice.</p> <p>Further information on asking and responding to questions and submissions is available on the website.</p>

<p>QT*</p>	<p><i>Page 7 - relates to a matter to be considered by Council at the meeting at which the question is proposed to be asked which may prejudice the decision making process.</i></p> <p><i>Disagree. If the question is material to a matter to be discussed at a Council meeting the question should be allowed in order that all Councillors are aware of all relevant matters.</i></p> <p><i>Page 8 - 4.5. Sufficient time should be allowed (beyond the present arbitrary 3 minute limit) to enable questions specific to a Planning Application Report by a CoGG Planning Officer to be presented. These reports contain matters of detail, are prepared over many months (in some cases) and generally cover many pages of content. The time presently allowed to respond to matters of details is grossly inadequate and places community respondents who wish to challenge or contest specific issues, at a distinct disadvantage to proponents of an application, and/or the views of Council planners</i></p>	<p>Questions pertaining to items on Council Agenda will not be answered prior to consideration by the Council. This allows Council to have a full and frank debate on the item without prejudice.</p> <p>A time limit of 3 minutes has been set to ensure an equitable and fair access for all submitters.</p> <p>With regard to Planning Scheme Amendments which are heard by Council the main process for the community to voice their opinion is via the legislated submission process.</p>
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*GR = Governance Rules

*QT = Public Question and Submission Time Policy

2.7. Planning Authorisation - Council to Staff

Source: Office of the Chief Executive
Chief Executive Officer: Martin Cutter

Purpose

1. To appoint City officers as authorised officers under the *Planning and Environment Act 1987* (P&EA).

Background

2. City officers are appointed as authorised officers to exercise statutory powers under various Acts and regulations. Appointments as authorised officers are to individual staff members.
3. The P&EA regulates enforcement and is reliant on authorised officers acting on behalf of the responsible authority (Council).

Key Matters

4. Where there is a specific power within an Act, Council should appoint authorised officers pursuant to that Act. This is the case for the P&EA.
5. **Attachment 1** sets out the Instrument of Appointment and Authorisation under the P&EA and lists the staff member to whom this authorisation applies.

RESOLUTION - Item 2.7

Cr Grzybek moved, Cr Harwood seconded -

In the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987*, Council resolves that:

1. **City staff referred to in the Instrument (Attachment 1) be appointed and authorised as set out in the Instrument;**
2. **The Instrument comes into force immediately upon the resolution of Council;**
and
3. **The Instrument be signed by the Chief Executive Officer on behalf of Council.**

Carried

Financial Sustainability

6. There are no financial sustainability implications arising from the subject of this report.

Community Engagement

7. Relevant City managers have been consulted regarding this recommended appointment and authorisation.

Social Equity and Sustainability

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

Relevant Law/Policy/Legal Implications

9. The recommended appointment and authorisation of staff members complies with the relevant provisions of the P&EA and the *Local Government Act 2020*.

Alignment to Community Plan and Vision

10. This report aligns with Our Community Plan 2021-2025 strategic priority: High-performing council and organisation.

Conflict of Interest

11. No officer involved in the preparation of this report declared a general or material conflict of interest.

Risk Assessment

12. There are no significant or high risks associated with the subject of this report.

Environmental Sustainability

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

Attachments

1. Planning Authorisations Council to Staff [2.7.1 - 2 pages]

Greater Geelong City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)

Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means –

Nicholas Brasier

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

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020* authorises the officers generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument comes into force immediately upon the resolution of Council.

This instrument is authorised by a resolution of the Greater Geelong City Council on 23 August 2022.

Signed for GREATER GEELONG CITY COUNCIL by
MARTIN CUTTER, Chief Executive Officer

Chief Executive Officer

Date:

3. RECORD OF INFORMAL MEETINGS OF COUNCILLORS

Source: Office of the Chief Executive
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.

RESOLUTION - Item 3.1

Cr Moloney moved, Cr Sullivan seconded -

That Council receive the summary of the informal meetings of Councillors for the period to 23 August 2022.

Carried

**INFORMAL MEETINGS OF COUNCILLORS
(Council Meeting 23 August 2022)**

Informal Meeting Details	Councillor Attendance/Apology	Officer Attendance	Agenda Items	Conflict of Interest Disclosures
<p>Councillor Briefing 2 August 2022</p>	<p>Crs Murrhly, Mansfield, Moloney, Grzybek, Aitken, Mason, Nelson, Kontelj</p> <p><i>Apology : Cr Harwood</i></p>	<p>M Cutter (CEO) R Stevens (DIR) G Smith (DIR) K Phyland (DIR) K Olesnicky (A/DIR) J Giacchi (GENERAL COUNSEL) V Allan (SNR LAWYER) S McKew (MGR) T Kirwood (MGR) J Lane (MGR) M Fahey (MGR)</p>	<ul style="list-style-type: none"> • Local Procurement • Reflect RAP • Fatigue Management 	<ul style="list-style-type: none"> • Nil
<p>Councillor Briefing 9 August 2022</p>	<p>Crs Murrhly, Sullivan, Aitken, Grzybek, Harwood, Kontelj, Mansfield, Mason, Moloney</p> <p><i>Apology : Cr Asher</i></p>	<p>M Cutter (CEO) R Stevens (DIR) G Smith (DIR) K Phyland (DIR) S Broadbent (A/DIR) A Mowlam (A/DIR) K Olesnicky (A/DIR) S McKew (MGR) J Daly (MGR) K Pizzi (MGR) J Van Slageren (MGR) J Douglas (CO ORD) M Macgugan (CORP COMM LEAD) K Ivens (SNR ADVISOR CEO)</p>	<p><i>Presentation:</i></p> <ul style="list-style-type: none"> • Waste Facility <p><i>Council Reports:</i></p> <ul style="list-style-type: none"> • Bluestone Cottage Relocation Feasibility Study – 375 Barwon Heads Road • Tender T2200043 – Building Better Bike Connections – Stage 2 South • Amendment C339ggee Flood Zones and Overlays – Review of Complex Submissions – Lara, Avalon and Fyansford • Proposed Amendment C435ggee and Planning Permit PP-468-2021 – 190-216 Princes Highway, Corio (KFC Site Stead Park) • Armstrong Creek West Community Hub – Naming • Drysdale Library – Naming 	<p>Crs Grzybek and Kontelj declared a Conflict of Interest in Tender T2200043 – Building Better Bike Connections – Stage 2 South and left the meeting prior to discussion of the item.</p> <p>Cr Grzybek declared a Conflict of Interest in Amendment C339ggee Flood Zones and Overlays – Review of Complex Submissions – Lara, Avalon and Fyansford and left the meeting prior to discussion of the item.</p>

			<ul style="list-style-type: none">• Review of Governance and Public Question and Submission Time Policy• Planning Authorisation – Council to Staff• Employment Matter – (<i>Confidential</i>)	
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4. PLANNING DELEGATIONS

Source: City Planning & Economy

Director: Gareth Smith

Purpose

1. To provide the schedule of planning permit applications determined under delegation since the last report.

Background

2. Section 11 of the *Local Government Act 2020* 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. Section 63 of the *Local Government Act 2020* and section 188 of the *Planning and Environment Act 1987* allow Council to establish a delegated committee with the power to determine planning permit applications.
4. Council to Staff Instrument of Delegation allows staff to determine planning permit applications where there are less than 6 objections lodged.
5. The Planning Committee's terms of reference provide for determination of planning permit applications where there are 6 or more objections lodged.
6. The City is required by Council to provide information on planning permit applications determined under delegation.

Key Matters

7. The Schedule attached to this report provides information on the planning permit applications determined under delegation since the last report.

RESOLUTION - Item 4.1

Cr Harwood moved, Cr Grzybek seconded -

That Council receive the information in the Schedule titled Planning Decisions Report for July 2022.

Carried

App No	Location	Application Type	Decision Date	Description	No of Objectors/ Authority
PP-1080-2021	30 Mitchell Street, BELMONT VIC 3216	Construction of Three (3) Dwellings, Three (3) Lot Subdivision adjacent to a Transport Zone 2	26/07/2022	NOD - Delegate	1
PP-1093-2021	29 Drysdale Avenue, HAMLIN HEIGHTS VIC 3215	Construction of Three (3) Dwellings	29/07/2022	NOD - Delegate	1
PP-1265-2021	13 Pleasant Street, NEWTOWN VIC 3220	Partial Demolition, Alterations and Additions to Existing Dwelling in a Heritage Overlay	15/07/2022	NOD - Delegate	1
PP-1493-2021	82 Newcombe Street, PORTARLINGTON VIC 3223	Use of the Land for the Sale and Consumption of Liquor associated with a Cafe/Restaurant Liquor Licence	5/07/2022	NOD - Delegate	3
PP-1549-2021	121 McKillop Street, GEELONG VIC 3220	Use and Development as a Medical Centre, Partial Demolition, Construct and Display Signage including Business Identification Signage and Reduction of Car Parking	29/07/2022	NOD - Delegate	1
PP-230-2022	7 Kidman Avenue, BELMONT VIC 3216	Construction of Two (2) Additional Dwellings and Three (3) Lot Subdivision	29/07/2022	NOD - Delegate	1
PP-233-2022	10 Langdon Street, PORTARLINGTON VIC 3223	Construction of One (1) Additional Dwelling and Two (2) Lot Subdivision	29/07/2022	NOD - Delegate	1
PP-240-2022	141 Powell Street East, OCEAN GROVE VIC 3226	Construction of Two (2) Dwellings	21/07/2022	NOD - Delegate	2
PP-263-2022	18 Kalver Street, CORIO VIC 3214	Construction of a Second Dwelling and Two (2) Lot Subdivision	27/07/2022	NOD - Delegate	1
PP-334-2022	38-42 Cityview Drive, WANDANA HEIGHTS VIC 3216	Construction of a Dwelling over 7.5 metres in Height	15/07/2022	NOD - Delegate	1
PP-401-2022	78 Swanston Street, GEELONG VIC 3220	Partial Demolition and Alterations and Additions to a Dwelling in a Heritage Overlay	29/07/2022	NOD - Delegate	1
PP-457-2019	1 The Avenue, OCEAN GROVE VIC 3226	Construction of Two (2) Dwellings and Two (2) Lot Subdivision	20/07/2022	NOD - Delegate	4
PP-470-2022	70 Rose Avenue, NORLANE VIC 3214	Construction of Two (2) Community Care Accommodations	29/07/2022	NOD - Delegate	5
PP-518-2022	74 Holst Street, ARMSTRONG CREEK VIC 3217	Removal of a Restriction D on PS822952H	25/07/2022	NOD - Delegate	1
PP-539-2022	2 Wellwood Avenue, NORLANE VIC 3214	Construction of Community Care Accommodation	25/07/2022	NOD - Delegate	1

PP-83-2022	60 Olympic Avenue, NORLANE VIC 3214	Construction of Three (3) Dwellings and a Three (3) Lot Subdivision	15/07/2022	NOD - Delegate	1
PP-982-2021	116 Prospect Road, NEWTOWN VIC 3220	Part Demolition, Alterations and Additions to a Dwelling in a Heritage Overlay	1/07/2022	NOD - Delegate	1
PP-1110-2020	14 Canis Crescent, OCEAN GROVE VIC 3226	Buildings and Works Associated with Alterations and Additions to Existing Dwelling and Construction of Two (2) Additional Dwellings greater than 7.5m in Height and Three (3) Lot Subdivision	1/07/2022	NOD - Planning Permit	Decision Making Committee
PP-1543-2021	48-78 Caledonia Street, MOOLAP VIC 3224	Staged Multi-Lot Subdivision	8/07/2022	NOD	Decision Making Committee
PP-449-2022	737-769 Barwon Heads Road, ARMSTRONG CREEK VIC 3217	Construction of 38 Dwellings, Use and Development of a Service Station, 3 Convenience Restaurants, Display of Internally Illuminated Business Identification Signage, Electronic Pole Sign, and Reduction of Car Parking, Access to a Transport Zone 2 and Reduction of Bicycle requirements	29/07/2022	DMC Refusal	Decision Making Committee
PP-487-2022	31-33 Woods Road, ST ALBANS PARK VIC 3219	Two (2) Lot Subdivision	29/07/2022	NOD - Planning Permit	Decision Making Committee
PP-53-2022	353 Ryrie Street, GEELONG VIC 3220	Construction of a Fence within a Heritage Overlay	26/07/2022	Refusal	Decision Making Committee
PP-553-2021	6 Taroonga Court, NORLANE VIC 3214	Construction of Four (4) Dwellings	26/07/2022	Grant a Planning Permit	Delegated Authority
PP-884-2020	3 Colite Street, BARWON HEADS VIC 3227	Construction of Three (3) Dwellings	18/07/2022	Permit Issued - VCAT	VCAT

5. CONFIDENTIAL

Council will close the meeting to the public in accordance with the provision of section 66(2) of the *Local Government Act 2020* to consider the following items.

5.1. 2022 AFL Series - Geelong Based Activity

CONFIDENTIAL

RESOLUTION - Item 5.1

Cr Murrhly moved, Cr Harwood seconded -

That Council consider this report at the conclusion of the meeting as it is designated confidential by the Chief Executive Officer pursuant to sections 3(1) and 66(5) of the Local Government Act 2020, the information contained in this report is confidential because it contains Council business information being information that would prejudice the Council's position in commercial negotiations. This section is applicable because it may impede Council's ability to negotiate for contracted service provisions.

Carried

5.2. Employment Matter A - Confidential

CONFIDENTIAL

RESOLUTION - Item 5.2

Cr Sullivan moved, Cr Grzybek seconded -

That Council consider this report at the conclusion of the meeting as it is designated confidential by the Chief Executive Officer pursuant to sections 3(1) and 66(5) of the Local Government Act 2020, the information contained in this report is confidential because it contains private commercial information, which if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage. This section is applicable because it contains private commercial in confidence information that may result in financial harm if released.

Carried

5.3. Employment Matter B - Confidential

CONFIDENTIAL

RESOLUTION - Item 5.3

Cr Aitken moved, Cr Harwood seconded -

That Council consider this report at the conclusion of the meeting as it is designated confidential by the Chief Executive Officer pursuant to sections 3(1) and 66(5) of the Local Government Act 2020, the information contained in this report is confidential because it contains personal information that would if released result in the unreasonable disclosure of information about personal affairs. This section is applicable because it contains personal employment information.

Carried

CLOSE OF MEETING

Cr Nelson moved, Cr Grzybek seconded -

That the meeting be closed to the public.

Carried

The meeting was closed to the public at 7.32pm

Cr Aitken moved, Cr Grzybek seconded -

That the meeting be re-opened to the public.

Carried

The meeting was opened to the public at 7.55pm

As there was no further business the meeting closed at 7.55pm on Tuesday 23 August 2022.

Signed: _____

Cr Peter Murrphy (Mayor)

Date: _____