

MINUTES

COUNCIL MEETING

Tuesday 31 January 2023
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 T Sullivan (Bellarine Ward) - Mayor
Cr A Aitken (Windermere Ward) - Deputy Mayor
Cr P Murrihy (Brownbill Ward)
Cr S Asher (Bellarine Ward)
Cr J Mason (Bellarine Ward)
Cr E Kontelj (Brownbill Ward)
Cr M Cadwell (Brownbill Ward)
Cr B Harwood (Kardinia Ward)
Cr B Moloney (Kardinia Ward)
Cr R Nelson (Kardinia Ward)
Cr K Grzybek (Windermere Ward)

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Present: Crs T Sullivan (Mayor), A Aitken, S Asher, M Cadwell, K Grzybek, B Harwood, E Kontelj, J Mason, B Moloney, P Murrhiy

Also Present: K Phyland (Acting Chief Executive Officer), G Smith (Director City Planning and Economy), D Greaves (Acting Director City Services), R Stevens (Director Community Life), B Prosser (Acting Director Customer & Corporate Services), S McKew (Manager Governance)

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.

Welcome

The Mayor congratulated and welcomed Cr Melissa Cadwell to the Council and the Chamber as the newly elected Brownbill Councillor.

The Mayor also acknowledged outgoing Brownbill Councillor, Sarah Mansfield, and extended Council's best wishes in her new role in the Victorian Legislative Council.

1.2. Apologies

Cr R Nelson

1.3. Leaves of Absence

Cr Mason moved, Cr Grzybek seconded -

That Leave of Absence be granted to Cr E Kontelj from 11 – 19 March 2023.

Carried

Cr Murrhiy moved, Cr Moloney seconded –

That Leave of Absence be granted to Cr B Harwood from 18 – 25 February 2023.

Carried

1.4. Declarations of Conflicts of Interest

Nil

1.5. Confirmation of Minutes

Cr Asher moved, Cr Harwood seconded -

That the Minutes of the Council Meeting held on 13 December 2022 be confirmed.

Carried

Standing Orders

Cr Grzybek moved, Cr Harwood seconded –

That standing orders be suspended for the City of Greater Geelong's State and Federal Elected Parliamentary Service Recognition Program.

Carried

Standing orders were suspended at 6.12pm

Service Recognition – The Hon. Lisa Neville

Council acknowledged the outstanding contribution retired MP Lisa Neville has made to the Bellarine region and the state of Victoria. Lisa retired from state politics at the last election after 20 years in the Victorian Parliament.

The contribution that Lisa has made to the Geelong and Victorian communities is evidenced by the progress and legacy that she leaves behind.

Cr Grzybek moved, Cr Asher seconded –

That standing orders be resumed.

Carried

Standing orders were resumed at 6.35pm

1.6. Public Question and Submission Time

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

1. Terry Fahey – Dog Control Orders and Governance Matters;
2. Wilma Cameron – Tree Cities of the World;
3. Jennifer Bantow – Tree Cities of the World;
4. Louis De Koker – Tree Canopy within the City of Greater Geelong; and
5. Jeanne Nel – Replanting of Tree – Barrabool Road, Highton.

Jennifer Bantow asked the following questions in relation to Tree Cities of the World:

Question 1:

Tree Cities of the World. Significant Tree Register - Under the 'Alignment to Community Plan and Vision' section in tonight's Agenda Item 2.4 Report, alignment with the document City of Greater Geelong Heritage Strategy Action Plan, isn't included. This Action Plan on page 22 of the Heritage Strategy, includes these two actions - that the Parks and Gardens Department will:

1. develop and implement a Tree Register to ensure trees with heritage significance are identified; and
2. consider heritage values in decision making around tree management. Council's current tree database doesn't indicate heritage significance.

As the City's Heritage Strategy Action Plan proposes developing and implementing a Significant Heritage Tree Register, will Council now establish a Greater Geelong Significant Heritage Tree Register for both native and other species, as part of the Application to become a Tree City of the World?

Question 2:

The City's Urban Forest Strategy includes a database list of 168,917 trees, 393 different species on public and private land, which is available on-line through the 'Urban Forest Dashboard'. This is a terrific resource, but it urgently needs review. An incorrect tree identification was revealed in a recent planning Permit application. Although this is a comprehensive list, this database doesn't appear to provide any protection for the 168,917 listed trees.

Will Council provide resources to review, correct, update and add protective measures to the Geelong Tree database, as part of the Application to become a Tree City of the World?

Question 3:

Relevant Planning Scheme Clauses - Clause 42.01 - Environmental Significance Overlay, Clause 42.03 - Significant Landscape Overlay - 15 Places Specified In The Schedule 2 To Clause 42.03 Significant Landscape Overlay:

- Foothills of the You Yangs
- Northern Bank of the Barwon River, Newtown
- Waurm Ponds Valley
- Mt Brandon Peninsula (Barwon River Fyansford)
- Edges of the Brisbane Ranges and Anakie
 - Wallington Road, Ocean Grove
- Ocean Grove Hillside Area
- Barwon Heads Semi-Bush Significant Landscape Area
- Barwon River Environs, Barwon Heads
- Lake Connewarre Escarpment Northern and Eastern Edges Lake Connewarre & lower reaches of Barwon River Estuary
- Lake Victoria and Yarram Creek (Ocean Grove, Pt Lonsdale & Queenscliffe)
- Swan Bay and Surrounds
- Murradoc Hill Highest Point on Bellarine Peninsula
- Clifton Springs to Portarlington Coast
- Ocean Grove Significant Tree Residential Area

Recently 3 Planning Permits have applied to remove trees from the Barwon River north bank Newtown.

What is the best way the public can protect a tree, or a group of trees, on public land, or private land, or land managed by another Agency such as VicTrack/Public Transport Victoria, the Corangamite Catchment Management Authority or the Barwon Water Authority, can tree protection for a single tree, or a group of trees be achieved by applying an Environmental Significance Overlay, or a Significant Landscape Overlay?

Thank you for your questions, Jennifer.

Response Question 1:

The City recognises the value of a Significant Tree Register. A funding request was put forward for the 2022-23 Budget but was not successful. The development and launch of the project relies on additional funding and we continue to monitor potential external funding opportunities.

Response Question 2:

Officers update the register as part of their day-to-day work and if errors are identified they are rectified. Trees on public land are protected by Council's Neighbourhood Amenity Local Law. The City is investigating options for improving the protection of trees and this will be the subject of a report to Council later this year.

Response Question 3:

There are a number of overlays that can protect trees by requiring a planning permit to evaluate the justification for removal. A technical study by an arborist, ecologist or landscape architect is required to justify the application of new overlays. Council is currently investigating the planning and other regulatory tools that can be used to protect trees in urban environments. A report will be presented to Council later this year.

Louis De Koker:

Question 1:

The City of Greater Geelong urges its residents to walk rather than drive and actively supports, including through the Planning Scheme, development that compels residents to walk, cycle and use public transport rather than private vehicles.

Banyule Council aims to have 45% of all footpaths in each suburb covered by canopy by 2040 and started by focusing on areas around schools, public transport and shopping centres, to encourage people to walk safely, especially during hot summer months (ABC News, 15.1.2023).

Does the Council have a similar footpath canopy tree shade coverage strategy, target and commitment to work with the community and relevant organisations, including the Cancer Council, to use public trees and boundary trees on private land to provide a healthy measure of footpath canopy shade for Geelong's residents?

Response:

Thank you for your question, Louis.

Council does not have a specific footpath shade strategy in relation to canopy trees, however the Urban Forest Strategy used heat mapping of the municipality, identification of vulnerable communities, existing canopy cover and useful life expectancy of the tree population to prioritise street tree planting programs.

Jeanne Nel:

Question 1:

The City of Greater Geelong removed a mature gum tree with extensive canopy cover in front of 54 Barrabool Road, one of the highest developments in Highton. Although clauses 4.4.1. and 5.4. of the current and previous CoGG Tree Management Policy prescribe the replanting of new trees, subject to site suitability, in the same location in future planting seasons in the event of removal or fatal damage to an individual street or park tree, a number of planting seasons passed without the tree being replaced. During the Council Meeting held on 26 October 2021, responding to a question about the removal of the tree, a City Services representative stated that 'A replacement tree is scheduled to be replanted in the 2022 planting season.' The Council also indicated during the March 2022 meeting that 'Replanting only occurs during April to September to ensure the best survival rates for the street trees'. However, there is still no replacement public tree in front of 54 Barrabool Street. The area remains bare and shadeless.

Why has no action followed from the commitment given at the October 2021 meeting?

Response:

Thank you for your question, Jeanne.

Constraints were identified on the site that meant further investigation was needed before planting could be undertaken. The team is working towards planting at this site during the next planting season.

Adam O'Donnell asked for an update on the funding as part of the upcoming budget process and allocation of funds to rectify flooding on Barrands Lane, Drysdale.

Acting Chief Executive Officer responded that Council is going through the 2023/24 budget process at the moment and anticipates to bring the list of priorities that have been identified by officers, conversations with Councillors across the whole municipality and a series of workshops with Councillors so they can examine those priorities and consider funding options. Whilst the Acting Chief Executive Officer said she didn't have a decision this evening the process is certainly underway to include rectification through flooding for a number of different areas across the City as being a priority for Councillors.

Cr Mason added Councillors have taken this issue on board and haven't had any formal meetings on budget to date, but that they had raised the issue and it will remain alive until we come to a conclusion.

Is there an indicative date for this?

Acting Chief Executive Officer responded Council will near conclusion around April with a series of workshops at the end of February into March with the Councillor group, so there should be some outcomes around April. Council adopts the Budget in June so that will be the formal publishing date of the document. Unfortunately, it is not a small amount of funding required for rectification works as we are looking at not only Barrands Lane, but also Gertrude Street and some other areas across the municipality, including some in Lara.

How do I find out the outcome?

Acting Chief Executive Officer responded she would personally advise the outcome and added ward councillors who have been on site to meet with Adam and his family will be in touch as well.

Graham O'Donnell asked:

1. In relation to Barrands Lane, my understanding was there was major works that had actually been delayed because of design and that those funds may be able to be redirected to Barrands Lane – is that still a possibility?
2. When will a decision will be made for the upgrade works of Barrands Lane, Drysdale and what will be done to inform progress of the works?

Acting Chief Executive Officer apologised for any misunderstanding, but that it was not her current understanding on the topic. The situation being worked through is that there is no funds currently allocated to remediate the drainage issues in Barrands Lane and we will be looking at that for funding through this budget process with Councillors, along with a number of other flood mediation measures that are really important across the community.

3. Will representatives of the City of Greater Geelong attend in person should another flooding event occur?

The Acting Chief Executive Officer responded Council has identified this as being an issue where we need to improve and we have had Councillor feedback on that aspect for other areas across the municipality. Council is looking at an action plan on how we deal with isolated areas, particularly given the learnings with flash flooding.

Flooding is a priority issue for discussion at the moment for officers and many Councillors given the number of community members who are being disproportionately affected by flash flooding.

Has the minutes from a recent meeting forwarded to Council in relation to this issue been circulated amongst Councillors?

The Mayor responded the minutes have been viewed and circulated to the Councillor group and added flood mitigating measures will certainly be a high priority advocated by many Councillors and the budget process coming forward.

Gary Oraniuk asked for the reinstatement of security staff to help curb anti-social behaviour and violence in the Mall.

The Mayor responded the issue of security guards is one that hasn't been on the table for some time so thank you for bringing to our attention. Council has invested heavily in street activation and greening of the area, and work closely with the Victorian State Government and the police force having regular contact in relation to anti-social behaviour.

1.7. Petitions

Cr Moloney presented a petition containing approximately 246 signatures from concerned residents opposing the development at 6 Greenway Court, Wandana Heights.

Cr Moloney presented a petition containing approximately 102 signatures from the Lifestyle Homeowners Committee asking for traffic calming measures to restrict excessive speeds along Boundary Road.

2. REPORTS

2.1. Brownbill Ward Councillor Melissa Cadwell - Affirmation of Office

Source: Office of the Chief Executive
Acting Chief Executive Officer: Kaarina Phyland

Purpose

1. To record the Affirmation of Office undertaken by Brownbill Ward Councillor Melissa Cadwell.

Background

2. An extraordinary vacancy in the Brownbill Ward occurred as a result of former Councillor Sarah Mansfield's appointment to the Victorian Parliament.
3. The Victorian Electoral Commission (VEC) conducted a countback of all the formal votes for Brownbill Ward from the 2020 Greater Geelong City Council Election to fill the extraordinary vacancy.

Key Matters

4. A person elected to be a Councillor is not capable of acting as a Councillor until they have taken the Oath or Affirmation of office in accordance with Section 30 of the *Local Government Act Vic 2020* (the Act).
5. The VEC declared Councillor Melissa Cadwell as the elected representative for Brownbill Ward on 23 January 2023.
6. Kaarina Phyland, Acting Chief Executive Officer administered the Affirmation on 23 January 2023.
7. A copy of the dated and signed Affirmation of Office is included as Attachment 1.

RESOLUTION - Item 2.1

Cr Kontelj moved, Cr Murrhy seconded -

That Council note the Affirmation of Councillor Melissa Cadwell as per Attachment 1.

Carried

Financial Sustainability

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

Community Engagement

9. A copy of the prescribed Affirmation will be available to the community as part of formal Council minutes.

Social Equity and Sustainability

10. There are no social equity implications associated with this report.

Relevant Law/Policy/Legal Implications

11. The Affirmation was undertaken in accordance with s 60 of the Act and as prescribed in the *Local Government (Governance and Integrity) Regulations 2020*.

Alignment to Community Plan and Vision

12. This report aligns with Our Community Plan 2021-2025 strategic priority: High-performing council and organisation.

Conflict of Interest

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

Risk Assessment

14. For a person to act as a Councillor they must take the Oath or Affirmation of Office; this report ensures compliance with the Act.

Environmental Sustainability

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

Attachments

1. Cr M Cadwell - Affirmation of Office [2.1.1 - 1 page]

THE CITY OF
GREATER GEELONG

AFFIRMATION OF OFFICE



I, Melissa Cadwell, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the **Local Government Act 2020** and any other Act to the best of my skill and judgement.

A handwritten signature in blue ink, appearing to read "Melissa Cadwell".

Melissa Cadwell

Declared at Geelong before me this twenty-third day of January 2023.

A handwritten signature in blue ink, appearing to read "K. Phyland".

Kaarina Phyland
Acting Chief Executive Officer

2.2. T2300054 - Design & Construct - Lara Recreation Reserve AFL & Baseball Pavilion

Source: Customer & Corporate Services
Acting Director: Bryce Prosser

Purpose

1. To award Contract C2300054: Design & Construct - Lara Recreation Reserve Baseball & Football Pavilion to MKM Building Group Pty Ltd t/a MKM Constructions (ABN 24 634 085 779).

Background

2. The 2019 Lara Recreation Reserve Master Plan outlined a new sporting pavilion as a priority item to develop and enhance community interest and participation in multiple sports including baseball, cricket and football.
3. The existing baseball facilities are in poor condition and at the north area of the precinct there is currently no facilities to support football/cricket operations utilising oval 3. The new pavilion will provide the Lara Recreation Reserve sporting tenants with a modern, accessible, multi-sport and gender-neutral facility to support their growing baseball, football and cricket operations and provide significant community, health and social benefits whilst improving activation within the precinct.

Key Matters

4. The Procurement Services Unit administered an open tender process on behalf of the Capital Projects Department to find a suitable contractor capable of designing and constructing a multiuse pavilion.
5. Based on the tenderer's project experience, expertise, value for money and project risks the Tender Evaluation Panel recommend that MKM Building Group Pty Ltd t/a MKM Constructions be awarded the contract for this project.
6. Subject to Council awarding a contract the design will commence in February 2023 with construction expected to be completed by March 2024.
7. The lump sum price for the delivery of the project is \$2,288,500.00 excluding GST.

RESOLUTION - Item 2.2

Cr Grzybek moved, Cr Aitken seconded -

That Council:

- 1. Award Contract C2300054 Design & Construct - Lara Recreation Reserve AFL & Baseball Pavilion to MKM Building Group Pty Ltd t/a MKM Constructions (ABN 24 634 085 779) for the tendered lump sum amount of \$2,288,500.00 excluding GST; and**
- 2. Authorise the Chief Executive Officer to execute Contract number C2300054 and any other documents required by or to give effect to the terms of the contract on behalf on Council.**

Carried

Financial Sustainability

8. The project has come within the allocated budget.
9. The project has \$1,000,000.00 funding from Department of Jobs, Precincts and Regions (DJPR).
10. The remainder of the project is funded by the City of Greater Geelong.

Community Engagement

11. The project has been developed in accordance with engagement undertaken in the 2019 Lara Recreation Reserve Master Plan.
12. The pavilion concepts have been developed in various working groups, with representatives of future clubs of the pavilion and relevant City internal departments in accordance with the Master Plan intent.
13. The tender was a standard construction project which did not have any opportunities for collaboration.

Social Equity and Sustainability

14. The Lara Recreation Reserve (north) currently has no facilities to support football/cricket to Oval 3. This new pavilion will consolidate the baseball facilities into a shared building with independent change rooms meeting individual sporting requirements whilst sharing kitchen, social spaces and public amenities.
15. Social equity will be improved by enhancing and supporting female and mixed gender facilities, this has been a key feature of the pavilion concept design. The pavilion has been developed to support mixed gender use within the team changerooms and the umpire changeroom amenities.

Relevant Law/Policy/Legal Implications

16. This tender was advertised in accordance with the requirements of section 109 of the *Local Government Act 2020* and the tender process has been conducted in accordance with the City's Procurement Policy.

Alignment to Community Plan and Vision

17. This report aligns with Our Community Plan 2021-2025 strategic priority:
Healthy, caring and inclusive community.
18. 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

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

Risk Assessment

20. The tender evaluation process involved the assessment of work, health and safety policies, procedures, and risk assessment documents. Any other risks associated with the acceptance of this tender will be managed through the contract conditions.

Environmental Sustainability

21. The design and construction of this pavilion should meet a Built Environment Sustainability Scorecard (BESS) rating of 70% or higher. Any other environmental implications associated with this contract will arise from the execution of the works. It is considered that these are the responsibility of the contractor and will be managed through the contract documentation.

Attachments

Nil

Tender Details

Contract Details

22. T2300054 Design & Construct - Lara Recreation Reserve AFL & Baseball Pavilion.

Invitation to Tender

23. The City issued an invitation to tender on 26 October 2022 seeking to appoint a suitably qualified and experienced contractor to design and construct a multi-use pavilion for the north end of the Lara Recreation Reserve, for Oval 3.

Table 1 Invitations to Tender

Medium	Date Advertised
Print Media	27 October 2022
eProcure	26 October 2022

Tender Evaluation Panel

24. The Tender Evaluation Panel comprised of the following staff.

Table 2 Tender Evaluation Panel

Position Title	Panel role
Procurement Services Officer	Chair
Manager Capital Projects	Member
Project Manager, Capital Projects	Member
Community and Recreation Officer	Member
Project Manager, Capital Projects	Non-Voting

Tender Submissions

25. Tenders had to meet the following mandatory criteria:
- 25.1. OH&S system – if the tenderer's OH&S processes and procedures do not meet a minimum standard determined by the City, the tenderer will not be considered for the contract; and
 - 25.2. Must have successfully completed a similar Design & Construct building contract exceeding \$1,000,000.00 in value.

26. At tender closed the City received seven submissions.

Table 3 Tender Submissions Received

Tender		Conforming tender
A	MKM Building Group Pty Ltd t/a MKM Constructions	Yes
B	Tender B	Yes
C	Tender C	Yes
D	Tender D	Yes
E	Tender E	Yes
F	Tender F	Yes
G	Tender G	Yes

Tender Evaluation

27. The Tender Evaluation Panel used the following qualitative criteria to assess the submissions.

Table 4 Comparative Criteria Weighting

Comparative Criteria	Weighting %
Economic & Local Content contribution (mandatory)	10
Methodology and Plan for performing contract	25
Capability and Experience	35
Proposed Project Resourcing	20
Quality Management	5
Risk Identification and Mitigation	5

28. The tender was evaluated by the tender evaluation panel in a two staged process:
- 28.1. Qualitative assessment of a weighted score totalling 100%; and
- 28.2. Evaluation of price against weighted score:
 $VFM = \text{Tendered Price} \div \text{Weighted Score}$ (lowest VFM Score = preferred supplier).
29. MKM Building Group Pty Ltd t/a MKM Constructions were deemed the best value for money tenderer, demonstrating best value for money for the City, and placing them as the preferred.

Tender Evaluation Scores

30. At the conclusion of the qualitative evaluations the tenders were ranked as shown below. The price was evaluated and the value for money was determined. MKM Constructions were the third ranked qualitative score but ranked first in Value for Money.

Table 5 Tender Evaluation Scores

Tender		Rank
A	MKM Building Group Pty Ltd t/a MKM Constructions	1
B	Tender B	2
C	Tender C	3
D	Tender D	4
E	Tender E	5
F	Tender F	6
G	Tender G	7

Post Tender Contact

31. At the conclusion of the tender the panel held tender interviews with the shortlisted tenderers and clarified a number of items so the panel could better understand the submissions. These clarifications were not required to confirm the shortlist or recommendation but to provide additional detail for use during the contract term.

Probity

32. No Probity issues were identified.

2.3. Proposed Lease to Powercor Part of - 155 Princes Highway, Norlane

Source: Customer & Corporate Services
Acting Director: Bryce Prosser

Purpose

1. To advise Council of the outcome of the community engagement and seek Council's approval to enter into a lease with Powercor Australia Limited (Powercor) for the site of a power substation for the Northern Aquatic and Community Hub.

Background

2. A power substation is required to be installed in the lease area of the Northern Aquatic and Community Hub currently under construction at 155 Princes Highway, Norlane as shown attached.
3. Powercor requires the Greater Geelong City Council (City) to enter into a lease for the area within the site for a term of 30 years with one further term of 20 years.
4. The Powercor substation is necessary to provide adequate electrical supply to the premises.
5. The Chief Executive Officer approved the commencement of the statutory process in accordance with section 115(4) *Local Government Act 2020* and the City's Community Engagement Policy on 15 November 2022 in respect of the proposal to enter into the lease.

Key Matters

6. Community engagement has been undertaken; with submissions invited, submissions on the proposal closed 5pm on Thursday 29 December 2022. No submissions were received.

RESOLUTION - Item 2.3

Cr Aitken moved, Cr Grzybek seconded -

That Council:

1. **Note the outcome of the community engagement process and that no submissions were received for the proposed lease with Powercor Australia Limited to locate a power substation on part of the premises at 155 Princes Highway, Norlane;**
2. **Authorise the City to enter into a lease with Powercor Australia Limited for a term of 30 years with one further term of 20 years for the lease area; and**
3. **Authorise the Chief Executive Officer or delegate to sign all documents to complete the lease of the land.**

Carried

Financial Sustainability

7. Powercor is responsible for maintaining the substation for the term of the lease and any period of overholding. The City is not required to budget for any expenses.
8. The City shall not charge a lease fee, in line with other agreements with Powercor.

Community Engagement

9. Community engagement has been undertaken in accordance with the City's Community Engagement Policy to consider the proposed lease. This provided an opportunity for the community to provide its feedback to Council on the proposal.
10. Public notice and community engagement were undertaken by publishing a notice in the Geelong Times on 9 December 2022 and the Geelong Australia website via Have Your Say from 1 December 2022 to 29 December 2022.
11. There were no submissions received.

Social Equity and Sustainability

12. There are no social equity and sustainability considerations related to this lease.

Relevant Law/Policy/Legal Implications

13. Council complied with section 115 of the *Local Government Act 2020* which requires that, as the proposed lease is for a term of greater than 10 years, community engagement must be undertaken in accordance with the City's Community Engagement Policy in respect of the proposal, to inform decision making on whether to enter the lease.

Alignment to Community Plan and Vision

14. This report aligns with Our Community Plan 2021-2025 strategic priority:
Strong local economy.
15. This report aligns with the Community led 30-year Vision, "Greater Geelong: A Clever and Creative Future" community aspiration:
A leader in developing and adopting technology.

Conflict of Interest

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

Risk Assessment

17. The substation enclosure proposed shall comply with all building codes, regulations and Powercor standards.
18. The lease establishes Powercor's management rights and obligations for its asset to mitigate risks to the City.

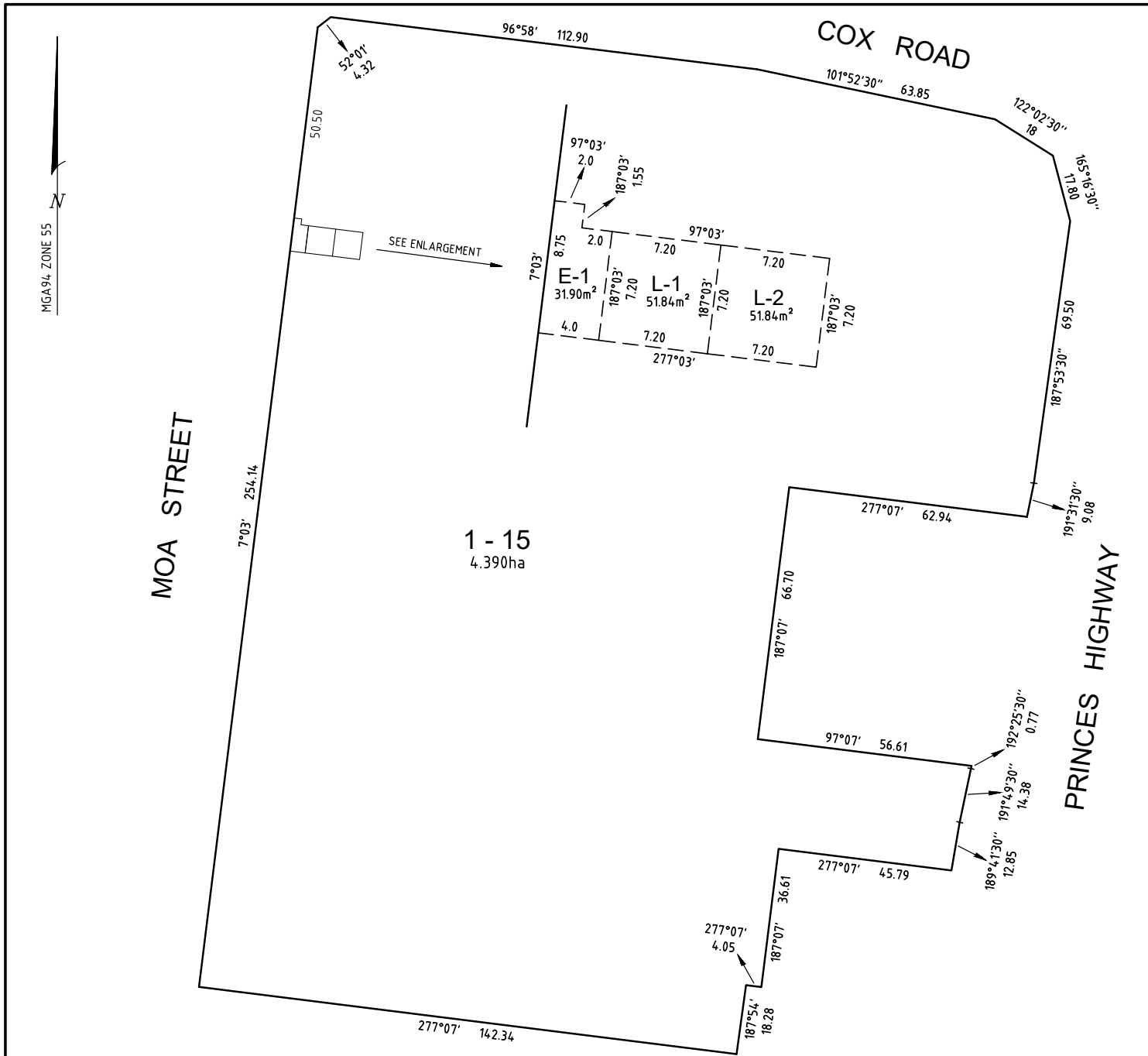
Environmental Sustainability


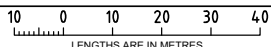

19. The project the substation is to service is seeking a green star certification and as such will ensure compliance with green star requirements.

Attachments

1. Locality Plan - Proposed Lease to Powercor - Northern Aquatic & Community Hub
[2.3.1 - 1 page]
2. 2022-1434 LS (v 1) [2.3.2 - 1 page]





NOTATIONS	
LEASE AND EASEMENT REQUIRED IN FAVOUR OF POWERCOR AUSTRALIA Ltd.	
E-1 REQUIRED FOR UNDERGROUND POWERLINE EASEMENT	
L-1 LEASE FOR KIOSK TYPE SUBSTATION	
L-2 LEASE FOR KIOSK TYPE SUBSTATION	
CERTIFICATION BY SURVEYOR	
I, Glenn Graham Smith of Smith Land Surveyors Pty. Ltd. 142a Fyans Street, South Geelong 3220, certify that this plan has been prepared from a survey made under my direction and supervision in accordance with the Surveying Act 2004 and completed on 14/11/2022, that this plan is accurate and correctly represents the adopted boundaries and that the survey accuracy accords with that required by regulation 7(1) of the Surveying (Cadastral Surveys) Regulations 2015.	
Date: 17/11/2022	 Licensed Surveyor, Surveying Act 2004.
LEASE PLAN FOR SUBSTATION	
COUNTY: GRANT PARISH: MOORPANYAL CROWN ALLOTMENTS: 21B (PART), 21C (PART) & 21D (PART)	
CLIENT	SURFCOAST SURVEY & DRAFTING SERVICES P/L
PROJECT	1 - 15 COX ROAD NORLANE 3215
DETAILS	PLAN FOR CREATION OF LEASE
SCALE 1:1000	 LENGTHS ARE IN METRES
ORIGINAL SHEET SIZE: A3	SHEET 1 OF 1
REFERENCE: 2022-1434LS	VERSION: 1
 Smith Land Surveyors Pty Ltd Office - 142a Fyans Street, South Geelong, Vic. 3220 P (03) 5222 1234 F (03) 5223 3141 E survey@smithls.com.au W www.smithlandsurveyors.com.au ABN 72 142 046 964	

2.4. Tree Cities of the World

Source: City Services
Acting Director: David Greaves

Purpose

1. To seek endorsement by Council to apply to be recognised as a Tree City of the World through the Arbor Day Foundation.

Background

2. The Tree Cities of the World programme is an initiative of the United Nations and the Arbor Day Foundation to recognise cities committed to ensuring that their urban forests and trees are properly maintained, sustainably managed and celebrated.
3. There are 139 cities recognised around the world; seven of these are in Australia. The City of Greater Geelong would be the first Victorian city to be recognised.

Key Matters

4. Benefits of recognition:
 - 4.1. Raising the profile of our commitment to a cool green City;
 - 4.2. A global network of cities practicing urban forestry excellence; and
 - 4.3. Meeting an action of the Urban Forest Strategy.
5. Requirements:
 - 5.1. Demonstrate a commitment to caring for our urban forest;
 - 5.2. Have a person or team responsible for the management of trees;
 - 5.3. Have rules about how trees are managed;
 - 5.4. Have an inventory and dedicated resources; and
 - 5.5. Celebrate trees.

RESOLUTION - Item 2.4

Cr Mason moved, Cr Cadwell seconded -

That Council endorse the submission of an application to be recognised as a Tree City of the World by the closing date 31 January 2023.

Carried

Financial Sustainability

6. There are no financial implications arising from joining the programme.

Community Engagement

7. The Urban Forest Strategy was developed with extensive community consultation and Action 8 identifies that the City will strengthen partnerships with other greening agencies.
8. Feedback from the community through engagement, such as the million trees project and sustainability action plan, strongly suggests the community would support acknowledgement of our Urban Forest management.
9. News of recognition of the City of Greater Geelong as a Tree City of the World will be shared with the community once Councils application is processed.

Social Equity and Sustainability

10. There are no implications affecting social equity arising from joining the programme or being recognised as a Tree City of the World. Joining the programme will support the City's sustainability initiatives via promotion of the importance of trees and the health and biodiversity outcomes that they help deliver.

Relevant Law/Policy/Legal Implications

11. No legal or policy ramifications have been identified as a consequence of this report.

Alignment to Community Plan and Vision

12. This report aligns with Our Community Plan 2021-2025 strategic priority:
High-performing council and organisation.
Sustainable growth and environment.
13. 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

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

Risk Assessment

15. No risk ramifications have been identified as a consequence of this report.

Environmental Sustainability

16. Recognition as a Tree City of the World reinforces the City's commitment to ensuring Geelong is a liveable, environmentally friendly city.

Attachments

1. Tree Cities of the World Information Summary [2.4.1 - 2 pages]



Now MORE THAN EVER, trees and forests are a vital component of healthy, livable, and sustainable cities around the globe. Urban forests help define a sense of place and well-being where people live, work, play, and learn.

We invite your city to become part of the **Tree Cities of the World™** programme, an international effort to recognize cities and towns committed to ensuring that urban forests and trees are properly maintained, sustainably managed, and duly celebrated. This is your opportunity to connect with cities around the world in a new network dedicated to sharing and adopting the most successful approaches to managing urban trees and forests.

A Programme Partnership Between the Arbor Day Foundation and the Food and Agriculture Organization of the United Nations (FAO)

The Arbor Day Foundation inspires people to plant, nurture, and celebrate trees in order to solve some of the world's biggest challenges: poverty, hunger, clean water and air, climate change, and species loss.

FAO supports the development of urban and peri-urban forestry actions, projects, and strategic planning tools that promote a sustainable and resilient model for city development around the world.





STANDARDS FOR RECOGNITION

Recognition through the Tree Cities of the World programme represents the first step toward achieving a green vision for your city. To receive recognition, a town or city must meet five core standards:

- **STANDARD 1: Establish Responsibility** – The city has a written statement by city leaders delegating responsibility for the care of trees within the municipal boundary to a staff member, a city department, or a group of citizens — called a Tree Board.
- **STANDARD 2: Set the Rules** – The city has in place a law or an official policy that governs the management of forests and trees. These rules describe how work must be performed — often citing best practices or industry standards for tree care and worker safety — where and when they apply, and penalties for noncompliance.
- **STANDARD 3: Know What You Have** – The city has an updated inventory or assessment of the local tree resource so that an effective long-term plan for planting, care, and removal of city trees can be established.
- **STANDARD 4: Allocate the Resources** – The city has a dedicated annual budget for the routine implementation of the tree management plan.
- **STANDARD 5: Celebrate Achievements** – The city holds an annual celebration of trees to raise awareness among residents and to acknowledge citizens and staff members who carry out the city tree programme.

BENEFITS OF RECOGNITION

By becoming a Tree City, you will:

- **Use the five core standards** to build a program to care for city trees.
- **Educate people** living in your city about the value of trees and the importance of sustainable tree management.
- **Improve citizen pride** by using recognition to show that trees, conservation, and the environment are important to your city.
- **Demonstrate your commitment** to a healthier environment by displaying Tree Cities of the World recognition materials.

GAIN WORLDWIDE RECOGNITION

Join this new, global network of cities recognized as leaders in the sustainable management of urban trees and forests. You may already be using innovative practices that keep city trees healthy. Now you can share your successes in planting and tending the urban forest of your city and learn from others around the world.

Learn more about becoming a recognized Tree City at [TreeCitiesoftheWorld.org](https://www.TreeCitiesoftheWorld.org)



A programme of:



2.5. Planning Authorisation - Council to Staff

Source: Office of the Chief Executive
A/Chief Executive Officer: Kaarina Phyland

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 2.5

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 [2.5.1 - 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 –

Eskinder Ukubamichael

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 31 January 2023.

Signed for GREATER GEELONG CITY COUNCIL by
KAARINA PHYLAND, Acting Chief Executive Officer

A/Chief Executive Officer

Date:

3. RECORD OF INFORMAL MEETINGS OF COUNCILLORS

Source: Office of the Chief Executive
Acting Chief Executive Officer: Kaarina Phyland

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 Murrirhy moved, Cr Grzybek seconded -

That Council receive the summary of the informal meetings of Councillors for the period to 31 January 2023.

Carried

**INFORMAL MEETINGS OF COUNCILLORS
(Council Meeting 31 January 2023)**

Informal Meeting Details	Councillor Attendance/Apology	Officer Attendance	Agenda Items	Conflict of Interest Disclosures
Councillor Strategic Session 6 December 2022	Crs Sullivan, Aitken, Mason, Moloney, Murrhiy, Asher, Nelson, Kontelj <i>Apologies : Cr Mansfield (LOA), Cr Grzybek (LOA)</i>	K Phyland (A/CEO) G Smith (DIR) R Stevens (DIR) B Prosser (A/DIR) S McKew (MGR) S Broadbent (MGR) A Locke (MGR) B Hartley (MGR) S Albon (MGR) F Porter (MGR)	<ul style="list-style-type: none"> • Waterworld Transition to NACH • Commonwealth Games Update 	<ul style="list-style-type: none"> • Nil
Councillor Briefing 23 January 2023	Crs Sullivan, Aitken, Asher, Mason, Harwood, Cadwell, Grzybek, Nelson, Murrhiy, Kontelj	K Phyland (A/CEO) R Stevens (DIR) G Smith (DIR) K Ivens (A/DIR) D Greaves (A/DIR) S McKew (MGR) V Allan (Special Counsel) R McIlvena (MGR) T Orme (MGR) S Priestley (CO ORD)	<ul style="list-style-type: none"> • T2300054 - Design & Construct - Lara Recreation Reserve AFL & Baseball Pavilion • Proposed Lease to Powercor Part of - 155 Princes Highway, Norlane • Tree Cities of the World • Planning Authorisation - Council To Staff 	² <ul style="list-style-type: none"> • Nil

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 Asher moved, Cr Mason seconded -

That Council receive the information in the Schedule entitled Planning Decisions Report for December 2022.

Carried

Planning Decisions Report December 2022

App No	Location	Application Type	Decision Date	Description	Authority Description/ No of Objectors
PP-1-2021	4A McKenzie Street, BELMONT VIC 3216	Construction of Five (5) Dwellings, Nine (9) Lot Subdivision and Alteration of Easement	19/12/2022	Permit Refused	VCAT
PP-1250-2020	14 Corymbia Circuit, BARWON HEADS VIC 3227	Two (2) Dwellings and Two (2) Lot Subdivision	23/12/2022	NOD Planning Permit	Decision Making Committee
PP-1318-2021	25 Townsend Road, WHITTINGTON VIC 3219	Construction of Three (3) Additional Dwellings and Four (4) Lot Subdivision	29/12/2022	NOD Planning Permit	Decision Making Committee
PP-320-2021	98 Marshalltown Road, GROVEDALE VIC 3216	Construction of Multiple Dwellings (41 dwellings) and Staged Multi Lot Subdivision	20/12/2022	Permit Issued	VCAT
PP-331-2020	4 Star Street, GEELONG VIC 3220	Change of Use from a Workshop to a Dwelling and Demolition Works, Alterations and Additions to Existing Building.	8/12/2022	Extended Planning Permit	Delegated Authority
PP-339-2022	50 Thomson Street, BELMONT VIC 3216	Use and Development of a Medical Centre	2/12/2022	NOD Planning Permit	Decision Making Committee
PP-351-2022	81 Gertrude Street, GEELONG WEST VIC 3218	Construction of Three (3) Dwellings and Three (3) Lot Subdivision	6/12/2022	No Appeal Lodged - Permit Issued	Delegated Authority
PP-399-2021	70 Express Road, LITTLE RIVER VIC 3211	Use of the Land for a Contractors Depot	21/12/2022	Permit Refused	VCAT
PP-432-2022	124 Mount Pleasant Road, BELMONT VIC 3216	Construction of Three (3) Dwellings	19/12/2022	Grant a Planning Permit	Delegated Authority
PP-435-2015	455 Bacchus Marsh Road, LARA VIC 3212	Use of the land as a Store To construct a building and construct or carry out works Display of business identification signage Alteration of an access to a road in a Road Zone, Category 1	20/12/2022	Extended Planning Permit	Delegated Authority
PP-524-2021	10-14 Harding Street, PORTARLINGTON VIC 3223	Use of Land for Food and Drink Premises (Restaurant & Cafe), Partial Demolition and Buildings and Works associated with Construction of Food and Drink Premises, Thirty-One (31) Dwellings and Reduction of on-site Car Parking	23/12/2022	NOD Planning Permit	Decision Making Committee
PP-594-2022	377-379 Pakington Street, NEWTOWN VIC 3220	Use and Development of a Medical Centre, Business Identification Signage, Waiver of Car Parking Requirements, and Alteration to Access in a Transport Zone 2	9/12/2022	NOD Planning Permit	Decision Making Committee

PP-711-2021	54-60 Earls Road, MOOLAP VIC 3224	Use and Development of a Store	28/12/2022	NOD Planning Permit	Decision Making Committee
PP-905-2015/A	155 Staughton Vale Road, STAUGHTON VALE VIC 3340	Use and Development of a School in Association with Agriculture and Outdoor Education and Use and Development of a Caretakers Residence	28/12/2022	NOD Amended Permit	Development Hearings Panel
PP-912-2022	57A Dare Street, OCEAN GROVE VIC 3226	Construction of a Dwelling over 7.5m in Height	23/12/2022	Grant a Planning Permit	Delegated Authority
PP-1-2021	4A McKenzie Street, BELMONT VIC 3216	Construction of Five (5) Dwellings, Nine (9) Lot Subdivision and Alteration of Easement	19/12/2022	Permit Refused	VCAT
PP-1106-2021	264 Bellerine Street, SOUTH GEELONG VIC 3220	Buildings and Works Associated with Alterations to Existing Dwelling and Construction of a Second Dwelling and Two (2) Lot Subdivision	30/12/2022	NOD - Delegate	1
PP-1140-2022	PARENT - 5 Collins Street, GEELONG WEST VIC 3218	Construction of a Dwelling on a Lot Less Than 300sqm	29/12/2022	NOD - Delegate	1
PP-1319-2021	7 Buchan Court, CORIO VIC 3214	Construction of Four (4) Dwellings and Four (4) Lot Subdivision	1/12/2022	NOD - Delegate	3
PP-197-2022	17 Crane Court, OCEAN GROVE VIC 3226	Construction of Two (2) Dwellings, Removal of Trees and Works within the Dripline of a Significant Tree on Adjoining Land under the Significant Landscape Overlay (Schedule 15)	29/12/2022	NOD - Delegate	2
PP-289-2022	1411-1419 Barwon Heads Road, CONNEWARRE VIC 3227	Buildings and Works associated with the Construction of Two (2) Hangers, native vegation removal and Alteration of Access to a Transport Zone 2	30/12/2022	NOD - Delegate	2
PP-305-2022	1C Carmichael Avenue, NEWTOWN VIC 3220	Construction of Two (2) Dwellings over 7.5 Metres in Height and Two (2) Lot Subdivision	6/12/2022	NOD - Delegate	3
PP-394-2022	57 The Terrace, OCEAN GROVE VIC 3226	Construction of Two (2) Dwellings	1/12/2022	NOD - Delegate	3
PP-442-2022	44 Maitland Street, GEELONG WEST VIC 3218	Partial Demolition and Alterations and Additions to an Existing Dwelling in a Heritage Overlay	2/12/2022	NOD - Delegate	3
PP-540-2022	150 The Terrace, OCEAN GROVE VIC 3226	Construction of Two (2) Dwellings and Two (2) Lot Subdivision	15/12/2022	NOD - Delegate	3
PP-595-2022	43 Doongara Avenue, ST LEONARDS VIC 3223	Construction of Nine (9) Dwellings	1/12/2022	NOD - Delegate	1
PP-598-2022	2270 Portarlington Road, BELLARINE VIC 3223	Use and Development of a Camping ground (Glamping) ancillary to the existing use of the land as a winery and restaurant	16/12/2022	NOD - Delegate	2

PP-625-2022	213 Mount Pleasant Road, HIGHTON VIC 3216	Construction of Two (2) Dwellings above 7.5 metres in Height	19/12/2022	NOD - Delegate	1
PP-683-2022	3 Timber Lane, NORTH GEELONG VIC 3215	Construction and Display of a Electronic Major Promotion Sign	22/12/2022	NOD - Delegate	2
PP-694-2022	22 Ramblers Road, PORTARLINGTON VIC 3223	Construction of a Dwelling	2/12/2022	NOD - Delegate	3
PP-698-2022	13 Benjamin Court, OCEAN GROVE VIC 3226	Construction of a Dwelling over 7.5m in height	2/12/2022	NOD - Delegate	1
PP-82-2022	66-68 Murradoc Road, DRYSDALE VIC 3222	Use and Development of Warehouses (8) and Store (4), Subdivision of Land, Access to a Transport Zone 2, Removal of Native Vegetation and Reduction of Carparking	28/12/2022	NOD - Delegate	1
PP-88-2022	7 George Street, BELMONT VIC 3216	Construction of a Second Dwelling and Two (2) Lot Subdivision	6/12/2022	NOD - Delegate	2
PP-883-2022	208 The Esplanade, INDENTED HEAD VIC 3223	Construction of Two (2) Dwellings and Two (2) Lot Subdivision	16/12/2022	NOD - Delegate	2
PP-926-2022	73-87 The Avenue, OCEAN GROVE VIC 3226	Removal of Eleven (11) Pine Trees within a Heritage Overlay	8/12/2022	NOD - Delegate	1
PP-945-2022	PARENT - 2 Nelson Avenue, NEWCOMB VIC 3219	Construction of Two (2) Additional Dwellings and Three (3) Lot Subdivision	30/12/2022	NOD - Delegate	1
PP-999-2022	5 Stephen Street, NEWTOWN VIC 3220	Partial Demolition, Additions and Alterations to a Dwelling within a Heritage Overlay	1/12/2022	NOD - Delegate	1

5. CONFIDENTIAL

5.1. 2022-23 Community Grants (Confidential)

Source: Customer & Corporate Services
Acting Director: Bryce Prosser

Confidential

RESOLUTION - Item 5.1

Cr Aitken moved, Cr Asher seconded -

That Council consider this report at the conclusion of the meeting as it is designated confidential by the Chief Executive Officer for the purposes of 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 the agenda item contains a level of detail which if released would diminish the organisation's capacity to compete in a commercial environment.

Carried

CLOSE OF MEETING

Cr Asher moved, Cr Harwood seconded -

That the meeting be closed to the public.

Carried

The meeting was closed to the public at 7.44pm

Cr Mason moved, Cr Kontelj seconded -

That the meeting be re-opened to the public.

Carried

The meeting was opened to the public at 7.56pm

As there was no further business the meeting closed at 7.56pm on Tuesday 31 January 2023.

Signed: _____

Cr Trent Sullivan (Mayor)

Date: _____