



Ordinary Council Meeting Minutes

Tuesday 19 February 2019

Council Chamber
Hobsons Bay Civic Centre
115 Civic Parade, Altona

**HOBSONS
BAY CITY
COUNCIL**



THE COUNCIL'S MISSION

We will listen, engage and work with our community to plan, deliver and advocate for Hobsons Bay to secure a happy, healthy, fair and sustainable future for all.

OUR VALUES

Respectful

Community driven and focused

Trusted and reliable

Efficient and responsible

Bold and innovative

Accountable and transparent

Council acknowledges the peoples of the Kulin nation as the Traditional Owners of these municipal lands and waterways, and pay our respects to Elders past and present.

Chairperson:

Cr Jonathon Marsden (Mayor)

Strand Ward

Councillors:

Cr Angela Altair

Strand Ward

Cr Peter Hemphill

Strand Ward

Cr Tony Briffa

Cherry Lake Ward

Cr Sandra Wilson

Cherry Lake Ward

Cr Colleen Gates

Wetlands Ward

Cr Michael Grech (Deputy Mayor)

Wetlands Ward

Aaron van Egmond
Chief Executive Officer
Hobsons Bay City Council

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**Minutes of the Council Meeting Held on Tuesday 19 February 2019
at 7pm in the Council Chamber, Hobsons Bay Civic Centre, 115
Civic Parade, Altona.**

PRESENT

CHAIRPERSON:

Cr Jonathon Marsden (Mayor) Strand Ward

COUNCILLORS:

Cr Peter Hemphill Strand Ward

Cr Tony Briffa Cherry Lake Ward

Cr Sandra Wilson Cherry Lake Ward

Cr Colleen Gates Wetlands Ward

Cr Michael Grech (Deputy Mayor) Wetlands Ward

OFFICERS:

Mr Aaron van Egmond Chief Executive Officer

Mr Sanjay Manivasagasivam Director Infrastructure and City Services

Ms K McClusky Acting Director Strategic Development

Mr Roger Verwey Acting Director Corporate Services

Mr Peter Hunt Director Community Wellbeing

Ms Diane Eyckens Manager Governance and Local Laws

Mr Stephen Zelez Manager Communications and Community Relations

Ms Leanne McGuire Manager Community Care

Ms Martina Simkin Governance Advisor/Minute Secretary

Aaron van Egmond
Chief Executive Officer
Hobsons Bay City Council

1 Council Welcome

The Chairperson welcomed members of the gallery and acknowledged the people of the Kulin Nation as the traditional owners of this land.

2 Apologies

Motion

Moved Cr Tony Briffa, seconded Cr Peter Hemphill:

That Council receive and accept an apology on behalf of Cr Angela Altair.

Carried

3 Disclosure of Interests

In accordance with sections 77A, 77B, 78 and 79 of the *Local Government Act 1989* Councillors are required to disclose a "conflict of interest" in a decision if they would receive, or could be reasonably perceived as receiving a direct or indirect financial or non-financial benefit or detriment (other than as a voter, resident or ratepayer) from the decision.

In accordance with section 79B of the *Local Government Act 1989* Councillors who consider that they have a personal interest that is in conflict with their public duty in relation to a matter may, if they do not have a conflict of interest as described above, apply to Council to be exempted from voting on the matter.

Disclosure must occur immediately before the matter is considered or discussed.

Nil.

4 Minutes Confirmation

4.1 Ordinary Council Meeting

Confirmation of the minutes of the Ordinary Council Meeting of the Hobsons Bay City Council held on 12 February 2019 (copy previously circulated).

Motion

Moved Cr Michael Grech, seconded Cr Sandra Wilson:

That the minutes of the Ordinary Council Meeting of the Hobsons Bay City Council held on 11 December 2018 be confirmed.

Carried

5 Councillors' Questions

Cr Hemphill referred to the recent State Government announcement in relation to parking at railway stations, noting that Council has recently discussed the issue of parking within the streets of Newport. Cr Hemphill asked what discussions has Council had regarding the creation of more parking in Market Street has there been any discussions with the State Government in relation to a double storey car park?

Sanjay Manivasagasivam, Director Infrastructure and City Services, advised that in recent times there have not been any formal discussions with the State Government regarding parking, however there have been informal discussions with Transport Victoria to consider parking needs, although no formal outcome has resulted from those discussions. With the recent State Government announcement of \$16 million toward car parking, no provision has been made for Hobsons Bay.

Cr Hemphill enquired about options for residents who are seeking a review of their Council rates?

Roger Verwey, Acting Director Corporate Services, advised that there are a number of options for residents including assistance via Council's Hardship Policy. It was suggested that residents contact Council to discuss the options available for payment of rates.

Cr Briffa noted the significant amount of seaweed west of Flemings Pool in Altona and requested an update as to when that area will be cleaned.

Sanjay Manivasagasivam, Director Infrastructure and City Services, advised that this is a difficult site to access with conventional cleaning equipment, however Council is trialling new equipment tomorrow to clean the Flemings Pool area. If this is successful, cleaning will continue using the new equipment.

Cr Briffa asked how many residents in Hobsons Bay access in-home support services and the number of hours provided?

Peter Hunt, Director Community Wellbeing advised that 1,649 clients are currently accessing both the over and under 65 program, with a decline in the under 65 clients following the rollout of the NDIS.

The following statistics were provided, with approximately 70,000 total hours of service provided:

Over 65 program

- 29,222 home care hours
- 14,230 personal care hours
- 6,355 in-home respite hours
- 5154 social support hours

HACC under 65 program

- 3,248 domestic assistance hours
- 2,667 personal care hours
- 8,327 in-home respite hours

Cr Briffa requested an update on the recent recycling issues associated with SKM, and also asked how much recycling material is collected by Council each week?

Kathleen McClusky, Acting Director Strategic Development, advised that SKM will not open tomorrow morning, and after having explored all options Council will be required to divert recycling material to landfill. Once SKM resume operations recycling services will continue. Ms McClusky advised residents to hold off putting out their recycle bin until the next collection if possible. Council is hopeful that recycling will recommence next week and the community will continue to be updated.

Ms McClusky took on notice the question regarding the amount of recycling material that is collected by Council each week.

6 Public Question Time

Brenton Barnes

Q. Does Council accept the situation in Altona with respect to litter is out of control? Given the total failure of council's current litter prevention and clean up strategies, what new measures will council be taking to prevent and clean up litter? Will the council consider pressuring the State government to adopt a recyclable container deposit scheme similar to schemes in NSW and SA including by drawing attention to Altona's 'ecological disaster' in the mainstream media?

A. Council recognises the increase in litter over the summer months. Each summer Council increases the number of public place litter bins across foreshore areas, parks and beaches to deal with the influx of activity and waste generation. Bin emptying schedules and cleaning frequencies are also increased during this time.

Over the summer months we have increased the presence of local laws officers in foreshore areas, parks and beaches and have focussed on surveillance and education. Patrols have been conducted during normal work days as well as weekends and after hours.

In April 2019 Council will also commence a trial of public place recycling systems in Altona.

Council is also preparing a Draft Waste and Litter Management Strategy which will allow the community to provide feedback in the coming months once the Draft Strategy has been released. The draft Strategy will also state Council's position and future actions regarding container deposit schemes similar to those in New South Wales and South Australia.

Rosa McKenna

Q1. I have word searched the agenda and documents for this meeting for the terms West Gate Tunnel Project. It does not appear. I sat in this chamber last year where a reporting structure on this project was agreed and there was a promise to report monthly at each council meeting. Where is that report, why has it slipped off the agenda and will it be returned so Council and staff can be transparent about actions on our behalf on this critical project.

A. The monthly report is prepared when a Council decision is required on strategic matters and/or to report on the operational decisions made by the officers. Other relevant matters are reported through Monthly Operations Reports which are tabled with Council. A report on West gate tunnel will be considered at the 12 March OCM.

Q2. Suburbs running alongside the alignment of the construction of the West Gate Tunnel have recently experienced gridlock on strategic arterials, Melbourne Rd and Millers Rd, spilling over into residential streets where people spent 10 minutes leaving their driveways and a short trip to school on the way to work, 45 minutes. There were also reports of unsafe driving and incredible stress. It is not acceptable that this may occur for another 4 years and may become the new normal. What is Council doing to provide solutions to the inevitable traffic issues which was foreseen in Council's response to EES and occurring with the slightest incident?

A. In the immediate, Council is represented on the Transport Management Liaison Group which includes representatives from the Project, local government, VicRoads, Bicycle User

Groups and Public Transport Victoria. The purpose of this group is to monitor and manage the traffic network throughout the West Gate Tunnel Project construction period.

Officers report any incidents of congestion or safety as reported to Council by the community. The Project Group has amended traffic signals, lane widths and traffic directions in response to issues raised.

The monitoring and adjustment in response to issues is ongoing and the community is encouraged to report any issues directly with the Project.

Q3. Item 13.1 Community Care Tender

I am reaching an age where I am considering my options for support to remain in my community as I age. If Hobsons Bay was considering changes to in-home aged care delivery why was the broader community not informed of the tender process and consulted about options before considering outsourcing this service in a secret, in camera, vote?

A. The Council is considering the sub-contracting of in-home care service, not outsourcing. Council will retain the funding for this program while it is directed to Council and will therefore still be responsible to the Commonwealth and State Governments through service and funding agreements.

This report is considered confidential and being tabled in camera under s89(2)(a), (c) and (d) of the Local Government Act 1989 as it relates to personnel matters, industrial matters and contractual matters.

Jess Marnich

Q1. Despite my best efforts I was not able to find any substantive report of regular discussions between our Council & WDA, in the CEO's Operational Report for today's Council Meeting.

Can operational reporting be made clearer by the creation of a separate section for this project? I would be happy to suggest sub-headings of interest to residents.

A. Westgate tunnel strategic and operational matters are reported separately to the operational report. Other relevant matters are reported through Monthly Operations Reports which are tabled with Council. Council will consider the suggestion.

Q2. I was similarly unable to find separate regular reporting for Precinct 15.

Can this important development also have its own separate subheading?

A. Council has been listing the applications received to date in the CEO Operations Report. Officers will however ensure that this is titled in an easy to find way.

Q3. Given above, can Council, as a matter of urgency, release communication for residents on how it is dealing with traffic management & air quality issues from both projects.

(What has prompted these questions has been the gridlock & high levels of dust being experienced by residents in South Kingsville & Spotswood).

A. In the immediate, Council is represented on the Transport Management Liaison Group as a part of the West Gate Tunnel consultation and engagement, which includes representatives from the Project, local government, VicRoads, Bicycle User Groups and Public Transport Victoria. The purpose of this group is to monitor and manage the traffic network throughout the West Gate Tunnel Project construction period.

Officers report any incidents of congestion or safety as reported to Council by the community. The Project Group has amended traffic signals, lane widths and traffic directions in response to issues raised.

The monitoring and adjustment in response to issues is ongoing and the community is encouraged to report any issues directly with the Project.

In Council's monitoring of traffic issues within the vicinity of both the Project and Precinct 15 Council maintains communication with both the Project contractors and P15 developers to ascertain who is responsible and the respective permitted conditions.

In the longer term Council is working with Transport for Victoria in the development of the Local Area Movement Plans, specifically for Brooklyn, Altona North and Spotswood. These plans will guide future infrastructure needs and priority advocacy items for Council to respective authorities such as VicRoads, Public Transport Victoria and the like.

In addition to this, Council is continue to advocate for Grieve parade ramps and metro2.

With regard to air quality and monitoring Council participates on both the Inner Western Air Monitoring Group and the Community Liaison Group. Both groups are convened by the Project. Air quality reports are also available publically via the Project webpage and these are updated quarterly.

Carl Marsich

Q1 - As Part of the Council values of being Accountable and Transparent - Why was it not possible to provide a public council report on this item that provided for the basis of the tender including the expected service standards and points for consideration - this report need not include any confidential details but would at least provide a public record of the councils considerations on this very important community matter? This is noting that within the current council Agenda there is several council reports which provides contract details, councils considerations and information.

A. This report is considered confidential and is being tabled in camera under s89(2)(a), (c) and (d) of the Local Government Act 1989 as it relates to personnel matters, industrial matters and contractual matters.

To ensure that Councillors are fully informed in considering this matter, contractual details, industrial and personnel implications have been included in the report. Council will consider releasing this report publicly in twelve months in keeping with current practice and an ongoing commitment to transparency. As such the details of the report will then be available to the community.

The provision of both the Commonwealth Home Support Program over 65 years and Home and Community Care under 65 program are regulated through service agreements that dictate service standards and the amount of service to be provided. The Council, as is the

current circumstance, is still accountable to the commonwealth and state for service standards even if subcontracting.

These services are also externally audited by the commonwealth and state.

Q2 - What level of consultation occurred with the users and their guardians of in-home support services to ensure that they were able to provide input into the consultative processes, so that they could provide councillors with the understanding of the importance of the current in-house support services and the quality of care required as part of the service delivery?

A. Council has written to the 1,649 residents or their carers using this service on a number of occasions to inform them that Council was considering subcontracting of in-home services. There have been approximately 47 individual responses provided in person to resident's questions.

Councillors are acutely aware of the importance of the quality of care required as part of the service. Quality of care and continuity of service for clients has been at the forefront of previous reports to Council since the commonwealth introduction of the Aged Care reforms.

Q3. What level of consultation occurred with the impacted council workers associated with the delivery of this very important council service. Were these workers able to provide their views including any potential concerns without fear or favour to the councillors for their considerations on this matter?

A. Council officers have met with staff in person on a number of occasions and updated potentially impacted staff in writing right through the process in considering subcontracting. The Australian Services Union have been invited to attend on all occasions as representatives of the staff involved.

Council officers are mindful of the uncertainty of the current situation caused by the Aged Care reforms and are working closely with staff to ensure they are supported through this time.

In relation to staff potentially impacted by any future decision of the Council communicating with Councillors, the employee relationship is with officers. Having said that there has not been any directives issued to staff, other than to encourage staff to comply the Hobsons Bay City Council staff code of conduct.

Charlie Volpe

Q1. The ASU knows that Council cannot guarantee the terms of employment once the Council agreement has expired (June 2019), why does council assert that employees will not be worse off under new employment relationship?

A. If Council makes a decision to subcontract, employees will be transferred to the successor entity in keeping with their current conditions of employment consistent with the Hobsons Bay City Council Enterprise Agreement.

These conditions must be maintained regardless of the expiration of the Hobsons Bay City Council agreement and can only be varied by replacement with another instrument.

Q2. Can you explain what information Councillors have received on how employees conditions may be reduced under a new employer's agreement?

A. Council has been informed of matters associated with staffing and employment conditions through reports provided to Council. I refer to the previous answer.

Q3. How has Council consulted with their community on the issue of tendering home care services?

A. Council has written on a number of occasions to the 1,649 residents and the their carers who are the members of our community who use this service to inform them that Council was considering subcontracting of in-home services. There have been approximately 47 individual responses provided in person to resident's questions.

Sean McCourt**Q1. HBCC shows a consistent budget forecast above 10%; adjusted underlying results (last three years and forecasted three years) demonstrates councils can fund their ordinary business activities and meet community service needs. What is the financial imperative for councillors to sub contract their community care?**

A. Council has managed expenditure prudently in the last few years but is also facing the ongoing restrictions required on expenditure through the imposition of rate capping.

Council has a responsibility to ratepayers to review all expenditure on a long term basis given there will be pressure on the budget through the long term impact of rate capping.

The impact of the commonwealth reforms in Aged Care and the uncertainty created has necessitated Council considering this matter now to bring certainty to our staff and clients.

Q2. What mechanisms will council put in place to evaluate the new service provider and will this information be publically available?

A. Council has a detailed contract that will be signed by the service provider if a decision is taken to subcontract. This will describe what is required by Council and monitored closely, this is not a public document.

However, the provision of the service must be in keeping with the Commonwealth Home Care Common Standards and the State Human Services Standards and is linked to the contract. These services are audited by the respective government bodies.

Q3. What savings does council anticipate will be made due to the sub-contracting of home care services and how will this money be allocated?

A. The 2018/2019 budget adopted by Council describes an annual subsidy of \$1,046,741. This does not include Workcover costs or corporate overheads. Council would need to separately determine the future use of these funds. Council would need to separately determine the future use of these funds.

Ronald Newgreen

Q1. Will Council demand outsourcing tenderers sign a contract that all current rules remain e.g. Staff to be retained (Home help staff also HGCC indoor staff), wages to be same, service to be the same?

A. The subcontract intention is to transition as many staff as is possible to the new provider if Council awards a subcontract. Some Council staff may choose not to work for a different organisation. Subcontracting is not the same as outsourcing as Council is still responsible for the service through funding agreements with the commonwealth and state governments.

In relation to staff conditions it is anticipated that staff will transition to a new provider on the same or better conditions but at a minimum those described in the Hobsons Bay City Council Enterprise Agreement. Clients are assured of the same level of service regardless of the provider.

Q2. Will Council guarantee home help fees will not rise?

A. The contract dictates that fees must remain at the current rate and only be increased in keeping with cpi as is the current practice.

Q3. How much dollars will HBCC save?

A. The 2018-19 budget indicates a ratepayer subsidy of \$1,046,741. This does not include WorkCover costs or corporate overheads.

Cr Sandra Wilson left the Council Chamber at 7.37pm, and returned at 7.38pm.

7 Petitions/Joint Letters

7.1 Petition – In-home Support Services

Cr Briffa tabled a petition received from the Australian Services Union containing 987 signatures in relation to in-home support services.

The petition reads as follows:

“We, the undersigned, petition Council to maintain and continue to deliver quality in home support services for our frail and elderly residents. We urge Council to continue direct delivery of this vital community service providing care from Council workers to vulnerable and older residents in their homes.”

Motion

Moved Cr Tony Briffa, seconded Cr Colleen Gates:

That Council receive and note the petition in relation to in-home support services and consider it as part of Council’s deliberations.

Carried

8 Business

8.1 Office of the Chief Executive

8.1.1 Chief Executive Officer - Report on Operations

Directorate: Corporate Services

Councillor Portfolio: Not applicable

Appendices:

- 1 Chief Executive Officer - Report on Operations - December 2018 to January 2019
- 2 AOC - OCM 11 December 2018
- 3 AOC - CBS 29 January 2019
- 4 AOC - CBS 5 February 2019
- 5 AOC - CBS 12 February 2019

Purpose

To provide Council with a regular update from the Chief Executive Officer (CEO) on the recent initiatives, projects and performance undertaken.

Motion

Moved Cr Colleen Gates, seconded Cr Michael Grech:

That Council:

1. **Receive and note the Chief Executive Officer's Report on Operations, including details of recent issues and initiatives undertaken by the organisation**
2. **In accordance with section 80A(2) of the *Local Government Act* 1989 incorporate into the minutes of this meeting the written Record of Assembly of Councillors held on 11 December 2018, 29 January 2019, 5 and 12 February 2019.**

Carried

Summary

The attached CEO's Report on Operations provides councillors and community a regular update from the Chief Executive Officer on key initiatives, projects and performance.

Discussion

The purpose of this report is to inform Council and the community of recent issues, initiatives and projects undertaken across Council. The report is provided on a monthly basis.

8.2 Corporate Services

8.2.1 Mid Year Budget Review 2018-19

Directorate: Corporate Services

Appendices:

- 1 Mid Year Budget Review
- 2 Capital Works Program

Purpose

To present Council with the financial results for the period ended 31 December 2018, and the revised 2018-19 annual forecast projections following completion of the mid-year budget review.

Motion

Moved Cr Colleen Gates, seconded Cr Michael Grech:

That Council notes the financial report for the period ended 31 December 2018 and endorses the revised 2018-19 annual forecasts.

Carried

Summary

The financial report for the period ended 31 December 2018 and a detailed report on the position of the Capital Works Program are attached as appendices.

An extensive financial mid-year budget review has been conducted. The report will be received and noted by Council's Audit Committee at the meeting to be held on 20 February 2019.

The operational budget surplus for 2018-19 of \$17.011 million has increased to a \$23.329 million forecast.

The increased forecast surplus of \$6.318 million is largely a result of additional income (\$5.665 million) expected to be received throughout the year. The most significant relates to the receipt of additional capital grants (\$3.285 million). Operational expenditure is forecast to be under budget by \$653,000, including projected savings in employee costs (\$783,000) and depreciation - non-cash (\$478,000).

The forecast result of the Capital Works Program compared to budget is a deficit of \$973,000 after forecast adjustments and carryovers are taken into account. The deficit is generally a result of an unbudgeted land purchase, waste projects (funded from the waste reserve) and building condition audits transferred from the operational budget.

Despite the increased operational forecast surplus, a balanced financial (rate determination) result continues to be calculated. It is pleasing that this balanced result has been achieved despite \$1.161 million less funding required (compared to the original budget) from the infrastructure reserve for capital works.

Quarterly financial reporting provides accountability and transparency in relation to Council's operations and capital works. Council budgets are subject to internal scrutiny, driven by regular reports to the Corporate Management Team and meetings with managers.

Background

The overall financial results show improvements when compared to budget. Council's Long Term Financial Plan (LTFP) has been updated and highlights that Council remains in a reasonable financial position and is financially sustainable in the short term.

Whilst the forecasts in 2018-19 predict a strong operational surplus, it should be noted that surpluses are expected to fluctuate in future years of the LTFP, with a declining trend. Despite that, the LTFP predictions are slightly better than when the original budget was adopted by Council.

When compared to previous financial plans, current and projected income has been dramatically reduced as a result of rate capping. There is also limited movement predicted in relation to income funding streams such as contributions, operating grants, user charges and fees. Council needs to address these issues, which in turn impacts Council's ability to maintain critical community assets.

Council will continue to monitor the impact of the financial results in relation to Council's overall financial viability. Current long term financial planning includes future forecasts of rating levels increasing in line with the 2.5 per cent cap that will be applied in 2019-20.

8.2.2 Policy Review - Councillor Support and Expenses, Councillor Development and Conference and Family Care - Councillors

Directorate: Corporate Services

Councillor Portfolio: Not applicable

Appendices:

- 1 Councillor Support and Expenses Policy - February 2019
- 2 Family Care Policy - Councillors - February 2019
- 3 Councillor Development and Conference Policy - February 2019

Purpose

To review and adopt the revised Councillor Support and Expenses Policy, Councillor Development and Conference Policy, and Family Care Policy – Councillors.

Motion

Moved Cr Peter Hemphill, seconded Cr Sandra Wilson:

That Council:

1. **Revoke the Councillor Support and Expenses Policy dated 13 August 2013.**
2. **Revoke the Councillor Development and Conference Policy dated 19 July 2011.**
3. **Revoke the Family Care Policy – Councillors dated 25 August 2015.**
4. **Adopt the amended Councillor Support and Expenses Policy, Councillor Development and Conference Policy, and Family Care Policy – Councillors as attached.**

Carried

Summary

The Councillor Support and Expenses, Councillor Development and Conference Policy, and Family Care Policy – Councillors were developed in accordance with the requirements of the *Local Government Act 1989* (the Act) to support Councillors to perform their duties as the elected representatives of residents and ratepayers to govern the City of Hobsons Bay.

The policies outline guidelines for Councillors to:

- access administrative support, resources and facilities and to seek reimbursement of expenses
- access training and development to improve skills necessary to perform their role
- seek reimbursement of family care expenses while discharging their Council duties

Background

These policies place a framework and guidelines around the provision of Councillor support and expenses, to ensure that sound governance and management practices exist for public spending of this type.

The policies are reviewed regularly to ensure they meet Council and community expectations.

Discussion

A recent audit of financial and governance controls by Council's auditor Crowe Horwath has resulted in a number of recommendations regarding the Councillor Support and Expenses Policy, Councillor Development and Conference Policy, and the Family Care Policy – Councillors.

The audit recommends that the policies should be reviewed and updated to reflect the following:

Councillor Support and Expenses Policy

- implementation of a formal Claim Form to demonstrate the nature of expenses for reimbursement, including relevant tax invoices and declaration by the Councillor that expenses are accurate and have been incurred whilst on Council business
- timeliness in claiming expenses
- approval process to claim expenses
- conduct of an annual audit of Councillor expenses

Councillor Development and Conference Policy

- definition of appropriate accommodation, including class of accommodation that is able to be booked

Family Care Policy - Councillors

- conditions for reimbursing child/family care expenses, including the qualification of the carer and a requirement to submit appropriate tax invoices

8.2.3 Memorial Plaque Request - Mr Keith Neyland

Directorate: Corporate Services

Councillor Portfolio: Not applicable

Appendices: Nil

Purpose

For Council to consider the installation of a memorial seat and plaque in recognition of the late Mr Keith Neyland.

Motion

Moved Cr Sandra Wilson, seconded Peter Hemphill:

That Council, having considered the significant contribution made by the late Mr Keith Neyland to the social and civic life of Hobsons Bay:

- 1. Approve the installation of a memorial plaque on the existing seat along the bike trail near W G Cresser Reserve.**
- 2. Note that the cost of the plaque will be borne by the applicant.**

Carried

Summary

Council has received a request from the family of the late Mr Keith Neyland for a memorial seat and plaque in his memory to be installed along the Altona foreshore, preferably within the vicinity of the Altona Boat Ramp.

Background

Council has adopted a policy for the installation of memorial plaques and cremated remains in public places. The policy aims to commemorate individuals who have contributed to the cultural, political or social aspects of Hobsons Bay's development or shared community history.

Discussion

Mr Peter Neyland has submitted the application on behalf of his father. The late Mr Keith Neyland was a prominent figure in the Altona community until his passing in April 2013.

He began his working life in Altona when he bought into the Altona Star Printing Company. He eventually became the sole owner and continued to publish the local paper for many years. This publication recorded much of Altona's history over this time. Many Altona residents would ask to look at old copies of historical events. Due to this continuous demand, all the publications have been scanned and they are now available to be viewed and enjoyed by the public at the Altona Library.

In 1970, Keith Neyland eventually bought his own premises at 108 Pier Street and re-named the company Keima Press Pty Ltd. In his capacity as Director of Keima Press, Keith was continually assisting the local service clubs and charities with low cost and often free printing. The family business continued to operate until its closure in 2018. Keith was actively involved in various areas of the community. These included The Altona Apex Club where he proudly became their first life member, a long time board member of the Altona Working Mens Club (Altona Sports Club) and a long serving member and volunteer of the bowls section.

Mr Neyland's main interest outside of work was fishing. He spent countless hours in the water off Altona - hence the family's request for a bench seat near the boat ramp.

The family has been consulted regarding the location of the memorial and the preferred outcome is the installation of a plaque on the existing seat located along the bike trail near W G Cresser Reserve. The existing seat will require some refurbishment prior to installation of the plaque.

8.2.4 Discontinuance of road adjoining 45 Epsom Street, Laverton

Directorate: Corporate Services

Councillor Portfolio: Integrated Transport - Cr Jonathon Marsden and Cr Sandra Wilson

Appendices:

- 1 Appendix One - Road Discontinuance Gazettal Plan (Ver 1)
- 2 Appendix Two - Plan of land parcels

Cr Michael Grech left the Council Chamber at 7.57pm and was absent for the vote on item 8.2.4.

Purpose

To seek Council's support for the proposal to discontinue the road at 45 Epsom Street, Laverton from Epsom Street to Fitzroy Street, Laverton.

Motion

Moved Cr Colleen Gates, seconded Cr Peter Hemphill:

That Council in accordance with section 206 and Clause 3 of Schedule 10 of the *Local Government Act 1989* (the Act) resolve to:

- 1. Commence the statutory procedures to discontinue the road at 45 Epsom Street, Laverton shown hatched on the attached plan, Appendix 1.**
- 2. Authorise the Chief Executive Officer of Council or his delegate to prepare and give public notice of the proposed discontinuance in the *Maribyrnong* and *Hobsons Bay Star Weekly* newspaper and on Council's website under sections 82A, 207A and 223 of the Act.**
- 3. Authorise the Chief Executive Officer or his delegate to carry out its functions under section 223 of the Act in relation to this matter.**
- 4. Receive a further report following the public notice period to consider the discontinuance of the road.**

Carried

Summary

To consider commencement of the necessary statutory procedures pursuant to the Act for the discontinuance of road between Epsom and Fitzroy Streets adjoining the property known as 45 Epsom Street, Laverton as shown in the plan in Appendix 1.

If discontinued the land comprising the discontinued road will vest in the Council pursuant to Section 207B of the Act.

Background

Council purchased the adjoining property to the subject road at 45 Epsom Street, Laverton on 31 August 2018. Council has also purchased the former school site at 7-43 Epsom Street, Laverton on 29 September 2014.

The subject road is part fenced into the properties at 7-43 and 45 Epsom Street, and part forms the walkway bounded by the sound-wall bounding the Princes Freeway as shown on the attached plan at Appendix 2.

The subject land was part of land acquired by the former Country Roads Board (now VicRoads) however the acquisition was unable to be finalised with the solicitors acting on behalf of the estate of the registered proprietor.

The land was declared a Municipal Road in Government Gazette No. 53, 29 June, 1977. Council is the coordinating road authority under the *Road Management Act* 2004 (RMA).

Discussion

The subject land is partly enclosed within the properties at 7-43 and 45 Epsom Street and the balance forms the concrete footpath from Epsom Street to Fitzroy Street. The footpath provides access to the overbridge over the Princes Freeway.

The property at 45 Epsom Street, Laverton was purchased to be added to the former school site previously purchased by Council. It is proposed to develop the site as a community park and to make provision for affordable housing. These proposals are being considered by Council. The proposed community park will provide improved linkage to the overbridge.

Council has budgeted \$1.085 M in the 2018-19 Capital Works Program for the design and delivery of the new community park.

It is proposed that the discontinuance of the road adjoining 45 Epsom Street will provide additional Council freehold land for the area of land to be devoted to affordable housing.

Cr Michael Grech returned to the Council Chamber at 7.59pm.

8.3 Strategic Development

8.3.1 Advocacy Priorities 2019

Directorate: Strategic Development

Councillor Portfolio: Not applicable

Appendices: 1 Advocacy Priorities 2019

Purpose

To seek endorsement of the 2019 Advocacy Priorities.

Cr Tony Briffa left the Council Chamber at 8:04 pm and was absent for the vote on item 8.3.1.

Motion

Moved Cr Peter Hemphill, seconded Cr Sandra Wilson:

That Council:

- 1. Adopt the 2019 Advocacy Priorities.**
- 2. Commence the promotion and implementation of these priorities.**

Carried

Summary

Through the review of the Advocacy Strategy 2014-18 including feedback from the community and stakeholders it is suggested that the 2019 Advocacy Priorities focus on three major priority areas. These large scale campaigns being, Melbourne Metro 2, Youth Mental Health and Grieve Parade to be upgraded as the preferred truck route. In addition there will be 18 other priority areas that will be actioned through lower level campaigns such as submissions, letters and meetings with key stakeholders. These priority areas will be actioned over the next 12 months with progress reported throughout the year on a dedicated advocacy webpage on Council's website.

Background

The Advocacy Strategy 2014-18 has concluded. Given the development of Hobsons Bay 2030 Community Vision and the Council Plan 2017-21 an evaluation of the Advocacy Strategy was undertaken to understand what has worked well and what could be improved. The evaluation highlighted some strengths from having the Advocacy Strategy, however it also identified some key opportunities for improvement. This included having more focused priority areas, flexibility in presentation of priorities so they can be easily updated with progress, targeted and strategic implementation, as well as continuing to identify opportunities to work collectively with others, including the community.

Discussion

Council has engaged with the community through a range of projects and strategies to understand what the key issues are for them. This feedback, along with the evaluation of the Advocacy Strategy 2014-18, has provided a foundation for the 2019 Advocacy Priority Areas.

In 2019 it is recommended that there are seven advocacy themes (public transport, active transport, roads, sport and recreation, mental health, environment and the arts) with 21 advocacy areas. Of the 21 advocacy areas there will be three Major Priority Advocacy Areas, where Council will undertake a major campaign (including advocacy leading up to the Federal election). These three areas include:

1. Melbourne Metro 2
2. Youth Mental Health
3. Grieve Parade to be upgraded as the preferred truck route

The implementation of the 2019 Advocacy Priorities will be over a 12 month period to allow for changes within the political environment and pursue opportunities as they arise. They are specific in relation to advocacy asks, providing clarity to Council, stakeholders and potential partners.

The three Major Priority Advocacy Areas will have a dedicated campaign and funding to support progress. The remaining 18 advocacy areas will be delivered through a smaller campaign e.g. submissions, letters, and meetings with key stakeholders.

To further enable flexibility and engagement with the community the 2019 Advocacy Priorities will be largely web-based, providing Council with the ability to engage and activate the community in actions as well as provide an update on how each of the priority areas have been progressed. Printed materials will also be available for the promotion of advocacy areas.

8.3.2 Planning Scheme Amendment C116 Part 2

Directorate:	Strategic Development
Councillor Portfolio:	Planning - Cr Tony Briffa and Cr Michael Grech
Appendices:	1 Amendment C116 Part 2 Panel Report 2 Amendment C116 Part 2 Explanatory Report 3 Amendment C116 Part 2 Instruction Sheet 4 Amendment C116 Part 2 Proposed Clause 52.05

Purpose

To present Council with the Panel Report and consider Planning Scheme Amendment C116 Part 2 for adoption.

Cr Tony Briffa was absent for the vote on item 8.3.2.

Motion

Moved Cr Colleen Gates, seconded Cr Peter Hemphill:

That Council:

- 1. Consider the Panel Report for Amendment C116 Part 2 and accept the Panel's recommendation.**
- 2. Adopt Amendment C116 Part 2 generally in accordance with the attached documents and request the Minister for Planning to approve Amendment C116 Part 2.**
- 3. Should the amendment be approved by the Minister for Planning, begin work to remove the covenant from the site at 122 Woods Street, Newport.**
- 4. Notify all submitters of the outcomes of the Council meeting.**

Carried

Summary

In May 2018 Council resolved to prepare and exhibit a draft Planning Scheme Amendment to remove covenants from two properties, being the former Altona Gate Primary School site at 430-436 Blackshaws Road, Altona North and the former Hobsons Bay Kindergarten and Toy Library site at 122 Woods Street, Newport. The preparation of the amendment was authorised by the Minister for Planning and the amendment was advertised to the community. Twenty submissions were received; one stating no objection and 19 raising objections to the amendment as it relates to 122 Woods Street, Newport.

The two properties have been the subject of transition over a number of years, due to the relocation of community facilities to other sites. Covenants apply to portions of both properties, which are deemed no longer relevant or necessary.

As there were no issues with Council pursuing the amendment as it relates to 430-436 Blackshaws Road the amendment was split into two parts. The Blackshaws Road component was adopted and sent to the Minister for Planning for approval.

As there were objections to the 122 Woods Street part of the amendment, Council resolved to request an independent planning panel consider submissions. The Directions Hearing was held on 9 November and the Panel Hearing was held on 27 November 2018.

The Panel Report was received by Council on 18 December and recommends that "Hobsons Bay Planning Scheme Amendment C116 Part 2 be adopted as exhibited" and the Planning Scheme be changed to allow for the removal of the covenant.

Background

The former Council owned Kindergarten and Toy Library at 122 Woods Street, Newport was vacated in 2014 following the completion of the Newport Gardens Early Years Centre at 51 Maddox Road, Newport, and the transition of services to that facility.

Two of the lots (Lots 82 and 83) were purchased by the former City of Williamstown from the Commonwealth of Australia in 1954 with the intention of constructing a baby health centre, kindergarten and public hall. The buildings were constructed in approximately 1954 contravening a covenant on title that restricts the use of the land to public recreation. The third lot (Lot 81) forms part of the kindergarten property and was purchased by Council in 1961. Lot 81 is on a separate title, free of any restrictions.

At the 14 December 2010 Ordinary Meeting of Council, Council resolved to record Council's intention to sell the land, receive a further report in relation to the sale of the land and transfer any proceeds from the sale to the capital works infrastructure reserve.

Discussion

At its Ordinary Meeting of Council on 8 May 2018 Council resolved to request authorisation to prepare and exhibit Planning Scheme Amendment C116 which would allow the removal of covenants from the abovementioned properties. Authorisation was received on 8 June and the Amendment was subsequently exhibited for a period of six weeks from 26 July to 7 September 2018. During this time 20 submissions were received, 19 objecting to the amendment as it relates to Woods Street and one refers to both sites stating no objection to the amendment.

As there were no submissions made regarding the land at 430-436 Blackshaws Road, Altona North, and there were 19 submissions relating to the land at 122 Woods Street, Newport, it was appropriate that the two properties be dealt with separately and the amendment split into two parts:

- Part 1: 430 - 436 Blackshaws Road, Altona North
- Part 2: 122 Woods Street, Newport

Former Altona Gate Primary School site, 430-436 Blackshaws Road, Altona North

As no objection was received regarding the Former Altona Gate Primary School site it was appropriate for Council to continue to pursue the removal of the covenants from this land separately. The lack of objections meant that there was no need for Council to refer this matter to a planning panel. To ensure that this amendment was progressed in a timely manner the amendment was spilt from the exhibited amendment, adopted by Council and submitted to the Minister for Planning for approval.

Former Council Kindergarten, 122 Woods Street, Newport

All of the objections were in relation to the removal of the covenant at 122 Woods Street, Newport. Some were concerned that the covenant removal leading to the potential sale of the land and the consequential loss of a public asset. The amendment could not be altered to address the majority of submissions, as many seek abandonment of the amendment. Concerns were expressed about the potential of the land to be developed for multi-unit housing in the future, with concern or perception that the area is experiencing growth beyond its capacity. One submission suggests that if not abandoned, the amendment could be changed such that the covenant still applies to the Woods Street frontage to retain a portion of the site for recreation.

As Council could not change the amendment to address the submissions, there were only two options available; to abandon the amendment as it relates to 122 Woods Street, Newport or refer the amendment to an independent planning panel, appointed by the Minister for Planning, to consider the submissions and provide advice to Council on a recommended way forward. As such, Council resolved at its meeting on 9 October to request a planning panel to be appointed by the Minister for Planning.

The Directions Hearing was held on 9 November and the Panel Hearing was held on 27 November 2018. At the hearing the panel heard submissions from Council and two community members.

The Panel Report was received by Council on 18 December 2018. The key issues raised in the Panel Report included:

- Planning context and principles
- What is 'public recreation' as it appears in the covenant?
- Is the land required for open space?
- Should the land be used for other community purposes?
- Impacts if the land were to be redeveloped
- Integrated assessment

The final paragraph of the Panel Report states:

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the PPF, is well founded and strategically justified. The removal of the covenant will achieve a net community benefit, and represents a satisfactory balancing of policies and interests of the Hobsons Bay community. The Amendment should proceed.

The single recommendation was that "Hobsons Bay Planning Scheme Amendment C116 Part 2 be adopted as exhibited" and that the Planning Scheme be changed to allow for the removal of the covenant. Officers support this recommendation. Council should adopt the amendment and send it to the Minister for Planning for approval.

8.3.3 Draft Experience Hobsons Bay Tourism Strategy 2019-24

Directorate: Strategic Development

Councillor Portfolio: Arts, Culture and Tourism - Cr Angela Altair and Cr Colleen Gates

Appendices:

- 1 Experience Hobsons Bay Tourism Strategy 2019-24
- 2 Experience Hobsons Bay Tourism Strategy - Action Plan Year One

Cr Tony Briffa returned to the Council Chamber at 8:10 pm and was present for the vote on item 8.3.3.

Purpose

To present the draft Experience Hobsons Bay Tourism Strategy and Action Plan for public consultation.

Motion

Moved Cr Sandra Wilson, seconded Cr Michael Grech:

That Council:

1. **Place the draft Experience Hobsons Bay Tourism Strategy and Action Plan on public exhibition for a minimum of six weeks.**
2. **Receive a further report considering submissions prior to adoption.**

Carried

Summary

The draft Experience Hobsons Bay Tourism Strategy (the Strategy) outlines the key themes and objectives that will guide Council's work in supporting the sustainable growth of the local visitor economy.

The Strategy follows four themes, Recognising the Visitor Economy; Rich Experiences; City Image and Presentation; Leadership and is supported by an annual action plan.

Background

In September 2016, Council endorsed the preparation of an updated Hobsons Bay Tourism Strategy, following on from the Hobsons Bay Sustainable Tourism Strategy 2006 and the Hobsons Bay Economic Development Strategy 2015-20.

Tourism is important to Hobsons Bay, as a local economic driver, and through its contribution towards improving the vibrancy, liveability and prosperity of the city by supporting local services, building pride in the city and preserving and improving amenity and local character.

Tourism is identified as one of Australia's five super growth sectors by the Federal Government with growth of four per cent per annum expected up to 2033. In Melbourne, the value of the visitor economy is estimated at more than \$15 billion, the sector responsible for employing more than 125,000 people. Victoria's Visitor Economy Strategy goal of increasing visitor expenditure to \$36.5 billion by 2025 shows the scale of the growth potential in the tourism sector within Victoria.

Hobsons Bay has a thriving and diverse visitor economy, which generates approximately \$294 million in economic value, and supports approximately 1,400 local jobs. People visit Hobsons Bay for a variety of purposes, including leisure and recreation, visiting friends and family, for business and for major events.

In 2017 Destination Melbourne commissioned visitor research as part of the development of the first Greater Melbourne Destination Management Visitor Plan (DMVP). It interviewed 2,500 domestic and international visitors along with 1,800 Melbournians. Findings relevant to Hobsons Bay include that 'parks and gardens' tops the list of the five 'must do' attractions in Greater Melbourne (45 per cent) followed by restaurants (29 per cent) and shopping, with positive visitor perceptions around green spaces and gardens, walkability, picturesque settings and views. Council has worked to ensure Hobsons Bay attractions and experiences are represented in the DMVP.

Through Western Melbourne Tourism, Council has contributed to the first sub regional plan using the Destination Melbourne partnership and research. The Western Melbourne Destination Management Visitor Plan supports and enables collaboration across the region. There is significant investment underway and growth planned for, including in major attractions, accommodation and in the western corridor from the West Gate Bridge to Avalon Airport.

Discussion

Aimed at establishing a long-term vision for Hobsons Bay, the Strategy reflects Council's commitment to ensuring Hobsons Bay is a place that people are proud to call home, and that it is a place that is recognised widely for its rich experiences and visitor offering.

Through the Strategy, Council will identify a series of projects, opportunities and initiatives that can influence and accelerate positive change within the local tourism sector, attracting new and diverse visitation, and deliver increased economic and social benefit to the city.

The visitor experience in Hobsons Bay ranges from major attractions such as Museums Victoria's Scienceworks in Spotswood with visitation of more than 500,000 people each year to experiences around nature, heritage, hospitality, coast and culture. A table of attractions and experiences in Hobsons Bay is included as an appendix to the Strategy.

The Strategy is consistent with and complements state, metropolitan and regional visitor planning, with Visit Victoria forecasting that a sustainable approach to further growing the Victorian visitor economy is to encourage visitors to stay longer in and explore Melbourne and its suburbs (increasing yield), as much as to grow the inbound markets.

The 2019-20 Action Plan outlines the key actions that will be delivered over the first year of the Strategy. The actions, aligned with the strategy themes and objectives, provide a clear summary of the work that will be undertaken over the next twelve months, and form a basis for future actions.

The first year actions have a focus on building capacity and collaboration, advocating for investment and improved infrastructure, and celebrating local success. Utilising and promoting Experience Hobsons Bay, Council will take a lead role in guiding the future growth of the local visitor economy, but partnerships with both local and industry stakeholders will be essential to delivering strong outcomes.

As the first year of a five year plan, there is a need to undertake some benchmarking, to capture an accurate snapshot of the current industry and establish a baseline for measuring future success. Key actions of the 2019-20 Action Plan include:

- undertake a perception survey to discover what locals love about Hobsons Bay and seek to promote these experiences
- develop and distribute a brand pack to encourage tourism operators and event producers to promote 'Experience Hobsons Bay' and provide access to images and materials through Council's website
- develop a web based tourism toolkit to inform understanding of the visitor economy, industry trends, and visitor service standards
- identify and review gateways and arrival points into Hobsons Bay and plan for upgrades to improve signage and access
- compile a three year plan, identifying current and future infrastructure needs to prioritise through Council's budget process
- create a major events branding pack for national and international audiences
- produce a paper analysing the current and future accommodation needs of visitors to Hobsons Bay, to align with Council's Investment Attraction and Facilitation programs

8.3.4 Food Safety Awards

Directorate: Strategic Development

Councillor Portfolio: Not applicable

Appendices: Nil

Purpose

To inform Council of the three category winners for the 2018 Food Safety Awards.

Motion

Moved Cr Peter Hemphill, seconded Cr Tony Briffa:

That Council:

- 1. Note the three category winners of the 2018 Food Safety Awards.**
- 2. Present the 2018 Food Safety Awards at a future Council meeting.**

Carried

Summary

Council's annual Food Safety Awards Program encourages all food businesses within the municipality to strive for best practice in food safety whilst promoting and raising awareness of food safety in the community. The program recognises and celebrates local food businesses that strive for the highest quality in food preparation.

Winners of the three categories are:

- Class 1 (potentially high risk premises serving food to vulnerable customers)
Allanvale Private Nursing Home - 38-40 Ascot Street South, Altona Meadows
- Class 2 (potentially high risk premises serving to the general public)
Clip n Climb - 2/134 Maddox Road, Williamstown North
- Class 3 (low risk/potentially high risk packaged)
Snowballs Icecream Shop - 320-322 Melbourne Road, Newport

Background

Council has approximately 700 premises registered under the *Food Act 1984*. Each premises is inspected/reassessed prior to the initial registration and then for re-registration each.

The food safety awards program is conducted each year and encourages all food businesses within the municipality to strive for best practice in food safety whilst promoting and raising awareness of food safety in the community.

Discussion

All registered food businesses (except those selling packaged low risk foods), are automatically included as part of the food safety awards program. Food safety performance is monitored by Council's Environmental Health Officers over a 12 month registration period. If a new business registers or a proprietor changes within this period, the business will be included in the next assessment period to ensure that nominations have operated for at least 12 months.

Inspections and assessments are conducted throughout the year. Premises that receives a score of 95 (97 for Class 3) or above are provided with an 'In the Running' certificate to be displayed at their premises to inform the community of compliance with food safety requirements.

Businesses that have received an 'In the Running' certificate are assessed against the following three criteria to determine a winner for each category:

- food analysis results (no failed or marginal samples)
- food safety program implementation (food safety supervisors certificate and food safety records)
- no justified complaints

8.3.5 Contract 2014.01 Review - At-call Hard Waste Collection Service

Directorate: Strategic Development

Councillor Portfolio: Environmental Sustainability - Cr Jonathon Marsden and Cr Sandra Wilson

Appendices: Nil

Purpose

To present a review of Council's hard waste collection service contract with Four Seasons Waste (Contract No. 2014.01) of which the initial term expires on 30 June 2019.

Motion

Moved Cr Sandra Wilson, seconded Cr Colleen Gates:

That Council:

- 1. Extend the At-call Hard Waste Collection Service Contract (Contract No. 2014.01) with Four Seasons Waste for one year (from 1 July 2019 to 30 June 2020) at the current contract price.**
- 2. Vary the contract to introduce a second user paid hard waste collection service trial, during the extension period from 1 July 2019 to 30 June 2020.**
- 3. Commence a further contract review in February 2019 that considers one final one year contract extension to 30 June 2021 or tendering for a new contract.**

Carried

Summary

The initial term of Council's current contract with Four Seasons Waste (FSW) for the hard waste collection service (Contract No. 2014.01) expires on 30 June 2019. There are two one year extension options meaning a maximum term to 30 June 2021.

A review has been undertaken to consider the merits of tendering the service, extending the contract until 30 June 2020 or deferring a decision to extend or tender at a later date. The review considered contractor performance and service costs, the prevailing market conditions in the waste industry and benchmarking with other metropolitan councils. It also considered making available a second hard waste collection on a user pays basis.

Overall FSW's performance is very satisfactory and they are responsive to Council's requests. Their service performance is above standard with an average of 95 per cent of customer enquiries closed within time. Benchmarking concluded that Council receives a value for money service from FSW in comparison with the cost of services received by other metropolitan councils. A 2017 tender by an outer metropolitan council, highlights that Council is unlikely to receive a better price if it chose to tender now.

The option that best suits Council at this time is to extend the contract with FSW for one year from 1 July 2019 to 30 June 2020 at the current contract price. It is also recommended to

introduce a second hard waste collection on a user pays basis as a trial during the extension period. Second collections are not an entitlement within the waste service charge but a user paid optional service that residents may choose to take up.

Background

Council's current hard waste collection service contract (the contract) with FSW began on 6 February 2014. The initial term expires on 30 June 2019. There are two one year extension options meaning a maximum term to 30 June 2021. Improvements since the previous contract included electronic waste (e-waste) recycling through the National Television and Computer Recycling Scheme and the use of two collection vehicles to increase recycling of other hard waste.

Discussion

A number of parameters have been considered in a review of this contract. Current contractor performance and service costs are two key factors that are important when deciding whether to extend the contract or retender. Other parameters include benchmarking with other metropolitan councils and the prevailing market conditions and policy implications.

The outcome of the contract review is summarised below:

- overall the contract performance of FSW is very satisfactory, if not exceptional
- FSW is very responsive to Council's requests, particularly when missed collections occur. Council's customer service data shows that FSW's service performance is above standard with an average of 95 per cent of customer enquiries closed within the required time
- FSW sought a contract variation in July 2015 for a marginal increase in contract price due to scavenging of metals and the resulting exposure to occupational health and safety issues by their staff. Based on the assessment including a comparison to other tendered prices and performance of FSW, the variation was considered reasonable and it was approved
- benchmarking with metropolitan councils on key features of their hard waste service contract concludes that Council receives value for money from FSW in comparison with the cost of service received by other metropolitan councils
- a tender price received in 2017 for an outer metropolitan Council, which has approximately two and half times the number of collections than Hobsons Bay, shows that by comparison the rate per hard waste collection that Council is receiving is lower than the best tendered price for that council. Therefore Council is unlikely to receive a better rate if it chooses to tender now
- Council's request for tender in 2013 attracted two other tenderers. A comparison of their original tender price and FSW's current price (including the variation) shows that the current contract rate is less than the two other tenderer's original submission

The contract review analysed three options available to Council. These are tendering the service, extending the contract until 30 June 2020 or deferring a decision to extend or tender to a later date. Under the prevailing conditions the recommended option that best suits Council at this time is to extend the contract with FSW for one year from 1 July 2019 to 30 June 2020 at the current contract price.

In the interests of meeting the expectations of residents for more flexibility in the hard waste service, the possibility of introducing a second hard waste collection paid by the user has been investigated. The second collection is not an entitlement within the waste service charge but a user paid optional service that residents may choose to avail. After considering the merits and demerits of introducing such a service, it is recommended that a second hard waste collection service be introduced as a trial during the extension period from 1 July 2019 to 30 June 2018.

8.4 Infrastructure and City Services

8.4.1 HD Graham Reserve Master Plan Draft Concept

Directorate: Infrastructure and City Services

Councillor Portfolio: Active and Inclusive Communities - Cr Michael Grech and Cr Peter Hemphill

Appendices: 1 HD Graham Reserve Draft Master Plan

Purpose

To update Council on the development and content of the draft HD Graham Reserve Master Plan and seek approval to place the draft concept on public exhibition.

Motion

Moved Cr Colleen Gates, seconded Cr Tony Briffa:

That Council

- 1. Approve the draft HD Graham Reserve Master Plan for public exhibition.**
- 2. Receive a further report following the public exhibition period.**

Carried

Summary

This report provides an update on the HD Graham Reserve Draft Master Plan and seeks approval to proceed to public exhibition. The HD Graham Reserve Draft Master Plan including the findings from the analysis of the previous research and preliminary consultation is attached to this report. (Appendix A)

The development of this draft master plan has included:

- a review of background documents, including Council strategies and the Altona Sports Centre Redevelopment designs
- a review of existing site conditions and
- preliminary engagement with key stakeholders.

Background

H.D. Graham Reserve is a 19.1 hectare site in Altona Meadows which acts as the entrance to the Truganina Park, 100 Steps of Federation and Cheetham Wetlands. H D Graham Reserve was the site for the Altona Landfill until February 1998.

The Reserve is bordered by Truganina Park, the former Altona landfill to the south, Queen St to the north, residential properties along the western side of the reserve and Laverton Creek floodway on the east. HD Graham is Crown Land which is zoned - Public Park and Recreation zone and Hobsons Bay Council is the delegated Committee of Management.

The Laverton Creek Shared Trail is located on the eastern side of the reserve which connects to the Coastal Trail and a shared user pathway is located on the western boundary

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linking access to Altona Meadows. Andrew Park Drive provides access through HD Graham Reserve which leads to Truganina Reserve to the south. Andrew Park Drive, via Queen Street, is the only vehicle entry/exit point to the reserve.

The Reserve is serviced by three asphalt car parks either side of Andrew Park Drive. The Reserve also comprises the Altona Sports Centre, a BMX track, skate park, 2 tennis courts and public toilets. The Altona Sports Centre is one of Hobsons Bay emergency relief centres.

City West Water's Altona Treatment Plant is located opposite H.D. Graham Reserve north of Queen Street. Infrastructure from the treatment plant is located on the western boundary of the reserve for the purposes of providing treated water for reuse at Sanctuary Lakes.

HD Graham is one of the three remaining undeveloped Council owned properties, zoned PPRZ. The others being north of Laverton Creek and AB Shaw Reserve, south of the railway line and Fell Reserve Altona.

Discussion

Through review of the previous research and engagement with stakeholders a number of key themes have been identified throughout the master plan development phase. These have been captured together with the proposed master plan response as follows:

Item/theme	Issues/opportunities identified	Proposed response/s
Pedestrians /cyclist access	Increasing vehicle movements through the site due to recreation facility developments have the potential to reduce pedestrian amenity.	<ul style="list-style-type: none"> • creation of pedestrian priority crossing points in safe and convenient locations and within low-speed shared zones. • formalisation of an accessible shared pathway network throughout the reserve • improved links between Queens Road and the facilities and surrounding destinations including Truganina Park, 100 Steps of Federation, Queen of Peace and the residential zones of Altona Meadows.
Biodiversity	The site includes and adjoins indigenous vegetation and valuable habitat. There is an opportunity for these assets to be highlighted, expanded, and better integrated into the function of the site.	<ul style="list-style-type: none"> • identification of a potential location for a Wetland Education Centre. • creation of vegetated buffers around significant areas to ensure protection and to reduce public risk (eg. limb drop on old trees). • creation of a pathway network and viewing nodes (including interpretive signs), to encourage visitors to engage with the natural features of the site.

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		<ul style="list-style-type: none"> • creation of an ephemeral wetland providing suitable habitat for the endangered Altona Skipper Butterfly. • identification of areas within the reserve for further indigenous vegetation to encourage and protect native habitat.
Playing fields	The site includes large and underutilised mown grass areas, providing opportunity for community recreation access.	<ul style="list-style-type: none"> • siting of flexible multi-purpose playing fields suitable as an overflow training venue. • amenities pavilion to support the playing fields. • Sportsground floodlighting.
Skate and BMX	There is an opportunity to expand and improve the existing skate and BMX facility.	<ul style="list-style-type: none"> • expansion of the existing skate facility. • addressing the surface issues with the existing BMX jumps facility that is currently limiting its use. • Improvements to user amenity including additional.
Play space	There is an opportunity to expand the play space facilities to complement the nearby skate and BMX facilities	<ul style="list-style-type: none"> • a new play space is proposed in close proximity to the skate facility expanding the informal recreational options for families. • the location of the play space within the reserve is easily accessible.
Water	Opportunity to achieve environmental sustainability outcomes.	<ul style="list-style-type: none"> • investigation of the use of recycled water from the neighbouring water treatment facility to irrigate the proposed playing fields. • proposals to incorporate swales and raingardens to capture and treat water runoff and irrigation overflow. • space identified for a potential wetland.

Reflecting Council strategies, sustainability initiatives have been considered in the development of the master plan. Key initiatives are highlighted within the Environmental Sustainable Design Initiatives Plan within the master plan report.

A community proposal for the development of a Wetland Education Centre has been considered as a part of the master plan preparation. The preferred location for the Centre as

identified by the Hobsons Bay Wetlands Centre group is in the south-eastern corner of the site. The location provides accessible viewing points to Laverton Creek and into the Cheetham Wetlands. Further investigations need to be undertaken to determine the viability of this location within the Reserve and for the establishment of the Centre.

8.4.2 Contract 2018.86 Construction of Epsom Street Reserve, Laverton

Directorate: Infrastructure and City Services

Councillor Portfolio: Active and Inclusive Communities - Cr Michael Grech and Cr Peter Hemphill

Appendices: Nil

Purpose

To award Contract 2018.86 for the construction of the Epsom Street Reserve, Laverton.

Motion

Moved Cr Colleen Gates, seconded Cr Michael Grech:

That Council award Contract No. 2018.86 for the construction of the Epsom Street Reserve, Laverton to JMAC Constructions Pty Ltd at a fixed lump sum price of \$1,161,703.55 (incl. GST).

Carried

Summary

Council received one submission to a tender which was advertised to construct a new community reserve at Epsom Street, Laverton.

A report was presented to the Hobsons Bay Tender Board on 16 January 2019 recommending to award the tender to JMAC Constructions Pty Ltd for the construction of Epsom Street Reserve, Laverton.

Background

In 2014 Council purchased the former Laverton Primary School site in recognition of the need for additional open space and affordable housing in Laverton.

In 2016 Council commenced preliminary investigations into the Epsom Street site with regard to the development of a community reserve and an affordable housing model for Council's consideration.

Minor upgrade works, including a temporary basketball court and seating, were undertaken in 2016-17, to enable local community access and use of the space. Preliminary site investigations including a feature survey, geotechnical and vegetation assessments were also undertaken.

The construction contract scope of works includes supplying of all labour, supervision, materials and equipment necessary to construct the Epsom Street Reserve, Laverton open space project as per the approved design.

Discussion

A public tender process was conducted opening on 1 December 2018 and closing 21 December 2018. Thirteen (13) companies downloaded the tender documents and one (1) tender submission was received at the close of tender.

The Tender Evaluation Panel reviewed the tender submission based on the defined evaluation criteria. The Panel agreed to interview the one tenderer.

The tender interview was held with JMAC Constructions Pty Ltd on 10 January 2019. At the interview JMAC Constructions Pty Ltd confirmed their availability to start works on site mid-March 2019 with completion to occur end of August 2019.

At the conclusion of the interview the tender panel re-scored the tenderer submission based on the assessable evaluation criteria. The panel recommends awarding the project to JMAC Constructions Pty Ltd based on price, demonstrated experience, capacity and resources to undertake the works and their proposed project methodology.

JMAC Constructions have completed the recent playground upgrade projects at Brooklyn Reserve and GH Ransom Reserve for Council. Both projects were completed on time and on budget to a high standard of quality.

9 Delegates Report

Directorate: Corporate Services

Purpose

To consider reports by Councillors who have been appointed as delegates to Council and community committees.

Motion

Moved Cr Colleen Gates, seconded Cr Tony Briffa:

That Council receive and note the recent Delegates Report.

Carried

**Delegates Report - Metropolitan Transport Forum
Councillor Delegate: Cr Jonathon Marsden****Date of Meeting: 5 December 2018**

Greg Day from Edunity provided a summary of transport themes emerging from the 14 pre-election forums and the transport commitments from the state election campaign. Buses were widely discussed at the earlier pre-election forums but became less prominent as rail-focused commitments were made. The Liberal National Party policy announcement on the last day of campaigning to provide \$70 million for more, better connected, and enhanced bus services across Melbourne was also noted. It was considered that the announcement of the Suburban Rail Loop, which was very well received, was the turning point of the election campaign as far as transport was concerned. The most relevant commitment for Hobsons Bay was the Airport Rail Link.

The Grattan Institute's analysis of transport commitments during the Victorian Election: *Eight charts that explain Victoria's transport election* was also discussed. Transport commitments were especially high consisting of more than A\$160 billion worth of projects in total including A\$95 billion from Labor and \$65 billion from the Coalition. This analysis also highlighted that many projects were only commitments to business cases rather than projects themselves. The major parties continued to commit to projects that have either not been considered or have not been endorsed by Infrastructure Australia and Infrastructure Victoria.

Advocacy

The 'Billions for Bus' advocacy program will recommence in 2019 and will focus on building champions for increasing bus funding. Strategies for advocacy going forward were also discussed with agreement that advocacy will likely have to align with the new Labor Government's current commitments in the short term.

10 Notices of Motion**10.1 Notice of Motion No. 1208 – Condolence - Venerable Bill Beagley**

Moved Cr Peter Hemphill, seconded Cr Sandra Wilson:

That Council extend its condolences to the family, friends, parishioners of Holy Trinity Anglican church Williamstown and the wider Anglican Diocese on the recent loss of Venerable Bill Beagley, who was Vicar at Holy Trinity for eight years, and record its appreciation for the significant contribution Rev Beagley made to the spiritual and social wellbeing of the Hobsons Bay community particularly his strong leadership in promoting social and religious harmony through the Hobsons Bay Interfaith Network and MCing the annual interfaith Come Dine with Me Dinner.

Carried

11 Supplementary Public Question Time

Cr Tony Briffa left the Council Chamber at 8:37 pm.

Cr Tony Briffa returned to the Council Chamber at 8.40pm.

Luke Cherry

Q. Council advised in an earlier response in this meeting that staff and the ASU had been consulted. There were two information sessions in mid 2018 with staff, then all other meetings were postponed in a letter from Leanne McGuire on 6/09/18. Will Council postpone any descision and geniunly consult their staff instead of totally changing their jobs without even asking them what they think?

A. Staff were consulted on two occasions, with further meetings postponed at the request of staff until a decision was taken by Council. Council will consider the matter this evening in keeping with the staff seeking clarity in relation to the reforms and security of employment.

David Llewellyn

Q. Council tonight advised that it's home care staff would be transitioned with existing entitlements to a new provider (if applicable). Why then has Council applied to the Fair Work Comission to reduce entitlements of one of it's currnt employees? What is the Councils position on announcing current staff entitlements?

A. A written response will be provided.

Lisa Darmanin

Q. Given the significant community interest tonight and number of petitions tabled regarding sub-contracting of Community Support and the correspondence from Local State and Federal members of Parliament and The Aged Care Royal Commision, why doesn't Council add funding to the community Home Support Program as an additional Advocacy for 2019?

A. A written response will be provided.

Jeanette Slanney

Q. Youth Mental Health, over the whole of Melbourne is a major problem. Hobsons Bay is very endowed with many sporting and other organisations. In a way, Community services for HACC services is like a sporting or necessary service for people over and under 65. Does the Council agree with this? This is the ONLY (usually) Organisation available for this clientele/group. Mental health for all is essential. HACC services provide this. Does Council agree with this?

A. A written response will be provided.

Jess Marnich

Q. Due to lack of clarity as to the source of dust around South Kingsville and Spotswood, residents complaints are being completely shunted between WGTP and EPA. It is unclear re contribution of Precinct 15 development. Will Council take control and a more active role in settling these complaints?

A. Council will be monitoring all planning applications to site. The EPA and West Gate Tunnel Project do have a role, but Council will endeavour to make who is responsible for which matter clear on the website. Officers will contact you directly to discuss.

Cr Tony Briffa left the Council Chamber at 8.37pm, and returned at 8.40pm.

12 Urgent and Other Business

Nil.

13 In Camera Business

Motion

Moved Peter Hemphill, seconded Cr Colleen Gates:

That Council considers the confidential report listed below in a meeting closed to the public in accordance with Section 89(2) of the *Local Government Act 1989*.

Division

For – Cr Peter Hemphill, Cr Colleen Gates, Cr Jonathon Marsden, Cr Sandra Wilson

Against – Cr Tony Briffa, Cr Michael Grech

Carried

The meeting was closed to members of the public at 8.42pm.

13.1 Community Care Tender – In-home Support Services

This matter is considered to be confidential under s89(2)(a)(c) and (d) of the *Local Government Act 1989* as it relates to personnel matters, industrial matters and contractual matters.

Council considered the report(s) and discussed the matter In-Camera.

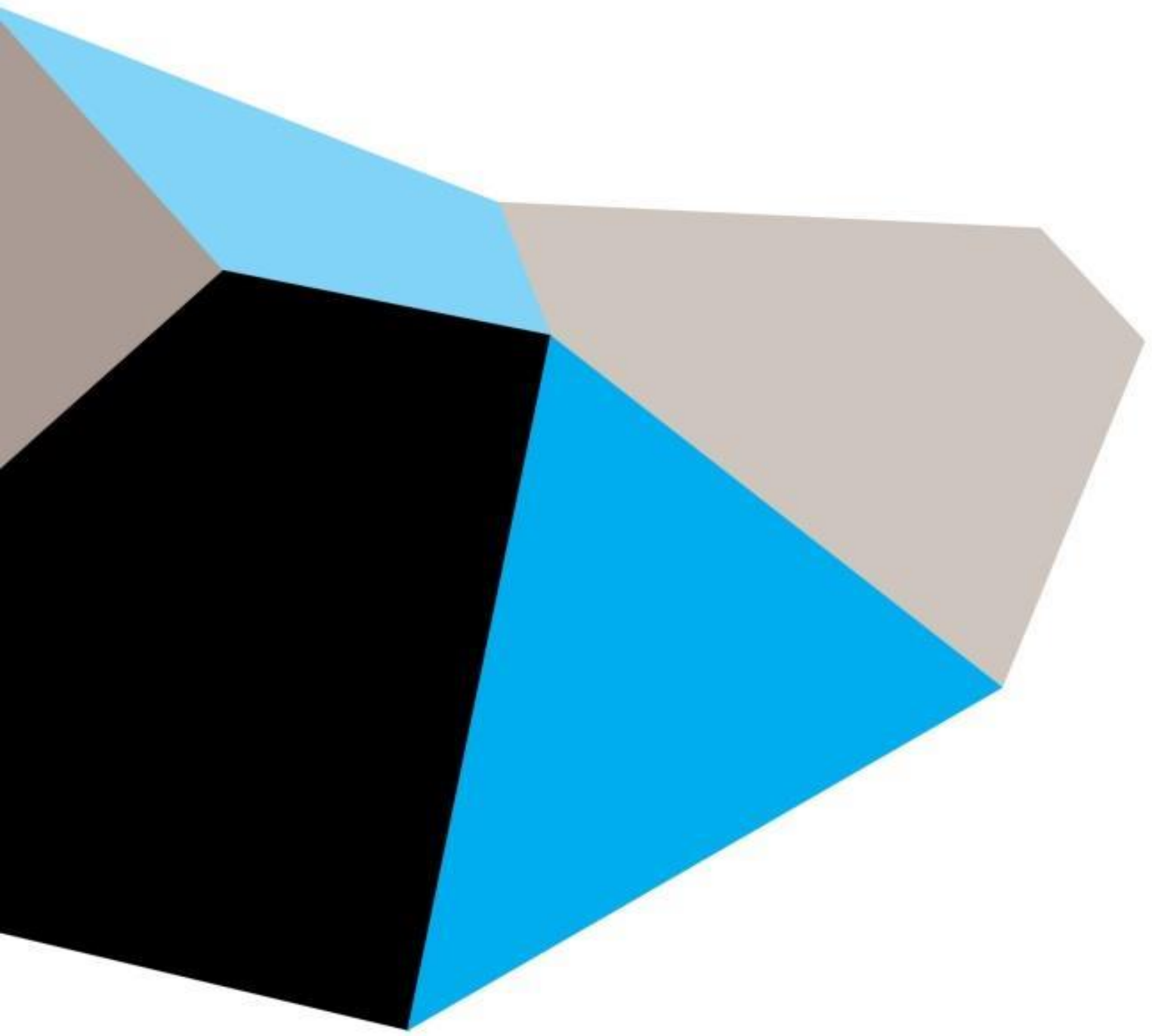
The meeting was opened to members of the public at 9.45pm.

Councillors noted the retirement of Mr Peter Hunt, Director Community Wellbeing, acknowledging his contribution to Hobsons Bay over many years and wished him well for the future.

There being no further business, the Chairperson declared the meeting closed at 9.47pm.



Chairperson – Cr Jonathon Marsden
Signed and certified as having been confirmed.
12 March 2019



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