

The cover features a large, stylized graphic of a building facade. The left side is a solid black shape, while the right side is a blue brick wall texture. The words 'COUNCIL CHAMBER' are written in black on the brick wall. A white L-shaped bracket is positioned above the main title.

# Ordinary Council Meeting Minutes

Tuesday 12 November 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

Recognised

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 Colleen Gates (Mayor)

Wetlands Ward

### Councillors:

Cr Angela Altair

Strand Ward

Cr Peter Hemphill

Strand Ward

Cr Jonathon Marsden

Strand Ward

Cr Tony Briffa

Cherry Lake Ward

Cr Sandra Wilson (Deputy Mayor)

Cherry Lake Ward

Cr Michael Grech

Wetlands Ward

Aaron van Egmond  
Chief Executive Officer  
Hobsons Bay City Council

## CONTENTS

<b>1</b>	<b>Council Welcome .....</b>	<b>4</b>
<b>2</b>	<b>Apologies .....</b>	<b>4</b>
<b>3</b>	<b>Disclosure of Interests .....</b>	<b>4</b>
<b>4</b>	<b>Minutes Confirmation.....</b>	<b>4</b>
	<b>4.1 Ordinary Council Meeting.....</b>	<b>4</b>
<b>5</b>	<b>Councillors' Questions .....</b>	<b>5</b>
<b>6</b>	<b>Public Question Time.....</b>	<b>6</b>
<b>7</b>	<b>Petitions/Joint Letters .....</b>	<b>6</b>
	8.4.8 Petition - Downer Oval Renovation.....	7
<b>8</b>	<b>Business.....</b>	<b>9</b>
	<b>8.1 Office of the Chief Executive .....</b>	<b>9</b>
	8.1.1 Chief Executive Officer - Report on Operations .....	9
	<b>8.2 Corporate Services .....</b>	<b>11</b>
	8.2.1 Election Period Policy - Review .....	11
	8.2.2 Quarterly Financial Report - September 2019.....	13
	8.2.3 Council Plan Initiatives - Quarter 1 Progress Report .....	15
	<b>8.3 Strategic Development .....</b>	<b>17</b>
	8.3.1 The Substation Funding .....	17
	8.3.2 2020 Community Grants Recommendations.....	20
	<b>8.4 Infrastructure and City Services.....</b>	<b>24</b>
	8.4.1 Contract 2019.69 Altona Civic Centre, Customer Service and Community Meeting Space Project .....	24
	8.4.2 Contract 2019.78 Design and Construct for Donald McLean Reserve and WLJ Crofts Reserve Pavilions and Ancillary Works.....	27
	8.4.3 Contract 2019.59 Bayside College, Williamstown Campus - Sports Pavilion Extension.....	30
	8.4.4 Council Order to Prevent Dogs Entering the Laverton Creek Spit Conservation Zone.....	32
	8.4.5 Drainage Asset Management Plan 2019 .....	35
	8.4.6 Naming the new park at Epsom Street .....	39
	8.4.7 West Gate Tunnel Update Report .....	42
<b>9</b>	<b>Delegates Report.....</b>	<b>46</b>
<b>10</b>	<b>Notices of Motion .....</b>	<b>49</b>
	<b>10.1 Notice of Motion No. 1210 - Recognition of Contribution - Mr Hayden Raysmith AM.....</b>	<b>49</b>
<b>11</b>	<b>Supplementary Public Question Time.....</b>	<b>50</b>
<b>12</b>	<b>Urgent and Other Business .....</b>	<b>50</b>

12.1	Petition – Proposed relocation of cricket nets in Donald McLean Reserve, Spotswood.....	50
13	In Camera Business .....	51

**Minutes of the Council Meeting Held on Tuesday 12 November 2019  
at 7:07 in the Council Chamber, Hobsons Bay Civic Centre, 115  
Civic Parade, Altona.**

**PRESENT**

**CHAIRPERSON:**

Cr Colleen Gates (Mayor) Wetlands Ward

**COUNCILLORS:**

Cr Angela Altair Strand Ward

Cr Peter Hemphill Strand Ward

Cr Jonathon Marsden Strand Ward

Cr Tony Briffa Cherry Lake Ward

Cr Sandra Wilson (Deputy Mayor) Cherry Lake Ward

Cr Michael Grech Wetlands Ward

**OFFICERS:**

Mr Aaron van Egmond Chief Executive Officer

Ms Penelope Winslade Director Sustainable Communities

Mr Sanjay Manivasagasivam Director Infrastructure and City Services

Ms Diane Eyckens Manager Governance and Local Laws

Ms Jennifer Legge Acting Manager Communications and Community Relations

Ms Martina Simkin Governance Advisor

Ms Briony Davis Governance Officer/Minute Secretary

## 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

Nil.

## 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 8 October 2019 (copy previously circulated).

#### **Motion**

**Moved Cr Jonathon Marsden, seconded Cr Angela Altair:**

**That the minutes of the Ordinary Council Meeting of the Hobsons Bay City Council held on 8 October 2019 be confirmed.**

**Carried unanimously**

#### **Recommendation**

**That the minutes of the Ordinary Council Meeting of the Hobsons Bay City Council held on 8 October 2019 be confirmed.**

## 5 Councillors' Questions

**Cr Sandra Wilson asked whether, in relation to the delayed completion of works at Fleming's Pool, there would be an opportunity for community members to meet onsite and get an update towards the concluding period of the project's delivery.**

Sanjay Manivasagasivam, Director Infrastructure and City Services, affirmed that an opportunity could be arranged for members of the community to meet Council staff onsite and discuss the project. The project will be completed by the end of November 2019.

**Cr Sandra Wilson further asked whether Councillors would be included in the meeting.**

Sanjay Manivasagasivam, Director Infrastructure and City Services, affirmed that he would organise it with Council staff.

**Cr Jonathon Marsden asked when The Substation could expect news of any Australian Council grant that they've applied for.**

Penelope Winslade, Director Sustainable Communities, responded that Council understands shortlisted submissions were due on 10 November 2019, and that the timeframe for the Australian Council to announce funding decisions is in the early part of next year, potentially between March and May 2020.

**In light of news that the Level Crossing Removal Project will be opening public consultation for the Ferguson Street level crossing in Williamstown, Cr Jonathon Marsden sought an update as to Council's preparedness to work with the Department of Transport (DOT) on a precinct or corridor wide solution after the public consultation period has closed.**

Sanjay Manivasagasivam, Director Infrastructure and City Services, affirmed that Council was prepared to work with the DOT on the rail corridor to find a good solution for the area, noting that Council already has a set of Principles on Grade Separation and is preparing a precinct plan for the location.

**Cr Tony Briffa JP noted community concerns regarding the pedestrian overpass bridge in Brooklyn, and sought an update regarding the West Gate Tunnel Project's proposal to remove access to the bridge for six months.**

Sanjay Manivasagasivam, Director Infrastructure and City Services, replied that Council is closely working with the contractor and the West Gate Tunnel Authority in regard to this matter. Council is currently obtaining further information from the contractor, and intends to bring a report to the 10 December 2019 Council Meeting for a decision.

**Observing the daily roadworks signage, speed limit changes and personnel presence on Millers Road in front of Mobil in recent months, Cr Tony Briffa JP requested clarification regarding the nature of the road works currently being carried out by Mobil and whether VicRoads is aware of them.**

Diane Eyckens, Manager Corporate Integrity, affirmed that VicRoads has been notified by Council, and that VicRoads is the relevant authority over Millers Road. She added that, while it appeared that no obvious road works were being undertaken at that point, Council is looking into it and have an undertaking from VicRoads to follow it through.

**Cr Tony Briffa requested clarification as to whether Mobil had sought approval from VicRoads to carry out the works.**

Ms Eyckens responded that Council is unaware of the approval status of the works, but is awaiting a response which can be made available to Council.

**Cr Peter Hemphill requested an update on the issues Council has been having with the service provider for kerbside recycling, apropos of reporting by the ABC that residents had been asked to hold back their recyclable waste.**

Penelope Winslade, Director Sustainable Communities, acknowledged that Council had received late notice of a short-term interruption to recycling services, which residents had been advised of on Monday 11 November 2019. As a result of the interruption, any recycling that residents had been unable to hold back for Tuesday 12 November 2019 went to landfill.

However, Ms Winslade advised that Council had arranged an interim solution with Cleanaway, and that yellow kerbside bins would again be recycled from Wednesday 13 November 2019 onwards.

**Cr Angela Altair asked, on the matter of recycling, whether all bases would be covered in terms of communicating the late change to residents.**

Penelope Winslade, Director Sustainable Communities, affirmed that communications had gone out in the evening and would continue tomorrow.

**In relation to the Level Crossing Removal Project's plans for the Ferguson Street level crossing, Cr Angela Altair asked whether Council would be activating the Level Crossing Reference Group.**

Sanjay Manivasagasivam, Director Infrastructure and City Services, responded that Council would, and that, as the Level Crossing Removal Project has its own reference group, Council and the Level Crossing Removal Project would need to work on the details as to how the two groups could be combined.

**Cr Angela Altair requested reassurance that this would be done quickly, in light of the short timelines on this matter and the level of community interest and anxiety.**

Sanjay Manivasagasivam, Director Infrastructure and City Services, affirmed that Council would work closely with the Level Crossing Removal Project to ensure this was the case.

## **6 Public Question Time**

Nil.

## **7 Petitions/Joint Letters**

### **Motion**

**Moved Cr Tony Briffa, seconded Cr Peter Hemphill:**

**That Item 8.4.8 Petition – Downer Oval Renovation be brought forward.**

**Carried unanimously**



### 8.4.8 Petition - Downer Oval Renovation

**Directorate:** Infrastructure and City Services

**Councillor Portfolio:** Not applicable

**Appendices:** Nil

#### Purpose

To receive a petition received from the Williamstown Football Club, containing 394 signatories, requesting that the ground reconstruction works at Downer Oval, Williamstown, be brought forward to commence in October 2020.

#### Motion

**Moved Cr Peter Hemphill, seconded Cr Jonathon Marsden:**

**That Council:**

- 1. Receives and notes the petition requesting that the ground reconstruction works at Downer Oval, Williamstown, be brought forward to commence in October 2020.**
- 2. Receives a report on this matter at a future Council Meeting.**

**Carried unanimously**

#### Recommendation

**That Council:**

- 1. Receives and notes the petition requesting that the ground reconstruction works at Downer Oval, Williamstown, be brought forward to commence in October 2020.**
  - 2. Receives a report on this matter at a future Council Meeting.**
- 

#### Summary

The petition was received on 13 October 2019 and reads as follows:

“As supporters of the Williamstown Football Club, we are extremely proud of our Club’s heritage and deep connection to the Hobsons Bay community. Therefore, we are deeply concerned about the playing surface at Downer Oval and the associated risk to our players, and those of the many other Hobsons Bay community clubs that utilise the oval and associated amenities.

We fully support the Williamstown Football Club’s submission to the Hobsons Bay City Council requesting that the ground reconstruction works at Downer Oval, currently proposed by Council for late 2023, be brought forward to commence in October 2020.”

In addition to the petition, the Williamstown Football Club has also provided the following documents in support of the request:

- Letter from Member for Williamstown, the Hon. Melissa Horne MP
- Letter from AFL Head of Talent Pathways & State League Competitions Tristan Salter
- Quote for works from Marvel Stadium

## 8 Business

### 8.1 Office of the Chief Executive

#### 8.1.1 Chief Executive Officer - Report on Operations

**Directorate:** Office of the Chief Executive

**Councillor Portfolio:** Not applicable

**Appendices:**

- 1 Chief Executive Officer - Report on Operations - October 2019
- 2 AOC - Councillor Briefing Session - 1 October 2019
- 3 AOC - Agenda Briefing Pre-Ordinary Council Meeting - 8 October 2019
- 4 AOC - Councillor Briefing Session - 29 October 2019

#### Purpose

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

#### Motion

**Moved Cr Angela Altair, seconded Cr Michael Grech:**

**That Council:**

1. **Receives and notes 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*, incorporates into the minutes of this meeting the written Record of Assembly of Councillors held on 1, 8 and 29 October 2019.**

**Carried unanimously**

#### Recommendation

**That Council:**

1. **Receives and notes 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*, incorporates into the minutes of this meeting the written Record of Assembly of Councillors held on 1, 8 and 29 October 2019.**

## Summary

The attached CEO's Report on Operations provides Councillors and community with a regular update from the CEO on key initiatives, projects and performance.

## Discussion

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

## 8.2 Corporate Services

### 8.2.1 Election Period Policy - Review

**Directorate:** Corporate Services

**Councillor Portfolio:** Not applicable

**Appendices:**

- 1 Election Period Policy 2019 - with track changes
- 2 Election Period Policy 2019 - Draft

#### Purpose

To adopt an Election Period Policy for the 2020 Council elections to support compliance with the *Local Government Act 1989* (the Act) and good governance principles.

#### Motion

Moved Cr Sandra Wilson, seconded Cr Jonathon Marsden:

That Council:

1. Adopts the Election Period Policy dated 12 November 2019 as attached to this report.
2. Revokes the Election Period Policy dated 8 March 2016.
3. Notes that the Election Period Policy will apply from 22 September 2020 until 6pm on Election Day (24 October 2020), inclusive.

Carried unanimously

#### Recommendation

That Council:

1. Adopts the Election Period Policy dated 12 November 2019 as attached to this report.
  2. Revokes the Election Period Policy dated 8 March 2016.
  3. Notes that the Election Period Policy will apply from 22 September 2020 until 6pm on Election Day (24 October 2020), inclusive.
- 

#### Summary

Under Section 93B of the Act, Council is required to prepare, adopt and maintain an Election Period Policy in relation to procedures to be applied by Council during the election period for a general election. The current Election Period Policy, which was adopted by Council at the Ordinary Council Meeting held on 8 March 2016, requires updating for the Council election to be held on Saturday 24 October 2020.

## Background

The proposed Election Period Policy (the policy) has been updated for application during the upcoming election period, from 22 September 2020 until 6pm on Election Day, 24 October 2020.

The purpose of the policy is to ensure that the ordinary business of local government by Hobsons Bay City Council continues throughout the election period in a responsible and transparent manner, and in accordance with statutory requirements and established caretaker conventions. Caretaker provisions are intended to ensure that councils and Councillors will not use public resources in election campaigning or make major policy decisions that may bind the incoming Council.

## Discussion

The adoption of the policy further supports compliance with the Act and is a key good governance initiative in the lead up to the election. The proposed policy is provided as an appendix to this report and will apply during the 2020 election period to cover:

- decisions that are made by Council, a special committee or a person acting under delegation by Council
- any material that is published by Council or on Council's behalf
- public consultation activities
- scheduling, attendance and participation in functions and events
- the use of Council resources
- access to Council information
- media services

The proposed policy largely reflects the policy that was adopted for the 2016 general election, with the following adjustments:

- updating relevant dates to reference the upcoming 2020 election period
- inclusion of information on seeking a ministerial exemption from the prohibitions on major policy decision making during the election period (section 6.3)
- updating the estimated amount of revenue from rates and charges which limits the value of contracts that can be entered into, and exercise of Council's entrepreneurial powers, during the election period (section 6.3)
- addition of relevant considerations for the Chief Executive Officer in giving approval to major policy decisions not prohibited under section 93A of the Act (section 6.4)
- clarification of Councillor details to be displayed or removed from the Council website during the election period (section 7.3)
- clarification that Council events and functions must not be used for campaigning purposes (section 9.2)
- inclusion of a requirement for Councillors to acknowledge receipt of the policy following adoption (section 16)
- general administrative amendments to improve readability of the policy

## 8.2.2 Quarterly Financial Report - September 2019

<b>Directorate:</b>	Corporate Services
<b>Councillor Portfolio:</b>	Not applicable
<b>Appendices:</b>	1 Quarterly Financial Report 2 Capital Works Program

### Purpose

To present Council with the financial results for the period ended 30 September 2019, and the revised 2019-20 annual forecast projections following completion of the September forecast review.

### Motion

**Moved Cr Jonathon Marsden, seconded Cr Sandra Wilson:**

**That Council notes the financial report for the period ended 30 September 2019 and the revised 2019-20 annual forecast.**

**Carried unanimously**

### Recommendation

**That Council notes the financial report for the period ended 30 September 2019 and the revised 2019-20 annual forecast.**

---

### Summary

The financial report for the period ended 30 September 2019 and a detailed report on the position of the Capital Works Program are attached as appendices. The September forecast review focuses on carryovers and timing differences that occur between the 2018-19 and 2019-20 financial years. This report will be received and noted by Council's Audit Committee at its meeting on 27 November 2019.

The operational budget surplus for 2019-20 of \$25.051 million has increased to a \$25.397 million forecast. The increased forecast surplus of \$346,000 is a combination of additional operational income of \$1.976 million, which is largely offset by additional operational expenditure of \$1.63 million.

The forecast result of the Capital Works Program compared to budget is a balanced result after forecast adjustments and carryovers are taken into account.

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 \$664,000 less funding required (compared to the current year's 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 Executive Leadership Team and meetings with managers.

## **Background**

The overall financial results show improvements when compared to budget. Whilst the results show a strong operational surplus, it should be noted that surpluses are expected to fluctuate in future years of Council's Long Term Financial Plan (LTFP). The LTFP has been updated and indicates that Council remains in a reasonable financial position and is financially sustainable in the short term.

When compared to previous financial plans, current and projected income has been dramatically reduced as a result of rate capping and predicted income funding streams such as contributions, operating grants, user charges and fees. Council needs to address these issues, which in turn impact upon 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 has been applied in 2019-20.



### 8.2.3 Council Plan Initiatives - Quarter 1 Progress Report

**Directorate:** Corporate Services

**Councillor Portfolio:** Not applicable

**Appendices:** 1 Council Plan Initiatives Progress Report Quarter 1 2019-20

#### Purpose

To provide Council with an update on the progress of the Council Plan 2017-21 initiatives and major initiatives (major projects or significant service improvements) included in the budget.

#### Motion

**Moved Cr Sandra Wilson, seconded Cr Angela Altair:**

**That Council notes the progress made on the initiatives and major initiatives of the Council Plan 2017-21 during the first quarter of 2019-20.**

**Carried unanimously**

#### Recommendation

**That Council notes the progress made on the initiatives and major initiatives of the Council Plan 2017-21 during the first quarter of 2019-20.**

---

#### Summary

Quarterly reporting on the progress of the Council Plan 2017-21 initiatives and major initiatives assists Council to ensure progress is on track throughout the financial year. In 2019-20, 12 initiatives and six major initiatives were committed to.

Overall, at the end of the first quarter 2019-20, one (17 per cent) major initiative was completed, while seven (58 per cent) of all initiatives and five (83 per cent) of all major initiatives were progressing on schedule to be completed by 30 June 2020.

#### Background

The Council Plan is developed every four years and reviewed annually in accordance with the legislative requirements of the *Local Government Act 1989* (the Act). It is based on a planning framework that aligns the Hobsons Bay 2030 Community Vision to the planning, development, resource allocation and service provision undertaken by Council for the Hobsons Bay community.

The Council Plan is comprised of four goal areas which include the strategic objectives that define Council's goals for the period 2017-21. The initiatives and major initiatives identified through the Annual Budget support the delivery of each objective.

## Discussion

In 2019-20, 12 initiatives and six major initiatives were committed to in Council's budget. These include five initiatives and two major initiatives that were carried over from 2018-19.

Overall, at the end of the first quarter 2019-20, seven (58 per cent) of all initiatives were progressing on schedule.

Of the six major initiatives, five (83 per cent) were progressing on schedule. One (17 per cent) major initiative was completed: the finalisation of the development of the Hobsons Bay Aquatic Strategy, which was endorsed by Council on 9 July 2019.

## 8.3 Strategic Development

### 8.3.1 The Substation Funding

**Directorate:** Sustainable Communities

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

**Appendices:** Nil

#### Purpose

For Councillors to consider a new triennial funding agreement with The Substation for the period 1 July 2019 to 30 June 2022.

#### Motion

**Moved Cr Peter Hemphill, seconded Cr Angela Altair:**

**That Council:**

- 1. Enters into a triennial funding agreement with The Substation for the period 1 July 2019 to 30 June 2022, with a proposed allocation of \$350,000 (three hundred and fifty thousand dollars) to be referred to the budget each financial year.**
- 2. Endorses revised conditions of the triennial funding agreement including key performance indicators for local community involvement and conditions that strengthen The Substation's community engagement with the Hobsons Bay community.**
- 3. Notes that the agreement includes the option for a Councillor to represent Council on The Substation's Committee of Management.**
- 4. Notes that the terms of the new agreement include the establishment of a Community Ambassador role and Community Reference Group.**
- 5. Advises The Substation of Council's intention to step down the level of contribution should any future funding agreements be considered following the conclusion of the 2019-2022 funding agreement, noting that the significant funding for this agreement and the previous agreement is to support The Substation to achieve a self-sustaining operation.**

**Carried unanimously**

#### Recommendation

**That Council:**

- 1. Enters into a triennial funding agreement with The Substation for the period 1 July 2019 to 30 June 2022, with a budget allocation of \$350,000 (three hundred and fifty thousand dollars) each financial year.**
-

2. **Endorses revised conditions of the triennial funding agreement including key performance indicators for local community involvement and conditions that strengthen The Substation's community engagement with the Hobsons Bay community.**
  3. **Notes that the agreement includes the option for a Councillor to represent Council on The Substation's Committee of Management.**
  4. **Notes that the terms of the new agreement include the establishment of a Community Ambassador role and Community Reference Group.**
  5. **Advises The Substation of Council's intention to step down the level of contribution should any future funding agreements be considered following the conclusion of the 2019-2022 funding agreement, noting that the significant funding for this agreement and the previous agreement is to support The Substation to achieve a self-sustaining operation.**
- 

## Summary

The Substation is seeking Council's consideration of a new triennial funding agreement for the period 1 July 2019 to 30 June 2022, at the same level as the previous agreement (\$350,000 per year). Council has held extensive discussions with The Substation and other community members, seeking to increase the local community engagement and value delivered for such a substantial investment of local community funds. The new agreement includes new key performance indicators (KPIs) which are directly linked to the release of funds, and new conditions to encourage greater local community engagement.

## Background

The Substation is a contemporary arts space in a landmark building situated at 1 Market Street Newport, a property owned by VicTrack. Council has provided grants to The Substation since 2001 through several phases: during its initial phase as a community-led repurposing of a derelict building, then to enable it to establish operations, and since 2009 as a contribution to its operating costs. To date, operating grants have run over two triennial funding terms, being 2013-2016 and 2016-2019.

Discussions in relation to a potential third triennial funding agreement from 2019-2022 have been underway since the start of 2019. Over this period, Council has worked with The Substation on terms and conditions of proposed future funding, recognising the contribution that The Substation makes to the city, as well as the importance of strengthening the opportunities for The Substation to grow its connection with the Hobsons Bay community. Over this period, Council has also engaged with a number of community members to understand the range of community sentiment about The Substation's role and contributions to Hobsons Bay and the region now and into the future.

## Discussion

The Substation is operated by a not for profit incorporated association with a small paid staff and a volunteer Committee of Management (CoM). Council's operating grants are intended to support The Substation to contribute to the local arts offering and economy. The grants are also intended to assist The Substation to become a sustainable organisation that can be best positioned to meet the cultural needs of the city and to reach its potential as a significant asset for the community.

A triennial funding commitment from Council has been important to enable The Substation to plan its operations and to gain the support of other levels of government and philanthropic support for its program. It is recognised that the current level of funding is unlikely to continue into the future, as The Substation further develops its capacity and self-reliance with support from government, philanthropy and its own revenues.

The Substation has the capacity to further strengthen and deliver on its cultural, economic and social benefits for the Hobsons Bay community, through elements including:

- local cultural and community engagement and participation
- innovative and contemporary use of a large scale industrial building on a prominent site in Newport
- community use and public access to the space
- high quality creative outcomes for the city and region
- sustainable economic benefits for the city, attracting visitors to a well-regarded regional offering

Council recognises the achievements of The Substation. In negotiating a third triennial agreement it has proposed a number of areas for The Substation to further deliver for the Hobsons Bay community. New terms and conditions include

- a new community representative position on The Substation CoM
- the appointment of a Community Reference Group comprising up to six members, recruited through a public expression of interest process
- additional KPIs that support opportunities for volunteers, schools, artists, community partnerships in addition to growth in visitor and audience numbers

These complement existing conditions including the option to nominate a Councillor as a member of the CoM, and access to the building for Hobsons Bay City Council meetings and events (when it is not needed for programming or otherwise already booked) on an at-cost basis.

The agreement includes six-monthly performance reporting to Council (including an update on local community engagement), with a direct link between the achievement of performance targets and the subsequent release of funding. It also reflects Council's intention that any future funding for The Substation would be of a lesser value, as the organisation becomes more self-sufficient and it becomes less appropriate for the local community to be the largest funder of a successful regional facility.

### 8.3.2 2020 Community Grants Recommendations

**Directorate:** Sustainable Communities

**Councillor Portfolio:** Not applicable

**Appendices:** Nil

#### **Purpose**

To endorse the allocation of the 2020 Community Grants Program funding.

**Cr Tony Briffa left the Council Chamber at 7:54 pm and did not return to the meeting.**

#### **Motion**

**Moved Cr Michael Grech, seconded Cr Angela Altair:**

**That Council:**

- 1. Approves the allocation of \$192,500 (one hundred and ninety-two thousand and five hundred dollars) to fund 119 projects as supported by the Councillor Review Panel.**
- 2. Approves the allocation of a further \$19,212 (nineteen thousand, two hundred and twelve dollars) to fund 13 recommended projects from the 2020 Community Grants reserve list as supported by the Councillor Review Panel.**
- 3. Confirms the outcome of the 2020 Community Grants Program to all applicants and displays a list of the grant recipients on Council's website.**
- 4. Provides unsuccessful applicants with the opportunity to obtain feedback on their application.**
- 5. Opens the 2020 Quick Response Grants round on 10 February 2020, closing on 23 March 2020, to allocate a reserved amount of \$80,788 (eighty thousand, seven hundred and eighty-eight dollars) to emerging projects across the four funding categories in the remainder of the 2019-20 year.**

**Carried**

#### **Recommendation**

**That Council:**

- 1. Approves the allocation of \$192,500 (one hundred and ninety-two thousand and five hundred dollars) to fund 119 projects as supported by the Councillor Review Panel.**
  - 2. Approves the allocation of a further \$19,212 (nineteen thousand, two hundred and twelve dollars) to fund 13 recommended projects from the 2020 Community Grants reserve list as supported by the Councillor Review Panel.**
-

3. **Confirms the outcome of the 2020 Community Grants Program to all applicants and displays a list of the grant recipients on Council's website.**
  4. **Provides unsuccessful applicants with the opportunity to obtain feedback on their application.**
  5. **Opens the 2020 Quick Response Grants round on 10 February 2020, closing on 23 March 2020, to allocate a reserved amount of \$80,788 (eighty thousand, seven hundred and eighty-eight dollars) to emerging projects across the four funding categories in the remainder of the 2019-20 year.**
- 

## Summary

Council received 176 applications for the Community Grants Program with a total funding request of \$386,922 across four grants categories: Vibrant Community Projects, Small Expenses, Toyota Equipment and Resources, and Invested Together. There was a 50 per cent increase in applications from last year.

One hundred and nineteen applications are recommended for the core Community Grants Program, which has a total value of \$192,500. Given the large increase in applications and recommended projects, a further 13 applications, with a value of \$19,212, are recommended to be funded from the reserve. This leaves a remaining reserve amount of \$80,788 to allocate to the 2020 Quick Response Grants opening in February 2020.

## Background

Council's 2019-20 budget for community grants is \$308,000, including \$30,000 pledged from Toyota Australia for an equipment and resources grant. An amount of \$208,000 was allocated to the Community Grants Program and a reserve of \$100,000 is allocated to the Quick Response Grants Program.

This report recommends altering the balance of grant funds for the 2020 calendar year to \$227,212 for the Community Grants Program and \$80,788 to the Quick Response Grants program to allow an additional 13 recommended applications to be funded through the Community Grants Program. This will mean applicants are not required to reapply in February. The Quick Response Grants round will open for a period of up to six weeks starting 10 February 2020, with the intent of disbursing the funds under officer delegation before the end of the financial year, with a report on those funded to be brought back to Council.

A sum of \$15,500 is already allocated to the second year partnership projects from the 2019 Community Grants Program and Quick Response Grants Program.

## Discussion

The 2020 Community Grants Program opened on 3 June 2019 and closed on 31 July 2019. The program was advertised in the local newspapers, on Council's website and through social media, as well as through an extensive email list to previous applicants and community groups.

Council staff offered two information and grant writing sessions which were well attended by 60 residents representing over 50 local community groups and organisations. Assistance was provided to additional groups through local libraries to complete the application form online and develop individual project ideas.

Recommendations for the 2020 Community Grants Program have been formulated following a robust assessment process that has included initial eligibility, assessment scoring by Council staff across a range of portfolio areas and a further assessment and shortlist by the Community Development team. Portfolio areas assessed included youth, diversity, arts, culture and heritage, multicultural, early years, environment/sustainability, sport and recreation, parks, libraries, aged and disability, community development, volunteers, health and wellbeing and social policy. An applicant's ability to demonstrate alignment with the Hobsons Bay 2030 Community Vision priorities was part of the assessment process. The final stage included review by a Council appointed panel. All applications and recommendations were provided to all Councillors for comment prior to the Community Grants Councillor Review Panel meeting.

The Toyota Equipment and Resources grants were separately assessed by five employees from Toyota Australia's Altona location in accordance with partnership arrangements.

Year one acquittal reports will be reviewed for three partnership projects approved with last year's Community Grants Program prior to disbursing the \$15,500 for second year funding.

The recommended projects focus on local community development activities, including health and wellbeing projects, Indigenous history projects, cultural activities, leadership training, sports inclusion projects, community arts projects, social connection projects, governance training, environmental education, youth activities, volunteer initiatives and supporting seniors' activities.

Some groups are recommended for reduced funding aspects due to elements of their application being ineligible for funding against Community Grants Program guidelines or insufficient detail provided in their budgets. Council staff worked with applicants through the assessment phase to ensure funded projects were still able to be delivered with the reduced Council grant.

A total of 42 individual clubs/groups are recommended for Small Expenses grants to support the administration of their groups. Thirty-six clubs/groups are recommended to support the purchase of equipment through Toyota Equipment and Resources grants. Under the Vibrant Community Project grants, 38 clubs/groups are recommended to support projects that stimulate health, wellbeing and connection within the community, with a further three Invested Together partnerships to support their work locally over a two year period.

A total of 119 applications are recommended with an allocation of \$192,500. An additional \$15,500 is already allocated to the second year invested together projects approved in 2019, totalling \$208,000.

### **Reserve list**

The past four years have seen a steady increase in the number of applications to the Quick Response Grants Program, resulting in a larger balance of funds (\$100,000) being allocated for these grants. In previous years the reserve amount for the Quick Response Grant Program has been \$50,000 plus the addition of any remaining funds from the Community Grants Program.

Given the large number of applications through the 2020 Community Grants Program, a 50 per cent increase from the previous year, Council officers presented a reserve list of recommended applications under the Vibrant Community Project and Toyota Equipment and Resource categories. This proposal alters the balance of grant funds for the 2020 calendar year to \$227,212 for the Community Grants Program and \$80,788 to the Quick Response Grants Program.



The reserve applications were discussed at the Community Grants Councillor Review Panel meeting. A total of 18 applications were presented and 13 were supported for funding through the Community Grants Program, including a number of applications for equipment exceeding Toyota Australia's funding commitment. This amount totals \$19,212, leaving a reserve of \$80,788 for the Quick Response Grants Program.

## 8.4 Infrastructure and City Services

### 8.4.1 Contract 2019.69 Altona Civic Centre, Customer Service and Community Meeting Space Project

**Directorate:** Infrastructure and City Services

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

**Appendices:** Nil

#### Purpose

To award Contract 2019.69 to Rork Projects following the development of the Altona Civic Centre, Customer Service and Community Meeting Space Project (the Project) design, which transforms the Hobsons Bay Civic Centre into an activity based workplace, supporting the organisation to be more agile and responsive to community needs.

#### Motion

**Moved Cr Jonathon Marsden, seconded Cr Sandra Wilson:**

**That Council awards Contract 2019.69 to Rork Projects up to the value of \$7,150,000 (seven million, one hundred and fifty thousand dollars) (exclusive of GST) for the construction works associated with the Altona Civic Centre, Customer Service and Community Meeting Space Project.**

**Carried**

#### Recommendation

**That Council awards Contract 2019.69 to Rork Projects up to the value of \$7,150,000 (seven million, one hundred and fifty thousand dollars) (exclusive of GST) for the construction works associated with the Altona Civic Centre, Customer Service and Community Meeting Space Project.**

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#### Summary

The Hobsons Bay Civic Centre was constructed in 1963, with the Meeting Room Redevelopment completed in 1993. If retained in its current state, the estimated cost of continued maintenance is \$12 million over the coming 10 years. Council agreed to undertake design development for the Project as a part of the 2018-19 Capital Works Program.

Project feasibility indicators showed a \$7.2 million investment would achieve an environmentally sensitive refurbishment of the Hobsons Bay Civic Centre, including an improved community focus foyer and a mix of meeting and collaboration spaces. The Project will better cater to the diverse needs of the Hobsons Bay community by improving access to information and resources through new technologies, and offering a redeveloped community meeting and exhibition space. The design acknowledges and respectfully includes representations of Hobsons Bay heritage and features.

## Background

A key driver of transforming Hobsons Bay City Council is the consideration of how Council interacts and engages with the community and visitors. The review of the Hobsons Bay Civic Centre provided an opportunity to rethink and redesign the Customer Service area at the front of the Council offices to upgrade the overall image of the space and improve the way in which Council services and interacts with the community. Acknowledging the significant impact of changing technologies on traditional functions provided by Council's Customer Service area, and the opportunities they provide, emerging trends and leading examples informed the Hobsons Bay Civic Centre redesign process, including the Customer Service and Community Meeting Spaces.

The redesign will create a space that is more relaxed, welcoming, and works better for all. More than just a reception area, the Customer Service space will provide a critical connection with the community through digital transformation, flexibility, interactive and informative tools. The Customer Service area is the gateway to a north-south pathway that offers a diverse range of meeting, co-working, exhibition and presentation spaces to better support how Council interacts with the community and others.

The Project, having taken into consideration the sound structural integrity of the building, proposes to reconfigure the building internals without any structural changes to the building or facade. These refurbishment works will also include installation of digital equipment to support the agile workplace and community spaces. Interactive and multimedia screens within the foyer specifically will enable information and resources to be readily available to community and visitors.

Following the design development for the Project, a procurement process for the construction was recently conducted. Thirty tenders were issued and approximately 80 sub-contractor representatives attended a briefing session that included a walk through the Hobsons Bay Civic Centre. Seven tender submissions were received. Four tenderers were shortlisted for interview. The Tender Evaluation Panel agreed that Rork Projects presented the most cost effective proposal, including a number of innovative solutions in response to the design, materials and construction methodology.

Rork Projects present an energetic, committed team with specialist skills and experience in similar projects, including experience in similar settings maintaining a functional construction site within an operating facility. Rork Projects has a strong commitment to waste and site management, and a demonstrated understanding of important operational and safety aspects. Rork Projects has a well-developed client focussed approach and bring an innovative approach to the Project. Rork Projects proposed a two-phase approach to the works which would result in the works period commencing in mid-November 2019 and ending in October 2020.

## Discussion

The Project will result in a redesigned Customer Service area at the front of Council offices with an upgrade to the overall image and function of this space. Some of the key features within the Customer Service area will be retained, such as the central skylight, reception desk, collection and drop-off facilities. New features will include a children's area, visitor information hub and a digital area providing information on current Council activities, projects open for community engagement, and self-help tools to manage Council related registrations, applications and payments.

The remainder of the Hobsons Bay Civic Centre will be redeveloped into a diverse mix of working and meeting spaces of various sizes and capacities, enabling a collaborative and agile working environment. Increased natural light and air ventilation throughout the Hobsons

Bay Civic Centre will reduce ongoing service costs together with contributing to the health and wellbeing of those working in the building.

The majority of the construction works will be managed via access on the east and north sides of the building, minimising impact to the community. Customer Service operations will continue to operate from the Altona Theatre foyer during the construction period.

### 8.4.2 Contract 2019.78 Design and Construct for Donald McLean Reserve and WLJ Crofts Reserve Pavilions and Ancillary Works

**Directorate:** Infrastructure and City Services

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

**Appendices:** Nil

#### Purpose

To seek Council endorsement for the awarding of Contract 2019.78 for the design and construct of Donald McLean Reserve and WLJ Crofts Reserve pavilions and ancillary works to MKM Building Group, trading as MKM Constructions (MKM).

#### Motion

Moved Cr Peter Hemphill, seconded Cr Sandra Wilson:

**That Council awards Contract 2019.78 for the design and construct of Donald McLean Reserve and WLJ Crofts Reserve pavilions and ancillary works to MKM Building Group (trading as MKM Constructions) at a fixed lump sum of \$7,504,090 (seven million, five hundred and four thousand and ninety dollars) (GST inclusive).**

Carried

#### Recommendation

**That Council awards Contract 2019.78 for the design and construct of Donald McLean Reserve and WLJ Crofts Reserve pavilions and ancillary works to MKM Building Group (trading as MKM Constructions) at a fixed lump sum of \$7,504,090 (seven million five hundred and four thousand, and ninety dollars) (GST inclusive).**

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#### Summary

As part of the improvement plans to Donald McLean Reserve, Spotswood, and WLJ Crofts Reserve, Altona North, an open tender process was conducted for the design and construction services for two new pavilions, car parks and ancillary structures. A total of ten tender submissions were received, of which three were evaluated. At the conclusion of the evaluation process the panel recommend awarding the contract to MKM.

#### Background

As identified in the Hobsons Bay Sports Facility Needs Analysis, Donald McLean Reserve and WLJ Crofts Reserve are key priority sites for Improvement Plan implementation over the short (1-2 years) and medium (3-5 years) term. High priority Master Plan actions include major redevelopment of the existing facilities, such as demolition of the existing and construction of new pavilions, cricket net redevelopment and sports field redevelopment including floodlighting. As both reserves are well utilised for sporting activities, active

recreation and passive recreation, the improvement plans aim to better the quality of open space and recreational facilities for sporting clubs and the general community.

The Victorian Government, as part of the West Gate Tunnel Project, has partnered with Hobsons Bay City Council to deliver a series of capital improvements to sporting facilities and recreational spaces across Hobsons Bay. As part of the partnership, the Victorian Government has allocated a funding contribution of up to \$5 million for the redevelopment of WLJ Crofts Reserve and Donald McLean Reserve. Over and above the contribution, the West Gate Tunnel Project is also funding new cricket practice nets, which need to be relocated due to the new West Gate Tunnel off ramps onto Melbourne Road.

The development of the Donald McLean and WLJ Crofts Reserve Improvement Plans included stakeholder and community engagement to define future needs and facility requirements. The Donald McLean Reserve Improvement Plan identified the following key elements:

- new practice cricket nets proposed to be located on the southern boundary of the reserve
- upgraded sportsgrounds including irrigation and floodlighting
- new pathway connections throughout the reserve
- redevelopment of the open space including an upgraded play area on the western boundary of the reserve
- demolition of existing and construction of new sports pavilion to house the reserve tenants
- new multi-purpose courts catering to tennis and netball sports
- redeveloped car park in Creek Street and The Avenue reserve frontage

The WLJ Crofts Reserve Improvement Plan includes the following elements:

- new cricket practice nets to be located on the western boundary of the reserve
- upgraded sportsgrounds to optimise the playable area for the northern grounds including floodlights
- new pathway connections throughout the reserve
- upgraded play area on the eastern boundary of the reserve
- demolition of existing and construction of new sports pavilion to house the reserve tenants
- formalised car park and the development of an overflow parking area

This report refers to the procurement process outcomes for the design and construction of the two new pavilions and the associated car parks. The remaining elements will be delivered in accordance with both the Improvement Plans.

## Discussion

A tender for the project was formally advertised in *The Age* on 31 August 2019 and closed on 20 September 2019. Ten submissions were received by the tender deadline. As part of the tender specifications, tenderers were given the option to submit for both or either of the two pavilions and were encouraged to adopt modular design in their approach towards the sports pavilion construction.

The Tender Evaluation Panel met on 23 September 2019 to shortlist the tenderers for the first round of clarifications. Four tenderers were shortlisted for tender interviews, but only three responded to the invitation. The Tender Evaluation Panel moved to exclude the non-responding tenderer from further evaluation, and the three remaining tenderers were re-scored based on tender clarifications and discussions during the interview process.

MKM submitted an approach and methodology which delivers the project in the requisite timeframe. MKM demonstrated an understanding of the project objectives through an alternative design which not only meets functional requirements but also delivers design and cost efficiencies. The proposal extends to include specific environmentally sensitive design features such as solar panels, water collection and reuse, double glazing and a polycarbonate cladding to allow more natural light into the pavilion. MKM also identified a recycling opportunity to reuse materials existing on site including displaced bricks sourced through the pavilion demolition.

The panel recommends the contract be awarded to MKM as its submission achieved the highest weighted score across the shortlisted submissions and represents the best value for money.

### **8.4.3 Contract 2019.59 Bayside College, Williamstown Campus - Sports Pavilion Extension**

**Directorate:** Infrastructure and City Services

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

**Appendices:** Nil

#### **Purpose**

To seek Council endorsement for the awarding of Contract 2019.59 for the Bayside College, Williamstown Campus – Sports Pavilion Extension.

**Cr Jonathon Marsden left the Council Chamber at 8:23 pm and was not present during the vote on item 8.4.3.**

#### **Motion**

**Moved Cr Peter Hemphill, seconded Cr Angela Altair:**

**That Council awards Contract 2019.59 for the Bayside College, Williamstown Campus – Sports Pavilion Extension to Loaram Constructions Pty Ltd at a fixed lump price of \$1,462,850 (one million, four hundred and sixty-two thousand, eight hundred and fifty dollars) (GST inclusive).**

**Carried**

#### **Recommendation**

**That Council awards Contract 2019.59 for the Bayside College, Williamstown Campus – Sports Pavilion Extension to Loaram Constructions Pty Ltd at a fixed lump price of \$1,462,850 (one million, four hundred and sixty-two thousand, eight hundred and fifty dollars) (GST inclusive).**

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#### **Summary**

Refurbishment and extension works are proposed to be undertaken on the Bayside College, Williamstown Campus Sports Pavilion (the Pavilion) utilising funds in Council's 2019-20 annual capital works budget. An open tender process has been carried out for the procurement of these works with 12 submissions received. Following the evaluation of these tenders, a report was presented to the Tender Board on 2 October 2019, recommending the contract be awarded to Loaram Constructions Pty Ltd.

#### **Background**

The proposed refurbishment and extension works on the Pavilion were initiated from the Hobsons Bay Sports Facility Needs Analysis, which confirmed a shortage of sports facilities across the municipality. The current pavilion at Bayside College is heavily used by the Williamstown Junior Football Club and is currently unable to cater for participant demands.



In 2019-20 Council will receive \$1.2 million from the Victorian Government's Community Sports Infrastructure Fund towards this project. The funding agreement includes the Pavilion redevelopment, construction of additional tennis courts, resurfacing of two netball courts with lighting (included in Contract 2019.71 Williamstown Bayside College – Sports Hard Court Project) and irrigation upgrades to both ovals (included in Contract 2019.43 Williamstown Bayside College – Installation of Irrigation). Both Contract 2019.71 and Contract 2019.43 have been awarded.

The scope of works for this project includes:

- building extension with four new change rooms and associated showers and amenities
- new sports equipment storage
- conversion of the existing change rooms into a social room with a new dedicated entrance
- new universally accessible amenity and shower
- conversion of the existing amenities into new umpire change rooms
- conversion of the existing space into a new first aid room
- new wrap around veranda
- upgraded facilities to accommodate female sports participation

## Discussion

A tender for the refurbishment and extension of the Pavilion was formally advertised in *The Age* on 17 August 2019 and closed on 13 September 2019. Twelve tender submissions were received by the tender deadline. Of these, seven were deemed non-conforming due to non-compliance with criteria seven, which required a letter of solvency and a copy of the tenderer's public liability insurance certificate be provided.

The Tender Evaluation Panel met on 16 September 2019 to evaluate the tender submissions, with tenderers shortlisted for interview. Interviews were held on 18 September 2019 and all shortlisted tenderers were re-scored based on interview outcomes. Reference checks were undertaken for the highest scoring tender.

Based on the evaluation process and reference checks, the Tender Evaluation Panel recommended Loaram Constructions Pty Ltd as the preferred tenderer. Of the conforming tenders, Loaram Constructions Pty Ltd provided the best value for money within their submission. They have extensive experience in similar projects and have demonstrated an ability to meet the timelines and quality outcomes specified within the contract.

### 8.4.4 Council Order to Prevent Dogs Entering the Laverton Creek Spit Conservation Zone

**Directorate:** Infrastructure and City Services

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

**Appendices:** 1 Laverton Creek Spit Conservation and Dog exclusion zone

#### Purpose

To seek Council approval, in its capacity as Committee of Management (CoM) for the Laverton Creek estuary and spit area (the Spit), to prohibit dogs from entering this area in future for purposes of conservation.

Cr Jonathon Marsden returned to the Council Chamber at 8:26 pm.

#### Motion

Moved Cr Sandra Wilson, seconded Cr Michael Grech:

That Council:

1. **Makes an order under section 26 (2) (a) of the *Domestic Animals Act 1994* to prohibit dogs from entering the Laverton Creek Spit conservation zone as outlined in Appendix 1.**
2. **Supports the proposed fencing alignments for the dog off leash area and the dog prohibited conservation zone as outlined in Appendix 1, subject to community consultation and a further report to Council.**

Carried

#### Recommendation

That Council:

1. **Makes an order under section 26 (2) (a) of the *Domestic Animals Act 1994* to prohibit dogs from entering the Laverton Creek Spit conservation zone as outlined in Appendix 1.**
  2. **Supports the proposed fencing alignments for the dog off leash area and the dog prohibited conservation zone as outlined in Appendix 1.**
- 

#### Summary

This report provides a summary of Council's current obligations as the CoM for the Spit and the rehabilitation and protection works that are being carried out by Council's Parks and Conservation Team (PCT). This report recommends works to address the protection of and access to the Spit area, and that dogs be prohibited from entering the conservation zone outlined in Appendix 1.

## Background

The Spit has naturally formed lagoons and wetlands that attract wading birds and waterfowl. The area holds some of the most important wildlife values in Hobsons Bay, with numerous migratory wading birds visiting from Siberia and Alaska each year between October and March. A number of the visiting species are listed as critically endangered and are protected by the *Environment Protection and Biodiversity Conservation Act 1999*.

On 25 July 2017, Hobsons Bay City Council was formally appointed as the CoM of the Spit (Crown Allotment 2109, Parish Truganina, temporarily reserved for public purposes), under section 14(2) of the *Crown Land (Reserves) Act 1978*.

As the CoM, Council is required to manage, improve, maintain and control the land for the purposes for which it is reserved.

## Discussion

The land will continue to be managed by the PCT, who have spent the last few years advocating for the birdlife in the area through educational and awareness walks on site. The PCT has also spent time controlling habitat altering weeds such as African Boxthorn, Boneseed and Sea Spurge on and around the Spit. These species are listed as noxious weeds and fall under the *Catchment and Land Protection Act 1994*.

The PCT believes that maintenance and management of the Spit can be achieved to the standard required without additional resourcing, and will develop an ongoing maintenance program for the protection and remediation of the Spit.

## Use and Access

The main issue identified relating to the future management of the Spit relates to use for recreation purposes, in particular dog walking and unrestricted access by kite surfers.

Access for kite surfers on the Spit needs to be carefully managed. Apex Park is a good area for kite surfers to rig as it is away from the crowded Altona Beach areas and power lines along the Esplanade, Altona. Having access to an area at the end of the Spit is beneficial for kite surfers. However, this and restricting access for dogs needs to be managed appropriately with fencing and signage.

## Habitat protection fencing and signage

The following works are scheduled to be undertaken in the coming months:

- protective fencing on the reserve side of the shared trail network, from the western boundary of Apex Park to the western most section of Doug Grant Reserve
- habitat fencing to be installed on the foreshore side of the shared trail for the same length to restrict access into the water and onto the Spit. This fencing will include three seating and viewing areas so the public can still view the significant bird habitat areas
- compliance signage and key reserve entrance points and decals on the shared trail showing on and off lead zones
- educational signage about the Spit to complement the signage along the shared trail

## Evidence based research on the need for tighter controls in relation to the protection of bird life and bird habitat in coastal areas

Deakin University has undertaken considerable evidenced based research into the need for the protection of vulnerable bird habitat in coastal and beach environments. The following

references include the most recent research and findings and will be used as a means of educating the community about the importance of protecting Hobsons Bay's significant coast bird life.

1. <https://www.deakin.edu.au/about-deakin/media-releases/articles/surf-coast-beaches-need-tougher-dog-regulations-deakin-research>
2. <https://www.deakin.edu.au/about-deakin/media-releases/articles/majority-of-dog-walkers-flouting-leashing-laws-on-victorian-beaches>
3. <https://www.deakin.edu.au/about-deakin/media-releases/articles/deakin-scientists-show-chicks-really-are-daddys-girls>

### **Order to prohibit dogs entering the conservation zone**

Council may by resolution make an order under section 26 (2) (a) of the *Domestic Animal Act* 1994 to prohibit the presence of dogs in any public place of the municipal district of the Council. Officers are requesting the Laverton Creek Spit area as shown in Appendix 1 be made an exclusion zone for dogs in order to protect this significant conservation area.

Once the order is made, Council authorised officers will have the power to issue infringement notices for dogs found in the exclusion zone under section 85 of the *Domestic Animal Act* 1994. Section 26 (1) specifies two penalty units for a first offence and four penalty units for a second or subsequent offence.

During the introduction period Council will increase the frequency of patrols in the area with a view to enhancing community education and will issue infringement notices where necessary.

### 8.4.5 Drainage Asset Management Plan 2019

<b>Directorate:</b>	Infrastructure and City Services
<b>Councillor Portfolio:</b>	Not applicable
<b>Appendices:</b>	1 Drainage Asset Management Plan

#### Purpose

To seek endorsement of the Drainage Asset Management Plan 2019 (DAMP) for public exhibition.

#### Motion

**Moved Cr Jonathon Marsden, seconded Cr Angela Altair:**

**That Council:**

- 1. Endorses the Drainage Asset Management Plan 2019 for public exhibition for a period of four weeks.**
- 2. Receives a further report to adopt the Drainage Asset Management Plan 2019 following the public exhibition period.**

**Carried**

#### Recommendation

**That Council:**

- 1. Endorses the Drainage Asset Management Plan 2019 for public exhibition for a period of four weeks.**
  - 2. Receives a further report to adopt the Drainage Asset Management Plan 2019 following the public exhibition period.**
- 

#### Summary

Council is responsible for the management of approximately 540 kilometres of stormwater pipes and over 20,000 stormwater pits with an estimated replacement value of \$227 million.

A condition audit was completed in 2018 to determine the physical condition and remaining useful life of the drainage assets to inform the development of a long term optimised renewal works program. The majority of the drainage assets (98 per cent) are in the range of very good to average condition with approximately two per cent in poor condition.

The required expenditure to address the current backlog of renewal works over the next five years is approximately \$4.5 million. These poor condition drainage assets have been scheduled on the Capital Works Program to be totally renewed over the next five years.

## Background

The DAMP has been developed to demonstrate responsible management of the Hobsons Bay municipal drainage network.

The DAMP translates broad strategic goals and plans into specific goals and objectives which are relevant to a particular activity for Council. In addition, it combines management, financial, engineering and technical practices to ensure the level of service required by customers is provided at the most economical cost to the community and environment.

There are numerous locations where streets are prone to flood inundation during various storm events. To address this Council has completed a flood analysis to identify areas that require new drainage and also identified parts of the drainage network that requires upgrades to larger pipe sizes. These upgrades are required so the network can cope with increasing intensity storm events. A long term program has been developed to construct new drainage infrastructure and upgrade parts of the network.

The total cost to complete all the required new and upgrade works across the entire municipality is approximately \$55 million. To complete the highest priority projects over the next ten years is an estimated cost of \$28 million.

To reduce the cost of these works alternative innovative solutions are being considered to avoid the costly construction of underground pipework networks. These include the creation of onsite stormwater detention systems, retarding basins, pumping systems and stormwater harvesting systems.

## Discussion

Drainage assets are typically underground pipes, culverts and pits to capture and convey stormwater to an appropriate discharge point.

Council's drainage portfolio incorporates the following asset groupings:

- underground pipes, culverts and pits to capture and convey stormwater to an appropriate discharge point
- retention basins to capture stormwater and mitigate peak flows during storm events
- water harvesting systems to capture stormwater for reuse such as irrigation
- gross pollution traps to prevent rubbish from discharging to waterways and the bay

Council's stormwater drainage network discharges into:

- Melbourne Water waterways or drainage system
- Port Phillip Bay
- Council's ponds, lakes and wetlands

Overall there is some 540 kilometres of stormwater pipes and over 20,000 stormwater pits.

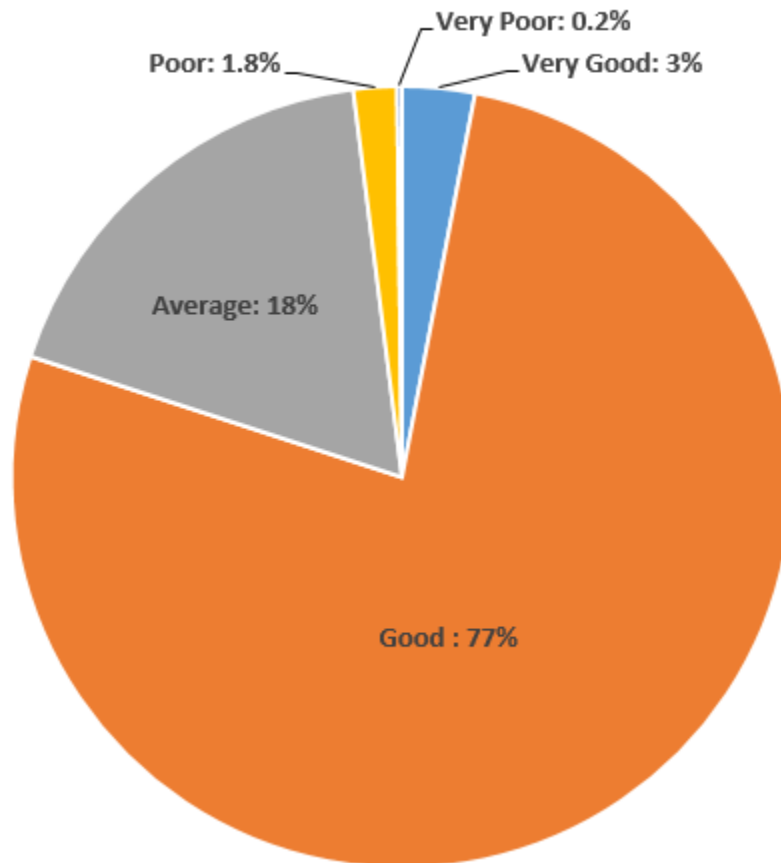
## Condition profile

Chart 1 presents the summary results from the 2018 condition audit.

The majority of the drainage assets (98 per cent) are in very good to average condition. This shows that the drainage network is in an overall good condition. A small proportion of about 2.0 per cent of assets are in poor and very poor respectively. These poor condition assets are typically those being planned for renewal within the next five years. The required expenditure to address the current backlog of renewal works over the next five years is approximately \$4.5 million.

The flood analysis completed in 2017 highlighted numerous locations where streets are prone to flooding during various storm events. As a result of further investigations a significant new and upgrade works program is proposed to address the high risk areas.

### Overall Drainage Asset Condition



**Chart 1: Overall drainage asset condition**

### Capital expenditure forecast

Chart 2 presents the required expenditure to provide new, upgraded and renewed drainage across the entire municipality to mitigate flood inundation of properties and road reserves.

The condition audit identified a total of 13 kilometres of existing pipes that are in poor condition and require renewal. The flood analysis identified approximately 33 kilometres of existing pipes across the municipality that need to be upgraded to larger pipe sizes and 25 kilometres of new pipes to be constructed in areas that currently have no drainage and are prone to flooding.

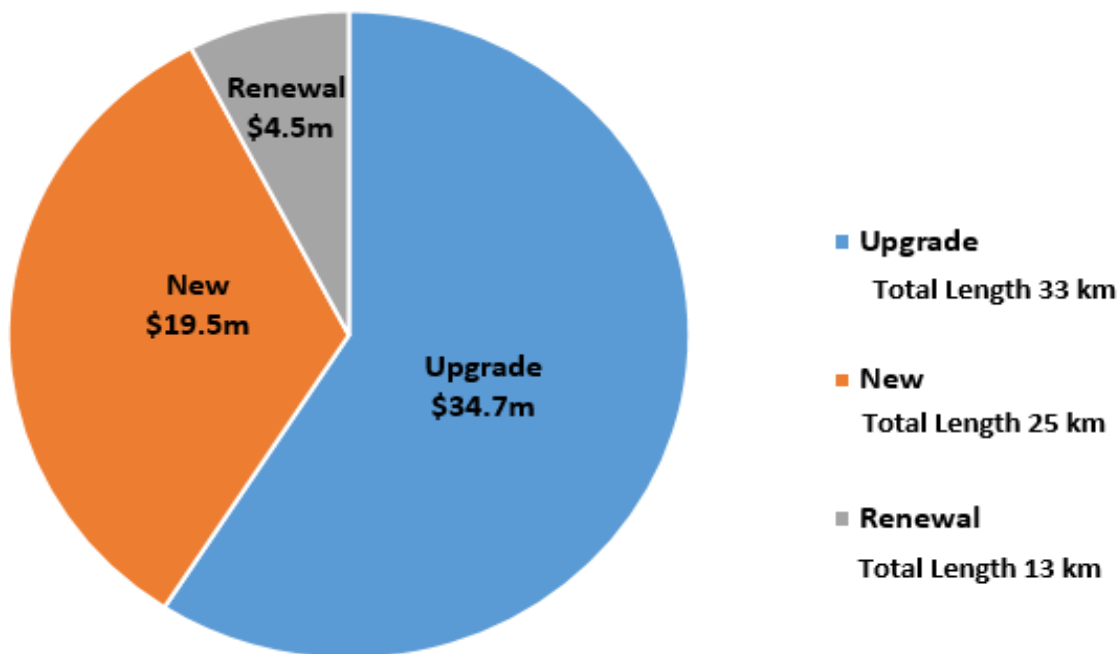


Chart 2: Capital expenditure forecast

Chart 3 presents the proposed capital budget required over the next 10 years to renew, upgrade and construct new drainage.

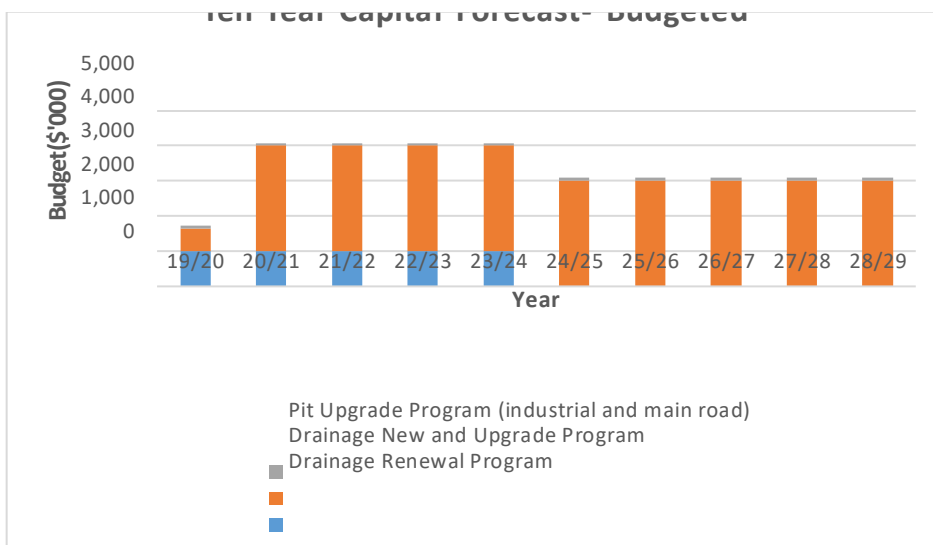


Chart 3: Ten year capital forecast - budgeted

A total of \$33 million is proposed to deliver the drainage Capital Works Program over the next 10 years. This comprises of the poor condition drainage assets planned for renewal over the next five years at a total cost of \$4.5 million (\$1 million per annum –renewal). It also comprises of the highest priority projects (new and upgrades) over the next 10 years at an estimated cost of \$28 million.



### 8.4.6 Naming the new park at Epsom Street

**Directorate:** Infrastructure and City Services

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

**Appendices:** Nil

#### Purpose

To provide Council with an update on the park naming consultation process for Epsom Street Reserve in Laverton and recommend a community park name for Council's endorsement.

**Cr Jonathon Marsden left the Council Chamber at 8.46pm and returned to the Council Chamber at 8:48 pm, and was present for the vote on item 8.4.6.**

#### Motion

**Moved Cr Sandra Wilson, seconded Cr Michael Grech:**

**That Council:**

- 1. Endorses Curlew Community Park as the name of the new community park at Epsom Street, Laverton and refers this to the Office of Geographic Names Victoria to commence formal registration.**
- 2. Recognises the contribution that Mrs Lesley Ould OAM, Mrs Anne Knight OAM, Mr Des Rowan and Mr Peter Nash have each made to the Laverton community, by placing their names with interpretive information in the park's gathering and performance space.**
- 3. Writes to all submitters and formally thank them for their suggested park name nominations.**
- 4. Writes to the submitters of the joint letter relating to Mr Peter Nash to advise them of the outcome.**

**Carried**

#### Recommendation

**That Council:**

- 1. Endorses Curlew Community Park as the name of the new community park at Epsom Street, Laverton and refers this to the Office of Geographic Names Victoria to commence formal registration.**
  - 2. Recognises the contribution that Mrs Lesley Ould OAM, Mrs Anne Knight OAM, Mr Des Rowan and Mr Peter Nash have each made to the Laverton community, by placing their names with interpretive information in the park's gathering and performance space.**
  - 3. Writes to all submitters and formally thank them for their suggested park name nominations.**
-

## Summary

This report explains the further analysis and rationale undertaken to determine an appropriate name for the new park at Epsom Street in Laverton. The recommended name for the park is Curlew Community Park, which acknowledges the migratory Curlew Sandpiper bird from Siberia, which is endemic to the Wetlands Ward coastal mud flats and waterways.

This name reflects what is seen annually in the local natural environment and also serves as a reminder that as a community, we come from many diverse backgrounds and have migrated from many different lands.

The Curlew Sandpiper is also referenced in the public art motifs within the new park.

Council also recognises the contribution made to the Laverton Community by four local residents nominated in the naming process: Mr Des Rowan (deceased), Mr Peter Nash (deceased), Mrs Lesley Ould (OAM) and Mrs Anne Knight (OAM). Rather than single out one of these community members to be commemorated in the name of the park, their contributions to the community will be recognised by incorporating their names with interpretative information within the community gathering and performance space of the park.

## Background

Council recently completed a community consultation process to name the new park currently being constructed at Epsom Street, Laverton. The consultation period commenced on 7 June 2019 and closed on 7 July 2019. Council received a total of 26 submissions (18 via Participate Hobsons Bay and eight via email to the Projects inbox).

Of the 26 submissions received, eight nominations were considered most relevant based on the principles from Council's Naming Policy (2011) and the Naming Rules for Places in Victoria. All eight submissions are named in honour of living or deceased persons who have some form of connection with Laverton. There were no distinctive or unique names suggested for the new neighbourhood park.

Officers undertook further biographical research on the four local residents nominated, Mr Des Rowan (deceased), Mr Peter Nash (deceased), Mrs Lesley Ould (OAM) and Mrs Anne Knight (OAM). All of these residents have made a significant contribution to the Laverton community through serving on many community based committees and working groups, and volunteering their time across a significant number of community based activities.

## Discussion

At the conclusion of the community consultation process, no distinctive or unique park name suggestions had been received. Of the four residents nominated, each has contributed to the Laverton community in a variety of ways. Three of the nominated residents received more than two nominations from the community as a suggested name for the park.

As an alternative to selecting one nominated resident over another in the naming of the park, Council officers propose recognising the contribution that all four have made to the local Laverton community within the park itself. Officers will incorporate their names, along with interpretive information, within the park infrastructure elements, specifically around the community gathering and performance space. For example, it is still possible to build their names into the concrete formwork within the community gathering space and utilise public art graphics that have been prepared for other elements of the park. In this way these residents will be honoured and their stories integrated into the park design as a whole.

On September 9, 2019, Council also received a letter from Jill Hennessey MP Member for Altona District, requesting on behalf of several local residents, that Council consider naming the new pedestrian bridge at McCormack Park, Laverton, in honour and memory of Peter Nash. The inclusion of Peter Nash's name at the new Epsom Street park, together with the interpretive signage is considered a more suitable site to honour his memory.

The relatives and friends of all four Laverton residents will be invited to the launch of the new park and the unveiling of names and interpretive information.

Given there were no distinctive park name suggestions, officers recommend Curlew Community Park for the following key reasons;

- the significant role that biodiversity plays in Hobsons Bay's open space network and the need to continue to protect the ecosystems of our creeks and waterways
- the Curlew Sandpiper is currently listed as an endangered species and one a number of migratory birds who come annually to feed on coastal estuaries and creek mudflats within the Wetlands Ward
- the proposed name emphasises the role of the park as a community space
- the story of the Curlew Sandpiper's annual long-distance travel from Siberia to Hobsons Bay is remarkable and symbolic of the journeys many people have made to make Laverton their home

### 8.4.7 West Gate Tunnel Update Report

**Directorate:** Infrastructure and City Services

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

**Appendices:** Nil

#### Purpose

For Council to receive and note the current status report on the West Gate Tunnel Project (the Project) and associated initiatives, projects and advocacy activities.

#### Motion

**Moved Cr Jonathon Marsden, seconded Cr Angela Altair:**

**That Council receives and notes the current status report on the West Gate Tunnel Project.**

**Carried**

#### Recommendation

**That Council receives and notes the current status report on the West Gate Tunnel Project.**

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#### Summary

The purpose of this report is to provide Council with an update on the current status of the Project across a range of aspects in accordance with the governance and decision making framework including property impacts and transactions. The status of Council's committed advocacy activities specifically relating to the Project, the Open Space Enhancement Package (OSEP) and the Hobsons Bay Transport Planning Study (HBTPS) are included within this report.

Construction works are well advanced on the Project. The CPB Contractors, John Holland Joint Venture (JV) and West Gate Tunnel Authority (WGTA) continue to seek Council's input into specific project design and construction activity, community outcomes and approval to access Council land and infrastructure.

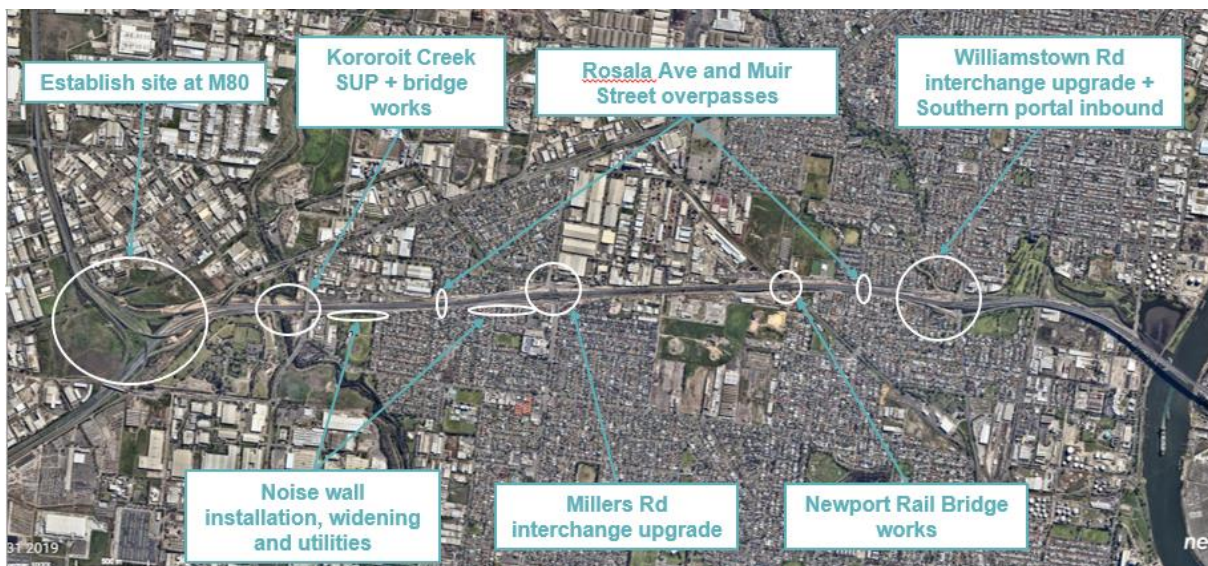
#### Background

Council has received a number of reports on the development and planning process associated with the Project. As it progresses through the construction phase regular status reports will continue to be provided. This report provides an update on current Project activities, items submitted by WGTA and the JV for Council approval, Council advocacy activities, governance arrangements including communications and engagement and capital works to be undertaken by Council as a result of the Project. Updates on the Community Liaison Group (CLG), Traffic Management Liaison Group, Inner West Air Quality Community Reference Group (the Inner West AQCRG) and the Community Involvement and Participation Plan (CIPP) are also provided.

## Discussion

### Construction Activity

Figure 1 below outlines the current Project related activities along the West Gate Freeway section:



**Figure 1: Current Project Construction Activity**

Key construction activity being undertaken by the JV in the western section includes:

1. Works to widen the West Gate Freeway between Chambers Road and Grieve Parade and new noise walls.
2. Construction of retaining walls, bridge structural works including excavations and piling at various locations.
3. 220KV and 66KV powerline relocations along the edge of freeway.
4. Construction of two pedestrian overpasses at Rosala Avenue and Muir Street.
5. Kororoit Creek and Newport – Sunshine Rail bridge widening works.
6. Millers Road and Williamstown Road bridge structure widening and traffic lane switches, adjusting the alignment of the freeway to allow preparation for the inbound tunnel entry.
7. The outbound (southern) tunnel portal site.
8. Preparation for establishment of a construction compound at the northern end of Hall Street, Spotswood.



**Figure 2: WGTP works along the freeway**



Ordinary Council Meeting Minutes

In preparation for construction works in the vicinity of the Hyde Street ramps and compound establishment at the northern end of Hall Street, Spotswood, a temporary noise wall has been erected in Hope Street along the western edge of the rail reservation to mitigate noise impacts on the Emma McLean Kindergarten.



Figure 3: New temporary noise wall in Hope Street, Spotswood

Construction Traffic Impacts

Some night time and freeway ramp closures have been programmed, with detailed traffic management and communications plans to be implemented in the lead up to closures.

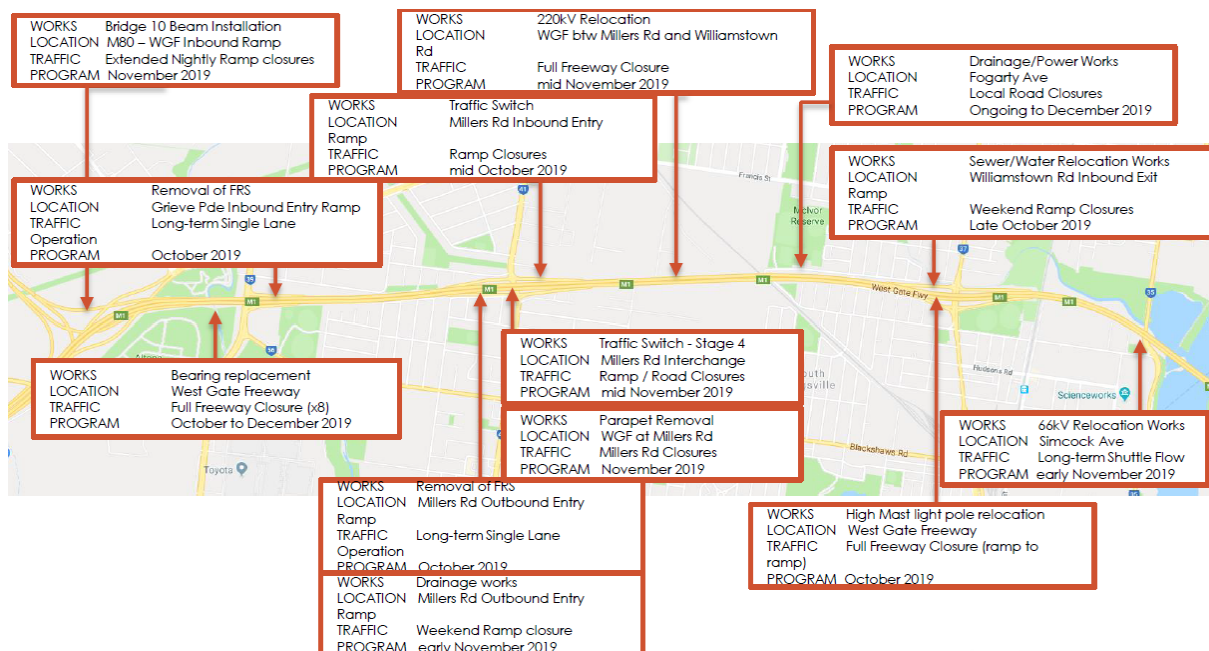
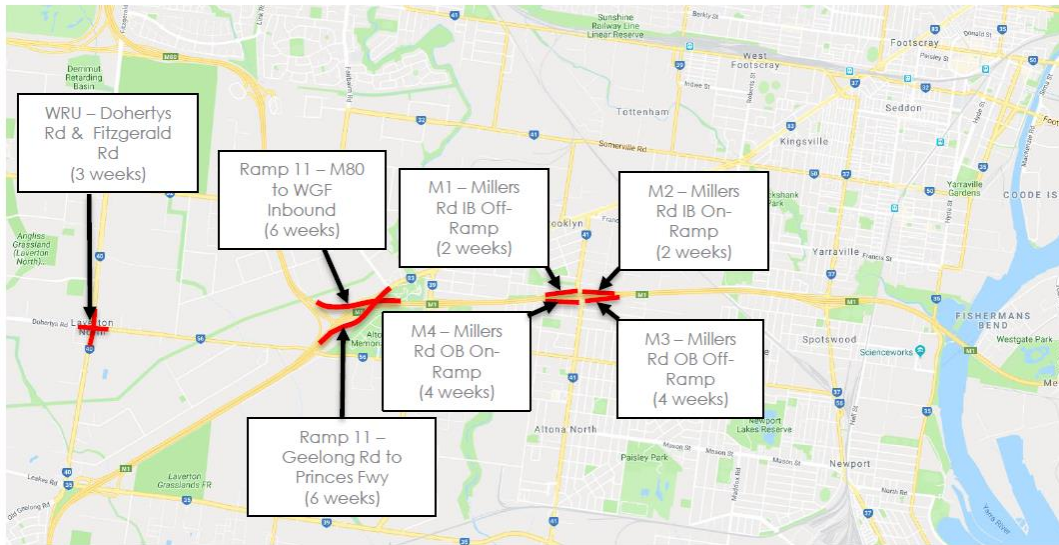


Figure 4: Short term traffic impacts

**Figure 5: Proposed closures in January 2020**  
**SUMMER BLITZ: 2<sup>nd</sup> – 15<sup>th</sup> January Closure Summary**



## 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 Jonathon Marsden, seconded Cr Sandra Wilson:**

**That Council receives and notes the recent Delegates Report.**

**Carried**

### Recommendation

**That Council receives and notes the recent Delegates Report.**

## Delegates Report - Metropolitan Transport Forum

**Councillor Delegate: Cr Jonathan Marsden**

**Date of Meeting: 2 October 2019**

The Metropolitan Transport Forum hosted the MTF Loves Buses conference.

### **Department of Transport: The role of buses now and into the future**

The Director Strategy and User Focused Design and Acting Director, Public Transport Development and Coordination from the Network Planning division outlined a new approach to buses within the Department of Transport. It was noted that the bus network is underperforming and there is considerable scope for reform. Most buses are performing a local role with the majority of patronage undertaken by a small percentage of bus routes.

The new focus is on connected journeys. Areas targeted for improvement include reducing congestion, increasing accessibility and shifting to low emissions buses. Other focus areas are a fare policy review to increase patronage and opportunities to speed up boarding. A target has been set for a 70 per cent increase in bus patronage by 2030.

A review of the central city bus network will also take place, with many upcoming changes and improvements to the network tied to major road and rail packages.

### **Infrastructure Victoria: Immediate actions to tackle congestion**

Infrastructure Victoria discussed its report, Five Year Focus: Immediate actions to tackle congestion, and the concept of social licence aimed at supporting or enabling politically difficult decision making. Buses comprise the largest network of public transport services in Melbourne, yet they underperform, accounting for 16 per cent of all public transport trips.



Some of the opportunities for bus reform are to enhance flexibility and lower the cost, both of which need to be quick to implement. Recommendations to improve the network include maintaining and enhancing well performing routes, particularly in high density areas; redistributing poorly performing routes; and altering the operating model to low-cost, customer responsive services. Supporting actions include better allocation of road space, and expanding and increasing the car parking levy.

## Delegates Report - Roadsafe Westgate Community Road Safety Council

**Councillor Delegate: Cr Sandra Wilson**

**Date of Meeting: 18 September 2019**

### **Black Spot Program**

Council has submitted two funding applications under the 2020-2021 Australian Government's Black Spot Program for intersection works at Mason Street, Newport and Marion Street, Altona North.

The Mason Street project includes the construction of a new roundabout at Fifth Avenue, a new pedestrian crossing with flashing light near Fourth Avenue, and modifications of the existing roundabouts at Mills Street, McIntosh Road, Blenheim Road and Maddox Road intersections. The estimated cost of the project is \$1.43 million.

The Marion Street project includes four raised platforms at the intersections of Seventh, Sixth, Third and Angus Avenues. The estimated project cost is \$174,000.

### **Safe school zones**

Discussions have commenced with the Department of Transport (DOT) seeking permanent speed reductions around school precincts within the Hobsons Bay municipality.

Approval has been obtained from the DOT for the installation of a wombat crossing, kerb outstands and a pedestrian refuge in front of Mount St Joseph's School on Maidstone Street, Altona. Works are scheduled to occur in January 2020.

### **Vulnerable User Program**

The construction of raised platforms are scheduled for completion by the end of October 2019 at Heather Avenue, Brooklyn; William and Ross Street, Newport; and Blyth Street and Grieve Parade in Altona. This is being undertaken to reduce vehicle speeds in locations where there are high volumes of pedestrians and cyclists.

## 10 Notices of Motion

### 10.1 Notice of Motion No. 1210 - Recognition of Contribution - Mr Hayden Raysmith AM

Cr Sandra Wilson has given notice of the following:

#### **Motion**

**Moved Cr Sandra Wilson, seconded Cr Peter Hemphill:**

**That Council writes to Hayden Raysmith AM to recognise his significant contribution and leadership as outgoing chair of the Hobsons Bay Community Fund (HBCF), a perpetual philanthropic fund, since its inception in 2006 and the legacy he leaves with HBCF having achieved a \$1 million corpus to enable continuing community grants and support for the foreseeable future.**

**Carried**

Councillors may be aware that Hayden Raysmith has retired as the chair of Hobsons Bay Community Fund (HBCF), having passed the baton to long time HBCF member, Adrian Butera. HBCF, created in 2006 as a sub-fund of the Australian Communities Foundation, has also moved to become an incorporated association.

HBCF aims to:

- create a lasting community asset, a steadily growing corpus (fund) for community development, that Hobsons Bay residents can access in perpetuity
- highlight the great value of charitable giving, and enable donors to support and see the fruits of investing in their community during their lifetime
- encourage interaction and partnerships between a range of people (donors, governments, businesses, community groups, other charitable organisations) to fortify the local community and find solutions to challenges
- act as a trustworthy partner and leader in shaping collaborative and effective responses to local issues and opportunities

## 11 Supplementary Public Question Time

Nil.

## 12 Urgent and Other Business

Petition for The Avenue, noting that the petition was received by Councillors on 1 November 2019.

### Motion

**Moved Cr Sandra Wilson, seconded Cr Peter Hemphill:**

**That Council consider Items of Other Business, in relation to:**

- 1. A petition from residents of The Avenue, Spotswood which was received by Councillors on Wednesday 6 November 2019.**
- 2. An Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987*.**

**Carried**

### 12.1 Petition – Proposed relocation of cricket nets in Donald McLean Reserve, Spotswood

Cr Jonathon Marsden tabled a petition, containing 16 signatories, received from residents of the Avenue, Spotswood and surrounding streets including Robert Street and Hudsons Road, pertaining to the proposed relocation of the cricket nets in Donald McLean Reserve, Spotswood.

The petition reads as follows:

“We the undersigned, residents of The Avenue, surrounding streets, and recreational users of Donald McLean Reserve in Spotswood.

We have several concerns in relation to the location of the proposed relocation of the cricket nets in the reserve from their current location to the proposed location to the southern side of the park to be located on The Avenue and impacting heavily on adjacent residents.

We have these concerns for a number of reasons, including but not limited to:

- personal and public safety;
- visual aesthetics from the streetscape;
- noise;
- amenity for residents and users of the park due to the size of the proposed facility restricting clear passage from east to west;

We demand an alternative location be sought for the proposed cricket nets than on the currently proposed location on the southern side of the Reserve, adjacent to The Avenue and residents.”

**Motion**

Moved Cr Jonathon Marsden, seconded Cr Peter Hemphill:

That Council:

1. Receives and notes the petition from the residents of the Avenue, Spotswood to relocate the cricket nets from the currently proposed location.
2. Receives a report on this matter at a future Council meeting.

Carried

**13 In Camera Business****Motion**

Moved Cr Angela Altair, seconded Cr Jonathon Marsden:

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*:

**13.1 Instrument of Appointment and Authorisation - Planning and Environment Act 1987**

This report is considered confidential under s89(2)(h) of the *Local Government Act 1989* as it relates to any matter which Council considers prejudicial to Council or any person.

Carried

**Recommendation**

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*:

**13.1 Instrument of Appointment and Authorisation - Planning and Environment Act 1987**

This report is considered confidential under s89(2)(h) of the *Local Government Act 1989* as it relates to any matter which Council considers prejudicial to Council or any person.

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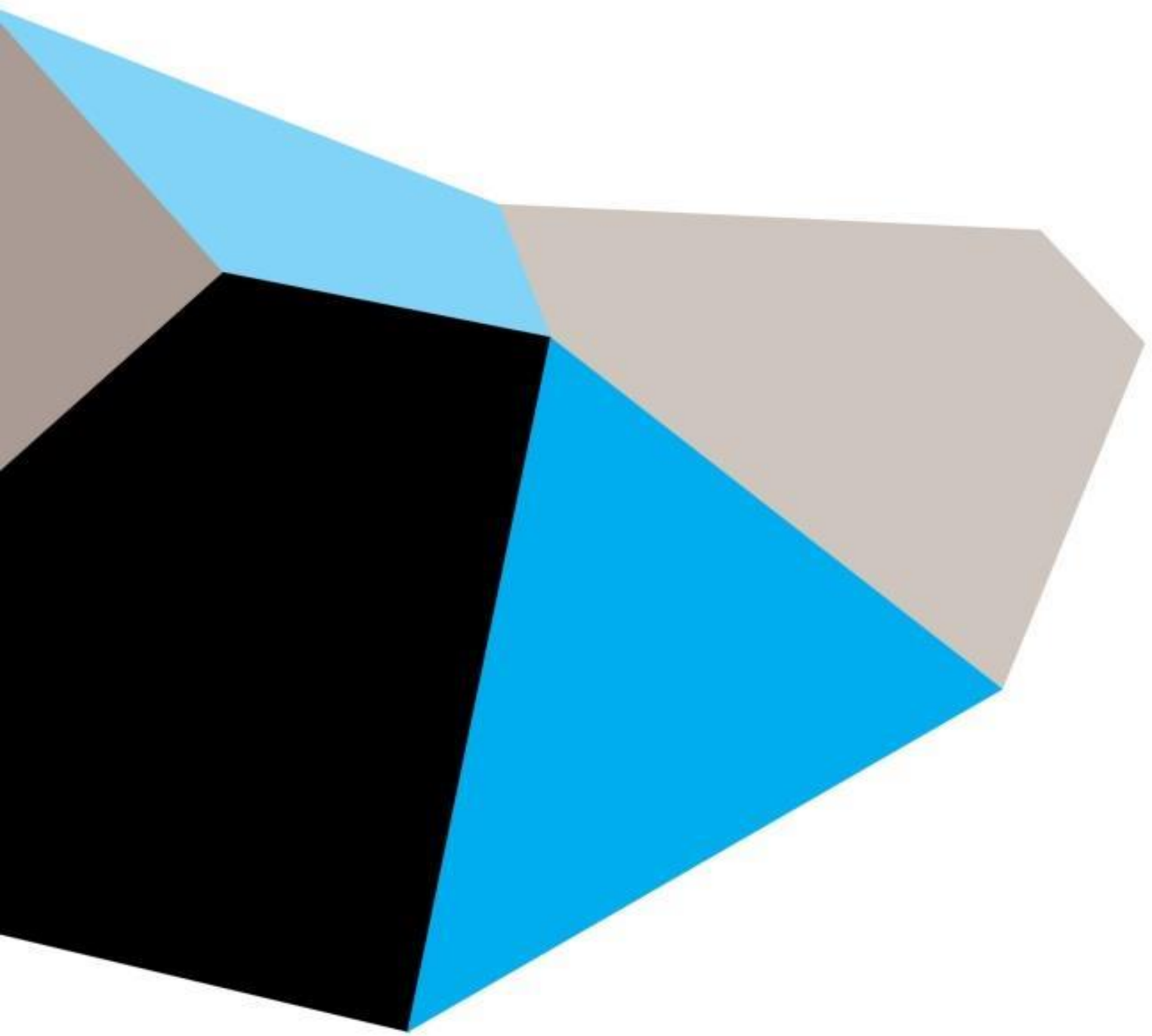
Council considered the report and discussed the matter In-Camera.

The meeting was opened to members of the public.

There being no further business, the Chairperson declared the meeting closed at 9:43pm.

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Chairperson – Cr Colleen Gates  
Signed and certified as having been confirmed.  
10 December 2019



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**HOBSONS BAY CITY COUNCIL**

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