

Council Meeting Minutes

20 April 2021

COUNCIL CHAMBER

Council Chamber
Hobsons Bay Civic Centre
115 Civic Parade, Altona

HOBSONS
BAY CITY
COUNCIL



OUR 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 Jonathon Marsden (Mayor)

Strand Ward

Councillors:

Cr Daria Kellander (Deputy Mayor)

Cherry Lake Ward

Cr Tony Briffa JP

Cherry Lake Ward

Cr Peter Hemphill

Strand Ward

Cr Pamela Sutton-Legaud

Strand Ward

Cr Diana Grima

Wetlands Ward

Cr Matt Tyler

Wetlands Ward

Aaron van Egmond
Chief Executive Officer
Hobsons Bay City Council

TABLE OF CONTENTS

1 Council Welcome and Acknowledgement.....	6
2 Apologies	6
3 Disclosure of Interest	6
4 Confirmation of Minutes.....	6
4.1 Confirmation of Minutes	6
5 Councillor Questions.....	6
6 Public Question Time	10
7 Petitions and Joint Letters	11
7.1 Petitions and Joint Letters Received.....	11
8 Variation of Business	11
8.1 Brooklyn Air Quality Advocacy.....	11
9 Certificate Presentations.....	16
9.1 Certificate of Recognition - Inner West Air Quality Community Reference Group 	16
10 Business.....	18
10.1 Office of the Chief Executive	18
10.1.1 Chief Executive Officer's Report on Operations.....	18
10.1.2 Hobsons Bay Media Policy 2021	20
10.2 Corporate Services.....	23
10.2.1 Adoption of the Proposed Annual Budget 2021-22 and Proposed Revenue and Rating Plan 2021-22 to 2024-25	23
10.2.2 Municipal Association of Victoria State Council Motions 2021	28
10.2.3 Adoption of the Hobsons Bay Gifts, Benefits and Hospitality Policy 2021 ...	32
10.2.4 Council Meeting Timetable to 31 December 2021	35
10.2.5 Audit and Risk Committee Update - February 2021.....	37
10.3 Sustainable Communities.....	39
10.3.1 Draft Hobsons Bay Mobile Vendors Policy 2021.....	39
10.3.2 Extension of COVID-19 Free Garbage Bin Upsize Program.....	41
10.3.3 Dow Chemical Australia - Covenant Variation	44

10.3.4	COVID-19 Community Support Summary	49
10.4	Infrastructure and City Services.....	52
10.4.1	West Gate Tunnel Project Update	52
11	Delegate Reports	57
12	Notices of Motion.....	59
12.1	Notice of Motion No. 1226 - Advocacy on the Removal of Railway Heritage Groups from the Heritage-listed Newport Railway Workshops	59
13	Supplementary Public Question Time	61
14	Urgent Business	61
15	Close of Meeting	61

Minutes of the Council Meeting held on 20 April 2021 at 7pm.**Present****Chairperson**

Cr Jonathon Marsden (Mayor) Strand Ward

Councillors

Cr Daria Kellander (Deputy Mayor)	Cherry Lake Ward
Cr Tony Briffa JP	Cherry Lake Ward
Cr Peter Hemphill	Strand Ward
Cr Pamela Sutton-Legaud	Strand Ward
Cr Diana Grima	Wetlands Ward
Cr Matt Tyler	Wetlands Ward

Officers

Mr Aaron van Egmond	Chief Executive Officer
Mr Hamish Munro	Acting Director Corporate Services
Mr Sanjay Manivasagasivam	Director Infrastructure and City Services
Ms Penelope Winslade	Director Sustainable Communities
Ms Diane Eyckens	Manager Corporate Integrity (Legal Counsel)
Ms Briony Davis	Governance Officer and Minute Secretary
Mr Matthew Irving	Capital Works Manager
Ms Suzanne Patterson	Executive Assistant to the Mayor and Councillors
Eli Afram	Digital Transformation Coordinator

1 Council Welcome and Acknowledgement

The Chairperson welcomed members of the public and acknowledged the people of the Kulin Nation as the Traditional Owners of this land.

2 Apologies

Nil

3 Disclosure of Interest

In accordance with sections 127 and 128 of the *Local Government Act 2020* Councillors are required to disclose a general or material conflict of interest. A conflict of interest must be disclosed in accordance with rule 15.3 of the Hobsons Bay Governance Rules.

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

Nil

4 Confirmation of Minutes

4.1 Confirmation of Minutes

Confirmation of the minutes of the Council Meeting of Hobsons Bay City Council held on 9 March 2021 (copy previously circulated).

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Diana Grima:

That Council confirms the minutes of the Council Meeting of Hobsons Bay City Council held on 9 March 2021.

Carried unanimously

5 Councillor Questions

Cr Matt Tyler asked what the requirements are under Victorian legislation regarding community contributions from venues that operate electronic gaming machines (EGMs), including the percentage of losses that are contributed, the nature of the contributions, and transparency regarding where these venues are contributing.

Ms Penelope Winslade, Director Sustainable Communities, responded that under the *Gambling Regulation Act 2003*, club venue EGM operators are required to prepare and lodge an audited community benefits statement with the Victorian Commission for Gambling and Liquor Regulation every year, in every year that they receive gaming revenue. Ms Winslade elaborated that the Act requires them to make a contribution equivalent to 8.33 per

cent of the club's revenue, also described in the sector as "losses", for that financial year, and that under the Act the relevant Minister can determine the level of detail required in respect to each of the claims made around community benefits. However, Ms Winslade added that the Ministerial Order that's provided doesn't provide detail on this.

Cr Matt Tyler asked what the total value of community contributions is, state-wide and in Hobsons Bay, and what the breakdown was across the three classes of community contributions.

Ms Penelope Winslade, Director Sustainable Communities, responded that state-wide, EGM operating clubs claimed nearly \$270 million in community benefits in the previous financial year, of which 70 per cent were indirect (Class B), 22 per cent were direct (Class A) and a very small portion were Class C. Within Hobsons Bay, Ms Winslade stated that the ratios are different – the total claimed was \$7.6 million, of which 84 per cent were indirect community benefits, and 16 per cent were direct benefits.

Cr Matt Tyler requested more detail regarding the nature of those categories and the extent to which there is variability in the detail reported by different venues.

Ms Penelope Winslade, Director Sustainable Communities, responded that Class A are defined as direct community benefits, Class B are indirect community benefits, which can include a range of activities including capital works, and Class C are miscellaneous costs, which are a small portion of community contributions.

Ms Winslade stated that the amount of detail provided by clubs in their reporting varies significantly, and that while the reports are publicly available, it's not always possible to understand from what's published what exactly those contributions have been directed towards. Ms Winslade added that there have been instances, including with clubs in Hobsons Bay, where it is unclear where those community contributions have gone.

Cr Matt Tyler asked how Council is working with the Victorian Government on both capital improvements and ongoing maintenance of the Princes Freeway exit onto Newland Street, Altona Meadows.

Mr Sanjay Manivasagasivam, Director Infrastructure and City Services, responded that Council is working both through advocacy with the Ministers in meetings with the Mayor and the Chief Executive Officer regarding possible capital improvements and maintenance schedules in the area, and through working directly with officers of the Department of Transport (DoT) to understand how maintenance activities around the Newland Street exit can be improved. Mr Manivasagasivam added that Council always passed advice from the community regarding the site on to the DoT to arrange clean-up, and that Council is working closely with the department on possible capital improvements, but that there is no commitment yet from the department.

Cr Matt Tyler, noting that the Newland Street exit is the responsibility of state government, asked if Council can do anything to improve the amenity of the entries into suburbs across the municipality.

Mr Sanjay Manivasagasivam, Director Infrastructure and City Services, responded that as part of the Urban Forest Strategy, Council is considering creating a gateway to the suburb, meaning planting mature trees along the street to improve amenity, and that Council would work closely with the Victorian Government to clean up that site as soon as possible, but that the government first needed to come on board with Council to do that work.

Cr Diana Grima asked where the Queen Street Bridge is in Council's budget, and whether it is funded.

Mr Sanjay Manivasagasivam, Director Infrastructure and City Services, responded that as the Queen Street Bridge is a Victorian Government bridge and as it is the government's responsibility to deliver that project, it is not in Council's Proposed Annual Budget 2021-22. Mr Manivasagasivam added however that Council would continue to advocate to the Victorian Government to build pedestrian access for the bridge.

Cr Diana Grima asked what more progress could be made through Council or the Victorian Government on the issue.

Mr Sanjay Manivasagasivam, Director Infrastructure and City Services, responded that Council is hoping to see whether any allocation is made through the Victorian State Budget 2021-22 in May, and that Council would continue to advocate on behalf of the community through the Ministers and the DoT.

Cr Diana Grima asked whether there was a date on which Council would have a meeting with Victorian Government representatives on this issue.

Mr Sanjay Manivasagasivam, Director Infrastructure and City Services, replied that while he was unaware of the specific date on which the budget would come, as soon as it did, Council would consider next steps on the issue.

Cr Jonathon Marsden added that he would certainly call for a meeting if that funding did not arise and that Council would obviously be looking to strongly advocate for an alternative outcome.

Cr Pamela Sutton-Legaud asked, regarding the Brooklyn air quality advocacy report, whether the resolution being put forward was consistent with or builds on the advocacy work done in the past by the previous Council and stakeholders, and whether the report acknowledges the prior work done.

Ms Penelope Winslade, Director Sustainable Communities, responded that the report, which is the third relating to the Inner West Air Quality Community Reference Group's report, builds on and complements the both the September 2020 Council resolution acknowledging the author of the report and requesting further reports on advocacy and actions, and the report brought before Council in February 2021 to provide further information on advocacy priorities. Ms Winslade added that the current report responded to both the September 2020 and the February 2021 Council decisions.

Noting concerns raised by the railway heritage groups operating out of the Newport Railway Workshops, Cr Peter Hemphill asked whether Council had any information in relation to the removal of some of the structures from the site, given that both Heritage Victoria and Council have heritage overlays over it.

Ms Penelope Winslade, Director Sustainable Communities, responded that the demolitions dated back to 2009 and 2010, and acknowledged that further work may be needed to fully validate Council's information. Ms Winslade also noted that since the whole site is on the Victorian Heritage Register, any demolitions must be approved by Heritage Victoria but should be in consultation with Council, and went on to provide the following details in relation to three buildings known to have been removed or demolished:

- **a sawtooth-roofed building that was a former spray paint building:** Ms Winslade stated that Council was aware that VicTrack obtained approval from Heritage Victoria

to demolish the building in 2010, and that Council's records indicate that Council's approval, though not required, was sought and provided on the basis that the building was deemed unsafe and that Heritage Victoria had approved the demolition.

- **a J-shaped building in the far corner of the site that was former tarp workshop:** Ms Winslade stated that Heritage Victoria wrote to Council in 2009 seeking input regarding a proposed demolition, and that Council wrote back about requiring some archaeological input among other things. Ms Winslade said that Council's records don't indicate what happen regarding that, but that Heritage Victoria did approve the demolition in May 2009.
- **elements around a third building identified by the railway heritage groups:** Ms Winslade stated that Council doesn't have any records of any consultation around proposals to demolish or remove any of those elements, and that Council officers would likely need to get on site to do further work to understand what has happened regarding this building.

Cr Peter Hemphill requested that Council contact Heritage Victoria for more information on the removals and to write to VicTrack to ask in detail what structures it has removed, if permission was sought and when.

Ms Winslade responded that Council would do so.

Cr Peter Hemphill requested that Council also ask VicTrack about the location of a heritage Market Street signal bridge that had been stored at East Block on the Newport Railway Workshop after having been restored by the Railway Museum on Champion Road, Williamstown in the 1990s, about which the railway heritage groups have raised concerns.

Ms Winslade took the request on notice.

Cr Peter Hemphill asked what Council was doing with regard to reports of illegal parking and litter near Grazeland in Spotswood in the past month.

Ms Diane Eyckens, Manager Corporate Integrity (Legal Counsel) responded that, regarding parking complaints, Council has carried out a number of enforcements at the site over Friday and the weekend, and that the next step was to hold a meeting about the parking management plan. Ms Eyckens added that Council officers would contact the proprietor and address the rubbish issues in that discussion. In the meantime, Ms Eyckens stated that Council had extra patrols out in the area.

Cr Tony Briffa asked whether Council would be making soil tests taken at Bruce Comben Reserve in Altona Meadows available to residents who have requested copies.

Mr Sanjay Manivasagasivam, Director Infrastructure and City Services, responded that Council normally doesn't release the technical documents from soil tests, a number of which have been carried out near Bruce Comben Reserve as part of the Master Plan and Aquatic Strategy works, but that in this instance, Council is undergoing a Freedom of Information process through which an assessment will be carried out on which documents can and can't be released.

Mr Manivasagasivam stated that Council would work with the residents once the Freedom of Information process is complete, and added that Council didn't find any issues with the soil

testing through either the Aquatic Strategy or the Bruce Comben Reserve Master Plan, and that further testing would be done as Council came closer to the construction process.

Mr Manivasagasivam added that Council had not found any issues through the soil testing as part of either the Aquatic Strategy or the Bruce Comben Reserve Master Plan works, and that Council would undertake further testing as it went through the construction process.

Cr Tony Briffa requested that, if the material is denied to the residents, Council officers make Councillors aware of the reasons why it was denied.

Cr Tony Briffa requested an explanation of what engineering design development has taken place for the proposed Queen Street Bridge.

Mr Sanjay Manivasagasivam, Director Infrastructure and City Services, responded that Council had developed some concept designs or artist's impressions when the Queen Street Bridge became a priority a few years ago, to support Council's advocacy to the Victorian Government and in order to understand the cost implications. Mr Manivasagasivam stated that because the bridge remains the state's responsibility to deliver, Council had not done any detailed work on the design but would continue to advocate for it on behalf of the community.

Cr Tony Briffa requested clarification that the designs are artistic impressions, not engineering designs.

Mr Manivasagasivam responded that this was correct.

Cr Daria Kellander requested an update on the number of responses received to date from the kerbside waste and recycling service survey underway at the time of the meeting, and asked when Councillors would receive their first insight into the findings.

Ms Penelope Winslade, Director Sustainable Communities, responded that the survey, which ran until Sunday 25 April 2021, had had uptake in the thousands, though she could not provide an exact number of responses as it was being managed by a third party. Ms Winslade stated that Councillors would be briefed on emerging findings from the survey, the wider consultation and a range of other analysis audits through May and June 2021.

Cr Daria Kellander asked whether Council would be offering Mr Fresh, whose temporary permit expires on 25 April 2021, a permit extension to cover the period until the Mobile Vendors Policy is finalised.

Ms Penelope Winslade, Director Sustainable Communities, responded that she had been advised that the business trading as Mr Fresh had so far only applied for a temporary permit until 25 April 2021 for the school holiday period. Ms Winslade stated that should a further permit be sought, Council would assess it on its merits.

6 Public Question Time

No public question time responses were read out, as no submitters of questions were in attendance.

7 Petitions and Joint Letters

7.1 Petitions and Joint Letters Received

Nil

8 Variation of Business

In accordance with rule 6.1.5 of the Hobsons Bay Governance Rules, the Chief Executive Officer has varied the normal order of business in order to allow representatives of the Inner West Air Quality Community Reference Group who are present at the meeting to hear Council's debate and resolution on Item 8.2 Brooklyn Air Quality Advocacy prior to receiving a certificate from Council in recognition of the group's significant work investigating and reporting on air quality issues in Melbourne's inner west.

8.1 Brooklyn Air Quality Advocacy

Directorate: Sustainable Communities

Responsible Officer: Manager Planning, Building and Health

Reviewer: Director Sustainable Communities

Attachments:

1. Air Quality Report Recommendations and Actions [8.1.1 – 11 pages]
2. Brooklyn Air Quality Advocacy Plan March 2021 [8.1.2 – 1 page]

Purpose

To consider the advocacy plan for Brooklyn to address the many health and amenity issues in the area, including engagement with other stakeholders and advocacy for other areas impacted by the West Gate Tunnel Project.

Motion

Moved Cr Tony Briffa, seconded Cr Daria Kellander:

That Council acknowledges the Brooklyn Air Quality Advocacy Plan, and builds on that by:

1. **Formally adopting a leadership role in relation to the air quality issues in Brooklyn.**
2. **Seeks to convene a meeting with all stakeholders to discuss the air quality issues in Brooklyn including, inter alia, the neighbouring councils, the EPA, the State MP representing Brooklyn, VicRoads, the Minister for Planning, the Minister for the Environment, the Chief Health Officer, the Minister for Public Transport, DELWP, the Chair of the Inner West Air Quality Community Reference Group, DHHS, DoT, WGTP, BCRG and local ward Councillors.**

- 3. Develops a detailed Brooklyn Air Quality Action Plan with all stakeholders following that meeting, that is also informed by Brooklyn residents and the recommendations of the Inner West Air Quality Community Reference Group.**
- 4. Convenes biannual meetings with stakeholders to provide details of actions.**
- 5. Tables update reports at the end of the financial year and calendar year on advocacy efforts and achievements of the Brooklyn Air Quality Action Plan.**

Carried unanimously

Recommendation

That Council:

- 1. Endorses the Brooklyn Air Quality Advocacy Plan.**
- 2. Receives update reports at the end of the financial year and calendar year on advocacy efforts and achievements on the Brooklyn Air Quality Advocacy Plan.**

Summary

Air quality is an important issue for residents in some parts of the municipality, particularly in Brooklyn and Altona North where industrial and transport activities adjoining residential areas cause significant pollution and air quality issues.

The Inner West Air Quality Community Reference Group (IWAQCRG) recently investigated the current air quality issues and concerns across Brimbank, Hobsons Bay and Maribyrnong, including current transport initiatives such as the West Gate Tunnel Project, to provide advice and recommendations for the consideration of the Victorian Government to address these issues.

The group's report, *Air Pollution in Melbourne's Inner West: taking direct action to reduce our community's exposure*, states that "Inner West communities are exposed to high levels of air pollution, including dust and odour. Industrial and transport emissions are primary contributors. These levels create serious risks for our communities' health, quality of life and amenity."

Hobsons Bay is one of several councils that participate in the Brooklyn Community Representative Group and contributes financial resources to support its operation. At its meeting on 9 February 2021 Council resolved to "bring back a report by April 2021 outlining an advocacy plan for Brooklyn to address the many health and amenity issues in the area, including engagement with other stakeholders, and for the report to also include a separate section on advocacy for other areas impacted by the West Gate Tunnel Project".

While most of the IWAQCRG report's recommendations are beyond Council's ability to implement, Council will focus on advocating that the Victorian Government take a higher level of responsibility in monitoring and addressing air quality issues, and on encouraging

the community to participate in this advocacy by raising awareness of local air quality issues and promoting a call to action.

Background

As part of the West Gate Tunnel Project, the Victorian Government established the IWAQCRG to investigate (among other things) air quality issues and concerns which could arise from this transport initiative.

The IWAQCRG was tasked to:

- investigate current air quality issues and concerns across Brimbank, Hobsons Bay and Maribyrnong, including current transport initiatives such as the West Gate Tunnel Project
- provide advice and recommendations for the Victorian Government's consideration, including the feasibility and relative importance of any actions to address air quality issues in the inner west, including in relation to tunnel filtration for the West Gate Tunnel Project
- ensure its findings are communicated to the communities of the inner west

In March 2020 the group published and submitted to the Victorian Government its completed report, *Air Pollution in Melbourne's Inner West: Taking direct action to reduce our community's exposure*. This report provides the necessary advice and recommendations to the Victorian Government for consideration to address air quality issues in the inner west.

The report states there are many reasons for high levels of air pollution (including dust and odour) which affects the community's health, quality of life and amenity, the main ones being:

- the historical legacy of industrial sites and associated transport hubs in the inner west and surrounding areas
- the geographic location, which funnels large numbers of vehicles through the inner west to and from the CBD, the Port of Melbourne and the eastern, northern and southern suburbs
- the large number of diesel-fuelled vehicles on the roads
- the extensive areas of open and unsealed land (creating dust), which often contain uncovered material stockpiles and are linked by unsealed roads
- the historical lack of effective government action to deal with the pollution

The report outlines 26 recommendations with 52 actions for consideration, as listed in Attachment 1. Since its publication, Council has recognised the report in the chamber on several occasions.

Discussion

The IWAQCRG report breaks the recommendations into categories, including:

- monitoring, analysis and reporting
- the regulatory and policy environment
- transport emissions
- industrial emissions

- planning – improving the Victorian planning system and legislation

Most of the recommendations and actions rely heavily on the Victorian Government making changes. For example, improving the Victorian planning system and legislation is the role of the Department of Environment, Land, Water and Planning (DELWP). Council can advocate to the Victorian Government for improved planning legislation, but this ultimately lies with DELWP to introduce into the Victorian Planning Provisions.

There are four key areas of advocacy where Council can concentrate and be its most effective. These are the core “asks” of the proposed campaign:

Air quality measures

- filtration of the main West Gate Tunnel air stack ventilation point (located in Precinct 15)
- increasing the number of air quality monitoring stations throughout the west
- making air quality reading results and data publicly available in real time on a public website or phone app
- planting more trees in the West Gate Tunnel corridor

Sustainable practices of industry and government

- the Victorian Government should implement an action policy that promotes and incentivises “polluter pays” models to drive uptake of low or no emissions vehicles within the transport and logistics industry (e.g. from Port of Melbourne)
- industry to adopt publicly declared sustainable practices to be the “new cleaner, greener industry” and be a good neighbour and corporate citizen

Victorian Government resourcing priorities

- expand Environment Protection Authority (EPA) and planning resources to build an air quality task force to implement the IWAQCRG recommendations and actions particularly in relation to dust and odour:
 - this would build on the current OPLE (Officers for the Protection of the Local Environment) model of the EPA that focuses on regional environmental priorities, and could be a pilot or test case for rolling out similar models across Victoria and Australia
 - the pilot could also drive legislative change in the Victorian Planning Provisions and local Planning Schemes to better address air quality

Active transport

- government funding and commitment to a range of public transport initiatives including:
 - “travel on demand” measures
 - Melbourne Metro 2 implementation (Altona North rail station and activating Sunshine to Newport link to passenger)
 - electric bus trial in Hobsons Bay

These key areas align well with the categories outlined in the IWAQCRG report, advocating for a better future for the municipality and the west: a future that sees all levels of government introducing changes to improve the responsibility and accountability of industry and businesses throughout Victoria.

In addition to this advocacy, Council will take action on relevant IWAQCRG report recommendations which are within Council's control. These include statutory planning processes to improve air quality in the municipality (e.g. Conditions in planning permits to ensure dust emission is minimised, and proactive enforcement of existing planning permits). These improvements will be implemented and reported as part of the advocacy update reports.

Advocacy and reporting related to the broader West Gate Tunnel Project will continue to run in parallel with the Brooklyn and Altona North focused air quality advocacy. Other advocacy priorities with air quality elements such as advocacy around truck traffic on Millers Road, will also continue in parallel as part of Council's broader advocacy program. This will allow the Brooklyn and Altona North air quality work advocacy to be more focused.

Advocacy will be implemented via a range of communication tools, including letters and presentations to ministers and local MPs; partnerships with DELWP, adjoining municipalities, IWAQCRG and local industry; and public campaigns. The upcoming Brooklyn and Altona North Better Places program presents a further opportunity for the community to be heard and for consultation with stakeholders who play a role in the air quality of this part of Hobsons Bay.

See Attachment 1 for the complete list of potential actions to be undertaken to advocate for improved air quality in Brooklyn.

9 Certificate Presentations

9.1 Certificate of Recognition - Inner West Air Quality Community Reference Group

Directorate: Corporate Services
Responsible Officer: Governance Officer
Reviewer: Director Corporate Services
Attachments: Nil

Purpose

To present a Certificate of Recognition to the Inner West Air Quality Community Reference Group.

Motion

Moved Cr Tony Briffa, seconded Cr Daria Kellander:

That Council presents a Certificate of Recognition to the Inner West Air Quality Community Reference Group in recognition of their extraordinary contribution to the community of Hobsons Bay through their role in addressing air quality issues via their report, *Air Pollution in Melbourne's Inner West: Taking direct action to reduce our community's exposure*.

Carried unanimously

Motion

Moved Cr Peter Hemphill, seconded Cr Matt Tyler:

That Council suspends standing orders to present the certificate.

Carried unanimously

Motion

Moved Cr Peter Hemphill, seconded Cr Matt Tyler:

That Council resumes standing orders.

Carried unanimously

Recommendation

That Council presents a Certificate of Recognition to the Inner West Air Quality Community Reference Group in recognition of their extraordinary contribution to the community of Hobsons Bay through their role in addressing air quality issues via their report, *Air Pollution in Melbourne's Inner West: Taking direct action to reduce our community's exposure*.

Summary

At the Council Meeting held on 9 March 2021, Council resolved to recognise the Inner West Air Quality Community Reference Group in recognition of their extraordinary contribution to the community of Hobsons Bay through their role in addressing air quality issues via their report, *Air Pollution in Melbourne's Inner West: Taking direct action to reduce our community's exposure*.

The Mayor will present the certificate at the Council Meeting held on 20 April 2021.

10 Business

10.1 Office of the Chief Executive

10.1.1 Chief Executive Officer's Report on Operations

Directorate: Office of the Chief Executive
Responsible Officer: Executive Assistant to the Chief Executive Officer
Reviewer: Chief Executive Officer
Attachments: 1. CEO's Report on Operations [10.1.1.1 - 39 pages]

Cr Tony Briffa left the meeting at 7.49pm and was not present for the vote on Item 10.1.1 Chief Executive Officer's Report on Operations.

Purpose

To present the Chief Executive Officer's (CEO's) Report on Operations (Attachment 1).

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Matt Tyler:

That Council receives and notes the Chief Executive Officer's Report on Operations, including details of recent issues and initiatives undertaken by the organisation.

Carried

Recommendation

That Council receives and notes the Chief Executive Officer's Report on Operations, including details of recent issues and initiatives undertaken by the organisation.

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

In accordance with rule 10.7.1 of the Hobsons Bay Governance Rules, Council maintains records of meetings attended by Councillors in the CEO's Report on Operations to ensure transparency and equity of information. A summary of meetings for the period between March 2021 and 31 March 2021 is provided in this month's report.

10.1.2 Hobsons Bay Media Policy 2021

Directorate:	Office of the Chief Executive
Responsible Officer:	Manager Communications, Community Engagement and Advocacy
Reviewer:	Chief Executive Officer
Attachments:	1. Hobsons Bay City Council Media Policy 2021 [10.1.2.1 – 7 pages]

Cr Tony Briffa was not present for the vote on Item 10.1.2 Hobsons Bay Media Policy 2021.

Cr Diana Grima left the meeting at 7.54pm and was not present for the vote on Item 10.1.2 Hobsons Bay Media Policy 2021.

Purpose

To seek Council's support and endorsement of the Hobsons Bay Media Policy 2021 for Councillors and Council officers.

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Peter Hemphill:

That Council:

- 1. Revokes the Hobsons Bay Media Policy 2017.**
- 2. Adopts the Hobsons Bay Media Policy 2021.**
- 3. Publishes the Hobsons Bay Media Policy 2021 on Council's website.**

Carried

Recommendation

That Council:

- 1. Revokes the Hobsons Bay Media Policy 2017.**
- 2. Adopts the Hobsons Bay Media Policy 2021.**
- 3. Publishes the Hobsons Bay Media Policy 2021 on Council's website.**

Summary

The media policy provides clear direction for Councillors and the organisation regarding communication and media procedures and processes when addressing issues relevant to Hobsons Bay City Council and the City of Hobsons Bay.

It will ensure responses given to the media are presented in a consistent, accurate, clear and timely manner to provide opportunity for fair representation in the media.

Background

The media policy was last reviewed by Councillors in 2017. The Hobsons Bay Councillor Code of Conduct 2021 was endorsed on 22 February 2021 and will complement this policy.

The policy covers media relations, media enquiries and responses, media releases, media interviews, media briefings, Council spokespeople and social media. Logo use is referenced as a related document, entitled Corporate Images and Logo Policy.

Discussion

The Hobsons Bay Media Policy 2021 provides clear guidelines for how Council responds to media. Support of the policy by Council ensures good governance in the way Council deals with media and presents the organisation and its spokespeople publicly.

This policy is similar to Council's previous media policies with relevant updates. It has also been updated with a focus on social media practices that accurately reflect Council's current social media platforms and usage.

The policy has been benchmarked against other councils' media policies and presents clear processes and expectations for Councillors and Council officers when:

- approached by the media
- providing personal comments to traditional media or publishing on social media platforms
- determining appropriate spokesperson
- formulating and approving messaging

A key aspect of the policy is spokesperson determination, which is outlined in the policy as follows:

- The Mayor is the official spokesperson for Council and can discuss matters with media that have been subject to an adopted Council resolution or have city-wide, state or national level relevance.
- The Deputy Mayor will be the official spokesperson when acting for the Mayor.
- The Mayor will consult with the Manager Communications, Community Engagement and Advocacy, and in some instances, the CEO when determining spokesperson delegation but the Mayor will ultimately have the final say.
- The Mayor (or Deputy Mayor while acting as Mayor) may at their discretion delegate spokesperson authority to a fellow Councillor when the matter relates to: a specific ward; a portfolio relating to an endorsed Councillor delegation; a Notice of Motion raised by a Councillor; or any future portfolio or committee that is put in place.
- Delegated spokesperson(s) for ward issues are to be considered based on the principles below:
 1. Localised ward issue with city-wide relevance:
 - The Mayor will be the spokesperson for city-wide issues regardless of ward/locality (unless spokesperson delegation is otherwise given by the Mayor at their discretion to Deputy Mayor or Ward Councillors)

-
- Examples of local ward issues with city-wide relevance may include but are not limited to: projects with state or federal government funding/partnerships; major projects or initiatives of Council; projects/services connected to a broader civic priority of Council.
 - 2. Localised ward issues with no city-wide relevance:
 - Ward Councillors may be considered by the Mayor at their discretion to be spokespeople for localised ward issues.
 - Examples of local ward issues with no city-wide relevance may include but are not limited to: improvements/upgrades to local infrastructure (ex. open space, play space, sporting ovals/reserves); information about service or operational projects (ex. a community project, an art project/installation).
 - 3. Localised ward issues with relevance to two wards:
 - Ward Councillors for both relevant wards may be considered by the Mayor at their discretion to be spokespeople.
 - Examples of localised ward issues with relevance to two wards may include but are not limited to: infrastructure, issues or emergencies relevant to the two wards.
 - Decisions about spokesperson delegation are encouraged to be made at the discretion of the Mayor with consideration to:
 - the Council values (Respectful, Community driven and focused, Trusted and reliable, Efficient and responsible, Bold and innovative, Accountable and transparent, Recognised); and
 - taking a common-sense and equitable approach that encourages a fair and reasonable level of exposure of all Councillors to the media.

10.2 Corporate Services

10.2.1 Adoption of the Proposed Annual Budget 2021-22 and Proposed Revenue and Rating Plan 2021-22 to 2024-25

Directorate: Corporate Services

Responsible Officer: Chief Financial Officer

Reviewer: Director Corporate Services

Attachments:

1. Proposed Annual Budget 2021-22 [**10.2.1.1** - 76 pages]
2. Fees and Charges 2021-22 [**10.2.1.2** - 30 pages]
3. Detailed Capital Works Program 2021-22 [**10.2.1.3** - 6 pages]
4. Proposed Revenue and Rating Plan 2021-22 to 2024-25 [**10.2.1.4** - 26 pages]

Cr Diana Grima and Cr Tony Briffa returned to the meeting at 7.56pm and were present for the vote on Item 10.2.1 Adoption of the Proposed Annual Budget 2021-22 and Proposed Revenue and Rating Plan 2021-22 to 2024-25.

Cr Daria Kellander raised a point of order objecting to Cr Peter Hemphill's assertion that Councillors who want rate decreases also want more spent as a false accusation. The point of order was upheld by Mayor Cr Jonathon Marsden, who asked Cr Peter Hemphill if he would like to retract his assertion. Cr Peter Hemphill did not retract his assertion.

Purpose

To present to Council the Proposed Annual Budget for the 2021-22 financial year (Attachments 1-3) and the Proposed Revenue and Rating Plan 2021-22 to 2024-25 (Attachment 4), in accordance with sections 94 and 93, respectively, of the *Local Government Act 2020* (LG Act 2020).

Motion

Moved Cr Peter Hemphill, seconded Cr Pamela Sutton-Legaud:

That Council extends Cr Peter Hemphill's speaking time by two minutes.

Carried

Motion

Moved Cr Peter Hemphill, seconded Cr Pamela Sutton-Legaud:

That Council:

1. Endorses the Proposed Annual Budget 2021-22 to be placed on public exhibition for four weeks.
2. Endorses the Proposed Revenue and Rating Plan 2021-22 to 2024-25 to be placed on public exhibition for four weeks.

3. Authorises the Chief Executive Officer to:
 - a. Give public notice of the preparation of the Proposed Annual Budget 2021-22 and Proposed Revenue and Rating Plan 2021-22 to 2024-25.
 - b. Make available for public inspection the information required by regulations 7 and 8 of the Local Government (Planning and Reporting) Regulations 2020.
4. Considers and hears any comments received in accordance with section 223 of the *Local Government Act* 1989 at the Council Meeting to be held on 8 June 2021.

Carried

Division

For: Cr Matt Tyler, Cr Pamela Sutton-Legaud, Cr Peter Hemphill, Cr Jonathon Marsden

Against: Cr Daria Kellander, Cr Tony Briffa, Cr Diana Grima

Carried

Recommendation

That Council:

1. Endorses the Proposed Annual Budget 2021-22 to be placed on public exhibition for four weeks.
2. Endorses the Proposed Revenue and Rating Plan 2021-22 to 2024-25 to be placed on public exhibition for four weeks.
3. Authorises the Chief Executive Officer to:
 - a. Give public notice of the preparation of the Proposed Annual Budget 2021-22 and Proposed Revenue and Rating Plan 2021-22 to 2024-25.
 - b. Make available for public inspection the information required by regulations 7 and 8 of the Local Government (Planning and Reporting) Regulations 2020.
4. Considers and hears any comments received in accordance with section 223 of the *Local Government Act* 1989 at the Council Meeting to be held on 8 June 2021.

Summary

The Proposed Annual Budget 2021-22 is based on an operational surplus of \$27.38 million for the year, although this does not include Council's significant investment in capital expenditure of \$63.491 million for 2021-22.

Operating surpluses are required to ensure that Council remains financially viable to fund current and future commitments, including the Ten Year Capital Works Program. After funding capital works and other non-operational or non-cash items, a balanced Available Funding Result has been calculated.

Despite the predicted operational surplus and balanced Available Funding Result, Council's cash and investment reserves are expected to decline by \$13.895 million during 2021-22.

Council proposes to increase its general rates by 1.5 per cent in accordance with the Victorian Government rate cap legislation. This year's rates will be based on new 2021 valuations, meaning rate increases will vary across the differential rating categories and individual properties. The overall average property valuation in Hobsons Bay has increased by 0.32 per cent, while the average residential property valuation has increased by 0.48 per cent.

The proposed budget includes \$2 million of targeted community support for community members most affected by the COVID-19 pandemic. The package includes \$1.35 million in targeted rate relief and \$650,000 towards an evidence-based focus on business, young people, community grants and the arts. Over 125 per cent of the general rate increase is delivered straight back to the community in the form of targeted relief for those who truly need help.

Background

The annual budget process commenced in late 2020 when Council undertook its 2021-22 pre-budget consultation, providing an opportunity for community members to submit their ideas. The proposed budget brings together all the elements that have influenced its development, including:

- community consultation process
- strategic priorities
- Capital Works Program
- Revenue and Rating Plan 2021-22 to 2024-25 and rate modelling
- operational budget
- fees and charges

The Victorian Government has implemented an inflation-based rate cap, the Fair Go Rates System, which has been overseen by the Essential Services Commission since 2016-17. The rate cap for 2021-22 is 1.5 per cent, down from 2 per cent in 2020-21.

Discussion

In preparing the proposed budget, effort has been taken to maintain service levels as much as possible. Council's operational budget reflects delivery of a significant number of services and has been constructed to ensure continuity of services, noting that some adjustments to internal resourcing have been made to meet organisational needs and ensure that the organisation can continue to respond to community expectations.

While the 2021-22 operational surplus may seem like a strong result, there is a shortfall in the funding available for the Ten Year Capital Works Program. The program has therefore been reduced in line with current financial limitations. Council is working to reduce this funding gap, but some projects in future years remain unfunded for now.

Council has a strong history of being financially sustainable and managing service delivery within its means. As revenue constraints outside of Council's control are applied and as the level of organisational maturity increases in asset management, a higher degree of work is required on service planning. This work should ensure that Council remains in a reasonable financial position throughout the duration of its Financial Plan and delivers the most relevant mix of services to support the Hobsons Bay community.

The average rateable property's capital improved value (CIV) in Hobsons Bay has increased by 0.32 per cent in the past 12 months. Property valuation changes can vary considerably across the differential rating categories and individual properties in a revaluation year.

The overall average CIV increase is 0.32 per cent, but this varies for each rating category as follows:

- residential ▲ 0.48 per cent increase
- residential vacant land ▲ 1.44 per cent increase
- commercial ▼ 2.45 per cent decrease
- industrial ▲ 0.71 per cent increase
- petrochemical ▼ 5.95 per cent decrease
- cultural and recreational ▼ 1.18 per cent decrease

There is a common misconception that as properties are revalued, Council receives a "windfall gain" of additional revenue. This is not the case, as the revaluation process results in a redistribution of the rate burden across all properties in the municipality. Total income from rates (excluding waste service charges) is determined by the rate cap. In simple terms, as property values increase, the rate in the dollar is reduced.

The average general rate increase is 1.5 per cent, consistent with the rate cap, but this varies for each rating category as follows:

- residential ▲ 1.86 per cent increase
- residential vacant land ▲ 2.80 per cent increase
- commercial ▼ 1.17 per cent decrease
- industrial ▲ 2.04 per cent increase
- petrochemical ▼ 4.66 per cent decrease
- cultural and recreational ▼ 0.13 per cent decrease

The one-off rate adjustment in 2020-21 has been removed in 2021-22. The removal of the adjustment is not considered in the rate variations above and is not included in the rate cap. It is acknowledged that its removal could be considered to increase the overall rate increase in 2021-22.

The rate notice will include service charges for the collection, disposal and processing of garbage, recycling, glass, garden and food waste and hard waste. These service charges are not subject to the rate cap; rather, they should be based on the cost to provide the service. The charges have been increased by 10 per cent in 2021-22 but still do not cover the cost of providing the waste service. Council has decided to recoup its considerable investment in expanding its waste service in future years.

Rate notices will also include the fire services property levy that Council collects on behalf of the Victorian Government. This levy is not regarded as Council income and is not included within the figures outlined in the Proposed Annual Budget 2021-22.

Should further financial assistance be required, it can be provided through Council's Financial Hardship Policy and/or COVID-19 Financial Assistance Policy.

10.2.2 Municipal Association of Victoria State Council Motions 2021

Directorate: Corporate Services
Responsible Officer: Manager Corporate Integrity (Legal Counsel)
Reviewer: Director Corporate Services
Attachments: Nil

Cr Daria Kellander left the meeting at 8.29pm and was not present for the vote on Item 10.2.2 Municipal Association of Victoria State Council Motions 2021.

Purpose

To consider the motions to be put forward to the Municipal Association of Victoria (MAV) for the State Council Meeting on 21 May 2021.

Motion

Moved Cr Matt Tyler, seconded Cr Tony Briffa:

That Council:

1. Amends motion 10 to read as follows:

“That the MAV advocates to the Victorian Government such that EGM venues are required to include sufficient detail in their publicly available community benefit statements as to allow a reasonable person to understand the specific nature of each community contribution (e.g. prevent venues from using categories such as “donations/gifts/sponsorships”).

2. Puts motions 1 through 9 and 11 as listed in the report, and motion 10 as amended, to the Municipal Association of Victoria State Council Meeting to be held on 21 May 2021.

Carried

Recommendation

That Council resolves to put the motions listed in the report to the MAV State Council Meeting to be held on 21 May 2021.

Summary

On 21 May 2021 the MAV will be holding a State Council Meeting. These meetings provide an opportunity for local government to submit motions for key priorities that require state or federal government support.

Eleven motions have been developed for Councillors' consideration for submission to the State Council Meeting.

Background

The MAV is a statutory peak body for local government in Victoria and takes a lead role in advocating for local government to state and federal government on a variety of issues of concern.

The State Council is the governing body for the MAV and has representation from all member councils. Members are invited to submit motions to be considered by the State Council twice a year. Resolutions are assessed by the Board to determine how they will be progressed.

There was no State Council Meeting in 2020 due to COVID-19 restrictions.

Discussion

The State Council Meeting presents an opportunity to advocate for key priorities within Hobsons Bay that require state and federal government support to effect meaningful change.

The following motions have been developed for Council to consider for submission to the MAV State Council Meeting to be held on 21 May 2021:

1. **Improvements to pedestrian and cycling connections**

That the MAV advocates to the Victorian Government to fund and deliver pedestrian and cycling improvement works throughout all of Victoria to reduce congestion, encourage sustainable and integrated transport options and increase health and wellbeing outcomes in line with a key recommendation of the Victorian Draft 30 Year Infrastructure Strategy.

2. **Increase tree canopy coverage across urban areas for improved environmental, health and wellbeing outcomes**

That the MAV advocates to the Victorian Government to provide funding for the planting, replacement and maintenance of trees in urban areas throughout Victoria to reduce greenhouse gas emissions and the urban heat island effect, and increase health and wellbeing outcomes in line with a key recommendation of the Victorian Draft 30 Year Infrastructure Strategy.

3. **Reshape the Melbourne metropolitan bus network**

That the MAV advocates to the Victorian Government to undertake a comprehensive review of the Melbourne metropolitan bus network to reduce congestion, encourage sustainable and integrated transport options and increase health and wellbeing outcomes in line with a key recommendation of the Victorian Draft 30 Year Infrastructure Strategy.

4. **Commence delivery of the Melbourne Metro 2 Project**

That the MAV advocates to the Victorian Government to bring forward the funding and planning for Melbourne Metro 2 and ensure its completion prior to the building of the outer suburban rail line to reduce congestion, encourage sustainable and

integrated transport options and increase health and wellbeing outcomes. This work should also consider a new passenger train link on the existing freight train line from Sunshine to Newport with a new train station to be built in the vicinity of Altona North/Brooklyn and reinstatement of a train station in Altona North on the Werribee line.

5. Waste and recycling outcomes

That the MAV advocates to the Victorian Government to fast-track funding and resourcing to support the mandated new four-bin system. More recycling processing infrastructure is needed, and financial support promised to councils to support their transition is not yet flowing.

6. Coastal and Marine Management Plans

That the MAV advocates to the Victorian Government to fund and take a coordinated, integrated approach to planning and management for coastal councils in the preparation, delivery and maintenance of their Coastal and Marine Management Plans.

7. Alleviation of West Gate Tunnel traffic and amenity impacts

That the MAV advocates to the Victorian Government to fund and deliver West Gate Tunnel traffic and air quality alleviation measures resulting from the West Gate Tunnel Project and the Inner West Air Quality Community Reference Group's report *Air Pollution in Melbourne's Inner West: Taking direct action to reduce our community's exposure*.

8. Youth mental health

That the MAV advocates to the Victorian Government to fund and deliver increased mental health services and programs (both preventative and responsive). This need is amplified and intensified given the acute impacts of the COVID-19 pandemic on young people.

9. Funding to support councils to meet their obligations under the *Gender Equality Act 2020*

That the MAV advocates to the Victorian Government to provide funding to support councils, in the way of resourcing for a Diversity Officer, in meeting their obligations under the *Gender Equality Act 2020* and ensuring gender equality is met for all community members.

10. Increased transparency of community contributions from electronic gaming machine (EGM) venues

That the MAV advocates to the Victorian Government to amend legislation such that EGM venues are required to include sufficient detail in their publicly available community benefit statements to allow a reasonable person to understand the specific nature of each community contribution (e.g. prevent venues from using categories such as "donations/gifts/sponsorships").

11. Targeted support for vulnerable older people during COVID-19 recovery

That the MAV advocates to the Victorian Government to provide additional targeted support to older people who are vulnerable and feeling the impacts of COVID-19 acutely, whether through health vulnerabilities that are restricting their return to normal activities, social isolation and loneliness, mental health impacts, and other impacts.

10.2.3 Adoption of the Hobsons Bay Gifts, Benefits and Hospitality Policy 2021

Directorate: Corporate Services
Responsible Officer: Manager Corporate Integrity (Legal Counsel)
Reviewer: Director Corporate Services
Attachments: 1. Hobsons Bay Gifts, Benefits and Hospitality Policy 2021
[10.2.3.1 - 12 pages]

Cr Daria Kellander returned to the meeting at 8.33pm and was present for the vote on Item 10.2.3 Adoption of the Hobsons Bay Gifts, Benefits and Hospitality Policy 2021.

Purpose

To consider and adopt the Hobsons Bay Gifts, Benefits and Hospitality Policy 2021, which applies to Councillors and Council officers.

Motion

Moved Cr Tony Briffa, seconded Cr Pamela Sutton-Legaud:

That Council:

- 1. Revokes the former Gifts, Benefits and Hospitality Policy endorsed by Council at the Ordinary Council Meeting on 10 October 2017.**
- 2. Adopts the revised Hobsons Bay Gifts, Benefits and Hospitality Policy 2021.**

Carried unanimously

Recommendation

That Council:

- 1. Revokes the former Gifts, Benefits and Hospitality Policy endorsed by Council at the Ordinary Council Meeting on 10 October 2017.**
- 2. Adopts the revised Hobsons Bay Gifts, Benefits and Hospitality Policy 2021.**

Summary

As part of the implementation of the *Local Government Act 2020*, section 138 requires all Victorian councils to adopt a Councillor Gift Policy within the period of six months after the general election. The policy must include procedures for the maintenance of a gift register and any matters in the regulations, including a minimum value of gifts that must be disclosed. The policy must also address the handling of anonymous gifts by Councillors in

accordance with the provisions of section 137 of the Act, in particular the fact that Councillors must not accept, directly or indirectly, anonymous gifts.

This new requirement will complement personal interest returns by recording gifts that may be below the threshold for disclosure in a personal interest return or that may have been received since the latest return was lodged.

Background

There was no requirement for Council to have a Councillor gift policy in the *Local Government Act 1989*; however, Council did have a policy in place, adopted by Council on 10 October 2017.

The Hobsons Bay Gifts, Benefits and Hospitality Policy aligns with the principles of the Hobsons Bay Public Transparency Policy and seeks to protect and promote public confidence in the integrity of Council and its operations.

The community expects high standards of integrity, impartiality and responsible use of public resources from Hobsons Bay City Council officers and Councillors. They are expected to:

- earn and sustain public trust
- be honest, open and transparent in their dealings
- make decisions and provide advice without bias
- avoid any real or apparent conflicts of interest
- use their powers responsibly
- report improper conduct
- seek to achieve best use of resources
- submit themselves to appropriate scrutiny

Public trust depends on honest dealings and officers and Councillors must not accept gifts, benefits or hospitality from people seeking to influence their decisions unfairly.

The policy aims to ensure that:

- Councillors and Council officers do not accept gifts that are likely to create a conflict of interest with their public duty
- Council activities are not influenced, or perceived to be influenced, by the receipt of gifts, benefits or hospitality
- gifts that are accepted are properly disclosed, recorded and managed

Discussion

Key elements of the Gifts, Benefits and Hospitality Policy:

- it is the individual responsibility of a Councillor or Council officer to declare gifts, benefits or offers of hospitality for recording in the Register
- for the purposes of transparency, all gifts regardless of value should be declared and recorded in the Council Gift Register
- the Council Gift Register is maintained by the Governance unit

- the gift declaration form must be completed as soon as practicable after the gift is received
- a Councillor or Council officer may accept a small token gift (being less than \$50 in value), but anonymous gifts, monetary gifts (including gift vouchers), bequests and gifts that create a conflict of interest must never be accepted
- official gifts are deemed to be the property of Council and must be declared with the Manager Corporate Integrity (Legal Counsel)

10.2.4 Council Meeting Timetable to 31 December 2021

Directorate: Corporate Services
Responsible Officer: Governance Officer
Reviewer: Director Corporate Services
Attachments: Nil

Purpose

To adopt the 2021 Council Meeting Timetable to 31 December 2021.

Motion

Moved Cr Tony Briffa, seconded Cr Matt Tyler:

That Council:

- 1. Adopts the Council Meeting Timetable to 31 December 2021 as listed in the report.**
- 2. Provides appropriate public notice of the Council Meeting dates, including by publication on Council's website, in accordance with the rule 4.2.3 of the Hobsons Bay Governance Rules.**

Carried unanimously

Recommendation

That Council:

- 1. Adopts the Council Meeting Timetable to 31 December 2021 as listed in the report.**
- 2. Provides appropriate public notice of the Council Meeting dates, including by publication on Council's website, in accordance with the rule 4.2.3 of the Hobsons Bay Governance Rules.**

Summary

This report proposes Council meeting dates up to 31 December 2021 for Council's consideration.

Background

Council is required to fix the date, place and time of all Council meetings and reasonable notice must be provided to the public.

Council adopted the Council Meeting Timetable to 30 June 2021 at the Council Meeting held on 8 December 2021. This report proposes the timetable for Council Meetings for the remainder of the year.

Discussion

The proposed Council Meeting Timetable to 31 December 2021 is listed below.

The 2021 timetable includes one Council Meeting per month. It is proposed that Councillor Briefing Sessions and meetings of Council's Delegated Planning Committee continue to be held on the alternate weeks.

All meetings will be held in the Council Chamber at the Hobsons Bay Civic Centre, unless otherwise notified.

Council Meeting Timetable to 31 December 2021		
Tuesday 6 July	6.30pm	Councillor Briefing Session
Tuesday 13 July	7pm	Council Meeting
Tuesday 20 July	6.30pm	Councillor Briefing Session
Tuesday 27 July	6pm	Delegated Planning Committee
Tuesday 3 August	6.30pm	Councillor Briefing Session
Tuesday 10 August	7pm	Council Meeting
Tuesday 17 August	6.30pm	Councillor Briefing Session
Tuesday 24 August	6pm	Delegated Planning Committee
Tuesday 31 August	No meeting – fifth Tuesday in the month	
Tuesday 7 September	6.30pm	Councillor Briefing Session
Tuesday 14 September	7pm	Council Meeting
Tuesday 21 September	6.30pm	Councillor Briefing Session
Tuesday 28 September	6pm	Delegated Planning Committee
Tuesday 5 October	6.30pm	Councillor Briefing Session
Tuesday 12 October	7pm	Council Meeting
Tuesday 19 October	6.30pm	Councillor Briefing Session
Tuesday 26 October	6pm	Delegated Planning Committee
Tuesday 2 November	No meeting – Melbourne Cup public holiday	
Tuesday 9 November	6.30pm	Councillor Briefing Session
Friday 12 November	7pm	Council Meeting – Election of the Mayor and Deputy Mayor
Tuesday 16 November	7pm	Council Meeting
Tuesday 23 November	6.30pm	Councillor Briefing Session
Tuesday 30 November	6pm	Delegated Planning Committee
Tuesday 7 December	6.30pm	Councillor Briefing Session
Tuesday 14 December	7pm	Council Meeting
Thursday 16 December	6pm	Delegated Planning Committee

10.2.5 Audit and Risk Committee Update - February 2021

Directorate:	Corporate Services
Responsible Officer:	Audit and Risk Advisor
Reviewer:	Director Corporate Services
Attachments:	2. Audit and Risk Committee Meeting Minutes - 24 February 2021 [10.2.5.1 - 7 pages]

Purpose

To update Council regarding issues considered at the Audit and Risk Committee meeting held on 24 February 2021.

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Daria Kellander:

That Council notes the matters considered by the Audit and Risk Committee at the meeting held on 24 February 2021.

Carried unanimously

Recommendation

That Council notes the matters considered by the Audit and Risk Committee at the meeting held on 24 February 2021.

Summary

This report provides an update of the Audit and Risk Committee meeting held on 24 February 2021 to ensure that Council is informed of the activities of the Audit and Risk Committee. It provides Council with an opportunity to explore any issues that have been considered.

Background

The Hobsons Bay City Council Audit and Risk Committee is an independent Committee of Council. The Committee comprises three independent members and two Councillors. The Chairperson is an independent member who has the casting vote. The Mayor and Chief Executive Officer are non-voting members.

The Committee meets at least quarterly throughout the year and has a Charter that addresses responsibilities that include risk management, control frameworks, external accountability, legislative compliance and internal and external audits.

Discussion

The 24 February 2021 meeting addressed the following items:

- the Chief Executive Officer's update
- outstanding audit recommendations
- Internal Audit Program including proposed audits and completed audit reports
- risk management update highlighting the risk executive summary, a general update on recent issues and an insurance report
- quarterly financial report for the period as at 31 December 2020
- cash and investment balances as at 31 January 2021

10.3 Sustainable Communities

10.3.1 Draft Hobsons Bay Mobile Vendors Policy 2021

Directorate:	Sustainable Communities
Responsible Officer:	Manager Strategy, Economy and Sustainability
Reviewer:	Director Sustainable Communities
Attachments:	1. Draft Hobsons Bay Mobile Vendors Policy 2021 [10.3.1.1 – 8 pages]

Purpose

To provide an overview of the current Stationary Roadside Vendor Permit system and undertake consultation on the Draft Hobsons Bay Mobile Vendors Policy 2021.

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Peter Hemphill:

That Council:

- 1. Publicly exhibits the Draft Hobsons Bay Mobile Vendors Policy 2021 for six weeks.**
- 2. Receives a further report following the public exhibition period to adopt the Hobsons Bay Mobile Vendors Policy.**

Carried unanimously

Recommendation

That Council:

- 1. Publicly exhibits the Draft Hobsons Bay Mobile Vendors Policy 2021 for six weeks.**
- 2. Receives a further report following the public exhibition period to adopt the Hobsons Bay Mobile Vendors Policy.**

Summary

Council has a strong commitment to addressing climate change and reducing greenhouse gas emissions, including through significant direct action such as the Virtual Solar project.

Council can submit a voluntary pledge to the Victorian Government showcasing the actions Council is taking to help reduce greenhouse gas emissions. The pledge will be showcased on the Victorian Government website along with the other council pledges.

Background

The CC Act legislates a target of net zero emissions by 2050 and provides a clear signal to all sectors of the Victorian economy for sustained and significant actions to reduce emissions.

The Act invites voluntary council pledges to reduce emissions in line with interim targets. Council pledges are submitted to the Hon. Lily D'Ambrosio, Minister for Energy, Environment and Climate Change and Minister for Solar Homes.

Discussion

Voluntary council pledges under the CC Act seek to acknowledge the substantial efforts of local governments on climate change. Council pledges are intended to recognise actions Council is taking that help to reduce greenhouse gas emissions.

Hobsons Bay experiences a range of adverse effects of climate change as a result of a coastal location, extensive industrial footprint, and frequent flooding. Council recognises has a strong commitment to taking actions to address climate change and reduce greenhouse gas emissions. This is clearly articulated in the Hobsons Bay 2030 Community Vision.

Over the next five years Council is committed to reducing its own direct emissions through Virtual Power (a large-scale solar program), retrofitting existing buildings, LED street lighting installations, and transitioning Council's fleet to electric and low emission vehicles. Council's commitment through these actions meets the requirements of a council pledge.

Council is also in the process of finalising a Climate Change Plan that supports these actions and others that will strengthen community resilience to the impacts of climate change.

Making this pledge acknowledges Council's emission reduction efforts to date and reinforces Council's commitment to acting strongly for the changes necessary to respond to climate change.

10.3.2 Extension of COVID-19 Free Garbage Bin Upsize Program

Directorate: Sustainable Communities
Responsible Officer: Manager Strategy, Economy and Sustainability
Reviewer: Director Sustainable Communities
Attachments: Nil

Purpose

To extend the free upsize bin program introduced as part of Council's COVID-19 package to accommodate the review of Council's kerbside waste and recycling program.

Motion

Moved Cr Tony Briffa, seconded Cr Daria Kellander:

That Council extends the optional free garbage bin upsize program to 30 June 2022 for all households.

Moved Cr Peter Hemphill, seconded Cr Pamela Sutton-Legaud:

That Council defers the motion to the Council Meeting to be held on 29 June 2021.

Carried unanimously

Recommendation

That Council extends the free garbage bin upsize program to 30 June 2022 for eligible households.

Summary

Council introduced the Recycling 2.0 kerbside waste and recycling program in February 2020. The program has had some positive outcomes in the food organics and garden organics (FOGO) and glass streams. A key area for improvement is high comingled recycling contamination levels. Although garbage volumes have reduced overall, there is still pressure on garbage bin volumes for some households.

The COVID-19 pandemic has also substantially impacted household waste volumes, with more people at home generating additional waste for their kerbside bins.

An interim review of the program was completed in June 2020 and a further review is currently underway of the first year of operation. Due to the timing of the current review, it is proposed that the free upsize bin program be extended by one year to 30 June 2022.

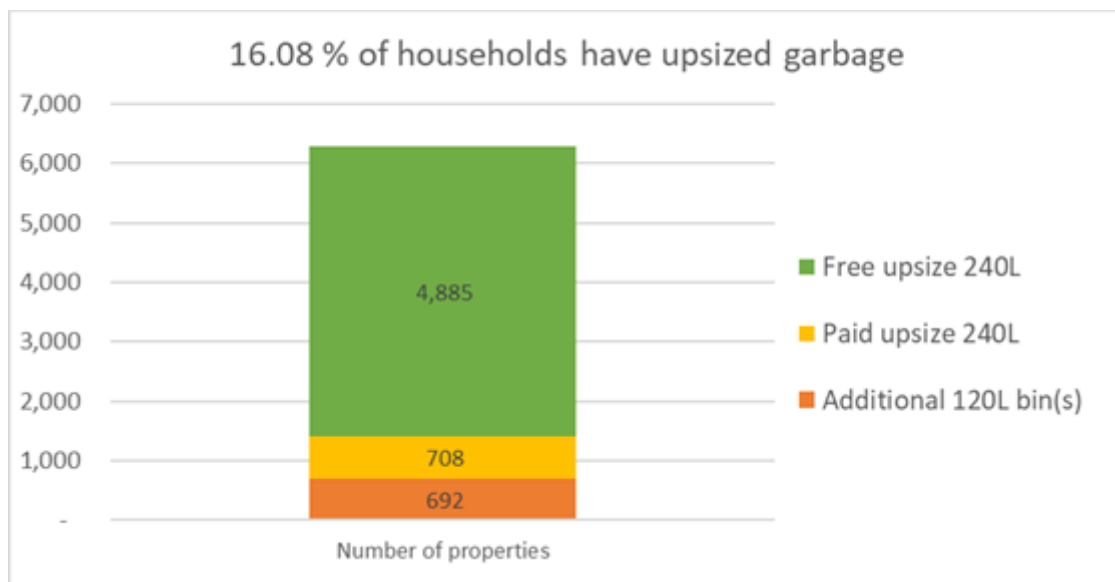
Background

Recycling 2.0 was developed in response to the SKM recycling crisis and strong community feedback seeking that Council act quickly to develop a sustainable recycling solution for Hobsons Bay. On 8 October 2019, Council endorsed the rollout of a revised waste and recycling service that included four bins for kerbside source separation, a focus on local recycling and resource use, a revised kerbside collection schedule and an intensive community engagement program. The program brought forward key elements of Council’s Waste and Litter Management Strategy 2025 (adopted in August 2019), such as introducing a FOGO service and improving kerbside source separation, and is in line with the directions of the Victorian Government’s circular economy policy.

The Recycling 2.0 program has been impacted by the COVID-19 pandemic, which amplified pressure on garbage bins with more people at home generating additional waste. Council’s response to this challenge included a free 240L garbage bin upsizing program for eligible households. These included larger households of four or more people and those with significant volumes of nappies or medical waste needs. The interim upsized garbage bin program is due to expire on 30 June 2021.

Discussion

As at February 2021, about 16 per cent of households have chosen to have either an upsized garbage bin or an additional garbage bin (Figure 1). Of this number, about 4,900 households (or about 57 per cent of eligible households) have applied for the COVID-19 free upsized.



Council is currently undertaking a review of its kerbside waste and recycling program, with a report to be considered by Council in mid-2021. This review will cover all four streams of the service to households and businesses and will analyse key areas of the program including the capacity and scheduling of each stream, the frequency of collections and community attitudes and behaviours.

Due to the timing of the review, it is proposed that the free upsize bin program be extended by one year to 30 June 2022. The outcomes and potential recommendations of the review which looks at a full year of the new service are still to be determined. Extending the free upsize program will minimise potential recommendations being impacted by changeover or returns of upsized bins.

10.3.3 Dow Chemical Australia - Covenant Variation

Directorate:	Sustainable Communities
Responsible Officer:	Manager Planning, Building and Health
Reviewer:	Director Sustainable Communities
Attachments:	1. Proposed Letter of Consent [10.3.3.1 - 3 pages] 2. Certificate of Title Volume 9065 Folio 199 - Council-owned Land [10.3.3.2 - 2 pages]

Purpose

To consider a request by Dow Chemical (Australia) Pty Ltd (Dow) to agree to the variation of Restrictive Covenant No. B149259 that applies to the Dow site at 541-583 Kororoit Creek Road, Altona.

Motion

Moved Cr Peter Hemphill:

That Council, in response to Dow Chemical (Australia) Pty Ltd's (Dow's) request to vary Restrictive Covenant No. B149259 that applies to the Dow site at 541-583 Kororoit Creek Road, Altona:

1. Notes that its role in relation to the request from Dow is as an adjoining benefitting landowner.
2. Notes that the proposed variation will have no detrimental impact to the future use of the adjoining sliver of land owned by Council.
3. Consents to the variation of the Restrictive Covenant as requested.

Motion lapsed

Motion

Moved Cr Tony Briffa, seconded Cr Daria Kellander:

That Council, in response to Dow Chemical (Australia) Pty Ltd's (Dow's) request to vary Restrictive Covenant No. B149259 that applies to the Dow site at 541-583 Kororoit Creek Road, Altona:

1. Notes that its role in relation to the request from Dow is as an adjoining benefitting landowner.
2. Notes that the proposed variation will have no detrimental impact to the future use of the adjoining sliver of land owned by Council.
3. Rejects the variation of the Restrictive Covenant as requested.

Carried

Division**For: Cr Matt Tyler, Cr Diana Grima, Cr Tony Briffa, Cr Daria Kellander****Against: Cr Peter Hemphill, Cr Jonathon Marsden****Abstained: Cr Pamela Sutton-Legaud****Carried****Recommendation**

That Council, in response to Dow Chemical (Australia) Pty Ltd's (Dow's) request to vary Restrictive Covenant No. B149259 that applies to the Dow site at 541-583 Kororoit Creek Road, Altona:

- 1. Notes that its role in relation to the request from Dow is as an adjoining benefitting landowner.**
- 2. Notes that the proposed variation will have no detrimental impact to the future use of the adjoining sliver of land owned by Council.**
- 3. Consents to the variation of the Restrictive Covenant as requested.**

Summary

The Dow site in Altona is part of a covenant that was established in 1960, which stipulates that all land affected by the covenant must primarily be used for the manufacture of petrochemical products. Dow's manufacturing plant at this site has now been decommissioned but the company continues to use the site for other purposes, so it is seeking to amend the covenant to reflect current land use.

Council owns a small section of the land benefitted by the covenant and in its capacity as a beneficiary (landowner) has been asked to agree to a variation of the covenant wording. Dow advises that other adjoining landholders have already agreed to the variation.

The covenant variation will not prejudice or pre-empt a planned strategic review of industrial land, including the Special Use Zonings that apply in and around the petrochemical complex area. Nor will the covenant variation permit a use that requires planning permission without first seeking that planning permission under the Hobsons Bay Planning Scheme.

If consent is given, Dow will make application to Victorian Land Registry Services under section 88 of the *Transfer of Land Act 1958* to have the recording of the covenant on the titles varied.

If consent is not given, Dow would most likely make application to the Supreme Court under section 84 of the *Property Law Act 1958* to vary the covenant. Dow would have to demonstrate that the covenant is obsolete, that its continued existence impedes the reasonable use of the land without securing practical benefits to other persons or that the proposed variation will not substantially injure the beneficiaries of the covenant.

Background

The government body responsible for removing covenants under this request is the land registry area of Land Use Victoria. Council's role is only as an adjoining benefitting landowner. Council is not the planning or responsible authority in this matter and is not being asked to decide on a planning application or rezoning.

The covenant was put in place in 1960 by the Vacuum Oil Company (the company that built the Altona Oil Refinery) to protect the newly established Altona Petrochemical Company (now Qenos) plant through the expansion of complementary petrochemical plants on land west of Maidstone Street.

The covenant requires that Dow "will not at any time hereafter use or permit to be used the land hereby transferred except for the manufacture of products derived from petroleum and other chemical products".

The overarching aim of the covenant was to protect and encourage the development of a range of petrochemical industries. It was applied to 205 acres of land west of Maidstone Street, between the Geelong Railway line and Kororoit Creek Road. The Dow site constitutes 76 acres of the land affected by the covenant.

Council is a beneficiary of the covenant by virtue of ownership of a small area of land affected by the covenant (as mapped in Attachment 2). The land in question is 1.5 metres wide by 100 metres long and is located adjacent to and on the east side of Maidstone Street. The land appears to have been used to facilitate the widening of Maidstone Street where the road changes direction near the Geelong railway line.

Other beneficiaries of the covenant, according to Dow's lawyers, are:

- Qenos Olefins Pty Ltd and Qenos Plastics Pty Ltd (protection of Qenos operations was the primary purpose for the original covenant)
- Taras Nominees Pty Ltd
- Victorian Rail Track
- BOC Ltd (formerly known as The Commonwealth Industrial Gases Ltd)
- BASF Australia Ltd

Dow advises it intends to remain on the Kororoit Creek Road site for the near future using part of the site for warehousing of imported petrochemical products. Other parts of the site are leased to a range of activities unrelated to petrochemical products.

Dow is also engaged in a decontamination exercise following a clean-up notice served by the Environment Protection Authority (EPA). The clean-up is expected to take many years to complete. This obligation remains unaffected by the proposed covenant variation.

The covenant variation does not constitute a significant dismantling of the objective of the covenant. It will not make the land available to new land uses which could potentially prejudice the ongoing operation of the remaining petrochemical industries. The covenant variation will not affect the Special Use Zoning that applies to the land in question. That zoning is heavily weighted towards facilitating petrochemical industries and discouraging other activities.

Should Dow wish to use the land for any other purpose, it would have to remain consistent with the varied covenant as outlined below in the discussion and is highly likely to require planning permission under the Hobsons Bay Planning Scheme.

Discussion

The proposed rewording of the covenant (as set out in Attachment 1) expands the single requirement for the land to be used “primarily for the manufacture of products derived from petroleum and other chemical products” to a list covering several uses based on current activities at the site, but restricting those additional activities to specific areas on the site:

- primarily for the manufacture of products derived from petroleum and other chemical products
- warehousing and distribution for petroleum and other chemical products regardless of whether manufactured on the land or not
- a recycling and remediation facility for the treatment of contaminated soil, water and industrial waste to remove contaminants
- the temporary storage and recycling of shells
- chemical laboratory operation including testing

The covenant variation does not constitute a significant dismantling of the objective of the covenant but amounts to a minor freeing up of some specific parcels of land on the Dow site in response to the recent decommissioning of the manufacturing plant at the site. In particular, the variation seeks to remove the primary obligation to manufacture petrochemical products at the Dow site and allows for the continued operation of a small number of existing occupiers of that site.

Council has been informed by Dow’s lawyers, King and Wood Mallesons, that all other beneficiaries including Genos have provided either in-principle or written consent to the variation.

The covenant variation will not affect the Special Use Zoning that applies to the land. That zoning is heavily weighted towards facilitating petrochemical industries and discouraging other activities. The zoning in and around the petrochemical complex area, put in place by the Victorian Government in the 1980s, is outdated and in need of review.

The petrochemical industry in Altona had been expanding for 20 years at the time and the zoning anticipated that another 20 years of expansion would follow – but the industry had in fact reached its peak and has been in decline ever since. More recently, ExxonMobil announced in February 2021 that it will shut its Altona Mobil fuel refinery, further demonstrating the decline of the industry in Altona.

If there is opposition from one or more of the beneficiaries, an application may be made to remove or modify the covenant pursuant to section 84 of the Property Law Act. Section 84 (1) is currently structured as a series of threshold tests to be satisfied before the court’s discretion to exercise the power is enlivened. The two most relied upon are subsections 84(1)(a) and (c):

1. The Court shall have power... to discharge or modify any such restriction (subject or not to the payment by the applicant of compensation to any person suffering loss in consequence of the order) upon being satisfied:
 - a. that by reason of changes in the character of the property or the neighbourhood or other circumstances of the case which the Court deems material the restriction ought to be **deemed obsolete** or that the continued existence thereof would **impede the reasonable user of the land** without securing practical benefits to other persons or (as the case may be) would unless modified so impede such user; or [...]

- b. that the proposed discharge or modification will not substantially injure the persons entitled to the benefit of the restriction...

In recent times, the Court has been more prepared to agree to a modification to covenants to allow sufficient flexibility in the subsequent town planning permit applications. Dow already have approval for the uses on the site. They are merely seeking to vary the covenant to align with those permitted uses.

Having regard to these tests, the existing covenant could be viewed as an impediment to the existing uses of the site, even though they are the subject of valid planning permits. Further, the proposed variation is not seen to injure the Council's interests as it relates to its own land holding in Maidstone Street benefitting from the covenant. The land Council owns is a road, not developable land for a future use.

10.3.4 COVID-19 Community Support Summary

Directorate:	Sustainable Communities
Responsible Officer:	Manager Arts, Culture and Community
Reviewer:	Director Sustainable Communities
Attachments:	1. COVID-19 Community Support Summary: Community Support Package Information and Business Support Summary [10.3.4.1 - 2 pages]

Purpose

To provide Council with a report on the progress to date of Council's response to the COVID-19 pandemic in assisting the community and continuing business and services.

Motion

Moved Cr Matt Tyler, seconded Cr Tony Briffa:

That Council receives and notes this update on the progress of Council's community support response to COVID-19.

Carried unanimously

Recommendation

That Council receives and notes this update on the progress of Council's community support response to COVID-19.

Summary

The COVID-19 pandemic has had significant social and economic consequences for the community and for business and impacted the delivery of Council services. The net cost of Council's COVID-19 response for the period from April 2020 to June 2021 is expected to be \$10.5 million. This figure includes a \$7.7 million investment in community, business and economic recovery actions and initiatives.

Council's role to advocate, inform and be present to listen and respond to community needs has been influential in delivering beneficial outcomes.

Background

In response to the COVID-19 pandemic, Council undertook several actions to sustain services and address community need, responding quickly to an evolving and unpredictable situation.

From March 2020, federal and state government actions to limit health impacts included two extended lockdown periods, restrictions on work activities and closure of services and facilities across the state.

The pandemic has impacted the community in varying ways. Assessing and understanding its effects was crucial to developing an appropriate response which met community needs. Engaging closely through information exchange forums, existing networks and social media provided insight into primary concerns, allowed Council to respond to emerging needs and update relevant policies and informed Community Support Package content.

Discussion

Council needed to move quickly to change its service provision as pandemic restrictions resulted in the closure of venues and facilities throughout the city. Council convened its Crisis Management Response team and created an Operational Response Committee to coordinate its response.

As restrictions continued, identifying emerging concerns and understanding social and economic impacts was a high priority. Council assembled and established business round tables, social media sites and information exchange forums to provide opportunities for direct and discursive feedback which helped it move quickly to provide the appropriate support. Council developed four community support packages, investing \$7.7 million in community, business and economic recovery. In addition, Council provided immediate, direct, targeted relief including a package of grants and direct actions to address hardship, support inclusion and social care, and build capacity to operate in a COVID-19 environment.

Business Support

Between April 2020 and June 2021 Council expects to provide \$2.3 million in direct support to business through rent relief and fee refunds, rebates and waivers.

Hobsons Bay Business has Heart Outdoors extended trading precincts to minimise the impact of capacity restrictions on business, with 193 businesses benefitting from expanded trading zones established across 43 activation sites in the city. Community feedback has been overwhelmingly positive, with 96 per cent of survey respondents in favour of the initiative.

The Hobsons Bay Business has Heart program offered grants, marketing, and communications advice. The grants program distributed \$243,000 (of \$250,000) to 58 businesses who presented 20 activations including live music, a pop-up market, and pop-up cinema. Thirty-seven businesses received support to deliver on-line campaigns and improve their marketing and communications reach.

Community support

Essential community support services pivoted to online delivery or were adapted to provide relief to vulnerable residents and to continue community service provision. Support included rent relief for children's services, an increase in capacity for social support service referrals, the introduction of telehealth consultations for Maternal and Child Health clients and youth counselling services, and additional support to vulnerable communities through the Community Connector program.

Sporting clubs benefitted from rental rebates, fee waivers and assistance with utility bills, and received strategic planning support to help them resume training and competition.

Online club development sessions were attended by representatives of 43 sporting clubs. Library services continued during lockdowns with more than 5,600 items delivered through the Book a Book service, an expansion of e-collection material and the introduction of the Take Home Tech program. Library and Community Centre active programs migrated to an online format, allowing continuing access and connection opportunities for participants.

Advice and assistance supported the online delivery of arts and cultural programs and events such as the Newport Folk Festival, Williamstown Literary Festival and Art and Industry Festival, while the Art Apart grants provided opportunities for creative practitioners to showcase their work during lockdown.

\$500,000 was contributed to augment funds allocated to the Hobsons Bay Recovery and Reconnection grants program to support the community to “make things happen” and adapt to the impacts of COVID-19. A monthly round allows for prompt assessment and disbursement of funds. Since its launch in November 2020, \$485,000 has been distributed to support 68 projects.

Participation in the Working for Victoria program created meaningful employment, with 140 staff appointed to project roles contributing to digital transformation, community support initiatives, conservation and amenity improvements, and business recovery.

10.4 Infrastructure and City Services

10.4.1 West Gate Tunnel Project Update

Directorate: Infrastructure and City Services
Responsible Officer: Manager Strategic Projects
Reviewer: Director Infrastructure and City Services
Attachments: Nil

Purpose

To provide a detailed report on the West Gate Tunnel Project (the Project) including current project works, associated projects and advocacy activities.

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Diana Grima:

That Council receives and notes this update report on the West Gate Tunnel Project and Council's advocacy on aspects of the Project.

Carried unanimously

Recommendation

That Council receives and notes this update report on the West Gate Tunnel Project and Council's advocacy on aspects of the Project.

Summary

This report includes updates on:

- West Gate Neighbourhood Fund
- Project Works Update
- Sports and Open Space Enhancement Package
- Soil Management

Background

The Project commenced in 2018 and is expected to be completed in 2024. The Project is delivered through a partnership between the Victorian Government and Transurban (Project Co), managed by the West Gate Tunnel Project – Major Transport Infrastructure Authority (WGTP MTIA) and built by construction contractors CPB Contractors and John Holland as a joint venture (the JV).

Monthly reports providing updates on various aspects of the Project are tabled through Council Meetings. Previous reports can be accessed via the Council website at:
<https://www.hobsonsbay.vic.gov.au/Council/Council-Meetings/Minutes-and-Agendas>

Project operational updates including live traffic disruption information can be accessed via:
<https://westgatetunnelproject.vic.gov.au/disruptions>

Discussion

West Gate Neighbourhood Fund

The \$10 million West Gate Neighbourhood Fund has been established by the Victorian Government to support community centred arts, sports, wellbeing, transport, and education projects that will benefit Melbourne's inner west community and bring people together during construction of the West Gate Tunnel Project.

WGTP MTIA has recently announced the successful recipients for the first round of West Gate Neighbourhood Fund partnerships. Over \$3 million has been allocated to the following community and sporting groups operating within Hobsons Bay:

- Friends of Lower Kororoit Creek:
\$346,000 for upgrades to GJ Hosken Reserve, Altona North
- The South Kingsville Community Centre:
\$485,000 for building improvements to support community program development
- Spotswood Kingsville RSL Sub-Branch:
\$745,350 for building and surrounds improvement works
- Williamstown and Newport Anglers Club and Fish Protection Society:
\$500,000 for refurbishment of the Williamstown Beach jetty
- YMCA Victoria:
\$100,868 for skate park activations
- Westgate Health Co-operative:
\$100,000 for Community Engagement and Wellbeing Program
- Network West:
\$177,250 for Hobsons Bay Leads the Way community program leading social change
- Deakin University:
\$217,625 for a public art project along the Federation Trail

Hobsons Bay City Council will receive \$500,000 funding to revitalise Pipeline Reserve in Brooklyn, a project that includes landscaping, tree planting and the construction of new footpaths.

The following applications from Hobsons Bay City Council were not approved:

- | | |
|--|-------------|
| • Urban Forest Creation | \$500,000 |
| • Public Art Commission – Spotswood | \$500,000 |
| • Brooklyn Community Hall Redevelopment | \$1,627,000 |
| • Donald McLean Reserve Storm Water Harvesting | \$1,011,000 |

Council has requested that WGTP MTIA provide the rationale for why these applications were not approved.

Further information about the West Gate Neighbourhood Fund, including all successful projects and recipients, can be found at the West Gate Neighbourhood Fund website: <https://web2.economicdevelopment.vic.gov.au/wgt/community/grants>

A separate funding stream for smaller project grants of up to \$100,000 is expected to open in the first half of 2021.

Project Works Update

Construction has progressed in the west zone, with extensive works underway at the Melbourne Road and Millers Road interchanges, Grieve Parade bridge and the M80/Western Ring Road interchange area. Other current works include road and bridge widening, noise wall construction, completion of the two pedestrian overpasses, Hyde Street ramps and the southern tunnel portal works.

The summer works program on the West Gate Freeway between the M80 interchange and Grieve Parade is now complete, with the ramps at the M80 interchange reopened to motorists (Figure 1). Concrete noise panel walls are being installed at the Millers Road outbound on-ramp, adjacent to Paringa Road. The noise walls will be nine metres high and topped with blue and green coloured acrylic panels in some sections (Figure 2).



Figure 1: Grieve Parade bridge works over the freeway



Figure 2: Newly installed noise walls at the Millers Road outbound on-ramp

Construction of the Kororoit Creek shared use path between GJ Hosken Reserve and the West Gate Freeway bridge over Kororoit Creek (Stage 1A) is proposed to commence in April 2021. The remaining section north of the bridge connecting to the existing path at Geelong Road (Stage 1B) will not be completed until early 2022 due to required underground service relocations.

Sports and Open Space Enhancement Package

The new cricket practice nets at WLJ Crofts Reserve are complete and the redevelopment of the two northern ovals near completion with the turf laid and irrigation installed. Figure 3 shows an aerial photograph of the northern sports fields which provide three hectares of irrigated turf for cricket, football and soccer training and competition. The concrete slab has been established for the new WH Couch Pavilion at Donald McLean Reserve.



Figure 3: WLJ Crofts Reserve northern sports fields



Figure 4: Concrete slab for the new WH Couch Pavilion at Donald McLean Reserve

Soil Management

The EPA has now reissued environmental approvals for Hi-Quality Quarry Products Pty Ltd in Bulla to take tunnel boring machine spoil from the West Gate Tunnel. The Hi-Quality Sunbury Waste Management Facility Environmental Management Plan is available online on the EPA's website at:

<https://www.epa.vic.gov.au/for-community/current-projects-issues/major-infrastructure-and-development/west-gate-tunnel-project/west-gate-tunnel-project-emps>

In relation to other site approvals, Maddingley Brown Coal and Cleanaway are in the process of acquiring their required environmental approvals from the EPA. Both these sites have the required planning approvals, while Hi-Quality is in the process of getting its planning approval. Once all three sites have both their environmental and planning approvals, the JV will conclude its tender process and select a site. Further information on the process can be found at: <https://westgatetunnelproject.vic.gov.au/soilmanagement>

11 Delegate Reports

Purpose

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

Motion

Moved Cr Tony Briffa, seconded Cr Matt Tyler:

That Council receives and notes the recent Delegate Report.

Carried unanimously

Recommendation

That Council receives and notes the recent Delegate Report.

LeadWest Committee

Directorate: Office of the Chief Executive

Councillor Delegate: Cr Matt Tyler

Date of Meeting: 17 February 2021

The 17 February 2021 meeting of the LeadWest Committee was hosted by Brimbank City Council and was held virtually via Zoom.

The following items were discussed:

Melbourne Airport Rail Presentation

The Director and Deputy Director from Rail Project Victoria presented Committee members with an update on the Melbourne Airport Rail Link project.

LeadWest Rebranding

The Committee was provided a final draft copy of the design for the LeadWest logo and website. It was noted that links to LeadWest member councils, the West of Melbourne Economic Development Alliance (WoMEDA) and the North and West Melbourne City Deal (NWMCD) websites would also be placed on the LeadWest website.

The Committee resolved to adopt the new logo, and the website was adopted in principle with minor amendments to be made.

Terms of Reference

An interim Terms of Reference document was tabled, discussed and adopted by the Committee.

LeadWest Joint Delegated Committee and Independent Chair

The Executive Officer provided background information on the changes to the previous governance structures of LeadWest in response to the recent introduction of the Victorian *Local Government Act 2020*. In accordance with section 64 of the new Act, LeadWest is now considered a “joint delegated committee” and the position of Chairperson must be filled by a Councillor from one of the participating councils.

The Committee resolved to formally establish the joint delegated committee, with further advice sought from each council regarding the term of the Chairperson. The Chief Executive Officers of LeadWest will discuss the options of either an annual term or council term (four years) for the Chairperson with their respective councils.

Memorandum of Understanding with WoMEDA

The Committee resolved to enter into a Memorandum of Understanding with WoMEDA.

North and West Melbourne City Deal

An update was provided to the Committee on the meeting held with senior officers from the Australian Government. They have advised the NWMCD working group that the city deal proposal needs to be revised with an overarching theme and reduced to a smaller number of projects. The regional bus tour of Melbourne’s North and West has been postponed. The planning and organisation of the tour will still proceed so that LeadWest is ready to move forward once a new date is confirmed.

12 Notices of Motion

12.1 Notice of Motion No. 1226 - Advocacy on the Removal of Railway Heritage Groups from the Heritage-listed Newport Railway Workshops

- Attachments:**
1. Brief History and Future of Newport Railway Workshops
[12.1.1 - 3 pages]
 2. Preserving Our Rail History: A blueprint for the future
[12.1.2 - 17 pages]

Cr Diana Grima left the meeting at 9.35pm and returned to the meeting at 9.37pm.

Section 8.15.5 of the Hobsons Bay Governance Rules requires the Chief Executive Officer to inform Councillors about the legal and cost implications of any proposed notice of motion. Accordingly, the costs of implementing this notice of motion will be accommodated within the existing operational budget.

At the time of receiving this notice of motion, there are no apparent legal implications to be considered.

Cr Peter Hemphill has given notice of the following:

Motion

Moved Cr Tony Briffa, seconded Cr Diana Grima:

That Council extends the meeting time by 30 minutes to 10pm.

Carried unanimously

Motion

Moved Cr Peter Hemphill, seconded Cr Pamela Sutton-Legaud:

That Council:

1. Acknowledges that, as outlined in *Preserving Our Rail History: A Blueprint for the future*, the Victorian Government wants to remove the railway heritage groups from the heritage-listed Newport Railway Workshops.
2. Prepares a report based on consultation with the Victorian Government and the railway heritage groups to provide Councillors with a better understanding of available options that prevent the removal of the railway heritage groups.

- 3. Writes to the Minister for Public Transport Ben Carroll, the Member for Williamstown Melissa Horne and all Members of Parliament representing the Western Metropolitan Region of Council's action, with the option of holding a meeting of all parties.**

Carried unanimously

That Council:

- 1. Opposes the removal of the railway heritage groups from the heritage-listed Newport Railway Workshops.**
- 2. Writes to the Minister for Public Transport Ben Carroll, the Member of Williamstown Melissa Horne and all Members of Parliament representing the Western Metropolitan Region of Council's position.**

Background

The Victorian Government has recently made it clear it wants the heritage railway groups – who run Steamrail Victoria and the 707 Operations steam train and include the many volunteers who have been restoring heritage trains at the Newport Railway Workshops for nearly 30 years – off the heritage site, which has a Heritage Victoria listing. VicTrack has not indicated where these groups would be shunted to but there have been reports it may be to country Victoria.

VicTrack has been told this would be the death knell of groups such as Steamrail Victoria. The groups operating out of the heritage Newport Railway Workshops have hundreds of members actively restoring heritage rolling stock, plus providing engineering services to many other rail heritage groups around the state, along with running steam trains.

VicTrack has indicated it wants to use the site for its operations with the increased patronage on suburban trains. It currently uses part of East Block on the site for scrapping old suburban trains.

13 Supplementary Public Question Time

Nil

14 Urgent Business

Nil

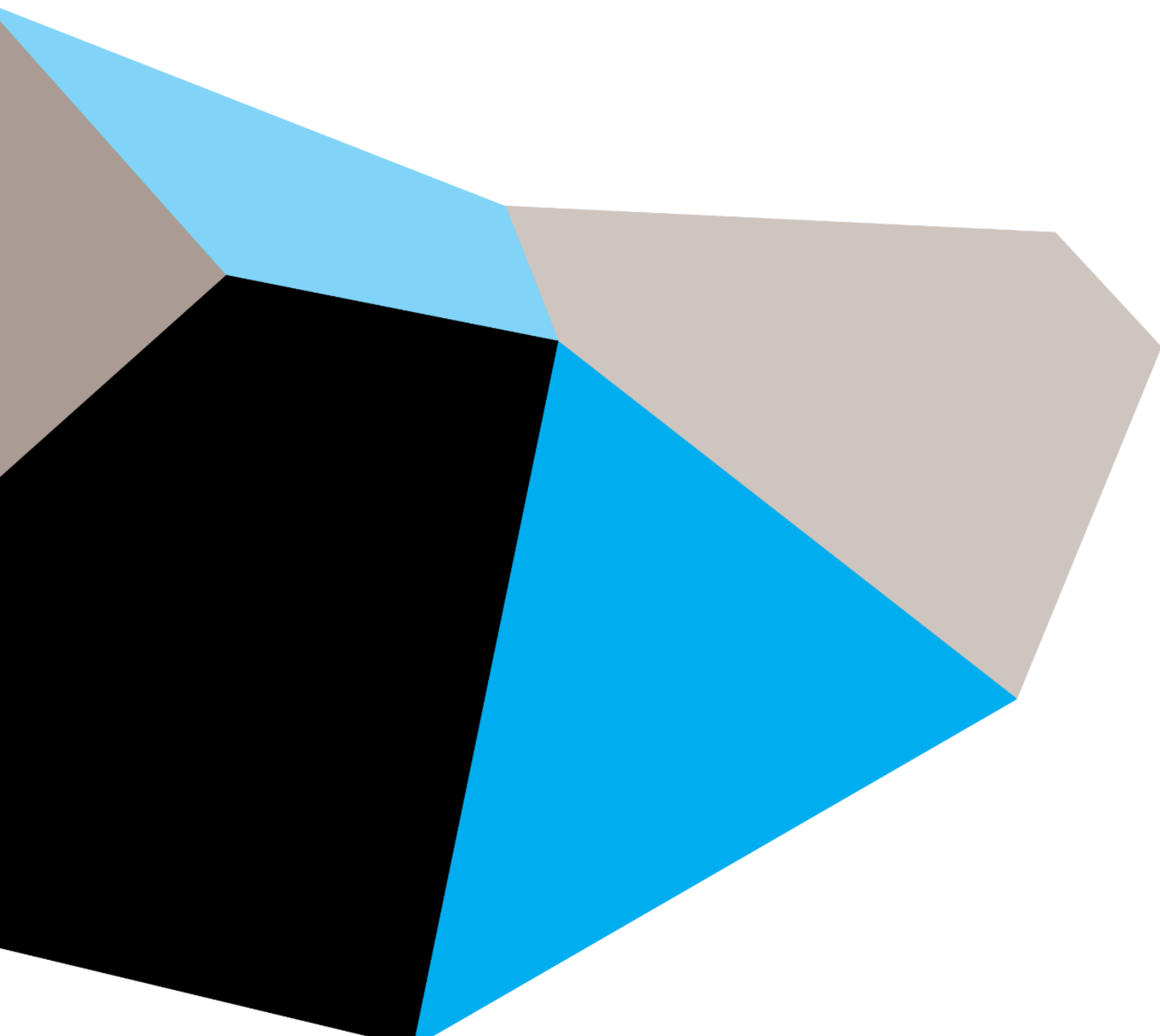
15 Close of Meeting

There being no further business, the Chairperson declared the meeting closed at 9.53pm.

Chairperson – Cr Jonathon Marsden

Signed and certified as having been confirmed.

11 May 2021



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