



Council Meeting Agenda

Tuesday 9 May 2023
Commencing at 7.00 PM

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 Bunurong People of the Kulin Nation as the Traditional Owners of these municipal lands and waterways, and pay our respects to Elders past and present.

CONDUCT OF COUNCIL MEETINGS

Meetings of Hobsons Bay City Council are to be conducted in accordance with Council's Governance Rules, which can be viewed at:

<https://www.hobsonsbay.vic.gov.au/Council/About-Council/Governance/Governance-Rules>

Members of the public attending Council meetings must abide by the standards of behaviour set out in section 13.3 of the Governance Rules. Any person engaging in disruptive or disorderly behaviour may be required by the Chairperson to leave the meeting in accordance with the Governance Rules.

Chairperson:

Cr Antoinette Briffa JP (Mayor) Cherry Lake Ward

Councillors:

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

Aaron van Egmond
Chief Executive Officer
Hobsons Bay City Council

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1 Council Welcome and Acknowledgement

The Chairperson will welcome members of the gallery and acknowledge that Council is gathered on the traditional land of the Bunurong People of the Kulin Nation and offers its respect to elders past, present and emerging.

2 Apologies

The Chairperson will call for apologies received from Councillors who are unable to attend this meeting.

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.

4 Confirmation of Minutes

4.1 Confirmation of Minutes

Confirmation of the minutes of the Council Meeting of Hobsons Bay City Council held on 11 April 2023 (copy previously circulated).

5 Councillor Questions

6 Public Question Time

Public Question Time provides an opportunity for the public to ask questions related to items on the agenda of the Council Meeting or any other matter within Council's responsibility.

Questions must be put in writing and received by 12pm on the day before the Council Meeting. The submitted questions and Council's responses will be read out by the Chairperson during the meeting.

In accordance with rule 13.1.11 of the Hobsons Bay Governance Rules, the person who submitted the question must be present in the public gallery during Public Question Time for their question to be read out.

7 Petitions and Joint Letters

7.1 Petitions and Joint Letters Received

No petitions or joint letters were received at the time of printing the Council Meeting agenda.

7.2 Responses to Petitions and Joint Letters

7.2.1 Response to Petition - Removal of Recently Planted Trees on Bay West Trail

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

Purpose

To address a petition in relation to removing all recently planted trees along the Bay Trail West from the rear of 61 Sommers Drive to the rear of 8 Gaskell Court in Altona Meadows.

Recommendation

That Council:

- 1. Relocates 160 trees (every second tree) along the section of the Bay Trail planted in 2022, extending from the rear of 61 Sommers Drive to the rear of 8 Gaskell Court in Altona Meadows.**
- 2. Writes to the lead petitioner advising of the outcome.**

Summary

Council received a petition of 345 signatories from Hobsons Bay, Brimbank, Maribyrnong and Wyndham residents which was tabled at the Council Meeting held on 7 February 2023. The petitioners request that Council remove all 320 trees recently planted along the Bay Trail West from the rear of 61 Sommers Drive section of Skeleton Creek Trail to the rear of 8 Gaskell Court along Bay Trail West.

In responding to complaints made about these plantings, Council conducted a consultation between January and March 2023 which sought community opinions on the plantings as well as potential future tree plantings along the trail. The consultation showed overwhelming support for the plantings. A total of 743 submissions were received, from which 94 per cent (697 respondents) requested for all trees to be retained. Only 4 per cent (46 respondents) requested for the trees to be removed. Of those 46 respondents, 26 (3 per cent of the total submissions) stated that they would prefer all trees to be removed.

Council officers engaged with properties in the streets directly adjacent to the trail. The properties included Groome Court, Ward Court, Hopkins Court, Hosie Street and Gaskell Court. Of the properties immediately adjacent to the trail, the officers were able to speak directly with 34 residents. There were 19 requests for the removal of all the planted trees, nine requests for all trees to be retained and six advised that the current numbers of tree planting appeared excessive, and they would prefer to see a reduction.

During the consultation period, Council spent four days engaging directly with users of the trail, including walkers, runners, cyclists, a few nearby residents who wished to directly

engage with Council, and adults with young children. Of the 44 trail users Council officers engaged with, 91 per cent (40 users) supported the plantings and requested for all trees to be retained. Two trail users requested for all trees to be removed and two requested for every second tree to be removed. Those who requested for the trees to be removed cited a lack of consultation in the lead-up to the plantings as a concern. Some who were in support of the plantings mentioned that they cannot use the trail in the height of summer and look forward to being able to do so once the trees become established and provide shade.

There is broad community support for tree planting and increased canopy cover in Hobsons Bay, which is strongly supported by the results of this consultation and the consultations during development of the Urban Forest Strategy and Canopy Delivery Plan. It is also acknowledged that the primary stakeholders, in this case residents whose properties back onto the trail, are those who are more heavily impacted by the presence of these trees.

Following a detailed review of the results of the consultation, several meetings with impacted residents, and advice and consultation with environmental specialists and Parks Victoria as land managers, a recommendation to relocate every second tree along this stretch has been made. No option will satisfy all stakeholders in this case, but with relocation of every second tree planted there will be significant canopy gains to provide shade to trail users and meet the original intent of the planting, while framing future views for the nearby residents. It is important to note that while every effort to successfully relocate the trees will be made, there is considerable risk of tree loss when transplanting.

Background

As part of the 2022 tree planting program, 320 *Eucalyptus melliodora* (commonly known as Yellow Box) trees were planted along a section of the Skeleton Creek and Bay trail. The planting in this location is intended to provide shade and cooling to the trail, which will benefit trail users, as well as assist in responding to climate change.

The tree plantings are a continuation of a row of similar trees that were planted slightly further west along the Skeleton Creek Trail in 2021. The planting of these trees generated positive feedback from the community, as well as requests for the row of trees to be extended further along the trails.

Following the 2022 plantings, Council received both positive and negative feedback. The negative complaints primarily originated from properties that back on to the trail and have voiced concerns that the new trees will obstruct views as they become established.

To understand the impact the trees have made to the community, seek the opinion of all stakeholders and to plan for future tree planting in the area, a consultation was undertaken between January and March 2023.

The petition, received in February, reads as follows:

We, the undersigned, petition Hobsons Bay City Council to:

Remove all recently planted trees along the Bay Trail West from the rear of 61 Sommers Drive section of Skeleton Creek Trail to the rear of 8 Gaskell Court along Bay Trail West for the following reasons:

1. No **consultation** with neighbouring properties before trees were planted, nor with related nearby properties who could reasonably be expected to be frequent users of the path and grasslands

2. No obvious **environmental risk assessment** (impact on Ramsar-protected bird species; introduction of trees into the wetlands area with no history of trees from European records back into the mid-1800s)
3. No obvious **economic risk assessment** cost of watering programme to keep trees alive in their early phase: cost of additional grass maintenance due to tractors not reaching all areas; replacement of cracked concrete path whose life is shortened due to tree roots)
4. No obvious assessment of the **risk to human life** (impact of falling branches from a mature tree would seriously injure or kill, & smaller twigs and rubble risk to bike riders)
5. No obvious assessment on the Council Budget (**risk of class action** by ratepayers whose land was a premium value above surrounds until the arrival of these trees – a conservative estimate is a 10% loss of land value x about 54 properties, or \$5.4m)
6. No obvious **consultation with Parks Victoria** (on whose land the trees were planted, and who is responsible for maintenance. HBCC may be responsible for breaching the Ramsar International Treaty)

In addition to the petition and consultation, Council has received many emails and letters from community members outlining their concerns about the trees. All concerns were considered when preparing a response to the petition, including:

- no direct communication with property owners who back onto the open space area
- increased risk of fire due to the presence of trees
- inappropriate species being planted
- no maintenance plan for the trees or grassed areas

The plantings are aligned with Council's strategic direction. The planting of trees along active transport corridors such as cycleway links and shared paths is identified as a priority location in Council's Urban Forest Strategy 2020.

These plantings are supported by Section 4.5 of Council's Tree Policy 2021, namely, "Priority will be given to planting avenues of trees along the Hobsons Bay City Council pathways and trails."

The planting of trees along the Hobsons Bay shared path network is also identified as a key canopy enhancement opportunity in Council's Canopy Delivery Plan 2022.

Discussion

Council officers have considered the concerns raised through all feedback including those specifically raised in the petition and addressed each item below.

Consultation

Prior to the plantings, Council undertook an informative consultation, installing signage at multiple locations along the section of trail being planted, boosting a Facebook post that targeted the area and including an article in the Hobsons Bay newsletter. Council received no negative feedback regarding the planned plantings.

This planting project is a continuation of a row of similar trees that were planted further west along the Skeleton Creek Trail during 2020 and 2021. The previous tree plantings generated positive feedback from the community, particularly from users of the trail who were excited by the prospect of shade being provided to the trail as the trees become established. There were requests from the community to extend the row of trees further along the trail, towards the 100 Steps. Given the success of the previous planting, combined with requests for further plantings along the trail and a lack of negative feedback for the project following the informative consultation, officers proceeded with the project.

It is acknowledged that there was no direct, targeted consultation between Council and nearby property owners who back onto the open space area. This has been identified as a key improvement to be made with future planting projects in potentially contentious areas.

Environmental and economic risk assessment

These plantings are considered a positive addition to the environmental values of the area, rather than a negative. The trees comprise *Eucalyptus melliodora* species that were selected for this area in consultation with Council's Conservation Team, Council's Biodiversity Officer and Parks Victoria. These species are not expected to adversely affect the natural area of the nearby Cheetham Wetlands. *Eucalyptus melliodora* are widely planted within Hobsons Bay near ecologically sensitive areas, including at Truganina Park, without providing detrimental impacts.

In reviewing this concern, Council officers sought independent environmental advice from an environmental expert that confirmed that the new trees will have negligible impacts on the wading and migratory shore birds of the Ramsar-protected Cheetham Wetlands. The advice indicates that if anything, the trees may help to buffer the site from disturbance and so may confer a benefit to shorebird populations. The environmental expert advised that domestic cats and dogs have a more substantial effect on the birds in the wetland.

Costs associated with the trees' two-year establishment period are allocated through the implementation of the Urban Forest Strategy's Tree Planting Program.

Maintaining the grass one metre either side of the park is Council's responsibility, while the remaining area is the responsibility of the land manager, Parks Victoria. Council will continue to work with Parks Victoria to maintain the grass to acceptable levels.

The trees are located about three metres from the path, which is considered sufficient distance to avoid any impacts to the path from the trees' root systems.

Risk to human life

The subject trees are not expected to provide an unreasonable level of risk once established. Quality tree stock was selected and planted and will be maintained closely during the critical two-year establishment period.

Formative pruning will be undertaken during the establishment period, which is an effective way to promote strong tree growth and reduce the risk of future failure. Formative pruning is the process of removing or reducing branches when a tree is young to promote strong and healthy growth patterns. This can help to develop a stronger structure and prevent the development of weak or poorly attached branches that may be prone to failure later in the tree's life.

Risk of class action

The Victorian Civil and Administrative Tribunal (VCAT) and its predecessors have considered the “loss of views” over many decades. Over this period, several principles have been formulated and applied to the consideration of this issue. These principles were set out by VCAT in *Healy v Surf Coast SC* [2005] VCAT 990 (26 May 2005) as follows:

- (a) There is no legal right to a view;
- (b) Views form part of the existing amenity of a dwelling and their loss is a relevant consideration to take into account.
- (c) The availability of views must be considered in the light of what constitutes a reasonable sharing of those views; and
- (d) Added emphasis will be placed on considerations (b) and (c) above if the question of views is specifically addressed under the Planning Scheme.

Currently, the question of views is not specifically addressed in any planning overlays that affect the land in the vicinity of the recent plantings. Accordingly, Council is unlikely to be at risk of a class action because of undertaking the plantings.

The Municipal Planning Strategy instead identifies extreme heat as being a key environmental risk caused by a lack of canopy trees and the use of heat-absorbent surfaces such as paving and concrete within the public realm. The strategy considers a healthy and growing urban forest consisting of trees on public land as critical infrastructure in not only mitigating the effects of climate change but also protecting and enhancing community health and wellbeing.

Consultation with Parks Victoria

Council entered an access agreement with the land manager, Parks Victoria, in May 2022 prior to undertaking the plantings. In preparation of the agreement, Parks Victoria reviewed the proposed planting plans, including the proposed species type, spacing and alignment through the reserve. Following a review of the proposal, Parks Victoria granted access to Hobsons Bay City Council to undertake the project.

Vandalism

Vandalism was carried out on many of the trees in February 2023, concentrated in the area highlighted in Figure 2. Forty-two of the 67 trees were affected. Figure 3 shows one of the vandalised trees that has had its central leader removed. Signs were erected in this section of the trail to notify the public of the vandalism and appeal for witnesses.



Figure 2: Area where trees were vandalised



Figure 3: Example of a vandalised tree with the central leader removed

Tree species selection

Eucalyptus melliodora is an Australian native tree species that is often planted in urban environments due to its attractive appearance and hardiness. This species was selected for this location as they are widely planted within Hobsons Bay near ecologically sensitive areas, including at nearby Truganina Park where it provides suitable food sources for significant fauna such as the critically endangered Swift Parrot.

In its natural grassy woodland habitat, *Eucalyptus melliodora* can reach mature heights of up to 30 metres. This is due to the tree being in an optimal growing environment, including well drained, moderately fertile, sandy loam and alluvial soils. In the Altona Meadows area, where the growing environment is not as favourable, *Eucalyptus melliodora* typically attains a mature height of between 10 and 15 metres.

Increased risk of fire

Residents have raised concerns with Council about the increased risk of wildfires due to the tree planting. The planting of these trees is not expected to increase the risk of fires in this location and Council officers have worked with Parks Victoria as the land manager to ensure that grass cutting is undertaken periodically to reduce the fire risk.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 4: Proactive enrichment, expansion and conservation of the natural and urban environment

These plantings will enrich the environment for local community. The trees will enrich the biodiversity values of the area by providing valuable habitat.

Council Plan 2021-25

Objective 2: Environment

Strategy 2.3: Increase tree canopy cover within Hobsons Bay to reduce the urban heat island effect, improve air quality and enhance general amenity

Priority a) Deliver increased tree canopy outcomes across the municipality within streets, open space reserves and appropriate public realm locations

Priority b) Deliver improved amenity outcomes across Council's open space and parks for increased usage at these facilities

The plantings will significantly increase tree canopy cover within this area, will reduce the urban heat island effect, will improve air quality, and will enhance general amenity.

Hobsons Bay City Council Urban Forest Strategy 2020

The plantings are aligned with Council's strategic direction. The planting of trees along active transport corridors such as cycleway links and shared paths is identified as a priority location in Council's Urban Forest Strategy 2020.

The planting program comprises Action 1.3 of the Hobsons Bay Urban Forest Strategy 2020.

Hobsons Bay Response to Climate Change Action Plan

These plantings are consistent with objectives within the Action Plan including adaptation and mitigation of risk arising from climate change.

Action: Deliver increased greening and cooling of public open spaces through planting of trees in line with Council's Urban Forest Strategy.

Municipal Planning Strategy

Clause 02.03-3 of the Municipal Planning Strategy identifies extreme heat as being a key environmental risk that is caused by a lack of canopy trees and the use of heat absorbent surfaces such as paving and concrete within the public realm. A healthy and growing urban forest, consisting of trees on private and public land, is considered critical infrastructure in not only mitigating the effects of climate change but also in protecting and enhancing community health and wellbeing.

Policies and Related Council Documents

This project is supported by Section 4.5 of the Hobsons Bay Tree Policy 2021, specifically: "Priority will be given to planting avenues of trees along the Hobsons Bay City Council pathways and trails."

The planting of trees along the Hobsons Bay shared path network is also identified as a key canopy enhancement opportunity in Council's Canopy Delivery Plan, 2022.

Legal/Statutory Obligations and Risk

Any future works relating to the project will comply with all relevant guidelines and Australian Standards for tree removal and planting.

Financial and Resource Implications

The planting program is supported by the existing budget.

Removal and relocation of trees will be resourced through the Urban Forest Implementation program.

Environmental, Social and Economic Impacts

The overarching Urban Forest Strategy has a strong focus on environmental sustainability, with actions, including the annual planting program, that will bring positive environmental, social, and economic benefits.

Trees are a crucial tool for mitigating the impacts of climate change, as they sequester carbon, have a cooling effect on the urban environment by providing shade and evapotranspiration, provide habitat and contribute to biodiversity.

Trees improve human wellbeing by providing cleaner air, reducing stress, improving physical health, fostering community and enhancing the aesthetic value of an area.

Consultation and Communication

Consultation with lead petitioner

Council officers have spoken to the lead petitioner since receiving the petition, including on the phone and via email. The Manager Parks met with the lead petitioner and a group of interested local residents on Saturday 11 February 2023.

The lead petitioner attended the drop-in sessions during the consultation phase.

Consultation with other parties

Initial consultation before the planting occurred consisted of Facebook posts, an article in the Hobsons Bay newsletter and on-site signage advising of the upcoming planting along the trail.

The lack of direct consultation with nearby residents was a key concern for many people. In response to this feedback, consultation occurred between January and March 2023 which was intended to address these concerns and to seek the community's opinion on the plantings.

The consultation was designed under the guidance of and in collaboration with Council's Community Engagement Team. It included the creation of an online Participate Hobsons Bay page, letter drops to 558 properties neighbouring the section of the trail where tree planting occurred as well as a future section of the trail where more tree planting is being considered, and two drop-in sessions on the trail, attended by over 50 people. Council officers also spent multiple days on the trail seeking feedback from its users and visited properties in the streets adjacent to the trail.

Community consultation has been a key component in assisting with a response to this petition and will continue to play a key role in the delivery of Council's planting program into the future.

Declaration of Conflict of Interest

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

Council officers involved in the preparation of this report have no conflict of interest in this matter.

7.2.2 Response to Petition - Public Toilets at Somers Parade, Altona

Directorate:	Infrastructure and City Services
Responsible Officer:	Manager Active Communities and Assets
Reviewer:	Director Infrastructure and City Services
Attachments:	Nil

Purpose

To respond to the petition requesting a new public toilet facility at G Den Dulk Reserve, Somers Parade, Altona.

Recommendation

That Council:

- 1. Includes the provision of a public toilet facility at G Den Dulk Reserve as a medium-term priority in the Hobsons Bay Public Toilet Strategy.**
- 2. Writes to the lead petitioner advising of the outcome.**

Summary

At the Council Meeting on 24 November 2022, a petition was received containing 229 signatures requesting a new public toilet at G Den Dulk Reserve on Somers Parade.

An assessment of the reserve has been undertaken. The provision of a public toilet is supported and has been included as a medium-term priority in the Hobsons Bay Public Toilet Strategy. While a new toilet facility is considered appropriate, the area has significant space constraints, and its provision should be addressed with any future changes that may occur to the existing community infrastructure onsite (Somers Parade Kindergarten and the facility currently occupied by Latitude Services).

Background

G Den Dulk Reserve, located on Somers Parade in Altona, is a constrained reserve that includes a facility occupied by Latitude (a service that supports youth experiencing homelessness) at the north-east end of the reserve, and an open space area south of the facility. Adjacent to G Den Dulk Reserve (immediately south-west) is the Somers Parade Kindergarten facility, which provides 3-year-old and 4-year-old kindergarten services.

The open space area was redeveloped by Council in 2019-20 to include a new playground area, hardcourt activity area (for basketball and netball) and a community garden, and the reserve has become a well utilised space by many members of the local community.

The petition was received at the November 2022 Council Meeting and reads as follows:

Our local Park at Somers Parade Altona requires toilets that all abilities, ages & genders can use. This park is frequented daily by Kinder families [situated across the road from Park] the space includes a vibrant Community Garden that brings all ages together daily. With a basketball court, we have teens, and families of all ages visiting after school & weekends, family picnics and community events taking place in this space. This includes 60+ kinder families gathering for special occasions [post covid].

The closest public toilets are 11 mins walk away. With the increase in 3-year-old Kinder families, we will have more visitors using this park in 2023. We have the support of Local Traders at Somers Parade who stand to benefit from families who choose to stay at our park longer enjoying food & beverages from Somers Parade shops. Increasing local trade by those who may have gone to another park with toilets.

The feedback collected by locals before the park upgrade was to include toilets & a BBQ area. Council has the power to make a lot of families/residents & visitors happy by installing toilets. On an environmental note, the roof of toilets could capture water to be used for the community garden.

These facilities offer freedom to hang out longer as a community in a safe open space & reassurance to those in need of a toilet without leaving the park

The petition was hosted online at change.org and was signed by 229 people, 35 of whom reside in Hobsons Bay.

Discussion

While the development of a new public toilet at this location is desirable and would potentially be well used, the siting of a facility onsite is difficult to confirm. Officers have assessed the size of the park and playground zone, the current street width, footpath width along the traders' side of Somers Parade, the number of car parking bays, and the current location of the Latitude building and Kindergarten building as part of a site assessment.

There is currently no space within the park to construct a double cubicle toilet facility and there is extremely restricted space within the road reserve. Locating the toilet within the road reserve is not recommended due to safety concerns, particularly for children.

When officers first assisted Altona Community Gardens with the design and development of the garden area, Latitude was approached to see if it would be possible to develop a shared use approach to the toilet facilities within the building, but concerns were raised around security and the importance of Latitude client confidentiality.

Council is working with the Department of Education and Early Childhood Development for an extension to the Somers Parade Kindergarten located immediately south-west of the reserve. Any future development of this facility, or any future changes to the facility currently occupied by Latitude, provides the best opportunity for the inclusion of a new public toilet facility onsite.

The provision of a public toilet facility at G Den Dulk Reserve has been included as a medium-term priority in the Hobsons Bay Public Toilet Strategy. Assessing the provision of a public toilet at the reserve with any proposed infrastructure changes to the Somers Parade Kindergarten or the Latitude facility provide the best opportunity to ensure a public toilet is built in the safest, most appropriate location for the community to access.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 2: Community wellbeing and inter-connection

Priority 4: Proactive enrichment, expansion, and conservation of the natural and urban environment

Priority 6: An accessible and connected community

Council Plan 2021-25

Objective 2: Environment

Strategy 2.3: Increase tree canopy cover within Hobsons Bay to reduce the urban heat island effect, improve air quality and enhance general amenity

Priority b) Deliver improved amenity outcomes across Council's open space and parks for increased usage at these facilities

Policies and Related Council Documents

- Hobsons Bay Public Toilet Strategy 2023-33 (provided for adoption by Council in this agenda)
- Hobsons Bay Open Space Strategy 2018-28

Legal/Statutory Obligations and Risk

There are no legal or statutory obligations or risks associated with the recommendations of this report.

Financial and Resource Implications

A new public toilet facility at this location would be funded through the annual capital works program.

Environmental, Social and Economic Impacts

The environmental, social, and economic impacts of the provision of a public toilet facility have been assessed as a part of this report. Although a new public toilet facility would greatly enhance the use of the park and retail area, due to space limitations the provision of

the new facility would be best assessed with any future development projects associated with the two existing community services buildings within the park.

Consultation and Communication

Consultation with lead petitioner

The lead petitioner was contacted via phone regarding the need for a public toilet facility in this precinct and a follow-up email was sent. The process for community consultation on the Draft Public Toilet Strategy, together with an explanation of the existing site constraints and the proposed future development of a new toilet was explained to the lead petitioner. The lead petitioner was also provided details on this report, the date it would be presented to Council and the contact details of the responsible officer for further discussion on the progress of the development of a new toilet within this precinct.

Community consultation

Council officers have recently concluded an extensive internal and community wide consultation process for the Draft Public Toilet Strategy. The views of key teams within the organisation and a range of community members and community groups have been taken into consideration when preparing the final draft strategy and suggested 10-year Capital Works Program.

Declaration of Conflict of Interest

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

Council officers involved in the preparation of this report have no conflict of interest in this matter.

8 Business

8.1 Office of the Chief Executive

8.1.1 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 Report on Operations [8.1.1.1 - 51 pages]

Purpose

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

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 1 April 2023 and 30 April 2023 is provided in this month's report.

Strategic Alignment

Council provides a wide range of services to the community of Hobsons Bay as well as developing and delivering actions to ensure community assets are maintained and service the needs of the community. Each month this report highlights these activities, initiatives and projects and provides a high-level performance summary.

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 2: Community wellbeing and inter-connection

Council Plan 2021-25

Objective 5: A High Performing Organisation

Strategy 5.4: Enhance transparency, accountability and good governance practice

Declaration of Conflict of Interest

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

Council officers involved in the preparation of this report have no conflict of interest in this matter.

8.2 Corporate Services

8.2.1 Mayoral Focus Update

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

Purpose

To update Councillors and the community on the areas of focus for the 2022-23 mayoral term of Cr Antoinette Briffa.

Recommendation

That Council notes the progress made on initiatives and activities that were identified as focus areas for the 2022-23 mayoral term by Cr Antoinette Briffa.

Summary

In November 2022, Council elected Cr Briffa to lead Council as Mayor for the 2022-23 mayoral term.

Cr Briffa identified the following areas of focus for her mayoral term:

- strengthening the relationship between Council and the community by seeking to celebrate the diversity and unique spirit of the Hobsons Bay community
- offering the community a greater voice and more opportunities to participate in Council activities
- strengthening Council's relationships with the Victorian and Australian governments
- building stronger connections and purposeful engagement with the business community, sister cities, members of parliament and neighbouring councils
- promoting awareness of First Nations people through Council's relationship with the Bunurong Land Council Aboriginal Corporation, the Yarrabah Aboriginal Shire friendship alliance and exploring support for the Aboriginal and Torres Strait Islander Voice to Parliament
- seeking to make Hobsons Bay a greener, more environmentally proactive and liveable city

This report outlines the areas of particular interest and provides an update on the initiatives and activities that Cr Briffa intends to support over the course of her mayoral term.

Background

The Mayoral Program provides an opportunity for the Mayor to support the implementation of key strategic actions that will serve the best interest of the Hobsons Bay community and align with the Hobsons Bay 2030 Community Vision and the Council Plan 2021-25.

Discussion

Celebrating the diversity and community spirit of Hobsons Bay

Mayor Cr Briffa celebrated the diversity and vibrancy of the Hobsons Bay community when she joined Deputy Mayor Cr Diana Grima, Cr Jonathon Marsden, Cr Matt Tyler and Council officers at the Midsumma Pride March on 5 February 2023, alongside hundreds of other organisations including councils, Victorian government agencies and private sector organisations, and the public.

Council's work in this space continues with the creation of the Hobsons Bay Pride Community Liaison Group. As one of the initiatives in her mayoral program, Cr Briffa is pleased to see this group is now established. Members were selected following an EOI (Expression of Interest) process and met for the first time on 26 April 2023.



Figure 1: Cr Briffa with Council representatives at the Midsumma Pride March



Figure 2: Cr Briffa was a panel member talking about representation and rights at the Sydney WorldPride Human Rights Conference

Progress is also being made on plans for an open day for all sporting and community clubs across the municipality. The concept of the open day is to give residents and club members the chance to connect in order for clubs to promote themselves, share ideas and foster new relationships. It will also be a great opportunity for those clubs to recruit new members as players or volunteers. The event will be held in September 2023 in the lead-up to the summer sporting season.

Cr Briffa was honoured to welcome 229 new Australian citizens in two back-to-back citizenship ceremonies at the Williamstown Town Hall on Saturday 2 April 2023.



Figure 3: Cr Briffa was joined by new member for the Western Metropolitan Region Trung Luu MLC, Deputy Mayor Cr Diana Grima and Cr Peter Hemphill at the citizenship ceremonies held on 2 April 2023

Greater community voice and opportunities to participate in Council activities

Cr Briffa is supporting opportunities for the community to meet with Councillors and participate in Council. The community has been asked to review the A Fair Hobsons Bay for All policy as part of this commitment. Cr Briffa was also part of the Women in Hobsons Bay focus group, which brought together participants from the Multicultural Women's Leadership Program.



Figure 4: Cr Briffa with graduates from the Multicultural Women's Leadership Program

Cr Briffa continues to attend Saturday morning sessions at Hobsons Bay libraries to meet with members of the community to discuss any issues of concern. She also enjoyed attending a number of events and meeting with representatives from the Finnish community, Maltese Association of Hobsons Bay and the Australian Islamic Centre.



Figure 5: Students from St Mary's Primary School Williamstown met Cr Briffa as part of their visit to the Hobsons Bay Council Chamber

Strengthening the relationship between Council and the Victorian and Australian governments

Building stronger relationships with the Victorian and Australian governments assists Council's efforts to advocate for projects that will make a big difference to the community, whether for infrastructure, programs or services. Cr Briffa has met with local state and federal MPs and is encouraged by their advocacy for and interest in Hobsons Bay.

The Hobsons Bay Wetlands Centre, the Western Aquatic and Early Years Centre, youth mental health and improved public transport options have been among the major advocacy priorities discussed.

Cr Briffa was selected as one of thirteen mayors from across Victoria to be appointed to the 2023 Local Government Advisory panel. The panel changes annually and is set up to offer the Minister for Local government advice of legislative, regulatory, strategic and policy issues that affect councils across the state. This year's panel is expected to focus on governance and accountability.



Figure 6: Cr Briffa was appointed as a member of the Victorian Local Government Mayoral Advisory Panel



Figure 7: (Left to right) The Hon Melissa Horne MP, Mr Mathew Hilakari MP, Ms Sarah Connolly MP, Minister for Equality the Hon Harriet Shing MP and Cr Briffa



Figure 8: Cr Briffa and Councillors meeting with local MPs the Hon Melissa Horne, Ms Sarah Connolly and Mr Mat Hilakari at a Councillor Briefing Session to share ideas

Stronger connections and purposeful engagement with the business community, sister cities, members of parliament and neighbouring councils

Engaging with the local business community has been a priority for Cr Briffa. A business roundtable with manufacturing sector representatives provided the Mayor with insights into the unique challenges and opportunities faced by manufacturing businesses in Hobsons Bay. A program of business visits in June is currently being prepared under the Mayor's guidance.



Figure 9: Cr Briffa with Council's Chief Executive Officer, Aaron van Egmond, and representatives from the manufacturing sector in Hobsons Bay who attended the recent business roundtable



Figure 10: Cr Briffa with new member for the Western Metropolitan Region, David Ettershank MLC

In April 2023, Cr Briffa supported and travelled with the community delegation to Anjo to acknowledge the significant anniversary of the 35-year sister city relationship between the two cities. The short visit included the opportunity to meet and form relationships with the new Mayor of Anjo, Motohito Mitsuboshi, and senior staff, and to make local plans in support of the Anjo citizens' delegation, which will visit Hobsons Bay in October 2023. Cr Briffa also met with the Hobsons Bay students preparing for their upcoming exchange visit.



Figure 11: Cr Briffa with the new Mayor of Anjo, Motohito Mitsuboshi

Promoting awareness of First Nations people through Council's relationship with the Bunurong Land Council Aboriginal Corporation, the Yarrabah Aboriginal Shire Council friendship alliance and exploring support for the Aboriginal and Torres Strait Islander Voice to Parliament

Cr Briffa supports the Uluru Statement from the Heart and it is a priority of her mayoral term to raise community awareness and explore support for the First Nations Voice to Parliament. Cr Briffa has had informal discussions with local representatives of the Bunurong Land Council Aboriginal Corporation and is seeking further discussions with BLCAC and Council's sister city, the Yarrabah Aboriginal Shire Council, to understand their perspectives on the Voice to Parliament.

Cr Briffa raised awareness of the Voice in many of her speaking appointments, including at the launch of the community artwork exhibition Colours of the Rainbow at the Hobsons Bay Civic Centre and with Greater Western Water delegates at the Dear Agnes launch at Truganina Explosives Reserve.



Figure 12: (Left to right) Cr Briffa with Maree Lang (Managing Director Greater Western Water), Terry Atkinson and Shane Atkinson (Bunurong Land Council), Cr Briffa, Tania Blackwell (Coordinator Arts Culture and Heritage) and Dr Katie Lee (Deakin University)

Making Hobsons Bay a greener, more environmentally proactive and liveable city

It is important that the environment be protected to improve water and air quality, and that trees continue to be planted to reduce the impact of global warming.

Cr Briffa supports several programs and initiatives that are working to improve the quality of air in Hobsons Bay, be more environmentally friendly and sustainable, and make the city a greener and better place to live.

Plans are underway for a community forum on air quality to be led by Council and open to residents of Hobsons Bay, Maribyrnong and Brimbank. Participation will be sought from key responsible agencies and office bearers. forum will review progress against the priorities of the community-led Inner West Air Quality review, and identify priorities for action going forward.

Council is also playing a leading role in advocating for improved air quality in the west. In the first period of 2023, Council has successfully lobbied the Minister for Transport to permanently fund air quality monitoring stations along the West Gate Tunnel Project. Council has also secured a commitment from the Department of Energy, Environment and Climate Change to provide grant funding to local businesses for improvements that reduce air quality impacts.

Council's Virtual Power Network is expanding renewable capacity. Phase one of the ambitious rooftop solar rollout is complete with 2.2MW of solar panels installed and operating across Council's property portfolio. Phase two is in the planning and design stage.

Several programs are also helping to make Hobsons Bay a greener place to live, work and play. The Green Schools Program 2023 will supply 500 trees and 1,000 plants to nine local schools who will plant them during the winter planting season.

The Habitat Gardens program provides three informative workshops and free indigenous plants to residents for their gardens. So far, 4,600 indigenous plants have been given to residents at 28 events, and by the end of Cr Briffa's mayoral term it is expected that nearly 19,000 plants will have been given away, including from the Habitat Gardens program.



Figure 13: Cr Briffa with the Hon Melissa Horne MP and Cr Peter Hemphill at the opening of the Donald McLean Reserve playground in April 2023

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 2: Community wellbeing and inter-connection

Priority 4: Proactive enrichment, expansion and conservation of the natural and urban environment

Priority 5: Activate sustainable practices

Council Plan 2021-25

Objective 1: Healthy, equitable and thriving communities

Strategy 1.1: Celebrate the diversity of our community and provide equitable opportunities for all

Priority b) Strengthen and promote First Nations culture, identity and opportunities in Hobsons Bay

Strategy 1.4: Enable participation and contribution to community life, learning and inter-connection

Objective 2: Environment

Strategy 2.2: Enhance protection, preservation and promotion of our coastal environment and wetlands/waterways, biodiversity and natural areas

Priority d) Advocate for the establishment of a wetlands centre, promoting environment and tourism at the Hobsons Bay Ramsar rated wetlands

Strategy 2.3: Increase tree canopy cover within Hobsons Bay to reduce the urban heat island effect, improve air quality and enhance general amenity

Objective 3: Vibrant place and economy

Strategy 3.4: Increase participation in recreation activities across the community

Policies and Related Council Documents

All relevant Council policies have been considered in preparing the current initiatives outlined within this Mayoral Report.

This report is the second in a series of four update reports on the 2022-23 Mayoral Program. The first report in the series was noted by Council on 7 February 2023.

Legal/Statutory Obligations and Risk

The Mayoral Program is an important activity: as the leader of Council the Mayor has a number of roles which are both legislative and functional. The legislative requirements are outlined in sections 18 and 19 of the *Local Government Act 2020*. The Mayor not only takes precedence at all municipal proceedings within the municipality but must also take the chair at all meetings of Council at which they are present.

As reflected in the Mayoral Program, the Mayor's role extends well beyond officiating at Council meetings or other municipal proceedings. It includes providing leadership, promoting positive relationships, and modelling good governance.

The requirements of the *Charter of Human Rights and Responsibilities Act 2006* have been considered when writing this report.

Financial and Resource Implications

The initiatives in the Mayoral Program can be supported through the existing budget.

Environmental, Social and Economic Impacts

The Mayoral Program has a strong focus on environmental sustainability and a community focus on access and social inclusion.

Consultation and Communication

Relevant Council departments have been consulted about potential projects to assist the Mayor in achieving the aims of the Mayoral Program. If community consultation is required for any part of the program, it will be carried out appropriately.

Declaration of Conflict of Interest

Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.

Council staff involved in the preparation of this report have no conflict of interest in this matter.

8.2.2 Third Quarter Financial Report - Period Ended 31 March 2023

Directorate:	Corporate Services
Responsible Officer:	Chief Financial Officer
Reviewer:	Director Corporate Services
Attachments:	<ol style="list-style-type: none">1. Financial Report - Period Ended 31 March 2023 [8.2.2.1 - 17 pages]2. Capital Works Program 2022-23 [8.2.2.2 - 2 pages]

Purpose

To present Council with the financial results for the period ended 31 March 2023, and the revised 2022-23 annual forecast projections following completion of the March quarterly forecast review.

Recommendation

That Council:

1. **Notes the financial report for the period ended 31 March 2023.**
2. **Endorses the revised 2022-23 annual forecasts.**

Summary

The quarterly financial report for the period ended 31 March 2023 (Attachment 1) and a detailed report on the Capital Works Program (Attachment 2) are attached.

The March forecast review has been conducted resulting in the operational budget surplus for 2022-23 of \$26.339 million decreasing to a forecast of \$25.323 million. The operational surplus does not include Council's significant investment in capital expenditure, forecast to be \$65.555 million in 2022-23.

When compared to budget, income is expected to increase by \$4.843 million and operational expenditure is expected to increase by \$5.859 million.

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

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

Background

When compared to previous financial plans, current and projected income funding streams such as user charges and statutory fees have been and continue to be impacted by the ongoing effects of the COVID-19 pandemic, and it is difficult to assess how long it will take for these income streams to recover. These assumptions affect the amount of funding

expected to be available in future years of the Financial Plan to be used by Council to maintain critical community assets.

Council will continue to monitor the impact of the financial results in relation to Council's overall financial viability. The Financial Plan has been updated to reflect the 3.5 per cent rate cap for 2023-24 recently announced by the Victorian Government.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

This report relates to all priorities within the Hobsons Bay 2030 Community Vision.

Council Plan 2021-25

Objective 5: A High Performing Organisation

Strategy 5.3: Deliver value for money – continuous improvement while safeguarding the long-term financial sustainability of Council

Policies and Related Council Documents

The financial report for the period ended 31 March 2023 is directly aligned to Council's Annual Budget, Financial Plan and Capital Works Program.

Council considers financial reports at the end of the September, December (Mid-Year Budget Review), March and June (year-end) financial periods. The quarterly financial report for the period ended 31 March 2023 is the third report considered as part of the 2022-23 financial year.

Legal/Statutory Obligations and Risk

It is a requirement of section 97 of the *Local Government Act 2020* for the Chief Executive Officer to ensure that a quarterly budget report is presented to Council at a Council meeting which is open to the public as soon as practicable after the end of each quarter of the financial year.

The Chief Executive Officer, as required under section 97(3) of the *Local Government Act 2020*, is of the opinion a revised budget is not required.

Financial and Resource Implications

The operational budget surplus for 2022-23 of \$26.339 million has decreased to a forecast of \$25.323 million. The operational surplus does not include Council's significant investment in capital expenditure, forecast to be \$65.555 million in 2022-23.

Income is expected to increase by \$4.843 million compared to budget.

Capital grants forecast have been increased by \$4.560 million generally due to income that was originally budgeted to be received in 2021-22 that is now expected to be received in 2022-23 and additional grant income to be received.

Rates and charges forecasts have increased by \$1.429 million mainly due to property development increasing general (\$610,000) and supplementary (\$300,000) rates. Forecasts have also increased for waste charges (\$251,000) and payments in lieu of rates (\$193,000).

Monetary contributions forecasts have reduced by \$1.413 million, generally to reflect the expected delay in receipt of developer contributions for Precinct 15 in Altona North and reductions in the amount received for open space contributions.

Operational expenditure is expected to increase by \$5.859 million compared to budget.

Depreciation forecasts have increased by \$4.189 million mainly to reflect “Parks, open space and streetscapes” and “Recreation, leisure and community facility” asset classes that were revalued for the first time late in 2021-22. Depreciation is a non-cash item and has minimal impact on funding Council’s budget in 2022-23 and ongoing financial implications.

Materials and services forecasts have increased by \$1.708 million. Most of the additional forecasts relate to the inclusion of projects transferred from other financial years or from the Capital Works Program.

A balanced **Available Funding Result** has been calculated by adding non-operational items such as capital expenditure, loan principal repayments and reserve transfers to the operational result and removing non-cash items such as depreciation and amortisation. While the balanced forecast result is consistent with the original budget, a further \$1.573 million is expected to be required from the Infrastructure reserve, leaving less funding available in future years.

The **Summary Cash Flow Statement** indicates that Council’s cash and investment balance was \$42.184 million on 31 March 2023. The original budget of \$31.395 million for 30 June 2023 has increased to a year-end forecast of \$40.112 million. The increased forecast in cash and investments at 30 June 2023, when compared to budget is largely a result of the carryover of capital expenditure to the 2023-24 financial year. Council’s cash and investments during the year is estimated to reduce by \$5.810 million throughout the financial year.

The **Liquidity Ratio** (current assets divided by current liabilities) indicates the amount that Council’s short-term assets exceed its short-term obligations and thus Council’s ability to fund its short-term operations. This ratio was 164 per cent on 31 March 2023 and is expected to be 152 per cent by the end of 2022-23, an increase when compared to the original budget of 125 per cent. A current ratio over 100 per cent generally indicates a manageable short term financial position.

The forecast result of the **Capital Works Program** shows a balanced financial result when compared to the original budget after forecast adjustments and carryovers are considered.

Capital Works Expenditure for the period ended 31 March 2023 was \$39.831 million compared to the year-to-date budget of \$38.787 million. The initial budgeted capital expenditure for the 2022-23 financial year of \$65.941 million has decreased to a forecast of \$65.555 million. The decreased forecast expenditure of \$386,000 compared to the budget is attributable to:

- expenditure carryover adjustments from the prior year's program (\$3.87 million)
- the increase in funded capital expenditure (\$2.623 million)
- expenditure carried over to next year's program (\$6.879 million)

Capital Income for the period ended 31 March 2023 was \$8.470 million. The initial budgeted capital income for the 2022-23 financial year of \$6.183 million has increased to a year-end forecast of \$10.946 million. The increased forecast income of \$4.763 million compared to budget is attributable to:

- income that was budgeted to be received in 2021-22 that is now expected to be received in 2022-23 (\$2.6 million)
- an increase in income received to fund the program (\$2.623 million)
- income carried over to next year's program (\$460,000)

Environmental, social and economic impacts are carefully considered during budgeting, forecasting and financial management processes.

Consultation and Communication

Council's Audit and Risk Committee will receive and note the quarterly financial report for the period ended 31 March 2023 and the detailed report on the Capital Works Program at its meeting to be held on 24 May 2023. The Committee provides financial guidance to Council and input into continually improving the content of the financial report.

Declaration of Conflict of Interest

Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.

Council staff involved in the preparation of this report have no conflict of interest in this matter.

8.2.3 Third Quarter - Council Plan Initiatives Progress Report 2022-23

Directorate:	Corporate Services
Responsible Officer:	Manager Corporate Integrity and Legal Counsel
Reviewer:	Director Corporate Services
Attachments:	1. Q3 Progress Report - Council Plan Initiatives January-March 2023 [8.2.3.1 - 13 pages]

Purpose

To provide Council with a third quarter (1 January to 31 March 2023) update on the progress of the major initiatives that are included in the annual budget to support the achievement of the Council Plan 2021-25.

Recommendation

That Council notes the progress made on the Council Plan 2021-25 major initiatives during the third quarter of 2022-23.

Summary

Each financial year, Council's performance is measured against several indicators, including the progress of projects that have been listed as Council major initiatives in the budget. This progress report provides an update on how Council is progressing on the committed projects for the period from 1 January to 31 March 2023, the third quarter of the 2022-23 financial year.

Council nominated 21 major initiatives to support the delivery of Council Plan 2021-25 for the 2022-23 financial year. To date Council has completed three major initiatives and progressed the remaining 18 major initiatives to plan.

Background

The Council Plan is developed every four years in accordance with the requirements of the *Local Government Act 2020* (the Act). It guides the work of Council by setting objectives, strategies and priorities that are achieved through the delivery of Council services and major initiatives.

The Council Plan 2021-25 was adopted by Council on 12 October 2021. It consists of five strategic objectives supported by nine strategies and 59 priorities. Other major initiatives that support the delivery of the Council Plan objectives are identified in the annual budget process. The reporting of the major initiatives is a requirement under the Act. Council reports quarterly on the progress to major initiatives and projects to ensure they are on track throughout the financial year.

Discussion

In 2021-22 Council nominated 21 major initiatives to support the delivery of Council Plan 2021-25. Three major initiatives have been completed so far, namely the Hobsons 2.0 Risk Management Framework, Newport Gardens Early Years Centre and HD Graham Reserve Sport Facility Development.

The remaining 18 major initiatives (which have all commenced and are progressing to plan) are:

- Centres of Excellence Strategy 2022-27
- Customer Experience Transformation (CX 2.0)
- EDMS & Intranet Project
- implementation of Community Relationship Management (CRM) system including online payment processes
- Altona Meadows Library building renewal and energy efficiency upgrades
- Brooklyn Community Hall redevelopment
- Dennis Reserve master plan implementation
- HC Kim Reserve, Altona – new pavilion, female friendly change rooms and car park upgrades
- Open Space Enhancement and Access Package – Donald McLean Reserve
- WLJ Crofts Reserve Master Plan – pavilion, cricket practice nets and car park
- Bruce Comben Reserve – including the open space development of the southern area oval and Henry Drive car park
- Better Places Laverton 8: Places and Spaces – Road Reconstruction (On/Off-Road Rehabilitation) Program
- Better Places Laverton
- Better Places Spotswood and South Kingsville
- Hobsons Bay Affordable Housing Trust
- Large Scale Solar Program
- Tree Planting – Urban Forest Strategy (2020-23) Electronic Data Management System Project
- Hobsons Bay Wetlands Centre development

Apart from the major initiatives, Council undertakes a wide range of projects and activities to support achievement of the objectives of the Council Plan 2021-25.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

This report relates to all priorities within the Hobsons Bay 2030 Community Vision.

Council Plan 2021-25

Objective 5: A High Performing Organisation

Strategy 5.4: Enhance transparency, accountability and good governance practice

Policies and Related Council Documents

The Council Plan 2021-25 was adopted at the Council Meeting held on 12 October 2021. The Annual Budget for the financial year ending 30 June 2022, which included the major initiatives for the year, was adopted at the Council Meeting on 29 June 2021. Progress reports of the major initiatives are submitted to Council on a quarterly basis.

Legal/Statutory Obligations and Risk

The annual reporting of the progress of the major initiatives is required by section 98(3)(b) of the Act.

Financial and Resource Implications

The major initiatives are funded through Council's annual budget.

Environmental, Social and Economic Impacts

The Council Plan 2021-25 aims to strengthen the natural, built, social and economic environments within Hobsons Bay, as articulated within the key strategic objectives.

Consultation and Communication

Council undertook extensive community engagement between January and September 2021 to hear what Council should focus on over the next four years as part of the development of the Council Plan 2021-25.

Declaration of Conflict of Interest

Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.

Council staff involved in the preparation of this report have no conflict of interest in this matter.

8.3 Sustainable Communities

8.3.1 Draft Industrial Land Management Strategy and Industrial Design Guidelines

Directorate:	Sustainable Communities
Responsible Officer:	Manager Strategy, Economy and Sustainability
Reviewer:	Director Sustainable Communities
Attachments:	<ol style="list-style-type: none">1. Draft Industrial Land Management Strategy 2023 [8.3.1.1 - 60 pages]2. Draft Industrial Design Guidelines 2023 [8.3.1.2 - 51 pages]

Purpose

To place the Draft Industrial Land Management Strategy (ILMS) and Draft Industrial Design Guidelines (IDG) on public exhibition for a period of six weeks from 22 May to 2 July 2023.

Recommendation

That Council:

1. Places the Draft Industrial Land Management Strategy and Draft Industrial Design Guidelines on public exhibition for a period of six weeks from 22 May to 2 July 2023.
2. Receives a further report following the public exhibition period.

Summary

Council's current ILMS, adopted in 2008, is due for review. A Draft ILMS (Attachment 1) has been prepared with a focus on the protection of industrial land in Hobsons Bay. In addition, a revised IDG (Attachment 2) has been prepared to support the objectives of the Draft ILMS. It is proposed that the Draft ILMS and Draft IDG be placed on public exhibition for a period of six weeks in May and June 2023. Feedback from this engagement will inform the final ILMS and IDG and a future planning scheme amendment.

Background

In 2021, Council undertook initial visioning work for key industrial precincts through the Reimagining our Industrial Areas (RIA) project. This was the first step in the review of Council's ILMS and its Economic Development Strategy 2015-2020. The output was a prospectus style document that identified Council's key objectives for the future of industrial land in Hobsons Bay and potential future industry sectors to attract, including new energy, recycling and repurposing (circular economy industries), advanced manufacturing and digital industries. The key objectives were to:

- increase local jobs and diversify Hobsons Bay's industry sectors
- become an environmental leader

- balance job growth with community impacts
- continue to be a major economic force in the Victorian economy

The RIA Statement of Opportunity (2021) was used to test Council's aspirations for the future of Hobsons Bay's industrial precincts with community, businesses and industry. Key engagement outcomes included:

- support for a proactive marketing approach, showing leadership in response to change
- acknowledgement that the project aligned with objectives of the Victorian Government and private landowners
- support for the key objectives and target industry sectors
- requests to:
 - provide more business support
 - consider and protect the natural environment
 - improve the look and feel of industrial areas
 - make changes to the planning framework

Feedback from the RIA engagement has been used to inform the Draft ILMS.

Discussion

The Draft ILMS is informed by the outcomes of the RIA project, recent economic and census data, and key stakeholder consultation. A Draft IDG has also been prepared to support the objectives of the Draft ILMS and to guide the design and built form of industrial precincts.

The new ILMS and IDG focus on protecting industrial land for employment and economic growth within six key industrial precincts:

- Altona Industrial Precinct
- Altona North Industrial Precinct
- Williamstown North Industrial Precinct
- Williamstown Maritime Industrial Precinct
- Spotswood Industrial Precinct
- Brooklyn Industrial Precinct

Objectives include increasing local jobs, attracting sustainable and green industries with minimal offsite impacts, balancing growth with impacts on community and ensuring that the industrial areas of Hobsons Bay remain attractive and competitive within the Victorian economy. The Draft ILMS and Draft IDG aim to ensure the right industrial outcomes are delivered to the benefit of the Hobsons Bay community and the local economy.

A key objective of the Draft ILMS is to facilitate improved industrial precincts across Hobsons Bay. It continues to support the overarching aspiration for more jobs and renewal of industrial precincts in areas such as Spotswood. Although matters related to the new WorkSafe Victoria guidance for land use planning near Major Hazard Facilities (MHFs) are still being worked through, Council continues to advocate for the Victorian Government to introduce a Buffer Area Overlay (BAO) that can ensure a more transparent and balanced approach to land use planning around MHFs. Council also continues to progress the future land use vision of high amenity industrial precincts with increased local jobs and sustainable industries.

A six-week public consultation is proposed to seek feedback on the Draft ILMS and Draft IDG in May and June 2023, with a focus on the proposed land use framework and precinct directions. Consultation will include drop-in sessions open to the broader community and more in-depth discussions with key stakeholders including industrial landowners, businesses, state agencies and departments, emerging industries, industry bodies and networks, workers and developers.

Following the consultation period, the Draft ILMS and Draft IDG will be updated in response to feedback and brought back to Council for consideration and adoption. Once the strategy is adopted, a planning scheme amendment can be progressed to implement the ILMS and IDG into the Hobsons Bay Planning Scheme. The amendment process would involve further consultation with the community and key stakeholders on revised zones and overlays as well as changes to local planning policy.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 1: Visionary, vibrant, accountable urban planning

Priority 3: Growth through innovation, access to local jobs, technology and education

Council Plan 2021-25

Objective 3: Vibrant place and economy

Strategy 3.1: Support diversification and growth of our local economy in response to significant changes in land use and the ongoing impacts of the COVID-19 pandemic

Priority a) New investment and job creation opportunities flow from a major update to the Hobsons Bay Industrial Land Management Strategy

Policies and Related Council Documents

The following Council policies and guidelines relate to this report:

- ILMS 2008: current strategy underpinning Council's land use and planning decisions in industrial precincts for the past 15 years
- IDG 2008: current guidelines for industrial development
- Hobsons Bay Economic Development Strategy 2015-20: underpins Council's approach to supporting the local economy, currently also subject to review
- Interim Management of Land Use Planning Around Major Hazard Facilities 2014: guidelines that underpin Council's approach to managing land use and development near MHFs based on the former WorkSafe Victoria guidance
- Draft Spotswood Activity Centre Structure Plan: identifies the land use changes proposed to bring about the community vision for Spotswood

Council previously considered a report at the Council Meeting held on 13 December 2022 which outlined an updated approach to managing land use planning applications near MHFs in response to new WorkSafe guidance regarding safety areas.

Legal/Statutory Obligations and Risk

Council will have regard to the community engagement principles at Section 56 of the *Local Government Act 2020* when planning and undertaking community and stakeholder engagement on the Draft ILMS and Draft IDG.

Council has had regard to the objectives of the *Planning and Environment Act 1987* when preparing the Draft ILMS and Draft IDG including:

- to provide for the fair, orderly, economic and sustainable use, and development of land
- to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity
- to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria

Council has had regard to the Hobsons Bay Planning Scheme when preparing the Draft ILMS and IDG including provisions at Clause 17.03 that seek to protect state significant industrial land and ensure sufficient land for industry, as well as other parts of the scheme that seek to protect the amenity and safety of the community and the environment.

Any future planning scheme amendment proposed to implement the ILMS and IDG into the Hobsons Bay Planning Scheme will also be undertaken in accordance with the requirements of the *Planning and Environment Act 1987*.

Financial and Resource Implications

Costs associated with the consultation process will be met through existing operational budgets.

Environmental, Social and Economic Impacts

The Draft ILMS seeks to deliver better environmental, social and economic outcomes in Hobsons Bay's industrial precincts. The Draft ILMS sets a framework for land use planning that supports new and emerging industries, more local jobs and reduced land use conflict and amenity impacts without undermining industrial operations. In addition, the 2008 Draft IDG have been revised to ensure that industrial development is meeting current best practice environmental standards.

Consultation and Communication

Consultation on the RIA project and the "Statement of Opportunity" document occurred throughout October and November 2021. During the five-week engagement period Council heard from community members, the Victorian Government, property developers, landowners, business owners and industry.

Council received 45 online survey submissions and five emailed submissions during the engagement period. In addition, feedback was received via online drop-in sessions with a mix of community members and local industrial precinct business owners or workers, as well as eight targeted discussions with representatives from the Victorian Government, developers, landowners, business owners and industry.

This consultation along with discussions with internal stakeholders and preliminary discussions with Victorian Government agencies has informed the Draft ILMS and the Draft IDG.

Public consultation on the Draft ILMS and Draft IDG is proposed to be held over a period of six weeks during May and June. Consultation will include drop-in sessions and meetings with key stakeholders and agencies as required and will focus on the key directions proposed in the Draft ILMS for each of the key industrial precincts. The consultation process will be advertised via Council's social media platforms and hosted via the Participate Hobsons Bay website.

Declaration of Conflict of Interest

Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.

Council staff involved in the preparation of this report have no conflict of interest in this matter.

8.3.2 Draft Gambling Harm Prevention Policy Statement 2023

Directorate:	Sustainable Communities
Responsible Officer:	Manager Strategy, Economy and Sustainability
Reviewer:	Director Sustainable Communities
Attachments:	1. Draft Gambling Harm Prevention Policy Statement May 2023 [8.3.2.1 - 39 pages]

Purpose

To provide an update on the Draft Gambling Harm Prevention Policy Statement (Draft Policy Statement) and seek approval to put the draft out for public consultation.

Recommendation

That Council:

1. **Endorses the Draft Gambling Harm Prevention Policy Statement to be placed on public exhibition for four weeks from 12 May to 9 June 2023.**
2. **Receives a further report following the public exhibition period.**

Summary

The Draft Policy Statement has been developed to guide Council's ongoing efforts to prevent harm from gambling in Hobsons Bay. It updates Council's Problem Gambling (Electronic Gaming Machines) Policy Statement 2015. The development of the Draft Policy Statement has been informed by academic research and preliminary engagement with community members and key stakeholders. It is underpinned by a public health approach which aims to address the "determinants of gambling harm" that shape individual behaviour, including a range of sociocultural, environmental, commercial and political factors. The Draft Policy Statement is built around six priority areas and series of proposed commitments.

Feedback will be sought on the Draft Policy Statement during a four-week period in May and June 2023. Opportunities to provide feedback will be promoted through Council's social media platforms and via direct communication with key stakeholders and previous engagement participants. Additionally, a targeted survey will be issued to relevant community organisations (such as sporting clubs) to collect further data to assess the likely impact of proposed commitments. Following the period of public consultation, feedback will be reviewed, and an updated Policy Statement will be presented to Council for consideration for adoption.

Background

While gambling is a legal activity in Australia, it causes considerable harm in local communities. Research commissioned by the Victorian Responsible Gambling Foundation shows that harm from gambling occurs across multiple "domains", and can affect financial security, relationships, physical and mental health and work and study performance.

Preventing harm from gambling is consistent with Council's role to protect, improve and promote public health and wellbeing, as required under the *Public Health and Wellbeing Act 2008*.

In 2015, Council adopted the Problem Gambling (Electronic Gaming Machines) Policy Statement. It guides Council's efforts to manage and minimise the negative impacts of Electronic Gaming Machine (EGM) gambling through a series of principles and commitments. These are focussed on various priority areas, including the number and location of EGMs, land use planning, advocacy, and the use of Council resources and facilities.

The Victorian and Australian governments set the key regulatory and legislative frameworks for gambling activity in Australia. The Victorian Government oversees the regulation of EGMs, including through regional caps, taxation, harm reduction measures, and community benefits systems. The Australian Government regulates online gambling and sets rules for gambling advertising on commercial radio and television. Local government also plays a role in preventing harm within local communities, particularly through advocacy and land use planning.

In Hobsons Bay, EGMs have contributed to gambling harm over many years. Since their introduction in 1992, more than \$1.2 billion has been lost in gaming venues in the municipality, with research indicating that more than 40 per cent of regular (monthly) EGM users experience some level of harm. More recently, online gambling has become a more prominent cause of harm, with state-wide losses reaching an estimated \$2.58 billion in 2021-22, an increase of 50 per cent since 2019-20. Local data is not available for online gambling, but it is likely that Hobsons Bay residents have experienced similar trends.

Research indicates that the following trends have continued or emerged since the current policy statement was adopted in 2015:

- **EGMs** – despite a series of harm prevention measures introduced by the Victorian Government, losses have remained constant for the past decade, with growth of 5.1 per cent in the current financial year in Hobsons Bay
- **Online gambling** – losses from online gambling have increased substantially over the past decade, particularly during the COVID-19 pandemic
- **Gambling advertising** – spending on advertising tripled in the past decade, with almost 1,000 advertisements broadcast each day on Victorian free-to-air television in 2021
- **Community sentiment** – there is growing concern over the impact of gambling in local communities, as indicated by broad support for bans on gambling advertisements and divestment of EGMs by several AFL football clubs
- **COVID-19** – while losses from online gambling increased during the pandemic, gaming venues closed due to health restrictions, resulting in estimated savings of \$45 million in Hobsons Bay
- **Understanding gambling harm** – a growing body of research indicates that harm from gambling extends beyond financial losses, with the burden of harm concentrated amongst low and moderate risk gamblers
- **Public health approach** – local governments are increasingly adopting a public health approach to preventing harm from gambling, which shifts the focus from individual “problem gamblers” to broader determinants of gambling harm

These research findings have been used to shape the scope and direction of the Draft Policy Statement, alongside a series of preliminary engagement activities.

Discussion

The Draft Policy Statement has been prepared to guide Council's ongoing efforts to prevent harm from gambling in Hobsons Bay (see Attachment 1). It specifically aims to prevent harm from EGMs and online gambling within the scope of Council's roles and responsibilities. The Draft Policy Statement identifies five key roles for Council:

- **Leadership and advocacy** – Council advocates to the Australian and Victorian governments for legislative and regulatory reform
- **Planning and regulation** – Council assesses planning permit applications and initiates planning scheme amendments with regard to EGMs
- **Providing resources and facilities** – Council provides resources and facilities that contribute to healthy communities and offer alternatives to gambling activities and venues
- **Research and data** – Council monitors data and supports local research to identify emerging trends and inform its decision-making and advocacy
- **Activities and promotion** – Council delivers activities that provide alternatives to gambling, and promotes Gamblers Help and other support services

The Draft Policy Statement is underpinned by a public health approach to addressing gambling harm. This approach has been used successfully to prevent harm from tobacco use and is being increasingly adopted by local governments around Victoria. It focuses on the prevention of gambling harm by addressing harmful products and environments, not just addressing the individual behaviours of people experiencing or at risk of gambling harm. In doing so, it seeks to address the “determinants of gambling harm” that shape individual behaviour, including a range of sociocultural, environmental, commercial and political factors.

The Draft Policy Statement is built around six priority areas that have been adapted and updated from the current Policy Statement:

1. Advocacy
2. Availability and accessibility of EGMs
3. Use of Council assets and facilities
4. Access to Council resources
5. Prevention and Support
6. Research and Awareness

Each priority area includes a series of commitments that provide further detail as to how Council will aim to prevent harm from gambling. All commitments respond to ongoing and emerging issues (such as online gambling) and are aligned to best practice research and evidence-based public health approaches to preventing gambling harm in local communities. Several commitments have been carried forward from the current policy statement, while others have been updated or added.

The key changes to the Draft Policy Statement include:

- **Title** – removes outdated language (“problem gambling”) and highlights the Draft Policy Statement's aim of preventing harm from gambling
- **Scope** – expands the scope to include online gambling, while noting Council's more limited role when compared to EGMs
- **Purpose** – highlights the aim of preventing harm (as opposed to “managing and minimising harm”), which is underpinned by a public health approach

- **Use of Council assets and facilities** – introduces a new proposed commitment to discourage advertising of gaming venues or gambling products on Council land
- **Access to Council resources** – introduces new proposed commitments to limit or prevent access to Council grants or funding for organisations that promote or derive income from gambling, for activities held in gaming venues, and for organisations or activities that receive sponsorship from gaming venues or online betting companies

The anticipated impacts of proposed policy commitments have been considered (with relevant implementation and mitigation measures identified) to present a measured and balanced approach. For example, exemptions are provided for Capital Works funding and for Anzac Day and Remembrance Day activities, alongside two-year transition periods to allow key stakeholders to adjust to new arrangements and for Council to provide information and support. Additionally, a targeted survey will be conducted as part of the period of public consultation to further assess potential impacts and consider additional or extended mitigation measures, as required.

Council will seek community and stakeholder feedback on the Draft Policy Statement through a four-week public consultation period in May and June 2023. Council will advise all key stakeholders of their opportunity to provide feedback, including sports clubs, community groups, gaming venues and all previous engagement participants. Information will be available via the Participate Hobsons Bay website and promotions will be undertaken via social media and other appropriate channels. Following the period of public consultation, an engagement summary will be prepared and the Policy Statement updated and presented to Council for consideration for adoption.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 2: Community wellbeing and inter-connection

Council Plan 2021-25

Objective 1: Healthy, equitable and thriving communities

Strategy 1.2: Improve the health and wellbeing of our community – particularly our young, vulnerable and older community members

Policies and Related Council Documents

The Draft Policy Statement is aligned with several other Council policies, guidelines, plans and strategies, including:

- A Fair Hobsons Bay for All 2019-23
- Electronic Gaming Machines - Social Impact Assessment Applicant Guidelines 2022
- Hobsons Bay Property Strategy 2021-30
- Hobsons Bay Leasing and Licensing Policy 2021-30
- Hobsons Bay Planning Scheme

Legal/Statutory Obligations and Risk

All legal and statutory obligations and risks have been assessed as a part of the development of the Draft Policy Statement.

Financial and Resource Implications

All financial and resource implications have been considered as part of the development of the Draft Policy Statement. Implementation will be resourced through existing operational budgets. Additional resources may also be sought through external funding opportunities or future Council budget cycles as required.

Environmental, Social and Economic Impacts

The Policy Statement will inform Council's land-use planning approach to EGMs, which is detailed in Clause 52.28 of the Hobsons Bay Planning Scheme. As such, it will support the objective within the Planning Scheme to locate EGMs away from disadvantaged areas or vulnerable communities.

In seeking to prevent gambling harm, the Draft Policy Statement also aims to reduce the impact of related social issues such as family violence, homelessness, relationship breakdown, and reduced physical and mental health. Research commissioned by the Victorian Responsible Gambling Foundation estimated the social cost of gambling in Victoria in 2014-15 to be \$7 billion.

While gambling harm is experienced across multiple domains, financial losses remain one of the key impacts. As such, the Draft Policy Statement aims to reduce the economic impact of gambling harm on local communities. Aside from the benefits for individuals and their families, this will have broader benefits through increased spending in local businesses, improved employment and education performance, and reduced need for support services.

There may also be some economic impacts for local community organisations due to reduced access to Council grants or funding. However, the economic impacts on sporting clubs and other community organisations are not expected to be significant. Mitigation measures have also been included in the Draft Policy Statement and a targeted survey will be conducted during the period of public consultation to collect further data to assess potential impacts.

Consultation and Communication

Between December 2022 and February 2023, Council conducted a series of preliminary engagement activities to inform the development of the Draft Policy Statement, including workshops, interviews and an online community poll. Input was received from service providers, local sporting clubs and community organisations, academics, Gamblers Help services, advocacy bodies, residents and a local gaming venue.

The following key themes emerged from preliminary engagement activities:

- **Advertising and sponsorship** – highlighted concerns about advertising and sponsorship through commercial media and within community settings, which can increase exposure of vulnerable people to gambling products and venues

- **Reducing availability and access** – encouraged Council to take steps within its roles and responsibilities to reduce the number and accessibility of gambling products, including on land owned or managed by Council
- **Understanding gambling harm** – highlighted that gambling harm occurs in local communities more than is known or discussed, with the impact considered worse throughout the COVID-19 pandemic.
- **Community support** – noted that it is increasingly difficult for some community organisations to remain financially viable, and gaming venues can assist through donations, sponsorship and other in-kind support
- **Gambling industry** – highlighted concerns about some gambling industry practices, with some community organisations expressing a preference not to accept funding from the gambling industry
- **Advocacy priorities** – identified key reforms needed to prevent harm, including universal pre-commitment, greater controls on gambling advertisements, and changes to EGM design features

Further community and stakeholder engagement will be undertaken on the Draft Policy Statement through a four-week period of public consultation. Following the consultation period, an engagement summary will be prepared, and the Policy Statement will be updated and presented to Council for consideration for adoption.

Declaration of Conflict of Interest

Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.

Council staff involved in the preparation of this report have no conflict of interest in this matter.

8.4 Infrastructure and City Services

8.4.1 Adoption of Public Toilet Strategy 2022-32

Directorate:	Infrastructure and City Services
Responsible Officer:	Manager Active Communities and Assets
Reviewer:	Director Infrastructure and City Services
Attachments:	1. Hobsons Bay Public Toilet Strategy 2023-33 [8.4.1.1 - 32 pages]

Purpose

To seek Council's endorsement of the Hobsons Bay Public Toilet Strategy 2023-33 (Attachment 1).

Recommendation

That Council:

- 1. Adopts the Hobsons Bay Public Toilet Strategy 2023-33.**
- 2. Writes to all submitters on the draft strategy to thank them for their contribution.**

Summary

Following approval by Council at the 13 December 2022 Council Meeting, the Draft Public Toilet Strategy was placed on public exhibition for eight weeks from 16 December 2022 to 10 February 2023. This report outlines feedback from the community following the public exhibition period and the changes that have been made to the strategy as a result of this feedback.

A Public Toilet Strategy is required to guide future development and management of these facilities throughout the municipality. Council recognises that the provision of public toilets is critical to enable all members of the community to use public spaces and participate in community life.

Background

Council provides and manages 37 public toilet facilities that vary in age and condition. Public toilets throughout the municipality comprise free-standing facilities located in parks, activity centres and along the Yarra River and Port Phillip Bay foreshores. While Council also provides public toilets within many of its community facilities (e.g. libraries, senior citizens, sports pavilions), this strategy is specifically focused on stand-alone facilities in public parks and spaces.

The purpose of the strategy is to guide the provision and management of public toilet facilities in the appropriate places to encourage community health, participation and recreation while supporting economic development.

The strategy includes:

- criteria for determining where to provide public toilets, and what types of toilets to provide
- an evaluation framework to guide decision making about the provision of public toilets
- an additional program of Changing Places (changing spaces specifically designed for adults with disabilities)
- principles and guidelines for the planning and development of public toilets
- an indication of the budgetary implications of these actions

Development of the strategy commenced in March 2021 and a preliminary background report was prepared in July 2022. The process also included the completion of a Gender Impact Assessment which is linked to Council's responsibilities under the *Gender Equality Act 2020*.

Following approval by Council at the 13 December 2022 Council Meeting, the Draft Public Toilet Strategy was placed on public exhibition for eight weeks from 16 December 2022 to 10 February 2023 via the Participate Hobsons Bay website, which included information on the Gender Impact Assessment Process, previous consultation completed and frequently asked questions.

Discussion

At the conclusion of the public exhibition period, Participate Hobsons Bay received 1,210 site visits and 160 contributions.

The key themes in the feedback received related to:

- signage concerns relating to gender
- requests for site specific toilets to be included in the strategy
- design and configuration feedback

There were a number of concerns relating to a recommendation in the draft strategy that called for the review of a "possible adoption of a new approach to signage that indicates the fittings/equipment within facilities and cubicles, rather than indicating expected gender of users".

The key areas of concern from the feedback received related to perceived safety issues of having males and females co-mingling in the same toilet facility. This recommendation was intended to review single cubicle unisex facilities commonly found within public settings, and not facilities marked as male or female only.

Figures 1 and 2 show a case study with images from Weaver Reserve (no changes recommended) and Blenheim Reserve (unisex facilities that would be included as part of a future review).



Figure 1: Weaver Reserve public toilets with signage showing female symbols and internal space with cubicles (left), and with signage showing male symbols and internal space with urinals and cubicles (right)



Figure 2: Blenheim Road Reserve unisex public toilet symbols

Within the updated strategy, the recommendation has been updated to “conduct a review of all existing public toilet to ensure facilities are fit for purpose, safe and inclusive”.

A number of site-specific requests for public toilets were received throughout the public exhibition period. Some of these requests were in support of toilets already included in the draft strategy, while others were for toilets not included. Some requests for toilets that have not been supported include:

- **Truganina Park, Altona Meadows:** There is currently a public toilet facility opposite Altona Sports Centre. Any future provision within the precinct will be considered as part of the Hobsons Bay Wetlands Centre project.
- **Ferguson Street, Williamstown:** Public toilets within the precinct were recently upgraded on The Strand. There are public toilets available within the precinct at Williamstown Library and within the Coles precinct (not a Council-managed facility).
- **Williamstown Beach:** Public toilets are well catered for within the precinct, with facilities currently provided at Point Gellibrand (Parks Victoria managed), Williamstown Cricket Ground, Fearon Reserve, beside Sebastian restaurant and the Williamstown Swimming and Life Saving Club (WSLSC). The number of toilets servicing the Williamstown Beach area will be reviewed as part of any future upgrades to the WSLSC facility.

A range of design and configuration comments were received on site specific issues at a variety of toilets across the municipality. The development of the strategy included an inspection of all facilities that found some older toilets in poor condition, with the newer facilities providing improved service and amenity for the community. Some issues with design arise where sites are not fully compliant with Australian Standards and requirements under the *Disability Discrimination Act 1992*, including poor performance in access, lighting, signage, and materials, fixtures, and fittings. A key recommendation of the strategy is to introduce a program of upgrades to existing toilet facilities with a focus on compliance and signage.

Following the public exhibition period, the Strategy has now been updated for Council's final consideration.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 1: Visionary, vibrant, accountable urban planning

Council Plan 2021-25

Objective 1: Healthy, equitable and thriving communities

Strategy 1.4: Enable participation and contribution to community life, learning and inter-connection

Priority b) Boost the profile and awareness of opportunities for people to participate and contribute to community life

Policies and Related Council Documents

- A Fair Hobsons Bay for All 2019–23
- Open Space Strategy 2018-28
- Activity Centres Strategy 2019-36
- Economic Development Strategy 2015-20
- Experience Hobsons Bay: Tourism Strategy 2019-24
- Universal Design Policy Statement 2017
- Draft Universal Design Building Manual

Legal/Statutory Obligations and Risk

All legal and statutory obligations and risks have been assessed as part of the development of the Public Toilet Strategy.

Financial and Resource Implications

All financial and resource implications have been considered as a part of the development of the Public Toilet Strategy and recommendations on the financial commitment required by Council are outlined within the document.

Environmental, Social and Economic Impacts

In meeting commitments to Council's sustainability objectives, the Public Toilet Strategy lists sustainability as a key principle. Public toilets should be designed and constructed to minimise waste, energy and water consumption. Where feasible, existing structures should be refurbished in preference to demolition and new construction, and utilise durable and recyclable materials.

Under Section 6 (8) of the *Gender Equality Act 2020*, public sector organisations are required to undertake gender impact assessments to assess how their policies, programs and services affect people of different genders to ensure their work does not unintentionally reinforce inequities. The strategy has been informed by a Gender Impact Assessment+ which has been utilised to create better and fairer outcomes, and to make sure all people have equal access to opportunities and resources.

Consultation and Communication

The development of the Public Toilet Strategy included two stages of community consultation and additional engagement conducted as part of the Gender Impact Assessment.

The Stage 1 community consultation process ran from 27 April to 29 May 2022 where feedback on the condition of existing public toilets, community perception of gaps in the public toilet network, and a background report was sought via Participate Hobsons Bay. As part of this process, community members were invited to attend a drop-in session at Ransom Reserve on 30 April 2022 or online via Zoom on 11 May 2022. Sixty submissions were received during Stage 1 consultation.

The Stage 2 community consultation period ran from 16 December 2022 to 10 February 2023 and gave the opportunity to review the Draft Public Toilet Strategy, including recommendations and proposed implementation priorities. In total, 160 submissions were received during Stage 2 consultation.

Declaration of Conflict of Interest

Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.

Council staff involved in the preparation of this report have no conflict of interest in this matter.

8.4.2 Contract 2022.28A Dennis Reserve Pavilion

Directorate:	Infrastructure and City Services
Responsible Officer:	Manager Capital Works
Reviewer:	Director Infrastructure and City Services
Attachments:	1. Dennis Reserve - Tender Set Drawings [8.4.2.1 - 55 pages]

Purpose

To award Contract 2022.28A for the Dennis Reserve Project: Stage 3 – New Facility.

Recommendation

That Council awards Contract 2022.28A for the Dennis Reserve Project: Stage 3 – New Facility to Simbuilt Pty Ltd at a fixed lump sum price of \$4,224,816 (four million, two hundred and twenty-four thousand, eight hundred and sixteen dollars) including GST.

Summary

Stage 3 of the Dennis Reserve Master Plan – the demolition of Williamstown Senior Citizen Community Hall and construction of a new multipurpose community facility at the reserve – is proposed to be undertaken utilising funds within Council's annual capital works budget.

Three submissions were received following an open tender process for the procurement of these works. Following the evaluation of the tenders, a report was presented to the Tender Board on 14 April 2023 that recommended awarding the contract to Simbuilt Pty Ltd for the construction of the new facility.

Background

Dennis Reserve is a popular park in central Williamstown. It is home to the Williamstown Central Tennis Club, Williamstown Bowling Club and Williamstown Senior Citizens Centre where a range of community groups participate in activities and events.

In March 2019, Council endorsed the Dennis Reserve Master Plan, which has guided improvement works on the reserve. Works were planned in three stages:

Stage 1: Demolish the ladies' bowling green and pavilion, the Williamstown Central Tennis Club pavilion and the two existing courts, and construct four new courts. These works were completed in March 2021.

Stage 2: Reconstruct the central east-west pathway connection, construct a new central open space area and update the southern playground, planting and other pathways throughout the reserve. These works were completed in July 2021.

Stage 3: Demolish the Williamstown Senior Citizens Centre and construct a new multipurpose community pavilion which will cater not only to existing user groups but also be a venue for community events. The facility will include multipurpose rooms, amenities, a kitchen and activity spaces.

The existing Williamstown Senior Citizens Centre located at Dennis Reserve has reached the end of its useful life. The design of a new facility has been completed following consultation with the existing user groups and community representatives, and tenders have been sought for the construction of a new facility.



Figure 1: Concept image for the new multipurpose community pavilion

Discussion

A public tender for Contract 2022.28A Dennis Reserve Project: Stage 3 – New Facility was formally advertised on eProcure on 6 January 2023, closing on 24 February 2023.

Three submissions were received by the tender deadline. The initial tender responses were reviewed by the tender evaluation panel and clarifications were issued to all three suppliers. Responses were received from two of the tenderers, who were subsequently invited to interview on 17 and 24 March 2023. The tenderers were then asked to submit final prices for evaluation and scoring by the tender evaluation panel.

Based on the evaluation process and reference checks, the Tender Evaluation Panel recommended Simbuilt Pty Ltd as the preferred tenderer, for providing the best value for money, experience in similar projects and ability to meet the timelines and quality outcomes specified in the contract.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 1: Visionary, vibrant, accountable urban planning

Council Plan 2021-25

Objective 3: Vibrant place and economy

Strategy 3.4: Increase participation in recreation activities across the community

Policies and Related Council Documents

The awarding of Contract 2022.28A through a public tender process complies with Council's Procurement Policy and is consistent with the Hobsons Bay Sports Facility Needs Analysis and Council's Building Asset Management Plan.

Legal/Statutory Obligations and Risk

The awarding of Contract 2022.28A through a public tender process complies with the *Local Government Act 2020*.

Financial and Resource Implications

This project is included in the 2022-23 and 2023-24 Capital Works Program, with a total budget of \$4.032 million (excluding GST) for construction and contingency. The recommended tenderer's submission of \$3,840,742 (excluding GST) is within the current budget.

Environmental, Social and Economic Impacts

Environmental, social and economic impacts were taken into consideration in developing the proposed scope of works and throughout the tender evaluation process. As a result, the new building will be constructed to meet a minimum five-star equivalent energy rating.

Consultation and Communication

The tender was publicly advertised on eProcure on 6 January 2023. The Tender Evaluation Report for Contract 2022.28A was presented to Council's Tender Board on 14 April 2023.

Declaration of Conflict of Interest

Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.

Council staff involved in the preparation of this report have no conflict of interest in this matter.

9 Committee and Delegate Reports

9.1 Delegate Reports

Purpose

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

Recommendation

That Council receives and notes the recent Delegate Reports.

Metropolitan Transport Forum

Directorate: Infrastructure and City Services

Councillor Delegate: Cr Jonathan Marsden

Date of Meeting: 1 February 2023

Regular meeting of metropolitan councils to discuss and advocate for improvements to the transport system, particularly for sustainable transport.

Executive election

The executive of the MTF is elected each February. Cr Jonathan Marsden was elected as Chair, Cr Victor Franco (Boroondara City Council) as Deputy Chair, Ms Melissa Falkenberg (Wyndham City Council) as Secretary, and Mr Ross Evans (Monash Council) as Treasurer.

Presentation

Dr Luisiana Paganelli and Mr Nuno Pires presented on urban planning lessons from Lisbon and Curitiba. Mr Pires outlined Lisbon's goal to reduce transport emissions as part of a 20-year plan. Six years into the plan, Lisbon saw a 3 per cent reduction in private vehicle use. Dr Paganelli spoke about how transport-oriented design can transform a city, and can also expand with a city, as Curitiba grew from 300,000 people to over 2,000,000 over four decades. She described how Curitiba's plans were created in advance of the expansion of the city and provided the basis for implementation over many years.

Draft MTF Strategic Plan

Feedback on the draft MTF Strategic Plan was sought from MTF members, prior to the final version being prepared for adoption at the March meeting.

Council updates

Each month a select number of councils are invited to present to the forum.

Bhavin Mehta of Melton City Council outlined the continuing work on the Digital Transport Strategy and Active Transport Plan. The strategy aims to develop roads, public transport and active transport options for the City of Melton to reduce traffic congestion and high car dependence.

Damir Agic of Moonee Valley City Council described the wide range of transport projects currently underway in Moonee Valley, including advocacy on Airport Rail, electric vehicle charging stations, pop-up bike lanes and school travel behaviour.

RoadSafe Westgate Community Road Safety Council

Directorate: Infrastructure and City Services

Councillor Delegate: Cr Antoinette Briffa

Date of Meeting: 15 March 2023

RoadSafe Westgate update

RoadSafe Westgate provided updates on the Fit to Drive Foundation's 2022-23 workshops for Year 11 around schools. Additionally, updates were provided on the five-session program, Looking After Our Mates.

The mobile billboard program focused on reducing hoon behaviour around the Caroline Springs area over March 2023.

Social and print media updates were provided, with the messages in March supporting Victoria Police's Operation Arid, which targeted road safety over the Labour Day long period.

Council updates

Officers from Hobsons Bay City Council, Maribyrnong City Council, Melton City Council and Wyndham City Council provided an update on road safety projects, local area traffic management projects and progress on grant projects.

Highlights included:

- expressions of interest being sought from all schools for the Road Safety Around Schools initiative, which is aligned with the Open Streets Program
- installation of Local Area Traffic Management devices
- Road Safety Grant applications seeking funding for community education programs
- an analytical study conducted to measure the success of speed changes throughout the Wattle Avenue precinct in Wyndham.

Police updates

A police representative provided statistical data for offences that occurred during the Labour Day long weekend under Operation Arid.

LeadWest Joint Delegated Committee

Directorate: Office of the Chief Executive

Councillor Delegate: Cr Matt Tyler

Date of Meeting: 29 March 2023

The March meeting of the LeadWest Joint Delegated Committee was hosted by Brimbank City Council online via Teams. The following items were discussed.

Inaugural West MP's Meet and Greet event

An update was provided on the planning for the inaugural West MP's Meet and Greet event. The event will be held on 21 June 2023 at Parliament House.

LeadWest advocacy update

An update on all advocacy activities over the past 12 months was provided to the committee including meetings with MPs regarding advocacy priorities such as regional mental health services, the Hobsons Bay Wetlands Centre and active and public transport.

LeadWest governance model

An update was provided on LeadWest's governance model moving forward. LeadWest has appointed a new Executive Officer.

10 Notices of Motion

No notices of motion were received.

11 Urgent Business

12 Supplementary Public Question Time

Supplementary Public Question Time provides an opportunity for the public to ask questions directly related to items on the agenda that have arisen during the evening's proceedings.

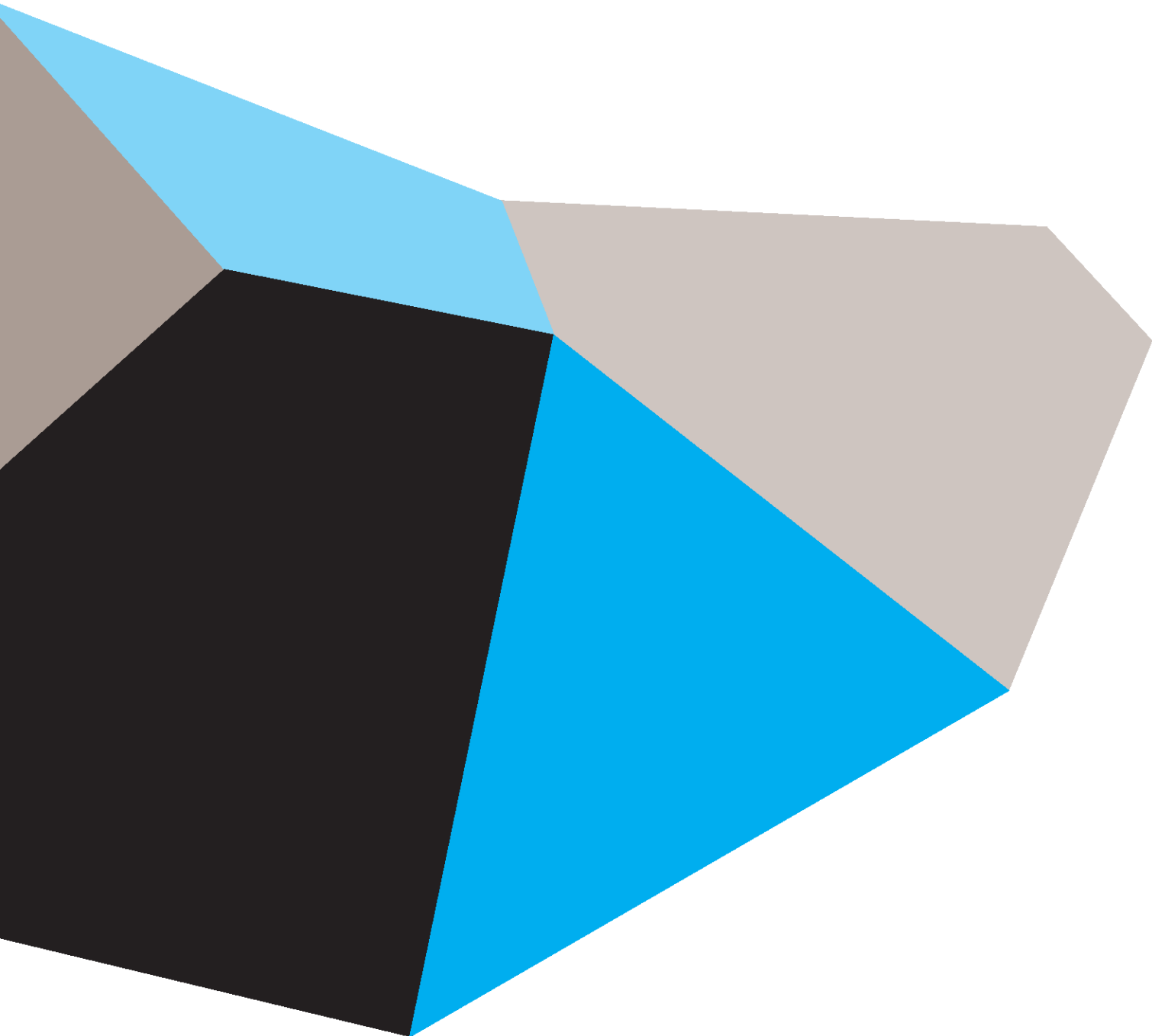
Where it is not possible to provide a response during the meeting, a written response to the question will be provided promptly.

Written public questions received during the Council Meeting that are not related to items on the agenda will be taken on notice and responded to in writing by the appropriate Council officer, or referred to the next Council Meeting for a public response if so requested by the questioner.

13 Close of Meeting

HOBSONS
BAY CITY
COUNCIL





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