



Council Meeting Agenda

Tuesday 20 June 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.

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 9 May 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

7.1.1 Petition - Williamstown Beach Redevelopment - Please Upgrade Public Facilities

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

Purpose

To receive an electronic petition containing 940 signatories, requesting that Council upgrade the public facilities in the Williamstown Beach precinct.

Recommendation

That Council:

- 1. Receives and notes the petition in relation to upgrading the public facilities in the Williamstown Beach precinct.**
- 2. Receives a further report on this matter at a future Council meeting.**

Summary

The petition was received on 13 June 2023 and acknowledged on 16 June 2023. It has been reviewed to verify that it meets the minimum requirement of 25 valid signatories in accordance with the Hobsons Bay Governance Rules and can therefore be dealt with by Council.

The petition reads as follows:

The Williamstown Beach precinct is being redeveloped by Hobsons Bay City Council at a cost of more than \$14 million (including \$11.2 million from the Victorian government). You can read all about it here on the council's website.

Hundreds of swimmers use the beach and the public facilities every day. Despite being one of Melbourne's most popular swimming beaches, the showers, the toilets and the areas where swimmers meet are sub-standard, crowded and no longer fit for purpose.

Other beaches feature windbreaks, lockers and public change rooms for swimmers (Port Melbourne), hot baths (St Kilda), steam rooms (Brighton) and meeting and gathering spaces close to the shore.

Please sign and share this petition to the Mayor and councillors of Hobsons Bay City Council asking for:

- 1) Upgraded showers, toilets, change-rooms and public facilities for swimmers that are well away from the outdoor dining area of The Kiosk and preferably closer to the beach.
- 2) Meeting places / gathering spaces with shelter, shade and wind breaks for the public at the western end of Williamstown Beach.

7.2 Responses to Petitions and Joint Letters

7.2.1 Response to Petition - Fix Fabric Drive and its Intersection with Blackshaws Road

Directorate:	Sustainable Communities
Responsible Officer:	Manager Planning, Building and Health
Reviewer:	Director Sustainable Communities
Attachments:	<ol style="list-style-type: none">1. DCP Project IN-02 and RD-02 - concept plan with dimensions [7.2.1.1 - 1 page]2. Proposed Stage 9 Functional Layout Plan - IN-02 and RD-02 - Mirvac Site Only [7.2.1.2 - 1 page]

Purpose

To respond to the petition asking Council to fix Fabric Drive and its intersection with Blackshaws Road in Precinct 15, Altona North.

Recommendation

That Council:

1. **Notes the approved intersection of Fabric Drive and Blackshaws Road in the Mirvac development.**
2. **Notes that the approved intersection does not preclude future opportunities for a pedestrian crossing over Blackshaws Road on the western side of the intersection and for the delivery of separate footpath and bike path on the western side of the southern end of Fabric Drive.**
3. **Writes to the lead petitioner advising of the outcome.**

Summary

Council received a petition from Better West Inc, including 154 signatories from Hobsons Bay residents, which was tabled at the 14 March 2023 Council Meeting. In summary, the petitioners request that Council redesign a proposed intersection of Blackshaws Road and a new north-south road (Fabric Drive) in the Mirvac development. The proposed redesign includes a pedestrian crossing on Blackshaws Road on the western side of the intersection, and a separate off-road bike path and pedestrian footpath on the western side of Fabric Drive.

The Comprehensive Development Plan (CDP) incorporated into the Hobsons Bay Planning Scheme provides an overall vision for development within Precinct 15 in Altona North. The CDP also guides the delivery of integrated transport within Precinct 15.

The delivery of the proposed Blackshaws Road intersection and the proposed north-south road (Fabric Drive) relies on most of the land being contributed from Mirvac, along with a small area of land from the adjoining property to the west. The development of the Mirvac land is well underway, and Mirvac aims to deliver the proposed intersection and part of Fabric Drive in the near term. The adjoining land to the west is still being operated as an

industrial use and has an internal driveway along its eastern boundary with a crossing for heavy vehicle access to and from Blackshaws Road on the western side of the proposed intersection. The land required from this property to contribute to the delivery of the intersection and the southern end of Fabric Drive is presently unavailable. The CDP designates this site as the future local town centre.

To allow for the earlier delivery of the intersection, Mirvac has received approval for an interim intersection design located entirely within its land. The plan endorsed under the planning permit shows a pedestrian crossing on Blackshaws Road on the eastern side of the intersection only and a shared path on the lower (southern) end of the western side of Fabric Drive.

The western side pedestrian crossing, and the separate off road bike path and footpath on the southern end of the western side of Fabric Drive, will be provided when the adjoining land is redeveloped.

Background

At its meeting of 14 March 2023, Council formally received a petition stating the following:

We the undersigned ask Council to please redesign the intersection of Fabric Drive and Blackshaws Road, to comply with the requirements on the Comprehensive Development Plan (CDP). Then go further to design and endorse the safest and most convenient pedestrian crossing possible to make cycling and walking a great way to travel through Altona North. Do this by:

1. Including a pedestrian crossing of Blackshaws Road connecting to the west side of Fabric drive (as required to comply with the CDP).
2. Including a two-way separated bike path of at least 3 metres width on the west side of Fabric Drive (as required to comply with the CDP).
3. Include a separate foot path of at least 1.8 metres width on the west side of Fabric Drive (as required to comply with the CDP).
4. Reduce the planned width of the road lane on the west side of Fabric Drive to the minimum required width (3.5 m) to calm traffic and allow the bike and foot paths as well as lots of trees to fit into the property boundary.
5. Increase the road lanes on the east side to 3.5 metres so that they are 'bus capable' (as required to comply with the CDP).
6. Include well designed kerb bumpout crossings at Blackshaws Road and along Fabric Drive and painted crossings and other design that prioritises pedestrian and cyclists safety and make this active transport route even better.

The Comprehensive Development Plan (CDP) and accompanying Development Contributions Plan (DCP) for Precinct 15, incorporated in the Hobsons Bay Planning Scheme, guide the delivery of this road and intersection.

Discussion

Council's Industrial Land Management Strategy 2008 (ILMS) identified Precinct 15, the land generally bounded by Blackshaws Road, Kyle Road, New Street and the West Gate Freeway in Altona North and South Kingsville, as having the potential for most of the land to change from industrial uses to residential uses.

Council worked with landowners within Precinct 15 to rezone the land to facilitate a largely residential outcome for the precinct. The rezoning included the preparation of a CDP and accompanying DCP by the Victorian Planning Authority (VPA). The VPA became involved in the planning scheme amendment process following approaches from landowners to the Minister for Planning and the VPA. The VPA drafted the amendment documentation for public exhibition.

The CDP provides specific guidance on the future development of Precinct 15. The CDP is incorporated in the Hobsons Bay Planning Scheme and includes a vision and objectives for Precinct 15. The CDP requires consideration of built form and character, housing, employment and local centres, community facilities, open space or parks, transport, utilities and services and infrastructure delivery (such as roads, intersections, and bike paths).

The associated DCP is also incorporated in the Hobsons Bay Planning Scheme and identifies a range of infrastructure projects to be delivered as part of the future development of the precinct, funded by development contributions collected from developers in the precinct.

The two projects raised in the petition are road project RD-02 and intersection project IN-02 under the CDP and DCP.

RD-02 (Fabric Drive) is a north-south connector road with a 25 metre wide road reservation. The CDP includes conceptual road cross-sections for this road reserve width (refer to Attachment 1) showing:

- a 1.8 metre wide pedestrian path on each side of the road
- a 3 metre wide two-way off-road bike path on one side of the road
- 2.1 metre wide indented parking bays on each side of the road
- 3.5 metre wide traffic lanes, together with nature strips between the paths and the roads

The cross-sections in the CDP should typically be adhered to, although alternative cross-sections can be considered subject to meeting certain requirements listed in the CDP.

The DCP also includes concept plans for how the roads and intersections might be designed. The concept plan for IN-02 shows a signalised T intersection of RD-02 (Fabric Drive) with Blackshaws Road. It includes pedestrian crossings on both sides of the intersection on Blackshaws Road, as well as a left turn slip lane on the west side of the intersection and a line marked right turn lane on the east side of the intersection.

As these plans are conceptual in nature, detailed designs are required for the actual construction of the road and intersection projects. This in turn may result in changes to the design and, in the case of the intersection, the plans are also subject to the approval of the Department of Transport.

Council has been in discussion with Mirvac about the construction of IN-02 and part of RD-02 to allow for the earlier delivery of these infrastructure items.

The concept plans in the DCP show that both projects rely on an area of the adjoining property to the west for their complete delivery. This property is still operating as an industrial business and can continue to do so. The CDP designates the southern half of this property as a future town centre site. The timeframe for its redevelopment is currently unknown.

To enable the earlier delivery of IN-02, Mirvac has a planning permit which delivers an interim intersection design located entirely within their own land – refer to Attachment 2. This design does not show a pedestrian crossing over Blackshaws Road on the western side of the intersection. The extra crossing will be able to be added once the adjoining land to the west is redeveloped and the additional land in question for the intersection is available, subject to the approval of the Department of Transport.

For RD-02, as part of the development of a future stage (Stage 9) in the Mirvac development, the separated bike path and pedestrian path will be provided as far south as Primrose Avenue (refer to Attachment 2). South of Primrose Avenue the separate paths combine to become a shared path for both pedestrians and bikes as there is insufficient width to accommodate both paths until the extra land to the west becomes available. Once this land is available, a 1.8 metre wide footpath can be installed, and the section of shared path can change to a dedicated bike path.

Precinct 15 encompasses a large area and includes various constraints, one of which is that the land holdings are in many different ownerships. Interim arrangements must be accommodated given that development of the land in the precinct will occur in different stages. The capital funds required to deliver all projects within Precinct 15 are equivalent to Council's capital works program for an entire financial year. Delivering the connections and long term outcomes early and at a higher cost, as the land is not available, would be poor and irresponsible planning. There are some projects or parts of projects that will be delivered when adjacent land becomes available. This approach was discussed during the Panel hearing.

The following responses are offered regarding other matters raised by the petitioners:

- the width of Fabric Drive, including its approach from Blackshaws Road, is generally consistent with the widths shown in the DCP. The width of the road lane on the western side of Fabric Drive also accommodates the required vehicle swept paths
- RD-02 is not a future bus route in the DCP, but the width of the roads is consistent with those shown in the CDP and DCP. The proposed future bus route traverses east-west through the middle of Precinct 15 and connects Brunel Street in South Kingsville to Kyle Road (south of Marigold Avenue), Altona North
- no kerb outstands are proposed or required by the CDP or CDP on Blackshaws Road or Fabric Drive. The roads will be provided with markings consistent with the CDP and DCP for vehicles and pedestrian traffic

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 3.5: Ensure land use and development supports high amenity, sustainability, exemplary design and responds to neighbourhood context

Policies and Related Council Documents

The approval of the road project RD-02 and intersection project IN-02 under the CDP and DCP has had regard to the Hobsons Bay Planning Scheme, the zoning of the land and the relevant requirements and policies, including the CDP. The interim design for the IN-02 intersection is appropriate.

Legal/Statutory Obligations and Risk

The consideration of the intersection approval has had regard to and met the statutory obligations under the *Planning and Environment Act 1987* and the Hobsons Bay Planning Scheme.

Financial and Resource Implications

There are no financial or resource implications associated with this approval.

Environmental, Social and Economic Impacts

Council is committed to delivering development and projects within Precinct 15 consistent with the CDP and DCP. Approval of the interim IN-02 intersection accommodates existing property parcels, while ensuring that the final intersection can be delivered when the adjacent land becomes available.

Consultation and Communication

Consultation with lead petitioner

The lead petitioner participated in the Planning Scheme amendment process and has been in contact with Council officers regularly in 2022. The lead petitioner was also contacted about the petition and will be advised of Council's decision regarding the petition.

Consultation with other parties

Community consultation on the rezoning of the land and the outcomes of the CDP occurred in 2016 through the Planning Scheme Amendment process, led by the VPA. Planning permit approvals are exempt from further public notification where they are generally in accordance with the CDP, as has been the case with the approval of these intersection works. Where projects require other approvals (e.g. VicRoads), Council consults with those agencies consistent with legislative requirements.

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 Adoption of Hobsons Bay Community Engagement Policy 2023

Directorate:	Office of the Chief Executive
Responsible Officer:	Manager Communications, Engagement and Advocacy
Reviewer:	Chief Executive Officer
Attachments:	1. Hobsons Bay City Council Community Engagement Policy 2023 [8.1.1.1 - 8 pages]

Purpose

To seek Council's endorsement of the Hobsons Bay Community Engagement Policy 2023 (Attachment 1).

Recommendation

That Council:

1. **Adopts the Hobsons Bay Community Engagement Policy 2023.**
2. **Revokes the Hobsons Bay Community Engagement Policy 2021.**

Summary

Following approval by Council at the 11 April 2023 Council Meeting, the Draft Community Engagement Policy was placed on public exhibition for four weeks from 12 April 2023 to 10 May 2023.

This report outlines feedback from the community following the public exhibition period.

Background

The Community Engagement Policy is to guide all forms of engagement undertaken by Council officers, Councillors, and consultants and contractors acting on behalf of Council.

The policy articulates the principles, commitments, and various levels of engagement that Council will undertake to ensure a clear process for community engagement in Council's decision-making processes.

The Community Engagement Policy is one component of Council's broader Community Engagement Framework, along with Council's internal-facing Community Engagement Toolkit 2023.

The revised Community Engagement Policy:

- provides clarity around recommended levels of engagement for various Council programs and processes, including those that were previously subject to section 223 of the *Local Government Act 1989*, and specifies the processes and programs for which a “formal submission process” under section 223 will continue to apply, including:
 - Council decision to change system of valuation
 - special rates
 - rebates and concessions
 - regional library agreements
 - concentration or diversion of drainage
 - drainage of land
 - a range of traffic and road related matters
- is consistent with other Council policies in style and content

Discussion

The community was invited to provide feedback either online (via Council’s Participate Hobsons Bay website) or in-person (via a “pop-up” consultation held at Grazeland Melbourne, Spotswood). Twenty-seven people provided online feedback from the 357 visits registered on the Participate website, while 47 people provided feedback in person.

Respondents suggested that good community consultation included prominent advertising with significant lead time and opportunities for both online and in-person feedback, and that feedback should be genuinely considered and/or acted upon.

Respondents said they were made aware of upcoming and current consultations through e-newsletters/emails (60 per cent), social media (27 per cent) and the Participate website (13 per cent). Preferred channels for providing feedback were online (38 per cent), in-person (23 per cent), paper-based surveys (18.5 per cent), online meetings (14 per cent), and telephone calls (6.5 per cent).

Changes to the Draft Community Engagement Policy 2023 placed on public exhibition provide further clarity on how Hobsons Bay will meet its statutory requirements when conducting community engagement activities. Specifically, the policy now clearly identifies those matters for which Council will conduct formal submission processes (as per Section 223 of the *Local Government Act 1989*).

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 5.1: Improving the quality of our communication and engagement to ensure that our community is informed of and encouraged to contribute to issues in a diversity of ways most suited to them and to advocate for the areas of greatest need.

Priority b) Increase targeted and relevant community engagement on key projects and initiatives of Council that will significantly impact the community.

Policies and Related Council Documents

- Hobsons Bay Public Transparency Policy 2020

Legal/Statutory Obligations and Risk

The policy will fulfil the requirements of section 55 of the *Local Government Act 2020* that Council adopt and maintain a community engagement policy, that the policy be developed in consultation with the municipal community, and that it give effect to the community engagement principles specified in section 56 of the Act, among other key requirements.

Financial and Resource Implications

Resources required to carry out the public exhibition and implementation of the Community Engagement Policy will be accommodated within Council's existing operational budget.

Environmental, Social and Economic Impacts

Positive social impacts arising from the Community Engagement Policy are enhanced community connection to and participation in Council's decision-making process.

Consultation and Communication

The revised policy was developed following extensive consultation across Council officers, including with Council officers who have conducted engagement activities under the current policy.

As outlined above, the draft policy was placed on public exhibition for a period of four weeks from 12 April 2023 to 10 May 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.

8.1.2 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 [8.1.2.1 - 46 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 May 2023 and 31 May 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 Recognition of Hobsons Bay Residents Awarded King's Birthday Honours

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

Purpose

To acknowledge the achievements of Hobsons Bay residents John Arnold OAM, Fairlie MacLaine OAM, Kelly Rogers OAM and Bartholomew Willoughby OAM, who have been recognised in the King's Birthday 2023 Honours List.

Recommendation

That Council:

- 1. Sends letters of congratulations written under the signature of the Mayor to the following Hobsons Bay residents on being recognised in the King's Birthday 2023 Honours List:**
 - **John Arnold OAM**
 - **Fairlie MacLaine OAM**
 - **Kelly Rogers OAM**
 - **Bartholomew Willoughby OAM**
- 2. Invites the award recipients to attend a future Council Meeting, in accordance with the Council Recognition of Australian Honours and Awards Recipients Procedure.**

Summary

The King's Birthday Honours List recognises the outstanding service and contributions of Australian citizens nationwide each year. Four residents of Hobsons Bay have been recognised among the 1,192 Australians honoured in 2023. This report acknowledges their achievement and service to the community.

Mr John Arnold of Altona Meadows was awarded the Medal of the Order of Australia for service to the welfare of veterans.

Ms Fairlie MacLaine of Williamstown was awarded the Medal of the Order of Australia for service to the community through a range of organisations.

Associate Professor Kelly Rogers of Altona was awarded the Medal of the Order of Australia for service to medical research.

Mr Bartholomew Willoughby of Altona North for service to the performing arts, particularly through music

Background

The King's Birthday Honours List comprises a number of honours and awards, including for the General Division and Military Division of the Order of Australia, Meritorious Awards, and Gallantry, Distinguished and Conspicuous Service Awards.

The Hobsons Bay recipients for 2023 all received honours within the Order of Australia, within which there are four levels of award: Companion (AC), Officer (AO), Member (AM) and Medal (OAM). The Hobsons Bay recipients for 2023 each received the Medal of the Order of Australia, which is awarded for service worthy of particular recognition.

Mr John Arnold AM was awarded in the Military Division, while Ms Fairlie MacLaine, Associate Professor Kelly Rogers and Mr Bartholomew Willoughby were awarded in the General Division of the Order.

Discussion

Mr John Arnold OAM

John Arnold of Altona Meadows has been awarded the Medal of the Order of Australia for service to the welfare of veterans.

Having served in the Australian Army from 1965 to 1972, Mr Arnold has received various service medals, including the Australian Active Service Medal, which he was awarded in 1998. Subsequently he became involved in supporting veterans through his work with associations including the 173rd Airborne Brigade Association and the Vietnam Veterans' Federation of Australia.

Mr Arnold has been a pensions officer for the 173rd Brigade Association for 20 years and served as secretary of Chapter 27 of the association between 2002 and 2020. Mr Arnold has been State President of the Victoria Branch of the Vietnam Veterans' Federation of Victoria for 22 years and is a member of the National Executive Committee.

Ms Fairlie MacLaine OAM

Fairlie MacLaine is a Williamstown resident who has been awarded the Medal of the Order of Australia for her service to the community through a range of organisations.

Ms MacLaine has been a committee member of the Women's Royal Australian Army Corps Association (Victoria) since 1997. A foundation member and organiser in the social group for over 30 years, she has been association luncheon co-ordinator and Vice President since 2015.

Ms MacLaine joined the Australian Defence Force in 1967 where she became a member of the Women's Royal Australian Army Corps until 1971. In 1975 she became a member of the Australian Army Reserve until 2019.

She has been a member of the Brighton Antique Club for 30 years and has had a variety of roles there including President, Vice President, door monitor and membership secretary.

Ms MacLaine has been a member of the Schnauzer Club of Victoria for over 15 years and has been secretary since 2014. She is also the current treasurer and fosters dogs as well as participating in dog shows.

In addition to all her work in these clubs she has been a key member of the community, participating in various community organisations. Currently she is a member of the Altona Sub-Branch of the Returned and Services League of Australia and a volunteer with Meals on Wheels.

Associate Professor Kelly Rogers OAM

Associate Professor Kelly Rogers of Altona has been awarded the Medal of the Order of Australia for her service to medical research. An Associate Professor of Medical Biology within the Faculty of Medicine, Dentistry and Health Sciences at the University of Melbourne whose research over the past two decades has focused on innovating multi-dimensional imaging techniques to create highly detailed visualisation of biology.

Associate Professor Rogers previously worked as a postdoctoral researcher with the Molecular Embryology Unit at Institut Pasteur, Paris, in 2002, where she established a unique microscopy platform and genetically encoded Ca²⁺ sensors to study neural network connectivity. She went on to become a Research Associate for the Institut's Platform for Dynamic Imaging in 2007, until she returned to Australia to establish the Centre for Dynamic Imaging at the Walter and Eliza Hall Institute of Medical Research (WEHI), which is closely affiliated with the University of Melbourne, in 2009. She has served as Head of the centre since its establishment and was appointed laboratory head in 2017. In 2019 she was also appointed Head of WEHI's Advanced Technology and Biology Division.

She has been a researcher for two projects funded by the Australian Research Council since 2012, and Chief Investigator for three grants funded by the National Health and Medical Research Council since 2021.

Mr Bartholomew Willoughby OAM

Altona North musician Bartholomew Willoughby has been awarded an Order of Australia Medal for his service to the performing arts, particularly through music. Mr Willoughby is known for pioneering a distinctive Indigenous Australian sound, a fusion of Jamaican reggae with traditional Indigenous influences. He has founded a number of bands, mastered multiple instruments and written 120 songs spanning a range of genres.

Mr Willoughby, 63, started learning music at the University of Adelaide's Centre for Aboriginal Studies in Music at the age of 14, and began his musical career in 1978. He is a founding member of multiple bands including No Fixed Address (founded in 1979), Mixed Relations (later known as the Bart Willoughby Band) (1989) and Black Arm Band (2006). He has been a drummer for Goanna (1982), Coloured Stone (1985-1986) and Yothu Yindi (1988).

Mr Willoughby became a musical instructor at Yalata Anangu School in South Australia in 1995 and has continued to support emerging Australian musicians over many years.

Mr Willoughby has also had an impressive career in film, television and stage. He first took on an acting role in the movie *Wrong Side of the Road*. He went on to compose the soundtrack for Indigenous filmmaker Madeleine McGrady's documentary *Always Was – Always Will Be*, screened on SBS in 1989, and in 1990 was cast in the film *Until the End of the World*. In 1992, Mr Willoughby became the first Aboriginal person to compose, play and

direct the music track of a feature film with *Jindalee Lady*. Between 2013 and 2014, Mr Willoughby was also the band leader for the Malthouse Theatre's touring production of *Shadow King*, a contemporary retelling of Shakespeare's *King Lear* as a tragedy centred on two Indigenous Australian families in the Northern Territory.

Mr Willoughby received the inaugural Indigenous Music Award for Lifetime Achievement to Indigenous Music at the Australian Music Awards in 1993. He received the Australia Council's National Indigenous Art Award in 2016.

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

Policies and Related Council Documents

This report has been prepared in accordance with the Council Recognition of Australian Honours and Awards Recipients Procedure to recognise Hobsons Bay residents who receive Australian Honours and Awards on Australia Day and the King's Birthday.

Legal/Statutory Obligations and Risk

There are no legal or statutory obligations related to, or risks associated with, this report.

Financial and Resource Implications

Any costs associated with the matter are accommodated by existing operational budgets.

Environmental, Social and Economic Impacts

This report acknowledges the significant social and environmental contributions made by Hobsons Bay residents who have received Australian Honours and Awards on Australia Day and the King's Birthday.

Consultation and Communication

All Hobsons Bay residents who received an honour or award in the King's Birthday 2023 Honours List will receive a letter of congratulations signed by the Mayor of Hobsons Bay in accordance with Council's procedure for recognition of Australian honours and awards

recipients. They will also be invited to attend a future Council Meeting to hear Council's acknowledgement of their achievements.

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 Adoption of Annual Budget 2023-24

Directorate:	Corporate Services
Responsible Officer:	Chief Financial Officer
Reviewer:	Director Corporate Services
Attachments:	1. Annual Budget 2023-24 [8.2.2.1 - 148 pages] 2. Annual Budget Submissions 2023-24 [8.2.2.2 - 144 pages]

Purpose

To formally receive and note the submissions made in relation to the Proposed Annual Budget 2023-24 (Attachment 2), adopt the Annual Budget 2023-24 (Attachment 1), and declare rates and charges for the year ending 30 June 2024.

Recommendation

That Council, having given public notice of the preparation of the Proposed Annual Budget 2023-24 in accordance with Council's Community Engagement Policy 2021:

- 1. Receives and notes the submissions following the public exhibition period for the Proposed Annual Budget 2023-24.**
- 2. Notes that submissions were considered in finalising the Annual Budget 2023-24.**
- 3. Adopts the Annual Budget 2023-24 annexed to this report in accordance with section 94 of the *Local Government Act 2020*.**
- 4. Authorises the Chief Executive Officer to give public notice of the decision to adopt the Annual Budget 2023-24.**
- 5. Declares Rates and Service Charges totalling \$130.584 million (one hundred and thirty million, five hundred and eighty-four thousand dollars) (refer to section 4.1.1 of the Annual Budget 2023-24) for the year ending 30 June 2024 in accordance with section 158(1) of the *Local Government Act 1989* as follows:**
 - a. Declares general rates in respect of the 2023-24 financial year, raised by the application of differential rates as follows:**
 - i. A general rate of 0.201839 cents in the dollar on capital improved value (CIV) of all rateable residential properties**
 - ii. A general rate of 0.322943 cents in the dollar on CIV of all rateable vacant residential properties**
 - iii. A general rate of 0.464229 cents in the dollar on CIV of all rateable commercial properties**
 - iv. A general rate of 0.686253 cents in the dollar on CIV of all rateable industrial properties**

- v. A general rate of 0.807356 cents in the dollar on CIV of all rateable petrochemical properties
 - vi. A rating concession of 0.090828 cents in the dollar on CIV of all rateable recreational properties
- b. Under section 171(1)(a) of the *Local Government Act 1989*, provides a waiver of:
- i. \$100 for all residential properties occupied by a ratepayer who is an eligible Department of Veterans' Affairs Gold Card recipient;
OR
 - ii. \$75 for all residential properties occupied by a ratepayer who is an eligible Centrelink pension card recipient (excluding healthcare)
- c. Declares an annual service charge on properties in accordance with section 158(1) of the *Local Government Act 1989* for the collection, disposal and processing of garbage, recycling, food organics and garden organics (FOGO) and hard waste for the year ending 30 June 2023 to be raised as follows:

\$295.10	Standard (base waste service charge for four bins: 120L garbage, 120L FOGO, 120L glass, 240L mixed recycling)
\$250.24	Shared (replaces standard base charge for properties in multi-unit dwellings/apartments/villages with shared bins)
\$116.85	U1 – Upsize to 240L garbage bin
\$38.96	U2 – Upsize to 240L FOGO bin
\$0.00	UF1 – Free upsize to 240L garbage bin
\$0.00	UF2 – Free upsize to 240L garbage bin for medical reasons
\$298.64	A1 – Additional 240L garbage bin
\$181.78	A2 – Additional 120L garbage bin
\$116.85	A3 – Additional 240L recycling bin
\$181.78	A4 – Additional 240L FOGO bin
\$142.83	A5 – Additional 120L FOGO bin
\$77.91	A6 – Additional 120L glass bin
\$265.59	BRF – Business Reduce Service with FOGO bin
\$265.59	BRG – Business Reduce Service with Glass bin

\$265.59 BRS – Business Reduce Service

\$280.34 BSH – Business Shared

- 6. In accordance with section 158(4) of the *Local Government Act 1989*, requires that general rates and annual service charge must be paid by four instalments made on or before the following dates:**

Instalment 1 30 September 2023

Instalment 2 30 November 2023

Instalment 3 29 February 2024

Instalment 4 31 May 2024

- 7. In accordance with section 172 of the *Local Government Act 1989*, requires persons to pay interest on any general rate or annual service charge, which that person is liable to pay and which has not been paid by the date specified for payment.**
- 8. Authorises the Team Leader Rates of Council to levy and recover the general rates, annual service charges and interest where applicable in accordance with the *Local Government Act 1989*.**
- 9. Responds in writing to all submitters to the budget under the signature of the Director Corporate Services.**

Summary

Council's recommended Annual Budget 2023-24 is provided as an attachment to this report and is presented for adoption. A schedule of the submissions on the budget is also attached. Council has considered all submissions in final preparation of the recommended Annual Budget 2023-24.

The budget as presented has been amended since it was proposed and advertised for public comment. Changes have been made to reflect adjustments required to operating and capital items. In addition, changes have been made in response to submissions made by the community.

The recommended budget is based on an operational surplus of \$16.468 million for the year, although this does not include Council's significant investment in capital expenditure of \$64.685 million for 2023-24.

Operating surpluses are required to ensure that Council remains financially viable to fund current and future commitments, including the Capital Works Program. Council's cash and investment reserves are projected to decline by \$4.878 million during 2023-24.

The Annual Budget 2023-25 is based on an increase to general rates of 3.5 per cent, in accordance with the Victorian Government rate cap legislation. This year's rates will be based on new 2023 valuations, meaning rate increases will vary across the differential rating categories and individual properties.

Waste service charges are exempt from the rate cap and an increase of 7.7 per cent is planned for waste service charges. The charges do not cover the cost of providing the waste service as Council has decided to recoup its considerable investment to introduce a four-bin system in 2019-20.

While the 2023-24 budgeted operational surplus is a strong result, there is a shortfall in the funding available for the Ten Year Capital Works Program. The program has therefore been reduced in line with the current financial limitations. Council is working to reduce this funding gap, but some projects in future years remain unfunded.

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

Council will continue its advocacy work towards other levels of government to identify future funding opportunities that will help to deliver an ongoing high standard of services and infrastructure. Council is actively advocating for projects that will bring economic, environmental and social benefits to the city of Hobsons Bay, such as the Hobsons Bay Wetlands Centre and the Western Aquatic and Leisure Centre.

Background

The annual budget process commenced in late 2022 when Council undertook its 2023-24 pre-budget consultation, providing an opportunity for community members to submit their ideas.

There were eight budget briefings in relation to developing the Proposed Annual Budget 2023-24, before it was approved to be placed on public exhibition after the Council Meeting held on 11 April 2023. Submissions in relation to the proposed budget were invited from the public and 115 were received. A further two budget briefings have since been held to discuss the community budget submissions and to provide direction to develop the recommended Annual Budget 2023-24.

The Victorian Government has implemented an inflation-based rate cap, the Fair Go Rates System, which has been overseen by the Essential Services Commission since 2016-17. The rate cap for 2023-24 is 3.5 per cent, compared to the 1.75 per cent cap in 2022-23.

The rate cap is well below the All-Groups CPI of 7.0 per cent over the 12 months to the March 2023 quarter. Inflation has reduced Council's real level of income from rates when compared to the increases in costs that have occurred. This has created significant pressure on Council's ability to deliver services and infrastructure projects. This is a challenge that has been carefully considered in forming the budget in 2023-24 and the rate increase in line with the cap.

Discussion

The recommended Annual Budget 2023-24 as attached has been changed since it was proposed and advertised for public comment. The operational surplus of \$16.469 million is a slight increase (\$966,000) over what was proposed.

Changes made to income include:

- **Rates and charges** have increased by \$428,000, with general rates reflecting the finalisation of the 2023 annual revaluation process (\$408,000) and waste charge income reflecting the increased uptake of the service (\$20,000).
- **User fees** have increased by \$84,000, mainly due to the reinstatement of debt recovery income. This is offset by an increase in expenditure outlined below.
- **Operating grants** have increased by \$16,000, due to a weed management grant carried over from 2022-23.
- **Capital grants** have increased by \$1.538 million due to carryovers from 2022-23 (\$1.061 million) and an additional grant expected for Phase 4 of the Local Roads and Community Infrastructure Funding program (\$477,000).

Changes made to operational expenditure include:

- **Employee costs** have increased by \$878,000. The most significant increase relates to Council's Workcover premium (\$502,000). Temporary positions have also been included for a Corporate Wellbeing Officer, IT systems developers to focus on customer related system, and a Waste and Recycling Operations Lead.
- **Materials and services** have increased by \$212,000. The most significant increases are for Corporate Wellbeing (\$250,000), the reinstatement of debt recovery costs – offset by the increase in income noted above (\$80,000), carryover of Strategic Planning projects from 2022-23 (\$60,000), increased weed management expenditure (\$30,000), and postage costs (\$20,000). The most significant savings are for a reduction in the capital works carryover not associated with assets that will be capitalised (\$196,000) and a reallocation to employee costs for Pitch Your Project.
- **Other expenses** have increased by \$10,000, to account for the legislated increase to Councillor allowances (\$8,000) and audit fees (\$2,000).

Capital works expenditure has been increased by \$6.610 million to \$64.685 million, due to further projects from 2022-23 now expected to be completed in 2023-24 (\$5.060 million).

The following projects have also been included in the Capital Works Program after further refinement of project scopes:

- Stage 1 of the Hobsons Bay Wetlands Centre, including temporary facilities, café, and walking paths (\$600,000)
- Major renewal and maintenance work on the Laverton Swim and Fitness Centre (\$500,000)
- Refurbishment of the Williamstown Mechanics Institute cottage (\$450,000)

One hundred and fifteen responses were received because of the public exhibition process in relation to the Proposed Annual Budget 2023-24. All submitters will receive an individual response following Council consideration of the final budget.

Valuation changes

The average rateable property's capital improved value (CIV) in Hobsons Bay has increased by 5.86 per cent in the past 12 months. Property valuation changes have varied considerably between individual properties and across the differential rating categories as follows:

- residential ▲ 4.78 per cent increase
- residential vacant land ▲ 1.59 per cent increase
- commercial ▲ 4.74 per cent increase
- industrial ▲ 16.82 per cent increase
- petrochemical ▼ 3.81 per cent decrease
- cultural and recreational ▲ 15.28 per cent increase

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

Rate changes

The average general rate increase is 3.5 per cent, consistent with rate cap, but the changes to valuations above mean that average rate increases vary for each rating category as follows:

- residential ▲ 0.83 per cent increase
- residential vacant land ▼ 2.24 per cent decrease
- commercial ▲ 0.79 per cent increase
- industrial ▲ 12.41 per cent increase
- petrochemical ▼ 7.43 per cent decrease
- cultural and recreational ▲ 10.94 per cent increase

The rates notice will include service charges for the collection, disposal and processing of garbage, recycling, glass, garden and food waste and hard waste. Service charge increases (which are not subject to the rate cap) of 7.7 per cent in 2023-24 will help cover the cost of Council's considerable investment to introduce a four-bin system in 2019-20, which is being progressively recovered over subsequent years. As a result of the increased investment, it is anticipated that the “waste management” reserve will be in deficit of approximately \$4 million by 30 June 2023.

Rate notices will also include the fire services property levy that Council collects on behalf of the Victorian Government. This levy is not regarded as Council income and is not included within the figures outlined in the Annual Budget 2023-24.

Should further financial assistance be required, it can be provided through Council's Financial Hardship Policy. Council has included \$100,000 in the budget to provide this assistance.

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 Annual Budget 2023-24 has been determined within the ongoing financial constraints of Council.

The Annual Budget 2023-24 is also directly aligned to Council's Financial Plan 2021-22 to 2030-31, Revenue and Rating Plan 2021-22 to 2024-25, Hobsons Bay Asset Plan 2022-32 and the Ten Year Capital Works Program.

Legal/Statutory Obligations and Risk

Council must prepare and adopt a budget for each financial year and the subsequent three financial years by 30 June each year in accordance with section 94 of the *Local Government Act 2020*. The annual budget must be in the format outlined in the model prescribed by the Local Government (Planning and Reporting) Regulations 2020.

Parts of the *Local Government Act 1989* regarding the local government rating framework are still in force. Sections 154-181 determine Council's ability to develop a rating system.

The Ministerial Guidelines for Differential Rating were published in the Victoria Government Gazette in April 2013. The guidelines were prepared to guide councils in the application of differential rates as provided in section 161 of the *Local Government Act 1989*.

Council is required for rating purposes to undertake a general revaluation of all properties within the municipality every year under section 11 of the *Valuation of Land Act 1960*.

The community submission process was developed in accordance with Council's Community Engagement Policy 2021, as required by section 96 of the *Local Government Act 2020*. The policy stipulates that Council will engage with the community for feedback and participation during the planning and development stages of the Annual Budget.

Financial and Resource Implications

The Annual Budget 2023-24 predicts an operational surplus of \$16.468 million. The result is based on income of \$163.455 million and expenses of \$146.987 million.

The income includes \$130.584 million in rates and charges during 2023-24. This is the most important source of income for Council, expected to account for an estimated 80 per cent of Council's revenue.

Council proposes to spend \$64.685 million on capital works, including \$6.9 million worth of projects carried over and funded from 2022-23. The program is funded by capital income (\$2.016 million), reserves (\$7.578 million) and loan borrowings (\$14 million) to support the program of works. The balance of the Capital Works Program is funded from the operational surplus and cash reserves.

After funding capital works and other non-operational or non-cash items, a balanced Available Funding Result has been calculated.

Due to Council's large capital works commitment, cash and investment reserves are expected to decline by \$4.878 million during the year to \$35.234 million by 30 June 2024.

Environmental, Social and Economic Impacts

Environmental, social and economic impacts have been considered throughout the development of the Annual Budget 2023-24.

Council continues to provide additional rates concessions to approved pension card holders (\$75) and to holders of a Gold Card issued by the Department of Veterans' Affairs (\$100).

Council has also included \$100,000 in the budget to provide financial assistance to ratepayers through Council's Financial Hardship Policy.

Consultation and Communication

The Annual Budget 2023-24 consultation was undertaken in accordance with Council's Community Engagement Policy 2021 and has been developed with the needs of the community at its centre.

Community consultation is a fundamental part of budget development. The consultation process began in November 2022 with the launch of Pitch Your Project. Hobsons Bay residents, community groups, sporting clubs, businesses and organisations were invited to pitch an idea for a one-off community program, project or initiative that Council will deliver in the 2023-24 financial year.

In total, Council received 106 community ideas, with each submission assessed against the terms, conditions and criteria. As a result, 16 successful ideas will receive funding to be delivered next financial year. A total of \$610,000 is allocated in the budget to deliver the community's Pitch Your Project ideas.

The Proposed Annual Budget 2023-24 was placed on public exhibition and made available for inspection and comment for four weeks until 14 May 2023, whereby any person could make written comment on any proposal contained in the budget. One hundred and fifteen responses were received.

Consistent with the advertisement placed in the *Herald Sun* on 13 April 2023 and the *Maribyrnong and Hobsons Bay Star Weekly* newspaper on 19 April 2023, any submissions received will be included in a register of submissions. The register of submissions (including any personal information) form part of the public record of the meeting and will be published on Council's website (accessible worldwide) for an indefinite period.

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 Uluru Statement from the Heart and First Nations Voice to Parliament

Directorate:	Sustainable Communities
Responsible Officer:	Acting Manager Arts, Culture and Community
Reviewer:	Director Sustainable Communities
Attachments:	Nil

Purpose

To update Council on the Uluru Statement from the Heart including the planned referendum for a First Nations Voice to Parliament (the Voice) to be enshrined in the Constitution of Australia.

Recommendation

That Council

- 1. Recognises the significance of the referendum for the Hobsons Bay community and for wider Australian society, and encourages the community to become informed about the issue prior to the referendum.**
- 2. Endorses the Uluru Statement from the Heart and notes the Australian Government's plans for the upcoming referendum on an Aboriginal and Torres Strait Islander Voice to Parliament.**
- 3. Recognises Council's ongoing commitment to reconciliation through its relationship with Yarrabah Aboriginal Shire formalised in 2006, its Reconciliation Policy endorsed in 2011 and the subsequent Reconciliation Action Plan endorsed in 2018.**
- 4. Supports the Yes vote for the introduction of an Aboriginal and Torres Strait Islander Voice to Parliament.**
- 5. Promotes information and resources throughout Council managed buildings and publications to help the community become informed about the Voice.**

Summary

A referendum on a Voice to Parliament for First Nations people is to be put to the people of Australia in 2023. This is one step identified in the Uluru Statement from the Heart. While the referendum is led by the Australian Government, Council has a role to help the community become informed and prepare for a significant period in Australia's history.

Council's endorsed Reconciliation Action Plan sets out a vision for reconciliation where the broader community is positively engaged with and celebrates Aboriginal and Torres Strait Islander histories, cultures and peoples. The 2023 Mayoral Program commits to exploring support for the Aboriginal and Torres Strait Island Voice to Parliament and engagement with key traditional owner representatives for Hobsons Bay.

Following a range of engagement this report recommends that Council continue to support reconciliation and recognition of First Peoples' culture and history spanning over 65,000 years through supporting the Uluru Statement from the Heart and the introduction of an Aboriginal and Torres Strait Islander Voice to Parliament.

Background

The Uluru Statement from the Heart is the culmination of extensive consultation undertaken by a group called the Referendum Council, consisting of over 250 First Nations delegates from across Australia, which was established by the Australian Government in 2015 to advise on progress towards a referendum to recognise Aboriginal and Torres Strait Islander people in the Australian Constitution. It was formalised and its recommendations affirmed at the National Constitutional Convention held at Uluru in May 2017.

The Uluru Statement from the Heart responds to the historical exclusion of First Peoples from the original process that led to the adoption of the Australian Constitution 122 years ago. The Uluru Statement makes two proposals: that a First Nations Voice to Parliament be enshrined in the Constitution of Australia and a Makarrata Commission be established to supervise a process of agreement making and truth telling.

In 2018, a Joint Select Committee of Parliament into Constitutional Recognition submitted a detailed report on the proposal for a Voice to Parliament. The report made four recommendations: that the Voice to Parliament be codesigned by the government with Aboriginal and Torres Strait Islander peoples, that legislative and constitutional options be considered, that the government support a process of truth-telling, and that a National Resting Place be established in Canberra.

The Australian Government has announced it will hold a referendum on the Voice to Parliament between October and December 2023. On 12 May 2023, a further report from the Joint Select Committee was tabled, confirming the government's approach to the referendum.

The only way to change the Australian Constitution is by holding a referendum. Voting in a referendum is compulsory for people who are enrolled to vote. The last referendum in Australia was held in 1999, meaning that no Australians under the age of 42 or naturalised since 1999 will have voted in a referendum before.

Discussion

The referendum on the Voice to Parliament is a key element of the Australian Government's commitment to fully implementing the Uluru Statement from the Heart, which calls for the establishment of a First Nations Voice enshrined in the Constitution. The Voice would create a constitutionally protected body of First Nations people which would advise the Australian Parliament and government on laws and policies as they are being developed.

The 2023 referendum will ask Australians to vote on the principle that a First Nations Voice to Parliament be recognised in the Constitution. It would then be the role of Parliament to legislate the specific detail of how it is applied and translated. This would be informed by the

2018 report of the Joint Select Committee of Parliament into Constitutional Recognition, and a 2023 report from the same committee, which outline in extensive detail the purpose of the Voice to Parliament and how it would work. However, it is clear that the Voice to Parliament would have an advisory role with legislation and policy, and particularly policy relating to First Nations matters. The Voice to Parliament would not have a veto power or deliver services.

Key messages in Council's discussions with First Nations stakeholders about the Voice to Parliament have indicated that its overall importance is to bring more autonomy and empowerment to Australia's First Nations communities. This is an important step to enable First Nations people to play a stronger role in turning around the "data" and outcomes experienced by First Nations people across many areas of social and economic wellbeing. It will also bring a deeper perspective in Australian policy making to recognise and value the 65,000 years of history, culture, and stories of Australia's First Nations people.

Council also recognises and appreciates that there are different views about the Voice to Parliament across the diverse networks of First Nations people. For many it is a vital step towards recognition and reconciliation; for some it is not enough, and not all First Nations organisations and people will be in agreement about it – just as there will be different views across the entire Australian community.

The Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill was introduced to Parliament on 30 March 2023. Should the Bill pass both Houses of Parliament, a date for the referendum will be set, and the specific wording of the question on the ballot paper will be finalised.

The current draft referendum question is: *"Do you support an alteration to the Constitution that establishes an Aboriginal and Torres Strait Islander Voice?"*

Council and roles for local government

Council has a long-standing endorsed policy position in support of reconciliation and recognition.

Local government also plays an important role in helping communities prepare for the referendum. The Voice to Parliament is an important issue in the Hobsons Bay community and community members will have a range of perspectives, questions and feelings about the proposed change. Council can play a role in helping people to find information and familiarise themselves with the referendum and its implications.

Many local governments have taken a leadership role in supporting the Uluru Statement from the Heart and the Voice to Parliament. For example, in June 2022, the Australian Local Government Association passed a motion supporting the Uluru Statement from the Heart at its National General Assembly in Canberra. Some councils are independently endorsing a position in support of the Uluru Statement from the Heart including the Voice to Parliament, while recognising people will have differing views, the right to be informed and to choose how to vote.

Given the importance of reconciliation to Council for over two decades, it is recommended that Hobsons Bay endorse a position in support of the Uluru Statement from the Heart and in support of the yes vote for the Voice to Parliament.

It is also important to acknowledge that different views will be held across the community, and the importance of Council encouraging community members to inform themselves over the coming months.

On 4 May 2023, the Australian Government announced more than \$1 million in funding for a neutral civic education program ahead of the referendum. Funding of \$500,000 has been provided to the Constitution Education Fund Australia (CEFA), and \$1 million to the Museum of Australian Democracy (MoAD).

Campaign materials developed by these non-government authorities will play a key role in helping the community make informed decisions at the referendum. The educational materials will include resources for digital platforms, libraries and other public institutions.

Campaign organisations and the Uluru Dialogues (<https://ulurustatement.org/>) have information about community activities and gatherings relating to the referendum and Voice to Parliament. The Voice website (<https://voice.gov.au>) is a central point for factual online resources about the referendum and will continue to be updated with information and resources in the lead up to the vote.

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 1.1: 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

Council has an endorsed reconciliation policy position through the Hobsons Bay Reconciliation Action Plan that promotes and advocates for reconciliation through recognition.

As stated in the Hobsons Bay Council Plan 2021-25, Council “recognises the First People's relationship to this land and offers our respect to their elders past and present”.

Policies and Related Council Documents

The 2023 Hobsons Bay Mayoral program noted by Council on 7 February 2023 commits to exploring support for the Aboriginal and Torres Strait Islander Voice to Parliament.

The Hobsons Bay Reconciliation Action Plan was developed and endorsed in 2018, superseding the Reconciliation Policy endorsed in 2011. In July 2023, Council commenced development on the Hobsons Bay Reconciliation Action Plan 2024-26.

Legal/Statutory Obligations and Risk

As stated in the Council Plan 2021-25, Council acknowledges the legal responsibility to comply with the *Charter of Human Rights and Responsibilities Act 2006* and the *Equal Opportunities Act 2010*. The Charter of Human Rights is designed to protect the fundamental rights and freedoms of citizens under four key values: freedom, respect, equality and dignity.

Financial and Resource Implications

Council's commitment to reconciliation includes a budget allocation that supports activities including training, communication, cultural programs and projects. It does not have a specific budget allocation to the referendum.

Environmental, Social and Economic Impacts

The Voice to Parliament and constitutional recognition are important for reconciliation. It is not possible to achieve reconciliation without recognition.

Consultation and Communication

The dialogue process for the development of the Uluru Statement from the Heart and the Voice to Parliament is unprecedented in Australian history. It is the first time a constitutional convention has convened with and for First Peoples. Community members are encouraged to find out about the Voice to Parliament from a wide range of sources to understand its purpose, consultation and implications. Some resources are included at the bottom of this section.

Council has a long-standing endorsed position to support reconciliation. Two key stakeholders Council works with are the Yarrabah Aboriginal Shire Council – a sister city to Hobsons Bay – and the Bunurong Land Council Aboriginal Corporation (BLCAC), which is the Registered Aboriginal Party for the lands and waterways of Hobsons Bay. Council has engaged with both of these stakeholders over a long timeframe and been informed by these conversations.

The BLCAC is a member of the Victorian Council of Traditional Owner Corporations, which hosted the Melbourne regional dialogues as part of its consultation. Council has held informal discussions with the BLCAC this year and has sought to formally consult through the Mayor and Chief Executive Officer.

The Yarrabah Aboriginal Shire Council is the largest self-governed council in Australia. First Nations delegates met on 10 April 2022 on Gunggandji Country at Yarrabah and made the Yarrabah Affirmation, which is now formalised as part of the Uluru Statement from the Heart process. Council's relationship with Yarrabah goes back to 2003, when the Towards Reconciliation Working Group initiated a friendship with Yarrabah with the aim of enhancing learning and understanding of each others' cultures. In 2006, the two councils formally established this friendship and signed a Memorandum of Understanding, which was renewed in 2012.

Over the course of 2023, Council has consulted with Yarrabah Aboriginal Shire Council through the Mayor and Chief Executive Officer to understand the importance of the Voice to Parliament to Council's sister city. This includes discussions during then-Mayor Cr Hemphill's visit in 2022, and a range of discussions with Mayor Cr Briffa in 2023.



Figure 1: Mayor of Yarrabah Aboriginal Shire Cr Ross Andrews with Hobsons Bay Councillors at the Australian Local Government Association conference in Canberra, June 2023
Left to right: Cr Jonathon Marsden, Mayor of Yarrabah Aboriginal Shire Cr Ross Andrews, Mayor Cr Antoinette Briffa and Deputy Mayor Cr Diana Grima

There are extensive resources available on the Voice to Parliament. Some of the key central information sources on the Voice to Parliament include:

- The 2018 Joint Select Committee report:
https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Former_Committees/Constitutional_Recognition_2018/ConstRecognition
- Reconciliation Australia's information page:
<https://www.reconciliation.org.au/reconciliation/support-a-voice-to-parliament/>
- The Uluru Statement from the Heart:
<https://ulurustatement.org/the-statement/>
- The Australian Government's main information page on the Voice to Parliament:
<https://voice.gov.au>

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 Epsom Street Affordable Housing Project - Approval for Community Engagement Process

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

Purpose

To seek approval to commence a statutory process in accordance with section 114 of the *Local Government Act 2020* for the proposed sale of part of the former Laverton Primary School, known as 7-45 Epsom Street, Laverton, for non-monetary consideration.

Recommendation

That Council:

1. Revokes resolution 8.3.1 (4) of Council meeting 9 August 2022:

That Council notes that if funding is secured, a separate report will be presented to Council seeking approval to commence the necessary statutory processes under section 114 of the *Local Government Act 2020*.

2. Undertakes a community engagement process in accordance with section 114 of the *Local Government Act 2020* and its Community Engagement Policy to seek public feedback on the proposed transfer of land at 7-45 Epsom Street, Laverton, for a non-monetary consideration to Housing Choices Australia Ltd as trustee for the Hobsons Bay Affordable Housing Trust.

3. Notes that a transfer of land is subject to external funding.

4. Notes that the consultation relates to the transfer of land only, and not to the use of the site which has been previously determined following community consultation.

Summary

Council has a long-standing commitment to encouraging and supporting an increased supply of social and affordable housing in Hobsons Bay.

The Hobsons Bay Affordable Housing Trust was established through extensive planning and consultation, as part of Council's Affordable Housing Policy. It is a vehicle to manage Council's social and affordable housing portfolio.

Approval is now being sought for Council to undertake a statutory process in accordance with section 114 of the *Local Government Act 2020* for the proposed sale of part of the land at 7-45 Epsom Street to Housing Choices Australia in their capacity as Trustee.

The land is contained within six certificates of title:

7-43 Epsom Street

Lot 2 on Plan of Subdivision 405697Y Certificate of Title Volume 11356 Folio 752

45 Epsom Street

Lot 1 on Title Plan 968351G Certificate of Title Volume 2243 Folio 590

Lot 1 on Title Plan 812794S Certificate of Title Volume 9000 Folio 434

Lot 1 on Title Plan 812799G Certificate of Title Volume 9549 Folio 406

Lot 1 on Title Plan 968350J Certificate of Title Volume 2090 Folio 949

Lot 1 & 2 on Title Plan 812797L Certificate of Title Volume 2243 Folio 590

There is additional land in the form of a footway and former road.

Background

The land known as 7-45 Epsom Street is located in the suburb of Laverton, approximately 20 km west of the Melbourne CBD. Public transport is readily accessible, with bus services operating throughout the locality and Laverton Station providing access to the CBD.

There is a growing need for affordable housing in Hobsons Bay, particularly for people with local family and social connections who find it increasingly difficult to find safe, secure and affordable housing in the municipality.

In 2018, a master plan for the site was finalised which nominated the central portion of the site for open space, allocating the northern and southern sections for affordable housing.

Various community consultation activities were undertaken to inform the master plan and in December 2019 the first stage of the project was delivered with the opening of the Curlew Community Park. In 2020, the Laverton Better Places program confirmed the northern and southern sections of the site as future social and affordable housing for the community.

In March 2022, Council undertook extensive community consultation seeking feedback on the Epsom Street Affordable Housing Draft Design Guidelines. The draft guidelines and plans to apply for State government funding to deliver a social housing project, were endorsed in the chamber in August 2022.

Discussion

Council has a long-standing commitment to encourage and support increased supply of social and affordable housing in Hobsons Bay. Council created the Hobsons Bay Affordable Housing Trust as the vehicle to deliver affordable housing dwellings within the municipality. Council has appointed Housing Choices Australia Ltd as the Trustee. Housing Choices Australia Ltd is registered with the Australian Charities and Not-for-profits Commission.

This report is seeking approval for Council to undertake the statutory process in accordance with section 114 of the *Local Government Act 2020* for the proposed sale of part of the land at 745 Epsom Street to Housing Choices Australia in their capacity as Trustee.

In accordance with section 114(2)(b) of the *Local Government Act 2020*, Council will undertake a community engagement process in relation to its intention to sell the proposed land to Housing Choices Australia as the Trustee of the Hobsons Bay Affordable Housing Trust for “non-monetary” consideration by:

- publishing notice of its intention to sell the property, also to be advertised in the local paper and on Council's website, detailing the proposal
- notification of immediately adjacent properties
- undertaking community engagement at a minimum “consult level” in accordance with its Community Engagement Policy and Operational Framework
- considering submissions prior to resolving to sell the subject land in accordance with its Community Engagement Policy
- obtaining a valuation of land in accordance with section 114(2)(c) of the *Local Government Act 2020* which is made not more than six months prior to sale or exchange.

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

Priority c) Deliver more social and affordable housing

Policies and Related Council Documents

This report is aligned with several other Council strategies, including the Better Places Laverton Place Guide (September 2020) and A Fair Hobsons Bay for All 2019-23, which includes a strategy to “work in partnership to understand homelessness within Hobsons Bay and increase the amount of affordable housing”.

This report aligns with Council's Affordable Housing Policy Statement 2016 which provided the basis for the establishment of the Hobsons Bay Affordable Housing Trust. Approval is now being sought for Council to undertake a statutory process in accordance with section 114 of the *Local Government Act 2020* for the proposed sale of part of the land at 7-45 Epsom Street to Housing Choices Australia in their capacity as Trustee.

Council's Community Engagement Policy has also been considered, which will guide public engagement on proposed transfer of land, as required under the *Local Government Act 2020*.

The following Council reports are also relevant in the context of this report:

- 2002 (most recently updated April 2016) – Council endorsed its first social and affordable housing policy
- 13 May 2014 – Council resolved to purchase the former Laverton Primary School site

- 10 May 2016 – Council received an update on the outcomes of community consultation for future development of the site
- 9 April 2019 – Council endorsed the tender process to seek a Trustee for the Hobsons Bay Affordable Housing Trust
- 9 June 2020 – Council endorsed Housing Choices Australia Limited as the Trustee of the Hobsons Bay Affordable Housing Trust
- 8 September 2020 – Council adopted the Place Guide for Better Places Laverton
- 10 May 2022 – Council received and noted a petition objecting to the proposed affordable housing development and loss of open space at Epsom Street
- August 2022 – Council resolved to consider a proposal to transfer parcels of land at 7-45 Epsom Street to Housing Choices Australia, in its capacity as the Trustee of the Hobsons Bay Affordable Housing Trust, noting further community consultation will be undertaken to inform future stages of the Epsom Street Affordable Housing Project. At the same meeting, Council also endorsed design guidelines for the project, and approved the preparation of a funding application to the State government to build the project

Legal/Statutory Obligations and Risk

The statutory process will be undertaken in accordance with Council's obligations under the *Local Government Act 2020*.

Financial and Resource Implications

Council's financial contribution to proposed affordable housing projects on the site is through the sale of land to the Hobsons Bay Affordable Housing Trust, which will be made in line with the requirements of the *Local Government Act 2020* and subject to external funding being received for the projects.

Environmental, Social and Economic Impacts

The project will deliver social benefits by providing affordable housing for people with a connection to Hobsons Bay. The provision of affordable housing enables future residents to live in safe and secure housing which provides enhanced capacity to pursue employment and educational opportunities, leading to improved social and economic outcomes.

Consultation and Communication

The Epsom Street site has been subject to multiple community consultation processes since Council first purchased the site in 2014.

Most recently, Council undertook an extensive community consultation process in March 2022 to seek feedback on the Epsom Street Affordable Housing Draft Design Guidelines. The Design Guidelines were revised to incorporate community feedback.

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 Electricity for Large Council Sites and Unmetered Street Lighting

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

Purpose

To pre-approve the Chief Executive Officer (CEO) to execute a long-term contract that is above his financial delegation for the supply of electricity for large Council sites and unmetered street lighting due to the strictly limited time offer condition that is standard in the energy market.

Recommendation

That Council delegates authority to the Chief Executive Officer to enter a multi-year contract for the supply of electricity for large Council sites and unmetered street lighting of up to \$4,000,000 (four million dollars) excluding GST.

Summary

The contract for supply of electricity to large metered sites expired 31 December 2022. Due to the volatility in the market at that time, Council could not secure any reasonable price for the supply of electricity for these sites.

All energy retailers place an expiry of four business days on any offer they submit, which is not negotiable in the current market. Given that Council's current approval process for awarding a contract takes about 31 days, delegating authority to the CEO can expedite the decision-making process.

Background

In February 2020, Council appointed MAV Procurement to act as its agent for conducting and managing the public tender process for the Supply of Electricity for large sites and unmetered public lighting.

As a result of the tender process, ERM Power Retail Pty Ltd (ERM) was awarded Contract 2020.07 as the sole supplier for large sites and street lighting for the period from 1 January 2021 to 31 December 2022. Furthermore, the contract was made with the intent that Council would run its own procurement process to secure a new contract that would commence on 1 January 2023.

Market testing through the public tender process conducted in November 2021 confirmed that retailers were reluctant to commit to technology solutions such as a Virtual Energy Network (VEN) or provide net metering solutions across a portfolio of sites.

Without market competition in the VEN, it was decided to engage the market for standard electricity supply resulting in best price per term (such as 12, 24, 36 or 48 months) for the combined usage across all large sites and unmetered street lighting.

Discussion

In December 2022, Leading Edge Energy were engaged to act as a commercial energy broker to facilitate the Request for Proposal (RFP) process for electricity supply to large Council sites such as the Hobsons Bay Civic Centre, Altona Sports Centre and Community Hubs, in addition to unmetered street lighting. The objective of the RFP was to secure a new agreement that would commence on 1 January 2023, replacing the existing agreement with ERM that expired on 31 December 2022.

Based on Council's requirements, Leading Edge Energy approached the energy market and received responses from four key retailers: AGL, Energy Australia, Momentum Energy and Shell Energy. The offers were evaluated by comparing each offer against the current retailer for each term of 12, 24, 36, 48 and 60 months.

As Council is unable to meet timelines due to the strictly time-limited condition of four business days to accept the recommended retailer offer for a long-term contract, this will result in Council continuing to pay the default electricity rate which is about 20 per cent higher than the contractual rates. Generally, Council's process from the review of the evaluation report by the Tender Board to contract execution (including acceptance of offer) takes about 31 days.

Once authority is delegated to the CEO, Leading Edge Energy can request the four retailers to revalidate their pricing based on the RFP that was conducted in December 2022. This allows the retailers to provide revised pricing recommendations, considering any changes that may have occurred since the initial RFP.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 5: Activate sustainable practices

Council Plan 2021-25

Objective 4: Visionary community infrastructure

Strategy 4.2: Ensure that our assets are properly maintained now and into the future at the most economical cost to the community and the environment

Policies and Related Council Documents

The CEO has delegated authority to enter into contracts in accordance with the S5 Instrument of Delegation adopted by Council on 11 October 2022. This report requests specific authorisation from Council for the CEO to enter into a contract above the limit of this delegation in order to secure electricity supply for large Council sites and unmetered street lighting over multiple years.

The public tender process for the provision of electricity for large sites and unmetered street lighting complies with Council's Procurement Policy.

Legal/Statutory Obligations and Risk

Since the contract with ERM expired on 31 December 2022 for the supply of electricity for large Council sites and street lighting, Council has been paying a significant higher rate compared to a long-term agreement.

There is a time-sensitive risk to the extent that if Council does not delegate authority to the CEO for expenditure related to electricity to secure an agreement based on a revised recommendation provided by Leading Edge Energy, Council will be incurring extra costs until another alternative is found.

Financial and Resource Implications

Council has allocated an appropriate budget to continue providing electricity to Council buildings and street lighting in 2023-24 and for future years.

Environmental, Social and Economic Impacts

The energy market is a volatile market requiring decisions and contracts to be confirmed within a four-day window. Establishing a process that enables Council to respond to positive market responses within sector timeframes will ensure that Council can realise potential economic benefits.

Moving Council's large scale electricity contracts to new and market responsive contracts will enable further utilisation of Council's VEN, realising significant environmental benefits through decarbonising Council's electricity as well as long term economic benefits to Council's operating costs.

Consultation and Communication

The tender was publicly advertised on 14 December 2022. The Tender Board supported the Tender Evaluation Panel's recommendation to seek Council approval to delegate authority to approve expenditure for electricity to large Council sites and unmetered street lighting to the CEO.

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 Draft Mary Street Reserve Master Plan

Directorate:	Infrastructure and City Services
Responsible Officer:	Manager Active Communities and Asset Planning
Reviewer:	Chief Executive Officer
Attachments:	1. Draft Mary Street Reserve Master Plan June 2023 [8.4.2.1 - 1 page]

Purpose

To place the Draft Mary Street Reserve Master Plan on public exhibition for four weeks from 23 June 2023 to 21 July 2023.

Recommendation

That Council:

- 1. Places the Draft Mary Street Reserve Master Plan on public exhibition for four weeks from 23 June 2023 to 21 July 2023.**
- 2. Receives a further report to adopt the Mary Street Reserve Master Plan at a future Council Meeting following the public exhibition period.**

Summary

The development of a master plan for Mary Street Reserve in Spotswood is supported by the Hobsons Bay Open Space Strategy 2018 (OSS), and the Place Guide for Better Places Spotswood and South Kingsville (BPSSK).

The Draft Mary Street Reserve Master Plan (Attachment 1) has been developed following three rounds of community consultation:

- Stage 1: Preliminary site opportunities (May to June 2022)
- Stage 2: Community ideas (October to December 2022)
- Stage 3: Master plan framework (February to March 2023)

The public exhibition period of the draft master plan will be hosted on Participate Hobsons Bay, with opportunities for input promoted via Council's social media platforms and through established clubs and networks in the local community.

Feedback will be reviewed following the closure of the public exhibition period and the updated master plan will be presented for Council's final consideration.

Background

The OSS assessed the status of all Council owned and managed public parklands across the municipality, and identified the below priority action in relation to Mary Street Reserve:

That Council develops a concept plan for Mary Street Reserve to improve passive recreation opportunities and implement priority improvements that incorporate:

- an assessment of all public space within the precinct including Spotswood RSL and Veterans Reserve
- an investigation about the potential to collaborate with the RSL to develop improved activation and integration with nearby parks.

Since the adoption of the OSS, Council has also developed a Place Guide for Spotswood and South Kingsville through its Better Places Program. The development of the Place Guide was informed by extensive consultation with the local community and identified the need to develop a landscape master plan for this site.

Discussion

The development of the Draft Mary Street Reserve Master Plan has been completed parallel with a lease negotiation process with the Spotswood South Kingsville RSL (RSL). While this report does not include details on the lease negotiations, the draft master plan identifies the new lease boundary for the RSL and outlines the open space upgrades that will occur in the new public spaces created as a result of these lease negotiations.

The draft master plan has been informed by a detailed site analysis and consultation with onsite stakeholders and the local community. The plan assumes demolition of the northern car park, the old fenced-in bowling green and the old tennis pavilion onsite that is currently used by the Braybrook-Newport Motorcycle Club. The removal of this infrastructure opens up the reserve and provides more passive green space for the local community to enjoy.

Community consultation has been completed in three stages which commenced in May 2022. The purpose of the third stage of consultation was to gain community feedback on a master plan framework which showed the intended placement of different open space functions within the reserve. The master plan framework received positive feedback overall, with suggestions also received about relocating street access into the southern car park from Mary Street, instead of where it was shown on Cullen Street. This suggestion has been supported and incorporated into in the draft master plan presented for approval to place on public exhibition.

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

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

Objective 3: Vibrant place and economy

Strategy 3.3: Continued commitment to the delivery of the Better Places program

Priority a) Deliver neighbourhood scale placemaking with projects identified within each of the Better Places Place Guides

Policies and Related Council Documents

Several Council plans and policies have been considered in the development of the Draft Mary Street Reserve Master Plan. These include:

- Open Space Strategy 2018
- Better Places Spotswood and South Kingsville Place Guide 2021
- Hobsons Bay Public Toilet Strategy 2023
- Urban Forest Strategy 2021
- Play Space Strategy 2023-2033
- Biodiversity Strategy 2017-2022

Legal/Statutory Obligations and Risk

Legal and statutory obligations as well as public risk have all been assessed as a part of the development of this draft master plan.

Consultation with the RSL has occurred throughout the development of the draft master plan and will continue while the draft is on public exhibition. The RSL has received funding from the West Gate Tunnel Project to make improvements to the facility it occupies and develop a deck area on the northern side of the facility that addresses the new open space area. Council has offered to work collaboratively with the RSL to design this deck area onsite.

Discussions have also occurred with the Braybrook-Newport Motorcycle Club who occupy the old tennis club building onsite. Future facility requirements have been communicated with Council who will work with the club to look for alternative venues. These venues may include the RSL building onsite or other facilities nearby.

Financial and Resource Implications

Cost estimates for the implementation of the master plan are being developed and will be provided with the presentation of the finalised Mary Street Reserve Master Plan.

Funding has been included in Council's Draft Five Year Capital Works Program to deliver works onsite.

Environmental, Social and Economic Impacts

Environmental, social and economic impacts have been assessed as part of the development of the draft master plan. The provision of a public toilet onsite was part of the feedback received from the community on the master plan framework. A public toilet servicing this precinct is provided at the nearby Donald McLean Reserve, supported by the Hobsons Bay Public Toilet Strategy 2023.

Consultation and Communication

The development of the Draft Mary Street Reserve Master Plan has been informed by three rounds of consultation with the community:

- Stage 1: Preliminary site opportunities (May to June 2022)
- Stage 2: Community ideas (October to December 2022)
- Stage 3: Master plan framework (February to March 2023)

Stage 1: Preliminary site opportunities (2 May to 5 June 2022)

Stage 1 consultation was held on the Participate Hobsons Bay website and a face-to-face session. The face-to-face event allowed community members to discuss their feedback and thoughts on the project and concept ideas. Along with feedback received face to face, this stage of consultation generated 131 contributions from the community via Participate Hobsons Bay.

In addition, a project summary was presented to the Spotswood and South Kingsville Better Places Local Leaders focus group on 8 August 2022 and the RSL on 9 August 2022.

Stage 2: Community ideas (10 October to 7 November 2022)

Council letterbox-dropped 600 nearby households and invited key stakeholder groups to attend an open Ideas and Information Workshop at the Newport Community Hub on 15 October 2022. Council also invited the community provide feedback regarding the entire site online at Participate Hobsons Bay, including how they would like to see the park developed and what they would like to see protected.

Given a number of RSL members missed the workshop on 15 October 2022, a second workshop occurred at the Spotswood RSL on 10 December 2022. About 60 people attended the two workshops, in addition to the feedback received online.

Stage 3: Master plan framework (23 February to 27 March 2023)

Council placed the master plan framework on public exhibition on Participate Hobsons Bay from 23 February to 27 March 2023. Throughout the public exhibition period, a community drop-in session occurred on 25 February 2023 at the Melbourne Slow Food Market. About 45 people attended the drop-in session and 33 online submissions were received via Participate Hobsons Bay.

Stage 4: Draft master plan

The public exhibition period of the Draft Mary Street Reserve Master Plan will be hosted on Participate Hobsons Bay for four weeks from 23 June 2023 to 21 July 2023. The public exhibition period will be widely promoted via Council's social media platforms and local community group and club networks.

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.

8.4.3 Draft Place Guide - Better Places Seabrook and Altona Meadows

Directorate:	Infrastructure and City Services
Responsible Officer:	Manager Active Communities and Assets
Reviewer:	Director Infrastructure and City Services
Attachments:	1. Draft Place Guide - Better Places Seabrook and Altona Meadows [8.4.3.1 - 81 pages]

Purpose

To place the Draft Place Guide for Better Places Seabrook and Altona Meadows (BPSAM) on public exhibition for four weeks from 21 June 2023 to 23 July 2023.

Recommendation

That Council:

- 1. Places the Draft Seabrook and Altona Meadows Place Guide on public exhibition for four weeks from 21 June 2023 to 23 July 2023.**
- 2. Receives a further report to adopt the Seabrook and Altona Meadows Place Guide at a future Council Meeting following the public exhibition period.**

Summary

The Draft Place Guide for BPSAM (Attachment 1) includes projects and initiatives identified as part of the visioning phase for Seabrook and Altona Meadows. All projects identified in the plan will go on to have further consultation and involvement from community. The Draft Place Guide steps the reader through the Better Places process from start to finish so they can understand how the outcomes were determined.

Public exhibition of the Draft Place Guide is proposed as the final engagement stage for four weeks across June and July 2023, and will be hosted on Participate Hobsons Bay.

Background

The Better Places model is focused on a design-led and place-based approach to projects. It helps to provide a clear vision and understanding of the elements required to make better places, and therefore provides better outcomes for the community.

It is ultimately about moving to a more collaborative and multi-disciplinary approach that moves away from the traditional model of delivering projects as “pieces” to an approach where the whole “place” is considered and driven by a community vision for the suburb.

Better Places Laverton was the pilot project for this new approach to planning projects and working with the community. This approach provides the community with greater ownership of their neighbourhood by encouraging them to be actively involved in steering the future direction of their suburb. The Laverton Place Guide was endorsed in September 2020, which

was then followed by the Place Guides for Spotswood and South Kingsville in October 2021 and Brooklyn and Altona North in December 2022.

The success of Better Places is due to actively involving the community to help shape the places they live in and use. Feedback and ideas gathered during multiple stages of community consultation informs the development of a Place Guide that includes practical, on-the-ground projects and initiatives the community has asked for.

The development of the Draft Place Guide for BPSAM commenced in May 2022 and has included three stages of community consultation to date.

Discussion

Stage one consultation commenced with the community and key stakeholder group workshops throughout May and June 2022. The community was asked to share their thoughts and ideas on three questions: what they love, what they might want to see change and any ideas in relation to their suburbs of Seabrook and Altona Meadows. This feedback was sourced through a reply paid, returnable flyer survey mailed out to all Seabrook and Altona Meadows properties and was also available on Participate Hobsons Bay. Over 2,300 responses were received in this stage.

From the feedback received, the community views were shaped into a shared vision which was supported by the below key themes:

- Pride of place and local identity
- Bringing the community closer together
- A place that is easier and safer to move around

These themes describe what the Seabrook and Altona Meadows community value most, as well as the elements that they want to see protected and improved into the future.

Stage two consultation was undertaken between September and October 2022 when the shared vision and the three key themes were on public exhibition for feedback. Initial project ideas based on the key themes were also sourced from the community as part of this process. A key consultation activity in this stage was the Out and About Festival held at Bruce Comben Reserve in Altona Meadows. Overall, 87 per cent of the responses received from this stage of consultation supported the draft vision, and the three key themes received strong support.

Stage three consultation occurred throughout March and April 2023 where Draft Place Projects shaped from community feedback in Stage 2 were placed on public exhibition. In total, almost 250 responses were received. Feedback from this consultation was overwhelmingly positive with some comments and suggestions adopted into the current Draft Place Guide.

The Draft Place Guide is the result of the Better Places process that starts with wide-ranging, open-ended questions then narrows down to a set of projects and programs designed to help the local community move towards a shared vision for the future. The BPSAM Draft Place Guide includes a “next steps” section that helps define exactly how each project will transition from planning into implementation.

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 3: Vibrant place and economy

Strategy 3.3: Continued commitment to the delivery of the Better Places program

Policies and Related Council Documents

A previous Better Places Program Update report at the Council Meeting held on 8 March 2022 noted development of the BPSAM Draft Place Guide had commenced with the first stage of community consultation set to occur in May 2022.

Legal/Statutory Obligations and Risk

The Draft Place Guide for BPSAM contains three key themes in response to community feedback received. Each theme includes a statement that describes the general views, values and aspirations expressed by the community, followed by a series of Guiding Principles that set out key improvements that the community want to see occur.

The Draft Place Guide vision, ensuing key themes and principles provide a way to clearly describe the core values and priorities of the community, but also provide a framework for the community to think about potential projects and initiatives they would like to see undertaken to bring the vision to life.

During stage one of community consultation, 765 comments out of the 2,339 responses collected related to the question, *“What would you like to see CHANGE?”* Most of these responses focused on three key issues – public roads, civic pride and safety – with public roads being the clear top priority.

Strong feedback from the community was received on the need to have a high school developed within Altona Meadows. It is acknowledged that the planning and provision of education services is a state government responsibility. Previous communication with the Victorian Government on this issue has indicated that while the current population forecasts and capacity of existing schools within the catchment can accommodate anticipated enrolments, this information is reviewed annually as part of the Department of Education and Training Victoria’s state-wide planning for schools.

Financial and Resource Implications

Place Guide delivery is being managed by the Active Communities and Assets department, with specific projects managed and assisted via cross Council departments.

The six overarching place projects within the Draft Place Guide each include sub-projects. A total of 14 sub-projects are described, with inspiration examples and next steps outlined. Projects will be prioritised as short-term, medium-term or long-term for implementation once the final Place Guide is endorsed.

Environmental, Social and Economic Impacts

The Draft Place Guide acknowledges environmental, social and economic values and opportunities within Seabrook and Altona Meadows. The proposed projects focus on improving the three key themes identified via the BPSAM community consultation including:

- Pride of place and local identity
- Bringing the community closer together
- A place that is easier and safer to move around

Consultation and Communication

The development of the BPSAM Draft Place Guide has been guided by three stages of community consultation that included workshops with internal and external stakeholders.

Stage 1 Consultation: Place check – LOVE, CHANGE, IDEAS

- five weeks throughout May and June 2022, including returnable, reply paid flyer to 11,687 owner/occupiers in Seabrook and Altona Meadows
- 2,339 responses received

Stage 2 Consultation: Draft vision, principles and project ideas

- four weeks throughout September and October 2022
- 318 responses received

Stage 3 Consultation: Draft place projects

- four weeks throughout March and April 2023
- 238 responses received

Communication platforms utilised:

- an alert email to Participate Hobsons Bay BPSAM page “followers”
- *Around the Bay* monthly newsletter
- *Star Weekly* article, Councillor Column and paid advertisement
- *Hobsons Bay Community News* delivered to mailboxes and available digitally
- Council’s social media platforms
- shared with local community clubs, groups and schools to share within their networks. media release
- printed posters and postcards displayed at local places on interest

The Draft Place Guide for BPSAM provides a detailed summary of feedback gathered from community throughout each stage in the consultation process.

The Draft Place Guide for BPSAM is proposed to be placed on public exhibition from 21 June 2023 to 23 July 2023. The public exhibition period will be hosted on Participate Hobsons Bay. Opportunities for feedback will be promoted via Council's social media platforms and established contacts collected from previous consultation activities completed on this project.

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.

8.4.4 West Gate Tunnel Project Update

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

Purpose

To provide a quarterly status report on the West Gate Tunnel Project (the Project) and associated initiatives, projects and advocacy activities.

Recommendation

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

Summary

This report includes progress updates on the Project works, traffic impacts and strategic advocacy items, Sports and Open Space Enhancement Package and a progress report on the West Gate Neighbourhood Fund.

Background

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

Construction on the Project has been underway since March 2018 and is due for completion in 2025. Recent construction activities in the western section have been focused on completing the rebuilding and widening of the West Gate Freeway and associated infrastructure, including noise walls, bridges, ramps and the tunnel portals.

Reports providing updates on various aspects of the Project have been tabled through Council Meetings since early 2018. The most recent previous report was presented at the 14 March 2023 Council Meeting. Previous reports can be accessed via the Council website at: <https://www.hobsonsbay.vic.gov.au/Council/Council-Meetings/Minutes-and-Agendas>

Discussion

Community feedback and advocacy

Council officers have advocated on behalf of community members in relation to project issues through various forums including regular meetings with the project partners.

Following lengthy delays and ongoing construction impacts to some residents living adjacent to the freeway, reinstatement works between Grieve Parade and Melbourne Road are now progressing well. Temporary barriers and construction fencing are being replaced with permanent landscaping and fencing. Damaged sections of road within the Project works site are being reconstructed and reopened for public use. To reduce wind noise impacts on residents, replacement fascia panels have been installed on the Muir Street pedestrian overpass, with the Rosalla Avenue overpass to be completed in coming weeks.

Community Liaison Group

The Community Liaison Group (CLG) was established at the commencement of the Project to provide an avenue for community representatives to learn more about the Project, share community insight with the project team and help support community engagement activities.

The last meeting of the CLG was held on 11 May 2023 with discussion on the construction progress and traffic disruptions in the west zone, shared use paths, and upcoming works. As a follow up to the April meeting, the following environmental issues associated with the Project were presented by the JV's Environment and Sustainability Manager:

- design sustainability
- environmental performance requirements
- air quality monitoring – progress and results
- ventilation structures – design and progress
- landscape design packages and status

CLG meeting documents can be obtained at:

<https://westgatetunnelproject.vic.gov.au/community/community-liaison-groups>

Sports and Open Space Enhancement and Access Package

As part of the Project, the Victorian Government agreed to partner with Council to fund the delivery of capital improvements up to the value of \$5 million towards the implementation of master plan works on Donald McLean Reserve in Spotswood and WLJ Crofts Reserve in Altona North and towards upgrades to Brooklyn Reserve, DN Duane Reserve and Rowan Avenue Reserve in Brooklyn. In addition, a contribution was made towards funding the W & M Couch Pavilion at Donald McLean Reserve.

While some landscape works are being finalised at WLJ Crofts Reserve, the improvement works and new facilities are completed and the reserves and pavilions are now open for public use.

West Gate Neighbourhood Fund

The West Gate Neighbourhood Fund is a \$10 million community grants program established by WGTP MTIA to support communities in Melbourne's inner west. This consists of four rounds of funding (two partnerships and two community grants rounds).

The final Partnership Funding Round is expected to open for applications by mid-2023. This will provide funding for larger projects over \$100,000 that:

- deliver lasting benefits for the community
- enable projects such as community infrastructure, capital equipment and programs that improve community connection

More details can be found at: <https://bigbuild.vic.gov.au/projects/west-gate-tunnel-project/community/west-gate-neighbourhood-fund/grants>

Project works update

Major works by the JV on widening the West Gate Freeway from eight lanes to 12 in Altona North, Brooklyn, South Kingsville and Spotswood continued over the past three months. Works continue at the inbound and outbound tunnel portals, the Williamstown Road and M80/Western Ring Road freeway interchange areas, the Hyde Street ramps and the various paths and landscaping.

Key activities undertaken over the period include:

- an additional southbound lane opened on Millers Road
- some gantries installed along the freeway
- all precast beams installed for the bridge over Williamstown Road and decks poured with parapet works underway
- Lynch Road reserve reinstated and open to the public
- The Avenue slip lane reopened at Melbourne Road
- six court bowls along The Avenue and the reconstruction of the connection road between Muir Street and Andrews Street connection completed with some landscaping works remaining
- cladding works completed on the Muir Street pedestrian overpass on both north and south sides

Tunnel boring works for the twin tunnels between the Maribyrnong River and the West Gate Freeway have now been completed with Tunnel Boring Machine (TBM) No.1 breaking through at the outbound southern portal near New Street, South Kingsville in early May. Both 90-metre long TBMs are being dismantled, retrieved and trucked via the freeway to storage facilities. The ventilation structure is under construction at the southern outbound portal. Crews will continue building road deck and installing electrical, lighting and safety systems to prepare the tunnel for completion in 2025.

The Project is due to carry out major construction activities on or next to the West Gate Freeway between Newport Rail Line and Hyde Street, as well as freeway ramp closures at Williamstown Road to mid-2023. Works in Hyde Street are proposed to be completed by end of July 2023. The Simcock Avenue closure will likely continue until late 2023.

Up-to-date information on planned road closures and detours can be found at the Victoria's Big Build website: <https://bigbuild.vic.gov.au/disruptions>

Westgate Tunnel Project incident – underground collapse

In the early hours of 2 June 2023, work was halted on the West Gate Tunnel Project due to a minor underground collapse.

It was reported that high moisture levels caused the ground where the tunnel was being built in Yarraville to become unstable. The collapse happened about 1km in from the tunnel entrance at Yarraville and between 300m and 500m underground.

Workers were evacuated without any reports of injury. The Australian Workers' Union advised that construction would remain halted until rectification work is completed and the ground can be stabilised.

Geotechnical assessments have begun to determine what is needed to make the ground safe.

Tree planting and trail upgrades

Construction is nearing completion on the new section of the Kororoit Creek Trail between Old Geelong Road and GJ Hosken Reserve with landscaping remaining.

Reinstatement and landscaping of occupied sites has commenced. An offset tree plan has been developed with input from Council and community stakeholder groups that identifies suitable locations for offset tree planting outside the designated Project area.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 6: An accessible and connected community

Council Plan 2021-25

Objective 4: Visionary community infrastructure

Strategy 4.1: Ensure the transport network is safe and efficient for all users with a focus on pedestrians and cyclists

Policies and Related Council Documents

On 26 August 2016, Council adopted the updated Hobsons Bay City Council's Adopted Position and Recommendations for the then Western Distributor Project.

Several Council policies and strategies were considered in establishing the adopted position on the Project and have been considered to inform the design and the Environmental Effects Statement (EES). Council has received many reports regarding officer assessments of the Project design development, construction activities, community engagement and advocacy activities undertaken in response to the Project.

Legal/Statutory Obligations and Risk

Legal and statutory obligations and risks have been identified throughout Council's review and input to the Project. These obligations and opportunities will continue to be monitored and assessed. A report and formal submission on the preferred design and EES was adopted by Council at the Council Meeting on 27 June 2017. This report considered legal, risk and statutory obligations for the Project. A statutory process for the acquisition of Council land has commenced.

The Independent Reviewer and Environmental Auditor's (IREA's) ninth six-monthly audit report for the period March 2022 to August 2022 has been released and is available on the Project website at: <https://bigbuild.vic.gov.au/library/west-gate-tunnel-project/planning-documents>

Financial and Resource Implications

A Memorandum of Understanding has been established between Council and WGTP MTIA to provide for Council staff to assist in the management and delivery of the Project and the West Gate Neighbourhood Fund.

Updated design packages are still being reviewed and requests received by Council to consider and respond to construction work issues and minor design changes. Handover meetings for Council assets and land are being undertaken where Project works are completed.

Environmental, Social and Economic Impacts

The environmental, social and economic impacts of the Project to the Hobsons Bay community have been described in detail through the EES. They are monitored and mitigated through the implementation of the Environmental Performance Requirements for the Project and audited by the IREA.

The IREA has been appointed to provide independent oversight of design engineering, construction, program and environmental performance of the Project. The IREA undertakes audits and surveillance of Project activities to assess whether conformance with Project requirements are being achieved.

Air quality monitoring for the Project has been established at six Ambient Air Quality Monitoring Stations to develop a baseline of data from current local conditions. This baseline will be used to measure any changes when the tunnel opens. Monitoring will continue for up to five years after opening.

The latest Project air quality monitoring report for February 2023 reported no exceedances of the air quality objective at the six stations for the reporting period. The report is available at: <https://westgatetunnelproject.vic.gov.au/about/keytopics/tunnel-ventilation-and-air-quality>

Consultation and Communication

Throughout the design and construction stages, Council has advocated for outcomes and improvements wherever possible that are consistent with its adopted position to optimise beneficial community outcomes. Council has assisted in sharing information on planned traffic disruptions through its website and social media. Council officers continue to assist the community where possible in responding to or referring requests and issues relating to the Project. Construction issues and impacts arising from the JV works such as noise, vibration and dust are being closely monitored by WGTP MTIA and IREA to detect and respond if permitted levels are exceeded.

Notifications are issued to directly impacted areas prior to works commencing. Recent notifications included information on:

- tunnel information drop-in session
- Southern Inbound Portal TBM removal
- verge works
- opening of the connection from Muir Street to Andrews Street
- Community Open Day on Saturday 6 May 2023

Latest notifications can be found at:

<https://westgatetunnelproject.vic.gov.au/construction/work-notifications>

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 Committee Reports

9.1.1 Delegated Planning Committee Update

Directorate:	Sustainable Communities
Responsible Officer:	Manager Planning, Building and Health
Reviewer:	Director Sustainable Communities
Attachments:	Nil

Purpose

To provide an update on the outcomes of the Delegated Planning Committee (DPC) for Quarter 3 of 2022-23.

Recommendation

That Council notes the outcomes of the Delegated Planning Committee for Quarter 3 of 2022-23.

Summary

The DPC is delegated by Council to consider and determine planning permit applications.

One meeting of the DPC was held on 21 February 2023 for Quarter 3 of 2022-23.

The DPC made determinations on two planning permit applications, supporting the officer recommendations in both applications.

Background

The DPC was formerly known as the Special Planning Committee. This change was made in August 2020 to align with the new *Local Government Act 2020*.

The DPC considers and determines planning permit applications where either:

- there are 11 or more individual objections to that application
- in other special circumstances, an application is referred to the DPC by the Director Sustainable Communities for a decision

Where a DPC meeting has been scheduled but no applications requiring consideration have been received, the meeting is cancelled.

The quorum required to hold a DPC meeting is three Councillors.

Discussion

For Quarter 3 of 2022-23, one DPC meeting was held virtually via Zoom, being 21 February 2023. Members of the public, including applicants and objectors, were invited to attend and participate.

Agendas and minutes of DPC meetings can be viewed on Council's website at: www.hobsonsbay.vic.gov.au/Services/Planning-Building/Town-Planning-Services-and-Delegated-Planning-Committee/Delegated-Planning-Committee

At the meeting held 21 February 2023, the DPC considered and decided on two applications, being:

Item 1	
Application:	PA220336
Address:	1 Hudsons Road, 1 Booker Street and 30 Craig Street, Spotswood VIC 3015
Proposal:	Use and development of the land for the purpose of industry and manufacturing sales, a reduction in the statutory car parking requirement, the display of signage and the sale and consumption of liquor
Officer Recommendation:	Refuse to grant a planning permit
DPC Decision:	Refuse to grant a planning permit

Item 2	
Application:	PA220337
Address:	1 Hudsons Road, 1 Booker Street and 30 Craig Street, Spotswood VIC 3015
Proposal:	Use and development of the land for the purpose of industry, office and retail premises and a reduction in the statutory car parking requirement.
Officer Recommendation:	Refuse to grant a planning permit
DPC Decision:	Refuse to grant a planning permit

VCAT outcomes

Of the 11 DPC determinations made in 2021-22 and Q1-Q3 of 2022-23, 10 were challenged at the Victorian Civil and Administrative Tribunal (VCAT). VCAT agreed with five of the eight DPC determinations, with two applications currently before VCAT. This equates to 62.5 per cent of the DPC decisions being "affirmed" by the VCAT.

The following table outlines the applications considered at each DPC meeting including the decisions made by the DPC and subsequently by VCAT on review.

Meeting Date	Application	Address	Proposal	Officer Rec.	DPC Decision	VCAT Outcome
22 June 2021	PA1841550	37-45 Ajax Road, Altona	<ul style="list-style-type: none"> subdivision of the land into two lots buildings and works associated with stormwater management and site remediation removal of native vegetation 	Approve	Refuse	Refuse
24 Aug. 2021	PA210026	31 Tatman Drive, Altona Meadows	<ul style="list-style-type: none"> construction of four double storey dwellings 	Approve	Refuse	Approve
10 Nov. 2021	PA1944089-1	30 Craig Street, Spotswood	<ul style="list-style-type: none"> amendment of operating hours from 7am-5pm Monday-Friday to 6am-6pm Monday-Saturday use of a vacant building and surrounds for additional storage purposes 	Approve	Approve	N/A
10 Nov. 2021	PA2048400	571-589 Melbourne Road, Spotswood	<ul style="list-style-type: none"> use and development of the land for the construction of a staged mixed use development including dwellings, shops, supermarket, food and drink premises (including café and bar), restricted recreation facility (gym), residential hotel, childcare centre, office and medical centre, and associated buildings and works use of part of the land for the sale and consumption of liquor vegetation removal partial demolition of and alterations to the existing heritage building reduction in the bicycle parking requirement creation and alteration of access to a road in a Road Zone, Category 1 	Refuse	Refuse	Approve

Meeting Date	Application	Address	Proposal	Officer Rec.	DPC Decision	VCAT Outcome
30 Nov. 2021	PA210113	9 Fenfield Street, Altona	<ul style="list-style-type: none"> construction of two or more dwellings on a lot under clause 32.08-6 (two dwellings) in accordance with the endorsed plans 	Approve	Refuse	Refuse
30 Nov. 2021	PA2048405	1/239 Esplanade, Altona	<ul style="list-style-type: none"> construction of one dwelling on a lot under clause 32.08-5 (General Residential Zone) construction of building and carrying out of works under clause 43.02-2 (Design and Development Overlay) reduction of the statutory car parking provisions of Clause 52.06-5 (waiver of second car space) in accordance with the endorsed plans 	Approve	Refuse	Refuse
29 Mar. 2022	PA210026	31 Tatman Drive, Altona Meadows	<ul style="list-style-type: none"> construction of four double storey dwellings (VCAT Amended Plans) 	Refuse	Refuse	Approve
21 June 2022	PA210113	9 Fenfield Street, Altona	<ul style="list-style-type: none"> demolition of the existing dwelling construction of two dwellings 	Refuse	Refuse	Refuse
26 July 2022	PA2048405	1/239 Esplanade, Altona	<ul style="list-style-type: none"> construction of one dwelling on common property construction of a building or to construct or carry out works 	Refuse	Refuse	Refuse
21 Feb. 2023	PA220336	1 Hudsons Road, 1 Booker Street and 30 Craig Street Spotswood VIC 3015	<ul style="list-style-type: none"> use and development of the land for the purpose of industry and manufacturing sales, a reduction in the statutory car parking requirement, the display of signage and the sale and consumption of liquor 	Refuse	Refuse	VCAT heard this matter on 22 May 2023. Decision pending
21 Feb. 2023	PA220337	1 Hudsons Road, 1 Booker Street and 30 Craig Street Spotswood VIC 3015	<ul style="list-style-type: none"> use and development of the land for the purpose of industry, office and retail premises and a reduction in the statutory car parking requirement 	Refuse	Refuse	VCAT heard this matter on 22 May 2023. Decision pending

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 1: Visionary, vibrant, accountable urban planning

The DPC provides accountable urban planning by ensuring that planning permit applications with significant community and special interest are heard and decided by Council. This allows members of the community to present their views to Council.

Council Plan 2021-25

Objective 3: Vibrant place and economy

Strategy 3.5: Ensure land use and development supports high amenity, sustainability, exemplary design and responds to neighbourhood context

Priority b) Significantly uplift processing times and customer service in statutory planning functions while maintaining consistent, strategic and efficient standards

The DPC and related functions are an additional layer of customer service in the statutory planning area. The DPC ensures consistent decision making on planning permit applications of significant community or special interest.

Policies and Related Council Documents

The DPC is required to make decisions in accordance with the Hobsons Bay Planning Scheme and its policies in relation to planning permit applications.

Legal/Statutory Obligations and Risk

Determining planning permit applications is a statutory obligation for Council under the *Planning and Environment Act 1987*. The DPC is required to decide on planning permit applications that have not been delegated to officers to decide.

Financial and Resource Implications

The DPC is a committee delegated to consider planning permit applications. Operational costs associated with the DPC are accommodated through the approved annual budget.

Environmental, Social and Economic Impacts

Environmental, social and economic impacts (if applicable) of each planning permit decision are considered at the time of making the decision.

Consultation and Communication

This report provides information on the outcomes of the DPC meeting to Council. Public consultation occurs on each planning permit application as required by the Hobsons Bay Planning Scheme and the *Planning and Environment Act 1987*.

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.

9.2 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.

RoadSafe Westgate Community Road Safety Council

Directorate: Infrastructure and City Services

Councillor Delegate: Mayor Cr Antoinette Briffa

Date of Meeting: 19 April 2023

Hobsons Bay City Council, Maribyrnong City Council, Melton City Council, and Wyndham City Council are working together on road safety initiatives. They are using a platform provided by RoadSafe Westgate Community Road Safety Council.

RoadSafe West Gate actively promotes road safety by facilitating communication and collaboration among traffic engineers and road safety experts. They share information, discuss challenges, and work towards the common goal of making roads safer. The council supports the implementation of effective road safety measures through partnerships with relevant stakeholders. Their aim is to reduce the number and seriousness of traffic crashes over time.

RoadSafe Westgate update

RoadSafe Westgate provided updates on the VicRoads Community Road Safety Grants program. The program is initiated by the Parliament of Victoria and encourages local governments to apply for grants to fund community road safety programs that impact road safety behaviours on vulnerable road users.

A report on the expenditure and income related funds was provided by the Werribee Magistrates Court Fund to the Magistrates Court.

Information and updates on road rules were provided. Road rules relating to distracted drivers and mobile phone and seatbelt detection cameras were explained.

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:

- road safety community grants in collaboration with state and federal government authorities
- bicycle network behaviour change program
- installation of solar lighting along shared user path
- proposal submissions to the Department of Transport and Planning for new school crossings for 2024

Police updates

Victoria Police provided an update on road safety related operations. Statistically there was an increase of 14.4 percent in behavioural related offences compared to previous data.

Metropolitan Transport Forum - 5 April

Directorate: Infrastructure and City Services

Councillor Delegate: Cr Jonathan Marsden

Date of Meeting: 5 April 2023

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

Casual Vacancy Filled

Cr Sarah Race from the Shire of Mornington Peninsula was appointed to a casual vacancy position on the board of the Metropolitan Transport Forum (MTF). The MTF now has a full complement of Executive members.

Ambassador Roles Filled

Nominations have been received for four of the six Ambassador roles that are part of the 2023 Strategic Action Plan. Cr Bernadette Thomas was appointed as Bicycle Ambassador, Cr Anna Chen of Manningham City Council as Bus Ambassador, Cr Richard Stockman of Nillumbik Shire Council as Walking Ambassador and Cr Steve Staikos of Kingston City Council as Train Ambassador.

Presentation

Peter Kartsidimas, Director Networks and Planning at Infrastructure Victoria (IV), presented IV's bus project report. The aim of the project is to improve bus service for users, expand the network reach, and improve service efficiency. Target issues included the need to increase average bus speeds from 15km/h, improve boarding rates, and to ensure that bus routes are economically viable.

Council Updates

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

- Mr Doug Rowland of Stonnington City Council gave an overview of projects including the successful safe routes to school, active transport behaviour change, and electric vehicle charging
- Cr Amanda McNeill of Whitehorse City Council spoke about issues including the Surrey Hills Level Crossing Removal Project, cycling Easy Route Rides, and lower speed limits
- Mr Russell Tricker at Whittlesea City Council explained the area's high growth and car dependency and actions that hope to provide remedy
- Ms Melissa Falkenberg at Wyndham City Council spoke about major transport projects including FlexiRide buses and advocacy for a new Transport Study

Metropolitan Transport Forum - 3 May

Directorate: Infrastructure and City Services

Councillor Delegate: Cr Jonathan Marsden

Date of Meeting: 3 May 2023

The Metropolitan Transport Forum (MTF) is a monthly gathering attended by representatives from 26 councils in Melbourne, as well as individuals from other transport-related organisations and advocacy groups such as the Department of Transport and Planning, the Public Transport Users Association and Victoria Walks.

These meetings allow councils to collaborate and discuss ways to improve the transport system by sharing knowledge and focusing on integrated transport. Additionally, the MTF meetings serve as a means for Council to stay informed on transport-related matters across the metropolitan area and to communicate this information to the Hobsons Bay community.

Matters discussed at the 5 April 2023 MTF meeting are outlined below.

Additional Ambassador Roles

Further to the meeting held on 5 April 2023, two additional members have been nominated to fill ambassador (advocacy) positions. These are Cr Amanda McNeill (Whitehorse) as Ambassador for Access, and Cr Susanne Newton (Darebin) as Ambassador for Trams.

Presentation

Amy Child and Daniel Kowalczyk from the Department of Transport and Planning presented on the recent restructure of the department. This included the incorporation of the planning arm and redefining the Greater Melbourne area into two distinct regions, Inner Metro and Outer Metro. Hobsons Bay is included in the Inner Metro region. They went on to define the key governance functions for each region and gave a spotlight on active transport projects.

Council Updates

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

This month updates were presented by Banyule and Bayside councils on the transport actions they are undertaking to progress their four-year plans. Planned presentations by Boroondara and Yarra councils were postponed to the next meeting.

10 Notices of Motion

10.1 Notice of Motion No. 1245 - Condolence - The Bush Lawyer

Cr Antoinette Briffa has given notice of the following:

That Council acknowledges the recent passing and significant contribution of the Bush Lawyer and extends its sincerest condolences to his family and the Yarrabah community.

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.

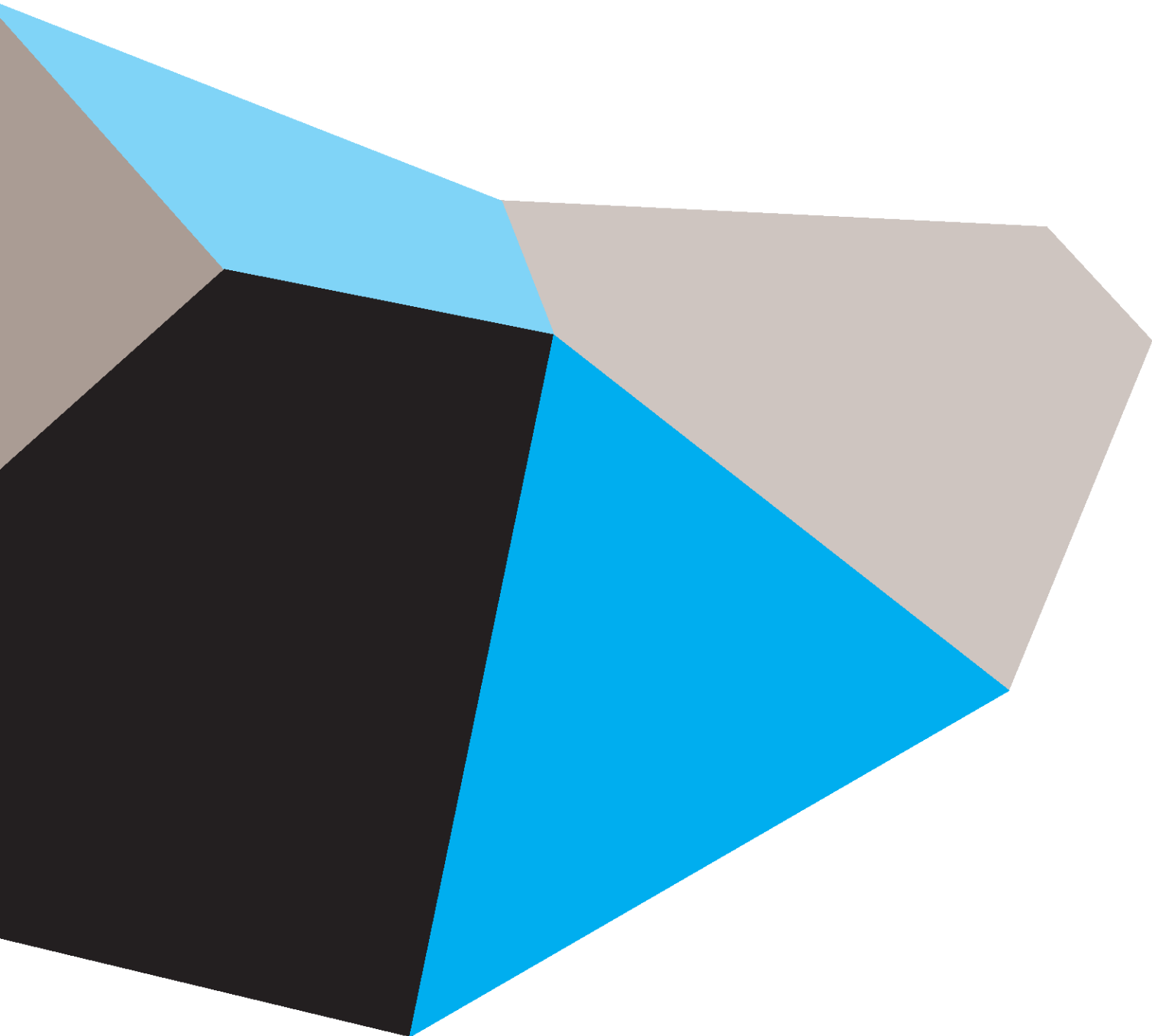
Where it is not possible to provide a response during the meeting, a written response to the question will be provided promptly.

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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