



Council Meeting Agenda

Tuesday 11 July 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 20 June 2023 and the minutes of the Unscheduled Council Meeting of Hobsons Bay City Council held on 26 June 2023 (copies previously circulated).

5 Councillor Questions

6 Public Question Time

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

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

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

7 Petitions and Joint Letters

7.1 Petitions and Joint Letters Received

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

7.2 Responses to Petitions and Joint Letters

7.2.1 Response to Petition - Commit to funding the Laverton Swim and Fitness Centre

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

Purpose

To respond to the petition requesting that Council commits \$3.8 million to the Laverton Swim and Fitness Centre (the Centre), to ensure it remains within the Laverton community for the next generation.

Recommendation

That Council:

- 1. Consistent with the Aquatic Strategy, is committed to undertaking essential maintenance works required to ensure the Laverton Swim and Fitness Centre remains operational until the Western Aquatic and Early Years Centre at Bruce Comben Reserve opens.**
- 2. Completes high priority maintenance works at the Laverton Swim and Fitness Centre with the \$500,000 allocated in the 2023-24 Capital Works Program.**
- 3. Writes to the lead petitioner advising of the outcome.**

Summary

At the Council Meeting on 7 February 2023, a petition was received requesting that:

“If by February 2023, after the review period of the Western Aquatic and Early Years Centre preliminary design is complete, and HBCC are not successful in obtaining the \$40million in grants from State and federal governments, we request that:

- \$3.8m from the \$20m HBCC provisions for the Western Aquatic and Early Years Centre/ Bruce Comben Reserve Masterplan to be redirected to the LSFC to complete the building renewal works (as described in the document Laverton swim and Fitness Centre Update – February 2017”*
- HBCC commit to ensuring the LSFC is fit for purpose, maintained and open to the public for the next 20+ years”*

The petition has 789 signatories, of which 469 identify as Hobsons Bay residents.

After considering the age and condition of the Laverton Swim and Fitness Centre and its current and future user catchments, the Hobsons Bay Aquatic Strategy recommended decommissioning the Centre following the opening of the Western Aquatic and Early Years Centre (WAEYC) at Bruce Comben Reserve. Council is committed to undertaking the essential maintenance tasks required to ensure the Centre remains operational until the WAEYC opens.

Following the completion of a recent condition audit, Council has allocated \$500,000 to undertake essential maintenance works on the Centre as part of the 2023-24 budget. The condition on the facility will be monitored to ensure repairs are completed as required.

Officers have liaised with the lead petitioner to discuss the contents of the petition and to advise them of the outcome.

Background

At the Council Meeting on 14 February 2017, Council resolved to allocate \$750,000 as part of the 2016-17 budget to undertake high priority roof, mechanical, electrical and drainage works. In addition to the commitment of these funds, Council also committed to the development of a municipal wide review of aquatic services that included an assessment of the future operations of the Centre.

At the Council Meeting on 9 July 2019, Council endorsed the Aquatic Strategy which recommended the decommissioning of the Centre once the construction of a new facility at Bruce Comben Reserve in Altona Meadows was completed. The development of the Aquatic Strategy was informed by a condition audit that was completed in 2018. The report identified a number of key findings which suggested a major upgrade was required and that the Centre was *“of an age, and in such condition, that it would neither be technically nor financially prudent to retain it as part of a state-of-the-art redevelopment”*.

The Aquatic Strategy highlighted the importance of completing ongoing condition assessments on all aquatic facilities to ensure that their future requirements align with operational and renewal budgets.

Consistent with the recommendations of the Aquatic Strategy, Council remains committed to the ongoing operations of the Centre until the WAEYC opens.

Discussion

In addition to the completion of the 2018 condition audit on the Centre, Council commissioned a process to provide an updated condition audit which was completed in June 2023. The report provided an independent assessment on the works needed, with indicative costings to maintain the operations of the facility for another ten years.

The report found that the facility has had significant funds invested in the last ten years comprising the \$750,000 from the 2016-17 budget and \$350,000 in 2015-16 for the pool plant room upgrade project. The report confirmed that overall, the facility is approaching the end of its practical or viable life. However, through the allocation of funding for key building components, it is expected to operate satisfactorily for the next ten years, albeit with its continued normal maintenance regime.

The building condition audit has prioritised the need to complete essential roof repairs throughout the Centre, repairs to high level glazing throughout the pool hall and improvements to family change rooms accessible from the pool deck. In response to the need to undertake these repairs, Council has allocated \$500,000 in its 2023-24 budget to complete these works.

Following the appointment of architectural services at the 14 March 2023 Council Meeting, Council is continuing with the design of the Western Aquatic and Early Years Facility. Consistent with the Aquatic Strategy, the development of this facility is Council's priority for any significant allocations of funding for aquatic needs into the future. The condition of the Laverton Swim and Fitness Centre will continue to be monitored to ensure it remains operational until the new facility at Bruce Comben Reserve opens.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 2: Community wellbeing and inter-connection

Council Plan 2021-25

Objective 1: Healthy, equitable and thriving communities

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

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

Priority a) Reduce the asset renewal demand gap for key assets including roads, footpaths, buildings, recreation and community facilities

Policies and Related Council Documents

The response to this petition is consistent with the below documents previously adopted by Council:

- Hobsons Bay Aquatic Strategy 2019-30
- McCormack Park Master Plan

Previous Council reports relating to this site are summarised below:

- **28 February 2017** – Council resolved to undertake a review of aquatic services that incorporated a strategic study into the future operations of the Laverton Swim and Fitness Centre.
- **14 November 2017** – Council resolved to undertake the Hobsons Bay Aquatic Strategy 2019-30 to assess general aquatic provision in Hobsons Bay and

neighbouring municipalities including options for redevelopment of the Laverton Swim and Fitness Centre.

- **12 March 2019** – Council endorsed the Draft Aquatic Strategy for public exhibition and noted the need to receive a further report to consider feedback and endorse the strategy.
- **9 July 2019** – following the public exhibition period, the Aquatic Strategy was endorsed
- **13 July 2021** – a petition was tabled objecting to the decommissioning of the Centre as recommended in the Aquatic Strategy
- **13 December 2022** – the McCormack Park Master Plan was adopted, which showed a staged upgrade of the reserve that includes the area to be available following the decommissioning of the Laverton Swim and Fitness Centre

Legal/Statutory Obligations and Risk

The condition of Laverton Swim and Fitness Centre has been assessed to identify high risk items that may interrupt future operations onsite. As part of the recently completed condition audit, these high priority items have been identified and will be addressed through the completion of works as part of the 2023-24 Capital Works Program. Regular maintenance activities are the responsibility of the operator and another full building condition audit is proposed to be completed in 2028.

Financial and Resource Implications

Council has allocated \$500,000 in the 2023-24 Capital Works Program to undertake high priority repairs identified in the 2023 Building Condition Audit. Works will be managed by internal project management resources with the assistance of external specialist contractors.

Environmental, Social and Economic Impacts

Council has obligations under the *Health and Wellbeing Act 2008* to seek, protect, improve and promote public health and wellbeing. The provision of facilities that encourage the community to participate in sporting, recreational and community activities is a fundamental role of Council.

Recreation, leisure and aquatic facilities make a significant contribution to the health and wellbeing of the community. Participation in physical activity is associated with better physical health and improved social, emotional and psychological wellbeing.

Consultation and Communication

Consultation with the lead petitioner

A meeting with the lead petitioner has occurred to discuss the contents of the petition. As part of the meeting, the deteriorating condition of the Laverton Swim and Fitness Centre was discussed, along with information from the Aquatic Strategy that led to the recommendation of the WAEYC being constructed at Bruce Comben Reserve to replace the Laverton Swim and Fitness Centre.

The lead petitioner was also advised that a condition audit on the facility had been commissioned and the works identified will be prioritised for delivery as part of the 2023-24 Capital Works Program.

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 Business

8.1 Office of the Chief Executive

8.1.1 Chief Executive Officer's Report on Operations

Directorate:	Office of the Chief Executive
Responsible Officer:	Executive Assistant to the Chief Executive Officer
Reviewer:	Chief Executive Officer
Attachments:	1. CEO Report on Operations [8.1.1.1 - 55 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 June 2023 and 30 June 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 Annual Adjustment to Mayoral, Deputy Mayoral and Councillors Allowances

Directorate:	Corporate Services
Responsible Officer:	Manager Corporate Integrity and Legal Counsel
Reviewer:	Director Corporate Services
Attachments:	1. Allowance payable to Mayors, Deputy Mayors and Councillors (Victoria) Annual Adjustment Determination - Victorian Independent Remuneration Tribunal [8.2.1.1 - 33 pages]

Purpose

To note the annual adjustment to the Mayoral, Deputy Mayoral and Councillors allowances as per section 39 of the *Local Government Act 2020* (LG Act).

Recommendation

That Council:

1. **Notes the Allowance payable to Mayors, Deputy Mayors and Councillors (Victoria) Annual Adjustment Determination 2023 of the Victorian Independent Remuneration Tribunal (the Determination).**
2. **Notes the 2 per cent increase in annual allowances (inclusive of superannuation) in the Determination effective from 1 July 2023 to 17 December 2023, being:**
 - a. **Mayoral allowance \$102,650**
 - b. **Deputy Mayoral allowance \$51,325**
 - c. **Councillors allowance \$31,980**
3. **Notes the 2 per cent increase in annual allowances (inclusive of superannuation) in the Determination effective from:**
 - a. **18 December 2023**
 - b. **18 December 2024 (only applicable to the Mayor and Deputy Mayor)**
 - c. **18 December 2025 (only applicable to the Mayor and Deputy Mayor)**

Summary

The *Victorian Independent Remuneration Tribunal* has determined a 2 per cent increase in Mayoral, Deputy Mayoral and Councillor allowances from 1 July 2023.

Background

Under section 39 of the LG Act, a Mayor, Deputy Mayor or Councillor is entitled to receive from Council an allowance in accordance with a Determination of the Victorian Independent Remuneration Tribunal (the Tribunal) under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

On 7 March 2022, in accordance with section 23A of the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019, the Tribunal made the *Allowance payable to Mayors, Deputy Mayors and Councillors (Victoria) Determination No. 01/2022*. The Determination applies to every Mayor, Deputy Mayor and Councillor in all 79 councils in Victoria.

Discussion

The Tribunal is required to make an annual adjustment to the values of allowances. On 30 June 2023, the Tribunal made the *Allowance payable to Mayors, Deputy Mayors and Councillors (Victoria) Annual Adjustment Determination 2023*. This Determination adjusts the values of allowances with effect from 1 July 2023.

The Tribunal has determined to increase the values of base allowances by 2 per cent from 1 July 2023 to 17 December 2023.

Hobsons Bay City Council has been assigned to the “Category 2” allowance category. The base allowances (per annum) payable from 1 July 2023 are:

	Category 2
Mayor	\$102,650
Deputy Mayor	\$ 51,325
Councillors	\$ 31,980

A 2 per cent increase has also been applied to the base allowance values which will apply from:

- 18 December 2023
- 18 December 2024 (only applicable to Mayors and Deputy Mayors)
- 18 December 2025 (only applicable to Mayors and Deputy Mayors)

The values are inclusive of superannuation.

The Determination also adjusted the value of the remote area travel allowance by 2 per cent.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

This report does not relate to a specific priority of the Hobsons Bay 2030 Community Vision.

Council Plan 2021-25

Objective 5: A High Performing Organisation

Strategy 5.4: Enhance transparency, accountability and good governance practice

Policies and Related Council Documents

This report complies with Council's obligations under the *Local Government Act 2020*.

Legal/Statutory Obligations and Risk

This report complies with section 39 of the *Local Government Act 2020* and the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

Financial and Resource Implications

The increase in allowances has been accounted for in Council's Annual Budget.

Environmental, Social and Economic Impacts

There are no specific environmental, social or economic impacts arising from this report.

Consultation and Communication

This report is in compliance with section 39 of the *Local Government Act 2020* and the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

Declaration of Conflict of Interest

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

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

8.3 Sustainable Communities

8.3.1 Draft Affordable Housing Policy Statement

Directorate:	Sustainable Communities
Responsible Officer:	Manager, Strategy, Economy and Sustainability
Reviewer:	Director Sustainable Communities
Attachments:	<ol style="list-style-type: none">1. Draft Affordable Housing Policy Statement - July 2023 [8.3.1.1 - 22 pages]2. Draft Affordable Housing Policy Statement - Background Paper - July 2023 [8.3.1.2 - 46 pages]

Purpose

To provide an update on the draft Affordable Housing Policy Statement and seek approval to place the draft policy statement on public exhibition for a period of six weeks.

Recommendation

That Council:

1. **Endorses the Draft Affordable Housing Policy Statement to be placed on public exhibition for six weeks in July and August 2023.**
2. **Receives a further report following the public exhibition period.**

Summary

The Draft Affordable Housing Policy Statement (the Draft Policy Statement) (Attachment 1) has been developed to guide Council's ongoing efforts to increase the supply of affordable housing in Hobsons Bay. It updates and replaces Council's Affordable Housing Policy Statement 2016 (the 2016 Policy Statement) in response to legislative reform, a growing need for affordable housing in Hobsons Bay and the successful implementation of previous policy commitments such as the creation of the Hobsons Bay Affordable Housing Trust.

Feedback will be sought on the Draft Policy Statement for six weeks in July and August 2023. Following public consultation, feedback will be reviewed and an updated Policy Statement will be presented to Council for consideration and adoption.

Background

Housing is recognised as a human right in the Universal Declaration of Human Rights. Research indicates that adequate housing protects and promotes physical and mental health and wellbeing, while inadequate or precarious housing can be harmful for individuals, families and communities. Housing is an important factor in the promotion of public health and wellbeing which is a key function of Council as per the *Public Health and Wellbeing Act 2008*.

The definition of affordable housing

Affordable housing is defined in the *Planning and Environment Act 1987* as “housing, including social housing, that is appropriate for the housing needs of very low, low and moderate income households”.

This definition relates to the income ranges for household groups published by the Victorian Government each year. In 2023-24 annual income thresholds for very low income households were defined as follows:

- single adult up to \$29,770
- couples with no dependents up to \$44,650
- family and dependent children up to \$62,510

The need for affordable housing in Hobsons Bay

Social and affordable housing is a Council priority, following community feedback, for many years. There is an urgent need for more affordable housing to support households on very low, low and moderate incomes in Hobsons Bay. Research estimates there is a current shortfall of more than 1,400 affordable housing dwellings in Hobsons Bay. The greatest unmet demand is from very low income and single adult households.

The role of government in the provision of affordable housing

The Australian and Victorian governments set the legislative, policy and funding contexts for housing markets and affordable housing. By comparison, local government plays a relatively limited role, focused primarily on advocating on behalf of local communities and negotiating affordable housing contributions through the planning system.

Council has however been proactive in addressing the issue of affordable housing since the adoption of an Affordable Housing Policy and Strategy in 2002. More recently, Council's efforts have been guided by the Affordable Housing Policy Statement 2016, with a key focus on advocacy and negotiating affordable housing contributions through the planning system.

Key achievements since the 2016 policy statement include:

- **Hobsons Bay Affordable Housing Trust** – Council has established the Hobsons Bay Affordable Housing Trust, with Housing Choices Australia appointed Trustee in 2020
- **Epsom Street Affordable Housing Project** – in 2014, Council purchased the former Laverton Primary School site for the purpose of creating open space and exploring the feasibility of providing affordable housing on the site. Recent activities on this project include community consultation on draft design guidelines, adoption of updated design guidelines and a process to transfer land to the Trust if funding is received
- **Affordable Housing Contributions** – Council has successfully negotiated and secured affordable housing contributions through the planning system for a number of large rezonings (e.g. Precincts 15, 16 East, 16 West and 17)
- **Advocacy** – Council has made submissions to numerous committees and projects, including the Victorian Government's Ten-Year Social and Affordable Housing Strategy (2021) and Social and Affordable Housing Compact (2022)

Changes since the 2016 Policy Statement

A Background Paper (Attachment 2) has been prepared that summarises the key changes to policy, funding and development contexts around affordable housing since the 2016 policy statement was adopted. These include:

- **Rezoning of industrial land for housing** – large areas of industrial land have been rezoned for residential use in Hobsons Bay which has allowed Council to negotiate contributions to affordable housing
- **Affordable housing definition** – in 2018, a definition of affordable housing was added to the *Planning and Environment Act 1987*, as well as an objective to “facilitate the provision of affordable housing in Victoria”
- **Big Housing Build** – in 2020, the Victorian Government commenced the Big Housing Build project to deliver 12,000 social and affordable housing dwellings in Victoria, as well as introducing changes to the planning system to streamline implementation of affordable housing
- **Australian Government interest** – in 2022, the newly elected Australian Government signalled its intention to fund the development of new affordable housing dwellings through a \$10 billion Housing Australia Future Fund. In June 2023, an additional \$2 billion social housing accelerator was announced, for states and territories to deliver further social housing
- **Other government reform** – the Victorian and Australian governments have introduced various reforms that are likely to affect the supply of affordable housing, including winding back the National Rental Affordability Scheme

The Draft Policy Statement builds on the achievements of the 2016 Policy Statement. Many commitments have been carried forward from the 2016 statement. Key elements of the policy, as well as changes (updates or additions) are discussed below.

Discussion

The Draft Policy Statement has been prepared to guide Council's ongoing efforts to increase the supply of affordable housing in Hobsons Bay. It articulates Council's position, presents a series of action areas and commitments, and strengthens the foundations to further grow and develop Council's approach to affordable housing.

The role of Council

The Draft Policy Statement identifies four key roles for Council in seeking to increase the supply of affordable housing in Hobsons Bay:

- **Advocate** – engage with other levels of government to represent the interests of the Hobsons Bay community and seek regulatory, policy and legislative reform
- **Planner** – encourage increased supply of affordable housing by negotiating voluntary contributions through the planning permit application and planning scheme amendment process
- **Partner** – play a direct role through its support for the Hobsons Bay Affordable Housing Trust and the use of Council-owned land for affordable housing projects
- **Connector** – bring key stakeholders together to support affordable housing projects and tenants, raise community awareness and make referrals to local support agencies and service providers for people in need

Focus for the draft policy statement

A range of housing types and programs exist within the broad definition of affordable housing, including crisis and short-term housing, social housing and affordable rental housing. Council's Draft Policy Statement proposes to focus primarily on three types of affordable housing:

- **Social housing** – rental housing suitable for the needs of households on the Victorian Housing Register (typically very low to low income households), provided either by government (public housing) or the community housing sector (community housing). There are currently around 1,400 social housing properties in Hobsons Bay
- **Affordable rental housing** – rental housing that is suitable for the needs of primarily moderate-income households and priced (typically as a percentage of market rate) so these households can meet their other essential living costs
- **Affordable purchase housing** – housing available for purchase that is suitable for the needs of primarily moderate-income households (typically at a percentage of market rate and/or through programs such as “shared equity” or “rent to buy”)

Action areas and key changes to commitments

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

1. Advocacy and leadership
2. Land use planning
3. Hobsons Bay Affordable Housing Trust
4. Use of government-owned assets
5. Community awareness and understanding
6. Supporting at risk residents

Each action area includes a series of commitments that provide further direction as to how Council will work towards the aims of the Draft Policy Statement. All commitments respond to ongoing and emerging issues and are aligned to Council's current approach and policy framework, and current policy, legislative and funding contexts.

Several commitments have been carried forward from the 2016 policy statement, while others have been updated or added.

Key changes to commitments in the Draft Policy Statement include:

- **Advocacy for Planning Reforms (5.1.2)** – outlines Council's support for the introduction of a new state-wide planning provision that would make affordable housing contributions mandatory for planning applications and amendments that seek to rezone or redevelop land to deliver 20 or more dwellings
- **Negotiating voluntary contributions (5.2.1, 5.2.2)** – consolidates Council's position on voluntary affordable housing contributions sought through the planning system. Council proposes to continue to seek a 10 per cent affordable housing contribution for amendments that rezone land to create 20 or more dwellings. For applications that redevelop rather than rezone land, Council will seek a contribution of between 5 and 10 per cent on sites that yield 20 or more dwellings
- **Investigate incentives through the planning system (5.2.7)** – updates Council's commitment to explore incentives to encourage more affordable housing through the planning system. For example, consideration of a priority planning process that retains Council Officer delegation for relevant planning permit applications that provide an Affordable Housing contribution of at least 5 per cent

- **Exploring incentives to use the Trust (5.3.4)** – introduces a proposed new commitment to identify incentives within Council’s control to encourage developers and landowners to use of the Hobsons Bay Affordable Housing Trust to deliver affordable housing contributions
- **Assessment of Council-owned assets (5.4.1)** – re-affirms Council’s commitment to consider Affordable Housing as one of the outcomes when assessing Council-owned assets as part of the delivery of Council’s Property Strategy 2021
- **Supporting at risk residents (5.6.2, 5.6.3)** – introduces proposed new commitments to ensure there are consistent processes within Council to support vulnerable residents to access services and supports, and to continue supporting and facilitating connections between government agencies, registered housing agencies, service providers and other organisations providing local supports and services
- **Investigate rates concessions for the Hobsons Bay Affordable Housing Trust (5.6.5)** – introduces a proposed new commitment to investigate rates concessions for properties owned or managed by the Hobsons Bay Affordable Housing Trust

Consultation and next steps

Council will seek community and stakeholder feedback on the Draft Policy Statement through a six-week public consultation period in July and August 2023. Council will engage with a range of key stakeholders to seek their feedback, including developers and landowners, registered housing agencies, government agencies, peak bodies, and local support services.

Information will be available via Council’s Participate Hobsons Bay website and promotions will be undertaken via social media and other appropriate channels. Following public consultation, feedback will be analysed and an updated Policy Statement prepared and presented to Council for consideration and adoption.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 2: Community wellbeing and inter-connection

Council Plan 2021-25

Objective 1: Healthy, equitable and thriving communities

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

Policies and Related Council Documents

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

- Council Plan 2021-25 (incorporating the Municipal Public Health and Wellbeing Plan)
- Hobsons Bay 2030 Community Vision

- Hobsons Bay Planning Scheme
- Hobsons Bay Housing Strategy 2019
- Hobsons Bay Property Strategy 2021
- Hobsons Bay Advocacy Strategy 2021-25
- Building Asset Management Plan 2020
- Asset Plan 2022-32
- Community Services and Infrastructure Plan 2020-30
- A Fair Hobsons Bay for All 2019-23

Relevant Council reports include:

- **12 April 2016** – Council adopted the Affordable Housing Policy Statement 2016 and resolved to write to the Minister for Planning to seek inclusionary zoning
- **9 April 2019** – Council resolved to proceed with a public tender process to nominate a Trustee
- **9 June 2020** – Council resolved to appoint Housing Choices Australia the Trustee for the Hobsons Bay Affordable Housing Trust
- **9 August 2022** – Council resolved to provide in-principle approval for the Hobsons Bay Affordable Housing Trust to apply for Victorian Government funding to deliver the proposed Epsom Street Affordable Housing Project

Legal/Statutory Obligations and Risk

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

Financial and Resource Implications

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

Environmental, Social and Economic Impacts

The Draft Policy Statement will support the objective within the *Planning and Environment Act 1987* to “facilitate the provision of affordable housing in Victoria”. It will also support a strategic direction within the Hobsons Bay Planning Scheme to “facilitate affordable housing in the overall provision of housing across the municipality to ensure that a range of housing choices is available to the community” (Clause 02.03-6, Housing). The Draft Policy Statement also highlights the need to focus on negotiating contributions via development and infill applications given the limited vacant or “brownfield” sites that remain within Hobsons Bay.

In seeking to increase the supply of affordable housing, the Draft Policy Statement will have positive social impacts. Research identifies that access to safe, secure and affordable housing contributes to improved employment and education participation, better social connections and reduced demand for support services. Conversely, reduced access can lead to significant impacts on mental, social and physical health and wellbeing.

The Draft Policy Statement aims to support positive economic impacts for local communities. Increased supply of affordable housing will reduce the incidence of “housing stress” (particularly in very low and low income households), freeing up more household income to be spent within the local economy.

Consultation and Communication

To inform the development of the Draft Policy Statement, Council officers have completed preliminary engagement with a range of stakeholders, including representatives from the Municipal Association of Victoria and Housing Choices Australia as Trustee of the Hobsons Bay Affordable Housing Trust.

The following key themes emerged from preliminary engagement activities:

- **Advocacy** – identified key reforms needed to increase the supply of affordable housing, including consistent funding, more certainty regarding the process for delivering contributions through the planning system, and increased engagement between decision-makers at all levels of government
- **Land use system** – encouraged Council to continue negotiating affordable housing contributions through the current voluntary system, while also advocating for planning controls that provide clearer direction to all stakeholders regarding contributions
- **Building the Trust** – encouraged Council to build on its previous work to build the Hobsons Bay Affordable Housing Trust further by supporting future funding applications and promoting the Trust as Council’s preferred destination for affordable housing contributions
- **At risk communities** – encouraged Council to recognise the impact of the current need for affordable housing in Hobsons Bay, and the role it can play in building connections between key stakeholders and supporting vulnerable residents to access available support services
- **Community understanding** – identified a role for Council in raising awareness of the need for affordable housing in local communities, and the benefits it provides in terms of health and wellbeing and protecting social diversity in Hobsons Bay

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

Declaration of Conflict of Interest

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

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

8.3.2 Future Framework for Outdoor Trading

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

Purpose

To provide an update on the future outdoor trading program.

Recommendation

That Council:

- 1. Undertakes consultation on the new draft framework for outdoor trading.**
- 2. Canvases businesses on their interest in participating in a parklet program through an expression of interest process.**
- 3. Notes a future report on the outdoor trading program including the outcome of consultation and business interest in the parklet program will be brought to Council for consideration at a future meeting.**
- 4. Notes that parklet fees will apply from 1 September 2023, based on the existing policy, as set out in the report.**

Summary

Council's outdoor trading program was delivered as a quick response program between October and December 2020. The program provided additional trading areas to help businesses meet social distancing requirements.

In April 2022 Council endorsed the extension of the program. Further feedback and analysis has been undertaken over the last year and a refined framework has been developed for outdoor trading. The new draft framework includes a two stage process to confirm a parklet program; options for the future of Pier Street; and the transition of extended footpath trading (including some limited fixed infrastructure options). Importantly, it considers the importance of design and amenity, to transition from interim and temporary facilities to more tailored designs and high quality streetscape outcomes. It is proposed to undertake consultation on the new draft framework and seek Expression of Interests (EOI) from businesses regarding parklets.

Background

Between October and December 2020, in response to the significant impacts of the COVID-19 pandemic on businesses, Council installed outdoor trading areas across the municipality under the Hobsons Bay Business has Heart (HBBhH) Outdoors program. These included extended footpath trading zones, parklets in car parking spaces, barriers and a road closure in Pier Street, and waivers to the usual fees associated with outdoor trading.

The HBBhH outdoor trading program was implemented as a quick response program and was intended as a short to medium term program to assist traders to operate within social distancing requirements.

On 12 April 2022 Council endorsed a new framework and the extension of the program beyond 31 May 2022. The new framework enabled infrastructure to remain and businesses to provide further feedback on the proposed future framework.

Discussion

During the COVID-19 pandemic the outdoor trading program has delivered benefits to both participating businesses and the broader community. The program provided much-needed additional trading areas for businesses to meet social distancing requirements and addressed customer concerns in relation to spending prolonged periods indoors in public settings. However, the longer-term need and opportunities were not a focus when the original Outdoors program was developed.

Over the last year Council has sought feedback from traders on the benefits of and issues with outdoor trading and the framework endorsed in April 2022. Some businesses have welcomed the continued opportunity for extended trading through extended footpath trading, parklets and the Pier Street feature site. However, Council has also heard from businesses who no longer want or need the outdoor trading spaces, and has received feedback that the proposed fixed area fee (which was waived for the 2022-23 FY) was confusing and doubled up footpath trading fees.

Broader considerations for an ongoing extended outdoor trading program include the potentially permanent impacts on parking, changes to streetscapes and precincts as a result of parklets, suitable high quality design outcomes for any permanent infrastructure, and the pros and cons of a full or partial closure of Pier Street. One of the challenges in formalising a permanent program is understanding take-up. Over the last year, with parklet fees waived, it is difficult to know the likely take-up of an ongoing program. This has been considered in designing the next stage of extended outdoor trading policy in Hobsons Bay.

Council officers have considered the feedback received and a revised program is proposed. The proposed new framework includes:

- **Parklets:** there may be an ongoing opportunity for businesses to access car parking spaces for business use, while balancing precinct impacts, to be determined following an Expression of Interest (EOI) process. EOI responses will inform finalisation of this model.
- **Pier Street feature site:** an opportunity for businesses to access parklets while the long-term use and accessibility of this road is further considered, balancing the amenity benefits of outdoor dining with transport access, and current surrounding works.
- **Extended footpath trading:** transition of extended footpath trading areas delivered under HBBhH to transition to the existing footpath trading permit process.
- **Fixed infrastructure:** introduction of simple guidelines and process for businesses to access low risk fixed infrastructure.

Council will seek feedback from businesses and the broader community on the revised program.

Parklets

In the context of this framework, a parklet is the use of a car parking space as an extension of a business footprint. Undertaking an EOI process for parklets will give a better picture of the businesses that are committed to parklets in the long term. This in turn will enable Council to confirm the right model going forward, giving consideration to the impact of parklets at a precinct level (as well as for individual businesses).

The EOI process would be very simple and would provide Council with a clear indication of the number of businesses committed to participating in a parklet program.

Parklet infrastructure to date has been temporary. The construction and maintenance of future parklets would be the responsibility of individual business owners. It is noted businesses without existing parklets would also be able to register their interest for a future parklet.

Registration of an EOI will enable and require the business to:

- for businesses which already have parklets, retain their existing parklet while Council assesses the EOI responses; for businesses that do not have parklets, register their interest in (and commitment to) having a parklet
- subject to the outcome of the EOI, apply for a new parklet including infrastructure design (which will need to follow Council's design guidelines), engineering certification, and confirmation of relevant public liability insurances
- for businesses which already have a temporary parklet, this could be retained (with parklet fees paid from 1 September 2023) until the business receives a permit and is ready to construct new parklet infrastructure
- parklet fees would be in line with the Council resolution of April 2022, noting if an application was unsuccessful a pro-rata refund would apply

Council will assess the EOI responses on a precinct by precinct basis, taking into account key principles including:

- urban design and amenity of the business precinct
- pedestrian safety, e.g. speed limit, intersection proximity, access, and visibility
- transport network efficiency and impact, such as precinct parking provision and demand, access/layout of parking bays, precinct traffic access, bike lanes and public transport
- draft parklet guidelines have been developed and feedback on the guidelines will be sought from businesses during the EOI process

The EOI process will give a much clearer picture of true demand for parklets across the municipality. This may result in further refinement of Council's approach to parklets, and if appropriate will enable Council to finalise the design guidelines and application process. The finalised policy and relevant application arrangements will be considered by Council at its November meeting.

Subject to the outcome of the consultation and EOI process, a business that lodged an EOI would be invited to apply for a parklet permit in line with finalised parklet guidelines. If a business has an existing parklet and does not lodge a response to the EOI, the parklet will be removed during September and October 2023 (or earlier on request).

Key steps and timeframes in the parklet program are outlined in the table below.

Consultation on new framework (including parklets and Pier St)	Late July – August
Call for EOIs for parklets	Mid July to 31 August
Businesses that lodge an EOI retain existing parklet with fees applicable	1 September onwards
Parklets for businesses that do not lodge an EOI removed	September and October 2023 (or earlier on request)
EOIs assessed	September
Consultation feedback analysed	September/October
Final framework and parklets policy informed by EOI process brought to Council for consideration	November 2023
Application process for successful EOIs (if ongoing parklets model is supported through above process) – <i>six week turnaround</i>	Mid Nov 2023 – end Jan 2024
Successful applications provided with six-month timeframe to implement new parklet (business responsibility to construct new parklet in line with approved parklet permit and parklet guidelines) and existing parklet removed (Council responsibility)	Feb – end July 2024 (earlier if completed applications lodged before end Jan 2024)

Feedback has been received over the last year on the proposed fee structure for parklets. The proposed fees included a fixed-infrastructure fee of \$125 per square metre for car parking spaces in addition to a fee for the tables and chairs (the existing Footpath Trading permit fees). Feedback indicated this was confusing for many businesses and the application of two fees for the use of the same space was considered a “double dipping” of fees. The fixed infrastructure fees were waived for the 2022-23 financial year and were proposed to be introduced from 1 September 2023 to align with the existing footpath trading permit fee annual timeline.

To ensure clarity and in response to feedback, a simplified parklet fee is proposed, based on the previously endorsed \$125 per square metre fee. The exact size of car parking bays differs but on average they range from 12-14 square metres (between \$1,500 to \$1,750). In addition, a one-off permit application fee is proposed of \$500.

The annual parklet fee would be a flat fee and would not require any additional fees for the furniture or infrastructure used within the parklet space. However, the permit would stipulate the number of items such as seats and tables that would be allowed in the space. Existing footpath trading fees would apply only to any footpath space used in addition to parking spaces.

Pier Street feature site

The closure of Pier Street between Queen and Blyth Streets over the pandemic period provided a much-loved and well utilised feature area. It has also meant that some businesses outside of this block have missed out on similar opportunities.

There have also been a range of concerns raised about the closure, particularly in relation to traffic and parking impacts. In recent months the impact of the closure has been amplified with extensive state and Council works along Pier Street, and with extended disruptions during the construction of the new pier by Parks Victoria. The Pier Street feature site was created using a temporary road closure approved by the then Department of Transport. Pier Street is categorised as a local road and is managed by Council. However, the proposal to make the closure permanent is subject to final approval from the Department of Transport and Planning and this approval would consider the adjoining road network and public transport implications.

The long-term options for this part of Pier Street need to be reconsidered in light of the changes in a post-COVID setting and the changes to the surrounding street network. Potential options include full reopening (with or without parklets), seasonal closures, permanent extended footpaths, and permanent closure.

It is proposed to enable all businesses along Pier Street, including those within the temporary Pier Street feature site, to also lodge an EOI for a parklet. This would provide clarity to Council regarding the number of businesses wanting to access public space once the new requirements, including fees, are applicable.

The outcome for Pier Street will be tailored depending on EOI responses. A likely pathway being considered is to transition to a parklet model along the length of Pier Street, with traffic connections reopened, and parklets available to businesses wishing to undertake extended outdoor trading. This would enable Council to reopen or partially reopen the road while the piazza-style amenity of the area is retained for businesses that wish to access additional space via a parklet.

A partial reopening of Pier Street to traffic would allow Council to trial on a longer term (e.g. three year) basis the potential for permanent extended footpath infrastructure along Pier Street at a future date.

As part of the consultation process, it is proposed to seek feedback from businesses and the broader community on the Pier Street feature site.

Transition of extended footpath trading

As part of the HBBhH Outdoors trading program, businesses were provided with an opportunity to utilise extended footpath areas for trading. Going forward, this extended program will be folded into the existing footpath trading policy and process. Businesses that want to continue to use extended footpath trading areas can do so, under the existing footpath trading permit process. Temporary Council infrastructure (e.g. HBBhH Outdoors trading barriers) has reached the end of its useful life and has begun to be progressively removed in consultation with the businesses.

All businesses who were part of the extended footpath trading program have been contacted and those who meet the ongoing footpath trading requirements and wish to transition to the existing footpath trading permit process have been advised of the process. The remaining temporary Council infrastructure will be removed by the end of August 2023. This timeframe enables any participating businesses to transition to the regular footpath trading annual permit process, which begins on 1 September 2023.

Fixed infrastructure

Further learnings from the Outdoors program indicate there is a need to simplify some fixed infrastructure options for businesses utilising outdoor trading. It is essential that this is done in a way that minimises risk to the community and to Council as the landowner. As a result, a simple process enabling businesses to introduce low risk fixed infrastructure will be introduced. This is limited to three types of infrastructure which are a priority for businesses and for which public safety risk can be appropriately managed: fixed screens, umbrella sockets and lighting.

Draft guidelines have been developed that outline where these infrastructure items would be allowed, and the requirements that would need to be met to install them. Considerations are outlined in the table below.

Fixed screens	<ul style="list-style-type: none"> • should not adversely affect visibility or the openness of streetscape • glass screens are preferred • continuous screens unlikely to be supported • screens in heritage precincts would be subject to additional considerations
Lighting	<ul style="list-style-type: none"> • existing power supply is sufficient • installation by a qualified electrician and approved by local power provider • connections must not be accessible by patrons or non-authorised personnel
Umbrella lock-in devices	<ul style="list-style-type: none"> • must be made of stainless steel • must be installed in a concrete slab and flush to footpath level

As part of the proposed consultation Council will seek feedback on the draft guidelines. The construction and maintenance would be the responsibility of the business and the fees would include an application fee, renewal fee and a make-good bond.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

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

Council Plan 2021-25

Objective 3: Vibrant place and economy

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

Priority b) Support existing and emerging local businesses through activation, promoting buying local and local business-to-business activity

Other Council strategy

The Economic Development Strategy 2015-20 outlines business support for local traders, the new outdoor trading framework aims to allow traders to continue trading in post-COVID world. Business support and initiatives for traders will continue be a focus in the new Economic Development Strategy, which is currently being drafted.

In addition, the outdoor trading program will enhance visitation opportunities, which is in line with the objectives of Experience Hobsons Bay Tourism Strategy 2019-24.

Policies and Related Council Documents

- Economic Development Strategy 2015-20
- Footpath Trading Code of Practice
- Experience Hobsons Bay Tourism Strategy 2019-24
- Activity Centre Strategy 2019-36
- Hobsons Bay Community Local Law 2015

Legal/Statutory Obligations and Risk

The future outdoor trading program has been planned and delivered with consideration to meeting Council's legal and statutory obligations, in particular the Footpath Trading Code of Practice and the *Disability Discrimination Act 1992*.

Financial and Resource Implications

The initial HBBhH Outdoors program cost approximately \$1.6 million (not including the cost of Council officer labour) and has been delivered at no cost to participating businesses. This was enabled through both Victorian Government grant funding and Council operational funding. The proposed new framework includes introduction of fees on a user pays system for participating businesses so that the program is sustainable in the longer term.

Environmental, Social and Economic Impacts

An outdoor trading program has a range of environmental, social and economic benefits, including:

- enabling businesses to trade more extensively
- creating social and community benefits by enhancing the amenity of streetscapes in and around local business precincts across Hobsons Bay, contributing to enhanced levels of liveability and community satisfaction
- the reallocation of road space (in the form of car parks) for pedestrian and business patron use has likely encouraged people to walk more and drive less – contributing to reduced vehicle emissions, improved local air quality outcomes and reduced CO2 emissions

Consultation and Communication

Consultation with the business community has been ongoing over the last year and has informed development of the new outdoor trading framework.

Consultation is proposed to be undertaken on the new framework whilst also undertaking an EOI process with businesses to provide a clear indication of the number of businesses committed to participating in a parklet program.

Declaration of Conflict of Interest

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

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

8.4 Infrastructure and City Services

8.4.1 New Level Crossing Removal Projects - Project Community Liaison Group

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

Purpose

To seek Council endorsement for the establishment of Community Interest Groups for the forthcoming removal of the level crossings at Champion Road and Maddox Road, Newport and Hudsons Road, Spotswood.

Recommendation

That Council:

- 1. Endorses the establishment of Level Crossing Removal Community Interest Groups for the forthcoming removal of the level crossings at Champion Road and Maddox Road, Newport and Hudsons Road, Spotswood.**
- 2. Writes to the Level Crossing Removal Project – Major Transport Infrastructure Authority seeking a briefing on the projects including information on planning and design work completed, project timing and proposed community engagement.**

Summary

The Victorian Government has recently announced the removal of level crossings on the Werribee line before 2030, including Hudsons Road (Spotswood), Maddox Road (Newport) and the closure of Champion Road (Newport).

The Level Crossing Removal Project (LXRP) has advised that community consultation is expected to commence in the coming weeks with information sessions and a community survey to ensure the feedback of local residents is incorporated into the design of the removals and the new Spotswood Station.

The announced proposal to close the level crossing at Champion Road was done without prior consultation with Council and community. This has resulted in significant local interest and concern about the likely reduction in connectivity between Newport and Williamstown with the closure of this major thoroughfare.

This report discusses the limited information available on the proposals and considers the establishment of Level Crossing Removal Community Interest Groups (LCRCIG) for these three locations to ensure that Council's response to the proposal fully considers community concerns and ideas.

Background

Three level crossings in Hobsons Bay have previously been removed from:

- Kororoit Creek Road, Altona (adjacent to Mobil)
- Aviation Road, Laverton (adjacent to Aircraft Station)
- Ferguson Street, Williamstown North (adjacent to North Williamstown Station)

The Victorian Government has recently announced the closure of two more crossings and the removal of the remaining three on the Werribee line before 2030. These include the following:

- Maddox Road, Newport – crossing will be removed in 2026, with an elevated rail bridge replacing the boom gates
- Champion Road, Newport – a closure the preferred solution for the removal of the level crossing at this location
- Maidstone Street, Altona – crossing will be removed by 2027, with a road bridge to be built at this location
- Hudsons Road, Spotswood – crossing will be removed, and a rail bridge built over the road and a new elevated Spotswood Station will open in 2028
- Anderson Street, Yarraville (closure) – located within Maribyrnong City Council

LCRCIGs were established by Council for the Aviation Road and Ferguson Street crossing removals to provide input to ensure better project outcomes for the community. The groups also gained an informed understanding of the precinct and Council's grade separation principles, and assisted with Council's response to these projects.

In March 2016 Council endorsed the Hobsons Bay Grade Separation Principles, which were developed with input from the community. The principles apply in the planning, design, consultation and implementation of any grade separation project within Hobsons Bay. They are in place to ensure that level crossing removals are well integrated with the local area and that community amenity is protected. The principles are:

- a value-for-money outcome
- an efficient road network
- a connected community
- conservation of special values
- minimal impact on adjacent private land
- quality public places
- allowance for future development
- a safe and accessible precinct
- an integrated transport hub
- an environmentally responsible development
- a development that addresses community concerns and aspirations

Discussion

On 25 November 2022 Council resolved to write to The Hon Jacinta Allan MP, the Minister for Transport and Infrastructure, regarding the lack of consultation on the proposed closure of the Champion Road level crossing (but welcoming the proposed redevelopment of

Spotswood Station and removal of other level crossings in Hobsons Bay announced at the same time) and to seek an urgent meeting with the Level Crossing Removal Authority to discuss the issue.

The Minister responded in a letter dated 20 February 2023 advising that:

“...the level crossings at Hudsons Road, Spotswood and Maddox Road, Newport are being replaced by elevated rail bridges. This will change the operation of the road network to improve local connectivity across the railway line. It will also create open space for the community and better local walking and cycling connections.

The level crossing at Champion Road, Newport will close, with vehicles able to cross the rail line at nearby Maddox Road. The road network will be improved to assist with traffic flow and a new grade-separated pedestrian crossing will be built at Champion Road, linking to local paths.

The closure of Champion Road is the best solution for this project based on engineering assessments. Elevating or lowering the rail line would interfere with the Newport rail junction and stabling yards, while a road bridge or underpass would require the destruction of many businesses and homes. The Level Crossing Removal Project will be seeking feedback from Hobsons Bay City Council and the community to help shape the designs before they are finalised.”

Council officers have not been briefed on the engineering assessments or proposed road network improvements.

The Hobsons Bay Grade Separation Principles apply in the planning, design consultation and implementation of any level crossing removal project and aim to ensure that level crossing removals are well integrated with the local area and community amenity is protected. It is proposed that the establishment of the LCRCIGs would allow time for the groups to gain an informed understanding of the precinct, Council’s principles, and issues and opportunities for the crossing removal.

This report proposes the establishment of two LCRCIGs – one for the Newport crossings and one for Spotswood – to convene over the next twelve months with key objectives to:

- revisit Council’s grade separation principles and how they apply to the three sites
- establish a detailed understanding of the precinct context and issues and opportunities for the crossing
- establish a detailed understanding of the LXRP objectives and deliverables for the crossing
- formulate input specific to the level crossing removal sites for Council’s consideration
- inform Council’s final positions and become community contacts and advocates for the best community outcomes for the crossing removal site

It is proposed that nominations for community representatives be sought through an Expressions of Interest (EOI) process with the intention to establish a diverse representation of the Hobsons Bay community. Following the EOI process, a further report will be provided to inform Council of the outcome including a list of all nominees and recommended members that will form these community interest groups. Once endorsed by Council, it is proposed that all nominees will be contacted and advised of the outcome. The assessment of nominees will include consideration of their local knowledge and usage of the area, interest in the project and local community.

While the LCRCIGs would review and finalise the draft terms of reference, they would, in summary, include the following criteria:

- the LCRCIG is an advisory group to Council
- membership will comprise up to eight diverse community representatives including a local accessibility advocate, business and other organisations such as bicycle user groups and respective authority representation including Council, LXR and VicTrack.

The LXR has a framework for community engagement that is applied to each of the level crossing removals, but each site is considered separately and modifications to this framework are adapted where required to address specific community needs or aspirations. The previous LXR community engagement framework included the establishment of a Stakeholder Liaison Group (SLG) for the delivery phase to ensure effective communication with interested and affected residents, businesses, interest groups and industry groups. SLGs also provide a local perspective on project issues, particularly in relation to minimising impact on local communities. Council will advocate for the establishment of SLGs for the new projects.

It is intended that a member or members of the LCRCIG may transition into a possible future LXR SLG, noting that the LXR will likely conduct a separate nomination process.

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

Priority e) Optimise the balance between encouraging active transport and facilities to support car users

Policies and Related Council Documents

The March 2016 Hobsons Bay Grade Separation Principles have been integral in informing Council's response to the previous three level crossing removals and development of the Aviation Road and Ferguson Street Precinct Plans.

Legal/Statutory Obligations and Risk

Council has a vested interest in the LXP's design, specifically in relation to the local transport network, assets owned and managed by Council, shared use paths, drainage, open space including significant trees, and landscaping. Establishment of effective LCRCIGs will reduce the risk of Council and the LXP not understanding or capturing community input on the proposal, ensuring better outcomes for the community.

Financial and Resource Implications

As was done with the previous projects, Council will negotiate a formal agreement with the LXP for provision of resource support to Council to enable input to the precinct design development, temporary conditions during construction and review and approval of works on assets which Council will continue to manage.

Environmental, Social and Economic Impacts

The Hobsons Bay Grade Separation Principles acknowledge the environmental, social and economic values and opportunities of the level crossing removal sites. Similarly, the proposed development of a precinct plan will respect the environmental features of the area, specifically the landscaped accessible open space, pathways and established trees.

Consultation and Communication

The LXP has advised that it is in the early stages of project design, with further detailed design, engineering assessments and community engagement to be undertaken on the new projects. The proposed LXP consultation will include an online survey and information about in-person and online events available at engage.vic.gov.au. The community will be invited to provide insights into what they like about their local area and how they move around.

Council officers will assess the announced projects in Hobsons Bay and prepare a detailed report for Council's consideration. It is proposed that Council communicate extensively with the local community on the establishment of the LCRCIGs and invite applications from interested community members.

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 Update on Electric Vehicle Chargers

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

Purpose

To update Council on the usage and next steps on the current public electric vehicle (EV) charging stations in Hobsons Bay.

Recommendation

That Council implements fees for the usage of the public electric vehicle charging stations at a rate of \$0.48 per kW/h including GST, as outlined within this report, at the Hobsons Bay Civic Centre, Williamstown Visitor Centre and Laverton Community Hub from 4 September 2023.

Summary

Publicly available EV charging stations were originally installed in Laverton, Williamstown and Altona in 2019 under a free trial for one year. The trial was extended further due to the impact of COVID-19 on the community. It is now considered timely and appropriate to introduce fees to these chargers given that operational costs are increasing and the majority of users are not residents of Hobsons Bay.

Background

Council has been actively exploring the feasibility of installing public EV charging stations since a discussion paper was presented to Council in June 2018.

The 2018 paper outlines actions for Council including advocacy in the EV sector, support for businesses with energy programs and direct actions such as feasibility studies for electric charging stations. Since the 2018 report Council has undertaken a number of actions including:

- implementation of feasibility studies resulting in public EV chargers being installed at the Hobsons Bay Civic Centre, Williamstown Visitor Centre and Laverton Community Hub
- preparation of a “road map” report that provides Council with a coordinated and consistent approach for the future provision of EV charging infrastructure and actions such as consideration of power pole charging infrastructure in strategic locations
- provision of energy saving advice and workshops for both businesses and residents including programs such as EnergySmart (noting this program is no longer in operation) and access to low interest finance for businesses to install energy saving infrastructure

Council also continues to advocate on a range of sustainability and transport matters that would support the adoption of EV charging infrastructure. Council is part of the Western Alliance for Greenhouse Action (WAGA) and, as a member of this regional group has been actively participating in the Zero Emissions Fleet Transition Plan. Council has also been collaborating funding opportunities to enable transition of Council’s heavy vehicle fleet to electric vehicles.

Discussion

Since the installation of the EV charging stations there has been growth in demand, particularly for the fast charger at the civic centre. Reviewing data provided by ChargeFox, the company which manages the app for accessing the public chargers, there were about 4,400 charging events across the three chargers in 2022, compared to about 2,700 events in 2021 and just under 800 in 2020. The growth in use is shown in Figure 1.

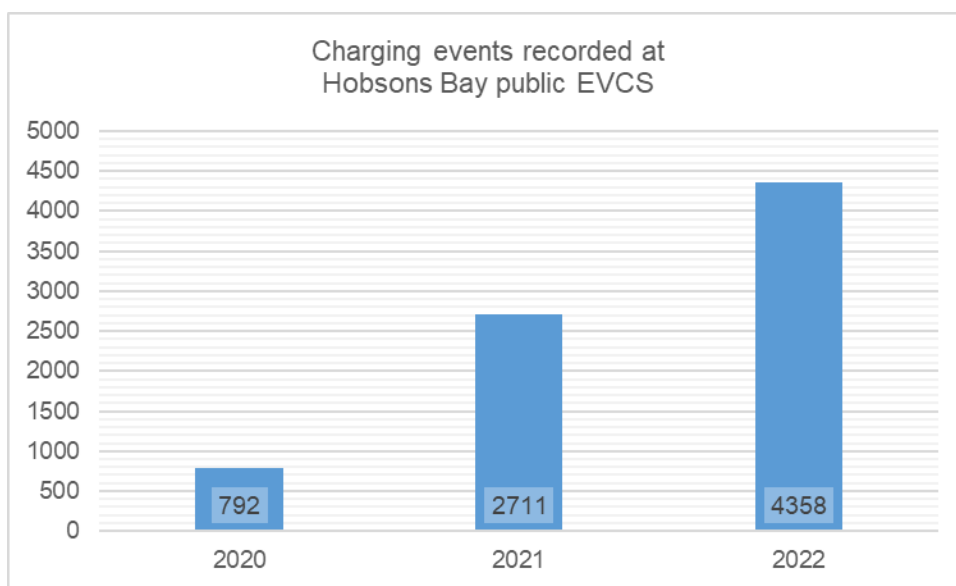


Figure 1: Charging events recorded at Hobsons Bay public EV charging stations

In 2022 the electricity use associated with the chargers was about 80,000 kWh at an estimated cost of about \$10,000. Additionally, Council pays a yearly management fee to ChargeFox for each of the three locations, bringing the total cost in 2022 to about \$12,500. These costs to Council do not include the initial purchase and installation of the charging stations nor any costs related to faults and maintenance.

The original intention behind the free trial period was to encourage the use of EVs and promote low and zero emission transport options. However, given the trial period has ended, Council must now consider the advantages and disadvantages of continuing to provide free public charging, as presented below.

Advantages and disadvantages of providing free EV charging stations

Advantages:

- the main advantage of continuing the current arrangement is to further encourage the uptake of low and zero emission EVs on the local transport network
- the charger at the Williamstown Visitor Centre may encourage visitation to Williamstown by users of EVs outside the municipality

Disadvantages:

- electricity and maintenance costs will continue to grow in line with the uptake of EVs
- a review of the data from ChargeFox shows that about 70 per cent of users report a postcode outside Hobsons Bay – meaning that local ratepayers are effectively subsidising the use of the chargers to provide free electricity to residents of other municipalities
- as technology improves, vehicle manufacturers will be able to offer “Vehicle to Home” capabilities, which means that an EV battery charged at a free Hobsons Bay EV charging station could then be used to power a home, or even on-sold into the electricity grid at a profit
- growing community sentiment and expectation that free EV charging facilities provided by Council will remain free into the future, regardless of the costs to ratepayers.

Charges

Based on the information provided, it is considered appropriate that Council institutes a fee for the public charging stations with an aim of achieving cost neutrality while still promoting the use of EVs. The fees are intended to cover the capital cost, maintenance costs and operational cost and will be reviewed and adjusted in line with the annual budget process.

Table 1: Benchmarking tariff with local providers

Provider type	Location	Charge per kWh (including GST)	Cost for full charge of an average-sized car (50kWh)
Council	Moonee Valley City Council	\$0.45	\$22.50
Private	Just Honk Used Cars – Laverton	\$0.28	\$14.00
	Ampol – Altona North/Derrimut	\$0.69	\$34.50

Table 1 shows the costs associated with charging 50 kWh at Moonee Valley City Council, Just Honk Used Cars and Ampol charging stations. 50kWh has been utilised for comparison purposes, as a typical medium sized car will require 50kW for a full charge.

Full cost recovery

For full cost recovery of all costs associated with the provision of electricity, ongoing maintenance as well as the future capital replacement of the infrastructure, the cost to install an EV charging station is approximately \$20,000 with a projected life span of five years.

Competitive neutrality is a fundamental principle of competition law and policy that ensures that government entities, such as local government, compete fairly in the market. This has been considered through the development of this report.

Recommended rates based on benchmarking

Taking the above into consideration, it is recommended that Council charge a rate of **\$0.48 per kWh including GST**. This would equate to a charge of \$24.00 for a typical medium-sized car.

Revenue

Any additional revenue (after paying capital and ongoing costs) that is created from EV chargers above the cost to operate the chargers will be directed towards initiatives to support greening projects, planting and community events. Revenue could be used to purchase indigenous plants which would support by increasing biodiversity using locally indigenous plants and connecting our biodiversity assets.

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

Priority e) Optimise the balance between encouraging active transport and facilities to support car users

Policies and Related Council Documents

This work aligns with the Integrated Transport Plan 2017-30 adopted by Council in 2017.

Legal/Statutory Obligations and Risk

Legal and statutory implications of the recommendations of this report will be considered as the plans and works are developed.

Financial and Resource Implications

Actions resulting from the recommendations can be delivered within existing operational resources.

Environmental, Social and Economic Impacts

The recommendations aim to enable and facilitate low and zero emission vehicle transportation options for the community.

Consultation and Communication

No formal community consultation has been undertaken in relation to the matters covered in this report. It is noted that some residents have contacted Council in relation to public EV charging stations.

Consultation will take place in line with Council's Community Engagement Policy.

Declaration of Conflict of Interest

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

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

9 Committee and Delegate Reports

9.1 Delegate Reports

Purpose

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

Recommendation

That Council receives and notes the recent Delegate Reports.

Metropolitan Transport Forum

Directorate: Infrastructure and City Services

Councillor Delegate: Cr Jonathon Marsden

Date of Meeting: 7 June 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.

Presentation

Richard Smithers (City of Melbourne) provided a comprehensive summary of the latest actions from the City of Melbourne's Transport Strategy, including changes to paid parking and on-street controls, protected bike lane rollout, and the next priorities.

Panel Discussion

Geoff Oultan (MAV), John Hearsch (Rail Futures), and Patrick Hatch (The Age) discussed the impacts of the state federal budgets on the transport sector. This included the "review" of funding for Melbourne Airport Rail and Geelong Fast Rail, the priority given to the Suburban Rail Loop, and transport deficiencies in Melbourne's growth areas.

Ambassador Program

After an initial meeting with the executive and most ambassadors, the executive discussed starting the advocacy program by emphasising "quiet diplomacy" by building relationships with like-minded organisations rather than advocacy in the media. A framework for this advocacy approach is being developed.

Council Updates

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

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

Western Melbourne Tourism

Directorate: Sustainable Communities

Councillor Delegate: Cr Pamela Sutton-Legaud (apology)

Date of Meeting: 16 June 2023

The Western Melbourne Tourism (WMT) Board General Meeting was held on 16 June 2023. Key agenda items included:

- update on the new WMT website which will include training platforms for small business and tourism operators
- update on the new Westside Live (consumer-facing website) which will promote Melbourne West as a tourist destination
- WMT budget which is on track for this financial year
- strategic focus for next financial year will include new initiatives, revisiting current offers and increased marketing
- the Australian Tourism Exchange will be held in Melbourne in 2024, allowing local tourism operators to meet and do business with international buyers
- Steve McGhie MP (Member for Melton) called for advocacy in establishing a venue in Melbourne West for large-scale events
- the need for additional collaboration between Melbourne West's Councils to leverage the visitor economy from the 2026 Commonwealth Games and 2023 FIFA Women's World Cup

10 Notices of Motion

No notices of motion were received.

11 Urgent Business

12 Supplementary Public Question Time

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

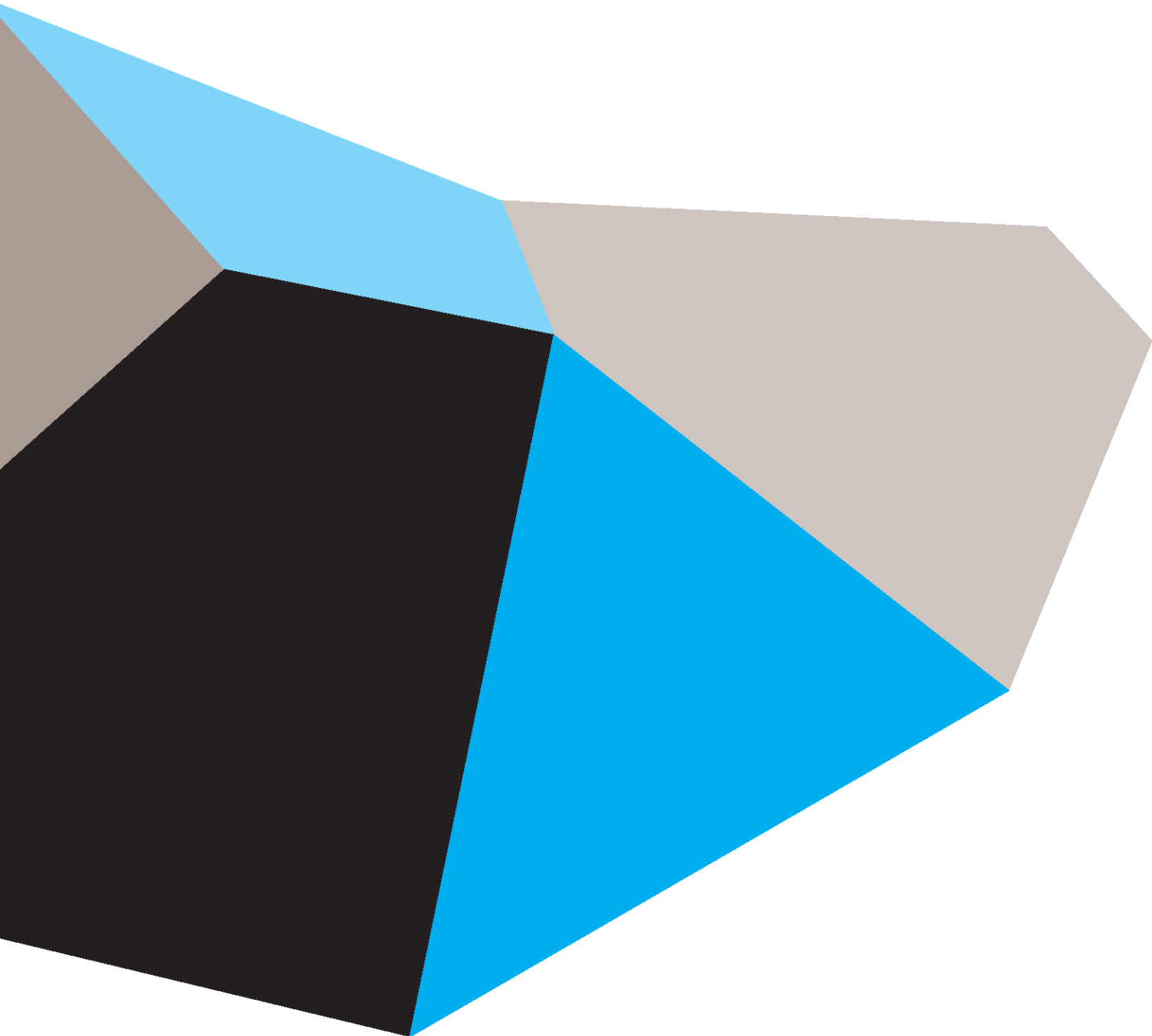
Where it is not possible to provide a response during the meeting, a written response to the question will be provided promptly.

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

13 Close of Meeting

HOBSONS
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