

# Council Meeting Minutes

11 July 2023

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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## Minutes of the Council Meeting held on 11 July 2023 at 7.02pm.

### 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    |

#### Officers

|                           |   |
|---------------------------|---|
| Mr Aaron van Egmond       | Chief Executive Officer                       |
| Mr Andrew McLeod          | Director Corporate Services                   |
| Mr Sanjay Manivasagasivam | Director Infrastructure and City Services     |
| Ms Penelope Winslade      | Director Sustainable Communities              |
| Ms Diane Eyckens          | Manager Corporate Integrity and Legal Counsel |
| Ms Briony Davis           | Governance Officer and Minute Secretary       |

## 1 Council Welcome and Acknowledgement

The Chairperson welcomed members of the public and acknowledged the Bunurong People of the Kulin Nation as the Traditional Owners of these municipal lands and waterways.

**Cr Peter Hemphill joined the meeting at 7.05pm.**

## 2 Apologies

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

**Nil**

## 3 Disclosure of Interest

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

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

**Nil**

## 4 Confirmation of Minutes

### 4.1 Confirmation of Minutes

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

#### **Motion**

**Moved Cr Matt Tyler, seconded Cr Diana Grima:**

**That Council:**

- 1. Confirms the minutes of the Council Meeting of Hobsons Bay City Council held on 20 June 2023, with the noted amendments.**
- 2. Confirms the minutes of the Unscheduled Council Meeting of Hobsons Bay City Council held on 26 June 2023 (copies previously circulated).**

**Carried unanimously**

## 5 Councillor Questions

**Cr Diana Grima asked for an update on the progress of the Laverton Toy Library in recent days.**

Ms Pene Winslade, Director Sustainable Communities, said that she understood the toy library had posted recently regarding some decisions about funding. She outlined that this is a volunteer-run service in Laverton and Newport that has been operating for a long time, and that since 2020 it has been successful in getting a number of small council grants to particularly support the Laverton operations and more recently a larger Community Pitch project grant for around \$24,000, in addition to its annual operating grant of \$8,800.

Ms Winslade said that last year in 2022 the toy library committee came to Council seeking help for the Laverton branch, which has much lower numbers than the Newport branch, and discussed a number of options including the potential that Council might run the service from one of its library branches.

Ms Winslade said she understood that a new committee had since been elected in October 2022, and in May 2023 Council received a letter requesting an additional \$14,400 for the operation of the Laverton service on top of the regular annual grant, which is a large operational amount that Council was not able to support at this point in time. However, Council was continuing to discuss the situation with the committee and had recently written to the committee seeking to work through what options Council might be able to support to help the service continue.

**Cr Diana Grima noted that Ms Winslade had mentioned the Laverton branch having low numbers, and asked if she could say how many members the branch has.**

Ms Winslade replied that she understood the branch to have in the order of 30 members.

**Cr Daria Kellander asked for an update on upgrades to Seaholme Kindergarten.**

Mr Sanjay Manivasagasivam, Director Infrastructure and City Services, said that Seaholme Kindergarten is directly managed by the state authority, Victorian School Building Authority, and that Council is closely working with them on this project.

Mr Manivasagasivam added that if the community has any concerns or questions, Council can help them to connect with the authority or answer any questions through that process.

## 6 Public Question Time

**Rowena Joske**

**Q Given the conflict that the new intersection of Fabric Drive will have with the TIC truck driveway at 200 Blackshaws Road, can it be confirmed that the driveway will be able to remain in that current position?**

**A** The intersection of Fabric Drive and Blackshaws Road concept (including the retention of existing driveways) was approved by the then Department of Transport in June 2022 with Mirvac having obtained construction approval in May 2023.

**Lara Week**

**Q Are you aware of the distress and desperation Council has caused dozens of residents at Techno Park Drive with the direction to leave their homes immediately or face legal action?**

A Council is aware its direction to cease illegal residential use at the industrial area in Techno Park is causing distress for some residents. The illegal use is within the inner safety area of a Major Hazard Facility (MHF), which means an incident at the MHF would have a high risk of injury or death for people in that location.

Council is committed to working with residents to support them in the transition and has indicated it will grant people more time if needed.

Council will do what it can to assist people to access housing referral services if required, and Housing Victoria has offered a case worker.

**Q Will Council commit to meeting with Techno Park residents before the next Council Meeting to find a solution?**

A Officers have written to all landowners and occupants at Techno Park asking them to make contact with Council. Council is committed to speaking and meeting with residents to ensure they can relocate.

Officers have spoken with and met a number of residents who have made contact. The Mayor has also met with a number of residents on site and listened to their concerns.

Individuals' circumstances vary, so Council will tailor engagement to meet individual needs.

**Dean Hurlston**

**Q Can Council please advise the dollar amount of "cost shifting from State Government" they estimate they incurred in 2022-23 Financial Year?**

A Unfortunately, Council cannot answer this question as it is too broad and complex for Council to answer, and is a matter better addressed by other industry peak bodies.

## 7 Petitions and Joint Letters

### 7.1 Petitions and Joint Letters Received

#### 7.1.1 Petition – Techno Park, Williamstown

Cr Daria Kellander left the meeting at 7.47pm, returned to the meeting at 7.48pm, and was present for the vote on Item 7.1.1.

Cr Daria Kellander tabled a petition/joint letter containing 153 signatories which read as follows:

“We, the undersigned, petition Hobsons Bay City Council to stop the mass eviction of residents from Techno Park Drive, Williamstown.

We are appalled by Council’s attempted eviction of the Techno Park community from their homes. People have lived at Techno Park for decades. Residents have built a life, made their homes, started families, and transformed Techno Park into a green and safe place.

Council says the zone is industrial, and that people cannot live there. But the community exists because Council chose to accept residential use for decades. Council’s decision to threaten people with eviction and legal action now, in a time of housing crisis, is heartless, bureaucratic, arbitrary, and wrong. It has caused tremendous harm to people and caused them to fear losing their homes.

We call on all Hobsons Bay Councillors to:

- Use their power to have the eviction notice withdrawn immediately
- Commit to working in partnership with the residents of Techno Park to find a permanent solution that allows them to remain in their homes”

### **Motion**

**Moved Cr Daria Kellander, seconded Cr Jonathon Marsden:**

**That Council:**

- 1. Receives and notes the petition in relation to Techno Park, Williamstown.**
- 2. Subject to a review of the petition in accordance with the Hobsons Bay Governance Rules, receives a further report on this matter at a future Council Meeting.**

**Carried unanimously**



## 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

Cr Daria Kellander left the meeting at 7.52pm and was not present for the vote on Item 7.2.1. Cr Diana Grima left the Council meeting at 7.53pm and was not present for the vote on Item 7.2.1.

#### 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.

#### Motion

Moved Cr Diana Grima, seconded Cr Matt Tyler:

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.

Carried

#### 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.

(continued next page)

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.

## 8 Business

### 8.1 Office of the Chief Executive

#### 8.1.1 Chief Executive Officer's Report on Operations

|                             |  |
|-----------------------------|--|
| <b>Directorate:</b>         | Office of the Chief Executive                      |
| <b>Responsible Officer:</b> | Executive Assistant to the Chief Executive Officer |
| <b>Reviewer:</b>            | Chief Executive Officer                            |
| <b>Attachments:</b>         | 1. CEO Report on Operations [8.1.1.1 - 55 pages]   |

Cr Diana Grima returned to the meeting at 7.55pm. Cr Daria Kellander returned to the meeting at 7.58pm.

#### Purpose

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

#### Motion

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

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

Carried unanimously

#### 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.

## 8.2 Corporate Services

### 8.2.1 Annual Adjustment to Mayoral, Deputy Mayoral and Councillors Allowances

|                             |   |
|-----------------------------|---|
| <b>Directorate:</b>         | Corporate Services  |
| <b>Responsible Officer:</b> | Manager Corporate Integrity and Legal Counsel   |
| <b>Reviewer:</b>            | Director Corporate Services   |
| <b>Attachments:</b>         | 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).

#### Motion

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

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)

Carried unanimously

## 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:

|              | <b>Category 2</b> |
|--------------|-------------------|
| 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.

## 8.3 Sustainable Communities

### 8.3.1 Draft Affordable Housing Policy Statement

|                             |   |
|-----------------------------|---|
| <b>Directorate:</b>         | Sustainable Communities   |
| <b>Responsible Officer:</b> | Manager, Strategy, Economy and Sustainability   |
| <b>Reviewer:</b>            | Director Sustainable Communities  |
| <b>Attachments:</b>         | 1. Draft Affordable Housing Policy Statement - July 2023 [8.3.1.1 - 22 pages]<br>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.

### Motion

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

**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.**

**Carried unanimously**

### 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.

### 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.

#### Motion

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

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.

Carried unanimously

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

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.

## 8.4 Infrastructure and City Services

### 8.4.1 New Level Crossing Removal Projects - Project Community Liaison Group

|                             |   |
|-----------------------------|---|
| <b>Directorate:</b>         | Infrastructure and City Services          |
| <b>Responsible Officer:</b> | Strategic Projects Specialist             |
| <b>Reviewer:</b>            | Director Infrastructure and City Services |
| <b>Attachments:</b>         | 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.

#### Motion

**Moved Cr Jonathon Marsden, seconded Cr Pamela Sutton-Legaud:**

**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.**

**Carried unanimously**

#### 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 LXR 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.

## 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.

### Motion

**Moved Cr Jonathon Marsden, seconded Cr Pamela Sutton-Legaud:**

**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.**

**Carried unanimously**

### 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.

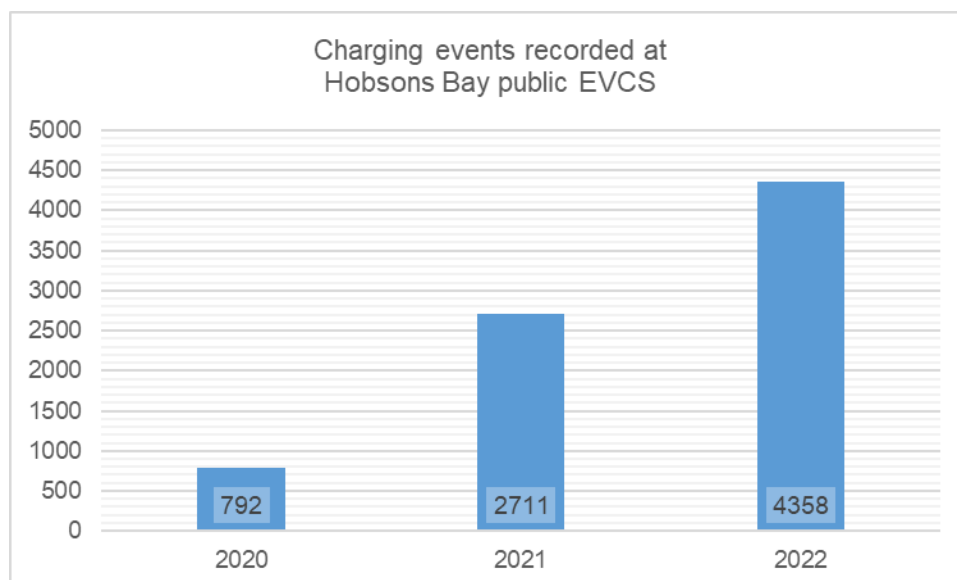
The 2018 paper outlines actions for Council including advocacy in the EV sector, support for businesses with energy programs and direct actions such as feasibility studies for electric charging stations. Since the 2018 report Council has undertaken a number of actions including:

- 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 kW/h 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.

## 9 Delegate Reports

### Purpose

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

### Motion

**Moved Cr Jonathon Marsden, seconded Cr Pamela Sutton-Legaud:**

**That Council receives and notes the recent Delegate Reports.**

**Carried unanimously**

### 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

Nil

## 12 Supplementary Public Question Time

Tony Carley

**Q How come Nordene Housing Estate and Ross and McIntosh Roads apparently are closer to the petrol tanks at PRA are not subject to the same eviction as Techno Park residents?**

A Council will take the specifics about the sites listed on notice.

However as noted during the Council Meeting, there are some locations in Hobsons Bay where, when Planning Schemes were introduced in the 1950s, they were zoned as residential. This gave them existing use rights, and restricted residential uses are allowed to occur.

Techno Park was never zoned residential. It had no zoning when the Commonwealth used it from the 1950s. When the Commonwealth ceased those uses and sold the properties in the 1980s, the properties were vacant and zoned industrial. Since that time it has never been lawful for residential uses to occur at Techno Park.

That is the difference.

## 13 Close of Meeting

There being no further business, the Chairperson declared the meeting closed at 9.01pm.

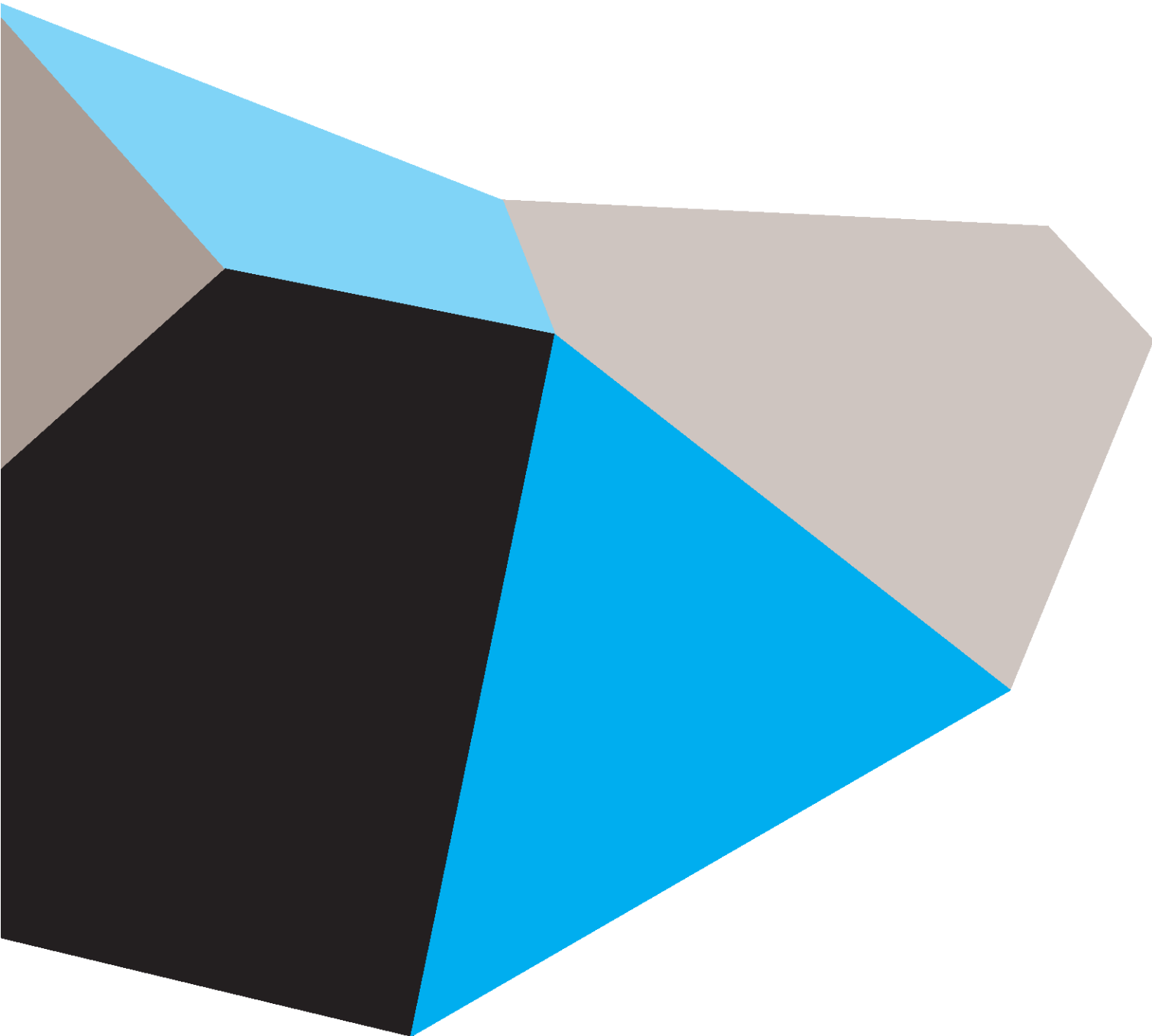
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Chairperson – Cr Antoinette Briffa

Signed and certified as having been confirmed.

8 August 2023





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**HOBSONS BAY CITY COUNCIL**

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