

# Council Meeting Agenda

Tuesday 12 September 2023  
Commencing at 7.00 PM

Council Chamber  
Hobsons Bay Civic Centre  
115 Civic Parade, Altona

**HOBSONS  
BAY CITY  
COUNCIL**



COUNCIL CHAMBER

## 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
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### 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 and staff 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 8 August 2023 (copy previously circulated).

## **5 Councillor Questions**

## **6 Public Question Time**

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

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

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

## **7 Petitions and Joint Letters**

### **7.1 Petitions and Joint Letters Received**

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

## 8 Business

### 8.1 Office of the Chief Executive

#### 8.1.1 Chief Executive Officer's Report on Operations - August 2023

<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 - August 2023 [8.1.1.1 - 51 pages]

#### **Purpose**

To present the Chief Executive Officer's (CEO's) Report on Operations for August 2023.

#### **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 August 2023 and 31 August 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 Acknowledgement of King's Birthday 2023 Honours List Recipients

<b>Directorate:</b>	Corporate Services
<b>Responsible Officer:</b>	Manager Corporate Integrity and Legal Counsel
<b>Reviewer:</b>	Director Corporate Services
<b>Attachments:</b>	Nil

#### Purpose

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

#### Recommendation

**That Council acknowledges the exceptional contribution of John Arnold OAM, Fairlie MacLaine OAM, Kelly Rogers OAM and Bartholomew Willoughby OAM, and congratulates them on being recognised in the King's Birthday 2023 Honours List.**

#### Summary

At the Council Meeting held on 20 June 2023, Council acknowledged the achievements of John Arnold OAM, Fairlie MacLaine OAM, Dr Kelly Rogers OAM and Bartholomew Willoughby OAM, who had received recognition in the King's Birthday 2023 Honours List. Council also resolved to invite the award recipients to attend a future Council Meeting in accordance with the Council Recognition of Australian Honours and Awards Recipients Procedure.

The King's Birthday Honours List recognises the outstanding service and contributions of Australian citizens nationwide each year and comprises a number of honours and awards. The Hobsons Bay recipients for 2023 received honours within the General Division and Military Division of the Order of Australia, which recognises Australians who have demonstrated outstanding service or exceptional achievement.

All Hobsons Bay recipients for 2023 were awarded the Medal of the Order of Australia for service worthy of particular recognition in their respective fields:

- John Arnold of Altona Meadows for service to the welfare of veterans
- Fairlie MacLaine of Williamstown for her service to the community through a range of organisations
- Associate Professor Kelly Rogers of Altona for her service to medical research
- Bartholomew Willoughby of Altona North for his service to the performing arts, particularly through music



## 8.2.2 Mayoral Focus Update - September 2023

<b>Directorate:</b>	Corporate Services
<b>Responsible Officer:</b>	Manager Corporate Integrity and Legal Counsel
<b>Reviewer:</b>	Director Corporate Services
<b>Attachments:</b>	Nil

### Purpose

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

### Recommendation

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

### Summary

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

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

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

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

### Background

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

## Discussion

### Celebrating the diversity and community spirit of Hobsons Bay

Plans for the sporting and community club open day are progressing with initial information being distributed to clubs throughout the municipality. The open day is planned on Saturday 16 September 2023, prior to the commencement of the summer sports season. Sporting clubs who choose to opt into this event will have the opportunity to participate in club development training that will assist with running successful club open events.

Council has received a donation of books from the Maltese Consul General in Melbourne. The Mayor Cr Briffa, who is of Maltese heritage, was delighted to receive the generous donation from Consul General Ellul Sciberras.



**Figure 1:** Cr Briffa with the Consul General of the Republic of Malta to Australia, Chirelle Ellul Sciberras

Cr Briffa continues to support programming through the Hobsons Bay Pride initiative, with events including Council's IDAHOBIT flag raising at the Hobsons Bay Civic Centre in Altona.



**Figure 2:** Cr Briffa speaking at the IDAHOBIT flag raising event

The Williamstown Literary Festival (Willy Lit Fest) took place in June, with Cr Briffa speaking at the launch of the event, as well as at the event itself.

Council helped to deliver the Open House Melbourne program in Hobsons Bay, an annual event providing perspectives on design and city life. Cr Briffa welcomed members of the public and provided the introduction to the architect talk at the Civic Centre.

On 8 June 2023, Cr Briffa launched the Pier Street Pearls exhibition and book at Altona RSL. Pier Street Pearls celebrates the 120-year history of Pier Street, Altona’s main shopping strip, through photographs, memorabilia and stories from the community. The project is a local history project supported through a Make it Happen Grant.



Figure 3: Cr Briffa and participants at “Pier Street Pearls” launch

Council+ launched in a Twilight Wonderland at Newport Community Hub. More than 2000 people attended a family event on Wednesday 28 June to mark the launch of Council+ services at the site. The Twilight Wonderland featured a story tree, campfire story time, music and performances, roving performers, glow in the dark face painting, BBQ and hot chocolate and the launch of loanable guitars in conjunction with community organisation, Guitars Gathering Dust.



Figure 4: Twilight Wonderland story tree at the Newport Community Hub launch of Council+ services



**Figure 5:** Live music at the Newport Community Hub launch of Council+ services



**Figure 6:** Roving performer at the Newport Community Hub launch of Council + services

Council+ launched on Global Recycling Day at Laverton Community Hub. On Saturday 18 March, a global recycling day event was held at Laverton Community Hub and celebrated the launch of Council+ services at the site. There were 1200 community members who attended the event, which included: trash puppet workshops, a comedy sketch show, face painting, lunch and free book and tree giveaways.



**Figure 7:** Tree giveaway at the Laverton Community Hub launch of Council+ services



**Figure 8:** Comedy sketch show at the Laverton Community Hub launch of Council+ services

## Greater community voice and opportunities to participate in Council activities

A Business Roundtable with Trader Associations and Business Precinct Group Representatives took place on 28 June 2023. The purpose of the roundtables is for Council to hear directly from the Hobsons Bay business community.

Council is updating its policy A Fair Hobsons Bay for All 2019-23, which aims to ensure that fairness and equity are considered and embedded in all Council decisions and activities. Preliminary engagement has been undertaken with priority population groups to inform an update to the policy. As part of this preliminary engagement Cr Briffa attended a focus group and heard feedback from women about the barriers that affect their health and wellbeing and suggestions for how these can be reduced or overcome. The updated policy will be presented to Council for adoption later this year.

Council has prepared a new draft Outdoor Trading framework and sought feedback from residents, visitors and businesses between 24 July and 31 August 2023.

## Strengthening the relationship between Council and the Victorian and Australian governments

In April 2022, WorkSafe Victoria published new guidance around land use planning near Major Hazard Facilities. This new guidance was published without any broader consultation with community and landowners despite impacting a substantial number of properties in Hobsons Bay and other municipalities such as City of Maribyrnong.

Council has joined with the City of Maribyrnong in advocating for a more transparent process around land use planning near Major Hazard Facilities. Meetings have been held with the Victorian Minister for Local Government, The Hon. Melissa Horne MP, as well as senior Victorian Government officials within the Department of Transport and Planning and WorkSafe Victoria. Council has also written to the Minister for Planning advocating for a consultative amendment process that would review WorkSafe guidance against the objectives of the planning scheme and implement a Buffer Area Overlay (BAO) to make MHF buffers more transparent.

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

Cr Briffa meets regularly with mayors from neighbouring councils including Brimbank, Maribyrnong, Melton, Moonee Valley and Wyndham, and on 11 August hosted a meeting of the mayors in Williamstown.



**Figure 9:** Cr Briffa (centre) with mayors of neighbouring councils: Cr Sarah Carter of Maribyrnong, Cr Pierce Tyson of Moonee Valley, Cr Bruce Lancashire of Brimbank and Cr Lara Carli of Melton

On 28 June 2023, Council welcomed the student delegation from Hobsons Bay's Japanese sister city, Anjo. The 2023 Anjo Student Delegation Mayoral Reception was held at the Civic Centre and attended by the Consul-General of Japan, Mr Junji Shimada, along with members of the Hobsons Bay International Friendship Association and host families.

This year marks the 35th anniversary of Council's sister city relationship, which enables participants to share ideas, stories and experience each other's cultures.



**Figure 10:** Cr Briffa and attendees of the Anjo student delegation event

A delegation from Hobsons Bay travelled to Canberra in June for the National General Assembly of the Australian Local Government Association (ALGA) and Australian Council of Local Government (ACLG). Both events featured a range of presentations from local government leaders, federal ministers and other presenters.



**Figure 11 (from left to right):** Cr Marsden, Yarrabah Mayor Cr Ross Andrews, Cr Briffa and Cr Grima, at the ALGA National General Assembly

Stronger business connections continue to be delivered through the business development program. Meet the Economic Development team working at Council+ sites has been a regular initiative.

A program of mayoral business visits took place in June 2023. These were well-received by business owners, with a diverse mix of businesses visited including timber merchant, tiny homes builder, Indigenous construction company, gym, lolly shop, and health and beauty.



**Figure 12:** Treehab Tiny Homes (Williamstown North) founder Riley Skeene with Cr Briffa and Council representatives



**Figure 13:** Owners at Super Movement and Altona North Training (Janis Wilson and Gabriel Leutz) with Cr Briffa and Council representatives



**Figure 14:** Symal's CEO Nabeel Sadaka and Wamarra's Managing Director Hayden Heta (Spotswood) with Cr Briffa and Council representatives



**Figure 15:** Urban Salvage (Spotswood) owner Andy Mineur with Cr Briffa and Council representatives



**Figure 16:** Go Bella Wellness & Skin Therapy's Jennifer Carey with Cr Briffa, Cr Pamela Sutton-Legaud and Council representative



**Figure 17:** Just Sweets (Altona) owner Enzo Amato with Cr Briffa, Cr Pamela Sutton-Legaud and Council representatives

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

At its meeting on 20 June 2023, Council voted to endorse the Uluru Statement from the Heart, to support the Yes vote for the introduction of an Aboriginal and Torres Strait Islander Voice to Parliament, and to promote information and resources to help the community become informed about the vote. At that meeting, Cr Briffa presented a filmed message from the Mayor of Yarrabah Aboriginal Shire Council, Ross Andrews, who spoke about the importance of a Yes vote. Yarrabah is a sister city of Hobsons Bay and has played a crucial role in helping establish this year's referendum. In 2023, Hobsons Bay and Yarrabah celebrate 20 years of friendship.

Council will ensure that relevant Government information and Yes23 information is widely available through libraries, neighbourhood houses and online, as it is released. In addition, we will support the marketing of local community-driven events. Council is also planning to facilitate a community information session in the lead up to the Referendum.

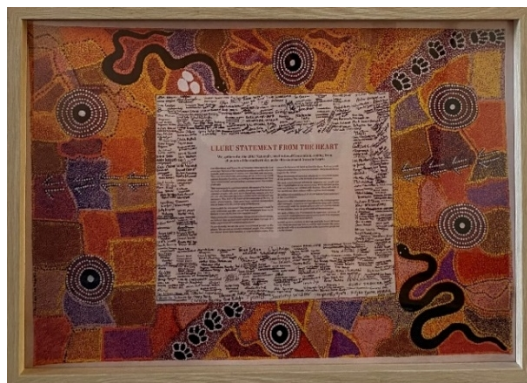


Figure 18: Uluru Statement from the Heart on display in the Civic Centre

Council acknowledged the recent passing and significant contribution of the Bush Lawyer OAM, a Kuku Djungan Elder from Yarrabah. He was a driving force behind the decades-long fight for recognition in the Australian Constitution, of which he was awarded the Medal of the Order of Australia.



Figure 19: Cr Briffa and CEO Aaron van Egmond paying respects to the Bush Lawyer OAM, a Kuku Djungan Elder from Yarrabah



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

A tri-council community forum on air quality was held on 21 July 2023. The Mayor, Williamstown MP Melissa Horne and representatives from the Department of Energy, Environment and Climate Action were among the guest speakers to reflect on the community's experiences and discuss solutions to the challenges facing people in the inner west.



**Figure 20:** Cr Briffa speaking at the tri-council community air quality forum

Other key achievements of Council's advocacy include the development of a dedicated air quality webpage, successful lobbying of the Minister for Transport to consider permanently funding air quality monitoring stations along the West Gate Tunnel Project, being a keynote speaker at the Breathe Melbourne Roundtable, and securing a commitment from DEECA to provide grant funding to local businesses for improvements that reduce air quality impacts.

Council celebrated Plastic Free July by delivering five community events across the municipality. 123 residents registered for workshops and reusable container refills.

Council has been expanding its school waste and recycling education program designed to proactively engage with local school children. During July, the "Beyond the Bin" program was delivered to five local schools with 400 school children participating in fun educational activities.

Over the past few months, large numbers of native plants have been provided to the Hobsons Bay community through the Habitat Gardens program and Community Pitch initiative "Native Plant Giveaway". In 2023 so far, over 25,000 native plants were given away through Council events and giveaway days in each ward, making a huge impact in creating habitat for our local wildlife.

A total of 45,633 indigenous tubestock has been planted within Hobsons Bay's conservation reserve network across the 2023 season.

Nine Hobsons Bay schools have received a share of 1,500 trees and plants for planting on their grounds in the 2023 Green Schools program. The schools have the option of receiving a supply of mulch to assist in plant establishment, as well as Council Parks staff members attending on their nominated planting days to assist with plant placement and planting technique. Council officers have attended two schools' plantings days so far and will attend two more by the end of August.

## Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

### Hobsons Bay 2030 Community Vision

**Priority 2:** Community wellbeing and inter-connection

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

**Priority 5:** Activate sustainable practices

### Council Plan 2021-25

#### Objective 1: Healthy, equitable and thriving communities

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

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

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

#### Objective 2: Environment

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

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

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

#### Objective 3: Vibrant place and economy

**Strategy 3.4:** Increase participation in recreation activities across the community

## Policies and Related Council Documents

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

This report is the third in a series of four update reports on the 2022-23 Mayoral Program. The first report in the series was noted by Council on 7 February 2023, and a second report was noted by Council on 9 May 2023.

## **Legal/Statutory Obligations and Risk**

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

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

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

## **Financial and Resource Implications**

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

## **Environmental, Social and Economic Impacts**

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

## **Consultation and Communication**

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

## **Declaration of Conflict of Interest**

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

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

### 8.2.3 Interim Financial Report - Year Ended 30 June 2023

<b>Directorate:</b>	Corporate Services
<b>Responsible Officer:</b>	Chief Financial Officer
<b>Reviewer:</b>	Director Corporate Services
<b>Attachments:</b>	1. Interim Financial Report 2022-23 [8.2.3.1 - 19 pages]

#### Purpose

To present Council with the interim financial results for the year ended 30 June 2023.

#### Recommendation

**That Council notes the interim financial report for the year ended 30 June 2023.**

#### Summary

The interim financial report for the year ended 30 June 2023 is provided as an attachment to this report.

The financial results are yet to be finalised and are subject to the end-of-year audit currently being conducted. The interim operational surplus for 2022-23 is \$30.010 million compared to the original operational budget of \$26.339 million, although this does not include Council's significant investment in capital expenditure of \$59.362 million in 2022-23.

When compared to budget, income increased by \$15.796 million. The increase is inflated due to non-monetary contributions (\$7.510 million) and fair value adjustments for assets (\$1.25 million). These are both non-cash items that have minimal impact on funding in 2022-23 or ongoing financial operations.

Operational expenditure has increased by \$12.125 million when compared to budget. The increase is inflated due to depreciation (\$5.255 million) and the net loss on disposal of property, infrastructure, plant, and equipment (\$4.303 million). These are both non-cash items that have minimal impact on funding in 2022-23 or ongoing financial operations.

The result of the Capital Works Program compared to budget is a deficit of \$1.455 million after forecast adjustments and carryovers are considered.

#### Background

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

## Discussion

While a strong operational surplus was achieved, it should be noted that surpluses are required to fund Council's significant investment in capital expenditure. The Financial Plan has been updated and indicates that Council can remain in a reasonable financial position and continue to be financially sustainable.

When compared to previous financial plans, current and projected income funding streams such as user charges and statutory fees have been and continue to be impacted by the ongoing effects of the COVID-19 pandemic, and it is difficult to assess how long it will take for these income streams to recover. These assumptions affect the amount of funding expected to be available in future years of the Financial Plan to be used by Council to maintain critical community assets.

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

## Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

### Hobsons Bay 2030 Community Vision

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

### Council Plan 2021-25

#### Objective 5: A High Performing Organisation

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

## Policies and Related Council Documents

The Interim Financial Report for the year ended 30 June 2023 is directly aligned to Council's audited Draft Annual Financial Report, Annual Budget, Financial Plan and Capital Works Program.

Council considers financial reports at the end of the September, December (Mid-Year Budget Review), March and June (year-end) financial periods. This report provides the fourth and final quarterly report considered as part of the 2022-23 financial year.

## Legal/Statutory Obligations and Risk

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

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

## Financial and Resource Implications

The operational budget surplus for 2022-23 of \$26.339 million has increased to an interim surplus of \$30.010 million. The interim operational surplus does not include Council's significant investment of \$59.362 million in capital expenditure in 2022-23.

**Income** increased by \$15.796 million when compared to budget. The increase is inflated due to non-monetary contributions (\$7.510 million) and fair value adjustments for assets (\$1.25 million). These are both non-cash items that have minimal impact on funding in 2022-23 or ongoing financial operations.

Capital grants were over budget by \$3.287 million due to income originally budgeted to be received in 2021-22 that was received in 2022-23 (\$2.6 million) and an increase in unbudgeted capital grants (\$2.617 million). These were offset against income that will be carried over to next year's program (\$1.930 million).

Rates and charges were over budget by \$2.258 million mainly due to property development increasing the amount originally raised as rates (\$610,000) and supplementary rates throughout the year (\$491,000). Other significant increases include interest on rates (\$428,000), payments in lieu of rates (\$379,000), and waste charges (\$257,000).

Operating grants were over budget by \$1.702 million mainly due to an additional prepayment of the 2023-24 Federal Financial Assistance Grant (\$1.633 million).

**Expenditure** increased by \$12.125 million when compared to budget. The increase is inflated due to additional depreciation (\$5.255 million) and the net loss on disposal of property, infrastructure, plant, and equipment (\$4.303 million). These are both non-cash items that have minimal impact on funding in 2022-23 or ongoing financial operations.

Materials and services were over budget by \$2.549 million. Most of the additional expenditure relates to the inclusion of projects transferred from other financial years or from the Capital Works Program.

Consistent with the budget, a balanced **Available Funding Result** has been calculated by adding non-operational items such as capital expenditure, loan principal repayments and reserve transfers to the operational result and removing non-cash items such as depreciation and amortisation.

The **Summary Cash Flow Statement** indicates that Council's cash and investment balance was \$45.599 million on 30 June 2023, compared to the original budget of \$31.395 million and the forecast of \$40.112 million determined during the March forecast review. The increase in cash and investments on 30 June 2023, when compared to budget, is largely a result of the carryover of capital expenditure to the 2023-24 financial year. Council's cash and investments during the year is estimated to reduce by \$323,000 throughout the financial year.

The **Liquidity Ratio** (current assets divided by current liabilities) indicates the amount that Council's short-term assets exceed its short-term obligations and thus Council's ability to fund its short-term operations. This ratio was 155 per cent on 30 June 2023 compared to the original budget of 125 per cent and 152 per cent determined during the March forecast review. A current ratio over 100 per cent generally indicates a manageable short term financial position.

The interim result of the **Capital Works Program** shows a deficit of \$1.455 million when compared to the original budget after forecast adjustments and carryovers are considered.

The Capital Works Program figures in this report are slightly different to those outlined in the audited Draft Annual Financial Report 2022-23 because they include operational projects that do not add to the Council's asset base. These projects are reclassified as materials and services in the audited Draft Annual Financial Report.

Capital Works Expenditure for the year ended 30 June 2023 was \$59.362 million compared to the annual budget of \$65.941 million and the forecast of \$65.555 million determined at the March review. The decreased expenditure of \$6.579 million compared to the budget is attributable to:

- expenditure carried over to next year's program (\$13.286 million); offset against
- expenditure carryover adjustments from the prior year's program (\$3.87 million)
- the increase in funded capital expenditure (\$2.841 million)

Capital Income for the year ended 30 June 2023 was \$9.694 million compared to the annual budget of \$6.183 million and the forecast of \$10.946 million determined at the March review. The increased income of \$3.511 million compared to budget is attributable to:

- income that was budgeted to be received in 2021-22 that is now expected to be received in 2022-23 (\$2.6 million)
- an increase in income received to fund the program (\$2.841 million)
- income carried over to next year's program (\$1.930 million)

## Environmental, Social and Economic Impacts

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

## Consultation and Communication

The interim financial report for the year ended 30 June 2023 was received and noted by Council's Audit and Risk Committee at the meeting held on 30 August 2023, in conjunction with the audited Draft Financial Report. The Committee provides financial guidance to Council and input into continually improving the content of the financial report.

## Declaration of Conflict of Interest

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

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

## 8.2.4 Draft Annual Financial Report 2022-23

<b>Directorate:</b>	Corporate Services
<b>Responsible Officer:</b>	Chief Financial Officer
<b>Reviewer:</b>	Director Corporate Services
<b>Attachments:</b>	1. Draft Annual Financial Report 2022-23 [8.2.4.1 - 81 pages]

### Purpose

To present the draft Annual Financial Report (including the Performance Statement) for the year ended 30 June 2023 for in-principle approval to be certified in their final form.

### Recommendation

#### That Council:

1. **Records its approval in principle to the Annual Financial Report (including the Performance Statement) for the year ended 30 June 2023.**
2. **Subject to the review of the final version of the Annual Financial Report:**
  - a. **Authorises the Chief Executive Officer, Chief Financial Officer (Principal Accounting Officer), the Mayor Cr Antoinette (Tony) Briffa, and another Councillor to certify the final versions.**
  - b. **Authorises the Chief Executive Officer to send the Annual Financial Report to the Auditor-General.**
  - c. **Authorises the Chief Financial Officer to implement any non-material changes as recommended by the Auditor-General and provide a summary of such changes to the Audit and Risk Committee at its next meeting.**
  - d. **Authorises the Chief Financial Officer to make any material changes requested by the Auditor-General after discussion with the Chair of the Audit and Risk Committee.**

### Summary

The audited draft Annual Financial Report (including the draft Performance Statement) for the year ending 30 June 2023 are attached. It is important to note that both are subject to final approval by the Auditor-General.

The draft Annual Financial Report for the year ending 30 June 2023 is now presented to Council for examination and adoption in principle, subject to any changes recommended or agreed to by the Auditor-General.

Council's Audit and Risk Committee received and noted the draft Annual Financial Report, in conjunction with the Interim Financial Report, at its meeting held on 30 August 2023.



The draft Annual Financial Report indicates an operational surplus for 2022-23 of \$30.010 million compared to the original operational budget of \$26.339 million. This does not include Council's significant investment in capital expenditure of \$55.011 million in 2022-23.

The draft Annual Financial Report demonstrates that Council is in a reasonable financial position and is financially sustainable in the short and medium term.

## Background

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

The Interim Financial Report for the year ended 30 June 2023 is also included in the agenda and it is the fourth and final quarterly report considered as part of the 2022-23 financial year. The draft audited Financial Report is has been prepared in conjunction with the Interim Financial Report.

## Discussion

While a strong operational surplus was achieved, it should be noted that surpluses are required to fund Council's significant investment in capital expenditure. The Financial Plan has been updated and indicates that Council can remain in a reasonable financial position and continue to be financially sustainable.

The total comprehensive result includes revaluation adjustments to Council's assets. This is a non-cash items that has minimal impact on funding in 2022-23 or ongoing financial operations.

## Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

### **Hobsons Bay 2030 Community Vision**

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

### **Council Plan 2021-25**

#### **Objective 5: A High Performing Organisation**

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

## Policies and Related Council Documents

The draft Annual Financial Report for the year ended 30 June 2023 is directly aligned to Council's Interim Financial Report, Annual Budget, Financial Plan and Capital Works Program.

Council considers financial reports at the end of the September, December (Mid-Year Budget Review), March and June (year-end) financial periods. The Interim Financial Report for the year ended 30 June 2023 is also being considered at tonight's Council meeting.

## Legal/Statutory Obligations and Risk

Council is required to have the Annual Financial Report audited in accordance with the *Local Government Act 2020*. The Auditor-General has appointed Mr Tim Fairclough from BDO as its audit contractor to undertake this process.

The draft Annual Financial Report including the draft Performance Statement have been prepared as per the model reports, required under the Local Government (Planning and Reporting) Regulations 2020.

## Financial and Resource Implications

The operational surplus for 2022-23 is \$30.010 million compared to the original operational budget of \$26.339 million. Explanations for the reduced surplus are included in Note 2.1 of the Annual Financial Report.

**Income** increased by \$15.796 million when compared to budget. The increase is inflated due to non-monetary contributions (\$7.510 million) and fair value adjustments for assets held for resale and investment properties (\$1.25 million). These are non-cash items that have minimal impact on funding in 2022-23 or ongoing financial operations.

Capital grants were over budget by \$3.287 million due to income originally budgeted to be received in 2021-22 that was received in 2022-23 (\$2.6 million) and an increase in unbudgeted capital grants (\$2.617 million). These were offset against income that will be carried over to next year's program (\$1.930 million).

Rates and charges were over budget by \$2.258 million mainly due to property development increasing the amount originally raised as rates (\$610,000) and supplementary rates throughout the year (\$491,000). Other significant increases include interest on rates (\$428,000), payments in lieu of rates (\$379,000), and waste charges (\$257,000).

Operating grants were over budget by \$1.702 million mainly due to an additional prepayment of the 2023-24 Federal Financial Assistance Grant (\$1.633 million).

**Expenditure** increased by \$12.126 million when compared to budget. The increase is inflated due to additional depreciation (\$5.255 million) and the net loss on disposal of property, infrastructure, plant, and equipment (\$4.303 million). These are both non-cash items that have minimal impact on funding in 2022-23 or ongoing financial operations.

Materials and services were over budget by \$2.550 million. Most of the additional expenditure relates to the inclusion of projects transferred from other financial years or from the Capital Works Program.

The **total comprehensive result** of \$36.804 million includes revaluation adjustments of \$6.794 million to Council's assets.

The **Statement of Cash Flows** indicates that Council's cash and cash equivalents were \$25.599 million on 30 June 2023. There are also investments of \$20 million, which are included within other financial assets on the Balance Sheet. The cash and investment balance was \$45.599 million on 30 June 2023, compared to the original budget of \$31.395 million. The increase in cash and investments on 30 June 2023 when compared to budget is largely a result of the carryover of capital expenditure to the 2023-24 financial year.

The **Working Capital Ratio** (current assets/current liabilities) is included in the Performance Statement. This indicates the amount that Council's short-term assets exceed its short-term obligations and thus Council's ability to fund its short-term operations. This ratio was 155 per cent on 30 June 2023 compared to the original budget of 125 per cent. A current ratio over 100 per cent generally indicates a manageable short term financial position.

The **Statement of Capital Works** highlights capital expenditure in 2022-23 of \$55.011 million, while variations against budget are explained in Note 2.1. Capital expenditure in the audited statements differs from the \$59.362 million stated within the Interim Financial Report (quarterly financial report format). The difference is due to the Statement of Capital Works excluding projects that do not add to Council's asset base so are transferred to materials and services (\$4.354 million).

## Environmental, Social and Economic Impacts

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

## Consultation and Communication

The draft Annual Financial Report for the year ending 30 June 2023 was presented to the Audit and Risk Committee on 30 August 2023.

The Audit and Risk Committee noted the VAGO Closing Report for the year ended 30 June 2023 and any outstanding issues required to be resolved to finalise the audit.

The Audit and Risk Committee recommended that Council:

1. Record its approval in principle to the Annual Financial Report (including the Performance Statement) for the year ended 30 June 2023.
2. Subject to the review of the final version of the Annual Financial Report:
  - Authorise the Chief Executive Officer, Chief Financial Officer (Principal Accounting Officer), the Mayor, Cr Antoinette (Tony) Briffa, and another Councillor to certify the final versions
  - Authorise the Chief Executive Officer to send the Annual Financial Report to the Auditor-General
  - Authorise the Chief Financial Officer to implement any non-material changes as recommended by the Auditor-General, and provide a summary of such changes to the Audit and Risk Committee at its next meeting
  - Authorise the Chief Financial Officer to make any material changes requested by the Auditor-General after discussion with the Chair of the Audit and Risk Committee

## **Declaration of Conflict of Interest**

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

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

## 8.2.5 Proposed Sale of Land at 18 Balmoral Street South, Altona Meadows

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

### Purpose

To seek approval to commence a section 114 of the *Local Government Act 2020* for the proposed sale of a section of previously discontinued road contained in Certificate of Title Volume 3385 Folio 819, Lot 1 on Title Plan 813166T, situated at the rear of 17 Ascot Street South and 18 Balmoral Street South, Altona Meadows.

### Recommendation

**That Council commences the statutory procedures to sell the land from the formerly discontinued road in accordance with section 114 of the Local Government Act 2020 and Council's Community Engagement Policy.**

### Summary

Council received an expression of interest to purchase a small section of former road contained in Certificate of Title Volume 3385 Folio 819, Lot 1 on Title Plan 813166T, situated at the rear of 17 Ascot Street South and 18 Balmoral Street South, Altona Meadows. The subject land (Lot 1) is approximately 3m<sup>2</sup>.

The Victorian Government Gazette Extract No. 86 September 13, 1978, notes the right-of-way discontinuance in accordance with section 528(2) of the *Local Government Act 1958* that was undertaken by the then Shire of Werribee.

Although land allocation was determined at the time of the discontinuance process, the transfer of the land for this section of the former road was not concluded. The lot will be sold at market price in reference to a market value assessment conducted by an independent qualified valuer.

### Background

Council has received an expression of interest to purchase the parcel of land contained in Certificate of Title Volume 3385 Folio 819, Lot 1 on Title Plan 813166T, situated at the rear of 17 Ascot Street South and 18 Balmoral Street South. The subject land (Lot 1) is a former section of discontinued road and is approximately 3m<sup>2</sup>, shown in red on the below map.

The transfer of the land for this section of the former road was not concluded when the right-of-way discontinuance was undertaken. Allocation and negotiation as to the appropriate division of land is either based upon occupation, the location of utility services (if any) and the agreement of residents at that time.

The interested party being 18 Balmoral Street South is keen to purchase from Council the subject land on the registered title upon the proper exercise of Council's statutory duties, functions, and powers.

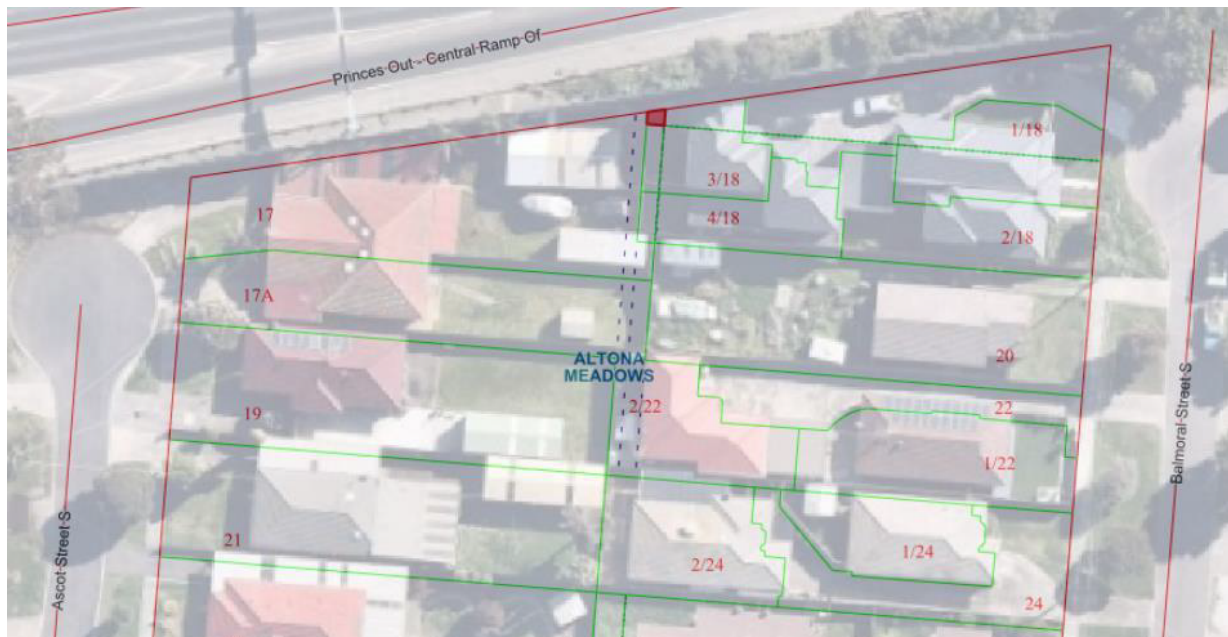


Figure 1: Map of the area, with land proposed for sale marked in red

## Discussion

Council's intention to sell the subject land will be done in accordance with Section 114(2)(b) of the *Local Government Act 2020* whereby Council must:

- publish notice of its intention to sell the property and will be advertised in the local paper and on Council's website detailing the proposal
- undertake a community engagement process in accordance with its Community Engagement Policy and Operational Framework, at a minimum "consult level" before selling the subject land
- submissions will be considered by Council prior to resolving to sell the subject land in accordance with its Community Engagement Policy
- obtain a valuation of land in accordance with section 114(2)(c) of the Act which is made not more than six months prior to sale or exchange

Accordingly, this proposal does not in any way impact on access being available to the rear of the surrounding properties.

## 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**

This report does not relate to a specific Council Plan 2021-25 objective.

## **Policies and Related Council Documents**

The sale of the road is in accordance with Council's Policy for the discontinuance, closure and sale of roads and rights-of-way.

## **Legal/Statutory Obligations and Risk**

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

There are no legal impediments to Council moving to sell the land contained in Certificate of Title Volume 3385 Folio 819, Lot 1 on Title Plan 813166T.

## **Financial and Resource Implications**

The administration and facilitation of the sale of the land will not impact on resourcing requirements.

## **Environmental, Social and Economic Impacts**

There are no environmental, social or economic impacts arising from the proposed sale.

## **Consultation and Communication**

The proposed sale of the former discontinued road will be exhibited for six weeks in accordance with Section 114 of the *Local Government Act 2020* and 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.

## 8.2.6 Instrument of Appointment and Authorisation - Planning and Environment Act 1987

<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. S11A Instrument of Appointment and Authorisation - 12 Sep 2023 [8.2.6.1 - 2 pages]

### Purpose

To provide for the formal appointment of Council officers as authorised officers pursuant to section 147(4) of the *Planning and Environment Act 1987* (the P&E Act) and section 313 of the *Local Government Act 2020* (the LG Act).

### Recommendation

**That Council, in the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987*, resolves that:**

- 1. The Council officers named in the attached Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) be appointed and authorised as set out in the Instrument.**
- 2. The Instrument comes into force immediately upon being signed by the Mayor and remains in force until Council determines to vary or revoke it.**
- 3. On the coming into force of the Instrument, the previous Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) dated 10 May 2022 is revoked.**

### Summary

Authorised officers under the P&E Act are required to be appointed by a resolution of Council.

The last authorisation of Council officers under the P&E Act was by a Council resolution on 10 May 2022.

### Background

In order to conduct inspection, enforcement and prosecution activities on Council's behalf, officers require specific authorisation under the relevant legislation. While authorisation for most legislation is provided by the Chief Executive Officer acting under delegation, specific provisions of the P&E Act require that the authorisation be made directly by Council resolution.

In addition, authorisation must also be provided under section 313 of the LG Act to enable these officers to commence enforcement action where necessary.



## Discussion

Authorisation of Council officers for decision making is essential to enable the smooth operation of the planning system and reasonable timeframes for decisions.

The updated Instrument of Appointment and Authorisation (the Instrument) attached to this report provides for Council to appoint authorised officers for the purposes of the P&E Act to commence proceedings for breaches against the Acts and Regulations in Council's name.

The Instrument comes into force immediately upon execution by the Mayor and will remain in force until Council determines to vary or revoke it, or until the authorised officer ceases to be a contractor or member of Council staff.

## 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

The previous Instrument was endorsed by Council on 10 May 2022.

## Legal/Statutory Obligations and Risk

Appointment of authorised officers under the P&E Act requires a formal resolution of Council. Where such authorisation is proposed to be granted, provision is also made to allow the respective officer to also initiate proceedings on behalf of Council (as provided in section 313 of the LG Act).

## Financial and Resource Implications

There are no financial impacts associated with the appointment of authorised officers.

## Environmental, Social and Economic Impacts

It is important that Council's planning officers can act as authorised officers under the P&E Act to ensure good governance and effective enforcement of the Hobsons Bay Planning Scheme.

## **Consultation and Communication**

No community engagement has been undertaken.

## **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 Adoption of Gambling Harm Prevention Policy Statement 2023

**Directorate:** Sustainable Communities

**Responsible Officer:** Manager Strategy, Economy and Sustainability

**Reviewer:** Director Sustainable Communities

**Attachments:**

1. 1-Gambling Harm Prevention Policy Statement - Final Draft - September 2023 [8.3.1.1 - 41 pages]
2. 2-Gambling Harm Prevention Policy Statement - Community Consultation - Summary Report [8.3.1.2 - 11 pages]
3. 3-Gambling Harm Prevention Policy Statement - Gambling Sponsorship Survey - Summary Report [8.3.1.3 - 3 pages]
4. 4-Gambling Harm Prevention Policy Statement - Summary of revisions to commitments [8.3.1.4 - 2 pages]

#### Purpose

To seek Council's adoption of the Gambling Harm Prevention Policy Statement 2023 following community consultation.

#### Recommendation

**That Council:**

1. **Notes the feedback received on the Draft Gambling Harm Prevention Policy Statement and writes to submitters thanking them for their feedback and advising them of Council's decision.**
2. **Adopts the Gambling Harm Prevention Policy Statement 2023.**
3. **Noting the significant advocacy role Council plays in this sector:**
  - a. **Writes to the Australian Government requesting that it accept and implement all recommendations arising from the House of Representatives Standing Committee on Social Policy and Legal Affairs' inquiry into online gambling and its impacts on those experiencing gambling harm, including the development of a national strategy for online gambling harm reduction, and implementation of a phased ban on all forms of advertising for online gambling.**
  - b. **Writes to the Victorian Government to commend it for the announcement of electronic gaming machine reforms in July 2023, and to urge it to implement the reforms swiftly and effectively, with consideration given to additional harm prevention measures such as reducing the number of EGMs in local communities and lowering maximum bets to one dollar.**

## Summary

The Gambling Harm Prevention Policy Statement 2023 will guide Council's ongoing efforts to prevent harm from gambling in Hobsons Bay. It replaces the Problem Gambling (Electronic Gaming Machines) Policy Statement 2015. The policy statement has been informed by community and stakeholder engagement, academic research and local data. It is underpinned by a comprehensive public health approach to preventing harm from gambling.

Feedback was sought on the Draft Gambling Harm Prevention Policy Statement during a four-week consultation period in May and June 2023. Sporting clubs and other local community organisations were also invited to complete a targeted online survey to better understand sponsorships provided by the gambling industry and to help determine the impact of proposed policy commitments. The draft policy statement has been updated in response to feedback received and is recommended for adoption by Council.

## Background

### The impact of gambling harm on communities

Gambling products cause harm in local communities. Research shows that harm extends beyond financial losses, impacting physical and mental health, work and study performance, and personal relationships, including the incidence and escalation of family violence. Research commissioned by the Victorian Responsible Gambling Foundation estimated the social cost of gambling in Victoria in 2014-15 to be \$7 billion.

Newly released data shows that \$47.95 million was lost on electronic gaming machines in Hobsons Bay during 2022-23 at an average rate of \$131,371 per day, the highest losses since 2011-12. Across the municipality, there were nine venues and 535 EGMs in operation. Data also shows that \$2.6 billion was lost in 2022-23 across Victoria from online, trackside and venue wagering services, an increase of 50 per cent since 2019-20. Local data is not available for online gambling, but it is likely that statewide trends are reflected in Hobsons Bay.

### The role of government in preventing gambling harm

Preventing harm from gambling is consistent with Council's role to protect, improve and promote public health and wellbeing, as required under the *Public Health and Wellbeing Act* 2008. Since 2015, the Problem Gambling (Electronic Gaming Machines) Policy Statement (the 2015 policy) has guided Council's efforts to manage and minimise the negative impacts of electronic gaming machine (EGM) gambling. The updated policy statement extends the scope of the 2015 policy to also include online gambling given the impact on community.

The Victorian and Australian governments set the key regulatory and legislative frameworks for gambling products and operators in Australia. The Victorian Government oversees the regulation of EGMs, including through harm reduction measures such as pre-commitment systems. The Australian Government regulates online gambling, including advertising on commercial radio and television. Local government also plays a role in preventing harm within local communities, particularly through advocacy and land use planning.

## Potential changes to the regulatory and policy context

Following the consultation period for the Draft Gambling Harm Prevention Policy Statement (the draft policy statement), significant developments occurred with the potential to change the policy and regulatory context for gambling in Australia and Victoria. In June 2023, the House of Representatives Standing Committee on Social Policy and Legal Affairs published its report from the Inquiry into Online Gambling and its impacts on those experiencing gambling harm. The report included 31 recommendations, including the development of a national strategy for online gambling harm reduction and a phased ban on all forms of advertising for online gambling.

In July 2023, the Victorian Government announced reforms to the regulation of EGMs. These extend measures arising from the Royal Commission into Crown Melbourne, and include a mandatory pre-commitment system, introduction of “carded play” requiring users to set time and spending limits, reduced “spin rates”, and mandatory closure of all gambling areas at hotels and clubs from 4am to 10am. Council has previously advocated for these reforms.

## Preliminary engagement

Council commenced the update of its previous gambling policy statement in late 2022. Preliminary engagement was undertaken between December 2022 and February 2023 including targeted consultation with residents, service providers, local community organisations, sporting clubs, academics, Gamblers Help services, advocacy groups, local gaming venues, and people with lived experience of gambling harm. The draft policy statement was subsequently developed and on 9 May 2023 Council resolved to place it on public consultation for a period of four weeks. The feedback from this consultation has been considered in the Gambling Harm Prevention Policy Statement 2023 (the final draft) as outlined below.

## Discussion

The Gambling Harm Prevention Policy Statement 2023 (Attachment 1) will guide Council’s ongoing efforts to prevent harm from gambling in Hobsons Bay. The policy statement is informed by community and stakeholder engagement, academic research, and local data.

The policy statement is also underpinned by a comprehensive public health approach to addressing gambling harm. This approach has been used successfully to prevent harm from tobacco and is being increasingly adopted by local governments around Victoria. It focuses on the prevention of gambling harm by addressing harmful products and environments, not just the individual behaviours of people experiencing or at risk of gambling harm.

The policy statement is built around six priority areas that have been adapted and updated from the 2015 policy statement: advocacy; availability and accessibility of EGMs; use of Council assets and facilities; access to Council resources; prevention and support; and research and awareness. Each priority area includes commitments that provide further detail as to how Council will prevent harm from gambling.

All commitments respond to ongoing and emerging issues such as online gambling and are aligned to best practice research and evidence-based public health approaches to preventing gambling harm in local communities. Several commitments have been carried forward from the 2015 policy statement while others have been updated or added.

## Public consultation

The draft policy statement was placed on public consultation in May and June 2023. This consultation was promoted via Council's social media platforms as well as professional and community networks that included stakeholders identified during preliminary engagement.

Consultation included broad public feedback via participate survey and call for submissions alongside targeted engagement with local community organisations.

A total of 21 responses were received to the public consultation including 15 residents, two gaming venues, two sporting clubs, a service provider, and a community organisation. Feedback is summarised at Attachment 2, alongside Council officer recommendations and proposed changes to the draft policy statement.

Key themes to emerge from the public consultation include:

- **Gambling harm** – concerns that gambling is harming people in Hobsons Bay, and that the impact may be underestimated or not discussed due to stigma.
- **Gambling industry** – concerns about the practices and operation of the gambling industry, suggesting that it benefits from harm and should be excluded from community settings and Council sites.
- **Advertising** – concerns about the negative impact of gambling advertising and sponsorship in exposing children and other vulnerable groups to gambling products and venues.
- **Electronic gaming machines** – concerns about the number of EGMs in Hobsons Bay, and that Council should use the levers available to reduce the number in the municipality.
- **Normalisation** – concerns that gambling becomes more “normalised” through exposure to gambling products in community settings and on land and assets owned or managed by Council.
- **Community support** – clubs operating EGMs highlighted their role in supporting local community groups, including through sponsorships, donations, and in-kind support for local sporting clubs.

Overall, participants were supportive of the objective of the draft policy to reduce gambling harm within the community. Approximately two-thirds of submitters indicated that the draft policy statement could be stronger.

## Gambling sponsorship survey

A targeted online survey was developed to better understand the level and types of sponsorship provided by the gambling industry to local community organisations. The purpose of the survey was to collect additional data to assess the potential impact of the following commitment proposed in the draft policy statement: *4.3 Council will not provide Council grants to organisations or activities that receive sponsorships from gaming venues, online betting companies or other gambling providers.*

“Sponsorship” refers to the display of names, logos or other distinguishing features on signage, clothing and online content. Community organisations may still accept donations however (where no promotional return is required) and in-kind support without affecting their eligibility for community grants. Under the policy statement, sponsorship does not impact

access to Council facilities. To clarify this further, the definitions of advertising, sponsorship and donations have been updated.

The survey was promoted and distributed to local community groups, sporting clubs and event organisers, as well as through Council's extensive community grants mailing list. A total of 41 responses were received. This included one-third of all sporting clubs in Hobsons Bay. The results are presented in Attachment 3 and key findings include:

- almost three quarters of respondents (73.2%) had previously received a grant from Council
- just over two-thirds of respondents (67.5%) had not received support from a gaming venue or online betting company in the past 12 months
- almost half of respondents (47%) indicated that ethics and values were key factors in decision to not accept financial or in-kind support from the gambling industry
- one in six respondents who had previously received a grant from Council (17%) had received sponsorship from a gaming venue or online betting company in the past 12 months
- almost half of respondents who had previously received a grant from Council (47%) indicated that support and alternative resources (from Council or local businesses) would assist them not accept support from the gambling industry.

The survey responses demonstrate that the proposed commitment will impact a small proportion of local community organisations and that most organisations do not rely on gambling sponsorships currently, with many citing "values and ethics" as a driving factor.

Almost half of respondents indicated that Council support is needed to reduce reliance on gambling sponsorships. A transition period is recommended until July 2025 to allow time for organisations to adjust to this new policy commitment. During this time, Council officers will support clubs and community organisations to transition away from gambling sponsorships to remain eligible for Council grant funding. This will involve raising awareness of the new commitment and building clubs' capacity to seek alternate funding.

### **Comprehensive public health approach**

The Victorian and Australian Governments set the key regulatory and legislative frameworks for gambling products and operators in Australia. In recent months, there has been significant developments with the potential to change the policy and regulatory context for gambling in Australia and Victoria. In addition, recently some of Australia's leading independent academics have published research on a "comprehensive public health approach to gambling".

These developments highlight the need to advocate at a state and federal level for 'independent (i.e. free from gambling industry influence) policies and strategies that seek to prioritise health and wellbeing'.<sup>1</sup> This approach has been incorporated into the final draft, including to commitments under Priority Area 1: Advocacy.

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<sup>1</sup> Thomas, S. et al (2023) "Time for policies on gambling to benefit health – not the gambling industry", Health Promotion Journal of Australia, <https://onlinelibrary.wiley.com/doi/10.1002/hpja.721>, accessed July 2023.

## Other changes to the draft policy statement following public consultation

The following changes have been made to the draft policy statement in response to consultation feedback, updated data and changes to the policy and regulatory context:

- **Policy and regulation** – proposed changes to the policy and regulatory context include a package of EGM reforms from the Victorian Government and recommendations from a House of Representatives Parliamentary Committee (see the Background section above). These have been noted in the final draft and reflected in minor changes to commitments under Priority Area 1: Advocacy.
- **Data** – key data released following the public consultation period has been added to the final draft, including EGM and online gambling losses for 2022-23 and a summary of the 2021-22 Community Benefits Statements for Hobsons Bay.
- **Definitions** – the scope and intent of relevant policy commitments were clarified by adding and updating key terms including “advertising”, “sponsorship” and “donation”.
- **Community and stakeholder engagement** – key findings from public consultation and the Gambling Sponsorship Survey have been added.
- **Numbering** – the numbering of commitments has been simplified by removing the first number, thereby reducing them from three numbers to two numbers, e.g. 7.1.1 and 7.6.2 becomes 1.1 and 6.2.
- **Miscellaneous** – several other minor changes have been made in response to public consultation, including adding additional advocacy priorities, updated maps, and a reference to research on gambling harm within military personnel.

Additionally, the following commitments have been updated in the final draft:

- *3.2 Not enter into any new leases or other legal agreements for the use of Council owned or managed land and/or building(s) with organisations that propose to operate electronic gaming machines within that land and/or building(s)* – clarifies that this commitment relates only to new leases or agreements that propose to operate EGMs within Council owned or managed land and/or building(s), with an exception provided for organisations with existing leases where EGMs are already operating.
- *3.3 Not approve new advertising and also work with sporting clubs and community organisations to remove existing advertising of gaming venues, online gambling companies or gambling products on land that is owned or managed by Council* – responds to feedback that the previous commitment to “discourage advertising” was confusing, while also addressing feedback that Council should take a stronger position on gambling advertising in community settings.
- *5.4 Not hold council events, activities or programs in gaming venues* – responds to community feedback by strengthening this commitment. Council staff will work together and with local businesses to identify alternative venues and activities.

For the purposes of Commitment 3.3, advertising means “static betting advertising” as defined in in the *Gambling Regulation Act 2003*, which is outlined in more detail in the final draft.



## Implementation and next steps

### Transitional arrangements

Council recognises that implementation of this policy statement will require planning and support to identify and mitigate potential impacts on local communities. Additionally, stakeholder and community engagement highlighted that some of the commitments will need to be implemented over time to support residents, community groups and other organisations to adjust to new arrangements.

Two-year transition periods are therefore proposed for commitments 4.1 and 4.3 to allow time for community organisations and other groups to understand the policy and to respond accordingly. Council officers will provide information and support to these groups during this time to help them understand and adjust to new commitments.

### Hobsons Bay Planning Scheme

The Hobsons Bay planning scheme will need to be amended to refer to the final draft as a background document. Clause 52.28 (Gaming) will continue to inform planning permit applications for new EGMs and will be updated as required to ensure all existing and planned shopping complexes and shopping strips where new EGM venues are prohibited are listed in the planning scheme.

### Advocacy

To implement the final draft and respond to key issues that emerged from public consultation, it is recommended that Council advocate for change by:

- writing to the Australian Government to request that it accept and implement all recommendations arising from the House of Representatives Standing Committee on Social Policy and Legal Affairs' Inquiry into Online gambling and its impacts on those experiencing gambling harm
- writing to the Victorian Government to commend it on the recently announced EGM reforms, urge it to implement the reforms swiftly and effectively, and to consider introducing additional harm prevention measures.

It is recommended that Council also write to local MPs to highlight these issues.

## 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 final draft is aligned with several other Council policies, guidelines, plans and strategies, including:

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

Council endorsed the Draft Gambling Harm Prevention Policy Statement for the purpose of public consultation on 9 May 2023.

## **Legal/Statutory Obligations and Risk**

All legal and statutory obligations and risks have been assessed as a part of the development of the final draft.

## **Financial and Resource Implications**

All financial and resource implications have been considered as part of the development of the final draft. 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 final draft will continue inform Council's land-use planning approach to EGMs, which is detailed in Clause 52.28 of the Hobsons Bay Planning Scheme, including the objective to locate EGMs away from disadvantaged areas or vulnerable communities. In seeking to prevent gambling harm, the final draft also aims to reduce the impact of related social issues such as family violence, homelessness, relationship breakdown, and reduced physical and mental health.

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

## Consultation and Communication

Consultation undertaken to develop the final draft includes:

- Preliminary Engagement (December 2022 to February 2023) – Council engaged with stakeholders, community groups and community members to understand the impact of gambling in Hobsons Bay.
- Consultation on the draft policy statement (May to June 2023) – Council engaged with the community via Participate Hobsons Bay to obtain feedback on the draft policy statement. The community was invited to provide feedback via a short survey or make a full written submission on the draft policy statement.
- Gambling Sponsorship Survey (May to June 2023) – Council engaged with sporting clubs and other local community organisation via a targeted online survey to understand the level and types of sponsorship provided by the gambling industry.

Several commitments have been updated in response to feedback provided in community consultation (see Attachment 4 for more information).

## Declaration of Conflict of Interest

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

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

### 8.3.2 Epsom Street - Section 114 Consultation

<b>Directorate:</b>	Sustainable Communities
<b>Responsible Officer:</b>	Manager Strategy, Economy and Sustainability
<b>Reviewer:</b>	Director Sustainable Communities
<b>Attachments:</b>	1. Epsom St S114 Submission (redacted) [8.3.2.1 - 1 page]

#### Purpose

To provide an update on statutory process undertaken in accordance with section 114 of the *Local Government Act 2020* for the proposed sale of part of the former Laverton Primary School, known as 7-45 Epsom Street, Laverton, for non-monetary consideration.

#### Recommendation

That Council:

1. **Notes the submission received from the community engagement undertaken under section 114 of the *Local Government Act 2020*.**
2. **Resolves to transfer the parcels of land at 7-45 Epsom Street, Laverton (the land) to Housing Choices Australia (HCA), in its capacity as the trustee of the Hobsons Bay Affordable Housing Trust, for non-monetary consideration for the purposes of developing and operating affordable housing on the site subject to:**
  - a. **Securing external funding to deliver the project.**
  - b. **Housing Choices Australia agreeing and undertaking the provisions in the Contract of Sale and Section 173.**

#### Summary

Council has a long-standing commitment to encouraging and supporting an increased supply of social and affordable housing in Hobsons Bay. The Hobsons Bay Affordable Housing Trust was established through extensive planning and consultation, as part of Council's Affordable Housing Policy. The Trust acts as a vehicle for Council's social and affordable housing policy and position to deliver housing to its most vulnerable persons in the municipality.

Council purchased a site in Epsom Street, Laverton in 2014, with a view to it becoming a park and potentially social and affordable housing. Following extensive community consultation and a Council resolution, an EOI has been lodged with the Victorian Government to fund the project. In preparing to potentially deliver this project, Council has undertaken required statutory steps to enable the land to be sold to the Trust. This briefing relates only to the administrative process of selling the site (for non-monetary consideration) to the Trust, should the project be funded.

Council undertook community engagement in relation to its intention to sell the proposed land to Housing Choices Australia (HCA) as the Trustee of the Hobsons Bay Affordable Housing Trust for non-monetary consideration in accordance with section 114(2)(b) of the *Local Government Act 2020*. One submission was received in response to the engagement. This submission relates to parking and was not directly related to the land transfer process.

## Background

The subject land is contained within six certificates of title:

<b>7-43 Epsom Street Laverton</b>	
Lot 2 on Plan of Subdivision 405697Y	Certificate of Title Volume 11356 Folio 752
<b>45 Epsom Street Laverton</b>	
Lot 1 on Title Plan 968351G	Certificate of Title Volume 2243 Folio 590
Lot 1 on Title Plan 812794S	Certificate of Title Volume 9000 Folio 434
Lot 1 on Title Plan 812799G	Certificate of Title Volume 9549 Folio 406
Lot 1 on Title Plan 968350J	Certificate of Title Volume 2090 Folio 949
Lot 1 & 2 on Title Plan 812797L	Certificate of Title Volume 2243 Folio 590

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

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

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

In March 2022, Council undertook extensive community consultation seeking feedback on the Draft Epsom Street Affordable Housing Design Guidelines. The draft guidelines were updated in response to community feedback and the revised guidelines were endorsed in the chamber in August 2022 alongside in-principle approval to apply for Victorian Government funding to deliver a social housing project.

## Discussion

### Section 114 process

From 22 August to 4 September 2023, Council undertook community engagement in relation to its intention to sell the subject land to Housing Choices Australia (HCA) as the Trustee of the Hobsons Bay Affordable Housing Trust for non-monetary consideration in accordance with section 114(2)(b) of the *Local Government Act 2020*, by:

- publishing a notice of its intention to sell the property, advertised in the local paper and on Council's website, detailing the proposal
- notifying adjacent properties in Epsom Street and Fitzroy Street
- undertaking community engagement in accordance with its Community Engagement Policy 2023
- considering the submission received
- obtaining a valuation of the land less than six months before the intended sale date, in accordance with section 114(2)(c) of the *Local Government Act 2020*.

### Section 114 submissions

Any person was able to make a written submission on the proposed transfer of land and could request to be heard, or a person acting on their behalf, in support of their submission. Submissions could be made through an online form, via email or in writing. Submissions closed Friday 4 August 2023.

A committee was established to hear submissions with hearings scheduled for 9 August 5.30pm-8.30pm and 10 August 2pm-5pm; however, no hearings were requested and the committee was not required.

One written submission was received (Attachment 1).

The one submission received related to car parking, specifically changed parking conditions since the development of Curlew Park, with no specific objection to the proposed transfer of land.

Car parking changes were made in response to community feedback received while consulting on the development of Curlew Park. Consideration of future car parking also formed part of the draft Design Guidelines engagement for the future affordable housing development. Parking will also be considered as part of the detailed design process should the project proceed.

Previously, in response to community feedback, parking was changed from angle to horizontal and time limits were imposed to prevent commuter parking to ensure that parking was available for both visitors and residents alike.

Council is not aware of any increase in parking enforcement issues on Epsom Street or Fitzroy Street, or issues with cars preventing access to private residences.

## Sale of land for non-monetary consideration

It is proposed that the land be sold to Housing Choices Australia as the Trustee of the Hobson Bay Affordable Housing Trust for non-monetary consideration for the purposes of developing and operating affordable housing on the site (subject to successful external funding of the project).

Council previously resolved to consider a proposal to transfer the parcels of land at 7-45 Epsom Street to Housing Choices Australia (HCA) in its capacity as the trustee of the Hobsons Bay Affordable Housing Trust on 9 August 2022.

Council's financial contribution and reasons to sell (transfer) the land for non-monetary considerations are as follows:

- **Site purpose:** the site was purchased by Council with the dual purpose of providing open space and affordable housing. This is reflected in the 2018 masterplan that was informed by community consultation. Subsequent consultation on the design guidelines has refined the proposal and reinforced the intent to deliver affordable housing on the site.
- **Viability:** the transfer of land at non-monetary consideration is critical to the financial viability of the project.
- **Policy:** Council's Affordable Housing Policy Statement 2016 includes a guiding action *to consider affordable housing outcomes when making decisions concerning Council assets, land, and land use*. This intent is carried forward into Council's updated policy which includes:
  - 5.4.1 When delivering actions to meet commitments in Council's Property Strategy 2021, consider Affordable Housing as one of the outcomes of the assessment of Council owned assets, including assets deemed surplus to requirements.
  - 5.4.3 Progress the transfer of Council owned land to the Hobsons Bay Affordable Housing Trust for the purpose of delivering the Epsom Street Affordable Housing Project subject to external funding and compliance with all legislative Obligations.

Additionally, the development of the land by HCA is supported by the Council Plan 2021-25, which includes a priority to *deliver more social and affordable housing* in Hobsons Bay. The Trust is a charitable trust established by Council as a tool for delivering this policy.

- **Local need:** there is a growing need for affordable housing in Hobsons Bay, particularly for people with local family and social connections who find it increasingly difficult to find safe, secure, and affordable housing in the municipality.
- **Council oversight:** the provisions of the Trust Deed which established the Trust, ensures Council will have oversight over the ongoing development and use of the Land by HCA as trustee of the Hobsons Bay Affordable Housing Trust.

As a condition of sale, HCA would be required to enter into an Agreement under section 173 of the *Planning and Environment Act* (Section 173 Agreement). The Section 173 Agreement would secure HCA's obligations to develop and use the land for affordable housing in perpetuity and include restrictions on the use and development of the land, broadly including:

- the owner must always be registered as a Registered Housing Agency
- construction must commence and be completed within specified timeframes
- must comply with the Council-endorsed Design Guidelines
- the dwellings must be used for affordable housing
- future tenants must meet requirements of Trust allocation policy that prioritises applicants with connections to the Hobsons Bay community.

## Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

### Hobsons Bay 2030 Community Vision

**Priority 2:** Community wellbeing and inter-connection

This priority highlights Council's role in actively listening to the community's views and advocating on key issues such as the need for social and affordable housing.

### Council Plan 2021-25

**Objective 1: Healthy, equitable and thriving communities**

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

**Priority c)** Deliver more social and affordable housing

### Other Council Strategies

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

## Policies and Related Council Documents

Council's Affordable Housing Policy Statement 2016 and the draft updated policy, currently out for public consultation, has been considered in the development of this report. The Policy Statement provides the basis for the development of the Trust, which will play a key role in any future affordable housing development at the Epsom Street site.

Council's Community Engagement Policy 2023 has also been considered, which has guided the public engagement on the proposed transfer of land, as required under the Local Government Act 2020.



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

- **13 May 2014:** Council resolved to purchase the former Laverton Primary School site.
- **10 May 2016:** Council received an update on the outcomes of community consultation for future development of the site.
- **9 April 2019:** Council endorsed the tender process to seek a Trustee for the Hobsons Bay Affordable Housing Trust.
- **9 June 2020:** Council endorsed Housing Choices Australia Limited as the Trustee of the Hobsons Bay Affordable Housing Trust.
- **8 September 2020:** Council adopted the Place Guide for Better Places Laverton.
- **10 May 2022:** Council received and noted a petition objecting to the proposed affordable housing development and loss of open space at Epsom Street, Laverton
- **9 August 2022:** Council resolved to consider a proposal to transfer the parcels of land, endorsed the revised design guidelines for future development on the site, and provided in-principle approval to seek funding for the Epsom Street Affordable Housing Project.

## Legal/Statutory Obligations and Risk

Legal advice has been sought regarding the sale of land process. The statutory process was undertaken in line with Council's obligations under the *Local Government Act 2020*.

## Financial and Resource Implications

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

## Environmental, Social and Economic Impacts

The project will deliver social benefits by providing affordable housing for lower income households with a connection to Hobsons Bay. The provision of affordable housing enables future residents to live in safe and secure housing which provides enhanced capacity to pursue employment and educational opportunities, leading to improved social and economic outcomes. The housing development's construction will create jobs and increase the population and demand for local goods and services in Laverton, creating a more vibrant community in line with the objectives of the Better Places Laverton program.

The design guidelines for the project include principles to ensure the proposed development will be built to high environmentally sustainable design (ESD) standards, including passive design principles to reduce need for heating and cooling, access to natural light, and water collection and reuse. These principles will be complemented by HCA's own ESD guidelines, as well as requirements for projects funded by the Victorian Government. The project will also increase housing density near public transport, support services and retail, which is consistent with high-level land use planning objectives.

## Consultation and Communication

Consultation for the proposed sale of land parcels to HCA acting as the Trustee was undertaken in accordance with section 114 of the *Local Government Act 2020*.

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

In March 2022, Council undertook an extensive community consultation process to seek feedback on the Epsom Street Affordable Housing Draft Design Guidelines. Community feedback was incorporated to revise the Design Guidelines, and these Guidelines will form part of the proposed section 173 agreement.

Further community consultation is proposed on the detailed design of the future affordable housing development if funding is secured.

## 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.

### 8.3.3 Draft A Fair Hobsons Bay for All Update

<b>Directorate:</b>	Sustainable Communities
<b>Responsible Officer:</b>	Manager, Strategy, Economy and Sustainability
<b>Reviewer:</b>	Director Sustainable Communities
<b>Attachments:</b>	1. A Fair Hobsons Bay for All 2024-28 - Draft - September 2023 [8.3.3.1 - 51 pages]

#### Purpose

To place the draft A Fair Hobsons Bay for All 2024-28 on public exhibition for a period of four weeks.

#### Recommendation

**That Council:**

- 1. Places the draft A Fair Hobsons Bay for All 2024-28 on public exhibition for four weeks in September and October 2023.**
- 2. Receives a further report following the public exhibition period.**

#### Summary

The draft A Fair Hobsons Bay for All 2024-28 (the draft policy) has been developed to ensure that fairness and equity continue to be embedded in all of Council's decisions and activities. This draft policy updates and replaces the existing A Fair Hobsons Bay for All 2019-23 (the 2019 policy) to account for changes to policy and funding contexts, and has been informed by evaluation, research, and extensive preliminary engagement.

Feedback will be sought on the draft policy for four weeks in September and October 2023. Following public consultation, feedback will be reviewed, and an updated final draft policy will be presented to Council for consideration and adoption.

#### Background

In October 2019, Council adopted A Fair Hobsons Bay for All 2019-23, which combined and updated the following policies into one integrated social policy:

- Ageing Well Strategy 2007-17
- Disability Access and Inclusion Strategy 2013-17
- Children and Young People's Plan 2014-18
- Multicultural Policy 2016-20
- Gender Equity Policy Statement 2014

The policy also incorporated Council's Disability Action Plan, which is required under the *Disability Act 2006*. Council also committed to update A Fair Hobsons Bay for All 2019-23 as a condition of being granted an exemption by the Department of Health to integrate the Municipal Public Health and Wellbeing Plan into the Council Plan 2021-25.

The policy was underpinned by a vision, as well as a series of themes, objectives and strategies which are implemented through a fixed four-year action plan. All demographic groups from Council's previous social policies, plans and strategies were incorporated into this policy as "priority populations", along with First Nations people.

These priority populations were selected as they are more likely to experience social and economic disadvantage and included the following groups: children, young people, older people, people from culturally and linguistically diverse (CALD) communities, First Nations peoples, people with a disability, women and girls, and LGBTIQ+ and gender diverse communities.

### **Achievements of A Fair Hobsons Bay for All 2019-23**

Key achievements of A Fair Hobsons Bay for All 2019-23 have been published each year in Council's Annual Report, including the following (listed under each of the policy's themes):

- **Theme 1: designing and building for fair access** – establishment of the Hobsons Bay Affordable Housing Trust; integration of universal design principles into community infrastructure; delivery of wayfinding signage program to activity centres, shared trails and open space.
- **Theme 2: an inclusive and equitable place** – delivery of inclusive events that celebrate priority populations; delivery of enhanced Maternal and Child Health services; capacity building for local sporting clubs to reduce barriers for women and girls.
- **Theme 3: fair opportunities for participation in the economic environment** – support for business owners who speak English as a second language during the COVID-19 pandemic; delivery of digital literacy programs in partnership with local secondary schools.
- **Theme 4: a natural environment that can be accessed and enjoyed by all** – support for the establishment of a community garden in Altona; delivery of the "My Smart Garden" program to priority population groups; upgrade works and tree planting in open local parks and open space.
- **Theme 5: leadership as a socially just organisation** – development of an internal Gender Equality Action Plan; staff training on various topics such as family violence awareness and response, disability awareness and Acknowledgement of Country.

A draft policy has been prepared and will build on the achievements of the 2019 policy. The draft policy has been amended from the previous version to update and clarify the language in the document, account for changes to policy and funding contexts, and to consider new and emerging issues for priority populations.

### **Discussion**

The draft *A Fair Hobsons Bay for All 2024-28* (Attachment 1) has been prepared to guide Council's ongoing efforts to ensure that fairness and equity are embedded in all Council decisions and activities. It is based on research and extensive preliminary engagement and largely follows the same structure as the previous policy, which included a vision, themes, objectives, and strategies.

## Preliminary engagement

To inform the development of the draft policy, Council officers undertook preliminary engagement with priority populations and the broader community.

Between March and June 2023, focus groups, interviews and follow up meetings were conducted with representatives from priority population groups from the 2019 policy, alongside a community survey hosted on the Participate Hobsons Bay website that attracted more than 150 responses. A range of organisations also supported or participated in preliminary engagement and have been acknowledged in the draft policy.

Participants provided insights into barriers that affect their health and wellbeing and suggestions for how these can be reduced or overcome. Feedback was collated, analysed and used as the basis to update the draft policy. Key themes identified through the engagement include:

- **improving access to Council facilities** – continue to improve access to a range of facilities, e.g. multipurpose community infrastructure, community gardens
- **awareness of local programs and services** – deliver and support additional programs, e.g. childcare, occasional care, disability programs, community transport, programs for people experiencing dementia
- **promoting respect for diversity** – be assertive and brave in celebrating diversity and promoting respect for all priority populations, particularly LGBTIQ+ communities and First Nations people
- **better communication and engagement** – provide improved and more accessible information on programs and activities, alongside additional opportunities to provide input into key planning and decisions
- **access to sustainability programs** – provide education sessions for the community to respond to the need for information on environmental sustainability and adapting to a changing climate
- **managing the increasing cost of living** – concerns with the cost of living, including capacity to pay bills, buy food and maintain housing
- **improving access to mental health services** – increased access to mental health services for refugees, young people, young mothers, older women, and women affected by family violence
- **employment and volunteering opportunities** – provide additional support for people with a disability and older people to participate in work and volunteering
- **concerns with community safety** – safety was raised by most priority groups, particularly a lack of street and park lighting to promote safety at night

## Priority populations

Priority populations experience social and economic disadvantage more consistently and to a higher degree than other groups and the broader community. However, the draft policy is not exclusive to these groups and may incorporate other disadvantaged populations that exist within or across these groups. The draft policy also recognises the concept of “intersectionality” which highlights that people may experience overlapping forms of discrimination and disadvantage based on different attributes.

Feedback also highlighted the need to add an additional priority population to the draft policy: people in low-income households. More generally, challenges managing long-standing economic disadvantage and the rising cost of living were highlighted across many priority populations.

ABS data and preliminary engagement also shows that social and economic disadvantage is spread unevenly across the municipality. Hobsons Bay has considerable areas of disadvantage, as well as pockets of disadvantage within more affluent locations. Therefore, the policy acknowledges that efforts to increase fairness and equity should also consider the places where people live, work, study and visit.

### Legislative requirements

The draft policy continues to meet Council's obligation to prepare a disability action plan under the *Disability Act 2006* and the requirements for an integrated municipal public health and wellbeing plan. Additionally, the draft policy recognises Council's responsibility to complete gender impact assessments when undertaking new or updated policies, programs and services, as required by the *Gender Equality Act 2020*.

### Updated vision

The draft policy reaffirms Council's commitment to fairness and equity through its updated vision: *A fair Hobsons Bay built on inclusion and belonging, where everyone can contribute, thrive, feel safe and valued*. This vision retains key elements of the current vision (e.g. the importance of being valued, as well as a shared sense of belonging and contribution), while adding new concepts identified through preliminary engagement (e.g. inclusion and safety). The updated vision also relies on the term "fair" rather than "equitable" as this is a more commonly used and understood term.

### Updated themes and objectives

The draft policy is built around five key themes and objectives that have been adapted and updated from the 2019 policy:

- 1. Accessible and connected neighbourhoods** – to improve access to public infrastructure, community facilities, housing, and local neighbourhoods
- 2. Inclusive and supportive communities** - to facilitate social connections, more equitable access to services, and increased respect for diversity
- 3. Learning and economic opportunities** - to improve financial independence and access to lifelong learning, education, employment, volunteering and business development opportunities
- 4. Enjoying and adapting to nature** - to improve access to our natural environment and support equitable adaptation to climate change
- 5. A fair council for all** - to be a socially just organisation that respects diversity, engages with local communities, and supports the health and wellbeing of all residents

## Updated strategies

A series of strategies sit under each theme. Most strategies in the draft policy have been retained with only minor changes to clarify and consolidate wording. The following strategies however have been added or updated in response to preliminary engagement:

- *Support the Hobsons Bay Affordable Housing Trust to increase the supply of affordable housing in Hobsons Bay* – updates strategy (1.3) to include reference to the Hobsons Bay Affordable Housing Trust as the key mechanism to increase the supply of affordable housing in Hobsons Bay
- *Develop coordinated processes within Council to support residents experiencing or at risk of homelessness to access available services and supports* – updates strategy (1.4) to expand the previous aim to “understand homelessness”
- *Promote and support positive gender representation, respectful relationships and the consideration of people of all genders in Council’s operations* – updates strategy (2.6) to include a focus on gender representation, and consideration of gender in Council’s operations
- *Support and advocate for additional early childhood education and care places (with a focus on kindergarten) to meet current and forecast need in Hobsons Bay* – new strategy (3.1) to reflect Council’s increased role in early childhood education and care
- *Support priority populations to establish, maintain and expand local business development opportunities* – new strategy (3.4) to provide focus on business development opportunities
- *Deliver, support and advocate for initiatives that contribute to increased financial independence for priority populations* – new strategy (3.5) added to provide focus on cost of living and need for financial independence
- *Support priority populations to develop skills, build knowledge and access programs that increase sustainability and their capacity to adapt to the impacts of a changing climate* – new strategy (4.5) to provide focus on adapting to climate change
- *Promote activities that support priority populations to connect socially, access services and participate in opportunities to improve health and wellbeing* – new strategy (5.5) to provide focus on Council’s role in promoting programs and services

In response to preliminary engagement, the following strategies from the 2019 policy have also been incorporated into other strategies:

- *Facilitate and build community capacity to access the internet, build digital literacy and prepare for new technologies (3.1.2)*. This was not a prominent issue during primary engagement and has been incorporated into updated strategy 3.2: *Deliver, support and advocate for affordable lifelong learning and education programs that enable priority populations to develop skills, connect socially, and prepare for employment and business development opportunities*
- *Celebrate community diversity through the provision of spaces and plants that promote belonging and connection to different cultures (4.1.5)*. This was not a prominent issue during primary engagement and has been incorporated into updated strategy 2.4: *Celebrate diversity, challenge discrimination, and acknowledge the strengths, needs and experiences of priority populations*
- *Ensure Council’s budget is allocated to enable equitable resources across the municipality and within the built, natural, social and economic environments (5.1.4)*. As Council’s budget is shaped by a range of factors it is not possible to “ensure” future

outcomes. Priority populations can however provide feedback on the budget. This has been incorporated into updated strategy 5.1: *Provide accessible, inclusive and safe opportunities for priority populations to share knowledge, foster new ideas and engage in civic processes, planning and decision making, including providing feedback on Council's annual budget.*

## Implementation and evaluation

There is now a desired outcome listed against each theme and objective in the draft policy. The implementation and evaluation of the draft policy will focus on an assessment against these desired outcomes, rather than an assessment against a fixed four-year action plan. This approach provides flexibility for Council to better respond to new and emerging issues over the life of the draft policy. A series of "indicators of change" will be used to monitor progress and inform the final evaluation. Progress will also be monitored through annual reporting, with key achievements and case studies published each year.

## Consultation and next steps

Council will seek community feedback on the draft policy through a four-week public consultation period in September and October 2023. Information will be available via Council's Participate Hobsons Bay website and promoted via social media, community activities, and other appropriate channels. Following the period of public consultation, an engagement summary will be prepared and the final draft policy will be updated 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 1.1:** Celebrate the diversity of our community and provide equitable opportunities for all

### Other Council strategies

The draft policy is aligned with a wide range of other Council policies, guidelines, plans and strategies, including:

- Hobsons Bay 2030 Community Vision
- Council Plan 2021-25 (incorporating the Municipal Public Health and Wellbeing Plan)
- Affordable Housing Policy Statement 2023 (in development)
- Gambling Harm Prevention Policy Statement 2023 (in development)
- Hobsons Bay Response to Climate Change Action Plan 2022
- Community Engagement Policy 2023



- Hobsons Bay Open Space Strategy 2018-28
- Hobsons Bay Advocacy Strategy 2021-25
- Community Services and Infrastructure Plan 2020-30
- Universal Design Policy Statement 2017
- Sports Facilities Needs Analysis 2018
- Hobsons Bay Public Toilet Strategy 2023-33
- Urban Forest Strategy 2020
- Asset-Plan 2022-32
- Volunteering Strategy 2018
- Reconciliation Action Plan 2019-20
- Economic Development Strategy 2023 (in development)

Please refer to the draft policy for a full list of related policies, plans and strategies.

## Policies and Related Council Documents

Relevant previous Council reports include:

- **11 June 2019** – Council endorses the draft A Fairer Hobsons Bay for All 2019-23 policy to be placed on public exhibition for six weeks
- **8 October 2019** – Council notes the changes made to the draft A Fair Hobsons Bay for All 2019-23 in response to submissions and adopts A Fair Hobsons Bay for All 2019-23

## Legal/Statutory Obligations and Risk

All legal and statutory obligations and risks have been assessed as a part of developing the draft policy. It continues to meet Council's obligation to prepare a disability action plan under the *Disability Act 2006*. It is also being updated as a condition of Council being granted an exemption to integrate its Municipal Public Health and Wellbeing Plan into the Council Plan. Additionally, the draft policy acknowledges Council's responsibility to complete gender impact assessments as required by the *Gender Equality Act 2020*.

## Financial and Resource Implications

All financial and resource implications have been considered as part of the development of the draft policy. 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 will have a range of positive social impacts in seeking to ensure fairness and equity are considered and embedded in all of Council's decisions and activities. For example, it will encourage and support social connections, foster a sense of community, place and belonging, and support increased access to services.

The draft policy also aims to support positive environmental impacts, including through improved access to open space; supporting efforts to respond to the impacts of climate change; and supporting local food production and urban gardening. It will also support

positive economic impacts by encouraging volunteering and employment opportunities, supporting lifelong learning and business development opportunities; and working towards increasing the supply of affordable housing in Hobsons Bay.

## **Consultation and Communication**

To inform the development of the draft policy, Council officers completed preliminary engagement with priority population groups and the broader community. Further community engagement will be undertaken on the draft policy through a four-week period of public consultation. Following the consultation period, the final draft policy will be updated 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.

## 8.4 Infrastructure and City Services

### 8.4.1 Draft Biodiversity Strategy 2024-34

<b>Directorate:</b>	Infrastructure and City Services
<b>Responsible Officer:</b>	Manager Parks
<b>Reviewer:</b>	Director Infrastructure and City Services
<b>Attachments:</b>	1. Draft Biodiversity Strategy 2023 v2 [8.4.1.1 - 20 pages]

### Purpose

To present the Draft Biodiversity Strategy 2024-34 for Council's consideration and approval to proceed with a four-week community consultation process.

### Recommendation

That Council:

- 1. Places the Draft Biodiversity Strategy 2024-34 on public exhibition for community consultation for four weeks from 13 September to 11 October 2023.**
- 2. Receives a further report following the community consultation period to endorse the Biodiversity Strategy 2024-34.**

### Summary

The purpose of this report is to provide Council with the Draft Biodiversity Strategy for consideration and approval to commence a four-week community consultation process.

The Biodiversity Strategy is required to provide a long-term vision for the protection and enhancement of Hobsons Bay's biodiversity and outlines strategic goals over the next ten years.

### Background

Council currently manages over 330 hectares of conservation area across 28 sites with considerable biodiversity values that encompass nationally and internationally significant ecosystems and species. The Biodiversity Strategy is Council's key strategic document to guide the preservation and enhancement of biodiversity in Hobsons Bay.

The preparation of the Draft Biodiversity Strategy 2024-34 commenced in 2023 with a comprehensive review of the previous Biodiversity Strategy, which was Council's first strategy providing key actions for biodiversity protection, adopted in 2017 and covering a period of five years.

## Discussion

The Draft Biodiversity Strategy has been developed to provide the strategic vision to safeguard biodiversity within Hobsons Bay and ensure ongoing commitment to the protection and enhancement for current and future generations.

The vision: *Value and protect our unique biodiversity for current and future generations.*

Hobsons Bay has a rich natural environment that includes remnant native grasslands, five waterways, foreshore areas and significant wetlands. This combination of significant biodiverse areas within a highly developed landscape is unique for a metropolitan council.

The Strategy incorporates four key goals with deliverable actions to ensure a focused and responsible approach to biodiversity preservation and enhancement. Planning for the long-term management and protection of ecosystems in their entirety, prioritising restoration of remaining significant biodiversity areas.

### Protect

- prevent local extinction of indigenous flora and fauna and ecosystems.
- retain remaining intact remnant grasslands and areas of significant biodiversity.
- reduce light pollution impacts on areas with significant biodiversity.
- strengthen the Planning Scheme to achieve better biodiversity outcomes.

### Restore

- pest species threat is reduced in biodiversity significant areas.
- overall increase in biodiversity, ecosystems and habitats by 2027.
- increased native vegetation plantings to create effective and interconnected habitat corridors.

### Engage

- a comprehensive review of all engagement activities is conducted across conservation to ensure maximum value for biodiversity and community.
- habitat Gardens in Hobsons Bay program is expanded to encompass targeted areas and establish ecosystem corridors.
- more community members value, understand and participate in biodiversity activities by 2027.
- a landscape wide monitoring program for Hobsons Bays fauna is developed and established.

### Collaborate

- collaborate with the Traditional Owners to connect culture and biodiversity.
- traditional owners are empowered to engage in cultural land management practices.
- increased contribution to protect biodiversity and connect ecosystems within privately owned areas by 2027.

## Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

### Hobsons Bay 2030 Community Vision

**Priority 1:** Visionary, vibrant, accountable urban planning

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

**Priority 5:** Activate sustainable practices

### Council Plan 2021-25

#### Objective 2. Environment

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

**Priority a)** Foreshore and riverine assets are upgraded to meet predicted impacts of climate change, maintain existing recreational uses while improving conservation values

**Priority b)** Advocate to relevant stakeholders and land managers to develop a partnership approach to foreshore management

**Priority c)** Foster increased community engagement with world class environmental areas across the municipality including through supporting the work of community organisations

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

### Urban Forest Strategy 2020

**Objective 1:** Increase tree canopy in Hobsons Bay to 30% by 2040.

**Objective 2:** A diverse and healthy urban forest.

**Objective 4:** Educate and foster care for urban trees.

### Open Space Strategy 2018

**Priority 4:** Proactive environmental and urban enrichment, expansion and conservation will occur.

### Biodiversity Strategy 2017

Comprehensive review of actions and goals within the Biodiversity Strategy 2017 identified current and emerging threats and key achievements. The Biodiversity Strategy 2024-34 will be an extension of this prioritising and addressing key threats and opportunities to improve biodiversity within Hobsons Bay.

## Policies and Related Council Documents

### Coastal and Marine Management Plan 2021

3.2 Protect and Enhance the marine and coastal environment

3.3 Respect natural processes and strengthen resilience to climate change

3.5 Promote stewardship and collaborative management

### Hobsons Bay Response to Climate Change Plan

Theme: Adaptation. Manage risk and prepare for a changing climate

Theme: Community. Support the community to respond to climate change

## Legal/Statutory Obligations and Risk

The previous Biodiversity Strategy was endorsed from 2017 until 2022. The new Biodiversity Strategy will continue to guide and prioritise the protection and enhancement of biodiversity within Hobsons Bay for the next ten-year period. This will be the key strategic document to lead protection and enhancement of biodiversity within Hobsons Bay while engaging and collaborating with community for greatest benefit.

## Financial and Resource Implications

The Draft Biodiversity Strategy is being delivered by the Parks Department, with majority of funding for implementation coming from the existing operational budget. Some actions are scalable subject to partnership funding and annual budget allocation of the Biodiversity Strategy Capital and Pest Animal Management Capital.

Following adoption of the strategy, other resources may be required from Strategic Planning for Planning Scheme amendments and Governance/Animal Management impacts of domestic animal management to biodiversity.

## Environmental, Social and Economic Impacts

The environmental, social and economic benefits from protecting and enhancing biodiversity within Hobsons Bay is demonstrated in the Draft Biodiversity Strategy. The vision of the strategy to “*value and protect our unique biodiversity for current and future generations*” highlights the importance of safeguarding the environment whilst protecting areas of highest biodiversity significance.

Implementing the Biodiversity Strategy will benefit the environment by mitigating threats, enhancing ecosystems and resilience while contributing to the long-term sustainability for current and future generations. The Biodiversity Strategy will further develop and engage community through a range of socially inclusive conservation activities and enable collaboration with Traditional Owners for cultural land management and connectedness.

## Consultation and Communication

A four-week community consultation process will be undertaken from 13 September until 11 October 2023. The Draft Biodiversity Strategy will be made available through Participate Hobsons Bay for community feedback, in addition to two community drop-in sessions. Newsletters and a social media campaign will be shared to community and existing “friends of” groups and known volunteers.

Internal consultation with key departments was undertaken during the review of the previous strategy and for the Draft Biodiversity Strategy.

## 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 Endorsement of Place Guide for Better Places Seabrook and Altona Meadows

<b>Directorate:</b>	Infrastructure and City Services
<b>Responsible Officer:</b>	Manager Active Communities and Assets
<b>Reviewer:</b>	Director Infrastructure and City Services
<b>Attachments:</b>	1. 1. Better Places Seabrook and Altona Meadows - Draft Place Guide (v2) [8.4.2.1 - 81 pages]

### Purpose

To seek Council's endorsement of the Place Guide for Better Places Seabrook and Altona Meadows (Attachment 1).

### Recommendation

**That Council adopts the Place Guide for Better Places Seabrook and Altona Meadows.**

### Summary

Following the successes of Better Places Laverton, Better Places Spotswood and South Kingsville and Better Places Brooklyn and Altona North, the model has been applied to Seabrook and Altona Meadows (SAM). The aim of the Better Places (BP) model is to develop a shared vision with and for the SAM community.

The Place Guide for BP SAM has been developed to guide future investment into SAM and provide opportunities for the community to become more actively involved in the project delivery process.

The Place Guide describes the consultation process undertaken throughout the project, how the vision, key themes and principles have been developed, and summarises the six place projects that have been identified to achieve a shared vision for SAM.

The Draft Place Guide was endorsed at the 20 June 2023 Council Meeting and was placed on public exhibition. Following feedback received, the Draft Place Guide has been updated for Council's final consideration.

### Background

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

It is about moving to a more collaborative and multi-disciplinary approach that moves away from the traditional model of delivering projects as "pieces" to an approach where the whole "place" is considered and driven by a community vision for the suburb. It focuses on innovation with the aim to deliver better outcomes for community.



Residents of SAM appreciate the neighbourhood's sense of community, with many streets featuring courts and cul-de-sacs that encourage neighbourly interaction. Housing options are affordable compared to other suburbs closer to the Melbourne central business district, although prices have increased in recent years due to high demand. Open space and green areas are highly valued, with Truganina Park being a popular spot for leisure activities.

The BP model is an innovative approach to planning projects and working with community. This approach encourages the community to take greater ownership of their neighbourhoods by being actively involved in steering the future direction of their suburbs.

## Discussion

At the 20 June 2023 Council Meeting, the Draft Place Guide was endorsed to be placed on final public exhibition for four weeks from 21 June 2023 to 23 July 2023 (32 days).

A total of 76 contributions were received during the final stage of public exhibition period with the feedback being overwhelmingly positive. The sentiments expressed by participants were supportive to neutral (96%), with a few negative sentiments (4%).

The subject of a secondary school for Altona Meadows is a key theme of this final round of community engagement, with 44 mentions (58%). Although a State Government responsibility, Council will continue to advocate for improved high school service provision within Altona Meadows.

The majority of other comments received were supportive and thankful of the Better Places process thus far. Minor comments have been actioned via edits of Place Guide wording and/or will be addressed at the design stage of the relevant project.

A three to five year funding and resource program will be developed that will see all six projects either delivered or fully designed and ready for further funding, meaning that for those larger ambitious projects such as Project 5 – Improving our cycling and walking network and Project 6 – Improving our transport network, Council plans to undertake the feasibility studies, consultation, and design of the development so that the project is ready for future implementation subject to funding.

It is important to note that there are significant improvements already being planned or underway in SAM such as Bruce Comben Reserve Master Plan Implementation - Stage One southern open space and Pipeline Reserve upgrade of the local play space and new picnic area in Seabrook. BP SAM projects will be considered as part of Councils Capital Works annual budget process. In addition to this, Altona Meadows Library refurbishment has been completed recently.

## 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 3: Vibrant place and economy

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

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

## Policies and Related Council Documents

The Place Guide has taken the following documents into consideration:

- Activity Centres Strategy 2019
- Hobsons Bay Open Space Strategy 2018
- Sports Facility Needs Analysis 2018

## Legal/Statutory Obligations and Risk

During consultation with the SAM community, public safety issues with hooning and anti-social behaviour were raised and have been responded to in Project 1.3 Our Safer Suburbs. Key initiatives of this project include elements such as providing pathway widenings, streetscape improvements, general clean-up and upgrade of key spaces to make them feel safer and more accessible and usable for all residents at all times of the day. These safety initiatives will be tied-in with other BP SAM projects such as Project 4 - Better Places and Spaces to make sure they are considered and included in any future works.

## Financial and Resource Implications

The final six projects and their associated sub projects listed within the Place Guide provide a project description, key ideas and opportunities and next steps that propose works to be undertaken to take the projects from a vision to a reality. The total estimated cost to deliver projects as defined within the Place Guide (noting some are design only) is approximately \$3.3 million.

The delivery of these Place Projects is planned to commence as part of Council's 2024-25 Capital Works Program with future funding allocations to be finalised as part of Council's annual budget processes.

## Environmental, Social and Economic Impacts

The Place Guide acknowledges environmental, social, and economic values and opportunities within SAM. The final six projects focus on improving and greening of the natural environment, improving public spaces to encourage residents to socialise, play and interact with each other more often and enhancing local village areas with opportunities for people to connect with each other.

## Consultation and Communication

The Draft Place Guide provides a summary of the four stages of community consultation completed throughout the delivery of the project:

### Stage 1 Consultation: Place check – Love, Change and Ideas

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

### Stage 2 Consultation: Draft vision, principles and project ideas

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

### Stage 3 Consultation: Draft place projects

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

### Stage 4 Consultation: Draft Place Guide on public exhibition

- four weeks throughout June and July 2023
- 76 responses received

Communication of the Stage 4 engagement opportunity included:

- alert email to “followers” of the SAM page on Participate Hobsons Bay
- A3 posters displayed in SAM business windows
- A3 posters displayed at Altona Meadows pop-up library, Altona Meadows and Seabrook community centres
- social media plan including budget for “boosted” Facebook posts
- promotion to internal Council experts requesting to also share with networks
- media release

Feedback from the community and key stakeholders within SAM has been a critical component in the development of the Draft Place Guide. Consultation with the community will continue with the planning, design and implementation of the Place Projects identified within the Place Guide.

## Declaration of Conflict of Interest

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

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

### 8.4.3 Adoption of Mary Street Reserve Master Plan (Spotswood)

<b>Directorate:</b>	Infrastructure and City Services
<b>Responsible Officer:</b>	Jake Trevaskis
<b>Reviewer:</b>	Director Infrastructure and City Services
<b>Attachments:</b>	1. Mary Street Reserve - Schematic Design [8.4.3.1 - 1 page]

#### Purpose

To seek Council's endorsement of the Mary Street Reserve Master Plan.

#### Recommendation

**That Council:**

- 1. Adopts the Mary Street Reserve Master Plan.**
- 2. Writes to all who submitted feedback on the draft master plan to thank them for their contribution.**

#### Summary

The need to develop the Mary Street Reserve Master Plan in Spotswood is supported by the Hobsons Bay Open Space Strategy 2018 (OSS) and the Place Guide for Better Places Spotswood and South Kingsville (BPSSK), and will help guide future an upgrade of this space for the local community to enjoy.

Following approval at the 20 June 2023 Council Meeting, the Draft Mary Street Reserve Master Plan was placed on public exhibition for four weeks from 23 June to 21 July 2023. The public exhibition period was hosted on Participate Hobsons Bay where two comments were received from the community. No changes have been made to the draft master plan that was on public exhibition.

The development of the Mary Street Reserve Master Plan has been guided by four stages of community consultation and is now been presented for Council's consideration.

#### Background

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

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

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

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

The Mary Street Reserve Master Plan has been developed following four rounds of community consultation:

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

Stage 2: Community ideas (October to December) 2022)

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

Stage 4: Draft Master Plan (June to July 2023)

Each stage of consultation was hosted formally on Participate Hobsons Bay with images, ideas and opportunities utilised to obtain community feedback. In addition to online feedback, throughout the development of the master plan three drop-in sessions have been held on site as well as two community workshops at Newport Community Hub and at the Spotswood South Kingsville RSL Club rooms.

## Discussion

The draft master plan was placed on public exhibition on 23 June to 21 July 2023 and was hosted on Participate Hobsons Bay. Throughout the public exhibition period, there were 222 visits to the webpage and two submissions were received.

The first submission read "*Love it!*"

The second submission identified an opportunity to incorporate a stormwater harvesting system beneath the bowling green that could take polluted stormwater out of Stony Creek and provide a sustainable supply of water to keep the park green all year round.

The suggestion of a stormwater harvesting facility for the irrigation of the parkland was assessed as a part of the preliminary investigations, which unfortunately found that the cost of including stormwater harvesting on site would be almost two thirds of the allocated budget, so cannot be accommodated now.

Given the expense of stormwater harvesting systems, Council strategically supports these initiatives where a high number of playing fields will be irrigated. Recent examples of these systems are within the Paisley Park Precinct (in Altona North) and AB Shaw Reserve in Laverton.

The master plan being presented for final adoption will improve the character and amenity of the reserve and support the need for access to quality open space areas within the local area.

## Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

## **Hobsons Bay 2030 Community Vision**

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

### **Council Plan 2021-25**

#### **Objective 2: Environment**

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

## **Policies and Related Council Documents**

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

- Hobsons Bay Open Space Strategy, 2018-2028
- Better Places Spotswood and South Kingsville Place Guide, 2021
- Draft Spotswood Structure Plan, 2022
- Play Space Strategy 2023-2033
- Biodiversity Strategy 2017-2021
- Urban Forest Strategy 2021

## **Legal/Statutory Obligations and Risk**

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

There is an existing planning permit associated with this site which will be resolved along with all other permit requirements prior to construction commencing onsite.

## **Financial and Resource Implications**

Preliminary cost estimates at the master plan level have been developed and will be refined throughout the detailed design process for future upgrades onsite.

Funding has been allocated in Council's 2023-24 Capital Works Program to commence works at Mary Street Reserve, with funding also allocated in the Draft 2024-25 Capital Works Program to complete works to Mary Street Reserve.

## **Environmental, Social and Economic Impacts**

Environmental, social, and economic impacts have been assessed throughout the master plan development process.

## Consultation and Communication

A comprehensive four-stage community consultation process has been undertaken to develop the Mary Street Reserve Master Plan which is summarised below:

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

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

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

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

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

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

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

Council placed the master plan framework on public exhibition on Participate Hobsons Bay from 23 February to 27 March 2023. Throughout the public exhibition period, a community drop-in session occurred on 25 February 2023 at the Melbourne Slow Food Market.

About 45 people attended the drop-in session and 33 online submissions were received via Participate Hobsons Bay.

### **Stage 4: Draft master plan**

The public exhibition period of the Draft Mary Street Reserve Master Plan was hosted on Participate Hobsons Bay for four weeks from 23 June 2023 to 21 July 2023, and was widely promoted via Council's social media platforms and local community group and club networks. There were 222 site visits on Participate Hobsons Bay and two submissions.

Regular updates on the development of the master plan were also provided to the Better Places Spotswood South Kingsville Local Leaders Focus Group. At its most recent meeting in August 2023, members of the group reiterated the need for a public toilet to be included as part of the final plan. Throughout previous consultation stages, officers advised the community that the provision of a public toilet servicing this precinct is provided nearby at Donald McLean Reserve. This position is supported in Council's Public Toilet Strategy, which was adopted in May 2023.

## **Declaration of Conflict of Interest**

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

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



## 8.4.4 West Gate Tunnel Project Update - September 2023

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

### Recommendation

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

### Summary

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

### Background

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

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

Reports providing updates on various aspects of the Project have been tabled through Council meetings since early 2018. The most recent report was presented at the 20 June 2023 Council meeting. Previous reports can be accessed via the Council website at: <https://www.hobsonsbay.vic.gov.au/Council/Council-Meetings/Minutes-and-Agendas>

### Discussion

#### Community Feedback and Advocacy

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

Traffic impacts associated with the Project's construction continue, however, as sections of the freeway works are progressively being completed, traffic disruptions and congestion

resulting from traffic lane and ramp closures will ease. Some overnight freeway closures will be required in coming months for the JV to install large overhead gantries.

Following lengthy delays and construction impacts to some residents living adjacent to the freeway, local road reinstatement works on the south side of the freeway between Grieve Parade and Melbourne Road are now complete with the connecting roads and footpaths open to the public. Federation Trail remains closed on the north side of the freeway.

### **Community Liaison Group**

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

The last meeting of the CLG was held on 27 July 2023 with discussion focused on the construction progress and traffic disruptions, freeway interchange at Millers Road pedestrian safety issues, shared use paths, graffiti management and upcoming works. CLG meeting documents can be obtained at:

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

### **Sports and Open Space Enhancement and Access Package**

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

Council contributed most of the funding and managed the design and delivery of these projects that are now completed and providing significant benefit to the local community and sports clubs.

### **West Gate Neighbourhood Fund**

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

The final funding round closed on 1 August 2023 with two types of funding available:

1. Partnership projects seeking over \$50,000 that deliver a lasting benefit for the community, e.g. infrastructure, capital equipment and programs that improve community connection and meet a community need.
2. Active Community Grants for projects seeking up to \$100,000 for local sport groups, scout clubs and girl guides in the west. This is a new funding round set up in recognition of the role such organisations play in serving local communities in the Hobsons Bay City Council and Maribyrnong City Council areas.

An announcement of the successful applicants is expected in coming weeks. More details can be found at:

<https://bigbuild.vic.gov.au/projects/west-gate-tunnel-project/community/west-gate-neighbourhood-fund/grants>

## Project Works Update

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

Upgrades have been completed at the Simcock Avenue and Douglas Parade intersection near Hyde Street in Spotswood, with new traffic signals installed and a widened intersection. (Refer to image below.)

These improvements include:

- a new northbound lane built to improve traffic flow and make room for the new access point to the Hyde Street ramp and the widened intersection.
- new left and right turning signals, pedestrian crossings and traffic islands at the intersection
- new streetlights and line markings



**Figure 1:** Simcock Avenue and Douglas Parade intersection

There is a 24/7 closure of Simcock Avenue between Booker Street and Hall Street until September 2023 for drainage and pavement works, line markings and street lighting installation.

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

## Tunnels

The removal of both tunnel boring machines is underway. Construction of the internal road surface of the twin tunnels is nearing completion with more than 4.5 kilometres of road deck installed across both tunnels, with a specialist machine lifting and installing more than 2,000 24-tonne concrete segments to create the future road surface. Work is also underway to

construct the tunnel entries and exits and prepare for the installation of the ventilation and timber net structures. Refer to image below.



**Figure 2:** Artist's impression of the southern tunnel exit ventilation structure after completion

The two 50-metre-high ventilation structures will be built of concrete with a steel frame and diagonally placed panels wrapped around the outside. These works will continue into early 2024.

The ventilation system works by drawing in fresh air from the tunnel entry, which is then pushed through the tunnel by the movement of vehicles and jet fans. Before the tunnel exit, air is pushed up and out through a ventilation structure and into the atmosphere where it mixes with fresh air.

WGTP has been monitoring air quality at six stations in Melbourne's inner west since project commencement to understand current local conditions and to measure any changes to local air quality. Monitoring will continue for up to five years after the project is completed, including in-tunnel air quality monitoring to confirm that the ventilation system is operating properly.

Information on tunnel ventilation and air quality, including the latest air quality monitoring report released in April 2023 can be found online at: <https://bigbuild.vic.gov.au/library/west-gate-tunnel-project/fact-sheets/tunnel-ventilation-and-air-quality>

It is noted that the June 2023 quarterly update Council report contained an error in relation to the underground tunnel minor collapse incident. It was reported that the collapse happened *between 300m and 500m underground*. The correct wording is between 30m and 50m underground. The tunnel repair has now been completed.

## **Tree Planting and Trail Upgrades**

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

Reinstatement and landscaping of Project-occupied sites is progressing. An offset tree plan has been developed with input from Council and community stakeholder groups that identifies suitable locations for offset tree planting outside the designated Project area. Offset planting is expected to commence in the 2024 autumn planting period.

## Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

### Hobsons Bay 2030 Community Vision

**Priority 6:** An accessible and connected community

### Council Plan 2021-25

**Objective 4: Visionary community infrastructure**

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

## Policies and Related Council Documents

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

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

## Legal/Statutory Obligations and Risk

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

The latest report summarising the environmental audit findings of the Independent Reviewer and Environmental Auditor (IREA) for the Project is available on the Project website at: <https://bigbuild.vic.gov.au/library/west-gate-tunnel-project/planning-documents>

The report covers the six-monthly audit of the Environmental Management Strategy, quarterly Construction Environmental Management Plan audits, and monthly audits of the Worksite Environmental Management Plans which occurred during the construction period from September 2022 to February 2023. This is the tenth IREA Minister's Report, which is required to be issued every six months to the Victorian Minister for Planning.

Recent IREA audit activities concentrated on the widening of the West Gate Freeway, operation of the tunnel boring machines and structural works for the various bridges along the eastern and western portions of the Project. Overall, the audit found that Project Co was meeting their obligations under the Strategy. No adverse findings were raised with Project Co during the audit. The report states that Project Co / D&C Subcontractor is generally compliant with the Environmental Performance Requirements.

## Financial and Resource Implications

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

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

## Environmental, Social and Economic Impacts

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

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

Air quality monitoring for the Project has been established at six Ambient Air Quality Monitoring Stations as described above. The latest Project air quality monitoring reported no exceedances of the air quality objective at the six stations for the reporting period. The report is available at:

<https://bigbuild.vic.gov.au/library/west-gate-tunnel-project/air-quality-monitoring-reports>

## Consultation and Communication

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

Notifications are issued to directly impacted areas prior to works commencing. Recent notifications included information on tunnel information drop-in sessions. Latest notifications can be found at: <https://westgatetunnelproject.vic.gov.au/construction/work-notifications>

## Declaration of Conflict of Interest

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

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

## 9 Committee and Delegate Reports

### 9.1 Committee Reports

#### 9.1.1 Audit and Risk Committee Update - May 2023

<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. 20230524 Audit and Risk Committee Meeting Minutes [9.1.1.1 - 9 pages]

#### Purpose

To update Council regarding issues considered at the Audit and Risk Committee meeting held on 24 May 2023.

#### Recommendation

**That Council notes the matters considered by the Audit and Risk Committee at the meeting held on 24 May 2023.**

#### Summary

This report provides an update of the Audit and Risk Committee meeting held on 24 May 2023 to ensure that Council is informed of the activities of the Audit and Risk Committee.

#### Background

The Hobsons Bay City Council Audit and Risk Committee is an independent Committee of Council. The Committee comprises three independent members and two Councillors. The Chairperson is an independent member who has the casting vote. The Mayor and Chief Executive Officer are non-voting members. The Committee meets at least quarterly throughout the year and has a Charter that addresses responsibilities that include risk management, control frameworks, external accountability, legislative compliance and internal and external audits.

Councillor members of the Audit and Risk Committee are appointed annually by Council as part of the process of appointing Councillor delegates and proxies to Council and community committees and groups at the final Council Meeting of each year.

## Discussion

The 24 May 2023 meeting addressed the following items:

- VAGO external audit strategy
- audited financial report 2022-23 update
- Chief Executive Officer's update
- statutory compliance update
- outstanding audit recommendations
- Enterprise Resource Planning Strategy – progress update
- internal audit program, including completed audit reports and endorsement of proposed scopes for upcoming audits
- risk management update
- occupational health and safety update
- quarterly financial report, financial year 2022-23, quarter 3
- cash and investment balances as at 31 March 2023
- Capital Works quarterly report, financial year 2022-23, quarter 3

## 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

The Audit and Risk Committee operates in accordance with the Hobsons Bay Audit and Risk Committee Charter 2022.

## Legal/Statutory Obligations and Risk

As an independent committee of Council, appointed by Council pursuant to section 53 of the *Local Government Act 2020*, the Audit and Risk Committee is not a delegated committee as defined by the Act.

The Audit and Risk Committee Charter has been developed having regard to Audit Committee – A Guide to Good Practice for Local Government, which was issued in January 2011 by the Minister of Local Government and the Victorian Auditor General's report Audit Committee Governance of August 2016 (including the Standing Directions of the Minister for Finance 2016).



## Financial and Resource Implications

The work of the Audit and Risk Committee ensures strategic and independent oversight of Council's operations and risk management practices, and assurance against financial management and financial position.

Independent members are compensated for their participation on this committee as provided for in section 53(6) of the Local Government Act 2020. Provisions are contained within the Audit and Risk Committee Charter with respect to payment of fees to independent members of the Committee.

There are no unbudgeted financial or resource implications arising from this report.

## Environmental, Social and Economic Impacts

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

## Consultation and Communication

The minutes from the Audit and Risk Committee meeting held on 24 May 2023 have been reviewed and endorsed, out of session, by the Independent Members who attended the meeting. The meeting minutes will be formally confirmed at the next Audit and Risk Committee meeting on 30 August 2023.

## Declaration of Conflict of Interest

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

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

## 9.2 Delegate Reports

### Purpose

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

### Recommendation

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

### Metropolitan Transport Forum

**Directorate:** Infrastructure and City Services

**Councillor Delegate:** Cr Jonathon Marsden

**Date of Meeting:** 2 August 2023

**Attachments:** Nil

The Metropolitan Transport Forum (MTF) is a monthly gathering that allows councils to collaborate and discuss ways to improve the transport system by sharing knowledge and focusing on integrated transport. The forum is attended by 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.

### Presentation

Dr Elliot Fishman presented a comprehensive overview of electric vehicle (EV) charging, and issues which local government may need to consider as more drivers purchase EVs. He noted that EVs will not solve all problems associated with transport emissions but are an important part of the overall approach required. EVs are part of a four-pronged approach to reduce transport emissions which includes: improving fuel efficiency, mode shift, reduction in vehicle kilometre travel, and the avoidance of trips.

Dr Fishman noted the National Electric Vehicle Strategy, and compared EV policies in different states, noting that Victoria's EV tax seems to have had little (if any) impact on the change to EVs. He also noted that 90 per cent of all EV charging is likely to occur overnight at the owner's home, but additional charging facilities will be required as the range of vehicles continues to expand (currently 350-4000km on a single charge for some vehicles).

## Council Updates

Kevin DeLeeuw (City of Darebin) outlined issues associated with the Level Crossing Removal Project (LXRP) and council advocacy on design. Other matters included ongoing development of a parking permit policy, shared path extensions, roundabout improvements, and safer speed limits.

Cr Tony Athanopoulos (City of Glen Eira) gave an overview on LXRP projects, review of the council's strategic transport plan, shared path extensions, and advocacy for safer speeds.

Augustus Brown (Hobsons Bay City Council) presented a "Focus on Cycling" including a summary of the council's strategic background, recent cycling projects, planned cycling projects, and advocacy to LXRP and the Department of Transport and Planning.

## **10 Notices of Motion**

No notices of motion were received.

## **11 Urgent Business**

## **12 Supplementary Public Question Time**

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

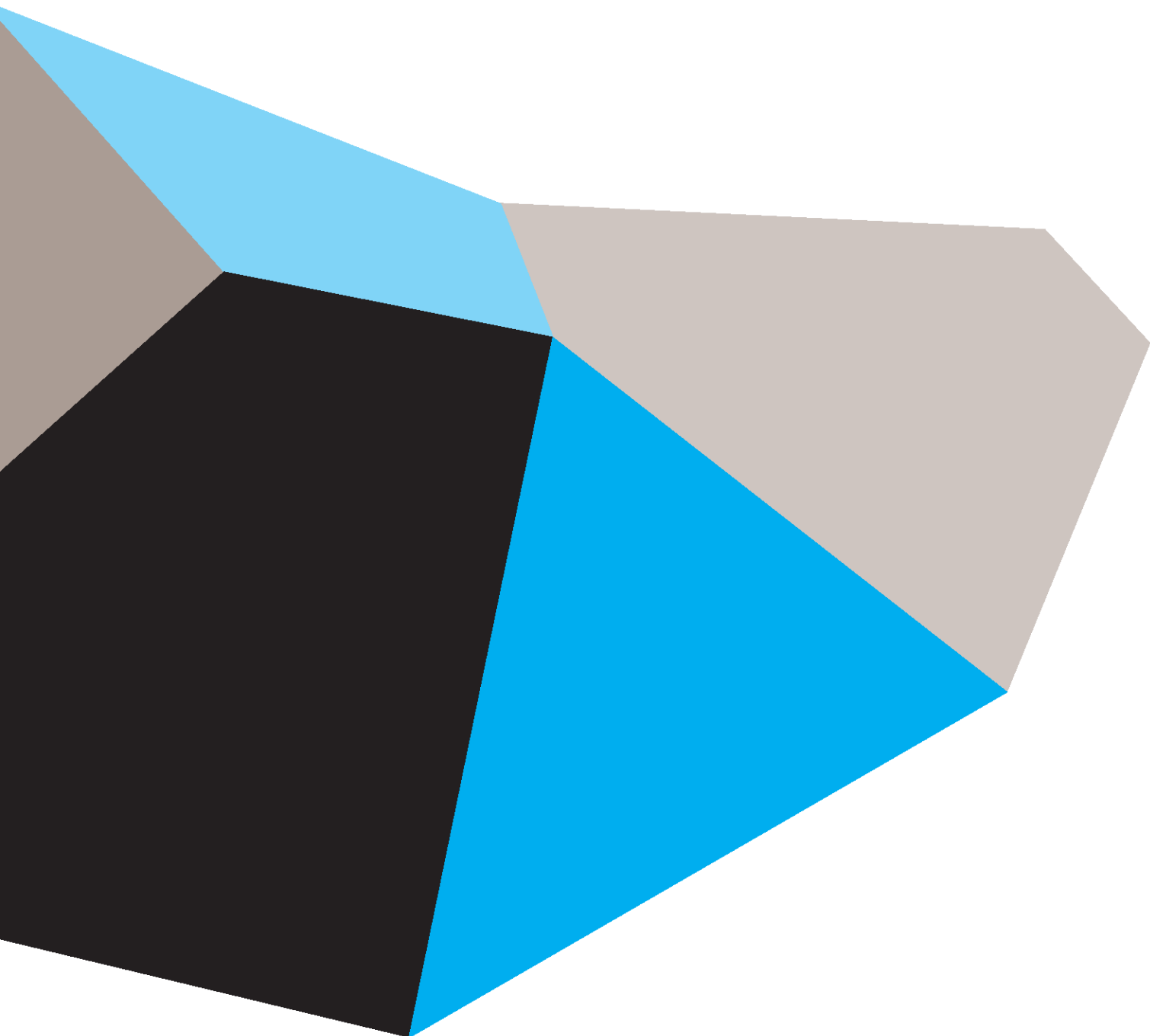
Where it is not possible to provide a response during the meeting, a written response to the question will be provided promptly.

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

## **13 Close of Meeting**

**HOBSONS**  
**BAY** CITY  
COUNCIL





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**HOBSONS BAY CITY COUNCIL**

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