

Council Meeting Minutes

12 September 2023

Council Chamber
Hobsons Bay Civic Centre
115 Civic Parade, Altona

**HOBSONS
BAY CITY
COUNCIL**



OUR MISSION

We will listen, engage and work with our community to plan, deliver and advocate for Hobsons Bay to secure a happy, healthy, fair and sustainable future for all.

OUR VALUES

Respectful
Community driven and focused
Trusted and reliable
Efficient and responsible
Bold and innovative
Accountable and transparent
Recognised

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

CONDUCT OF COUNCIL MEETINGS

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

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

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

Chairperson:

Cr Antoinette Briffa JP (Mayor)

Cherry Lake Ward

Councillors:

Cr Diana Grima (Deputy Mayor)

Wetlands Ward

Cr Daria Kellander

Cherry Lake Ward

Cr Peter Hemphill

Strand Ward

Cr Jonathon Marsden

Strand Ward

Cr Pamela Sutton-Legaud

Strand Ward

Cr Matt Tyler

Wetlands Ward

Aaron van Egmond
Chief Executive Officer
Hobsons Bay City Council

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Minutes of the Council Meeting held on 12 September 2023 at 7.04pm.**Present****Chairperson**

Cr Antoinette Briffa JP (Mayor) Cherry Lake Ward

Councillors

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

Officers

Mr Aaron van Egmond Chief Executive Officer
Mr Andrew McLeod Director Corporate Services
Mr Sanjay Manivasagasivam Director Infrastructure and City Services
Ms Penelope Winslade Director Sustainable Communities
Ms Diane Eyckens Manager Corporate Integrity and Legal Counsel
Ms Evvie Lambrianidis Acting Coordinator Governance and
Information Management
Miss Jessica Maunder Acting Minute Secretary

1 Council Welcome and Acknowledgement

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

2 Apologies

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

All Councillors were present.

3 Disclosure of Interest

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

No disclosures were made.

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).

Motion

Moved Cr Jonathon Marsden, seconded Cr Matt Tyler:

That Council confirms the minutes of the Council Meeting of Hobsons Bay City Council held on 8 August 2023.

Carried

5 Councillor Questions

Cr Daria Kellander asked whether timber from the old Altona Pier, currently being dismantled, could be made available for community use.

Mr Sanjay Manivasagasivam, Director Infrastructure and City Services, said that Council is working closely with Parks Victoria to salvage the timber from the pier. However, Council's understanding is that Parks Victoria will be stockpiling most of the timber to be used for the repair and maintenance of other piers across Victoria. Some of the timber will also be used for the Esplanade entry and pier entry works, and Mr Manivasagasivam said that he was keen to also get some for Council to use for other open space projects, although the available quality and quantity of timber was not yet known.

Mr Manivasagasivam recommended that if any community members wished to acquire timber from the pier, they should directly contact Parks Victoria.

Cr Matt Tyler noted that the refurbished Altona Meadows library had just opened that day, and asked for an outline of what would be happening over the next few months.

Mr Andrew McLeod, Director Corporate Services, said that the refurbishment was "95% complete" with some things still needing to be finished off, including retractable seating for a public amphitheatre space, and that staff would be doing some "low-key experimentation" in the lead-up to the formal launch, which he believed would be on 21 October.

For now, he encouraged people to go and visit the library to see what was yet to come.

Cr Diana Grima asked about the purpose of selling the land at Balmoral Street South, Altona Meadows (for which Council would discuss commencing statutory procedures later in the meeting), and how Council had come to be selling the land.

Mr Andrew McLeod, Director Corporate Services, said that the land in question was a very small parcel of land, only three square metres, and explained that Council has many small "surplus to need" parcels of land like this because of the way the city had developed over time, and Council will take the opportunity where available to sell these parcels of land and remove them from the asset register.

In this case, Council had been approached by a member of the community who had an interest in the land, which was assessed by the Property team and Traffic team and confirmed to be surplus to need.

Cr Peter Hemphill asked for an update on his previous request to have Level Crossing Removal Project (LXRP) representatives come to discuss the proposed closure of the level crossing at Champion Road, Newport and issues with the level crossing removal at Hudsons Road, Spotswood.

He noted that the community group opposing the closure of Champion Road has already had three meetings with the LXRP.

Mr Sanjay Manivasagasivam, Director Infrastructure and City Services, said that he and Council's CEO had recently met with the LXRP's CEO and senior directors to discuss their projects and invite them to come to a Councillor briefing. They have been scheduled to attend the November briefing session to brief Councillors on a number of projects.

Mr Manivasagasivam added that there would be a report presented at the 10 October Council Meeting to establish Community Liaison Groups for the level crossing removals, and that Council has been in contact with a community group regarding the Maidstone Street level crossing (the first of the five scheduled LXRP projects in Hobsons Bay).

Cr Hemphill asked whether the LXRP is expected to persist with the closure of Champion Road.

Mr Manivasagasivam said that Council has made it clear to the LXRP that it does not support the closure of Champion Road, and is undertaking its own investigations including traffic modelling and data collection to support its position. Council will present this data to the LXRP and will continue to advocate to keep Champion Road open.

Cr Briffa added that the Save Champion Road group are doing "an incredible job" and had recently taken Victorian MPs Jacinta Allan (Minister for Transport and Infrastructure) and Melissa Horne (local member for Williamstown) to visit the site and explain to them why it was important for the crossing to stay open.

Cr Jonathon Marsden asked (without notice) about the expected hot weather over the coming spring and summer, and the implications for Council operations.

Mr Sanjay Manivasagasivam, Director Infrastructure and City Services, said that Council would normally only start preparing for the summer period in December but it seems to be necessary to start earlier every year, so Council is working towards this and will look at starting in September-October this year. With the predicted dry summer ahead, Council will also need to look at increasing water usage on ovals and trees.

Mr Manivasagasivam said that while Council is working on this, the full extent has not been worked out yet as it is difficult to predict what is going to come in the next few months.

6 Public Question Time

Rowena Joske

Q In answer to public questions in the August Council meeting, Council indicated that the road reserve for Fabric Drive is not Mirvac's land and that the road design is not yet finalised.

If Mirvac has not designed Fabric Drive, who then is responsible for the design of Fabric Drive and the provision of its separated bike path?

A The August response stated "The Fabric Drive road reserve **adjoins** the eastern boundary of the land to the west of the Mirvac land. The design of Fabric Drive has not yet been finalised for Stage 9 of the Mirvac development."

The proposed Fabric Drive is on land currently owned by Mirvac. Once constructed, the road and land will be transferred to Council ownership and for future maintenance.

The design of Fabric Drive is undertaken in collaboration between Council and Mirvac to deliver a road that is consistent with the Comprehensive Development Plan (CDP). As noted previously, this is approved in stages as relevant stages of the development are prepared.

Q Council has often indicated – for example, in council meetings, council reports, and permit conditions – that it believes that the "concept" drawings in the Altona North Developer Contribution Plan (DPC) for DPC projects are the required layouts under the Comprehensive Development Plan (CDP) that should be prioritised over the written requirements in the CDP.

Can Council point to anything in an incorporated document that supports this belief, or clarify its belief about these "concept" drawings?

A The Comprehensive Development Plan (CDP), including its objectives, requirements, guidelines and Plans (including street cross sections), must be read as a holistic document for the planning of Precinct 15. The CDP itself is an incorporated document.

The Development Contribution Plan (DCP) reflects the vision and strategic aspirations as expressed in the CDP. The road construction layouts in Appendix 2 of the Precinct 15 DCP are the manifestation of the objectives and strategic aspirations, ultimately being the vehicle to calculating the contributions for Precinct 15.

Kaylene O'Shea

Q The registration portal for attendance at council meetings only opens on the Friday before the meeting. Why does Council only open registration so close to the meeting when it should be the rights of residents to register well in advance of the meeting?

A Registration opens when the agenda is published, which allows people to register once they have seen which agenda items will be discussed.

Helen Sinnema

Q On July 11, Techno Park residents submitted a petition with more than 150 local signatories calling on Hobsons Bay City Council to rescind the eviction notices and work towards a planning solution that keeps people in their homes. Since then another 750 people have added their names to the paper petition and more than 14,200 online. When can these 15,000+ people expect a response from Council?

A The petition was tabled in June 2023. Consistent with normal Council processes, the response will be presented to Council once it has been fully considered.

Q Is it within the power of Councillors to put up a Resolution of Council to revoke the May 18 notice to Techno Park?

A The enforcement action at Techno Park is an operational responsibility of Council officers. It is not the subject of any Council decision.

Councillors are prohibited from involving themselves in enforcement matters that are underway.

Q Is it within the power of Councillors to put up a Resolution of Council to have a process aimed at finding a planning solution for Techno Park that keeps people in their homes?

A The powers of Councillors are set out in the *Local Government Act 2020*.

The Techno Park Drive area is zoned Industrial 1 (IN1Z).

The Planning Scheme is clear in that this zoning is for:

- The implementation of the Municipal Planning Strategy and the Planning Policy Framework; and
- to provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

The Hobsons Bay Planning Scheme specifically prohibits the following uses in this zone: Accommodation (other than Caretaker's house); Cinema based entertainment facility; Hospital; Intensive animal production; Pig farm; Poultry farm; Shop (other than Adult sex product shop, Convenience shop and Restricted retail premises).

Maree Egan

Q At the last Council Meeting it was stated that Council would contact a person whose questions they chose not to answer in public question time with answers to those questions. Why, five weeks later, has Council has still not contacted that person?

A Written responses will be provided in due course.

After reading the formal response, Cr Briffa added that she had previously invited the person to contact her, but has not heard from them, and asked if the person was at the meeting – they were, and she repeated that she would be happy to speak to them after the meeting or receive a phone call from them the next day.

Maree Egan (continued)

Q Council's governance rules require that minutes are released in the week following the meeting. Why were the 8 August minutes only released on Friday 8 September, a month after the meeting and three weeks after the due date?

A It is our normal practice to publish minutes on Council's website within our specified timeframe. Unfortunately circumstances did not allow it in this instance. The 8 August minutes are now available.

Q Why did Council change the wording of Techno Park residents questions last meeting: specifically, why did they replace the word "home" with the word "properties" and the word "residents" with the word "occupants"?

A Officers regularly simplify questions for brevity and comprehension. In this case, the question misrepresented the status of the property.

Lara Week

Q How is the cost-of-living crisis impacting residents of Hobsons Bay?

A Council recognises that the cost-of-living crisis is affecting many Australians, including residents in Hobsons Bay. The impact is in a whole range of cost-of-living metrics such as the cost of electricity, gas, water, petrol and housing.

Q How is the rental and housing crisis impacting residents of Hobsons Bay?

A Council recognises the difficult national issue of housing availability. We recognise the State Government's role in housing, and the council has taken some excellent initiatives in this area. We have a range of social and affordable housing actions in place in Hobsons Bay, including the Epsom Street social housing project and affordable housing contributions from developers in major precincts.

Q Who stands to benefit from removing residents from their homes at Techno Park?

A Council has an obligation to enforce the Hobsons Bay Planning Scheme, including ensuring there are no prohibited uses in Industrial areas. We have consistently enforced this since the zoning at Techno Park Drive came into effect.

That said, Council is offering assistance to help people living in Techno Park Drive so they can move to safe and secure housing.

We encourage people living in Techno Park Drive to contact Council so that we can discuss ways that we can help them.

Juan Camilo Riano Rodriguez

Q What is the total number of properties within Hobsons Bay industrial zones that have a caretaker's permit allowing use as accommodation?

A Council does not have a summary of all the caretaker's permits that have been issued and are being used. This information is available on Council's Greenlight permit system and would take a considerable amount of time to collate.
Planning permits are publicly available online on Council's Greenlight permit system.

Q What is the total number of residential dwellings currently located within the "inner advisory area" of Major Hazard Facilities in Hobsons Bay?

A There are some locations in Hobsons Bay where land was zoned residential before WorkSafe Safety Guidance existed. WorkSafe Major Hazard Facility Safety Areas can be viewed on WorkSafe's website.

Techno Park is an Industrial 1 zone which prohibits residential use.

Q What is the current vacancy rate for residential rentals in Hobsons Bay?

A Council does not have this data.

John O'Hagan

Q What do the laws that govern Hobsons Bay City Council say about sharing residents' personal information without permission?

A Council collects, uses and discloses personal information in accordance with the *Privacy and Data Protection Act 2014* and other applicable legislation.

Q What would Council advise a Hobsons Bay resident who believes they has received verbal instructions from Council staff that contradict Council's written instructions?

A If anyone has received information which they believe is unclear or contradictory, they should contact the nominated officers in Council's correspondence to seek verification.

Q What would Council advise a Hobsons Bay resident who believes they have received "degrading", "dishonest", or "coercive" treatment by a Council staff member?

A Hobsons Bay City Council does not condone inappropriate behaviours from and to Council staff. Anyone who believes they have been on the receiving end of inappropriate behaviours can make a complaint to Council in accordance with the Hobsons Bay Complaints Handling Policy.

Rosa McKenna

Q The FAQs on Council's website for the Northern Local Area Movement Plan (LAMPs) say that Council is not in agreement with the Department of Transport (DoT) about the Hobsons Bay Transport Planning Study.

As the Hobsons Bay Transport Study is important for residents in the northern suburbs of Hobsons Bay who are suffering the traffic impacts of the West Gate Tunnel Project and multiple large residential developments, can Council please explain clearly what Council and DoT do not or cannot agree on?

A The FAQ on the Northern LAMP participate page referred to Council's position on the development of DoT's (now DTP) Hobsons Bay Transport Study. At this time the study did not involve consultation with the local community, and Council felt this was an important step missed. The Hobsons Bay Transport Study was completed in 2020 and with a number of recommendations for both State Government and Council. This document continues to be utilised by DTP and Council to advocate and support future funding opportunities in HBCC and assessed against both local and statewide investment priorities.

The Participate page referenced is out of date and will be removed for clarity.

Q Melissa Horne MP wrote to Council's Chief Executive Officer in June 2023, noting that connecting bike paths at Precinct 15 will be vital for everyone in the community as it will enhance connectivity within the precinct and the surrounding neighbourhoods. The letter requested a meeting with Council and Better West about this.

Can an update please be given about this requested meeting?

A Council wrote to Better West on 11 September 2023 confirming that Council is available and happy to meet to discuss this matter.

Sophia Szostakowska

Q As Hobsons Bay City Council is not a third tier of government but a corporation, how can it impose fines and restrictions on us?

A Local government is established by the *Constitution Act 1975* and the *Local Government Act 2020*.

7 Petitions and Joint Letters

7.1 Petitions and Joint Letters Received

7.1.1 Joint Letter - Request for a separated bike path on Birmingham Street, Spotswood

Directorate:	Corporate Services
Responsible Officer:	Acting Coordinator Governance and Information Management
Reviewer:	Director Corporate Services
Attachments:	Nil

Cr Jonathon Marsden tabled a joint letter which read as follows:

We the undersigned residents of Hobsons Bay ask that council work with the developer of the Spotswood Yards development to construct a 2.5 metre separated bike path and separate footpath, within the current nature strip reserve on the southern side Birmingham Street, as part of the development of buildings A & B.

This is consistent with:

- The 2021 council endorsed Local Area Movement Plan which specifies a 2.5 metre bike path and separated 1.5 metre footpath on the south side of Birmingham Street.
- The developer permit conditions which require a bike and pedestrian path to be delivered to the satisfaction of the Responsible Authority before buildings A & B are occupied (current requirement is for a 2.5 metre shared path).
- The wishes of the developer, whose lawyer, in 2021 wrote to council and said: “our client would not want to see an outcome where they pay and construct the shared path to have this demolished in the future should council wish to construct a separate bicycle path.” The letter states that the developer is open to conversations with council to see that separate bike and foot paths are built instead of the currently required shared path.
- The 2018 Incorporated Altona North Comprehensive Development Plan which plans Birmingham Street as part of the key cycling route to Spotswood train station.
- The 2003 Hobsons Bay Strategic Cycling Plan and the 2012 to 2017 Bike Strategy which both include an off-road bike path in Birmingham Street.
- The ‘Greenline’ Better Places Spotswood and South Kingsville program.

We understand that Council has a more complex plan to transform Birmingham and McLister streets into a major active transport movement spine for Spotswood and South Kingsville as part of the ‘Greenline’ project. The community had expected this would be included in the current developments.

As a separated bike path has not been included in the just built McLister Street streetscape for Union Quarter development we urge council to construct this separated path as per the ‘Greenline’ plan as soon as possible.

In the immediate term, we ask that the simple separated bike path infrastructure, on Birmingham Street, which requires low additional investment, won’t lead to any loss of residential car parking, or change to one-way traffic is delivered NOW as part of the current stage of Spotswood Yard development.

Delivery of this now will allow the bike path and footpath to be safely accessed by residents in South Kingsville, Altona North and Spotswood travelling to Spotswood Primary School and the train station. Users will be increasingly using this route to access the pedestrian crossings that have just been built at the intersection of Birmingham Street and Melbourne Road.

Motion

Moved Cr Jonathon Marsden, seconded Cr Peter Hemphill:

That Council:

- 1. Receives and notes the joint letter in relation to a request for a separated bike path to be constructed on Birmingham Street, Spotswood.**
- 2. Subject to a review of the petition in accordance with the Hobsons Bay Governance Rules, receives a further report on this matter at a future Council Meeting.**

Carried unanimously

7.1.2 Petition - Altona Lifesaving Club - Request for volunteer parking passes

Directorate: Corporate Services
Responsible Officer: Acting Coordinator Governance and Information Management
Reviewer: Director Corporate Services
Attachments: Nil

Cr Daria Kellander tabled a petition which read as follows:

We, the undersigned, Altona Lifesaving Club Committee, financial members, HBCC ratepayers & community supporters, hereby petition the Hobsons Bay City Council to consider the below request at an ordinary council meeting.

The issuance of Parking Passes, to the care of ALSC Committee, for distribution to Volunteer Lifesaving Patrol members on rostered shifts, at Altona Beach throughout the registered 2023-24 patrol season.

The recent installation of parking meters in Altona, will see our volunteer patrolling members unable to park in the vicinity of the clubhouse & beach as patrol shifts of 6-8hrs exceed the allowable parking limit. In addition, many patrolling members do not reside in HBCC catchment, however, give of their time to patrol our community beach. These members are not entitled to free parking with limitation in this area.

Patrol members may not have ready access to their vehicles & should not fear financial penalty due to being unable to move vehicles, as time expires, should they be detained by an incident. Patrol members should not have to leave their team depleted to move vehicles nor should they have to walk alone, following their shift, to return to a vehicle some distance away.

In the interest of public safety, & the safety of our members, we request your favourable consideration of the above so that Patrols may continue uninterrupted & our members are supported in their volunteer service to our community.

Motion

Moved Cr Daria Kellander, seconded Cr Diana Grima:

That Council:

- 1. Receives and notes the petition in relation to Altona Lifesaving Club's request to issue parking passes for the club to distribute to its volunteers.**
- 2. Subject to a review of the petition in accordance with the Hobsons Bay Governance Rules, receives a further report on this matter at a future Council Meeting.**

Carried unanimously

7.1.3 Petition - Request to alter parking restrictions on the Esplanade, Altona

Directorate: Corporate Services
Responsible Officer: Acting Coordinator Governance and Information Management
Reviewer: Director Corporate Services
Attachments: Nil

Cr Daria Kellander tabled a petition which read as follows:

We, the undersigned, petition Hobsons Bay City Council to

Update the parking restrictions on the Esplanade from Bayview Street in an easterly direction (towards the city) to change the meter to 10am-4pm. In addition, outside of metered hours, a provision to allow for vehicles with trailers to allow for the kayak fishing community to utilise the Flemings Pool area for safe access to the water avoiding the dangerous boat traffic entering and exiting the Altona Boat ramp.

Motion

Moved Cr Daria Kellander, seconded Cr Jonathon Marsden:

That Council:

- 1. Receives and notes the petition in relation to a request to alter parking restrictions on the Esplanade, Altona to improve access for kayaking.**
- 2. Subject to a review of the petition in accordance with the Hobsons Bay Governance Rules, receives a further report on this matter at a future Council Meeting.**

Carried unanimously

8 Business

8.1 Office of the Chief Executive

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

Directorate:	Office of the Chief Executive
Responsible Officer:	Executive Assistant to the Chief Executive Officer
Reviewer:	Chief Executive Officer
Attachments:	CEO Report on Operations - August 2023 [8.1.1.1 - 51 pages]

Cr Hemphill left the meeting at 7.50pm and was not present for the vote on item 8.1.1. He returned at 7.56pm during item 8.2.1.

Purpose

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

Motion

Moved Cr Diana Grima, seconded Cr Matt Tyler:

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

Carried

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.

8.2 Corporate Services

8.2.1 Acknowledgement of King's Birthday 2023 Honours List Recipients

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

Cr Hemphill returned to the meeting at 7.56pm during the debate on item 8.2.1.

Cr Kellander left the meeting at 7.56pm and was not present for the vote on item 8.2.1 or 8.2.2. She returned at 8.15pm during item 8.2.3.

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.

Motion

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

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.

Carried

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

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

Cr Kellander remained absent since 7.56pm and was not present for the vote on item 8.2.2.

Purpose

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

Motion

Moved Cr Peter Hemphill, seconded Cr Matt Tyler:

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.

Carried

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 flag raising for the International Day Against Homophobia, Biphobia and Transphobia (IDAHOBIT) 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

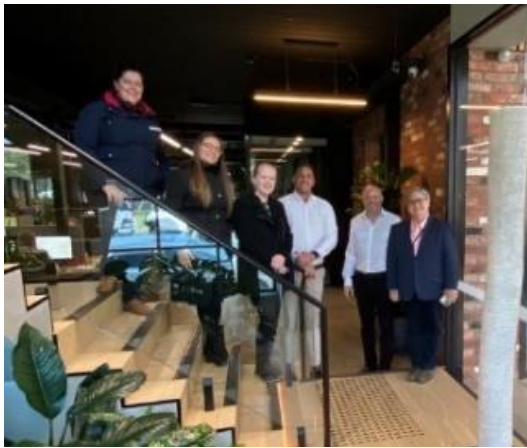


Figure 14: Symal's CEO Nabeel Sadaka and Wamarra's Managing Director Hayden Heta (Spotswood) with Cr Briffa and Council representatives



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.

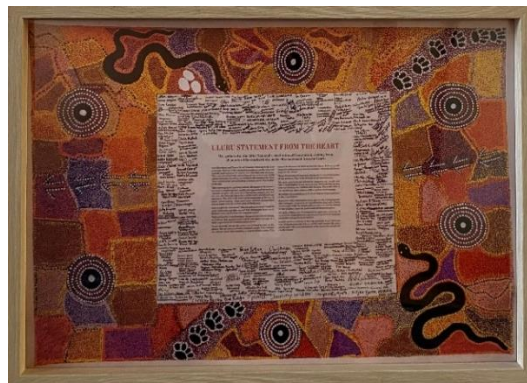


Figure 18: Uluru Statement from the Heart on display in the Civic Centre

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.

8.2.3 Interim Financial Report - Year Ended 30 June 2023

Directorate: Corporate Services
Responsible Officer: Chief Financial Officer
Reviewer: Director Corporate Services
Attachments: Interim Financial Report 2022-23 [8.2.3.1 - 19 pages]

Cr Kellander returned to the meeting at 8.15pm as debate was beginning on item 8.2.3.

Purpose

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

Motion

Moved Cr Matt Tyler, seconded Cr Jonathon Marsden:

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

Carried unanimously

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.

8.2.4 Draft Annual Financial Report 2022-23

Directorate:	Corporate Services
Responsible Officer:	Chief Financial Officer
Reviewer:	Director Corporate Services
Attachments:	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.

Motion

Moved Cr Peter Hemphill, seconded Cr Jonathon Marsden:

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 Cr Jonathon Marsden 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.

Carried unanimously

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.

(continued on next page)

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 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.

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

Directorate:	Corporate Services
Responsible Officer:	Manager Corporate Integrity (Legal Counsel)
Reviewer:	Director Corporate Services
Attachments:	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.

Motion

Moved Cr Matt Tyler, seconded Cr Diana Grima:

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.

Carried unanimously

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 3m².

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 3m², 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.

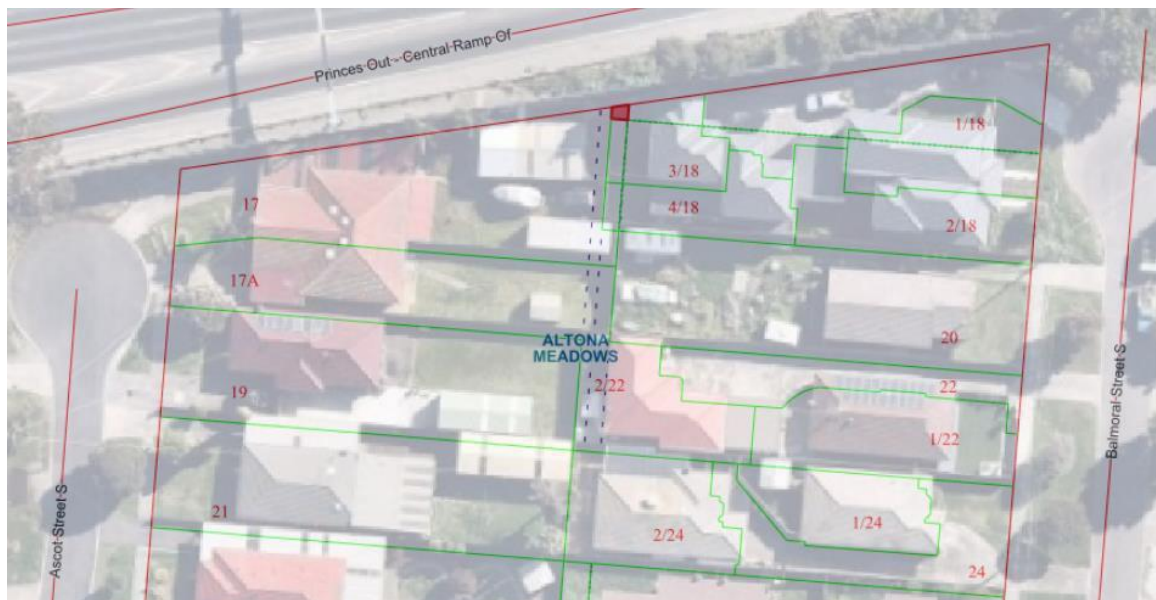


Figure 1: Map of the area, with land proposed for sale marked in red

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.

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

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

Motion

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

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.

Carried unanimously

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.

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:	<ol style="list-style-type: none">1. Gambling Harm Prevention Policy Statement - Final Draft - September 2023 [8.3.1.1 - 41 pages]2. Gambling Harm Prevention Policy Statement - Community Consultation - Summary Report [8.3.1.2 - 11 pages]3. Gambling Harm Prevention Policy Statement - Gambling Sponsorship Survey - Summary Report [8.3.1.3 - 3 pages]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.

Motion

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

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.

Carried unanimously

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'.¹ This approach has been incorporated into the final draft, including to commitments under Priority Area 1: Advocacy.

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.

¹ 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.

- *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.

8.3.2 Epsom Street - Section 114 Consultation

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

Motion

Moved Cr Matt Tyler, seconded Cr Diana Grima:

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.

Carried unanimously

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:

7-43 Epsom Street Laverton	
Lot 2 on Plan of Subdivision 405697Y	Certificate of Title Volume 11356 Folio 752
45 Epsom Street Laverton	
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 to 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.

8.3.3 Draft A Fair Hobsons Bay for All Update

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

Motion

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

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.**

Carried unanimously

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.

8.4 Infrastructure and City Services

8.4.1 Draft Biodiversity Strategy 2024-34

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

Motion

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

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.**

Carried unanimously

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.

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

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

Purpose

Motion

Moved Cr Matt Tyler, seconded Cr Diana Grima:

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

Carried unanimously

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.

8.4.3 Adoption of Mary Street Reserve Master Plan (Spotswood)

Directorate:	Infrastructure and City Services
Responsible Officer:	Manager Active Communities and Assets
Reviewer:	Director Infrastructure and City Services
Attachments:	Mary Street Reserve - Schematic Design [8.4.3.1 - 1 page]

Purpose

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

Motion

Moved Cr Peter Hemphill, seconded Cr Pamela Sutton-Legaud:

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.**

Carried unanimously

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 being 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.

8.4.4 West Gate Tunnel Project Update - September 2023

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

Purpose

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

Motion

Moved Cr Jonathon Marsden, seconded Cr Peter Hemphill:

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.

Carried unanimously

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.

9 Committee and Delegate Reports

9.1 Committee Reports

9.1.1 Audit and Risk Committee Update - May 2023

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

Motion

Moved Cr Jonathon Marsden, seconded Cr Peter Hemphill:

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

Carried unanimously

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

9.2 Delegate Reports

Purpose

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

Motion

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

That Council receives and notes the recent Delegate Reports.

Carried unanimously

Recommendation

That Council receives and notes the recent Delegate Reports.

Metropolitan Transport Forum

Directorate: Infrastructure and City Services

Councillor Delegate: Cr Jonathon Marsden

Date of Meeting: 2 August 2023

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

There was no urgent business.

12 Supplementary Public Question Time

No supplementary questions were submitted.

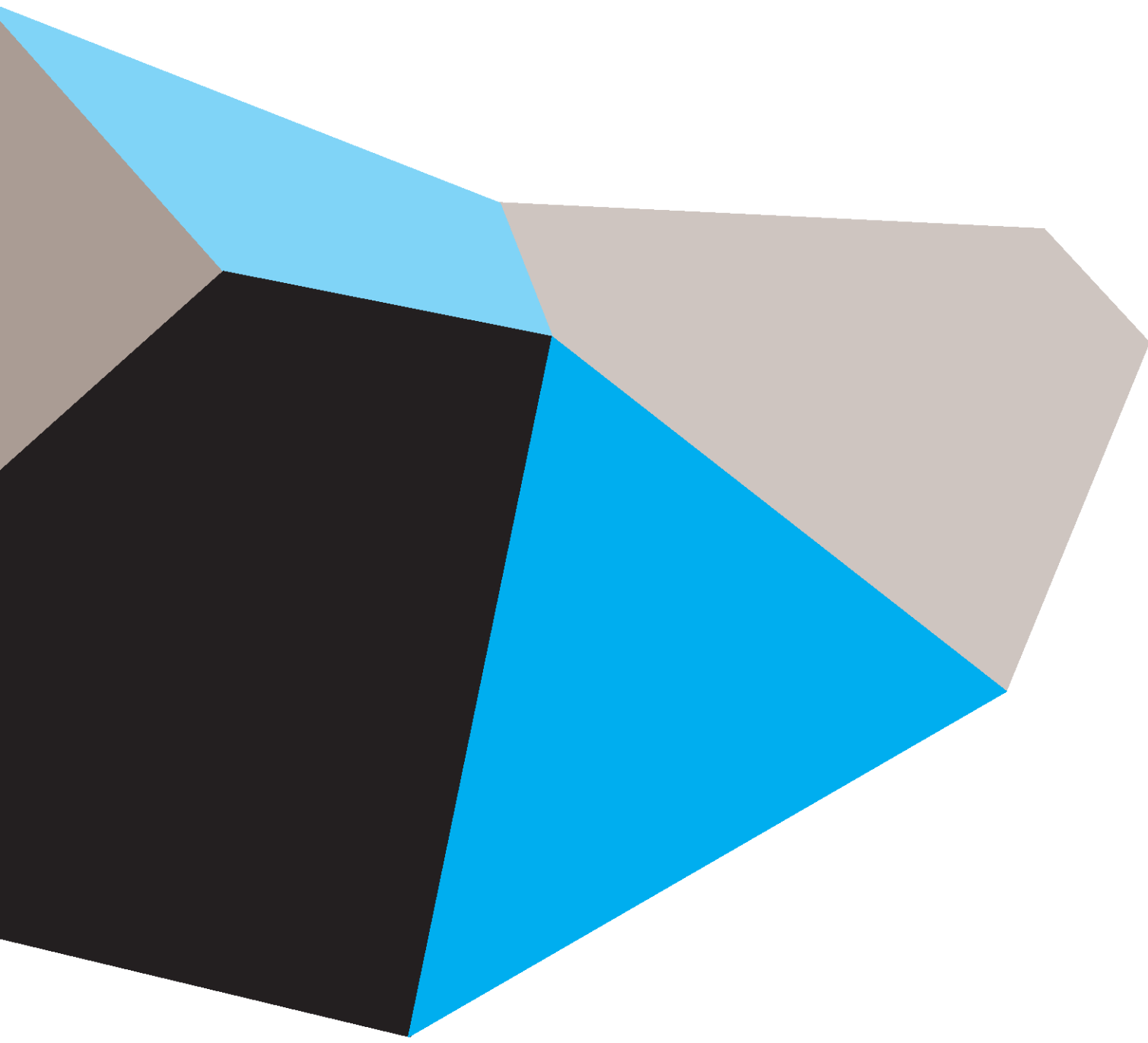
13 Close of Meeting

There being no further business, the Chairperson declared the meeting closed at 9.28pm.

Chairperson – Cr Antoinette Briffa

Signed and certified as having been confirmed.

10 October 2023



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