

# Council Meeting Agenda

Tuesday 14 November 2023  
Commencing at 7.00 PM

Council Chamber  
Hobsons Bay Civic Centre  
115 Civic Parade, Altona

**HOBSONS  
BAY CITY  
COUNCIL**



## OUR MISSION

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

## OUR VALUES

Respectful

Community driven and focused

Trusted and reliable

Efficient and responsible

Bold and innovative

Accountable and transparent

Recognised

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

### Chairperson:

Cr Matt Tyler (Mayor)

Wetlands Ward

### Councillors:

Cr Antoinette Briffa JP

Cherry Lake Ward

Cr Diana Grima

Wetlands Ward

Cr Peter Hemphill

Strand Ward

Cr Daria Kellander

Cherry Lake Ward

Cr Jonathon Marsden

Strand Ward

Cr Pamela Sutton-Legaud  
(Deputy Mayor)

Strand Ward

Aaron van Egmond  
Chief Executive Officer  
Hobsons Bay City Council

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## **1 Council Welcome and Acknowledgement**

The Chairperson will welcome members of the gallery and acknowledge that Council is gathered on the traditional land of the Bunurong People of the Kulin Nation and offers its respect to elders past, present and emerging.

## **2 Apologies**

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

## **3 Disclosure of Interest**

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

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

## **4 Confirmation of Minutes**

### **4.1 Confirmation of Minutes**

Confirmation of the minutes of the Council Meeting of Hobsons Bay City Council held on 10 October 2023 (copy previously circulated).

## **5 Councillor Questions**

## **6 Public Question Time**

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

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

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

## **7 Petitions and Joint Letters**

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

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

## 8 Business

### 8.1 Office of the Chief Executive

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

<b>Directorate:</b>	Office of the Chief Executive
<b>Responsible Officer:</b>	Executive Assistant to the Chief Executive Officer
<b>Reviewer:</b>	Chief Executive Officer
<b>Attachments:</b>	1. CEO Report on Operations - October 2023 [8.1.1.1 - 55 pages]

#### Purpose

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

#### Recommendation

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

#### Summary

The attached CEO's Report on Operations provides Councillors and community with a regular update from the CEO on key initiatives, projects and performance.

#### Discussion

The purpose of this report is to inform Council and the community of recent issues, initiatives and projects undertaken across Council. The report is provided on a monthly basis.

In accordance with rule 10.7.1 of the Hobsons Bay Governance Rules, Council maintains records of meetings attended by Councillors in the CEO's Report on Operations to ensure transparency and equity of information. A summary of meetings for the period between 1 October 2023 and 31 October 2023 is provided in this month's report.

#### Strategic Alignment

Council provides a wide range of services to the community of Hobsons Bay as well as developing and delivering actions to ensure community assets are maintained and service the needs of the community. Each month this report highlights these activities, initiatives and projects and provides a high-level performance summary.

This report specifically addresses priorities from the following strategic documents:

#### Hobsons Bay 2030 Community Vision

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

## **Council Plan 2021-25**

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

**Strategy 5.4:** Enhance transparency, accountability and good governance practice

### **Declaration of Conflict of Interest**

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

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

## 8.2 Corporate Services

### 8.2.1 First Quarter Financial Report - Period Ended 30 September 2023

<b>Directorate:</b>	Corporate Services
<b>Responsible Officer:</b>	Chief Financial Officer
<b>Reviewer:</b>	Director Corporate Services
<b>Attachments:</b>	1. Financial Report 2023-24 [8.2.1.1 - 18 pages]

#### Purpose

To present Council with the financial results for the period ended 30 September 2023, and the revised 2023-24 annual forecast projections following completion of the September quarterly forecast review.

#### Recommendation

**That Council:**

- 1. Notes the financial report for the period ended 30 September 2023.**
- 2. Endorses the revised 2023-24 annual forecasts.**

#### Summary

The quarterly financial report for the period ended 30 September 2023, including a detailed report on the Capital Works Program, is provided as an attachment to this report.

The September forecast review has been conducted resulting in the operational budget surplus for 2023-24 of \$16.469 million decreasing to a forecast of \$13.627 million. The operational surplus does not include Council's significant investment in capital expenditure, forecast to be \$72.847 million in 2023-24.

When compared to budget, income is expected to increase by \$1.968 million and operational expenditure is expected to increase by \$4.81 million. The increased expenditure includes an increase to depreciation of \$2.865 million.

The forecast result of the Capital Works Program compared to budget is a balanced financial result 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 budget, financial management and financial 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 is forecast, 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 reflects the 3.5 per cent rate cap for 2023-24 announced by the Victorian Government.

## Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

### Hobsons Bay 2030 Community Vision

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

### Council Plan 2021-25

#### Objective 5: A High Performing Organisation

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

## Policies and Related Council Documents

The financial report for the period ended 30 September 2023 is directly aligned to Council's Annual Budget, Financial Plan and Capital Works Program.

Council considers financial reports at the end of the September, December (Mid-Year Budget Review), March and June (year-end) financial periods. The quarterly financial report for the period ended 30 September 2023 is the first report considered as part of the 2023-24 financial year.

## Legal/Statutory Obligations and Risk

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

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



## Financial and Resource Implications

The operational budget surplus for 2023-24 of \$16.469 million has decreased to a forecast of \$13.627 million. The operational surplus does not include Council's significant investment in capital expenditure, forecast to be \$72.847 million in 2023-24.

**Income** is expected to increase by \$1.968 million compared to budget.

Capital grants are expected to be over budget by \$2.288 million, generally due to income that was budgeted to be received in 2022-23 that is now expected to be received in 2023-24.

Rates and charges are expected to be \$741,000 over budget, generally an increase in the amount originally raised as rates due to property development.

Operating grants are expected to be \$1.232 million under budget, with the most significant decrease relating to the Victorian Grants Commission payment which was received fully in advance during 2022-23.

**Operational expenditure** is expected to increase by \$4.810 million compared to budget.

Depreciation is expected to be over budget by \$2.865 million, mainly because of revaluations that occurred late in the last financial year. Depreciation is a non-cash item and has minimal impact on funding Council's budget in 2023-24 and ongoing financial implications.

Materials and services are expected to be over budget by \$1.855 million. The most significant increase relates to waste services (\$1.248 million). An increase has also been included for operational projects in the Capital Works Program - transfer of costs (\$115,000), while additional costs have been included to reflect unexpended grants from 2022-23.

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

The **Summary Cash Flow Statement** indicates that Council's cash and investment balance was \$29.219 million on 30 September 2023. The original budget of \$35.234 million for 30 June 2024 has increased slightly to a year-end forecast of \$35.351 million.

The **Liquidity Ratio** (current assets divided by current liabilities) indicates the amount that Council's short-term assets exceed its short-term obligations and thus Council's ability to fund its short-term operations. This ratio was 153 per cent on 30 September 2023 and is expected to be 123 per cent by the end of 2023-24, a decrease when compared to the original budget of 148 per cent. A current ratio over 100 per cent generally indicates a manageable short term financial position.

The forecast result of the **Capital Works Program** shows a balanced financial result when compared to the original budget after forecast adjustments and carryovers are considered.

Capital Works Expenditure for the period ended 30 September 2023 was \$9.862 million compared to the year-to-date budget of \$9.898 million. The initial budgeted capital expenditure for the 2023-24 financial year of \$66.664 million has increased to a forecast of \$72.847 million. The increased forecast expenditure of \$6.183 million compared to the budget is attributable to:

- expenditure carryover adjustments from the prior year's program (\$6.407 million)
- the increase in funded capital expenditure (\$279,000)
- expenditure expected to be carried over to next year's program (\$503,000)

Capital Income for the period ended 30 September 2023 was \$30,000. The initial budgeted capital income for the 2023-24 financial year of \$2.016 million has increased to a year-end forecast of \$4.315 million. The increased forecast income of \$2.299 million compared to budget is attributable to:

- income that was budgeted to be received in 2022-23 that is now expected to be received in 2023-24 (\$2.020 million)
- an increase in income received to fund the program (\$279,000)

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

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

## **Consultation and Communication**

Council's Audit and Risk Committee will receive and note the quarterly financial report for the period ended 30 September 2023 at its meeting to be held on 22 November 2023. The Committee provides financial guidance to Council and input into continually improving the content of the financial report.

## **Declaration of Conflict of Interest**

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

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

## 8.2.2 First Quarter 2023-24 Council Plan Initiatives and Local Government Performance Reporting Framework Progress Report

<b>Directorate:</b>	Corporate Services
<b>Responsible Officer:</b>	Corporate Reporting and Information Management Lead
<b>Reviewer:</b>	Director Corporate Services
<b>Attachments:</b>	1. Quarter 1 2023-24 - Council Plan Initiatives Progress Report [8.2.2.1 - 12 pages]

### Purpose

To provide Council with first quarter (1 July to 30 September 2023) update on the progress of the major initiatives that are included in the annual budget to support the achievement of the Council Plan 2021-25.

### Recommendation

**That Council notes the progress made on the Council Plan 2021-25 major initiatives during the first quarter of 2023-24.**

### Summary

Each financial year, Council's performance is measured against several indicators, including the progress of projects that have been listed as Council's major initiatives in the budget. This progress report provides an update on how Council is progressing on the committed projects for the period 1 July to 30 September 2023, the first quarter of the 2023-24 financial year.

For the 2023-24 financial year Council nominated 19 initiatives to support the delivery of Council Plan 2021-25. To date 16 initiatives are multi-year projects that have been carried over and three are new in the 2023-24 budget, all are progressing to plan.

### Background

The Council Plan is developed every four years in accordance with the requirements of the *Local Government Act 2020* (the Act). It guides the work of Council by setting objectives, strategies and priorities that are achieved through the delivery of Council services and initiatives.

The Council Plan 2021-25 was adopted by Council on 12 October 2021. It consists of five strategic objectives supported by nine strategies and 59 priorities. Other major initiatives that support the delivery of the Council Plan objectives are identified in the annual budget process. The reporting of the major initiatives is a requirement under the Act. Council reports quarterly on the progress of major initiatives and other projects to ensure they are on track throughout the financial year.

## Discussion

In 2023-24 Council nominated 19 major initiatives to support the delivery of Council Plan 2021-25, of which 16 are multi-year projects and have been carried over from the previous year. Three projects have been included in the budget as new major initiatives for 2023-24 which are:

- Better Places - Brooklyn and Altona North (Objective 3)
- Alma Avenue Reserve, Altona Meadows (Objective 3)
- Hannan Street, Williamstown (Objective 4)

The remaining 16 multi-year initiatives carried over (which are progressing to plan) are:

### Objective 1

- Establishment of an Affordable Housing Trust
- Centres of Excellence Strategy 2022-27

### Objective 2

- Wetlands Centre Development
- Tree Planting – Urban Forest Strategy
- Altona Meadows Library Building Renewal and Energy Efficiency Upgrades
- Solar Program

### Objective 3

- Dennis Reserve Master Plan implementation
- Better Places Spotswood + South Kingsville
- Better Places Laverton
- HC Kim Reserve, Altona – New Pavilion, Female Friendly Change Rooms & Car Park Upgrades

### Objective 4

- Bruce Comben Reserve
- Better Places Laverton 8. Places & Spaces - Road Reconstruction (On/Off-Road Rehabilitation) Program

### Objective 5

- Customer Experience Transformation (CX 2.0)
- Implement Community Relationship Management (CRM) system including online payment processes
- EDMS and Intranet Project
- Property Strategy

## Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

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

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

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

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

**Strategy 5.4:** Enhance transparency, accountability and good governance practice

## Policies and Related Council Documents

The Council Plan 2021-25 was adopted at the Council Meeting held on 12 October 2021. The Annual Budget for the financial year ending 30 June 2024, which included the initiatives for the year, was adopted at the Council Meeting on 20 June 2023. Progress reports of the initiatives are submitted to Council on a quarterly basis.

## Legal/Statutory Obligations and Risk

The annual reporting of the progress of the major initiatives is required by section 98(3)(b) of the *Local Government Act 2020*.

## Financial and Resource Implications

The initiatives are funded through Council's annual budget.

## Environmental, Social and Economic Impacts

The Council Plan 2021-25 aims to strengthen the natural, built, social and economic environments within Hobsons Bay, as articulated within the key strategic objectives.

## Consultation and Communication

Council undertook extensive community engagement between January and September 2021 to hear what Council should focus on over the next four years as part of the development of the Council Plan 2021-25.

## Declaration of Conflict of Interest

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

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

## 8.2.3 Proposed Sale of Land at 18 Balmoral Street South, Altona Meadows - Community Consultation Results

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

### Purpose

To provide an update on statutory process undertaken in accordance with 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 (the Land).

### Recommendation

#### That Council:

1. **Notes that no submissions were received as part of the community engagement undertaken as per section 114 of the *Local Government Act 2020*.**
2. **Resolves to sell a section of the land contained in Certificate of Title Volume 3385 Folio 819, Lot 1 on Title Plan 813166T by private treaty to the owner of 18 Balmoral Street South, Altona Meadows.**
3. **Resolves to authorise the Chief Executive Officer, or such other person as the Chief Executive Officer approves, to sign all necessary documentation for the sale of the Land to the owner of 18 Balmoral Street South, Altona Meadows.**

### Summary

On 12 September 2023, Council resolved that the statutory procedures be commenced to sell the Land in accordance with section 114 of the *Local Government Act 2020* and Council's Community Engagement Policy.

Public Notice of the proposed sale of the Land was given in the *Star Weekly Hobsons Bay and Maribyrnong* newspaper on 27 September 2023, with submissions to be received within 28 days of the date of the notice.

No submissions were received.

### Background

The owner of 18 Balmoral Street South expressed interest to purchase the 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, Altona Meadows. The Land is

a former section of discontinued road and is approximately 3m<sup>2</sup>, shown in red on the below map (Figure 1).

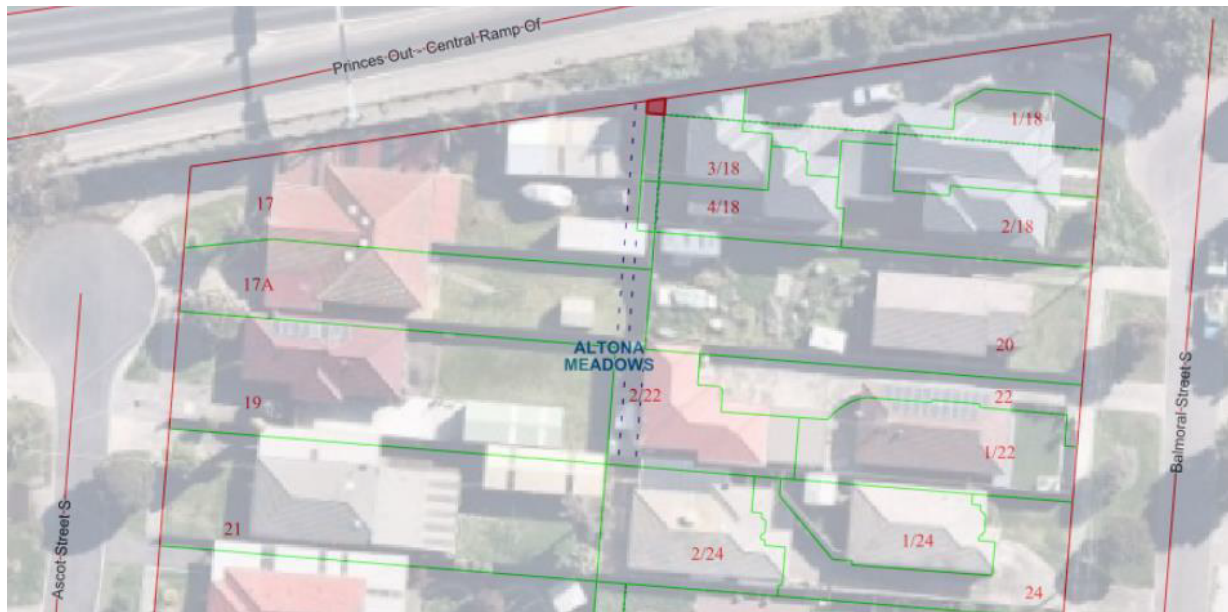


Figure 1: Map of the area, with land proposed for sale marked in red

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

Council has now performed the statutory duties, functions, and powers in accordance with the *Local Government Act 2020* and Council's Community Engagement Policy.

## Discussion

### Section 114 Process

Council undertook community engagement in relation to its intention to sell the Land to the owner of 18 Balmoral Street South, being the only party that expressed an interest to purchase the Land.

In accordance with section 114(2) of the *Local Government Act 2020*, Council carried out this engagement by:

- notifying adjacent properties
- obtaining a valuation of the Land in accordance with section 114(2)(c) of the *Local Government Act 2020* within six months before the sale
- publishing a notice of its intention to sell the Land, by advertising in the local paper on 27 September 2023 and inviting submissions from 27 September to 25 October 2023
- undertaking community engagement in accordance with its Community Engagement Policy 2023
- considering submissions; none were received.

The sale of the Land will not in any way impact on access being available to the rear of the surrounding properties.

## Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

### Hobsons Bay 2030 Community Vision

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

### Council Plan 2021-25

#### Objective 5: A High Performing Organisation

**Strategy 5.4:** Enhance transparency, accountability and good governance practice

## Policies and Related Council Documents

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

## Legal/Statutory Obligations and Risk

The statutory process has been undertaken in line with Council's obligations under the *Local Government Act 2020*.

There are no legal impediments to Council moving to sell the Land.

## Financial and Resource Implications

The owner of 18 Balmoral Street South has agreed to purchase the Land at its current market value of \$2,000 plus GST as assessed by a certified valuer, as well as reimbursing Council costs incurred to facilitate the Land sale.

## Environmental, Social and Economic Impacts

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

## Consultation and Communication

The proposed sale of the former discontinued road has been exhibited for six weeks in accordance with section 114 of the *Local Government Act 2020* and Council's Community Engagement policy.

## Declaration of Conflict of Interest

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

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



## 8.2.4 Adoption of Election Period Policy 2023

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

### Purpose

To adopt the Hobsons Bay Election Period Policy 2023.

### Recommendation

**That Council adopts the Hobsons Bay Election Period Policy 2023.**

### Summary

Section 69 of the *Local Government Act 2020* (the LG Act) requires Council to include an election period policy in its Governance Rules. The policy sets out the procedures to be applied by Council during the election period for a general election.

In accordance with rule 16.2 of the Hobsons Bay Governance Rules, Council's Election Period Policy has been reviewed and placed on public exhibition in accordance with section 60(4) of the LG Act and Council's Community Engagement Policy.

Following the public exhibition, no further changes are required to the policy.

### Background

Council's current Election Period Policy was adopted at the Council Meeting held on 25 August 2020 and forms part of the Hobsons Bay Governance Rules.

In accordance with rule 16.2 of the Hobsons Bay Governance Rules, Council must review its Election Period Policy at least once each Council term, and not later than 12 months prior to the commencement of an election period. The next election period begins on 24 September 2024.

The purpose of the Election Period Policy is to ensure that the ordinary business of local government by Hobsons Bay City Council continues throughout the election period in a responsible and transparent manner, and in accordance with statutory requirements and established election period conventions. These conventions are intended to ensure that councils and Councillors will not use public resources in election campaigning or make major policy decisions that may bind the incoming Council.

## Discussion

The Hobsons Bay Election Period Policy 2023 will apply to the upcoming election period beginning at 12pm on 24 September 2024 and ending at 6pm on Election Day, 26 October 2024.

On 8 August 2023, Council resolved to place the policy on public exhibition for four weeks and receive a further report following the public exhibition period.

Three submissions were received from the public. One was in agreement of the policy; the other two raised the following themes:

- transparency
- clarity around matters which could potentially influence voting at the election

No changes are required to the policy as a result of this feedback.

## Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

### Hobsons Bay 2030 Community Vision

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

### Council Plan 2021-25

#### Objective 5: A High Performing Organisation

**Strategy 5.4:** Enhance transparency, accountability and good governance practice

**Priority a)** Implement recent changes to legislation (such as the *Local Government Act 2020*, *Gender Equality Act 2020*, Child Safe Standards) to improve democracy, accountability, gender equality and service delivery for Hobsons Bay

## Policies and Related Council Documents

The Draft Election Period Policy 2023 was endorsed for public exhibition at the 8 August Council Meeting.

Other relevant Council documents include:

- Councillor and Staff Interaction Protocol
- Councillor Code of Conduct
- Employee Code of Conduct
- Hobsons Bay Community Local Law 2015
- Hobsons Bay Planning Scheme

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

Section 69 of the *Local Government Act 2020* requires that Council include an election period policy in its Governance Rules that sets out the procedures to be applied by Council during the period for a general election. The draft Hobsons Bay Election Period Policy 2023 expands on this statutory requirement to also include provisions for Councillors and Council staff with respect to state and federal elections.

Council's Election Period Policy has been reviewed in accordance with rule 16.2 of the Hobsons Bay Governance Rules.

## **Financial and Resource Implications**

There are no specific financial and resource impacts arising from this report.

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

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

## **Consultation and Communication**

The Draft Hobsons Bay Election Period Policy 2023 was placed on public exhibition on the Participate Hobsons Bay website for four weeks from 9 August 2023 to 5 September 2023.

## **Declaration of Conflict of Interest**

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

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

## 8.2.5 Council Meeting Timetable 2024

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

### Purpose

To adopt the 2024 Council Meeting Timetable.

### Recommendation

**That Council:**

- 1. Adopts the Council Meeting Timetable to 31 December 2024 as listed in the report.**
- 2. Provides appropriate public notice of the Council meeting dates, including by publication on Council's website, in accordance with the Hobsons Bay Governance Rules.**

### Summary

This report proposes Council meeting dates for 2024 for Council's consideration.

### Background

Council is required to fix the date, place and time of all Council meetings and reasonable notice must be provided to the public.

### Discussion

The proposed Council Meeting Timetable for 2024 is listed in this report.

The 2024 timetable includes one Council meeting per month. It is proposed that Councillor Briefing Sessions and meetings of Council's Delegated Planning Committee continue to be held on the alternate weeks.

It is noted that no Council meeting is scheduled in 2024 for the hearing of budget submissions, as section 223 of the Local Government Act 1989 is no longer a statutory requirement of the budget process. Instead, written submissions on the Proposed Annual Budget will be considered by Councillors at the Councillor Briefing Session scheduled on 21 May 2024.

All Council meetings will be held in the Council Chamber at the Hobsons Bay Civic Centre unless otherwise notified. Councillor Briefing Sessions will be a combination of virtual and face-to-face meetings unless otherwise notified. Any Councillor Briefing Session held in person will be held at the Hobsons Bay Civic Centre and commence at 6.30pm.

<b>2024 Council Meeting Timetable</b>		
Tuesday 30 January	6pm	Councillor Briefing Session
Tuesday 6 February	6pm	Councillor Briefing Session
Tuesday 13 February	7pm	Council Meeting
Tuesday 20 February	6pm	Councillor Briefing Session
Tuesday 27 February	6pm	Delegated Planning Committee
Tuesday 5 March	6pm	Councillor Briefing Session
Tuesday 12 March	7pm	Council Meeting
Tuesday 19 March	6pm	Councillor Briefing Session
Tuesday 26 March	6pm	Delegated Planning Committee
Tuesday 2 April	6pm	Councillor Briefing Session
Tuesday 9 April	7pm	Council Meeting Adoption of Proposed Budget 2023-24
Tuesday 16 April	6pm	Councillor Briefing Session
Tuesday 23 April	6pm	Delegated Planning Committee
<b>Tuesday 30 April</b>	<b>No meeting – fifth Tuesday of the month</b>	
Tuesday 7 May	6pm	Councillor Briefing Session
Tuesday 14 May	7pm	Council Meeting
Tuesday 21 May	6pm	Councillor Briefing Session
Tuesday 28 May	6pm	Delegated Planning Committee
Tuesday 4 June	6pm	Councillor Briefing Session
Tuesday 11 June	6pm	Councillor Briefing Session
Tuesday 18 June	7pm	Council Meeting Adoption of Budget 2023-24
Tuesday 25 June	6pm	Delegated Planning Committee
Tuesday 2 July	6pm	Councillor Briefing Session
Tuesday 9 July	7pm	Council Meeting
Tuesday 16 July	6pm	Councillor Briefing Session
Tuesday 23 July	6pm	Delegated Planning Committee
<b>Tuesday 30 July</b>	<b>No meeting – fifth Tuesday of the month</b>	
Tuesday 6 August	6pm	Councillor Briefing Session
Tuesday 13 August	7pm	Council Meeting

Tuesday 20 August	6pm	Councillor Briefing Session
Tuesday 27 August	6pm	Delegated Planning Committee
Tuesday 3 September	6pm	Councillor Briefing Session
Tuesday 10 September	7pm	Council Meeting
<b>Tuesday 17 September</b>	<b>No meeting</b>	
<b>Tuesday 24 September</b>	<b>No meeting – Election Period</b>	
<b>Tuesday 1 October</b>	<b>No meeting – Election Period</b>	
Tuesday 8 October	6pm	Councillor Briefing Session
<b>Tuesday 15 October</b>	<b>No meeting – Election Period</b>	
Tuesday 22 October	7pm	Council Meeting
Tuesday 29 October	6pm	Councillor Briefing Session
<b>Tuesday 5 November</b>	<b>No meeting – Melbourne Cup public holiday</b>	
Friday 8 November	7pm	Council Meeting Election of the Mayor and Deputy Mayor
Tuesday 12 November	7pm	Council Meeting
Tuesday 19 November	6pm	Councillor Briefing Session
Tuesday 26 November	6pm	Delegated Planning Committee
Tuesday 3 December	6pm	Councillor Briefing Session
Tuesday 10 December	7pm	Council Meeting
Thursday 17 December	6pm	Delegated Planning Committee

## Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

### Hobsons Bay 2030 Community Vision

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

### Council Plan 2021-25

#### Objective 5: A High Performing Organisation

**Strategy 5.4:** Enhance transparency, accountability and good governance practice

## Policies and Related Council Documents

The current Council meeting cycle of two Councillor Briefing Sessions and one Council Meeting per month has been in place since 2017.

## Legal/Statutory Obligations and Risk

Rule 4.2.3 of the Hobsons Bay Governance Rules requires that Council prepare a schedule of Council meetings at least once each year, and that the schedule be made available to the community at Council's Customer Service Centres and by publication on Council's website.

If it is necessary to alter the published schedule, rules 4.3.1 and 4.3.2 of the Hobsons Bay Governance Rules permit Council to change the date, time and place of any Council meeting that has been fixed and require that the public be provided with reasonable notice of the changes. Such notice is to be made on Council's public noticeboards, at Hobsons Bay Libraries, on Council's website, and by any other means deemed necessary.

## Financial and Resource Implications

There are no financial or resource implications resulting from this report.

## Environmental, Social and Economic Impacts

Council meetings are an effective approach to decision making that provides community access and participation in the public process.

## Consultation and Communication

Public notice of the Council Meeting dates will be given on Council's website and made available from Council's Customer Service Centres in accordance with rule 4.2.3 of the Hobsons Bay Governance Rules.

## Declaration of Conflict of Interest

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

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

## 8.3 Sustainable Communities

### 8.3.1 Future Framework for Outdoor Trading

<b>Directorate:</b>	Sustainable Communities
<b>Responsible Officer:</b>	Manager Strategy, Economy and Sustainability
<b>Reviewer:</b>	Director Sustainable Communities
<b>Attachments:</b>	<ol style="list-style-type: none"><li>1. Hobsons Bay Parklet Guidelines [8.3.1.1 - 17 pages]</li><li>2. Hobsons Bay Fixed Infrastructure Guidelines [8.3.1.2 - 10 pages]</li></ol>

#### Purpose

To provide an update on the future outdoor trading program following community consultation and to seek endorsement of the revised outdoor trading framework.

#### Recommendation

**That Council:**

1. **Endorses the revised outdoor trading framework, Hobsons Bay Parklet Guidelines and Fixed Infrastructure Guidelines.**
2. **Receives a further report on Pier Street feature site at a future meeting.**

#### Summary

Council's outdoor trading program was delivered as a quick response program between October and December 2020. The program provided additional trading areas to help businesses meet social distancing requirements. The initial HBBhH Outdoors program cost approximately \$1.6 million and was delivered at no cost to participating businesses. This was enabled through both Victorian Government grant funding and Council funding. This was in addition to business support packages provided during COVID.

In July 2023 Council endorsed a draft framework for the purpose of consultation. Consultation was undertaken from 24 July to 31 August with significant feedback received from residents, businesses and traders. The revised framework is now proposed for endorsement and includes a permanent parklet program and a process for fixed infrastructure as well as an avenue to explore options for extended footpath trading in the Pier Street Feature site. The framework considers the importance of design and amenity, to transition from interim and temporary facilities to more tailored designs and high-quality streetscape outcomes.

#### Background

Between October and December 2020, in response to the significant impacts of the COVID-19 pandemic on businesses, Council installed outdoor trading areas across the municipality under the Hobsons Bay Business has Heart (HBBhH) Outdoors program.



These included extended footpath trading zones, parklets in car parking spaces, barriers and a road closure in Pier Street, and waivers to the usual fees associated with outdoor trading.

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

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

In July 2023 Council endorsed a draft framework for the purpose of consultation. Community consultation was undertaken in August 2023 with significant feedback received which has informed the preparation of a revised framework.

## Discussion

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

## Community Consultation

In July 2023, Council endorsed a new draft framework for outdoor trading for the purpose of consultation with both businesses and the broader community. As part of this consultation, expressions of interest (EOI) from businesses were sought to have a parklet in a post-COVID context alongside a commitment to pay fees. Feedback was also sought on the draft Parklet and Fixed Infrastructure guidelines and proposed long term options for Pier Street.

Overall, Council received about 1,500 survey responses and almost 7,000 views on the Participate webpage. The majority of respondents, about 880, were from Altona and most were residents. Council also received 23 EOIs from businesses to continue with a parklet (about 46% of businesses with existing parklets). The feedback received has informed development of a revised outdoor trading program.

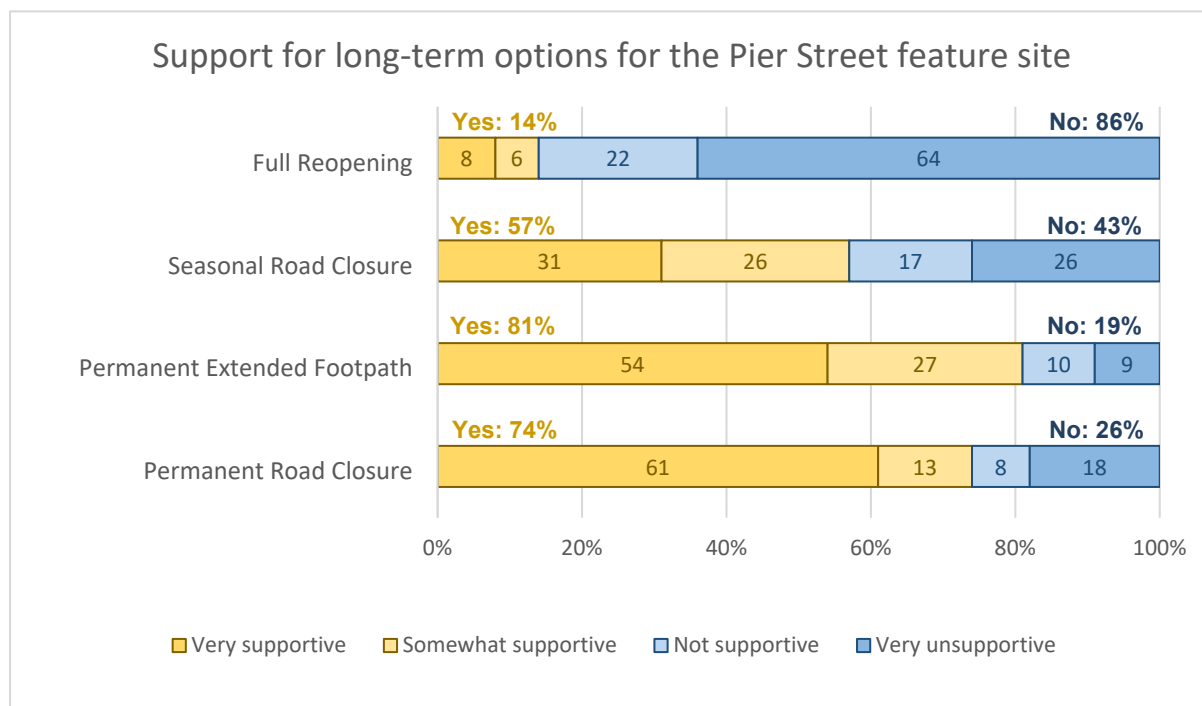
Respondents were asked to indicate their usage of parklets. Approximately 15% of respondents indicated they use a parklet every day and 37% a few times per week. When asked whether they supported parklets on a more permanent basis, 72% of respondents either "strongly agreed" or "somewhat agreed". Respondents were also asked to provide further feedback on the draft parklet policy. Key feedback themes included: safety, visual appeal, accessibility and affordability.

Feedback from businesses also indicated a request for "off the shelf" parklet designs that were pre-approved by Council. This would limit the need for businesses to undertake and pay for design services and provide more certainty of what would be approved.

Council received significant feedback on the Pier Street feature site (section between Queen and Blyth Streets). When asked how often respondents visited the Pier Street feature site, 18% of respondents indicated every day, 39% a few times per week and 20% weekly, with summer being the most popular season to visit.

Respondents were asked to indicate their level of support for four long-term options for Pier Street: full reopening, seasonal closures, permanent extended footpaths, and permanent road closure.

The preferred supported option (“very supportive” and “somewhat supportive”) was for permanent extended footpaths at 81%, followed by “permanent closure of this section of Pier Street to traffic” at 74% (refer figure below).



While the majority of respondents to the survey were residents, when the responses from businesses were analysed these were similar to the above and also preference the permanent extended footpath option.

Feedback from businesses and the community supported fixed infrastructure. More than 80% of respondents indicated support for the installation of low-risk fixed infrastructure. Key themes included: pedestrian accessibility, costs to businesses and Council, visual appeal and impacts and parking impacts.

**Additional consultation with traders**

Two meetings were held in October with traders to discuss the outcomes of consultation on the revised outdoor trading framework as well as other matters impacting businesses within Hobsons Bay. The outcomes of the consultation on the revised outdoor trading framework, including the above survey results, were presented and discussed. At this meeting it was advised that based on the survey results and the response to the EOI process, Council officers would be recommending the continuation of the parklet program and adoption of the Parklet Guidelines and Fixed Infrastructure Guidelines. The proposal for permanent extension of footpaths along Pier Street was also discussed as one option that would be explored further, subject to more detailed design and costings.

Each business that had an existing parklet was individually contacted by phone and in writing to ensure they fully understood how the framework affected their business. When requested, Council officers met individually with the business owners onsite to further detail the framework.

## New Framework: Parklets

Given the feedback received the new outdoor framework supports the ongoing ability for businesses to be able to access car parking spaces and have a parklet to extend their trading areas. The Hobsons Bay Parklet Guidelines (Attachment 1) have been updated in response to feedback. Key changes include simplifying the permit approval process and wording changes to the guideline principals to ensure consistency. Overall, the guidelines are based on four principles which guide a parklet's suitability:

- patron and road user safety
- transport network efficiency
- precinct activation
- urban design and amenity

Based on the community and business responses for consistent, high quality and safe parklet design, Council will create a Parklet Vendor Guide that includes example parklet designs and costings that can be used to aid businesses in installing a parklet. These parklet offerings will be pre-approved by Council, meaning that the design, safety aspects and material meet Council guidelines. However, site-specific requirements such as drainage and traffic requirements may still apply. Council will work with traders on a case-by-case basis to assist in identifying the most appropriate parklet design for their site.

In line with the draft guidelines, a fee for the use of the car parking space where the parklet will be located is proposed. The proposed fees include an application fee, a parklet permit annual renewal fee and make good bond (Table 1 below). The application fee of \$500 is proposed to be waived for the current 2023-24 financial year. The annual Parklet Permit Fee is proposed at \$125 per square metre, which equates to approximately \$1,500 per car parking space dependent on the size of the space.

**Table 1: Proposed Parklet Permit Fees and Associated Costs**

Fee Type	Indicative Fee	Period
Parklet Permit Application Fee	\$500	One-off fee (non-refundable)
Parklet Permit Annual Renewal Fee*	\$125 per square metre	Renewable 12 months
Make Good Bond**	\$1,000	Refundable at termination of the permit

\* Note this charge is the 2023-24 Parklet Fixed Area fee and inclusive of any furniture (e.g. tables and chairs) within the space

\*\* See Parklet Removal and Change of Ownership for more information.

The proposed fees were developed based on independent valuations undertaken in 2021 being an average value across the municipality of approximately \$1,500 per car space or \$125 per square metre for on-street unsecured and uncovered public car spaces. The proposed annual parklet fee is a flat fee and would not require any additional fees for the furniture or infrastructure used within the parklet space. This responds to trader concerns and avoids any "double dipping" of parklet and footpath trading fees. Businesses can also apply for consideration of a reduction or waiver of fees under Council's hardship policy if eligible.

In the short term, businesses who wish to retain their parklet and pay the parklet fixed area fee will be issued a temporary parklet permit enabling use of existing infrastructure until 31 August 2024 while the permanent parklet permit guideline and process is finalised. Businesses who do not pay this fee, after being reasonably notified, will have Council parklet assets removed. To assist businesses with cash flow, Council will also accept the fee in quarterly instalments. Council officers have begun removing parklet infrastructure where traders have advised they do not wish to be part of the parklet program and have requested that this parklet infrastructure be removed.

Over the long term, businesses who wish to install a parklet from 1 September 2024 must apply for a parklet permit in line with the Hobsons Bay Parklet Guidelines and (if approved) install their own parklet infrastructure. Businesses can also apply for a parklet permit prior to 1 September 2024. All Council infrastructure would be removed at this time. Once endorsed, the parklet program will be open to all businesses, including those that currently do not have a parklet installed.

### **New Framework: Extended footpath trading**

Under the previous HBBhH trading program, businesses were given an opportunity to use extended footpath areas for trading with Council providing barriers for these areas. The barriers were installed to be removed and businesses to transition to the existing footpath trading program.

Feedback received from businesses indicated some wanted to retain Council installed barriers while the Fixed Infrastructure guidelines and policy were finalised. It is proposed that businesses will have the option to retain fixed barriers until 31 August 2024, while the Fixed Infrastructure guidelines are finalised. To retain barriers, businesses must pay \$283 (based on the existing Footpath Trading Permit fee), provide evidence of their public liability insurance and maintain the infrastructure. Council-installed infrastructure will be removed if businesses opt out or do not pay the required fee.

From 1 September 2024, all Council-installed extended barriers would be removed. Businesses will then be able to either trade under the existing Footpath Trading Policy or newly endorsed Fixed Infrastructure Guidelines.

### **New Framework: Fixed Infrastructure**

Feedback indicated support for a process enabling businesses to install low risk, fixed infrastructure (glass screens, umbrella sockets and lighting) for businesses using outdoor trading. The draft Fixed Infrastructure Guideline (see Attachment 2) have been updated in response to feedback, Table 2 below outlines the fixed infrastructure items permitted.

Fixed Infrastructure fees include an application fee, annual permit renewal fee and a make good bond. The application fee will be charged to cover the costs of processing Fixed Infrastructure applications. Annual renewal fees are benchmarked against the fees and charges within the Hobsons Bay Footpath Trading Permit. The Make Good Bond will be collected for all Fixed Infrastructure applications to mitigate damage to the road reserve and allow for repairs to be conducted as required.

**Table 2: Fixed infrastructure items**

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

**Table 3: Fixed Infrastructure Fees and Charges**

Fee Type	Glass Screens	Lighting	Umbrella Sockets
Fixed Infrastructure Permit Application Fee	\$250 (one-off)		
Fixed Infrastructure Annual Renewal Fee	\$275 (annual)	\$218 (annual)	\$50 per socket (annual)
Make Good Bond (refundable at termination of the permit)	\$1,000	\$500	\$500

The proposed fees and charges would apply to all new Fixed Infrastructure applications. Fixed Infrastructure that is currently installed across the municipality, and which was authorised under previous Council processes, will not incur this charge.

As noted above, application fees are non-refundable. The charges in Table 3 are based on the fees for the 2023-24 financial year and the existing extended footpath trading fee.

### **New Framework: Pier Street**

Based on consultation responses it is proposed to further explore options to permanently extend the footpath and ways to conduct seasonal or permanent road closures. This approach seeks to balance the precincts dining and residential activation potential while mitigating traffic and amenity impacts. Further investigation and analysis of the potential cost of this approach is required in addition to consultation with traders and residents.

In the short term, Council proposes to retain and reconfigure the temporary street closure while long-term design and capital works plans are developed, making some modifications to how businesses can utilise the space. For example, Council will investigate reconfiguration of the layout of outdoor trading areas to align with the proposed extended footpath.

Businesses who wish to trade in the Pier Street feature site will be required to pay per table and chair via the Footpath Trading Permit, but will not be required to pay a parklet fee.

## Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

### Hobsons Bay 2030 Community Vision

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

### Council Plan 2021-25

#### Objective 3: Vibrant place and economy

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

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

#### Objective 3: Vibrant place and economy

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

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

### Other Council strategies

The Economic Development Strategy 2015-20 and draft new Economic Development Strategy outline the ongoing need for business support for local traders. The new outdoor trading framework aims to allow traders to continue outdoor trading in a post-COVID context.

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

## Policies and Related Council Documents

- Economic Development Strategy 2015-20
- Economic Development Strategy 2023-2028 (draft)
- Footpath Trading Code of Practice
- Experience Hobsons Bay Tourism Strategy 2019-24
- Activity Centre Strategy 2019-36
- Hobsons Bay Community Local Law 2015

## Legal/Statutory Obligations and Risk

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

## Financial and Resource Implications

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

## Environmental, Social and Economic Impacts

Outdoor trading has a range of environmental, social and economic benefits, including:

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

## Consultation and Communication

Community Consultation was undertaken 24 July 2023 to 31 August 2023. As part of this consultation, expressions of interest (EOI) from businesses were sought to continue with a parklet. Feedback was also sought on the draft Parklet and Fixed Infrastructure guidelines and proposed long term options for Pier Street. Approximately 1,500 survey responses were received, and almost 7,000 views were undertaken on the Participate webpage. The feedback received has informed development of a revised outdoor trading program.

Key feedback themes on parklets included: safety, visual appeal, accessibility and affordability. Feedback from businesses also indicated the desire for “off the shelf” parklet designs that were universal and pre-approved by Council. Feedback on the Pier Street feature site indicated support for permanent extended footpaths at 81%, followed by “permanent closure of the Pier Street Feature Site” at 74%. Feedback on fixed infrastructure indicated support from businesses and the community with more than 80% of respondents indicated support for the installation of low-risk fixed infrastructure. Feedback received from businesses indicated some wanted to retain Council-installed barriers while the Fixed Infrastructure Guidelines and policy were finalised. Key themes on fixed infrastructure include ensuring pedestrian accessibility, balancing costs to businesses and Council, visual appeal and impacts and mitigating parking impacts.

## Declaration of Conflict of Interest

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

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

### 8.3.2 Adoption of Affordable Housing Policy and update on Hobsons Bay Affordable Housing Trust Annual Report

<b>Directorate:</b>	Sustainable Communities
<b>Responsible Officer:</b>	Manager Strategy, Economy and Sustainability
<b>Reviewer:</b>	Director Sustainable Communities
<b>Attachments:</b>	<ol style="list-style-type: none"><li>1. Affordable Housing Policy - Final Draft [8.3.2.1 - 23 pages]</li><li>2. Affordable Housing Policy - Background Paper [8.3.2.2 - 47 pages]</li><li>3. Affordable Housing Policy - Summary of feedback and proposed changes [8.3.2.3 - 8 pages]</li><li>4. Hobsons Bay Affordable Housing Trust - Annual Report Year 1 [8.3.2.4 - 9 pages]</li></ol>

#### Purpose

To seek adoption of the Hobsons Bay Affordable Housing Policy 2023 and to note the Hobsons Bay Affordable Housing Trust Annual Report Year 1.

#### Recommendation

That Council:

1. Notes the feedback received on the Draft Affordable Housing Policy Statement.
2. Adopts the Affordable Housing Policy 2023 updated in response to public consultation and feedback.
3. Writes to submitters thanking them for their feedback and advising them of Council's decision.
4. Notes the Hobsons Bay Affordable Housing Trust Annual Report Year 1.

#### Summary

The Hobsons Bay Affordable Housing Policy 2023 is proposed to guide Council's ongoing efforts to increase the supply of Affordable Housing in Hobsons Bay. The Policy is informed by community and stakeholder engagement, academic research, and data. Feedback was sought on the draft policy during a six-week consultation in July and August 2023. The draft policy has been updated in response to feedback and is recommended for adoption.

The Policy identifies the Hobsons Bay Affordable Housing Trust (the Trust) as the key method for delivering Affordable Housing within Hobsons Bay. As the Trustee, Housing Choices Australia has prepared a Year 1 Annual Report detailing the progress of the Trust.

#### Background

There is an urgent need for more Affordable Housing to support households on very low, low and moderate incomes in Hobsons Bay. Research estimates there is a current shortfall of



more than 1,400 Affordable Housing dwellings in the municipality, with the greatest unmet demand amongst very low income and single adult households.

Affordable Housing is defined in the *Planning and Environment Act 1987* as “housing, including social housing, that is appropriate for the housing needs of very low-, low- and moderate-income households”. Wherever the term ‘Affordable Housing’ (intentionally capitalised) is used in this report, it has the same meaning as the definition in the Act.

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

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

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

Council has been proactive in addressing the need for Affordable Housing since the adoption of its first Affordable Housing Policy and Strategy in 2002. More recently, Council’s efforts have been guided by the Affordable Housing Policy Statement 2016 (the 2016 Policy Statement).

### **Affordable Housing Policy Statement 2016**

The 2016 Policy Statement set a clear direction for Council to be more proactive in supporting Affordable Housing across Hobsons Bay. Many of the actions identified in the 2016 Policy Statement have been achieved including:

- **Hobsons Bay Affordable Housing Trust** – Council has established the Trust, with Housing Choices Australia appointed Trustee in 2020.
- **Epsom Street Affordable Housing Project** – in 2014, Council purchased the former Laverton Primary School site for the purpose of creating open space and exploring the feasibility of providing Affordable Housing on the site. Recent activities include community consultation on draft design guidelines, adoption of updated design guidelines and a process to transfer land to the Trust if funding is received.
- **Affordable Housing contributions** – Council has successfully negotiated and secured contributions through the planning system for a number of large rezonings (e.g. Precincts 15, 16 East, 16 West and 17).
- **Advocacy** – Council has made submissions to numerous committees and projects, including the Victorian Government’s Ten-Year Social and Affordable Housing Strategy (2021), Social and Affordable Housing Compact (2022) and the National Housing and Homelessness Plan (2023).

More detail on the achievements of the 2016 Policy Statement is included in the Affordable Housing Policy Background Paper (the background paper).

## Hobsons Bay Affordable Housing Trust

The Trust has been established as a perpetual charitable trust for the purpose of providing a range of affordable, secure and appropriate housing in Hobsons Bay. Housing is made available to “eligible residents”, i.e. an individual or household in need of Affordable Housing with significant links to the City of Hobsons Bay. The Trust is Council’s preferred method for delivering Affordable Housing contributions negotiated through the planning system.

In 2020, Housing Choices Australia was appointed by Council as the Trustee of the Trust. The Trustee will deliver Affordable Housing projects on behalf of the Trust and will manage future contributions for the benefit of Hobsons Bay residents. Under the Funding and Services Agreement, the Trustee is required to submit an annual report to Council outlining performance and outcomes from the previous year. The first year Annual Report is discussed below.

## Draft Hobsons Bay Affordable Housing Policy Statement 2023

The Draft Affordable Housing Policy Statement 2023 (the draft policy) was prepared to replace the 2016 Policy Statement. It articulates Council’s position and presents a series of action areas and commitments to further Council’s approach to Affordable Housing. The draft policy was informed by preliminary stakeholder engagement, contemporary policy, research, and local data.

The draft policy adopts the definition of Affordable Housing that is identified in the *Planning and Environment Act 1987*.

### **Action areas and commitments**

The draft policy is built around six action areas:

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

Each action area includes a series of commitments that provide further direction as to how Council will work towards increasing the supply of Affordable Housing in Hobsons Bay. All commitments respond to ongoing and emerging issues and are aligned to Council’s current approach and contemporary policy and funding contexts.

Council endorsed the draft policy for public consultation on 11 July 2023. The outcomes of the consultation process and the proposed changes in response to feedback are discussed below.

## Discussion

The Hobsons Bay Affordable Housing Policy 2023 (the final draft) (Attachment 1) has been prepared to guide Council's ongoing efforts to increase the supply of Affordable Housing in Hobsons Bay. The Policy has been finalised following public consultation and feedback. The Policy is supported by the background paper (Attachment 2). The outcomes of the consultation and changes in response to feedback are discussed below.

### Public consultation

The draft policy and background paper were placed on public consultation from 17 July until 28 August 2023. Feedback was sought via a survey on Council's Participate website and promoted through direct emails to stakeholders, Hobsons Bay News and Council's social media platforms.

A total of 25 responses were received and were primarily from Hobsons Bay residents. Additionally, responses were received from a local service provider and the peak organisation representing community housing providers. Feedback is summarised at Attachment 3, alongside Council officer recommended changes to the draft policy.

The key themes to emerge from the public consultation include:

- **Recognising the need and benefits** – respondents recognised that housing is a human right, and that it plays a key role in building stronger, healthier, and more diverse communities.
- **Affordable Housing contributions** – respondents stated that more residential developments should include Affordable Housing, with some suggesting that all larger developments be required to include an Affordable Housing contribution.
- **Incentives** – respondents suggested that Council should consider providing incentives within its control to encourage increased supply of Affordable Housing.
- **Location** – respondents stated that future Affordable Housing should be well-located, with access to public transport, support services, employment opportunities, and other amenities.
- **Infrastructure and support** – respondents highlighted the need for more public infrastructure (e.g. roads, public transport) and support services to respond to increased housing development in Hobsons Bay, including Affordable Housing.
- **Density** – respondents were concerned that future Affordable Housing development may be concentrated in high-density developments, leading to impacts on the built environment and support needs of residents.
- **Limited detail** – some respondents indicated that the draft policy statement lacked detail in some areas, including implementation and expectations regarding contributions.

### Recent changes to policy and funding contexts

In September 2023, the Australian Government secured parliamentary support to establish the Housing Australia Future Fund (HAFF). The HAFF is expected to provide funding to deliver 30,000 new social and affordable housing dwellings over its first five years. Additionally, the Australian Government is developing a National Housing and Homelessness Plan, and Council Officers have provided a submission to inform the development of the plan.

The Victorian Government also released Victoria's Housing Statement in September 2023. The Statement outlines a range of planning and housing reforms with the aim to improve housing supply and affordability in Victoria. Some of these reforms will reduce Council's role as Responsible Authority and potential opportunities to secure Affordable Housing contributions for the Trust. For example, a new state planning provision (Clause 53.23, Significant Residential Development with Affordable Housing) has been introduced that allows the Minister for Planning to assess planning permit applications on significant residential developments that include Affordable Housing (developments with a construction cost of \$50 million or more).

Other reforms proposed through Victoria's Housing Statement, include the redevelopment of all high-rise public housing estates by 2051 (including two in Hobsons Bay at Nelson Place and Floyd Lodge) and additional low-cost financing options for Affordable Housing projects. These changes have been considered and reflected in the final draft and the background paper.

### **Revisions to the draft policy following public consultation**

Revisions were made to the draft policy in response to the feedback received from public consultation and changes to the policy and regulatory context as outlined below.

#### ***General changes to the final draft***

- **Title** – the final draft proposes to remove the word “statement” from the title to better reflect the breadth and importance of the policy.
- **Policy and funding context** – recent changes to the policy and funding contexts discussed above have been noted in the final draft and background paper.
- **Community and stakeholder engagement** – key findings from public consultation and preliminary engagement have been added to the final draft.
- **Text updates** – several changes have been made to the text in response to public consultation and to improve readability, including simplifying the numbering of commitments and updating wording to clarify the intent of a commitment without changing the meaning.
- **Implementation** – additional detail had been added to “Implementation and Monitoring” (Section 7) in response to feedback that the draft policy had limited detail regarding implementation.

#### ***Changes to commitments that relate to the planning system***

Changes are proposed to the final draft in response to feedback that Council should go further to secure Affordable Housing contributions through the planning system given the growing need. The changes propose to lower the threshold for when Council would seek a contribution through the planning system. Changes are also proposed in response to recent state planning reforms that may reduce Council's opportunity to negotiate Affordable Housing contributions on significant residential developments.

Other text changes are proposed to clarify the definition of an Affordable Housing contribution, confirm Council's preferred method for delivering contributions (via the Trust) and clarify how the Policy will be implemented into the planning scheme.

The key changes are as follows:

- **Commitment 1.2** – proposed to be amended to advocate for a new statewide planning provision that would make Affordable Housing contributions mandatory for all residential rezonings and residential developments, where this would be fair and reasonable and of benefit to the community. The draft policy had proposed to only advocate for mandatory contributions for projects that yield 20 or more dwellings.
- **Commitment 2.1** – proposed to be amended to seek an Affordable Housing contribution from any residential rezoning proposed in Hobsons Bay regardless of the number of dwellings given the higher uplift associated with rezonings. The draft policy had proposed to only seek a contribution for rezonings that yield 20 or more dwellings.
- **Commitment 2.2** – proposed to be amended to lower the threshold for when Council would seek an Affordable Housing contribution from a planning permit application from 20 or more dwellings, down to 10 or more dwellings. This will provide more opportunity for Council to seek contributions and potentially secure contributions for the Trust.
- **Definition of “Affordable Housing contribution”** – updated definition in “Key Terms” in response to feedback that there was not enough detail in the draft policy as to how Affordable Housing contributions are to be provided. The definition clarifies that contributions may be delivered through gifted land or dwellings, discounted sale of land or dwellings, or monetary contribution, noting that the value of the contributions will be determined on a case-by-case basis through negotiation.
- **Highlighting the Trust** – the text in the Policy has also been updated to identify that the Trust is Council’s preferred method for delivering Affordable Housing contributions negotiated through the planning system, including within the “Purpose and Scope” (Section 2) and “Statement of Intent” (Section 3).
- **Commitment 2.6** – updated to clarify the scope of any proposed planning scheme amendment to implement the Policy into the Hobsons Bay Planning Scheme.

### ***New commitment to support at risk residents***

A new commitment (6.6) has been added in response to feedback and changes to the policy and funding context including the proposal by the Victorian Government to redevelop public housing estates in Hobsons Bay.

- **Commitment 6.6** – *Advocate for and explore initiatives that improve housing outcomes for at risk residents, including better access to housing and homelessness support services and appropriate renewal of public housing estates.*

### **Implementation and next steps**

Delivery of the Policy will be guided by an internal implementation plan. The implementation plan will be informed by available resources, current priorities, and emerging issues and opportunities. The plan may be reviewed and updated as actions are completed, or new priorities arise. It is also proposed that the Hobsons Bay Planning Scheme be amended to refer to the adopted Policy as a background paper. Where possible, the Trust and the need to facilitate increased supply of Affordable Housing in Hobsons Bay will also be referenced in local policy.

### ***The Trust Annual Report Year 1***

The Trust Annual Report Year 1 (Attachment 4) focuses on establishing governance, processes, and policies. Key achievements include:

- Registration with Australian Charities and Not-for-profits Commission (ACNC)
- Application for deductible gift recipient (DGR) to enable the Trust to receive donations that are tax deductible.
- Advisory Committee established that monitors the Business Plan actions, financial reporting, and strategic focus on opportunities and supply.
- Proposed project funding application submitted.
- Engagement with developers to secure future Affordable Housing contributions for the Trust.
- Council resolution to sell the proposed land to Housing Choices Australia as the Trustee of the Trust for non-monetary consideration in accordance with section 114(2)(b) of the *Local Government Act 2020*, subject to certain conditions.

The Trust Year 2 Business Plan is in development and will focus on the strategic development of the Trust, financial planning, and further engagement with developers, government, and philanthropic organisations.

## **Strategic Alignment**

This report specifically addresses priorities from the following strategic documents:

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

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

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

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

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

## **Policies and Related Council Documents**

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

- Council Plan 2021-25 (incorporating the Municipal Public Health and Wellbeing Plan)
- Hobsons Bay 2030 Community Vision
- Hobsons Bay Planning Scheme
- Hobsons Bay Housing Strategy 2019
- Hobsons Bay Property Strategy 2021
- Hobsons Bay Advocacy Strategy 2021-25
- Building Asset Management Plan 2020

- Asset Plan 2022-32
- Community Services and Infrastructure Plan 2020-30
- Revenue and Rating Plan 2021-22 to 2024-25
- A Fair Hobsons Bay for All 2019-23

Relevant Council reports include:

- **9 April 2019** – Council resolved to proceed with a public tender process to seek a Trustee for the Hobsons Bay Affordable Housing Trust.
- **9 June 2020** – Council resolved to appoint Housing Choices Australia as the Trustee of the Hobsons Bay Affordable Housing Trust.
- **11 July 2023** - Council endorsed the Draft Affordable Housing Policy Statement for a period of public exhibition for six weeks during July and August 2023.

## Legal/Statutory Obligations and Risk

All legal and statutory obligations and risks have been assessed as a part of the development of the final draft and the Trust Annual Report Year 1.

## Financial and Resource Implications

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

The Trust Business Plan Year 2 will be developed by the Trustee in partnership with Council and will be resourced through existing operational budgets.

## Environmental, Social and Economic Impacts

The final draft will support the objective within the *Planning and Environment Act 1987* to “facilitate the provision of affordable housing in Victoria”. It will also support a strategic direction within the Hobsons Bay Planning Scheme to “facilitate affordable housing in the overall provision of housing across the municipality to ensure that a range of housing choices is available to the community” (Clause 02.03-6, Housing). Additionally, the final draft provides additional and updated policy direction for Council in its efforts to negotiate Affordable Housing contributions through the planning system.

In seeking to increase the supply of Affordable Housing, the final draft will have positive social impacts. Research identifies that access to safe, secure and affordable housing contributes to improved employment and education participation, better social connections and reduced demand for support services. Conversely, reduced access can lead to significant impacts on mental, social and physical health and wellbeing. The final draft will also support positive economic impacts for local communities. Increased supply of Affordable Housing will reduce the incidence of “housing stress” (particularly in very low- and low-income households), freeing up more household income to be spent within the local economy.

## Consultation and Communication

Consultation undertaken to develop the final draft includes:

- **Preliminary engagement (March to April 2023)** – a series of interviews were conducted with key stakeholders and representatives from community housing providers, peak organisations, and local service providers alongside internal council staff engagement.
- **Public consultation (July to August 2023)** – the draft policy was made available for public comment via Council's Participate Hobsons Bay website and promoted broadly. Key stakeholders were also invited to make a submission, including developers and landowners, registered housing agencies, government agencies, peak bodies, and local support services. Key themes are noted above.

## Declaration of Conflict of Interest

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

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



## 9 Notices of Motion

### 9.1 Notice of Motion No. 1247: Meetings with Trader Associations

Section 8.15.5 of the Hobsons Bay Governance Rules requires the Chief Executive Officer to inform Councillors about the legal and cost implications of any proposed notice of motion. Accordingly, the costs of implementing this notice of motion will be accommodated within the existing operational budget.

There are no apparent legal implications at this point in time.

Cr Peter Hemphill has given notice of the following motion:

**That Council hold quarterly meetings of representatives of the Hobsons Bay trader associations, councillors and Council's senior leadership team to discuss high level trader issues and build relationships between all parties.**

### Background

At a meeting of Councillors, Council officers and trader group presidents on 5 October 2023, the traders' representatives expressed a strong view that the relationship between traders and Council needed to improve to achieve better outcomes for the sector.

The traders believe a collective meeting of presidents and Council representatives would allow Council to gain a better understanding of the economic climate the sector is facing and go a long way to forming a partnership approach to resolve issues affecting traders.

## **10 Urgent Business**

## **11 Supplementary Public Question Time**

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

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

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



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