

Council Meeting Agenda

Tuesday 13 February 2024
Commencing at 7.00 PM

Council Chamber
Hobsons Bay Civic Centre
115 Civic Parade, Altona

**HOBSONS
BAY CITY
COUNCIL**



COUNCIL CHAMBER

OUR MISSION

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

OUR VALUES

Respectful

Community driven and focused

Trusted and reliable

Efficient and responsible

Bold and innovative

Accountable and transparent

Recognised

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

Chairperson:

Cr Matt Tyler (Mayor)

Wetlands Ward

Councillors:

Cr Antoinette Briffa JP

Cherry Lake Ward

Cr Diana Grima

Wetlands Ward

Cr Daria Kellander

Cherry Lake Ward

Cr Peter Hemphill

Strand 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 12 December 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 Variation of Business

7.1 Variation of Business: Support for Hobsons Bay Residents Impacted by Overseas Conflict

In accordance with rule 6.1.5 of the Hobsons Bay Governance Rules, the Chief Executive Officer has varied the normal order of business in order to allow related items to be considered consecutively ahead of other Council business.

7.1.1 Petition: Call for Council to show support for Palestine

Directorate:	Corporate Services
Responsible Officer:	Manager Arts, Culture and Community
Reviewer:	Director Corporate Services
Attachments:	Nil

Purpose

To receive a written petition requesting that Council show support for Palestine in the current conflict and advocate to the federal government regarding this.

Recommendation

That Council receives and notes the petition in relation to showing support for Palestine.

Summary

The petition was received on 19 January 2024 and acknowledged on the same date. It has been reviewed to verify that it meets the minimum requirement of 25 valid signatories in accordance with the Hobsons Bay Governance Rules and can therefore be dealt with by Council.

The petition reads as follows:

We call on the Hobsons Bay council to raise a motion that

- Call for an immediate and permanent ceasefire.
- Condemn the violence of Israeli forces against the people of Palestine and mourn the tragic loss of civilian lives in the current genocide
- Recognise that the constant bombing and siege of Gaza is extremely traumatising for many residents of Hobsons Bay who have relatives in the region or who have experienced war first hand. We express our solidarity with these communities.

- Note that the current conflict did not begin on the 7th of October 2023- but rather 75 years ago in 1948 when Palestine was occupied and Israel declared a country resulting in the displacement of Palestinians from their homeland.
- Acknowledge that the violence of Israeli forces against the people of Palestine can be resolved only with the withdrawal of Israel from occupied Palestinian Territories.
- Show a commitment to fly the Palestinian flag at the Hobsons Bay city council as a display of solidarity with our Palestinian residents.
- Call up the Australian Federal Government to condemn Israeli war crimes, call for an immediate and permanent ceasefire, and end all military, economic, political and diplomatic ties to Israel until it complies with its obligation under international law.

We have seen the councils of Merri-bek, Maribyrnong, Dandenong, Yarra, Hume, Darebin and Wyndham pass Pro-Palestine motions in the past days and weeks. We have faith that our Council will show the same level of support to our community and uphold their commitment to amplify our voices.

7.1.2 Notice of Motion No. 1249: Support for Hobsons Bay Residents Impacted by Overseas Conflict

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 Antoinette Briffa has given notice of the following motion:

That Council:

1. Acknowledges the *Local Government Act 2020* states the role of a Council is “to provide good governance in its municipal district for the benefit and wellbeing of the municipal community” and does not allocate any role, responsibility or authority in relation to international conflicts or affairs.
2. Respects that while we have no authority or powers in relation to international conflicts or affairs, we nonetheless condemn violence and human rights abuses everywhere and, in line with this, support Australian Government actions which are seeking to end violence and human rights abuses.
3. Understands and expresses our sympathy to local residents who are directly impacted by conflicts taking place overseas with many grieving the loss of loved ones and experiencing significant distress due to the human suffering and loss as a result of the conflict in the Middle East and elsewhere in the world, including Ukraine, Sudan and Myanmar.
4. Encourages the Victorian and Australian governments to support organisations providing mental health and other support services to local communities affected by overseas conflicts.
5. Notes that Council’s integrated social policy framework (A Fair Hobsons Bay for All 2024-28) ensures fairness and equity are part of all we do locally, and incorporates actions to build and maintain inclusive and supportive communities including continuing to deliver youth counselling and crisis relief services.
6. Notes that, as a Victorian Public Authority, Council must comply with the *Charter of Human Rights and Responsibilities Act 2006* including considering human rights implications in policies and decisions.
7. Reaffirms its commitment to considering human rights implications in relation to choosing suppliers and service providers.
8. Reaffirms our commitment to diversity including cultural and religious diversity and opposition to discrimination and hatred based on race, faith and any other attribute protected by the *Equal Opportunity Act 2010*.

8 Petitions and Joint Letters

8.1 Petitions and Joint Letters Received

Due to a variation of business, a petition is listed earlier in the meeting at item 7.1.1.

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

8.2 Responses to Petitions and Joint Letters

8.2.1 Response to Joint Letter - Request for a separated bike path on Birmingham Street, Spotswood

Directorate:	Sustainable Communities
Responsible Officer:	Manager Planning, Building and Health
Reviewer:	Director Sustainable Communities
Attachments:	Nil

Purpose

To respond to a joint letter asking 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.

Recommendation

That Council:

- 1. Notes the approved shared path forms part of the planning permits for Buildings A & B.**
- 2. Notes that Council officers collaborated with the developer of the Spotswood Yards property and have amended the planning permits, which now seek a financial contribution towards the construction of public works on Birmingham, in lieu of the construction of a 2.5 metre shared path.**
- 3. Writes to the lead petitioner advising of the outcome.**

Summary

Council received a joint letter from Better West Inc, including 10 signatories from Hobsons Bay residents which was tabled at the Council Meeting held on 12 September 2023. The joint letter requests 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.

There are three planning permits for the Spotswood Yards property, two of which include requirements for the delivery of public realm works on Birmingham Street. These permits are:

- Planning Permit PA1945411 (Building A) – requires the construction of a minimum 2500mm paved shared path along the length of Birmingham Street between Melbourne Road and Hick Street

- Planning Permit PA1945441 (Building B) – requires the construction of a minimum 2500mm paved shared path along the length of Birmingham Street between Melbourne Road and Hick Street to the satisfaction of the Responsible Authority
- PA2048400 (Balance of land) – no requirements for works on Birmingham Street

The Better Places Spotswood and South Kingsville Place Guide identifies at Project 6, the GreenLine Project (GreenLine). The GreenLine will incorporate protected cycle lanes, crossings and intersection upgrades, active transport infrastructure and streetscape improvements. For Birmingham Street, the concept for the south side includes a dedicated 2.6-metre-wide bike path and a dedicated 1.8-metre-wide pedestrian footpath.

Given the difference between the planning permit conditions and the GreenLine, Council officers engaged in discussions with the developer of the Spotswood Yards development on how best to fulfill their obligations under the planning permits. It was resolved and agreed with the developer to amend the planning permits to include conditions requiring the developer to pay Council a financial contribution equivalent to the construction cost of a 2.5-metre-wide shared path between Melbourne Road and Hick Street, in lieu of them directly building the shared path. Council will put this contribution towards the delivery of the GreenLine. The planning permits were amended to reflect this change in December 2023.

Background

At its meeting of 12 September 2023, Council formally received a joint letter stating the following:

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.

(quoted text continues next page)

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.

The Hobsons Bay Planning Scheme sets the vision and strategic direction for the municipality. Through the Planning Scheme, Council has a strong commitment towards achieving positive environmental, cultural, social, economic, and urban planning outcomes.

The GreenLine is the materialisation of that vision, and linked to the Municipal Planning Strategy, which seeks (among other things) to *"provide an integrated, safe, accessible and efficient network for walking and cycling that encourages active transport over private vehicle usage."*

Discussion

Priority Projects Standing Advisory Committee assessment of development

Use and development of land throughout the municipality is guided by the Hobsons Bay Planning Scheme. The land referred to in this report required planning approval for its use and development. The planning permits which seek public realm works on Birmingham Street are:

- Planning Permit PA1945411 (Building A) – requires the construction of a minimum 2500mm paved shared path along the length of Birmingham Street between Melbourne Road and Hick Street
- Planning Permit PA1945441 (Building B) – requires the construction of a minimum 2500mm paved shared path along the length of Birmingham Street between Melbourne Road and Hick Street to the satisfaction of the Responsible Authority

The Priority Projects Standing Advisory Committee (the Committee) considered the merits of these proposals. In the report on the planning merits and the decision of Buildings A and B, the Committee was specifically asked *'whether the proposals for Buildings A and B should include a cycling and pedestrian pathway connecting to wider networks external to the site.'*

In that hearing, Council emphasised the importance of Birmingham Street as a strategic cycling corridor and advocated for a parallel 1.5 metre pedestrian path, 2.5 metre cycle path and landscaping separating the two paths from the south side of the street. Objectors in that case argued the same outcomes sought by Council.

State and local planning policy included in the Planning Scheme promote sustainable personal transport options, including walking and cycling. Birmingham Street has long been identified as a potential cycling corridor. It was identified as a location for a local bicycle route in the Hobsons Bay Strategic Bicycle Plan 2003, to be developed with an off-road shared path. More recently Birmingham Street has been identified as a Main Route in the Department of Transport (DoT) Strategic Cycling Corridor Network 2020 forming part of Victoria's Principal Bicycle Network.

The Committee considered that cycling infrastructure in this location is important. However, while some guidance is given, the Strategic Cycling Corridor Overview 2020 does not provide specific details around the design and width of the cycle path that should be provided.

The Committee had regard to the analysis of expert evidence in relation to the provision of separate off-road cycling and pedestrian paths and gave thought to what might be a reasonable contribution from the developer of the subject land given the cycle route is part of a network servicing a much wider catchment. The Committee also considered the issues and concerns associated with shared paths, such as cycle speed, safety risks, perception of users and liability risks.

The Committee viewed separate paths as an optimum and desirable outcome but was not persuaded that evidence of future demand had been provided to meet threshold requirements for this, or that it would be fair and reasonable to require an outcome which would encroach into the subject land solely at the developer's cost.

GreenLine Project

The Better Places Spotswood and South Kingsville Place guide identifies at Project 6, the GreenLine. The GreenLine will incorporate protected cycle lanes, crossings and intersection upgrades, active transport infrastructure and streetscape improvements. For Birmingham Street, the concept for the south side includes a dedicated 2.6-metre-wide bike path and a dedicated 1.8-metre-wide pedestrian footpath.

The GreenLine is a much larger project extending well beyond the Spotswood Yards land, and currently does not include any state government funding, budget allocation or predicted timeframes for delivery. The GreenLine will be of benefit to existing suburbs of Altona North, South Kingsville, and Spotswood and as all the strategic redevelopment areas (Precincts 15, 16 and 17) are eventually fully developed leading to what will be a new Spotswood train station (delivered as part of the level crossing removal project).

Discrepancies between planning permits and GreenLine Project

Given the difference between the planning permit conditions and the GreenLine, Council officers engaged in discussions with the developer of the Spotswood Yards development on how best to fulfill their obligations under the permits in a way which would contribute to the GreenLine in Birmingham Street.

It was resolved and agreed with the developer to amend the planning permits to include conditions requiring the developer to pay to Council a financial contribution equivalent to the cost of the construction of a 2.5-metre-wide shared path between Melbourne Road and Hick Street in lieu of them building the shared path. The planning permits were amended to reflect this change in December 2023.

The GreenLine and the ultimate outcome being sought is not funded in Council's capital works program and to deliver the outcomes will require additional Council funds. Given the funds to be received from the developer of the Spotswood Yards are less than that required for the GreenLine, it is likely that only some works will be delivered. These works have yet to be resolved and will be communicated to the immediate community before works occur.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 1: Visionary, vibrant, accountable urban planning

Council Plan 2021-25

Objective 3: Vibrant place and economy

Strategy 3.5: Ensure land use and development supports high amenity, sustainability, exemplary design and responds to neighbourhood context

Objective 4: Visionary community infrastructure

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

Policies and Related Council Documents

The outcome achieved for pedestrian and bicycle access on Birmingham Street has had regard to the Hobsons Bay Planning Scheme, the Hobsons Bay Strategic Bicycle Plan 2003, the Department of Transport (DoT) Strategic Cycling Corridor Network 2020 forming part of Victoria's Principal Bicycle Network and the Better Places Spotswood and South Kingsville Place Guide. The proposed contribution to Council to facilitate the construction of public works in Birmingham Street is consistent with these policies and documents.

Legal/Statutory Obligations and Risk

The consideration of the development approval has had regard and met the statutory obligations under the *Planning and Environment Act 1987* and the Hobsons Bay Planning Scheme.

Financial and Resource Implications

The cost of constructing a 2.5 metre shared path is estimated to be in the range of \$170,000 to \$250,000. This path would have been built by the developer and delivered prior to residents moving into the dwellings, providing immediate access to the broader neighbourhood, surrounding activity centres and public transport.

This amount will now be provided to Council as a financial contribution towards public works on Birmingham Street. The GreenLine is not funded in Council's capital works program and to deliver the outcomes will require additional Council funds.

The estimated cost to construct the entire GreenLine is approximately \$1.4 million, with the section of works on Birmingham Street costing in the range of \$810,000 to \$942,000, which is not accommodated in the current or proposed budget.

Environmental, Social and Economic Impacts

Council is committed to delivering safe bike paths, shared paths, and corridors throughout the municipality. The contribution from the developer towards the GreenLine on Birmingham Street delivers on this commitment.

Consultation and Communication

Consultation with lead petitioner

The lead petitioner was contacted about the joint letter and will be advised of the outcome of Council's decision.

Consultation with other parties

Both planning permits were publicly advertised as required by the *Planning and Environment Act 1987*. Residents were aware of the proposal and contributed to the Priority Projects Standing Advisory Committee advocating for the separated footpath and bicycle path.

The Better Places Spotswood and South Kingsville Place Guide identifies at Project 6, the GreenLine. This Place Guide was created following extensive consultation with the community.

It was not considered necessary to undertake further community consultation given the outcome being achieved is consistent with state and local policies and documents that have been through extensive public consultation.

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.

9 Business

9.1 Office of the Chief Executive

9.1.1 Chief Executive Officer's Report on Operations - December 2023 and January 2024

Directorate:	Office of the Chief Executive
Responsible Officer:	Executive Assistant to the Chief Executive Officer
Reviewer:	Chief Executive Officer
Attachments:	1. CEO Report on Operations - December 2023 and January 2024 [9.1.1.1 - 49 pages]

Purpose

To present the Chief Executive Officer's (CEO's) Report on Operations for December 2023 and January 2024.

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 December 2023 and 31 January 2024 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.

9.2 Corporate Services

9.2.1 Internal Arbitration Decisions

Directorate:	Corporate Services
Responsible Officer:	Director Corporate Services
Reviewer:	Chief Executive Officer
Attachments:	1. Decision IAP 2023-7 [9.2.1.1 - 7 pages] 2. Decision IAP 2023-14 [9.2.1.2 - 11 pages]

Purpose

To receive and note two internal arbitration decisions in accordance with section 147(4) of the *Local Government Act 2020*.

Recommendation

That Council:

1. Receives and notes Decision IAP 2023-7.
2. Receives and notes Decision IAP 2023-14.

Summary

Two separate internal arbitration processes have been carried out in recent months. Council is required to table the reports detailing the arbiter's decision and statement of reasons.

Discussion

The arbiter's decision and statement of reasons for each item is provided as Attachments 1 and 2 for this report.

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

Legal/Statutory Obligations and Risk

Section 147(4) of the *Local Government Act 2020* states that, subject to subsection (5) which requires confidential information to be redacted from the documents, “a copy of the arbiter's decision and statement of reasons must be tabled at the next Council meeting after the Council received the copy of the arbiter's decision and statement of reasons and recorded in the minutes of the meeting.”

Declaration of Conflict of Interest

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

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

9.2.2 Municipal Association of Victoria State Council Motions - May 2024

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

Purpose

To consider the motions to be put to the Municipal Association of Victoria (MAV) for the State Council Meeting on 17 May 2024.

Recommendation

That Council resolves to put the motions listed in this report to the Municipal Association of Victoria State Council Meeting to be held on 17 May 2024.

Summary

MAV will be holding its first State Council Meeting for the year on 17 May 2024. These meetings provide an opportunity for local government to submit motions for key priorities that require state or federal government support.

Motions for the 17 May 2024 State Council Meeting must be submitted to MAV by close of business Thursday 15 February 2024.

Council is being asked to endorse the motions detailed in this report for submission to the 17 May 2024 MAV State Council Meeting.

Background

MAV is a statutory peak body for local government in Victoria and takes a lead role in advocating for local government to the Victorian and Australian governments on a variety of issues of concern.

The State Council is the governing body for MAV and has representation from all member councils. Members are invited to submit motions to be considered by the State Council twice a year. Resolutions are assessed by the Board to determine how they will be progressed.

Discussion

The MAV State Council Meeting presents an opportunity to advocate for key priorities within Hobsons Bay that require state and federal government support to effect meaningful change.

The following motions have been developed for Council to consider for submission to the MAV State Council Meeting to be held on 17 May 2024.

1. That the MAV calls on the Victorian Government to conduct an independent review into affordable housing. The review needs to provide a New Affordable Housing Planning Practice Note (PPN) and Building Practice Notes (BPN) to deal with the contemporary affordable housing crisis and fund strategic and statutory planning as well as building compliance guidelines for affordable housing.
2. That the MAV calls on the Victorian Government to conduct an independent review into kindergarten and childcare provision. The review should provide clear legal decision pathways on the role of councils and the extent of their involvement in kindergarten and childcare provision so that council rates are used equitably across the state.
3. That the MAV calls on the Victorian Government to conduct an independent review into the operation of the administrative body Fines Victoria regarding the administration and enforcement of infringement fines and court fines across Victoria. The review should include an analysis of the benefit that councils receive when lodging infringements through the agency or when court fines are processed through the agency by:
 1. Conducting a review of the success of collection of monies owed to Victorian councils since the inception of the agency including a provision of the dollar values.
 2. Providing details of returns to each council monies that have been collected in the past four years.
 3. Obtaining an understanding of the key performance indicators for Fines Victoria and the relevant measures and how they are being met.
 4. Providing details of how each individual council's financial expectations will be met in the future by the agency.
4. That the MAV calls on the Victorian Government to conduct an independent review into the Port Phillip Bay Coastal Hazard Assessment (PPBCHA) including implementing overlays into Victorian Planning Schemes, providing clear communication and guidance, and committing to the continuation of funding for adaptation planning and delivery across Port Phillip Bay.

This should include:

1. Leading a state-wide overlay to implement the relevant data into local planning schemes, which is more efficient and effective than requiring each Council to undertake their own planning scheme amendment.
2. Funding for adaptation responses across Port Phillip Bay in response to the PPBCHA.
3. Communicating directly with coastal communities on the implications of the PPBCHA.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 2: Community wellbeing and inter-connection

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

Priority 6: An accessible and connected community.

Council Plan 2021-25

Objective 1: Healthy, equitable and thriving communities

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

Objective 2: Environment

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

Objective 3: Vibrant place and economy

Strategy 3.2: Increase economic and tourism opportunities that capitalise on our cultural and creative strengths.

Objective 4: Visionary community infrastructure

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

Policies and Related Council Documents

Listed below are Council's MAV motions since 2016:

October 2023:

- review Maternal and Child Health Key Age and Stages framework and rectify funding shortfall.
- assess existing and future transport needs of the western suburbs.
- recognise the Ramsar-protected Cheetham Wetlands and support local initiatives highlighting the significance of inner western coastal wetlands to First Nations people, promoting education on the impact of climate change upon coastal wetlands, and supporting eco-tourism and nature-based recreation in metropolitan Melbourne.

October 2022:

- consider, with appropriate stakeholder consultation, extending the introduction of pre-commitment laws to all gaming venues across Victoria.

June 2022:

- reverse proposed funding cuts by the Australian Government to the aged care sector
- responsibility for the combustible cladding rectification program to remain with the Victorian Government
- orphaned building permits to continue to be managed by the Victorian Building Authority
- improvements to pedestrian and cycling infrastructure.
- reshape the Melbourne metropolitan bus network.
- improvement to the freeway entrances to towns and suburbs

2021:

- improvements to pedestrian and cycling connections.
- increase tree canopy coverage across urban areas for improved environmental, health and wellbeing outcomes.
- reshape the Melbourne metropolitan bus network.
- commence delivery of the Melbourne Metro 2 project (proposed rail network addition)
- waste and recycling outcomes
- Coastal and Marine Management Plans
- alleviation of West Gate Tunnel traffic and amenity impacts
- youth mental health
- funding to support councils to meet their obligations under the *Gender Equality Act 2020*
- increased transparency of community contributions from electronic gaming machine (EGM) venues
- targeted support for vulnerable older people during COVID-19 recovery

2020:

- (MAV State Council meetings were not held in 2020 due to the COVID-19 pandemic)

2019:

- reduction in the number of EGMs from all licensed premises by 2032 and actions to urgently address gambling harm in Hobsons Bay and all Victorian communities.
- adoption of a strategic approach to the built environment and development of a State Environmentally Sustainable Policy supported by appropriate reforms to the National Construction Code Building Regulations that positions Victoria as a leader in sustainable development in the built environment and addresses climate change.
- local government representation on EPA and DELWP working groups to develop a formal consultation program that enables every council to be consulted in the development of the subordinate legislation, particularly the development of a tiered licensing/permitting system framework under the *Environment Protection Amendment Act 2018*

2018:

- funding for sustainable street lighting upgrades on main roads
- cost-sharing arrangements between state and local governments to install “smart poles” in key locations.

2017:

- Western Metropolitan Regional response to integrated transport and growth
- equitable distribution of funding and clear roles for foreshore management
- level crossing removal support and a coordinated response
- banning electric waste to landfill

2016:

- Western Distributor strengthening community connections and wellbeing.
- youth mental health services

Legal/Statutory Obligations and Risk

Section 8 of the *Local Government Act 2020* defines the role of a council as to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.

Submitting motions to the MAV State Council constitutes a key opportunity for Council to pursue advocacy outcomes at a state and federal level to the benefit of the Hobsons Bay community.

Financial and Resource Implications

There are no direct financial implications to Council in presenting these motions to the MAV State Council.

Environmental, Social and Economic Impacts

These motions support the enhancement of the built, natural, economic, and social environment within Hobsons Bay and across Victoria.

Consultation and Communication

Advocacy and partnerships with other stakeholders, most importantly the Victorian and Australian Governments, are vital to raise awareness on and advocate for issues that sit outside of Council’s control. By submitting motions to the MAV State Council Meeting, Council has an opportunity to inform the key priorities for MAV to advocate to the Victorian and Australian Governments in its capacity as the peak body for local government in Victoria.

The listed motions were developed in consultation with officers across multiple Council departments and the Executive Leadership Team, and reflect areas of community concern that require, or would benefit from, advocacy to a higher level of government. It is supported by the Hobsons Bay 2030 Community Vision and aligns with A Fair Hobsons Bay for All 2019-23. These policies and plans were developed through community consultation and engagement.

Declaration of Conflict of Interest

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

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

9.2.3 Recognition of Hobsons Bay Residents in the 2024 Australia Day Honours List

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

Purpose

To acknowledge the achievements of Hobsons Bay residents who have been recognised in the Australia Day 2024 Honours List.

Recommendation

That Council:

- 1. Sends letters of congratulations from the Mayor to the Hobsons Bay residents and former residents recognised in the Australia Day 2024 Honours List, as listed in this report.**
- 2. Invites the award recipients to attend a civil reception at a future date to celebrate their achievements.**

Summary

The Australia Day Honours List recognises the outstanding service and contributions of Australian citizens nationwide each year. Seven residents of Hobsons Bay have been recognised among the 1,042 Australians honoured in 2024. This report acknowledges their achievement and service to the community.

Six Hobsons Bay residents and one former resident were awarded a Medal of the Order of Australia (OAM) or honorary OAM:

- Ms Angela Altair for service to the community and to local government
- Mr Alan Douglas Evers-Buckland for service to the community through a range of roles
- Ms Elisabeth Frances Grove for service to the community of Hobsons Bay
- Ms Denise Hylands for service to community radio
- Dr Christine Anne Longman for service to medicine through a range of roles
- Ms Wilma Dawn Robarts for service to the community of Williamstown
- Mrs Carol Joyce Willis for service to the community through a range of roles

One resident was appointed an honorary Member of the Order of Australia (AM):

- Ms Sharon McGowan for significant service to community health, particularly stroke prevention and awareness

Background

The Australia Day Honours List comprises a number of honours and awards, including for the General Division and Military Division of the Order of Australia, meritorious awards and a COVID-19 Honour Roll.

The Hobsons Bay recipients for 2024 all received honours within the General Division of the Order of Australia, which recognises Australians who have demonstrated outstanding service or exceptional achievement.

There are four levels of awards within the General Division, with the majority of recipients receiving the Medal of the Order of Australia (OAM) which is awarded for “service worthy of particular recognition”. Being appointed a Member of the Order of Australia (AM) is for “service in a particular locality or field of activity or to a particular group”.

According to the Order of Australia handbook (downloaded from <https://www.gg.gov.au/australian-honours-and-awards/order-australia>), regardless of whether they received a medal or appointment, all award recipients are considered “members of the Order of Australia” – apparently distinct from being appointed a Member of the Order. Only Australian citizens may officially be members, but others can be honorary members.

Discussion

The full Australia Day 2024 Honours List can be found online at:
<https://www.gg.gov.au/australia-day-2024-honours-list>

Profiles of the Hobsons Bay recipients below have been based on information from this site.

Ms Angela Altair OAM

Ms Angela Altair was awarded a Medal of the Order of Australia for service to the community and to local government.

Ms Altair served as a Councillor of Hobsons Bay City Council for 21 years from 1999 to 2020, including three terms as Mayor in 2002-03, 2012-13 and 2017-18.

From 2013 to 2017 she also was a board member of the Municipal Association of Victoria (MAV) representing the Metro West Region and served as Chair or Deputy Chair of multiple committees.

In addition to her local government work, Ms Altair co-founded the Williamstown Literary Festival in 2003 and served as President from then until 2018. She is a life member of the festival.

Mr Alan Evers-Buckland OAM

Mr Alan Evers-Buckland was awarded a Medal of the Order of Australia for service to the community through a range of roles.

Mr Evers-Buckland has held roles at various life saving clubs including President of the Altona Life Saving Club from 1991 to 2003 (being made a life member in 1994) and multiple roles at the Royal Life Saving Society; currently he is Director, board member and Deputy Chair of the RLSS Victorian branch and a member of the Wonthaggi Life Saving Club.

Mr Evers-Buckland is also currently the owner and artist manager at ASMusic and has been involved in music since the 1980s, having been an Australian Production Assistant for the Live Aid fundraiser, Music Writer for The Western Times in the 1980s, Music Show presenter on 3WRB Sunshine, and a board member of the Victoria Rock Foundation from 1989 to 1995.

Mr Evers-Buckland has been involved in a variety of other community roles, and in 1997 received a Royal Life Saving Society Commonwealth Service Medal.

Ms Elisabeth Grove OAM

Ms Elisabeth Grove was awarded a Medal of the Order of Australia for service to the community of Hobsons Bay.

Ms Grove is the current Vice-President of the Williamstown Literary Festival and has been a member since 2003. Since 2013 she has been Co-ordinator and volunteer for the Ada Cambridge Writing and Poetry Awards.

She has been a board member of Elder Rights Advocacy since 2013 and Secretary of the organisation since 2018, and is currently on two committees.

Ms Grove's other community activities include being a member of the Coburg High School Historical Group, member of the Hobsons Bay Refugee Network and supporter of the Alliance for Forgotten Australians.

Ms Grove has previously worked as a tutor in English and Academic Study Skills at various universities from the 1970s to 1990s, then was a Research Fellow at the Language Testing Research Centre from 1993 to 2004.

Ms Denise Hylands OAM

Ms Denise Hylands was awarded an honorary Medal of the Order of Australia for service to community radio.

Ms Hylands has worked as a volunteer presenter at Triple R FM since 1984 and is currently the host of Twang; previously she hosted the Breakfasters program and The Selection Show.

In 2016 Ms Hylands received a Best Special Broadcast award from the Community Broadcasting Association of Australia.

Dr Christine Longman OAM

Dr Christine Longman was awarded a Medal of the Order of Australia for service to medicine through a range of roles.

Dr Longman has worked as a GP since 1984 in various locations, most recently at the Western Medical Centre since 2011. Over the same time period she additionally worked as a sessional medical officer in a range of organisations, doctor on call for the Victorian Doctors' Health Program and as an examiner, medical educator and area coordinator for the Royal Australian College of General Practitioners.

Since 2010 Dr Longman has been an Honorary Senior Fellow of the University of Melbourne's Department of General Practice and Primary Care Academic Centre.

Dr Longman has also been a volunteer for Amnesty International in Williamstown since about 1985.

Ms Sharon McGowan AM

Ms Sharon McGowan was appointed an honorary Member of the Order of Australia (AM) for significant service to community health, particularly stroke prevention and awareness.

Ms McGowan holds a range of roles relating to stroke awareness and prevention, including Chief Executive Officer of the National Stroke Foundation (since 2016), Chairperson of the Australian Living Evidence Consortium (since 2022), board member of the Australian Stroke Alliance (since 2020), Co-chair of the Australian Stroke Coalition (since 2008) and board member of the World Stroke Organisation (since 2016).

Ms McGowan's work in other health-related areas since 2000 includes key roles in the Australian Chronic Disease Prevention Alliance, National COVID-19 Clinical Evidence Taskforce, Communications and Community Relations at Melbourne Health, Benetas, the Australian Red Cross Blood Service and National Blood Service.

Ms Wilma Robarts OAM

Ms Wilma Robarts was awarded a Medal of the Order of Australia for service to the community of Williamstown.

Ms Robarts worked as a primary school teacher from 1955 to 1993, then was Vicar's Warden at Holy Trinity Williamstown from 1992 to 2012 and a member of the Vestry/Parish Council from 2012 to 2016. She is currently manager of the church's community lunch program, organiser of fundraising and community events, and founder and leader of the Ada Cambridge Book Group.

Ms Robarts' other current community involvement includes volunteer work as an English tutor at the River Nile School and she is a member of the Williamstown Ladies Probus Club and Heartsong Choir.

In 2013 Ms Robarts received an Inspirational Women Award from Hobsons Bay City Council.

Mrs Carol Willis OAM

Mrs Carol Willis was awarded a Medal of the Order of Australia for service to the community through a range of roles.

Mrs Willis was President of the Anglican Diocese of Melbourne from 1974 to 1994, has been a member of the Mission Action Team at Holy Trinity Anglican Church Williamstown since about 1993, a volunteer at Anglicare Emergency Relief Williamstown since 2003 and Volunteer Coordinator at Anglicare since 2015.

Mrs Willis's other community roles have included being a member of the Australian War Memorial Development Advisory Board, volunteering at the Newport Food Pantry from the 1970s to 2000s, and a variety of support roles at public schools for 23 years.

In 2013 Mrs Willis received an Inspirational Women Award from Hobsons Bay City Council, and in 2022 she received an Outstanding Volunteer Award from Anglicare Victoria.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 2: Community wellbeing and inter-connection

Council Plan 2021-25

Objective 1: Healthy, equitable and thriving communities

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

Policies and Related Council Documents

Council is undertaking a process to recognise Hobsons Bay residents who receive Australian Honours and Awards on Australia Day and the King's Birthday.

Legal/Statutory Obligations and Risk

Not applicable.

Financial and Resource Implications

Any costs associated with the matter are accommodated by existing operational budgets.

Environmental, Social and Economic Impacts

This report acknowledges the significant social and environmental contributions made by Hobsons Bay residents who have received Australian Honours and Awards on Australia Day and the King's Birthday.

Consultation and Communication

Not applicable.

Declaration of Conflict of Interest

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

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

9.2.4 Financial Report: Mid-Year Forecast Review 2023-24

Directorate:	Corporate Services
Responsible Officer:	Chief Financial Officer
Reviewer:	Director Corporate Services
Attachments:	1. Financial Report at 31 December 2023 [9.2.4.1 - 18 pages]

Purpose

To present Council with the financial results for the period ended 31 December 2023, and the revised 2023-24 annual forecast projections following completion of the December (mid-year) forecast review.

Recommendation

That Council:

- 1. Notes the financial report for the period ended 31 December 2023.**
- 2. Endorses the revised 2023-24 annual forecasts.**

Summary

The quarterly financial report for the period ended 31 December 2023, including a detailed report on the Capital Works Program, is provided as an attachment to this report.

An extensive financial mid-year forecast review has been conducted resulting in the operational budget surplus for 2023-24 of \$16.469 million decreasing to a forecast of \$15.089 million. The operational surplus does not include Council's significant investment in capital expenditure, forecast to be \$71.357 million in 2023-24.

When compared to budget, income is expected to increase by \$3.529 million and operational expenditure is expected to increase by \$4.909 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 has been updated to reflect the 2.75 per cent rate cap for 2024-25 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 31 December 2023 (Mid-Year Forecast Review) is also 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 forecast review), March and June (year-end) financial periods. The financial report for the period ended 31 December 2023 (mid-year forecast review) is the second 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 \$15.089 million. The operational surplus does not include Council's significant investment in capital expenditure, forecast to be \$71.357 million in 2023-24.

Income is expected to increase by \$3.529 million compared to budget.

Capital grants are expected to be over budget by \$2.958 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 \$1.058 million over budget, generally due to an increase in the amount originally raised as rates due to property development, payments in lieu of rates, and interest on rates.

Monetary contributions are expected to be under budget by \$955,000, generally due to developer contributions that are now expected to be received in future financial years for Altona North Precinct 15.

Operational expenditure is expected to increase by \$4.909 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 \$2.137 million. The most significant increases relate to waste services (\$1.021 million) and an additional forecast in relation to the new Winter Activation project in Williamstown (\$500,000).

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 \$44.321 million on 31 December 2023. The original budget of \$35.234 million for 30 June 2024 has been decreased to a year-end forecast of \$31.539 million mainly due to:

- new borrowings in 2023-24 being reduced by \$7 million
- capital works expenditure that will be completed next financial year (\$2.601 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 31 December 2023 and is expected to be 117 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 31 December 2023 was \$23.990 million compared to the year-to-date budget of \$26.410 million. The initial budgeted capital expenditure for the 2023-24 financial year of \$66.664 million has increased to a forecast of \$71.537 million. The increased forecast expenditure of \$4.693 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 (\$887,000)
- expenditure expected to be carried over to next year's program (\$2.601 million)

Capital Income for the period ended 31 December 2023 was \$813,000. The initial budgeted capital income for the 2023-24 financial year of \$2.016 million has increased to a year-end forecast of \$4.985 million. The increased forecast income of \$2.969 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 (\$887,000)
- income bought forward from 2024-25 (\$63,000)

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 31 December 2023 (Mid-Year Forecast Review) at its meeting to be held on 28 February 2024. 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.

9.2.5 2023-24 Quarter 2 Council Plan Initiatives Progress Report and LGPRF Half-year Progress Report

Directorate:	Corporate Services
Responsible Officer:	Manager Corporate Integrity and Legal Counsel
Reviewer:	Director Corporate Services
Attachments:	1. Quarter 2 2023-24 - Council Plan Initiatives Progress Report [9.2.5.1 - 21 pages]

Purpose

To provide Council with the second quarter update on the progress of the initiatives to support the achievement of the Council Plan 2021-25 and the half-year results of the mandatory Local Government Performance Reporting Framework (LGPRF) indicators.

Recommendation

That Council notes the progress made on the Council Plan 2021-25 major initiatives during the second 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 31 December 2023, the first half 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 19 strategies and 59 priorities. Other major initiatives which 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 (all 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 and South Kingsville
- Better Places Laverton
- HC Kim Reserve, Altona – new pavilion, female friendly change rooms and 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.

9.3 Sustainable Communities

9.3.1 Development of the Hobsons Bay Reconciliation Action Plan

Directorate:	Sustainable Communities
Responsible Officer:	Manager Arts, Culture and Community
Reviewer:	Director Sustainable Communities
Attachments:	Nil

Purpose

To seek endorsement of the development of the new Hobsons Bay Reconciliation Action Plan.

Recommendation

That Council:

- 1. Endorses the commencement of consultation on the creation of a new Hobsons Bay Reconciliation Action Plan for 2024-26.**
- 2. Notes that the Draft Action Plan will be brought to a future Council Meeting.**
- 3. Notes the ongoing engagement with the Bunurong Land Council Aboriginal Corporation and other relevant community members through the consultation period.**
- 4. Notes the initial points for consideration set out in this report and that the commencement of the plan has been registered with Reconciliation Australia.**

Summary

Development of Council's Reconciliation Action Plan 2024-26 (the Plan) is ready to commence. Council's intention to develop the Plan is registered with Reconciliation Australia and the Bunurong Land Council Aboriginal Corporation as first administrative steps. The next stage is consultation with stakeholders and community, which will inform the draft plan for Council's further review.

Background

Council has a leadership role in reconciliation, in developing and strengthening relationships with Aboriginal and Torres Strait Islander peoples, engaging staff, identifying opportunities and promoting awareness, understanding, respect and recognition of First Nations cultures.

A reconciliation action plan (RAP) is an organisational plan, the basis for strategies and actions that can be delivered by Council to support reconciliation initiatives and objectives, relative to Council's workforce and in the community.

In 2018 Council endorsed the first Hobsons Bay Reconciliation Action Plan (2018 RAP) using the Reconciliation Australia framework of accreditation.

Discussion

Council has registered its intention to develop a new plan with Reconciliation Australia. Reconciliation Australia is an independent not for profit organisation that assists organisations to develop reconciliation action plans using a strategic framework, based around core pillars of relationships, respect and opportunities. The framework has four RAP types, each designed to suit an organisation at different stages. Council along with many local government authorities sits in the Level 2 tier called Innovate. It is recommended that Council continues to develop its RAP in the Level 2 Innovate category.

Reconciliation Australia RAP framework

Level	Suitability
1. Reflect	Introductory, for organisations new to reconciliation, a 12-month plan
2. Innovate	Focus on developing and strengthening relationships, engaging staff and stakeholders, continue to implement strategies, initiatives and policies, commit to actions tailored to their organisation, as a two-year plan
3. Stretch	Suited to organisations with long term strategies and strong engagement with ATSI representation
4. Elevate	To support leadership to advance national reconciliation.

A preliminary meeting has been held with the Bunurong Land Council Aboriginal Corporation (BLCAC), the Registered Aboriginal Party for the lands including the municipality of Hobsons Bay and member of the Victorian Council of Traditional Owner Corporations.

To refresh the approach of Council's 2018 RAP, a number of points will be considered.

Council has made progress across the organisation through this period, including with

- cultural training and identifying where there are barriers to employment
- better visibility of and intentional First Nations activities and programming across Council throughout the year, in addition to National Reconciliation Week and NAIDOC Week
- identifying and resourcing land care and environmental initiatives
- stronger relationships with local stakeholders
- continuing to grow the relationship with the Yarrabah community, through the friendship alliance with Hobsons Bay
- strong Council advocacy reflected in the community, including for the Uluru Statement from the Heart and the "Yes" vote for the 2023 Referendum for an Aboriginal and Torres Strait Islander voice to Parliament.

Since the commencement of the 2018 RAP, the landscape for reconciliation continues to evolve.

- Hobsons Bay now has a Registered Aboriginal Party, the Bunurong Land Council Aboriginal Corporation, the status confirmed in 2021.
- The Uluru Statement from the Heart – Voice, Treaty, Truth has heightened awareness in the community.
- The Victorian state government has the First People’s Assembly and Treaty process and there may be opportunities to engage closer at a state level and align work.
- Debate and reflection regarding Australia Day are topical, including increasing flexibility about local government citizenship ceremonies on that day
- There are more community conversations, and growing interest to embed First Nations culture in the community, including in resources, facilities and in the public realm.

There may be further change, following the 2023 Referendum result and in anticipating trends that may emerge that have resonance in the community.

Opportunities proposed to be further explored include a focus on local experience and participation, including in land management, community cultural education and in access to service needs of our local Aboriginal population. Council can take a lead in positioning local government career pathways as well as ways to support young leaders in the community. Aligning work at a western metropolitan and state level should be a consideration.

Consultation will be undertaken with direct stakeholders including BLCAC, the local Aboriginal and Torres Strait Islander community, First Nations owned or operated businesses and creative sector, community representatives active in reconciliation and contacting people who contributed to the 2018 RAP. Engagement with Yarrabah would be included in this phase.

General community contribution will be facilitated including through Participate. Opportunities will be promoted through Council’s communications channels and directly to networks.

Once Council has been able to consider the Draft Action Plan, a public exhibition phase would commence.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 2: Community wellbeing and inter-connection

Council Plan 2021-25

Objective 1: Healthy, equitable and thriving communities

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

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

Policies and Related Council Documents

The 2023-24 Mayoral program endorsed by Council at its Council Meeting of 12 December 2023 includes as one of its six themes *Progressing reconciliation with First Nations people*.

Councillors had an information session on Uluru Statement from the Heart at the Council Briefing meeting 20 September 2022 and at its Council Meeting of 20 June 2023 endorsed a position in support of the Referendum on a Voice to Parliament.

Council's first RAP using the Reconciliation Australia Framework was developed and endorsed in 2018. This built on earlier work including Council's Reconciliation Policy (2011) and input from the then Towards Reconciliation working group.

Council maintains a sister city relationship with Yarrabah Aboriginal Shire Council, the largest Aboriginal self-governed council in Australia. The relationship commenced in 2002 and was formalised as a friendship alliance in 2006.

Legal/Statutory Obligations and Risk

Development of the RAP is consistent with the *Victorian Charter of Human Rights and Responsibilities Act 2006* and *Equal Opportunity Act 2010*. It helps to meet Council's requirements under the *Local Government Act 2020* to provide equitable access to services and facilities, foster community cohesion and encourage active participation in civic life.

Council has a statutory obligation through the *Aboriginal Heritage Act 2006* to ensure that use of land and relevant approvals align with the recommendations of Cultural Heritage Management Plans.

The risk identified is if Council developed a plan without consulting with stakeholders and listening to the community and this is addressed by commencing with a consultation phase and ensuring opportunities for people to connect in with the work are paramount.

Financial and Resource Implications

Council's reconciliation program includes a budget allocation that supports Council's activities including training, communication, cultural programming and projects.

The development of the plan will be achieved within existing operational budgets and resources. Any future budget implications of the plan will be able to be considered by Council when the plan is ready for review and for endorsement.

Environmental, Social and Economic Impacts

It is an expectation that the RAP will create positive outcomes, in relation to the environment, social and economic landscape of the city, for Aboriginal and Torres Strait Islander peoples and for the broader community.

Consultation and Communication

Council staff from across the organisation are engaged in and able to contribute through the process.

Consultation prior to the development of the plan will be undertaken with direct stakeholders including BLCAC, local Aboriginal and Torres Strait Islander community through networks and opportunities for individuals, First Nations owned or operated businesses and creative sector, community representatives active in reconciliation, and contacting people who contributed to the 2018 RAP. Engagement with Yarrabah would be included in this phase.

General community contribution will be facilitated through Participate. Opportunities will be promoted through Council's communications channels and directly to networks. Council will review and endorse a draft plan that would be on public exhibition as part of the process.

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.

10 Committee and Delegate Reports

10.1 Committee Reports

10.1.1 Audit and Risk Committee Update - November 2023

Directorate:	Corporate Services
Responsible Officer:	Manager Corporate Integrity and Legal Counsel
Reviewer:	Director Corporate Services
Attachments:	<ol style="list-style-type: none">1. Audit and Risk Committee Self-Assessment Report 2023 [10.1.1.1 - 12 pages]2. Audit and Risk Committee Meeting Minutes - 22 November 2023 [10.1.1.2 - 7 pages]

Purpose

To update Council regarding issues considered at the Audit and Risk Committee meeting held on 22 November 2023, including the results of the Annual Self-Assessment report.

Recommendation

That Council:

1. **Notes the matters considered by the Audit and Risk Committee at the meeting held on 22 November 2023.**
2. **Receives and notes the Audit and Risk Committee Annual Self-Assessment 2023.**

Summary

This report provides an update of the Audit and Risk Committee meeting held on 22 November 2023 to ensure that Council is informed of the activities of the Audit and Risk Committee. It provides Council with an opportunity to explore any issues that have been considered.

Also included in this report is the Audit and Risk Committee Annual Self-Assessment 2023, in accordance with the requirements of the *Local Government Act 2020* (LG Act 2020). This is the fourth year that Council has undertaken a formal Audit and Risk Committee Self-Assessment.

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 Committee meets 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.

In accordance with section 54 of the LG Act 2020, an Audit and Risk Committee must undertake an annual assessment of its performance against the Charter, the results of which are to be provided to the Chief Executive Officer for tabling at a future Council meeting.

Discussion

The overall rating of the Audit and Risk Committee annual self-assessment undertaken in September-October 2023 was positive, with respondents rating Committee performance at 87 per cent (compared to 83 per cent in 2022, 88 per cent in 2021, and 81 per cent in 2020). Several continuous improvement opportunities were identified and noted.

The 22 November 2023 meeting addressed the following items:

- review and endorsement of the Audit and Risk Committee Annual Work Plan
- Chief Executive Officer's update
- statutory compliance update
- outstanding audit recommendations
- review of the Audit and Risk Committee annual self-assessment 2023
- review of performance – Internal Auditor
- review of performance – External Auditor
- Internal Audit Program including completed audit reports and endorsement of the Strategic Internal Audit Plan 2024-2027
- risk and insurance update
- occupational health and safety update
- annual fraud control and compliance update
- VAGO final management letter, quarterly financial report, and cash and investment balances
- Capital Works quarterly report

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

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

Council Plan 2021-25

Objective 5: A High Performing Organisation

Strategy 5.4: Enhance transparency, accountability and good governance practice

Policies and Related Council Documents

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

Legal/Statutory Obligations and Risk

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

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

It is a requirement under section 54(4) of the LG Act 2020 that the Audit and Risk Committee undertake an annual assessment of its performance against the Charter, the results of which are to be provided to the Chief Executive Officer for tabling at the next Council meeting.

Financial and Resource Implications

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

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

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

Environmental, Social and Economic Impacts

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

Consultation and Communication

The minutes from the Audit and Risk Committee meeting held on 22 November 2023 have been reviewed and endorsed, out of session, by the Independent Members who attended the meeting. The meeting minutes will be formally confirmed at the next Audit and Risk Committee meeting on 28 February 2024.

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.

11 Notices of Motion

Due to a variation of business, a notice of motion was moved earlier in the meeting as item 7.1.2.

No other notices of motion were received.

12 Urgent Business

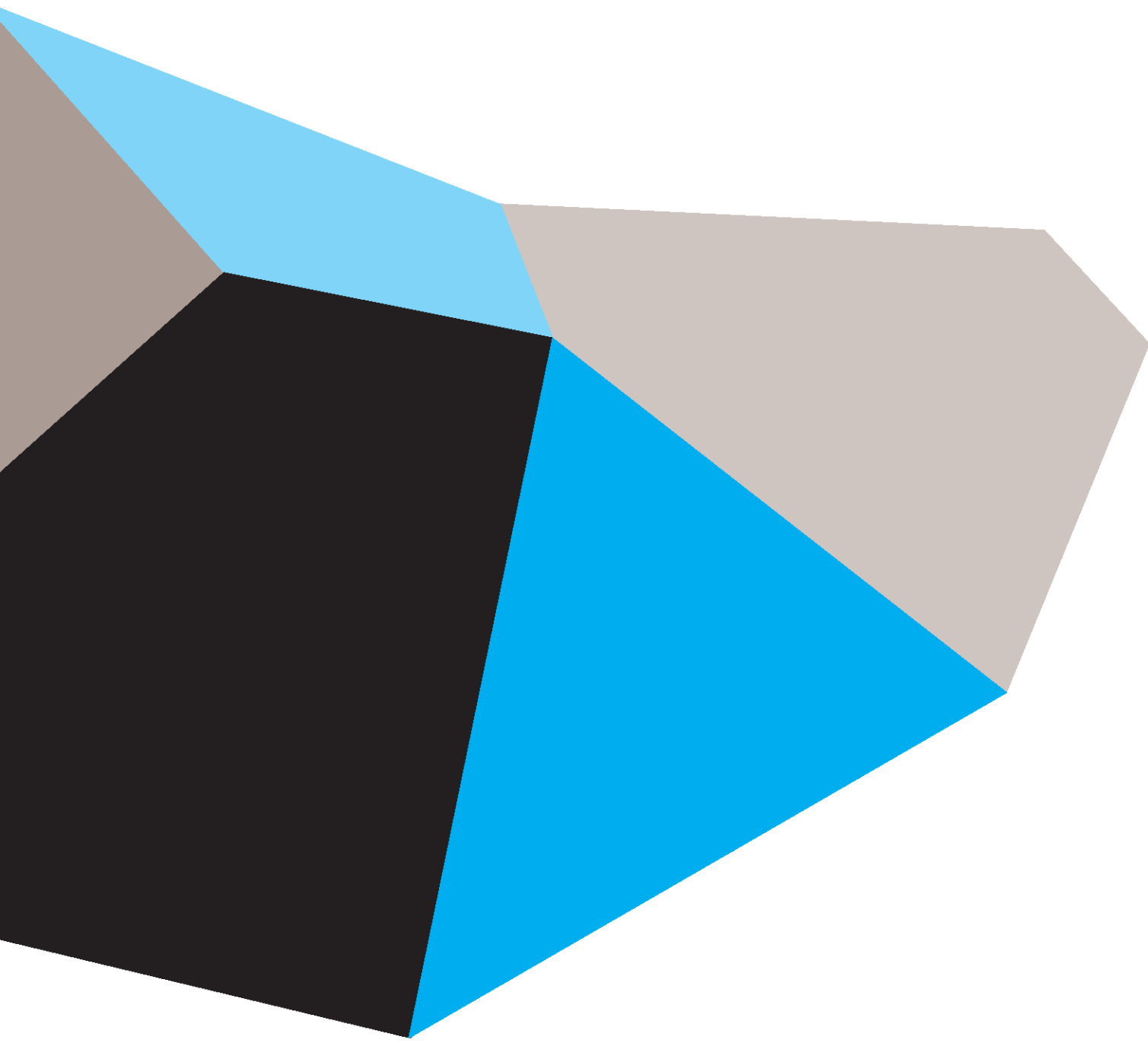
13 Supplementary Public Question Time

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.

14 Close of Meeting



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