1 July 2025 Council Meeting Attachments

7.2.1 Response to Petition: Williamstown Foreshore Precinct Plan	2
7.2.1.1 Engagement Snapshot - Williamstown	2
8.2.1 Draft Hobsons Bay Governance Rules 2025 - Endorsement for Public Co	
8.2.1.1 Draft Governance Rules 2025	
8.2.2 Proposed Hobsons Bay City Council Community Local Law 2025	53
8.2.2.1 Community Local Law 2025 - Final version 250617	53
8.2.2.2 Certificate pursuant to section 74(1) of the LGA 250523	118
8.2.2.3 Amendments - Community Local Law 2025 250617	119
8.3.1 Council's Position on State Government's Proposed Rezoning of Indust	rial Land i
Altona and Altona North	120
8.3.1.1 20250530 - CEO Letter to DTP	120
8.3.2 Techno Park Drive Block 11 - Certificate of Compliance	123
8.3.2.1 GE250274 - Certificate of Compliance - Block 11	123
8.4.1 Level Crossing Removal Projects Update (LXRP) - June 2025	124
8.4.1.1 LXRP HBCC Communications Register	124
8.4.1.2 Maidstone Street Altona-Level Crossing Removal Consultation Report	130
8.4.5 Williamstown Mechanics Institute Master Plan Update	202
8.4.5.1 WMI CRG Meeting #2 - October 2024	202
11.1 Record of Assembly of Councillors	236
11.1.1 2025-05-26 HBCC Assembly of Councillors Governance Rules Workshop	1236
11.1.2 2025-06-03 HBCC Assembly of Councillors - Councillor Briefing	237
11.1.3 2025-06-10 HBCC Assembly of Councillors - Councillor Briefing	239
11.1.4 2025-06-16 HBCC Assembly of Councillors Governance Rules Workshop	2241
11.1.5 2025-06-17 HBCC Assembly of Councillors - Councillor Briefing	243
11.1.6 2025-06-23 HBCC Assembly of Councillors Pre Council Meeting Briefing	245

Attachment Page 1

Engagement snapshot

Williamstown foreshore

How we listened

The Williamstown Foreshore engagement ran from October - December 2023 and took place both online and in-person. Opportunities to view the designs and provide feedback included:

- · An online survey on Participate Hobsons Bay
- · Two community drop-in sessions at Williamstown Swimming and Life Saving Club and Williamstown Farmers Market
- · Intercept surveys alongside the drop-in sessions
- · Email feedback received by the project team.



339

online survey responses



94

hard copy survey responses



2

drop-in sessions

Who we heard from



73.4%

Williamstown residents



We also heard from: members of Williamstown Surf Life Saving Club (6.2%), members of other local groups and organisations (5.5%), visitors to the area (3.9%), local business owners (1.2%), students in the area (0.5%), and other connections (3.0%).

*Hard-copy survey respondents were able to choose more than one option.

What you love and value

We asked what you love or value about the Williamstown foreshore. These are some of the top words and themes that emerged from your responses:



Satisfaction with draft concept plans

We asked you how satisfied you were with the draft concept plans for each reserve. Feedback for the reserves was quite similar, with the majority of ratings falling under the "satisfied" or "very satisfied".

On average across all reserves:

- 56% of respondents rated the concept plans positively (blue);
- 27% rated the plans negatively (yellow), and;
- 17% were neither satisfied or unsatisfied (grey).



97% of survey respondents answered this question

Feedback and suggestions

We asked for your feedback on the concept plans for Williamstown Foreshore. This is what we heard

Gloucester Reserve

29.8% of online survey respondents provided feedback for Gloucester Reserve.











Williamstown Beach and Sadler Reserve

18.9% of online survey respondents provided feedback for Bathing Pavilion and Rotunda Precinct











Bathing Pavilion and Rotunda Precinct

49.9% of online survey respondents provided feedback for Williamstown Beach and Sadler Reserve











Hatt Reserve

26.3% of online survey respondents provided feedback for Hatt Reserve











Cyril Curtain Reserve

29.2% of online survey respondents provided feedback for Cyril Curtain Reserve











Overall concept plan

81.9% of hard copy survey respondents provided feedback on the overall concept plan











Shade preferences

We asked you what type of shade you would prefer to see along foreshore areas. The majority of respondents wanted to see more trees and multiple shade options.









More trees Multiple shade options No shade options One large option
93.5% of survey respondents answered this question. Respondents were able to choose more than one response.

Improving accessibility

You gave us suggestions on how we can improve the accessibility along the Williamstown foreshore.

Waterproof wheel chair system that enables people to be taken into the water.

Tables and chairs correctly installed so as to make 'driving' onto the concrete pad feasible.

Ramp spaces distributed along the foreshore to paths.

Accessible paths and facilities.

Protected shaded areas for people with reduced mobility.

Make sure playgrounds are accessible for all.

Greater separation of walkers and bike riders.

Other feedback and ideas

"More plantings of indigenous trees and shrubs, areas where wildlife can exist away from human contact"



"Add water play park, ocean pool, lagoon pool something that increases the interest and value of the foreshore." "To try and keep a sense of the natural world about it, and not make it too manicured and developed -- try to preserve a sense of "real place"" "A exercise or fitness station somewhere in the precinct would be great to support a healthy lifestyle"

"Better weed control of grassed areas and extension of watering would greatly improve the foreshore area." "Extra cleaning and emptying of bins from Christmas Day to end January. The toilets are horrific, and bins overflow very quickly during hot days." "Signage showing natural and indigenous history of the area"

"Easily accessible outdoor showers and/or taps to clean feet."





Hobsons Bay Governance Rules

2025 Version 1.0

DRAFT

Acknowledgement of Country

We acknowledge the Bunurong People of the Kulin Nation as the Traditional Owners of the lands, rivers and coastal areas in Hobsons Bay. We recognise the First Peoples' relationship to this land and offer our respect to their Elders past and present.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy Document Owner: Manager Corporate Integrity

1. Nature of Rules

These are the Governance Rules of Hobsons Bay City Council, made in accordance with section 60 of the *Local Government Act 2020*.

2. Date of Commencement

These Governance Rules commence on [insert date]

3. Definitions

"Act" unless otherwise specified means the Local Government Act 2020

"Additional meeting" is a meeting called to conduct necessary business which is not in the annual fixed schedule of meetings

"Agenda" means the notice of a meeting setting out the business to be transacted at the meeting

"Attendance" includes physical attendance and remote attendance

"Chair" means the Chairperson of a meeting being the Mayor, Deputy Mayor, appointed chair or temporary chair as appropriate

"Chief Executive Officer" includes an Acting Chief Executive Officer

"Delegated Committee" means a Delegated Committee established under section 63 of the Act

"Quorum" is more than half the number of Councillors

"Written" includes hard copy and electronic formats

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy Document Owner: Manager Corporate Integrity

Attachment 8.2.1.1 Page 9

Contents

PART	A – Meetin	ng Procedure	S				
1.	Counci	il decision making	9				
	1.1. 1.2. 1.3. 1.4. 1.5.	Fair decision making Decisions affecting the rights of a person Informal meetings of Councillors Confidential information	9 9				
2.	Notices	Notices of meetings and delivery of agendas					
	2.1. 2.2. 2.3.	2.2. Council may alter meeting dates					
		2.3.2. Business at an additional meeting	10				
		Notifying Councillors of an additional meeting Notifying the public of meetings	11				
3.	Oueru	m					
э.	3.1.	Inability to obtain a quorum					
	5.1.	3.1.1. Process if quorum cannot be obtained or maintained					
	3.2. 3.3. 3.4.	3.1.2. Loss of quorum due to conflicts of interest	11 11				
4.	Busine	Business of meetings					
	4.1. 4.2. 4.3. 4.4.	Agenda and the order of business Change to order of business Urgent business Councillors may propose notices of motion	12 13				
		4.4.1. Submitting a notice of motion	13				
	-	4.4.2. Limits on notices of motion	13				
		4.4.3. Grounds for rejection of notices of motion	13				
		4.4.4. Listing notices of motion in the agenda	14				
		4.4.5. Procedure when a Councillor cannot or does not move their motion	14				
5.	Motion	ns and debate	14				
	5.1. 5.2. 5.3. 5.4. 5.5. 5.6. 5.7. 5.8. 5.9.	Chair's duty Introducing a report Introducing a motion or an amendment Right of reply Moving an amendment How many amendments may be proposed An amendment once carried Foreshadowing motions Chair may seek additional motions on specific items which require a decision					
	5.10.	·					

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

	5.11.	Separation of motions	16					
	5.12.	Priority of address						
	5.13.	Motions in writing						
	5.14. 5.15.	Debate must be relevant to the motion						
	5.15. 5.16.	Form of address						
	5.17.	Right to ask questions of clarification						
6.	Proced	lural motions	17					
	6.1.	Procedural motions	17					
7.	Resciss	Rescission motions						
	7.1.	Notice of rescission						
		7.1.1. When a notice of recession may be proposed	19					
		7.1.2. When a resolution has been acted on	19					
		7.1.3. Halt on implementation of resolutions subject to a notice of recission						
		7.1.4. Content of a notice of recission						
	7.0	7.1.5. Limits on moving similar motions if the motion of recission is lost	19					
	7.2.	May be moved by any Councillor	19					
8.	Points	Points of order						
	8.1.	Chair to decide						
		8.2. The chair may adjourn to consider						
	8.3. 8.4.	Dissent From Chair's ruling Procedure for point of order						
	8.5.	Valid points of order						
9.	Delega	ted Committees						
	9.1.	Application of provisions	21					
10.	Public (Question Time	21					
	10.1.	Question Time						
		10.1.1. Public question time to be included in all scheduled Council meetings	21					
		10.1.2. Duration of public question time						
		10.1.3. Rules for submission of public questions	21					
	-	10.1.4. Reading of public questions at the meeting	21					
		10.1.5. Disallowing of public questions	22					
		10.1.6. Procedure at public question time	22					
		10.1.7. Questions taken on notice	22					
11.	Petition	ns and Joint Letters	22					
	11.1.	Petitions and Joint Letters	22					
12.	Voting		23					
	12.1.	How votes are cast	23					
	12.2.	Recount						
	12.3.	Casting vote						
	12.4.	How a motion is determined						
	12.5.	No discussion once declared	23					

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

13.	Minute	Minutes				
	13.1. 13.2.	Confirmation of minutes				
14.	Form a	nd availability of minutes	24			
	14.1. 14.2.	Contents of the minutes				
15.	Public b	Public behaviour at meetings				
	15.1. 15.2. 15.3. 15.4.	15.2. Chair may remove disruptive attendees				
16.	Suspen	sion of Standing Orders				
	16.1.	Suspension of standing orders				
17.	Physica	al and remote attendance				
	17.1.	Mode of attendance				
		17.1.1. Notification of meeting format				
		17.1.2. Request to attend an in-person meeting remotely				
		17.1.3. Attending a meeting remotely				
18.	Disclos	Disclosure of Conflicts of Interest				
	18.1.	Disclosure of a conflict of interest at a Council meeting or delegated committee meeting				
Part B	– Election	of Mayor	28			
19.	Electio	Election of the Mayor				
	19.1. Method of Voting					
	19.2.	19.2.1. Single nomination				
		19.2.2. Multiple nominations with candidate elected on first vote				
		19.2.3. Multiple nominations with no candidate elected of first vote				
		19.2.4. Defer election at any stage during proceedings				
20.	Flection	n of Deputy Mayor and Chairs of Delegated Committees				
21.		tment of Acting Mayor				
		n Period Policy				
		e				
22.						
23.		What is this policy designed to achieve?				
24.	·	Operation of policy (Election Period)				
25.	Scope					
26.	Accoun	Accountability				
	26.1. 26.2. 26.3.	Role of Councillors	31			

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

27.	Decisio	Decisions during the Election Period					
	27.1. 27.2. 27.3.	27.2. Other types of decisions that will be avoided (inappropriate decisions)					
20		- · · · · · · · · · · · · · · · · · · ·					
28.		gs					
	28.1.	Council and Delegated Committee meetings					
		28.1.1. Audio and video recordings of Council and Committee meetings	33				
		28.1.2. Election Period statement in reports					
		28.1.3. Notices of motion by Councillors	33				
		28.1.4. Public question time	33				
		28.1.5. Reports by Councillor Delegates	34				
		28.1.6. Correspondence					
		28.1.7. Tabling petitions and joint letters					
	28.2.	Council Advisory, Reference Committees and Working Groups	34				
	28.3.	Councillor representation on external committees					
	28.4.	Councillor Briefing Sessions					
29.	Council	Council publications during the Election Period					
	29.1.	Prohibition on publishing materials during the Election Period					
	29.2. Process for review and approval of Council publications						
	29.4. Publication of Council and Committee agenda papers and minutes						
	29.5.	Council Annual Report					
	29.6.	Council Websites					
	29.7.	General Council publications					
	29.8.	Social Media					
30.	Public o	consultation and engagement					
	30.1.	Postponing consultation and engagement	38				
31.	Media	and media services	38				
	31.1.	Media advice	38				
	31.2.	Media releases/spokespersons	38				
	31.3.	Publicity campaigns					
	31.4.	Councillors					
	31.5.	Council employees					
32.	Attenda	ance at functions and events during the Election Period					
	32.1.	Public events staged by external bodies					
	32.2.	Council events and functions					
	32.3. 32.4.	Speeches and keynote addresses					
33.	Council	l resources					
<i>33</i> .							
	33.1. 33.2.	Councillor Requests Councillor Correspondence					
	33.2. 33.3.	Title of Councillor					
	33.4.	Use of Council facilities					
	33.5.	Cessation of the Meet Your Council Program	41				
	33.6.	Use of Council equipment and services by Councillors					
	33.7.	Reimbursement of expenses incurred by Councillors					
	33.8.	Council branding and stationery	41				

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

	33.9.	Support to the Mayor, Deputy Mayor and Councillors		41
	33.10.	Councillor photographs		41
	33.11.	Council data		42
34.	Electoral signage on council-controlled land and property			42
35.	Equity in assistance to candidates			
	35.1.	Information Request Register		42
	35.2.	Information for candidates		42
	35.3.	Staff as candidates		43
	35.4.	Member of Council Delegated or Advisory Committees		
	35.5.	Election process enquiries		43
36.	Suspension of matters during Election Period			43
37.	87. Breaches			
	37.1.	Misuse of position		44
	37.2.	Prohibition on Councillor or member of Council staff		44
	37.3.	Breach of this Policy		44
38.	By-elec	ctions		45
39.	Administrative updates			
40.	Monitoring, Evaluation and Review			45
41.	Related legislation and documentation			45
42.	Definitions			

Document Owner: Manager Corporate Integrity

PART A – Meeting Procedure

1. Council decision making

1.1. Fair decision making

In any matter on which a decision must be made by Council, Council must consider the matter and make the decision:

- fairly, in a manner which is balanced, ethical and impartial; and
- on its merits, having considered professional advice where provided, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations.

1.2. Decisions affecting the rights of a person

Council must, when making any decision to which the principles of natural justice apply, ensure that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered.

Before making a decision that will directly affect the rights of a person, Council must identify persons whose rights will be directly affected, give notice of the decision which Council must make and ensure that such persons have an opportunity to communicate their views and have their interests considered before the decision is made.

If a report to be considered at a Council meeting or Delegated Committee meeting concerns subject matter that will directly affect the rights of persons, the report must record whether the persons have been provided with an opportunity to communicate their views and have their interests considered.

1.3. Informal meetings of Councillors

If there is a meeting of Councillors that:

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors; and
- is attended by at least one member of Council staff

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

- tabled at the next convenient Council meeting; and
- recorded in the minutes of that Council meeting.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

1.4. Confidential information

If the Chief Executive Officer is of the opinion that information relating to a meeting is confidential information within the meaning of the Act, they must advise Councillors and/or members of Council staff accordingly. Councillors should be aware that information may fall within the definition of confidential information and that they may not always be notified and therefore should seek advice from the CEO if they are uncertain as to the status of particular information.

Information which has been advised constitutes confidential information within the meaning of the Act will be presumed to be confidential information and treated as such until Council resolves otherwise.

1.5. Common seal

The common seal is only to be used with the authority of Council by resolution.

Every document to which the common seal is affixed must be signed by the Mayor and the CEO.

2. Notices of meetings and delivery of agendas

2.1. Dates and times of meetings fixed by Council

Council must from time to time fix the date, time and place of all Council meetings.

2.2. Council may alter meeting dates

Council may change the date, time and place of any Council meeting and must provide reasonable notice of the change to the public.

2.3. Scheduling additional Council meetings

2.3.1. Calling an additional meeting

The Mayor or at least three Councillors may by a written notice call an additional Council meeting.

The notice must specify the date, time and format or location of the Council meeting and the business to be transacted.

The Chief Executive Officer must convene the Council meeting as specified in the notice.

2.3.2. Business at an additional meeting

Unless all Councillors are in attendance and unanimously agree to deal with any other matter, only the business specified in the written notice can be transacted at the Council meeting.

Public question time is not mandatory for additional meetings.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy

Document Owner: Manager Corporate Integrity

2.3.3. Notifying Councillors of an additional meeting

A notice of meeting, accompanied by an agenda must be sent to every Councillor for all Council meetings at least 48 hours before the meeting.

Such a notice need not be sent to any Councillor who has been granted leave of absence unless the Councillor has requested the Chief Executive Officer in writing to continue to provide notice of any meetings during the period of their absence.

2.3.4. Notifying the public of meetings

Reasonable notice of each Council meeting must be provided to the public. Council may do this:

- for scheduled meetings by preparing a schedule of meetings at least annually and arranging publication of such schedule in a newspaper generally circulating in the municipal district and on its website and
- for any additional meetings by giving notice on its website and in each of its Customer Service Centres.

3. Quorum

3.1. Inability to obtain a quorum

3.1.1. Process if quorum cannot be obtained or maintained

If after 30 minutes from the scheduled starting time of any Council meeting, a quorum cannot be obtained or if during a meeting a quorum cannot be maintained:

- the meeting will be deemed to have lapsed
- the Mayor must convene another Council meeting, the agenda for which will be identical to the agenda for the lapsed meeting and
- the Chief Executive Officer must give all Councillors written notice of the meeting convened by the Mayor.

3.1.2. Loss of quorum due to conflicts of interest

If the inability to maintain a quorum is due to the number of Councillors who have a conflict in the matter, section 67 of the Act applies.

3.2. Adjourned meetings

If circumstances require, Council may adjourn any meeting to another date, time or venue.

The Chief Executive Officer must give written notice to each Councillor of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

3.3. Time limits for meetings

A Council meeting may only continue beyond three hours if Council resolves to support the continuance.

A meeting cannot be tended for more than 30 minutes.

If the meeting is not extended the meeting must stand adjourned to a time, date and place announced by the Chair prior to closure of the meeting or by notice.

3.4. Cancellation or postponement of a meeting

The Chief Executive Officer may, in the case of an emergency necessitating the cancellation or postponement of a Council meeting, cancel or postpone a Council meeting. The Chief Executive Officer must present to the next Council meeting a report on any exercise of this power and this must be recorded in the minutes.

4. Business of meetings

4.1. Agenda and the order of business

The agenda for a Council meeting is to be determined by the Chief Executive Officer in consultation with the Mayor so as to facilitate and maintain open, efficient and effective processes of government.

The order of business of a meeting is as follows:

- Welcome
- Acknowledgement of traditional owners
- Apologies and leave of absence
- Disclosure of conflicts of interest
- Confirmation of minutes
- Public question time
- Petitions/joint letters
- Officer Reports statutory planning
- Officer Reports matters for decision
- Officer Reports matters for noting
- Committee Reports
- Delegates Reports
- Reports of informal meetings of Councillors
- Notices of motion
- Urgent business
- Confidential items

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

4.2. Change to order of business

Once an agenda has been sent to Councillors, the order of business for that Council meeting may be altered by the Chai having regard to the business to be transacted and the gallery.

4.3. Urgent business

If the agenda for a Council meeting makes provision for consideration of urgent business, an item of urgent business may be admitted to the agenda if it:

- relates to or arises out of a matter which has arisen since distribution of the agenda; and
- cannot safely or conveniently be deferred until the next Council meeting.

A Council resolution is required to admit items of urgent business to the agenda before a substantive motion on the business is invited by the Chair.

4.4. Councillors may propose notices of motion

Councillors may ensure that an issue is listed on an agenda by lodging a notice of motion. Councillors intending to lodge a notice of motion must raise the motion at a Councillor briefing in advance of the intended lodgement date.

4.4.1. Submitting a notice of motion

A notice of motion must be in writing and supported in writing by at least one other Councillor and must be sent to the Chief Executive Officer nine business days prior to the distribution of the Council meeting agenda.

4.4.2. Limits on notices of motion

A notice of motion must call for a Council report if it proposes any action which would:

- commit Council to unbudgeted expenditure above \$20,000
- materially impact Council service levels, the delivery of strategic priorities in the annual action plan and delivery of initiatives in the draft budget
- commit Council to a contractual arrangement
- potentially prejudice Council in any litigation in which Council is a party or which concerns any litigation or compliance matter.

4.4.3. Grounds for rejection of notices of motion

The Chief Executive Officer must reject any notice of motion which:

- breaches the provisions of 4.4.2
- would be disallowed under the chair's duties at 5.1
- relates to a matter which is within the responsibility of the Chief Executive Officer

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy

Document Owner: Manager Corporate Integrity

- is substantially similar to a notice of motion which has been introduced and lost within the last six months
- has not been raised by the sponsoring Councillor at a Councillor briefing but must:
- notify the sponsoring Councillor the reasons for its rejection and
- give the Councillor who lodged it an opportunity to amend it prior to rejection.

4.4.4. Listing notices of motion in the agenda

The Chief Executive Officer must cause all notices of motion to be numbered, dated and entered in the agenda in the order in which they were received.

4.4.5. Procedure when a Councillor cannot or does not move their motion

If a Councillor who has given a notice of motion is absent from the meeting or fails to move the motion when called upon by the Chair, any other Councillor may move the motion.

If a notice of motion is not moved at the Council meeting at which it is listed, it lapses.

5. Motions and debate

5.1. Chair's duty

Any motion which is determined by the Chair to be:

- potentially defamatory
- objectionable in language or nature
- is likely to materially increase risk to councillors, staff or members of the community
- vague or unclear in intention
- outside the powers of Council or
- irrelevant to the item of business on the agenda and has not been admitted as urgent must not be accepted by the Chair.

5.2. Introducing a report

Before an item is considered by, a member of Council staff may be invited by the Chair to briefly introduce the officer's report providing background, context and the rationale behind the administration's recommendations.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

Owner: Manager Corporate Integrity Page 14

5.3. Introducing a motion or an amendment

The procedure for moving any motion or amendment is:

- The mover must state the motion without speaking to it
- The Chair invites another councillor to second the motion. If a motion is not seconded, the motion lapses
- If a motion or an amendment is seconded, the Chair must ask the mover and then the seconder to speak to it in turn
- Once the mover and seconder have been offered an opportunity to speak the Chair must open up the debate to all Councillors

5.4. Right of reply

The mover of a motion, including an amendment, has a right of reply to arguments put forward against the motion in the course of debate.

The mover of a motion which has been amended does not have a right of reply.

After the right of reply has been offered, the motion must be put to the vote.

5.5. Moving an amendment

Once the mover and seconder have been offered an opportunity to speak to a motion, any other Councillor may propose to amend the motion by removing or adding words.

An amendment must be relevant to the subject of the motion and not be directly contrary to the intent of the motion.

5.6. How many amendments may be proposed

A Councillor cannot move more than two amendments in succession.

Any number of amendments may be proposed to a motion but only one amendment may be accepted by the Chair at any one time.

5.7. An amendment once carried

If the amendment is carried, the motion as amended then becomes the motion before the meeting and may be further debated if not all Councillors have exercised their right to vote before being put to the vote.

The right of reply is lost when a motion is amended.

5.8. Foreshadowing motions

At any time during debate a Councillor may foreshadow a motion which informs Council of their intention to move a motion in the event that the motion before the meeting is lost.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

Attachment 8.2.1.1 Page 21

5.9. Chair may seek additional motions on specific items which require a decision

In the event that a motion fails on an item on which Council must make a decision, the Chair may ask for an additional motion even if one is not foreshadowed.

Matters on which Council must make decision would include but not be limited to statutory planning and compliance, legal or contractual obligations. In other instances, if a motion fails and no other motion is foreshadowed, the Chair must move on to the next item on the agenda.

5.10. Withdrawal of motions

Before any motion is put to the vote, it may be withdrawn by the mover and seconder with the consent of the Chair.

5.11. Separation of motions

Where a motion contains more than one part, a Councillor may request the Chair to put the motion to the vote in separate parts.

The Chair may decide to put any single motion to the vote in several parts.

5.12. Priority of address

The Chair must decide the order in which the Councillors will be heard based on a show of hands.

5.13. Motions in writing

The Chair may require that a complex or detailed motion be in writing.

The Chair may briefly adjourn the meeting while the motion is being written.

5.14. Debate must be relevant to the motion

Debate must always be relevant to the motion before the Chair, and, if not, the Chair must request the speaker to confine debate to the motion.

5.15. Speaking times

A Councillor must not speak longer than the time set out below, unless granted a short (maximum 2 minute) extension by the Chair:

- the mover of a motion or an amendment: 3 minutes
- any other Councillor: 2 minutes
- a Councillor exercising a right of reply: 2 minutes.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

5.16. Form of address

Any person addressing the Chair must use the form "Mayor [Surname]", "Deputy Mayor [Surname]" or "Chair" as appropriate.

All Councillors, other than the Mayor, must be addressed as "Cr [Surname]" or "Councillor".

All members of Council staff must be addressed by their official title "CEO", "Director" or "Manager" or "Officer" as appropriate or their salutation and surname.

5.17. Right to ask questions of clarification

A Councillor may, when no other Councillor is speaking, ask a question through the Chair regarding a motion or amendment before the meeting.

This right is not to be used to further debate, re-prosecute matters already resolved by the meeting or extend speaking times.

The Chair has the right to limit questions and direct that debate be commenced or resumed.

6. Procedural motions

6.1. Procedural motions

Unless otherwise prohibited, a procedural motion may be moved at any time and must be prioritised by the Chair.

Procedural motions will lapse if not seconded.

The Chair has discretion to disallow a procedural motion to close debate.

Allowable procedural motions and their respective provisions are included in the following table.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

Page 17

PROCEDURAL MOTIONS TABLE

Procedural Motion	Form	Mover and Seconder	When Motion Prohibited	Effect if carried	Effect if Lost	Debate Permitted on Motion
Adjournment of debate to later hour and/or date	That this matter be adjourned to *am/pm and/or *date	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of a Chair (b) When another Councillor is speaking	Motion and any amendment postponed to the stated time and/or date	Debate continues unaffected	Yes
Adjournment of debate indefinitely	That this matter be adjourned indefinitely	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	 (a) During the election of a Chair (b) When another Councillor is speaking or (c) When the motion would cause Council to be in breach of a legislative, contractual or other legal obligation 	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes
Closure of debate	That the motion be now put to the vote	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During nominations for Chair(b) As determined by the Chair	Motion or amendment in respect of which the closure is carried is put to the vote immediately without further debate	Debate continues unaffected	No

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

7. Rescission motions

7.1. Notice of rescission

7.1.1. When a notice of recession may be proposed

A Councillor may propose a notice of rescission to reverse a Council decision provided:

- it has been signed and dated by at least two other Councillors or confirmed by
- the resolution proposed to be rescinded has not been acted on
- the effect of rescinding the resolution will not place the Council at significant legal, financial or other risk, including non-compliance with statutory obligations and
- the notice of rescission is delivered to the Chief Executive Officer within 24 hours of the resolution having been made setting out the resolution to be rescinded and the date of the meeting.

7.1.2. When a resolution has been acted on

A resolution will be deemed to have been acted on if:

- its contents have or substance has been communicated in writing to a person whose interests are materially affected by it or
- a statutory process has been commenced so as to vest enforceable rights in or obligations on Council or any other person.

7.1.3. Halt on implementation of resolutions subject to a notice of recission

The Chief Executive Officer and relevant staff must defer implementing a resolution which has not been acted on and is the subject of a notice of rescission which has been delivered to the Chief Executive Officer in accordance with these rules.

7.1.4. Content of a notice of recission

Notices of rescission may include a further substantive motion which may be moved if the rescission is carried.

7.1.5. Limits on moving similar motions if the motion of recission is lost

If a motion for rescission is lost, a similar motion may not be put before Council for at least three months from the date it was last lost unless by resolution of Council.

7.2. May be moved by any Councillor

A motion for rescission listed on an agenda may be moved by any Councillor in attendance but may not be amended.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

8. Points of order

8.1. Chair to decide

The Chair must decide all points of order by stating the rule, practice or precedent which they consider applicable to the point raised. The Chair must make a ruling and then instruct the Councillors accordingly.

8.2. The chair may adjourn to consider

The Chair may adjourn the meeting briefly to consider a point of order.

All other business before the meeting is suspended until the point of order is decided.

8.3. Dissent From Chair's ruling

A Councillor may move that the meeting disagree with the Chair's ruling on a point of order, by moving "That the Chair's ruling be dissented from".

If such a motion is moved and seconded, the Chair must leave the Chair and the Deputy Mayor or temporary Chair must take their place for the management of the motion.

The Deputy Mayor or temporary Chair must invite the mover to briefly state the reasons for their dissent and the Chair may then reply.

The Deputy Mayor or temporary Chair must put the motion in the following form "That the Chair's ruling be dissented from."

If the vote is in the negative, the Chair resumes the Chair and the meeting proceeds

If the vote is in the affirmative, the Chair must then resume the Chair, reverse or vary their previous ruling and instruction and proceed with the meeting.

8.4. Procedure for point of order

A Councillor raising a point of order must:

- state the point of order and
- state the rule relevant to the point of order.

8.5. Valid points of order

A point of order may be raised in relation to:

- a motion which should not be accepted by the Chair
- a question of procedure
- any act of disorder or behaviour contrary to mandated standards

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

9. Delegated Committees

9.1. Application of provisions

If Council establishes a delegated committee to make decisions on its behalf the provisions of these rules generally apply with the exception of the provisions mandating public question time allocation in the agenda, the mandated items of business and their order.

10. Public Question Time

10.1. Question Time

10.1.1. Public question time to be included in all scheduled Council meetings

There must be a public question time at every scheduled Council meeting to enable members of the public to submit questions to Council, with the exception of the election of the Mayor and Deputy Mayor and meetings closed to the public to deal with confidential business.

10.1.2. Duration of public question time

Public question time will be planned for 30 minutes in duration. Question time may be extended at the discretion of the Chair having regard to the number of questions and the business on Council's agenda.

10.1.3. Rules for submission of public questions

Questions submitted to Council must be in writing, stating the name and address of the person submitting the question and sent via Council's website, email or customer service centres prior to 12 noon the day prior to the Council meeting.

No person may submit more than two questions at any one meeting.

10.1.4. Reading of public questions at the meeting

Individuals may nominate to read their pre-submitted question of Council in person in attendance at the meeting.

If an individual who has submitted a question does not wish to address the Council directly, the Chair or a member of Council staff nominated by the Chair may read the question to the meeting.

The Chair may refrain from reading a question or having a question read if the person who submitted the question is not in attendance at the time when the question is due to be read.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

10.1.5. Disallowing of public questions

A question may be disallowed by the Chair if the Chair determines that it:

- relates to a matter outside the duties, functions and powers of Council
- is defamatory, indecent, abusive, offensive, irrelevant, or objectionable in language or substance
- deals with a subject matter previously addressed
- is intended to embarrass a Councillor or a member of Council staff
- relates to personnel, industrial, legal, contractual or confidential matters
- relates to the personal hardship of any resident or ratepayer
- relates to matters affecting the security of Council property or personnel
- relates to any other matter which Council considers would prejudice Council or any person.

Any question which has been disallowed by the Chair must be made available to any other Councillor on request.

10.1.6. Procedure at public question time

All questions and answers must be as brief as possible.

Like questions may be grouped together by the Chair and a single answer provided.

The Chair may nominate a Councillor or the Chief Executive Officer to respond to a question and the Chief Executive Officer may refer questions to senior officers.

10.1.7. Questions taken on notice

A Councillor or the Chief Executive Officer may require a question to be put on notice. If a question is put on notice, a written copy of the answer will be sent to the person who asked the question and included in the minutes of the next meeting.

11. Petitions and Joint Letters

11.1. Petitions and Joint Letters

Petitions and joint letters will be accompanied by a motion to receive the petition or joint letter

A petition or joint letter may be disallowed if it does not meet the requirements in these rules.

Every petition or joint letter presented to Council must be in writing, contain the names and addresses of at least 15 petitioners and be signed by all petitioners or signatories.

Each page on which signatures appear must include the full text of the petition or statement or request of the joint letter.

Electronic or online petitions, joint letters, memorials or like applications must contain the name and address of each signatory will qualify as the address and signature of such signatory.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy

Document Owner: Manager Corporate Integrity

If a petition, joint letter, memorial or other like application relates to an operational matter, Council must refer it to the Chief Executive Officer for consideration.

12. Voting

12.1. How votes are cast

Voting on any matter is by a show of hands or such other visible or audible means as the Chair determines.

12.2. Recount

The Chair may direct that a vote be recast to satisfy themself of the result.

12.3. Casting vote

In the event of a tied vote, the Chair must exercise a casting vote.

The Chair may adjourn a meeting to consider how their casting vote will be cast.

12.4. How a motion is determined

A motion is determined by a majority of votes of the Councillors attending the meeting.

The votes cast by all Councillors for or against the motion will be recorded in the minutes.

12.5. No discussion once declared

Once a vote on a question has been taken, no further discussion relating to the question is allowed other than a Councillor requesting the Chair note they are foreshadowing a notice of rescission where a resolution has just been made, or a positive motion where a resolution has just been rescinded.

13. Minutes

13.1. Confirmation of minutes

A copy of the minutes must be delivered to each Councillor no later than 48 hours before the meeting at which they are proposed to be adopted.

Minutes of meetings that contain confidential information may be adopted in an open meeting by providing the minutes in a confidential attachment. Alternatively, minutes of confidential meetings may be adopted in a meeting which is closed to the public.

At every Council meeting the minutes of the preceding meeting(s) must be dealt with as follows:

- the Chair will ask if the minutes are to be adopted
- if no Councillor indicates opposition, the minutes must be declared to be confirmed

The minutes must, if practicable, be signed by the Chair of the meeting at which they have been confirmed.

Page 23

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

13.2. If minutes opposed

If a Councillor indicates opposition to the minutes, they must specify the item to which they object and they must propose a motion to add or remove words from the minutes.

The Chair must then seek a seconder for the motion and if seconded, must oversee the debate on the amendment.

The Chair must then put to the meeting that the minutes be confirmed or that the minutes, as amended, be confirmed and put this to the vote.

14. Form and availability of minutes

14.1. Contents of the minutes

The Chief Executive Officer must ensure that minutes are kept of each Council meeting and that those minutes record:

- the date, place and start and finish time of the meeting
- the names of the Councillors in attendance and the names of any Councillors who apologised in advance for their non-attendance or were absent
- the names of the members of Council staff in attendance
- any disclosure of a conflict of interest made by a Councillor, including the explanation given by the Councillor and the nature of the conflict
- arrivals and departures (including temporary departures) of Councillors during the course of the meeting
- each motion and amendment moved (including motions and amendments that lapse)
- the vote cast by each Councillor on all items and any abstention from voting
- the record of public questions submitted, and answers given by the Council or administration
- questions taken on notice
- the failure of a quorum
- any adjournment of the meeting and the reasons for that adjournment and
- the time at which standing orders were suspended and resumed.

14.2. Availability of meeting minutes

The Chief Executive Officer must ensure that the minutes of any Council meeting are published on Council's website and available for inspection at Council's office during normal business hours.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

Page 24

15. Public behaviour at meetings

15.1. Public addressing the meeting

Any member of the public addressing Council must extend due courtesy and respect to Council and the processes under which it operates and must take direction from the Chair whenever called on to do so.

A member of the public in attendance at a Council meeting must not disrupt the meeting.

15.2. Chair may remove disruptive attendees

The Chair may order the safe removal of any person, other than a Councillor, who disrupts any meeting and fails to comply with a direction given by the Chair to not cause disruption.

The Chair may ask the Chief Executive Officer or Victoria Police to facilitate the removal of a person who continues to disrupt the meeting and contravene the direction given by the Chair.

15.3. Chair may adjourn disorderly meeting

If the Chair is of the opinion that disorder at the Council table or in the gallery makes it desirable to adjourn the Council meeting, the Chair may adjourn the meeting to a later time on the same day or to some later date to be advised.

15.4. The Chair's duties and discretions

In addition to the duties and discretions provided in this Chapter, the Chair:

- must not accept any question or statement which is offensive, derogatory, or defamatory of any Councillor, member of Council staff, or member of the community; and
- must call to order any person who is disruptive or unruly during any meeting.

16. Suspension of Standing Orders

16.1. Suspension of standing orders

Council may suspend standing orders for a specific narrow purpose including a short discussion or making a short statement without the constraints and formality of the rules.

No motion can be accepted by the Chair during any suspension of standing orders.

Once the discussion has taken place and before any motions can be put, the Chair must advise Councillors of the resumption of standing orders.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy

Document Owner: Manager Corporate Integrity

ent Owner: Manager Corporate Integrity
Page 25

17. Physical and remote attendance

17.1. Mode of attendance

17.1.1. Notification of meeting format

Each notice of meeting must indicate whether the relevant Council meeting is to be conducted wholly in person, wholly remotely or via hybrid means.

17.1.2. Request to attend an in-person meeting remotely

If a Council meeting is to be conducted wholly in person a Councillor may nonetheless request to attend by remote means.

Any request to attend by remote means must:

- be in writing
- be given to the Chief Executive Officer no later than 24 hours prior to the commencement of the relevant Council meeting; and
- specify the reasons why the Councillor is unable or does not wish to attend the Council meeting in person.

The Chief Executive Officer must ensure that any request to attend remotely is made known at the commencement of the relevant Council meeting.

Council must not unreasonably refuse any request for a Councillor to attend remotely.

17.1.3. Attending a meeting remotely

A Councillor who is attending a meeting by electronic means must be able to:

- see and hear all Councillors and
- be seen and be heard by all Councillors.

If these conditions cannot be met by one or more Councillors attending a Council meeting, whether because of technical difficulties or otherwise, the Council meeting will proceed unless adjourned as long as a quorum is present and the relevant Councillor(s) will be treated as being absent from that part of the Council meeting.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

nt Owner: Manager Corporate Integrity Page 26

18. Disclosure of Conflicts of Interest

18.1. Disclosure of a conflict of interest at a Council meeting or delegated committee meeting

A Councillor who has a conflict of interest in a matter being considered at a Council meeting must:

- disclose the conflict of interest indicating whether it is general or material by providing written notice to the Chief Executive Officer before the Council meeting or
- disclose the nature of the conflict of interest to those in attendance at the Council
 meeting immediately before the matter is considered and indicating whether it is a
 general conflict of interest or a material conflict of interest

In addition, the above, in advising of a conflict Councillors must detail, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:

- nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person and
- nature of that other person's interest in the matter.

The Councillor must leave the Council meeting for any items on which they have declared a conflict and not return until after the matter has been concluded.

The Chief Executive Officer must retain all written notices received under this Chapter for a period of three years.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft) Document Type: Council-endorsed policy

Document Owner: Manager Corporate Integrity

Part B – Election of Mayor

19. Election of the Mayor

The Chief Executive Officer must facilitate the election of the Mayor in accordance with the provisions of the Act and these rules.

19.1. Method of Voting

The election of the Mayor must be carried out by a show of hands or such other visual or audible means as determined by the Chief Executive Officer.

19.2. Determining the election of the Mayor

The Chief Executive Officer must open the meeting at which the Mayor is to be elected, and invite nominations for the office of Mayor.

Nominations for the office of Mayor must be seconded by another Councillor before candidacy is confirmed.

Once nominations for the office of Mayor have been received, the following provisions will govern the election of the Mayor.

The Chief Executive Officer will check that nominees accept their nomination and are willing to stand as a candidates for election.

The Chief Executive Officer will then provide three minutes to each candidate to address the meeting.

No debate is allowed during the election.

19.2.1. Single nomination

If there is only one nomination, the candidate nominated must be declared to be duly elected.

19.2.2. Multiple nominations with candidate elected on first vote

If there is more than one nomination, the Councillors in attendance at the meeting must vote for one of the candidates.

In the event of a candidate receiving the votes of an absolute majority of Councillors, that candidate is declared to have been elected.

19.2.3. Multiple nominations with no candidate obtaining an absolute majority on first vote

In the event that:

- there are multiple candidates and
- no candidate receives the votes of an absolute majority of Councillors
 the candidate with the fewest number of votes (in the event the votes are not
 tied) must be declared to be a defeated candidate.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

If there are two remaining candidates once one has been defeated, the vote must be conducted again until one candidate achieves an absolute majority.

If one of the remaining candidates receives the votes of an absolute majority of Councillors, that candidate is declared elected.

If none of the remaining candidates receives the votes of an absolute majority of votes the Chief Executive Officer will ask for a motion to conduct a new election at a later day and time. If a new election is not resolved the Chief Executive Officer will repeat the vote again for the remaining candidates.

In the event of two candidates being nominated or remaining, and neither candidate receiving the votes of an absolute majority of Councillors, the Councillors in attendance at the meeting will consider whether to resolve to conduct a new election at a later date and time.

If it is not resolved to conduct a new election at a later date and time, Councillors must continue to vote until one of the candidates receives the votes of an absolute majority of Councillors, at which point that candidate will be declared elected.

19.2.4. Defer election at any stage during proceedings

At any stage if a successful election is not achieved, Council may resolve to conduct a new election at a later date and time.

20. Election of Deputy Mayor and Chairs of Delegated Committees

Any election for the Office of Deputy Mayor or Chair of a Delegated Committee will be regulated by these same provisions as if the reference to the Chief Executive Officer is a reference to the Mayor and Mayor is a reference to the Deputy Mayor or the Chair of the Delegated Committee.

21. Appointment of Acting Mayor

If Council has not established an office of Deputy Mayor and it becomes required to appoint an Acting Mayor, it can do so by either:

- resolving that a specified Councillor be so appointed, or
- following the election procedure of this chapter at its discretion.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy Document Owner: Manager Corporate Integrity

PART C – Election Period Policy

22. Purpose

The Election Period Policy (Policy) has been developed in accordance with the Local Government Act 2020 (Act), in order to ensure Hobsons Bay City Council general elections and by-elections are conducted in a manner that is ethical, fair and equitable and are publicly perceived as such.

During an Election Period, local government goes into 'caretaker' mode, avoiding actions and decisions which could be seen to be influencing voters or which will have a significant impact on the incoming Council.

The Act requires councils to have a Policy to explain to their communities how they will conduct their business immediately prior to an election. This is to ensure council elections are not compromised by inappropriate electioneering by existing councillors and to safeguard the authority of the new council.

The policy also provides guidance at an operational level to ensure compliance with legislative requirements, demonstrates the Council's commitment to probity in its elections and ensures transparency and accountability of the Council, Councillors and staff during the Election Period.

23. What is this policy designed to achieve?

This Policy applies during an 'Election Period' (refer below for definition) to cover:

- decisions that are made by Council, a delegated committee or a person acting under delegation by the Council
- any material that is published by the Council or on Council's behalf
- protocols for Council and Committee meetings
- limits on public consultation and scheduling of Council events
- attendance and participation in functions and events
- the use of Council resources
- access to Council information
- media and media services.

24. Operation of policy (Election Period)

This Policy applies during the Election Period, which:

- commences at the time that nominations close on Nomination Day for that election; and
- concludes at 6pm on Election Day.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

25. Scope

This policy applies to all Councillors and Council staff and includes contractors and volunteers carrying out work for or on behalf of the Hobsons Bay City Council.

External candidates for election are expected to comply with the obligations of this policy where applicable.

26. Accountability

26.1. Role of Councillors

During the Election Period, Councillors:

- will continue to fulfil their Councillor Duties (unless they are granted leave of absence);
- will continue to engage, and communicate with, the community in their Councillor role;
- must comply with the Act and the Model Code of Conduct and this Policy; and
- must not use their position to influence Council officers, or access Council resources or information, in support of any election campaign or candidacy.

26.2. Role of the Chief Executive Officer

During the Election Period, the Chief Executive Officer (or their delegate) will:

- inform all Councillors and Council employees of this Policy at least 30 days prior to the commencement of the Election Period;
- support all Councillors and Council employees in the application of this Policy during the Election Period; and
- reschedule matters of Council business requiring decisions prohibited during the Election Period by this Policy or the Act to Council meetings before or after the Election Period, as appropriate.

26.3. Role of staff

An important part of Hobsons Bay City Council integrity is that all staff need to remain impartial at all times.

During the lead up to (not just the Election Period), staff need to maintain impartiality by avoiding making any comment or expressing an opinion, in any context which is public or may become public, in relation to candidates, potential candidates or policy debates in the lead up to an election.

This is particularly the case where employees are identified as a Hobsons Bay City Council staff or representing Hobsons Bay City Council in the public arena. Social media use of this kind also requires extreme caution and judgement and employees are discouraged from engaging with candidate hosted online media platforms.

Staff also need to avoid working on any task that could be seen to relate to the candidates for the election or to any role that current Councillors may play in the election, particularly when representing the Hobsons Bay City Council.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

27. Decisions during the Election Period

Council, a delegated committee of Council or a person acting under delegation given by the Council must not make prohibited decisions during the Election Period for a general election.

27.1. Prohibited decisions

Provisions under section 69 of the Act prohibit Council from making certain decisions during the Election Period for a general election. A prohibited decision is one that:

- (a) Relates to the appointment or remuneration of a Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or
- (b) Commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
- (c) The Council considers could be reasonably deferred until the next Council is in place; or
- (d) The Council considers should not be made during an Election Period; or
- (e) Would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election (this also applies to by-elections).

Any Council decision made in contravention of 6.1(a) and (b) above, is invalid.

Any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is invalid by virtue of section 69(4) of the Act, is entitled to compensation from the Council for that loss or damage.

27.2. Other types of decisions that will be avoided (inappropriate decisions)

Inappropriate decisions are defined in this policy as meaning decisions that:

- would affect voting in an election
- may unreasonably bind an incoming council and could reasonably made after the election.

The following inappropriate decisions will also be avoided during the Election Period:

- allocation of community grants or other direct funding to community organisations
- major planning scheme amendments
- sale or discontinuance of roads etc
- changes to strategic objectives and strategies in the Council Plan.

27.3. Considerations for officers with delegated authority

Most Council decisions are not made at meetings of the Council. Significant decision-making power is formally delegated to staff and the decision of a delegate is 'deemed' to be a decision by Council.

Because a delegate's decision is the same as a Council decision, the same constraints that apply to decisions made in Council and Delegated Committee meetings apply when delegates make decisions. Delegates should therefore give careful consideration to the exercise of their powers during the Election Period.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy

Document Owner: Manager Corporate Integrity

Should a delegate be required to make a decision(s) under delegation in the ordinary course of Council business during the Election Period, the delegate must satisfy themselves beforehand that the decision is not a prohibited decision and should consider the following:

- whether the decision is prohibited, or falls withing the 'other types of decisions to be avoided' category
- the urgency of the issue (that is, can it wait until after the election?)
- the possibility of financial repercussions if it is deferred
- whether the decision is likely to be controversial or influence voters
- within the best interests of Council.

Officers requiring assistance in determining whether a decision is likely to be inappropriate should seek advice from the Manager Corporate Integrity in the first instance.

28. Meetings

28.1. Council and Delegated Committee meetings

Council and Delegated Committee meetings will continue to take place during the Election Period, however the following modifications to standard protocols will be made:

28.1.1. Audio and video recordings of Council and Committee meetings

While notice of meetings, Council and Committee agenda papers, minutes and livestreaming are considered to be part of normal Council business, audio and visual recordings of these meetings are not. As such, audio and visual recordings of meetings which take place during the Election Period will not be made available on Council's website until after the Election Period has concluded.

28.1.2. Election Period statement in reports

All reports to Council and Delegated Committees will be assessed by the Chief Executive Officer, in accordance with the Act and this policy, and if approved, will include an Election Period Policy statement in the form as follows:

'The recommended decision is not a prohibited decision as defined in section 69 of the Local Government Act 2020 or an inappropriate decision within the meaning of the Election Period Policy.'

28.1.3. Notices of motion by Councillors

All Notices of Motion by Councillors will be suspended during the Election Period.

28.1.4. Public question time

Public Question time will be suspended at all Council and Delegated Committee meetings during the Election Period.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy

Document Owner: Manager Corporate Integrity

ent Owner: Manager Corporate Integrity
Page 33

28.1.5. Reports by Councillor Delegates

Reports by Councillor Delegates will be suspended during the Election Period.

28.1.6. Correspondence

Tabling of correspondence will be suspended during the Election Period.

28.1.7. Tabling petitions and joint letters

Tabling of petitions or joint letters will be suspended during the Election Period.

28.2. Council Advisory, Reference Committees and Working Groups

With the exception of the Audit and Risk Committee, the operation of Council Advisory and Reference Committees and Working Groups shall be suspended upon the commencement of the Election Period ahead of a general election.

Such Council Committees and Working Groups shall resume meeting (subject to review), following the election and the appointment by the incoming Council of Councillors to each committee.

28.3. Councillor representation on external committees

Where a Councillor has been appointed to an external committee or board it is expected that they will attend meetings of the committee or board during the Election Period.

A Councillor must not attend an external committee or board meeting, where they are a Councillor representative, in their capacity as a candidate. A Councillor must be mindful of their obligations under this Policy and not conduct any electoral campaigning activities at the meeting.

28.4. Councillor Briefing Sessions

The Chief Executive Officer, following consultation with the Mayor, will determine whether Councillor Briefing sessions will be held during the Election Period.

29. Council publications during the Election Period

During the Election Period (and where appropriate or necessary immediately preceding it) the Chief Executive Officer (or their delegate) will cause all Council communications, including social media, all Council managed websites and printed and/or published material, to be subject to review to ensure consistency and compliance with this Policy and the Act.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

ger Corporate Integrity Page 34

29.1. Prohibition on publishing materials during the Election Period

Council must not publish material containing *electoral matter* that may influence, or be seen to influence, people's voting decisions.

Electoral matter is defined in the Act as 'matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the election manager for the purposes of conducting an election.'

Council will not:

- print, publish or distribute, or
- cause, permit or authorise others to print, publish or distribute on behalf of the Council, any advertisement, handbill, pamphlet or notice that contains 'electoral matter' during the Election Period.

Publication should be read broadly to include electronic information and web-based productions.

A publication is taken to contain *electoral matter* if it contains an express or implicit reference to, or comment on:

- the election; or
- a candidate in the election; or
- an issue submitted to, or otherwise before, the voters in connection with the election.

Some examples include publishing material which:

- sets out the strengths or weaknesses of a candidate
- advocates the policies of the Council or a candidate
- responds to claims made by a candidate
- sets out the achievements of the elected Council or Councillor.

The controls do not cover electoral material produced by, or on behalf of, the Election Manager for the purposes of conducting an election or advertisements/posts which simply announce the holding of a meeting or the election process itself.

29.2. Process for review and approval of Council publications

Relevant Council publications will be approved by the Chief Executive Officer (or their delegate), before they may be printed, published or distributed during the Election Period, whether by Council or anyone acting for Council.

The approval process is to apply to any documents produced for the purpose of communicating with people in the community. This may mean some material requires approval before the commencement of the Election Period in order for it to be issued/disseminated during the Election Period.

All material will be submitted to the Governance team (within a time frame to be determined) for vetting. Staff will be notified by return email once approval has been provided (all effort will be made to ensure approval is provided in line with specified deadlines).

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

All approved material will bear the following affixation and be signed and dated:

'Approved by the Chief Executive Officer (or their delegate) on [insert date].'

All documentation in relation to the approval process will be retained on Council records.

Material that may be affected includes, but is not limited to:

- new material on Council websites
- social media posts
- Council newsletters, brochures, flyers and magazines
- material available in libraries and Council offices
- media releases
- public speeches
- brochures on service/facilities
- advertisements (including job advertisements)
- Council newspapers
- mail outs to multiple addresses
- material publicising a function or event.

29.3. Information about the election

Council may provide information, education and publicity designed only to promote public participation in the electoral process.

29.4. Publication of Council and Committee agenda papers and minutes

Council is required by the Governance Rules to:

- Give public notice of Council meetings and Delegated Committee meetings; and
- Produce and make available agendas and minutes of Council meetings and Delegated Committee meetings.

To enable Council compliance with our statutory obligations and the Governance Rules, both of the above categories of documents will continue to be published during the Election Period and will be reviewed in accordance with section 8.2.

29.5. Council Annual Report

Due to the publication date of the Annual Report generally occurring during the Election Period, it is affected by the legislative restrictions on publications and therefore information about Councillors will be restricted to what is required by the *Local Government (Planning and Reporting) Regulations 2020*, a photograph of the Councillor, and membership of special committees and other bodies to which they have been appointed by the Council.

The Annual Report will not contain a Foreword from the Mayor.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy Document Owner: Manager Corporate Integrity

29.6. Council Websites

During the Election Period Council's websites will not contain material which contravenes this policy.

Any references to the election will only relate to the election process.

Councillor profiles will be restricted to:

- names
- photographs
- contact details
- titles.

29.7. General Council publications

Information about Councillors will be restricted in Hobsons Bay City Council publications (such as Hobsons Bay Community News), consistent with section 8.6 above. Publication of the Mayor's message in the Hobsons Bay Community News will be suspended during the Election Period.

29.8. Social Media

Social media includes, but is not limited to:

- Facebook
- Twitter
- YouTube
- LinkedIn
- Pinterest.

In accordance with section 8.2, any publications on social media sites under the auspices of Council during the Election Period require approval, prior to publication. This may mean messages and/or responses to questions may not be posted as quickly as normal.

Protocols have been developed for managing Council's corporate social media and online channels.

While the Communications Team will monitor the mainstream platforms, any staff member who manages a social media or online channel as part of their role with the Hobsons Bay City Council is required to apply the same protocols.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

Page 37

30. Public consultation and engagement

Consultation and engagement is an integral part of Council's policy development process and operations. For the purposes of this section, public consultation and/or engagement means a process which involves an invitation or invitations to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy.

Surveys, blogs, invitations to put forward submissions, and other community engagement activities should be avoided during the Election Period.

30.1. Postponing consultation and engagement

In view of the potential for a matter or issue to become contentious or politically sensitive in the course of the Election Period, Council reserves the right where possible and practicable, to postpone public consultation and engagement and any associated decisions where the matter is considered likely to affect voting in the election.

Council will not continue or commence public consultation on *prohibited decisions*, contentious or politically sensitive matters after the commencement of the Election Period. However, some public consultation activities may be necessary during the Election Period to facilitate the day-to-day business of Council and shall only proceed if prior approval is given by the Chief Executive Officer.

Where public consultation/engagement is approved to occur prior to or during the Election Period the results of that consultation will not be reported to Council until after the Election Period, except where approved by the Chief Executive Officer.

Any public consultation that does proceed during the Election Period will be vetted for electoral matter and express or implicit links to the election.

The requirements of this section do not apply to public consultation required under the *Planning and Environment Act 1987* or matters subject to section 223 of the *Local Government Act 1989*.

31. Media and media services

Council's media services are intended to promote Council activity or initiatives and must not be used in any way that might favour a candidate.

31.1. Media advice

Any requests for media advice or assistance from Councillors during the Election Period will be channelled through the Chief Executive Officer. No media advice or assistance will be provided in relation to election issues or in regard to publicity that involves specific Councillors.

31.2. Media releases/spokespersons

Media releases will not refer to specific Councillors. Where it is necessary to identify a spokesperson in relation to an issue, the Chief Executive Officer will determine the appropriate person.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy Document Owner: Manager Corporate Integrity

31.3. Publicity campaigns

During the Election Period, publicity campaigns, other than for the purpose of conducting the election will be avoided wherever possible. Where a publicity campaign is deemed necessary for a Council activity, it must be approved by the Chief Executive Officer. In any event, Council publicity during the Election Period will be restricted to communicating normal Council activities and initiatives and will not involve specific Councillors.

31.4. Councillors

Councillors will not use their position as an elected representative or their access to Council staff and other Council resources to gain media attention in support of an election campaign.

31.5. Council employees

During the Election Period no Council employee may make any public statement that relates to an election issue unless statements have been approved by the Chief Executive Officer.

32. Attendance at functions and events during the Election Period

In this part, reference to events and functions means gatherings of internal and external stakeholders to discuss, review, acknowledge, communicate, celebrate or promote a program, strategy or issue which is of relevance to the Council and its community and may take the form of conferences, workshops, forums, launches, promotional activities, social occasions such as dinners, receptions and balls.

32.1. Public events staged by external bodies

Councillors may continue to attend events and functions during the Election Period.

Councillors are not permitted to use events they are attending in an official Councillor capacity, for electioneering purposes.

32.2. Council events and functions

Council organised events and functions held during the Election Period will be reduced to only those essential to the operation of the Council.

Any civic or ceremonial Council event held during the Election Period should meet one or more of the following criteria:

- It is a planned event endorsed by the current Council Plan;
- It is routinely held at the same time of year;
- It is a commemorative or anniversary event held on or near the anniversary date;
- It demonstrates a clear community benefit, or serves an educational or welfare purpose;
 or
- It contributes to cultural development, social awareness or sense of community identity.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy

Document Owner: Manager Corporate Integrity

32.3. Speeches and keynote addresses

Councillors who are candidates in the election must not give speeches or keynote addresses at Council organised or sponsored events and functions during the Election Period.

<u>Councillors may make short welcome speeches</u> at Council organised or sponsored events and functions during the Election Period, subject to prior approval from the Chief Executive Officer.

32.4. Publication of promotional material

In preparing any material concerning a Council organised or sponsored function or event which will be published or distributed during the Election Period, such preparation must be consistent with the controls under section 29 of this Policy. It contributes to cultural development, social awareness or sense of community identity.

33. Council resources

The Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. Council staff must avoid assisting Councillors in ways that could create a perception that they are being used for electoral purposes. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice will be sought from the Chief Executive Officer.

33.1. Councillor Requests

Councillors may only make operational requests to the Chief Executive Officer, Directors or the Manager Governance during the Election Period.

33.2. Councillor Correspondence

General correspondence (including email) addressed to Councillors will be answered as usual.

However, Councillors will only respond to the necessary minimum correspondence during the Election Period and correspondence in respect to significant, sensitive or controversial matters should be responded to by the Chief Executive Officer, or their delegate.

33.3. Title of Councillor

Councillors may continue to use the title 'Councillor' in their election material, as they hold that position during the Election Period. However, Councillors should ensure that any election material using the title clearly indicates that it is their own material and does not represent Council.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy

Document Owner: Manager Corporate Integrity

33.4. Use of Council facilities

Council facilities that are normally available for public hire will be able to be hired by candidates (including councillor candidates) at the normal hire rate, terms and conditions of hire set for the facility.

No promotional material related to an election event, apart from simple directional signage, is to be displayed in the common public areas of a Council facility being hired.

33.5. Cessation of the Meet Your Council Program

The Meet Your Council Program (including listening posts) and ward-specific publications will not be conducted/distributed during the Election Period.

33.6. Use of Council equipment and services by Councillors

Councillors may continue to use any Council equipment and services provided to them to facilitate their performance of normal Council duties in line with the Councillor and Member of a Delegated Committee Expenses Policy.

Council-issued resources, including offices, vehicles, hospitality services, mobile phones and numbers, laptops and council email addresses, computers or printers, are not to be used in connection with any election campaign.

Councillors should also be mindful to manage any perceived conflicts even where a direct expense isn't incurred, this may include for example:

- Where campaign-related emails are received in a Council email account, send any
 responses from a private email and encourage the correspondent to use that account in
 future.
- Where campaign-related calls are received on a Council device, provide and encourage the caller to use a non-council number for future calls.

33.7. Reimbursement of expenses incurred by Councillors

Reimbursement of expenses and costs incurred by Councillors during the Election Period must only relate to the conduct of normal Council duties and not electoral purposes.

33.8. Council branding and stationery

No Council logos, letterheads, or other Hobsons Bay City Council branding will be used for, or linked in any way, to a candidate's election campaign.

33.9. Support to the Mayor, Deputy Mayor and Councillors

No staff, including support staff for the Mayor, Deputy Mayor and Councillors must be asked to undertake any tasks connected directly or indirectly with an election campaign.

33.10.Councillor photographs

Councillors are not permitted to use photos or images taken by, or provided by Council, for the purposes of their election campaign (including photographs appearing on Council websites).

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

Page 41

33.11.Council data

Databases and mailing lists held by the organisation remain the property of the Council and are subject to the requirements of the *Privacy and Data Protection Act 2014* and are not available to members of the public, candidates or to Councillors.

34. Electoral signage on council-controlled land and property

Candidates and their supporters are not permitted to affix, attach or place advertising signs/electoral material on Council-controlled land, assets or a Council road, in the lead up to, or during the Election Period.

Further guidance will be made available on Council's website.

35. Equity in assistance to candidates

The Council affirms that all candidates for the Council election will be treated equally and recognises candidates have certain rights to information relevant to their election campaigns from the Council administration subject to legislative constraints such as:

- Sections 123 of the Act which prohibit Councillor-candidates from misusing or inappropriately making use of their position; and
- the Privacy and Data Protection Act 2014.

Councillors will continue to be provided with information to enable them to perform their current role and function as a Councillor.

Beyond that, only information that is readily available to any member of the community will be provided to any candidate.

35.1. Information Request Register

An Information Request Register will be maintained by the Governance Team during the Election Period. This Register will be a public document that records all requests relating to electoral matters and non-routine requests for information by Councillors and candidates, and the response given those requests.

35.2. Information for candidates

Council will make the following information available on its website for prospective candidates:

- Information about this Policy.
- Information about nominating as a candidate (with links to relevant sites).
- Key dates and activities, including dates of induction activity and briefing meetings postelection.
- Information about election campaign donation returns.
- Any other relevant information.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy

Document Owner: Manager Corporate Integrity

35.3. Staff as candidates

A staff member is not prevented from nominating as a candidate at an election. Upon becoming a candidate in a Hobsons Bay City Council election, the staff member must:

- Inform the Chief Executive Officer;
- Take leave from their duties at least for the duration of the Election Period in accordance with sections 34 and 256 the Act;
- Return any Council equipment (including, but not limited to, motor vehicles, telephones and computers), documents or information that is not available to the public at least for the duration of the Election Period.
- If elected, immediately resign from their employed position at Council prior to taking the oath or affirmation of office, in accordance with sections 34 and 256 of the Act.

35.4. Member of Council Delegated or Advisory Committees

Upon becoming a candidate, any person who is a member of one of Council's Delegated Committees or Advisory committees is expected to:

- Comply with this Policy;
- Inform the Chief Executive Officer;
- Take leave from the Delegated Committee or Advisory Committee;
- Return any Council equipment, documents or information which is not available to the public for the duration of their candidacy and/or the Election Period; and
- If elected, immediately resign from the Delegated Committee or Advisory committee.

35.5. Election process enquiries

All election process related enquiries from candidates, whether sitting Councillors or not, will be directed to the Election Manager or, where the matter is outside the responsibilities of the election manager, to the Manager Corporate Integrity.

36. Suspension of matters during Election Period

In accordance with the Act, any applications made, or internal arbitration processes or proceedings before a Councillor Conduct Panel or the Victorian Civil and Administrative Tribunal regarding the misconduct, serious misconduct or gross misconduct of a person who is a Councillor, must be suspended during the Election Period.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

37. Breaches

37.1. Misuse of position

Section 123 of the Act prohibits current or former Councillors or members of delegated committees from using their position to gain access to information or resources that would otherwise not be available.

The Act specifies the following circumstances as a misuse of position:

- making improper use of information acquired as a result of the position he or she held or holds:
- disclosing information that is confidential information within the meaning of section 3(1) of the Act;
- directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff;
- exercising or performing, or purporting to exercise or perform, a power, duty or function that the person is not authorised to exercise or perform;
- using public funds or resources in a manner that is improper or unauthorised; or
- participating in a decision on a matter in which the person has a conflict of interest.

A breach of section 123 of the Act attracts serious penalties, including possible imprisonment.

Allegations of breaches of the Act are independently received and investigated by the Local Government Inspectorate.

37.2. Prohibition on Councillor or member of Council staff

Section 304 of the Act prohibits Councillors or a member of Council staff from using resources in a way that is intended to or likely to affect the result of an election under the Act.

In addition, section 304 of the Act also prohibits Councillors or a member of Council staff from using Council resources to intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed any electoral material during the Election Period on behalf of, or purporting to be on behalf of, the Council unless the electoral material only contains information about the election process or is otherwise required in accordance with, or under, any Act or regulation.

37.3. Breach of this Policy

Any breach of this Policy relating to staff conduct is to be referred to the Chief Executive Officer

Allegations of breaches of this Policy by Councillors will be dealt with under the Dispute Resolution Procedures of the Councillor Code of Conduct. The Chief Executive Officer will take the place of the Mayor in managing complaints received under the Election Period Policy.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

Complaints must be directed to the Chief Executive Officer in writing, providing details of the alleged contravention, when it occurred and who it involved. The Chief Executive Officer will assess the information and follow the provisions of the Dispute Resolution Procedures of the Councillor Code of Conduct.

Alleged breaches relating to all other matters are to be referred to the Local Government Investigations and Compliance Inspectorate at email address inspectorate@lgi.vic.gov.au or phone 1800 469 359.

38. By-elections

This policy shall be observed during any by-election, except sections 6.1(a) to (d).

Other provisions of relevance to the municipality as a whole shall be limited in application to the ward in which the by-election applies to.

39. Administrative updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively.

Examples include a change to the name of a Hobsons Bay City Council department, position titles, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be made with the approval of Executive Team or where required, resolution of Council

40. Monitoring, Evaluation and Review

This Policy will be reviewed not later than 12 months before the commencement of each subsequent general election.

41. Related legislation and documentation

Local Government Act 2020

Local Government Act 1989

Local Government (Electoral) Regulations 2020

Local Government (Governance and Integrity) Regulations 2020

Privacy and Data Protection Act 2014

Victorian Electoral Act 2002

Model Code of Conduct

Councillor and Staff Interaction Protocol

Community Engagement Policy

Councillor and Member of a Delegated Committee Expenses Policy

Gifts, Benefits and Hospitality Policy

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy
Document Owner: Manager Corporate Integrity

Page 45

42. Definitions

Key terms and definitions used in this Policy include:

Term	Definition
Act	Local Government Act 2020
Candidate	A person who has nominated as a candidate for an election under section 256 of the <i>Local Government Act 2020</i>
Chief Executive Officer	The person appointed by a Council under section 44 to be its Chief Executive Officer or any person acting in that position.
Council	Means Hobsons Bay City Council, being a body corporate constituted as a municipal Council under the <i>Local Government Act 2020</i> (also referred to as Hobsons Bay City Council).
Delegated Committee	a delegated committee established by a Council under section 63; or a joint delegated committee established by 2 or more Councils under section 64; or a committee, other than a Community Asset Committee, exercising any power of a Council under this Act or any other Act delegated to the committee under this Act or any other Act.
Election Manager	the VEC; or a person appointed in writing by the VEC.
Staff, Council staff or staff member	Means any employee of Council whether permanent or temporary or casual, and includes contractors, and volunteers carrying out work for or on behalf of the Hobsons Bay City Council Council.

Document Name: Hobsons Bay Governance Rules 2025 v0.1 (draft)

Document Type: Council-endorsed policy Document Owner: Manager Corporate Integrity



Hobsons Bay City Council

Community Local Law 2025



Final version 250526

1 c	ontents	3.6 dome	Use, collection and storage of stic waste bins	
1 Cc	ontents1	3.7	Hard waste	22
\bigcirc		3.8	Commercial waste	23
\mathcal{Q}_{P}	reliminary5	3.9	Public waste bins	23
1.1	Title5	3.10	Camping on private property.	24
1.2	What are the objectives of this Local	3.11	Shipping containers	24
Law	? 5	3.12	The location of trees, plants a	nd
1.3	Commencement of this Local Law5	signs	24	
1.4	What part of the municipality does	3.13	Protection and use of drains	25
	Local Law apply to?5	3.14	Tapping into drains	25
1.5 Loca	Definitions of words used in this I Law6	3.15 conta	Placement of bulk rubbish iners (skip bins)	25
1.6	Interpretation13	3.16	Tree Protection	25
1.7	Operator Onus13	~		
		Yo	ur animals	27
() A	dministration14	4.1	Permitted animals	27
2.1	Exercise of discretions14	4.2	Keeping of animals	28
2.2	Register of determinations14	4.3	Animal litter	28
2.3	Powers of Council14	4.4	Animals in Council buildings	28
2.4	Notice to comply15	4.5	Pest and stray animals	29
2.5	Failure to comply with a Notice to	À		
	ply15	Fir	e safety	30
2.6 in ur	Power of authorised officers to act gent circumstances15	5.1	Chimneys	
2.7	Power of authorised officers to	5.2	Fires in the open	30
impo	ound16		Vehicles and roads	32
2.8	Appeals17	6.1	Behaviour involving motor veh	
2.9	Setting fees and charges17	5.2	32	
2.10	Incorporation of documents18	6.2	Sale of a motor vehicle	32
← γ	our property19		pandoned, derelict or unregister es	
3.1	Displaying property numbers19	6.4 Re	epair and storage of vehicles	33
3.2	Fencing of vacant land19	6.5 M	obile cranes	33
3.3	Unsightly property20	6.6 Of	f street parking of heavy or long	3
3.4	Dilapidated buildings21	vehicl	es	33
3.5	Dangerous land21	6.7 Sh	opping trolleys	34
		Shopp	oing trolley requirements	34

1

6.8	Recreational vehicles35	8.7	Exemptions47
1		8.8	Permit register47
Bu	uilding works36	8.9	Permit expiry date47
7.1	Building Site Code of Practice36	8.10	Public utilities48
7.2	Vehicle crossing is required36	8.11	Appeals48
7.3 Requi	Asset Protection Permits and irements for a Builder37	Ale	cohol49
7.4 Norm	Construction or demolition works – nal working hours38	9.1 alcoho	Consumption and possession of bl49
7.5 requi	Asset protection permits and rements for a builder38	Ac	tivities on Council land50
7.6 Perm	Expiry period of an Asset Protection it 39	10.1	Obstructions50
7.7	Permanent or temporary vehicle	10.2	Mobile billboards50
cross	ings required40	10.3	Camping on public property51
7.8	Council to be notified of certain	10.4	Collections51
event	t 40	10.5	Busking51
7.9	Occupation of Roads - Civil Works	10.6	Festivals or processions51
	it required40	10.7	Filming on Council land52
7.10	Exemption from permit requirement 41	10.8	Outdoor advertising signs and
7.11	Security Bonds and guarantees41	displa	y of goods for sale52
7.11	-	10.9	Outdoor eating facilities53
bond	Return or retention of the security 42		Trading to a person on a road or
7.13	Provision of a bulk waste container	from	door to door53
	42	■ M	onista al ola casa la cildio assaud
7.14	Disposal of builders' waste42		unicipal places, buildings and
7.15	Removal of builders' waste43	11.1	Clothing recycling bins54
7.16	Surrounding site protection43	11.2	Damage to Council assets54
7.17	Site fencing and tree protection44	11.3	Regulation of reserves54
L _C	ocal Law Permits45	11.4	Access to reserves55
8.1	Local Law permits45	11.5	Special events or festivals55
8.2	Permit considerations45	11.6	Fireworks at special events or als56
8.3	Applications for permits46	11.7	Glass and Sharp Objects on a beach
8.4	Compliance with permits46	11./	56
8.5	Security bonds and guarantees46	11.8	Glass Free Areas56
8.6	Correction, amendment,	11.9	Personal watercraft and
	ellation and suspension47	_	ational vessels launching57
			2
			2

	Power of an authorised officer on reshore reserve57	
No	ise57	
	Noise from industrial waste ion57	
	Noise from vehicle sound nent58	
12.3	Noise from deliveries to businesses 58	
12.4	Noise from intruder alarms59	
Enforcement60		

13.1	Offences and penalties60	
13.2	Infringement notices60	
m Go	vernance rules61	
	Conduct at meetings61	
Schedule 1: Infringement offences and penalties for Infringement Notices62		

3

State and Commonwealth Legislation (including relevant rules and regulations)

Reference is also made throughout this Local Law to the following acts, regulations, rules and other documents, as amended from time to time. These documents are not incorporated by reference into this Local Law:

Charter of Human Rights and Responsibilities Act 2006 Country Fire Authority Act 1958 Domestic Animals Act 1994 **Environment Protection Act 2017 Environment Protection Regulations 2021** Equal Opportunity Act 2010 Filming Approval Act 2014 Fire Rescue Victoria Act 1958 Fines Reform Act 2014 Infringements Act 2006 Liquor Control Reform Act 1998 Local Government Act 1989 Local Government Act 2020 Planning and Environment Act 1987 Road Management Act 2004 Road Safety Act 1986 Road Safety Road Rules 2017

Sentencing Act 1991



If a provision of any document incorporated by reference, or referred to, in this Local Law is inconsistent with any provision in this Local Law (excluding state and commonwealth legislation and the regulations made under that legislation and any relevant Planning Scheme), the provision in this Local Law prevails.

Part 1

Q Preliminary

1.1 Title

This Local Law is the Hobsons Bay City Council's Community Local Law 2025 and is referred to as this Local Law.

1.2 What are the objectives of this Local Law?

The objectives of this Local Law are:

- to provide a safe and healthy environment in which the residents of the *municipal district* can
 enjoy a quality of life and use of *municipal property* that meet the general expectations of the
 community
- b) to prohibit, regulate and control activities which may be dangerous, unsafe or detrimental to the quality of life in the *municipal district*
- c) to prohibit, regulate and control behaviour which may be a nuisance or detrimental to health and safety or adverse to the enjoyment of *municipal property*
- to facilitate the provision of public services, health and other community services, property services, recreational and cultural services, sale of goods and other services in a way which enhances the environment and quality of life in the *municipal district*
- e) to control nuisances and *noise*, odour and smoke emissions, and other discharges to the environment which may adversely affect the enjoyment of life in the *municipal district* and
- f) to provide uniform and fair administration of the Local Law.

Authorising provision

This Local Law is made under the provisions of section 71(1) of the *Local Government Act 2020* and section 42 of the *Domestic Animals Act 1994*.

1.3 Commencement of this Local Law

This Local Law commences on 8 September 2025. Unless revoked sooner, this Local Law will cease to operate 10 years after the date on which it commenced. Upon this Local Law becoming operative, the *Community Local Law 2015* is revoked.

1.4 What part of the municipality does this Local Law apply to?

This Local Law applies to the whole of the *municipal district* except where it is apparent from its wording that it applies to a specified area or areas; and its provisions apply to the extent that they are not inconsistent with any Act, Regulation or *Planning Scheme* applicable to *Council* or the *municipal district*.

5

1.5 Definitions of words used in this Local Law

In this Local Law, unless the context or subject matter indicates otherwise, definitions are as in the *Local Government Act 2020* indicated by the words 'as in the Act' or 'Act'.

The words identified in **bold** throughout this Local Law are intended to have the following meaning:

Words	Meaning
Act	Means the Local Government Act 2020.
Advertising sign	Means any placard, board, sign, card or banner, whether portable or
	affixed or attached to any land or building, which:
	a) provides information about the occupier of the land or
	building, or a business or industry or
Alashalia hayayaya	b) advertises goods, services, an event or a competition.
Alcoholic beverage	Has the same meaning as the definition of liquor in the Liquor Control Reform Act 1998
Animals	Means every specimen of four-legged animal, birds, fish and reptiles.
Applicant	Means a <i>person</i> who applies for a <i>permit</i> under this Local Law.
Appropriate fee	Means the fee appropriate to a particular <i>permit</i> or charge determined by <i>Council</i> in accordance with Part 2.
Approved	Means approved by Council.
Assistance dog	Has the same meaning as in section 4 of the Equal Opportunity Act 2010.
Authorised officer	Means a person appointed by Council under section 224 and 224A of
	the Local Government Act 1989 and any registered member of the
	Victoria Police appointed in writing by Council.
Background noise level	Means the background sound level measured in accordance with
	Australian Standard 1055-1989, titled "Acoustics – Description and
	Measurement of Environmental Noise" or any <i>noise</i> measurement
	standards prescribed under the <i>Environment Protection Act 2017</i> .
Barbecue	Includes a structure, device or contraption whether fixed or portable,
	capable of being used for the cooking of food outdoors.
Beach	Includes the sanded areas of Port Phillip Bay generally between the
	sea-wall and the waters of the Bay that are within the municipal
Do at law about facilities	district at any time.
Boat launching facility	Means a facility for the purpose of launching or landing boats and other vessels.
Body of water under	Includes a body of water over which <i>Council</i> has control or authority by
the control of Council	virtue of statutory rights or obligations or proprietary rights or
	obligations, whether or not within the <i>municipal district</i> .
Builder	Means a person engaged by or on behalf of the Owner or Occupier of a
	Building Site to carry out, manage or arrange the carrying out of
- # I	Building Works.
Builders waste	Means any waste or refuse resulting from or generated by building
	work, or other works associated with the property.

Words	Meaning
Building	Includes: a) a structure, temporary building, temporary structure and any part of a <i>building</i> or a structure b) fences, walls, out-buildings, service installations and other appurtenances of a <i>building</i> and c) a boat or a pontoon, which is permanently moored or fixed to land.
Building site	Means any <i>land</i> on which <i>building work</i> is being, or is proposed to be, carried out.
Building work(s)	includes any activities, events and practices for or in connection with the construction, renovation, alteration, demolition, relocation or removal of a building or any excavation works (e.g. pool construction);
Bulk waste container	Means a bin, skip, container or other structure designed or used for holding and containing a substantial quantity of rubbish and which is unlikely to be lifted without mechanical assistance. It does not include containers used in connection with <i>Council's</i> regular domestic rubbish collections.
Busking	Means to preform to the public, whether by acting, juggling, dancing, singing, mime, statue, drawing, playing a musical instrument or otherwise entertaining passers-by, with or without reward.
Сатр	Means using a tent, caravan, motorhome, vehicle, shipping container, or any other movable or temporary form of accommodation (including sleeping bags or swags).
Caravan	Means a vehicle without an engine that can be pulled by a car or van. It may contain beds and cooking equipment so that people can live or spend their holidays in it.
Chimney	Means a built or installed structure of non-flammable material providing a vent for the discharge of gaseous waste into the atmosphere from a fire, heater, stove or other device capable of burning solid or liquid fuel.
Chief Executive Officer	Means the person appointed by the Council to be its Chief Executive Officer or any person acting in that position (as in the Act).
Clothing recycling bin	Means a container or similar structure for the collection of used clothing or the donation of goods or items.
Construct	Includes: a) to build, rebuild, erect or re-erect b) to repair c) to make alterations d) to enlarge or extend or e) to place or relocate.
Coordinating road authority	Has the same meaning as in the Road Management Act 2004.
Council	Means the Hobsons Bay City Council.
Council assets	Means any road, drain, drainage infrastructure, swale drain, footpath culvert, street trees, plant, road sign or any other property owned, vested in or under the control of Council.

Words	Meaning
Council building	Means any building owned by, vested in or under the management of Council .
Council land	Means any <i>land</i> either vested in or under the management of <i>Council</i> including roads, streets, reserves, watercourses and reservations. Means all land: a) owned, leased, managed or occupied by Council or b) vested in or under the control of Council or which it has a duty to maintain.
Council officer	Means a person who is employed by the Hobsons Bay City Council.
Dangerous land	Means the condition of land and the storage of any item on that land which is likely to cause a risk to health or safety, and excludes trees on privately owned land, unless such trees pose a safety risk to a public place.
Dilapidated building	Means a building which is derelict, in a state of disrepair, damaged, defaced, incomplete or which given its condition, adversely affects the amenity of the neighbourhood.
Divisional director	Means a <i>person</i> appointed by <i>Council</i> to a position of Director of a Corporate Division or the equivalent position.
Dwelling	Means any <i>building</i> or part of a <i>building</i> used, intended to be used, adapted or designed for residential purposes.
Event	Means an organised sporting, recreational, cultural, commercial or social gathering of people which is held on a road, or any other public place prescribed by the Council.
Festival	Means a series of events or programs linked around a particular theme or place.
Film/filming	Has the same meaning as in the Victorian Film Friendly Guidelines 2014.
Film friendly principles	Has the same meaning as in the <i>Filming Approval Act 2014</i> .
Footpath	Means any path that is provided for the use of pedestrians or that is regularly used by pedestrians and not vehicles.
Foreshore Reserve	Means any land, whether owned or vested in, or under the control and management of the Council, adjacent to the waters of Port Phillip Bay and includes any <i>beach</i> , inland lake, river, stream, creek or other waterway, but does not include a road.
Foreshore waters	Means the area of seawater within 100 metres of the high-water mark along the <i>beach</i> at any time between further extensions of the southern and north-eastern imaginary lines referred to in the definition of <i>beach</i> in this clause.
Glass container	Means a container or any part of a container made partly or wholly of glass.
Graffiti	Means any writing, painting, poster or other defacement applied to any surface without the prior consent of the <i>owner</i> or <i>Council</i> .
Habitable room	A room used for normal domestic activities, and

Words	Meaning
	 a) includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom but b) excludes a bathroom, laundry, water closet (toilet), pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.
Heavy vehicle	Has the same meaning as in the Road Safety Act 1986.
Hire	Includes <i>hire</i> , agree to <i>hire</i> , offer or expose for <i>hire</i> , keeping or having in possession for <i>hire</i> , advertising for <i>hire</i> or directing, causing, suffering, permitting or attempting any of such acts.
Incinerator	Means a structure, item or contraption not enclosed in a <i>building</i> which: (a) is used or intended, adapted or designed to be used or capable of being used for the purpose of burning any matter, material or substance; (b) is not licensed or otherwise subject to control under the provisions of any other Act.
information privacy	Has the same meaning as in the Privacy and Data Protection Act 2014.
principles Land	Includes vacant, occupied, public or private <i>land</i> and includes anything on that <i>land</i> .
Large birds	Includes any cockatoo, parrot and other similarly sized or larger birds, but does not include poultry, pigeons or small birds.
Livestock	Has the same meaning as in the Impounding of Livestock Act 1994.
Long vehicle	Long vehicle has the same meaning as in the Road Safety Road Rules 2017
Mobile billboard	A device or sign used for advertising on the side of a vehicle or trailer that is typically mobile.
Mobility scooter	Means an electrically powered scooter designed for people with restricted mobility, typically an electrically powered scooter designed for people with restricted mobility, typically those who are elderly or disabled.
Motor vehicle	Has the same meaning as in the Road Safety Act 1986
Municipal district	Means the <i>municipal district</i> of the Hobsons Bay City Council as proclaimed under the <i>Act</i> .
Municipal property	Includes any <i>Council land, building, boat launching facility</i> , garbage depot, library or swimming pool.
Nature strip	Has the same meaning as set out in the dictionary of the Road Safety Road Rules 2017
Notice to comply	Means a notice issued to a person in accordance with clause 2.4 of this Local Law.
Noxious weed	Has the same meaning as in the <i>Catchment and Land Protection Act</i> 1994.

Occupier Includes any person having the control or management of any premises, whether alone or not. Outdoor eating facility Means any arrangement to provide drinks, food, other related goods, services or comfort to the public, including, but not limited to the use of tables, chairs and umbrellas on a road or Council land. Owner Means: (a) in relation to land or a building - means the person/s who is registered on the relevant Certificate of Title as the Owner or the person/s who is entitled to exercise any rights of Ownership to the Land (b) in relation to a Motor Vehicle or Trailer - has the same meaning as in the Road Safety Act 1986
premises, whether alone or not. Outdoor eating facility Means any arrangement to provide drinks, food, other related goods, services or comfort to the public, including, but not limited to the use of tables, chairs and umbrellas on a road or Council land. Owner Means: (a) in relation to land or a building - means the person/s who is registered on the relevant Certificate of Title as the Owner or the person/s who is entitled to exercise any rights of Ownership to the Land (b) in relation to a Motor Vehicle or Trailer - has the same meaning as in the Road Safety Act 1986
Outdoor eating facility Means any arrangement to provide drinks, food, other related goods, services or comfort to the public, including, but not limited to the use of tables, chairs and umbrellas on a road or Council land. Owner Means: (a) in relation to land or a building - means the person/s who is registered on the relevant Certificate of Title as the Owner or the person/s who is entitled to exercise any rights of Ownership to the Land (b) in relation to a Motor Vehicle or Trailer - has the same meaning as in the Road Safety Act 1986
services or comfort to the public, including, but not limited to the use of tables, chairs and umbrellas on a road or <i>Council land</i> . Owner Means: (a) in relation to land or a building - means the person/s who is registered on the relevant Certificate of Title as the Owner or the person/s who is entitled to exercise any rights of Ownership to the Land (b) in relation to a Motor Vehicle or Trailer - has the same meaning as in the Road Safety Act 1986
of tables, chairs and umbrellas on a road or <i>Council land</i> . Means: (a) in relation to land or a building - means the person/s who is registered on the relevant Certificate of Title as the Owner or the person/s who is entitled to exercise any rights of Ownership to the Land (b) in relation to a Motor Vehicle or Trailer - has the same meaning as in the Road Safety Act 1986
Owner (a) in relation to land or a building - means the person/s who is registered on the relevant Certificate of Title as the Owner or the person/s who is entitled to exercise any rights of Ownership to the Land (b) in relation to a Motor Vehicle or Trailer - has the same meaning as in the Road Safety Act 1986
registered on the relevant Certificate of Title as the Owner or the person/s who is entitled to exercise any rights of Ownership to the Land (b) in relation to a Motor Vehicle or Trailer - has the same meaning as in the Road Safety Act 1986
the person/s who is entitled to exercise any rights of Ownership to the Land (b) in relation to a Motor Vehicle or Trailer - has the same meaning as in the Road Safety Act 1986
Ownership to the Land (b) in relation to a Motor Vehicle or Trailer - has the same meaning as in the Road Safety Act 1986
(b) in relation to a Motor Vehicle or Trailer - has the same meaning as in the Road Safety Act 1986
meaning as in the Road Safety Act 1986
(c) in relation to a cat or dog - has the same meaning as in the
Domestic Animals Act 1994.
Penalty unit Means the amount set under Section 110(1) of the Sentencing Act
1991.
Permit/s Means a permit authorised or required under this Local Law and
granted in accordance with the provisions of this Local Law.
Permit holder Means a person to whom a permit has been granted under this Local
Law.
Person/s Means:
(a) a human being (b) a body corporate
(c) an association (incorporated or unincorporated) or
(d) a partnership.
Person in charge Includes the owner of and any person who has the care, custody or
control, whether temporary or otherwise, at the relevant time and
place, of anything or activity.
Person in charge of Means:
the person who is nominated as the builder in a building permit under
the Building Act 1993 issued for the building works and if the person nominated as the builder in the building permit is a
company, the director of the company and
the person in charge of any building works being carried out and
the owner of a building site.
Personal watercraft Has the same meaning as in the Marine Safety Act 2010.
Place Includes land, waters, a location, an area or a region.
Planning scheme Means any planning scheme relevant to the municipal district and
includes the Hobsons Bay City Council Planning Scheme (made under
the <i>Planning and Environment Act 1987</i>).
Poultry Includes fowls, chickens, ducks, geese, peafowl, pheasants and turkeys
of any age but does not include small birds.
Premises Includes any structure, building, vessel or place (whether built on or
not), and any part of any such structure, building, vessel or place.

Words	Meaning
Private drain	Means any part of any drain or pipe not owned by <i>Council</i> or another
Fillate arain	public body:
	(a) on private property or
	(b) running from private property to connect to a main drain or
	pipe and including the connection point (legal point of
	discharge).
Procession	Means an organised group of people proceeding along a road or
	through any Council land or gathering for a ceremony, function or
	purpose and includes fun runs, bicycle and triathlon events.
Public place	Has the same meaning as in the Summary Offences Act 1966.
Racing pigeon	Means a pigeon that is kept by a <i>person</i> who is a registered, current
	member of a recognised National or State Homing Pigeon Association.
Recreation vehicle	Means a:
	(a) mini-bike, trail bike or go-kart
	(b) a motor bike, motor-scooter or (c) any other vehicle which is propelled by a motor, and
	which is ordinarily used for recreational purposes.
Recreational vessel	Has the same meaning as in the Marine Safety Act 2010.
Registered owner	In relation to a vessel, means the <i>person</i> who is recorded as registered
	owner of the vessel in accordance with the <i>Marine Act 1988</i> or the
	equivalent legislation in the state or territory in which the vessel is
	registered.
Repair	Includes the reconstruction or renewal of any part of an existing
	building , premises or vehicle for the purpose of its maintenance.
Reservation	Means anything constructed or located on a road which divides the
	road longitudinally but does not include a line or series of lines marked
	on a carriageway.
Reserve	Means any <i>land</i> or part of <i>land</i> within the <i>municipal district</i> which is
	used for sporting or recreational or aesthetic purposes and includes
	parks, gardens, playgrounds, tree reserves, garden plots, lawns and
	ornamental plantations as well as car parks, roads, tracks and other
	areas within that <i>land</i> or part of that <i>land</i> .
Residential land	Means <i>land</i> which is zoned residential in any planning scheme, or
	which is used for residential purposes or which is available for
Donal	development for residential purposes.
Road	Has the same meaning as in <i>The Road Safety Act</i> 1986.
Road related area	Has the same meaning as in <i>The Road Safety Act</i> 1986.
Sell	a) Includes:
	barter, offer or attempt to sell, receive for sale, have in
	possession for sale, expose for sale, send, forward or deliver for sale, or allow to be sold or offered for sale; and
	b) sell for resale.
Senior officer	means a member of <i>Council</i> staff holding the office or position to which
Schlor Officer	has been delegated a power by the <i>Chief Executive</i> Officer, under the
	provisions of Section 78(d) of the <i>Act</i> .
	provisions of Section Foldy of the Act.

Words	Meaning
Small birds	Means canary, budgerigar, finch, cockatiel or other like sized bird kept caged or within premises but excludes chickens, poultry, pigeons, racing pigeons, galahs, cockatoos and other birds prescribed by Council.
Special event	Means an activity which occupies a <i>municipal property</i> for a purpose or a period other than the normal use of that property and includes the use of the property for weddings, <i>filming</i> or any commercial purpose.
Stormwater system	Means the stormwater system/drainage system which provides for the conveyance of stormwater run-off including kerb and channel, open channels, underground pipe systems and natural waterways.
Street festival	Means an organised recreational, cultural, social or commercial gathering of people which is held on a road.
Temporary dwelling	Means any tent, caravan or other van or portable item whether on wheels or not, or any conveyance structure or thing which is: a) designed for use of living b) constructed and transportable in one or more parts and c) capable of being placed on and removed from a site within 24 hours.
Thing	Means: a) a material object without life or consciousness; an inanimate object or b) an entity, object or creature that is not or cannot be specifically designated precisely.
Total Fire ban day	Means a day declared a <i>Total Fire ban day</i> , in accordance with the Country Fire Authority Act 1958.
Toy vehicle	A vehicle designed to be propelled by human power and includes a scooter, skateboard, roller skates, roller blades and like toys and b) A remote-control aeroplane, boat or vehicle.
Trade waste bin	Means a receptacle used for the storage of industrial waste, trade or commercial waste or rubbish, including, but not limited to, trade waste hoppers and recycling bins.
Trailer	Has the same meaning as in the Road Safety Road Rules 2017
Traffic control item	Has the same meaning as in the <i>Road Safety Road Rules</i> 2017.
Unreasonable noise	Has the same meaning as in the Environment Protection Act 2017
Vehicle crossing	Has the same meaning as in the <i>Road Safety Road Rules 2017</i> Means a paved construction designed to facilitate the entry and exit of
venicle crossing	vehicles:
	1.1 from a road onto <i>land</i> and
	1.2 from land onto a road
	including, but not limited to, driveways.
Waste	Has the same meaning as in the Environment Protection Act 2017

1.6 Interpretation

- 1. The provisions of the *Interpretation of Legislation Act 1984* are to be applied to assist in the interpretation of this Local Law, and in ensuring the delivery of the objectives of this Local Law.
- 2. Any activity or other matter that requires consent or approval of *Council* under the *Road*Management Act 2004 is to be evidenced by way of the grant of a permit under this Local Law.
- 3. Introductions to Parts and Notes do not form part of this Local Law. They are provided to assist understanding.

1.7 Operator Onus

1. The operator onus provisions under Part 6AA of the *Road Safety Act 1986* apply to any provision of this Local Law which involves a vehicle.

Part 2



14

Administration

This part of the Local Law provides procedures for the administration of all our Local Laws. It provides direction on the issue of permits, notices to comply, notices of impounding, infringement notices and setting fees and charges.

2.1 Exercise of discretions

- 1. In exercising any discretion under this Local Law *Council* and authorised officers must have regard to:
 - a) the objectives of this Local Law;
 - b) any relevant guidelines or standards incorporated into the Local Law;
 - c) Charter of Human Rights and Responsibilities Act 2006; and
 - d) the Equal Opportunity Act 2010.
- Guidelines or standards prepared by *Council* must not be inconsistent with the objectives of this Local Law.

2.2 Register of determinations

- 1. Any guidelines prepared or determinations made by *Council* for the purpose of this Local Law must be maintained by *Council* in a register.
- 2. The register kept under clause 2.2(1) must be made available upon request for inspection at the office of *Council* during normal office hours.

2.3 Powers of Council

- 1. Council may:
 - a) issue a warning, a Notice to Comply, a direction, either written or oral and/or an infringement notice to a person who Council reasonably suspects has or will breach any provision of this Local Law; and
 - b) commence legal proceedings; and
 - impound items, goods or equipment related to that breach, in accordance with clause
 2.6 and 2.7.
- 2. Council may delegate to an Authorised Officer, the powers set out in Clause 2.3 (1), in accordance with the provisions of Section78 (c) and (d) of the Act.

- 2.4 Notice to comply
- 1. A Notice to Comply shall be in a form *approved* by *Council* and must include enough detail and information, to ensure the person served with the Notice to Comply is aware of:
 - (a) the clause of the Local Law the subject of the breach; and
 - (b) The nature of the breach of the Local Law; and
 - (c) the actions and measures to be taken to remedy the breach and the consequences of the breach; and
 - (d) the time and date by which the actions and measures are to be undertaken.
- 2. The time and date by which the actions and measures are to be undertaken required by a Notice to Comply must be reasonable in the circumstances having regard to:
 - (a) the amount of work involved and
 - (b) the degree of difficulty and
 - (c) the availability of necessary materials or other necessary items and
 - (d) climatic conditions and
 - (e) the degree of risk or potential risk and
 - (f) any other relevant factor.
- 2.5 Failure to comply with a Notice to Comply

A *person* who fails to comply with a *Notice to Comply* directed to that person is guilty of an offence.

<u>Penalty</u>		
On the spot infringement	3 penalty units	
Maximum court penalty	10 penalty units	

Note: Failure to comply with a Notice to Comply may also result in the cancellation of a relevant permit under clause 8.3.

- 2.6 Power of authorised officers to act in urgent circumstances
 - In urgent circumstances arising from a failure to comply with this Local Law, an *authorised officer* may take action to remove, remedy or rectify a situation without first serving a *Notice to Comply* if:
 - a) the authorised officer considers the circumstances or situation to be sufficiently urgent and that the time involved, or difficulties associated with the serving of a *notice to comply*, may place a *person*, animal, property or thing at risk or in danger; and
 - b) wherever practicable, a senior officer is given prior notice of the proposed action.
 - An authorised officer may take action to remove, remedy or rectify a situation where a Notice to Comply has been served on a person and that person has not complied with the Notice to Comply if:

15

- a) the authorised officer considers the circumstances or situation to be sufficiently urgent and the non-compliance with the notice may place a person, animal, property or thing at risk or in danger; and
- b) wherever practicable, a senior officer is given prior notice of the proposed action.
- 3. In deciding whether circumstances are urgent, an authorised officer must take into consideration, to the extent relevant:
 - a) whether it is practicable to contact:
 - (i) the person by whose default, permission or sufferance the situation has arisen; or
 - (ii) the owner or the occupier of the premises or property affected; and
 - b) whether there is an urgent risk or threat to a *person*, animal, property or thing or to the environment.
- 4. The action taken by an authorised officer under sub-clause (1) or (2) must not extend beyond what is necessary to cause the immediate abatement of or minimise the risk or danger involved.
- 5. An authorised officer who takes action under sub-clause (1) or (2) must ensure that, as soon as practicable:
 - a) details of the circumstances and remedying action are forwarded to the person on whose behalf the action was taken; and
 - b) a report of the action taken is submitted to the Chief Executive Officer or a senior officer to whom the authorised officer reports.
- 2.7 Power of authorised officers to impound
 - Where a person has breached a provision of this local law and has failed to comply with a
 Notice to Comply or a direction from an *authorised officer*, to remove from Council land any
 items, goods, equipment or thing connected to that breach, which they own or are
 responsible for, the items, goods, equipment or thing may be removed by an authorised
 officer and impounded.
 - If an authorised officer has impounded anything in accordance with this Local Law, Council
 may refuse to release it until the appropriate fee or charge for its release has been paid to
 Council.
- 3. As soon as it is reasonably practicable to do so, an *authorised officer* must serve a Notice of Impoundment, on the owner or person responsible for the impounded item setting out the fees and charges payable and time by which the item(s) must be retrieved.
- 4. If, after the time required in a Notice of Impoundment, an impounded item is not retrieved, an *authorised officer* may take action to dispose of the impounded item according to the following principles:
 - a) where the item has no saleable value, it may be disposed of in the most economical way
 - b) where the item has some saleable value, the item may be disposed of either by tender, public auction or private sale but failing sale may be treated as in paragraph (a) and

16

- c) where the owner has advised *Council* in writing that *Council* may dispose of the goods because they do not intend to retrieve them, *Council* may dispose of such goods by the method identified in either paragraph (a) or (b).
- 5. When the identity or whereabouts of the owner or person responsible for the impounded item is unknown, the *authorised officer* must take reasonable steps to ascertain the identity or whereabouts of that person and may proceed to dispose of the impounded item in accordance with sub-clause (4) once they are satisfied that all reasonable efforts have been made to contact the owner or person responsible for the impounded item.
- 6. Any proceeds from the disposal of impounded items under this Local Law must be paid to the owner or to the person who, in the opinion of *Council*, appears to be authorised to receive the money except for the reasonable costs incurred by *Council* in the administration of this Local Law.
- 7. If a person described in sub-clause (6) cannot be identified or located and the money is held by *Council* for 12 months, *Council* must comply with requirements of the *Unclaimed Money Act 2008*.

2.8 Appeals

- 1. Any **person** who is aggrieved by any matter related to the issue of a direction or notice to comply under this Local Law may make a written or oral submission for consideration by **Council**, without in any way affecting their obligation to act in accordance with any **Permit**, direction or notice which is applicable under this Local Law.
- 2. Such appeal must be lodged within 14 days of the date shown on the direction or notice from which the appeal arises. If the person wishes to make an oral submission, they must write to Council within that 14-day period and make a request to be heard orally. Upon receipt of that request, Council will make the necessary arrangements.
- 3. Unless there is an immediate threat to a person, animal or property, Council will suspend the operation of a notice to comply or direction, pending the conclusion of the review.

2.9 Setting fees and charges

- 1. Council may by resolution determine a fee, charge, fare or rent in relation to any property, undertaking, good, service or other act, matter or thing under this Local Law.
- 2. Council may by resolution prescribe the fee which is payable for the granting, renewal or transfer of a permit, licence, authority or registration.
- 3. Council may by resolution provide for specific fees, maximum or minimum fees, maximum and minimum fees, scales of fees according to the value of goods or services provided for the fees or the project being assessed, the payment of fees either generally or under specified conditions or in specified circumstances, the reduction, waiver or refund in whole or in part of the fees.
- 4. Council may when waiving or refunding, in whole or in part, of a fee, the reduction, waiver or refund may be subject to conditions, in respect of certain matters or transactions or classes of matters or transactions, in respect of certain documents or classes of documents, when an event happens, in respect of certain persons or classes of persons, or in respect of any combination of matters, transactions, documents, events or persons.

17

2.10 Incorporation of documents

The documents listed below are hereby incorporated into this Local Law, in accordance with the provisions of S.76(1) of The Act.

- 1. The document titled "Footpath Furniture Trading Code of Practice", as made and amended by **Council** from time to time and published on **Council's** website.
- 2. The document titled "Hard Waste Guidelines", as made and amended by **Council** from time to time and published on **Council's** website.
- 3. The document titled "Building Site Code of Practice" as made and amended by **Council** from time to time and published on **Council's** website.
- 4. The document titled "City of Hobsons Bay Governance Rules" as made and amended by **Council** from time to time and published on **Council**'s website.
- 5. The document titled "Commercial Cardboard Collection Service Guidelines" as made and amended by **Council** from time to time and published on **Council**'s website.
- 6. The document titled "Hobsons Bay Parklet Guidelines", as made and amended by **Council** from time to time and published on **Council's** website.
- 7. The document titled "Mobile Vendor Policy", as made and amended by **Council** from time to time and published on **Council's** website.



Part 3



A Your property

This part sets requirements aimed at making sure that the look of buildings inside the municipality are consistent with an image of the municipality that is safe, attractive and properly kept. Also included in this part are the activities that may affect the neighbourhood environment including rubbish collection.

3.1 Displaying property numbers

- 1. The *owner* or *occupier* of any *premises* must mark the *premises* with the numbers/letters allotted by *Council*.
- 2. Street numbers must be clearly displayed in a prominent position to allow the property to be quickly and easily identified and must be made up of numbers/letters which are:
 - (a) at least 50 millimetres high and
 - (b) of proportional width and
 - (c) in clear contrast with the background and
 - (d) able to be clearly read, in normal lighting conditions, from the *road* immediately adjacent to the front boundary of the property.
- 3. The *owner* or *occupier* of any *premises* must renew the numbers/letters as often as may be necessary to maintain compliance with subclause 2 (d).

<u>Penalty</u>	
On the spot infringement	1 penalty units
Maximum court penalty	5 penalty units

3.2 Fencing of vacant land

- 1. If any vacant land within the municipal district is:
 - (a) dangerous; or
 - (b) contains materials or substances which are dangerous or adversely affect the amenity of the area –

Council may serve a notice to comply on the owner or occupier directing them to erect a fence which prevents the entry of persons to the land or the escape of materials or substances from the land or obscures the land.

2. A person who fails to comply with a notice to comply is guilty of an offence.

19

Penalty

On the spot infringement 2 penalty units

Maximum court penalty 10 penalty units

3.3 Unsightly property

Property owners and occupiers are required to maintain their properties, including vacant land, to ensure it does not become unsightly. A property can be deemed unsightly even when not visible from the street, this includes the front, sides, and rear yard.

- 1. An *owner* or *occupier* must not keep or allow such premises to be kept in a condition which is unsightly or detrimental to the general amenity of the neighbourhood.
- 2. In determining whether premises is unsightly, an *authorised officer* should have regard to whether the land:
 - a) contains unconstrained rubbish;
 - b) contains disused excavation or building material;
 - c) contains grass or undergrowth of a height greater than 150mm;
 - d) by accumulation or hoarding of rubbish, waste or other materials gives the appearance of neglect and is out of character with other properties in the vicinity; or
 - e) is in a condition which is otherwise unsightly and detrimental to the general amenity of the neighbourhood.

P <u>enalty</u>		
On the spot infringement	2 penalty units	
Maximum court penalty	10 penalty units	

3.4 Dilapidated buildings

The **owner** or the **occupier** of **land** on which there is any **building** that is unoccupied or unfit for occupation or normal use must:

- a) take all reasonable steps to prevent any building or structure to become dilapidated or further dilapidated; and
- b) take all reasonable steps to prevent unauthorised access to the *building* and *land*; and
- as necessary, undertake temporary repairs as required to ensure on-site safety and security; and
- d) not allow any *graffiti* to remain on any *building*, wall, fence, post or other structure or object erected on that *land*.

Penalty	
On the spot infringement	4 penalty units
Maximum court penalty	20 penalty units

3.5 Dangerous land

- An owner or occupier must not, without a permit, allow their premises to be kept in a condition which is dangerous.
- 2. A premises will be deemed to be kept in a condition which is dangerous if:
 - (a) the condition of the premises harbours vermin or insects or contains noxious weeds; or
 - (b) without a permit, the premises is used to store any substance that is dangerous or which is likely to be dangerous to health, life or property; or
 - (c) the condition of the premises is likely to be dangerous to health, life or property.

<u>Penalty</u>		
On the spot infringement	2 penalty units	
Maximum court penalty	10 penalty units	

3.6 Use, collection and storage of domestic waste bins

This clause applies to the owner or occupier of every dwelling or other land to which the Council provides a kerbside waste and recycling collection service. All bins provided by Council for this service remain the property of Council.

- 1. All domestic waste and recyclables must be placed in the appropriate bin for their intended waste and recycling streams, in connection with the service.
- 2. The *owner* or *occupier* of every *dwelling* or other *land* to which the *Council* provides a kerbside waste and recycling collection service must:
 - a) maintain all bins in a clean and tidy manner so that they do not cause a health threat or offence to any person; and
 - b) ensure that any waste from a container that has spilled onto the road, nature strip or surrounding area before collection is removed as soon as practicable; and
 - c) place bins out for collection on the **nature strip** or **road** closest to their premises or other location confirmed in writing by Council; and

21

- not leave any domestic waste or recycling bin out for collection more than one (1) day before or one (1) day after a designated collection day unless directed or approved otherwise by Council; and
- e) ensure that the domestic waste or recycling bin does not interfere with the free movement of pedestrian or vehicular traffic or impede the collection of waste and recycling; and
- not remove, add or interfere with any domestic waste bin or its contents left out by any other person on a road or on Council land for collection, unless employed, authorised or contracted by the Council for the purpose; and
- g) ensure there are markings on the waste and **recycling** bins of the property that indicate the street number and in the case of flats or units, the number of each respective flat or unit; and
- h) ensure that bins remain free of all other markings, graffiti or stickers, except those applied or approved by the Council.
- not use Council supplied bins for any other purpose except for disposal of domestic waste or recyclable material.

<u>Penalty</u>		
On the spot infringement	3 penalty units	
Maximum court penalty	15 penalty units	

3.7 Hard waste

The **owner** or **occupier** of every **dwelling** or other **land** to which the **Council** provides a hard waste collection service must:

- a) place out for collection any hard waste in accordance with the guidelines provided by Council; and
- b) not place out for collection any hard waste items on a nature strip or *Council land*, except where approved to do so by a council officer or authorised contractor of *Council;* and
- c) not remove, add, or interfere with any hard waste left out by any other person, unless employed, authorised or contracted by the *Council* for the purpose.

<u>Penalty</u>		
On the spot infringement	2 penalty units	
Maximum court penalty	10 penalty units	

3.8 Commercial waste

- The occupier of any commercial premises must ensure that all waste receptacles associated with those premises that are placed on the road are clearly marked with the street number of the premises.
- 2. An occupier of commercial or industrial premises must provide a container for the storage of waste which is:
 - a) not kept on a road or Council land and is kept on the property for which the container has been obtained, unless Council has approved, in writing, an alternative location
 - b) constructed of impervious materials, water-tight and fly and vermin proof
 - c) of a sufficient size to contain all waste generated on the property in between clearances
 - d) emptied before it overflows and
 - e) maintained and kept in a clean, sanitary and inoffensive condition.
- 3. The *occupier* of commercial premises must ensure that all waste receptacles associated with those *premises* when placed for collection are:
 - a) not left out for collection more than one (1) day before or one (1) day after a designated collection day unless directed or approved otherwise by an authorised officer
 - b) placed adjacent to the kerb or as close as practicable to the kerb
 - c) not causing obstruction or interfering with the passage of pedestrians, by protruding onto a *footpath* and
 - d) not placed in such a manner that they otherwise constitute a hazard to pedestrians or vehicles or compromise the safe and convenient use of the road.
- 4. Where Council provides a weekly commercial cardboard collection service, the occupier of commercial premises must:
 - a) register with Council for the supply of this service
 - b) pay the applicable waste service charge and
 - c) comply with any conditions of use attached to the supply of this service.

Penalty	
On the spot infringement	2 penalty units
Maximum court penalty	10 penalty units

3.9 Public waste bins

A person must not deposit any domestic or commercial waste, recyclables or any other waste material of any kind which has been generated in or from any dwelling in a public waste bin.

<u>Penalty</u>	<u>!</u>	
On the spot infringement	2 penalty units	
Maximum court penalty	10 penalty units	

3.10 Camping on private property

The *owner* or *occupier* of any residential land must not, without a permit, allow any *person* to camp on that land, for a period exceeding 28 days in any one calendar year, unless the land is a licensed caravan park.

<u>Penalty</u>	
On the spot infringement	1 penalty units
Maximum court penalty	5 penalty units

3.11 Shipping containers

- 1. A person must not, without a *permit:*
 - a) store, keep, repair or in any other manner, use a shipping container on any land, road or road reserve within the *municipal district or*
 - b) allow another person to do so.
- 2. The owner/occupier of residential land must not, without a *permit:*
 - 1. store, keep, repair or in any other manner, use a shipping container on that land or
 - 2. allow another person to do so.
- 3. Clauses 1 and 2 do not apply to circumstances where a permit has been issued under the Planning and Environment Act 1987, in respect of the storage, keeping, repair or use of a shipping container.

<u>Penalty</u>		
On the spot infringement	2 penalty units	
Maximum court penalty	10 penalty units	

3.12 The location of trees, plants and signs

- 1. An owner or occupier of a premises must not allow any tree, plant or sign in or growing on the premises to obstruct or interfere with the passage of pedestrians or traffic by:
 - a) overhanging any footpath or part of the road used by pedestrians to any extent up to a height of 3 metres;
 - b) obstructing the view between vehicles at an intersection;
 - c) obstructing the view between vehicles and pedestrians;
 - d) obstructing any Council assets, including drains;
 - e) obscuring a traffic control item from an approaching vehicle or pedestrian;
 - f) obscuring street lighting;
 - g) constituting a danger to vehicles or pedestrians or compromising the safe and convenient use of the road; or
 - h) or so that it gets in the way of pedestrians or is likely to cause injury or damage.

Penalty On the spot infringement 1 penalty units Maximum court penalty 5 penalty units

3.13 Protection and use of drains

- 1. An owner and occupier of land must ensure that any drain located on that land is not:
 - a) in disrepair
 - b) in a condition which is a nuisance
 - c) in a condition that interferes with a Council asset or
 - d) dangerous to health.
- 2. An owner and occupier of land must ensure that:
 - a) the land is adequately drained to the satisfaction of an authorised officer
 - b) water on the land is not discharged onto Council land
 - c) water does not discharge from an air conditioner or other equipment on that land, onto Council land and
 - d) any drain discharges to Council's nominated legal point of discharge.

<u>Penalty</u>	
On the spot infringement	3 penalty units
Maximum court penalty	15 penalty units

3.14 Tapping into drains

A *person* must not without a *permit,* tap into any drain vested in or under the control of *Council,* or any other public body.

<u>Penalty</u>		
On the spot infringement	3 penalty units	
Maximum court penalty	15 penalty units	

3.15 Placement of bulk rubbish containers (skip bins)

A *person* must not, without a *permit,* place, allow or permit another *person* to place on or adjacent to a *road,* a bulk rubbish container.

<u>Penalty</u>	L
On the spot infringement	3 penalty units
Maximum court penalty	15 penalty units

3.16 Tree Protection

- 1. A person must not, without a *permit*, on private *land*:
 - a) remove, destroy, damage, interfere with or kill a significant tree
 - b) direct, authorise, or allow another person to remove, destroy, damage, interfere with or kill a significant tree.
 - 2. Sub-clause (1) does not apply to:
 - a) A person who is the holder of a permit issued for the removal, destruction or lopping of the significant tree under the Planning Scheme
 - b) A person whose actions are required by any other legislation or by any other statutory authority or this Local Law or
 - c) A person acting in accordance with an instruction or direction from an authorised officer.
 - 3. A person must not, without a *permit*, remove, destroy, damage, interfere with or kill a part of a *significant tree* that overhangs the private land of that person.
 - 4. For this clause, 'significant tree' means a tree or palm on private land that:
 - a) Has a trunk circumference of 110 cm or greater measured at 1.5 metres above ground level or
 - b) A multi-stemmed tree on private land where the circumference of its exterior stems equals or is greater than 110 cm measured at 1.5 metres above ground level or
 - c) If the tree has been removed, a circumference of 110 cm or greater at its base or the circumference of multi-stems at its base.

Penalty On the spot infringement

Maximum court penalty

4 penalty units 20 penalty units





Your animals

This part intends to ensure the responsible ownership, management, and care of animals within the municipality, including limiting the number and species of animals a person may keep without a permit and prohibit animal owners from letting their pets to cause a disturbance.

4.1 Permitted animals

 Unless permitted under the Planning Scheme, an *owner* or *occupier* of a premises must not without a *permit* keep or allow to be kept more *animals* or birds than is stated in the following table:

Type of Animal	Maximum number allowed on any one premises.
Dogs	2
Cats	2
Poultry (excluding roosters)	10
Roosters	Nil without permit
Small birds	10
Large birds	2
Pigeons	10
Racing pigeons	60
Domestic mice	2
Guinea pigs or ferrets	2
Domestic rabbits	2
Domestic fish, tortoises, frogs	No maximum limit
Cattle, horses, donkeys, pigs	Not permitted
Sheep or goats	Not permitted
Any other agricultural animals	Not permitted

For the purpose calculating the number of **animals** and birds that are allowed to be kept on any premises without a **Permit**, the progeny of any animal or bird listed shall be exempt for a period of twelve weeks after birth.

<u>Penalty</u>	
On the spot infringement	2 penalty units
Maximum court penalty	10 penalty units

- 2. An **owner** or **occupier** of any premises must not keep or allow to be kept any poultry or pigeons on any premises unless the poultry or pigeons are housed in a properly constructed poultry house or pigeon loft or similar structure which is:
 - a) of a height not exceeding 2 metres
 - b) at least 0.9 metres from the boundary of any adjoining premises and
 - c) at least 5 metres distance from any dwelling on the premises or adjacent premises
 - d) prevents, as far as practicable, the wandering or escape of such animal beyond the boundaries of the land
 - e) meets the welfare needs of the animal
 - f) is kept clean, sanitary and inoffensive and
 - g) is always maintained in good repair.

Penal	tv	
<u> </u>	<u>., , , , , , , , , , , , , , , , , , , </u>	
On the spot infringement	1 penalty units	
Maximum court penalty	10 penalty units	

4.2 Keeping of animals

An **owner** or **occupier** of any **premises** must ensure that any animal housing, including animal shelters, structures or enclosures on that land is:

- a) maintained at all times in a clean, sanitary and inoffensive condition
- b) constructed and maintained in a manner that is safe and adequate for its intended use and
- c) kept free of materials or vegetation that may harbour or attract vermin or other pests.

<u>Penalty</u>		
On the spot infringement	1 penalty units	
Maximum court penalty	10 penalty units	

4.3 Animal litter

- 1. A *person* in charge of an animal must immediately collect and remove all of the excrement left by the animal on a *road*, *street*, *nature strip*, *reserve* or *Council land* or in a *public place*.
- 2. A *person* in charge of an animal on any *road*, *street*, *nature strip*, *reserve* or *Council land* or in a *public place* must carry a bag or other receptacle and produce such item on request by an *authorised officer*.

Penalty		
On the spot infringement	2 penalty units	
Maximum court penalty	10 penalty units	

4.4 Animals in Council buildings

 A person must not allow any animal under their control, to enter or remain in a Council building.

Attachment 8.2.2.1 Page 81

2. Subject to the requirements of any other legislation, the prohibition in sub-clause (1) does not apply to assistance dogs.

<u>Penalty</u>	
On the spot infringement	1 penalty units
Maximum court penalty	5 penalty units

4.5 Pest and stray animals

- 1. A *person* must not:
 - a) encourage the presence of pest animals, stray animals or wild birds by feeding such animals in a public place or
 - b) allowing any such animals access to food, on any private land within the municipality.
- 2. Sub-clause 1 does not apply in circumstances where a person is seizing a dog or cat, in accordance with the provisions of section 84 of the Domestic Animals Act 1994.

<u>Penal</u>	ty
On the spot infringement	1 penalty units
Maximum court penalty	5 penalty units



♣ Fire safety

This part sets requirements for fire prevention and other activities that may affect the environment of the neighbourhood in which the activities are conducted and includes burning of material in the open, firepits and solid fuel fires and the generation of offensive odours, smoke and fumes.

5.1 Chimneys

An owner or occupier of residential land must not cause or allow any chimney to discharge dust, grit, ashes or smoke that the nature, extent, colour, smell or density is such as to be an unreasonable interference with the enjoyment of neighbouring premises, is dangerous to health or is offensive.

<u>Penalty</u>		
On the spot infringement	2 penalty units	
Maximum court penalty	10 penalty units	

5.2 Fires in the open

1. Open air fires / incinerators not to be lit

A person must not, without a Permit:

- a) light a fire
- b) allow a fire to be lit or
- c) allow a fire to remain alight

in the open air or in an incinerator on any land.

- 2. When considering whether to issue a *permit* under sub-clause (1), *Council* may only grant a *permit* to burn within the areas designated rural, industrial or commercial under the *Planning Scheme* for the purpose of:
 - a) fuel reduction
 - b) regeneration of indigenous plants
 - c) eradication of prohibited weeds or diseased plants or
 - d) for a purpose required under any other legislation, or as is deemed necessary by *Council*.

Barbecues excepted

3. Subject to the requirements of any other legislation, the prohibition in sub-clause (1) does not apply to a person who uses a barbecue for the purposes of cooking food.

Note: This clause is not intended to adversely affect or impact on the community's use of fire as part of their cultural traditions or religious observances.

<u>Penalty</u>		
On the spot infringement	2 penalty units	
Maximum court penalty	10 penalty units	

Attachment 8.2.2.1 Page 83





Vehicles and roads

This part contains provisions which aim to enhance the appearance of streets and public places by controlling activities involving vehicles in public places and minimising the impact of stationary vehicles and maintenance of public roads. This part contains provisions which aim to enhance the appearance of streets and public places by controlling activities involving vehicles in public places and minimising the impact of stationary vehicles and maintenance of public roads.

6.1 Behaviour involving motor vehicles

- 1. A **person** must not drive a **vehicle** to deliberately cause or attempt to cause a skid or other similar mark on a road or **road related area**.
- 2. A **person** must not drive or permit to be driven a **vehicle** in such a manner that it creates indentations on or damage to the surface of a **road, road related area, nature-strip** or **public place**.
- 3. An **owner or operator** of a **vehicle** must not drive or park a motor **vehicle** in a **reserve**, unless in an area specifically set aside for that purpose.

Penalty	
On the spot infringement	2 penalty units
Maximum court penalty	10 penalty units

6.2 Sale of a motor vehicle

A **person** must not display or allow to be displayed a vehicle, trailer, caravan, personal watercraft or vessel for sale on a **road**, **road** related area or **Council land**.

Penalty	•
On the spot infringement	1 penalty units
Maximum court penalty	5 penalty units

6.3 Abandoned, derelict or unregistered vehicles

A **person** must not leave or allow a vehicle to be left on a **road, road related area**, in **a public place** or on Council land, if such vehicle is:

- a) abandoned
- b) unregistered
- c) accident damaged
- d) dilapidated
- e) immobile or

Attachment 8.2.2.1 Page 85

f) causing a danger or an obstruction to other road users or pedestrians.

Note: For the purposes of this clause a vehicle may be considered by Council to be abandoned if the vehicle has not been moved for 2 continuous months.

Penalty	
On the spot infringement	1 penalty units
Maximum court penalty	5 penalty units

6.4 Repair and storage of vehicles

- A person must not cause or allow the repair, painting, maintenance or service of a vehicle on any road, road related area or Council land except where it is necessary to undertake emergency repairs to get the vehicle underway.
- 2. A **person** must not, without a **permit**, on a **road**, **road related area**, or **Council land**, store, keep or allow to be placed, a vessel, caravan or trailer for more than 28 consecutive days in any 12-month period.
- 3. A **person** must not, without a **permit**, in a **reserve** or **foreshore reserve**, store, keep or allow to be placed, a vessel, caravan or trailer for a period longer than 24 hours.

Penalty	
On the spot infringement	1 penalty units
Maximum court penalty	5 penalty units

6.5 Mobile cranes

1. A **person** must not, without a **permit**, use or cause to be used, any mobile crane on any **Council land, road or road related area**.

Penalty	
On the spot infringement	3 penalty units
Maximum court penalty	15 penalty units

6.6 Off street parking of heavy or long vehicles

- 1. A person must not, without a permit cause or allow a heavy vehicle or a long vehicle to be stopped, kept or stored on any land in an area zoned primarily for residential purposes under the planning scheme.
- 2. Clause 6.6(1) does not apply to land which is a road or road related area.

Penalty	
On the spot infringement	2 penalty units
Maximum court penalty	10 penalty units

6.7 Shopping trolleys

Shopping trolley requirements

- 1. The proprietor of any premises, or the manager of a shopping complex, which makes shopping trolleys available for use must ensure that each shopping trolley clearly has displayed information that contains:
 - a) the name and address of the business or the shopping complex providing the shopping trolley for use
 - b) a message to customers about their responsibility to return the shopping trolley to a recognised collection point and details of how to report an abandoned shopping trolley belonging to the proprietor of the business, or the management of a shopping complex, which has made the shopping trolley available for use.

Penalty		
On the spot infringement	1 penalty units	
Maximum court penalty	5 penalty units	

Proprietors and shopping complex management responsibilities regarding shopping trolleys

- 2. The proprietor or the manager of a premises or shopping complex which makes shopping trolleys available for use must:
 - a) ensure that the shopping trolley cannot be removed from that premises or complex; or
 - b) ensure that the shopping trolley cannot be removed from the car park area for the premises or shopping complex.
- 3. Notwithstanding the requirements of Sub-Clause (2), the proprietor of any business, or the manager of a shopping complex, which has made shopping trolleys available for use must collect shopping trolleys ordinarily kept within those premises or complex from:
 - a) Council land or
 - b) any other land which is not under the care and control of the owner of the shopping trolley, within 3 days of being notified to do so by Council or an authorised officer.

Penalty	
On the spot infringement	2 penalty units
Maximum court penalty	10 penalty units

6.8 Recreational vehicles

1. A person must not, without a permit, use a recreational vehicle in a public place, along a creek, in a reserve or foreshore reserve.

Penalty	
On the spot infringement	2 penalty units
Maximum court penalty	10 penalty units





★ Building works

This part contains provisions which aim to improve the amenity of the municipal district, in particular residential areas, by preventing nuisances caused by building works. This part should be read in conjunction with Council's *Building Site Code of Practice*, as made and amended by *Council* from time to time and published on *Council's* website. the *Building Site Code of Practice* is an incorporated document for the purposes of this Local Law.

7.1 Building Site Code of Practice

1. The person in charge of building work, building works or a building site must comply with Council's *Building Site Code of Practice*, being a document incorporated by reference and forming part of this Local Law.

2. Penalty	
3. On the spot infringement	5 penalty units
	•
4. Maximum court penalty	20 penalty units

7.2 Vehicle crossing is required

1. The *owner* of any premises must ensure that each point of vehicle access from a carriageway on a road to the premises has a properly constructed vehicle crossing.

Permit requirement

2. A *permit* is required to construct, or cause to be constructed, a *temporary vehicle crossing* or permanent *vehicle crossing*.

Power to require construction, repair or removal of vehicle crossing

- 3. If an owner or occupier of any land adjacent to a road, is or may in the future be entering or exiting the land using a vehicle or any existing temporary or permanent vehicle crossing has become redundant, Council may serve a written notice on the owner or occupier of the land, directing the owner or occupier to:
 - I. construct a temporary vehicle crossing or permanent vehicle crossing; or
 - II. repair, reconstruct or remove an existing *vehicle crossing*.

Directions

- 4. A person who is given a direction under clause 7.2 (3) must comply with the direction and carry out the works, at their own cost, in accordance with any permits or licenses required for the work that was directed.
- 5. A direction requiring removal of a crossing may include the requirement to re-instate, footpaths, nature-strips, kerb and channel and roads to the satisfaction of *Council*.

<u>Penalty</u>		
On the spot infringement	3 penalty units	
Maximum court penalty	15 penalty units	

Land to be accessed by vehicle crossings

6. The owner or operator of a vehicle must not enter or exit any land in a vehicle except by using a vehicle crossing constructed in accordance with this Local Law.

<u>Penalty</u>		
On the spot infringement	2 penalty units	
Maximum court penalty	10 penalty units	

- 7. For the purposes of this clause, a vehicle crossing is properly constructed if it is constructed:
 - a) in respect of permanent vehicle crossings, in accordance with Council's Engineering Design
 and Construction Manual as made and amended by Council from time to time and
 published on Council's website; or
 - b) in respect of temporary vehicle crossings, in accordance with Council's **Building Site Code of Practice**; and
 - c) in accordance with the terms and conditions of any relevant *permit* issued by *Council*.
- 8. The *owner* of any premises must maintain and keep in good condition any vehicle crossing and ensure that the vehicle crossing aligns with any internal driveway.

<u>Penalty</u>		
On the spot infringement	3 penalty units	
Maximum court penalty	15 penalty units	

7.3 Asset Protection Permits and Requirements for a Builder

 In relation to any building work on any land, Council's objectives are to secure community safety, protect public assets, enhance neighbourhood amenity and simultaneously provide support for appropriate building development and investment.

Council Assets

2. A person must not, without a *permit*, destroy, damage, modify, connect or interfere with any Council asset.

37

Penalty On the spot infringement 5 penalty units Maximum court penalty 20 penalty units

7.4 Construction or demolition works – Normal working hours

- Construction or demolition works may only be carried out during the normal working hours set out below:
 - a) Commercial and industrial construction and demolition:
 - I. 7.00am and 6.00 pm Monday to Friday (excluding public holidays)
 - II. 7.00am and 1.00 pm Saturday
 - III. Sundays and public holidays no works permitted.
 - b) Residential construction and demolition:
 - I. 7.00am and 6.00 pm Monday to Friday (excluding public holidays)
 - II. 9.00am and 1.00 pm Saturday
 - III. Sundays and public holidays no works permitted.
- 2. Sub-clause 1 does not apply if a permit has been granted for the carrying out of construction and/or demolition work under the following Acts/legislation:
 - a) the Environment Protection Act 2017; or
 - b) the Planning and Environment Act 1987; or
 - c) any regulations made under those Acts; or
 - d) this local law-

and the permit regulates the times in which those works can be carried out.

Penalty		
remaily		
On the spot infringement	5 penalty units	
0		
Maximum court penalty	20 penalty units	

7.5 Asset protection permits and requirements for a builder

Permit requirement

1. A builder requires an Asset Protection Permit prior to commencing, carrying out or allowing to be carried out building works on land.

<u>Penalty</u>	1
On the spot infringement	5 penalty units
Maximum court penalty	20 penalty units

Council may exempt

2. Council may exempt a builder from the operation of this clause whether in whole or in part.

Conditions on Asset Protection Permit

- 3. Without limiting Council's powers under this Local Law, an Asset Protection Permit issued under this clause may be subject to such conditions as Council determines including, but not limited to:
 - a) requirement to maintain a public liability insurance policy with a cover of not less than \$20 million per claim, for the duration of the building works;
 - b) the requirement that a copy of the permit always be available on the building site;
 - c) pay a security bond or guarantee in accordance with the provisions of this Local Law;
 - d) require that all works and deliveries are carried out in accordance with any relevant and specified Construction Standards that Council may have adopted;
 - e) require that no works or deliveries affect access to, or the safe navigation of, a road or a road related area may be undertaken, unless prior approval is granted by an authorised officer;
 - f) require that materials may not be stored on a road or a road related area, unless prior approval is granted by an authorised officer;
 - g) require that, where permission is granted to undertake works or material storage on a road or a road related area, such area must be restored to a safe, clean and tidy condition to Council's satisfaction, by conclusion of the works;
 - h) require that tree protection fencing be installed to ensure a Tree Protection Zone (TPZ);
 - require that any or all public assets or infrastructure damaged because of the works or deliveries be repaired, replaced or re-instated within a specified time, in accordance with this Local Law;
 - j) require that Council be notified prior to the commencement of any works or deliveries, in accordance with the provisions of this Local Law;
 - require that Council be notified of any pre-existing asset damage prior to the commencement of any works or deliveries, in accordance with the provisions of this Local Law;
 - I) require that Council be notified when works have been completed;
 - m) require that a temporary vehicle crossing be installed to Council's specification before commencement of any building works or deliveries;
 - n) require that construction of any permanent vehicle crossing be completed within a specified time; and
 - o) a waiver of the requirements for onsite refuse containers.

7.6 Expiry period of an Asset Protection Permit

Contrary to any expiry date specified for other permits issued under this Local Law, an Asset Protection Permit expiries on the date specified in the permit, or if not specified, 12 months after the date of its issue unless Council extends or renews it following application to do so by the builder.

7.7 Permanent or temporary vehicle crossings required

On any *land* at which *building works* are being or is to be carried out, vehicular entry to the *land* must only take place across:

- a) a permanent vehicle crossing; or
- b) a temporary vehicle crossing authorised by a Vehicle Crossing Permit and an Asset Protection Permit issued in respect of that land.

	<u>Penalty</u>		
On ti	ne spot infringement	3 penalty units	
Maxi	mum court penalty	10 penalty units	

7.8 Council to be notified of certain event

Regardless of whether a building permit has been issued, a *builder* proposing to carry out *building works* must:

- a) notify *Council* in writing of the proposed *building works* at least seven (7) days before *building works* commence;
- b) provide to *Council* written notice of any prior damage to any part of the *road* or *road* related area at least seven (7) days before building work commence or the delivery of any equipment or materials to the *land;* and
- c) notify *Council* in writing of the completion of the *building works*, other than minor *building works*, within one (1) business day of such completion.

<u>Penalty</u>	
On the spot infringement	5 penalty units
Maximum court penalty	20 penalty units

7.9 Occupation of Roads - Civil Works Permit required

Permit required

- 1. A *permit* is required to occupy (whether wholly or partially) *Council land*, a *road or road* related area:
 - (a) for any works that involve/s:
 - (i) fencing off part of the road or land;
 - (ii) erecting a hoarding, scaffolding or overhead protective awning;
 - (iii) using a mobile crane, elevated work platform, ladder, concrete pump, mobile scaffolding or a scissor lift or travel tower for any building works;
 - (iv) making a hole or excavation;
 - (v) connecting any *land* to the storm water system;

40

- (vi) reinstating a hole or excavation;
- (vii) leaving or storing any building, paving or other construction materials or any tools, machinery, plant or equipment; or
- (b) for any other non-road purpose which does not involve a *public space event*.

<u>Penalty</u>		
On the spot infringement	5 penalty units	
Maximum court penalty	20 penalty units	

7.10 Exemption from permit requirement

- 1. The requirement to obtain a *Civil Works Permit* or permit under clause (7.9) does not apply to the works of service authorities:
 - a) in an emergency or urgent circumstance as defined by the Road Management Act 2004;
 - b) when works are being carried out in accordance with the Road Management Act 2004; or
 - c) to the works of contractors undertaking any works within a *road* or *road related area* for or on behalf of *Council*.
- 2. Nothing in sub-clause (1) exempts a person from an obligation to notify *Council* of the location of the works prior to them beginning or, in an emergency or urgent circumstances, on the next working day following the works beginning.

Additional criteria for grant of a permit

- 3. In considering whether to grant a *permit* to occupy a *road* under clause 7.9, *Council* must have regard to:
 - a) the nature and duration of the works;
 - b) the likely hazard that the works may constitute to users of the road;
 - c) the impact of the works on the amenity of the adjoining area;
 - d) whether an indemnity/guarantee has been provided to Council;
 - e) whether a security bond is required in the circumstances; and
 - d) any other matter relevant to the circumstances of the application.

<u>Penalty</u>	
On the spot infringement	5 penalty units
Maximum court penalty	20 penalty units

7.11 Security Bonds and guarantees

- In deciding to grant a permit, Council may, at any time, require the applicant to lodge or provide to Council a security bond or guarantee in such amount and in such a manner as Council determines.
- In the event that a person to whom a permit is issued breaches or fails to comply with the
 permit conditions attached to the permit or this Local Law, Council may apply so much of the
 security bond or guarantee as is necessary to remedy that breach or failure to comply and
 repair any damage caused by that breach or failure to comply.

41

3. In the event that the security bond or guarantee is insufficient to remedy the breach or failure to comply and repair any damage caused by that breach, the person to whom a permit is issued is liable for the additional cost of the repair.

7.12 Return or retention of the security bond

- 1. Upon expiry of a permit, Council must, unless clause 7.11(2) applies, release any remaining security bond or guarantee to the person who paid the security bond or guarantee.
- 2. If there is any remaining amount which would be released pursuant to clause 7.12(1) and Council cannot locate the person entitled to the money, the money must be dealt with in accordance with the Unclaimed Money Act 2008.

7.13 Provision of a bulk waste container

- 1. Where any **building work** other than minor **building work** is being carried out on any **land**, the **builder** or **person** in charge of **building work** on a **building site** must:
 - a) provide a *bulk waste container* for the purpose of disposal of *builders' waste*, to the satisfaction of *Council* or an *authorised officer*;
 - b) place the bulk waste container in a location on the land and keep it in place (except for such periods as are necessary to empty the waste facility) for the duration of the building work on that land;
 - not place the bulk waste container on any Council land, road, or road related area, without a permit; and
 - d) empty the *bulk waste container* whenever it is full and, if necessary, provide a replacement *bulk waste container* during any emptying process.

<u>Penalty</u>		
On the spot infringement	5 penalty units	
Maximum court penalty	20 penalty units	

7.14 Disposal of builders' waste

The *builder* or *person* in charge of *building work* on a *building site* must ensure that all *builders' waste*, other than sand and soil, is placed in the *bulk waste container* so that the waste is retained in the *bulk waste container* at all times, to the satisfaction of *Council* or an *authorised officer*.

<u>Penalty</u>		
On the spot infringement	5 penalty units	
Maximum court penalty	20 penalty units	

7.15 Removal of builders' waste

- On any *land* where *building work* is being or has been carried out, the *builder* or *person* in charge of *building work* on a *building site* must remove and lawfully dispose of all waste within seven (7) days of completion of:
 - a) the *building work* or
 - b) the grant of an Occupancy Permit or
 - c) or issue of the Certificate of Final Inspection

whichever occurs last.

- The builder or person in charge of building work on a building site must ensure that a vehicle
 placing or removing a builder's bulk waste container accesses the building site by way of a
 temporary vehicle crossing.
- 3. The *builder* or *person* in charge of *building work* on a *building site* must ensure that the *builders' waste* is not deposited in or over any part of the stormwater system.

<u>Penalty</u>	
On the spot infringement	5 penalty units
Maximum court penalty	20 penalty units

7.16 Surrounding site protection

- On any *land* where any *building work* is being carried out, the *builder* or *person* in charge of *building work* on a *building site* must ensure that the *building site* is managed to minimise the risk of stormwater pollution through the contamination of run-off by chemicals, sediments, animal wastes or gross pollutants, by adopting measures to:
 - minimise the amount of mud, dirt, sand, soil or stones deposited on the abutting roads or washed into the stormwater system; and
 - b) prevent *building* site cleanup, wash down or other waste being discharged offsite or allowed to enter the stormwater system.
- 2. The *builder* or *person* in charge of *building work* on a *building site* must, in respect of the *building work*, ensure that:
 - a) no materials are deposited on any part of a road without the approval of *Council* and
 - b) any *builders' waste* which has spilled onto a road, nature strip or surrounding area is removed as soon as practicable.
- The builder or person in charge of building work on a building site must ensure that any
 footpath adjacent to the building site or land likely to be affected by the building work, is
 kept clear of mud and dirt at all times.
- 4. On any *land* where any *building work* is being carried out, the *builder* or *person* in charge of *building work* on a *building site* must ensure that any grass or weeds on the site or adjacent nature-strip are:

- a) maintained at a maximum height of 150mm at all times;
- b) Prevented from spreading onto adjacent footpaths or kerb and channel-

until completion of the building works.

<u>Penalty</u>		
On the spot infringement	5 penalty units	
Maximum court penalty	20 penalty units	

7.17 Site fencing and tree protection.

- The builder or *person* in charge of *building work* on a *building site*, must ensure that, prior
 to the commencement of any building works and for the duration of the building works, the
 site is provided with adequate site fencing or gates of a temporary or permanent nature,
 that:
 - a) are not less than 1800mm in height;
 - b) can ensure all materials and waste for or from the building site are contained within the boundaries of the building site and are capable of preventing waste or litter from being transported from the building site by wind;
 - c) have no more than one access opening to the building site, unless allowed by the asset protection permit applicable to that site;
 - d) has access point/s positioned to correspond with the location of the existing or temporary vehicle crossing/s for the building site, and is/are kept closed at all times when building work is not in progress; and
 - e) site fencing does not protrude into or onto any land other than the building site.
- 2. Where a builder or **person** in charge of **building work** is responsible for adjoining building sites, they may enclose more than one building site within the boundaries of a continuous site fence.
- 3. The builder or *person* in charge of *building work*, must ensure that, prior to the commencement of any building works and for the duration of the building works, a tree protection zone (TPZ) is provided, with adequate temporary fencing around any tree within the adjacent road reserve.
- 4. A TPZ must comply with the requirements set out in Council's **Building Site Management Code of Practice.**

<u>Penal</u>	ty	
On the spot infringement	5 penalty units	
Maximum court penalty	20 penalty units	





This part explains the process Council officers will adhere to in relation to the issuing and management of Local Law permits. It also sets out Council's power in relation to correction, amendment, suspension or cancellation of permits. The rights and responsibilities of permit holders are also explained.

8.1 Local Law permits

The purpose of this part is to ensure the:

- a) uniformity of *permits* granted for any matter under this Local Law, and
- b) conformity of *permit* conditions with relevant *Council* policy and guidelines.

8.2 Permit considerations

In deciding whether to grant a *permit* under this Local Law, *Council* may take into consideration whether the proposed use or activity will:

- (a) comply with any related policies of *Council*;
- (b) cause a danger or hazard to pedestrians, other users or vehicles;
- (c) disturb, annoy or disrupt adjacent property owners or occupiers;
- (d) be detrimental to the amenity of the area;
- (e) be done without destruction to vegetation on roads or Council land;
- (f) have the potential to cause damage to Council assets;
- (g) require approval or compliance with requirements under any other legislation;
- (h) require the consent, or should be referred to obtain the opinion, of any other *public authority;*
- (i) require additional arrangements to be made for wastewater disposal, litter and garbage disposal, lighting and security and *advertising signs*;
- (j) obstruct a footpath, shared user path or cycleway;
- (k) necessitate the applicant to have insurance against any risk;
- (I) necessitate a written indemnification of *Council* against liability arising from activities authorised by the *permit*; and
- (m) require consideration of any other matters relevant to the circumstances of the application.

45

8.3 Applications for permits

- 1. Before dealing with an application for a permit, Council or an authorised officer may require an applicant to provide additional information or to give public notice of the application.
- 2. An application for a permit must be accompanied by the appropriate fee where applicable.
- 3. Council may:
 - a) grant the permit;
 - b) refuse to grant the permit;
 - c) grant the permit subject to conditions; or
 - d) determine that no permit is required.
 - 4. A permit will be in the form approved by Council from time to time and may include any condition which Council considers to be reasonable and appropriate, including:
 - a requirement that a security bond, release, indemnity and/or guarantee (in a form specified by Council) be lodged with or given to Council to secure the proper performance of the permit;
 - b) a requirement that notice be given to Council as to when the activities authorised by the permit will be carried out or will occur;
 - c) a time limit on the permit or on the activities authorised by it;
 - d) a provision for the extension of the permit;
 - e) the payment of a fee, charge, fare or rent;
 - f) a standard to be applied;
 - g) that the permit is conditional on the happening of a certain event or prerequisite;
 - h) that the permit is conditional upon the rectification, remedying or restoration of any situation or circumstance; and
 - i) where the applicant is not the owner of the land that the consent of the owner be obtained.

8.4 Compliance with permits

1. Any *person* who fails to comply with any requirement or condition of a *permit* granted to them is guilty of an offence.

Penalty	1	
On the spot infringement	2 penalty units	
Maximum court penalty	10 penalty units	

8.5 Security bonds and guarantees

- 1. The value of any security bond or guarantee required under an Asset Protection Permit or Civil Works Permit will be proportionate to the likely cost of repairing potential damage to existing assets vested in Council and will be set by Council as part of its Annual Budget. Council may introduce a security bond or guarantee in relation to any property, undertaking, good, service or other act, matter or thing under this Local Law.
- 2. Council may prescribe the amount which is payable in respect of any security bond or guarantee.

46

- 3. Council may provide for specific security bond or guarantee amounts, maximum or minimum security bond or guarantee amounts, maximum and minimum security bond or guarantee amounts, scales of security bond or guarantee amounts according to the value of risk associated with the undertaking or project being assessed, the payment of security bonds or guarantees either generally or under specified conditions or in specified circumstances, the reduction, waiver or refund in whole or in part of the security bond or guarantee.
- 4. Council may when waiving or refunding, in whole or in part, of a security bond or guarantee, the reduction, waiver or refund may be subject to conditions, in respect of certain matters or transactions or classes of matters or transactions, in respect of certain documents or classes of documents, when an event happens, in respect of certain persons or classes of persons, or in respect of any combination of matters, transactions, documents, events or persons.

8.6 Correction, amendment, cancellation and suspension

- 1. **Council** may correct a **permit**, if the **permit** contains:
 - a) a clerical mistake or an error arising from any accident, slip or omission or
 - b) a material miscalculation of figures or a material mistake in the description of any *person*, premises or thing referred to in the *permit*.
- 2. **Council** may cancel, suspend or amend a **permit** at any time, if:
 - a) it is requested to do so by the *permit holder* or
 - b) it considers that there has been:
 - a material misstatement or concealment of fact in relation to the application for the permit
 - ii. any material mistake in relation to the grant of the permit or
 - iii. any material change of circumstances which has occurred since the grant of the **permit**.
- 3. **Council** may cancel or suspend a **permit** at any time if Council is satisfied that there has been a substantial failure to comply with a:
 - a) permit condition, or
 - b) **Notice to Comply** issued under this Local Law, relating to the premises, item or activity to which the **permit** relates.

8.7 Exemptions

Council may by resolution exempt any **person**, class of **persons**, article, item, or anything from requirement to obtain a **permit** under this Local Law.

8.8 Permit register

Council must keep a register of applications for permits granted under this Local Law.

8.9 Permit expiry date

A *permit* expires on the date specified in the *permit*. If no expiry date is shown on a permit, it expires 12 months from the date of issue.

47

8.10 Public utilities

- A public utility, or a *person* employed by or acting on behalf of a public utility, is not required
 to obtain a *permit* under this Local Law, in respect of work which is for the purpose of the
 public utility.
- 2. A *person* who, but for this clause, would be required to obtain a *permit* in respect of any activity must notify *Council* of the activity prior to its commencement.

8.11 Appeals

- 1. Any **person** who is aggrieved by any decision of Council in relation to the issuing, correction, amendment, suspension or cancellation of a permit issued under this Local Law may make a written or oral submission for consideration by **Council**.
- 2. Such submission must be lodged within 14 days of the date shown on the notice from which the submission request arises. If the person wishes to make an oral submission, they must write to Council within that 14-day period and make a request to be heard orally. Upon receipt of that request, Council will make the necessary arrangements.
- 3. Upon receipt of a submission and provided that there is no immediate threat to a person, animal or property, Council will suspend the decision referred to sub-clause (1), pending the conclusion of the review there-of.



48

Page 101





49

Whilst recognising that these activities are also governed by legislation, this part aims to control the consumption of alcohol in public places, to assist in ensuring that such activity does not detrimentally affect the safety and amenity of such places.

9.1 Consumption and possession of alcohol

- Council may designate any area or areas within the municipal district within which a person
 must not consume any alcoholic beverage or have in their possession any alcoholic beverage
 in an unsealed container and the times and dates during which such restrictions are to be in
 place.
- 2. Any designation of areas, times and dates under clauses 9.1(1) must be published by **Council** by giving public notice at least 14 days before the restrictions are to be introduced by:
 - a) Distributing a media news alert throughout Victoria of the restrictions to be introduced
 - b) posting notices on a publicly accessible notice board at the principal office of *Council*posting notice on *Council's* website and social media of the restrictions to be introduced
 and
 - c) retaining a copy of the public notification in the register of determinations to be kept with this Local Law from the date of the notice until the restrictions have ceased to operate.
 - 3. **Council** must cause any designated area to be signposted with sufficient signs to indicate to any **person** entering the area designated under clause 9.1(1the nature of any such restrictions and the times and dates during which such restrictions are in place.
 - 4. A *person* must not without a *permit* take any *alcoholic beverage* into an area designated under clause 9.1(1) during the time and on the dates during which restrictions are in place.
- 5. A *person* must not, without a permit, have in their possession or under their control any unsealed container of *alcoholic beverage* or consume any *alcoholic beverage* in an area designated under clause 9.1(1) during the time and on the dates during which restrictions are in place.
- Except in accordance with a *permit* granted by *Council* or an *authorised officer* or on licensed premises, a *person* must not, within any *Council building*:
 - a) consume any alcoholic beverage; or
 - b) have in their possession or control any *alcoholic beverage* other than *alcoholic beverage* in a sealed container; or
 - c) sell any *alcoholic beverage* to any *person*.

Unless it is an event or occasion sponsored or conducted by Council.

Penal	lty
On the spot infringement	2 penalty units
Maximum court penalty	10 penalty units



Activities on Council land

This part contains provisions which aim to enhance the appearance of streets and public places by controlling the placement of advertising signs in public places within the municipality. It also covers the placement of goods and the like in public places and the soliciting of gifts and money, busking, selling and other similar behaviour. This part should be read in conjunction with Council's "Footpath Furniture Trading Code of Practice" as made and amended by Council from time to time and published on Council's website.

10.1 Obstructions

- 1. A *person* must not, without a *permit*, place, authorise to be placed, or allow any obstruction that is on, over or affecting:
 - (a) Council land;
 - (b) a road or road related area; or
 - (c) a public place.
- 2. Sub-clause 1 does not apply in circumstances where the obstruction arises out of a lawful and reasonable use of a road or road related area.

Penalty	
On the spot infringement	2 penalty units
Maximum court penalty	10 penalty units

10.2 Mobile billboards

- 1. A *person* must not, without a *permit*, place a mobile billboard on:
 - a) a road, a road related area, Council land; or
 - b) any other location likely to obstruct the line-of-sight of a pedestrian or driver.
- 2. If a mobile billboard is placed in breach of sub-clause 10.2(1) any person, body or entity named on the billboard, including without limitation the person engaged to place the billboard, is guilty of an offence.

<u>Penalty</u>		
On the spot infringement	5 penalty units	
Maximum court penalty	10 penalty units	

10.3 Camping on public property

A *person* must not, without *written consent* of Council, camp in the *municipal district* either on *Council land* or any *public place*, in a:

- a) tent
- b) caravan
- c) vehicle
- d) mobile camper van or
- e) other temporary *dwelling* or makeshift structure

unless the *land* is a registered caravan park or camping ground.

<u>Penalt</u>	c <u>y</u>
On the spot infringement	2 penalty units
Maximum court penalty	10 penalty units

10.4 Collections

A **person** must not without a **permit** solicit or collect gifts of money or subscriptions or cause or permit any other **person** to do so from any:

- a) road
- b) footpath or
- c) from house to house adjacent to any road.

<u>Penalty</u>		
On the spot infringement	2 penalty units	
Maximum court penalty	10 penalty units	

10.5 Busking

A person must not busk on a road, road related area or Council land, unless allowed by festival, procession or special event permit issued under this Local Law.

<u>Penalty</u>	
On the spot infringement	1 penalty units
Maximum court penalty	5 penalty units

10.6 Festivals or processions

- 1. A *person* must not, without a *permit*, hold a street festival or procession on any Council land.
- 2. In determining whether to grant a *permit* for a street festival or procession *Council* must have regard to any guidelines determined by *Council*.
- 3. Any application to conduct a street festival or procession must be made to *Council* at least 90 days before the event is to take place.
- 4. A street festival or procession may not be held on any road within the municipality, unless the consent of both the Victoria Police and the relevant coordinating road authority has been obtained.

Penalty

On the spot infringement	2 penalty units
Maximum court penalty	10 penalty units

10.7 Filming on Council land

- 1. A person must not, without a permit, engage in any commercial filming on any Council land.
- In considering whether or not to issue a permit for commercial filming, Council will have regard to the *Film Friendly principles* and any related guidelines created under the *Filming Approval Act 2014*.

<u>Penalty</u>	
On the spot infringement	5 penalty units
Maximum court penalty	20 penalty units

10.8 Outdoor advertising signs and display of goods for sale

- 1. A *person* must not without a *permit*:
 - a) place or allow to be placed, any *advertising sign* on a road, Council asset or on *Council land*
 - b) display, sell or allow to be displayed or sold, any goods or services on a road or on *Council* land
- 2. In addition to any other condition which may be imposed by *Council permits* granted under clause 10.8(1) are subject to the following conditions:
 - a) that the *permit holder* comply with any relevant code or guidelines adopted or incorporated into this Local Law by *Council* and
 - b) that the advertising sign or goods be removed or moved upon the verbal or written request of an authorised officer, a member of the Police Force or a member of an emergency service.
- 3. A *person* must not, without a *permit*, paint or draw on any road or pavement.

<u>Penalty</u>		
On the spot infringement	3 penalty units	
Maximum court penalty	10 penalty units	

10.9 Outdoor eating facilities

- 1. A *person* must not without a *permit*, operate or allow to be operated, any **outdoor eating** facilities on a road, *Council asset* or on *Council land*.
- 2. In addition to any other condition which may be imposed by *Council, permits* granted under clause 10.9(1) are subject to the following conditions:
 - a) that the permit holder complies with any relevant code or guidelines adopted by Council
 - b) that any item or thing on or within an *outdoor eating facility* be removed or moved upon the verbal or written request of an *authorised officer*, a member of the Police Force or a member of an emergency service.

<u>Penalty</u>		
On the spot infringement	3 penalty units	
Maximum court penalty	10 penalty units	

10.10 Trading to a person on a road or from door to door

- 1. A *person* must not, without a *permit*, sell or offer for sale any goods or services from any premises or public place adjacent to a road to any *person* who is on that road or public place.
- 2. A *person* must not without a *permit* sell or offer for sale any goods or services from house to house adjacent to any road or cause or *permit* another *person* to do so.

<u>Penalty</u>	
On the spot infringement	3 penalty units
Maximum court penalty	10 penalty units
Maximum court penalty	10 penalty units



53



Municipal places, buildings and reserves

This part contains provisions which aim to protect the amenity of municipal places, buildings and reserves for the community, by controlling conduct in such places and by prohibiting persons from causing damage or acting in a socially unacceptable manner.

11.1 Clothing recycling bins

A *person* must not, without a *permit,* place a *clothing recycling bin* on any *Council land* in the *municipal district*.

<u>Pena</u>	lty
On the spot infringement	2 penalty units
Maximum court penalty	10 penalty units

11.2 Damage to Council assets

- A person must not, without a permit, destroy, damage, cut, trim, prune, remove or
 otherwise interfere with a street tree or vegetation, or trees or vegetation on any Council
 Land_including reserves and foreshore reserves.
- 2. A person must not, without the consent of *Council* or a *Council* officer, destroy, damage, interfere with or deface *Council Land*, or anything located at or on *Council Land*.
- 3. A person must not, without the consent of *Council* or a *Council officer*, remove an object that belongs to *Council*, from *Council Land*.

Penalty	L	
On the spot infringement	4 penalty units	
Maximum court penalty	20 penalty units	

11.3 Regulation of reserves

- A person must not without a permit, licence or authority issued by Council under this Local Law:
 - a) advertise, supply, sell or offer for sale any food, drink, goods or services; or
 - b) *hire* or offer for *hire* any goods or services, on a reserve or a foreshore reserve.
- A person must not, without a permit, licence or authority issued by Council under this Local Law:
 - a) conduct, organise or participate in any competitive game or sport on a reserve or foreshore reserve, contrary to any sign indicating restrictions on such activities;
 - b) engage in, play or practice any ball game, including golf or other sport on a reserve or foreshore reserve, contrary to any sign indicating restrictions on such activities;

54

- ride or lead a horse or cause or authorise another *person* to ride or lead a horse upon a
 reserve or *foreshore reserve* except locations where there are signs permitting that
 activity;
- d) operate or cause to be operated on a reserve or foreshore reserve any amusement for which a charge or fee is made or demanded;
- e) ride or drive any vehicle, including a bicycle or electric scooter, into or on any *reserve* or *foreshore reserve* except on a *road*, *track* or *path* provided for the driving of vehicles, in relation to accessing *parking* provided in that *reserve* or *foreshore reserve*. This sub-clause does not apply to persons using a mobility scooter;
- f) park a vehicle on a **reserve** or **foreshore reserve** except locations where there are signs permitting parking;
- g) engage in any activity or behaviour in a reserve or foreshore reserve, bearing a *Council* sign prohibiting or regulating such activity or behaviour;
- h) provide personal/fitness training, dog training, drone training or any other form of professional instruction.
- 3. A *person* must not engage in any activity or behaviour on a *reserve* or *foreshore reserve* which is offensive, disorderly or reasonably likely to cause significant risk or interfere with the quiet enjoyment of the reserve by any other *person*.

Penalty	L	
On the spot infringement	2 penalty units	
Maximum court penalty	10 penalty units	

11.4 Access to reserves

- 1. Except as otherwise provided in this Local Law, reserves will be open to the public at all times.
- 2. **Council** may determine days and times during which a reserve will not be open to the public generally.
- 3. A *person* must not enter a reserve when it is closed to the public unless that *person* does so subject to any conditions of entry determined by *Council*.

<u>Penalty</u>	
On the spot infringement	2 penalty units
Maximum court penalty	10 penalty units

11.5 Special events or festivals

- 1. **person** must not, without a **Permit**, conduct a:
 - a) special event
 - b) or festival

on or within any Council land.

In determining whether to grant a *permit* for a *special event* or *festival*, *Council* must have regard to any guidelines determined by *Council*.

2. Any application to conduct a **special event** or **festival** or must be made to **Council** at least 90 days before the event is to take place or any other such time as specified by any guidelines determined by **Council**.

55

<u>Penalty</u>	
On the spot infringement	5 penalty units
Maximum court penalty	10 penalty units

11.6 Fireworks at special events or festivals

- 1. A person must not, without a permit, set off fireworks at a special event or festival.
- 2. An application for a permit must be made to Council at least 42 days before the setting off of the fireworks.
- 3. In determining whether to grant a permit for fireworks at a special event or festival, Council must have regard to any guidelines determined by Council.

Penalty	ı
On the spot infringement	3 penalty units
Maximum court penalty	10 penalty units

11.7 Glass and Sharp Objects on a beach

- 1. A person must not place or leave any glass or sharp object on a **beach** so as to create a:
 - a) hazard or
 - b) danger

to any person on the beach.

7,1	
<u>Penalty</u>	
On the spot infringement	3 penalty units
Maximum court penalty	10 penalty units

11.8 Glass Free Areas

- 1. Council may designate any area or areas within the municipal district within which a Person must not have in their possession any glass container, bottle, or like thing without a permit and the times and dates during which such restrictions are to be in place.
- 2. Any designation of areas under sub-clause (1) must be published by Council by giving public notice at least 14 days before the restrictions are to be introduced by:
 - a) Posting notices on a publicly accessible notice board at the principal office of Council
 - b) Posting notices on Council's website and social media pages and
 - c) Retaining a copy of the public notice in the register of determinations to be kept with this Local law from the date of notice until the restrictions have ceased to operate.
 - 3. A Person must not have in their possession or under their control any glass container, bottle or like thing:

on a beach or

in an area designated under sub-clause (1) during the time and on the dates during which restrictions are in place.

_				
Р	P	n	a	lt۱

56

On the spot infringement	3 penalty units
Maximum court penalty	10 penalty units

11.9 Personal watercraft and recreational vessels launching

- 1. Council may, by resolution, designate an area or areas in which personal watercraft and recreational vessels may be transported onto or across the foreshore reserve.
- A person must not take a personal watercraft or recreational vessel onto or across the foreshore reserve other than by boat launching facility or an area designated by Council for that purpose.
- 3. (3) An authorised officer may direct a person not to use a Council boat launching facility if, the use of the boat launching facility would cause a significant risk to the safety of any person.

<u>Penalty</u>	
On the spot infringement	2 penalty units
Maximum court penalty	10 penalty units

11.10 Power of an authorised officer on the foreshore reserve

- 1. An *authorised officer* may require the *owner* or the *person* in charge of any watercraft or other vessel to remove that item from any area on the *foreshore reserve* in which it is not permitted.
- 2. A person who fails to comply with a direction given under this clause is guilty of an offence.

<u>Penalty</u>	
On the spot infringement	2 penalty units
Maximum court penalty	10 penalty units

Part 12



Noise control is important to balance the expectations of residents for amenity in the local environment with the right of people undertaking lawful activities.

12.1 Noise from industrial waste collection

A *person* must not, without a *permit*, collect industrial waste from any road or road related area or public place within the *municipal district* except between the following hours:

- a) if one collection is made each week:
 - (i) 6.30am to 8.00pm on Mondays to Saturdays
 - (ii) 9.00am to 8.00pm on Sundays and public holidays.
- b) if two or more collections are made each week:

- (i) 7.00am to 8.00pm on Mondays to Saturdays
- (ii) 9.00am to 8.00pm on Sundays and public holidays.

<u>Penalty</u>	
On the spot infringement	2 penalty units
Maximum court penalty	10 penalty units

12.2 Noise from vehicle sound equipment

- A person in control of a vehicle which is parked, standing upon, or being driven along, a road, Council land or in a public place, must not operate any sound equipment installed in or kept in the vehicle in a manner which causes unreasonable noise, or which interferes with the reasonable comfort of persons within the proximity of the vehicle.
- An owner or occupier of industrial, commercial or trade premises must ensure that any
 reverse or back up beepers from such industrial, commercial or trade premises is or are not
 audible within a habitable room of residential premises between 6.00pm and 9.00am.

<u>Pe</u>	<u>enalty</u>
On the spot infringement	1 penalty units
Maximum court penalty	5 penalty units

12.3 Noise from deliveries to businesses

- 1. An *owner* or *occupier* of a business premises must not cause or allow unreasonable noise to be generated by the delivery of goods to any:
 - a) commercial
 - b) industrial
 - c) trade or
 - d) retail premises

during the hours set out in the table below:

Time	Day
10pm - 7am	Monday to Friday
10pm - 9am	Saturdays, Sundays and public holidays

<u>Penalty</u>			
On the spot infringement	2 penalty units		
Maximum court penalty	20 penalty units		

12.4 Noise from intruder alarms

- 1. An *owner* or *occupier* of any residential premises must not:
 - a) install or allow to be installed or
 - b) retain or cause to be retained in an active state

at or upon any such premises, any intruder alarm which emits a **noise** audible beyond the boundary of the premises, unless such alarm is designed and operates so as to ensure that:

- c) whenever a detection device is activated, the intruder alarm is automatically rendered inaudible beyond the boundary of the premises, within 10 minutes of it being activated
- d) the intruder alarm cannot re-activate until the detection device has been manually re-set.

.,	,
Penalty	
remarky	
On the spot infringement	1 penalty units
·	· · ·
Maximum court penalty	5 penalty units

Part 13



13.1 Offences and penalties

- 1. A person who:
 - a) contravenes or fails to comply with any provision of this Local Law;
 - b) contravenes or fails to comply with any provision of an incorporated document;
 - c) breaches or fails to comply with a condition of a permit issued under this Local Law;
 - d) fails to obtain a permit when a permit is required;
 - e) fails to comply with a Notice to Comply issued under this Local Law;
 - f) fails to comply with a sign erected by Council;
 - g) fails to comply with a Notice of Impoundment served by an authorised officer;
 - h) fails to comply with a verbal or written direction issued by an authorised officer; or
 - i) knowingly supplies false or misleading information to an authorised officer is guilty of an offence and is liable to -
 - (i) a maximum penalty of twenty penalty units and
 - (ii) a further penalty of two penalty units for each day after a finding of guilt or conviction for an offence during which the contravention continues.

13.2 Infringement notices

- 1. Where an authorised officer reasonably believes that a person has committed an offence against this Local Law, an infringement notice may be issued and served on that person.
- 2. The fixed penalty for that offence is the penalty specified as an "Infringement Notice Penalty" at the foot of the relevant provision to which the offence relates and, in the table shown at Schedule 1.
- 3. If no penalty amount is set out for any provision of this Local Law, the infringement penalty shall be two (2) penalty units and the maximum penalty shall be ten (10) penalty units.

60

Part 14

@ Governance rules

1. This part sets the requirements which aim to ensure the facilitation of good governance of Hobsons Bay City Council, to provide procedures to regulate the use or misuse of the Common Seal or any petition or joint letter, and to create offences in the event of inappropriate conduct at Council meetings and meetings of Delegated Committees. This part should be read in conjunction with the City of Hobsons Bay Governance Rules as made and amended by Council from time to time and published on Council's website.

14.1 Conduct at meetings

It is an offence for a *person*, other than a *councillor*, to fail to comply with City of Hobsons Bay *Governance Rules*, in respect of *behaviour* at *Council* meetings or meetings of a *Delegated Committee*.

<u>Penalty</u>	
On the spot infringement	3 penalty units
Maximum court penalty	10 penalty units

Schedule 1: Infringement offences and penalties for Infringement Notices

Penalty units as described in this Local Law are in accordance with the *Local Government Act 2020* (section 71(7)), *Sentencing Act 1991* (section 110(1)) and *Monetary Units Act 2004* (section 5(3)).

The table below outlines the infringement notice penalty units and maximum penalty units in relation to offences against this Local Law.

Clause	Offence		
		Infringement	Maximum
		Penalty Units	Penalty Units
Adminis			
2.5	Failure to comply with Notice to Comply	3	10
Your pro			
3.1	Displaying property numbers	1	5
3.2	Fencing of vacant land	2	10
3.3	Unsightly property	2	10
3.4	Dilapidated buildings	4	20
3.5	Dangerous land	2	10
3.6	Use, collection and storage of domestic waste bins	3	15
3.7	Hard waste	2	10
3.8	Commercial waste	2	10
3.9	Public waste bins	2	10
3.10	Camping on private property	1	5
3.11	Shipping containers	2	10
3.12	The location of trees, plants, signs etc.	1	5
3.13	Protection and use of drains	3	10
3.14	Tapping into drains	3	10
3.15	Placement of bulk rubbish containers	3	10
3.16	Tree removal -private land	4	20
Your An	imals		
4.1(1)	Permitted animals	2	10
4.1 (2)	Housing of poultry, pigeons and small birds	1	10
4.2	Keeping of animals	1	10
4.3	Animal litter	2	10
4.4	Animals in Council buildings	1	5
4.5	Pests and stray animals	1	5
Fire Safe	ety		
5.1	Chimneys	2	10
5.2	Fires in the open	2	10
Vehicle	and Roads		
6.1	Behaviour involving motor vehicles	2	10

Clause	Offence		
Clause	Offence	Infringement Penalty Units	Maximum Penalty Units
6.2	Sale of a motor vehicle	1	5
6.3	Abandoned, derelict or unregistered vehicles	1	5
6.4 (1)	Repair and storage of vehicles	1	5
6.4(2)	Storage of vessel, caravan or trailer on Council land	1	5
6.4(3)	Storage of vessel, caravan or trailer on Council reserve	1	5
6.5	Mobile cranes	3	15
6.6	Off Street parking of heavy/long vehicles	2	10
6.7 (1)	Shopping trolleys	1	5
6.7 (2)(3	Proprietor/shopping complex responsibilities-	2	10
	shopping trolleys	_	4.0
6.8	Recreational vehicle	2	10
	and Building Works	-	20
7.1	Building Site Code of Practice	5	20
7.2 (1)- (5)	Vehicle crossing is required	3	15
7.2(6)	Land to be accessed by vehicle crossings	2	10
	Vehicle crossing construction/maintenance	3	15
7.3	Council assets	5	20
7.4	Building works – outside allowed times	5	20
7.5	Asset Protection Permit requirements	5	20
7.7	Vehicle crossing and building works	3	10
7.8	Fail to notify commencement of works	5	20
7.9	Occupation of road – Civil Works Permit is required	5	10
7.10	Opening or Excavation of Roads – Civil Works Permit required.	5	10
7.13	Provision of a bulk waste container	5	15
7.14	Disposal of builders' waste	5	15
7.15	Removal of builders' waste	5	15
7.16	Surrounding site protection	5	20
7.17	Site fencing and tree protection	5	20
Local Lav	v Permits		
8.4	Compliance with permits	2	10
Alcohol a	and smoking		
9.1 (4)- (6)	Consumption and possession of alcohol	2	10
Activities	on Council Land		
10.1	Obstructions	2	10
10.2	Mobile billboards	5	20
10.3	Camping on public property	2	10
10.4	Collections	2	10

Clause	Offence	Infringement Penalty Units	Maximum Penalty Units
10.5	Busking	1	5
10.6	Festivals or processions	2	10
10.7	Filming on Council land	5	20
10.8	Outdoor advertising signs and display of goods for sale	3	10
10.9	Outdoor eating facilities	3	10
10.10	Trading to a person on a road or from door to door	3	10
Municip	al Places, Buildings and Reserves		
11.1	Clothing recycling bins	2	10
11.2	Damage to Council assets	4	20
11.3	Regulation of reserves	2	10
11.4	Access to reserves	2	10
11.5	Special events or festivals	5	10
11.6	Fireworks at special events or festivals	3	10
11.7	Glass and sharp objects on a beach	3	10
11.8	Glass Free Areas	3	10
11.9	Personal watercraft and recreational vessel launching	2	10
11.10	Fail to comply with authorised officer requirement	2	10
Noise			
12.1	Noise from industrial waste collection	2	10
12.2	Noise from vehicle sound equipment	1	5
12.3	Noise from deliveries to businesses	2	20
12.4	Noise from intruder alarms	1	5
Governa	nnce Rules		
14.1	Conduct at meetings	3	10

CERTIFICATE PURSUANT TO SECTION 74(1) OF THE LOCAL GOVERNMENT ACT 2020

Pursuant to section 74(1) of the *Local Government Act* 2020, I, Mathew Sherwell, an Australian lawyer admitted to the legal profession for more than 5 years and who is not a Councilor of the Hobsons Bay City Council certify that:

1. I am of the opinion that the proposed local law being the Hobsons Bay City Council Community Local Law 2025, is consistent with the local law requirements of section 72 of the *Local Government Act* 2020.

Signed:

Mat Sherwell

Shaziell

23 May 2025

Hobsons Bay City Council Community Local Law 2025 - Amendments Council Report - Attachment 3

10 June 2025

Issue	Amendment	Comments
Clause 1.5 - Definitions	Definition of festival added.	Clarifies what a festival is in the City of Hobsons Bay. No new impact on rights of community.
Clause 2.10 – Incorporated documents	Two documents added to existing list: 1. Hobsons Bay Parklet Guidelines 2. Mobile Vendor Policy	Both documents already exist and are applied to the processes of assessing permit requests and then managing permits, once they are issued. No new impact on rights of community.
Clause 3.6 – Waste and recycling	 Words added to clarify that kerbside collection bins supplied to residents remain the property of Council. Words 'kerbside' and 'recycling' added to Sub-Clause 1. Word 'recycling' added to sub clauses 2, 2(d),(e),(f) and (g). Clause (h) added prohibiting the placing of unauthorised stickers on bins. 	Intended to assist in Council retention of bins when properties are vacated. Clarification only. No new impact on rights of community. Clarification only. No new impact on rights of community. Clarification only - complements existing provisions in Summary Offences Act. No new impact on rights of community.
Clause 3.12 – The location of trees, plants and signs	Based on legal advice, reverted to wording used in current Local Law.	Legal advice indicated new wording was ambiguous, compared to original. Advice accepted.Hobsons Bay City Councul
Clause 5.2(4)	Sub-clause deleted.	Strong community opposition to sub-clause, due to health and environmental impacts.



Ask for: David Power

Phone: 9932 1004

30 May 2025

Amy Mak
Manager Building Better Homes
Strategic Land Use and Planning
Department of Transport and Planning
E: amy.mak@transport.vic.gov.au

Dear Ms Mak,

Proposed Rezoning of Altona and Altona North Industrial Precincts

I write to advise that Council is supportive in-principle of the proposed rezoning of industrial land within Altona and Altona North, on the **strict condition** that Council's local planning controls, namely the Environmental Significance Overlay (ESO) and Design and Development Overlay (DDO) controls are incorporated in full as part of the amendment put forward by the Economic Growth Statement.

Council has undertaken the necessary strategic work to justify these overlays, and their exclusion represents a <u>significant missed opportunity</u> to ensure planning outcomes align with local values and long-term objectives. Proceeding without these overlays would compromise:

- The protection of nationally significant native grasslands, comprehensively
 mapped and assessed by Council officers. These are under imminent threat,
 and failure to implement the ESO will result in the illegal removal of these
 significant native vegetations and exposes them to irreversible degradation.
- The need to manage development in fragmented areas such as the Burns Road Estate through a tailored planning response. In this context, the DDO represents a minimum requirement to guide appropriately sized development and built form outcomes aligned with Council's Industrial Design Guidelines. Council acknowledges the potential value of further tools such as a DPO or DCP to secure coordinated development outcomes in the longer term but views the immediate implementation of the DDO as a critical first step.

While Council recognises the intent of the State's *Economic Growth Statement*, it maintains that Council's support for a Section 20(4) amendment is <u>conditional on targeted stakeholder consultation being undertaken</u> to allow the ESO and DDO to be implemented concurrently with the rezoning as part of the Economic Growth Statement proposed amendment.

The Department of Transport and Planning (DTP) confirmed the three options that will form the basis of their briefing to the Minister for Planning. Whilst Council welcomes DTP interest to progress the amendment, Council wishes to reiterate our concerns with the recommendations put forward for the Minister for Planning's consideration:

Option A (Recommended by DTP):

Approve immediate rezoning of Special Use Zone land in Altona and Altona North to Industrial 1 Zone (IN1Z) and Industrial 3 Zone (IN3Z).

Not supported by Council. This exclusion of critical local controls (ESO and DDO) will undermine the significance of a federally protected native grassland along with of Council and the broader community's efforts. The Council encourages DTP and the Minister for Planning to consider the seriousness of protecting the native grassland proposed by Council under the ESO and DDO.

Option B (Council's preferred option):

Prepare and release a discussion paper with targeted consultation (six weeks) to key stakeholders and landowners on the proposed rezoning, including the potential for a DDO, ESO and local policy updates.

It allows timely progression while ensuring local planning controls are properly considered.

Option C (More acceptable than Option A, but not preferred):

Prepare and release a discussion paper with full public consultation (six weeks via Engage Victoria) on the proposed rezoning, including the potential for a DDO, ESO and local policy updates.

It ensures community input but risks delays to implementation.

These options will be formally considered at the Council Meeting on 1 July 2025. It is expected that Council will endorse the Option B approach **but only if the inclusion of local overlay controls is guaranteed.**

We urge the Department to work proactively with Council to ensure the amendment process protects Hobsons Bay's environmental assets and delivers high-quality, locally responsive development.

Please feel free to contact me directly should you wish to discuss this matter further.

Yours sincerely,

Kerry Thompson

Acting Chief Executive Officer



FORM 14

Section 97O(2)

CERTIFICATE OF COMPLIANCE—EXISTING USE OR DEVELOPMENT

Certificate No.: GE250274

Planning Scheme: Hobsons Bay Planning Scheme

Responsible Authority: Hobsons Bay City Council.

Address of Land: 72/217 Kororoit Creek Rd, Williamstown (Lots 72

and 73 of Plan of Stata Subdivision 031056U)

The Certificate Refers to: Use of the land for residential use

This Certificate is issued in accordance with section 97N(1)(a) of the *Planning and Environment Act 1987*. The use or development existing on the land and referred to in this Certificate complies with the requirements of the planning scheme at the date of this Certificate.

Date Issued: 25 June 2025

Signature for the Responsible Authority:

Arthur Vatzakis

Manager Planning, Building and Health Services

IMPORTANT INFORMATION ABOUT THIS CERTIFICATE

WHAT IS THIS CERTIFICATE?

The Responsible Authority has issued this Certificate with respect to the use and development existing on the subject land and referred to in the Certificate.

EFFECT OF CERTIFICATE

A Certificate is a statement about the effect of the planning scheme on the use or development on the land on the day it was issued.

Attachment 1: LXRP HBCC Communications Register

DATE	ISSUE	COMMUNICATIONS / LXRP REQUEST	HBCC RESPONSE
Champion and			
Maddox Road 6/3/2025	Traffic Management Liaison Group meeting	Introductory meeting to discuss upcoming traffic management and community notifications for the project.	Noted
6/3/2025	New design released by LXRP with recreation spaces, additional tree planting and architectural treatments and screenings to the bridges and retaining walls.	Seeking community and HBCC feedback on latest designs released.	In line with Council submission, feedback provided regarding architectural elements of the bridge. For recreation and open spaces feedback provided in line with Council's Open Space and Play Strategy, i.e. suggested park furniture and landscaping.
13/3/2025 Meeting between Senior officers from LXRP and Council	Fortnightly coordination meeting.	Discussed recent community update on design changes and consultation on the 2 open spaces. Requested updates on HBCC Ross Road and Maddox Road projects.	Updates provided on the Council projects.
	Discussion was held on the resolution from February 2025 Council meeting on new communication process.	LXRP queried aspects of the new process.	Officers communicated to LXRP the approach Council would be taking moving forward in relation to ongoing quarterly reporting. LXRP acknowledged the position Council will be taking.
13/3/2025	LXRP HBCC Executive Meeting	LXRP requested meeting with HBCC	Discussion held on the resolution from February 2025 Council meeting, and officers communicated to LXRP the approach Council would be taking moving forward in relation to ongoing quarterly reporting. LXRP acknowledged the position Council will be taking. Discussion was held on the Maddox Road Safety Plan. LXRP offered to contribute to these works. Further discussions to be held.
19/3/2025	Termination Notice of VicTrack land Lots 164 and 165 Market Street, Newport	LXRP issued Council a notice of termination of Lease that will take effect on 17 April 2025.	The area is maintained by the community, notably the Friends of Market Street Group. On 19 March 2025 Council responded and advised that they will be seeking to reinstate or enter into a new license once projects works are complete.
27/3/2025	Fortnightly Coordination meeting	 Works to commence on site in April Community Notifications SLG meeting on 27/3 Progress on HBCC projects Upcoming design reviews 	Officers requested the process on determining the extent of areas for notifications to the public. Updates provided on the Council projects.
27/3/2025	Newport SLG Meeting #5 (Final Meeting)	Discussion Points: Status of reference group Updated designs and renders New recreational space engagement Start of construction Q&As / opportunities for further engagement	Key concerns raised by members: Need to improve ped/bike connections east west and north south at the Maddox Road rail crossing Problems for peds/cyclists at Launceston/Maddox intersection. Don't want to repeat at Akuna/Maddox by LXRP. Speed reduction along Maddox Rd supported

DATE	ISSUE	COMMUNICATIONS / LXRP REQUEST	HBCC RESPONSE
			 Poor visibility at intersections in precinct. Need better parking management and enforcement. Concern about night time safety and lighting Champion Rd SUP needs to be extended to new ped bridge Freight train noise a significant issue - needs to be mitigated in design Various ideas suggested by the members for the 2 open space areas, e.g. natural play space, half court basketball Need to consider activation under new rail bridge at Maddox Rd Construction impacts – parking, noise, dust, vibration Options for relocation or other mitigation measures for residents discussed Significant tree removal and limited tree replacement proposed by LXRP
3/4/2025	Traffic Management Liaison Group Meeting	Discussed upcoming Traffic Management Plans and impacts.	Requested consideration of impacts on surrounding area and sufficient communications on traffic changes during the project.
10/4/2025	Fortnightly Interface Meeting	Works to commence on site in May Community Notifications Progress on HBCC projects	Noted
14/4/2025	Newsletter received on Upcoming works in Newport during April and May	Community newsletter advising of various site investigations.	Noted, included in CEO News Report.
30/4/2025	Notes from SLG Meeting 5 released on LXRP website (Maddox Road and Champion Road – stakeholder liaison group summary - Victoria's Big Build)	Walking and cycling Attendees raised: • concerns about safety and the potential for cyclists to speed down the ramps of the new pedestrian and cycling bridge over Champion Road. • opportunities for further connections and accessible entry/exit points in the new walking and cycling path along Maddox Road, as well as at the shared use path on Railway Parade. Traffic management and road safety	

DATE 1350E COMINIUNICATIONS / LARP REQUEST INDUCRESPONSE	DATE	ISSUE	COMMUNICATIONS / LXRP REQUEST	HBCC RESPONSE
--	------	-------	-------------------------------	---------------

		Attendees raised:	The issues raised regarding Council's responsibilities include pedestrian and cyclist safety concerns using the Maddox Road SUP crossing intersection streets and also a lack of parking compliance in the industrial streets off Maddox Road causing visibility problems at intersections.
Alsuma Duiva Limb			
Akuna Drive Link 7/3/2025	Fortnightly Design	Design and proliminary site work undete	Noted
1/3/2025	Fortnightly Design Meeting	Design and preliminary site work update provided	Noted
12/3/2025	Unresolved Comments review	Seeking Council to close out comments on various design packages.	Council comments aligned with Council's submission remain active.
13/3/2025	Maddox Road / Akuna Drive / Macaulay Street intersection	Request for Council's concerns and comments	Detailed response provided in line with council submission to improve safety at the intersections
14/3/25	Asset Allocation and Ultimate Land Plans Review	Request for Council comments on asset ownership and maintenance	Comments provided at workshop on 11/2/25 submitted.
25/3/25	HBCC/MRPA Fortnightly Interface Meeting	Design and preliminary site work update.	Noted
3/4/2025	Fortnightly Traffic Management Liaison Meeting	Briefing on upcoming traffic disruptions in Maddox Road and Railway Pde and Kororoit Creek Road	Noted
7/4/2025	Fortnightly Interface Meeting and Design discussions	Design and preliminary site work update.	Noted
8/4/2025	Meeting to discuss access to land	Requested temporary access to Quarry Park occupied by the Equestrian Club for geotechnical works for the project. Note the project proposes a permanent path through the reserve between Park Cres. and Akuna Drive.	Temporary and permanent access granted subject to consulting the Club and Council approval.
14/4/2025	Design Meeting	Discussed open comments from Council	Comments consistent with Council's submission remain open.
30/4/2025	Environmental management framework	LXRP sent letter advising of minister approval of the environmental management framework as required by Clause 52.03-6 of the Hobsons Bay Planning Scheme.	Council provided a submission on the EMF focused on protection of the adjacent native grasslands.
Maidstone Street		5. I. S. FISSOSTIO BAY FIRITING SOLIDITIO.	
28/2/2025	Maidstone MTPF Act powers overview - MRPA	LXRP seeking HBCC feedback on proposed occupation of land and roads particularly land adjacent to Maidstone St Grasslands and occupation of Ajax, Jordan, Slough Rds.	Council responded on the 11 March 2025 seeking all year-round access to the grasslands and gateways to be cleared. No traffic comments supplied on the roads occupied. Council responded on the 14 March with additional queries relating to occupation of roads and surrounding streets:

DATE	ISSUE	COMMUNICATIONS / LXRP REQUEST	HBCC RESPONSE
			We have further queries below regarding LXRP proposed occupation and potential closure of the Ajax, Jordan, and Slough Roads. Has LXRP considered what the impact on the Maidstone St traffic would be and impacts on other streets and intersections? What is the purpose of LXRP occupying those roads and what other proposed traffic flow changes are planned to be implemented? How is LXRP managing access to properties and communicating to owners and occupiers? How will Council have access to providing services in those streets? How will emergency services access those streets if required? How will LXRP protect existing assets?
7/3/2025	Safety Plan Review Workshop	Review of risks and consequences and identifying mitigation measures in the design for the project.	Input provided by officers.
11/3/2025	Design Package 12 – CIVIL – Pavements (Compliance Gate)	Requested close out comments	Comments closed
12/3/2025	Unresolved Comments review on various design packages	Seeking Council to close out comments on various design packages.	Advised MRPA that some Council comments remain active and are not closed out.
18/3/2025	Out of Scope Items		Council letter sent to LXRP dated 18 March 2025 listing all the items that are out of the scope of the LXRP Project and requested that consideration be given to delivering these. Items include path sections, pedestrian refuge, improved traffic intersections, etc.
20/3/2025	Asset Allocation and Ultimate Land Plans	Comments requested 17/2/25	Submitted comments 20/3/25 on assets to be maintained by Council and other authorities
27/3/2025	Notice received on proposed acquisition by the Secretary to the Department of Transport and Planning	Comments requested on the purchase of 2 parcels of land owned by Qenos.	Notice noted.
27/3/2025	Asset Allocation and Ultimate Land Plans feedback requested.	Request to close out comments on asset allocation and ultimate land plans.	Some comments closed and some remain open. Further discussions required on landscaping areas, drainage assets and property boundaries.
1/4/2025	Fortnightly Interface meeting	Design and preliminary site work update provided	Noted
2/4/2025	Letter response from Gabrielle Williams MP Min Transport Infrastructure	Comment provided on Council's submission. Confirming that the bridge will not be widened to accommodate wider traffic lanes or footpath.	Noted
4/4/2025	Environmental Management Framework	LXRP facilitated a discussion on the environmental Management Framework	Comments provided on:

11/4/2025	Site Establishment Works	Council received a notice on site	Noted
	Notice	establishment works that will commence in	

DATE	ISSUE	COMMUNICATIONS / LXRP REQUEST	HBCC RESPONSE
		April 2025, distributed to the public and emailed to key stakeholder list which includes emergency services, local businesses, etc.	
14/4/2025	Design Meeting	Discussed responses to Council's latest comments on design packages: a. DP-10 – Civil Road Alignment, Barriers & Signage (4 open comments) b. DP-13 – Traffic Impact Assessment (5 open comments)	Comments consistent with Council's submission remain open.
16/4/2025	LXRP Notice to enter, occupy, use and carry out works on roads	Impacts Maidstone Street, Jordan Close, Ajax Road, Slough Road and Morrow Street.	Comments provided requesting business access is not interrupted, and adequate notice is provided.
29/04/2025	Interface meeting	Discussed status of planning approvals, communications and early works including tree removal of 167 trees. Notification to be circulated by LXRP.	Council requested the tree removal and replacement plan for further discussion to be in line with Council's submission.
29/04/2025	Works notice received	Notice covers site establishment works, ongoing investigations, tree removal and additional works planned in May 2025 Works include: • setting up site offices and project storage areas north and south of the rail line • removing waste material, including asbestos, within the works area that was discovered during recent site investigation works. • Tree and vegetation removal along Maidstone Street and in the surrounding area from late April to August 2025.	Noted
General			
28/4/2025 Executive Meeting	Discussion Points: - Project status report - Ways of working and HBCC February resolution - Railway Pde Tree removal - Maddox Rd/Akuna Dr Intersection treatment - Akuna Dr Drainage Design Maidstone St SUP widths	LXRP request for HBCC to review HBCC's Maddox Rd safety designs to facilitate increased traffic resulting from the closure of Champion Rd and the overall LXRP project. Ways of Working: Design reviews via Teambinder Meetings with design team to discuss open comments Formal agreements – MOU, LAA Responses to HBCC formal letters	Council is considering impacts on its design resulting from the project.

26/05/2025 Executive Meeting	Champion & Maddox: Removal of waste material for link Road is ongoing and should be completed by late May. Preparing for works along Launceston St to start in June. Construction starting on Maddox Rd late May. Northbound lane closure Maddox Rd from 22 May for 4-6 weeks. Maidstone St: Site establishment commenced in early May. Tree removal works commenced in early May.		Council is considering impacts on its design resulting from the project.
28/05/2025	LXRP Maidstone St – Traffic and Road Safety Concerns – Ajax Road Intersection	Correspondence issued on 28/05/2025 to Program Director, LXRP addressing traffic and road safety concerns at the Ajax Road intersection and issues related to the DGL Group Limited carpark.	Noted
28/05/2025	LXRP Akuna Drive Link concerns and disposal of contaminated material and drainage	Correspondence issued on 28/05/2025 to Program Director, LXRP regarding concerns related to the Akuna Drive Link project, specifically the management and disposal of contaminated material, as well as drainage issues.	



October 2024

Maidstone Street, Altona Level Crossing Removal Project

Consultation Report

PLANNING AND ENVIRONMENT ACT 1987 Hobsons Bay Planning Scheme In accordance with Clause 52.03-4 (Consultation requirement) of the Hobsons Bay Planning Scheme	
ENDORSED REPORT Consultation Report ENTIRE DOCUMENT (72 PAGES)	
SIGNED	
16/3/2025	VICTORIA State Government
OFFICIAL: Sensitive	

PROJECT SPECIFIC DOCUMENT INFORMATION

Document Details	
Issue Date	20/12/2024
Revision Number	Ε
Status	Issue for approval

REVISION CONTROL

Revision Number	Change Detail	Date	Comment
Α	N/A	01/10/2024	Initial draft for review
В	Revised following internal review	10/10/2024	Issued for review
С	Final for submission	22/10/2024	Issue for approval
D	Revised following DTP RFI	08/11/2024	Issue for approval
E	Revised to address clerical matters	20/12/2024	issue for approval

APPROVAL

Action	Name	Role	Date
Author		Senior Planning and Environment Specialist Senior Advisor Stakeholder Relations & Communications	01/10/2024
Reviewer		Manager Planning and Environment	10/10/2024
Reviewer		Senior Planning and Environment Specialist	14/10/2024
Reviewer		Acting Senior Manager Planning and Environment	14/10/2024
Reviewer		Deputy Director, Stakeholder Relations and Communication	18/10/2024
Approver	(k	Program Director, Metropolitan Roads Program Alliance	22/10/2024

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Page | 2

Table of Contents

TA	ABLE OF CONTENTS	3
	List of abbreviations	5
	Defined terms	5
EX	ECUTIVE SUMMARY	6
	Introduction	
	Part A Consultation and Engagement	6
	Part B Summary of consultation and responses	7
PA	ART A – CONSULTATION AND ENGAGEMENT	8
		102
1	PROJECT BACKGROUND	9
	1.1 Project overview	9
2	ENGAGEMENT APPROACH	10
	2.1 Engagement overview	10
	2.2 Stakeholder engagement methods	11
	HOBSONS BAY CITY COUNCIL ENGAGEMENT AND CONSULTATION	11
	GENERAL COMMUNITY ENGAGEMENT AND CONSULTATION	11
	KEY STAKEHOLDER ENGAGEMENT AND CONSULTATION	14
	OWNERS OF PRIVATE LAND TO BE COMPULSORILY ACQUIRED ENGAGEMENT AND CONSULTATION	
	OWNERS OF PRIVATE LAND TO BE COMPUSORILY ACQUIRED ENGAGEMENT AND CONSULTATION OWNERS OF PRIVATE LAND TO BE TEMPORARILY OCCUPIED ENGAGEMENT AND CONSULTATION	
	2.3 Receipt of planning submissions	25
	2.3.1 PLANNING SUBMISSION ASSESSMENT METHODOLOGY	
DA	ART B – SUMMARY OF CONSULTATION AND RESPONSES	26
PF	AKT B - SOMMANT OF CONSOLIATION AND RESPONSES	20
3	GENERAL FEEDBACK	27
	3.1 Engagement and feedback themes	27
	3.2 Design Feedback Survey	27
4	PLANNING SUBMISSIONS AND RESPONSES	
	4.1 Purpose and Scope	32
	4.2 Summary of submissions	32
	4.3 Submissions from key Stakeholders and affected landowners	33
	4.3.1 HOBSONS BAY CITY COUNCIL	33
	4.3.2 LOGOS/ESR (QENOS) - STAKEHOLDER WITHIN PROJECT BOUNDARY (OWNER OF LAND REQUIRE	D FOR
	BOTH PARTIAL COMPULSORY ACQUISITION AND TEMPORARY OCCUPATION)	46
	4.3.3 SCT GROUP - STAKEHOLDER PARTIALLY WITHIN PROJECT BOUNDARY (OCCUPIER OF LAND WITHI	N AND
	ADJACENT TO THE PROJECT BOUNDARY)	47
	4.3.4 STOCKLAND - STAKEHOLDER WITHIN PROJECT BOUNDARY (OWNER OF LAND REQUIRED FOR BOT	Н
	PARTIAL COMPULSORY ACQUISITION AND TEMPORARY OCCUPATION)	48
	4.3.5 REGISTERED ABORIGINAL PARTY	
	4.4 Matters relevant to Clause 52.03 and Responses	

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

	4.4.1 CONSULTATION	49
	4.4.2 Project boundary	
	4.4.3 ENVIRONMENTAL MANAGEMENT	
	4.4.4 NATIVE VEGETATION	
	4.5 General matters and Responses	
	4.5.1 SUPPORT FOR THE PROJECT	51
	DESIGN	52
	4.5.2 FUTURE PROOFING.	52
	4.5.3 URBAN DESIGN AND LANDSCAPING	
	4.5.4 GENERAL DESIGN	53
	4.5.5 PEDESTRIAN AND CYCLING CONNECTIONS	54
	Traffic Management	54
	4.5.6 LOCAL ROAD ACCESS, REDUCTION IN CONGESTION, CHANGES TO TRAFFIC MOVEMENT AND	
	IMPROVEMENTS	
	4.5.7 ACCESS FOR EMERGENCY SERVICES	
	SAFETY	
	4.5.8 GENERAL SAFETY	
	4.5.9 PEDESTRIAN AND CYCLIST SAFETY ON ROADS AND PATHS	
	4.5.10 IMPACTS TO BUSINESSES	57
5	CONCLUSION	59
APP	PENDICES	60
1	Appendix 1 - Project consultation documents	61
1	Appendix 2 – Maps of planning consultation extent (properties and absent landowners)	70

List of abbreviations

DTP - Department of Transport and Planning

SPF - State Project Facilitation

EPA - Environmental Protection Authority

LXRP - Level Crossing Removal Project

MTM - Metro Trains Melbourne

P&E Act - Planning and Environment Act 1987

MTPF Act - Major Transport Projects Facilitation Act 2009

SUP - Shared User Path

PTV - Public Transport Victoria

UDG - Urban Design Guidelines

UDF - Urban Design Framework

Defined terms

Level Crossing Removal Project (LXRP) — The organisation that oversees the delivery of all level crossing removals, ensuring that they are removed in a coordinated and efficient manner. The LXRP is part of the Major Transport Infrastructure Authority (MTIA) and is responsible for all aspects of the Project including planning and development, stakeholder engagement, procurement, through to construction and delivery.

Multi-Criteria Analysis (MCA) – The multi-criteria analysis describes the performance of each Project option against equally measured criteria, to help inform the selection of options.

The Alliance (MRPA) – The Metropolitan Roads Program Alliance (MRPA) includes the State of Victoria through the Level Crossing Removal Project, Fulton Hogan and Metro Trains Melbourne Pty Ltd (each being a party under the head contract with LXRP).

The Project - Maidstone Street, Altona Level Crossing Removal Project.

EXECUTIVE SUMMARY

Introduction

The Maidstone Street, Altona Level Crossing Removal Project (the Project) is part of the Victorian Government's commitment to remove 110 dangerous and congested level crossings across metropolitan Melbourne by 2030 which will increase road, rail and pedestrian safety and improve public transport services and efficiency. The Project includes the following key components:

- Demolition, buildings and works for the removal of the level crossing at Maidstone Street Altona on the Werribee Line.
- Road and railway works, including but not limited to, works to facilitate the grade separation of rail and
 road infrastructure, including construction of a road bridge and provision of new road and rail
 infrastructure, installation of new utility infrastructure (including signals), earthworks, replacement of
 track infrastructure (including signals), construction of retaining walls, drainage, temporary roads and
 access tracks, barriers, fencing, signage, footpaths and landscaping.
- Vegetation removal, including dead and native vegetation.
- Buildings and works to facilitate public realm improvements including, but not limited to, streetscape, lighting and landscape works and associated infrastructure.
- Installation, removal and modification of associated rail infrastructure, including cabling, signalling and overhead infrastructure.
- Ancillary activities, preparatory and enabling works, including creation and use of temporary
 construction areas, storage of materials, plant and equipment, relocation and/or protection of utility
 infrastructure and any other use, buildings or works ancillary or incidental to the Project.

Since the announcement of the Project in October 2022, the Level Crossing Removal Project (LXRP) has consulted with both the community and key stakeholders, seeking feedback in relation to what the community and key stakeholders would like to see included as part of the Project.

In addition to this general Project consultation, LXRP has sought submissions on planning matters relevant to Clause 52.03. The planning consultation period was between 3 July 2024 and 11 August 2024. 11 eligible submissions were received during this period, including three stakeholder submissions fromSCT logistics, Logos and Stockland. Additionally, a planning submission was also received from the Hobsons Bay City Council.

This Consultation Report describes how LXRP has informed, engaged and consulted with key stakeholders and the community since the Project was announced, and how the matters raised in feedback and submissions received have informed the development of the proposal.

The report has two parts:

- Part A summarises the overall program of engagement with the community and key stakeholders for the Project to date.
- Part B summarises the general feedback received from the community and responds to matters raised
 in planning submissions.

Part A Consultation and Engagement

LXRP undertook a phased approach to the engagement activities, commencing in October 2022. Community engagement will continue through to the completion of the Project.

LXRP's targeted engagement activities focused on reaching stakeholder groups using the following engagement methods:

Community – conducting face-to-face and online community information sessions, and community
pop-ups, digital and social media campaigns, online consultation hub, mail-outs, LXRP website,
advertising and communications materials including community updates and flyers.

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Page | 6

- Businesses communications materials including targeted emails, as well as one-on-one phone calls and meetings with businesses.
- Stakeholders meeting with key stakeholders, including Hobsons Bay City Council, Bunurong Land Council Aboriginal Corporation, Department of Transport and Planning (Roads and Freight Victoria), VicTrack, ARTC, Melbourne Water, utility operators (including major pipeline owners) and private property owners impacted by compulsory acquisition and/or potential temporary occupation for construction purposes.

Part B Summary of consultation and responses

Part B of this report summarises and responds to general feedback received during Project engagement, as well as the submissions made by the community and key stakeholders during the consultation period on planning matters between 3 July 2024 and 11 August 2024.

LXRP examined and responded to key themes and considerations raised by the feedback and submissions received. The most frequently raised matters were:

- General design, in particular around shared use paths on the bridge and the length of Maidstone Street, which will continue to be refined as the Project progresses into the detailed design phase.
- Impacts to surrounding businesses and local traders, which has been considered with traffic management, information on disruptions, accessibility and detour routes to be finalised.
- Local road access, reduction in congestion and road improvements, which will be addressed through the Traffic Management Plan and relevant agreements with Hobsons Bay City Council and Head, Transport for Victoria.

In addition to the above key issues and responses, the Project has also consulted with owners and occupiers of industrial land to be utilised for temporary occupation and/or permanent acquisition. LXRP received three submissions regarding acquisition and/or temporary occupation of land from the following key stakeholders:

- LOGOS/ESR (Qenos) Stakeholder within the Project boundary (owner of land required for both partial compulsory acquisition and temporary occupation)
- SCT Group Stakeholder partially within the Project boundary (occupier of land partially within, and adjacent to the Project boundary)
- Stockland Stakeholder within the Project boundary (owner of land required for both partial compulsory acquisition and temporary occupation)

Section 4.3 of this report outlines the key matters raised by the above stakeholders, along with the Project's response. Consultation with key stakeholders is ongoing and LXRP will respond to any further submissions made by any key stakeholders.

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Page | 7

PART A – CONSULTATION AND ENGAGEMENT

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Page | 8

1 Project background

1.1 Project overview

The Project is part of the Victorian Government's commitment to remove 110 of Melbourne's dangerous and congested level crossings across Metropolitan Melbourne by 2030, which will increase road, rail and pedestrian safety and improve public transport facilities and efficiency. The LXRP, a part of the Victorian Infrastructure Delivery Authority (VIDA) established under the Department of Transport and Planning (DTP), is overseeing the planning and delivery of each level crossing removal.

In October 2022 the Victorian Government announced a road bridge design was the most likely solution for removing this crossing. The preferred design solution has been determined through a multi-disciplinary criteria assessment approach (MCA) to optimise overall outcomes across the whole Project. The design will be finalised in 2025.

The Project includes the following key components:

- Removal of the Maidstone Street, Altona level crossing via the construction of a new road bridge over the Werribee and ARTC rail lines to complete the grade separation.
- Reconfiguration and regrading of the intersection of Maidstone Street and Ajax Road,
- New access for impacted adjacent businesses and properties, and minor reconfiguration of internal car
 parking of businesses impacted by the proposed road alignment
- Construction of a temporary access road linking the western ends of Ajax Road and Slough Road to maintain access during construction,
- · Upgrading local pedestrian connections,
- Protection, modification or relocation of utilities and rail infrastructure impacted by the Project works.

The scope of works for the Project includes the following:

- Demolition, buildings and works for the removal of the level crossing at Maidstone Street, Altona on the Werribee Line.
- Road and railway works, including but not limited to, to facilitate the grade separation of rail and road
 infrastructure, including construction of a road bridge and provision of new road and rail infrastructure,
 installation of new utility infrastructure (including signals), earthworks, replacement of track
 infrastructure (including signals), construction of retaining walls, drainage, temporary roads and access
 tracks, barriers, fencing, signage, footpaths and landscaping.
- Vegetation removal, including dead and native vegetation.
- Buildings and works to facilitate public realm improvements including, but not limited to, streetscape, lighting and landscape works and associated infrastructure.
- Installation, removal and modification of associated rail infrastructure, including cabling, signalling and overhead infrastructure.
- Ancillary activities, preparatory and enabling works, including creation and use of temporary
 construction areas, storage of materials, plant and equipment, relocation and/or protection of utility
 infrastructure and any other use, buildings or works ancillary or incidental to the Project.

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Page | 9

2 Engagement approach

2.1 Engagement overview

Stakeholder and community engagement commenced in October 2022, following a media announcement about the Project.

LXRP has adopted a phased engagement approach for the Project, which will continue as plans and designs develop. A detailed explanation of engagement and consultation activities in each of the phases is provided below, and an overview of the phases is provided below in Figure 1 - Overview of engagement phases.

Figure 1 - Overview of engagement phases

Phase One – Project announcement (complete)	Phase Two –Early concept designs (complete)	Phase Three – Final designs	Phase Four – Ongoing engagement during construction
Timing – October 2022 – July 2024 (complete)	Timing – July 2024 – September 2024 (complete)	Timing – October 2024 – early 2025	Timing – ongoing during Project construction, commencing in 2025
Announcement: Introduce Project and planning underway Show high level alignment of the Project Conduct site Investigations Consult with local traders Respond to community enquiries	Announcement: Design solution selected / confirmed design solution Explain benefits and rationale Consult on defined, negotiable aspects of design Engage community on design and landscaping elements Ensure community and stakeholders understand Project scope, timelines and benefits Consult community to understand: Visions for the precinct/ local area How they move around the area Possible issues and local needs Gain understanding of local businesses operations Challenges and opportunities Planning clause 52.03 consultation.	Announcement: Contract award and final designs Provide information on next steps and construction impacts Local engagement on design specifications and Project works.	Announcement: Major works commencing Engage on construction management Implement local engagement campaigns (e.g. Go Local)

Key activities:	Key activities:	Key activities:	Key activities:
 Release of community newsletter to approximately 14,000 properties. Email update to 1058 subscribers. Local trader survey open from September to October 2023. Face-to-face engagement including doorknocking and letterbox drops to residents and businesses. 	Release of community newsletter to approximately 14,000 properties. Email updates to 1058 subscribers. Establishment of Project page on the Engage Victoria website. Communicating ability to provide planning and design feedback. Key stakeholder briefings with Council Targeted community meetings, community information sessions, online webinar and doorknocks. Consultation on planning matters from 3 July to 11 August 2024.	Release of community newsletter in early 2025 and further newsletter again mid-year 2025. Email update to relevant subscribers. Further direct engagement with the Councils, community and other stakeholders. Face-to-face pop-ups and other community information sessions.	Ongoing release of community newsletters. Ongoing release of e-updates to relevant subscribers. Further direct engagement with the Councils, community and other stakeholders, as required. Specific workshops with the Councils. Trader/business engagement.

2.2 Stakeholder engagement methods

This section identifies the intended audience of LXRP's engagement approach, including key stakeholders and the community and outlines the consultation methods utilised.

Hobsons Bay City Council engagement and consultation

LXRP has liaised with Hobsons Bay City Council throughout the development of the Project. This has included meetings and discussions to understand the key matters and preferred outcomes for Council, consultation on engineering and design material about the Project, discussions regarding the use of land associated with the Project, and ongoing discussions regarding landscaping and replacement tree plantings.

Council officers are invited to attend the Urban Design Advisory Panel workshops to provide advice on the preferred design outcomes for the Project. Council was also involved in the development of the Project-specific Urban Design Guidelines.

LXRP sought assistance from Council for the provision of address data to support the planning consultation mailout.

Council made a planning submission during the planning consultation period. LXRP's response to Council's submission is set out in section 4.3.1 of this report.

General community engagement and consultation

Community engagement commenced in July 2024 with early designs announced in a media release by the Premier of Victoria on 3 July 2024. The below table summarises the community engagement activities including planning consultation.

Table 1: Engagement activity types

Туре	Activity	
	The following activities were undertaken as part of the engagement process to inform and consult the community:	
Key engagement	Media announcements: October 2022 – Announcement of 'Making the Werribee Line Level	
activities	October 2022 – Announcement of 'Making the Werribee Line Level Crossing Free' by the Premier of Victoria.	
	 June 2023 – Announcement of Maidstone Street Level Crossing Remova being fast-tracked for delivery by 2027 by the Premier of Victoria 	

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Page | 11

Туре	Activity
	Distribution of community newsletters as follows: December 2023 – Project newsletter mailed to approximately 5,000 properties. July 2024 – Project newsletter mailed to approximately 14,000 properties within a wide radius of the Maidstone Street, Altona level crossing. Surveys seeking feedback on negotiable elements of the Project: Design feedback survey Planning consultation from 3 July to 11 August 2024. Letters specifically for the purpose of making a planning submission were mailed to: Absentee landowners (landowners with alternative mailing address than the relevant property within the distribution area). Owners/occupiers of land within the Project Boundary which is likely to be compulsorily acquired or temporarily occupied during construction. Face-to-face and online engagement: Pop-up stalls at Climb West, Altona and Altona Meadows Library Online information session Door knocking of local businesses LXRP website and social media Engage Victoria online consultation hub Project email updates More than 15 1:1 meetings with business stakeholders to understand business impacts of construction. Residents across Altona received a Project community update newsletter on Wednesday 3 July 2024. This newsletter encouraged people to visit the Project's online platform,
	which housed both a planning-specific and general engagement survey.
	The Project newsletter contained a section regarding the planning consultation. This was mailed to occupants and businesses within proximity to the Project. The extent of consultation includes properties within an area of approximately 2km from the level crossing (see Appendix 2).
Planning consultation	The consultation area also extends south to Port Phillip Bay. This additional area was included as it was considered Maidstone Street is the primary connector road from Altona to the M1 and works in the area could potentially impact the owner or occupants, and so their input was sought. The consultation area was also extended west to Altona Meadows, as early Project communications indicated residents and businesses in this area had an interest in the Project.
consultation	Absent landowners were contacted for properties within and immediately adjacent to the Project boundary. As works in the area could potentially materially impact the owner or occupants of these properties, their input was sought.
	The Project newsletter included a link to the Engage Vic online portal, which allowed submitters to provide planning consultation submissions electronically, as well as an option to request a hard copy planning submission form.
	The planning submissions consultation period was between 3 July 2024 and 11 August 2024.

Activity
The newsletter also included information regarding a design feedback survey which ran concurrently with the planning consultation. The design feedback survey sought community ideas and feedback about the look and feel of the new road bridge and landscaping preferences. Community members had the option to complete one or both surveys. The two surveys were displayed equally prominently on the Project's Engage Victoria webpage, with a subheading summarising the purpose of, and difference between, the two surveys. The design feedback survey received 83 responses. Matters raised and feedback received from this surveys are responded to in Section 3 of this report.
from this survey are responded to in Section 3 of this report.
Community information sessions at Altona library and online via Zoom. A pop-up was also held at Climb West, Altona and at Altona Meadows Library. These information sessions were held on the following dates:
Wednesday 17 July 2024, 6:30pm – 7:30pm: Online information session online via Zoom.
Thursday 25 July 2024, 12:00pm – 1:00pm: Pop-up session at Climb West. Saturday 3 August 2024, 11:00am – 2:00pm: In person information session at Altona
library. Wednesday 7 August 2024, 12:00pm – 1:00pm: Pop-up session at Altona Meadows Library
Several community members took the opportunity to provide feedback or complete a survey.
A range of information was made available to the community, including:
 Community update newsletter, including concept images and links to surveys for feedback. Technical drawings showing the planning Project boundary
 Technical drawings showing the planning Project boundary Renders of the new road bridge
Feedback forms
 Information on the planning approval process.
To increase engagement in the Project and promote phase two community consultation over 80 local businesses were door knocked on Thursday 4 July 2024. Businesses were provided with information on the Project, a local business survey, an invitation to the trader drop-in sessions and information on how to contact the Project.
A media release was issued by the Victorian Government on Wednesday 3 July 2024.
The Project has its own page on the LXRP website, which is used to provide Project updates, including indicative renders, timelines, frequently asked questions and publications. This online engagement hub allows the community to provide online submissions relating to planning, preferences on the Project's look and feel and general community feedback.
LXRP's social media channels have been key communication tools. LXRP Facebook and Twitter pages are regularly used to make announcements, promote engagement
opportunities and start conversations. LXRP currently has approximately:
 46,000 Facebook followers 7,500 Twitter followers

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Page | 13

Туре	Activity
	 9,500 Instagram followers 42,000 LinkedIn followers. Facebook posts relating to the Project engaged approximately 4,600 people. LinkedIn posts engaged approximately 1,750 people and Twitter tweets reached approximately 91 people respectively. Examples of social media posts are provided in Figure 2.
Direct email communication	2 direct emails (e-updates) were sent out to subscribers. Each email was sent to approximately 1,058 people with an open rate of over 50.8% for the concept designs released email and 50% for the survey reminder email.

Please see **Appendix 1** for copies of consultation documents provided to the community during general Project consultation.

Please see **Appendix 2** for maps identifying the properties and absent landowners provided with consultation newsletters.

Key stakeholder engagement and consultation

LXRP consulted with key State Government agencies about the Project, as outlined in Table 2 below. Consultation with key stakeholders is ongoing and LXRP will respond to any further submissions made by any key stakeholders.

Table 2: Key Stakeholders

Key Stakeholder	Interest in the Project	Methods of consultation
Local Government		
Hobsons Bay City Council	Significant landowner, responsible authority and local roads authority.	See section 4.3.1 for details.
Relevant agencies		
Public Transport Victoria (PTV)	Body responsible for public transport in Victoria. Deals with disruptions and integration with future plans on Victoria's public transport network.	Ongoing review of design and Project requirements and maintenance requirements of new assets.
Metro Trains Melbourne (MTM)	Operator of Melbourne's metropolitan rail network. Deals with passenger train disruptions and future plans on Melbourne's metropolitan rail network.	Ongoing review of design and Project requirements and maintenance requirements of new assets.
Department of Transport and Planning (Freight Victoria)	Manager of future plans on Victoria's freight rail network	Ongoing review of design and Project requirements, maintenance requirements for any new assets.

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Page 143

Key Stakeholder	Interest in the Project	Methods of consultation
Australian Rail Track Corporation (ARTC)	Operator of Australia's national rail network. Deals with national freight disruptions.	Ongoing review of design and Project requirements, maintenance requirements for any new assets.
Head, Transport for Victoria (formerly VicRoads)	Manager of declared arterial roads.	Review of design and Project requirements and maintenance requirements of any new applicable assets.
VicTrack	Owner of the State's rail assets.	Ongoing review of design and Project requirements and maintenance requirements of any new applicable assets.
Melbourne Water	Relevant floodplain management authority.	Ongoing consultation regarding flood modelling and design and protection of assets.
Bunurong Land Council Aboriginal Corporation	Registered Aboriginal Party for the Project area. Regulator of cultural heritage approvals for the Project.	The Project is not preparing a CHMP.
		The RAP were requested to make a planning submission under 52.03. The RAP did not make a submission.
Environment Protection Authority	Environmental compliance relating to areas such as noise and air quality.	Consultation regarding flood modelling and water quality impacts to commence late 2024.
Emergency Services	Providers of emergency services require access through and surrounding the Project areas at all times.	LXRP has met with the Altona Fire Brigade and Altona Police Station to discuss the Project, and provided information to the local Ambulance service
Utilities		
Gas: APA, Ausnet Gas, Esso, Viva Energy, WAG Pipeline Water: Greater	Managers/operators of public utilities within or in proximity to the Project Boundary.	Ongoing consultation regarding protection, relocation and management of assets.
Western Water	in proximity to the Project boundary.	resocation and management of disects.
Power: Powercor Communication: NBN, Optus, Telstra, TPG		

Owners of private land to be compulsorily acquired engagement and consultation

If a privately owned property is required for the Project, LXRP must acquire the property, and in a reasonable time to ensure construction of the Project is not unduly delayed or impacted.

The land acquisition process is governed by the *Land Acquisition and Compensation Act 1986* (LAC Act), which sets out the statutory process a public authority must go through to compulsorily acquire land from a private landowner. This includes the following steps:

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

- Notice of Intention to Acquire, which can be issued once the Project Area has been designated under
 the MTPF Act. This notice informs the person that LXRP intends to acquire their property. This notice
 must be in the form prescribed by the Land Acquisition and Compensation Regulations 2021, which
 includes the purpose of the acquisition, an affected person's rights and contact details of people
 within LXRP they can contact for more information.
- Notice of Acquisition, which cannot be issued less than 2 months after the issue of the notice of
 intention to acquire. This notice informs the person that their land has been acquired. The occupier is
 not required to leave the property at this time. After the notice of acquisition but before the person
 vacates the property, they are able to occupy the property, with a rent-free period of up to 3 months
 (if the property is their principal place of residence or business premises).
- Notice of Possession, which cannot be issued less than 3 months after the issue of the notice of
 acquisition. This notice informs the occupier that LXRP intends to take possession of the property in 7
 days.

The above process includes statutory timeframes of 5 months and 1 week under the LAC Act. Typically, LXRP allows a longer time for an affected person to make alternative arrangements and prepare for the acquisition.

LXRP has a dedicated Land and Property Engagement Team which acts as the central point of contact for impacted landowners and interested parties. Prior to the above process (and immediately prior to a Project announcement/the release of the Project area), the team engages with impacted property owners to advise that it is likely the LXRP will need to acquire their property in order to deliver a particular Project.

This activity takes place via door knocks wherever possible, supplemented by phone calls and email. The team provides an information pack including a letter from the Project, a fact sheet with frequently asked questions and answers and a brochure offering free and independent counselling services.

The team stays in regular contact throughout the acquisition process to provide information and support and identify emerging risks along with potential mitigations. Impacted property owners can contact the team via a dedicated compulsory acquisition hotline and email address.

Following the issue of the Notice of Intention Acquire, the Land and Property Engagement Team transitions relationships with impacted landowners and interested parties to the relevant DTP case manager but continues to work in the background with the Project and DTP to help ensure a smooth process.

The Project requires the acquisition of eight private properties. These properties and the engagement/consultation undertaken with the affected persons are presented in Table 3.

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Table 3: Details of private land proposed to be compulsorily acquired and temporarily occupied

Property & SPI reference	Stakeholder	Owner/ Occupier	Land Requirement	Current Use of Land	Consultation Activity	Views of consulted party in response to acquisition
		Owner	Partial Compulsory Acquisition and Temporary Occupation	Commercial/Industrial	August 2023 – January 2024 - Issuing of Notice of Intention to Enter to discuss upcoming site investigations under s165B of the MTPF Act. March 2024 – May 2024 - Ongoing consultation regarding entry for site investigations July 2024 - LXRP's Land and Property Engagement Team (LAPET) provided an Information pack concerning the proposed compulsory acquisition. Through this Initial consultation the landowners/occupiers have been advised of the upcoming permanent acquisition and temporary occupation requirements of the Project.	Sentiment is cooperative and understanding relating to partial acquisition of land and temporary occupation
		Occupier	Partial Compulsory Acquisition and Temporary Occupation	Commercial/Industrial	August 2023 – January 2024 - Issuing of Notice of Intention to Enter to discuss upcoming site investigations under s165B of the MTPF Act. March 2024 – May 2024 - Ongoing consultation regarding entry for site investigations July 2024 - LXRP's Land and Property Engagement Team (LAPET) provided an information pack concerning the proposed compulsory acquisition. Through this initial consultation the landowners/occupiers have been advised on the upcoming permanent acquisition and temporary occupation requirements of the Project.	Sentiment is cooperative and understanding relating to partial acquisition of land and temporary occupation.
E		Owner	Partial Compulsory Acquisition and Temporary Occupation	Commercial/Industrial	August 2023 – January 2024 - Issuing of Notice of Intention to Enter to discuss upcoming site investigations under s165B of the MTPF Act. March 2024 – May 2024 - Ongoing consultation regarding entry for site investigations July 2024 - LXRP's Land and Property Engagement Team (LAPET) provided an information pack concerning the proposed compulsory acquisition. Through this initial consultation the landowners/occupiers have been advised on the upcoming permanent acquisition and temporary occupation requirements of the Project.	Sentiment is cooperative and understanding relating to partial acquisition of land and temporary occupation

Property & PI reference	Stakeholder	Owner/ Occupier	Land Requirement	Current Use of Land	Consultation Activity	Views of consulted party in response to acquisition
					 LXRP discussed likely impact to two car parking bays along Maldstone Street/Ajax Road car park. 	
		Occupier	Partial Compulsory Acquisition and Temporary Occupation	Commercial/Industrial	August 2023 – January 2024 - Issuing of Notice of Intention to Enter to discuss upcoming site investigations under s165B of the MTPF Act. March 2024 – May 2024 - Ongoing consultation regarding entry for site investigations July 2024 - LXRP's Land and Property Engagement Team (LAPET) provided an information pack concerning the proposed compulsory acquisition. Through this initial consultation the landowners/occupiers have been advised on the upcoming permanent acquisition and temporary occupation requirements of the Project.	Sentiment is cooperative and understanding relating to partial acquisition of land and temporary occupation.
		Owner and Occupier	Partial Compulsory Acquisition and Temporary Occupation	Commercial/Industrial	August 2023 – January 2024 Issuing of Notice of Intention to Enter to discuss upcoming site investigations under s165B of the MTPF Act. March 2024 – May 2024 Ongoing consultation regarding entry for site investigations May 2024 LXRP met with DGL on site to discuss business operations, ongoing business requirements and early concept designs. July 2024 LXRP's Land and Property Engagement Team (LAPET) provided an information pack concerning the proposed compulsory acquisition. Through this initial consultation the landowners/occupiers have been advised on the upcoming permanent acquisition and temporary occupation requirements of the Project. LXRP advised relocation of Maidstone Street access to Ajax Road. LXRP advised of permanent impacts to car parking along Maidstone Street. LXRP advised of temporary impacts to car parking along Maidstone Street and on-going investigations to offset occupied parking during occupation period.	Sentiment is cooperative and understanding relating to partial acquisition of land and temporary occupation.
51		Owner	Partial Compulsory	Commercial/Industrial	August 2023 – January 2024	 Sentiment is cooperative and understanding relating to partial

roperty & PI reference	Stakeholder	Owner/ Occupier	Land Requirement	Current Use of Land	Consultation Activity	Views of consulted party in response to acquisition
			Acquisition and Temporary Occupation		- Issuing of Notice of Intention to Enter to discuss upcoming site investigations under s165B of the MTPF Act. March 2024 — May 2024 - Ongoing consultation regarding entry for site investigations July 2024 - Meeting held onsite to discuss status of the plan of subdivision lodged with Council that requires Altona Business Centre Pty Ltd & Maidstone Business Centre Pty Ltd to proceed with registration to finalise LXRP's Land and Property Engagement Team (LAPET) provided an information pack concerning the proposed compulsory acquisition. Through this initial consultation the landowners/occupiers have been advised on the upcoming permanent acquisition and temporary occupation requirements of the Project.	acquisition of land and temporary occupation.
_		Occupler	Partial Compulsory Acquisition and Temporary Occupation	Commercial/Industrial	August 2023 – January 2024 Issuing of Notice of Intention to Enter to discuss upcoming site investigations under s165B of the MTPF Act. March 2024 – May 2024 Ongoing consultation regarding entry for site investigations July 2024 LXRP's Land and Property Engagement Team (LAPET) provided an Information pack concerning the proposed compulsory acquisition. Through this initial consultation the landowners/occupiers have been advised on the upcoming permanent acquisition and temporary occupation requirements of the Project.	Sentiment is cooperative and understanding relating to partial acquisition of land and temporary occupation.
		Occupier	Partial Compulsory Acquisition and Temporary Occupation	Commercial/Industrial	August 2023 – January 2024 - Issuing of Notice of Intention to Enter to discuss upcoming site investigations under s165B of the MTPF Act. March 2024 – May 2024 - Ongoing consultation regarding entry for site investigations July 2024 - LXRP's Land and Property Engagement Team (LAPET) provided an information pack concerning the proposed compulsory acquisition. Through this initial consultation the landowners/occupiers have been advised on the upcoming permanent acquisition and temporary occupation requirements of the Project.	 Sentiment is cooperative and understanding relating to partial acquisition of land and temporary occupation.

Property & SPI reference	Stakeholder	Owner/ Occupier	Land Requirement	Current Use of Land	Consultation Activity	Views of consulted party in response to acquisition
		Owner	Partial Compulsory Acquisition and Temporary Occupation	Commercial/Industrial	August 2023 – January 2024 Issuing of Notice of Intention to Enter to discuss upcoming site investigations under s165B of the MTPF Act. March 2024 – May 2024 Ongoing consultation regarding entry for site investigations July 2024 Meeting held onsite to discuss status of the plan of subdivision lodged with Council that requires Altona Business Centre Pty Ltd & Maidstone Business Centre Pty Ltd to proceed with registration to finalise. LXRP's Land and Property Engagement Team (LAPET) provided an information pack concerning the proposed compulsory acquisition. Through this initial consultation the landowners/occupiers have been advised on the upcoming permanent acquisition and temporary occupation requirements of the Project.	Sentiment is cooperative and understanding relating to partial acquisition of land and temporary occupation.
		Occupier	Partial Compulsory Acquisition and Temporary Occupation	Commercial/Industrial	August 2023 – January 2024 - Issuing of Notice of Intention to Enter to discuss upcoming site investigations under s165B of the MTPF Act. March 2024 – May 2024 - Ongoing consultation regarding entry for site investigations July 2024 - LXRP's Land and Property Engagement Team (LAPET) provided an information pack concerning the proposed compulsory acquisition. Through this initial consultation the landowners/occupiers have been advised on the upcoming permanent acquisition and temporary occupation requirements of the Project.	 Sentiment is cooperative and understanding relating to partial acquisition of land and temporary occupation.
		Occupier	Partial Compulsory Acquisition and Temporary Occupation	Commercial/Industrial	August 2023 – January 2024 - Issuing of Notice of Intention to Enter to discuss upcoming site investigations under s165B of the MTPF Act. March 2024 – May 2024 - Ongoing consultation regarding entry for site investigations July 2024 - LXRP's Land and Property Engagement Team (LAPET) provided an information pack concerning the proposed compulsory acquisition. Through this initial consultation the landowners/occupiers have been advised on the upcoming	 Sentiment is cooperative and understanding relating to partial acquisition of land and temporary occupation.

Property & PI reference	Stakeholder	Owner/ Occupier	Land Requirement	Current Use of Land	Consultation Activity	Views of consulted party in response to acquisition
					permanent acquisition and temporary occupation requirements of the Project.	
		Occupier	Partial Compulsory Acquisition and Temporary Occupation	Commercial/Industrial	August 2023 – January 2024 Issuing of Notice of Intention to Enter to discuss upcoming site investigations under s165B of the MTPF Act. March 2024 – May 2024 Ongoing consultation regarding entry for site investigations July 2024 LXRP's Land and Property Engagement Team (LAPET) provided an information pack concerning the proposed compulsory acquisition. Through this initial consultation the landowners/occupiers have been advised on the upcoming permanent acquisition and temporary occupation requirements of the Project.	Sentiment is cooperative and understanding relating to partial acquisition of land and temporary occupation.
		Occupier	Partial Compulsory Acquisition and Temporary Occupation	Commercial/Industrial	August 2023 – January 2024 - Issuing of Notice of Intention to Enter to discuss upcoming site investigations under s165B of the MTPF Act. March 2024 – May 2024 - Ongoing consultation regarding entry for site investigations July 2024 - LXRP's Land and Property Engagement Team (LAPET) provided an information pack concerning the proposed compulsory acquisition. Through this inftlal consultation the landowners/occupiers have been advised on the upcoming permanent acquisition and temporary occupation requirements of the Project.	- Sentiment is cooperative and understanding relating to partial acquisition of land and temporary occupation.
		Occupier	Partial Compulsory Acquisition and Temporary Occupation	Commercial/Industrial	August 2023 – January 2024 - Issuing of Notice of Intention to Enter to discuss upcoming site investigations under s165B of the MTPF Act. March 2024 – Anay 2024 - Ongoing consultation regarding entry for site investigations July 2024 - LXRP's Land and Property Engagement Team (LAPET) provided an information pack concerning the proposed compulsory acquisition. Through this initial consultation the landowners/occupiers have been advised on the upcoming permanent acquisition and temporary occupation requirements of the Project.	Sentiment is cooperative and understanding relating to partial acquisition of land and temporary occupation.

Property & SPI reference	Stakeholder	Owner/ Occupier	Land Requirement	Current Use of Land	Consultation Activity	Views of consulted party in response to acquisition
		Owner and Occupier	Partial Compulsory Acquisition and Temporary Occupation	Commercial/Industrial/Vacant land	August 2023 – January 2024 Issuing of Notice of Intention to Enter to discuss upcoming site investigations under s1658 of the MTPF Act. March 2024 – May 2024 Ongoing consultation regarding entry for site investigations July 2024 LXRP's Land and Property Engagement Team (LAPET) provided an information pack concerning the proposed compulsory acquisition via McGrath Nichol. Through this initial consultation the landowners/occupiers have been advised on the upcoming permanent acquisition and temporary occupation requirements of the Project.	Sentiment is cooperative and understanding relating to partial acquisition of land and temporary occupation.

Owners of private land to be temporarily occupied engagement and consultation

The Project intends to temporarily occupy two private properties and one area of Council land. LXRP will occupy the properties for the minimum period necessary to complete the Project, will pay appropriate rent during the occupation period and will return the property to the owner in the same condition (or better) once Project works are complete. These properties and the engagement/consultation undertaken with the affected persons are presented in Table 4.

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Table 4 Consultation with properties to be temporarily occupied

Property & SPI reference	Stakeholder	Owner/ Occupier	Current Use of Land	Consultation Activity
		Owner and Occupier	Commercial/Industrial	LXRP Communication and Stakeholder Team contacted for the discuss consultation period opening and partial inclusion in the Project area boundary. LXRP Communications and Stakeholder Team discussed likely temporary occupation requirements.
		Owner and Occupier	Vacant Land/Commercial/Ind ustrial	LXRP Communication and Stakeholder Team contacted / to discuss consultation period opening and partial inclusion in the Project area boundary. LXRP Communications and Stakeholder Team discussed likely temporary occupation requirements.
		Owner and Occupier	Vacant Land (Grasslands)	July 2024 The LXRP Interface Team and the Communications and Stakeholder Team informed Council during a meeting that a portion of the Council grasslands will be included in the Project area due to the need to realign utilities for the road bridge construction. The LXRP Interface Team and the Communications and Stakeholder Team are continuing discussions with the Council regarding divestment requirements.

2.3 Receipt of planning submissions

The online Engage Vic platform was used to facilitate the receipt of planning submissions as part of the planning consultation process. All methods of engagement directed interested persons to this platform.

Hard copy surveys could be requested and were then posted. A summary of this process is as follows:

- Anyone with an interest in the Project could provide feedback or make a planning submission.
- Formal submissions as part of the planning approvals process could be submitted from 3 July to 11
 August 2024.
- This process was promoted to the general community via all methods of engagement, as well as
 discussions with stakeholders.
- Visitors were required to register and create an account before they could submit feedback online.

The LXRP contact phone number and email address were widely publicised, which provided the community an avenue to contact the team with questions or queries.

2.3.1 Planning submission assessment methodology

2.3.1.1 Categorisation

The Project has developed a process to receive, categorise and respond to the submissions. Submissions were logged, numbered and recorded in a Submissions Register and the following protocols were applied to determine if the submissions were legitimate planning submissions:

- If the exact question was repeated verbatim as the comment, this comment was not considered eligible.
- Submissions that provided an address with no comment were not eligible.
- Submissions that provided comments with no address were eligible.
- Repeated submitters were only accepted for differing addresses.
- Differing submitters from the same address were accepted.
- Posted submissions received after 31 August 2024 (to allow for postal delays) were not accepted.

One submission was deemed ineligible as it contained no comments.

2.3.1.2 Themes and matters

Each submission was reviewed by Project officers and, where necessary, technical specialists to determine the matters raised, which were recorded on the register. The matters raised by the submissions were analysed and categorised and grouped into broad themes and matters which are listed in 6.

2.3.1.3 Responding to submissions

Each theme or matter raised in a planning submission, as well as relevant matters or themes raised in general feedback received during general engagement, have been responded to in Part B of this report. This task was completed with the assistance of technical specialists.

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

PART B – SUMMARY OF CONSULTATION AND RESPONSES

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

3 General feedback

3.1 Engagement and feedback themes

Feedback was received in a number of ways, but predominantly through the surveys held by LXRP; the design feedback survey and the planning approval consultation survey.

A total of 94 responses was received across two surveys. Section 3.2 below provides the matters raised in responses received to the Design Feedback survey, as well as LXRP's responses to those matters.

3.2 Design Feedback Survey

A total of 83 responses were received to the Project's Design Feedback survey. The responses raised the following matters detailed in Table 5.

Table5: Matters raised in responses received to the Design Feedback survey

Matter	Description of matter	Response
Consultation	Respondents raised their concern with the consultation process, specifically on the design survey questions being too targeted and limiting their level of feedback.	The Design Feedback survey was intentionally targeted towards look and feel of the Project, to get an appreciation of the Community's preference. A free-text section was available for comment (in which this comment was made) and the Planning survey was also available for the Community to share their views on the Project. Refer to Section 4.4.1
Environmental management	Request for minimal disruption to the native wildlife in the area during construction.	Refer to Section 4.4.3
Native vegetation	Protect the Maidstone St Grasslands and minimise tree and vegetation removal throughout construction of the Project.	Refer to Sections 4.4.3 and 4.4.4
Design	A large portion of respondents preferred earthy, natural tones for the road bridge. Respondents requested more patterned and textured surfaces, wanting to see more vibrant, bold colours in the design. Safety and passive surveillance were of top interest as well as anti-graffiti measures in the design.	Refer to Section 4.5.4

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Matter	Description of matter	Response
	More information about the design specifications of road over rail were requested. There were requests for the road bridge having 2 lanes each way, as well as criticism towards the bridge design being too big for the area.	2
	A fly through of the designs was also requested.	
	A number of respondents requested pedestrian and cycling connections to existing walking and cycling paths (such as the Federation Trail).	
Pedestrian and cycling connections	Dedicated cycling lanes on the road bridge were also requested. Concerns were also raised about the safety of the pedestrian path on the bridge. Respondents requested the paths be wide enough and safely separated from ongoing traffic.	Refer to Section 4.5.5
Shared-use path	A large proportion of respondents requested a shared-use path on the bridge to allow cyclists and pedestrians to safely cross the bridge.	A shared-use path is not within the scope of these Project works. Notwithstanding, it is noted that the Project will provide a footpath across the new road bridge, to a minimum width of 2.6m wide. Being 2.6m, the footpath could be upgraded to a SUP in the future, should the road be designated as a part of the Principal Bicycle Network at a later date.
Urban design	Respondents made suggestions regarding the structure design, artwork and amenity for the new bridge, including recommendations from other LXRPs and nearby barrier designs. The respondents emphasised the importance of the structure fitting well in the local landscape.	Refer to Section 4.5.2
CPTED	Requests that the structure minimise vandalism and be designed in a way that ensures Crime Prevention Through	Refer to Sections 4.5.8 and 4.5.9

Matter	Description of matter	Response
	Environmental Design (CPTED) measures are implemented.	
Building materials	Request for renewable materials to be used, including materials that do not become dirty easily.	The materials to be used in design and construction will be further explored concurrently with reviewing community feedback to shape final designs.
Landscaping	Request for more trees to be planted to connect with the surrounding landscape, in particular a mix of native trees and plants.	Refer to Section 4.5.3
General construction	Impact must be minimised to residents, businesses and schools during construction. This includes minimising the length of road closures and detours and communicating these changes throughout the Project.	Refer to Section 4.5.6
Traffic management	A number of respondents raised traffic management in their submissions. Generally, these fell into the following categories: • Ensuring traffic disruptions are minimised • Information about detours during Project works • Concerns regarding capacity of surrounding area to cope with traffic detours. • Setting suitable speed limits during construction and ultimate operation • Lane markings need to be clearer along Maidstone St, with some respondents requesting two lanes in each direction. • Unclear how access (including heavy vehicles) will be maintained to Ajax and Slough Roads both	Refer to Section 4.5.6

Matter	Description of matter	Response
	during and post construction.	
Trader impacts	Concerns about impacts of the works on local traders and accessibility to their businesses.	 The Project can offer dedicated trader support initiatives to businesses located near construction, such as: Using local suppliers to cater community events stakeholder meetings, and pop-ups at the station 'Shop Local' campaigns and marketing initiatives Trader profiles in regular construction updates delivered to thousands of local properties. The Project also encourages its workforce of hundreds of workers to support local businesses when they're in the area, including providing vouchers for workers to use at local businesses. LXRP is committed to supporting traders through any local disruptions. Our teams work directly with traders to uncover what support best suits them. Refer to Section 4.5.10
Accessibility during construction	Concerns about heavy vehicle accessibility on roads during construction and around businesses. Information about access to Ajax Road and Slough Road during construction. Request for safe detour routes that account for heavy traffic flows. Concerns about how construction will impact local school accessibility.	At this stage LXRP is still working through the construction schedule. More information for the community on what disruptions to expect will be issued closer to the start of construction. Methods to minimise impacts include: Advanced notice of changes to access, parking and rail services Clear wayfinding signage Maintaining access for business and residents at all times Reducing dust, noise and light pollution throughout the Project Refer to Sections 4.5.7 and 4.5.10
Outside of Project scope	Questions raised about why the southern level crossing on Maidstone Street is not within this scope.	The Project seeks to remove the northern level crossing along Maidstone Street as part of the Victorian Government's commitment to make the Werribee Railway Line level crossing free by 2030. The removal of this level crossing is essential to ensure more trains can

Matter	Description of matter	Response
		be added to the Werribee line following the opening of the Melbourne Metro Tunnel.
		The southern level crossing along Maldstone Street is on the Altona loop, which out of scope for this package of works and therefore, not included within the proposed Project Boundary. Notwithstanding, the Project will not preclude any future Projects which might relate to the Altona loop and the southern level crossing on Maidstone Street.
		A number of factors are considered when selecting level crossings for removal, including safety, congestion, how level crossings divide communities and restrict access to local facilities, and the efficiency in removing level crossings together.

Community feedback from the Design Feedback survey will be considered and addressed to the extent possible in Project design. LXRP will continue to work with the community and stakeholders to prioritise and refine ideas provided, particularly with regards to how disruptions are managed and communicated. This will occur as part of further local engagement to be undertaken in 2025.

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Page | 31

Attachment 8.4.1.2 Page 160

4 Planning Submissions and Responses

4.1 Purpose and Scope

The planning consultation process ensures potentially impacted people had an opportunity to make their views known so LXRP and the Minister for Planning can take these views into account and consider how issues might be addressed, as appropriate.

As part of the planning consultation process, LXRP sought submissions from stakeholders, residents and landowners that may be affected by the works associated with the Project. The purpose of inviting and considering submissions was to ensure that their views were known and considered by the Project, and to inform the Minister for Planning's consideration of documentation prepared in accordance with Clause 52.03.

In responding to the key matters raised in the submissions, this report:

- Identifies themes and matters raised in the written submissions.
- Shows how often particular matters were raised.
- Explains the general strategies adopted by the Project to respond to matters raised.
- Provides responses to specific concerns not addressed by the general strategies.

4.2 Summary of submissions

Submissions were received from a variety of sources including stakeholders, residents and landowners.

A total of 12 submissions were received during the planning consultation period, with 11 submissions deemed eligible based on the applied protocol. The 11 eligible submissions include three stakeholder submissions which were received from Additionally, a planning submission was received from Hobsons Bay City Council. The submission from Council has been considered separately at section 4.3.1 of this report.

One submission was deemed ineligible as no comments were provided in the submission.

Table 6 below identifies the matters raised in submissions received, along with how many submissions raised each issue both as a number and as a percentage of total eligible submissions. Council's submission has been reviewed and responded to in Section 4.3.1 below and has therefore not been included in Table 6.

Table 6: Summary of total submissions received

Theme/Matter	Number of submissions on this matter	Percentage of submissions raising matter
Matters relevant to Clause 52.03		
• Consultation	3	27%
Project boundary	2	18%
Environmental management	4	36%

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Theme/Matter		Number of submissions on this matter	Percentage of submissions raising matter
	Removal of native vegetation	2	18%
Suppor	t for the Project	2	18%
Design			
•	Future proofing	3	27%
•	Urban design and landscaping	2	18%
•	General Design	5	45%
•	Pedestrian and cycling connections	2	18%
Traffic I	Management		
•	Local road access, reduction in congestion, changes to traffic movement and road improvements	7	63%
•	Access for emergency services	1	9%
Safety			
•	General safety	3	27%
•	Pedestrian and cyclist safety on roads and paths	2	18%
Impacts	s to businesses	3	27%

4.3 Submissions from key Stakeholders and affected landowners

LXRP consulted nearby residents and landowners, Hobsons Bay City Council and key State Government agencies as part of the planning consultation. The key stakeholders consulted are outlined in Table of Part A.

Council provided a detailed submission in response to material that was provided as part of the planning consultation process under Clause 52.03. LXRP has provided a response below which specifically addresses matters raised in Council's submission.

The following section identifies and responds to key matters as raised by the following stakeholders.

4.3.1 Hobsons Bay City Council

A submission was received from Hobsons Bay City Council (dated August 2024 refer Attachment 7) which raised design options, features and requirements of the area surrounding the Project and detailed requests for various inputs and correspondence throughout the development of designs and construction of the Project.

Specific matters raised within Council's submission are discussed in further detail below. As discussed in Section 2.1 above, a response to the submission will be provided to Council, consistent with the responses set out below. The full Council submission can be found at Attachment 7.

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

#	Council Submission	LXRP response
1	Access agreements Council has requested LXRP negotiate an Access Licence Agreement for any occupation of Council land.	The Project will enter and occupy Council land pursuant to s167 of the MTPF Act. The Project will consult with Council prior the exercise of MTPF Act powers.
2	Access and acquisition Council has requested that LXRP liaise and consult with landowners and occupiers regarding the property implications resulting from the Project. Council request LXRP engage and work with each community member impacted by the Project to listen and respond to their concerns, to the satisfaction of the community member.	On 3 July 2024, LXRP doorknocked more than 80 properties around the level crossing and sent out over 14,000 community updates containing the concept designs and information on how the community could be involved. There were over 5,000 visits to the online content and more than 1,000 email subscribers receiving Project information. Two information sessions and two pop ups were held for the community to talk with the Project team and more than 15 one-on-one meetings were held with key stakeholders within the community.
		Engagement will be ongoing throughout the Project, which will include doorknocks, one-on-one meetings, information sessions and pop ups, email and hard copy notifications, phone calls, trader support and design consultation. Regarding acquisition and temporary occupation, LXRP has contacted all known interests included in the MTPFA Project Area Boundary and Clause 52.03 Project Boundary. Consultation has been undertaken with interests where there is proposed compulsory acquisition and temporary occupation requirements.
3	Ajax Road Ensure Ajax Road remains open at Maidstone Street for vehicle access and that any temporary closure during construction be kept to an absolute minimum.	Disruptions are an unavoidable part of a Project such as the Maidstone Street LXRP. The Project team will work closely with local businesses and stakeholders to ensure they have access and manageable detours throughout the Project. Methods to minimise impacts include: Providing a temporary access road to link the western ends of Ajax and Slough Roads to provide a vehicle detour during construction and when the intersection of Ajax Road and Maidstone Street is being upgraded. Advanced notice of changes to access, parking and rail services Clear wayfinding signage Maintaining access for business and residents at all times Reducing dust, noise and light pollution throughout the Project.

#	Council Submission	LXRP response
4	Emergency services access Ensure access to all properties within and surrounding the Project area by emergency service vehicles is not compromised or reduced.	The Project will provide access to every property and business in and surrounding the Project boundary throughout construction. The Project has engaged with emergency services during the consultation period and will continue to engage throughout the delivery of the Project. Emergency services were supportive of the Project and did not raise any concerns with protocols that will be established to manage any temporary road closures during construction. Emergency services will be briefed prior to any road closures and included in the Project distribution list and will be receiving advance notices and communications throughout the delivery of the Project.
5	Community access to Council services and emergency services Maintain access for deliveries to businesses and collection of rubbish, recycling, food waste, waste oil and the like throughout the construction period, including the early works.	The Project will provide access to every property and business in and surrounding the Project boundary throughout construction. The Project team will work closely with local businesses and stakeholders to ensure they have access and manageable detours throughout the Project.
6	Construction management Provide further details to Council on potential amenity impacts such as noise, light spill, dust and vibration, given the lack of detail provided with the announcement of the declared Project Area and concept design.	The Project's Environmental Management Framework (EMF) is the overarching document for the management of environmental impacts including noise, light spill, dust and vibration during construction. This document will be prepared following completion of the Project's detailed design in consultation with Council, as per the requirements of Clause 52.03-6 of the Hobsons Bay Planning Scheme.
		council is considered one of the key technical stakeholders for the Project and is currently reviewing detailed design packages which provides the opportunity to input to the design. Further, Council has been invited to key technical design meetings/workshops (Technical presentation, Safety in Design Workshops). Council will be also invited to attend the Traffic Management Liaison Group and Urban Design Advisory Panel workshops as part of the Project's design and delivery phases. During these review

processes, Council will have abundant opportunity to input into the Project designs.

7 Community impact during construction

Communication with the community was a key item in Council's submission. Council has requested LXRP maintain a high level of communication with affected residents, businesses and landholders within and outside the Project boundary, to provide information regarding road closures, access restrictions, works and potential delays. This includes a forum for businesses and the public to communicate with LXRP throughout the Project. Council suggested methods for communicating with the community such as using hoarding and electronic signage.

Access to local roads and community spaces (such as the Maidstone St Grasslands) was highlighted as being of critical importance and should be maintained where possible. Council opposes the permanent closure of any roads as a result of the Project.

Council requested any impacts expected to the local amenity of the area, especially particularly noisy or nighttime works be communicated with Council prior.

Council have also requested LXRP establish a robust stakeholder engagement process to regularly communicate with the local community, businesses, and other affected parties.

Community consultation and communication will remain an important element of the Project and will be ongoing throughout the Project until completion in 2027. This includes sharing the designs, communicating construction disruptions and providing support during the works for both residents and businesses. LXRP will continue to engage with Council to ensure the most appropriate methods are used for communicating with the community and business.

The Maidstone Street level crossing will be removed by constructing a new road bridge over the rail line immediately to the west of the existing level crossing. This alignment will enable Maidstone Street to remain open to traffic for most of the construction period and to maintain access to local roads and community spaces. No permanent road closures are included in this Project.

A communications strategy will be developed that will provide a Project-specific approach to communicating with the community, business and stakeholders through the delivery of the Project. This will outline specific engagement tools to be used for various stakeholders and frequency of providing updates, including aspects that require advanced notice to impacted stakeholders.

8 Consultation - level of detail

Council raised that LXRP had provided insufficient detail on the design of intersection treatments to improve safety and amenity, particularly at the Ajax Road intersection.

Preliminary designs for the Maidstone Street, Altona level crossing removal were released in July 2024, at the same time the Project undertook planning consultation, and ran a design feedback survey. Community feedback received will influence the details of the design, including the look and feel, colours and landscaping of the bridge

Further engineering work and engagement with key stakeholders (including Council) will also inform the final designs, which will be released in 2025. Council is currently reviewing detailed design packages for the Project and has been invited to provide input at key technical design meetings and workshops. Council will be also invited to attend the Traffic Management Liaison Group and Urban Design Advisory Panel

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Page | 36

Attachment 8.4.1.2 Page 165

#	Council Submission	LXRP response
		workshops as part of the Project's design and delivery phases. The Project team will continue to refine areas such as the reconfiguration and regrading of the Ajax Rd and Maidstone Street intersection in conjunction with affected stakeholders, Council and road authorities as part of this process.
9	Dilapidation/repair Council requested LXRP maintain assets such as signs, line markings, and other infrastructure on council roads under their possession during the Project. A dilapidation survey of Council Road	A pre-construction condition survey report will be undertaken to document the condition of the agreed construction zone.

10 EMF

Council has requested LXRP, in accordance with Clause 52.03 of the Hobsons Bay Planning Scheme, prepare an Environmental Management Framework (EMF) in consultation with Council. The EMF should outline how the Project will reduce and manage environmental amenity effects during construction and include a summary of monitoring and reporting processes.

reserve assets within the Project boundary should be conducted before construction commencement and Council provided with a

The Project's EMF is the overarching document for the management of environmental impacts during construction. This document will be prepared in consultation with Council, as per the requirements of Clause 52.03-6 of the Hobsons Bay Planning Scheme.

11 Management Plans

Council has requested LXRP prepare a range of plans to manage a range of aspects such as traffic, flora and fauna, access and public communications throughout construction. The request extends to Council playing a key role in the preparation of these documents and their ultimate approval.

LXRP will prepare a range of plans through the detailed design phase of the Project, which will include plans to manage traffic, flora and fauna, access and public communications. These are prepared in consultation with Council through advisory groups (Traffic Management Liaison Group), panels (Urban Design Advisory Panel) and consultation such as that during preparation of detailed designs and the EMF.

12 Flooding

Council has raised a number of matters relating to flooding and drainage. In particular, Council has requested detailed stormwater and flooding investigation and management plans, and for the Project to engage with Council to address the impacts the Project will have on flooding, water quality and quantity.

Council has specifically requested LXRP engage and work with Council to address the impacts the Project will have on locations within the Project Boundary area, and specifically in and As a key technical stakeholder, the Project will be engaging Council to review and provide input into relevant Project design packages; including drainage design, which includes stormwater and surface water modelling.

The Project Boundary is located between two adjacent catchments: Cherry Creek and Kayes Drain.

A LSIO intersects the Project Boundary at the Cherry Creek rail bridge (approximately 1.2km east of the Maidstone Street level crossing) and on the northern side of the rail corridor in the vicinity

Council Submission around the areas in wh

around the areas in which construction works will occur, that fall within the LSIO. LXRP have been requested to:

- Ensure works within LSIO overlays comply with the Council Cardno model and meet freeboard requirements.
- To consider any potential impacts the Project will have on flooding, water quality and quantity, and the need, if any, for stormwater detention and treatment or upgrades to Council drainage networks
- Ensure the drainage system accommodates runoff from upstream catchments and includes downstream works necessary to manage flows from LXRP activities.
- Consider existing 1% AEP flows within the catchment and whether these works will alter downstream flows, in accordance with the Water Act 1989.
- Satisfy Melbourne Water Velocity x Depth safety criteria
- Ensure post-developed flows from the works be limited to pre-developed levels and the %AEP for flows and storage requirements be determined.

LXRP response

of Kayes Drain (approximately 1.2km west of the Maidstone Street level crossing), however no onground works are planned in these areas (rail signalling only). There are no other flood-related planning overlays within the Project Boundary.

There is a gradual slope downwards from the site towards the south, as well as in both east and west directions along the northern side of the rail corridor. No significant existing surface water flow paths were found to drain towards or across the site from external catchments. Except for those immediately adjacent to the rail corridor, there are no existing culverts crossing Maidstone Street near the level crossing site.

Potential impacts to flooding, water quality and quantity within the local drainage catchments will comply with Austroads Guide to Road Design Part 5.

The Project team has engaged with Melbourne Water who confirmed that detailed flood modelling is not required on the basis that:

- No significant existing overland flow paths or flood flows were identified across the site and therefore:
 - no existing flood storage occurs on the site that may interact with the proposed works
 - no flood levels are present that may affect freeboard requirements.
 - There are no existing flood hazards that the proposed works may affect.
- No new flow paths are expected to be created as a result of the proposed works.
- No new hazards are expected to be created as a result of the proposed works.

13 Footpath Renewal Program

Council has provided details of the 24/25 Footpath Renewal Program for reconstruction, and requested LXRP confirm or advise if any of these works will be affected by the Project.

 Maidstone Street: Park Pde to Morrow Street (both sides) The southern limit of Project works area is Morrow Street. Council works in this area are not anticipated to be affected by the Project.

Ongoing interface and open communication will be maintained throughout the delivery of the Project. Further, Council will be invited to attend the Traffic Management Liaison Group workshops

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

#	Council Submission	LXRP response
	Galvin Street: Park Pde to Morrow Street (both sides)	where an overview of upcoming works is provided as well as discussion regarding Projects' interfaces.
14	Maidstone Street Grasslands Adequate protection of important local grasslands immediately adjacent to the level crossing site has been raised as a critical issue by Council. Council have also requested that shadow diagrams are provided for the detail design that outline shadows Projected from the bridge and their impact on the grassland area. Council have also requested LXRP consider lighting in the vicinity of the grasslands. The ultimate design must balance the need for the provision of adequate street lighting to improve safety, whilst protecting the native grasslands from artificial light.	Environmental impacts have been a key consideration for the siting and concept design of the Project. Extensive work has gone into avoiding impact to the Maidstone Street Grasslands, which LXRP knows is a site of high conservation significance and a Council native vegetation offset. Shadow assessments have been undertaken for the concept bridge designs. These show minimal impact of shading on the Maidstone Street Grasslands, with shading only occurring after 5pm during the spring equinox and winter solstice. During this time only faint shadows were cast over the boundary fence of the reserve. The shadow reaching inside the boundary of the reserve was faint and barely perceptible from ambient modelled light. Updated shadow assessments will be undertaken once the detailed design is complete to ensure no shading impact to the Grasslands. Council is considered one of the key technical stakeholders for the Project and is currently reviewing detailed design packages, including street lighting design which provides Council the opportunity to input to the design. Further, Council has been invited to key technical design meetings/workshops (Technical presentation, Safety in Design Workshops).
15	Council has highlighted the importance of considered landscaping following construction and maintaining green corridors through the Project Boundary area. Increasing canopy tree coverage and landscaped ground coverage was of high importance to improve amenity and habitat of the area. Council have encouraged LXRP to replant on a 2:1 basis, and replace trees as close as possible to the site of loss. Council wish to input to the final landscaping plan and provide advice to the selection of species to be used. The sensitivity regarding planting in the vicinity of the Maidstone St Grasslands was also highlighted in the submission.	Council is considered one of the key technical stakeholders for the Project and is currently reviewing detailed design packages which provides the opportunity to input to the design. Council has been invited to key technical design meetings/ workshops (Technical presentation, Safety in Design Workshops). Council will be also invited to attend the Urban Design Advisory Panel workshops as part of the Project's design development phase, which will include discussions regarding landscaping. LXRP is seeking Council feedback and input on the proposed planting list within the landscape design.
16	Noise	The Project is situated in an industrial area and almost entirely surrounded by industrial premises, with no noise sensitive receptors (e.g. residential

Council Submission

Council has requested LXRP provide adequate screening and noise attenuation to affected properties.

Council has requested LXRP provide adequate screening and noise attenuation to affected properties.

Council has requested LXRP provide adequate dwellings) within 260m of the level crossing.

Notwithstanding, LXRP has adopted the relevant elements of the VicRoads Traffic Noise Reduction Policy 2005 (TNRP) as guidance for noise management during construction and operation of the Project. LXRP has also undertaken a Noise

- Existing year (2024)
- Future year without the Project (2047)
- Future year with the Project (2047)

Assessment for the concept design, which included modelling of three scenarios:

The existing road traffic noise levels are not predicted to exceed the required thresholds at sensitive receptors in the vicinity of the Project. Further, there is no expected change in the road traffic noise levels for the future year with the Project, compared to the scenario without the Project. The change in traffic noise levels with the Project is also not predicted to increase the noise levels by more than 2 dB(A). Therefore, the Project was found to comply with the TNRP.

At this point, no noise attenuation is proposed for operation of the road bridge. Screening and noise attenuation measures to be employed during construction will be detailed in the Project's EMF.

17 Parking

Council had three comments relevant to parking:

- Maintain access to on-street parking throughout the construction period, including the early works.
- Any changes to parking restrictions on Council roads due to Project activities require Council approval.

Provide separate parking for Project staff. Local street parking will not be permitted for Project staff.

Where possible, LXRP will aim to minimise impacts to existing parking in the Project area. However, due to safety requirements and the nature of the area (heavy industrial) this may not be achievable at times. Council will be invited to monthly traffic management liaison group workshops once the delivery phase commenced. On-street car parking matters will be discussed during this forum.

Project staff parking will be provided within a site compound.

18 Planning boundary, Consultation

Council requests:

- that they be further consulted in the event of changes to the Project Boundary
- clarification as to why some Council land (including Council roads) has been included in the Project Boundary

In accordance with Clause 52.03 of the Hobsons Bay Planning Scheme, any changes to the Project Boundary will require further consultation with Council and the Community, which must be prepared into a consultation report and provided to the Minister for Planning for approval. No changes to the Project Boundary are proposed, but if changes do arise Council will be consulted.

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

#	Council Submission	LXRP response
		Council streets and road reserves have been included in the Project Boundary for the purposes of: • relocation, modification and/or protection of utility services • Use for haulage or traffic management purposes • Abutting land for access or temporary construction purposes
19	Responsible Authority, planning referrals Council request clarity regarding: who the Responsible Authority is when unrelated planning applications occur within the declared Project Boundary area. whether Council is required to refer planning applications to the LXRP when planning applications occur within the declared PPB area.	Under Clause 52.03, the Minister for Planning is the responsible authority for the Project which is declared as a major transport Project under section 10(1)(b) of the MTPFA. Council remains the Responsible Authority for all unrelated planning matters within the LXRP Project Boundary. Although LXRP is not a referral authority, LXRP welcome any discussion with Council regarding planning applications within the Project Boundary and will assist Council where possible.
20	Safety Provide a safe crossing location for pedestrians or vulnerable road users where necessary.	Council is one of the key technical stakeholders for the Project and is currently reviewing detailed design packages which provides the opportunity to input to the design. Detailed design comments from Council are being received through the detailed design phase to be resolved with the Project Further, Council has been invited to key technical design meetings/workshops (Technical presentation, Safety in Design Workshops).
21	Council requests that further information and design detail be provided by LXRP to allow for further comment by Council regarding impacts of the proposed "offline" alignment of the road bridge towards the west due to: • proximity to existing commercial tenancies, • established tree removals, • visual sightlines (north and south) and • impacts to various modes of transport (car, bike and pedestrians, etc). Council have highlighted that future bridge	Council is one of the key technical stakeholders for the Project and is currently reviewing detailed design packages which provides the opportunity to input to the design. Detailed design comments from Council are being received through the detailed design phase. Further, Council has been invited to key technical design meetings/workshops (Technical presentation, Safety in Design Workshops). LXRP will continue consulting with Council on design matters, noting that: The impacts to the existing commercial tenancies on the western side of Maidstone Street have been minimised to avoid impacting buildings.

#	Council Submission	LXRP response
	future use of the railway line for double-stacked freight traffic.	 Tree removal is being minimised and the Project will work with Council regarding tree replacement strategy.
		 To address visual sightlines, as part of the detailed design development, safety in design workshops will be conducted with stakeholders and road safety audits will be conducted to ensure all risks are captured and mitigated.
		 The Project will provide a new pedestrian footpath on the western side of Maidstone Street, and the 2.6m wide footpath on the bridge is wide enough to be upgraded to a SUP if the road is designated as a part of the Principal Bicycle Network in the future.
		Regarding double-stacked freight traffic, the Project will not be precluding double stacking to be delivered in the future. This is consistent with previous LXRP Projects along the Werribee Line.
22	Support for the Project	LXRP welcomes Council's support of the Project,
	In principle, the proposed option of a road bridge over rail is supported as it:	and will encourage collaboration with Council throughout the removal of the Maidstone Street
	 Removes road traffic congestion and delays associated with the existing rail crossing 	level crossing.
	 Improves the safety of the community and road users by removing possible conflict between road and rail users. 	
	 Retains access to adjacent properties. 	

23 SUP/footpath

The incorporation of a shared-use path (SUP) on both sides of the road bridge was the dominant priority of Council's submission. Council requests a minimum 2.5m wide DDA compliant shared use path on the bridge. Council determines the proposed standard width footpath only on one side of the bridge is not considered adequate to cater for future requirements, noting that the proposed road lane widths on the bridge do not accommodate for future on road cycle paths.

Council repeatedly highlights the need to ensure connectivity for pedestrians and cyclists through the Project Boundary. Council's planning policy and urban design guidelines require that footpaths be provided on both sides of urban roads and consideration should be given to creating a shared (SUP) or bicycle path on at

Accommodating on-road cycle paths will widen the bridge width, which will likely lead to impacts to physical buildings (through increased area required for acquisition) and industrial business operations or impacts to the environmentally sensitive Maidstone Street Grasslands. Further, the widened bridge would require more on-road construction, which will increase disruption due to longer road closure timeframes and detours being required.

It is important to note that there are no existing bike facilities or pedestrian footpaths north of Morrow Street, within the extent of the Project Boundary, and that the Project is providing a 1.8m footpath along the west side of Maidstone St between Morrow St and Ajax Road and a 2.6m footpath between Ajax St and the northern limit of works, tying into an existing footpath.

least one side, although this is not currently the case along Maidstone Street. In lieu of this, Council have requested that LXRP construct paths on both sides of Maidstone Street between Kororoit Creek Road and the existing footpaths in the south, with the path on the east side being a SUP.

Council have requested LXRP engage and work with Council, Bicycle User Groups, DTP and other stakeholders to design, fund and deliver the Project related walking and cycling

Council have welcomed a reduction of the speed limit on Maidstone Street from 70 to 60 km/h in the industrial precinct for consistency and improved road safety.

infrastructure which connects and seamlessly

integrates with existing infrastructure, other

Projects and plans and includes lighting and

LXRP response

Provisions for a future SUP between Ajax Road and the northern limit of works have been made in the design.

A minimum clear width of 2.6 m is provided to not preclude the future upgrade and has been done in discussion and in collaboration with Department of Transport and Planning.

The footpath on the bridge could be converted to a SUP in the future if the road is designated as a part of the Principal Bicycle Network in the future. The proposed width of the path is in accordance with the relevant technical standards for the anticipated demand along this shared use path in the future.

24 Business support during construction

wayfinding signage.

Council has requested LXRP provide support to every business in the area throughout the level crossing removal works to ensure each business remains open and viable. This includes a suggestion LXRP should establish a business only 'Business Reference Group' to bring the businesses together in one forum, to consult with the group and to deliver support that meets their collective and individual needs. Specifically, Council has requested LXRP work with Council and traders to create, fund and deliver a marketing strategy for the Harrington Square shops (500m south of the Project Boundary).

LXRP is committed to supporting traders through any local disruptions. Our teams work directly with traders to uncover what support best suits them.

The focus of our trader support will be for those businesses most impacted by the works, particularly in the precinct surrounding the level crossing. The Project can offer dedicated trader support initiatives to businesses located near construction, such as:

- Using local suppliers to cater community events, stakeholder meetings, and popups at the station
- 'Shop Local' campaigns and marketing initiatives
- Trader profiles in regular construction updates delivered to thousands of local properties.

The Project also encourages its workforce of hundreds of workers to support local businesses when they're in the area, including providing vouchers for workers to use at local businesses.

LXRP aims to minimise impacts to the extent possible, however disruptions are an unavoidable part of this work. More information for the community on what disruptions to expect will be provided closer to the start of construction.

Methods we use to minimise impacts include:

#	Council Submission	LXRP response
		 Advanced notice of changes to access, parking and rail services Clear wayfinding signage Maintaining access for business and residents at all times Reducing dust, noise and light pollution throughout the Project.
		LXRP will work closely with local businesses to ensure they have access and manageable detours throughout the Project.

25 Traffic management

Council has highlighted the importance of insuring active transport and connectivity are considered in the design of the bridge that facilitates safe and efficient connections to both sides of the railway line. Also, the Project design must ensure safe turning traffic movements at intersections and access to private properties impacted by the Project to accommodate large vehicles.

A key requirement for the Project is to ensure the design is safe and supports community and local business needs. The new road bridge will be built to safely carry heavy vehicles.

The new road bridge will also provide a 2.6m wide footpath on the western side of the roadway to provide active transport and connectivity to both sides of the railway and a 1.8m footpath along the west side of Maidstone St between Morrow St and Ajax Road, tying into the northern most extent of the existing footpath.

As part of the detailed design development, safety in design workshops will be conducted with stakeholders (including DTP and Council) and road safety audits will be conducted and documented in the design reports to demonstrate compliance to relevant standards.

26 Traffic management – Detour route

With regard to detours, Council has requested local streets are not used for heavy vehicle and haulage operations associated with the Project. Only arterial roads and major roads are recommended for construction activities associated with the Project. Council have asked LXRP to explore opportunities to improve the performance of the Maidstone Street and Slough Road intersection for when Ajax Road is temporarily closed.

During construction works to upgrade the intersection of Ajax Road and Maidstone, and the southern approach to the new road-over-rail bridge, a detour will be provided via a temporary road at the western end of Ajax Road to Slough Road. As Slough Road is currently used by a range of vehicles and services an industrial area, this is considered an appropriate heavy vehicle route.

LXRP notes that traffic matters, including any opportunities to improve the Slough Road and Maidstone Street intersection, will be discussed during the traffic management liaison group workshops.

The Project has and will continue to engage with Department of Transport and Planning (DTP) to discuss heavy vehicle detour routes and movements. DTP (and Freight Victoria) as the road authority, will liaise directly with the NHVR where required.

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Page | 44

Attachment 8.4.1.2 Page 173

LXRP response **Council Submission** 27 Traffic management - During construction Traffic matters will be discussed during the traffic management liaison group workshops. The submission highlights the need for LXRP to The Project has and will continue to engage with develop a detailed Traffic Management Plans DTP to discuss heavy vehicle detour routes and (TMP) in consultation with Council to address potential disruptions and ensure the effective movements. DTP (and Freight Victoria) as the road authority, will liaise directly with the NHVR where management of traffic during the construction phase. This should include a map of truck routes required. for the Project duration, where primary access A Traffic Management Plan will be implemented for heavy vehicles is via major roads and to ensure impacts to local traffic are managed and residential streets are avoided. The plan should minimised during construction. Access to also include a detailed monitoring program to community facilities will be maintained track the actual traffic performance and impacts throughout the Project and any disruptions to during the construction phase and the post-level pedestrian or vehicle movements will be crossing removal. Council have pointed out that communicated by the Project team in advance. if a proposed TMP interferes with the schedule of a local sporting club, whether it's a training day or game day, then the TMP should be amended accordingly. Council request LXRP to liaise with the NHVR compliance team regarding the proposed heavy vehicle route and provide contact details of the compliance officer to council's traffic and transport team for addressing any community concerns about illegal activities. LXRP are recommended to create a No-Go zone for heavy vehicles and provide a copy of that to Council and NHVR compliance officer. LXRP note during consultation on the Project's 28 Under croft Urban Design Guidelines, Council did not support Council requests that LXRP provide more detail inclusion of an activation space within the bridge on how the bridge under croft is to be designed, under croft (in the form of a seating area) due to e.g. activated or vegetated areas to enhance the the isolation of the area. look and feel of this space. LXRP should ensure However, LXRP will engage with Council through the bridge under croft areas are activated or vegetated to enhance the look and feel of this design development to enhance the look and feel of the under croft space. Council will be invited to space. attend the Urban Design Advisory Panel workshops as part of the Project's design development phase. **Utilities access** Noted. 29 Ensuring access for utility and maintenance LXRP will work closely with utility providers to ensure they have access and manageable detours service providers to undertake urgent works. throughout the Project. LXRP will engage with Council during the design 30 Urban design development phase to address the feedback. Council's submission includes a range of Council will be invited to attend the Urban Design comments regarding urban design, including: Advisory Panel workshops as part of the Project's

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Include engagement and education

opportunities in the WSUD design.

Page | 45

design development phase to further consider

Council Submission LXRP response

- Improve sightlines, material selection and architectural form and standards that reflect the local area and history of the precinct
- Install anti-graffiti coating to surfaces.
- Consideration could be given to the use of perforated / vertical screening to allow visual permeability towards the CBD skyline and grasslands that exists to the east.
- The architectural and urban design elements of the proposed concept plans are not visually appealing and should reflect the important ecology and industrial significance of the area. The excessive use of precast concrete features, minimal material palette and limited colour expression does not reflect the local character values and history of the area and adjacent remnant native grasslands and landscape.

The design does not maintain city skyline views to the east, except through small port-hole windows.

implementing the matters listed in Council's submission.

Council is one of the key technical stakeholders for the Project and is currently reviewing detailed design packages which provides the opportunity to input to the design. Further, Council has been invited to key technical design meetings/workshops (Technical presentation, Safety in Design Workshops).

31 Vegetation removal

Council has strongly recommended LXRP minimise the tree removal, destruction and lopping to facilitate the Project. LXRP are requested to engage and work with Council to ensure retained trees and native vegetation are protected and thrive post-construction.

Council have requested LXRP Develop a tree removal plan which clearly identifies trees to be removed for works and retained, and also provides an assessment of the condition, arboriculture value and canopy spread of all trees within the Project Boundary.

LXRP should work with Council to reuse and repurpose all trees felled by the LXRP in the Project area.

LXRP has a policy of minimising tree removal, destruction and lopping to the greatest extent possible. Comprehensive arboricultural assessments have been undertaken for the Project area, and detailed maps of the construction impact on these trees will be prepared with detailed design.

Council will be invited to attend the Urban Design Advisory Panel workshops as part of the Project's design development phase to provide further feedback.

Where possible, the Project will look to repurpose trees within the Project area and in consultation with Council.

4.3.2 Stakeholder within Project boundary (owner of land required for both partial compulsory acquisition and temporary occupation)

own a number of land titles at Altona in the vicinity of the Maidstone St Level Crossing. Part of the has been included within the Project Boundary as it is required for both partial compulsory

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

acquisition and temporary occupation. This i composite parcel commonly known as	includes the following land, which all forms part of a broader
.e	
contemplated ownership of	As are planning for the es, they have a vested interest in the level crossing removal.
intend at Altona and put in place all necessary make s and will make way for the demolition of the o	to facilitate the permanent shutdown of the sites afe arrangements. Planning for this process is already underway
industrial and logistics purposes. Specific matters raised within the	submission are discussed in further detail in Table 7 below.
Table 7 Response to LOGOS/ESR submission	addinistion are discussed in the first detail in the second
Submission	LXRP Response
Permanent infrastructure design Specific location of civil infrastructure within the has been raised, in particular compatibility with the future development plans for the site. A request to consult with the administrator regarding specific siting and ultimate ownership of infrastructure, as well as access for the site has been made.	has been identified as a location where some permanent civil infrastructure will be located, given its proximity to the level crossing. LXRP has commenced and will continue to work with the to ensure designs do not impede future development of the site.
Futureproofing Request has been made to futureproof the road bridge to facilitate planned rail and road access to the site, and minimise maintenance disruption within the limit in future.	Due to the proximity of the LXRP is considering the future needs of the site to ensure access is maintained and functional into the future. LXRP has commenced and will continue to work with the to ensure designs do not impede future development of the site.
Temporary occupation Request for further information regarding potential temporary occupation as permitted under the Major Transport Projects Facilitation Act 2009.	LXRP has contacted all known interests included in the MTPFA Project Area Boundary, including Consultation has been undertaken with interests where there is proposed compulsory acquisition and temporary occupation requirements. This consultation will continue throughout the Project.
adjacent to the Project boundary)	y within Project boundary (occupier of land within and the state of th

Attachment 8.4.1.2 Page 176

Page | 47

In addition to the above the east of the Modal Place land known as	es land via a lease with VicTrack in the railway corridor to the
Specific matters raised within the	bmission are discussed in further detail in Table 8 below.
Table 8 Response to	
Submission	LXRP Response
has requested impacts to their operations and access be minimised as much as possible. Propose working cooperatively to deliver the LXRP with minimal impact to their business and clients.	LXRP is committed to communicating all rail and road occupations with to minimise business impact as much as possible. As the rail line is used for metro, and ARTC services, rail occupations will be kept to a minimum.
Temporary occupation Request for further information regarding potential temporary occupation as permitted under the Major Transport Projects Facilitation Act 2009. oppose any temporary occupation of their property (real or leased).	LXRP has contacted all known interests included in the MTPFA Project Area Boundary, including Consultation has been undertaken with interests where there is proposed compulsory acquisition and temporary occupation requirements. This consultation will continue throughout the Project.
4.3.4 Stakeholder within P compulsory acquisition and temporary	
owns a number of properties in the vinamed the Altona Industrial Estate. Two proper	roject boundary (owner of land required for both partial y occupation) ricinity of the Maidstone St level crossing which are collectively ties within the Altona Industrial Estate have been partially quired for both partial compulsory acquisition and temporary
owns a number of properties in the value of the Altona Industrial Estate. Two proper included in the Project Boundary as they are reoccupation:	y occupation) icinity of the Maidstone St level crossing which are collectively ties within the Altona Industrial Estate have been partially
pwns a number of properties in the value of named the Altona Industrial Estate. Two proper included in the Project Boundary as they are reoccupation: The following properties also form part of the Almande a submission in its capacity as the properties also form part of the Almande as submission in its capacity as the properties also form part of the Almande as submission in its capacity as the properties also form part of the Almande as submission in its capacity as the properties also form part of the Almande as submission in its capacity as the properties also form part of the Almande as submission in its capacity as the properties also form part of the Almande as submission in its capacity as the properties also form part of the Almande as submission in its capacity as the properties also form part of the Almande as submission in its capacity as the properties also form part of the Almande as submission in its capacity as the properties also form part of the Almande as submission in its capacity as the properties as th	voccupation) ricinity of the Maidstone St level crossing which are collectively rices within the Altona Industrial Estate have been partially quired for both partial compulsory acquisition and temporary altona Industrial Estate and are adjacent the Project Boundary: the current registered proprietor of the above submission is generally supportive of the Project, noting the

Table 9 Response to Stockland submission

Submission	LXRP Response
Impacts during construction highlight the importance of access to Maidstone St via Ajax and Slough Roads, acknowledging the proximity of these roads to the Project works area. have requested impacts to their operations and access be minimised as much as possible and that heavy vehicle access along, as well as to/from these roads must be maintained throughout construction.	LXRP is committed to ensuring access to all properties within the Project Boundary is maintained throughout construction of the Project. As the Project is located in an industrial area, the Project has and will continue to engage with the Department of Transport and Planning to discuss heavy vehicle detour routes and movements/ DTP Interface will liaise directly with the NHVR to ensure access is maintained to an acceptable standard for all road users in the area.
Temporary occupation request further information regarding proposed land acquisition and potential temporary occupation as permitted under the Major Transport Projects Facilitation Act 2009.	LXRP has contacted all known interests included in the MTPFA Project Area Boundary, including Consultation has been undertaken with interests where there is proposed compulsory acquisition and temporary occupation requirements. This consultation will continue throughout the Project.

4.3.5 Registered Aboriginal Party

Bunurong Land Council Aboriginal Corporation (BLCAC) are the Registered Aboriginal Party for the Project area. They are the statutory authority for Aboriginal cultural heritage approvals and the source of advice and knowledge on matters relating to Aboriginal cultural heritage.

Cultural Heritage Management Plan

There is no requirement for a Cultural Heritage Management Plan (CHMP) under the *Aboriginal Heritage Act 2006* (Vic). A Project briefing has been sent to the Registered Aboriginal Party, and they were invited to make a planning submission. The Registered Aboriginal Party did not provide a submission.

4.4 Matters relevant to Clause 52.03 and Responses

4.4.1 Consultation

Description of matter raised

The respondents' comments regarding consultation were related to:

- Request their feedback and design concerns be considered when finalising designs.
- Further consultation with business who request information about land acquisition and Project impacts to their operations and future planned developments.

Table10: Summary of submissions received

Matter raised in submission	Submissions per matter	Percentage of total submissions raising this matter
Consultation	3	27%

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Response

Community consultation will remain an important element of level crossing removal Projects and is a consideration alongside a range of technical and engineering assessments. Each site is unique, and in some cases, there is only one feasible option for removing a level crossing.

LXRP will continue to work with the community and stakeholders to prioritise and refine ideas provided, particularly with regards to how disruptions are managed and communicated. This will occur as part of further local engagement to be undertaken in 2025. The community will also continue to receive frequent updates about progress, final designs, disruptions and milestones during construction.

4.4.2 Project boundary

Description of matter raised

The respondents' comments regarding the proposed Project boundary were related to:

- Impacts of the Project boundary on nearby land and business operations
- · Land acquisition concerns required for Project works, both temporary and compulsory

Table11: Summary of submissions received

Matter raised in submission	Submissions per matter	Percentage of total submissions raising this matter
Project boundary	2	18%

Response

In identifying an appropriate Project area, LXRP have sought to minimise the need for land situated outside of the road and rail corridors. However, utility relocations, construction laydown areas and use of some roads are essential to allow the Project to proceed. As such, all land identified within the Project area is considered necessary to allow for the safe and efficient delivery of the Project. LXRP has contacted all known interests included in the MTPFA Project Area Boundary. Consultation has been undertaken with interests where there is proposed compulsory acquisition and temporary occupation requirements.

LXRP will continue to work with Council to minimise disruption during construction works.

4.4.3 Environmental Management

Description of matter raised

Respondents' comments regarding environmental management were related to:

- Incorporating native vegetation into the landscaping design
- Request for minimal disruption to native wildlife
- Environmental management throughout construction
- Minimal tree and vegetation removal
- Increased tree canopy coverage after Project completion

Table12: Summary of submissions received

Matter raised in submission	Submissions per matter	Percentage of total submissions raising this matter
Environmental management	4	36%

Response

Themes and matters raised in submissions regarding environmental management considerations will be addressed by the preparation of an EMF required by Clause 52.03-6 Other pre-commencement requirements. The EMF will be prepared in consultation with Hobsons Bay City Council and to the satisfaction to the Minister for Planning. The EMF will detail existing environmental conditions and environmental management measures adopted during design and delivery of the Project.

LXRP prioritises the retention and protection of flora and fauna, including existing trees and local wildlife. If removal of local wildlife habitat is required for a level crossing removal, LXRP will engage qualified fauna handlers, arborists and other environmental professionals to appropriately handle and re-home any animals affected. Where feasible, the Project design may be adjusted to prioritise retention of vegetation of moderate to high retention value.

The design and construction teams will make every effort to retain as many trees as possible and LXRP is committed to replacing all trees removed with the same number of trees or more, to offset tree loss and maintain tree canopy coverage. LXRP also looks at tree relocation options for every tree to be removed and investigates whether the timber can be re-purposed for other uses in the community like furniture, art or use in planting and vegetation.

4.4.4 Native Vegetation

Description of matter raised

The submission comments regarding native vegetation were related to:

Tree and vegetation removal

Table 13: Summary of submissions received

Matter raised in submission	Submissions per matter	Percentage of total submissions raising this matter
Native vegetation	2	18%

Response

The majority of the design remains within the rail corridor and road reserves and therefore aims to avoid impacts to native vegetation, open spaces and reserves. The Project is committed minimising vegetation removal to the greatest extent possible. Ecologists and arborists have assessed existing ecological and tree health values. The Project design will avoid impacting the sensitive ecological grasslands site to the east of the level crossing.

Removal of trees will be minimised through design and construction methodology, with the over-arching objective of retaining trees. Where trees are to be retained, Tree Protection Zones (TPZs) will be established. TPZs protect the above and below ground parts of a tree during construction activities.

Where native vegetation removal is unavoidable offsets will be sought and implemented in compliance with Clause 52.03-7 and the *Guidelines for the removal of native vegetation* (DELWP 2017).

4.5 General matters and Responses

4.5.1 Support for the Project

Submissions outline benefits of the Project, particularly in relation to:

- · Improved access and safety for pedestrians
- The delivery of long-awaited infrastructure improvements
- How the Project has initially engaged with nearby properties and aim to mitigate future impacts to them and their tenants.
- The Project's commitment to provide "like for like" access for key stakeholders during and after works.

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Minimal impact to Altona Fire Station's emergency response

Table 14: Summary of submissions received

Matter raised in submission	Submissions per matter	Percentage of total submissions raising this matter
Support for the Project	2	18%

Response

Comments in support of the Project are acknowledged.

Design

4.5.2 Future proofing

Description of matter raised

The submission comments regarding future proofing were related to:

- · Concerns about the road bridge only having one lane in each direction
- · Wider roads to account for heavier traffic in the future
- · Traffic impacts into the future

Table 15: Summary of submissions received

Matter raised in submission	Submissions per matter	Percentage of total submissions raising this matter
Future Proofing	3	27%

Response

The Maidstone Street, Altona level crossing removal Project will provide a like-for-like replacement of the existing road configuration by providing a two-lane roadway. Once the Project is complete and the level crossing is removed, Maidstone Street will be less congested, allowing traffic to keep moving over the bridge.

A key requirement is to ensure the design is safe and supports community and local business needs. Maintaining one lane in each direction from Maidstone Street across the road bridge will keep traffic moving, especially once the boom gates are gone and there is no longer congestion from the level crossing when the boom gates are down. Building a road bridge also allows for future rail development within the rail corridor.

As noted at section 4.5.6 of this report, LXRP has completed traffic modelling to acceptable levels, in conjunction with DTP as the relevant Road Authority. This modelling has determined that maintaining the two-lane configuration of Maidstone Street across the new road bridge, will increase traffic flow and improve traffic conditions, when compared to the current at-grade crossing.

4.5.3 Urban design and landscaping

Description of matter raised

The submission comments regarding urban design and landscaping were related to:

- · Native landscaping that matches the surrounding area
- Design of road bridge should match the local identity

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

 Plant more trees as a part of landscaping works, to meet Council's target for a 30% increase in canopy coverage by 2040.

Table 16: Summary of submissions received

Matter raised in submission	Submissions per matter	Percentage of total submissions raising this matter
Urban design and landscaping	2	18%

Response

Community feedback will be considered when refining final designs. This includes making sure the road bridge design and landscaping meets the look and feel of the local area and the surrounding environment. Hobsons Bay City Council is a key stakeholder in the Project's Urban Design Advisory Panel and will be consulted regarding detailed design, including landscaping. Council's participation will ensure the community's interests are considered during preparation of detailed designs.

There will be room for some landscaping along the new road bridge. LXRP will work closely with Council to select appropriate plantings for this Project. More information about proposed landscaping will be released to the community once final designs are released.

4.5.4 General design

Description of matter raised

The submission comments regarding general design were related to:

- Lane marking on the road bridge
- Making the road bridge 2 lanes in each direction
- Design should consider local identity
- · Heritage inspiration in the design

Table 17: Summary of submissions received

Matter raised in submission	Submissions per matter	Percentage of total submissions raising this matter
General design	5	45%

Response

Each level crossing has its own set of characteristics to consider when preparing to remove it. A design that may suit one area may not necessarily suit another. Designs are assessed and developed by teams of technical experts including engineers and construction specialists. Hobsons Bay City Council is a key stakeholder in the Project's Urban Design Advisory Panel and will be consulted regarding detailed design, including landscaping. Council's participation will ensure the community's interests are considered during preparation of detailed designs.

The road bridge avoids impacts to oil and gas pipe lines and allows for future development in the rail corridor. It also allows for a shorter construction timeline, reducing the duration of impacts to the local community.

The Maidstone Street, Altona level crossing removal Project will provide a like-for-like replacement of the road. Upon completion of the Project, Maidstone Street will be less congested, allowing traffic to keep moving over the bridge.

The feedback will be reviewed by LXRP design teams and integrated into the Project over the coming months. This includes how the bridge will look and feel and the kind of landscaping that is used. It will also help inform new walking connections, as well as how disruptions are managed during construction.

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

4.5.5 Pedestrian and cycling connections

Description of matter raised

The submission comments regarding pedestrian and cycling connections were related to:

- Dedicated "off road" cycling paths on both north and south bound lanes of the road bridge
- Inclusion of pedestrian paths on both sides of the road bridge
- Pedestrian connections to consider future industrial developments along Maidstone Street and Kororoit Creek Road.

Table 18: Summary of submissions received

Matter raised in submission	Submissions per matter	Percentage of total submissions raising this matter
Pedestrian and cycling connections	2	18%

Response

Due to the site constraints, accommodating on road cycle paths will likely lead to impacts to physical buildings (through acquisition) or impacts to the Maidstone Street Grasslands due to the requirement of a wider bridge. Further, the widened bridge would require more on-road construction, which will increase disruption due to longer road closure timeframes and detours being required.

It is important to note that there are no existing bike or pedestrian facilities within the extent of the LXRP, and that the Project is providing 1.8m footpath along the west side of Maidstone St between Morrow St and Ajax Road and a 2.6m footpath provided between Ajax Street and the northern limit of works, tying into an existing footpath.

Provisions for a future SUP between Ajax Road and the northern limit of works have been made in the design.

A minimum clear width of 2.6 m is provided to not preclude the future upgrade.

The 2.6m footpath could be converted to a SUP in the future if a wider bike network is introduced along Maidstone Street. The proposed width of the path is in accordance with the relevant technical standards for the anticipated demand along this shared path in the future.

Traffic Management

4.5.6 Local road access, reduction in congestion, changes to traffic movement and road improvements

Description of matter raised

The submission comments regarding local road access, reduction in congestion, changes to traffic movement and road improvements were related to:

- Construction impacts for nearby businesses and local traffic flow
- Traffic build up when turning into the Slough Estate
- Importance of keeping traffic moving on Maidstone Street as it is a key route for vehicles heading towards the city from Altona
- · Expanding the road to have 4 lanes, 2 in each direction
- Redesign lane markings for the road bridge from the intersection of Kororoit Creek Road to Ajax Road
- · Emergency access through the works area
- Ensuring road design accommodates for future growth in the area

Table 19: Summary of submissions received

Matter raised in submission	Submissions per matter	Percentage of total submissions raising this matter
Local road access, reduction in congestion, changes to traffic movement and road improvements	7	63%

Response

Congestion and traffic flow is a key consideration of the Project. The removal of the level crossing will make journeys in the area faster and more reliable as vehicles will no longer need to wait at the level crossing for a train to pass. Traffic modelling is an important process to help understand the current and projected road network performance and keep the community moving.

Traffic modelling has been undertaken and has been completed to acceptable levels in conjunction with DTP as the relevant Road Authority of traffic flow for the new road over the rail bridge design. Maintaining the two-lane configuration consistent with the remainder of Maidstone Street will increase traffic flow compared to the current at-grade crossing, improving traffic conditions without requiring modifications to the whole of Maidstone Street.

LXRP understands Maidstone Street is a critical road link servicing the industrial precinct in Altona, and that the street itself is a key heavy vehicle route. The new bridge will be constructed to accommodate heavy vehicles and be compliant with all requirements of a heavy vehicle route. LXRP will also ensure all detours used during construction are suitable for heavy vehicles.

While LXRP will minimise impacts where possible, disruptions will be unavoidable. As the Project approaches the construction phase, LXRP will communicate what disruptions to expect closer to the start of construction. Methods proposed to minimise impacts include:

- Advanced notice of changes to access, parking and rail services
- Clear wayfinding signage
- Maintaining access for business and residents at all times
- Reducing dust, noise and light pollution throughout the Project.

4.5.7 Access for emergency services

Description of matter raised

The submission comments regarding access for emergency services were related to:

Impacts to Altona Fire Station's emergency road access

Table 20: Summary of submissions received

Matter raised in submission	Submissions per matter	Percentage of total submissions raising this matter
Access for emergency services	1	9%

Response

LXRP has met with the local Fire and Police Stations to discuss the Project, and provided information to the local Ambulance service. The emergency services indicated that the construction of the Maidstone Street road

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

bridge will have minimal impact on emergency services and will improve response times once operational. The Project has and will continue to will work closely with the local emergency services to communicate construction-related disruptions and provide them with necessary detour information throughout the construction period.

Safety

4.5.8 General safety

Description of matter raised

The submission comments regarding general safety were related to:

- Pedestrian and cyclist safety
- Road user safety
- Traffic and congestion causing safety incidents on the new road bridge

Table 21: Summary of submissions received

Matter raised in submission	Submissions per matter	Percentage of total submissions raising this matter
General safety	3	27%

Response

Ensuring safety throughout the precinct is central to the design process. This is achieved through a Safety in Design assessment undertaken during detailed design, and the implementation of Crime Prevention Through Environmental Design (CPTED) principles. These are embedded in LXRP's UDF, in the Project-specific Urban Design Guidelines (UDG), and the overall precinct design. CPTED is about designing urban environments so that opportunities for anti-social behaviour are reduced and feelings of safety are enhanced throughout the design of the Project.

New pedestrian movements across the railway will be via the pedestrian path that have been incorporated into the road bridge design and subject to the above to implement CPTED principles.

To address road user and cyclist safety as part of the detailed design development, safety in design workshops will be conducted with stakeholders (including DTP and Council) and road safety audits will be conducted and documented in the design reports to demonstrate compliance to relevant standards.

4.5.9 Pedestrian and cyclist safety on roads and paths

Description of matter raised

The submission comments regarding pedestrian and cyclist safety on roads and paths were related to:

- Safe pedestrian and cyclist connections to surrounding areas
- Constructing pedestrian paths on both the east and west sides of the bridge
- Creating "off-road" cycling paths on both north and south bound lanes of the bridge

Table 22: Summary of submissions received

Matter raised in submission	Submissions per matter	Percentage of total submissions raising this matter
Pedestrian and cyclist safety on roads and paths	2	18%

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Response

Ensuring a safe design for pedestrians, cyclists, bus, and train users is central to the design process. Safety considerations include lighting, footpath and safety barriers which will be designed during the detailed design phase of the Project to the appropriate standards and in consultation with the road authority. Design and consultation regarding potential environmental impacts (such as noise and light impacts) is also ongoing.

It is important to note that there are no existing bike facilities within the extent of the Maidstone Street level crossing, and that the road is not a designated bike route. Further, Maidstone Street does not currently have pedestrian paths on either side of the road. LXRP will be providing a 2.6m wide footpath on the bridge that can be converted to a shared-use path in the future if a wider bike network is introduced along Maidstone Street. The proposed width of the path is in accordance with the relevant technical standards for the anticipated demand along this shared path in the future.

Due to the site constraints, creating new cycle paths along Maidstone Street will likely lead to impacts to physical buildings (through acquisition) or impacts to the Maidstone Street Grasslands. Further, online construction methods with long road closures and detours would be required. As such, this component of works is outside of the current scope of the Project.

4.5.10 Impacts to businesses

Description of matter raised

The submission comments regarding impacts to businesses were related to:

- Access to businesses throughout construction
- Impacts to emergency service response routes
- Heavy vehicle road usage throughout construction
- Ensure effective and planned detour routes for heavy vehicles and business operations
- Parking impacts

Table 23: Summary of submissions received

Matter raised in submission	Submissions per matter	Percentage of total submissions raising this matter
Impacts to businesses	3	27%

Response

Community consultation will remain an important element of level crossing removal Projects and is a key consideration alongside a range of technical and engineering assessments. Each site is unique, and in some cases, there is only one feasible option for removing a level crossing. Community consultation will be ongoing throughout the Project until completion in 2027. This includes sharing the designs, communicating construction disruptions and providing support during the works for both residents and businesses. Access to all premises will be maintained throughout construction.

Disruptions are an unavoidable part of a Project such as the Maidstone Street LXRP. The Project team will work closely with local businesses and stakeholders to ensure they have access and manageable detours throughout the Project.

Methods to minimise impacts include:

- Providing a temporary access to link the western ends of Ajax and Slough Roads to provide a vehicle detour during construction and when the intersection of Ajax Road and Maidstone Street is being upgraded
- · Advanced notice of changes to access, parking and rail services
- Clear wayfinding signage

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

- Maintaining access for business and residents at all times
- Reducing dust, noise and light pollution throughout the Project.

Where possible, LXRP will aim to minimise impacts to existing parking in the Project area. However, due to safety requirements and the nature of the area (heavy industrial) this may not be achievable at times. To minimise pressure on local parking, Project staff parking will be provided within a site compound. LXRP will work with Council in a traffic management liaison group to minimise impacts to the extent possible.

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

5 Conclusion

As detailed in this report, LXRP has invited the community and key stakeholders to contribute ideas and feedback through a design feedback survey and planning approval submission survey.

The ability to make a planning submission under Clause 52.03 in the planning consultation period was widely publicised through the community newsletter which was delivered to approximately 14,000 properties in the surrounding area and mailed to a further 400 landowners potentially materially affected by the Project.

The ability to make a planning submission was also communicated in other forums, such as community information sessions, social media and other direct engagement channels. The responses to submissions received during the Project consultation carried out to date are included in this report.

Based on this it is considered that the report adequately summarises the feedback provided during consultation and explains how the feedback has been considered and responded to in relation to the Maidstone Street, Altona Level Crossing Removal Project, and is sufficient in satisfying the consultation requirements of Clause 52.03-4.

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Appendices

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Page | 60

Appendix 1 - Project consultation documents

Figure 1: News media clippings

Designs released for level crossing removal in the West



mage/Victoria's Big Build

The <u>Victorian Government</u> has released designs for the removal of another <u>level</u> <u>crossing</u> in Melbourne's west.

Minister for Transport Infrastructure Danny Pearson has announced a new road bridge will be built over the Werribee Line at Maidstone Street, Altona – creating safer journeys, with more reliable travel times for the busy industrial area.

Freight and passenger train services on the Werribee Line are expected to increase in the future meaning the boom gates will be down for longer – making this level crossing removal critical to keep the west moving.

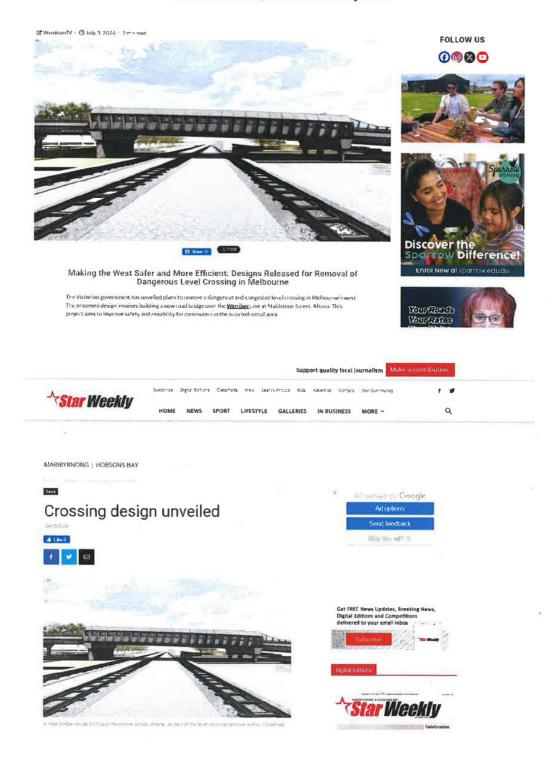
The new road bridge will feature one lane in each direction with a pedestrian footpath and new lighting, with construction to start in 2025 and the level crossing to be gone for good by 2027.

"The release of this design takes us one step closer to making the Werribee Line level crossing free by 2030 – changing the way people live, work and travel," Pearson said.

Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Page | 61

Werribee Line to Get Safer, Faster with Level Crossing Removal



Maidstone Street, Altona Level Crossing Removal Project Consultation Report

Page | 62

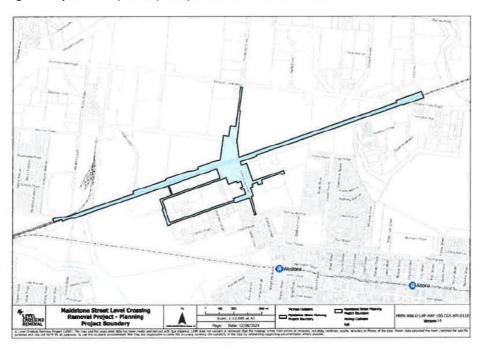
Figure 2: Social media postings (LXRP platforms)

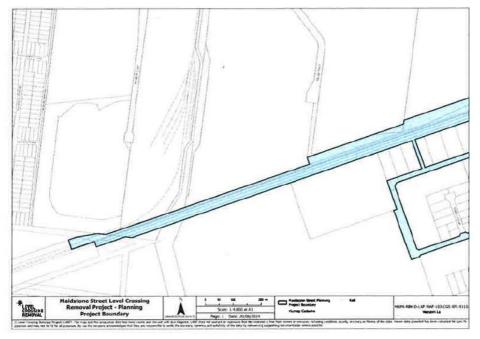


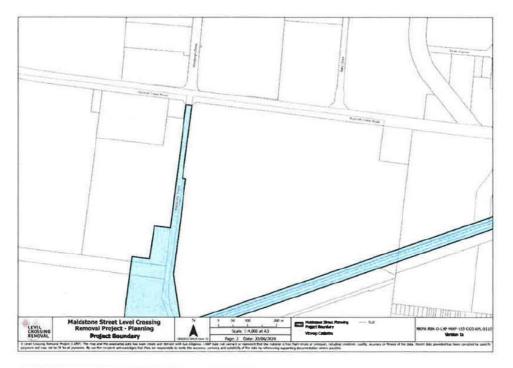
Figure 3: Project consultation newsletter including planning consultation to satisfy the requirements of Clause 52.03

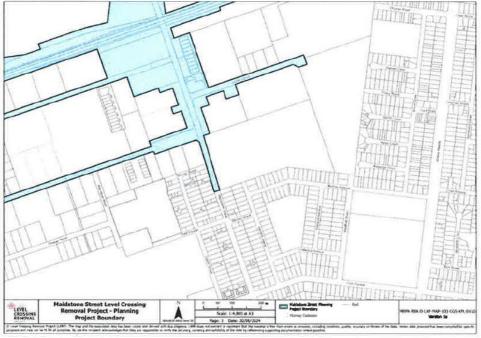


Figure 4: Project Boundary Plan as part of public consultation under Clause 52.03









Page | 66

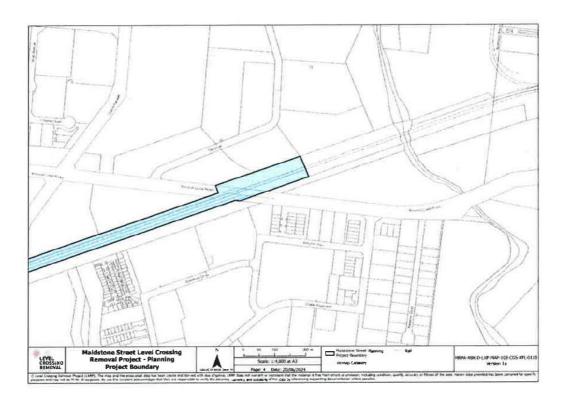


Figure 5: Publication for concept design consultation



Page | 67



Figure 6: Online publication of announced option



Figure 7: Plan of announced option





Figure 8: Media release from the Minister for Transport Infrastructure, Danny Pearson MP





Attachment 8.4.1.2 Page 199

Page | 70

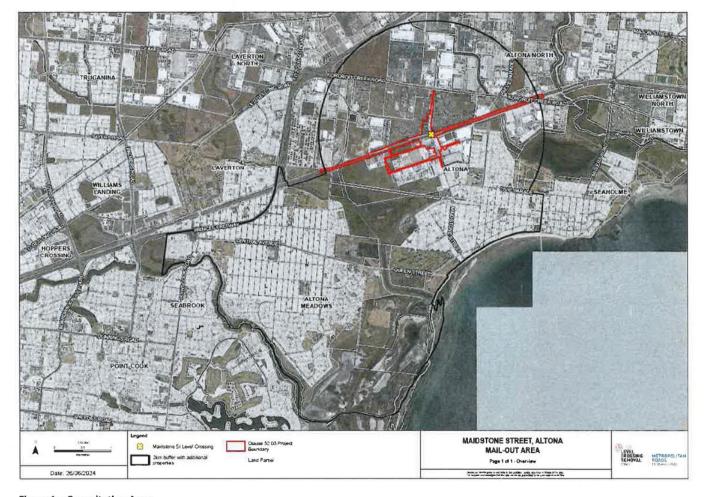


Figure 1 – Consultation Area

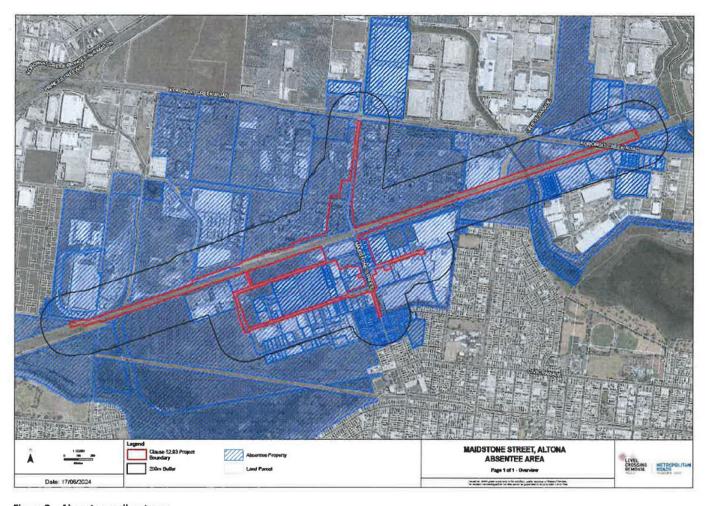
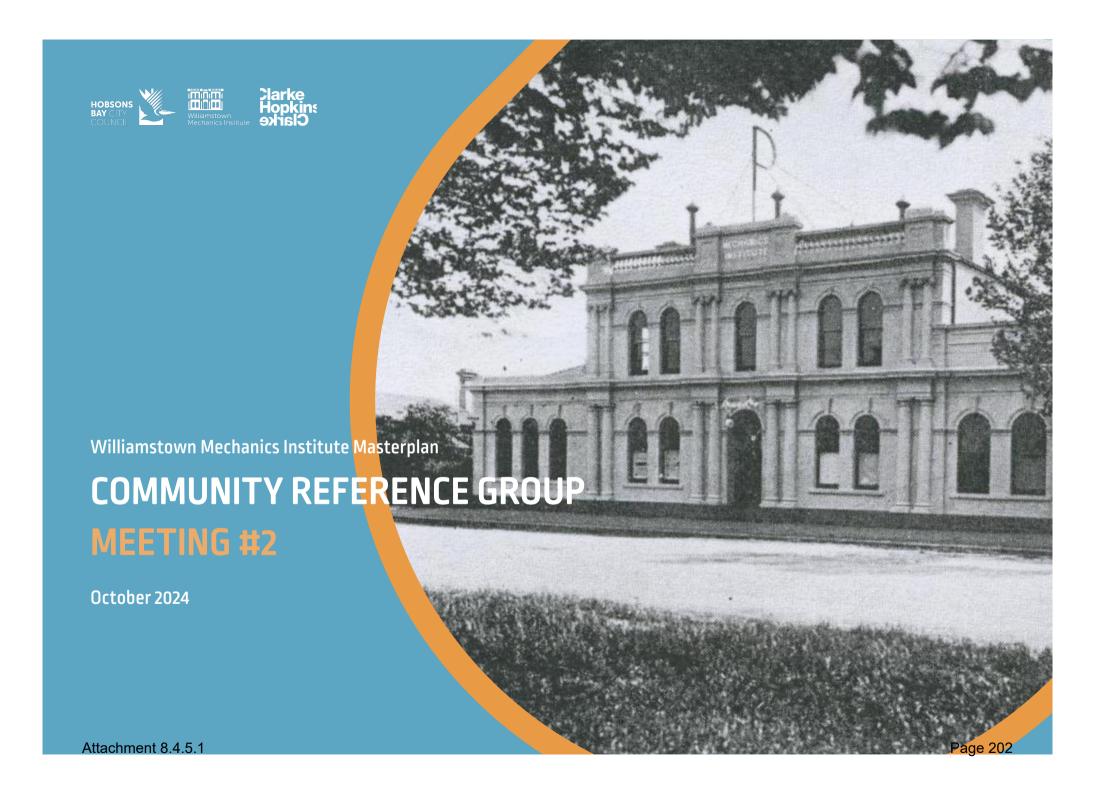


Figure 2 – Absentee mail-out area





Clarke Hopkins Clarke acknowledges the Yalukit-willam clan (Bunurong People) of the Kulin nation as the Traditional Custodians of the land of this project

We pay our respects to Aboriginal and Torres Strait Islander cultures and to Elders past, present and emerging. We recognise their custodianship over deep time and their continuing connection to lands, waters and communities.

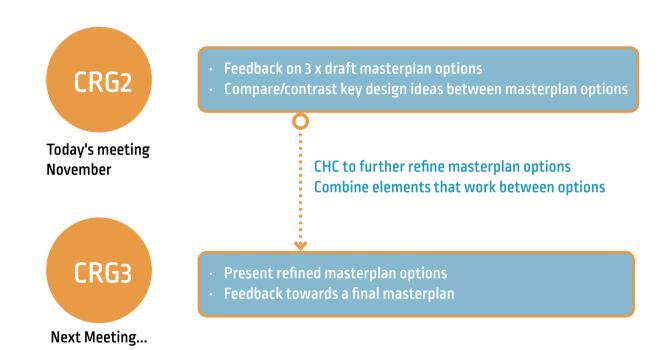
Drawn by Foster Type and based on the AIATSIS map of Indigenous Australia, ©AIATSIS 1996. For more information about using this map please visit aiatsis.gov.au

AGENDA

- · Purpose of today's meeting
- Session 1 Recap
 - What We Heard From You
 - Heritage Considerations
- Masterplan Design Exploration
 - Option 1
 - Option 2
 - Option 3
 - Case Studies



PURPOSE OF TODAY'S MEETING Community Reference Group (CRG2)

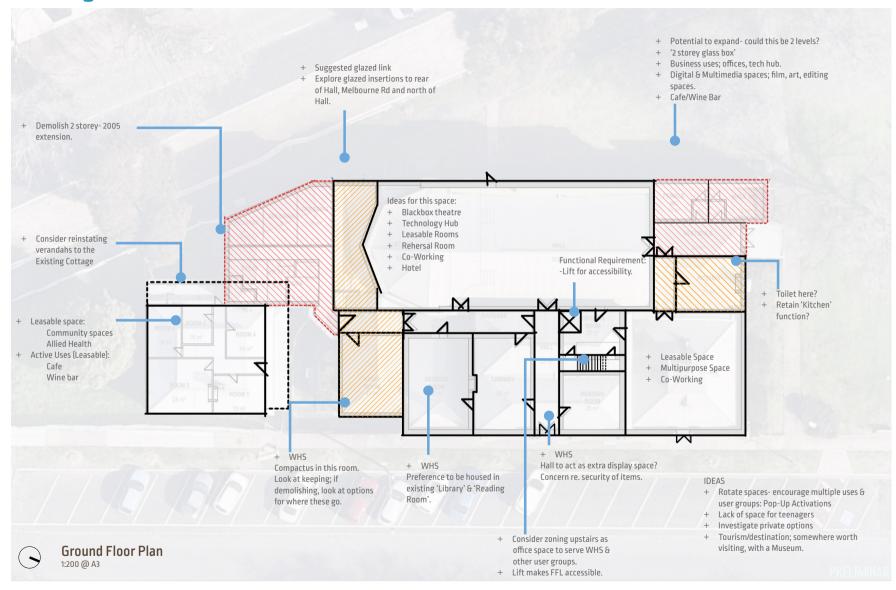


Williamstown Mechanics Institute Masterplan

CRG Meeting #2 | 4

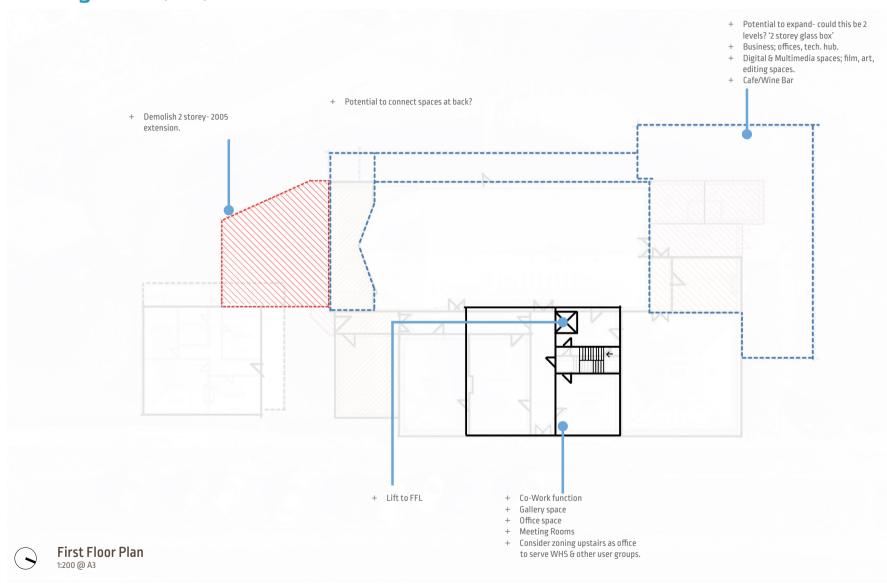


Meeting Notes (GFL)



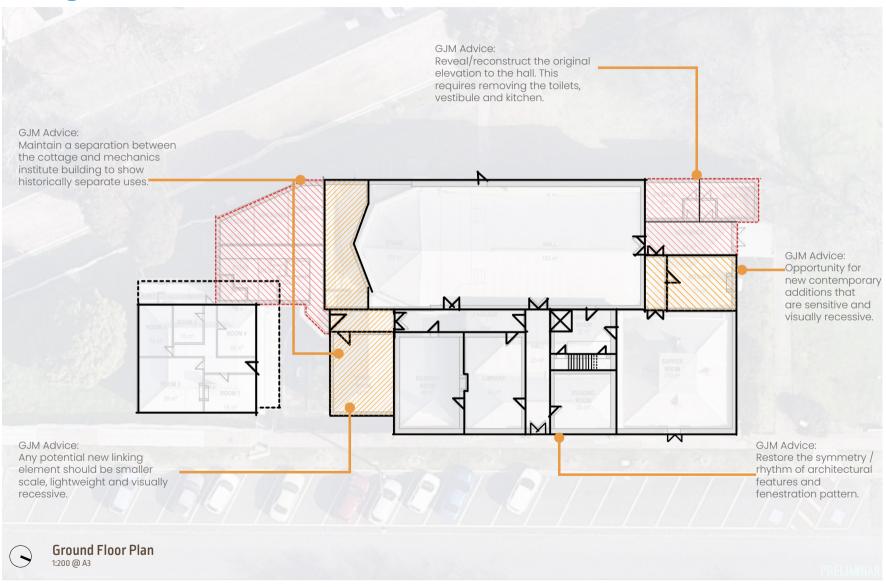
Williamstown Mechanics Institute Masterplan

Meeting Notes (FFL)



Williamstown Mechanics Institute Masterplan CRG Meeting #2 | 7

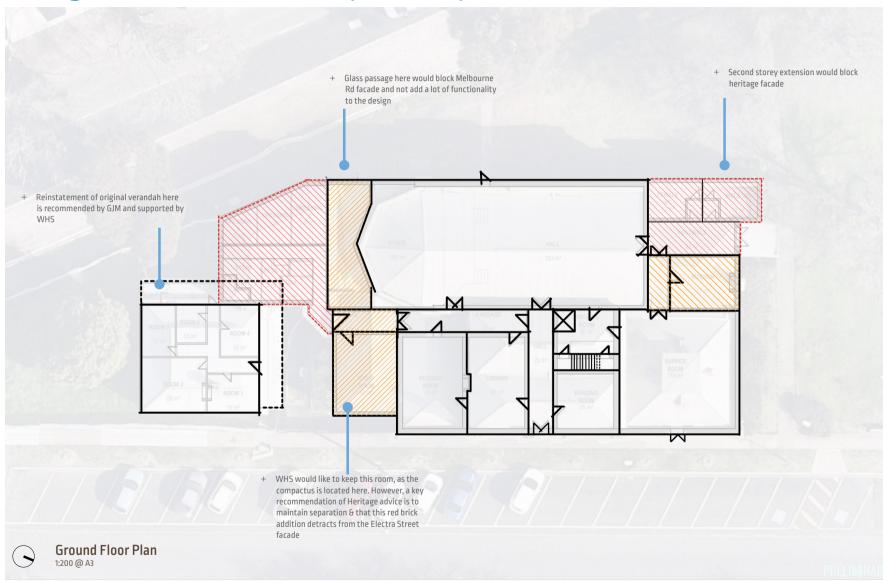
Heritage Considerations



Williamstown Mechanics Institute Masterplan

CRG Meeting #2 | 8

Heritage Considerations- How they relate to your ideas



Williamstown Mechanics Institute Masterplan

CRG Meeting #2 | 9



Summary of Design Ideas/Exploration



FEATURES:

Blackbox Theatre, Gallery, WHS, Productive Gardens, Hospitality, Markets, Kitchen

WILLIAMSTOWN HS FOOTPRINT: 111m² Overall

> 44m² Display/Store 42m² Display/Museum

25m² Office (upstairs)

CASE STUDIES:

La Mama Theatre
Brunswick Mechanics Institute



OPTION 2

MODERATE CHANGE

FEATURES: 'A PLACE FOR YOUTH'

Co-Work, MakerSpaces, Studios, Productive Gardens, Hospitality, Markets

WILLIAMSTOWN HS FOOTPRINT:

86m² Overall

44m² Display/Store/Office 42m² Display/Museum

CASE STUDIES: narrm ngarrgu Library The Dock- MakersSpace All of these options can work in a 'Cold-Shell' financial & operational model.



OPTION 3

MORE CHANGE

FEATURES:

Blackbox Theatre, Mezzanine, Museum, Hospitality, Allied Health/Artist Residence, Meeting Rooms, Office

WILLIAMSTOWN HS FOOTPRINT:

111m² Overall

44m² Store

42m² Gallery/Museum

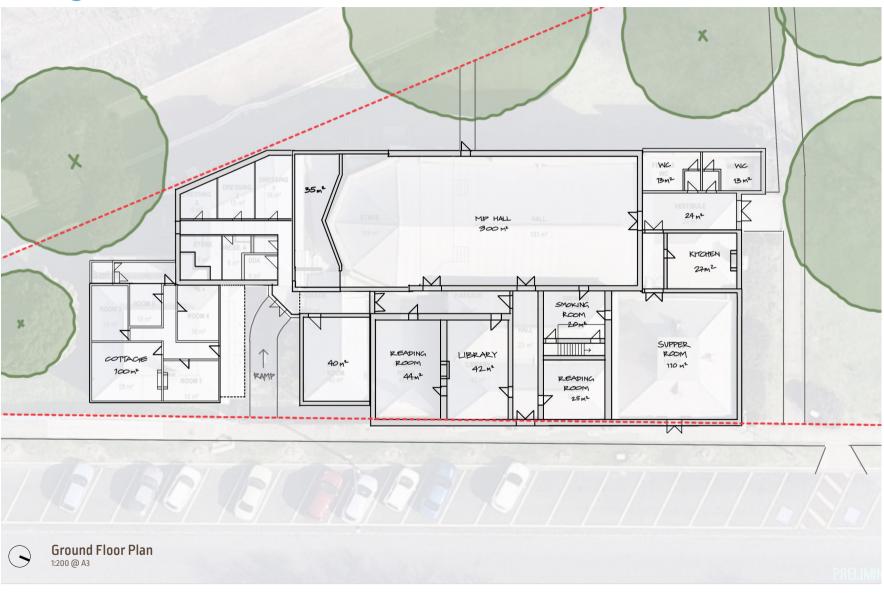
25m² Office

CASE STUDIES:

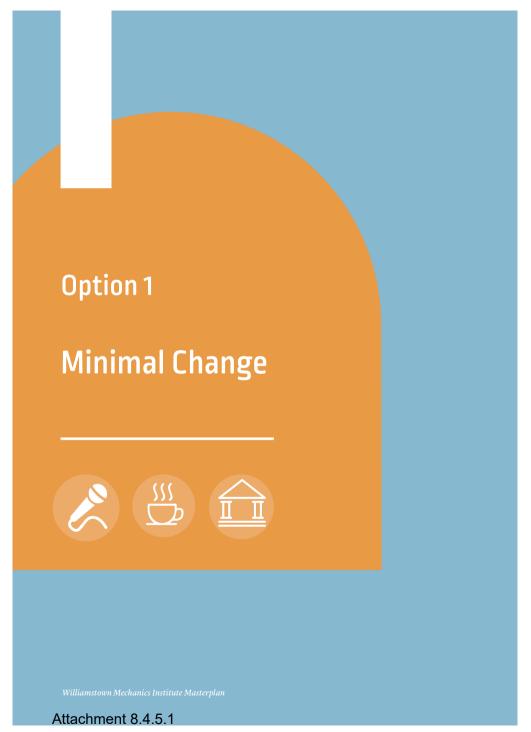
Castlemaine Goods Shed- CSF Engine House Co-Work

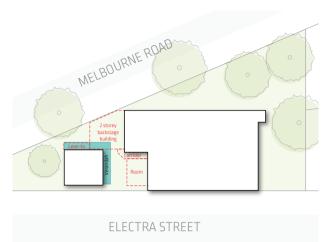
Williamstown Mechanics Institute Masterplan

Existing Conditions Plan



Williamstown Mechanics Institute Masterplan





Key Moves:

- · Minimal Change
- · Restore Heritage
- · Create Entry Plaza around the Cottage

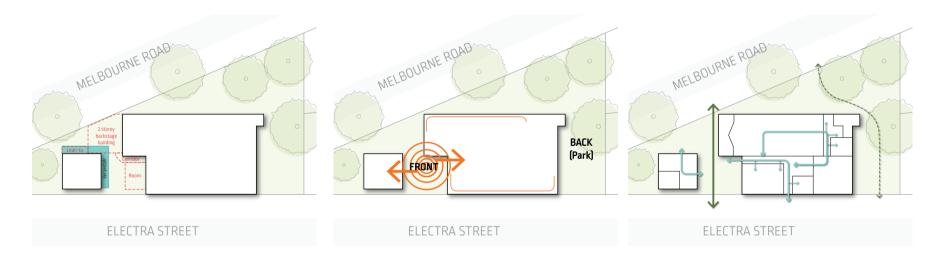
Summary of Uses:

- WHS Display, Storage & Office
- Hospitality Offering
- Flexible performing arts spaces
- Flexible rehearsal spaces
- Studio/Gallery spaces

Page 214

Key Design Moves

Option 1: Minimal Change



ADDITIONS and DEMOLITIONS

FRONT and BACK

INTERNAL and EXTERNAL CONNECTIONS

Williamstown Mechanics Institute Masterplan

Option 1: Minimal Change (GFL)



Williamstown Mechanics Institute Masterplan

Option 1: Minimal Change (FFL)



Williamstown Mechanics Institute Masterplan

Option 1: Minimal Change

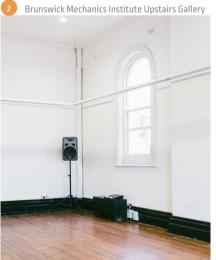
Case Studies













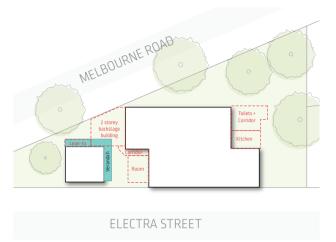


Williamstown Mechanics Institute Masterplan

CRG Meeting #2 | 17

Page 218





Key Moves:

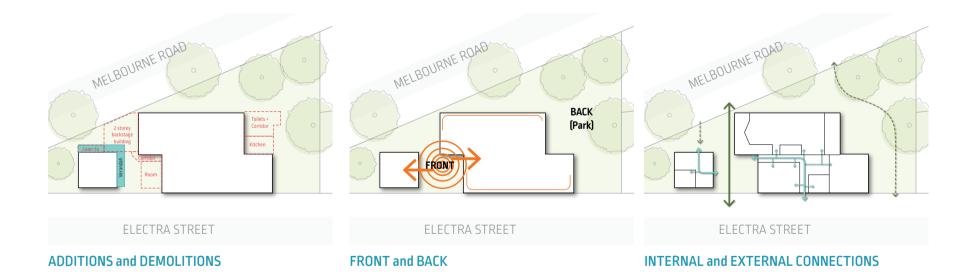
- Moderate Change
- · Restore Heritage & reveal original hall
- · Create Entry Plaza around the Cottage

Summary of Uses:

- WHS Gallery, Compactus, Office
- Hospitality Offering
- Flexible maker/art spaces with youth focus
- Meeting rooms & lettable studio spaces
- Conference / Seminar room
- Digital media production spaces

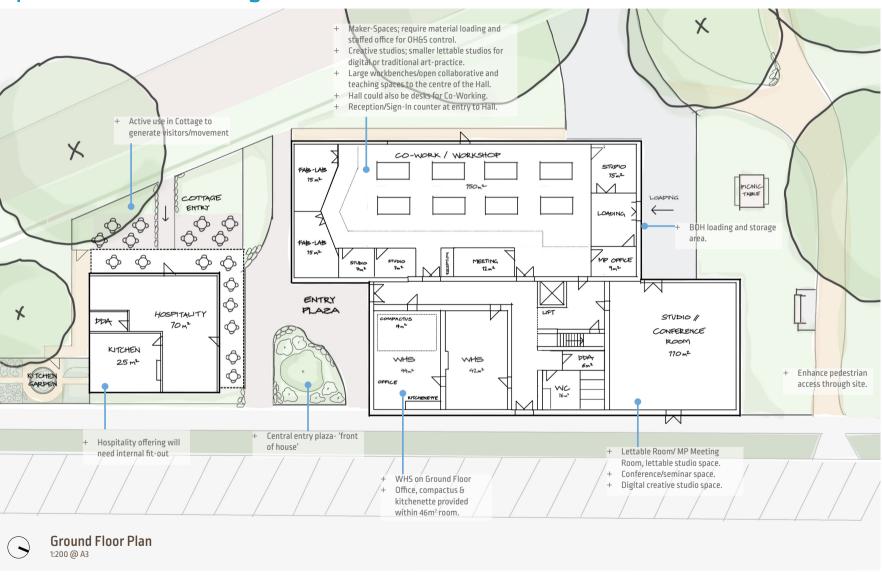
Key Design Moves

Option 2: Moderate Change

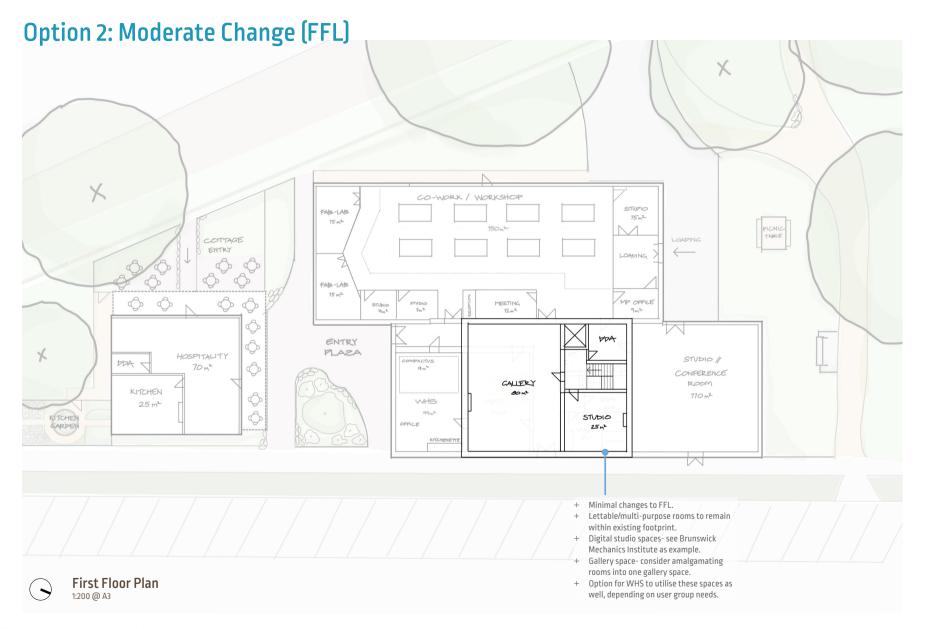


Williamstown Mechanics Institute Masterplan

Option 2: Moderate Change (GFL)



Williamstown Mechanics Institute Masterplan



Williamstown Mechanics Institute Masterplan

Option 2: Moderate Change

Case Studies





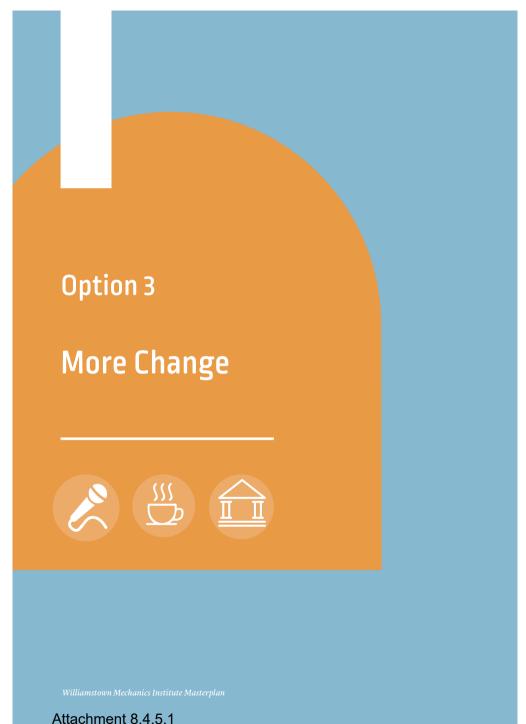


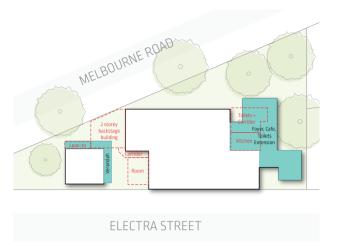






Williamstown Mechanics Institute Masterplan





Key Moves:

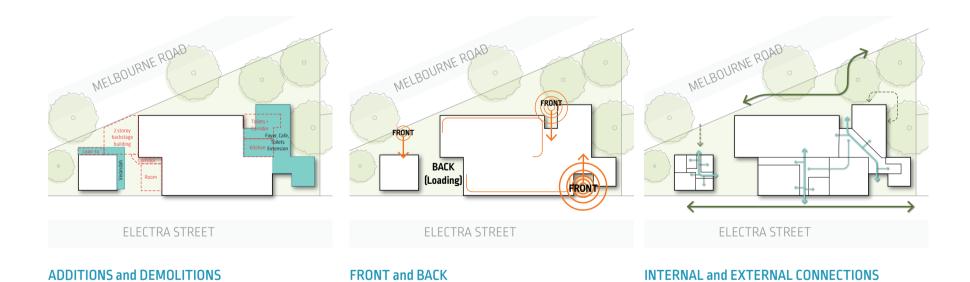
- · More change- large addition to North
- · Add Mezzanine level to hall
- · Separate Cottage and WMI, Entry to North

Summary of Uses:

- WHS Display, Storage & Office
- Hospitality offering
- Cottage; allied health or community use, accommodation or artist residence
- Potential theatre and performing arts focus
- Flexible meeting spaces on GFL and FFL

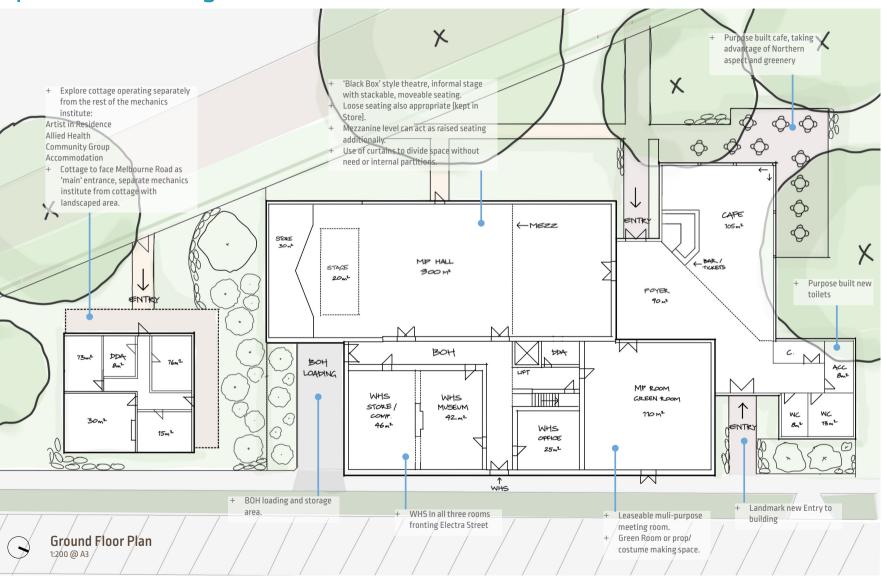
Key Design Moves

Option 3: More Change



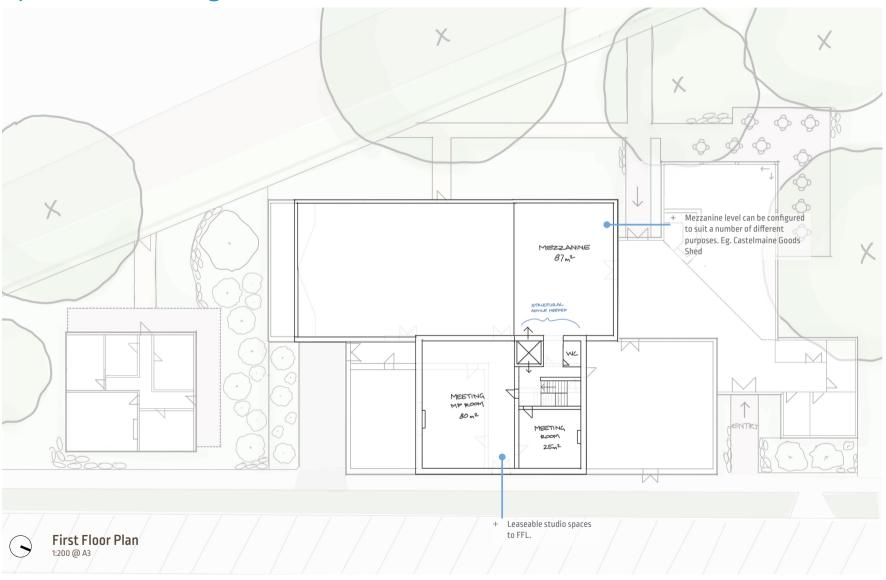
Williamstown Mechanics Institute Masterplan

Option 3: More Change (GFL)



Williamstown Mechanics Institute Masterplan

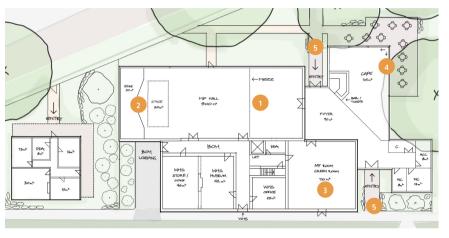
Option 3- More Change (FFL)



Williamstown Mechanics Institute Masterplan

Option 3: More Change

Case Studies













Williamstown Mechanics Institute Masterplan

CRG Meeting #2 27



Case Studies La Mama













Location

+ 205 Faraday Street, Carlton VIC

- + La Mama Theatre opened in 1967 as a venue to house experimental theatre
- + Restoration and modest addition to the remaining buildings completed 2019/20 after a fire

Financial Model

- + Non-for profit community theatre
- + Re-build funded from a mix of philanthropy, community and government- as well as more than 600 individual donors
- + Currently paused operations to find a sustainable longterm model

Uses/Functions

- + Community theatre/arts & events space
- + Currently open for artist residences

Key Takeaways:

- -Flexible theatre space
- -Mixture of seating arrangements
- -Small office spaces fit into the extremely narrow site on First Floor











Williamstown Mechanics Institute Masterplan CRG Meeting #2 | 29

Page 230 Attachment 8.4.5.1

narrm ngarrgu Library and Family Services









Commercial Destination



Location Melbourne, Victoria

History

- + Situated in the Queen Victoria Market renewal precinct
- + A three storey library and family service below affordable housing adjacent to the Queen Victoria Market

Financial Model

- + Project is funded by the Victorian Government and received \$1.18 million funding
- + Run by local council as public library and services
- + Attracted 1 million visitors in 2023

Uses/Functions

- + Collection of books
- + Family support and counseling
- + Bookable flexible multi-function spaces for hire
- + Maker space and recording studio
- + Outdoor terrace

Circulation and services Meeting rooms/ recording studios









Key Takeaways:

- -Large multipurpose space with mixed seating
- -Small scale maker spaces
- -Council run library and services

Williamstown Mechanics Institute Masterplan CRG Meeting #2 | 30

Page 231 Attachment 8.4.5.1

MicroLab City of Melbourne









History

- + Aecom and City of Melbourne designed the MicroLab as a pilot project, located at 227-229 Bourke Street.
- + Made use of vacant retail spaces in the city during the pandemic.
- + Created flexible spaces that could accommodate multiple functions such as; pop-up retail, co-working, events and libraries.
- + Design solution incorporated curtains that could easily be drawn as partitions. The railings were designed so that the space could be divided into rooms with various sizes to meet different needs.

Financial Model

+ Council-run community project.

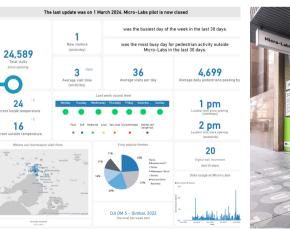
Uses/Functions

- + Flexible and dynamic small retail spaces 'Pop-Ups'
- + Cp-working space
- + Collaboration space
- + Flexible partitions
- + Adaptive re-use of vacant retail premises

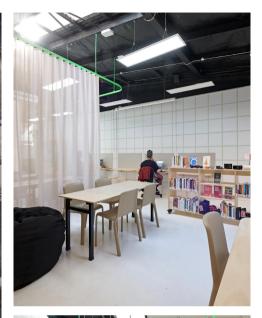
Key Takeaways:

- -Flexible, pop-up spaces
- -Council initiative
- -Successful adaptive re-use of vacant premises











Williamstown Mechanics Institute Masterplan CRG Meeting #2 31

Page 232 Attachment 8.4.5.1

Castlemaine Goods Shed









Location Castlemaine, Victoria

History

+ Built in the 1860s to house goods from the nearby rail precinct, in 2018 Castlemaine State Festival raised \$1M to renovate the goods Shed into an arts precinct.

Financial Model

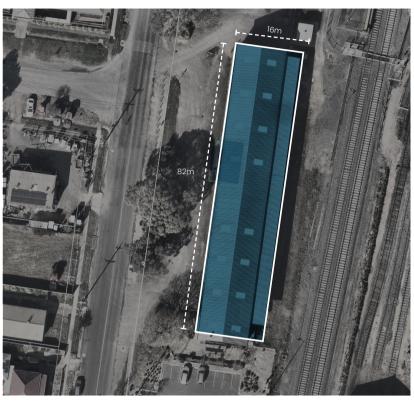
- + Leased and developed by the Castlemaine State
- + Income from venue hire, CSF activities, grants, private patronage.

Uses/Functions

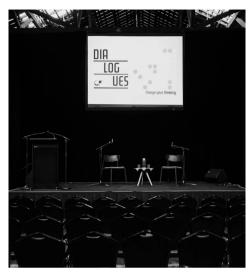
- + Creative Residencies
- + Creative Learning
- + Venue Hire
- + Co-working space
- + Collaboration space

Key Takeaways:

- -Successful adaptive re-use of heritage building
- -Arts based
- -Flexible spaces that generate income
- Youth engagement through digital media









Williamstown Mechanics Institute Masterplan CRG Meeting #2 32

Page 233 Attachment 8.4.5.1

Brunswick Mechanics/New Wave









Commercial

Location Sydney Rd, Brunswick, Victoria

History

- + Built in the 1860s, Brunswick Mechanics' Institute is one of the earliest examples of this typology and is unusual for its simple yet classically inspired architectural form.
- + Brunswick Mechanics Institute is a cultural enterprise brought to you by Next Wave and Moreland City
- + Working with leading creative organisations across Melbourne, Mechanics hosts leading artists the year round.

Financial Model

- + Leased by Next Wave, managed by Merri-bek council.
- + Income from venue hire, grants.

Uses/Functions

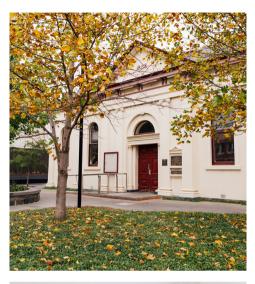
- + Creative Performances- film talks, music.
- + Creative Learning
- + Workshops
- + Venue Hire

Key Takeaways:

- -Successful adaptive re-use of heritage building
- -Arts based
- -Flexible spaces that generate income
- Youth engagement through digital media









Williamstown Mechanics Institute Masterplan CRG Meeting #2 | 33

Page 234 Attachment 8.4.5.1

Engine House Coworking Space









itage Commercial Destination



1edium Site

owen Cite

Location Windsor, Victoria

History

+ Built in 1891 as the original Windsor Cable Tram Engine House, the white-washed industrial is transformed as a co-working space

Financial Model

- + Private owned
- + Income from co-working membership and provide meeting rooms for hire

Uses/Functions

- + Co-working space
- + Collaboration space
- + Sunlit courtyard
- + Bicycle parking













- -Successful adaptive re-use of heritage building
- -Co-Work Commercial model
- -Flexible spaces that generate income
- Partitioned open hall-space

Williamstown Mechanics Institute Masterplan

Assembly of Councillors - Councillor Governance Rules Workshop 26 May 2025

Start Time: 05:37PM End Time: 06:47PM

Attendance

Councillors Name	Present	Time
Cr Daria Kellander, Altona ward	Online	5:35pm
Cr Diana Grima, Altona Meadows ward	Apology	
Cr Kristin Bishop, Spotswood ward	Present	5:35pm
Cr Lisa Bentley, Williamstown ward	Online (late)	5:50pm
Cr Michael Disbury, Williamstown North ward	Present	5:35pm
Cr Paddy Keys-Macpherson, Laverton ward	Present	5:35pm
Cr Rayane Hawli, Altona North ward	Present	5:35pm

Council Officers	Present	Time
Kendrea Pope - Consultant Governance - Special Projects	Present	5:35pm
Marlo Emmitt - Coordinator Governance, Information Management and Privacy	Present	5:35pm
Jessica Maunder - Proof Reading Officer	Present	5:35pm

External Presenters

n/a

Meeting Agenda Topics

Governance Rules workshop

End of Meeting

Interest Disclosures

Councillors: n/a

Officers: n/a

External: n/a

Meeting movements

Councillors / Officers	Time Left	Time Returned
Cr Kristin Bishop, Spotswood ward	5:40pm	5:41pm

Attachment 11.1.1 Page 236

Assembly of Councillors – Councillor Briefing 03 JUNE 2025

Attendance

Councillors Name	Present	Time
Cr Daria Kellander, Altona ward	Yes	6:04pm
Cr Diana Grima, Altona Meadows ward	Yes	"
Cr Kristin Bishop, Spotswood ward	Yes	"
Cr Lisa Bentley, Williamstown ward	Yes	"
Cr Michael Disbury, Williamstown North ward	Yes	"
Cr Paddy Keys-Macpherson, Laverton ward	Yes	"
Cr Rayane Hawli, Altona North ward	Yes	"

Council Officers	Present	Time
Kerry Thompson, Acting Chief Executive Officer	Yes	6:04pm
Allison Kenwood, Acting Director Corporate Services	Yes	··
Matthew Irving, Director Infrastructure and City Services	Yes	"
Marlo Emmitt, Acting Manager, Corporate Integrity	Yes	"
Clare Hogarth-Angus, Manager Communications, Engagement and Advocacy	Yes	и
Caroline James, Coordinator Advocacy	Yes	6:15pm
Hamish Munro, Chief Financial Officer	Yes	7:21pm
David Power, Manager Strategy, Economy and Sustainability	Yes	6:32pm
Arthur Vatzakis, Manager Planning, Building and Health Services	Yes	6:32pm
David Kilroe, Acting Team Leader Strategic Planning	Yes	6:32pm
Michelle Cardamone, Executive Assistant and Project Officer	Yes	7:21pm
James Patrick, Acting Manager Arts Culture Community	Yes	7:21pm
John Tanner, Municipal Monitor	Yes	6:04pm

External Presenters - Nil

Meeting Agenda Topics

1 Presentations

- 1.1 Advocacy Plan Presentation and Workshop Session One
- 1.2 Council's Position on State Government's Proposed Rezoning of Industrial Land in Altona and Altona North
- 1.3 Budget Briefing 11 Discuss Community Budget Submissions

2 Council Reports - For Briefing

- 2.1 Level Crossing Removal Projects Update (LXRP) June 2025
- 2.2 West Gate Tunnel Project Update June 2025
- 2.3 Point Cook Road and Central Avenue Intersection
- 3 Committee and Delegate Nil
- 4 Councillor and Chief Executive Officer Update
- 4.1 Councillor Update and Discussion
- 4.2 Chief Executive Officer Verbal Update

Attachment 11.1.2 Page 237

Interest Disclosures

Councillors: Cr Diana Grima – Techno Park

Interest Disclosure Details

Item	Councillor / Officer	Nature of Interest	Time Left	Time Returned
1.2	Cr Diana Grima	Family member undertaking maintenance work at Techno Park	7:03pm	7:21pm

Meeting movements – Start break 8:55pm

Councillors / Officers	Time Left	Time Returned
Cr Daria Kellander, Altona ward	10:15pm	
Cr Diana Grima, Altona Meadows ward	u	
Cr Kristin Bishop, Spotswood ward	u	
Cr Lisa Bentley, Williamstown ward	"	
Cr Michael Disbury, Williamstown North ward	"	
Cr Paddy Keys-Macpherson, Laverton ward	"	
Cr Rayane Hawli, Altona North ward	u	
Kerry Thompson, Acting Chief Executive Officer	"	
Allison Kenwood, Acting Director Corporate Services	8:55pm	
Matthew Irving, Director Infrastructure and City Services	10:15pm	
Marlo Emmitt, Acting Manager, Corporate Integrity	8:55pm	
Clare Hogarth-Angus, Manager Communications, Engagement and Advocacy	7:05pm 10:15pm	7:08pm
Caroline James Coordinator Advocacy	6:32pm	
Hamish Munro, Chief Financial Officer	8:55pm	
David Power, Manager Strategy, Economy and Sustainability	8:55pm	
Arthur Vatzakis, Manager Planning, Building and Health Services	8:55pm	
David Kilroe, Acting Team Leader Strategic Planning	8:55pm	
Michelle Cardamone, Executive Assistant and Project Officer	8:55pm	
James Patrick, Acting Manager Arts Culture Community	8:55pm	
John Tanner, Municipal Monitor	8:30pm 8:55pm	8:33pm

Attachment 11.1.2 Page 238

Assembly of Councillors - Councillor Briefing 10 June 2025

Start Time: 06:10PM End Time: 09:21PM

Attendance

Councillors	Present	Time	Left meeting
Cr Daria Kellander, Altona ward	Present	6:10pm	7:33pm
Cr Diana Grima, Altona Meadows ward	Present	6:15pm	9:21pm
	(late)		
Cr Kristin Bishop, Spotswood ward	Present	6:10pm	9:21pm
Cr Lisa Bentley, Williamstown ward	Present	6:10pm	9:21pm
Cr Michael Disbury, Williamstown North ward	Online	6:10pm	9:21pm
Cr Paddy Keys-Macpherson, Laverton ward	Present	6:10pm	9:21pm
Cr Rayane Hawli, Altona North ward	Present	6:10pm	9:21pm

Council Officers	Present	Time	Left meeting
Kerry Thompson, Interim Chief Executive Officer	Present	6:10pm	9:21pm
Allison Kenwood, Interim Director Corporate	Present	7:35pm	9:21pm
Services			
Matthew Irving, Director Infrastructure and City	Present	7:35pm	9:21pm
Services			
Marlo Emmitt Interim Manager, Corporate	Present	7:35pm	9:21pm
Integrity			
Hamish Munro, Chief Financial Office	Present	8:24pm	9:00pm
David Power, Manager Strategy, Economy and	Present	7:58pm	8:22pm
Sustainability			
Marisa Uwarow, Manager Community and	Present	7:58pm	8:22pm
Council Plan Development			
Rachel Lnd, Senior Social Researcher	Present	7:58pm	8:22pm
Peter Shelton Service Delivery Office	Present	7:35pm	7:55pm
John Tanner, Municipal Monitor	Present	6:10pm	9:21pm

External Presenters

Local Government Inspectorate (LGI)

Dawn Bray, Manager, Strategy Governance &	Present	6:10pm	7:32pm
Operations			
Tony De Fazio, Inspector of Municipal	Present	6:10pm	7:32pm
Administration			
Peter Brasher, Senior Compliance Officer	Present	6:10pm	7:32pm

Meeting Agenda Topics

1 Presentations

- 1.1 External Presentation: Local Government Inspectorate
- 1.2. Community Safety and Local Laws Orientation
- 1.3 Snapshot of the Hobsons Bay Community
- 1.4 Budget Briefing 12: Recommended Budget Changes

2 Council Reports - For Briefing

Attachment 11.1.3 Page 239

2.1 Sport and Recreation Allocations Policy

- 2.2 Williamstown Mechanics Institute Master Plan Options
- 3. Committee and Delegate Reports Nil
- 4. CEO Update and Councillor Updates
- 4.1 Councillor Update and Discussion
- 4.2 Chief Executive Verbal Update

End of Meeting

Interest Disclosures

Councillors: Nil

Officers: Nil

External: Nil

Meeting movements – Break 8:22pm to 8:24pm

Councillors / Officers	Time Left	Time Returned
Cr Daria Kellander, Altona ward	7:13pm	7:33pm
Cr Diana Grima, Altona Meadows ward	8:22pm	8:26pm
Cr Lisa Bentley, Williamstown ward	7:23pm 7:35pm	7:33pm 7:37pm
Kerry Thompson, Interim Chief Executive Officer	8:22pm	8:35pm

Attachment 11.1.3 Page 240

Assembly of Councillors - Governance Rules Workshop 2 - 16 June 2025

Start Time: approx. 5:35pm **End Time**: 6:55pm

Attendance

Councillors	Present Time
Cr Daria Kellander, Altona ward	Present
Cr Diana Grima, Altona Meadows ward	Present
Cr Kristin Bishop, Spotswood ward	Present
Cr Lisa Bentley, Williamstown ward	Present
Cr Michael Disbury, Williamstown North ward	Present
Cr Paddy Keys-Macpherson, Laverton ward	Present
Cr Rayane Hawli, Altona North ward	Present

Council Officers	Present	Time
Kendrea Pope, Consultant Governance - Special Projects	Present	
Marlo Emmitt, Acting Manager Corporate Integrity	Present	
Jessica Maunder, Proof Reading Officer	Present	
John Tanner AM, Municipal Monitor	Present	

External Presenters

n/a

Meeting Agenda Topics

Draft Governance Rules review

What should the rules be seeking to achieve?
Status update
Summary of proposed changes
Next steps

Attachment 11.1.4 Page 241

Interest	Dica	laauraa
interest	DISC	losures

Councillors: nil

Officers: nil

External: nil

Interest Disclosure Details

Item	Councillor / Officer	Nature of Interest	Time Left	Time Returned

Meeting movements

Councillors / Officers	Time Left	Time Returned
n/a – all present from start to finish		

Attachment 11.1.4 Page 242

Assembly of Councillors – Councillor Briefing 17 June 2025

Start Time: 06:43 PM End Time: 08:48 PM

Attendance

Councillors	Present	Time	Left meeting
Cr Daria Kellander, Altona ward	Yes	6:43pm	8:48pm
Cr Diana Grima, Altona Meadows ward	Yes	6:43pm	8:48pm
Cr Kristin Bishop, Spotswood ward	Yes	6:43pm	8:48pm
Cr Lisa Bentley, Williamstown ward	Yes	6:43pm	8:48pm
Cr Michael Disbury, Williamstown North ward	Yes	6:43pm	8:48pm
Cr Paddy Keys-Macpherson, Laverton ward	Yes	6:43pm	8:48pm
Cr Rayane Hawli, Altona North ward	Yes	6:43pm	8:48pm

Council Officers	Present	Time	Left meeting
Kerry Thompson, Interim Chief Executive Officer	Yes	6:43pm	8:48pm
Allison Kenwood, Interim Director Corporate	Yes	6:43pm	8:48pm
Services			
Matthew Irving, Director Infrastructure and City	Yes	6:43pm	8:48pm
Services			
Marlo Emmitt, Interim Manager, Corporate Integrity	Yes	6:43pm	8:48pm
Elyse Rider, Interim Director Sustainable	Yes	6:43pm	8:48pm
Communities			
Hamish Munro, Chief Financial Office	Yes	7:22pm	7:52pm
Jodie Dwyer, Corporate Improvement, Planning &	Yes	6:43pm	7:04pm
Reporting Officer			
Marisa Uwarow, Manager Community and Council	Yes	6:43pm	7:04pm
Plan Development			
John Tanner, Municipal Monitor	Yes	6:43pm	8:48pm

External Presenters

Jacqui Goy, General Manager - Conversation Co	Yes	6:46pm	7:18pm

Meeting Agenda Topics

1 Presentations

- 1.1 External Presentation: Annual Community Survey 2025
- 1.2 External Presentation: Council Plan Community Engagement (board)
- 1.3. Adoption of Annual Budget 2025-26 and Revenue and Rating Plan 2025-26 to 2028-29
- 1.4 Community Budget Submissions on the Proposed Annual Budget and Revenue and Rating Plan

2 Council Reports - For Briefing

- 2.1 Proposed Hobson Bay City Council Community Local Law 2025
- 2.2 Recognition of Hobsons Bay Residents Awarded King's Birthday Honours 2025
- 2.3 Response to Petition: Williamstown Foreshore Precinct Plan
- 2.4 Emergency Services Volunteer Fund
- 3. Notice of Motion: Cr Rayane Hawli

Attachment 11.1.5 Page 243

4. Committee and Delegate Reports - Nil

5. CEO Update and Councillor Updates

5.1 Councillor Update and Discussion

5.2 Chief Executive Verbal Update

End of Meeting

Interest Disclosures

Councillors: Nil

Officers: Nil

External: Nil

Meeting movements – Break 7:18pm to 7:22pm

Councillors / Officers	Time Left	Time Returned
Allison Kenwood, Interim Director Corporate Services	7:04pm	7.22pm
Matthew Irving, Director Infrastructure and City Services	7:04pm	7.22pm
Marlo Emmitt, Interim Manager, Corporate Integrity	7:04pm	7.22pm
Elyse Rider, Interim Director Sustainable Communities	7:04pm	7.22pm
Kerry Thompson, Interim Chief Executive Officer	7:18pm	7:22pm
John Tanner, Municipal Monitor	7:18pm	7:22pm
Cr Daria Kellander, Altona ward	7:18pm	7:22pm
Cr Diana Grima, Altona Meadows ward	7:18pm	7:22pm
Cr Kristin Bishop, Spotswood ward	7:18pm	7:22pm
Cr Lisa Bentley, Williamstown ward	7:18pm	7:22pm
Cr Michael Disbury, Williamstown North ward	7:18pm	7:22pm
Cr Paddy Keys-Macpherson, Laverton ward	7:18pm	7:22pm
Cr Rayane Hawli, Altona North ward	7:18pm	7:22pm

Attachment 11.1.5 Page 244

Assembly of Councillors - Pre Council Meeting Briefing 23 June 2025

Start Time: 06:33 PM End Time: 06:46 PM

Attendance

Councillors	Present	Time	Left meeting
Cr Daria Kellander, Altona ward	Yes	6:33pm	6:46 PM
Cr Diana Grima, Altona Meadows ward	Yes	6:33pm	6:46 PM
Cr Kristin Bishop, Spotswood ward	Yes	6:33pm	6:46 PM
Cr Lisa Bentley, Williamstown ward	Yes	6:33pm	6:46 PM
Cr Michael Disbury, Williamstown North ward	Yes	6:33pm	6:46 PM
Cr Paddy Keys-Macpherson, Laverton ward	Yes	6:33pm	6:46 PM
Cr Rayane Hawli, Altona North ward	Yes	6:33pm	6:46 PM

Council Officers	Present	Time	Left meeting
Kerry Thompson, Interim Chief Executive Officer	Yes	6:33pm	6:46 PM
Allison Kenwood, Interim Director Corporate Services	Yes	6:33pm	6:46 PM
Matthew Irving, Director Infrastructure and City Services	Yes	6:33pm	6:46 PM
Marlo Emmitt, Interim Manager, Corporate Integrity	Yes	6:33pm	6:46 PM
Elyse Rider, Interim Director Sustainable Communities	Yes	6:33pm	6:46 PM
Hamish Munro, Chief Financial Office	Yes	6:33pm	6:46 PM
John Tanner, Municipal Monitor	Yes	6:33pm	6:46 PM

External Presenters - Nil

Meeting Agenda Topics

Council Welcome and Acknowledgement

\sim			1 .		
2	Α	ทต	าได	١g١	es

- 3 Disclosure of Interest
- 4 Confirmation of Minutes
- 5 Councillor Questions
- 6 Public Question Time
- 7 Petitions and Joint Letters
- 8 Business
- 8.1 Corporate Services
- 8.1.1 Community Budget Submissions on the Proposed Annual Budget and Revenue and Rating Plan
- 8.1.2 Adoption of Annual Budget 2025-26 and Revenue and Rating Plan 2025-26 to 2028-29
- 8.1.3 Cancellation of Council meeting scheduled for Tuesday 24 June 2025
- 9 Committee and Delegate Reports

10 Notices of Motion

Attachment 11.1.6 Page 245

11 Record of Assembly of Councillors		
12 Supplementary Public Question Time		
13 Urgent Business		
14 Close of Meeting		
Interest Disclosures		
Councillors: Nil		
Officers:		
External:		
Meeting movements - Nil		
Councillors / Officers	Time Left	Time Returned

Attachment 11.1.6 Page 246