

Resolutions of the Hobsons Bay City Council

Meeting held on Tuesday 23 September 2025



Agenda Item 6.1.1

Petition: Please Don't Over-Develop Williamstown Beach

Resolved:

That Council:

1. Receives and notes the petition titled "Please Don't Over-Develop Williamstown Beach".
2. Refers the petition to the Statutory Planning team to be registered as an objection and considered in assessing Planning Permit application PA250139 for the Williamstown Swimming and Life Saving Club redevelopment.

Agenda Item 6.2.1

Response to Petition: Hick Street Pedestrian and Bike Crossing

Resolved:

That officers bring a report back to a future Council Meeting by the end of November 2025 that:

1. provides clarity on the relevant authority responsible for the Hick Street pedestrian rail crossing
2. recommends a Council position on the future of the crossing, to guide future Council decisions related to this location, acknowledging that Council does not have the authority to keep it open nor close it.
3. outlines options for a shared path connecting the proposed Birmingham Street shared pathway, via the Hick Street rail pedestrian crossing, to road and footpath infrastructure at or near the corner of Stephenson Street and Moresby Street, South Kingsville to provide connectivity through this crucial crossing point.

Agenda Item 7.2.1

Interim Financial Report for the year ended 30 June 2025

Resolved:

That Council notes the interim financial report for the year ended 30 June 2025.

Agenda Item 7.2.2

Draft Annual Financial Report for the year ended 30 June 2025

Resolved:

That Council:

1. Records its approval in principle to the Annual Financial Report and the Performance Statement for the year ended 30 June 2025.
2. Subject to the review of the final version of the Annual Financial Report and Performance Statement:
 - a. Authorises the Interim Chief Executive Officer, Chief Financial Officer (Principal Accounting Officer), the Mayor Cr Daria Kellander, and Cr Kristin Bishop to certify the final versions.
 - b. Authorises the Chief Executive Officer to send the Annual Financial Report and Performance Statement to the Auditor-General.
 - c. Authorises the Chief Financial Officer to implement any non-material changes as recommended by the Auditor-General and provide a summary of such changes to the Audit and Risk Committee at its next meeting.
 - d. Authorises the Chief Financial Officer to make any material changes as recommended by the Auditor-General after discussion with the Chair of the Audit and Risk Committee. The Chief Financial Officer will report any material changes at the next available Council meeting.

Agenda Item 7.2.3

Delegated Planning Committee (DPC) and Statutory Planning Delegations

Resolved:

That Council:

1. Notes the outcomes of the Delegated Planning Committee (DPC) for the 2024–25 financial year.
2. Revokes the Instrument of Delegation to the DPC dated 10 September 2024 (Attachment 1).
3. Determines planning permit decisions are to be referred to Council for decision where one of the following situations apply:
 - a. 15 or more individual objections are received (multiple objections that are identical copies of each other (proformas) and petitions will only be counted as one objection).
 - b. Any advertised application where the value exceeds \$10 million.
 - c. Any advertised application exceeding the preferred height within the applicable zone or overlay.
 - d. The application is a Ministerial application related to land use or development proposals.
 - e. Applications that may significantly affect community amenity, raise matters of high strategic sensitivity or set a precedent influencing future development.
4. Receives a further report within six months at a future Council meeting providing a review of the amended delegations and their effectiveness.

Agenda Item 7.2.4

Review of Instruments of Delegation S5, S6 and S18

Resolved:

That Council:

1. In the exercise of the power conferred by section 11(1)(b) of the *Local Government Act 2020*, Hobsons Bay City Council (Council) resolves that:
 - a. There be delegated to the person holding or acting in the position of Chief Executive Officer the powers, duties and functions set out in the Instrument of Delegation to the Chief Executive Officer (Attachment 1), subject to the conditions and limitations specified in that Instrument.
 - b. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor.
 - c. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
 - d. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
2. In the exercise of the powers conferred by the legislation referred to in the Instrument of Delegation at Attachment 2, Hobsons Bay City Council (Council) resolves that:
 - a. There be delegated to the members of Council staff holding or acting in the positions referred to in the Instrument of Delegation to members of Council staff (Attachment 2), the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument, with an amendment to provision S61(1) on page 45 of 100, to delete dot point 2 which reads, "the application is lodged by or on behalf of Hobsons Bay City Council and the estimated cost of development exceeds \$10 million" and changes all instances of the words "any application" to "any advertised application".
 - b. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and Mayor.
 - c. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
 - d. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
3. In the exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, Hobsons Bay City Council resolves that:
 - a. There be delegated to the members of Council staff holding or acting in the positions referred to in the Instrument of Delegation to members of Council staff (Attachment 3), the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument.
 - b. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and Mayor.
 - c. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
4. Notes that in accordance with section 47(1)(a) of the *Local Government Act 2020*, the Chief Executive Officer may by instrument of delegation delegate any power, duty or function of Council that has been delegated to the Chief Executive Officer by Council, to a member of Council staff.

Agenda Item 7.2.5

Review of Instrument of Delegation - LeadWest Joint Delegated Committee

Resolved:

That Council, in relation to the C4 Instrument of Delegation, in exercise of the powers conferred by section 64 of the *Local Government Act 2020* resolves that:

1. From the date of this resolution there continue to be a Delegated Committee named “LeadWest Committee”.
2. By Instrument of Delegation, pursuant to section 11 of the Act, delegates to the Committee the powers, duties and functions relevant to the “LeadWest Committee” governance arrangements, in accordance with the Instrument of Delegation and Schedule at Attachment 1 to this report, effective upon this resolution being made and signed by the Council’s Chief Executive Officer and the Mayor.
3. Determines that the Instrument of Delegation will:
 - a. Come into force on 23 September 2025.
 - b. Remain in force until Council determines to vary or revoke it.
4. Adopts the Terms of Reference for the Committee as detailed in Attachment 2 to this report.
5. Appoints as voting members of the Committee:
 - a. One Councillor and their proxy from each of the Cities of Brimbank, Hobsons Bay, Maribyrnong, Melton and Wyndham, as nominated by each of those councils from time to time, provided that the proxy will only be entitled to vote in the absence of the relevant nominated Councillor.
 - b. The Chief Executive Officer from each of the Cities of Brimbank, Hobsons Bay, Maribyrnong, Melton and Wyndham and the proxy nominated by each Chief Executive Officer from time to time, provided that a proxy will only be entitled to vote in the absence of the relevant Chief Executive Officer.
6. Notes that the current Council appointment of Cr Grima as the Councillor delegate to LeadWest will continue until Council considers annual appointments to committees in November 2025.
7. Notes that on the coming into force of the Instrument of Delegation at Attachment 1, all previous instruments are revoked.

Agenda Item 7.2.6

Review of Instruments of Appointment and Authorisation S11A and S11B

Resolved:

That Council:

1. In the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987*, resolves that:
 - a. The members of Council staff referred to in the instrument S11A (Attachment 1) be appointed and authorised as set out in the instrument.
 - b. The S11A instrument comes into force following the adoption of this Resolution and the subsequent signing by Council's Chief Executive Officer. It remains in force until Council determines to vary or revoke it.
 - c. On the coming into force of the S11A instrument, the previous instrument made on 29 April 2025 is revoked.
2. In the exercise of the power conferred by s 242(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, resolves that:
 - a. The members of Council staff referred to in the instrument S11B (Attachment 2) be appointed and authorised as set out in the instrument.
 - b. The S11B instrument comes into force immediately upon this resolution being made and is to be signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it.

Agenda Item 7.2.7

Memorial Plaque Application - Robert Flaherty

Resolved:

That Council, having considered the significant contribution made by the late Robert Flaherty to the Hobsons Bay community:

1. Approves the installation of a memorial plaque on the existing bench at Gloucester Reserve (facing Altona).
2. Notes that the cost of the memorial plaque will be borne by Georgia Flaherty, Robert Flaherty's wife.

Agenda Item 7.2.8

Aged Care Advocacy

Resolved:

That Council:

1. Notes the current sector advocacy regarding CHSP and aged care reform, acknowledging that Council is a current provider of CHSP services.
2. Endorses participation in sector-wide advocacy actions including contributing to the development of a collective position, supporting correspondence to the Federal Minister for Aged Care and Seniors and attending coordinated forums or roundtables.
3. Supports ongoing internal planning to assess the local impacts of the proposed reforms, identify associated risks and opportunities, and inform Council's future service and policy direction in the lead-up to the 2027 transition.

Agenda Item 7.2.9

Errors and Anomalies Amendment C145

Resolved:

That Council:

1. Considers the planning overlay and ordinance anomalies proposed to be corrected by Amendment C145hbay to the Hobsons Bay Planning Scheme.
2. Requests that the Minister for Planning grant authorisation under Section 8A of the *Planning and Environment Act 1987* to prepare and exhibit Amendment C145hbay to the Hobsons Bay Planning Scheme.
3. Notes the delegation of the Chief Executive Officer to make any necessary minor changes in seeking authorisation to prepare and exhibit Amendment C145hbay to the Hobsons Bay Planning Scheme.
4. Notes the delegation of the Chief Executive Officer to consider any submissions received about the amendment and refer any submissions that cannot be resolved to an independent panel appointed by the Minister for Planning in accordance with sections 22 and 23 of the *Planning and Environment Act 1987*.

Agenda Item 7.2.10

Council Plan Development Update

Resolved:

That Council:

1. Receives and endorses the Hobsons Bay Council Plan 2025-29 Engagement Summary Report, and the Hobsons Bay City Council Health and Wellbeing Stakeholder Forum Engagement Outcomes Report, authored by Conversation Co., as a summary of the deliberative engagement undertaken to inform the Council Plan 2025-29 and Municipal Public Health and Wellbeing Plan 2025-29.
2. Acknowledges the contributions of the community through the community engagement process in the Council Plan 2025-29 and Municipal Public Health and Wellbeing Plan 2025-29 development, particularly those members of the Community Representative Workshops who participated in the deliberative engagement process.

Agenda Item 7.2.11

Capital Works Progress Report Q4 FY2024-25

Resolved:

That Council:

1. Notes the Quarterly Capital Works Program Status Report as at 30 June 2025 (Attachment 1).
2. Endorses the identified budget adjustments to projects within the 2025–26 Capital Works Program budget in line with the Capital Works Framework

Agenda Item 7.2.12

Life Saving Victoria - Paid Lifeguard Service

Resolved:

That Council:

1. Communicates with other Port Phillip Bay councils through the Municipal Association of Victoria (MAV) and Association of Bayside Municipalities (ABM) to suggest a joint advocacy effort for increased funding towards the paid lifeguard service by the State Government.
2. Writes to Life Saving Victoria to advise of Council's decision.

Agenda Item 7.2.13

Contract 2025.MAV.01 Statewide Roads Panel

Resolved:

That Council:

1. Approves participation in the Municipal Association of Victoria (MAV) Statewide Roads Panel collaborative agreement up to a maximum cumulative value of \$35,000,000 (including GST) over the initial contract period of five years.
2. Delegates authority to the Chief Executive Officer to execute agreements for each works package, up to the maximum value of \$2,000,000 (including GST) per package.
3. Delegates authority to the Chief Executive Officer to approve variations and contingencies to individual works packages awarded under the MAV Statewide Roads Panel.
4. Receives a further report should a contract extension be sought.
5. Receives a report in July of each year, outlining the level of expenditure that has occurred, and type of works completed under the panel during the previous financial year.

Agenda Item 7.3.1

Level Crossing Removal Project Updates - September 2025

Resolved:

That Council:

1. Notes this update report on the proposed level crossing removals at Champion Road and Maddox Road, Newport and Maidstone Street, Altona and Council's advocacy on aspects of the projects.
2. Notes this update on the support for traders impacted by the Champion Road and Maddox Road Level Crossing Removal Projects.

Agenda Item 7.3.2

Point Cook Road and Central Avenue Intersection Update - September 2025

Resolved:

That Council notes the update report on the status of the Point Cook Road Central Avenue Upgrade Project and Council's advocacy on aspects of the Project.

Agenda Item 7.3.3

West Gate Tunnel Project Update - September 2025

Resolved:

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

Agenda Item 8.2

Delegate Reports

Resolved:

That Council receives and notes the recent delegate reports:

- Hobsons Bay Local Safety Committee – 19 August 2025

Agenda Item 9

Reports of Informal Meetings of Council

Resolved:

That Council receives the informal meeting reports for:

- Pre-Council Meeting 26 August 2025
- Councillor Briefing 2 September 2025
- Councillor Briefing 9 September 2025
- Councillor Briefing 16 September 2025.