

Council Meeting Minutes

23 September 2025

Council Chamber
Hobsons Bay Civic Centre
115 Civic Parade, Altona

HOBSONS
BAY CITY
COUNCIL



OUR MISSION

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

OUR VALUES

Respectful

Community driven and focused

Trusted and reliable

Efficient and responsible

Bold and innovative

Accountable and transparent

Recognised

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

CONDUCT OF COUNCIL MEETINGS

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

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

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

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Minutes of the Council Meeting held on 23 September 2025 at 7pm.

Present

Chairperson

Cr Daria Kellander (Mayor)	Altona Ward
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Councillors

Cr Rayane Hawli (Deputy Mayor)	Altona North Ward
Cr Diana Grima	Altona Meadows Ward
Cr Paddy Keys-Macpherson	Laverton Ward
Cr Kristin Bishop	Spotswood Ward
Cr Lisa Bentley (Apology)	Williamstown Ward
Cr Michael Disbury (Apology)	Williamstown North Ward

Officers

Ms Kerry Thompson	Interim Chief Executive Officer
Ms Allison Kenwood	Interim Director Corporate Services
Ms Elyse Rider	Interim Director Sustainable Communities
Mr Matthew Irving	Director Infrastructure and City Services
Ms Marlo Emmitt	Acting Manager Corporate Integrity
Ms Beti Flaherty	Governance Officer and Timekeeper
Miss Jessica Maunder	Proof Reading Officer and Minute Secretary

1 Council Welcome and Acknowledgement of Traditional Owners

The Chair declared the meeting open at 7pm and welcomed members of the public and acknowledged the Bunurong People of the Kulin Nation as the Traditional Owners of these municipal lands and waterways.

2 Apologies and Leaves of Absence

The Chair called for apologies received from Councillors who are unable to attend this meeting.

Motion

Moved Cr Grima, seconded Cr Hawli:

That Council accepts apologies from Cr Disbury and Cr Bentley.

Carried unanimously

3 Disclosure of Conflicts of Interest

There were no disclosures of Conflicts of Interest.

4 Confirmation of Minutes

Confirmation of the minutes of the Council Meeting of Hobsons Bay City Council held on 26 August 2025 (copy previously circulated).

Motion

Moved Cr Hawli, seconded Cr Keys-Macpherson:

That Council confirms the minutes of the Council Meeting of Hobsons Bay City Council held on 26 August 2025.

Carried unanimously

5 Public Question Time

Questions regarding redevelopment of the Williamstown Swimming and Life Saving Club

Alan Logan

Q Council has presented three schemes for the redevelopment of the Williamstown Life Saving Club. All the schemes appear to be overdevelopments of the site and are out of scale with the existing heritage building and local context. Would council consider providing the community with another option that provided for the core functions of the club in a single storey building that was closer to the footprint of the existing buildings.

A The design on exhibition forms the basis of the planning permit application. The building's scale and design will be assessed against the relevant planning controls and the site context as part of that process.

Anyone who might be affected by this planning permit can view the application and supporting documents online on our Greenlight Planning Portal for free. If you're affected, you can submit an objection or other comments online via our Greenlight Planning Portal. Make sure to explain why you object and how the permit would impact you.

Please ensure your objection is lodged before 10 October 2025, as Council will decide the application after that date.

Robert Ferris

Q At the July Council meeting, a council official said that "the funding agreement between Council and the Victorian State Government excludes any upgrade to the swimming pool". How does Council reconcile this position with the fact that the State Government grant to the swimming club was in part to convert the outdoor swimming pool into an indoor heated pool to improve water safety education for the community.

A The funding agreement between the State Government and Council does not specify a requirement to convert the existing outdoor swimming pool into an indoor swimming pool. The existing swimming pool will remain as part of the current redevelopment to support water safety and other Club-related activities.

Tina Guglielmino

Q Can council inform the public, in specific numbers, how many houses and which streets were letterboxed to invite them to last year's drop-in session on 31st August at the clubrooms, where current plans were first publicly displayed.

A Council advertised the Round Two community consultation session through a variety of methods, including through its website platform Participate, social media streams and via letterbox drop to approximately 370 dwellings in the local precinct.

Q What is council's current estimate of the final cost this proposed redevelopment?

- A At this stage of the project, the current estimate for the redevelopment is \$16.6 million, although if the proposed design of the redevelopment is approved and proceeds, this figure will likely be modified as design development progresses and public tenders are sought.

Maria Fontanini**Q How much will the proposed new electrical substation cost, who will pay for it, and out of which budget?**

- A The proposed electrical substation is estimated to cost in the vicinity of \$1 million, however, this will be offset by a substantial contribution from the electrical distribution authority as it will service the wider network. The substation installation is included within the project redevelopment budget.

Q The proposed electrical substation is opposite homes, on a busy public promenade, and within metres of a popular picnic spot. So my question is, will the substation emit any noise or any electromagnetic radiation – and if so, how much?

- A Council does not have a planning or regulatory role in this type of infrastructure. Responsibility for the design, location and operation of substations rests with Jemena, the electricity distribution business. Any technical questions should be directed to Jemena, who manage this infrastructure and determine locations based on their technical advice.

For any concerns or complaints, residents should contact Jemena directly. Regulatory oversight of substations sits with the Victorian Government through Energy Safe Victoria (safety regulation). The Australian Radiation Protection and Nuclear Safety Agency via its website also provides some useful information relating to electromagnetic fields.

Rae Kaspiw**Q On August 26, Council officers referred to s 189 and s 191 of the Local Government Act 1989. These sections do not exist. Is Council going to correct the record in relation to the law concerning its obligations arising from the proposal to cede rights to public land for the Williamstown Swimming and Surf Life Saving Club redevelopment?**

- A The sections of the legislation were referenced by the community member who submitted the questions. It is correct that these do not exist, and Officers responded that these sections were not relevant in the delivery of the Williamstown Swimming and Surf Life Saving Club project.

Josephine Cafagna**Q How much money is council contributing to the redevelopment, and how much money has it spent so far and on what.**

- A Council has committed \$3 million towards the redevelopment project as part of its Capital Works Program. To date, approximately \$1.1 million has been spent on design development, authority permit applications and associated project management costs.

- Q At last month's council meeting, the acting CEO stated that "the upstairs multipurpose space will be utilised for club-related activities including education programmes, meetings, club functions, for training purposes aligned with the occupancy agreement between council and the club". Why did the acting CEO fail to mention what is now revealed in the planning application, which states that the first-floor community room will be made available as a "venue to hire to the broader community"?**
- A Venue hire to the broader community will be permitted as it currently is, in line with the Life Saving Club's occupancy agreement with Council. A new occupancy agreement will be developed between Council and the Club to facilitate use of the redeveloped facility and will be subject to public consultation before execution.**

Paul Austin

- Q Has council received its own heritage advice about the redevelopment plans, and if so, what does it say?**
- A The Statutory Planning team seeks advice from internal and external experts, with relevant advice included in the officer's assessment report when the application is ready for decision. This application will likely go to the council meeting for a decision. The report and the assessment will be made available then.**
- Q Will the mayor and the councillors commit publicly tonight to ensuring that the council's own heritage advice about this proposed redevelopment is made available to ratepayers and the broader public during this public advertising period – and if not, could they explain why not?**
- A Advertising material includes only what the applicant has submitted. Any advice received is for internal use and not part of the advertising. Relevant advice will be included in the officer's assessment report when the application is ready for decision.**

Questions regarding Claims Management Australasia**Jed Richards**

- Q Does HBCC engage Clyde & Co (law firm) to act on the behalf of HBCC?**
- Q Has HBCC engaged Clyde & Co to act on behalf of HBCC in relation to the claim made by the residents of Lady Nelson Crescent Altona Meadows in relation to damage caused by HBCC trees?**

Ally Richards

- Q In the financial year ended 30 June 2025, what did Hobsons's Bay pay to Claims Management Australasia for services rendered?**
- Q In the financial year ended 30 June 2025, how many claims have been filed by residents of Lady Nelson Crescent for damage asserted to be caused by trees.**

Paula Brown

- Q What officer at HBCC provides instructions to Claims Management Australasia?**
- Q On what basis is Claims Management Australasia engaged by HBCC?**

Harrison Brown

- Q Does HBCC have a copy of the petition from residents of Lady Nelson Crescent filed in or around 1999.**
- Q In the financial year ending 30 June 2025, how many claims were accepted by Claims Management Australasia and how many were denied.**

- A Consolidated answer to all questions relating to Claims Management Australia and Lady Nelson Crescent for damage asserted to be caused by trees.**

Hobsons Bay is a member of CivicRisk Mutual, a Local Government Mutual established to provide risk and insurance services. Claims Management Australasia is appointed on a service contract to CivicRisk Mutual, and the financial details of this arrangement are commercial-in-confidence; therefore Council is unable to disclose payments or the number of accepted/denied claims.

CivicRisk Mutual Ltd has engaged Clyde & Co law firm to act on behalf of Council regarding the matter located at Lady Nelson Crescent for damage asserted to be caused by trees.

Council procedure does not require a specific officer to provide instructions to Claims Management Australasia. The most relevant officer will liaise with Claims Management Australasia depending on the matter.

Hobsons Bay City Council does not hold a copy of the original petition from the residents of Lady Nelson Crescent. Records confirm that a petition was tabled at the Council Meeting on 10 February 1998, and a copy of those minutes is available on request.

Altona Gate Shopping Centre asbestos removal

Dean Foster

- Q My questions relate to the demolition of the Altona Gate Shopping Centre open air car parking and the subsequent removal of asbestos contaminated soil that has been estimated to be 1033 cubic metres or 1,240 metric tonnes. Neighbours were not informed and site hazard signage was limited to two A3 signs and yellow “Danger Asbestos Dust Hazard” tape around the active dig zones within the fenced off boundary. In area, the site is equivalent to 11 house blocks that adjoin the site. The lack of transparency is extremely concerning where hazardous materials are concerned.**

Why has the Hobsons Bay Building Department allowed this work to proceed without (a) the posting of permission/approval/demolition notices on-site, (b) advising neighbours, or (c) providing access to any site related information on the Hobsons Bay council website?

- Q As there is no safe level of asbestos exposure, why did the Building Department disregard the health and safety of Hobson Bay residents and allow work to proceed on a 6,250m² commercial site without requiring public notices, and letters to neighbours to keep doors and windows closed during works and especially during windy weather?**

- A We understand the environmental consultants responsible for the work have provided you with a written response to the questions you've raised.

Council remains committed to safeguarding the health and safety of the Hobsons Bay community within its duties. This matter is outside Council's jurisdiction.

To clarify, the removal of the car park surface associated with the Altona Gate Shopping Centre did not require planning or building permits from Council. The regulation of asbestos removal, including licensing, notification, and management requirements under the Occupational Health and Safety Regulations 2017, falls under the authority of WorkSafe. Any concerns regarding these matters should be directed to WorkSafe as the appropriate regulatory body, as they are the appropriate body to address these issues.

Neglected Buildings on Melbourne Road

Monika Pedzinski

- Q I am writing as a concerned Newport resident regarding several neglected buildings in my suburb, on Melbourne Road. These buildings have been allowed to decay, and it is increasingly frustrating for locals who feel that our heritage, safety, and local amenity are being adversely impacted. The City of Melbourne is pursuing tougher measures to tackle vacant and dilapidated buildings — a “crackdown” under which property owners might face increased accountability.**

Is Hobsons Bay City Council considering adopting or strengthening policies similar to those being proposed by the City of Melbourne including penalties, rates surcharges, or compulsory maintenance orders to compel property owners to maintain, repair or secure derelict buildings.

What enforcement tools are currently available to Hobsons Bay City Council to deal with the sites at Melbourne Road that are being neglected. Are these seen to be sufficient considering nothing has been done by the property owners in many years?

- A Council has introduced the Community Local Law 2025, which requires property owners to keep their buildings in good condition and take reasonable steps to prevent them from becoming unsightly and dilapidated. Failing to comply may result in an on-the-spot fine.

Council will be undertaking public consultation on a Preliminary Draft Heritage Strategy in the coming months. This strategy sets the vision for long term heritage identification, conservation, management, planning and promotion and identifies key challenges and opportunities. We encourage the residents of Newport to engage in this process once the opportunity becomes available.

Council has several laws it can use to manage construction sites. If a building becomes unsafe due to neglect or damage, Council's Municipal Building Surveyor can issue an order requiring the owner to fix the problem and make the building safe.

Laverton Creek

Rebecca Keys

- Q The sand around Laverton Creek exit to the Bay at Altona has been moving for the last couple of years and the creek now runs up against the seawall under the**

Esplanade. Cyclone fencing was put up in the area earlier this year. When this happened I asked the Councillor for Laverton about whether the creek was damaging the seawall and he reported that Council officers advised him at the time there was no structural damage. He has since advised that the seawall has been structurally damaged and continues to be at risk of further damage from Laverton Creek flowing directly past it. The mitigation is urgent as it presumably will be substantially more costly to repair the seawall and road if the creek continues to flow directly onto it and cause further structural damage.

When will the sand be moved or a new outflow route be cut through the sandbar so Laverton Creek is no longer directly running past the Seawall and causing ongoing damage to the seawall and road at significant cost to Council?

Given that new sand is regularly placed on Altona Beach and the current flow shows that it will be picked up and moved to the Laverton Creek Outlet, there is significant risk that the sand will build up again at the mouth of Laverton Creek and cause it to redirect back to the sea wall.

Given that there is significant known risk that sand will again be deposited at the mouth of Laverton Creek and again redirect the Creek flow to the seawall/road, what is the ongoing maintenance/mitigation plan to ensure the sand is regularly removed so the integrity of the seawall/road is not placed at risk again.

- A The erosion of the seawall near Ransom reserve is being continuously monitored by coastal engineers and Council's foreshore officers. The ongoing inspection program identified potential structural issues and in line with the risk management plan a diversion of the Shared Bay Trail was put in place, and temporary fencing has been extended around the site as a precautionary measure.

DEECA is the land manager for the creek outflow and the spit/sandbar and as the land manager is responsible for designing and undertaking diversion of the creek through the spit. DEECA also manage approvals under the Marine and Coastal Act.

Council officers have met with representatives from DEECA to explore remedial options to address both the ongoing growth of the Laverton Creek Spit and the continuing erosion of Altona Beach and the seawall.

Once DEECA's plans are finalised, Council will work with DEECA to support the implementation to resolve the matter.

6 Petitions and Joint Letters

6.1 Petitions and Joint Letters Received

6.1.1 Petition: Please Don't Over-Develop Williamstown Beach

Directorate: Sustainable Communities
Responsible Officer: Executive Assistant Sustainable Communities
Reviewer: Interim Director Sustainable Communities
Attachments: Nil

Purpose

To receive a written petition containing 194 signatories calling for Council to prevent overdevelopment of Williamstown Beach.

Motion

Moved Cr Keys-Macpherson, seconded Cr Hawli:

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.**

Carried unanimously

6.2 Responses to Petitions and Joint Letters

6.2.1 Response to Petition: Hick Street Pedestrian and Bike Crossing

Directorate: Infrastructure and City Services
Responsible Officer: Manager Capital Works
Reviewer: Director Infrastructure and City Services
Attachments: Nil

Purpose

To provide a response to the petition regarding the Hick Street pedestrian and bike rail crossing and to clarify Council's role and responsibilities in relation to this matter.

Updated Officer Recommendation

That Council:

- 1. Notes that the maintenance and operation of rail crossings are the responsibility of VicTrack and Australian Rail Track Corporation (ARTC).**
- 2. Continues its support for the retention of the Hick Street pedestrian and bike rail crossing.**
- 3. Notes all enquiries regarding the future of the Hick Street pedestrian and bike rail crossing will be referred to VicTrack/ARTC, as Council is not the responsible authority.**
- 4. Writes to the lead petitioner with this outcome.**

Motion

Moved Cr Bishop, seconded Cr Hawli:

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.**

Carried unanimously

7 Officer Reports

7.1 Statutory Planning

Nil reports

7.2 Matters for Decision

7.2.1 Interim Financial Report for the year ended 30 June 2025

- Directorate:** Corporate Services
Responsible Officer: Chief Financial Officer
Reviewer: Interim Director Corporate Services
Attachments: Interim Financial Report at 30 June 2025 [7.2.1.1 - 18 pages]

Purpose

To present Council with the interim financial results for the year ended 30 June 2025.

Motion

Moved Cr Bishop, seconded Cr Hawli:

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

Carried unanimously

7.2.2 Draft Annual Financial Report for the year ended 30 June 2025

Directorate: Corporate Services

Responsible Officer: Chief Financial Officer

Reviewer: Interim Director Corporate Services

Attachments:

1. Draft Financial- Report-2024-25 [7.2.2.1 - 55 pages]
2. Draft Performance Statement 2024-25 [7.2.2.2 - 20 pages]

Purpose

To present the draft Annual Financial Report and the Performance Statement for the year ended 30 June 2025 for in-principle approval to be certified in their final form.

Motion

Moved Cr Bishop, seconded Cr Keys-Macpherson:

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.**

Carried unanimously

7.2.3 Delegated Planning Committee (DPC) and Statutory Planning Delegations

Directorate:	Sustainable Communities
Responsible Officer:	Manager Planning, Building and Health Services
Reviewer:	Interim Director Sustainable Communities
Attachments:	S4A Instrument of Revocation Planning Delegated Committee [7.2.3.1 - 2 pages]

Purpose

To provide the outcomes of the Delegated Planning Committee (DPC) for the 2024–25 financial year, revoke its delegations following its removal from the Governance Rules, and amend the delegations for planning permit decisions.

Recommendation

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. The application is lodged by or on behalf of Hobsons Bay City Council and the estimated cost of development exceeds \$10 million.**
 - c. Any application where the value exceeds \$10 million.**
 - d. Any application exceeding the preferred height within the applicable zone or overlay.**
 - e. The application is a Ministerial application related to land use or development proposals.**
 - f. 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.**

Motion

Moved Cr Keys-Macpherson, seconded Cr Bishop:

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.**

Amendment

Moved Cr Hawli, seconded Cr Grima:

That paragraph 3(e), which reads “Applications that may significantly affect community amenity, raise matters of high strategic sensitivity or set a precedent influencing future development”, be removed from the motion.

The Chair adjourned the meeting at 7.56pm to clarify the amendment with the mover. The meeting resumed at 8.01pm.

The Amendment was put to the vote with Councillors Hawli and Grima voting in favour of the motion, and Councillors Keys-Macpherson, Bishop and Kellander voting against the motion.

The Amendment was lost.

The substantive motion was put and carried unanimously.

7.2.4 Review of Instruments of Delegation S5, S6 and S18

Directorate: Corporate Services

Responsible Officer: Senior Advisor Governance Projects

Reviewer: Interim Director Corporate Services

Attachments:

1. S5 Instrument of Delegation to the Chief Executive Officer September 2025 [7.2.4.1 - 4 pages]
2. S6 Instrument of Delegation to Members of Council Staff September 2025 [7.2.4.2 - 102 pages]
3. S18 Instrument of Sub-delegation from Council to Members of Council Staff September 2025 [7.2.4.3 - 6 pages]

Purpose

To present updated Instruments of Delegation to the Chief Executive Officer (S5), to members of Council staff (S6) and an Instrument of Sub-delegation to members of Council staff (*Environment Protection Act 2017*), in accordance with the requirements of the *Local Government Act 2020* and following the biannual update provided by Maddocks legal services.

The Chair adjourned the meeting at 8.07pm to allow time for adjustments to be made to the recommendation to reflect the changes made in the previous agenda item (7.2.3).

Motion

Moved Cr Bishop, seconded Cr Keys-Macpherson:

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 change 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.

For: Cr Keys-Macpherson, Cr Grima, Cr Hawli, Cr Bishop

Against: Cr Kellander

Carried

7.2.5 Review of Instrument of Delegation - LeadWest Joint Delegated Committee

- Directorate:** Corporate Services
- Responsible Officer:** Senior Advisor Governance Projects
- Reviewer:** Interim Director Corporate Services
- Attachments:**
- 1. LeadWest Mark Ups accepted Instrument of Delegation and Schedule Hobsons Bay City [7.2.5.1 - 3 pages]
 - 2. LeadWest Joint Delegated Committee Terms of Reference Mark Up Updated 3 September [7.2.5.2 - 12 pages]

Purpose

To recommend the Instrument of Delegation which establishes the joint delegated committee under section 64 of the *Local Government Act 2020* known as the “LeadWest Committee”, be remade.

Motion

Moved Cr Grima, seconded Cr Keys-Macpherson:

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.**

Carried unanimously

7.2.6 Review of Instruments of Appointment and Authorisation S11A and S11B

Directorate: Corporate Services

Responsible Officer: Senior Advisor Governance Projects

Reviewer: Interim Director Corporate Services

Attachments:

1. S11A Instrument of Appointment and Authorisation Planning and Environment Act 1987 23 Sep 2025 [**7.2.6.1** - 3 pages]
2. S11B Instrument of Appointment and Authorisation Environment Protection Act 2017 23 Sep 2025 [**7.2.6.2** - 2 pages]

Purpose

To provide for the appointment of Council officers as authorised officers pursuant to section 147(4) of the *Planning and Environment Act 1987* and section 242(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the *Environment Protection Act 2017*, dated 4 June 2021.

Motion

Moved Cr Bishop, seconded Cr Keys-Macpherson:

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.

Carried unanimously

7.2.7 Memorial Plaque Application - Robert Flaherty

Directorate: Corporate Services
Responsible Officer: Acting Manager Corporate Integrity
Reviewer: Interim Director Corporate Services
Attachments: Nil

Purpose

To consider the installation of a memorial plaque in recognition of the late Robert Flaherty.

Motion

Moved Cr Keys-Macpherson, seconded Cr Grima:

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.**

Carried unanimously

7.2.8 Aged Care Advocacy

Directorate: Sustainable Communities
Responsible Officer: Manager Community Life
Reviewer: Interim Director Corporate Services
Attachments: Nil

Purpose

To update Council on recent sector-wide advocacy efforts related to reforms of the Commonwealth Home Support Program (CHSP) and to seek endorsement of Council’s participation in coordinated actions led by the Municipal Association of Victoria (MAV) and partner councils.

Motion

Moved Cr Grima, seconded Cr Hawli:

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.

Carried unanimously

7.2.9 Errors and Anomalies Amendment C145

Directorate: Sustainable Communities

Responsible Officer: Manager Strategy, Economy and Sustainability

Reviewer: Interim Director Sustainable Communities

Attachments:

1. 20250619- Presentation for Council Briefing - Errors and Anomalies Amendment C145 [**7.2.9.1** - 8 pages]
2. Explanatory Report C145 [**7.2.9.2** - 9 pages]
3. Instruction Sheet C145hbay [**7.2.9.3** - 2 pages]
4. Strategic Assessment Guidelines Checklist C145hbay [**7.2.9.4** - 5 pages]
5. Planning Scheme Mapping and Ordinance Changes C145hbay [**7.2.9.5** - 128 pages]

Purpose

To consider the proposed Amendment C145hbay which corrects overlay and ordinance anomalies in the Hobsons Bay Planning Scheme, and to seek approval to request authorisation from the Minister for Planning to commence and exhibit Amendment C145hbay.

Motion

Moved Cr Keys-Macpherson, seconded Cr Bishop:

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*.**

Carried unanimously

7.2.10 Council Plan Development Update

- Directorate:** Sustainable Communities
- Responsible Officer:** Manager Community and Council Plan development
- Reviewer:** Interim Director Sustainable Communities
- Attachments:**
- 1. Hobsons Bay Council Plan 2025-2029 Engagement Summary Report_ August 2025 [7.2.10.1 - 98 pages]
 - 2. Hobsons Bay Health and Wellbeing Stakeholder Forum Engagement Outcomes Report June 2025 [7.2.10.2 - 17 pages]

Purpose

To provide an update on the development of the Council Plan 2025-29, Municipal Public Health and Wellbeing Plan 2025-29 and the reviews of the Assets Plan 2025-35 and Long-Term Financial Plan 2025-35, including the deliberative community engagement process undertaken as required under the *Local Government Act 2020*.

Motion

Moved Cr Bishop, seconded Cr Hawli:

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.**

Carried unanimously

7.2.11 **Capital Works Progress Report Q4 FY2024-25**

Directorate: Infrastructure and City Services
Responsible Officer: Manager Capital Works
Reviewer: Director Infrastructure and City Services
Attachments: Capital Works Q4 FY24-25 Report v6 [7.2.11.1 - 33 pages]

Purpose

To provide Council with the fourth quarter status update on the delivery of the 2024–25 Capital Works Program (CWP) and seek approval for budget adjustments to projects within the 2025–26 Capital Works Program budget.

Motion

Moved Cr Bishop, seconded Cr Hawli:

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.

Carried unanimously

7.2.12 Life Saving Victoria - Paid Lifeguard Service

Directorate: Infrastructure and City Services
Responsible Officer: Manager Active Communities & Assets
Reviewer: Director Infrastructure and City Services
Attachments: Provision of Paid Lifeguard Services - Hobsons Bay City Council
[7.2.12.1 - 8 pages]

Purpose

To inform Council of Life Saving Victoria's request for Council to fund a paid lifeguard service at Altona and Williamstown beaches in the upcoming peak summer season.

Motion

Moved Cr Grima, seconded Cr Hawli:

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.**

Carried unanimously

7.2.13 Contract 2025.MAV.01 Statewide Roads Panel

Directorate: Infrastructure and City Services
Responsible Officer: Manager Capital Works
Reviewer: Director Infrastructure and City Services
Attachments: Nil

Purpose

To seek Council's endorsement of the Municipal Association of Victoria (MAV) Statewide Roads Panel collaborative agreement to deliver future road resurfacing and rehabilitation projects.

Motion

Moved Cr Keys-Macpherson, seconded Cr Bishop:

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.**

Carried unanimously

7.3 Matters for Noting

7.3.1 Level Crossing Removal Project Updates - September 2025

Directorate: Infrastructure and City Services

Responsible Officer: Strategic Project Specialist

Reviewer: Director Infrastructure and City Services

Attachments: LXRP HBCC Communications Register 0725.v2 [7.3.1.1 - 2 pages]

Purpose

To provide an update on the level crossing removal projects at Champion Road and Maddox Road, Newport, and Maidstone Street, Altona, including feedback on the impacts on local businesses relating to the Champion Road and Maddox Road projects.

Motion

Moved Cr Bishop, seconded Cr Grima:

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.**

Carried unanimously

7.3.2 Point Cook Road and Central Avenue Intersection Update -
September 2025

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

Purpose

To provide an update on the \$79 million Point Cook Road Central Avenue Intersection Upgrade Project (the Project) facilitated by Major Roads Projects Victoria (MRPV).

Motion

Moved Cr Grima, seconded Cr Keys-Macpherson:

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.

Carried unanimously

7.3.3 West Gate Tunnel Project Update - September 2025

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

Purpose

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

Motion

Moved Cr Hawli, seconded Cr Grima:

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

Carried unanimously

8 Other Reports

8.1 Committee Reports

Nil reports

8.2 Delegate Reports

8.2.1 Hobsons Bay Local Safety Committee

Purpose

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

Motion

Moved Cr Grima, seconded Cr Hawli:

That Council receives and notes the recent delegate reports:

- Hobsons Bay Local Safety Committee – 19 August 2025.

Carried unanimously

9 Reports of Informal Meetings of Council

9.1 Record of Assembly of Councillors

An internal process has been carried out and Council is required to table the record of assembly of councillors.

The record of assembly of councillors is provided as a final attachment in any agenda.

Council officers recommend that Council formally receive the relevant assembly records, as this is regarded as good governance practice.

Motion

Moved Cr Bishop, seconded Cr Hawli:

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.**

Carried unanimously

10 Notices of Motion

No notices of motion were received.

11 Councillor Questions

There were no questions from Councillors.

12 Urgent Business


There were not items of urgent business for consideration.

13 Confidential Items

There were not items of confidential business for consideration.

14 Close of Meeting

There being no further business, the Chairperson declared the meeting closed at 8.45pm.

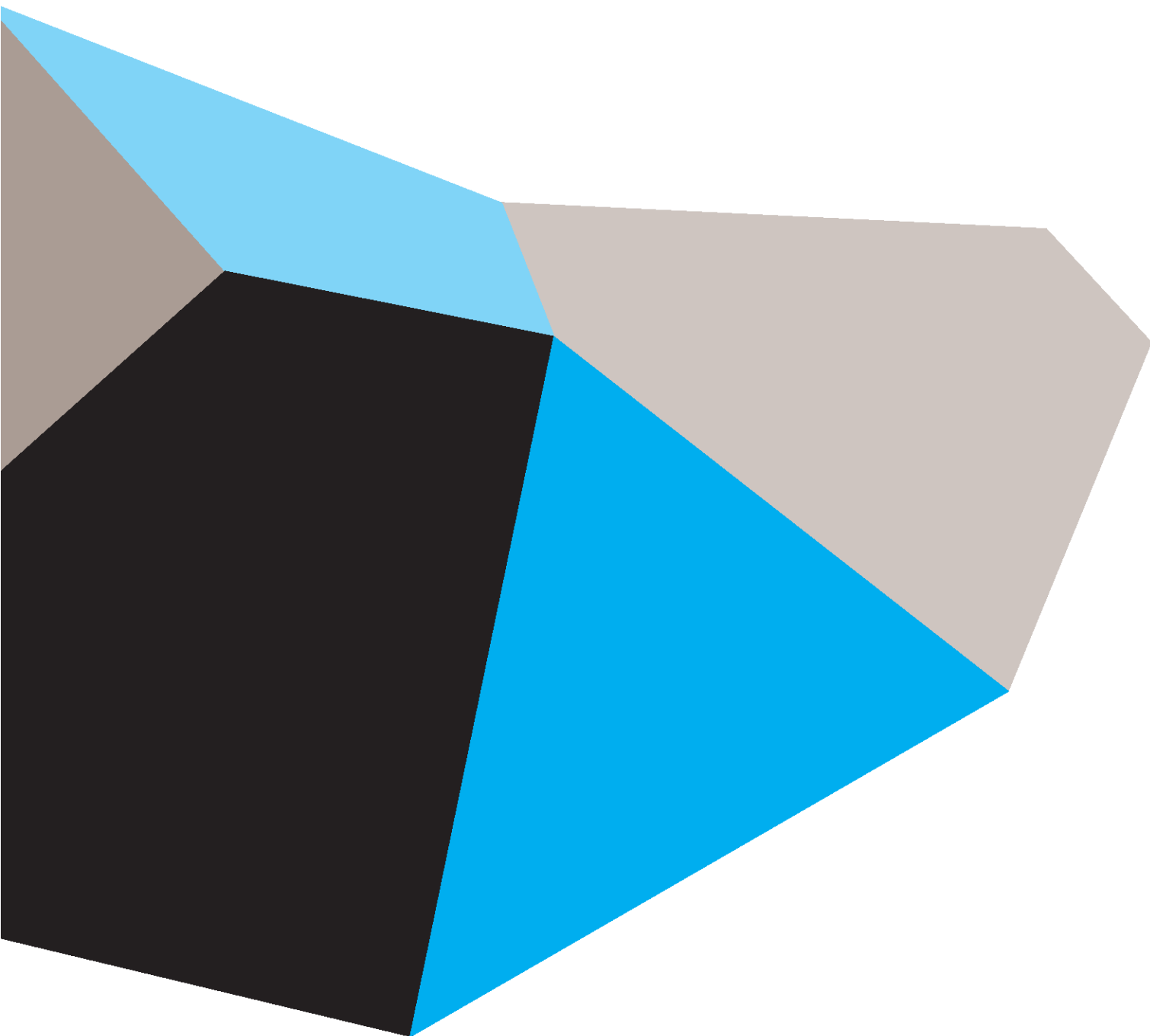


Chair: Daria Kellander

Signed and certified as having been confirmed
19 January 2026
Date: _____

HOBSONS
BAY CITY
COUNCIL





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