



Ordinary Council Meeting Agenda

Tuesday 12 November 2019
Commencing at 7:00pm

Council Chamber
Hobsons Bay Civic Centre
115 Civic Parade, Altona

**HOBSONS
BAY CITY
COUNCIL**



THE COUNCIL'S 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 peoples of the Kulin Nation as the Traditional Owners of these municipal lands and waterways, and pay our respects to Elders past and present.

Councillors:

Cr Angela Altair	Strand Ward
Cr Peter Hemphill	Strand Ward
Cr Jonathon Marsden	Strand Ward
Cr Tony Briffa	Cherry Lake Ward
Cr Sandra Wilson	Cherry Lake Ward
Cr Colleen Gates	Wetlands Ward
Cr Michael Grech	Wetlands Ward

Aaron van Egmond
Chief Executive Officer
Hobsons Bay City Council

CONTENTS

AGENDA	3
1 Council Welcome and Acknowledgement	3
2 Apologies	3
3 Disclosure of Interests	3
4 Minutes Confirmation	3
4.1 Ordinary Council Meeting	3
5 Councillors' Questions	3
6 Public Question Time	3
7 Petitions/Joint Letters	3
8 Business	4
8.1 Office of the Chief Executive	4
8.1.1 Chief Executive Officer - Report on Operations	4
8.2 Corporate Services	6
8.2.1 Election Period Policy - Review	6
8.2.2 Quarterly Financial Report - September 2019	9
8.2.3 Council Plan Initiatives - Quarter 1 Progress Report	13
8.3 Sustainable Communities	15
8.3.1 The Substation Funding	15
8.3.2 2020 Community Grants Recommendations.....	20
8.4 Infrastructure and City Services	24
8.4.1 Contract 2019.69 Altona Civic Centre, Customer Service and Community Meeting Space Project	24
8.4.2 Contract 2019.78 Design and Construct for Donald McLean Reserve and WLJ Crofts Reserve Pavilions and Ancillary Works.....	28
8.4.3 Contract 2019.59 Bayside College, Williamstown Campus - Sports Pavilion Extension.....	32
8.4.4 Council Order to Prevent Dogs Entering the Laverton Creek Spit Conservation Zone.....	35
8.4.5 Drainage Asset Management Plan 2019	39
8.4.6 Naming the new park at Epsom Street	45
8.4.7 West Gate Tunnel Update Report	49
8.4.8 Petition - Downer Oval Renovation.....	59
9 Delegates Report	60
10 Notices of Motion	62
10.1 Notice of Motion No. 1210 - Recognition of Contribution - Mr Hayden Raysmith AM	62
11 Supplementary Public Question Time	63

12 Urgent and Other Business 63

AGENDA

1 Council Welcome and Acknowledgement

The Chairperson will welcome members of the gallery and acknowledge the people of the Kulin Nation as the Traditional Owners of this land.

2 Apologies

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

3 Disclosure of Interests

In accordance with sections 77A, 77B, 78 and 79 of the *Local Government Act 1989* Councillors are required to disclose a "conflict of interest" in a decision if they would receive, or could be reasonably perceived as receiving a direct or indirect financial or non-financial benefit or detriment (other than as a voter, resident or ratepayer) from the decision.

In accordance with section 79B of the *Local Government Act 1989* Councillors who consider that they have a personal interest that is in conflict with their public duty in relation to a matter may, if they do not have a conflict of interest as described above, apply to Council to be exempted from voting on the matter.

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

4 Minutes Confirmation

4.1 Ordinary Council Meeting

Confirmation of the minutes of the Ordinary Council Meeting of the Hobsons Bay City Council held on 8 October 2019 (copy previously circulated).

5 Councillors' Questions

6 Public Question Time

Public Question Time provides an opportunity for the public to ask questions related to items on the agenda of the Council meeting or any other matter within Council's responsibility. Questions must be put in writing and received by 12pm on the day of the Council meeting

7 Petitions/Joint Letters

Nil.

8 Business

8.1 Office of the Chief Executive

8.1.1 Chief Executive Officer - Report on Operations

Directorate: Office of the Chief Executive

Councillor Portfolio: Not applicable

- Appendices:**
- 1 Chief Executive Officer - Report on Operations - October 2019 
 - 2 AOC - Councillor Briefing Session - 1 October 2019 
 - 3 AOC - Agenda Briefing Pre-Ordinary Council Meeting - 8 October 2019 
 - 4 AOC - Councillor Briefing Session - 29 October 2019 

Purpose

To provide Council with a regular update from the Chief Executive Officer (CEO) on the recent initiatives and projects undertaken as well as the performance results achieved.

Recommendation

That Council:

1. **Receives and notes the Chief Executive Officer's Report on Operations, including details of recent issues and initiatives undertaken by the organisation.**
2. **In accordance with section 80A(2) of the *Local Government Act 1989*, incorporates into the minutes of this meeting the written Record of Assembly of Councillors held on 1, 8 and 29 October 2019.**

Summary

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

Discussion

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

Strategic Alignment

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

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

Priority 6: An accessible and connected community.

This report specifically addresses the following goals and objectives of the Council Plan 2017-21:

Goal 4: A Council of excellence

- 4.3 Provide excellent customer service whilst ensuring all our communications are clear and easy to understand

Officer Declaration of Conflict of Interest

Section 80C of the *Local Government Act* 1989 requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

8.2 Corporate Services

8.2.1 Election Period Policy - Review

Directorate: Corporate Services

Councillor Portfolio: Not applicable

Appendices: 1 Election Period Policy 2019 

Purpose

To adopt an Election Period Policy for the 2020 Council elections to support compliance with the *Local Government Act* 1989 (the Act) and good governance principles.

Recommendation

That Council:

- 1. Adopts the Election Period Policy dated 12 November 2019 as attached to this report.**
 - 2. Revokes the Election Period Policy dated 8 March 2016.**
 - 3. Notes that the Election Period Policy will apply from 22 September 2020 until 6pm on Election Day (24 October 2020), inclusive.**
-

Summary

Under Section 93B of the Act, Council is required to prepare, adopt and maintain an Election Period Policy in relation to procedures to be applied by Council during the election period for a general election. The current Election Period Policy, which was adopted by Council at the Ordinary Council Meeting held on 8 March 2016, requires updating for the Council election to be held on Saturday 24 October 2020.

Background

The proposed Election Period Policy (the policy) has been updated for application during the upcoming election period, from 22 September 2020 until 6pm on Election Day, 24 October 2020.

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

Discussion

The adoption of the policy further supports compliance with the Act and is a key good governance initiative in the lead up to the election. The proposed policy is provided as an appendix to this report and will apply during the 2020 election period to cover:

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

The proposed policy largely reflects the policy that was adopted for the 2016 general election, with the following adjustments:

- updating relevant dates to reference the upcoming 2020 election period
- inclusion of information on seeking a ministerial exemption from the prohibitions on major policy decision making during the election period (section 6.3)
- updating the estimated amount of revenue from rates and charges which limits the value of contracts that can be entered into, and exercise of Council's entrepreneurial powers, during the election period (section 6.3)
- addition of relevant considerations for the Chief Executive Officer in giving approval to major policy decisions not prohibited under section 93A of the Act (section 6.4)
- clarification of Councillor details to be displayed or removed from the Council website during the election period (section 7.3)
- clarification that Council events and functions must not be used for campaigning purposes (section 9.2)
- inclusion of a requirement for Councillors to acknowledge receipt of the policy following adoption (section 16)
- general administrative amendments to improve readability of the policy

Strategic Alignment

This report specifically addresses the following goals and objectives of the Council Plan 2017-21:

Goal 4: A Council of excellence

- 4.2 Be a more efficient and effective organisation by having a strong focus on continuous improvement, innovation, strategic planning and responsible financial management

Policy and Previous Council Reports

The current Election Period Policy was adopted by Council on 8 March 2016.

The proposed policy will support compliance with the Councillor Code of Conduct and the Act, particularly in relation to the conduct of Councillors and the administration during the election period.

Legal/Statutory Obligations/Risk

Section 93B of the Act requires Council to adopt an Election Period Policy. Council is required to review the policy and, if required, amend the policy within 12 months before the next election.

Section 93A prohibits Council, a special committee or a person acting under delegation from making a major policy decision during the election period.

Section 55D specifically prohibits Council from printing, publishing or distributing electoral matter during the election period unless the electoral matter has been certified, in writing, by the Chief Executive Officer.

Section 76D requires that a person who is, or has been, a Councillor or member of a special committee must not misuse their position to gain or attempt to gain an advantage for themselves or any other person or cause or attempt to cause detriment to Council or another person.

Financial and Resource Implications

Council resources, including officers, support staff, hospitality services, equipment and stationery should be used exclusively for normal Council business during the election period, and should not be used in connection with an election.

Environmental/Social/Economic Impacts

This policy is designed to ensure that the ordinary business of Council continues throughout the election period in a responsible and transparent manner, and in accordance with statutory requirements and established 'caretaker' conventions.

Caretaker provisions are intended to assure the community that councils and Councillors will not use public resources in election campaigning or make major policy decisions late in the term that may bind the incoming Council.

Consultation and Communication

The proposed policy draws on legislative requirements under the Act, the existing policy, and other comparable policies of other councils.

Section 93B(4) of the Act requires that a copy of the Election Period Policy must be given to each Councillor as soon as possible after it is adopted, be available for inspection by the public at the Council offices and be published on Council's website.



The policy also requires that all staff be informed of the requirements of this policy no later than 30 days prior to commencement of the election period. Information about the policy will be communicated to staff accordingly.

Officer Declaration of Conflict of Interest

Section 80C of the *Local Government Act* 1989 requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

8.2.2 Quarterly Financial Report - September 2019

Directorate:	Corporate Services
Councillor Portfolio:	Not applicable
Appendices:	1 Quarterly Financial Report 
	2 Capital Works Program 

Purpose

To present Council with the financial results for the period ended 30 September 2019, and the revised 2019-20 annual forecast projections following completion of the September forecast review.

Recommendation

That Council notes the financial report for the period ended 30 September 2019 and the revised 2019-20 annual forecast.

Summary

The financial report for the period ended 30 September 2019 and a detailed report on the position of the Capital Works Program are attached as appendices. The September forecast review focuses on carryovers and timing differences that occur between the 2018-19 and 2019-20 financial years. This report will be received and noted by Council's Audit Committee at its meeting on 27 November 2019.

The operational budget surplus for 2019-20 of \$25.051 million has increased to a \$25.397 million forecast. The increased forecast surplus of \$346,000 is a combination of additional operational income of \$1.976 million, which is largely offset by additional operational expenditure of \$1.63 million.

The forecast result of the Capital Works Program compared to budget is a balanced result after forecast adjustments and carryovers are taken into account.

Despite the increased operational forecast surplus, a balanced financial (rate determination) result continues to be calculated. It is pleasing that this balanced result has been achieved despite \$664,000 less funding required (compared to the current year's budget) from the infrastructure reserve for capital works.

Quarterly financial reporting provides accountability and transparency in relation to Council's operations and capital works. Council budgets are subject to internal scrutiny, driven by regular reports to the Executive Leadership Team and meetings with managers.

Background

The overall financial results show improvements when compared to budget. Whilst the results show a strong operational surplus, it should be noted that surpluses are expected to fluctuate in future years of Council's Long Term Financial Plan (LTFP). The LTFP has been updated and indicates that Council remains in a reasonable financial position and is financially sustainable in the short term.

When compared to previous financial plans, current and projected income has been dramatically reduced as a result of rate capping and predicted income funding streams such as contributions, operating grants, user charges and fees. Council needs to address these issues, which in turn impact upon Council's ability to maintain critical community assets.

Council will continue to monitor the impact of the financial results in relation to Council's overall financial viability. Current long term financial planning includes future forecasts of rating levels increasing in line with the anticipated 2.5 per cent rate cap, as different from the 2.47 per cent applied in 2019-20.

Strategic Alignment

The Quarterly Financial Report specifically addresses the following goals and objectives of the Council Plan 2017-21:

Goal 4: A Council of excellence

4.2 Be a more efficient and effective organisation by having a strong focus on continuous improvement, innovation, strategic planning and responsible financial management

The interim financial report is also directly aligned to the Council's Annual Budget, LTFF, Strategic Resource Plan and Capital Works Program.

Policy and Previous Council Reports

Council considers quarterly financial reports at the end of the September, December (mid-year budget review), March and June (year-end) financial periods. The Quarterly Financial Report for September 2019 is the first report considered as part of the 2019-20 financial year.

Legal/Statutory Obligations/Risk

It is good financial practice and a requirement of the *Local Government Act 1989* (the Act) that Council is presented with regular reports on its financial performance and position during the year.

Section 138 of the Act requires that a set of financial statements be presented to an open Council meeting on a quarterly basis.

Financial and Resource Implications

The operational budget surplus for 2019-20 of \$25.051 million has increased to a \$25.397 million forecast. The increased forecast surplus of \$346,000 is a combination of additional operational income of \$1.976 million, which is largely offset by additional operational expenditure of \$1.63 million.

The most significant increase to income forecasts relates to capital income (\$1.614 million), mainly due to income that was forecast to be received in 2018-19, that is now expected to be received in 2019-20. Rates and charges are also expected to be over budget (\$343,000) but still compliant with the rate cap.

The most significant increase to expenditure forecasts relates to materials and services (\$2.112 million). This is largely due to the new waste and recycling contracts resulting from the recent disruptions within the recycling sector, which in the current year will be funded by an increased transfer from the waste reserve.

Forecasts in relation to employee costs have been reduced (\$419,000) mainly due to staff vacancies early in the financial year and restructure savings. Similarly, the most significant forecast saving on materials and services relates to an ongoing focus on the recently introduced Efficiency Review (\$1.049 million).

Balanced financial results are reflected in the rate determination statement, which is calculated by adding non-operational items such as capital expenditure, loan principal repayments and reserve transfers to the operational result and removing non-cash items such as depreciation. A balanced financial result is forecast to be achieved despite \$664,000 less funding (compared to the budget) required from the infrastructure reserve to fund capital works.

The summary cash flow statement indicates that Council's cash and investment balance was \$85.847 million as at 30 September 2019. The original budget of \$66.409 million for 30 June 2020 has been increased to \$68.144 million due to the revised forecast. The increased forecast level of cash at year end when compared to the budget is \$1.735 million.

Previously Council's cash reserves have been increased to cover future loan principal repayments, waste requirements (both of which are held in reserve) and growing future creditor and employee leave commitments. Operational and capital works savings were transferred to an infrastructure reserve to fund future capital works. In 2019-20 Council has budgeted to decrease its cash reserves by \$14.186 million, mainly to fund a significant increase to its Capital Works Program.

The working capital ratio (current assets/current liabilities) indicates the amount that Council's short term assets exceed its short term obligations and thus Council's ability to fund its short term operations. This ratio was 298 per cent at 30 September 2019 and is expected to be 244 per cent by the end of 2019-20, which is consistent with the original budget. A current ratio over 100 per cent generally indicates a manageable short term financial position.

Capital Works Result

The forecast result of the Capital Works Program compared to budget is a balanced result after forecast adjustments and carryovers are taken into account.

Capital works expenditure for the period ended 30 September 2019 was \$5.418 million compared to the year to date budget of \$6.471 million. The initial budgeted capital expenditure for 2019-20 of \$60.135 million has been increased to a forecast of \$64.62 million, mainly due to capital expenditure that was delayed from the previous financial year.

Capital income for the period ended 30 September 2019 was \$311,000. The initial budgeted capital income of \$6.003 million for the 2019-20 financial year has been increased to a year-end forecast of \$7.618 million. The increase of \$1.614 million compared to budget is mainly due to income that was forecast to be received in 2018-19, that is now expected to be received in 2019-20.

Consultation and Communication

Council's Audit Committee, at the meeting held on 27 November 2019, will receive and note the financial report for the period ended 30 September 2019 and the revised 2019-20 annual budget projections.

Officer Declaration of Conflict of Interest

Section 80C of the Act requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

8.2.3 Council Plan Initiatives - Quarter 1 Progress Report

Directorate: Corporate Services

Councillor Portfolio: Not applicable

Appendices: 1 Council Plan Initiatives Progress Report Quarter 1 2019-20 

Purpose

To provide Council with an update on the progress of the Council Plan 2017-21 initiatives and major initiatives (major projects or significant service improvements) included in the budget.

Recommendation

That Council notes the progress made on the initiatives and major initiatives of the Council Plan 2017-21 during the first quarter of 2019-20.

Summary

Quarterly reporting on the progress of the Council Plan 2017-21 initiatives and major initiatives assists Council to ensure progress is on track throughout the financial year. In 2019-20, 12 initiatives and six major initiatives were committed to.

Overall, at the end of the first quarter 2019-20, one (17 per cent) major initiative was completed, while seven (58 per cent) of all initiatives and five (83 per cent) of all major initiatives were progressing on schedule to be completed by 30 June 2020.

Background

The Council Plan is developed every four years and reviewed annually in accordance with the legislative requirements of the *Local Government Act 1989* (the Act). It is based on a planning framework that aligns the Hobsons Bay 2030 Community Vision to the planning, development, resource allocation and service provision undertaken by Council for the Hobsons Bay community.

The Council Plan is comprised of four goal areas which include the strategic objectives that define Council's goals for the period 2017-21. The initiatives and major initiatives identified through the Annual Budget support the delivery of each objective.

Discussion

In 2019-20, 12 initiatives and six major initiatives were committed to in Council's budget. These include five initiatives and two major initiatives that were carried over from 2018-19.

Overall, at the end of the first quarter 2019-20, seven (58 per cent) of all initiatives were progressing on schedule.

Of the six major initiatives, five (83 per cent) were progressing on schedule. One (17 per cent) major initiative was completed: the finalisation of the development of the Hobsons Bay Aquatic Strategy, which was endorsed by Council on 9 July 2019.

Strategic Alignment

This report specifically addresses the following goals and objectives of the Council Plan 2017-21:

Goal 4: A Council of excellence

- 4.2 Be a more efficient and effective organisation by having a strong focus on continuous improvement, innovation, strategic planning and responsible financial management

Policy and Previous Council Reports

The Council Plan 2017-21 was adopted at the Ordinary Council Meeting of 27 June 2017. At the Ordinary Council Meeting on 25 June 2019, Council adopted its Annual Budget for the financial year ending 30 June 2020, which included the Council Plan 2017-21 initiatives and major initiatives.

Legal/Statutory Obligations/Risk

In line with the prescribed Governance and Management checklist as set out in the *Local Government (Planning and Reporting) Regulations 2014*, Council will consider reports which review the performance of the Council Plan on a quarterly basis.

Council has also developed an internal compliance with legislation checklist to assist managers to ensure that breaches of the various legislation do not occur.

Financial and Resource Implications

The initiatives and major initiatives committed to are funded through the Annual Budget.

Environmental/Social/Economic Impacts

The Council Plan 2017-21 consists of four goal areas which aim to address the environmental, social and economic issues affecting the municipality.

Consultation and Communication

The Hobsons Bay 2030 Community Vision and the Council Plan 2017-21 were developed through consultation with the community, stakeholders and Councillors. The initiatives and major initiatives are derived from service planning exercises undertaken by managers and coordinators.

This report will be placed on the Council website to inform the community on the implementation of the Council Plan 2017-21, and overall results will be reported in the Hobsons Bay City Council Annual Report at the end of the financial year.

Officer Declaration of Conflict of Interest

Section 80C of the Act requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

8.3 Sustainable Communities

8.3.1 The Substation Funding

Directorate: Sustainable Communities

Councillor Portfolio: Arts, Culture and Tourism - Cr Angela Altair and Cr Colleen Gates

Appendices: Nil

Purpose

For Councillors to consider a new triennial funding agreement with The Substation for the period 1 July 2019 to 30 June 2022.

Recommendation

That Council:

- 1. Enters into a triennial funding agreement with The Substation for the period 1 July 2019 to 30 June 2022, with a budget allocation of \$350,000 (three hundred and fifty thousand dollars) each financial year.**
- 2. Endorses revised conditions of the triennial funding agreement including key performance indicators for local community involvement and conditions that strengthen The Substation's community engagement with the Hobsons Bay community.**
- 3. Notes that the agreement includes the option for a Councillor to represent Council on The Substation's Committee of Management.**
- 4. Notes that the terms of the new agreement include the establishment of a Community Ambassador role and Community Reference Group.**
- 5. Advises The Substation of Council's intention to step down the level of contribution should any future funding agreements be considered following the conclusion of the 2019-2022 funding agreement, noting that the significant funding for this agreement and the previous agreement is to support The Substation to achieve a self-sustaining operation.**

Summary

The Substation is seeking Council's consideration of a new triennial funding agreement for the period 1 July 2019 to 30 June 2022, at the same level as the previous agreement (\$350,000 per year). Council has held extensive discussions with The Substation and other community members, seeking to increase the local community engagement and value delivered for such a substantial investment of local community funds. The new agreement includes new key performance indicators (KPIs) which are directly linked to the release of funds, and new conditions to encourage greater local community engagement.

Background

The Substation is a contemporary arts space in a landmark building situated at 1 Market Street Newport, a property owned by VicTrack. Council has provided grants to The Substation since 2001 through several phases: during its initial phase as a community-led

repurposing of a derelict building, then to enable it to establish operations, and since 2009 as a contribution to its operating costs. To date, operating grants have run over two triennial funding terms, being 2013-2016 and 2016-2019.

Discussions in relation to a potential third triennial funding agreement from 2019-2022 have been underway since the start of 2019. Over this period, Council has worked with The Substation on terms and conditions of proposed future funding, recognising the contribution that The Substation makes to the city, as well as the importance of strengthening the opportunities for The Substation to grow its connection with the Hobsons Bay community. Over this period, Council has also engaged with a number of community members to understand the range of community sentiment about The Substation's role and contributions to Hobsons Bay and the region now and into the future.

Discussion

The Substation is operated by a not for profit incorporated association with a small paid staff and a volunteer Committee of Management (CoM). Council's operating grants are intended to support The Substation to contribute to the local arts offering and economy. The grants are also intended to assist The Substation to become a sustainable organisation that can be best positioned to meet the cultural needs of the city and to reach its potential as a significant asset for the community.

A triennial funding commitment from Council has been important to enable The Substation to plan its operations and to gain the support of other levels of government and philanthropic support for its program. It is recognised that the current level of funding is unlikely to continue into the future, as The Substation further develops its capacity and self-reliance with support from government, philanthropy and its own revenues.

The Substation has the capacity to further strengthen and deliver on its cultural, economic and social benefits for the Hobsons Bay community, through elements including:

- local cultural and community engagement and participation
- innovative and contemporary use of a large scale industrial building on a prominent site in Newport
- community use and public access to the space
- high quality creative outcomes for the city and region
- sustainable economic benefits for the city, attracting visitors to a well-regarded regional offering

Council recognises the achievements of The Substation. In negotiating a third triennial agreement it has proposed a number of areas for The Substation to further deliver for the Hobsons Bay community. New terms and conditions include

- a new community representative position on The Substation CoM
- the appointment of a Community Reference Group comprising up to six members, recruited through a public expression of interest process
- additional KPIs that support opportunities for volunteers, schools, artists, community partnerships in addition to growth in visitor and audience numbers

These complement existing conditions including the option to nominate a Councillor as a member of the CoM, and access to the building for Hobsons Bay City Council meetings and events (when it is not needed for programming or otherwise already booked) on an at-cost basis.

The agreement includes six-monthly performance reporting to Council (including an update on local community engagement), with a direct link between the achievement of performance

targets and the subsequent release of funding. It also reflects Council's intention that any future funding for The Substation would be of a lesser value, as the organisation becomes more self-sufficient and it becomes less appropriate for the local community to be the largest funder of a successful regional facility.

Strategic Alignment

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

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

This report specifically addresses the following goals and objectives of the Council Plan 2017-21:

Goal 2: A great place

- 2.4 Deliver, support and promote arts, cultural, heritage, recreational and sporting events and programs that foster a sense of belonging and contribute to the liveability of the city

Support of The Substation assists Council to meet policy objectives including Council's Creative City Arts and Culture Plan 2018-22, specifically in Program Area 2 Creative Spaces and Places as well as place activation, local economic development, learning and innovation.

Policy and Previous Council Reports

At the Ordinary Council Meeting of 26 April 2016, Council agreed to triennial funding for The Substation for the period 1 July 2016 to 30 June 2019. Prior to this, Council has considered several reports including but not limited to its past funding allocations and agreements.

Legal/Statutory Obligations/Risk

The funding agreement provides a framework for conditions of funding and sets out the obligations and expectations of both parties.

Council's funding agreement with The Substation allows Council to appoint a non-elected representative to the CoM for the duration of the agreement.

Financial reports are circulated, reported on and examined at committee meetings, published at annual general meetings and provided to Council through its Councillor representation and as a reporting condition of funding.

The Substation building and property at 1 Market Street, Newport is owned by VicTrack, which leases it to The Substation. VicTrack does not contribute capital or asset maintenance to The Substation.

Financial and Resource Implications

A provision for \$350,000 has been made in Council's 2019-20 operational budget.

The schedule of payments is proposed through the funding agreement at six monthly intervals, each being conditional on The Substation's reporting on its KPIs. A direct link between the achievement of the performance targets and the subsequent release of funding has been created.

The agreement reflects Council's intention that any future funding for The Substation would be of a lesser value, as the organisation becomes more self-sufficient and it becomes less appropriate for the local community to be the largest funder of a successful regional facility.

Environmental/Social/Economic Impacts

The Substation is an important part of the presentation and activation of the city. The creative repurposing of the historic industrial building, which is well located adjacent to the Newport Railway Station, into a key cultural space has and will continue to generate a number of cultural, economic and social benefits.

The Substation is able to leverage major events such as Melbourne International Arts Festival, Open Melbourne, Channels Festival, and Fringe Festival into the city, while supporting local events and programs, from Art and Industry to Newport Folk Festival.

Council's triennial funding over this term has helped The Substation secure recurrent investment from the Victorian and Australian Government and philanthropic supporters, as outlined below.

- more than \$550,000 in grants from other donors secured during 2016-2018
- The Substation generated over \$1 million in earned income over 2016-2018
- in 2017 Creative Victoria accepted an application from The Substation into its Organisation Investment Program, contributing \$300,000 over four years
- the Australia Council has provided program funding of \$230,000 specifically tied to curatorial programs over three years
- The Substation has been able to form productive relationships with some of Australia's leading philanthropic organisations, including Gandel Philanthropy and Besen Family Foundation, both of which have provided support over multiple years
- The Substation estimates a total of \$300,000 in investment in 2019 in addition to Council's support and its earned income
- the Australia Council recently invited The Substation to put forward a proposal for funding, with the application due in November 2019

The Substation is growing as a contemporary arts space with a positive metropolitan reputation that is attracting visitors from across Melbourne. The proposed 2019-22 funding agreement seeks to maximise these benefits for local community members through consistent local activation, and local use is reflected in its proposed conditions.

Consultation and Communication

Following feedback through the community, Council has required a stronger focus from The Substation on its local engagement, and several new initiatives in this space are included in the funding conditions and KPIs. This includes a community representative position on the CoM in addition to Council's nominated position, the formation of a new community reference group, targeted growth in opportunities for volunteers, and in community partnership to facilitate local use of The Substation.

Council has undertaken benchmarking of similar organisations as a gauge of its support including referencing percentages of earned income and local government contributions.

Officer Declaration of Conflict of Interest

Section 80C of the *Local Government Act* 1989 requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

8.3.2 2020 Community Grants Recommendations

Directorate: Sustainable Communities

Councillor Portfolio: Not applicable

Appendices: Nil

Purpose

To endorse the allocation of the 2020 Community Grants Program funding.

Recommendation

That Council:

1. Approves the allocation of \$192,500 (one hundred and ninety-two thousand dollars) to fund 119 projects as supported by the Councillor Review Panel.
2. Approves the allocation of a further \$19,212 (nineteen thousand, two hundred and twelve dollars) to fund 13 recommended projects from the 2020 Community Grants reserve list as supported by the Councillor Review Panel.
3. Confirms the outcome of the 2020 Community Grants Program to all applicants and displays a list of the grant recipients on Council's website.
4. Provides unsuccessful applicants with the opportunity to obtain feedback on their application.
5. Opens the 2020 Quick Response Grants round on 10 February 2020, closing on 23 March 2020, to allocate a reserved amount of \$80,788 (eighty thousand, seven hundred and eighty-eight dollars) to emerging projects across the four funding categories in the remainder of the 2019-20 year.

Summary

Council received 176 applications for the Community Grants Program with a total funding request of \$386,922 across four grants categories: Vibrant Community Projects, Small Expenses, Toyota Equipment and Resources, and Invested Together. There was a 50 per cent increase in applications from last year.

One hundred and nineteen applications are recommended for the core Community Grants Program, which has a total value of \$192,500. Given the large increase in applications and recommended projects, a further 13 applications, with a value of \$19,212, are recommended to be funded from the reserve. This leaves a remaining reserve amount of \$80,788 to allocate to the 2020 Quick Response Grants opening in February 2020.

Background

Council's 2019-20 budget for community grants is \$308,000, including \$30,000 pledged from Toyota Australia for an equipment and resources grant. An amount of \$208,000 was allocated to the Community Grants Program and a reserve of \$100,000 is allocated to the Quick Response Grants Program.

This report recommends altering the balance of grant funds for the 2020 calendar year to \$227,212 for the Community Grants Program and \$80,788 to the Quick Response Grants program to allow an additional 13 recommended applications to be funded through the Community Grants Program. This will mean applicants are not required to reapply in February. The Quick Response Grants round will open for a period of up to six weeks starting 10 February 2020, with the intent of disbursing the funds under officer delegation before the end of the financial year, with a report on those funded to be brought back to Council.

A sum of \$15,500 is already allocated to the second year partnership projects from the 2019 Community Grants Program and Quick Response Grants Program.

Discussion

The 2020 Community Grants Program opened on 3 June 2019 and closed on 31 July 2019. The program was advertised in the local newspapers, on Council's website and through social media, as well as through an extensive email list to previous applicants and community groups.

Council staff offered two information and grant writing sessions which were well attended by 60 residents representing over 50 local community groups and organisations. Assistance was provided to additional groups through local libraries to complete the application form online and develop individual project ideas.

Recommendations for the 2020 Community Grants Program have been formulated following a robust assessment process that has included initial eligibility, assessment scoring by Council staff across a range of portfolio areas and a further assessment and shortlist by the Community Development team. Portfolio areas assessed included youth, diversity, arts, culture and heritage, multicultural, early years, environment/sustainability, sport and recreation, parks, libraries, aged and disability, community development, volunteers, health and wellbeing and social policy. An applicant's ability to demonstrate alignment with the Hobsons Bay 2030 Community Vision priorities was part of the assessment process. The final stage included review by a Council appointed panel. All applications and recommendations were provided to all Councillors for comment prior to the Community Grants Councillor Review Panel meeting.

The Toyota Equipment and Resources grants were separately assessed by five employees from Toyota Australia's Altona location in accordance with partnership arrangements.

Year one acquittal reports will be reviewed for three partnership projects approved with last year's Community Grants Program prior to disbursing the \$15,500 for second year funding.

The recommended projects focus on local community development activities, including health and wellbeing projects, Indigenous history projects, cultural activities, leadership training, sports inclusion projects, community arts projects, social connection projects, governance training, environmental education, youth activities, volunteer initiatives and supporting seniors' activities.

Some groups are recommended for reduced funding aspects due to elements of their application being ineligible for funding against Community Grants Program guidelines or insufficient detail provided in their budgets. Council staff worked with applicants through the assessment phase to ensure funded projects were still able to be delivered with the reduced Council grant.

A total of 42 individual clubs/groups are recommended for Small Expenses grants to support the administration of their groups. Thirty-six clubs/groups are recommended to support the

purchase of equipment through Toyota Equipment and Resources grants. Under the Vibrant Community Project grants, 38 clubs/groups are recommended to support projects that stimulate health, wellbeing and connection within the community, with a further three Invested Together partnerships to support their work locally over a two year period.

A total of 119 applications are recommended with an allocation of \$192,500. An additional \$15,500 is already allocated to the second year invested together projects approved in 2019, totalling \$208,000.

Reserve list

The past four years have seen a steady increase in the number of applications to the Quick Response Grants Program, resulting in a larger balance of funds (\$100,000) being allocated for these grants. In previous years the reserve amount for the Quick Response Grant Program has been \$50,000 plus the addition of any remaining funds from the Community Grants Program.

Given the large number of applications through the 2020 Community Grants Program, a 50 per cent increase from the previous year, Council officers presented a reserve list of recommended applications under the Vibrant Community Project and Toyota Equipment and Resource categories. This proposal alters the balance of grant funds for the 2020 calendar year to \$227,212 for the Community Grants Program and \$80,788 to the Quick Response Grants Program.

The reserve applications were discussed at the Community Grants Councillor Review Panel meeting. A total of 18 applications were presented and 13 were supported for funding through the Community Grants Program, including a number of applications for equipment exceeding Toyota Australia's funding commitment. This amount totals \$19,212, leaving a reserve of \$80,788 for the Quick Response Grants Program.

Strategic Alignment

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

Priority 2: Community wellbeing and inter-connection

Applicants may cover one or more of priorities 2 to 5 within the Community Vision.

This report specifically addresses the following goals and objectives of the Council Plan 2017-21:

Goal 1: An Inclusive, Resilient and Healthy Community

1.1 Provide a range of accessible, high quality services and social supports.

In addition to addressing the projects' alignment with the Hobsons Bay 2030 Community Vision, applicants were also asked to describe any Council policy or direction that the project addresses.

Policy and Previous Council Reports

A Council report was endorsed at the Ordinary Meeting of Council 9 April 2019 to approve the Community Grants Program guidelines, budget, timelines and initiation of the program.

Legal/Statutory Obligations/Risk

Disbursement of the funds will be in accordance with Council's accounting practices and funding is required to be acquitted in keeping with the conditions of the receipt of the funds. Projects are assessed against key criteria and recommendations made.

Financial and Resource Implications

Council approved \$308,000 in the 2019-20 budget for allocation in the Community Grants Program. This includes the sum of \$30,000 pledged by Toyota Australia for new equipment and/or resources. Toyota Australia has committed these funds annually for 2020 plus a further two years.

Environmental/Social/Economic Impacts

The implementation of the SmartyGrants online application service has eliminated all paper based grants applications.

Consultation and Communication

The Community Grants Program is one of the mechanisms Council can use to support and strengthen local community groups. Community engagement opportunities provided through this program included grant information sessions, project development and grant writing workshops, face to face consultations, phone consultations and feedback opportunities. This engagement can improve Council's knowledge of community groups, enabling information to be gathered regarding the community's needs and aspirations, which can then be reflected in future grant priorities and allocations.

Officer Declaration of Conflict of Interest

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

8.4 Infrastructure and City Services

8.4.1 Contract 2019.69 Altona Civic Centre, Customer Service and Community Meeting Space Project

Directorate: Infrastructure and City Services

Councillor Portfolio: Environmental Sustainability - Cr Jonathon Marsden and Cr Sandra Wilson

Appendices: Nil

Purpose

To award Contract 2019.69 to Rork Projects following the development of the Altona Civic Centre, Customer Service and Community Meeting Space Project (the Project) design, which transforms the Hobsons Bay Civic Centre into an activity based workplace, supporting the organisation to be more agile and responsive to community needs.

Recommendation

That Council awards Contract 2019.69 to Rork Projects up to the value of \$7,150,000 (seven million, one hundred and fifty thousand dollars) (exclusive of GST) for the construction works associated with the Altona Civic Centre, Customer Service and Community Meeting Space Project.

Summary

The Hobsons Bay Civic Centre was constructed in 1963, with the Meeting Room Redevelopment completed in 1993. If retained in its current state, the estimated cost of continued maintenance is \$12 million over the coming 10 years. Council agreed to undertake design development for the Project as a part of the 2018-19 Capital Works Program.

Project feasibility indicators showed a \$7.2 million investment would achieve an environmentally sensitive refurbishment of the Hobsons Bay Civic Centre, including an improved community focus foyer and a mix of meeting and collaboration spaces. The Project will better cater to the diverse needs of the Hobsons Bay community by improving access to information and resources through new technologies, and offering a redeveloped community meeting and exhibition space. The design acknowledges and respectfully includes representations of Hobsons Bay heritage and features.

Background

A key driver of transforming Hobsons Bay City Council is the consideration of how Council interacts and engages with the community and visitors. The review of the Hobsons Bay Civic Centre provided an opportunity to rethink and redesign the Customer Service area at the front of the Council offices to upgrade the overall image of the space and improve the way in which Council services and interacts with the community. Acknowledging the significant impact of changing technologies on traditional functions provided by Council's Customer Service area, and the opportunities they provide, emerging trends and leading examples informed the Hobsons Bay Civic Centre redesign process, including the Customer Service and Community Meeting Spaces.

The redesign will create a space that is more relaxed, welcoming, and works better for all. More than just a reception area, the Customer Service space will provide a critical

connection with the community through digital transformation, flexibility, interactive and informative tools. The Customer Service area is the gateway to a north-south pathway that offers a diverse range of meeting, co-working, exhibition and presentation spaces to better support how Council interacts with the community and others.

The Project, having taken into consideration the sound structural integrity of the building, proposes to reconfigure the building internals without any structural changes to the building or facade. These refurbishment works will also include installation of digital equipment to support the agile workplace and community spaces. Interactive and multimedia screens within the foyer specifically will enable information and resources to be readily available to community and visitors.

Following the design development for the Project, a procurement process for the construction was recently conducted. Thirty tenders were issued and approximately 80 sub-contractor representatives attended a briefing session that included a walk through the Hobsons Bay Civic Centre. Seven tender submissions were received. Four tenderers were shortlisted for interview. The Tender Evaluation Panel agreed that Rork Projects presented the most cost effective proposal, including a number of innovative solutions in response to the design, materials and construction methodology.

Rork Projects present an energetic, committed team with specialist skills and experience in similar projects, including experience in similar settings maintaining a functional construction site within an operating facility. Rork Projects has a strong commitment to waste and site management, and a demonstrated understanding of important operational and safety aspects. Rork Projects has a well-developed client focussed approach and bring an innovative approach to the Project. Rork Projects proposed a two-phase approach to the works which would result in the works period commencing in mid-November 2019 and ending in October 2020.

Discussion

The Project will result in a redesigned Customer Service area at the front of Council offices with an upgrade to the overall image and function of this space. Some of the key features within the Customer Service area will be retained, such as the central skylight, reception desk, collection and drop-off facilities. New features will include a children's area, visitor information hub and a digital area providing information on current Council activities, projects open for community engagement, and self-help tools to manage Council related registrations, applications and payments.

The remainder of the Hobsons Bay Civic Centre will be redeveloped into a diverse mix of working and meeting spaces of various sizes and capacities, enabling a collaborative and agile working environment. Increased natural light and air ventilation throughout the Hobsons Bay Civic Centre will reduce ongoing service costs together with contributing to the health and wellbeing of those working in the building.

The majority of the construction works will be managed via access on the east and north sides of the building, minimising impact to the community. Customer Service operations will continue to operate from the Altona Theatre foyer during the construction period.

Strategic Alignment

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

Priority 5: Activate sustainable practices

This report specifically addresses the following goals and objectives of the Council Plan 2017-21:

Goal 1: An Inclusive, Resilient and Healthy Community

- 1.2 Deliver, support and facilitate projects and programs that encourage equity and diversity, so everyone can reach their full potential

Policy and Previous Council Reports

Council has received two Briefings in relation to Hobsons 2.0, one in December 2018 and the other in June 2019, and specifically with reference to the Project. The design development approach to this project is consistent with many of Council's workplace and organisational policies.

Hobsons 2.0 and the aligned Project delivers on several of Council's key policies and plans, specifically the Environmentally Sustainable Development Policy Statement, Assets Management Policy 2017, and Waste and Litter Management Strategy 2025. Council's Disability Access and Inclusion Strategy 2013-17, which was recently replaced by A Fair Hobsons Bay for All 2019-23, guided the design development to ensure access for all.

Legal/Statutory Obligations/Risk

A Division 6 Asbestos Audit for the Hobsons Bay Civic Centre has identified asbestos within the building cavity in specific locations that are not exposed or directly accessible. The volume and level of asbestos cannot be ascertained until demolition works commence.

Upon awarding of the construction contract, one of the first construction activities will be an invasive assessment of the building to determine the exact volume and level of asbestos. A detailed Site Management Plan (SMP) will then be finalised to define the management of noise, dust, air control, access and contamination during the Project works. The SMP will also include communication and engagement strategies with the building occupants, including visitors.

Financial and Resource Implications

The Project is included in the 2018-19 and 2019-20 Capital Works Program which was referenced in the Facebook Live session held in February 2019. The Capital Works Program was on public exhibition as a part of the Council 2018-19 budget process.

Subject to further invasive assessments of the building to determine the extent of asbestos, there may be financial implications for this project. Rork Projects has confirmed receipt of the Division 6 Asbestos Audit Report and further testing will be undertaken following project commencement.

Council officer resourcing to support the construction works for the Project is included in Council's operational budget.

Environmental/Social/Economic Impacts

A proactive combined environmentally and economically sustainable approach has been applied to the design development and construction methodologies, fixtures and fittings. Where possible existing features of the building have been retained, renewed or optimised. For example, the existing carpet flooring will be removed to expose the concrete slab floor, which will be polished and retained in the main north-south corridor. The concrete slab is in

excellent condition and provides a cost effective solution that will be a feature within one of the key community interface spaces.

Biophilic design has been applied to promote greater connection with the natural environment, which contributes significantly to health and wellbeing, for all occupants and visitors to the Hobsons Bay Civic Centre. Biophilic connections in the design include a mix of large and medium scale living plants in planter pots and ceiling-high planted wire mesh partitions between most workstations, providing green coverage over time. Two pond fountains are also included as both a visual and aural connection to water, but also in symbolic connection with local coastal and inland waterways. A key feature is a meeting room overlooking a 100mm deep body of water.

Atriums and large windows overlooking the surrounding public open space are being retained together with increased volumes of greenery and established potted plants throughout Hobsons Bay Civic Centre.

Natural ventilation via louvres will be automatically managed by a monitoring system that adjusts ventilation flows and volumes in response to external weather conditions.

The Project design has considered recycle and reuse options and the construction works will be undertaken consistent with a Waste Management Plan. Rork Projects has submitted a draft Waste Management Plan which demonstrates a commitment to an environmentally sensitive approach to waste, recycling and reuse.

The management of dust, air, noise and access during the construction works are detailed in a draft SMP which Rork Projects has submitted as required. The SMP will be further developed following award of the contract to coordinate the isolation of services between the works area and the sections of the building that will remain operating.

Consultation and Communication

Communications and engagement activities specifically for the Project will be further developed in collaboration with the awarded contractor. The live SMP will be a key source of information to be applied for the purposes of regular stakeholder updates.

Officer Declaration of Conflict of Interest

Section 80C of the *Local Government Act* 1989 requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

8.4.2 Contract 2019.78 Design and Construct for Donald McLean Reserve and WLJ Crofts Reserve Pavilions and Ancillary Works

Directorate: Infrastructure and City Services

Councillor Portfolio: Active and Inclusive Communities - Cr Michael Grech and Cr Peter Hemphill

Appendices: Nil

Purpose

To seek Council endorsement for the awarding of Contract 2019.78 for the design and construct of Donald McLean Reserve and WLJ Crofts Reserve pavilions and ancillary works to MKM Building Group, trading as MKM Constructions (MKM).

Recommendation

That Council awards Contract 2019.78 for the design and construct of Donald McLean Reserve and WLJ Crofts Reserve pavilions and ancillary works to MKM Building Group (trading as MKM Constructions) at a fixed lump sum of \$7,504,090 (seven million, five hundred and four thousand and ninety dollars) (GST inclusive).

Summary

As part of the improvement plans to Donald McLean Reserve, Spotswood, and WLJ Crofts Reserve, Altona North, an open tender process was conducted for the design and construction services for two new pavilions, car parks and ancillary structures. A total of 10 tender submissions were received, of which three were evaluated. At the conclusion of the evaluation process the panel recommend awarding the contract to MKM.

Background

As identified in the Hobsons Bay Sports Facility Needs Analysis, Donald McLean Reserve and WLJ Crofts Reserve are key priority sites for Improvement Plan implementation over the short (1-2 years) and medium (3-5 years) term. High priority Master Plan actions include major redevelopment of the existing facilities, such as demolition of the existing and construction of new pavilions, cricket net redevelopment and sports field redevelopment including floodlighting. As both reserves are well utilised for sporting activities, active recreation and passive recreation, the improvement plans aim to better the quality of open space and recreational facilities for sporting clubs and the general community.

The Victorian Government, as part of the West Gate Tunnel Project, has partnered with Hobsons Bay City Council to deliver a series of capital improvements to sporting facilities and recreational spaces across Hobsons Bay. As part of the partnership, the Victorian Government has allocated a funding contribution of up to \$5 million for the redevelopment of WLJ Crofts Reserve and Donald McLean Reserve. Over and above the contribution, the West Gate Tunnel Project is also funding new cricket practice nets, which need to be relocated due to the new West Gate Tunnel off ramps onto Melbourne Road.

The development of the Donald McLean and WLJ Crofts Reserve Improvement Plans included stakeholder and community engagement to define future needs and facility requirements. The WLJ Crofts Reserve Improvement Plan identified the following key elements:

- new practice cricket nets proposed to be located on the southern boundary of the reserve
- upgraded sportsgrounds including irrigation and floodlighting
- new pathway connections throughout the reserve
- redevelopment of the open space including an upgraded play area on the western boundary of the reserve
- demolition of existing and construction of new sports pavilion to house the reserve tenants
- new multi-purpose courts catering to tennis and netball sports
- redeveloped car park in Creek Street and The Avenue reserve frontage

The Donald McLean Reserve Improvement Plan includes the following elements:

- new cricket practice nets to be located on the western boundary of the reserve
- upgraded sportsgrounds to optimise the playable area for the northern grounds including floodlights
- new pathway connections throughout the reserve
- upgraded play area on the eastern boundary of the reserve
- demolition of existing and construction of new sports pavilion to house the reserve tenants
- formalised car park and the development of an overflow parking area

This report refers to the procurement process outcomes for the design and construction of the two new pavilions and the associated car parks. The remaining elements will be delivered in accordance with both the Improvement Plans.

Discussion

A tender for the project was formally advertised in *The Age* on 31 August 2019 and closed on 20 September 2019. Ten submissions were received by the tender deadline. As part of the tender specifications, tenderers were given the option to submit for both or either of the two pavilions and were encouraged to adopt modular design in their approach towards the sports pavilion construction.

The Tender Evaluation Panel met on 23 September 2019 to shortlist the tenderers for the first round of clarifications. Four tenderers were shortlisted for tender interviews, but only three responded to the invitation. The Tender Evaluation Panel moved to exclude the non-responding tenderer from further evaluation, and the three remaining tenderers were re-scored based on tender clarifications and discussions during the interview process.

MKM submitted an approach and methodology which delivers the project in the requisite timeframe. MKM demonstrated an understanding of the project objectives through an alternative design which not only meets functional requirements but also delivers design and cost efficiencies. The proposal extends to include specific environmentally sensitive design features such as solar panels, water collection and reuse, double glazing and a polycarbonate cladding to allow more natural light into the pavilion. MKM also identified a recycling opportunity to reuse materials existing on site including displaced bricks sourced through the pavilion demolition.

The panel recommends the contract be awarded to MKM as its submission achieved the highest weighted score across the shortlisted submissions and represents the best value for money.

Strategic Alignment

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

Priority 6: An accessible and connected community

This report specifically addresses the following goals and objectives of the Council Plan 2017-21:

Goal 1: An Inclusive, Resilient and Healthy Community

- 1.2 Deliver, support and facilitate projects and programs that encourage equity and diversity, so everyone can reach their full potential

Policy and Previous Council Reports

The awarding of Contract 2019.78 through a public tender process complies with Council's Procurement Policy and is consistent with the goals of the partnership with the West Gate Tunnel Project and the Victorian Government.

Legal/Statutory Obligations/Risk

The awarding of Contract 2019.78 through a public tender process complies with section 186 of the *Local Government Act* 1989, which stipulates that a Council must publicly advertise and invite tenders for services over the value of \$150,000 as fixed by an Order in Council.

Financial and Resource Implications

The fixed lump sum price for Contract 2019.78 for the Donald McLean and WLJ Crofts Reserve pavilions and ancillary works is \$7,504,090 inclusive of GST.

Council has supported the development of the pavilion and car park through the Capital Works Program. The project draws from an allocated portion of the total budget, that portion being \$7,400,000 excluding GST. The award amount based on the recommended tenderer falls under budget at \$6,821,900.

Environmental/Social/Economic Impacts

The design and construction of Donald McLean and WLJ Crofts sports pavilions will provide modern multi-purpose facilities accessible to the Hobsons Bay community. The pavilion is designed with environmentally sustainable directives in mind, with considerations to achieve features equivalent to a six star rated building, measured against the Green Building Council Australia Green Star rating tool.

Consultation and Communication

A detailed consultation and engagement process has been undertaken with tenant clubs and the community to gather input and subsequently feedback on the design. Ongoing engagement with the tenant clubs, state sporting associations and community will continue in the next phase of the design process through to construction and completion of the project.

The tender was publicly advertised in *The Age* on 31 August 2019 and closed on 20 September 2019. The Tender Evaluation Report for Contract 2019.78 was presented to Council's Tender Board on 16 October 2019. The Tender Board supported the Tender

Evaluation Panel's recommendation to award the contract to MKM subject to Council approval.

Officer Declaration of Conflict of Interest

Section 80C of the *Local Government Act* 1989 requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

8.4.3 Contract 2019.59 Bayside College, Williamstown Campus - Sports Pavilion Extension

Directorate: Infrastructure and City Services

Councillor Portfolio: Active and Inclusive Communities - Cr Michael Grech and Cr Peter Hemphill

Appendices: Nil

Purpose

To seek Council endorsement for the awarding of Contract 2019.59 for the Bayside College, Williamstown Campus – Sports Pavilion Extension.

Recommendation

That Council awards Contract 2019.59 for the Bayside College, Williamstown Campus – Sports Pavilion Extension to Loaram Constructions Pty Ltd at a fixed lump price of \$1,462,850 (one million, four hundred and sixty-two thousand, eight hundred and fifty dollars) (GST inclusive).

Summary

Refurbishment and extension works are proposed to be undertaken on the Bayside College, Williamstown Campus Sports Pavilion (the Pavilion) utilising funds in Council's 2019-20 annual capital works budget. An open tender process has been carried out for the procurement of these works with 12 submissions received. Following the evaluation of these tenders, a report was presented to the Tender Board on 2 October 2019, recommending the contract be awarded to Loaram Constructions Pty Ltd.

Background

The proposed refurbishment and extension works on the Pavilion were initiated from the Hobsons Bay Sports Facility Needs Analysis, which confirmed a shortage of sports facilities across the municipality. The current pavilion at Bayside College is heavily used by the Williamstown Junior Football Club and is currently unable to cater for participant demands.

In 2019-20 Council will receive \$1.2 million from the Victorian Government's Community Sports Infrastructure Fund towards this project. The funding agreement includes the Pavilion redevelopment, construction of additional tennis courts, resurfacing of two netball courts with lighting (included in Contract 2019.71 Williamstown Bayside College – Sports Hard Court Project) and irrigation upgrades to both ovals (included in Contract 2019.43 Williamstown Bayside College – Installation of Irrigation). Both Contract 2019.71 and Contract 2019.43 have been awarded.

The scope of works for this project includes:

- building extension with four new change rooms and associated showers and amenities
- new sports equipment storage
- conversion of the existing change rooms into a social room with a new dedicated entrance
- new universally accessible amenity and shower
- conversion of the existing amenities into new umpire change rooms

- conversion of the existing space into a new first aid room
- new wrap around veranda
- upgraded facilities to accommodate female sports participation

Discussion

A tender for the refurbishment and extension of the Pavilion was formally advertised in *The Age* on 17 August 2019 and closed on 13 September 2019. Twelve tender submissions were received by the tender deadline. Of these, seven were deemed non-conforming due to non-compliance with criteria seven, which required a letter of solvency and a copy of the tenderer's public liability insurance certificate be provided.

The Tender Evaluation Panel met on 16 September 2019 to evaluate the tender submissions, with tenderers shortlisted for interview. Interviews were held on 18 September 2019 and all shortlisted tenderers were re-scored based on interview outcomes. Reference checks were undertaken for the highest scoring tender.

Based on the evaluation process and reference checks, the Tender Evaluation Panel recommended Loaram Constructions Pty Ltd as the preferred tenderer. Of the conforming tenders, Loaram Constructions Pty Ltd provided the best value for money within their submission. They have extensive experience in similar projects and have demonstrated an ability to meet the timelines and quality outcomes specified within the contract.

Strategic Alignment

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

Priority 6: An accessible and connected community

This report specifically addresses the following goals and objectives of the Council Plan 2017-21:

Goal 1: An Inclusive, Resilient and Healthy Community

- 1.2 Deliver, support and facilitate projects and programs that encourage equity and diversity, so everyone can reach their full potential

Policy and Previous Council Reports

The awarding of Contract 2019.59 through a public tender process complies with Council's Procurement Policy and is consistent with the Hobsons Bay Sports Needs Analysis and Buildings Asset Management Plan.

Legal/Statutory Obligations/Risk

The awarding of Contract 2019.59 through a public tender process complies with section 186 of the *Local Government Act* 1989, which stipulates that a Council must publicly advertise and invite tenders for services over the value of \$150,000 as fixed by an Order in Council.

Financial and Resource Implications

The project is included in the 2019-20 Capital Works Program with a total budget of

\$2,700,000 excluding GST. The project has an allocated portion of the total budget, being \$1,503,551.00 excluding GST. The recommended tenderer's submission of \$1,329,858.00 excluding GST is within the allocated portion.

Environmental/Social/Economic Impacts

The proposed scope of works and tender evaluation process have taken into consideration the following environmental, social and economic impacts:

- provision of environmentally sustainable design inclusions
- consideration of existing environmental conditions
- provision of all abilities access to the building and surrounds

Consultation and Communication

The tender was publicly advertised in *The Age* on 17 August 2019. The Tender Evaluation Report for Contract 2019.59 was presented to Council's Tender Board on 2 October 2019. The Tender Board endorsed the Tender Evaluation Panel's recommendation to award the contract to Loaram Constructions Pty Ltd subject to Council approval.

Officer Declaration of Conflict of Interest

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

8.4.4 Council Order to Prevent Dogs Entering the Laverton Creek Spit Conservation Zone

Directorate: Infrastructure and City Services

Councillor Portfolio: Environmental Sustainability - Cr Jonathon Marsden and Cr Sandra Wilson

Appendices: 1 Laverton Creek Spit Conservation and Dog exclusion zone 

Purpose

To seek Council approval, in its capacity as Committee of Management (CoM) for the Laverton Creek estuary and spit area (the Spit), to prohibit dogs from entering this area in future for purposes of conservation.

Recommendation

That Council:

- 1. Makes an order under section 26 (2) (a) of the *Domestic Animals Act 1994* to prohibit dogs from entering the Laverton Creek Spit conservation zone as outlined in Appendix 1.**
- 2. Supports the proposed fencing alignments for the dog off leash area and the dog prohibited conservation zone as outlined in Appendix 1.**

Summary

This report provides a summary of Council's current obligations as the CoM for the Spit and the rehabilitation and protection works that are being carried out by Council's Parks and Conservation Team (PCT). This report recommends works to address the protection of and access to the Spit area, and that dogs be prohibited from entering the conservation zone outlined in Appendix 1.

Background

The Spit has naturally formed lagoons and wetlands that attract wading birds and waterfowl. The area holds some of the most important wildlife values in Hobsons Bay, with numerous migratory wading birds visiting from Siberia and Alaska each year between October and March. A number of the visiting species are listed as critically endangered and are protected by the *Environment Protection and Biodiversity Conservation Act 1999*.

On 25 July 2017, Hobsons Bay City Council was formally appointed as the CoM of the Spit (Crown Allotment 2109, Parish Truganina, temporarily reserved for public purposes), under section 14(2) of the *Crown Land (Reserves) Act 1978*.

As the CoM, Council is required to manage, improve, maintain and control the land for the purposes for which it is reserved.

Discussion

The land will continue to be managed by the PCT, who have spent the last few years advocating for the birdlife in the area through educational and awareness walks on site. The PCT has also spent time controlling habitat altering weeds such as African Boxthorn,

Boneseed and Sea Spurge on and around the Spit. These species are listed as noxious weeds and fall under the *Catchment and Land Protection Act 1994*.

The PCT believes that maintenance and management of the Spit can be achieved to the standard required without additional resourcing, and will develop an ongoing maintenance program for the protection and remediation of the Spit.

Use and Access

The main issue identified relating to the future management of the Spit relates to use for recreation purposes, in particular dog walking and unrestricted access by kite surfers.

Access for kite surfers on the Spit needs to be carefully managed. Apex Park is a good area for kite surfers to rig as it is away from the crowded Altona Beach areas and power lines along the Esplanade, Altona. Having access to an area at the end of the Spit is beneficial for kite surfers. However, this and restricting access for dogs needs to be managed appropriately with fencing and signage.

Habitat protection fencing and signage

The following works are scheduled to be undertaken in the coming months:

- protective fencing on the reserve side of the shared trail network, from the western boundary of Apex Park to the western most section of Doug Grant Reserve
- habitat fencing to be installed on the foreshore side of the shared trail for the same length to restrict access into the water and onto the Spit. This fencing will include three seating and viewing areas so the public can still view the significant bird habitat areas
- compliance signage and key reserve entrance points and decals on the shared trail showing on and off lead zones
- educational signage about the Spit to complement the signage along the shared trail

Evidence based research on the need for tighter controls in relation to the protection of bird life and bird habitat in coastal areas

Deakin University has undertaken considerable evidenced based research into the need for the protection of vulnerable bird habitat in coastal and beach environments. The following references include the most recent research and findings and will be used as a means of educating the community about the importance of protecting Hobsons Bay's significant coast bird life.

1. <https://www.deakin.edu.au/about-deakin/media-releases/articles/surf-coast-beaches-need-tougher-dog-regulations-deakin-research>
2. <https://www.deakin.edu.au/about-deakin/media-releases/articles/majority-of-dog-walkers-flouting-leashing-laws-on-victorian-beaches>
3. <https://www.deakin.edu.au/about-deakin/media-releases/articles/deakin-scientists-show-chicks-really-are-daddys-girls>

Order to prohibit dogs entering the conservation zone

Council may by resolution make an order under section 26 (2) (a) of the *Domestic Animal Act 1994* to prohibit the presence of dogs in any public place of the municipal district of the Council. Officers are requesting the Laverton Creek Spit area as shown in Appendix 1 be made an exclusion zone for dogs in order to protect this significant conservation area.

Once the order is made, Council authorised officers will have the power to issue infringement notices for dogs found in the exclusion zone under section 85 of the *Domestic Animal Act*

1994. Section 26 (1) specifies two penalty units for a first offence and four penalty units for a second or subsequent offence.

During the introduction period Council will increase the frequency of patrols in the area with a view to enhancing community education and will issue infringement notices where necessary.

Strategic Alignment

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

This report specifically addresses the following goals and objectives of the Council Plan 2017-21:

Goal 3: A well designed, maintained and environmentally sustainable place

3.3 Protect and enhance our coastal environment, biodiversity and natural areas, in partnership with major stakeholders and the community

Council strategies relating to this report include the Hobsons Bay Biodiversity Strategy 2017-27 and Hobsons Bay Open Space Strategy 2018-28.

Policy and Previous Council Reports

A Councillor Memorandum dated 19 September 2019 confirms that Council is CoM of the Spit.

Legal/Statutory Obligations/Risk

Legal and statutory obligations and risks have been assessed as a part of the preparation of the report.

As CoM Council is responsible to maintain the Spit area. To successfully achieve this dogs must be prohibited from the area.

Financial and Resource Implications

\$140,000 has been set aside in the Capital Works Program for the current financial year to undertake fencing, compliance signage, new entry sign notification and interpretive signage. The fencing of the dog off lead area to the north side of the shared trail will be the first priority works and will commence in mid-November 2019.

Environmental/Social/Economic Impacts

Environmental impacts have been considered and the exclusion of dogs within the conservation zone will greatly assist with the protection of the bird habitat in this area.

Consultation and Communication

A project web page will be developed and a community drop in session will be held on site on Sunday 27 October 2019 from 1.30 pm to 3.30 pm. Council officers will explain the proposed changes to the reserve including new fencing, signage and dog exclusion zones. Officers will also utilise the Deakin University evidenced based research to inform and

educate the community on the need to exclude dogs from the vulnerable conservation zone along the Spit.

Officer Declaration of Conflict of Interest


Section 80C of the *Local Government Act* 1989 requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

8.4.5 Drainage Asset Management Plan 2019

Directorate: Infrastructure and City Services

Councillor Portfolio: Not applicable

Appendices: 1 Drainage Asset Management Plan 

Purpose

To seek endorsement of the Drainage Asset Management Plan 2019 (DAMP) for public exhibition.

That Council:

1. **Endorses the Drainage Asset Management Plan 2019 for public exhibition for a period of four weeks.**
2. **Receives a further report to adopt the Drainage Asset Management Plan 2019 following the public exhibition period.**

Summary

Council is responsible for the management of approximately 540 kilometres of stormwater pipes and over 20,000 stormwater pits with an estimated replacement value of \$227 million.

A condition audit was completed in 2018 to determine the physical condition and remaining useful life of the drainage assets to inform the development of a long term optimised renewal works program. The majority of the drainage assets (98 per cent) are in the range of very good to average condition with approximately two per cent in poor condition.

The required expenditure to address the current backlog of renewal works over the next five years is approximately \$4.5 million. These poor condition drainage assets have been scheduled on the Capital Works Program to be totally renewed over the next five years.

Background

The DAMP has been developed to demonstrate responsible management of the Hobsons Bay municipal drainage network.

The DAMP translates broad strategic goals and plans into specific goals and objectives which are relevant to a particular activity for Council. In addition, it combines management, financial, engineering and technical practices to ensure the level of service required by customers is provided at the most economical cost to the community and environment.

There are numerous locations where streets are prone to flood inundation during various storm events. To address this Council has completed a flood analysis to identify areas that require new drainage and also identified parts of the drainage network that requires upgrades to larger pipe sizes. These upgrades are required so the network can cope with increasing intensity storm events. A long term program has been developed to construct new drainage infrastructure and upgrade parts of the network.

The total cost to complete all the required new and upgrade works across the entire municipality is approximately \$55 million. To complete the highest priority projects over the next ten years is an estimated cost of \$28 million.

To reduce the cost of these works alternative innovative solutions are being considered to avoid the costly construction of underground pipework networks. These include the creation of onsite stormwater detention systems, retarding basins, pumping systems and stormwater harvesting systems.

Discussion

Drainage assets are typically underground pipes, culverts and pits to capture and convey stormwater to an appropriate discharge point.

Council's drainage portfolio incorporates the following asset groupings:

- underground pipes, culverts and pits to capture and convey stormwater to an appropriate discharge point
- retention basins to capture stormwater and mitigate peak flows during storm events
- water harvesting systems to capture stormwater for reuse such as irrigation
- gross pollution traps to prevent rubbish from discharging to waterways and the bay

Council's stormwater drainage network discharges into:

- Melbourne Water waterways or drainage system
- Port Phillip Bay
- Council's ponds, lakes and wetlands

Overall there is some 540 kilometres of stormwater pipes and over 20,000 stormwater pits.

Condition profile

Chart 1 presents the summary results from the 2018 condition audit.

The majority of the drainage assets (98 per cent) are in very good to average condition. This shows that the drainage network is in an overall good condition. A small proportion of about 2.0 per cent of assets are in poor and very poor respectively. These poor condition assets are typically those being planned for renewal within the next five years. The required expenditure to address the current backlog of renewal works over the next five years is approximately \$4.5 million.

The flood analysis completed in 2017 highlighted numerous locations where streets are prone to flooding during various storm events. As a result of further investigations a significant new and upgrade works program is proposed to address the high risk areas.

Overall Drainage Asset Condition

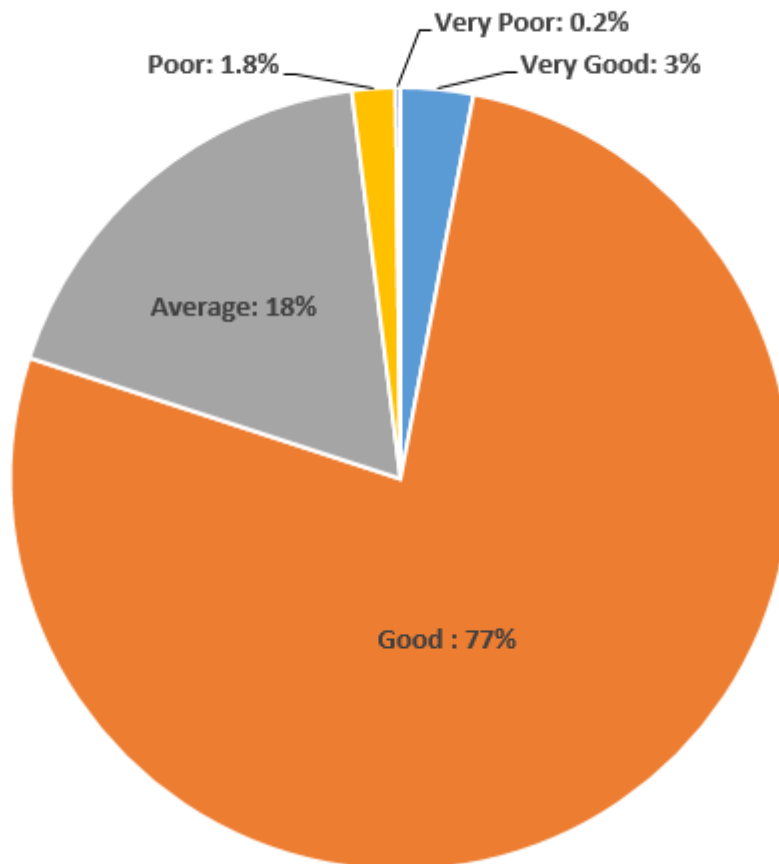


Chart 1: Overall drainage asset condition

Capital expenditure forecast

Chart 2 presents the required expenditure to provide new, upgraded and renewed drainage across the entire municipality to mitigate flood inundation of properties and road reserves .

The condition audit identified a total of 13 kilometres of existing pipes that are in poor condition and require renewal. The flood analysis identified approximately 33 kilometres of existing pipes across the municipality that need to be upgraded to larger pipe sizes and 25 kilometres of new pipes to be constructed in areas that currently have no drainage and are prone to flooding.

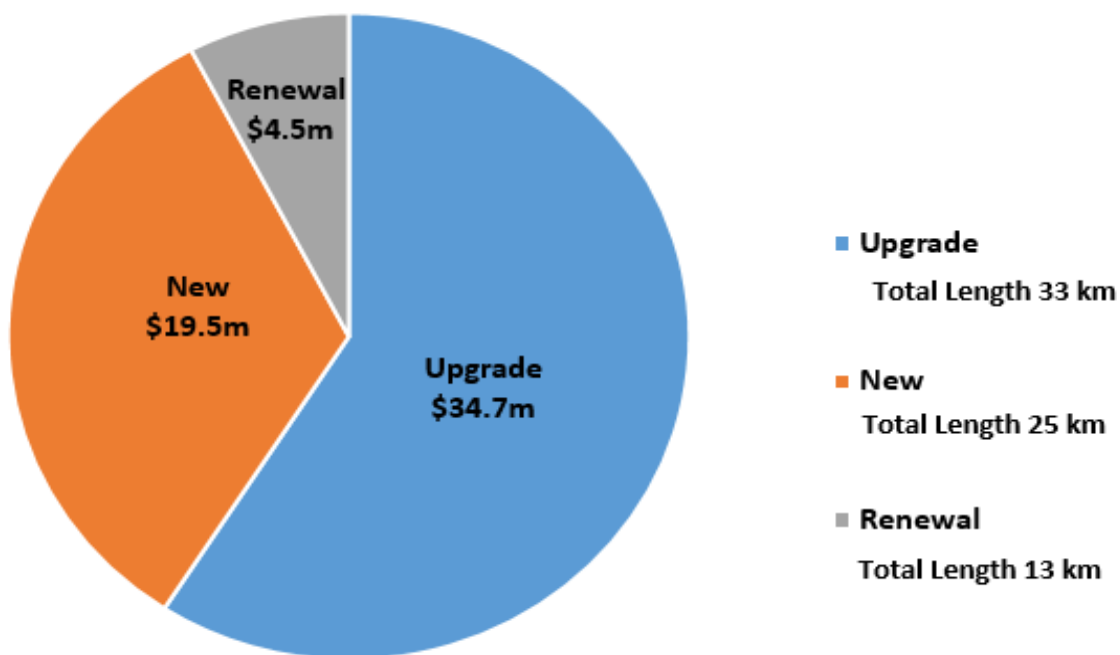


Chart 2: Capital expenditure forecast

Chart 3 presents the proposed capital budget required over the next 10 years to renew, upgrade and construct new drainage.

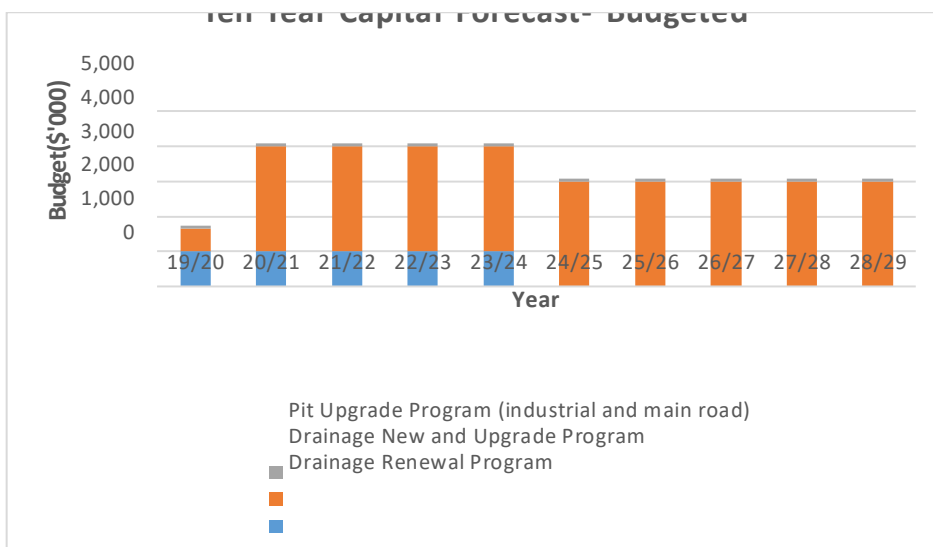


Chart 3: Ten year capital forecast - budgeted

A total of \$33 million is proposed to deliver the drainage Capital Works Program over the next 10 years. This comprises of the poor condition drainage assets planned for renewal over the next five years at a total cost of \$4.5 million (\$1 million per annum –renewal). It also comprises of the highest priority projects (new and upgrades) over the next 10 years at an estimated cost of \$28 million.

Strategic Alignment

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

Priority 1: Visionary, vibrant, accountable urban planning

This report specifically addresses the following goals and objectives of the Council Plan 2017-21:

Goal 3: A well designed, maintained and environmentally sustainable place

3.2 Deliver and maintain well-designed, accessible and environmentally sustainable community assets

This report and recommendation is consistent with Council's Asset Management Policy and Action Plan 2017.

Policy and Previous Council Reports

This report and recommendation is consistent with Council's Asset Management Policy and Action Plan.

Legal/Statutory Obligations/Risk

Under the new local government reforms, once adopted, councils will be required to develop and implement asset management plans demonstrating responsible asset stewardship.

Financial and Resource Implications

The required expenditure to address all flooding issues across the municipality is a total of approximately \$59 million. However, a total of \$33 million is proposed to deliver the drainage Capital Works Program over the next 10 years including renewal works and the high priority new and upgrade projects.

Environmental/Social/Economic Impacts

Council's strategic asset management approach has positive environmental, social and economic impacts. Long term asset planning and timely renewal of infrastructure assets, facilities and open spaces will (i) extend the life of the asset base and provide safe, accessible, fit for purpose assets and networks for present and future communities, (ii) avoid increased replacement costs in the future due to the deferral of works and (iii) contribute to the health and wellbeing of the community.

Consultation and Communication

Internal consultation and engagement has been undertaken with service managers and key officers responsible for the implementation of the plan and ongoing management of the drainage network.

Officer Declaration of Conflict of Interest

Section 80C of the *Local Government Act* 1989 requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

8.4.6 Naming the new park at Epsom Street

Directorate: Infrastructure and City Services

Councillor Portfolio: Active and Inclusive Communities - Cr Michael Grech and Cr Peter Hemphill

Appendices: Nil

Purpose

To provide Council with an update on the park naming consultation process for Epsom Street Reserve in Laverton and recommend a community park name for Council's endorsement.

Recommendation

That Council:

- 1. Endorses Curlew Community Park as the name of the new community park at Epsom Street, Laverton and refers this to the Office of Geographic Names Victoria to commence formal registration.**
- 2. Recognises the contribution that Mrs Lesley Ould OAM, Mrs Anne Knight OAM, Mr Des Rowan and Mr Peter Nash have each made to the Laverton community, by placing their names with interpretive information in the park's gathering and performance space.**
- 3. Writes to all submitters and formally thank them for their suggested park name nominations.**

Summary

This report explains the further analysis and rationale undertaken to determine an appropriate name for the new park at Epsom Street in Laverton. The recommended name for the park is Curlew Community Park, which acknowledges the migratory Curlew Sandpiper bird from Siberia, which is endemic to the Wetlands Ward coastal mud flats and waterways.

This name reflects what is seen annually in the local natural environment and also serves as a reminder that as a community, we come from many diverse backgrounds and have migrated from many different lands.

The Curlew Sandpiper is also referenced in the public art motifs within the new park.

Council also recognises the contribution made to the Laverton Community by four local residents nominated in the naming process: Mr Des Rowan (deceased), Mr Peter Nash (deceased), Mrs Lesley Ould (OAM) and Mrs Anne Knight (OAM). Rather than single out one of these community members to be commemorated in the name of the park, their contributions to the community will be recognised by incorporating their names with interpretive information within the community gathering and performance space of the park.

Background

Council recently completed a community consultation process to name the new park currently being constructed at Epsom Street, Laverton. The consultation period commenced on 7 June 2019 and closed on 7 July 2019. Council received a total of 26 submissions (18 via Participate Hobsons Bay and eight via email to the Projects inbox).

Of the 26 submissions received, eight nominations were considered most relevant based on the principles from Council's Naming Policy (2011) and the Naming Rules for Places in Victoria. All eight submissions are named in honour of living or deceased persons who have some form of connection with Laverton. There were no distinctive or unique names suggested for the new neighbourhood park.

Officers undertook further biographical research on the four local residents nominated, Mr Des Rowan (deceased), Mr Peter Nash (deceased), Mrs Lesley Ould (OAM) and Mrs Anne Knight (OAM). All of these residents have made a significant contribution to the Laverton community through serving on many community based committees and working groups, and volunteering their time across a significant number of community based activities.

Discussion

At the conclusion of the community consultation process, no distinctive or unique park name suggestions had been received. Of the four residents nominated, each has contributed to the Laverton community in a variety of ways. Three of the nominated residents received more than two nominations from the community as a suggested name for the park.

As an alternative to selecting one nominated resident over another in the naming of the park, Council officers propose recognising the contribution that all four have made to the local Laverton community within the park itself. Officers will incorporate their names, along with interpretive information, within the park infrastructure elements, specifically around the community gathering and performance space. For example, it is still possible to build their names into the concrete formwork within the community gathering space and utilise public art graphics that have been prepared for other elements of the park. In this way these residents will be honoured and their stories integrated into the park design as a whole.

On September 9, 2019, Council also received a letter from Jill Hennessey MP Member for Altona District, requesting on behalf of several local residents, that Council consider naming the new pedestrian bridge at McCormack Park, Laverton, in honour and memory of Peter Nash. The inclusion of Peter Nash's name at the new Epsom Street park, together with the interpretive signage is considered a more suitable site to honour his memory.

The relatives and friends of all four Laverton residents will be invited to the launch of the new park and the unveiling of names and interpretive information.

Given there were no distinctive park name suggestions, officers recommend Curlew Community Park for the following key reasons;

- the significant role that biodiversity plays in Hobsons Bay's open space network and the need to continue to protect the ecosystems of our creeks and waterways
- the Curlew Sandpiper is currently listed as an endangered species and one a number of migratory birds who come annually to feed on coastal estuaries and creek mudflats within the Wetlands Ward
- the proposed name emphasises the role of the park as a community space
- the story of the Curlew Sandpiper's annual long-distance travel from Siberia to Hobsons Bay is remarkable and symbolic of the journeys many people have made to make Laverton their home

Strategic Alignment

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

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

This report specifically addresses the following goals and objectives of the Council Plan 2017-21:

Goal 1: An Inclusive, Resilient and Healthy Community

- 1.3 Ensure all community members will have access to quality community, sport and recreation facilities, cultural experiences and open spaces to encourage a healthy and active lifestyle

Policy and Previous Council Reports

This report relates to a Briefing report presented to Council on 3 September 2019. This report also relates to Council's Naming Policy (2011) and the Naming Rules for Places in Victoria. This report closes out the recent community process conducted and the final resolution of Council would be officially launched with the opening of the new park.

Legal/Statutory Obligations/Risk

Council must adhere to the Naming Rules for Places in Victoria and register all endorsed names with the Registrar of Geographic Names.

Financial and Resource Implications

There are no financial implications related to the park naming process.

Environmental/Social/Economic Impacts

In order to ensure the new park name is relevant to the local Laverton community, Council needs to consider the principles outlined in the Naming Policy (2011).

Consultation and Communication

A comprehensive community consultation process has been undertaken in accordance with the Naming Rules for Places in Victoria and Council's Naming Policy (2011). An advertisement for consultation was placed in the *Star Weekly* newspaper and a letter drop was undertaken to residents in the immediate vicinity and key stakeholder groups within the Laverton community. Signage was also displayed in the park site. A project page and separate Participate Hobsons Bay survey was launched on Council's public website in early June 2019.

A total of 26 submissions were received by the close of the consultation period on 7 July 2019. Further advice was sought from several submitters to obtain further information clarifying the reasons for their name choices.

Following Council resolution, the park's name and acknowledgement of the specific community members nominated will be launched as a part of the official opening and associated community activities.

Officer Declaration of Conflict of Interest

Section 80C of the *Local Government Act* 1989 requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

8.4.7 West Gate Tunnel Update Report

Directorate: Infrastructure and City Services

Councillor Portfolio: Integrated Transport - Cr Jonathon Marsden and Cr Sandra Wilson

Appendices: Nil

Purpose

For Council to receive and note the current status report on the West Gate Tunnel Project (the Project) and associated initiatives, projects and advocacy activities.

Recommendation

That Council receives and notes the current status report on the West Gate Tunnel Project.

Summary

The purpose of this report is to provide Council with an update on the current status of the Project across a range of aspects in accordance with the governance and decision making framework including property impacts and transactions. The status of Council's committed advocacy activities specifically relating to the Project, the Open Space Enhancement Package (OSEP) and the Hobsons Bay Transport Planning Study (HBTPS) are included within this report.

Construction works are well advanced on the Project. The CPB Contractors, John Holland Joint Venture (JV) and West Gate Tunnel Authority (WGTA) continue to seek Council's input into specific project design and construction activity, community outcomes and approval to access Council land and infrastructure.

Background

Council has received a number of reports on the development and planning process associated with the Project. As it progresses through the construction phase regular status reports will continue to be provided. This report provides an update on current Project activities, items submitted by WGTA and the JV for Council approval, Council advocacy activities, governance arrangements including communications and engagement and capital works to be undertaken by Council as a result of the Project. Updates on the Community Liaison Group (CLG), Traffic Management Liaison Group, Inner West Air Quality Community Reference Group (the Inner West AQCRG) and the Community Involvement and Participation Plan (CIPP) are also provided.

Discussion

Construction Activity

Figure 1 outlines the current Project related activities along the West Gate Freeway section.

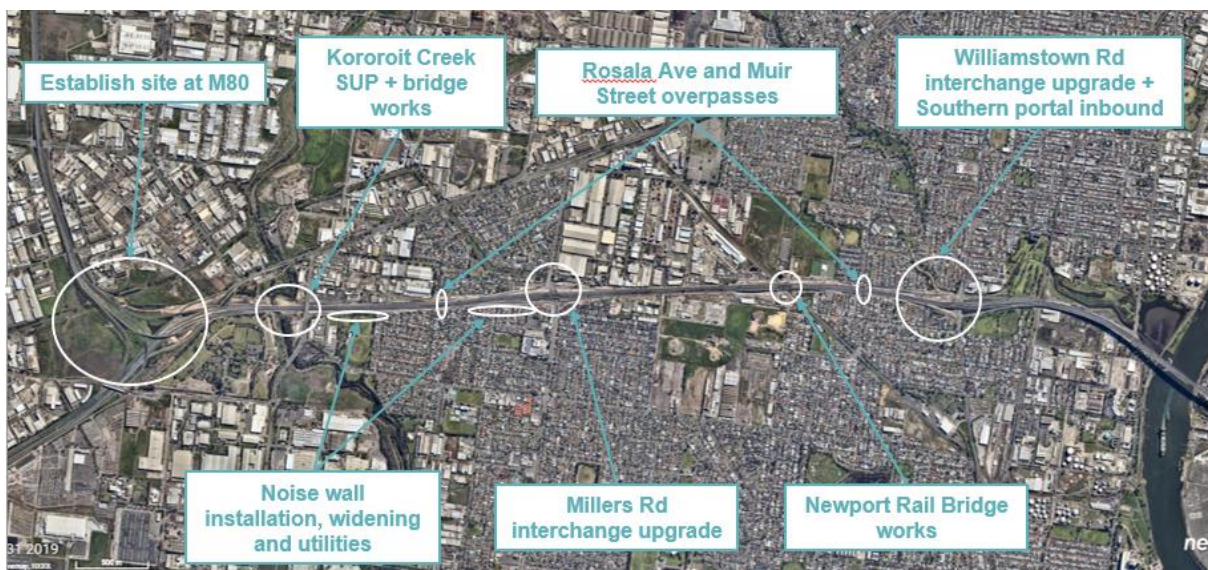


Figure 1: Current Project Construction Activity

Key construction activity being undertaken by the JV in the western section includes:

1. Works to widen the West Gate Freeway between Chambers Road and Grieve Parade and new noise walls.
2. Construction of retaining walls, bridge structural works including excavations and piling at various locations.
3. 220KV and 66KV powerline relocations along the edge of freeway.
4. Construction of two pedestrian overpasses at Rosala Avenue and Muir Street.
5. Kororoit Creek and Newport – Sunshine Rail bridge widening works.
6. Millers Road and Williamstown Road bridge structure widening and traffic lane switches, adjusting the alignment of the freeway to allow preparation for the inbound tunnel entry.
7. The outbound (southern) tunnel portal site.
8. Preparation for establishment of a construction compound at the northern end of Hall Street, Spotswood.



Figure 2: WGTP works along the freeway

In preparation for construction works in the vicinity of the Hyde Street ramps and compound establishment at the northern end of Hall Street, Spotswood, a temporary noise wall has been erected in Hope Street along the western edge of the rail reservation to mitigate noise impacts on the Emma McLean Kindergarten.



Figure 3: New temporary noise wall in Hope Street, Spotswood

Construction Traffic Impacts

Some night time and freeway ramp closures have been programmed, with detailed traffic management and communications plans to be implemented in the lead up to closures.

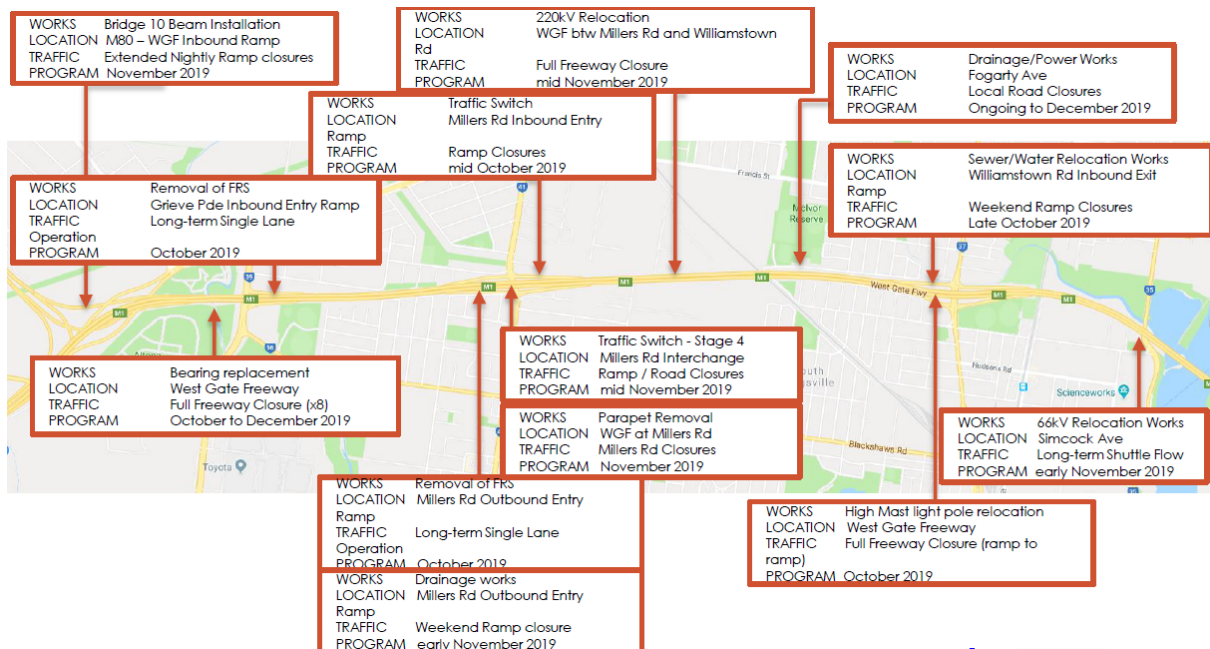


Figure 4: Short term traffic impacts

SUMMER BLITZ: 2nd – 15th January Closure Summary



Figure 5: Proposed closures in January 2020

Further details on traffic disruptions due to works for the Project are available at: <http://westgatetunnelproject.vic.gov.au/constructionupdates/>

Council Advocacy

Throughout the design and construction stages, Council officers have, where possible, negotiated outcomes and improvements consistent with Council’s adopted position to optimise beneficial community outcomes. A Memorandum of Understanding (MOU) has been established between Council and the WGTA to reflect the organisational roles and responsibilities and to resource Council officers in project delivery for the term of the Project.

Open Space Enhancement Package

The OSEP was endorsed at the Ordinary Council Meeting on 13 February 2018 and is supported by the Victorian Government through a \$5 million contribution and \$2.86 million Council contribution. The current status of the OSEP is summarised in Table 1 below.

Item	Status
Duane Reserve, Brooklyn improvements	Detailed design and documentation now finalised for tendering purposes. Construction is planned to commence at the end of 2019 with completion expected in early-mid 2020.
Brooklyn Reserve improvements	
Rowan Avenue Reserve, Brooklyn improvements	Due to support for the creation of more multipurpose spaces in the Brooklyn Community Hall a separate review of the hall and immediate surrounds will be undertaken.
WLJ Crofts Reserve, Altona North Master Plan, Pavilion and improvement works	Tenders being sought for the design and construction of the new pavilion. Other elements of the Improvement Plan will now proceed to detailed design and costing prior to

implementation. Further discussions to be held with clubs on optional elements (subject to separate funding sources) and consideration by Council.

Donald McLean Reserve, Spotswood Master Plan Review and Works

As for WLJ Crofts Reserve above.

Table 1: OSEP Status

Hobsons Bay Transport Planning Study

The Department of Transport (DOT) is leading the HBTPS in partnership with Council. A transport issues report for the study area has been completed by project consultant WSP. This will be used to guide community engagement with the project, defining issues and opportunities previously identified by the community and respective agencies.

A data gap assessment has been prepared along with communication material for the upcoming public announcement of the HBTPS. A draft Modelling Scoping Brief and Initiatives Assessment Framework has been prepared for review.

Transport Corridor Study (Williamstown Road and Millers Road)

The Transport Corridor Study (TCS) is led by the DOT (Major Roads) to identify and address key transport issues and impacts resulting from the Project in the Williamstown Road and Millers Road corridors, particularly the proposed increase in truck traffic. Specifically, the purpose contained in the Terms of Reference is *to identify community concerns and help develop initiatives that would support local amenity and traffic movement.*

Further information on the TCS can be found at: <https://www.vicroads.vic.gov.au/planning-and-projects/melbourne-road-projects/millers-rd-and-williamstown-rd-corridor-study>

Community Liaison Group

The last West CLG meeting was held on 18 September 2019 and included an introduction to the five new members, update on construction activities, planned works, reports from community members and a WGTA update. The complete list of members of the West CLG group as at 18 September 2019 is below.

Community representatives

Ferdinand	Saliba*	Deer Park
Anju	Malhotra*	Spotswood
Bert	Boere*	Brooklyn
Martin	Mlalazi*	Point Cook
Marlon	De Leon	Tarneit
Dennis	Ryan*	Altona North
Kevin	Redfern	Seabrook

Groups/Associations

Steve	Wilson	Friends of Stony Creek
Geoff	Mitchelmore	Friends of Lower Kororoit Creek
Garry	Brennan	Bike Network Victoria
Jenny	McMahon	LeadWest
John	Stirk	BayWest BUG
Peter	Kartsidimas	RACV
Martin	Wurt	MTAG
Greg	Cain	VTA

Councils

Ian	Butterworth	Hobsons Bay City Council
Adrian	Ashford	Brimbank City Council
TBC		Wyndham Council

*New members

Community members raised the following issues at the last meeting:

- problems experienced by residents in Ferguson Street resulting from construction activity (noise and trucks) and the new pedestrian overpass – new ramp hard up against property, overlooking and no direct access to the overpass from the street
- the size of the truck turning area proposed on the Kororoit Creek Trail to meet Powercor's requirements and questions on the Aboriginal cultural garden design on KCT near the bluestone bridge
- various traffic matters associated with the construction including capacity of the ramps at Millers Road interchange causing congestion and access issues for local residents

Further information on the CLG including copies of meeting notes can be found at:

<http://westgatetunnelproject.vic.gov.au/clg/>

Traffic Management Liaison Group

The last meeting of the Traffic Management Liaison Group on 9 October 2019 provided an update on various traffic management aspects of the Project. Traffic monitoring across the network continues and no major issues have been identified with the recent major freeway lane and ramp temporary closures. Council officers continue to raise community concerns regarding project trucks operating in residential streets, particularly in Spotswood and South Kingsville.

The results of the six monthly traffic monitoring of 23 sites during May 2019 compared to baseline data from October-November 2017 has now been released by the JV. The sites are

shown in Figure 6 below and Table 2 summarises the change in traffic volumes in the West Gate Freeway section.

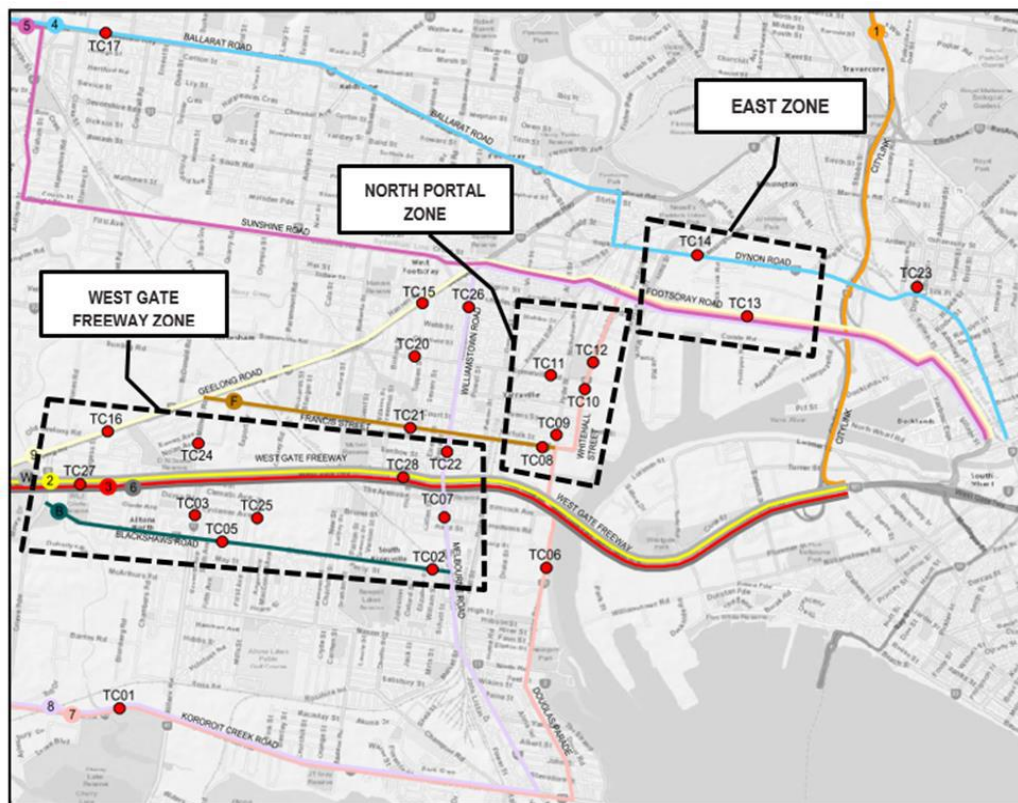


Figure 6: Traffic monitoring sites

TRAFFIC COUNTER SITES	AVERAGE WEEKDAY TRAFFIC VOLUME CHANGE	AVERAGE WEEKDAY AM PEAK VOLUME CHANGE	AVERAGE WEEKDAY PM PEAK VOLUME CHANGE
TC02, TC03, TC05, TC07, TC16, TC22, TC24, TC25, TC27*, TC28*	2.98%	14.27%	9.66%

*Note: TC27 & TC28 was not used in this 6-monthly analysis as there was no data available.

Table 2: Summary of change for West Gate Freeway zone

Summary of results for all sites:

- Weekday traffic volume decrease (-3.56%)
- AM Peak volume increase (+ 4.28%)
- PM peak volume decrease (-1.77%)

The increases in traffic volumes on roads adjacent to the West Gate Freeway are not surprising given the amount of construction activity on the freeway and interchanges.

Upcoming traffic impacts are included in Figures 4 and 5 above and the following link: <http://www.westgatetunnelproject.vic.gov.au/travel disruptions>

Business Involvement Plan Progress

The Project has social and economic requirements and targets to support local businesses and provide local employment opportunities. An Industry Capability Network has been

established with Hobson Bay businesses invited to participate. An online trader directory has been in place since last year, and the JV Business Engagement team have been working closely with Council's Economic Development team to connect local businesses to the JV and workers.

Community Involvement and Participation Plan

The recently announced \$10 million West Gate Neighbourhood Fund is a grants and partnerships program for communities in the City of Maribyrnong and Hobsons Bay City Council, prioritising those most affected by the construction of the West Gate Tunnel Project.

Both the grants and partnerships streams will provide funding towards community projects and initiatives. Applications for the grants scheme will open in late 2019.

The grants program will have three categories for funding:

- one-off projects that bring communities together and improve wellbeing
- temporary installations or new events
- improvements to community, sporting and recreation facilities and the local environment

Grants of up to \$100,000 will be available for community groups and organisations.

The partnerships stream will jointly fund bigger projects that deliver a lasting benefit for the community. Partnership projects above \$100,000 will be considered, with co-funded initiatives encouraged.

A wide range of activities are eligible including projects that:

- celebrate heritage, history or diversity
- contribute to safe and liveable environments
- focus on arts and culture
- emphasise learning and development
- enable greater participation and access of community members

Further information is available at: westgatetunnelproject.vic.gov.au/neighbourhoodfund.

Inner West Air Quality Community Reference Group

The Inner West AQCRG provides community members with the opportunity to provide community insight and input to future improvements for air quality in the inner west. The Inner West AQCRG will complete its report to the Minister in December 2019.

The last meeting of the Inner West AQCRG was held on Monday 7 October to workshop issues and recommendations relating to land use planning, dust and odour.

Further information can be found at: <https://www.environment.vic.gov.au/sustainability/inner-west-air-quality-reference-group>.

Air quality monitoring for the project has been established at six Ambient Air Quality Monitoring Stations to develop a baseline of data from current local conditions (see below). This baseline will be used to measure any changes once the project tunnel opens in 2022. Monitoring will continue for up to five years following opening. The air quality report for July 2019 has been published on the Project website at: <http://westgatetunnelproject.vic.gov.au/about/keytopics/tunnel-ventilation-and-air-quality>.

Strategic Alignment

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

Priority 6: An accessible and connected community

Priority 2: Community wellbeing and inter-connection

This report specifically addresses the following goals and objectives of the Council Plan 2017-21:

Goal 1: An Inclusive, Resilient and Healthy Community

- 1.2 Deliver, support and facilitate projects and programs that encourage equity and diversity, so everyone can reach their full potential

Goal 2: A great place

- 2.5 Work with all levels of government and other stakeholders to improve our transport network and to address gaps and capacity in public transport, our roads, foot paths and cycle routes

Goal 3: A well designed, maintained and environmentally sustainable place

- 3.1.1 Deliver and maintain well-designed, accessible and environmentally sustainable community assets

Goal 4: A Council of excellence

- 4.1 Collaborate with all levels of government, service providers, not for profit organisations and the private sector to address the concerns of our community

Policy and Previous Council Reports

On 26 August 2016 Council adopted the updated Hobsons Bay City Council's Adopted Position and Recommendations for the then Western Distributor Project. The adopted position included Hobsons Bay Project Requirements, Principles, Objectives and Performance Measures for the Project.

The Principles are:

1. An efficient, integrated and sustainable transport network outcome.
2. Positive liveability, amenity and community wellbeing outcomes.
3. An environmentally responsible project.
4. A genuine commitment to consult with the community.
5. A value for money outcome.
6. Planning for future growth.

Several Council policies and strategies were considered in the establishment of the adopted position on the Project and have been considered to inform the design and Environment Effects Statement (EES). Council has received numerous reports regarding officer assessments of the Project design development, community engagement and advocacy activities undertaken in response to the Project.

Legal/Statutory Obligations/Risk

Legal and statutory obligations and risks have been identified throughout Council's review and input to the Project. These obligations and opportunities will continue to be monitored and assessed.

A report and formal submission on the preferred design and EES was adopted by Council at the Ordinary Council Meeting on 27 June 2017. This report considered legal, risk and statutory obligations for the Project. A statutory process for the acquisition of Council land has commenced.

The latest available Independent Reviewer and Environmental Auditor's report on the Project can be viewed at: http://westgatetunnelproject.vic.gov.au/_data/assets/pdf_file/0006/376431/WGTP-IREA-audit-report-September-2018-February-2019.pdf.

Financial and Resource Implications

Significant Council officer time has been committed in responding to requests for advice, information and comment regarding the Project. Design packages are still being reviewed and frequent requests are being received now that construction is underway.

An MOU has been established between Council and the WGTA to reflect the organisational roles and responsibilities and to support the ongoing resources in project delivery for the term of the Project.

Environmental/Social/Economic Impacts

The environmental, social and economic impacts of the Project to the Hobsons Bay community have been described in detail through the EES and will be monitored and mitigated through the implementation of the Environmental Performance Requirements (EPRs) for the Project. Local procurement, jobs and business development are project objectives as described in the Business Involvement Plan section above.

Consultation and Communication

The Project EPR requires the development of a Communications and Community Engagement Plan which links closely with the proposed EPRs, requiring a Traffic Monitoring and Management Plan, Business Involvement Plan and CIPP.

Notifications to directly impacted areas prior to works commencing have been ongoing. Council has assisted in sharing information on planned traffic disruptions through its website and social media.

Council officers continue to assist the community where possible in responding to or referring requests and issues relating to the Project.

Officer Declaration of Conflict of Interest

Section 80C of the *Local Government Act* 1989 requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

8.4.8 Petition - Downer Oval Renovation

Directorate: Infrastructure and City Services

Councillor Portfolio: Not applicable

Appendices: Nil

Purpose

To receive a petition received from the Williamstown Football Club, containing 394 signatories, requesting that the ground reconstruction works at Downer Oval, Williamstown, be brought forward to commence in October 2020.

Recommendation

That Council:

- 1. Receives and notes the petition requesting that the ground reconstruction works at Downer Oval, Williamstown, be brought forward to commence in October 2020.**
 - 2. Receives a report on this matter at a future Council Meeting.**
-

Summary

The petition was received on 13 October 2019 and reads as follows:

“As supporters of the Williamstown Football Club, we are extremely proud of our Club’s heritage and deep connection to the Hobsons Bay community. Therefore, we are deeply concerned about the playing surface at Downer Oval and the associated risk to our players, and those of the many other Hobsons Bay community clubs that utilise the oval and associated amenities.

We fully support the Williamstown Football Club’s submission to the Hobsons Bay City Council requesting that the ground reconstruction works at Downer Oval, currently proposed by Council for late 2023, be brought forward to commence in October 2020.”

In addition to the petition, the Williamstown Football Club has also provided the following documents in support of the request:

- Letter from Member for Williamstown, the Hon. Melissa Horne MP
- Letter from AFL Head of Talent Pathways & State League Competitions Tristan Salter
- Quote for works from Marvel Stadium

9 Delegates Report

Directorate: Corporate Services

Purpose

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

Recommendation

That Council receives and notes the recent Delegates Report.

Delegates Report - Metropolitan Transport Forum

Councillor Delegate: Cr Jonathan Marsden

Date of Meeting: 2 October 2019

The Metropolitan Transport Forum hosted the MTF Loves Buses conference.

Department of Transport: The role of buses now and into the future

The Director Strategy and User Focused Design and Acting Director, Public Transport Development and Coordination from the Network Planning division outlined a new approach to buses within the Department of Transport. It was noted that the bus network is underperforming and there is considerable scope for reform. Most buses are performing a local role with the majority of patronage undertaken by a small percentage of bus routes.

The new focus is on connected journeys. Areas targeted for improvement include reducing congestion, increasing accessibility and shifting to low emissions buses. Other focus areas are a fare policy review to increase patronage and opportunities to speed up boarding. A target has been set for a 70 per cent increase in bus patronage by 2030.

A review of the central city bus network will also take place, with many upcoming changes and improvements to the network tied to major road and rail packages.

Infrastructure Victoria: Immediate actions to tackle congestion

Infrastructure Victoria discussed its report, Five Year Focus: Immediate actions to tackle congestion, and the concept of social licence aimed at supporting or enabling politically difficult decision making. Buses comprise the largest network of public transport services in Melbourne, yet they underperform, accounting for 16 per cent of all public transport trips. Some of the opportunities for bus reform are to enhance flexibility and lower the cost, both of which need to be quick to implement. Recommendations to improve the network include maintaining and enhancing well performing routes, particularly in high density areas; redistributing poorly performing routes; and altering the operating model to low-cost, customer responsive services. Supporting actions include better allocation of road space, and expanding and increasing the car parking levy.

Delegates Report - Roadsafe Westgate Community Road Safety Council

Councillor Delegate: Cr Sandra Wilson

Date of Meeting: 18 September 2019

Black Spot Program

Council has submitted two funding applications under the 2020-2021 Australian Government's Black Spot Program for intersection works at Mason Street, Newport and Marion Street, Altona North.

The Mason Street project includes the construction of a new roundabout at Fifth Avenue, a new pedestrian crossing with flashing light near Fourth Avenue, and modifications of the existing roundabouts at Mills Street, McIntosh Road, Blenheim Road and Maddox Road intersections. The estimated cost of the project is \$1.43 million.

The Marion Street project includes four raised platforms at the intersections of Seventh, Sixth, Third and Angus Avenues. The estimated project cost is \$174,000.

Safe school zones

Discussions have commenced with the Department of Transport (DOT) seeking permanent speed reductions around school precincts within the Hobsons Bay municipality.

Approval has been obtained from the DOT for the installation of a wombat crossing, kerb outstands and a pedestrian refuge in front of Mount St Joseph's School on Maidstone Street, Altona. Works are scheduled to occur in January 2020.

Vulnerable User Program

The construction of raised platforms are scheduled for completion by the end of October 2019 at Heather Avenue, Brooklyn; William and Ross Street, Newport; and Blyth Street and Grieve Parade in Altona. This is being undertaken to reduce vehicle speeds in locations where there are high volumes of pedestrians and cyclists.

10 Notices of Motion

10.1 Notice of Motion No. 1210 - Recognition of Contribution - Mr Hayden Raysmith AM

Cr Sandra Wilson has given notice of the following:

“That Council writes to Hayden Raysmith AM to recognise his significant contribution and leadership as outgoing chair of the Hobsons Bay Community Fund (HBCF), a perpetual philanthropic fund, since its inception in 2006 and the legacy he leaves with HBCF having achieved a \$1 million corpus to enable continuing community grants and support for the foreseeable future.”

Councillors may be aware that Hayden Raysmith has retired as the chair of Hobsons Bay Community Fund (HBCF), having passed the baton to long time HBCF member, Adrian Butera. HBCF, created in 2006 as a sub-fund of the Australian Communities Foundation, has also moved to become an incorporated association.

HBCF aims to:

- create a lasting community asset, a steadily growing corpus (fund) for community development, that Hobsons Bay residents can access in perpetuity
- highlight the great value of charitable giving, and enable donors to support and see the fruits of investing in their community during their lifetime
- encourage interaction and partnerships between a range of people (donors, governments, businesses, community groups, other charitable organisations) to fortify the local community and find solutions to challenges
- act as a trustworthy partner and leader in shaping collaborative and effective responses to local issues and opportunities

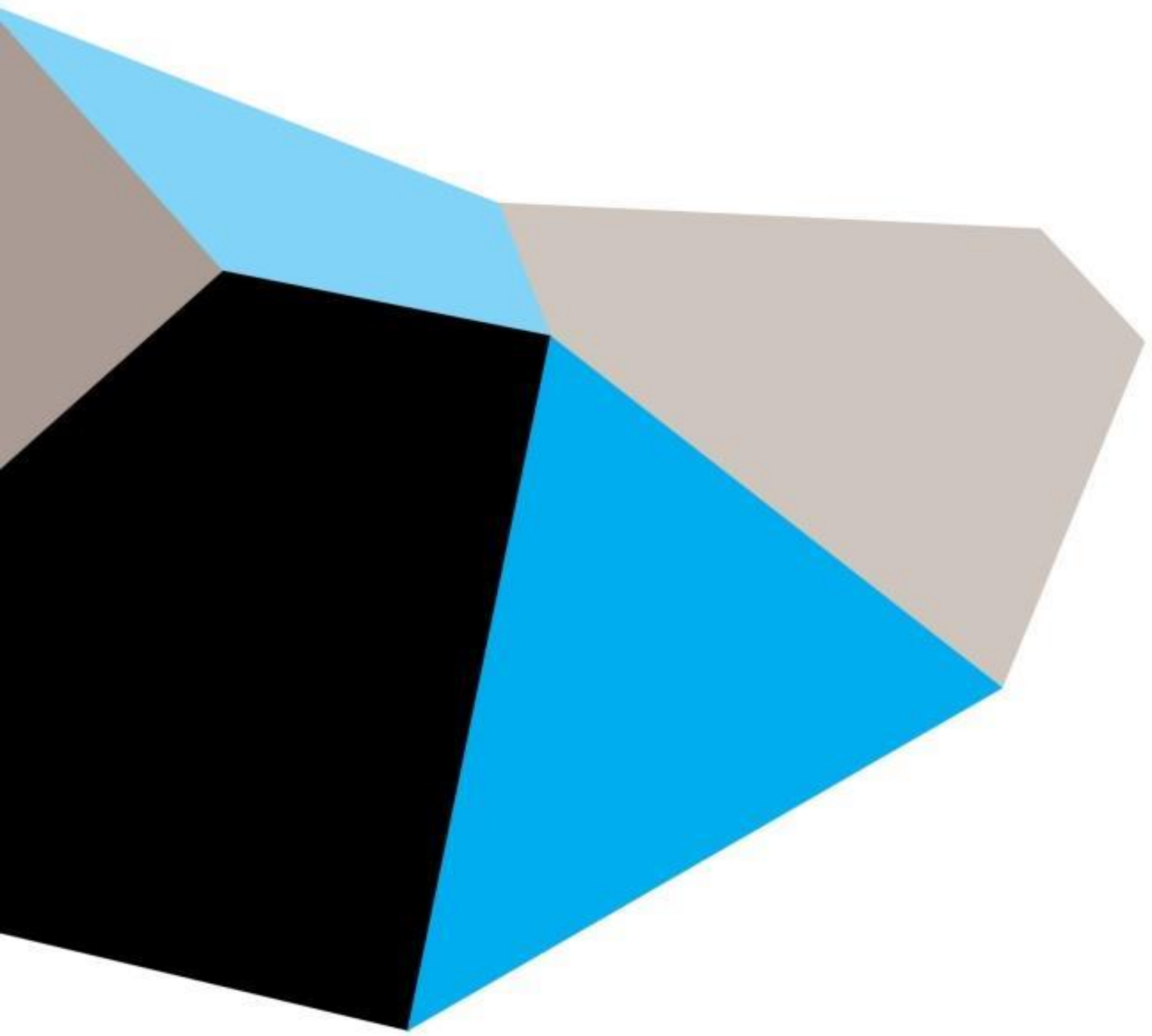
11 Supplementary Public Question Time

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

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

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

12 Urgent and Other Business



HOBSONS BAY CITY COUNCIL

115 Civic Parade, Altona

PO Box 21, Altona 3018

Phone (03) 9932 1000

Fax (03) 9932 1039

NRS phone 133 677 and quote 03 9932 1000

Email customerservice@hobsonsbay.vic.gov.au

 www.twitter.com/HobsonsbayCC

 www.facebook.com/HobsonsbayCityCouncil

 www.hobsonsbay.vic.gov.au
