

Council Meeting Minutes

9 February 2021

Council Chamber
Hobsons Bay Civic Centre
115 Civic Parade, Altona

COUNCIL CHAMBER

HOBSONS
BAY CITY
COUNCIL



OUR MISSION

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

OUR VALUES

Respectful

Community driven and focused

Trusted and reliable

Efficient and responsible

Bold and innovative

Accountable and transparent

Recognised

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

Chairperson:

Cr Jonathon Marsden (Mayor)

Strand Ward

Councillors:

Cr Daria Kellander (Deputy Mayor)

Cherry Lake Ward

Cr Tony Briffa JP

Cherry Lake Ward

Cr Peter Hemphill

Strand Ward

Cr Pamela Sutton-Legaud

Strand Ward

Cr Diana Grima

Wetlands Ward

Cr Matt Tyler

Wetlands Ward

Aaron van Egmond
Chief Executive Officer
Hobsons Bay City Council

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Minutes of the Council Meeting held on 9 February 2021 at 7.06pm.**Present****Chairperson**

Cr Jonathon Marsden (Mayor) Strand Ward

Councillors

Cr Daria Kellander (Deputy Mayor) Cherry Lake Ward

Cr Tony Briffa JP Cherry Lake Ward

Cr Peter Hemphill Strand Ward

Cr Pamela Sutton-Legaud Strand Ward

Cr Diana Grima Wetlands Ward

Cr Matt Tyler Wetlands Ward

Officers

Mr Aaron van Egmond Chief Executive Officer

Mr Sanjay Manivasagasivam Director Infrastructure and City Services

Ms Penelope Winslade Director Sustainable Communities

Ms Diane Eyckens Manager Corporate Integrity (Legal Counsel)

Ms Briony Davis Governance Officer and Minute Secretary

1 Council Welcome and Acknowledgement

The Chairperson welcomed members of the public and acknowledged the people of the Kulin Nation as the Traditional Owners of this land.

2 Apologies

Nil.

3 Disclosure of Interest

In accordance with sections 127 and 128 of the *Local Government Act 2020* Councillors are required to disclose a general or material conflict of interest. A conflict of interest must be disclosed in accordance with rule 15.3 of the Hobsons Bay Governance Rules.

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

Nil.

4 Confirmation of Minutes

4.1 Confirmation of Minutes

Confirmation of the minutes of the Council Meeting of Hobsons Bay City Council held on 8 December 2020 (copy previously circulated).

Motion

Moved Cr Peter Hemphill, seconded Cr Tony Briffa:

That Council confirms the minutes of the Council Meeting of Hobsons Bay City Council held on 8 December 2020.

Carried unanimously

5 Councillor Questions

Cr Kellander asked whether a Q&A session could be arranged between Brooklyn residents, including Brian Long and Ruth Cronin, and Council officers, executives and Ward Councillors, to discuss a number of issues impacting Brooklyn.

Mr Sanjay Manivasagasivam, Director Infrastructure and City Services, responded that Council officers have already met with Brian Long and Ruth Cronin in late December and had numerous discussions and follow-up communications with them. Mr Manivasagasivam added that the next step for Brooklyn would be the Better Places program, which is currently running in Spotswood and South Kingsville, coming to Brooklyn and Altona North in July, and that more information and opportunities for discussion would be available then.

Noting that while Council was seeking community feedback on the outdoor dining activation, Altona traders had expressed interest in extending the activation beyond 31 March 2021, Cr Kellander asked when a decision on outdoor dining would be made.

Ms Penelope Winslade, Director Sustainable Communities, responded that Council is currently undertaking a feedback process, and acknowledged that like most councils, Hobsons Bay is working through the situation in real time and responding to a constantly changing context. Ms Winslade added that Council currently does not have funding committed to extend the program but is applying for state funding to do so. Ms Winslade added that Council intended to provide a report in March for Councillors to consider a process to fully engage with the community and confirm what the options are for a way forward.

Cr Kellander asked whether Council can make a commitment to having the Inner West Air Quality report, “Air Pollution in Melbourne’s Inner West”, form an agenda item for future Council Meetings, and whether Council would consider giving the Inner West Air Quality Community Reference Group an award or recognition for the work done on the report, as both the Environment Protection Authority and Maribyrnong City Council have already done.

Mr Aaron van Egmond, Chief Executive Officer, responded that he would take the questions on notice and respond at the next available opportunity.

Cr Briffa requested an update in relation to the two petitions Council received in late 2020 that opposed proposed changes around Seaholme train station.

Mr Sanjay Manivasagasivam, Director Infrastructure and City Services, responded that Council is undertaking a community engagement process in two stages, one being direct engagement with the older residents who live in proximity to the station, and one being a broader community process, over the next few months. Mr Manivasagasivam stated that Council would be provided with a report upon completion of the engagement process.

Cr Briffa requested confirmation that no work would be done prior to Council’s decision on the report.

Mr Sanjay Manivasagasivam, Director Infrastructure and City Services, confirmed that this was the case and that no works would commence prior to Council making a decision on the matter.

6 Public Question Time

Trent Wilson

Q Do Council officers use content from private community Facebook groups for official purposes, such as briefs?

A Council does not routinely include content sourced from social media in official public documents or formal reports of Council.

Ruth Cronin

Q Is Hobsons Bay City Council committed to achieving the priorities as set out in the 2030 Community Vision document under "community wellbeing" and "activation of sustainable practices", in the context of achieving "clean air" for the residents of Brooklyn, as defined as a fundamental human right and pivotal to amenity for Brooklyn residents?

A Hobsons Bay City Council is committed to achieving the priorities, as set out in the Hobsons Bay 2030 Community Vision document under "community wellbeing" and "activation of sustainable practices".

In the context of achieving clean air for the residents of Brooklyn, it should be noted that the Environment Protection Authority has the lead jurisdiction to prevent and reduce the harmful effects of pollution and waste on Victorians and their environment.

Q The recent Inner West Air Quality Community Reference Group Report cites many instances where Hobsons Bay City Council has failed to deliver clean air for the residents of Brooklyn, despite priorities and Vision Statements.

Where is the Victorian Government's response to the March 2020 Report (cited above) and what actions or tangible outcomes will be achieved for Brooklyn residents in the context of a sustainable future and amenity in the suburb?

A Council will receive the regular West Gate Tunnel Project Update in tonight's agenda, which references the status of the Inner West Air Quality Community Reference Group's report and recommends that Council writes to the relevant Victorian Government ministers seeking support for the recommendations identified in the Inner West Air Quality Community Reference Group's report.

Q How does Hobsons Bay City Council and VCAT's planning permissions for 200+ developments of three or more dwellings in the suburb of Brooklyn fit with the Community Vision 2030 Priority statement of "proactive enrichment, expansion and conservation of the natural and urban environment" where significant Open Space fees have been paid, but Open Space has been significantly depleted within the suburb, increasing the urban heat island effect?

A The Hobsons Bay Planning Scheme guides development within Brooklyn and the broader community.

The Planning Scheme, through its policies and strategies, echoes the Hobsons Bay 2030 Community Vision.

Private development approved by Council and VCAT implements those policies which seek urban consolidation, retaining key characteristics of neighbourhood character, ensuring environmentally sustainable design and protecting landscapes while providing for the recreational needs of residents and communities.

Open Space contributions collected from private developments are used to improve and buy public open space throughout the municipality consistent with the Hobsons Bay Open Space Strategy.

Brian Long

Q Why is the sound wall on the Brooklyn side of the freeway so much shorter than the sound wall on the Altona North side, which extends all the way to Grieve Parade?

A Council has confirmed with the West Gate Tunnel Project that the sound walls on the Brooklyn side (north side of the West Gate Freeway) extend 1,050m west of Millers Road to cover all of the residential area, and the full length between Millers Road and Grieve Parade on the southern side which is 1,570m. The difference between the lengths on the north and south sides is attributed to Crofts Reserve and 500m of residential abutting the freeway on the south side.

The sound wall then continues to the Grieve Parade off-ramp. It is not a requirement to provide sound walls adjacent to industrial properties. The anomaly is the short section to the west of WLJ Crofts Reserve. The acoustic modelling undertaken for the Project prioritised the location of sound walls in residential zones and public open space.

Q Are light industry and residential dwellings not of the same priority on the Brooklyn side, or did Councillors who advocated for the \$2.25 million upgrade to Croft's Reserve and the sound wall on the Altona North side of the freeway forget to advocate for the Brooklyn side, or does a sound wall for Brooklyn, to mitigate impact of West Gate Tunnel Project, cost more than \$500,000?

A The funding support from the Victorian Government implementation of the WLJ Crofts Reserve Improvement Plan was a result of the project being ready for delivery. Council has advocated and continues to advocate for a consistent application of sound walls within both the Project corridor but also further west for the Laverton community.

Q As it has now been more than 16 months since the community alerted Council to the state of disrepair and dysfunction of drains in Brooklyn, when does Council anticipate repair and clearance of all damaged and blocked drains throughout Brooklyn?

A Drainage systems throughout the municipality are inspected and any necessary maintenance carried out every twelve months. This program is expected to be carried out in Brooklyn next in September 2021.

David Jamieson

Q Can you please advise if any person from the Level Crossing Removal Project has enquired regarding:

- the important heritage nature of the railway station buildings and the community wish that both the east and west station buildings are retained and functional
- the type of materials and the colours to be used for the planned new North Williamstown Station construction? It is understood the Level Crossing Removal Project is not using heritage colours

- A Councillors have met with representatives from the Ferguson Street Level Crossing Removal Project team and expressed their preference for the project to retain both railway station buildings.
- Council has asked the Level Crossing Removal Project (LXRP) to consider alternative project solutions which would enable retention of the east station house to repurpose for community use.
- Council has been briefed on the proposed material and colour palette for the project.
- Q Is the Council aware that the Level Crossing Removal Project is planning to re-align the railway tracks by moving them approximately 4m to the east? Is it known what impact this might have on the properties to the east of the tracks?**
- A Council has asked the LXRP for specific details on the alignment and what this means particularly for the private properties to the southeast of the railway line on Ferguson Street.
- Q Has the Council ever made enquiries of the Mobil Altona Refinery about the possible relocation of the section of the pipeline located under the road in the vicinity of the North Williamstown Railway Station and Kororoit Creek Road/Ferguson Street in order to construct a pedestrian underpass?**
- A Council has requested the LXRP consider the relocation of the existing pipeline to accommodate a pedestrian underpass. Council expects to receive a formal response from the LXRP.

Russell Carrington (Convenor Williamstown Tree Group)

- Q Please provide from Council's Budget, details specific to the resourcing and implementation of the Urban Forest Strategy to clearly show that it is distinct from previous programmes.**
- A In the 2019-20 financial year the budget total was approximately \$3 million for all tree works. This is made up of both capital and operational costs and included an annual semi-advanced tree planting program of 2,500 trees, internal tree staff wages, street tree maintenance and electrical line clearance works, reactive maintenance works and materials.
- In the 2020-21 financial year the overall tree budget increased to \$3.7 million. This included all the above plus extra tree planting to implement the Urban Forest Strategy targets and increases for tree compliance.
- The budget for the 2021-22 financial year has not yet been finalised; however, the resources specific to the Urban Forest Strategy will be made available as Council is committed to ensuring the objectives are met.
- Q Please provide detailed guidance as to the leadership, management, and accountability structure that establishes a team dedicated to the Urban Forest Strategy.**
- A The implementation of the Urban Forest Strategy is being delivered by the City Services department in collaboration with many internal teams within the council. The City Services Tree Management team lead the implementation. Regular reporting is

also provided to the Executive Leadership team on the progress of the Urban Forest Strategy to ensure there is high level accountability for its implementation.

Q By way of contrast, what is the specific number of trees planted and the breakdown of species selected for the years 2020 and 2021?

A Trees planted in 2019: 2,316 trees

Trees planted in 2020: 5,414 trees

Trees to be planted in 2021: 8,500

Species used for plantings in 2020 and 2021 will be emailed to you. Council's tree planting palette was reviewed and expanded in response to a tree analysis report conducted on Council's tree health in 2018.

Lisa Bentley

Q Section 139 (4) of the *Local Government Act 2020* (the LG Act) requires a Council to review and adopt a Councillor Code of Conduct by a formal resolution of Council.

Why is a resolution required if it is required by the LG Act to be adopted?

A Local government is created and governed by the Victorian Government through the *Local Government Act 2020* (the LG Act).

A Councillor Code of Conduct, under the LG Act, must include the standards of conduct expected to be observed by Councillors that will be prescribed in regulations and may include any other matters which the council considers appropriate.

Even though it is included as a requirement of the legislation the actual code needs to be accepted and adopted by all Councillors once a resolution has been passed. The code must be adopted so that all Councillors are held to same standards of conduct.

Q In order to comply with the LG Act, Council must adopt its Code of Conduct by 24 February 2021. The Code of Conduct must be passed by at least two-thirds of the total number of Councillors elected to Council, equating to five out of seven Councillors for Hobsons Bay City Council.

“The Code Of Conduct MUST be passed by at least two-thirds of the total numbers of Councillors elected to Council.”

Isn't this sentence a contradiction in itself?

A The LG Act prescribes that two thirds of the total number of Councillors must vote in support of the code for a resolution to be passed.

Q I ask if our newly elected Councillors on Council actually have the right to vote no?

A Councillors have the right to vote yes or no to any proposed resolution of Council.

Nicholas Franze

Q I walk my dog twice a day along the Altona dog beach foreshore and it is a disgrace with the amount of dried decomposing and smelly seaweed, dog faeces and rubbish on the foreshore. Why can't the Council clean the foreshore and smelly seaweed on a weekly basis like other municipalities that are next to Port Phillip Bay?

A Council provides a comprehensive daily service to collect litter along the foreshore area and seaweed is removed on a regular basis when needed, as it is seasonal, to ensure this area is kept neat and tidy. From time to time we receive substantial deposits of seaweed on our beaches and extra resources are allocated to remove this material in those situations.

7 Petitions and Joint Letters

7.1 Petitions and Joint Letters Received

7.1.1 Petition - Save Laverton Swim and Fitness Centre

Directorate: Corporate Services
Responsible Officer: Governance Officer
Reviewer: Director Corporate Services
Attachments: Nil.

Purpose

To receive a petition containing 1,123 signatories, of which 116 were identified as Hobsons Bay residents, requesting that Council reconsider its 2019 decision to endorse the closing down of the Laverton Swim and Fitness Centre.

Motion

Moved Cr Matt Tyler, seconded Cr Diana Grima:

That Council:

- 1. Receives and notes the petition in relation to saving the Laverton Swim and Fitness Centre.**
- 2. Receives a further report on this matter at a future Council Meeting.**

Carried unanimously

Recommendation

That Council:

- 1. Receives and notes the petition in relation to saving the Laverton Swim and Fitness Centre.**
- 2. Receives a further report on this matter at a future Council Meeting.**

Summary

The petition was received on 28 January 2021.

The petition reads as follows:

“In 2019 the Hobsons Bay Council endorsed the closing down of the Laverton Swim and Fitness Centre. The decision to close the pool was made without proper consultation with the residents of Laverton. This petition is in response to the voice of our community and what this pool means to the people of Laverton.

What is so special about this pool? The funds that were required to build this centre were raised by our parents and our grandparents who lived in Laverton in the 1960s and 1970s. The money was raised through the dedication of the families in Laverton collecting money from everyone in their streets for years. This is why the residents of Laverton feel so strongly about our Family Pool, it was never the councils to get rid of in the first place and should only be improved and grown in line with the town it lives in.

There have been a lot of changes in Laverton over the years which comes with progress our community is getting bigger and bigger however the facilities have not grown in our town.

For many families, our pool has been where our children have learnt water safety and have become confident swimmers. For the parents of these children it was a social gathering and a place to connect. If the plans for McCormick Park proceed there will not place for people to swim, to exercise or to attend the numerous classes that the centre provides.

What we wish to achieve with this petition at the very least is for our Pool to remain in Laverton for the service of our community. What we hope is for the Pool to be redeveloped in line with the growing community of Laverton for our health and wellbeing for many years to come.”

8 Business

8.1 Office of the Chief Executive

8.1.1 Chief Executive Officer's Report on Operations

Directorate:	Office of the Chief Executive
Responsible Officer:	Executive Assistant to the Chief Executive Officer
Reviewer:	Chief Executive Officer
Attachments:	1. Chief Executive Officer's Report on Operations [8.1.1.1 - 35 pages]

Purpose

To present the Chief Executive Officer's (CEO's) Report on Operations (Attachment 1).

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Peter Hemphill:

That Council receives and notes the Chief Executive Officer's Report on Operations, including details of recent issues and initiatives undertaken by the organisation.

Carried unanimously

Recommendation

That Council receives and notes the Chief Executive Officer's Report on Operations, including details of recent issues and initiatives undertaken by the organisation.

Summary

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

Discussion

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

Following the revocation of section 80A of the Local Government Act 1989 on 24 October 2020, there is no longer a statutory requirement that Council keep a written Record of Assembly of Councillors. However, in accordance with rule 10.7.1 of the Hobsons Bay Governance Rules, Council is continuing to maintain records of meetings attended by Councillors. To ensure transparency and equity of information, a summary of meetings for the period between 1 December 2020 and 31 January 2021 is provided in the CEO's Report on Operations.

8.1.2 Adoption of the Hobsons Bay Community Engagement Policy 2021

Directorate:	Office of the Chief Executive
Responsible Officer:	Manager Communications, Community Engagement and Advocacy
Reviewer:	Chief Executive Officer
Attachments:	1. Hobsons Bay Community Engagement Policy 2021 [8.1.2.1 - 29 pages]

Purpose

To adopt the Hobsons Bay Community Engagement Policy 2021.

Motion

Moved Cr Matt Tyler, seconded Cr Daria Kellander:

That Council:

- 1. Adopts the Hobsons Bay Community Engagement Policy 2021.**
- 2. Receives a further report at a future Council Meeting to review the Hobsons Bay Community Engagement Policy 2021 six months after its adoption.**

Carried unanimously

Recommendation

That Council:

- 1. Adopts the Hobsons Bay Community Engagement Policy 2021.**
- 2. Receives a further report at a future Council Meeting to review the Hobsons Bay Community Engagement Policy 2021 six months after its adoption.**

Summary

The Hobsons Bay Community Engagement Policy 2021 articulates the principles, commitments and various levels of engagement that Council is committed to delivering to ensure a clear process for community engagement in Council's decision-making processes.

Victorian Government legislation sees community engagement as essential for the delivery of good services and projects in the local government realm. This is reflected by the *Local Government Act 2020* (the LG Act) requirement that all councils deliver and maintain a community engagement policy by 1 March 2021.

This policy recognises this need and is an extension of the work Council has been doing in community engagement, as directed by the Hobsons Bay Community Engagement Policy Framework 2015.

Background

Community consultation process

At the Council Meeting held on Tuesday 8 December 2020, Council resolved to place the Draft Hobsons Bay Community Engagement Policy on public exhibition to gather community feedback. The Hobsons Bay Community Engagement Policy 2021 reflects this feedback.

The draft policy was publicly exhibited for five weeks from Friday 11 December 2020 to Sunday 17 January 2021 with a mix of digital and face-to-face engagement.

The digital engagement was hosted on Participate Hobsons Bay, which included an online survey. The survey took the “LOVE, CHANGE, IDEA” approach and asked the community what they love and what they would change about the policy, as well as asking them to provide ideas and comments.

Three hundred and five people visited Participate Hobsons Bay and six residents made 11 separate contributions – two “loved” the policy and three gave “ideas for change”. Seventy-five per cent of visitors were new to the site. Forty-four per cent of visitors came directly to the site, 42 per cent came via social media, 9 per cent via search engine and 5 per cent via other websites.

Council hosted six face-to-face drop-in sessions (a composite total of about 17 hours) across the city and about 65 people conversed with Council staff at the sessions.

- Wednesday 16 December, 4-6pm, Newport Community Hub
- Wednesday 6 January, 4-6pm, Laverton Community Hub
- Sunday 10 January, 9am-12.30pm, Williamstown Farmers Market
- Tuesday 12 January, 9am-2pm Altona Beach Market
- Thursday 14 January, 4-6pm, Newport Community Hub
- Friday 15 January, 3-5pm, Altona Meadows Library

Local Government Act 2020 requirements

Section 56 of the LG Act lists the following community engagement principles that councils are required to adhere to in their community engagement policy:

- a community engagement process must have a clearly defined objective and scope
- participants in community engagement must have access to objective, relevant and timely information to inform their participation
- participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement
- participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement

- participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making

The Hobsons Bay Community Engagement Policy 2021 supports these principles and includes further additional principles that are responsive to the needs and wants of the Hobsons Bay community.

Section 55(2)(g) of the LG Act refers to “deliberative engagement practices”. While the Act does not prescribe and define specific community engagement actions to be carried out as part of deliberative engagement, advisory information provided by Local Government Victoria defines the key characteristics of deliberative engagement as:

- authentic engagement with the community
- good representation of the community in engagement activities
- clear demonstration of how all views have been considered
- accessible and relevant information available to the community to ensure the decision-making process and the community’s level of influence is clear in each instance and that participants are fully informed

The LG Act requires councils to apply their community engagement policy and to undertake deliberative engagement practices in the development of the Community Vision, Council Plan, Financial Plan and Asset Plan.

Discussion

Council is committed to sound community engagement processes that generate authentic input from the people of Hobsons Bay to help shape Council’s decisions and projects. Good community engagement results in stronger democratic processes, decisions and services that better meet the needs of the community.

In the context of the Hobsons Bay Community Engagement Policy 2021, “community” includes all those who live, work, play and visit Hobsons Bay in any way, and/or those who may be impacted by a Council decision.

Council will engage when there is an opportunity or requirement for community and stakeholder input during the planning stages of decisions or deliverables of Council. In other words, Council will engage when:

- there is a legislative requirement to consult
- Council is in the planning and development stages for local laws, the Council Plan, the Annual Budget (including the Financial Plan and Asset Plan), the Community Vision, or high-level policies
- a key decision of Council will impact the community to a significant extent

Community engagement processes will be guided by the LG Act’s principles, Council’s community engagement principles and commitments, and the IAP2 Public Participation Spectrum.

8.2 Corporate Services

8.2.1 Mayoral Focus 2020-21

Directorate:	Corporate Services
Responsible Officer:	Coordinator Governance and Information Management
Reviewer:	Director Corporate Services
Attachments:	Nil

Purpose

To update Councillors and the community on the areas of focus for the 2020-21 mayoral term of Cr Jonathon Marsden.

Motion

Moved Cr Peter Hemphill, seconded Cr Pamela Sutton-Legaud:

That Council notes the proposed 2020-21 mayoral focus areas of the Mayor, Cr Jonathon Marsden.

Carried unanimously

Recommendation

That Council notes the proposed 2020-21 mayoral focus areas of the Mayor, Cr Jonathon Marsden.

Summary

In November 2020, Council elected Cr Jonathon Marsden to lead Council as Mayor for the 2020-21 mayoral term.

Cr Marsden has identified that during his term mayoral activities will focus on the establishment of the Virtual Power Plant (VPP), working towards reconciliation with our First Nations people, continuing to support the business community as it recovers from COVID-19, sustainability, the coastline, active transport and cycling and placemaking.

This report outlines the areas of particular interest and provides details of the initiatives and activities that Cr Marsden intends to support over the course of his mayoral term.

Background

The Mayoral Program provides an opportunity for the Mayor to support the implementation of key strategic actions that will serve the best interest of the Hobsons Bay community and align with the Hobsons Bay 2030 Community Vision and the Council Plan 2017-21.

Discussion

Virtual Power Plant and climate change

Council is committed to pursuing innovative ways to lower energy costs and carbon emissions. This Local Government first aims to develop a large-scale solar program which will deliver Council approximately 4MW of solar energy through the creation of a VPP network. The VPP network will support Council's goal of carbon neutrality by 2030 and will eventually provide the opportunity for Council to become an energy retailer offering low-cost clean electricity to the community of Hobsons Bay, with all profits invested back into the City of Hobsons Bay.

The project will virtually connect solar panels across Council buildings, enabling energy to be used where it is needed most. A community solar program will also be developed, enabling the community to access low-cost, locally produced renewable power, buying power directly from Council. This is an important element in the Hobsons Bay community's COVID-19 economic recovery plans, and is intended to assist in lowering costs for the city.

Towards reconciliation

Cr Marsden looks forward to continued opportunities as a result of the implementation of Council's Innovate Reconciliation Action Plan 2019-21, including supporting pathways and respectful engagement and the Hobsons Bay Creative City Plan 2018-22 through its focus on First Australian history and truth-telling, locating stories in built, natural and online spaces.

COVID-19 recovery and Hobsons Bay has Heart

Another priority initiative is the continuation of the revitalisation of Hobsons Bay's business precincts. Council launched the Hobsons Bay Business has Heart program in October last year. The program supports our local businesses to survive, recover and thrive with business grants, precinct promotion free marketing, communications, graphic design and web design services and the installation of infrastructure to allow safe outside trading.

With a focus on supporting tourism, retail and trade within the municipality this priority aims to further economic activity within the municipality through enhancing the desirability of our trade and tourist precincts and creating a community "sense of place" that encourages people to shop, stay, play and enjoy the beautiful built and natural environments that the City of Hobsons Bay has in abundance.

Coastal and Marine Management Plan

The Coastal and Marine Management Plan will be finalised early in 2021, and a key focus will be working towards its effective implementation. With the *Marine and Coastal Act 2018*, Council is at the point of designing the infrastructure that it wishes to keep, preserve, maintain and renovate, such as the jetties in the Williamstown maritime precinct and along the Williamstown foreshore including path and seawall works at Gloucester Reserve and along Hatt Reserve and Cyril Curtain Reserve.

Key will be the establishment of a masterplan, in strong consultation with the community, for the Williamstown beach precinct, incorporating consideration of natural flora, approaches to shade management and community facilities within the precinct. It is intended that this initiative will complement the already spectacular beach precinct established in Altona.

This priority will also take on a focus of the maintenance of the Hobsons Bay's wetlands, not only as beautiful places for the community to swim, walk and run in, but also as significant ecosystems for sequestering atmospheric carbon and contributing to meet Council's goals for zero emissions by 2030. There are several wetlands projects and activities that will commence during Cr Marsden's mayoral term including the Rifle Range wetlands restoration project which aims to improve water levels, manage vegetation and reduce silt to ensure the continued functionality of the wetland system. The Mangrove Project involves saltmarsh planting and will be carried out in collaboration with Melbourne University.

Another exciting project supporting this priority that brings together the community, Council, Deakin University, Ecolinc, Melbourne Water, City West Water, Cirqit Health and Birdlife Australia in the signing of the Memorandum of Understanding with the Hobsons Bay Wetlands Centre Inc and the development of the Wetlands Centre. Council is managing the procurement process with a project working group comprising Council, Hobsons Bay Wetlands Centre and Deakin University. The design development of the Wetlands Centre will commence with the appointment of the design team which is scheduled for March 2021.

Urban Forest Strategy

The implementation of the Urban Forest Strategy is included as a focus item, with some 9,000 trees to be planted per year over the next four to five years. Increased tree canopy cover will cool the city and contribute to improving community health and wellbeing as well as many environmental benefits.

The Cool Streets tree program will be rolled out in three streets over the planting season. The program includes extensive community education on the importance and value of street trees followed by planting up the street with semi-advanced trees.

Stage 1 of the Urban Canopy Delivery Plan will be completed which will focus on directing streetscape and park planting projects in high priority planting including main roads, gateways and pathways in high heat vulnerability locations.

Active transport and cycling

A focus in promoting active transport within the community, which has boomed during the COVID-19 lockdown as people rediscovered the beauty of Hobsons Bay by walking, cycling and riding in their wheelchairs and scooters, is an important priority for the 20/21 Mayoral term.

Council is exploring infrastructure treatments to separate shared paths from roads and reducing local road speed limits to 40km/h, making roads safer for pedestrians and cyclists.

This will encourage more people to use sustainable methods of transport, provide better transport options to visit local shops and promote a healthy lifestyle, resulting in a more prosperous city with community wellbeing at its heart.

A key part of getting more people riding more often is closing network gaps and linking green spaces with safe bike routes, where parents will allow children to ride unsupervised.

Cycling is the most popular outdoor recreation in Hobsons Bay (after walking) and in addition to building and maintaining a safe cycling network, there is scope for developing pump tracks, informal BMX tracks and gravel circuits in suitable locations to cater for children and young people in order to meet community demand for safe off-road riding. Cr Marsden will lead engagement with the community in measuring that demand.

Placemaking

Cr Marsden will champion the principles of the Better Places program during its implementation in South Kingsville and Spotswood. This visioning process and infrastructure delivery program was rolled out in Laverton in 2020 and serves as a template for holistic renewal of neighbourhoods and activity centres with intensive and ongoing community engagement. Cr Marsden will lead the development of a future program and engage with the municipal community on its development of the Council Plan, in accordance with his role as mayor as defined in §18(c) of the *Local Government Act 2020* (the LG Act).

8.2.2 Adoption of the Hobsons Bay Councillor Code of Conduct

Directorate:	Corporate Services
Responsible Officer:	Governance Officer
Reviewer:	Director Corporate Services
Attachments:	1. Hobsons Bay Councillor Code of Conduct 2021 [8.2.2.1 - 37 pages]

Purpose

To adopt the Hobsons Bay Councillor Code of Conduct 2021.

Motion

Moved Cr Peter Hemphill, seconded Cr Pamela Sutton-Legaud:

That Council:

1. Adopts the Hobsons Bay Councillor Code of Conduct 2021.
2. Receives a further report at a future Council Meeting to review the Hobsons Bay Councillor Code of Conduct 2021 six months after its adoption.

Lost

Division

For: Cr Matt Tyler, Cr Pamela Sutton-Legaud, Cr Peter Hemphill, Cr Jonathon Marsden

Against: Cr Diana Grima, Cr Tony Briffa, Cr Daria Kellander

Recommendation

That Council:

1. Adopts the Hobsons Bay Councillor Code of Conduct 2021.
2. Receives a further report at a future Council Meeting to review the Hobsons Bay Councillor Code of Conduct 2021 six months after its adoption.

Summary

Section 139 of the *Local Government Act 2020* (the LG Act) requires Council to develop and adopt a Councillor Code of Conduct. The Hobsons Bay Councillor Code of Conduct has been developed to comply with the requirements of the LG Act.

Background

The current Councillor Code of Conduct 2016 was adopted at the Council Meeting held on 7 June 2016 and reviewed by Council on 14 February 2017 in accordance with the *Local Government Act* 1989. The Hobsons Bay Councillor Code of Conduct 2021 is revised and updated to meet the requirements of the LG Act 2020.

Section 139(4) of the LG Act requires that Council must review and adopt its Code of Conduct by a formal resolution of Council within four months after a general election. The Code of Conduct includes the standards of conduct to be observed by Councillors when performing their duties and functions as Councillors and must be adopted by a formal resolution of Council.

Discussion

The purpose of local government is to provide a system under which councils perform the functions and exercise the powers conferred by or under the LG Act and any other Act for the peace, order and good government of their municipal districts. Good governance is fundamental to a council being able to perform its purpose and relies on agreed protocols and respectful good working relations between Councillors.

Local Government Victoria has provided a best practice framework for Codes of Conduct. The proposed Councillor Code of Conduct meets the requirements of this framework.

The Code of Conduct sets out:

- the Council Charter, which identifies the roles and responsibilities of Councillors, the relationship between Councillors and Council as an organisation, and the values and behaviours expected to be observed by Councillors
- the Standards of Conduct, including the Standards of Conduct prescribed by the Local Government (Governance and Integrity) Regulations 2020, specific Councillor obligations, and improper conduct as defined within the LG Act
- dispute resolution processes
- internal arbitration processes to address breaches of the Standards of Conduct

In order to comply with the LG Act, Council must adopt its Code of Conduct by 24 February 2021. The Code of Conduct must be passed by at least two-thirds of the total number of Councillors elected to Council, equating to five out of seven Councillors for Hobsons Bay City Council.

8.2.3 Mid-Year Budget Review 2020-21

Directorate:	Corporate Services
Responsible Officer:	Chief Financial Officer
Reviewer:	Director Corporate Services
Attachments:	1. Financial Report - December 2020 [8.2.3.1 - 13 pages] 2. Capital Works Program 2020-21 [8.2.3.2 - 3 pages]

Purpose

To present Council with the financial results for the period ended 31 December 2020, and the revised 2020-21 annual forecast projections following completion of the mid-year budget review.

Cr Diana Grima left the meeting at 8.18pm and was not present for the vote on Item 8.2.3.

Cr Daria Kellander left the meeting at 8.20pm and was not present for the vote on Item 8.2.3.

Motion

Moved Cr Matt Tyler, seconded Cr Daria Kellander:

That Council:

- 1. Notes the financial report for the period ended 31 December 2020.**
- 2. Endorses the revised 2020-21 annual forecasts.**

Carried

Recommendation

That Council:

- 1. Notes the financial report for the period ended 31 December 2020.**
- 2. Endorses the revised 2020-21 annual forecasts.**

Summary

The quarterly financial report for the period ended 31 December 2020 and a detailed report on the Capital Works Program are attached.

An extensive financial mid-year budget review has been conducted resulting in the operational budget surplus for 2020-21 of \$23.762 million being decreased to a forecast of

\$19.773 million. The operational surplus does not include Council's significant investment in capital expenditure, forecast to be \$73.974 million in 2020-21.

When compared to budget, income is expected to decrease by \$1.299 million and operational expenditure is expected to increase by \$2.69 million, largely due to the continuing impacts of COVID-19.

The forecast result of the Capital Works Program compared to budget is a deficit of \$2.135 million after forecast adjustments and carryovers are considered.

A \$4 million forecast deficit has been calculated as the Available Funding Result, consistent with the original budget. It is not usual practice to calculate an available funding deficit, but the decision considers the financial impacts of COVID-19 and ongoing financial sustainability of Council within the Long Term Financial Plan (LTFP).

The Chief Executive Officer, as required under Section 97(3) of the *Local Government Act 2020* is of the opinion a revised budget is not required.

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 forecast results are inferior when compared to budget as COVID-19 has had a greater impact than originally anticipated. While a strong operational surplus is still forecast, it should be noted that surpluses are required to fund Council's significant investment in capital expenditure and are expected to decline in future years of Council's LTFP. The LTFP has been updated and indicates that Council can remain in a reasonable financial position and continue to be financially sustainable.

When compared to previous financial plans, current and projected income has been dramatically reduced as a result of rate capping. Income funding streams such as user charges and statutory fees have also been significantly impacted by COVID-19. It is difficult to assess how long it will take for these income streams to recover from the ongoing impact of COVID-19. These assumptions will have an impact on the amount of funding expected to be available in future years of the LTFP to be used by Council to maintain critical community assets.

Council will continue to monitor the impact of the financial results in relation to Council's overall financial viability. The LTFP has been updated to reflect the 1.5 per cent rate cap for 2021-22 which was recently announced by the Victorian Government.

8.2.4 Recognition of Hobsons Bay Residents in 2021 Australia Day Honours List

Directorate: Corporate Services
Responsible Officer: Governance Officer
Reviewer: Director Corporate Services
Attachments: Nil

Cr Diana Grima returned to the meeting at 8.23pm and was present for the vote on Item 8.2.4.

Cr Daria Kellander returned to the meeting at 8.24pm and was present for the vote on Item 8.2.4.

Purpose

To acknowledge the achievements of two Hobsons Bay residents, Paula Benson and George Said, who have been recognised in the Australia Day 2021 Honours List.

Motion

Moved Cr Tony Briffa, seconded Cr Peter Hemphill:

That Council:

1. Sends congratulatory letters from the Mayor to Paula Benson AM and George Said OAM recognising the honours they received in the Australia Day 2021 Honours List.
2. Establishes a process to formally recognise Hobsons Bay residents who receive Australian Honours and Awards in the Australia Day and the Queen's Birthday Honours Lists.

Carried unanimously

Recommendation

That Council:

1. Sends congratulatory letters from the Mayor to Paula Benson AM and George Said OAM recognising the honours they received in the Australia Day 2021 Honours List.
2. Establishes a process to formally recognise Hobsons Bay residents who receive Australian Honours and Awards in the Australia Day and the Queen's Birthday Honours Lists.

Summary

The Australia Day Honours List recognises the outstanding service and contributions of Australian citizens nationwide each year. Two residents of Hobsons Bay have been recognised among the 844 Australians honoured in 2021. This report acknowledges their achievement and service to the community.

Paula Benson of Williamstown was appointed a Member of the Order of Australia (AM) for significant service to people living with ovarian cancer, and to business.

George Said of Seaholme was awarded a Medal of the Order of Australia (OAM) for service to the community of Hobsons Bay.

Background

The Australia Day Honours List comprises a number of honours and awards, including for the General Division and Military Division of the Order of Australia, Meritorious Awards, Distinguished and Conspicuous Service Awards and Bravery Awards.

Both Hobsons Bay recipients for 2021 received honours within the General Division of the Order of Australia, which recognises Australians who have demonstrated outstanding service or exceptional achievement.

Members of the Order of Australia (AM) are appointed for service in a particular locality or field of activity, or service to a particular group.

The Medal of the Order of Australia (OAM) is awarded for service worthy of particular recognition.

Discussion

Paula Benson's appointment as a Member of the Order of Australia reflects her dedication to supporting women affected by ovarian cancer and her significant contributions to ovarian cancer research, prevention and awareness through her work with Ovarian Cancer Australia. Ms Benson, who survived ovarian cancer herself in 2003 at the age of 34, joined Ovarian Cancer Australia's Board of Directors in 2007 and was elected Chair in 2010.

As Chair, Ms Benson led the development of Australia's first national action plan for ovarian cancer research, developed Ovarian Cancer Awareness Month held in February each year. She also secured significant funding from the Australian Government for the ovarian cancer prevention program Traceback and for ovarian cancer research through the Medical Research Future Fund. In 2017 she received the Jeannie Ferris Cancer Australia Recognition Award for her outstanding contribution to improving outcomes for Australian women with ovarian cancer.

George Said was honoured with a Medal of the Order of Australia for his outstanding service to the Hobsons Bay community. Mr Said migrated to Altona with his wife and daughter in 1962 after having fled from Egypt to England in 1956 during the Suez Canal Crisis. At the time he was the only Greek person in Altona who could also read and write in English, and has used his skill with not only Greek and English, but also Italian, French and Arabic, to act as an interpreter and translator.

Since 1962, Mr Said has been heavily involved in the Greek Orthodox community of Hobsons Bay, including being partially responsible for acquiring the land for the largest Greek Orthodox church in Melbourne's west.

Mr Said has been a committed advocate for multiculturalism and community building throughout his life. He has been involved with numerous clubs and voluntary organisations in Hobsons Bay, including setting up Altona's first chess club and first anti-pollution group, teaching computing at Altona Men's Shed, and becoming the first president of the University of the Third Age in Williamstown. After moving from Altona to Seaholme, Mr Said began the Seaholme Sustainability Street community program to promote neighbourhood interaction and foster a better understanding of the environment.

In 2014 he was awarded Hobsons Bay Citizen of the Year alongside Lesley Ould OAM in recognition of his extensive voluntary involvement with the community.

8.2.5 2021 Appointment of Councillor Delegates to Remaining Council and Community Committees

Directorate: Corporate Services
Responsible Officer: Governance Officer
Reviewer: Director Corporate Services
Attachments: Nil

Purpose

To formally appoint Councillor delegates and proxies to the remaining Council, community and other committees and groups for 2021.

Motion

Moved Cr Tony Briffa, seconded Cr Pamela Sutton-Legaud:

That Council appoints the following delegates and proxies to Council, community and other committees and groups for 2021:

- **Altona Complex Neighbourhood Consultative Group: Cr Daria Kellander (delegate) and Cr Tony Briffa (proxy)**
- **Association of Bayside Municipalities: Cr Jonathon Marsden (delegate) and Cr Pamela Sutton-Legaud (proxy)**
- **Brooklyn Community Representative Group: Cr Tony Briffa (delegate) and Cr Daria Kellander (proxy)**
- **Roadsafe Westgate Community Road Safety Council: Cr Diana Grima (delegate) and Cr Tony Briffa (proxy)**
- **Women's Charter Champion: Cr Pamela Sutton-Legaud (delegate) and Cr Tony Briffa (delegate)**

Carried unanimously

Recommendation

That Council appoints Councillor delegates and proxies to the remaining Council, community and other committees and groups for 2021 as nominated by Councillors at the 9 February 2021 Council Meeting.

Summary

Following an annual review of Councillor delegates and proxies appointed to Council, community and other committees and groups, Council appointed a number of delegates and proxies for 2021 at the Council Meeting held on 8 December 2020. Delegates and proxies are now to be appointed for the remaining Council, community and other committees and groups.

Background

Council has a number of internal committees and also nominates representatives to various groups, both locally and regionally. Use of committees, advisory groups and representation on external groups is an effective way for Council to be well-informed, enlist the expertise of independent members and represent Hobsons Bay City Council on strategic issues.

Discussion

The proposed committee delegate appointments for 2021 need to be determined by Council.

Where no delegate or proxy representative is specifically nominated for a committee, the appointment will default to the Mayor and Deputy Mayor without requiring resolution at a Council meeting.

8.2.6 Proposed Lease to Optus at Paisley Park, 217 Mason Street, Altona North

Directorate:	Corporate Services
Responsible Officer:	Coordinator Property and Insurance
Reviewer:	Director Corporate Services
Attachments:	1. Lease Plan - Paisley Park, 217 Mason Street, Altona North [8.2.6.1 - 1 page] 2. Location Plan - Paisley Park, 217 Mason Street, Altona North [8.2.6.2 - 1 page]

Purpose

To recommend a lease to Optus Mobile Pty Ltd (Optus) at Paisley Park, 217 Mason Street, Altona North.

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Daria Kellander:

That Council:

1. Resolves to commence statutory procedures in accordance with section 115 of the *Local Government Act 2020* (LG Act) proposing to seek a new lease to Optus Mobile Pty Ltd at Paisley Park, 217 Mason Street, Altona North.

Premises	217 Mason Street, Altona North as shown on the attached lease plan
Permitted use	For the purpose of constructing, maintaining and operating a telecommunications network and telecommunications service including but not limited to installing, storing, operating, repairing, maintaining, altering, and replacing telecommunications equipment consistent with the evolving nature of telecommunications services
Commencement	Following approval by Council and after receipt of the Grant and Purpose from the Department of Environment, Land, Water and Planning (DELWP)
Length of term	11 years with 2 x 5 year rights of renewal
Rent	The commencing rent is to be \$30,000 (thirty thousand dollars) per annum including GST

2. Authorises the Chief Executive Officer of Council or their delegate to prepare and give public notice of the intention to lease the premises in the *Maribyrnong and Hobsons Bay Star Weekly* newspaper and on Council's website.

3. Resolves to hear and consider any submissions received pursuant to the LG Act at a meeting to be held on a date and time to be nominated in the event that submissions are received.
4. Receives a further report following the public notice.

Carried

Division

For: Cr Matt Tyler, Cr Pamela Sutton-Legaud, Cr Peter Hemphill, Cr Jonathon Marsden, Cr Daria Kellander

Against: Cr Diana Grima, Cr Tony Briffa

Recommendation

That Council:

1. Resolves to commence statutory procedures in accordance with section 115 of the *Local Government Act 2020* (LG Act) proposing to seek a new lease to Optus Mobile Pty Ltd at Paisley Park, 217 Mason Street, Altona North.

Premises 217 Mason Street, Altona North as shown on the attached lease plan

Permitted use For the purpose of constructing, maintaining and operating a telecommunications network and telecommunications service including but not limited to installing, storing, operating, repairing, maintaining, altering, and replacing telecommunications equipment consistent with the evolving nature of telecommunications services

Commencement Following approval by Council and after receipt of the Grant and Purpose from the Department of Environment, Land, Water and Planning (DELWP)

Length of term 11 years with 2 x 5 year rights of renewal

Rent The commencing rent is to be \$30,000 (thirty thousand dollars) per annum including GST

2. Authorises the Chief Executive Officer of Council or their delegate to prepare and give public notice of the intention to lease the premises in the *Maribyrnong and Hobsons Bay Star Weekly* newspaper and on Council's website.

3. Resolves to hear and consider any submissions received pursuant to the LG Act at a meeting to be held on a date and time to be nominated in the event that submissions are received.
4. Receives a further report following the public notice.

Summary

It is proposed to offer a lease on commercial terms to Optus to erect a monopole and associated ground-based equipment to operate a telecommunications network and telecommunications service from Paisley Park, Altona North. It is proposed to offer Optus a lease for a total of 21 years on an 11+5+5 basis. This is the maximum term of lease permitted under section 17D of the *Crown Lands (Reserves) Act 1978* (CLR Act).

Background

The subject land is Crown land described as Crown allotment B2, section 3, Parish of Cut-Paw-Paw and is temporarily reserved for recreation. Hobsons Bay City Council is the appointed Committee of Management (CoM) for the site. The grant and purpose have been approved for the proposed lease under section 17D of the CLR Act, which permits a lease period of up to 21 years.

The proposed telecommunications site is located within the PJ Lynch Reserve and Paisley Park, south of Mason Street and east of Mills Street, Altona North. The proposed site is situated at the southern end of the existing lacrosse courts and is accessed from Mason Street via an internal road. The lease area is 102m² as shown on the attached plan. The lease area is adjacent to the lacrosse field and the position has been agreed in consultation with other Council departments.

The proposed location is nearby a monopole and ground-based equipment shed owned by Telstra. Telstra leases the area from Council. The proposed pole is sufficient distance from the Telstra pole so as not to interfere with the Telstra equipment. The Telstra pole is overloaded with equipment and there is no capacity for any more equipment on this pole. Telstra has made enquiries to locate equipment on the proposed new Optus pole. Telecommunications companies are required to share space on their poles under the *Telecommunications Act 1997*.

Paisley Park incorporates various recreational facilities including the Altona Lakes Golf Course, Altona North Bowling Club, Altona Badminton Centre, lacrosse courts, indoor swimming and fitness centres. Bayside P-12 College is located nearby.

Utilities complementing the subject property can be found within 500m including the main entry to Paisley Park, off Mason Street, Altona North.

The site is located close to various primary and secondary arterial roads including Mason and Mills Street, Altona North. The proposed telecommunications site is centrally located and adjoins the residential areas of Altona North, Newport, South Kingsville and Williamstown North.

Discussion

It is proposed to offer a lease of the area shown on the attached plan on the following terms and conditions:

- Tenant:** Optus Mobile Pty Ltd
- Term:** 21 years (11 years with 2 x 5 year rights of renewal)
- Commencement:** Following approval by Council and grant and purpose approval by DELWP
- Commencing rental:** \$30,000 (including GST)
- Rent reviews:** Five-yearly market rent reviews and annual rental increases of 3%
- Lease document:** The lease will be a standard DELWP section 17D Leases with special conditions to tailor the lease for this site

8.2.7 Audit and Risk Committee Update - August, September and December 2020

Directorate:	Corporate Services
Responsible Officer:	Audit and Risk Advisor
Reviewer:	Director Corporate Services
Attachments:	<ol style="list-style-type: none">1. Audit and Risk Committee Meeting Minutes - 26 August 2020 [8.2.7.1 - 6 pages]2. Audit and Risk Committee Meeting Minutes - 3 September 2020 [8.2.7.2 - 3 pages]3. Audit and Risk Committee Meeting Minutes - 16 December 2020 [8.2.7.3 - 6 pages]

Purpose

To update Council regarding issues considered at the Audit and Risk Committee meetings held on 26 August 2020, 3 September 2020 and 16 December 2020.

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Tony Briffa:

That Council notes the matters considered by the Audit and Risk Committee at the meetings held on 26 August 2020, 3 September 2020 and 16 December 2020.

Carried unanimously

Recommendation

That Council notes the matters considered by the Audit and Risk Committee at the meetings held on 26 August 2020, 3 September 2020 and 16 December 2020.

Summary

This report provides an update of the Audit and Risk Committee meetings held on 26 August 2020, 3 September 2020 and 16 December 2020 to ensure that Council is informed of the activities of the Audit and Risk Committee. It provides Council with an opportunity to explore any issues that have been considered.

Background

The Hobsons Bay City Council Audit and Risk Committee is an independent Committee of Council. The Committee comprises three independent members and two Councillors. The Chairperson is an independent member who has the casting vote. The Mayor and Chief Executive Officer are non-voting members.

The Committee meets at least quarterly throughout the year and has a Charter that addresses responsibilities that include risk management, control frameworks, external accountability, legislative compliance and internal and external audits.

Discussion

The 26 August 2020 meeting addressed the following items:

- the Chief Executive Officer's update
- outstanding audit recommendations
- Internal Audit Program including proposed audits and completed audit reports
- risk management update, highlighting the risk executive summary, a general update on recent issues and an insurance report
- cash and investment balances as at 31 July 2020

The 3 September 2020 meeting addressed the following items:

- Draft Financial Report and Draft Financial Statement
- VAGO Closing Report and VAGO Management Letter
- Interim Financial Report – Year ended 30 June 2020

The 16 December 2020 meeting addressed the following items:

- the Chief Executive Officer's update
- outstanding audit recommendations
- Internal Audit Program including proposed audits and completed audit reports
- risk management update, highlighting the risk executive summary, a general update on recent issues and an insurance report
- Financial Report for the period ended 30 September 2020
- cash and investment balances as at 30 November 2020

8.3 Sustainable Communities

8.3.1 Provision of Landfill Services

Directorate: Sustainable Communities
Responsible Officer: Strategic Commercial Lead
Reviewer: Director Sustainable Communities
Attachments: Nil

Purpose

To report the outcomes of the Metropolitan Waste and Resource Recovery Group (MWRRG) collective tender for the provision of landfill services and to recommend Cleanaway Pty Ltd as the preferred tenderer with Hanson Landfill Services listed as the contingency.

Cr Pamela Sutton-Legaud left the meeting at 8.44pm, returned to the meeting at 8.46pm and was present for the vote on Item 8.3.1.

Motion

Moved Cr Peter Hemphill, seconded Cr Matt Tyler:

That Council authorises the Chief Executive Officer to execute agreements with the Metropolitan Waste and Resource Recovery Group and Cleanaway Pty Ltd in conjunction with Hanson Landfill Services to be listed as a contingency for the provision of landfill services on a four-year non-guaranteed basis commencing 1 April 2021.

Carried unanimously

Recommendation

That Council authorises the Chief Executive Officer to execute agreements with the Metropolitan Waste and Resource Recovery Group and Cleanaway Pty Ltd for the provision of landfill services on a four-year non-guaranteed basis commencing 1 April 2021.

Summary

An open tender process has been carried out for the procurement of landfill services by the MWRRG. The tender process was open from March to June 2020 with eight submissions received. Following a detailed evaluation process conducted by the MWRRG it is recommended that Council award the contract through the MWRRG to Cleanaway Pty Ltd.

Background

In 2010 the MWRRG conducted a collective procurement process for landfill services and contracts were awarded to each of the major putrescible landfill sites across Melbourne:

- City of Wyndham in Werribee
- Melbourne Regional Landfill (MRL) Cleanaway (formerly Boral) in Ravenhall
- Hanson in Wollert
- Suez in Hallam
- Suez in Lyndhurst (contingency site)
- Cleanaway in Clayton (now closed)

Twenty-six of the 31 metropolitan councils are currently a party to one or more of the MWRRG contracts delivering about 865,000 tonnes of waste to the landfill operators per year. All available contract extensions have now been exercised and the final contract extension expires on 31 March 2021.

In November 2019 Council entered into a new Memorandum of Understanding (MOU) with the MWRRG to conduct a collective procurement process for the provision of landfill services on behalf of Council and 29 other metropolitan councils.

Discussion

In February 2020 Council introduced the Recycling 2.0 program, bringing in significant change for Council's recycling and waste processes. A key objective of the program is to reduce the amount of waste going to landfill. The program has seen a significant reduction in the amounts going to landfill; however, Council will continue to require access to landfill for a proportion of the kerbside collection.

With the current landfill contracts expiring in March 2021 and as part of addressing the impacts of the 2019 recycling crisis, councils have worked closely with the MWRRG to undertake a tender process that addresses an immediate need and is aligned with Council and Victorian Government responses to the recycling crisis.

8.4 Infrastructure and City Services

8.4.1 Contract No. 2020.75A Outdoor Trading Activation Panel

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

Purpose

To seek Council endorsement for the awarding of Contract 2020.75A for the Outdoor Trading Activation Panel.

Motion

Moved Cr Tony Briffa, seconded Cr Peter Hemphill:

That Council awards Contract 2020.75A Outdoor Trading Activation Panel to multiple contractors as listed below at a total of up to \$1.65 million (one million, six hundred and fifty thousand dollars), including GST, for a period of one year.

- Australian Mobile Food Vendors Group
- Excel Events
- Greenevent
- Harry the Hirer
- Pallets with a Purpose
- Rendine Constructions

Carried unanimously

Recommendation

That Council awards Contract 2020.75A Outdoor Trading Activation Panel to multiple contractors as listed below at a total of up to \$1.65 million (one million, six hundred and fifty thousand dollars), including GST, for a period of one year.

- Australian Mobile Food Vendors Group
- Excel Events
- Greenevent
- Harry the Hirer
- Pallets with a Purpose
- Rendine Constructions

Summary

It is recommended that Contract 2020.75 Outdoor Trading Activation Panel be awarded to a panel of suppliers. Services utilised from this panel will total up to \$1.65 million (including GST). A sum of \$1.044 million has already been spent as of 31 January 2021.

Council has received a grant of \$500,000 from the Victorian Government to cover some of the expenses associated with this program, with the rest of the money coming from Council's rates revenue.

The supply and delivery of furniture through this panel will be procured competitively, with at least two panel members invited to quote for all projects in accordance with Council's Procurement Policy. Through this process, suitability of the panel suppliers would be assessed against previous experience, capacity and resources, project methodology and price.

The outdoor trading activation trial will end in March 2021. However, a public consultation process is currently underway through Hobsons Bay Business has Heart. Council is seeking feedback from the community to determine the future extension of this trial.

As part of this project 190 participating businesses across 42 precincts (groups) delivered through mix of parklets, footpath trading and plaza spaces.

Background

This contract is for a panel of suppliers for supply, delivery, and installation of outdoor trading options to activate business precincts following the reopening from COVID-19 restrictions. The Victorian Government has provided \$500,000 funding towards the outdoor activation trading program.

The main goal of the panel contract is to facilitate delivery of the outdoor trading activation program by ensuring probity, good governance, efficiencies and compliance with Council's procurement policy. Establishing a formal contract for outdoor trading activation services will provide an efficient procurement process that allows evaluation to focus on the scope, cost and time. Due to contractors' previous engagement with this project, their experience and qualifications have already been evaluated.

A sum of \$1.044 million has already been spent as of 31 January 2021 with suppliers on this panel in accordance with the pandemic emergency provision under section 186 of *Local Government Act* 1989. This allowed Council to meet timelines for reopening of business from restrictions as dictated by the Victorian Government and the Department of Health and Human Services.

Expenditure covers the purchasing and installation of timber decking, access ramps, umbrellas, table and chairs, synthetic grass and planter boxes. The hiring of 500m of fence and 50 concrete fencing blocks is also included in this amount.

Discussion

A tender for the development of an Outdoor Trading Activation Panel was formally advertised in *The Age* on 17 October 2020, closing on 30 October 2020. Council received a limited response, and a decision was made to readvertise to attract a greater range of suppliers. The public tender process was readvertised on 9 November 2020, closing on

16 November 2020. At the close of tenders, ten submissions were received by the tender deadline.

The Tender Evaluation Panel met during November 2020 to evaluate tenders against the selection criteria. Based on the evaluation process, a report was presented to the Tender Board on 11 December 2020 recommending multiple contractors for the delivery of outdoor trading activation services. These tenderers provide the best value for money within their submissions, have extensive experience in similar projects and have demonstrated an ability to meet the timelines and quality outcomes specified within the contract.

After an extensive evaluation process, it is recommended that the Contract 2020.75A Outdoor Trading Activation Panel be awarded to a panel of contractors as per the list below at an estimated schedule of rates up to \$1.5 million excluding GST for a period of one year:

- Australian Mobile Food Vendors Group
- Excel Events
- Greenevent
- Harry the Hirer
- Pallets with a Purpose
- Rendine Constructions

Process for procurement of works under the Outdoor Trading Activation Panel

This information outlines how the Outdoor Trading Activation Panel will function to ensure probity and compliance with the Procurement Policy.

Once accepted to be a member of the prequalified panel, contractors may from time to time be invited by a Council officer to competitively quote against other members of the panel for the work. Council will provide a brief that will include the following:

- a description of the tasks and the outcomes to be achieved
- the setting of any milestones and timeframes to complete the work
- other information as appropriate

Panel members invited to respond to such briefs must in their response confirm the following as a minimum:

- their lump sum price (inclusive of any external required charges) to complete the work, based on the hourly rates schedule submitted by the tenderer
- their ability and capacity to complete the work
- personnel who will be assigned to the work and indicative hours of each being assigned
- the timeframe to complete the work

Council officers will assess the submissions received for cost, quality, relative experience, ability to meet project timeframes, and meeting the Best Value Principles outlined in the *Local Government Act 2020*.

Council may choose not to award to the lowest cost submission or any tenderer. At least two panel members will be invited to quote for work offered through the Outdoor Trading Activation Panel.

Council reserves the right to undertake a public tender process for any of these services. There is no guarantee of a minimum amount or any amount of work being awarded through the panel.

8.4.2 West Gate Tunnel Project Update

Directorate: Infrastructure and City Services
Responsible Officer: Senior Technical Advisor
Reviewer: Director Infrastructure and City Services
Attachments: Nil

Purpose

To provide a detailed report on the West Gate Tunnel Project (the Project) including current project works, associated projects and advocacy activities.

Motion

Moved Cr Tony Briffa, seconded Cr Matt Tyler:

That Council:

- 1. Writes to the relevant state ministers seeking support for the recommendations identified in the Inner West Air Quality Community Report.**
- 2. Supports continued advocacy through the project to achieve the 5:1 ratio of tree replacement.**
- 3. Brings back a report by April 2021 outlining an advocacy plan for Brooklyn to address the many health and amenity issues in the area, including engagement with other stakeholders, and for the report to also include a separate section on advocacy for other areas impacted by the West Gate Tunnel Project.**

Carried unanimously

Recommendation

That Council:

- 1. Writes to the relevant state ministers seeking support for the recommendations identified in the Inner West Air Quality Community Report.**
- 2. Supports continued advocacy through the project to achieve the 5:1 ratio of tree replacement.**

Summary

Council continues to support the Project requirement to meet a tree replacement ratio of 5:1. The Project's Offset Tree Plan includes several reserves within the Project corridor however Council has identified additional sites where replacement trees could be planted to assist with the ratio requirement.

Council acknowledges the work and commitment of the Inner West Air Quality Community Group and the respective report and subsequently will write to the Ministers for Planning and Environment seeking support for the recommendations as identified within this Report which include direct actions by the state to contribute to improving air quality within Hobsons Bay, Brimbank and Maribyrnong Cities.

This report also provides updates on:

- Hobsons Bay Transport Planning Study (HBTPS) and the Local Area Movement Plans (LAMPs)
- Inner West Air Quality Report and associated actions
- West Gate Neighbourhood Fund
- Community Liaison Group (CLG)
- Project construction progress

Background

The Project commenced in 2018 and is expected to be completed in 2023. The Project is delivered through a partnership between the Victorian Government and Transurban (Project Co), managed by the West Gate Tunnel Project – Major Transport Infrastructure Authority (WGTP MTIA) and built by construction contractors CPB Contractors and John Holland as a joint venture (the JV).

Monthly reports providing updates on various aspects of the Project are tabled through Council Meetings. Previous reports can be accessed via the Council website. Project operational updates including live traffic disruption information can be accessed via: <https://westgatetunnelproject.vic.gov.au/disruptions>

Discussion

Inner West Air Quality Report

The Inner West Air Quality Community Reference Group (IWAQCRG) presented their report, *Air Pollution in Melbourne's Inner West: taking direct action to reduce our community's exposure*, to the Victorian Government in March 2020.

The IWAQCRG was announced by the Minister for Energy, Environment and Climate Change, the Hon. Lily D'Ambrosio, and the then-Minister for Roads and Road Safety, the Hon. Luke Donnellan, in July 2018. Its key task was to investigate and provide advice, for Victorian Government consideration, on actions to address air quality issues in the Inner West of Melbourne (Brimbank, Hobsons Bay and Maribyrnong municipalities).

Members of the IWAQCRG included community and local government representatives. Over 15 months, they met 22 times to deliver on the Terms of Reference to:

- investigate current air quality issues and concerns across the three municipalities, including current transport initiatives such as the West Gate Tunnel Project
- provide advice and recommendations for government consideration, including feasibility and relative importance of any actions, to address air quality issues in the inner west, including in relation to tunnel filtration for the West Gate Tunnel
- ensure their findings are communicated to communities of the inner west

The group heard from scientific, public health and industry experts to better understand the issues associated with air pollution. The final report details the health and amenity impacts of air pollution on inner west metropolitan communities, and contains 26 recommendations, with 65 supporting actions about how the Victorian Government can tackle the impacts of local air pollution.

The report recommends action be taken to reduce air pollution from transport and industry (including the West Gate Tunnel) and improve the planning framework, regulation and policy, air quality monitoring and community education.

Key findings include:

- the pollution levels are directly impacting people's health, with inner-western residents reporting health problems associated with air pollution at a higher rate than the general Australian population
- higher rates of hospitalisation for heart failure, asthma and heart disease, and a higher incidence of lung cancer. Hospitalisation for heart failure was 60 per cent higher in Maribyrnong and about 30 per cent higher for Hobsons Bay and Brimbank than the general population
- hospital admissions for asthma are about 40 per cent higher in Maribyrnong and Brimbank and 20 per cent higher in Hobsons Bay
- during 2019, the Victorian standards for particulate matter (PM) were regularly exceeded at most monitoring stations in Melbourne's inner west. The average annual particulate matter with 2.5 micrometres (PM2.5) concentrations exceeded the government's standards at five of the seven inner-western monitoring stations
- 70 per cent of the 300 samples of air quality that have breached the state's standards over the past decade were taken in the inner west
- policies are needed that lower vehicle emissions, increase air pollution monitoring, standards and education, and fine-tune the planning system to better protect homes and kindergartens from toxic pollution
- many legacy industrial sites in Brooklyn with "existing use rights" are being allowed to continue with polluting activities that would not be allowed under current planning permits

Recommended priorities which are supported by actions include:

- increase the level of, and access to, inner west air quality monitoring and information
- identify pollutants of emerging scientific concern to the inner west (including ultrafine particles) to inform policies and programs to manage them
- implement an air pollution education campaign
- build on the reforms to the environment protection policy framework
- commit to ongoing funding of local medical resources specialising in addressing health risks from air pollution
- ensure that all future projects and operations in the inner west meet the environmental and social sustainability requirements of the *Transport Integration Act 2010* and that transport and land use authorities work together to achieve an integrated and environmentally sustainable transport system
- develop a comprehensive policy to drive uptake of low- and no-emission vehicles
- develop a comprehensive, evidence-based policy to minimise air pollution associated with the Project both during construction and once the tunnel opens, including filtration on the tunnel ventilation stacks

- prioritise improvements to public transport in the inner west
- develop a Clean Port Program
- require that the Environmental Protection Authority prioritises its strengthened statutory tools and powers to ensure that industrial premises in the inner west comply with their air pollution management obligations
- identify and eliminate sources of dust emissions
- planning changes that include fast track implementation of the Brooklyn Evolution Strategy and development of local planning policies for the inner west that reduce exposure to air pollution
- identify and implement effective actions to protect particularly vulnerable residents from air pollution

A response to the report from the Victorian Government is expected in early 2021 and Council will further consider this item following the release of the Victorian Government's response. The report and further information can be found at:

www.environment.vic.gov.au/sustainability/inner-west-air-quality-reference-group

Offset Tree Plan

The Project has a requirement to plant 5 trees for every tree that is removed because of the project works. An offset tree plan has been developed with input from Council and community stakeholder groups, which identifies locations for tree replanting within the Project corridor. Council have identified further sites which could be included in the offset plan to assist with achieving the 5:1 target.

Hobsons Bay Transport Planning Study

The Department of Transport (DoT) is leading the HBTPS in partnership with Council to identify actions to improve network access and mobility across the northern suburbs.

A project report (Network Investigations Technical Report) for the study area has been completed which defines challenges and opportunities across all modes of transport, walking, cycling, public transport and vehicular. A series of initiatives have also been developed to address these future transport needs and challenges in Hobsons Bay.

In conjunction with the HBTPS, Local Area Movement Plans (LAMPs) for Brooklyn, Altona North, Spotswood, South Kingsville, Newport and Williamstown North are being developed, consistent with the objectives of the HBTPS and Council's Integrated Transport Plan. Initial community engagement for the LAMPs was completed in January with the final LAMPs scheduled for mid-2021. Over 1,300 comments were recorded on the Participate Hobsons Bay integrated map. Issues identified through this engagement include:

- lack of safe and convenient connectivity, particularly for cyclists and pedestrians
- busy roads creating barriers for pedestrians and cyclists
- trucks in residential streets
- traffic congestion around freeway interchanges
- road safety
- parking pressures
- poor quality stations and surrounds
- indirect and infrequent bus services

A detailed report on the transport issues identified in the study area and suggested responses and actions will be provided for Council consideration with the draft LAMPs in March 2021.

Open Space Enhancement Package

Works have commenced for the construction of the new pavilions at WLJ Crofts Reserve, Altona North and the WH Couch Pavilion at Donald McLean Reserve, Spotswood.

New multipurpose courts at Donald McLean Reserve are complete and the Book a Court portal is live.

Community consultation on the Donald McLean Reserve open space final design was undertaken in late 2020 and development of detailed design is underway.



Figure 1: New multipurpose courts at Donald McLean Reserve, Spotswood



Figure 2: Foundation works for the new pavilion at Donald McLean Reserve



Figure 3: New ovals under development at WLJ Crofts Reserve, Altona North



Figure 4: New cricket practice nets at WLJ Crofts Reserve

Further details and updates on each of these projects can be accessed via Council's Participate Hobsons Bay website at <https://participate.hobsonsbay.vic.gov.au/>

Other Items

A joint meeting of the Community Liaison Group (CLG) North and West Groups was held on 10 December 2020. Robyn Seymour, Deputy Secretary for Network Planning at the Department of Transport, provided a briefing update on the two transport studies arising from the WGTP Environmental Effects Statement, the HBTPS and a transport study for the North and West Melbourne and Docklands areas. Other agenda items included an overview of Project achievements in 2020 and current construction activity including the summer construction blitz and planned traffic disruptions. The next CLG meeting will be a joint North and West Group meeting to be held on 18 February 2021.

Further information on the CLG, including copies of meeting notes and presentations, can be found at: <http://westgatetunnelproject.vic.gov.au/clg>

The \$10 million West Gate Neighbourhood Fund is a grants and partnerships program for communities within Maribyrnong City Council and Hobsons Bay City Council. Applications for the 2019-20 Partnerships Program have been reviewed by WGTP MTIA. Community grant applications available to not-for-profits in the Maribyrnong and Hobsons Bay area will provide up to \$100,000 per application. No confirmed dates for announcements on either program have been provided by WGTP MTIA. Further information is available at: <http://westgatetunnelproject.vic.gov.au/community/grants>

As part of the environmental management requirements for the Project, air monitoring from six temporary air quality monitoring stations is undertaken monthly. The West Gate Tunnel Project air quality monitoring report for November 2020 has been published at: <https://westgatetunnelproject.vic.gov.au/about/keytopics/tunnel-ventilation-and-air-quality>

The fifth six-monthly Environmental Audit Report: March 2020 – August 2020 for the Project was released in December 2020 by the Independent Reviewer and Environmental Auditor (IREA). Audit findings during the period relate to a range of matters, mostly specific to on-site matters, including inadequate or inconsistent:

- contaminated soil and spoil management and associated documentation
- assessment of environmental aspects such as noise and vibration, dust generation, erosion and sediment runoff
- development and implementation of management actions

The Auditor found that Project Co is generally meeting their obligations and no adverse findings were raised during the reporting period. The findings arising from the reporting period by the IREA have not identified any immediate significant or material risks to the environment. Implementation of the Environmental Performance Requirements was found to be generally compliant, with one non-conformance and eight opportunities for improvement during the reporting period.

This report is available on the WGTP website:
https://westgatetunnelproject.vic.gov.au/__data/assets/pdf_file/0011/484769/WGT-IREA-audit-report-March-August-2020.pdf

Project Works Update

Works progressing include road and bridge widening; noise wall construction (Figure 5); interchange works at Williamstown Road, Millers Road (Figure 6), Grieve Parade and the M80 (Figure 7); installation of the pedestrian overpasses (Figure 8); Hyde Street ramps and the southern tunnel portal works (Figure 9). The Project is undertaking an extensive amount of works over the summer around the M80 interchange which included a four-day freeway closure in early January.



Figure 5: New noise wall works



Figure 6: Millers Road interchange works

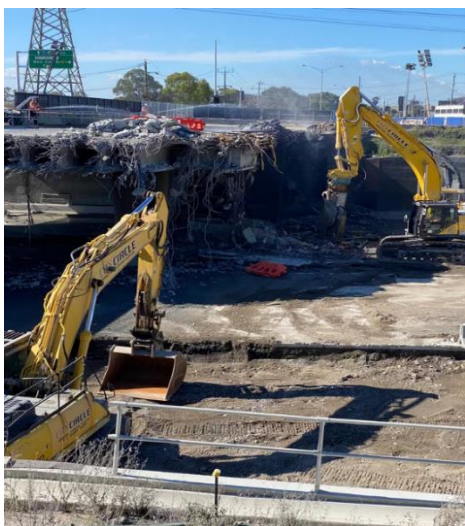


Figure 7: Demolition of Grieve Parade Bridge



Figure 8: New Pedestrian Overpass



Figure 9: Southern Outbound Tunnel Portal

Resurfacing of the existing Federation Trail between Millers Road and Kororoit Creek in Brooklyn is planned to commence in early 2021.

Updates on construction activity and works notifications can be accessed via the Project website: <http://westgatetunnelproject.vic.gov.au/>

Throughout the design and construction stages, Council has advocated for outcomes and improvements wherever possible that are consistent with its adopted position to optimise beneficial community outcomes. Items recently discussed with Project Co, the JV and WGTP MTIA include the Hall Street SUP, Kororoit Creek SUP, relocation of cricket practice nets at the Donald McLean Reserve and designs for the offset tree planting.

9 Delegate Reports

No delegate reports were received.

10 Notices of Motion

10.1 Notice of Motion No. 1220 - Acknowledgement of Hobsons Bay Wetlands Centre's Achievement in the Keep Victoria Beautiful Sustainable Cities Awards 2020

Section 8.15.5 of the Hobsons Bay Governance Rules requires the Chief Executive Officer to inform Councillors about the legal and cost implications of any proposed notice of motion. Accordingly, the costs of implementing this notice of motion will be accommodated within the existing operational budget.

There are no apparent legal implications at this point in time.

Cr Matt Tyler has given notice of the following:

Motion

Moved Cr Matt Tyler, seconded Cr Tony Briffa:

That Council acknowledges the Hobsons Bay Wetlands Centre's achievement on being highly commended in the Environment category of the Keep Victoria Beautiful Sustainable Cities Awards 2020, and offers its congratulations to the Centre and the volunteers who support it.

Carried unanimously

That Council acknowledges the Hobsons Bay Wetlands Centre's achievement on being highly commended in the Environment category of the Keep Victoria Beautiful Sustainable Cities Awards 2020, and offers its congratulations to the Centre and the volunteers who support it.

Motion

Moved Cr Tony Briffa, seconded Cr Matt Tyler:

That Council extends the meeting time to 10pm.

Carried unanimously

10.2 Notice of Motion No. 1221 - Reinstatement of Train Station at Altona North

Section 8.15.5 of the Hobsons Bay Governance Rules requires the Chief Executive Officer to inform Councillors about the legal and cost implications of any proposed notice of motion. Accordingly, the costs of implementing this notice of motion will be accommodated within the existing operational budget.

At the time of receiving this notice of motion, there are no apparent legal implications to be considered.

Cr Tony Briffa has given notice of the following:

Motion

Moved Cr Tony Briffa, seconded Cr Peter Hemphill:

That Council:

- 1. Works with the Altona, Seaholme, Altona North, Brooklyn and Newport West community on a public campaign to advocate for the reinstatement of a train station in Altona North or Newport West on the Werribee line.**
- 2. Convenes a meeting with the Mayor, Cherry Lake and Strand Ward Councillors, the Chief Executive Officer, other relevant Council officers, the Member for Williamstown, the Member for Altona and the Minister for Public Transport to seek government support for the reinstatement of a train station in Altona North or Newport West on the Werribee line.**
- 3. Considers a report from Council officers following the meeting with the Member for Williamstown, Member for Altona and the Minister for Public Transport detailing the outcomes of that meeting and the plan ahead to achieve the reinstatement of a train station in Altona North or Newport West.**

Carried unanimously

That Council:

- 1. Works with the Altona, Seaholme, Altona North and Brooklyn community on a public campaign to advocate for the reinstatement of a train station in Altona North on the Werribee line.**
- 2. Convenes a meeting with the Mayor, Cherry Lake Ward Councillors, the Chief Executive Officer, other relevant Council officers, the Member for Williamstown, the Member for Altona and the Minister for Public Transport to seek government support for the reinstatement of a train station in Altona North on the Werribee line.**
- 3. Considers a report from Council officers following the meeting with the Member for Williamstown, Member for Altona and the Minister for Public Transport detailing the outcomes of that meeting and the plan ahead to achieve the reinstatement of a train station in Altona North.**

10.3 Notice of Motion No. 1222 - Passenger Train Link on Sunshine-Newport Freight Train Line and New Altona North/Brooklyn Station

Section 8.15.5 of the Hobsons Bay Governance Rules requires the Chief Executive Officer to inform Councillors about the legal and cost implications of any proposed notice of motion. Accordingly, the costs of implementing this notice of motion will be accommodated within the existing operational budget.

At the time of receiving this notice of motion, there are no apparent legal implications to be considered.

Cr Tony Briffa's screen turned off at 9.32pm. Cr Tony Briffa returned to the meeting at 9.34pm and was present for the vote on Item 10.3.

Cr Daria Kellander has given notice of the following:

Motion

Moved Cr Peter Hemphill:

That Council defers Notice of Motion No. 1222 to the 13 April 2021 Council Meeting, subject to Council receiving an officer report on the matter.

Lost

Motion

Moved Cr Daria Kellander, seconded Cr Tony Briffa:

That Council:

- 1. Works with the Altona, Seaholme, Altona North, Brooklyn, South Kingsville and Spotswood community on a public campaign to advocate for a new passenger train link on the existing freight train line from Sunshine to Newport with a new train station to be built in the vicinity of Altona North/Brooklyn/South Kingsville/Spotswood.**
- 2. Convenes a meeting with the Mayor, Cherry Lake Ward and Strand Ward Councillors, the Chief Executive Officer, other relevant Council officers, the Member for Williamstown, the Member for Altona and the Minister for Public Transport, to seek government support for a new passenger train link on the existing freight train line from Sunshine to Newport with a new train station to be built in the vicinity of Altona North/Brooklyn/South Kingsville/Spotswood.**
- 3. Considers a report from Council officers following the meeting with the Member for Williamstown, Member for Altona and the Minister for Public Transport detailing the outcomes of that meeting and the plan ahead to achieve a new passenger train link on the existing freight train line from Sunshine to Newport with a new train station to be built in the vicinity of Altona North/Brooklyn/South Kingsville/Spotswood.**

Carried unanimously

That Council:

- 1. Works with the Altona, Seaholme, Altona North and Brooklyn community on a public campaign to advocate for a new passenger train link on the existing freight train line from Sunshine to Newport with a new train station to be built in the vicinity of Altona North/Brooklyn.**
- 2. Convenes a meeting with the Mayor, Cherry Lake Ward Councillors, the Chief Executive Officer, other relevant Council officers, the Member for Williamstown, the Member for Altona and the Minister for Public Transport, to seek government support for a new passenger train link on the existing freight train line from Sunshine to Newport with a new train station to be built in the vicinity of Altona North/Brooklyn.**
- 3. Considers a report from Council officers following the meeting with the Member for Williamstown, Member for Altona and the Minister for Public Transport detailing the outcomes of that meeting and the plan ahead to achieve a new passenger train link on the existing freight train line from Sunshine to Newport with a new train station to be built in the vicinity of Altona North/Brooklyn.**

Motion

Moved Cr Tony Briffa, seconded Cr Matt Tyler:

That Council extends the meeting time to 10.30pm.

Carried unanimously

10.4 Notice of Motion No. 1223 - Condolence - Kevin Skehan OAM

Following the passage of Item 10.4, Cr Jonathon Marsden adjourned the meeting at 9.51pm due to a technical issue on the livestream.

The meeting recommenced at 10.02pm.

Cr Tony Briffa has given notice of the following:

Motion

Moved Cr Tony Briffa, seconded Cr Peter Hemphill:

That Council expresses its deepest condolences to the family of former Hobsons Bay City Council Deputy Mayor, the late Kevin Skehan OAM.

Carried unanimously

That Council expresses its deepest condolences to the family of former Hobsons Bay City Council Deputy Mayor, the late Kevin Skehan OAM.

10.5 Notice of Motion No. 1224 - Single Use Plastics

Section 8.15.5 of the Hobsons Bay Governance Rules requires the Chief Executive Officer to inform Councillors about the legal and cost implications of any proposed notice of motion. Accordingly, the costs of implementing this notice of motion will be accommodated within the existing operational budget.

At the time of receiving this notice of motion, there are no apparent legal implications to be considered.

Cr Daria Kellander has given notice of the following:

Motion

Moved Cr Daria Kellander, seconded Cr Matt Tyler:

That Council:

- 1. Recommits to eliminating where possible the use of single use plastic items by Council operations (e.g. Civic Centre) and Council-run events.**
- 2. Commits to the installation and use of bins using the Recycling 2.0 system by Council operations (e.g. Civic Centre) and Council-run events.**
- 3. Requires all Council events and activities to:**
 - a. Refrain from the use and distribution of single use plastic packaging for promotional purposes.**
 - b. Refrain from the use and distribution of single use plastic bags, plastic straws and plastic cutlery.**
 - c. Refrain from balloon use and distribution.**
 - d. Avoid all unnecessary plastic packaging wherever possible (e.g. plastic covers on homemade goods, etc.).**
 - e. Reconsider the need to create single use plastic event materials wherever possible (including event signage, promotional banners and flags).**
 - f. Re-use event materials wherever possible (including event signage, promotional banners and flags).**
- 4. Requests Council staff to report back to Council on a proposed implementation plan (including costs and timelines) to eliminate the use of single use plastic items across Council operations with the view to phasing out their use.**
- 5. Encourages third party users of Council venues and facilities to reduce or eliminate single use plastics and products.**

Carried

That Council:

- 1. Commits to eliminating where possible the use of single use plastic items by Council operations (e.g. Civic Centre) and Council-run events.**
- 2. Commits to the installation and use of bins using the Recycling 2.0 system by Council operations (e.g. Civic Centre) and Council-run events.**
- 3. Requires all Council events and activities to:**
 - a. Refrain from the use and distribution of single use plastic packaging for promotional purposes.**
 - b. Refrain from the use and distribution of single use plastic bags, plastic straws and plastic cutlery.**
 - c. Refrain from balloon use and distribution.**
 - d. Avoid all unnecessary plastic packaging wherever possible (e.g. plastic covers on homemade goods, etc.).**
 - e. Reconsider the need to create single use plastic event materials wherever possible (including event signage, promotional banners and flags).**
 - f. Re-use event materials wherever possible (including event signage, promotional banners and flags).**
- 4. Requests Council staff to report back to Council on a proposed implementation plan (including costs and timelines) to eliminate the use of single use plastic items across Council operations with the view to phasing out their use.**
- 5. Encourages third party users of Council venues and facilities to reduce or eliminate single use plastics and products.**

10.6 Notice of Motion No. 1225 - Recycling 2.0 Survey

Section 8.15.5 of the Hobsons Bay Governance Rules requires the Chief Executive Officer to inform Councillors about the legal and cost implications of any proposed notice of motion. Accordingly, the estimated additional cost of implementing this notice of motion is between \$45,000 to \$60,000.

At the time of receiving this notice of motion, there are no apparent legal implications to be considered.

Cr Tony Briffa's screen turned off at 10.17pm and at 10.27pm. In both instances, Cr Tony Briffa returned to the meeting within the minute and was present for the vote on Item 10.6.

Cr Matt Tyler has given notice of the following:

Motion

Moved Cr Peter Hemphill:

That Council defers Notice of Motion No. 1225 until the 9 March 2021 Council Meeting.

Lost

Division

For: Cr Peter Hemphill

Against: Cr Diana Grima, Cr Matt Tyler, Cr Pamela Sutton-Legaud, Cr Jonathon Marsden, Cr Tony Briffa, Cr Daria Kellander

Motion

Moved Cr Matt Tyler, seconded Cr Tony Briffa:

Given Recycling 2.0 was introduced relatively quickly, the upcoming review of the waste and recycling system presents a critical opportunity for consultation and subsequent adaption of a system that impacts all residents and ratepayers. While community consultation will involve a one-off cost, it is a tiny fraction of the over \$9 million paid by ratepayers in waste management charges for financial year 2020-21.

As one part of the Recycling 2.0 review, that Council:

- 1. Ensures that all members of the community are made aware of the opportunity to provide input as part of the review of our Waste and Recycling system by sending a mail out to all residents and ratepayers that includes the link to an online survey and a description of the feedback Council is seeking to obtain through the survey. The mail out should include contact details of Council's translation services including details of a Council Officer who can assist people who may need help to complete the survey.**

- 2. To minimise consultation costs while still enabling households without Internet access to participate, on request (e.g. by phone or in-person), there should be an option (communicated to residents and ratepayers) to complete a hard copy survey and return it to Council in a supplied reply paid envelope.**
- 3. Ensures the online survey has a mechanism to limit responses to one per household while maintaining anonymity (e.g. unique login code).**
- 4. Ensures the survey includes questions to understand:**
 - a. Household demographics including suburb, dwelling type, number of residents per household, age and any circumstances that have a particular impact on waste and recycling needs (e.g. babies in nappies; health needs; pets).**
 - b. Satisfaction rating overall for the waste and recycling system, as well as for each of the four waste and recycling services/bins, including a brief description of the current service e.g. type of service (general waste, recycling, FOGO, glass), bin size, and frequency of collection.**
 - c. Desired collection frequency for each of the four waste and recycling services/bins with existing default bin sizes.**
 - d. Desired collection frequency for general waste collection and FOGO if a 240L bin was provided.**
 - e. If weekly collection is desired with a 240L bin, seek to understand the reasons for this.**
 - f. If only one bin could be collected weekly or up-sized (due to costs), what household's preference would be?**
 - g. How often, on bin collection night for each bin, do residents observe rubbish overflowing from either their own or their neighbour's bins?**
 - h. If at a point in time contract negotiations allow, whether residents would like the option to use compostable bags as part of their FOGO service.**
 - i. If compostable bags were provided, understand whether this would impact their use of the FOGO bin / desired collection frequency for FOGO.**
 - j. Assess resident's willingness to pay an estimated additional cost for more frequent general waste collection / or a bin upsize (including providing an estimate of the annual cost increase for weekly collection / upsize for each service) and if introduced the cost of compostable bags.**
 - k. Any other comments that respondents would like to make.**
- 5. Engages an expert in survey question design to, prior to distribution, review the draft survey for clarity.**

- 6. Conducts a separate consultation to understand the Waste and Recycling needs of businesses across Hobsons Bay.**

Carried unanimously

Given Recycling 2.0 was introduced relatively quickly, the upcoming review of the waste and recycling system presents a critical opportunity for consultation and subsequent adaption of a system that impacts all residents and ratepayers. While community consultation will involve a one-off cost, it is a tiny fraction of the over \$9 million paid by ratepayers in waste management charges for financial year 2020-21.

As one part of the Recycling 2.0 review, that Council:

- 1. Ensures that all members of the community are made aware of the opportunity to provide input as part of the review of our Waste and Recycling system by sending a mail out to all residents and ratepayers that includes the link to an online survey and a description of the feedback Council is seeking to obtain through the survey. The mail out should include contact details of Council's translation services including details of a Council Officer who can assist people who may need help to complete the survey.**
- 2. To minimise consultation costs while still enabling households without Internet access to participate, on request (e.g. by phone or in-person), there should be an option (communicated to residents and ratepayers) to complete a hard copy survey and return it to Council in a supplied reply paid envelope.**
- 3. Ensures the online survey has a mechanism to limit responses to one per household while maintaining anonymity (e.g. unique login code).**
- 4. Ensures the survey includes questions to understand:**
 - a. Household demographics including suburb, dwelling type, number of residents per household, age and any circumstances that have a particular impact on waste and recycling needs (e.g. babies in nappies; health needs; pets).**
 - b. Satisfaction rating overall for the waste and recycling system, as well as for each of the four waste and recycling services/bins, including a brief description of the current service e.g. type of service (general waste, recycling, FOGO, glass), bin size, and frequency of collection.**
 - c. Desired collection frequency for each of the four waste and recycling services/bins with existing default bin sizes.**
 - d. Desired collection frequency for general waste collection and FOGO if a 240L bin was provided.**
 - e. If weekly collection is desired with a 240L bin, seek to understand the reasons for this.**
 - f. If only one bin could be collected weekly or up-sized (due to costs), what household's preference would be?**

11 Urgent Business

Motion

Moved Cr Tony Briffa, seconded Cr Matt Tyler:

That Council consider items of other business relating to the proposed Mobil Altona closure.

Carried unanimously.

11.1 Proposed Mobil Altona Closure

Motion

Moved Cr Tony Briffa, seconded Cr Daria Kellander:

That Council:

- 1. Works proactively to ensure that the Mobil Altona Refinery site is completely decommissioned, decontaminated and remediated if it is shut down.**
- 2. Brings back a report to the Council about the contamination, remediation and future of that site.**

Carried unanimously

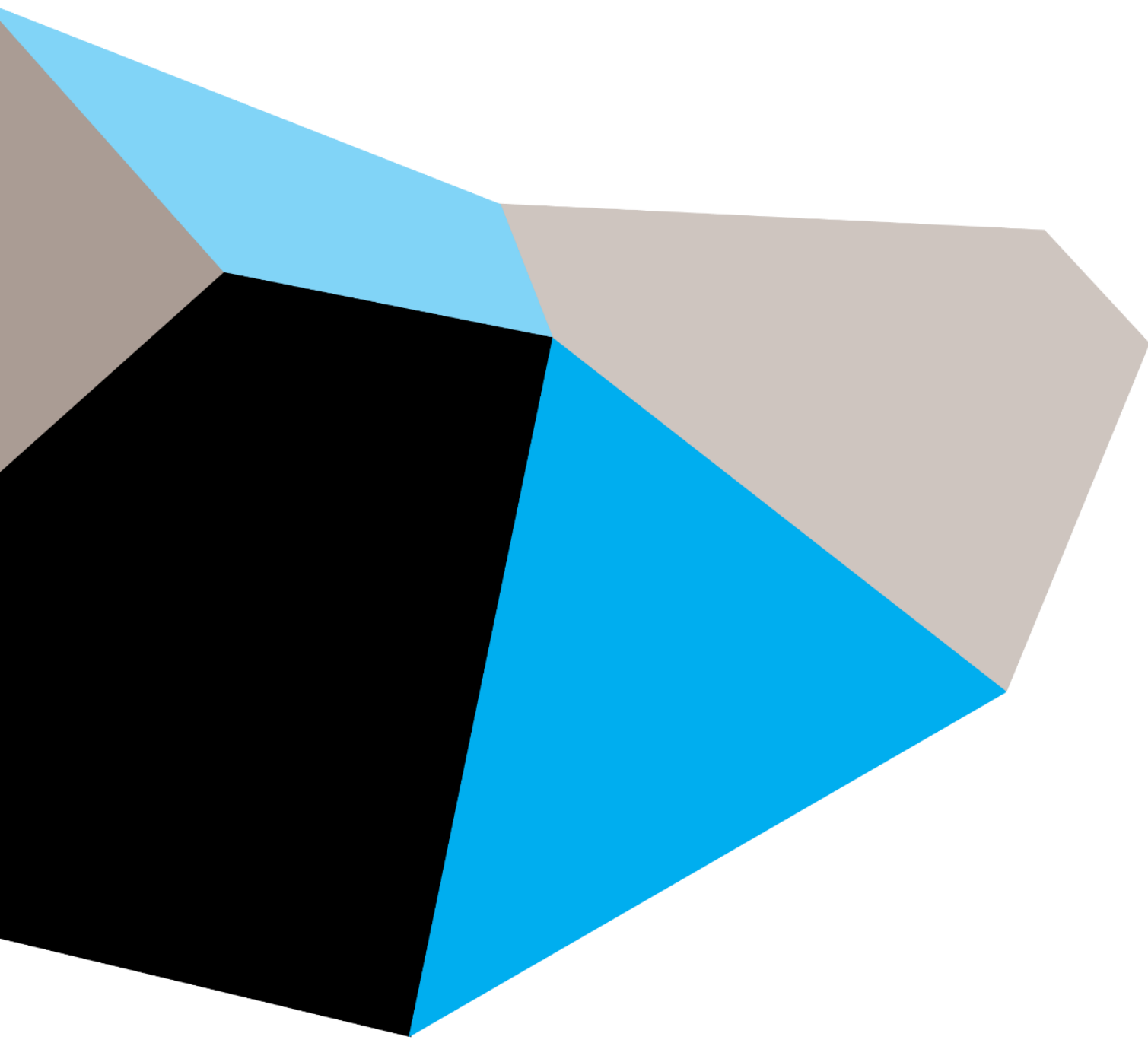
12 Close of Meeting

There being no further business, the Chairperson declared the meeting closed at 10.38pm.

Chairperson – Cr Jonathon Marsden

Signed and certified as having been confirmed.

9 March 2021



HOBSONS BAY CITY COUNCIL

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