

OUR MISSION

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

OUR VALUES

Respectful

Community driven and focused

Trusted and reliable

Efficient and responsible

Bold and innovative

Accountable and transparent

Recognised

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

Chairperson:

Cr Antoinette Briffa JP (Mayor) Cherry Lake Ward

Councillors:

Cr Diana Grima (Deputy Mayor) Wetlands Ward

Cr Daria Kellander Cherry Lake Ward

Cr Peter Hemphill Strand Ward

Cr Jonathon Marsden Strand Ward

Cr Pamela Sutton-Legaud Strand Ward

Cr Matt Tyler Wetlands Ward

Aaron van Egmond Chief Executive Officer Hobsons Bay City Council

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1 Council Welcome and Acknowledgement

The Chairperson will welcome members of the gallery and acknowledge that Council is gathered on the traditional land of the Bunurong People of the Kulin Nation and offers its respect to elders past, present and emerging.

2 Apologies

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

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.

4 Confirmation of Minutes

4.1 Confirmation of Minutes

Confirmation of the minutes of the Council Meeting of Hobsons Bay City Council held on 11 July 2023 (copy previously circulated).

5 Councillor Questions

6 Public Question Time

Public Question Time provides an opportunity for the public to ask questions related to items on the agenda of the Council Meeting or any other matter within Council's responsibility.

Questions must be put in writing and received by 12pm on the day before the Council Meeting. The submitted questions and Council's responses will be read out by the Chairperson during the meeting.

In accordance with rule 13.1.11 of the Hobsons Bay Governance Rules, the person who submitted the question must be present in the public gallery during Public Question Time for their question to be read out.

7 Petitions and Joint Letters

7.1 Petitions and Joint Letters Received

No petitions or joint letters were received at the time of printing the Council Meeting agenda.

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. CEO Report on Operations - July 2023 [8.1.1.1 - 50 pages]

Purpose

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

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.

In accordance with rule 10.7.1 of the Hobsons Bay Governance Rules, Council maintains records of meetings attended by Councillors in the CEO's Report on Operations to ensure transparency and equity of information. A summary of meetings for the period between 1 July 2023 and 31 July 2023 is provided in this month's report.

Strategic Alignment

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

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 2: Community wellbeing and inter-connection

Council Plan 2021-25

Objective 5: A High Performing Organisation

Strategy 5.4: Enhance transparency, accountability and good governance practice

Declaration of Conflict of Interest

Section 130 of the *Local Government Act* 2020 requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

8.2 Corporate Services

8.2.1 Acknowledgement of King's Birthday 2023 Honours List Recipients

Directorate: Corporate Services

Responsible Officer: Manager Corporate Integrity and Legal Counsel

Reviewer: Director Corporate Services

Attachments: Nil

Purpose

To formally acknowledge the achievements of Hobsons Bay residents John Arnold OAM, Fairlie MacLaine OAM, Kelly Rogers OAM and Bartholomew Willoughby OAM on being recognised in the King's Birthday 2023 Honours List.

Recommendation

That Council acknowledges the exceptional contribution of John Arnold OAM, Fairlie MacLaine OAM, Kelly Rogers OAM and Bartholomew Willoughby OAM, and congratulates them on being recognised in the King's Birthday 2023 Honours List.

Summary

At the Council Meeting held on 20 June 2023, Council acknowledged the achievements of John Arnold OAM, Fairlie MacLaine OAM, Dr Kelly Rogers OAM and Bartholomew Willoughby OAM, who had received recognition in the King's Birthday 2023 Honours List. Council also resolved to invite the award recipients to attend a future Council Meeting in accordance with the Council Recognition of Australian Honours and Awards Recipients Procedure. One recipient has accepted Council's invitation.

The King's Birthday Honours List recognises the outstanding service and contributions of Australian citizens nationwide each year and comprises a number of honours and awards. The Hobsons Bay recipients for 2023 received honours within the General Division and Military Division of the Order of Australia, which recognises Australians who have demonstrated outstanding service or exceptional achievement.

All Hobsons Bay recipients for 2023 were awarded the Medal of the Order of Australia for service worthy of particular recognition in their respective fields:

- John Arnold of Altona Meadows for service to the welfare of veterans
- Fairlie MacLaine of Williamstown for her service to the community through a range of organisations
- Associate Professor Kelly Rogers of Altona for her service to medical research
- Bartholomew Willoughby of Altona North for his service to the performing arts, particularly through music

8.2.2 Municipal Association of Victoria State Council Motions - October 2023

Directorate: Corporate Services

Responsible Officer: Manager Corporate Integrity and Legal Counsel

Reviewer: Director Corporate Services

Attachments: Nil

Purpose

To consider the motions to be put to the Municipal Association of Victoria (MAV) for the State Council Meeting on 13 October 2023.

Recommendation

That Council resolves to put the motions listed in this report to the Municipal Association of Victoria State Council Meeting to be held on 13 October 2023.

Summary

MAV will be holding its second State Council Meeting for the year on 13 October 2023. These meetings provide an opportunity for local government to submit motions for key priorities that require state or federal government support.

Motions for the 13 October 2023 State Council Meeting must be submitted to MAV by 11 August 2023.

Council is being asked to endorse the motions detailed in this report for submission to the 13 October 2023 MAV State Council Meeting.

Background

MAV is a statutory peak body for local government in Victoria and takes a lead role in advocating for local government to state and federal government on a variety of issues of concern.

The State Council is the governing body for MAV and has representation from all member councils. Members are invited to submit motions to be considered by the State Council twice a year. Resolutions are assessed by the Board to determine how they will be progressed.

Discussion

The MAV State Council Meeting presents an opportunity to advocate for key priorities within Hobsons Bay that require state and federal government support to effect meaningful change.

The following motions have been developed for Council to consider for submission to the MAV State Council Meeting to be held on 13 October 2023:

1. Review Maternal and Child Health Key Age and Stages framework and rectify funding shortfall

That the MAV calls on the Victorian Government to review the Maternal and Child Health (MCH) Key Ages and Stages (KAS) framework and associated historical funding model in which local and state governments equally fund the service, and seeks immediate action to rectify the funding shortfall through:

- Reviewing the KAS framework to ascertain the level of complexity, need and resources required to effectively assess the health and wellbeing of children and their families within the current environment where incidents of family violence, child abuse and mental illness are continuing to rise
- Undertaking a sector wide analysis of the historical shared funding model in which local and state governments are required to equally fund the delivery of the service
- Consulting with local government to determine the level of additional funding required to be invested in local government by the Victorian Government as a result of the state's ongoing funding shortfall

2. Assess existing and future transport needs of the western suburbs

That the MAV, in response to the SRL Airport Rail, Geelong Fast Rail and Western Rail Plan projects being put on hold by the Victorian and Australian governments, calls on the Victorian Government to undertake an assessment of the existing and future transport needs of communities in the growing western suburbs to ensure that existing and future infrastructure is adequate.

3. Recognise the Ramsar-protected Cheetham Wetlands and support local initiatives highlighting the significance of inner western coastal wetlands to First Nations people, promoting education on the impact of climate change upon coastal wetlands, and supporting eco-tourism and nature-based recreation in metropolitan Melbourne

That the MAV calls on the Victorian and Australian governments to recognise the internationally significant Ramsar-protected Cheetham Wetlands, visited by thousands of migratory birds annually, and that both governments support local and regional initiatives that:

- 1. Highlight the significance of the inner western coastal wetlands to First Nations people
- 2. Promote education about the impact of climate change on coastal wetlands
- 3. Provide unique eco-tourism and nature-based recreational experiences in metropolitan Melbourne

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 2: Community wellbeing and inter-connection

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

Priority 6: An accessible and connected community

Council Plan 2021-25

Objective 1: Healthy, equitable and thriving communities

Strategy 1.2: Improve the health and wellbeing of our community – particularly our young, vulnerable and older community members

Objective 2: Environment

Strategy 2.2: Enhance protection, preservation and promotion of our coastal environment and wetlands/waterways, biodiversity and natural areas

Objective 3: Vibrant place and economy

Strategy 3.2: Increase economic and tourism opportunities that capitalise on our cultural and creative strengths

Objective 4: Visionary community infrastructure

Strategy 4.1: Ensure the transport network is safe and efficient for all users with a focus on pedestrians and cyclists

Policies and Related Council Documents

Listed below are Council's MAV motions since 2016:

October 2022:

 consider, with appropriate stakeholder consultation, extending the introduction of pre-commitment laws to all gaming venues across Victoria

June 2022:

- reverse proposed funding cuts by the Australian Government to the aged care sector
- responsibility for the combustible cladding rectification program to remain with the Victorian Government
- orphaned building permits to continue to be managed by the Victorian Building Authority
- improvements to pedestrian and cycling infrastructure
- reshape the Melbourne metropolitan bus network
- improvement to the freeway entrances to towns and suburbs

2021:

- improvements to pedestrian and cycling connections
- increase tree canopy coverage across urban areas for improved environmental, health and wellbeing outcomes
- reshape the Melbourne metropolitan bus network
- commence delivery of the Melbourne Metro 2 project (proposed rail network addition)
- waste and recycling outcomes
- Coastal and Marine Management Plans
- alleviation of West Gate Tunnel traffic and amenity impacts
- youth mental health
- funding to support councils to meet their obligations under the Gender Equality Act 2020
- increased transparency of community contributions from electronic gaming machine (EGM) venues
- targeted support for vulnerable older people during COVID-19 recovery

2020:

• (MAV State Council meetings were not held in 2020 due to the COVID-19 pandemic)

2019:

- reduction in the number of EGMs from all licensed premises by 2032 and actions to urgently address gambling harm in Hobsons Bay and all Victorian communities
- adoption of a strategic approach to the built environment and development of a State Environmentally Sustainable Policy supported by appropriate reforms to the National Construction Code Building Regulations that positions Victoria as a leader in sustainable development in the built environment and addresses climate change
- local government representation on EPA and DELWP working groups to develop a
 formal consultation program that enables every council to be consulted in the
 development of the subordinate legislation, particularly the development of a tiered
 licensing/permitting system framework under the Environment Protection
 Amendment Act 2018

2018:

- funding for sustainable street lighting upgrades on main roads
- cost-sharing arrangements between state and local governments to install "smart poles" in key locations

2017:

- Western Metropolitan Regional response to integrated transport and growth
- equitable distribution of funding and clear roles for foreshore management
- level crossing removal support and a coordinated response
- banning electric waste to landfill

2016:

- Western Distributor strengthening community connections and wellbeing
- youth mental health services

Legal/Statutory Obligations and Risk

Section 8 of the *Local Government Act* 2020 defines the role of a council as to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.

Submitting motions to the MAV State Council constitutes a key opportunity for Council to pursue advocacy outcomes at a state and federal level to the benefit of the Hobsons Bay community.

Financial and Resource Implications

There are no direct financial implications to Council in presenting these motions to the MAV State Council.

Environmental, Social and Economic Impacts

These motions support the enhancement of the built, natural, economic and social environment within Hobsons Bay and across Victoria.

Consultation and Communication

Advocacy and partnerships with other stakeholders, most importantly the Victorian and Australian governments, are vital to raise awareness on and advocate for issues that sit outside of Council's control. By submitting motions to the MAV State Council Meeting, Council has an opportunity to inform the key priorities for MAV to advocate to the Victorian and Australian governments in its capacity as the peak body for local government in Victoria.

The listed motions were developed in consultation with officers across multiple Council departments and the Executive Leadership Team, and reflect areas of community concern that require, or would benefit from, advocacy to a higher level of government. It is supported by the Hobsons Bay 2030 Community Vision and aligns with A Fair Hobsons Bay For All 2019-23. These policies and plans were developed through community consultation and engagement.

Declaration of Conflict of Interest

Section 130 of the *Local Government Act* 2020 requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.

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

8.2.3 Draft Election Period Policy 2023

Directorate: Corporate Services

Responsible Officer: Manager Corporate Integrity and Legal Counsel

Reviewer: Director Corporate Services

Attachments: 1. Draft Hobsons Bay Election Period Policy 2023

[8.2.3.1 - 32 pages]

Purpose

To place the Draft Hobsons Bay Election Period Policy on public exhibition for a period of four weeks from 9 August 2023 to 5 September 2023.

Recommendation

That Council:

- 1. Places the Draft Hobsons Bay Election Period Policy 2023 on public exhibition for four weeks from 9 August 2023 to 5 September 2023.
- 2. Receives a further report to adopt the Hobsons Bay Election Period Policy 2023 following the public exhibition period.

Summary

Section 69 of the *Local Government Act* 2020 requires Council to include an election period policy in its Governance Rules. The policy sets out the procedures to be applied by Council during the election period for a general election.

In accordance with rule 16.2 of the Hobsons Bay Governance Rules, Council's election period policy has been reviewed and is now submitted to Council to be placed on public exhibition in accordance with section 60(4) of the *Local Government Act* 2020 and Council's Community Engagement Policy.

Background

Council's current Election Period Policy was adopted at the Council Meeting held on 25 August 2020 and forms part of the Hobsons Bay Governance Rules.

In accordance with rule 16.2 of the Hobsons Bay Governance Rules, Council must review its Election Period Policy at least once each Council term, and not later than 12 months prior to the commencement of an election period. The next election period begins on 24 September 2024.

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

Under section 69(2) of the *Local Government Act* 2020, an election period policy must prohibit any Council decision during the election period for a general election that:

- (a) relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer
- (b) commits Council to expenditure exceeding one per cent of Council's income from general rates, municipal charges and service rates and charges in the preceding financial year
- (c) Council considers could be reasonably deferred until the next Council is in place
- (d) Council considers should not be made during an election period

An election period policy must also prohibit any Council decision during the election period for a general election or by-election that would enable the use of Council resources in a way that is intended to influence, or is likely to influence, voting at the election.

Section 123 of the *Local Government Act* 2020 prescribes serious penalties for any Councillor who inappropriately makes use of their position or information obtained in their role to gain an advantage for themselves or any other person, or to disadvantage another.

Discussion

The Draft Hobsons Bay Election Period Policy 2023 will apply to the upcoming election period beginning at 12pm on 24 September 2024 and ending at 6pm on Election Day, 26 October 2024.

The proposed policy makes the following key revisions:

- clarified expectations of Council staff and members of Council committees and delegated committees during the election period, including those who stand for election as Councillors
- revised wording regarding scheduling consideration of decisions that clarifies the requirements of sections 69(2)(c) and 69(3) of the *Local Government Act* 2020
- inclusion of a specific requirement that all items listed on a Council Meeting agenda during an election period be prefaced by an election period statement, and the specified form the election period statement shall take
- inclusion of a requirement for Councillors to commit to refrain from moving motions
 or raising matters at a meeting that could potentially influence voting at the election,
 including matters raised as urgent business
- greater clarity on the requirements for decisions made under the delegated authority of Council during an election period
- prohibition under the policy of the adoption of any new policy, strategy or local law during an election period
- addition of provisions relating to section 69(4) and 69(5) of the *Local Government Act* 2020
- provisions regarding public consultation undertaken prior to the election period but not yet submitted to Council or a delegated committee for consideration, and to postponing consultation where the matter is likely to affect voting in the election
- requirements for Councillors and members of Council staff who stand for election in a state or federal election
- specified timeline regarding notification of the requirements of the policy by the Chief Executive Officer

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

This report does not relate to a specific priority of the Hobsons Bay 2030 Community Vision.

Council Plan 2021-25

Objective 5: A High Performing Organisation

Strategy 5.4: Enhance transparency, accountability and good governance practice

Priority a) Implement recent changes to legislation (such as the *Local Government Act* 2020, *Gender Equality Act* 2020, Child Safe Standards) to improve democracy, accountability, gender equality and service delivery for Hobsons Bay

Policies and Related Council Documents

- Councillor and Staff Interaction Protocol
- Councillor Code of Conduct
- Employee Code of Conduct
- Hobsons Bay Community Local Law 2015
- Hobsons Bay Planning Scheme

Legal/Statutory Obligations and Risk

Section 69 of the *Local Government Act* 2020 requires that Council include an election period policy in its Governance Rules that sets out the procedures to be applied by Council during the period for a general election. The Draft Hobsons Bay Election Period Policy 2023 expands on this statutory requirement to also include provisions for Councillors and Council staff with respect to state and federal elections.

Council's Election Period Policy has been reviewed in accordance with rule 16.2 of the Hobsons Bay Governance Rules.

Financial and Resource Implications

Resources required to carry out the public exhibition and implementation of the Draft Hobsons Bay Election Period Policy 2023 will be accommodated within Council's existing operational budget.

Environmental, Social and Economic Impacts

There are no specific environmental, social or economic impacts arising from this report.

Consultation and Communication

The Draft Hobsons Bay Election Period Policy 2023 will be placed on public exhibition on the Participate Hobsons Bay website for four weeks from 9 August 2023 to 5 September 2023.

Declaration of Conflict of Interest

Section 130 of the *Local Government Act* 2020 requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.

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

9 Committee and Delegate Reports

9.1 Delegate Reports

Purpose

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

Recommendation

That Council receives and notes the recent Delegate Reports.

Metropolitan Transport Forum

Directorate: Infrastructure and City Services

Councillor Delegate: Cr Jonathon Marsden

Date of Meeting: 5 July 2023

The Metropolitan Transport Forum (MTF) is a monthly gathering that allows councils to collaborate and discuss ways to improve the transport system by sharing knowledge and focusing on integrated transport. The forum is attended by 26 councils in Melbourne, as well as individuals from other transport-related organisations and advocacy groups such as the Department of Transport and Planning, the Public Transport Users Association, and Victoria Walks.

Presentation

Council representatives Richard Smithers (City of Melbourne), Yee Huynh (City of Yarra), and Karen Roach (City of Port Philip), and company representatives Yusuf Abdalahi (Neuron) and Hugo Burt-Morris (Lime) provided an update on the e-scooter trial being run in the three municipalities. The trial has shown very strong demand for the transport mode, with greater than expected use of scooters. The majority of scooter use is occurring in the CBD. MOUs between councils and the scooter operators have been an integral part of the trial.

A wide-ranging discussion covered matters of potential expansion of the scooter zone to other councils; challenges with scooter infrastructure and user behaviour; parking management; how councils have used MOUs with the providers to get good outcomes; the excellent safety record of the mode; the value of nationwide design standards.

Council updates

Each month a select number of Councils provide an update to the forum. This month only the City of Casey provided an update. Updates from Darebin and Frankton were postponed to the next meeting.

Anitha Ajay (City of Casey) provided an overview of Casey's transport program including the upgrade and extension of Thompsons Road, upgrade of the Clyde Road Corridor, bus advocacy, working with the VPA on five precinct structure plans, implementing Council's Living and Ageing Well action, work related to School Crossing Optimisation program, and attracting participation from more schools in Casey's Safe Around Schools program.

LeadWest Joint Delegated Committee

Directorate: Office of the Chief Executive

Councillor Delegate: Cr Matt Tyler

Date of Meeting: 8 June 2023

The June meeting of the LeadWest Joint Delegated Committee was hosted by Brimbank City Council online via Zoom.

The following items were discussed:

Inaugural West MPs Meet and Greet event

It was noted that The Hon. Melissa Horne MP will be speaking representing the Premier, who is unable to attend. The event will be held on 21 June 2023 at Parliament House.

Ongoing engagement with federal and state MPs

It was agreed to approach federal MPs for a roundtable event. LeadWest will continue to engage with state MPs from both the government and the opposition. The members suggested that a face-to-face meeting would be preferable.

LeadWest Advocacy Plan Priorities

A review of the current advocacy priorities will be undertaken and will be reported back to the next meeting.

Delivery on LeadWest Workplan

A review of the workplan for 2023 has been undertaken and will include the establishment of an operational advocacy group, refresh of advocacy asks and associated promotional material, a Position Paper to be developed that will summarise what LeadWest can offer, trip to Canberra (later in the year) and possible pre-budget submissions for 2024-25 state and federal budget.

The workplan will be reassessed over the next six months to see if any further campaigns or strategies will be required to generate traction on priority issues, ensuring that the approach moving forward delivers benefits for all member councils and that LeadWest is recognised by key stakeholders as a strong and organised advocacy group representing the priority interests of the west.

Finance Committee

It was resolved to wind up the Finance Committee now that the new LeadWest structure is in place.

10 Notices of Motion

10.1 Notice of Motion No. 1246 - Public Forum Proposal

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 Daria Kellander has given notice of the following:

That Council receives a report at the 10 October 2023 Council Meeting detailing how a regular public forum or meeting could be introduced at Hobsons Bay City Council for community members to make representation and ask live and unscripted questions of the Mayor, Councillors and Chief Executive Officer.

11 Urgent Business

12 Supplementary Public Question Time

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

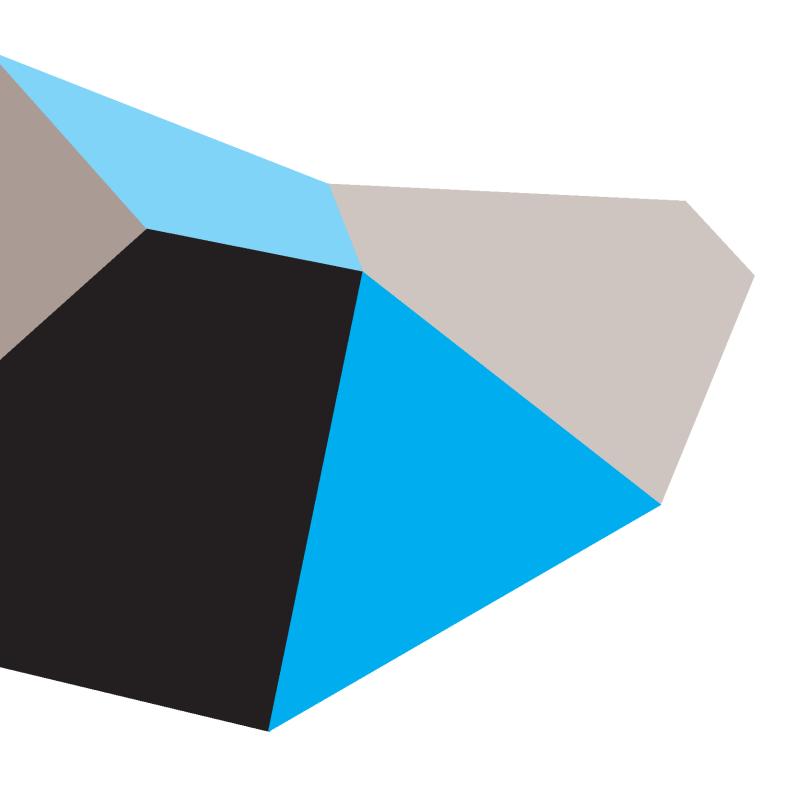
Where it is not possible to provide a response during the meeting, a written response to the question will be provided promptly.

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

13 Close of Meeting







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