



Council Meeting Agenda

Tuesday 20 April 2021
Commencing at 7.00 PM

Council Chamber
Hobsons Bay Civic Centre
115 Civic Parade, Altona

HOBSONS
BAY CITY
COUNCIL



OUR MISSION

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

OUR VALUES

Respectful

Community driven and focused

Trusted and reliable

Efficient and responsible

Bold and innovative

Accountable and transparent

Recognised

Council acknowledges the 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 Matt Tyler

Wetlands Ward

Cr Diana Grima

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 Kulin Nation and offers its respect to elders past and present.

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 9 March 2021 (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.

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 Variation of Business

In accordance with rule 6.1.5 of the Hobsons Bay Governance Rules, the Chief Executive Officer has varied the normal order of business in order to allow representatives of the Inner West Air Quality Community Reference Group who are present at the meeting to hear Council's debate and resolution on Item 8.2 Brooklyn Air Quality Advocacy prior to receiving a certificate from Council in recognition of the group's significant work investigating and reporting on air quality issues in Melbourne's inner west.

8.1 Brooklyn Air Quality Advocacy

Directorate: Sustainable Communities

Responsible Officer: Manager Planning, Building and Health

Reviewer: Director Sustainable Communities

Attachments:

1. Air Quality Report Recommendations and Actions [8.1.1 – 11 pages]
2. Brooklyn Air Quality Advocacy Plan March 2021 [8.1.2 – 1 page]

Purpose

To consider the advocacy plan for Brooklyn to address the many health and amenity issues in the area, including engagement with other stakeholders and advocacy for other areas impacted by the West Gate Tunnel Project.

Recommendation

That Council:

1. **Endorses the Brooklyn Air Quality Advocacy Plan.**
2. **Receives update reports at the end of the financial year and calendar year on advocacy efforts and achievements on the Brooklyn Air Quality Advocacy Plan.**

Summary

Air quality is an important issue for residents in some parts of the municipality, particularly in Brooklyn and Altona North where industrial and transport activities adjoining residential areas cause significant pollution and air quality issues.

The Inner West Air Quality Community Reference Group (IWAQCRG) recently investigated the current air quality issues and concerns across Brimbank, Hobsons Bay and Maribyrnong, including current transport initiatives such as the West Gate Tunnel Project, to provide advice and recommendations for the consideration of the Victorian Government to address these issues.

The group's report, *Air Pollution in Melbourne's Inner West: taking direct action to reduce our community's exposure*, states that "Inner West communities are exposed to high levels of air

pollution, including dust and odour. Industrial and transport emissions are primary contributors. These levels create serious risks for our communities' health, quality of life and amenity."

Hobsons Bay is one of several councils that participate in the Brooklyn Community Representative Group and contributes financial resources to support its operation. At its meeting on 9 February 2021 Council resolved to "bring 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".

While most of the IWAQCRG report's recommendations are beyond Council's ability to implement, Council will focus on advocating that the Victorian Government take a higher level of responsibility in monitoring and addressing air quality issues, and on encouraging the community to participate in this advocacy by raising awareness of local air quality issues and promoting a call to action.

Background

As part of the West Gate Tunnel Project, the Victorian Government established the IWAQCRG to investigate (among other things) air quality issues and concerns which could arise from this transport initiative.

The IWAQCRG was tasked to:

- investigate current air quality issues and concerns across Brimbank, Hobsons Bay and Maribyrnong, including current transport initiatives such as the West Gate Tunnel Project
- provide advice and recommendations for the Victorian Government's consideration, including the 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 Project
- ensure its findings are communicated to the communities of the inner west

In March 2020 the group published and submitted to the Victorian Government its completed report, *Air Pollution in Melbourne's Inner West: Taking direct action to reduce our community's exposure*. This report provides the necessary advice and recommendations to the Victorian Government for consideration to address air quality issues in the inner west.

The report states there are many reasons for high levels of air pollution (including dust and odour) which affects the community's health, quality of life and amenity, the main ones being:

- the historical legacy of industrial sites and associated transport hubs in the inner west and surrounding areas
- the geographic location, which funnels large numbers of vehicles through the inner west to and from the CBD, the Port of Melbourne and the eastern, northern and southern suburbs
- the large number of diesel-fuelled vehicles on the roads
- the extensive areas of open and unsealed land (creating dust), which often contain uncovered material stockpiles and are linked by unsealed roads
- the historical lack of effective government action to deal with the pollution

The report outlines 26 recommendations with 52 actions for consideration, as listed in Attachment 1. Since its publication, Council has recognised the report in the chamber on several occasions.

Discussion

The IWAQCRG report breaks the recommendations into categories, including:

- monitoring, analysis and reporting
- the regulatory and policy environment
- transport emissions
- industrial emissions
- planning – improving the Victorian planning system and legislation

Most of the recommendations and actions rely heavily on the Victorian Government making changes. For example, improving the Victorian planning system and legislation is the role of the Department of Environment, Land, Water and Planning (DELWP). Council can advocate to the Victorian Government for improved planning legislation, but this ultimately lies with DELWP to introduce into the Victorian Planning Provisions.

There are four key areas of advocacy where Council can concentrate and be its most effective. These are the core “asks” of the proposed campaign:

Air quality measures

- filtration of the main West Gate Tunnel air stack ventilation point (located in Precinct 15)
- increasing the number of air quality monitoring stations throughout the west
- making air quality reading results and data publicly available in real time on a public website or phone app
- planting more trees in the West Gate Tunnel corridor

Sustainable practices of industry and government

- the Victorian Government should implement an action policy that promotes and incentivises “polluter pays” models to drive uptake of low or no emissions vehicles within the transport and logistics industry (e.g. from Port of Melbourne)
- industry to adopt publicly declared sustainable practices to be the “new cleaner, greener industry” and be a good neighbour and corporate citizen

Victorian Government resourcing priorities

- expand Environment Protection Authority (EPA) and planning resources to build an air quality task force to implement the IWAQCRG recommendations and actions particularly in relation to dust and odour:
 - this would build on the current OPLE (Officers for the Protection of the Local Environment) model of the EPA that focuses on regional environmental priorities, and could be a pilot or test case for rolling out similar models across Victoria and Australia
 - the pilot could also drive legislative change in the Victorian Planning Provisions and local Planning Schemes to better address air quality

Active transport

- government funding and commitment to a range of public transport initiatives including:
 - “travel on demand” measures
 - Melbourne Metro 2 implementation (Altona North rail station and activating Sunshine to Newport link to passenger)
 - electric bus trial in Hobsons Bay

These key areas align well with the categories outlined in the IWAQCRG report, advocating for a better future for the municipality and the west: a future that sees all levels of government introducing changes to improve the responsibility and accountability of industry and businesses throughout Victoria.

In addition to this advocacy, Council will take action on relevant IWAQCRG report recommendations which are within Council’s control. These include statutory planning processes to improve air quality in the municipality (e.g. Conditions in planning permits to ensure dust emission is minimised, and proactive enforcement of existing planning permits). These improvements will be implemented and reported as part of the advocacy update reports.

Advocacy and reporting related to the broader West Gate Tunnel Project will continue to run in parallel with the Brooklyn and Altona North focused air quality advocacy. Other advocacy priorities with air quality elements such as advocacy around truck traffic on Millers Road, will also continue in parallel as part of Council’s broader advocacy program. This will allow the Brooklyn and Altona North air quality work advocacy to be more focused.

Advocacy will be implemented via a range of communication tools, including letters and presentations to ministers and local MPs; partnerships with DELWP, adjoining municipalities, IWAQCRG and local industry; and public campaigns. The upcoming Brooklyn and Altona North Better Places program presents a further opportunity for the community to be heard and for consultation with stakeholders who play a role in the air quality of this part of Hobsons Bay.

See Attachment 1 for the complete list of potential actions to be undertaken to advocate for improved air quality in Brooklyn.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 1: Visionary, vibrant, accountable urban planning

Priority 2: Community wellbeing and inter-connection

Priority 5: Activate sustainable practices

Council Plan 2017-21

Goal 1: An inclusive and healthy community

Objective 1.5: Understand the current and future needs of our community, and work to ensure those most vulnerable in our community are safe and have equitable and timely access to the support they need.

Goal 2: A great place

Objective 2.1: Protect and promote public health and community safety.

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

Objective 3.4: Maintain a clean city and encourage the community, business and industry to reduce, reuse and recycle.

Objective 3.5: Work with the community, businesses and all levels of government to actively and innovatively address climate change and promote sustainable living.

Goal 4: A Council of excellence

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

The advocacy plan calls for action from all stakeholders to address the issue of air quality for our community, including ongoing monitoring, improved industry practices, improved planning system and greater enforcement. All of which will improve the air quality in the municipality.

Policies and Related Council Documents

There are no specific Council policies or documents that relate to this matter.

Legal/Statutory Obligations and Risk

There are no legal, statutory obligations or risks that would result from advocating on improved air quality for the inner west or the municipality.

Financial and Resource Implications

The financial implications could be absorbed within operating budgets of various departments within the organisation. Should additional support be required, separate requests would be made to Council on specific projects.

Environmental, Social and Economic Impacts

Advocating for improved air quality will have a positive impact on the environment. There would be an economic impact on businesses that cause air pollution, requiring those businesses to become responsible and accountable for their practices.

Consultation and Communication

This advocacy program has been designed in light of the work of the IWAQCRG. Advocacy would be done working with the IWAQCRG (which recently confirmed it would be continuing), the Brooklyn Community Representative Group and other community groups. As noted previously, the Better Places program presents a further broader consultation opportunity as part of this program.

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 Certificate Presentations

9.1 Certificate of Recognition - Inner West Air Quality Community Reference Group

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

Purpose

To present a Certificate of Recognition to the Inner West Air Quality Community Reference Group.

Recommendation

That Council presents a Certificate of Recognition to the Inner West Air Quality Community Reference Group in recognition of their extraordinary contribution to the community of Hobsons Bay through their role in addressing air quality issues via their report, *Air Pollution in Melbourne's Inner West: Taking direct action to reduce our community's exposure.*

Summary

At the Council Meeting held on 9 March 2021, Council resolved to recognise the Inner West Air Quality Community Reference Group in recognition of their extraordinary contribution to the community of Hobsons Bay through their role in addressing air quality issues via their report, *Air Pollution in Melbourne's Inner West: Taking direct action to reduce our community's exposure.*

The Mayor will present the certificate at the Council Meeting held on 20 April 2021.

10 Business

10.1 Office of the Chief Executive

10.1.1 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's Report on Operations [10.1.1.1 - 39 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 March 2021 and 31 March 2021 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 2017-21

Goal 4: A Council of excellence

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

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.

10.1.2 Hobsons Bay Media Policy 2021

Directorate:	Office of the Chief Executive
Responsible Officer:	Manager Communications, Community Engagement and Advocacy
Reviewer:	Chief Executive Officer
Attachments:	1. Hobsons Bay City Council Media Policy 2021 [10.1.2.1 – 7 pages]

Purpose

To seek Council's support and endorsement of the Hobsons Bay Media Policy 2021 for Councillors and Council officers.

Recommendation

That Council:

1. **Revokes the Hobsons Bay Media Policy 2017.**
2. **Adopts the Hobsons Bay Media Policy 2021.**
3. **Publishes the Hobsons Bay Media Policy 2021 on Council's website.**

Summary

The media policy provides clear direction for Councillors and the organisation regarding communication and media procedures and processes when addressing issues relevant to Hobsons Bay City Council and the City of Hobsons Bay.

It will ensure responses given to the media are presented in a consistent, accurate, clear and timely manner to provide opportunity for fair representation in the media.

Background

The media policy was last reviewed by Councillors in 2017. The Hobsons Bay Councillor Code of Conduct 2021 was endorsed on 22 February 2021 and will complement this policy.

The policy covers media relations, media enquiries and responses, media releases, media interviews, media briefings, Council spokespeople and social media. Logo use is referenced as a related document, entitled Corporate Images and Logo Policy.

Discussion

The Hobsons Bay Media Policy 2021 provides clear guidelines for how Council responds to media. Support of the policy by Council ensures good governance in the way Council deals with media and presents the organisation and its spokespeople publicly.

This policy is similar to Council's previous media policies with relevant updates. It has also been updated with a focus on social media practices that accurately reflect Council's current social media platforms and usage.

The policy has been benchmarked against other councils' media policies and presents clear processes and expectations for Councillors and Council officers when:

- approached by the media
- providing personal comments to traditional media or publishing on social media platforms
- determining appropriate spokesperson
- formulating and approving messaging

A key aspect of the policy is spokesperson determination, which is outlined in the policy as follows:

- The Mayor is the official spokesperson for Council and can discuss matters with media that have been subject to an adopted Council resolution or have city-wide, state or national level relevance.
- The Deputy Mayor will be the official spokesperson when acting for the Mayor.
- The Mayor will consult with the Manager Communications, Community Engagement and Advocacy, and in some instances, the CEO when determining spokesperson delegation but the Mayor will ultimately have the final say.
- The Mayor (or Deputy Mayor while acting as Mayor) may at their discretion delegate spokesperson authority to a fellow Councillor when the matter relates to: a specific ward; a portfolio relating to an endorsed Councillor delegation; a Notice of Motion raised by a Councillor; or any future portfolio or committee that is put in place.
- Delegated spokesperson(s) for ward issues are to be considered based on the principles below:
 1. Localised ward issue with city-wide relevance:
 - The Mayor will be the spokesperson for city-wide issues regardless of ward/locality (unless spokesperson delegation is otherwise given by the Mayor at their discretion to Deputy Mayor or Ward Councillors)
 - Examples of local ward issues with city-wide relevance may include but are not limited to: projects with state or federal government funding/partnerships; major projects or initiatives of Council; projects/services connected to a broader civic priority of Council.
 4. Localised ward issues with no city-wide relevance:
 - Ward Councillors may be considered by the Mayor at their discretion to be spokespeople for localised ward issues.
 - Examples of local ward issues with no city-wide relevance may include but are not limited to: improvements/upgrades to local infrastructure (ex. open space, play space, sporting ovals/reserves); information about service or operational projects (ex. a community project, an art project/installation).
 5. Localised ward issues with relevance to two wards:
 - Ward Councillors for both relevant wards may be considered by the Mayor at their discretion to be spokespeople.

- Examples of localised ward issues with relevance to two wards may include but are not limited to: infrastructure, issues or emergencies relevant to the two wards.
- Decisions about spokesperson delegation are encouraged to be made at the discretion of the Mayor with consideration to:
 - the Council values (Respectful, Community driven and focused, Trusted and reliable, Efficient and responsible, Bold and innovative, Accountable and transparent, Recognised); and
 - taking a common-sense and equitable approach that encourages a fair and reasonable level of exposure of all Councillors to the media.

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 2017-21

Goal 4: A Council of excellence

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

Objective 4.3: Provide excellent customer service while ensuring all our communications are clear and easy to understand.

Policies and Related Council Documents

The Hobsons Bay Media Policy 2021 requires that Councillors' media interactions comply with the relevant section of the Hobsons Bay Councillor Code of Conduct 2021.

Logo use is covered separately by the Corporate Images and Logo Policy.

This policy also shapes the organisation's media and communications policy and procedures.

Legal/Statutory Obligations and Risk

The Hobsons Bay Media Policy 2021 complements the Hobsons Bay Councillor Code of Conduct 2021.

Financial and Resource Implications

Costs associated with the administration of this policy are accommodated within existing operational budgets.

Environmental, Social and Economic Impacts

There are no environmental, social or economic impacts associated with the implementation of this policy.

Consultation and Communication

The media policy is referenced in and aligned to the Hobsons Bay Councillor Code of Conduct 2021. The policy is available on Council's website.

The delivery of the policy is also evident in every media, social media or communications-related activity of Council.

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.

10.2 Corporate Services

10.2.1 Adoption of the Proposed Annual Budget 2021-22 and Proposed Revenue and Rating Plan 2021-22 to 2024-25

Directorate:	Corporate Services
Responsible Officer:	Chief Financial Officer
Reviewer:	Director Corporate Services
Attachments:	<ol style="list-style-type: none">1. Proposed Annual Budget 2021-22 [10.2.1.1 - 76 pages]2. Fees and Charges 2021-22 [10.2.1.2 - 30 pages]3. Detailed Capital Works Program 2021-22 [10.2.1.3 - 6 pages]4. Proposed Revenue and Rating Plan 2021-22 to 2024-25 [10.2.1.4 - 26 pages]

Purpose

To present to Council the Proposed Annual Budget for the 2021-22 financial year (Attachments 1-3) and the Proposed Revenue and Rating Plan 2021-22 to 2024-25 (Attachment 4), in accordance with sections 94 and 93, respectively, of the *Local Government Act 2020* (LG Act 2020).

Recommendation

That Council:

1. Endorses the Proposed Annual Budget 2021-22 to be placed on public exhibition for four weeks.
2. Endorses the Proposed Revenue and Rating Plan 2021-22 to 2024-25 to be placed on public exhibition for four weeks.
3. Authorises the Chief Executive Officer to:
 - a. Give public notice of the preparation of the Proposed Annual Budget 2021-22 and Proposed Revenue and Rating Plan 2021-22 to 2024-25.
 - b. Make available for public inspection the information required by regulations 7 and 8 of the Local Government (Planning and Reporting) Regulations 2020.
4. Considers and hears any comments received in accordance with section 223 of the *Local Government Act 1989* at the Council Meeting to be held on 8 June 2021.

Summary

The Proposed Annual Budget 2021-22 is based on an operational surplus of \$27.38 million for the year, although this does not include Council's significant investment in capital expenditure of \$63.491 million for 2021-22.

Operating surpluses are required to ensure that Council remains financially viable to fund current and future commitments, including the Ten Year Capital Works Program. After funding capital works and other non-operational or non-cash items, a balanced Available Funding Result has been calculated.

Despite the predicted operational surplus and balanced Available Funding Result, Council's cash and investment reserves are expected to decline by \$13.895 million during 2021-22.

Council proposes to increase its general rates by 1.5 per cent in accordance with the Victorian Government rate cap legislation. This year's rates will be based on new 2021 valuations, meaning rate increases will vary across the differential rating categories and individual properties. The overall average property valuation in Hobsons Bay has increased by 0.32 per cent, while the average residential property valuation has increased by 0.48 per cent.

The proposed budget includes \$2 million of targeted community support for community members most affected by the COVID-19 pandemic. The package includes \$1.35 million in targeted rate relief and \$650,000 towards an evidence-based focus on business, young people, community grants and the arts. Over 125 per cent of the general rate increase is delivered straight back to the community in the form of targeted relief for those who truly need help.

Background

The annual budget process commenced in late 2020 when Council undertook its 2021-22 pre-budget consultation, providing an opportunity for community members to submit their ideas. The proposed budget brings together all the elements that have influenced its development, including:

- community consultation process
- strategic priorities
- Capital Works Program
- Revenue and Rating Plan 2021-22 to 2024-25 and rate modelling
- operational budget
- fees and charges

The Victorian Government has implemented an inflation-based rate cap, the Fair Go Rates System, which has been overseen by the Essential Services Commission since 2016-17. The rate cap for 2021-22 is 1.5 per cent, down from 2 per cent in 2020-21.

Discussion

In preparing the proposed budget, effort has been taken to maintain service levels as much as possible. Council's operational budget reflects delivery of a significant number of services and has been constructed to ensure continuity of services, noting that some adjustments to internal resourcing have been made to meet organisational needs and ensure that the organisation can continue to respond to community expectations.

While the 2021-22 operational surplus may seem like a strong result, there is a shortfall in the funding available for the Ten Year Capital Works Program. The program has therefore been reduced in line with current financial limitations. Council is working to reduce this funding gap, but some projects in future years remain unfunded for now.

Council has a strong history of being financially sustainable and managing service delivery within its means. As revenue constraints outside of Council's control are applied and as the level of organisational maturity increases in asset management, a higher degree of work is required on service planning. This work should ensure that Council remains in a reasonable financial position throughout the duration of its Financial Plan and delivers the most relevant mix of services to support the Hobsons Bay community.

The average rateable property's capital improved value (CIV) in Hobsons Bay has increased by 0.32 per cent in the past 12 months. Property valuation changes can vary considerably across the differential rating categories and individual properties in a revaluation year.

The overall average CIV increase is 0.32 per cent, but this varies for each rating category as follows:

- residential ▲ 0.48 per cent increase
- residential vacant land ▲ 1.44 per cent increase
- commercial ▼ 2.45 per cent decrease
- industrial ▲ 0.71 per cent increase
- petrochemical ▼ 5.95 per cent decrease
- cultural and recreational ▼ 1.18 per cent decrease

There is a common misconception that as properties are revalued, Council receives a "windfall gain" of additional revenue. This is not the case, as the revaluation process results in a redistribution of the rate burden across all properties in the municipality. Total income from rates (excluding waste service charges) is determined by the rate cap. In simple terms, as property values increase, the rate in the dollar is reduced.

The average general rate increase is 1.5 per cent, consistent with the rate cap, but this varies for each rating category as follows:

- residential ▲ 1.86 per cent increase
- residential vacant land ▲ 2.80 per cent increase
- commercial ▼ 1.17 per cent decrease
- industrial ▲ 2.04 per cent increase
- petrochemical ▼ 4.66 per cent decrease
- cultural and recreational ▼ 0.13 per cent decrease

The one-off rate adjustment in 2020-21 has been removed in 2021-22. The removal of the adjustment is not considered in the rate variations above and is not included in the rate cap. It is acknowledged that its removal could be considered to increase the overall rate increase in 2021-22.

The rate notice will include service charges for the collection, disposal and processing of garbage, recycling, glass, garden and food waste and hard waste. These service charges are not subject to the rate cap; rather, they should be based on the cost to provide the service. The charges have been increased by 10 per cent in 2021-22 but still do not cover the cost of providing the waste service. Council has decided to recoup its considerable investment in expanding its waste service in future years.

Rate notices will also include the fire services property levy that Council collects on behalf of the Victorian Government. This levy is not regarded as Council income and is not included within the figures outlined in the Proposed Annual Budget 2021-22.

Should further financial assistance be required, it can be provided through Council's Financial Hardship Policy and/or COVID-19 Financial Assistance Policy.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

This report aligns with all the priorities of the Hobsons Bay 2030 Community Vision.

Council Plan 2017-21

Goal 4: A Council of excellence

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

Policies and Related Council Documents

The Proposed Annual Budget 2021-22 and the Proposed Revenue and Rating Plan 2021-22 to 2024-25 will align with Council's Financial Plan 2021-22 to 2030-31.

Legal/Statutory Obligations and Risk

Council must prepare and adopt a budget for each financial year and the subsequent three financial years by 30 June each year in accordance with section 94 of the LG Act 2020. The annual budget must be in the format outlined in the model prescribed by the Local Government (Planning and Reporting) Regulations 2020.

Council's Community Engagement Policy 2021 stipulates that Council will engage with the community and for feedback and participation during the planning and development stages of the Annual Budget. Council's process accords with section 223 of the *Local Government Act 1989* (LG Act 1989), which remains in force and provides the right to make submissions to Council.

Council must prepare and adopt a Revenue and Rating Plan by the next 30 June after a general election for a period of at least the next four financial years in accordance with section 93 of the LG Act 2020.

Parts of the LG Act 1989 regarding the local government rating framework are still in force. These include Part 8 (Rates and charges on rateable land) and Part 8A (Rate caps).

Financial and Resource Implications

The proposed budget predicts an operational surplus of \$27.38 million in 2021-22. The result is based on revenue of \$156.923 million and expenses of \$129.543 million.

Council is proposing to collect \$116.873 million in rates and charges during 2021-22. This is the most important source of income for Council and is expected to account for an estimated 74 per cent of Council's revenue.

Council's cash and investment reserves are expected to decline by \$13.895 million during the year to \$23.665 million as at 30 June 2022. This is a result of Council's large capital works commitment and COVID-19 support initiatives during 2021-22. Council's operational income is expected to be impacted throughout the COVID-19 recovery phase.

Loan borrowings are expected to decrease by \$2.2 million during 2021-22. The reduction is a result of \$9.2 million principal repayments and new borrowings of \$7 million.

Council's new borrowings relate to the Large Scale Solar Installation Program, which includes new solar installations on more than 40 buildings delivering approximately 4MW of solar generated power. This long term intergenerational project will introduce a Virtual Energy Network enabling energy from all buildings to be distributed across Council-owned and leased assets facilitating significant energy cost savings. The project will generate substantial savings for Council through the reduction of energy costs with a positive return on its initial investment.

Council proposes to spend \$63.491 million on capital works, after \$1.625 million worth of projects are completed early and bought forward into 2020-21. The program is funded by capital income (\$13.879 million), reserves (\$11.134 million) and loan borrowings (\$7 million) to support the program of works. The balance of the program is funded from the operational surplus and cash reserves. Highlights include:

- buildings (\$24.675 million) – including sporting and recreational facilities (\$20.35 million), civic and community facilities (\$2.895 million), building renewal program (\$530,000) and environmental sustainability initiatives (\$900,000)
- recreation and open space (\$18.683 million) – including parks, open space and streetscapes (\$11.068 million), recreational, leisure and community facilities (\$7.410 million), off-street carparks (\$145,000) and bridges (\$60,000)
- roads (\$13.043 million), drains (\$2.038 million), footpaths and cycleways (\$1.131 million)
- plant and equipment (\$3.297 million) – including scheduled replacement of Council's vehicle and plant fleets (\$1.637 million), library resources (\$1 million) and information technology (\$700,000)

Environmental, Social and Economic Impacts

Environmental, social and economic impacts have been considered throughout the development of the Proposed Annual Budget 2021-22.

Consultation and Communication

Council undertook its 2021-22 pre-budget consultation, titled Pitch Your Idea, during November and December 2020. The consultation process provided an opportunity for community members to submit an idea for consideration in Council's Proposed Annual Budget 2021-22. Council received 86 requests for budget allocation for various projects across the municipality, of which 68 requests met the guidelines, terms and conditions and progressed to the next stage.

These submitters were invited to attend and present their project to Councillors and fellow community members at a Speed Dialogue event held on 15 February 2021.

Many of the Pitch Your Idea projects have been included in the proposed budget, including upgrading Altona's streetscape into safe "shared streets" (\$2.875 million), a full park and play space upgrade of the Henderson Street Reserve in Laverton as part of Laverton Better

Places (\$365,000), and a revamp of Newport's Pavey Reserve to be a "destination playground" (\$1.025 million in a future budget). Environmental initiatives have also been supported, such as the promotion of cloth nappies (\$11,000), along with initiatives that champion community wellbeing, including a social support program for older residents (\$5,000) and installing colourful imagery into Seabrook's parks (\$20,000).

Additionally, a number of community submissions have been slightly modified and will be delivered through Council's day to day operations, including a project that focusses on a love of reading across Hobsons Bay and a creative education program to enhance awareness of the impact of litter on the marine environment. Applicants will be informed in writing of the outcome of their requests after the Annual Budget 2021-22 is adopted.

Despite not being visible in the budget, Council will continue its advocacy work towards other levels of government to identify future funding opportunities that will help deliver an ongoing high standard of services and infrastructure. For example, Council has been strongly campaigning to the Victorian Government for a safe and accessible cyclist and pedestrian crossing over Laverton Creek that complements the recently strengthened Queen Street Bridge in Altona Meadows.

Section 96 of the LG Act 2020 requires that Council's budget be developed in accordance with its community engagement policy. In keeping with the Hobsons Bay Community Engagement Policy 2021, Council engages with the community during the planning and development stages of the Annual Budget. Council's process continues to accord with section 223 of the LG Act 1989.

Deliberative community engagement is not prescribed for a Revenue and Rating Plan in either the LG Act 2020, or the Local Government (Planning and Reporting) Regulations 2020. However, given the low levels of understanding around rates, the benefits of educating the community are substantial and public consultation should be viewed as an integral part of a Revenue and Rating Plan. Community engagement can be an effective way to better involve and educate ratepayers, customers and other stakeholders about Council's rating and revenue systems, how income is collected, and how policies are created and applied.

The Proposed Annual Budget 2021-22 and the Proposed Revenue and Rating Plan 2021-22 to 2024-25 are to be placed on public exhibition as part of the legislated four week consultation period. Any person may make a written comment on any proposal contained in the budget. In particular, the community is encouraged to provide ideas in relation to how best to allocate Council's new Community Support Package to those most in need.

Both documents will be made available for inspection and comment until 14 May 2021, and feedback will be heard at the Council Meeting to be held on 8 June 2021.

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.

10.2.2 Municipal Association of Victoria State Council Motions 2021

Directorate:	Corporate Services
Responsible Officer:	Manager Corporate Integrity (Legal Counsel)
Reviewer:	Director Corporate Services
Attachments:	Nil

Purpose

To consider the motions to be put forward to the Municipal Association of Victoria (MAV) for the State Council Meeting on 21 May 2021.

Recommendation

That Council resolves to put the motions listed in the report to the MAV State Council Meeting to be held on 21 May 2021.

Summary

On 21 May 2021 the MAV will be holding a State Council Meeting. These meetings provide an opportunity for local government to submit motions for key priorities that require state or federal government support.

Eleven motions have been developed for Councillors' consideration for submission to the State Council Meeting.

Background

The 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 the 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.

There was no State Council Meeting in 2020 due to COVID-19 restrictions.

Discussion

The 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 21 May 2021:

1. Improvements to pedestrian and cycling connections

That the MAV advocates to the Victorian Government to fund and deliver pedestrian and cycling improvement works throughout all of Victoria to reduce congestion, encourage sustainable and integrated transport options and increase health and wellbeing outcomes in line with a key recommendation of the Victorian Draft 30 Year Infrastructure Strategy.

2. Increase tree canopy coverage across urban areas for improved environmental, health and wellbeing outcomes

That the MAV advocates to the Victorian Government to provide funding for the planting, replacement and maintenance of trees in urban areas throughout Victoria to reduce greenhouse gas emissions and the urban heat island effect, and increase health and wellbeing outcomes in line with a key recommendation of the Victorian Draft 30 Year Infrastructure Strategy.

3. Reshape the Melbourne metropolitan bus network

That the MAV advocates to the Victorian Government to undertake a comprehensive review of the Melbourne metropolitan bus network to reduce congestion, encourage sustainable and integrated transport options and increase health and wellbeing outcomes in line with a key recommendation of the Victorian Draft 30 Year Infrastructure Strategy.

4. Commence delivery of the Melbourne Metro 2 Project

That the MAV advocates to the Victorian Government to bring forward the funding and planning for Melbourne Metro 2 and ensure its completion prior to the building of the outer suburban rail line to reduce congestion, encourage sustainable and integrated transport options and increase health and wellbeing outcomes. This work should also consider 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 and reinstatement of a train station in Altona North on the Werribee line.

5. Waste and recycling outcomes

That the MAV advocates to the Victorian Government to fast-track funding and resourcing to support the mandated new four-bin system. More recycling processing infrastructure is needed, and financial support promised to councils to support their transition is not yet flowing.

6. Coastal and Marine Management Plans

That the MAV advocates to the Victorian Government to fund and take a coordinated, integrated approach to planning and management for coastal councils in the preparation, delivery and maintenance of their Coastal and Marine Management Plans.

7. Alleviation of West Gate Tunnel traffic and amenity impacts

That the MAV advocates to the Victorian Government to fund and deliver West Gate Tunnel traffic and air quality alleviation measures resulting from the West Gate Tunnel Project and the Inner West Air Quality Community Reference Group's report *Air Pollution in Melbourne's Inner West: Taking direct action to reduce our community's exposure*.

8. Youth mental health

That the MAV advocates to the Victorian Government to fund and deliver increased mental health services and programs (both preventative and responsive). This need is amplified and intensified given the acute impacts of the COVID-19 pandemic on young people.

9. Funding to support councils to meet their obligations under the *Gender Equality Act 2020*

That the MAV advocates to the Victorian Government to provide funding to support councils, in the way of resourcing for a Diversity Officer, in meeting their obligations under the *Gender Equality Act 2020* and ensuring gender equality is met for all community members.

10. Increased transparency of community contributions from electronic gaming machine (EGM) venues

That the MAV advocates to the Victorian Government to amend legislation such that EGM venues are required to include sufficient detail in their publicly available community benefit statements to allow a reasonable person to understand the specific nature of each community contribution (e.g. prevent venues from using categories such as "donations/gifts/sponsorships").

11. Targeted support for vulnerable older people during COVID-19 recovery

That the MAV advocates to the Victorian Government to provide additional targeted support to older people who are vulnerable and feeling the impacts of COVID-19 acutely, whether through health vulnerabilities that are restricting their return to normal activities, social isolation and loneliness, mental health impacts, and other impacts.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 2: Community wellbeing and inter-connection

Council Plan 2017-21

Goal 4: A Council of excellence

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

Policies and Related Council Documents

Listed below are Council's MAV motions since 2016:

2019:

- reduction in the number of electronic gaming machines 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
- electronic gaming machines

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 as well as 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. In particular, 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. They are supported by the Hobsons Bay 2030 Community Vision and align with a range of Council policies and strategies including but not limited to the Urban Forest Strategy 2020, the Waste and Litter Management Strategy 2025, A Fairer Hobsons Bay For All 2019-23 and the Integrated Transport Plan 2017-30. 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.

10.2.3 Adoption of the Hobsons Bay Gifts, Benefits and Hospitality Policy 2021

Directorate:	Corporate Services
Responsible Officer:	Manager Corporate Integrity (Legal Counsel)
Reviewer:	Director Corporate Services
Attachments:	1. Hobsons Bay Gifts, Benefits and Hospitality Policy 2021 [10.2.3.1 - 12 pages]

Purpose

To consider and adopt the Hobsons Bay Gifts, Benefits and Hospitality Policy 2021, which applies to Councillors and Council officers.

Recommendation

That Council:

1. **Revokes the former Gifts, Benefits and Hospitality Policy endorsed by Council at the Ordinary Council Meeting on 10 October 2017.**
2. **Adopts the revised Hobsons Bay Gifts, Benefits and Hospitality Policy 2021.**

Summary

As part of the implementation of the *Local Government Act 2020*, section 138 requires all Victorian councils to adopt a Councillor Gift Policy within the period of six months after the general election. The policy must include procedures for the maintenance of a gift register and any matters in the regulations, including a minimum value of gifts that must be disclosed. The policy must also address the handling of anonymous gifts by Councillors in accordance with the provisions of section 137 of the Act, in particular the fact that Councillors must not accept, directly or indirectly, anonymous gifts.

This new requirement will complement personal interest returns by recording gifts that may be below the threshold for disclosure in a personal interest return or that may have been received since the latest return was lodged.

Background

There was no requirement for Council to have a Councillor gift policy in the *Local Government Act 1989*; however, Council did have a policy in place, adopted by Council on 10 October 2017.

The Hobsons Bay Gifts, Benefits and Hospitality Policy aligns with the principles of the Hobsons Bay Public Transparency Policy and seeks to protect and promote public confidence in the integrity of Council and its operations.

The community expects high standards of integrity, impartiality and responsible use of public resources from Hobsons Bay City Council officers and Councillors. They are expected to:

- earn and sustain public trust
- be honest, open and transparent in their dealings
- make decisions and provide advice without bias
- avoid any real or apparent conflicts of interest
- use their powers responsibly
- report improper conduct
- seek to achieve best use of resources
- submit themselves to appropriate scrutiny

Public trust depends on honest dealings and officers and Councillors must not accept gifts, benefits or hospitality from people seeking to influence their decisions unfairly.

The policy aims to ensure that:

- Councillors and Council officers do not accept gifts that are likely to create a conflict of interest with their public duty
- Council activities are not influenced, or perceived to be influenced, by the receipt of gifts, benefits or hospitality
- gifts that are accepted are properly disclosed, recorded and managed

Discussion

Key elements of the Gifts, Benefits and Hospitality Policy:

- it is the individual responsibility of a Councillor or Council officer to declare gifts, benefits or offers of hospitality for recording in the Register
- for the purposes of transparency, all gifts regardless of value should be declared and recorded in the Council Gift Register
- the Council Gift Register is maintained by the Governance unit
- the gift declaration form must be completed as soon as practicable after the gift is received
- a Councillor or Council officer may accept a small token gift (being less than \$50 in value), but anonymous gifts, monetary gifts (including gift vouchers), bequests and gifts that create a conflict of interest must never be accepted
- official gifts are deemed to be the property of Council and must be declared with the Manager Corporate Integrity (Legal Counsel)

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 2017-21

Goal 4: A Council of excellence

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

Policies and Related Council Documents

The Hobsons Bay Gifts, Benefits and Hospitality Policy aligns with the principles of the Hobsons Bay Public Transparency Policy and seeks to protect and promote public confidence in the integrity of the Council and its operations.

Endorsement of this policy by Council ensures legislative compliance with the requirements of the implementation of the *Local Government Act 2020*.

Legal/Statutory Obligations and Risk

Adoption of a gifts, benefits and hospitality policy is good governance practice for Council to meet the legislative requirements of sections 137 and 138 and of the *Local Government Act 2020*, the Employee Code of Conduct and the Councillor Code of Conduct and to avoid any potential conflicts of interest.

Financial and Resource Implications

An effective approach to the acceptance of gifts and hospitality will support identification and management of conflicts of interest by Council officers and Councillors.

Environmental, Social and Economic Impacts

An effective approach to the acceptance of gifts and hospitality will avoid adverse social impacts where Council's reputation could be affected by a lack of good governance and transparency.

Consultation and Communication

Internal consultation has been undertaken with Council officers, the Executive Leadership Team and Councillors in the course of developing the policy.

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.

10.2.4 Council Meeting Timetable to 31 December 2021

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

Purpose

To adopt the 2021 Council Meeting Timetable to 31 December 2021.

Recommendation

That Council:

- 1. Adopts the Council Meeting Timetable to 31 December 2021 as listed in the report.**
- 2. Provides appropriate public notice of the Council Meeting dates, including by publication on Council's website, in accordance with the rule 4.2.3 of the Hobsons Bay Governance Rules.**

Summary

This report proposes Council meeting dates up to 31 December 2021 for Council's consideration.

Background

Council is required to fix the date, place and time of all Council meetings and reasonable notice must be provided to the public.

Council adopted the Council Meeting Timetable to 30 June 2021 at the Council Meeting held on 8 December 2021. This report proposes the timetable for Council Meetings for the remainder of the year.

Discussion

The proposed Council Meeting Timetable to 31 December 2021 is listed below.

The 2021 timetable includes one Council Meeting per month. It is proposed that Councillor Briefing Sessions and meetings of Council's Delegated Planning Committee continue to be held on the alternate weeks.

All meetings will be held in the Council Chamber at the Hobsons Bay Civic Centre, unless otherwise notified.

Council Meeting Timetable to 31 December 2021		
Tuesday 6 July	6.30pm	Councillor Briefing Session
Tuesday 13 July	7pm	Council Meeting
Tuesday 20 July	6.30pm	Councillor Briefing Session
Tuesday 27 July	6pm	Delegated Planning Committee
Tuesday 3 August	6.30pm	Councillor Briefing Session
Tuesday 10 August	7pm	Council Meeting
Tuesday 17 August	6.30pm	Councillor Briefing Session
Tuesday 24 August	6pm	Delegated Planning Committee
Tuesday 31 August	No meeting – fifth Tuesday in the month	
Tuesday 7 September	6.30pm	Councillor Briefing Session
Tuesday 14 September	7pm	Council Meeting
Tuesday 21 September	6.30pm	Councillor Briefing Session
Tuesday 28 September	6pm	Delegated Planning Committee
Tuesday 5 October	6.30pm	Councillor Briefing Session
Tuesday 12 October	7pm	Council Meeting
Tuesday 19 October	6.30pm	Councillor Briefing Session
Tuesday 26 October	6pm	Delegated Planning Committee
Tuesday 2 November	No meeting – Melbourne Cup public holiday	
Tuesday 9 November	6.30pm	Councillor Briefing Session
Friday 12 November	7pm	Council Meeting – Election of the Mayor and Deputy Mayor
Tuesday 16 November	7pm	Council Meeting
Tuesday 23 November	6.30pm	Councillor Briefing Session
Tuesday 30 November	6pm	Delegated Planning Committee
Tuesday 7 December	6.30pm	Councillor Briefing Session
Tuesday 14 December	7pm	Council Meeting
Thursday 16 December	6pm	Delegated Planning Committee

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 2: Community wellbeing and inter-connection

Council Plan 2017-21

Goal 4: A Council of excellence

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

Policies and Related Council Documents

The current Council meeting cycle of two Councillor Briefing Sessions and one Council Meeting per month has been in place since 2017.

Legal/Statutory Obligations and Risk

Rule 4.2.3 of the Hobsons Bay Governance Rules requires that Council prepare a schedule of Council meetings at least once each year, and that the schedule be made available to the community at Council's Customer Service Centres and by publication on Council's website.

It is noted that rules 4.3.1 and 4.3.2 of the Hobsons Bay Governance Rules permit Council to change the date, time and place of any Council meeting that has been fixed and require that the public be provided with reasonable notice of the changes. Such notice is to be made on Council's public noticeboards, at Hobsons Bay Libraries, on Council's website, and by any other means deemed necessary.

Financial and Resource Implications

There are no financial or resource implications resulting from this report.

Environmental, Social and Economic Impacts

Council Meetings are an effective approach to decision making that provides community access and participation in the public process.

Consultation and Communication

Public notice of the Council Meeting dates will be given in the local newspaper and via public notices displayed at the Hobsons Bay Civic Centre, Hobsons Bay Libraries and on Council's website.

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.

10.2.5 Audit and Risk Committee Update - February 2021

Directorate:	Corporate Services
Responsible Officer:	Audit and Risk Advisor
Reviewer:	Director Corporate Services
Attachments:	1. Audit and Risk Committee Meeting Minutes - 24 February 2021 [10.2.5.1 - 7 pages]

Purpose

To update Council regarding issues considered at the Audit and Risk Committee meeting held on 24 February 2021.

Recommendation

That Council notes the matters considered by the Audit and Risk Committee at the meeting held on 24 February 2021.

Summary

This report provides an update of the Audit and Risk Committee meeting held on 24 February 2021 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 24 February 2021 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
- quarterly financial report for the period as at 31 December 2020
- cash and investment balances as at 31 January 2021

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 2: Community wellbeing and inter-connection

Council Plan 2017-21

Goal 4: A Council of excellence

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

Policies and Related Council Documents

Not applicable.

Legal/Statutory Obligations and Risk

As an independent Committee of Council, appointed by Council pursuant to section 53 of the *Local Government Act 2020*, the Audit and Risk Committee is not a delegated committee as defined by the Act.

The Audit and Risk Committee Charter has been developed having regard to Audit Committee – A Guide to Good Practice for Local Government, which was issued in January 2011 by the Minister of Local Government and the Victorian Auditor General's report Audit Committee Governance of August 2016 (including the Standing Directions of the Minister for Finance 2016).

Financial and Resource Implications

Not applicable.

Environmental, Social and Economic Impacts

Not applicable.

Consultation and Communication

Not applicable.

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.

10.3 Sustainable Communities

10.3.1 Draft Hobsons Bay Mobile Vendors Policy 2021

Directorate:	Sustainable Communities
Responsible Officer:	Manager Strategy, Economy and Sustainability
Reviewer:	Director Sustainable Communities
Attachments:	1. Draft Hobsons Bay Mobile Vendors Policy 2021 [10.3.1.1 – 8 pages]

Purpose

To provide an overview of the current Stationary Roadside Vendor Permit system and undertake consultation on the Draft Hobsons Bay Mobile Vendors Policy 2021.

Recommendation

That Council:

1. Publicly exhibits the Draft Hobsons Bay Mobile Vendors Policy 2021 for six weeks.
2. Receives a further report following the public exhibition period to adopt the Hobsons Bay Mobile Vendors Policy.

Summary

Through its Stationary Roadside Vendor program, Council conducts a tender process to permit mobile vendors to operate at one of six locations within Hobsons Bay. These sites are reviewed every two years and there are currently up to nine permits available across these locations.

Council does not currently support the operation of mobile vendors on public land outside of these sites, and with no formal policy or process in place, Council's ability to consider requests for roadside trading is limited.

In recent months there has been an increase in mobile trading activity across Hobsons Bay. There has also been significant local support for itinerant (roaming) vendors servicing suburbs that are not close to retail precincts or local hospitality businesses. Without a formal policy and process in place for mobile traders, Council is limited in its ability to support or regulate these operators.

To ensure a consistent, equitable and coordinated approach to roadside trading, a draft policy has been prepared that provides a framework to support the operation of stationary and itinerant roadside trading. It is recommended that community feedback be sought on the draft policy.

Background

Hobsons Bay City Council regulates roadside vendors to ensure the commercial supply of goods and services is carried out in a safe manner for road users and pedestrians. Roadside vending can involve trading in one place (stationary roadside vending) or moving between locations without prearrangement (itinerant trading).

Through a tender process Council issues up to nine Stationary Roadside Vendor permits across approved locations including the Altona boat ramp, Cherry Lake, Apex Park, Newport boat ramp, Kororoit Creek Road and the Timeball Tower in Williamstown. These sites were selected as they benefit from a high level of foot traffic while giving operators the opportunity to operate with minimal competition from nearby businesses. Successful applicants are granted use of the specified site for two years, with a fee paid annually. Only one eligible application was received when the last tender was undertaken in 2018, leaving four sites unused, though operators have since been permitted at a further three sites. All current permits are due to expire in July 2022.

Vendors operating through the Stationary Roadside Vendor program pay an annual permit fee ranging from \$2,500 at the Altona boat ramp to \$8,000 at the Timeball Tower and have exclusive permission to operate at that site for the duration of the tender. Mobile or itinerant roadside vendors who wish to operate on a temporary, seasonal or one-off basis on Council land are not currently supported. Without a policy or mobile trading guidelines in place, there is a lack of consistency in the information provided to businesses seeking to operate in Hobsons Bay and it has become increasingly difficult to monitor.

The low number of responses received for the 2018 tender and informal feedback received from mobile vendors indicates a need to review Council's approach to mobile vending to better align Council policy with community demand and vendor expectations.

In 2015 Council received an informal briefing report on the future of mobile food vendors in Hobsons Bay. At the time there was interest in food trucks from the community, but significant concerns from local trader associations. As a result no further report was brought to Council. Shortly after it was considered, a weekly food truck event was launched, providing an avenue for mobile businesses to operate in Hobsons Bay on private land without requiring permission from Council, although this event has now ceased operations.

During the COVID-19 pandemic there has been increasing activity and community support for itinerant vendors, some of whom continued to operate throughout Melbourne's lockdown. These vendors serviced neighbourhoods that are not close to retail precincts or "bricks and mortar" hospitality operators and so the mobile vendors provided a social connection and became a positive local addition for residents during this period.

With demand for mobile trading expected to grow as businesses seek new, cost-effective ways of operating and interest and support from the local community increases, developing a mobile vendor policy and permit process will ensure a consistent, transparent and equitable approach to managing mobile vendors to ensure they provide value to the Hobsons Bay community.

Discussion

Mobile trading, when managed appropriately, can contribute to creating a vibrant and diverse local economy, attracting visitors and providing residents in isolated areas with local access to goods and services. However, consideration must be given to any potential

negative impacts on the community, particularly on existing business owners, landowners and residents.

Benchmarking has been undertaken with other councils, with 37 out of 47 benchmarked councils supporting mobile or itinerant vendors. There were a range of approaches: some only required businesses to register with the Victorian Government's Streatrader database, others restricted vendors from operating in activity centres and a number of councils are in the process of developing a mobile vendor policy. Twenty of the surveyed councils charge a permit fee for mobile vendors, with fees ranging from \$40 to \$2,000 per day.

Other controls in place include:

- charging an application fee for Council to consider new trading locations
- issuing permits to operate on public land
- limiting the operating times for mobile vendors
- incorporating the process into a broader "commercial use of Council property" policy
- charging prohibitive fees to deter operators
- considering permits only for mobile vendors operating as part of an event
- limiting how close to existing businesses vendors can operate
- supporting local mobile vendors only, with no businesses from outside the local government area permitted to operate

Current challenges

The key challenges that need to be considered when determining the best approach to managing mobile trading include:

- ensuring that clear and consistent information is available from Council, as without a clear policy it is difficult to enforce local law when mobile vendors operate on Council land
- honouring the permits currently in place until July 2022 through the Stationary Roadside Vendor Permit system
- introducing additional permits or options for where to operate should not have a negative impact or create increased competition for current permit holders
- considering how the new policy can enhance the local business landscape without creating competition for established local businesses, particularly as owners of established bricks and mortar businesses have previously indicated strong opposition to mobile vendors

To address the challenges outlined above a number of options could be considered:

1. Formalise Council's current approach to mobile trading through a policy that limits mobile trading to the current sites identified in the Stationary Roadside Vendor Permit tender
2. Introduce a policy for itinerant food vendors only, with the introduction of a permit process allowing traders to operate on public land
3. Adopt a policy to replace the existing Stationary Roadside Vendor Permit tender, introducing an overarching mobile food vendor policy that allows for more flexibility in vendor locations and permit types

Recommended approach

It is recommended that Council adopts a policy that replaces the existing Stationary Roadside Vendor Permit tender and supports mobile traders to operate in Hobsons Bay in a managed and monitored way. An overarching mobile vendor policy would allow more flexibility in vendor locations, as well as permit types (daily/monthly/annual).

Vendors would be classified as either **stationary** (one site for the duration of their permit) or **itinerant** (roaming at least 500m away from other operators and businesses).

Vendors would be able to operate subject to permits:

- from one of the six approved locations (existing sites)
- from a new site, which would be assessed and approved by Council
- roaming across the municipality, but **not** within 500m of an activity centre (as identified in the Activity Centres Strategy 2019-36), existing bricks and mortar business, approved vendor locations, or another permitted mobile vendor

Permit fees would apply based on whether vendors are operating from an approved location (with three tiers of permit fees) or whether they are roaming. The following permit fees are proposed based on the existing roadside vendor permit fees, with options for daily and monthly permits introduced. Itinerant fees are proposed to be higher, to reflect the greater level of flexibility available to these operators. There is currently no limit on the number of itinerant/roaming permits issued. However, a cap may be introduced to manage future demand.

	Tier 1 site	Tier 2 site	Tier 3 site	Itinerant
Permit fee (new sites)	\$75	\$75	\$75	\$250
One day permit	\$500	\$250	\$250	\$500
Monthly permit	\$2,000	\$1,000	\$1,000	\$2,000
Annual permit	\$8,000	\$4,000	\$2,500	\$12,000
Maximum permits available	1 per site	1 per site	1 per site	NA

Fees are valid for the 2021-22 financial year and are subject to change. Permit fees will be charged annually in July or pro-rata for permits issued during the year.

It is recommended that the following considerations be included:

- retain the existing tiered system for stationary vendors and introduce itinerant permits with corresponding fees
- provide options to gain a permit for a day (once-off), a month or a year
- provide a mechanism for operators to apply for new sites and a clear process for officers to approve or refuse a proposed site
- align annual permit fees with current Stationary Roadside Vendor Permit fees to ensure consistency and equity
- one permit per location for stationary vendors, with no cap to the number of itinerant permits available each year (subject to the introduction of a cap if the numbers lead to problems at a future date)

- require applicant businesses to:
 - have an ABN registered in Hobsons Bay
 - be registered on Streatrader
 - have public liability insurance
 - provide a waste management plan
- require that vendors not operate within 500m of a trading precinct, a permitted stationary roadside vendor, another itinerant vendor or a bricks and mortar business
- require that a vendor submit a Statement of Trade to Council at least one day prior to trade

The following mobile vendors would not be covered by this policy:

- vendors operating on private land, to be assessed through standard town planning processes
- vendors operating as part of a permitted event, to be assessed through standard town planning and event permit processes

Next steps

It is proposed that consultation be undertaken on the draft policy for six weeks with local business owners, mobile vendors and residents invited to provide feedback and input. A further report will be brought to Council following consideration of feedback received.

Permits will be reviewed annually to ensure equity and accessibility for mobile vendors. All permit renewals will be processed with consideration to current demand for mobile trading and the impact on local businesses and the Hobsons Bay community.

Strategic Alignment

Hobsons Bay 2030 Community Vision

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

Council Plan 2017-21

Goal 2: A great place

Objective 2.3: Support the growth of our local economy, and encourage business investment that creates and maintains local jobs.

Other Council strategies

The development of a mobile vendor policy aligns with the objectives of the following Council strategies:

- Economic Development Strategy 2015-20
- Experience Hobsons Bay Tourism Strategy 2019-24
- Activity Centres Strategy 2019-26

Policies and Related Council Documents

The Hobsons Bay Mobile Vendors Policy 2021 will be enforced in accordance with the Footpath Trading Code of Practice and Hobsons Bay Community Local Law 2015.

A report was taken to the Councillor Briefing Session held on 4 August 2015 to seek direction on Council's policy on food vendor permits on Council-managed public land.

Legal/Statutory Obligations and Risk

Council's legal team will be consulted in the development of policy guidelines and permit application process to ensure that the process is fair and equitable and that risk is minimised.

Financial and Resource Implications

Development of a mobile vendor policy will be carried out within existing operational costs.

Environmental, Social and Economic Impacts

Applicants would need to demonstrate how they will minimise their environmental and social impacts during the permit application process.

Consultation and Communication

Informal feedback from businesses and the community has been considered in the development of the draft policy and this report.

Consultation on the draft policy will be undertaken for six weeks over April and May 2021.

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.

10.3.2 Extension of COVID-19 Free Garbage Bin Upsize Program

Directorate:	Sustainable Communities
Responsible Officer:	Manager Strategy, Economy and Sustainability
Reviewer:	Director Sustainable Communities
Attachments:	Nil

Purpose

To extend the free upsize bin program introduced as part of Council's COVID-19 package to accommodate the review of Council's kerbside waste and recycling program.

Recommendation

That Council extends the free garbage bin upsize program to 30 June 2022 for eligible households.

Summary

Council introduced the Recycling 2.0 kerbside waste and recycling program in February 2020. The program has had some positive outcomes in the food organics and garden organics (FOGO) and glass streams. A key area for improvement is high comingled recycling contamination levels. Although garbage volumes have reduced overall, there is still pressure on garbage bin volumes for some households.

The COVID-19 pandemic has also substantially impacted household waste volumes, with more people at home generating additional waste for their kerbside bins.

An interim review of the program was completed in June 2020 and a further review is currently underway of the first year of operation. Due to the timing of the current review, it is proposed that the free upsize bin program be extended by one year to 30 June 2022.

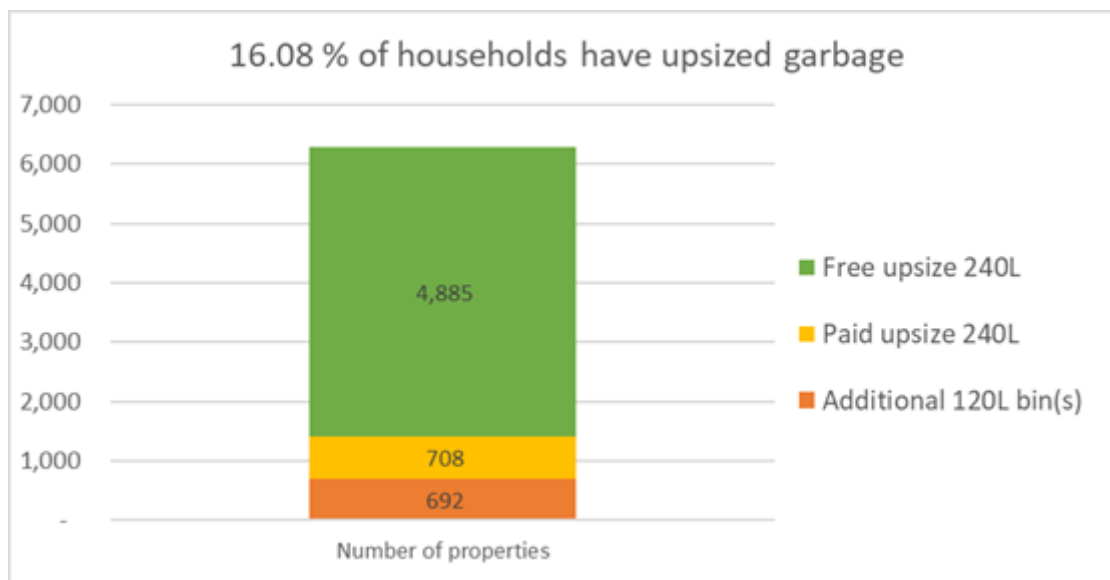
Background

Recycling 2.0 was developed in response to the SKM recycling crisis and strong community feedback seeking that Council act quickly to develop a sustainable recycling solution for Hobsons Bay. On 8 October 2019, Council endorsed the rollout of a revised waste and recycling service that included four bins for kerbside source separation, a focus on local recycling and resource use, a revised kerbside collection schedule and an intensive community engagement program. The program brought forward key elements of Council's Waste and Litter Management Strategy 2025 (adopted in August 2019), such as introducing a FOGO service and improving kerbside source separation, and is in line with the directions of the Victorian Government's circular economy policy.

The Recycling 2.0 program has been impacted by the COVID-19 pandemic, which amplified pressure on garbage bins with more people at home generating additional waste. Council's response to this challenge included a free 240L garbage bin upsizing program for eligible households. These included larger households of four or more people and those with significant volumes of nappies or medical waste needs. The interim upsized garbage bin program is due to expire on 30 June 2021.

Discussion

As at February 2021, about 16 per cent of households have chosen to have either an upsized garbage bin or an additional garbage bin (Figure 1). Of this number, about 4,900 households (or about 57 per cent of eligible households) have applied for the COVID-19 free upsized.



Council is currently undertaking a review of its kerbside waste and recycling program, with a report to be considered by Council in mid-2021. This review will cover all four streams of the service to households and businesses and will analyse key areas of the program including the capacity and scheduling of each stream, the frequency of collections and community attitudes and behaviours.

Due to the timing of the review, it is proposed that the free upsized bin program be extended by one year to 30 June 2022. The outcomes and potential recommendations of the review which looks at a full year of the new service are still to be determined. Extending the free upsized program will minimise potential recommendations being impacted by changeover or returns of upsized bins.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 5: Activate sustainable practices

Council Plan 2017-21

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

Objective 3.4: Maintain a clean city and encourage the community, business and industry to reduce, reuse and recycle.

Policies and Related Council Documents

Several relevant documents have been tabled at previous Council Meetings:

On 9 July 2019 Council adopted the Waste and Litter Management Strategy 2025, which set the direction for the new waste and recycling service, including FOGO and variations to recycling systems.

On 8 October 2019 Council endorsed the immediate rollout of a revised waste and recycling service across Hobsons Bay, inclusive of a four-bin system and a revised collection schedule. Council subsequently endorsed the commencement of Recycling 2.0 on 10 December 2019, along with endorsing suppliers for the collection and processing services and the new FOGO and glass bins, and the waste service charges.

On 14 April 2020 Council received a petition to reinstate weekly garbage collections.

On 23 June 2020 Council noted a report on the initial review of Recycling 2.0, including the 2020-21 COVID-19 bin upsize relief package. Council also considered the petition to reinstate weekly garbage collections.

Legal/Statutory Obligations and Risk

This review does not pose any new legal or statutory obligations or risks.

Financial and Resource Implications

When developing the COVID-19 free upsize bin program it was estimated that it would cost Council about \$150,000 for the first year in operating costs, as well as a once-off capital cost of about \$170,000.

The interim upsize options being offered during COVID-19 are not charged per household but are being covered by Council through the waste service charge, so that the cost is ultimately met by all households over time. The operating costs equate to about \$4 per household in 2020-21.

With increasing landfill levy costs, extending the program into a second year would cost about \$250,000 in operating costs (or \$6 per household). Capital costs are not expected to increase because it is expected that the take up of eligible households will have stabilised.

The 240L garbage bin upsize service charge will be confirmed as part of the 2021-22 budget process. The \$90 charge for 2020-21 is based on households paying the full cost of their additional use. This includes supplying, maintaining and collecting materials from bins, as well as waste disposal and landfill levy charges, resulting from larger bins.

Environmental, Social and Economic Impacts

Continuing the free upsize garbage bin program will continue to support the needs of those households with larger waste disposal volumes while a review is underway. It will mean that additional waste is disposed of by some households leading to increased costs.

Consultation and Communication

Community consultation and engagement will form part of the review. A comprehensive engagement program is underway with opportunities for all households to give input.

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.

10.3.3 Dow Chemical Australia - Covenant Variation

Directorate:	Sustainable Communities
Responsible Officer:	Manager Planning, Building and Health
Reviewer:	Director Sustainable Communities
Attachments:	<ol style="list-style-type: none">1. Proposed Letter of Consent [10.3.3.1 - 3 pages]2. Certificate of Title Volume 9065 Folio 199 - Council-owned Land [10.3.3.2 - 2 pages]

Purpose

To consider a request by Dow Chemical (Australia) Pty Ltd (Dow) to agree to the variation of Restrictive Covenant No. B149259 that applies to the Dow site at 541-583 Kororoit Creek Road, Altona.

Recommendation

That Council, in response to Dow Chemical (Australia) Pty Ltd's (Dow's) request to vary Restrictive Covenant No. B149259 that applies to the Dow site at 541-583 Kororoit Creek Road, Altona:

1. **Notes that its role in relation to the request from Dow is as an adjoining benefitting landowner.**
2. **Notes that the proposed variation will have no detrimental impact to the future use of the adjoining sliver of land owned by Council.**
3. **Consents to the variation of the Restrictive Covenant as requested.**

Summary

The Dow site in Altona is part of a covenant that was established in 1960, which stipulates that all land affected by the covenant must primarily be used for the manufacture of petrochemical products. Dow's manufacturing plant at this site has now been decommissioned but the company continues to use the site for other purposes, so it is seeking to amend the covenant to reflect current land use.

Council owns a small section of the land benefitted by the covenant and in its capacity as a beneficiary (landowner) has been asked to agree to a variation of the covenant wording. Dow advises that other adjoining landholders have already agreed to the variation.

The covenant variation will not prejudice or pre-empt a planned strategic review of industrial land, including the Special Use Zonings that apply in and around the petrochemical complex area. Nor will the covenant variation permit a use that requires planning permission without first seeking that planning permission under the Hobsons Bay Planning Scheme.

If consent is given, Dow will make application to Victorian Land Registry Services under section 88 of the *Transfer of Land Act* 1958 to have the recording of the covenant on the titles varied.

If consent is not given, Dow would most likely make application to the Supreme Court under section 84 of the *Property Law Act 1958* to vary the covenant. Dow would have to demonstrate that the covenant is obsolete, that its continued existence impedes the reasonable use of the land without securing practical benefits to other persons or that the proposed variation will not substantially injure the beneficiaries of the covenant.

Background

The government body responsible for removing covenants under this request is the land registry area of Land Use Victoria. Council's role is only as an adjoining benefitting landowner. Council is not the planning or responsible authority in this matter and is not being asked to decide on a planning application or rezoning.

The covenant was put in place in 1960 by the Vacuum Oil Company (the company that built the Altona Oil Refinery) to protect the newly established Altona Petrochemical Company (now Qenos) plant through the expansion of complementary petrochemical plants on land west of Maidstone Street.

The covenant requires that Dow "will not at any time hereafter use or permit to be used the land hereby transferred except for the manufacture of products derived from petroleum and other chemical products".

The overarching aim of the covenant was to protect and encourage the development of a range of petrochemical industries. It was applied to 205 acres of land west of Maidstone Street, between the Geelong Railway line and Kororoit Creek Road. The Dow site constitutes 76 acres of the land affected by the covenant.

Council is a beneficiary of the covenant by virtue of ownership of a small area of land affected by the covenant (as mapped in Attachment 2). The land in question is 1.5 metres wide by 100 metres long and is located adjacent to and on the east side of Maidstone Street. The land appears to have been used to facilitate the widening of Maidstone Street where the road changes direction near the Geelong railway line.

Other beneficiaries of the covenant, according to Dow's lawyers, are:

- Qenos Olefins Pty Ltd and Qenos Plastics Pty Ltd (protection of Qenos operations was the primary purpose for the original covenant)
- Taras Nominees Pty Ltd
- Victorian Rail Track
- BOC Ltd (formerly known as The Commonwealth Industrial Gases Ltd)
- BASF Australia Ltd

Dow advises it intends to remain on the Kororoit Creek Road site for the near future using part of the site for warehousing of imported petrochemical products. Other parts of the site are leased to a range of activities unrelated to petrochemical products.

Dow is also engaged in a decontamination exercise following a clean-up notice served by the Environment Protection Authority (EPA). The clean-up is expected to take many years to complete. This obligation remains unaffected by the proposed covenant variation.

The covenant variation does not constitute a significant dismantling of the objective of the covenant. It will not make the land available to new land uses which could potentially prejudice the ongoing operation of the remaining petrochemical industries. The covenant variation will not affect the Special Use Zoning that applies to the land in question.

That zoning is heavily weighted towards facilitating petrochemical industries and discouraging other activities.

Should Dow wish to use the land for any other purpose, it would have to remain consistent with the varied covenant as outlined below in the discussion and is highly likely to require planning permission under the Hobsons Bay Planning Scheme.

Discussion

The proposed rewording of the covenant (as set out in Attachment 1) expands the single requirement for the land to be used “primarily for the manufacture of products derived from petroleum and other chemical products” to a list covering several uses based on current activities at the site, but restricting those additional activities to specific areas on the site:

- primarily for the manufacture of products derived from petroleum and other chemical products
- warehousing and distribution for petroleum and other chemical products regardless of whether manufactured on the land or not
- a recycling and remediation facility for the treatment of contaminated soil, water and industrial waste to remove contaminants
- the temporary storage and recycling of shells
- chemical laboratory operation including testing

The covenant variation does not constitute a significant dismantling of the objective of the covenant but amounts to a minor freeing up of some specific parcels of land on the Dow site in response to the recent decommissioning of the manufacturing plant at the site. In particular, the variation seeks to remove the primary obligation to manufacture petrochemical products at the Dow site and allows for the continued operation of a small number of existing occupiers of that site.

Council has been informed by Dow’s lawyers, King and Wood Mallesons, that all other beneficiaries including Qenos have provided either in-principle or written consent to the variation.

The covenant variation will not affect the Special Use Zoning that applies to the land. That zoning is heavily weighted towards facilitating petrochemical industries and discouraging other activities. The zoning in and around the petrochemical complex area, put in place by the Victorian Government in the 1980s, is outdated and in need of review.

The petrochemical industry in Altona had been expanding for 20 years at the time and the zoning anticipated that another 20 years of expansion would follow – but the industry had in fact reached its peak and has been in decline ever since. More recently, ExxonMobil announced in February 2021 that it will shut its Altona Mobil fuel refinery, further demonstrating the decline of the industry in Altona.

If there is opposition from one or more of the beneficiaries, an application may be made to remove or modify the covenant pursuant to section 84 of the Property Law Act. Section 84 (1) is currently structured as a series of threshold tests to be satisfied before the court’s discretion to exercise the power is enlivened. The two most relied upon are subsections 84(1)(a) and (c):

1. The Court shall have power... to discharge or modify any such restriction (subject or not to the payment by the applicant of compensation to any person suffering loss in consequence of the order) upon being satisfied:
 - a) that by reason of changes in the character of the property or the neighbourhood or other circumstances of the case which the Court deems material the restriction ought to be **deemed obsolete** or that the continued existence thereof would **impede the reasonable user of the land** without securing practical benefits to other persons or (as the case may be) would unless modified so impede such user; or [...]
 - b) that the proposed discharge or modification will not substantially injure the persons entitled to the benefit of the restriction...

In recent times, the Court has been more prepared to agree to a modification to covenants to allow sufficient flexibility in the subsequent town planning permit applications. Dow already have approval for the uses on the site. They are merely seeking to vary the covenant to align with those permitted uses.

Having regard to these tests, the existing covenant could be viewed as an impediment to the existing uses of the site, even though they are the subject of valid planning permits. Further, the proposed variation is not seen to injure the Council's interests as it relates to its own land holding in Maidstone Street benefitting from the covenant. The land Council owns is a road, not developable land for a future use.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 1: Visionary, vibrant, accountable urban planning

The request by Dow will support the growth of the local economy, allow business to invest in Hobsons Bay and provide opportunities for residents to live and work within the municipality.

Council Plan 2017-21

Goal 2: A great place

Objective 2.3: Support the growth of our local economy, and encourage business investment that creates and maintains local jobs.

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

Objective 3.1: Work with all levels of government, key stakeholders and the community to ensure urban development is appropriate and considers neighbourhood character and heritage.

Objective 3.4: Maintain a clean city and encourage the community, business and industry to reduce, reuse and recycle.

Goal 4: A Council of excellence

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

The approval of the variation of the covenant will support local economy and maintain jobs, without impacting the long-term strategic direction of this part of Altona.

Policies and Related Council Documents

The covenant variation will not affect the Special Use Zoning that applies to the land. That zoning is heavily weighted towards facilitating petrochemical industries and discouraging other activities.

Legal/Statutory Obligations and Risk

If the covenant variation is supported by all the parties that benefit from the covenant, then the amendment can be achieved by an administrative process at the Land Use Victoria's land registry area.

If unanimous agreement is not achieved Dow has indicated that it would make an application to the Supreme Court if necessary.

Financial and Resource Implications

There are no financial or resource implications arising from this request and is not likely to alter the value of Council's adjoining land.

In the event Council does not support the variation, Council may accrue legal representation costs should Dow progress the variation through the Supreme Court.

Environmental, Social and Economic Impacts

There are no environmental or social impacts arising from this request. From an economic perspective, this request will support the local economy and maintain jobs.

Consultation and Communication

The overarching aim of the covenant was to protect and encourage the development of a range of petrochemical industries. Other beneficiaries of the covenant include these petrochemical companies. They must also agree to the variation. Dow's lawyers have advised that all the other beneficiaries principally agree with their request to vary the covenant.

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.

10.3.4 COVID-19 Community Support Summary

Directorate:	Sustainable Communities
Responsible Officer:	Manager Arts, Culture and Community
Reviewer:	Director Sustainable Communities
Attachments:	1. COVID-19 Community Support Summary: Community Support Package Information and Business Support Summary [10.3.4.1 - 2 pages]

Purpose

To provide Council with a report on the progress to date of Council's response to the COVID-19 pandemic in assisting the community and continuing business and services.

Recommendation

That Council receives and notes this update on the progress of Council's community support response to COVID-19.

Summary

The COVID-19 pandemic has had significant social and economic consequences for the community and for business and impacted the delivery of Council services. The net cost of Council's COVID-19 response for the period from April 2020 to June 2021 is expected to be \$10.5 million. This figure includes a \$7.7 million investment in community, business and economic recovery actions and initiatives.

Council's role to advocate, inform and be present to listen and respond to community needs has been influential in delivering beneficial outcomes.

Background

In response to the COVID-19 pandemic, Council undertook several actions to sustain services and address community need, responding quickly to an evolving and unpredictable situation.

From March 2020, federal and state government actions to limit health impacts included two extended lockdown periods, restrictions on work activities and closure of services and facilities across the state.

The pandemic has impacted the community in varying ways. Assessing and understanding its effects was crucial to developing an appropriate response which met community needs. Engaging closely through information exchange forums, existing networks and social media provided insight into primary concerns, allowed Council to respond to emerging needs and update relevant policies and informed Community Support Package content.

Discussion

Council needed to move quickly to change its service provision as pandemic restrictions resulted in the closure of venues and facilities throughout the city. Council convened its Crisis Management Response team and created an Operational Response Committee to coordinate its response.

As restrictions continued, identifying emerging concerns and understanding social and economic impacts was a high priority. Council assembled and established business round tables, social media sites and information exchange forums to provide opportunities for direct and discursive feedback which helped it move quickly to provide the appropriate support. Council developed four community support packages, investing \$7.7 million in community, business and economic recovery. In addition, Council provided immediate, direct, targeted relief including a package of grants and direct actions to address hardship, support inclusion and social care, and build capacity to operate in a COVID-19 environment.

Business Support

Between April 2020 and June 2021 Council expects to provide \$2.3 million in direct support to business through rent relief and fee refunds, rebates and waivers.

Hobsons Bay Business has Heart Outdoors extended trading precincts to minimise the impact of capacity restrictions on business, with 193 businesses benefitting from expanded trading zones established across 43 activation sites in the city. Community feedback has been overwhelmingly positive, with 96 per cent of survey respondents in favour of the initiative.

The Hobsons Bay Business has Heart program offered grants, marketing, and communications advice. The grants program distributed \$243,000 (of \$250,000) to 58 businesses who presented 20 activations including live music, a pop-up market, and pop-up cinema. Thirty-seven businesses received support to deliver on-line campaigns and improve their marketing and communications reach.

Community support

Essential community support services pivoted to online delivery or were adapted to provide relief to vulnerable residents and to continue community service provision. Support included rent relief for children's services, an increase in capacity for social support service referrals, the introduction of telehealth consultations for Maternal and Child Health clients and youth counselling services, and additional support to vulnerable communities through the Community Connector program.

Sporting clubs benefitted from rental rebates, fee waivers and assistance with utility bills, and received strategic planning support to help them resume training and competition. Online club development sessions were attended by representatives of 43 sporting clubs. Library services continued during lockdowns with more than 5,600 items delivered through the Book a Book service, an expansion of e-collection material and the introduction of the Take Home Tech program. Library and Community Centre active programs migrated to an online format, allowing continuing access and connection opportunities for participants.

Advice and assistance supported the online delivery of arts and cultural programs and events such as the Newport Folk Festival, Williamstown Literary Festival and Art and Industry Festival, while the Art Apart grants provided opportunities for creative practitioners to showcase their work during lockdown.

\$500,000 was contributed to augment funds allocated to the Hobsons Bay Recovery and Reconnection grants program to support the community to “make things happen” and adapt to the impacts of COVID-19. A monthly round allows for prompt assessment and disbursement of funds. Since its launch in November 2020, \$485,000 has been distributed to support 68 projects.

Participation in the Working for Victoria program created meaningful employment, with 140 staff appointed to project roles contributing to digital transformation, community support initiatives, conservation and amenity improvements, and business recovery.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 2: Community wellbeing and inter-connection

Council Plan 2017-21

Goal 1: An inclusive and healthy community

Objective 1.5: Understand the current and future needs of our community, and work to ensure those most vulnerable in our community are safe and have equitable and timely access to the support they need.

Goal 2: A great place

Objective 2.3: Support the growth of our local economy and encourage business investment that creates and maintains local jobs.

Policies and Related Council Documents

The Hobsons Bay Financial Hardship Policy 2020 (adopted 23 June 2020) provides a framework for financial relief due to unexpected events.

The Hobsons Bay COVID-19 Financial Assistance Policy 2020 (adopted 23 June 2020) provides direction to consider financial hardship caused by COVID-19.

Legal/Statutory Obligations and Risk

A collaborative approach ensured that financial, reputational, legal, and business risks were considered and opportunities for community input allowed informed, democratic decision making by Council at Council meetings.

Financial and Resource Implications

This report documents actions undertaken by Council during the pandemic and notes the costs to Council, the benefits to community and factors influencing decisions made by Council in the adoption of its Annual Budget 2021-22.

Environmental, Social and Economic Impacts

COVID-19 restriction measures affected business health, leading to diminished consumer spending, a surge in unemployment, business closures, cancellation or postponement of events and projects, operational changes, and delay or cancellation of hiring and investment plans. The pandemic has had significant impacts upon the mental health and wellbeing of people. This affects all segments of the population and is particularly detrimental to members of social groups in the most vulnerable situations.

Social and economic impacts are evolving and are not yet fully known. However, Hobsons Bay has been less impacted compared to other metropolitan councils. Council will need to continue to analyse the ongoing effects of the pandemic and listen to information coming through community and business channels.

Consultation and Communication

Council has consulted formally and informally with a range of stakeholders including inter-agency groups, service providers and traders' associations, and has conducted regular business round tables. Council will continue to take opportunities to listen and position itself to better understand COVID-19 impacts as they continue to emerge.

COVID-19 specific messaging and essential information is provided throughout the city, online via the Council website, through the creation of the Hobsons Bay has Heart and Hobsons Bay Business has Heart social media pages, and direct communication with residents in COVID-19 hotspots.

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.

10.4 Infrastructure and City Services

10.4.1 West Gate Tunnel Project Update

Directorate:	Infrastructure and City Services
Responsible Officer:	Manager Strategic Projects
Reviewer:	Director Infrastructure and City Services
Attachments:	Nil

Purpose

To provide an update report on the West Gate Tunnel Project (the Project) including the status of advocacy activities and project initiatives.

Recommendation

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

Summary

This report includes updates on:

- West Gate Neighbourhood Fund
- Project Works Update
- Sports and Open Space Enhancement Package
- Soil Management

Background

The Project commenced in 2018 and is expected to be completed in 2024. 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 at: <https://www.hobsonsbay.vic.gov.au/Council/Council-Meetings/Minutes-and-Agendas>

Project operational updates including live traffic disruption information can be accessed via: <https://westgatetunnelproject.vic.gov.au/disruptions>

Discussion

West Gate Neighbourhood Fund

The \$10 million West Gate Neighbourhood Fund has been established by the Victorian Government to support community centred arts, sports, wellbeing, transport, and education projects that will benefit Melbourne's inner west community and bring people together during construction of the West Gate Tunnel Project.

WGTP MTIA has recently announced the successful recipients for the first round of West Gate Neighbourhood Fund partnerships. Over \$3 million has been allocated to the following community and sporting groups operating within Hobsons Bay:

- Friends of Lower Kororoit Creek:
\$346,000 for upgrades to GJ Hosken Reserve, Altona North
- The South Kingsville Community Centre:
\$485,000 for building improvements to support community program development
- Spotswood Kingsville RSL Sub-Branch:
\$745,350 for building and surrounds improvement works
- Williamstown and Newport Anglers Club and Fish Protection Society:
\$500,000 for refurbishment of the Williamstown Beach jetty
- YMCA Victoria:
\$100,868 for skate park activations
- Westgate Health Co-operative:
\$100,000 for Community Engagement and Wellbeing Program
- Network West:
\$177,250 for Hobsons Bay Leads the Way community program leading social change
- Deakin University:
\$217,625 for a public art project along the Federation Trail

Hobsons Bay City Council will receive \$500,000 funding to revitalise Pipeline Reserve in Brooklyn, a project that includes landscaping, tree planting and the construction of new footpaths.

The following applications from Hobsons Bay City Council were not approved:

- | | |
|--|-------------|
| • Urban Forest Creation | \$500,000 |
| • Public Art Commission – Spotswood | \$500,000 |
| • Brooklyn Community Hall Redevelopment | \$1,627,000 |
| • Donald McLean Reserve Storm Water Harvesting | \$1,011,000 |

Council has requested that WGTP MTIA provide the rationale for why these applications were not approved.

Further information about the West Gate Neighbourhood Fund, including all successful projects and recipients, can be found at the West Gate Neighbourhood Fund website: <https://web2.economicdevelopment.vic.gov.au/wgt/community/grants>

A separate funding stream for smaller project grants of up to \$100,000 is expected to open in the first half of 2021.

Project Works Update

Construction has progressed in the west zone, with extensive works underway at the Melbourne Road and Millers Road interchanges, Grieve Parade bridge and the M80/Western Ring Road interchange area. Other current works include road and bridge widening, noise wall construction, completion of the two pedestrian overpasses, Hyde Street ramps and the southern tunnel portal works.

The summer works program on the West Gate Freeway between the M80 interchange and Grieve Parade is now complete, with the ramps at the M80 interchange reopened to motorists (Figure 1). Concrete noise panel walls are being installed at the Millers Road outbound on-ramp, adjacent to Paringa Road. The noise walls will be nine metres high and topped with blue and green coloured acrylic panels in some sections (Figure 2).



Figure 1: Grieve Parade bridge works over the freeway



Figure 2: Newly installed noise walls at the Millers Road outbound on-ramp

Construction of the Kororoit Creek shared use path between GJ Hosken Reserve and the West Gate Freeway bridge over Kororoit Creek (Stage 1A) is proposed to commence in April 2021. The remaining section north of the bridge connecting to the existing path at Geelong Road (Stage 1B) will not be completed until early 2022 due to required underground service relocations.

Sports and Open Space Enhancement Package

The new cricket practice nets at WLJ Crofts Reserve are complete and the redevelopment of the two northern ovals near completion with the turf laid and irrigation installed. Figure 3 shows an aerial photograph of the northern sports fields which provide three hectares of irrigated turf for cricket, football and soccer training and competition. The concrete slab has been established for the new WH Couch Pavilion at Donald McLean Reserve.



Figure 3: WLJ Crofts Reserve northern sports fields



Figure 4: Concrete slab for the new WH Couch Pavilion at Donald McLean Reserve

Soil Management

The EPA has now reissued environmental approvals for Hi-Quality Quarry Products Pty Ltd in Bulla to take tunnel boring machine spoil from the West Gate Tunnel. The Hi-Quality Sunbury Waste Management Facility Environmental Management Plan is available online on the EPA's website at:

<https://www.epa.vic.gov.au/for-community/current-projects-issues/major-infrastructure-and-development/west-gate-tunnel-project/west-gate-tunnel-project-emps>

In relation to other site approvals, Maddingley Brown Coal and Cleanaway are in the process of acquiring their required environmental approvals from the EPA. Both these sites have the required planning approvals, while Hi-Quality is in the process of getting its planning approval. Once all three sites have both their environmental and planning approvals, the JV will conclude its tender process and select a site. Further information on the process can be found at: <https://westgatetunnelproject.vic.gov.au/soilmanagement>

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 6: An accessible and connected community

Council Plan 2017-21

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

Objective 3.1: Work with all levels of government, key stakeholders and the community to ensure urban development is appropriate and considers neighbourhood character and heritage.

Objective 3.5: Work with the community, businesses and all levels of government to actively and innovatively address climate change and promote sustainable living.

Policies and Related Council Documents

On 26 August 2016 Council adopted the updated Hobsons Bay City Council's Adopted Position and Recommendations for the then Western Distributor Project.

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

Legal/Statutory Obligations and Risk

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

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

Financial and Resource Implications

Design packages are still being reviewed and requests received to consider and respond to construction works. A Memorandum of Understanding has been established between Council and WGTP MTIA to provide for Council staff to assist in the management and delivery of the Project and the West Gate Neighbourhood Fund.

Environmental, Social and Economic Impacts

The environmental, social and economic impacts of the Project to the Hobsons Bay community have been described in detail through the EES and will be monitored and mitigated through the implementation of the Environmental Performance Requirements for the Project and audited by the Independent Reviewer and Environmental Auditor (IREA).

Consultation and Communication

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. Council has assisted in sharing information on planned traffic disruptions through its website and social media. Council officers continue to assist the community where possible in responding to or referring requests and issues relating to the Project. Construction issues and impacts arising from the JV works such as noise, vibration and dust are being closely monitored by WGTP MTIA and IREA to detect and respond if permitted levels are exceeded.

Notifications are issued to directly impacted areas prior to works commencing.

Latest notifications can be found at:

<https://westgatetunnelproject.vic.gov.au/construction/work-notifications>

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.

11 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.

LeadWest Committee

Directorate: Office of the Chief Executive

Councillor Delegate: Cr Matt Tyler

Date of Meeting: 17 February 2021

The 17 February 2021 meeting of the LeadWest Committee was hosted by Brimbank City Council and was held virtually via Zoom.

The following items were discussed:

Melbourne Airport Rail Presentation

The Director and Deputy Director from Rail Project Victoria presented Committee members with an update on the Melbourne Airport Rail Link project.

LeadWest Rebranding

The Committee was provided a final draft copy of the design for the LeadWest logo and website. It was noted that links to LeadWest member councils, the West of Melbourne Economic Development Alliance (WoMEDA) and the North and West Melbourne City Deal (NWMCD) websites would also be placed on the LeadWest website.

The Committee resolved to adopt the new logo, and the website was adopted in principle with minor amendments to be made.

Terms of Reference

An interim Terms of Reference document was tabled, discussed and adopted by the Committee.

LeadWest Joint Delegated Committee and Independent Chair

The Executive Officer provided background information on the changes to the previous governance structures of LeadWest in response to the recent introduction of the Victorian *Local Government Act 2020*. In accordance with section 64 of the new Act, LeadWest is now considered a "joint delegated committee" and the position of Chairperson must be filled by a Councillor from one of the participating councils.

The Committee resolved to formally establish the joint delegated committee, with further advice sought from each council regarding the term of the Chairperson. The Chief Executive Officers of LeadWest will discuss the options of either an annual term or council term (four years) for the Chairperson with their respective councils.

Memorandum of Understanding with WoMEDA

The Committee resolved to enter into a Memorandum of Understanding with WoMEDA.

North and West Melbourne City Deal

An update was provided to the Committee on the meeting held with senior officers from the Australian Government. They have advised the NWMCD working group that the city deal proposal needs to be revised with an overarching theme and reduced to a smaller number of projects. The regional bus tour of Melbourne's North and West has been postponed. The planning and organisation of the tour will still proceed so that LeadWest is ready to move forward once a new date is confirmed.

12 Notices of Motion

12.1 Notice of Motion No. 1226 - Advocacy on the Removal of Railway Heritage Groups from the Heritage-listed Newport Railway Workshops

- Attachments:**
1. Brief History and Future of Newport Railway Workshops [12.1.1 - 3 pages]
 2. Preserving Our Rail History: A blueprint for the future [12.1.2 - 17 pages]

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 Peter Hemphill has given notice of the following:

That Council:

1. **Opposes the removal of the railway heritage groups from the heritage-listed Newport Railway Workshops.**
2. **Writes to the Minister for Public Transport Ben Carroll, the Member of Williamstown Melissa Horne and all Members of Parliament representing the Western Metropolitan Region of Council's position.**

Background

The Victorian Government has recently made it clear it wants the heritage railway groups – who run Steamrail Victoria and the 707 Operations steam train and include the many volunteers who have been restoring heritage trains at the Newport Railway Workshops for nearly 30 years – off the heritage site, which has a Heritage Victoria listing. VicTrack has not indicated where these groups would be shunted to but there have been reports it may be to country Victoria.

VicTrack has been told this would be the death knell of groups such as Steamrail Victoria. The groups operating out of the heritage Newport Railway Workshops have hundreds of members actively restoring heritage rolling stock, plus providing engineering services to many other rail heritage groups around the state, along with running steam trains.

VicTrack has indicated it wants to use the site for its operations with the increased patronage on suburban trains. It currently uses part of East Block on the site for scrapping old suburban trains.

13 Supplementary Public Question Time

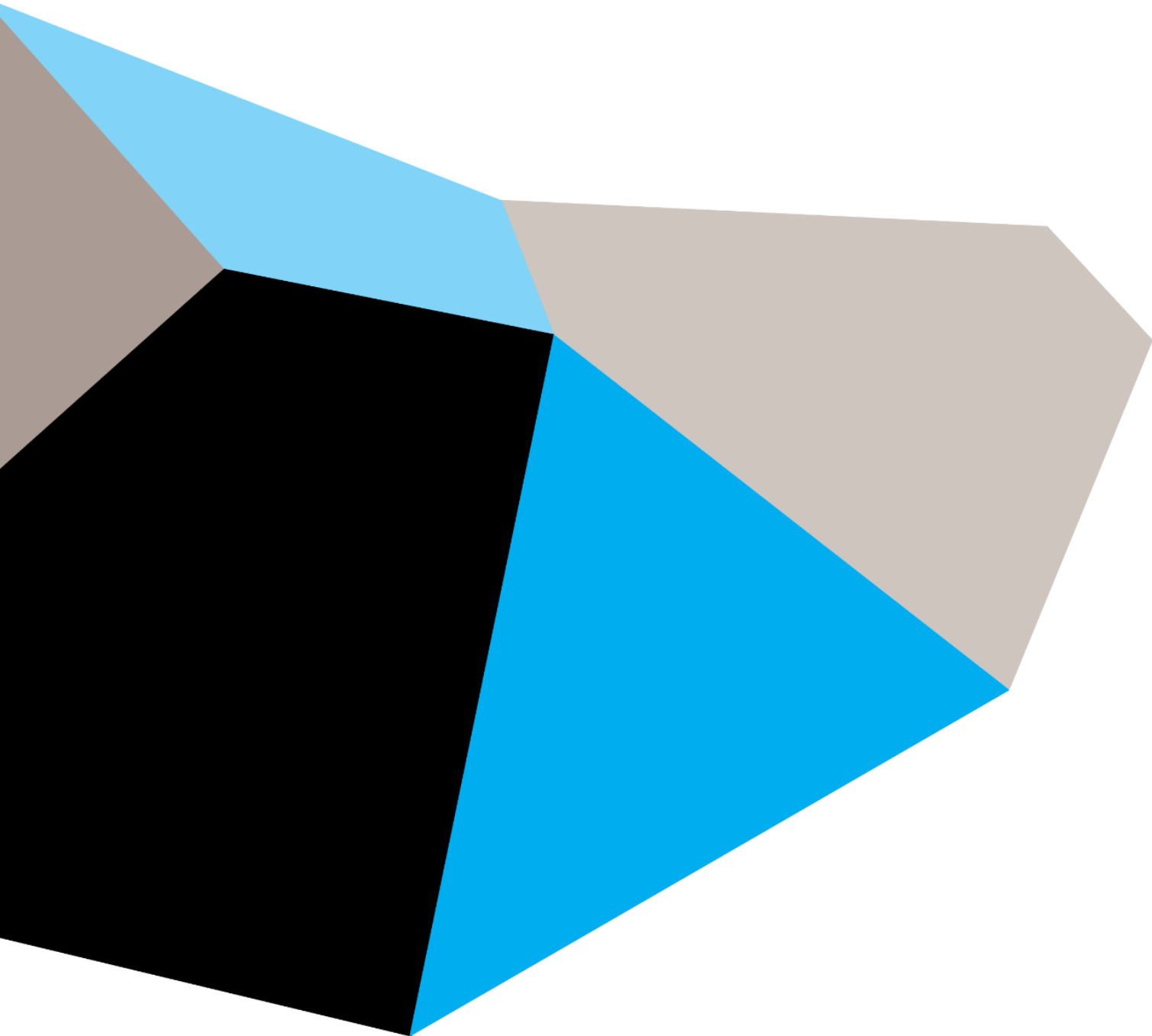
Supplementary Public Question Time provides an opportunity for the public to ask questions directly related to items on the agenda that have arisen during the evening's proceedings.

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.

14 Urgent Business

15 Close of Meeting



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