

The cover features a large black triangle on the left side, a light blue triangle at the top, and a grey triangle on the right. A white rectangular frame is positioned above the main title. The background on the right is a blue brick wall with the words 'COUNCIL CHAMBER' written on it in black, uppercase letters.

Ordinary Council Meeting Minutes

Tuesday 13 March 2018

Council Chamber
Hobsons Bay Civic Centre
115 Civic Parade, Altona

**HOBSONS
BAY CITY
COUNCIL**



HOBSONS BAY CITY COUNCIL

Ordinary Council Meeting Minutes

13 March 2018

THE COUNCIL'S MISSION

Working with our community to plan, deliver and advocate for the services and infrastructure that will achieve a healthy, connected and sustainable future in Hobsons Bay.

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 Angela Altair (Mayor)

Strand Ward

Councillors:

Cr Tony Briffa (Deputy Mayor)

Cherry Lake Ward

Cr Sandra Wilson

Cherry Lake Ward

Cr Peter Hemphill

Strand Ward

Cr Jonathon Marsden

Strand Ward

Cr Colleen Gates

Wetlands Ward

Cr Michael Grech

Wetlands Ward

Chris Eddy

Chief Executive Officer

Hobsons Bay City Council

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**Minutes of the Ordinary Council Meeting held on Tuesday
13 March 2018 at 7.05pm in the Council Chamber, Hobsons Bay
Civic Centre, 115 Civic Parade, Altona.**

PRESENT

CHAIRPERSON:

Cr Angela Altair (Mayor) Strand Ward

COUNCILLORS:

Cr Tony Briffa (Deputy Mayor) Cherry Lake Ward

Cr Sandra Wilson Cherry Lake Ward

Cr Peter Hemphill Strand Ward

Cr Jonathon Marsden Strand Ward

Cr Colleen Gates Wetlands Ward

Cr Michael Grech Wetlands Ward

OFFICERS

Mr C Eddy Chief Executive Officer

Ms T Rose Director Corporate Services

Mr S Manivasagasivam Director Infrastructure and City Services

Mr B Millard Director Strategic Development

Mr P Hunt Director Community Wellbeing

Mr S Zelez Manager Communications and Community Relations

Ms D Eyckens Manager Governance and Local Laws

Ms T Spiteri Coordinator Governance and Integrity

Ms M Simkin Governance Advisor/Minute Secretary

Agenda

1 Council Welcome

The Chairperson welcomed members of the gallery and acknowledge the people of the Kulin Nation as the traditional owners of this land.

2 Apologies

Nil.

3 Disclosure of Interests

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

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

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

Nil.

4 Minutes Confirmation

4.1 Ordinary Council Meeting

Confirmation of the minutes of the Ordinary Council Meeting of the Hobsons Bay City Council held on 13 February 2018 (copy previously circulated).

Motion

Moved Cr Tony Briffa, seconded Cr Jonathon Marsden:

That the minutes of the Ordinary Council Meeting of the Hobsons Bay City Council held on 13 February 2018 be confirmed.

Carried

5 Councillors' Questions

Cr Peter Hemphill referred to the traffic lights in Melbourne Road, Newport near the Sadleirs facility, noting that the lights are taking a long time to change and that often there are no cars exiting Sadliers. This is a regular issue and Cr Hemphill asked whether Council could request VicRoads to review the light change sequence and make it vehicle activated, or if already vehicle activated whether the time span can be shortened?

Sanjay Manivasagasivam, Director Infrastructure and City Services, advised that the matter would be referred to VicRoads for investigation.

Cr Angela Altair tabled a framed Certificate of Appreciation received when she represented Council at the 76th anniversary commemorations of the loss of the HMAS Yarra 2 at the memorial site in Newport. Cr Altair also read a letter of thanks from the memorial coordinator, Ms Christine Hirschfeld.

Cr Altair read a letter of thanks received from local resident Dr Mukesh Haikerwal AC, following Council's recent letter of congratulations to him on being made a Companion of the Order of Australia in the 2018 Australia Day honours.

6 Public Question Time

J Marnich

- Q1. One of the areas of Mayoral Focus is to expand access to Council Meetings. Will Council consider using facilities in local communities when items of relevance to particular areas are on its Agenda (e.g. West Gate Tunnel Project, Level Crossing Removals)?**
- A. Creating opportunities for local communities to engage with Council is a priority for all Councillors and is being highlighted in the mayoral program. Council is looking into livestreaming Council meetings as well as considering the option of holding meetings across the city at various locations to discuss relevant topics.
- Q2. Consultation with residents is a key element in developing solutions and policy (across Local and State Government levels), what recognised framework/s is Council using to achieve high quality outcomes?**
- A. Council endorsed its Community Engagement Policy in June 2015 and it can be found on Council's website. The Community Engagement Policy defines our commitment to the community and outlines the community engagement principles that drive Council's engagement practices. These guidelines are based on the IAP2 (International Association for Public Participation) frameworks and core values.
- Q3. I commend Council for their support of LeadWest's campaign. Has Council made recommendations to ensure LeadWest engage and support calls from residents and groups who are becoming aware of Melbourne Metro 2?**
- A. Council is proactively working with LeadWest to advocate on behalf of the Hobsons Bay community for improvements to transport options, including public transport and the Metro 2 link through to Newport. Council's Integrated Transport Plan 2017-30 highlights and supports the need for Metro 2 as an alternative transport link to improve journey times and reliability of the current network.

F Smart

- Q1. Can the community have input to the draft Brief for the proposed comprehensive traffic study for Hobsons Bay that is to be undertaken to identify the impacts of the Tunnel Project, level crossing removals, large residential projects?**
- A. The Brooklyn, Altona North and Spotswood Local Area Traffic Management Plans are unique due to the scale of the state government led projects occurring in this area and subsequently the number and range of authorities involved as project partners.
- The establishment of the draft Local Area Traffic Management Plans undertaken within Hobsons Bay will include community engagement.
- Council welcomes any comments or input for consideration in the development of the project brief and these can be forwarded to Council's Manager Capital Works, Marg Scanlon.
- Q2. If the proposed comprehensive traffic study for Hobsons Bay that is to be undertaken to identify the impacts of the Tunnel Project, level crossing removals, large residential projects cannot be completed by October this year,**

can Council consider funding its own independent study, and make allocation for same in this year's budget?

- A.** The key objective of the Brooklyn, Altona North and Spotswood Local Area Traffic Management Plans is to ascertain the impact and opportunities arising for local access and movement understanding the current key state infrastructure projects such as the West Gate Tunnel Project and the level crossing removals. These LATM's would guide future works noting the timing of these state projects. That is, the West Gate Tunnel Project is scheduled for completion by 2022 and the Ferguson Street Level Crossing Removal Project is not expected to commence until 2020. Given the impacts of these state projects it is important that the development of the LATM's include engagement with the respective state authorities and agencies such as VicRoads, Transport for Victoria, Public Transport Victoria and others.
- Q3. What is the scope of the proposed comprehensive traffic study for Hobsons Bay that is to be undertaken to identify the impacts of the Tunnel Project, level crossing removals, large residential projects?**
- A.** The scope of the LATM's includes consideration of all traffic modes, that being all motorised vehicles, pedestrians, cyclists and public transport. Assessment of past and predicted traffic modelling together with known infrastructure developments including key development sites such as the former Dons Smallgoods site and others. The LATM's would also establish a works program to guide the respective authorities' future capital programs.

7 Presentations

7.1 2017 Food Safety Awards

Directorate: Strategic Development

Purpose

To present the winners of the 2017 Food Safety Awards with a certificate and prize, acknowledging their efforts in providing safe and suitable food.

Motion

Moved Cr Peter Hemphill, seconded Cr Colleen Gates:

That Council suspend standing orders to present the 2017 Food Safety Awards.

Carried

The 2017 Food Safety Award were presented to the following winning businesses:

Class 1

Altona Meadows Child Care Centre, 342 Queen Street, Altona Meadows

Class 2

Altona North (PAG), 60 Walker Close, Altona North

Class 3

John & Nancy Merlino, 31 Mason Street, Newport (Green Grocer)

School Canteen/Social Club

Nicole Kingston & Josephine Williams, 20 Newcastle St, Newport (Sacred Heart Primary School)

Overall winner

Altona Meadows Child Care Centre, 342 Queen Street, Altona Meadows

Motion

Moved Cr Tony Briffa, seconded Cr Jonathon Marsden:

That Council suspend standing orders to present the 2017 Food Safety Awards.

Carried

Summary

At its meeting held on 13 February 2018, Council resolved to present the winning businesses and organisations with their Food Safety Awards and prizes.

The Food Safety Awards are an annual award for the highest achieving businesses and organisations that are registered under the *Food Act* 1984 within the municipality. The Mayor will present the successful recipients with an award and prize at tonight's meeting.

Council works with proprietors and committees to ensure they produce safe and suitable food in Hobsons Bay and other areas in which they trade. For the 2017 registration year 177 businesses achieved an exceptional score during their inspection/assessment and received an 'In the Running' sticker.

8 Petitions/Joint Letters

Nil.

9 Business

9.1 Office of the Chief Executive

9.1.1 CEO Operations Report

Directorate: CEO's Office

Appendix: 1 1st Pink

Purpose

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

Motion

Moved Cr Peter Hemphill, seconded Cr Sandra Wilson:

That Council:

1. Receive and note the Chief Executive Officer's Report on Operations, including details of recent issues and initiatives undertaken by the organisation.
2. In accordance with section 80A(2) of the *Local Government Act 1989* incorporate into the minutes of this meeting the written records of Assemblies of Councillors held on 13 and 20 February and 6 March 2018.

Carried

Summary

The attached CEO's Report on Operations provides Councillors and community a regular update from the Chief Executive Officer 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.

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 the service meets the needs of the community. Each month this report will highlight these activities, initiatives and projects and provides a high level performance summary.

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision: **Priority 6: An accessible and connected community**

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

Goal 4: A Council of Excellence

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

Officer Declaration of Conflict of Interest

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

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

9.2 Community Wellbeing

9.2.1 Altona Early Years Hub Lease – Contract 2017.83

Directorate: Community Wellbeing

Purpose

To engage the services of a not for profit Centre Management Provider to manage the Altona Early Years Hub located at 103a Grieve Parade, Altona (the Premises) and seek Council approval to commence the statutory procedures to enter into a lease with the successful tenderer.

Motion

Moved Cr Colleen Gates, seconded Cr Sandra Wilson:

That Council resolves:

1. To appoint Early Childhood Management Services (ECMS) as the not for profit Centre Management Provider for the Altona Early Years Hub.
2. To commence the statutory procedures in accordance with sections 190 and 223 of the *Local Government Act 1989 (Act)* to give public notice of Council's intention to enter into a lease of Premises to Early Childhood Management Services (ECMS) on the following terms and conditions:
 - 2.1 a lease of five (5) years with one further option of five (5) years
 - 2.2 Year 1 Rental: \$150,000 plus GST
Year 2 Rental: \$154,500 plus GST
Year 3 Rental: \$159,135 plus GST
Year 4 Rental: \$163,909 plus GST
Year 5 Rental: \$168,826 plus GST
3. The lessee to be responsible for all rates, taxes, charges and levies imposed during the lease period and any additional taxes which may be introduced during this period
4. If no submissions are received in accordance with section 223(1) (b) of the Act, by instrument of delegation sealed by Council pursuant to section 98(1) of the Act, delegate to the Chief Executive Officer or his delegate to negotiate and enter into a lease of the Premises on the above terms and conditions and to do anything incidental or ancillary to the above including executing all necessary documents to implement the required process and executing the lease.
5. In the event that submissions are received, note that a further report will be presented to Council to enable a consideration of the submissions in accordance with section 223 of the Act.

Carried

Summary

The selected tender process for the Altona Early Years Hub – not for profit Centre Management Services commenced on 27 November 2017 and closed on 19 January 2018. Two tenders were received, Early Childhood Management Services (ECMS) and One Tree Community Services Inc. (One Tree).

ECMS and One Tree provided comprehensive tender submissions and participated through an interview process. Both scored highly in two of the key criteria, which included organisational experience and capacity, covering financial capacity; strategic alignment; staff development; parent engagement; previous experience with similar projects and partnerships with other Local Government Authorities (LGA's).

However, comparing the tendered rental proposal for the five year contract there was a substantial variance between ECMS's rental proposal of \$796,370 compared to the One Trees proposal of \$45,000.

The weighted scoring against the key selection criteria has placed ECMS as the preferred respondent to manage the Altona Early Years Hub.

Background

In late 2014 the State Government confirmed its election promise to support the construction of an integrated early years hub within the Altona/Seaholme neighbourhood. On 10 October 2017 Council awarded Contract No. 2017.39 for the construction of the Altona Early Years Hub (the Hub) to Melbcon Pty Ltd.

Construction of the Hub commenced in November 2017 with an anticipated opening by January 2019. Intended services and programs include early childhood education and care programs, kindergarten and long day care up to 175 places, Maternal and Child Health, consulting rooms, meeting spaces and a multipurpose community space.

Council resolved on 12 September 2017 that an Expression of Interest and Tender process be undertaken to seek a not for profit service provider for the Altona Early Years Hub.

The terms and conditions of tenure for the Altona Early Years Hub include a five year sub lease and operational agreement with one further term of five years between the Head Landlord, The Minister for Education, Hobson's Bay City Council and the successful respondent.

A public Expression of Interest process commenced in October 2017 inviting suitably qualified and experienced not for profit service providers of early year's services and programs to manage and operate the Altona Early Years Hub.

The Expression of Interest process was undertaken to shortlist not for profit service providers prior to undertaking a select tender process. Three not for profit Providers responded to the Expression of Interest with Council inviting all three to submit a tender response. The three respondents included ECMS, One Tree, and Gowrie Victoria.

Discussion

The tender process for the management services of the Altona Early Years Hub opened on 27 November 2017 and closed on 19 January 2018.

Of the three selected respondents invited to participate in the selected tender responses, two responded; ECMS and One Tree. During the tender period, Gowrie Victoria advised that they would not be submitting a tender and consequently withdrew from the process.

The tender evaluation panel reviewed and evaluated the tender submissions received and shortlisted ECMS and One Tree for interview.

Interviews were conducted on Wednesday 31 January 2018. ECMS was determined by the panel as the preferred not for profit management provider to manage the Altona Early Years Hub achieving the highest weighted score, highest rental, and have demonstrated extensive experience in the provision of early childhood education and care services.

9.2.2 Volunteering Strategy and Action Plan

Directorate: Community Wellbeing

Appendix: 2 1st Green

Purpose

To present the Hobsons Bay City Council Volunteering Strategy 2018 (the Strategy) and Action Plan for adoption and refer the additional resourcing required to the draft 2018-19 budget to implement the Volunteer Strategy and Action Plan.

Motion

Moved Cr Sandra Wilson, seconded Cr Jonathon Marsden:

That Council:

- 1. Adopt the Hobsons Bay City Council Volunteering Strategy 2018**
- 2. Refer the required resourcing to the draft 2018-19 budget for Council consideration.**

Carried

Summary

People in Hobsons Bay love to volunteer. Volunteers play a major role in the day-to-day life of the community. The volunteer sector is both diverse and active in many areas of community life. The value and impacts of these efforts are felt across the municipality, both directly and indirectly, in supporting the vulnerable, strengthening or repairing the environment, protecting heritage, celebrating life in Hobsons Bay and by being the village that helps to raise the next generation of volunteers.

The volunteer sector is complex, and is undergoing a period of dramatic change. These changes are multifaceted:

- the changing nature of community – shifting expectations and engagement methods
- the changing expectations of volunteers by managers and agencies
- the changing legislative environment

Council can and does perform various roles in its contributions to volunteering, including: as advocate, facilitator of collaboration, strategic planner, a resource to and across the local sector, capacity building and stronger networks, broker, and directly as a volunteer manager.

The Strategy articulates the value of volunteering, explores the changing volunteering environment, outlines Council's role and responsibilities in volunteering and identifies strategic directions for investment.

The draft Strategy was placed on public exhibition for feedback, and it is now recommended that Council adopts the Strategy. The public exhibition and engagement process elicited 59 responses that informed the revised strategy. The key themes of the feedback were in the use of plain English, reduction of acronyms and supporting the resourcing of a volunteer officer.

Background

In 2015 Council developed the Active Volunteering Discussion Paper providing a current overview of volunteering in Hobsons Bay which included seven recommendations. Council committed to developing an Active Community Volunteering Strategy that articulates Council's dual roles and responsibilities in volunteering:

Internal

- Council managed programs with volunteer contributions
- Council officers as manager of volunteers
- Council meeting legal and social responsibilities, including accessibility and opportunity for participation

External

- Council as municipal leader and community sector partner
- community capacity building
- agency development
- brokerage, opportunities for residents, volunteers and organisations

The draft Strategy was developed through 2016 and 2017, undertaken alongside critical partnership development and local mapping, both within Council and across the city.

The draft Strategy was approved for public exhibition through August and September 2017. The Volunteer Development officer undertook workshops with key stakeholders to ensure comprehensive feedback, diverse stakeholder buy-in and engagement for the work ahead was achieved. The feedback was collated through 'Participate'. Analysis of the feedback was undertaken informing the final version of the strategy, to be presented for adoption at the Ordinary Council Meeting in March 2018.

Discussion

According to ABS Census data (2016), over 12,000 residents are volunteers. The Strategy describes a commitment to fostering a vibrant volunteering community, thriving through the collective and deliberative efforts of Council and the volunteering community.

The Strategy outlines the strategic goals and objectives for how Council will undertake its responsibilities and respond to the local opportunities and risks in the local volunteering environment to strengthen a culture of volunteering across Hobsons Bay and within Council.

The four goal areas are:

Goal 1: Vibrant Volunteering - A vibrant volunteering community, thriving through the collective and deliberative efforts of Council and the volunteering community.

Goal 2: Culture, Celebrated, Valued and Proud - Recognise and reward endeavour and innovation, both individually and collectively where volunteers know they are worth their weight in gold.

Goal 3: Build capacity - Foster a dynamic, inclusive volunteering culture across the municipality, with strong and diverse participation.

Goal 4: A Council of Excellence in Volunteering - An innovative, pro-active and leading organisation in volunteering strategy, management and engagement.

Many Council departments and external stakeholders play a role in implementing the Strategy. The Strategy will be implemented through the 2018-19 Hobsons Bay City Council

Volunteering Action Plan, and subsequent 2019-21 Hobsons Bay City Council Volunteering Action Plan developed with Council departments and external stakeholders.

Existing teams manage programs engaging volunteers, in many different roles and capacities, including direct service delivery, complementary services, community engaging roles and capacity building and leadership – including advisory committees and civic roles.

Responsibilities in managing this environment is significant. Review, updating of practice, reviewing and writing policy, monitoring legislation and preparing for the possible safe expansion of volunteering into new areas requires resources, support and a consistent framework underpinning these efforts.

9.3 Corporate Services

9.3.1 Request to Purchase Council Reserve - Land Adjoining the Rear of 45-47 McArthurs Road, Altona North

Directorate: Corporate Services

Appendix: 3 1st Yellow

Purpose

To advise Council of a request from a landowner at 45-47 McArthurs Road, Altona North to purchase Council land, being a reserve for municipal purposes (Res1 on PS325474Q), adjoining the rear of their property.

Motion

Moved Cr Sandra Wilson, seconded Cr Colleen Gates:

That Council, having considered the request to purchase Council land (the "Land"), being a reserve for municipal purposes (Res 1 on PS325474Q), adjoining the rear of 45-47 McArthurs Road, Altona North direct that:

1. Pursuant to Part 4 of the *Planning and Environment Act 1987* and section 24A of the *Subdivision Act 1988*, Council officers commence the statutory process to remove the reservation status from the Land.
2. Upon the successful completion of item 1 and in accordance with sections 189 and 223 of the *Local Government Act 1989* (the "Act"), commence the statutory procedures to give public notice in the Hobsons Bay and Maribyrnong Star Weekly of its intention to sell the Land for \$150,000 (ex GST) by private treaty to the adjoining landowner at 45-47 McArthurs Road, Altona North for \$150,000.
3. Resolves to hear and consider any submissions received pursuant to section 223 of the Act in relation to this matter at a date and a time to be fixed.
4. Receive a further report following the public notice period and after hearing any submissions received.

Carried

Summary

Council received a request from the property owner of 45-47 McArthurs Road, Altona North to purchase a Council reserve (the "Land") adjoining the rear of their property. The land is located within an industrial area and is unsuitable for development of public open space.

The Land has an area of 1013m² and was acquired by Council in 1995. The Land has no street frontages and is landlocked.

Consultation with internal Council departments identified no impediment to a sale. Should a sale take place, the proceeds of the sale must be applied to future land or existing open space infrastructure with suitable community assets identified.

Background

Council has received a request from the property owner of 45-47 McArthurs Road, Altona North (the “applicant”) to purchase the Land adjoining the rear of their property with the intention of increasing their current landholding.

The applicant initiated the request to purchase the Land subsequent to purchasing their property known as 45-47 McArthurs Road, Altona North in 2017. The applicant has also lodged an application with Council for a Planning Permit for building and works for the development of 29 small warehouses with reduction in car parking at 45-47 McArthurs Road, Altona North.

The Land, located in an Industrial Zone One (IN1Z), adjoins the rear of 45-47 McArthurs Road, Altona North and comprises an area of 1013m². The Land has no street frontages and is inaccessible, therefore unsuitable for the development of public open space (see appendix 1). The Land is described as Reserve 1 in Certificate of Title 10230 Folio 379 issued in the name of Council upon registration of Plan of Subdivision 325474Q (see appendix 2).

Discussion

The Land is partially fenced and is accessible to the applicant, however due to its location and inaccessibility to the public and Council officers, is unsuitable for the development of public open space.

Title records indicate that the land was acquired by Council in 1995. The subdivision plan attached to the Certificate of Title (see appendix 2) indicates the land was transferred to Council at the time of subdivision potentially for the purposes of a future road connection.

Council records indicate a traffic management study was conducted in this area approximately twelve years ago to consider moving industrial traffic from Chambers Road, Altona North. The traffic management study considered the Blomberg Road Reserve option which is adjacent to the subject Land, however this would have required Council to acquire additional private land.

The construction of Cabot Drive, Altona North approximately four years ago has now addressed traffic movement concerns. Accordingly, the Land is no longer required for future traffic management purposes.

The land has no strategic value to Council and is surplus to Council's needs. It is located within an industrial area and is not accessible for the purposes of maintenance by Council staff. The Land is currently fenced in with the property boundary of 45-47 McArthurs Road, Altona North, the applicant to the request to purchase the land (see appendix 1).

9.3.2 Local Government Bill – Exposure Draft Submission

Directorate: Corporate Services

Appendix: 4 1st Blue

Purpose

To present to Council a summary overview of the Exposure Draft of the Local Government Bill released 12 December 2017 including the submission process available to Council.

Motion

Moved Cr Jonathon Marsden, seconded Cr Sandra Wilson:

That Council:

1. **Note the briefing report.**
2. **Make a submission to the Government (attached at appendix) on the Exposure Draft of the Local Government Bill 2018, by Friday 16 March 2018.**

Carried

Summary

In June 2016 the government released a directions paper *Act for the future – Directions for a New Local Government Act*. On 12 December 2017 the Minister for Local Government, the Hon Marlene Kairouz MP, released the Exposure Draft of the Local Government Bill 2018 ('the Draft Bill').

The Draft Bill proposes to repeal and replace the *Local Government Act* 1989 ('the Act') with a modern, principle based legislative framework for the establishment and administration of Local Government in Victoria. Once finalised, it is intended that the new Draft Bill will be introduced to Parliament in early 2018 with a view to a new Local Government Act commencing from mid-2018.

The Draft Bill is currently available for community comment and submissions and will be open until 5pm, Friday 16 March 2018. Feedback received will inform changes to the Draft Bill before the Minister for Local Government takes a final Draft Bill into Parliament proposing that it become the *Local Government Act* 2018.

Background

In 2015, the Andrews Government (the Government) announced a reform agenda in local government to improve the accountability and transparency of Victorian Councils. A key commitment of the reform directions was to "comprehensively review and modernise the *Local Government Act* 1989..."

The approach was to be implemented in stages as follows;

Stage 1 – Reform Ideas

In September 2015, the Government released a comprehensive Discussion Paper commencing a review of the *Local Government Act* and inviting ideas on options to reform all aspects of the legislative framework. Submissions were received and considered.

Stage 2 – Policy Directions

In June 2016 the Government released the *Act for the Future – Directions for a New Local Government Act* directions paper, which outlined 157 key reforms proposed to develop the legislative framework for Victorian local government. Councils and communities were invited to have their say on the proposed reforms and contribute ideas for a new a Local Government Act to support councils and better serve the community.

At the Ordinary Meeting held 13 September 2016 Council resolved to make a submission on the directions paper.

Stage 3 – Implementation Challenges

Throughout 2017 the Government conducted a series of targeted consultation activities to inform the exposure Draft Bill with technical working groups, peak ratepayer groups, key stakeholders and council peak organisations and newly elected councillors.

Stage 4 – Exposure Draft Bill

On 12 December 2017 the Government released the Exposure Draft of the Local Government Bill 2018. The Draft Bill has been made available at <http://www.yourcouncilyourcommunity.vic.gov.au/exposure-draft> to enable community members, councils and peak bodies an opportunity to provide feedback before the Draft Bill is introduced into Parliament.

Submissions received on the operations of the provisions in the Draft Bill will inform the finalisation of the Bill, submissions must be received before close of business Friday, 16 March 2018.

Discussion

The Draft Bill is accompanied by an explanatory document *A New Local Government Act for Victoria*, which is designed to help readers navigate the Draft legislation. The explanatory document sets out the reasons for the Act review, the aims and structure of the Draft Bill and the major reforms introduced by the Draft Bill. The paper also sets out the proposed time-frames for the phased implementation of the reforms.

Overall, the Draft Bill seeks to:

- provide a better understanding of the role of councils as democratically elected bodies
- encourage Victorians to participate more as candidates, voters and citizens in council activities and contribute to council strategic visions and plans
- drive more autonomous and outcome focused councils
- encourage councils to embrace innovative and collaborative arrangements that increase organisational efficiency and deliver public value for residents
- provide a sound framework for the sector to become more efficient and enterprising in its local governance

Summary of Major Reforms

The Draft Bill is structured into 11 parts with an overview of selected changes in each part outlined in the government explanatory document. A snapshot of major changes between the existing *Local Government Act 1989* and the Local Government Draft Bill 2018 is also included in the document.

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In addition to the many reforms, there are 10 major reforms that highlight how Local Government in Victoria will be strengthened if adopted.

No.	Major reform
1	Mayors adopting more responsibilities. They will also commit to providing their communities with annual reports on council four-year plans.
2	Improved consistency of council representative structure.
3	Increased participation, formal voting and fairness in council elections.
4	Councils using contemporary community engagement processes before adopting four-year council plans and four-year budgets.
5	Councils adopting a long-term approach to strategic planning (four-year council Plan, council budget, long term community vision, 10-year financial plan and 10-year asset plan).
6	The Minister having more power to deal with serious governance failures.
7	Mechanisms to guide recruitment and performance monitoring of the CEO.
8	Councils complying with transparency, accountability and sound financial management principles.
9	A council's financial sustainability being strengthened, by having greater capacity to collaborate with other councils, government agencies and the private sector.
10	A single method for valuing land, clarifying exemptions from rates and increasing transparency in the levying of differential rates.

Other Major Features

The Draft Bill proposes an overall 'principles based' approach rather than the traditional 'rules based' that is indicative of the current Act. Councils will be required to adopt and maintain Governance Rules, in line with the Overarching Governance Principles (c8 (2) (a) to (i)), setting out how Council will make decisions and conduct itself.

Although the Draft Bill retains councils power to do 'all things necessary or convenient to be done in connection with the performance of its role', there is a focus on outcomes rather than prescription of method, which largely enables Councils to make their own rules about decision making processes (with some exceptions).

The Draft Bill refers specifically to Delegated Committees established by Council for a particular delegated purpose, with two or more Councillors and a Councillor as Chairperson. Delegated Committees, will operate by delegation of power from the Council the same as Special Committees do in the current Act, therefore having the ability to make final decisions.

Whilst the Draft Bill does not define Advisory Committees, they could be retained by way of including them in its Governance Rules or other internal rules as there is no legislative guidance in relation to establishing these types of committees.

The Draft Bill also includes Community Asset Committees replacing 'Section 86 Committees' in the current Act, which will be responsible for halls and reserves throughout a council municipality, particularly in rural councils. The management of community assets is the only purpose for which these committees can be established.

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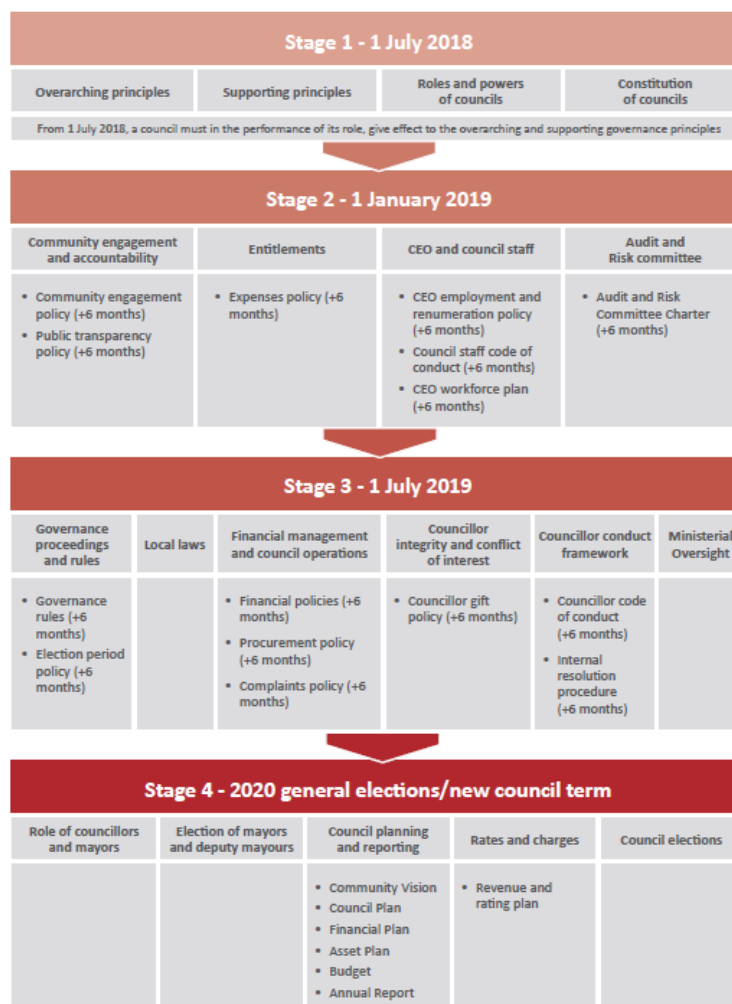
Timeline for Implementation

Should the Draft Bill be finalised and introduced into Parliament by mid-2018, following Royal Assent, provisions of the new Act will come into operation over four stages, with the final stage implemented in line with the 2020 general council elections.

This means that councils will continue to apply the previous *Local Government Act* 1989 and the corresponding Regulations until specific provisions of the new Act commence. Where the new Act requires a new policy, plan or function, councils will have six months after the commencement date to comply with the statutory obligation.

Initially a significant amount of policy development will be required, in line with the new Principles in the Draft Bill. Commencing in 2020, a significant amount of community engagement, planning and reporting will also be required in the development of a Community Vision, Council Plan, Financial Plan, Asset Plan, 4 year Budget and Revenue and Rating Plan.

Some of policy and planning/reporting requirements are already being implemented by Council and will need to be revised in light of slightly different requirements, others are new requirements (such as a workforce plan).



Source: A New Local Government Act for Victoria, DELWP 2017

Submissions

The Draft Bill has been released seeking submissions to inform the final Draft legislation before the Government reviews it to present to the Victorian Parliament. Submissions will close 5pm, Friday 16 March 2018.

A template has been provided for submissions to be made. After reading the explanatory document (*a New Local Government Act for Victoria*), it is recommended that submitters navigate to the section of the Draft Bill and then place comments into the template, including the level of support for the clause reviewed.

Written submissions will be made publicly available including the name of the author, unless confidentiality is requested and it is granted by the Executive Director of Local Government Victoria.

No formal consultation on the Draft Bill has been conducted with Council staff or departments, however feedback has been received from Council's Strategy and Advocacy and Rates and Revenue team for consideration.

Cr Grech left the Council Chamber at 7.52pm and returned at 7.54pm, and was present for the vote on item 9.3.2.

9.3.3 Mayoral Focus Update

Directorate: Corporate Services

Purpose

To update Councillors and the community on the areas of focus of the Mayoral Term 2017-18 of Cr Angela Altair.

Motion

Moved Cr Sandra Wilson, seconded Cr Jonathon Marsden:

That Council note the proposed Mayoral focus areas of the Mayor, Cr Angela Altair for 2018.

Carried

Summary

Following the Mayoral Election in November 2017, Council elected Cr Angela Altair to lead the Council as Mayor for the 2017-18 Mayoral Term.

The Mayor, Cr Angela Altair has identified that during her term mayoral activities will focus on heritage, promoting natural environments, celebrating Women, young people and our many volunteers, building on friendships, improving communication and identifying more innovative ways to engage with the community.

This report outlines the areas of particular interest and provides an update on the activities and work in progress.

Background

The Mayoral Program provides an opportunity for the Mayor of the Day to support key actions around particular areas of interest and passion while serving in the best interest of the Hobsons Bay community. For 2018, Cr Altair brings a strong interest in being future focussed, inclusive, recognising of past and celebrating our local community heroes.

Discussion

Heritage of the city and expanding the historic markers program across the municipality

Ensuring our stories are told, with opportunities to promote the heritage of the city, adding cultural value and learning to our everyday lives is an important focus for this Mayoral program. The Mayor will be supporting Heritage Hobsons Bay, a Council led partnership with local community groups and historians auspiced under the National Trust Australian Heritage Festival that takes place around Australia during April and May. More than 20 events are planned locally, from On The Beach, a history of Williamstown Beach presented by Brian Haynes for the Williamstown Historical Society and Williamstown Swimming and Lifesaving Club to the Truganina Explosives Reserve Tour and many points in between.

Council will progress its monuments conservation program this year with plans to work on The Strand Capstans and Cannons, the Ian Bow Fountain at the Civic Centre Altona, among others. The Mayor is keen to contribute to an audit of Council's Bay Trail markers, to check

in on the stories they are telling and what new opportunities are to add to them for the benefit of locals and visitors alike.

Mayoral walks around the city

The Mayor will conduct a number of walks across the whole of the municipality with the support of her colleagues and the many environmental champions in Hobsons Bay. The Mayoral walks around the city will allow people to enjoy the Hobsons Bay wonderful natural environment while promoting an amazing array of friends groups and recognising the remarkable work our volunteers do to preserve and improve open space areas.

In particular a walk along the new Kororoit Creek Trail will highlight the contribution of volunteers and the environmental aspects of this remarkable new asset to our city.

Promoting and facilitating ideas of young people in Hobsons Bay

Listening to, celebrating and promoting the youth of Hobsons Bay is a key area of interest for the Mayor. As part of her program, Cr Altair will support and champion youth parliament, current and former young citizens of the year and will also play an active role in National Youth Week.

More broadly, the Mayor is committed to engaging with local groups and organisations and acting as a facilitator for young people's ideas. Programs such as Communities that Care and broader opportunities to bring young people together to share ideas and hear directly about what matters and what is most important to young people are a particular focus. Promoting young leaders in the community will be a feature of this program.

Expanding and promoting access to meetings of Council and Councillors

Acknowledging that members of our community lead busy lives and that it is not always possible to attend a meeting, event or consultation of council, Cr Altair will seek opportunities to open the doors of council further. One way to do that is with exploring the introduction of Live Streaming the Ordinary Meetings of Council.

Live streaming is a modern and ideal way for Council to increase public accessibility to Council meetings. It allows interested members of the public to view Council decision making live rather than read or hear about a decision at a later point in time. It also provides context around the reasons a decision is made by Council. Investigation into implementing Live streaming has commenced.

The Mayor will continue to strongly advocate for opportunities to bring meetings or consultations of Council out to the community wherever practical to do so. Recognising the many wonderful venues and meeting spaces across the city, the opportunity to hold meetings in local communities will be encouraged and further ways to engage with Councillors at a local level with a focus on ward matters will be explored.

Finally, A 'coffee and chat' with the Mayor initiative is being developed. This will see the Mayor attend various sites across the city extending an open invitation on a monthly basis to all members of the community to pop past, say hello and ask your important questions. Locations and times will be advertised and promoted.

Recognition of Women's Contribution to the City

It is recognised that across the municipality we have many women whose lives are connected to Hobsons Bay and whose contributions benefit the local community each and every day.

The Mayor wishes to acknowledge and celebrate the women from the Hobsons Bay municipality who have made significant and long lasting contributions during their life time. This recognition builds on the excellent work done by Cr Wilson, other councillors and members of important groups such as the Women's Advisory Committee.

Throughout her Mayoral program, Cr Altair will look to identify and celebrate the contribution of women from Hobsons Bay in an appropriate way.

Heroes of Hobsons Bay

The Mayoral Program will support the recognition of volunteers and their pivotal role in contributing to the quality of life in our community. There are many unsung Heroes that the Mayor would like to recognise in a formal ceremony during Volunteer Week. These people work in all areas of the community contributing their time, knowledge and skills to benefit the community and most importantly make a difference to the lives of many grateful community members. Recognition of their humble contribution is a key focus of the 2018 Mayoral Program.

Opportunities throughout the year such as World Environment Day are also important dates in the calendar and will provide further opportunity for the Mayor to acknowledge the great work of many in the community.

Building and Maintaining Strong Sustainable Relationships

The Mayoral Program will continue to develop the long standing friendships with Anjo, our Council's sister city in Japan, and the community of Yarrabah in far north Queensland. The Mayor will continue to foster the strong bond between Hobsons Bay and Buloke Shire in country Victoria. Ideas will be explored that have a particular cultural focus and further build on these friendships.

Of particular focus this year is the 30th anniversary of the relationship with Anjo. This sister city alliance was formalised between the City of Anjo and the City of Altona on 17 October 1988. To commemorate this milestone, the Mayor will participate in a delegation to Anjo in April 2018, with a reciprocal delegation from Anjo expected in Hobsons Bay later in the year, likely October 2018.

Promotion of user friendly communication and reporting and champion innovative ways to engage with our community

Cr Altair is keen to ensure council's communications are user friendly.

The CEO's operation report E-newsletter has been developed and promoted to the Hobsons Bay community to encourage an easier understanding and connection with the many services and outputs from Council. As part of this program, further promotion will occur.

Expanded promotion of Council meetings and the decisions made will be a key focus of our communications with the community. As a part of the Mayoral focus Council meeting agendas and decision making will feature in Around the Bay, social media, rotating banners on the website, latest news sections of the website, on-hold phone messages, TV screen in customer service foyer.

A new summary of Council decisions will also be released and promoted the immediate day after a Council meeting to allow community members to quickly find out what decisions were made.

Council will be transitioning to a new website product in 2018 called Open Cities. The new website will put customer focus at the forefront of its layout and design. It will have a more logical layout of information and ease of use with its information architecture. It will have enhanced search functions and will make transacting with Council far easier via online forms and a menu system that makes transacting with the Council the most important thing.

9.3.4 Proposal to Lease – Newport Park Gymnasium and Recreation Centre

Directorate: Corporate Services

Appendix: 5 2nd Pink

Purpose

To advise Council of a request from South Pacific Health Club Williamstown Pty Ltd (South Pacific) for a new lease to Newport Park Gymnasium and Recreation Centre located at 110 The Strand, Newport.

Motion

Moved Cr Peter Hemphill, seconded Cr Michael Grech:

That Council:

1. Resolves to commence the statutory procedures in accordance with section 190 of the *Local Government Act 1989* (the Act) proposing to grant a new lease to South Pacific Health Club Williamstown Pty Ltd subject to the following terms:

Premises	Newport Park Gymnasium and Recreation Centre including the carpark located at 110 The Strand, Newport
Permitted use	Operation of a gymnasium and leisure centre
Commencement	1 July 2018
Length of term	Five (5) years with one five (5) year option
Rent	\$235,000 per annum plus GST per annum with annual CPI increases, with a rent review at commencement of option period
2. Authorise the Chief Executive Officer of Council or his delegate to prepare and give public notice of the proposed lease in the Maribyrnong & Hobsons Bay Star Weekly newspaper and on Council's website, under section 223 of the Act.
3. Authorise the Chief Executive Officer or his delegate to carry out its functions under section 223 of the Act in relation to this matter.
4. Resolves to hear and consider any submissions received pursuant to section 223 of the Act at a meeting to be held on a date and time to be nominated in the event that submissions are received.
5. Receive a further report following the public notice period to consider the granting of the lease.

Carried

Summary

Council received a request from South Pacific Health Club Williamstown Pty Ltd ('South Pacific'), seeking a new lease to the Newport Park Gymnasium and Recreation Centre (the 'Premises') located at 110 The Strand, Newport (see Appendix). South Pacific is the current lessee of the Premises.

The Premises is located within the Newport Park precinct, and has been operating as a stadium, gym and recreation facility since 1994. South Pacific has operated a Health Club from this site since September 2012. The current lease expires on 30 June 2018.

This report proposes that a new lease be established with Council and South Pacific and that Council commence the statutory procedures in accordance with the Act.

Background

The Premises, is located on Council land and is approximately 3,176m². The facility was originally constructed as a basketball stadium in 1994 and leased to the Williamstown YMCA for a three year term. Council resolved in 1996 not to extend the lease with Williamstown YMCA and proceeded with a competitive tender process for the management and operation of the premises.

The Premises were licensed to RANS Management Group in 1966. In 1998 Council entered into a new lease with Cybertown Fitness Pty Limited 1998 for the purposes of a gymnasium and leisure centre. In September 2012, the lease was assigned to South Pacific who operate the South Pacific Health Club Williamstown.

Over the past 20 years, various modifications have been undertaken to the Premises which now comprises group exercise studios, cardio studio, crèche, change rooms, foyer/lounge area, sauna, spa, offices, storage, reception area and staff amenities. The former basketball court area has been converted into a gymnasium comprising weights and functional training spaces.

The Premises has a current site value of \$1,139,000 and a capital improved value of \$3,028,000.

Discussion

The current lease expires on 30 June 2018 prompting South Pacific to seek a new lease for the Premises to continue its operation as a Health Club. The proposed terms of the Lease are:

Commencement date:	1 July 2018
Lease term:	Five (5) years with one five (5) year option
Commencing rent:	\$235,000 (ex GST) plus outgoings
CPI:	Annual CPI increases with a rent review at the commencement of the option period.

The current annual rent is \$222,492.84 (ex GST) plus outgoings.

9.3.5 Proposal to Lease – Altona Badminton Centre

Directorate: Corporate Services

Appendix: 6 2nd Green

Purpose

To advise Council of a request from the Western Suburbs Badminton Association Inc (the WSBA) for a new lease to the Altona Badminton Centre located at 217 Mason Street, Altona North.

Deferral Motion

Moved Cr Michael Grech:

That Council defer this item to the Ordinary Council Meeting to be held on 8 May 2018, pending completion of the Sports Needs Analysis.

Carried

Summary

Council received a request from the Western Suburbs Badminton Association Inc. (the WSBA), seeking a new lease to the Altona Badminton Centre (the 'Premises') located at 217 Mason Street, Altona North (see Appendix). The WSBA are the current lessee of the Premises.

The Premises is located within Paisley Park and has been operating as a badminton centre since 1985 and the WSBA have operated from the badminton centre since it was constructed. The current lease expires 3 July 2018.

This report proposes that a new lease be established with Council and the WSBA and that Council commence the statutory procedures in accordance with the Act.

Background

The Premises, located within Paisley Park, is approximately 2,650m² and was purpose built in 1985. WSBA contributed \$46,980 towards the construction of the facility which includes 12 badminton courts, amenity and storage areas, office, kitchen, kiosk and foyer spaces.

The Premises was leased to the WSBA in 1985 for a ten year term for the playing of badminton including organised competitions, casual court hire and special events. Further leases were entered into with the WSBA in 1998, 2003 and 2008. The current lease expires 2008 for a period of 5 years with one 5 year option commencing 1 January 2013.

The Premises has a current site value of \$454,000 and a capital improved value of \$2,096,000.

Discussion

The current lease expires on 3 July 2018 promoting WSBA to seek a new lease for the Premises to continue its operation as a badminton centre. The WSBA proposed terms of the Lease are:

Commencement date:	1 July 2018
Lease term:	Five (5) years with one five (5) year option
Commencement date:	1 July 2018

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Commencing rental: \$36,500 (ex GST) plus outgoings
CPI: Annual CPI increases with a rent review at the commencement of the option period.

The current annual rental is \$35,701 (GST exclusive) plus outgoings.

9.4 Strategic Development

9.4.1 Mid-Year Council Plan and Local Government Performance Reporting Framework (LGPRF) Indicators Progress Report

Directorate: Strategic Development

Appendix: 7 2nd Yellow

Purpose

To update Council on the progress of the Council Plan major initiatives and initiatives for the second quarter (October, November, December 2017) and the half yearly results for the LGPRF.

Motion

Moved Cr Jonathon Marsden, seconded Cr Michael Grech:

That Council note the progress of the second quarter Council Plan initiatives and the mid-year results for the LGPRF indicators.

Carried

Summary

This second quarter report (1 October 2017 to 31 December 2017) indicates Council's progress against the Council Plan's major initiatives and initiatives. Reporting on the progress of these initiatives is a legislative requirement and it also assists Council to ensure progress against achieving the Council Plan is on track.

The report also includes the half yearly results of the LGPRF indicators.

The second quarter progress report has identified that:

- of the 12 major initiatives, one has been completed and eleven are progressing on schedule
- of the 30 initiatives, nine have been completed ,18 are progressing on schedule and three will commence in quarter 3

In relation to the LGPRF indicators, the mid-year results indicate that on the whole Council is placed to achieve similar results to last financial year across the majority of indicators.

Background

In order to accomplish its responsibilities, Council's strategic framework allows the organisation to identify community needs and aspirations over the long term (via the Hobsons Bay 2030 Community Vision) and operationalise these via the Council Plan 2017-21 (the plan).

The Plan articulates Council's strategic direction for the next four years. It is prepared in accordance with legislative requirements in the *Local Government Act* 1989 and is based on a planning framework that aligns the community's vision to our strategies, activities and financial resources.

The Council Plan 2017-21 is structured around four key goals, which describe how Council will serve the community to deliver on the community's vision for Hobsons Bay. Each goal

area identifies the objectives that, as an organisation, we will work towards achieving from 2017 to 2021.

The LGPRF is a mandatory system of reporting requiring all councils to report their performance information consistently in their annual reports, and the 'Know Your Council' website. The LGPRF consists of four indicator sets; service performance, financial performance, sustainable capacity and the governance and management checklist.

Discussion

In 2017-18 the Council Plan and annual budget included 12 major initiatives and 30 initiatives. Overall, at the end of the second quarter (31 December 2017), 69 per cent of all initiatives were progressing on schedule. A further 24 per cent have already been completed.

Out of the 12 major initiatives, one has been completed and eleven are progressing on schedule.

Out of the 30 initiatives, nine have been completed, 18 are progressing on schedule and three are due to commence in quarter 3.

Initiatives completed this quarter included:

- finalise the Integrated Transport Plan
- development of a program of regular Essential Safety Measures (ESM) inspections
- update and review the Heat Health Plan

Further details on the progress of these initiatives can be found in the appendix.

In relation to the LGPRF indicators, the mid-year results indicate that on the whole we are placed to achieve similar results to last financial year across the majority of indicators. However when interpreting the result care should be taken with the data provided in this report as it only pertains to half the financial year, particularly when interpreting results for financials as the timing of revenue or expenditure recognition may not be uniform throughout the year.

9.4.2 Victorian Government Response to the Recommendations of the Major Hazard Facilities Advisory Committees

Directorate: Strategic Development

Appendix: 8 2nd Blue

Purpose

To inform Council of the Victorian Government's response to the recommendations of the Major Hazard Facilities Advisory Committee report.

Motion

Moved Cr Jonathon Marsden, seconded Cr Colleen Gates:

That Council note the Victorian Government's response to the recommendations of the Major Hazard Facilities Advisory Committee report and support their implementation.

Carried

Summary

In January 2018 the Victorian Government released its response to the Major Hazard Facilities Advisory Committee Report on how to better manage land surrounding Major Hazard Facilities (MHFs). Council has been advocating for a state led response for some time and MHF planning is identified as a key priority in the *Hobsons Bay Advocacy Strategy, 2014-18*. Council welcomes the actions proposed by government, noting the recommendations regarding planning around pipelines were deferred. The actions proposed respond to key concerns advocated by Council for some years and specifically during the committee process. They will strengthen planning policy, better inform land rezoning and improve guidance and information. In particular, the government recognised the need for a planning control that can manage both use of land and associated development. The response provides a strategic approach that will improve land management to ensure appropriate land use and development in areas near MHFs, while supporting their operation.

Background

The MHF Advisory Committee was established in September 2015 to provide advice on how to improve land use planning around MHFs in Victoria following a strong advocacy campaign by Council and the community. The committee undertook extensive consultation with industry, councils, stakeholders, and community members. Council's submission to the committee was noted at the Ordinary Council Meeting on 18 March 2016. Council was subsequently invited to participate in a 'round table' discussion on 6 May 2016.

Key issues raised by Council during the Advisory Committee process are summarised as follows:

- new policy requirement in the State Planning Policy Framework (SPPF) to guide land use planning around MHFs
- clarification of the roles and responsibilities of Worksafe, MHFs and the Environmental Protection Authority (EPA) to ensure an integrated, balanced and holistic approach to planning around MHFs
- MHFs be given recommending referral status
- the introduction of a new (evidenced based) tool that addresses both land use and development in the Victorian Planning Provisions to guide planning around MHFs

The Advisory Committee presented its final report to the Minister for Planning in July 2016, which was made publically available on 17 March 2017. The report contained 17 recommendations around three themes: planning for MHFs, amenity considerations and pipelines considerations. Prior to the Victorian Government’s response to the recommendations in January 2018, the Department of Environment, Land, Water and Planning (DELWP) met with Council officers to ensure a comprehensive understanding of the impacts of the committee’s recommendations to inform the Minister’s response.

Discussion

The response sets out a strategic approach for managing development close to MHFs in Victoria. The government broadly accepts the intent of the 17 recommendations as a sound basis for further work to improve land use planning arrangements for areas around MHFs, to minimise encroachment and to support MHFs ongoing operations by making clear what can occur around them. The government’s position on the 17 recommendations is contained at Appendix 1.

Notably the committee’s four recommendations regarding planning around pipelines were deferred. The government will consider the committee’s recommendations with the recommendations of the Review of Victoria’s Electricity and Gas Network Safety Framework which was announced in January 2017 and was expected to present its findings in late 2017, however the final report is not yet available.

The government’s response proposes seven actions grouped under four themes as shown in the following table.

Themes	Action	Timeframe
Strengthen Planning Policy	1. Recognise the importance of MHFs and surrounding land management in planning policy.	0-1 year
	2. Consider response to pipeline issues response with the electricity and gas network safety framework review response.	1-3 years
Better Inform Land Rezoning	3. Require Worksafe Victoria/ EPA be notified of rezoning proposals.	0-1 year
	4. Review threshold separation distances and operation.	1-3 years
Avoiding sensitive-use encroachment	5. Manage sensitive-use encroachment with a particular provision planning control.	1-3 years
	6. Investigate referral arrangements.	1-3 years
Improve guidance and information	7. Develop a MHF planning practice note, determine best way to provide information.	1-3 years

The proposed actions are welcomed. The safety and amenity of residents living in areas near MHFs along with ensuring the continued viability of these industries is a key issue for Council, which has been advocating for a state led approach to land use planning around MHFs for some time. The matter is a key priority for Council identified in *Hobsons Bay Advocacy Strategy 2014-18*. The actions to strengthen planning policy, better inform land rezoning and improve guidance and information respond directly to Council’s concerns and advocacy position. They will provide greater clarity and certainty for the community, industry, Council and other stakeholders and are expected to lead to improved planning outcomes.

The management of sensitive use encroachment via a Particular Provision planning control (Action 4) was not contemplated by Council which suggested a new planning tool such as an Overlay to address both land use and development. While an Overlay was rejected by the government, its response addresses this requirement. A Particular Provision planning control can be designed to manage both the use of land and associated development within a specified separation distance of an MHF. A Particular Provision is also sufficiently flexible to be applied at a state-wide level while providing for local referral arrangements.

9.4.3 Environmentally Sustainable Development within the Hobsons Bay Planning Scheme

Directorate: Strategic Development

Appendix: 9 3rd Pink

Purpose

To consider the preparation and exhibition of an amendment to introduce a local policy into the Hobsons Bay Planning Scheme that addresses Environmentally Sustainable Design.

Motion

Moved Cr Sandra Wilson, seconded Cr Jonathon Marsden:

That Council:

- 1. Support the preparation and exhibition of an amendment to introduce a local policy into the Hobsons Bay Planning Scheme that addresses Environmentally Sustainable Development.**
- 2. Request the Minister for Planning to authorise Council under section 8A of the *Planning and Environment Act 1987* to prepare and exhibit the amendment.**
- 3. Request the Minister for Planning to create a Group Council (GC) amendment combining consideration of this amendment with other councils currently proposing the same amendment.**
- 4. Exhibit the Amendment in accordance with the Minister for Planning's Authorisation and receive a further report considering submissions following exhibition.**

Carried

Summary

Environmentally Sustainable Development (ESD) aims to reduce negative impacts on the environment and improve health and comfort of buildings for occupants. ESD is an integrated and holistic approach that encourages decisions at each phase of the design process to reduce negative impacts on the environment.

Hobsons Bay has long been an advocate of eco-minded urban development, encouraging and assessing ESD in planning permit applications since 2007. However, in the absence of an ESD local planning policy, the non-enforceable nature of Council's request for Sustainable Design Assessments means that many environmental initiatives are either overlooked or missed.

This amendment proposes the inclusion of a local planning policy to ensure that ESD measures are considered on all developments of more than two dwellings.

Amendments are currently being undertaken by a number of councils to introduce the same policy within their planning schemes. It is recommended that Hobsons Bay requests the Minister to consider all of these amendments concurrently using a GC amendment. A GC amendment can be used to make changes to more than one council's planning scheme for a particular matter, such as a regional initiative.

Background

Hobsons Bay has been using the Sustainable Design Assessment in the Planning Process (SDAPP) program on a voluntary basis since 2007. SDAPP provides a framework for environmental performance across a range of ESD themes that assist in the assessment of planning permit applications for residential, mixed use, and commercial developments. Introduction of an ESD local policy will provide statutory weight within the Hobsons Bay Planning Scheme to the current voluntary SDAPP process.

Over the past decade ESD has been identified as an issue in a number of Council policies and documents. Most recently, an ESD policy was identified as a major initiative in the Council Plan 2017-21. In order to complete this action officers engaged with CASBE (Council Alliance for a Sustainable Built Environment) and began a process of communicating with other local governments interested in undertaking an ESD Planning Scheme Amendment.

The proposed ESD policy builds on a significant body of work already undertaken at the local and state level to improve the integration of ESD into the planning system. To date, ESD policies have been successfully implemented by ten other Victorian Councils.

The Cities of Banyule, Moreland, Port Phillip, Stonnington, Whitehorse and Yarra gazetted an ESD policy through group Planning Scheme Amendment C177 in 2013. Subsequently, the Cities of Darebin, Manningham, Monash and Knox have also introduced ESD policies (Manningham and Darebin via a group council Amendment GC42 in 2017).

An Environmentally Efficient Design Advisory Committee (EEDAC) was appointed in 2013 by the Minister for Planning to review and oversee the first Amendment C177 process and the submissions received. In its final report released in 2014, the EEDAC recommended adoption of the amendment with minor changes and further noted that:

- there is a strong legislative and policy framework that supports the need for sustainable development which recognises that both planning and building have a significant role to play in achieving it
- there is a role and statutory obligation for planning to advance sustainability
- whilst the existing State Planning Policy Framework and Victoria Planning Provisions provide a good starting point for the inclusion of sustainability, there are clear areas for improvement
- there are clear positive economic, social and environmental benefits to be gained through improved sustainable development outcomes in planning

The planning panels overseeing successive ESD amendments also provided recommendations that the ESD policy is necessary and should be approved.

Discussion

An ESD policy is supported by, and implements, several existing Council plans and strategies. Most recently, the preparation of an ESD policy has been identified as an action area in the Council Plan 2017-21. The Council Plan identifies environmental sustainability as a key challenge facing the municipality and subsequently Goal three of the Plan is “A well designed, maintained and environmentally sustainable place”.

The inevitable physical impacts of climate change include extreme heat events which can have drastic impacts on vulnerable people in the community. The proposed policy responds to these issues through the inclusion of objectives around indoor environment quality that will ensure new development considers passive heating and cooling, ventilation and orientation. Ultimately, the policy will ensure greater resilience for the community against the future effects of climate change such as flooding, drought and extreme heat.

From a statutory perspective, there is a gap in guidance in the current State Planning Policy Framework (SPPF). Whilst the SPPF recognises the importance of ESD principles, it fails to provide specific guidance and direction on its implementation. Councils are left to utilise voluntary measures to negotiate with developers on each individual permit application, which has led to poor outcomes and an inconsistent approach across Councils. The proposed ESD policy provides clear objectives and application requirements for applications.

The proposed amendment will ensure that best practice ESD initiatives are considered at the time of planning approval for new developments so as to maximise integrated design outcomes and minimise costs associated with retrofit and poor design. Currently, environmental considerations are left to the building approvals stage when it is too late and thus more costly to implement ESD principles due to design and layouts being 'locked in'.

The introduction of the ESD policy also seeks to address rising household utility costs through the introduction of water and energy saving measures. This is a critical issue given the expectation that utility bills will likely continue to increase in the foreseeable future.

There are currently nine other councils in the process of preparing a new ESD policy including the Cities of Greater Dandenong, Kingston, Whittlesea, Bayside, Brimbank, Wyndham, Melton, Maroondah and Greater Bendigo. Several of these councils have or will be considering recommendations to authorise an amendment in the first quarter of 2018. On this basis, it is recommended that Council request the Minister for Planning to support a concurrent amendment process with these Councils. A GC amendment will streamline the decision making process and reduce the overall costs associated with a planning panel, should one need to be appointed to consider submissions to the amendment.

9.4.4 Motion to the National General Assembly of Local Government

Directorate: Strategic Development

Appendix: 10 3rd Green

Purpose

To consider the motion to be put forward to the National General Assembly of Local Government in June 2018.

Motion

Moved Cr Colleen Gates, seconded Cr Jonathon Marsden:

That Council submits the following motion to the National General Assembly of Local Government:

- 1. That the National General Assembly advocate to the Federal Government to require State and Territory Governments to include an inclusionary requirement for the delivery of affordable housing (including social housing) within residential developments.**

Carried

Summary

The National General Assembly (NGA) of local government brings together representatives of local government from around Australia. It provides an opportunity for local government to engage directly with the federal government, to develop national policy and to influence the future direction of councils and communities. For the 2018 Assembly, it is proposed that Council put forward a motion to advocate to the federal government to require state and territory governments to include an inclusionary requirement for the delivery of affordable housing (including social housing) within residential developments.

Background

Each year the NGA calls for motions that can be debated at the national conference. A discussion paper is developed to provide guidance to councils on the conference themes and matters for consideration and debate. This year the primary focus on motions is to strengthen the capacity of local government to provide services and infrastructure in Australia. In particular the NGA is calling for motions that are relevant to the work of local governments nationally and address the following policy challenges:

1. Housing affordability
2. Financial sustainability – oppose cost shifting
3. Innovation and digital transformation – smart communities
4. Harmonising local government data
5. Cyber security
6. Environment
7. Regional development

Discussion

The NGA will be held in Canberra on the 17 to 20 June 2018. Motions that meet the criteria will be included in the business papers and debated at the Assembly. The Motions carried at

the Assembly will be considered by the Australian Local Government Association (ALGA) Board, and will be forwarded to the Australian Government for their information, response and potential implementation. Council is proposing to submit to following motion for consideration.

Affordable Housing

The provision of affordable housing is an issue of increasing concern for many local governments across Australia. While Hobsons Bay City Council has an Affordable Housing Policy Statement, in order for local governments to implement successful outcomes it requires support from State/Territory and Federal Governments.

Currently local governments within Victoria have to negotiate with developers to provide a voluntary contribution to affordable housing. This approach results in local governments, developers and housing associations spending many hours negotiating feasible outcomes. At times this cannot be achieved therefore no affordable housing is supplied.

A solution to this would be that the Federal Government require State and Territory Governments to specify a contribution to affordable housing within residential developments. This can be achieved through an inclusionary requirement which articulates the percentage and costings that need to be attributed to affordable housing. This would result in developers and local governments knowing prior to development applications being lodged as to how much affordable housing will be supplied and at what cost.

Council is calling on the NGA to advocate to the Federal Government to require State and Territory Governments to include an inclusionary requirement for the delivery of affordable housing within residential developments.

9.4.5 Response to Joint Letter – Request to Ban Balloons in all Council owned and/or managed Public Spaces

Directorate: Strategic Development
Councillor Delegates: Environmental Sustainability Portfolio -
Cr Jonathan Marsden and Cr Sandra Wilson

Purpose

To respond to a petition for Council to ban balloons at Council owned or managed open spaces, Council events and events supported by Council.

Motion

Moved Cr Sandra Wilson, seconded Cr Jonathon Marsden:

That Council:

- 1. Encourage the reduction or elimination of single use plastics including balloons in Council's operations.**
- 2. Refer this matter to the future meeting of the Environmental Sustainability Portfolio Committee for consideration.**
- 3. To advise the lead petitioner of the outcomes of the report.**

Amendment

Moved Cr Hemphill:

That Council:

- 1. Encourage the reduction or elimination of single use plastics including balloons in Council's operations.**
- 2. To advise the lead petitioner of the outcomes of the report.**

The Amendment lapsed for want of a seconder.

The motion moved by Cr Sandra Wilson, seconded by Cr Jonathon Marsden was carried.

Summary

At the Ordinary Meeting held on 13 February 2018 Council received a petition from Boomerang Bags, an organisation focused on avoiding the distribution and use of plastic bags and making and distributing reusable bags. The petition requested that Council consider banning balloons from Council owned or managed open spaces, Council events and events supported by Council.

This report summarises the approaches Council has taken to encourage and where possible prescribe a reduction or elimination of single use plastics at Council owned or managed open spaces, council events and events supported by Council.

The report is supportive of reducing or eliminating balloons with specific reference to events, markets and formal sporting and recreational activities on Council owned or managed land and its purchasing policy, but does not support a ban on balloon use as sought by the petitioner, at this stage. Council is currently forming a number of 'Portfolio Committees' to seek advice from the community on various matters such as this. The 'Environmental Sustainability' Portfolio Committee chaired by co-chaired by Councillors Jonathon Marsden and Sandra Wilson should be consulted further on this matter and whether more enforcement is warranted. Potentially a 'ban' on balloons being used in public open space and venues in Hobsons Bay will be canvassed.

Background

At the Ordinary Meeting held on the 24 May and 26 July 2016 Council previously considered policy and operational mechanisms to reduce or where possible eliminate single use plastic including plastic bags. Council's event guidelines currently encourage event organisers to avoid the use of balloons by considering alternatives such as bubbles, flags, banners or kites where appropriate.

The Sports Club handbook and short term License are currently being reviewed with final documents prepared by April 2018. Drafts of the sporting handbook make specific mention to avoiding single use plastic bags, polystyrene products and balloons at any sporting club or recreation facility across Council. The short term License agreements encourage broader environmental sustainable practices including minimising the generation of waste.

Council's Procurement Policy guides that purchasing decisions are to be made in the context of the waste hierarchy to avoid, reduce, reuse and recycle. The purchase of recycled and environmentally preferable products and materials is also supported. The policy also highlights Council's commitment to minimising greenhouse emissions, habitat destruction and toxicity and maximising water efficiency.

Generally programs that Council support, such as White Ribbon Day, use balloons for promotional purposes predominantly indoors. This approach can quickly be changed to exclude balloons.

Helium balloons and confetti are not permitted in Council venues for hire. Some indoor celebrations such as weddings use balloons.

Discussion

There is no specific data available to Council on the amount of balloons that are used or released in Hobsons Bay. Council's litter audits show that plastic in general accounts for three per cent of litter in Hobsons Bay. Beverage containers made of glass, plastic, paperboard and aluminium make up 11 per cent of all litter. Cigarette butt litter accounts for 59 per cent.

Balloons have similar effects to plastic bags. They are often mistaken for food and swallowed, which can cause injury and death of birds and marine life (Source: Keep Australia Beautiful). In New South Wales under the *Protection of the Environment Operations Act 1997 - Amendment (Balloons) Act 2000*, it is illegal to release 20 or more gas-inflated balloons at the same time. In 2011 the Sunshine Coast, Queensland banned the intentional release of helium balloons, but policing of such actions has been difficult.

At a federal level, the report into the threat of marine plastic pollution in Australia provides evidence that balloons which have either been accidentally lost or deliberately released, contribute significantly to plastic pollution, recommendations from this report include development of policies in relation to marine plastic pollution so that the most efficient and effective mitigation strategies can be established as well as the establishment of a marine

plastic debris database. It is expected that these recommendations would capture balloons and the extent of their damage.

The Victorian government recently requested views from the community about plastic pollution issues including items of most concern, appropriate management options, and how they might be impacted by any changes in the management of plastics in Victoria. Feedback is expected to be published in March 2018 and further outcomes relating to banning balloons may be discussed as a result of this consultation.

Operational mechanisms which Council already has include event guidelines, market and stalls conditions of use, short term hire of facilities and venues, long term lease agreements and Council's purchasing policy.

Council can also support and promote the Zoos Victoria campaign to eliminate balloons in outdoor events.

Cr Wilson left the Council Chamber at 8.40pm, and returned at 8.42pm, and was present for the vote on item 9.5.1.

9.5 Infrastructure and City Services

9.5.1 Draft Williamstown Botanic Gardens Master Plan

Directorate: Infrastructure and City Services

Appendix: 11 3rd Yellow

Purpose

To present the Draft Williamstown Botanic Gardens Master Plan for Council's consideration and approval to proceed with a public exhibition and community consultation process from 19 March 2018 to 11 May 2018.

Motion

Moved Cr Peter Hemphill, seconded Cr Jonathon Marsden:

That Council:

- 1. Place the Draft Williamstown Botanic Gardens Master Plan and background report on public exhibition between 19 March 2018 and 11 May 2018.**
 - 2. Receive a further report following the public exhibition period to endorse the 2018 Williamstown Botanic Gardens Master Plan.**
-

Summary

The purpose of this report is to provide Council with the Draft Williamstown Botanic Gardens Master Plan (Master Plan). The appendix includes the Background Report and the full version of the report.

It is proposed to place the Master Plan on public exhibition for a period of eight weeks from 19 March 2018 to 11 May 2018.

Details relating to the public exhibition period have been outlined within this report and a Stakeholder Communications and Engagement Plan has been prepared for this Master Plan.

Background

Williamstown Botanic Gardens is one of the oldest Botanic Gardens in Victoria. With a sweeping, arabesque path system designed by Edward La Trobe Bateman, magnificent tree canopy, rich shrubberies and a strong Edwardian character, the Gardens is an outstanding example of a 19th century Botanic Garden.

In 2001 Hobsons Bay City Council commissioned a Conservation Management Plan and Master Plan. That plan provided clear direction for more than a decade on the renewal of the Williamstown Botanic Gardens and guided many successful major projects. These include restoration of the A.T. Clarke statue, cast iron gates and ornamental pond, rejuvenation of the central palm walk, reinstatement of the pathway system in the Pinetum, and the formation of the Williamstown Botanic Gardens Friends Group.

Having completed most of the projects identified in the 2001 Master Plan the time is right for a new plan. The review of the Master Plan for the Williamstown Botanic Gardens commenced in 2013 and following consultation with stakeholders an initial body of work was completed in 2014. The Master Plan was then put on hold while other organisational priorities were addressed.

Laidlaw and Laidlaw Design were commissioned to prepare a new Master Plan (2018) for the gardens. The 2018 Master Plan builds on the good work which has gone before it,

strengthening the Williamstown Botanic Gardens position as a place of horticultural excellence, education, passive recreation, science, culture and as a much loved garden.

Discussion

The Master Plan has been developed to direct future development in the gardens ensuring it reaches its full potential as one of the best examples of 19th Century Botanic Gardens in Victoria and is managed in accordance with Heritage guidelines.

The 2018 Master Plan makes recommendations to:

- continue the reunification of the site, including connecting the Northern and Southern areas of the Gardens
- enhance the aesthetic of the Gardens with new garden beds and tree planting
- upgrade the existing irrigation system and improve water management
- return the former Williamstown City Council Parks Depot to Gardens use and provide the facilities and visitor services expected of a contemporary Botanic Garden, following extensive communication and negotiation
- record and label plant and tree collections, providing a basis for ongoing scientific management

The Master Plan has been reviewed and recently updated and is now ready for public consultation. A Stakeholder Communications and Engagement Plan has been developed and includes:

- a media release to announce the Master Plan and community engagement process
- guided tours through the reserve during the public exhibition period
- project signage, fact sheets, flyers and posters and a dedicated project page on the Council website
- social media posts

9.5.2 Closure of Facility at 16 Oxford Street, Newport

Directorate: Infrastructure and City Services

Purpose

To provide Council with details on the current condition of the community facility located at 16 Oxford Street, Newport and its planned demolition.

Motion

Moved Cr Tony Briffa, seconded Cr Peter Hemphill:

That Council:

- 1. Approve in principle the proposal to close the facility at 16 Oxford Street, Newport permanently and demolish the building, noting the community facility is unfit for occupation.**
 - 2. Convene a meeting with the leadership of the Victorian Arabic Social Services (VASS) and associated program leaders from Oxford Street to discuss possible options for their relocation to other facilities.**
 - 3. Note that the future strategic use of this site will be considered under the proposed Community Infrastructure Strategy, expected to be undertaken in 2018-19.**
-

Summary

The community facility located at 16 Oxford Street Newport is currently tenanted by the VASS Council has received advice from an independent expert that the main building at 16 Oxford Street, Newport, is no longer suitable for occupation. The severity of the issues substantially increases the risk and liability to Council. As the building is no longer fit for occupation and unable to be maintained or refurbished, it is proposed that the building is closed immediately and demolished following relocation of the current tenant.

Due to the age of the facility together with the extent of deterioration and the presence of non-friable asbestos, it is not economical to complete any works to keep the building safe for occupation. Demolition will be scheduled following the relocation of the current tenant to alternative facilities. A relocation management and engagement plan is being implemented by the Community Wellbeing Directorate in order to assist with relocation of the tenant.

The future strategic use of this site will be considered under the proposed Community Infrastructure Strategy, expected to be undertaken through 2018.

Background

The property is located within a residential zone in Newport, north of Mason Street. The property has street frontage to Oxford Street and is bounded on the northern and eastern sides by Leo Hoffmann Reserve and residential to the south.

Newport Lakes is to the east of the property. The Newport Hub at Paine Reserve is located approximately 500m to the south east. Newport Community Education Centre (Outlets) is located 450m away on Mason Street. Newport Gardens Early Years Centre is approximately 1km to the south west. Reserves and Recreation facilities in the near vicinity include Jack Madigan Reserve, Loft Reserve and Bryan Martyn Oval.

VASS is based in Broadmeadows, and utilises the site at 16 Oxford Street Newport to deliver a range of services and programs. VASS services the needs of the Arabic community across metropolitan Melbourne and provide culturally relevant, tailored services as well as advocacy. VASS offers social support and settlement support that is tailored to men, women and youth that are newly arrived and refugees. VASS has worked around social connectedness and needs assessment for ASB (CALD) families.

One of the programs operating at Oxford Street is the Australian Arabic Women Community Group Inc. This group is affiliated with VASS, yet appears to be incorporated in their own right. It may therefore be surmised that programs at Oxford Street may be directly VASS funded and operated, auspiced by VASS or may be incorporated subtenants utilising the facility. Further queries will need to be made to fully understand the extent of use and types of programming currently operating from Oxford Street, including informal use (eg drop-in), one-off events and major festivals.

From 2015 to 2017 Council completed several investigations into the condition of this facility. The investigations identified a number of issues including deterioration of the subfloor in the main hall, substantial building movement and exposed asbestos requiring ongoing monitoring and protection. In light of these investigation findings, officers considered options for maintaining the facility for the purposes of continued use for a further three to five years. While exploring options for remediation works it was determined it is not possible or feasible to maintain or repair the structure due to the cost implications and public safety.

In February 2018 an independent building surveyor was engaged to provide an audit of the building. The completed report received mid-February 2018 has confirmed the site is not fit for occupation.

Discussion

As a c1960's-1970's-era building in extremely poor condition, it no longer provides the bare minimum standard of quality, function and safety expected and required by the community.

One of the key risks regarding the deteriorating condition of the facility is the movement in the floor and building settlement. The floor movement is particularly visible on site and impacts the user experience as the floor bounces with foot traffic within the main hall.

Council thoroughly explored options to remediate these issues in order to secure the site for continued occupation over the next three years. Due to the presence of asbestos throughout the facility, any maintenance or refurbishment works including works to level the building would disturb asbestos and likely create asbestos dust.

As a result of the proposed closure and demolition of the site, the current tenant needs to be relocated over the short and long term while the future of the site is considered. A potential proposed relocation site is to the shared-access Newport Hub. This option will result in changes how VASS currently operate as a sole tenant at Oxford Street which will be a challenge for the group and subsequently Officers will engage with VASS to support and facilitate this transition.

Activities required to facilitate the transition include mapping the situation at Oxford Street and the opportunities and/or limitations at Newport Hub, building relationship and trust, and negotiation. Implications for other tenants regarding shared use will also be explored including access, egress or programming.

Intensive work will be needed to negotiate and prepare VASS' programs, existing users at the Newport Hub. It is proposed that Council Officers would engage and support VASS over the coming days to ensure a smooth transition. Pre-existing planned events, religious dates and cultural considerations will be incorporated into this planning. Beyond this, there will be

a further 12-18 month transition commitment to ensure Newport Hub continues to operate as functional multi-purpose facility providing accessible and diverse programs and services for the Hobsons Bay community.

10 Delegates Report

Purpose

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

Motion

Moved Cr Colleen Gates, seconded Cr Jonathon Marsden:

That Council receive and note the recent Delegates Report.

Carried

Metropolitan Local Government Waste Forum

9 November 2017

Councillor Delegate: Cr Colleen Gates

The Metropolitan Local Government Waste Forum (LG Forum) meeting explored key issues and responses relating to electronic waste, plastic bags and waste to energy initiatives proposed by the Victorian Government.

The Environmental Protection Authority (EPA) provided an update on their progress in responding to the 2014 Victorian Auditor General's Office (VAGO) report on Managing Landfill and the recommendations to improve knowledge of the location and understanding of the risk of closed landfills. The EPA is developing a Victorian Landfill Register in consultation with councils and intend it to be publically available by March 2018. The EPA is also developing a self-assessment tool for councils to assess the risk of closed landfills. Six metropolitan councils are involved in the development but timeframe for implementation is unclear.

LG Forum members also supported a discussion paper on Sustainability Fund investment proposals that were developed by the Strategies and Policy Advocacy Group (SPAG) and Technical Advisory Reference Group (TARG). Investment ideas included the following:

- investment into community education and engagement at a State level
- financial support for Council's to introduce universal food in green waste collection services
- support to Council's to navigate the future of kerbside recycling, collective procurement, market development and industry infrastructure grants
- ongoing financial support to councils to implement the electronic waste ban from landfill policy
- establishing alternative waste and resource recovery technologies including the procurement process, to acquire land, build the facility, operate, and ongoing support to councils to reduce the annual operational costs on communities
- investment into establishing pre-sorting equipment and operations at existing landfill sites
- investment into improving product and packaging design

There is strong alignment with Metropolitan Waste and Resource Recovery Group (MWRRG) and Department of Environment, Land, Water and Planning (DELWP) funding

priorities. A workshop will be held every year around July/August to inform government budget bids and Sustainability Fund investment.

Metropolitan Transport Forum

7 February 2018

Councillor Delegate: Cr Jonathon Marsden

A presentation was given by Gillian Miles, Lead Deputy Secretary for Transport for Victoria (TFV). The organisation sits within the Department of Economic Development, Jobs, Transport and Resources, has statutory powers and provides oversight and advice on all modes of transport. The presentation focussed on the role of the TFV, whose purpose is to work on key transport issues and increase connectivity across the transport network. TFV has been created to manage growth in a period of rapid change and is responsible for network planning and budget strategy. It was highlighted by a member of the MTF that the *Transport Integration Act 2010* promotes enhanced public transport outcomes, which could be a focus for TFV.

TFV indicated that by 2051 the number of trips for all modes of transport will double which is based on TFV research shows that there is a historical correlation of trips vs population growth. Transportation of freight is due to triple by 2051 (this is based on current consumer preferences which may change over time).

There was some discussion on whether buses (two thirds of Melburnians rely on buses) were to be considered as part of TFV priority. TFV responded by stating that buses are responsible for 35-40 per cent of public transport operating costs, are an important part of the mix, but the future of buses is tied to the renewal of contracts.

Further information was provided on the MTF public forums which are proposed to be held in local areas in the lead up to the next State Government election. Approximately 10 to 15 of these forums will be funded by the MTF. Region wide forums are an option that councils agreed to explore.

LeadWest**14 February 2018****Delegate: Cr Jonathon Marsden**

The February meeting of the LeadWest board was hosted by Melton City Council at the Melton Library and Learning Hub.

Last year LeadWest's Board agreed to establish four groups, which will help to drive LeadWest's advocacy agenda. The main responsibilities of these groups will be to direct, coordinate and approve regional advocacy activities for Melbourne's west in relation to their areas of focus. The four groups are:

1. LeadWest Education and Economic Development Group
2. LeadWest Environment, Planning & Sustainability Group
3. LeadWest Health and Wellbeing Group
4. LeadWest Transport Group

At the February meeting, LeadWest conducted elections for the chairs of these four groups. Cr Jonathon Marsden was elected the Chair of the LeadWest Transport Group and the Western Transport Alliance.

LeadWest also discussed four upcoming advocacy campaigns to be run in the lead-up to the 2018 Victorian Election:

1. Time for the West – better bus services and bike/active transport infrastructure
2. A Freight Infrastructure Plan for Melbourne's West
3. Helping kids thrive in the West – early years to teens
4. Getting the west Active and Moving – sport infrastructure and participation funding

Metropolitan Local Government Waste Forum**15 February 2018****Councillor Delegate/s: Cr Angela Altair****Councillor Delegate in Attendance: Cr Colleen Gates and Cr Angela Altair**

Key issues discussed at the meeting were associated with the global recycling industry and a briefing on advanced waste and resource recovery solutions.

Attendees were given an overview of the current status of recycling in Victoria as a result of the China National Sword Policy which limits the import of recyclable materials including mixed recyclable plastics, paper and cardboard. An overview of Victorian Government's short, medium and long term action was also provided.

The briefing on advanced waste and resource recovery solutions provided the strategic context of the Metropolitan Waste and Resource Recovery Group's (MWRRG) work in establishing alternatives to landfill. Key principles that are likely to underpin the selection of alternatives include alignment with waste and resource recovery strategic directions, a viable alternative that provides the best environmental and community benefit for the metropolitan community, that it meets regulatory requirements, is commercially sustainable, and is proven

technology that has been deployed at scale internationally. The MWRRG is engaging with local government through a series of workshops and papers, with the aim of the first stage of procurement with some councils commencing late in 2018 with construction and commissioning from 2021.

RoadSafe Westgate Community Road Safety Council Inc.

21 February 2018

Councillor delegate: Cr Sandra Wilson

Local Area Traffic Management Planning

Council is currently calling for quotes to undertake the *Connecting Communities – A Movement and Transport Plan* for the west area of the municipality, specifically Laverton, Altona Meadows and Seabrook. Council has formally requested the state government through VicRoads and the Western Distributor Authority, to partner on the development of LATMS for the Altona North and Brooklyn communities, given the impact the West Gate Tunnel Project will have on local traffic.

Level Crossing Removals Update

Council's established two community interest groups for the Level Crossing Removal sites at Aviation Road Laverton and Ferguson Street Williamstown have each met twice and have received a briefing from the Level Crossing Removal Authority including an overview of consultation findings and project timelines. The Aviation Road CIG raised a number of concerns regarding pedestrian, cyclist and vehicle safety and access, public amenity and the importance of sight lines within the Aviation Road Precinct. The Ferguson Street CIG are planning a tour of a number of level crossing removal sites to gain a greater understanding of outcomes and design considerations.

Local Traffic Reviews

The Esplanades at both Williamstown and Altona are currently being reviewed to guide future treatments to manage pedestrian, cyclist and vehicle safety particularly during peak summer seasons. These reviews will include engagement with local residents and the Victorian Police.

Cr Michael Grech left the Council Chamber at 8.50pm, returned 8.52pm and was present for the vote on Item 10.

Cr Briffa left the Council Chamber at 8.51pm, and was absent for the vote on Item 10.

Cr Gates left the Council chamber at 8.55pm, and was absent for the vote on Item 10.

Cr Briffa returned to the Council Chamber at 8.56pm.

Cr Gates returned to the Council Chamber at 8.56pm.

11 Supplementary Public Question Time

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

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

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

Nil.

12 Other Business

Nil.

13 In Camera Business

In accordance with s89(2)(a) and (c) of the *Local Government Act 1989*, Council may resolve that the meeting be closed to members of the public if the meeting is discussing personnel matters and industrial matters.

13.1 Community Care Service Review

Motion

Moved Cr Sandra Wilson, seconded Cr Michael Grech:

That Council in accordance with s89(2)(a) and (c) of the *Local Government Act 1989*, Council close the meeting to members of the public as the meeting is discussing personnel matters and industrial matters.

Carried

13.2 Chief Executive Officer Appointment

Directorate: Chief Executive Office

Purpose

To appoint a new Chief Executive Officer in accordance with section 94 of the *Local Government Act 1989*.

Motion

Moved Cr Tony Briffa, seconded Cr Peter Hemphill:

That Council, in accordance with section 94 of the *Local Government Act 1989*, resolves to:

- 1. Appoint Mr Aaron van Egmond to the position of Chief Executive Officer of Hobsons Bay City Council for a term of five years, effective 12 June 2018; and**
- 2. Delegate the Mayor to execute the contract of employment documents, and provide a copy to both parties; and**
- 3. Appoint Ms Tammi Rose to the position of Interim Chief Executive Officer of Hobsons Bay City Council for the intervening period of 1 May 2018 to 11 June 2018; and**
- 4. Remove the confidentiality status of this report after confirmation that the successful applicant has finalised current employment arrangements.**

Carried

Summary

In October 2017 the current Chief Executive Officer, Mr Chris Eddy formally advised the Council of his intention not to seek a renewal of his employment contract, which is due to expire on 30 April 2018. As result of Mr Eddy's notice it has been necessary for the Council to undertake a recruitment process to fill the position. The Council appointed Fisher Executive to guide and assist them through this process.

This report outlines the recruitment process undertaken to source a replacement Chief Executive Officer. The report recommends appointing Mr Aaron van Egmond as the Hobsons Bay City Council Chief Executive Officer.

The report also recommends appointing Ms Tammi Rose as the Interim Chief Executive Officer for the intervening period.

Background

The current Chief Executive Officer (CEO), Mr Chris Eddy, resigned from the Council effective 30 April 2018. It has therefore been necessary for the Council to proceed through the recruitment process to fill the position.

The *Local Government Act 1989* ('the Act') provides that the Council must appoint a natural person to be its Chief Executive Officer. The Council may only do so after it has invited applications for the position in a notice in a newspaper circulating generally throughout

Victoria and has considered all applications received that comply with the conditions specified in the notice.

The Act also requires that the employment of the Chief Executive Officer is to be regulated by a contract which includes:

- Performance criteria for the purpose of the performance reviews; and
- The expiration date, which is not to be no more than five years after commencement date.

Discussion

In November 2017, following an expression of interest process, the Council appointed Fisher Executive to assist in the recruitment of the Chief Executive Officer.

The consultants conducted preliminary interviews with 25 applicants.

Five candidates were shortlisted for interview by a panel made up of one consultant and the councillors.

Mr van Egmond, who is currently employed by Hepburn Shire, was the successful candidate.

The position has been offered to Mr Aaron van Egmond subject to the completion of a formal contract. The key terms and conditions of the contract are a five year term, effective from 12 June 2018.

Mr van Egmond has accepted the offer.

There will be an interim period of 1 May 2018 and 11 June 2018 for which the Council is required to appoint an Interim Chief Executive Officer.

Section 94 of the *Local Government Act 1989* ('the Act') provides that the Council may appoint an Interim CEO for a period of up to twelve months. The Interim CEO will be vested with all relevant statutory functions and delegations for the duration of the appointment.

It is recommended that Ms Tammi Rose, who is currently employed as the Director Corporate Services, be appointed to the position of Interim Chief Executive Officer for the intervening period.

Legal/Statutory Obligations/Risk

The process for appointment of the Chief Executive Officer was conducted in accordance with all relevant sections of the Act and other employment law. The total annual remuneration of the position is required to be made available for public inspection in accordance with the requirement of the *Local Government (General) Regulations 2004*.

Financial and Resource Implications

The salary package is \$310,625.00 plus superannuation, which is in line with the median CEO salary for local governments that are comparable with Hobsons Bay.

Consultation and Communication

The position was advertised in The Australian, The Financial Review Newspapers, the Local Government Directory and Seek website.

Officer Declaration of Conflict of Interest

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

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

Motion

Moved Cr Tony Briffa, seconded Cr Sandra Wilson:

That Council reopen the meeting to members of the public.

Carried

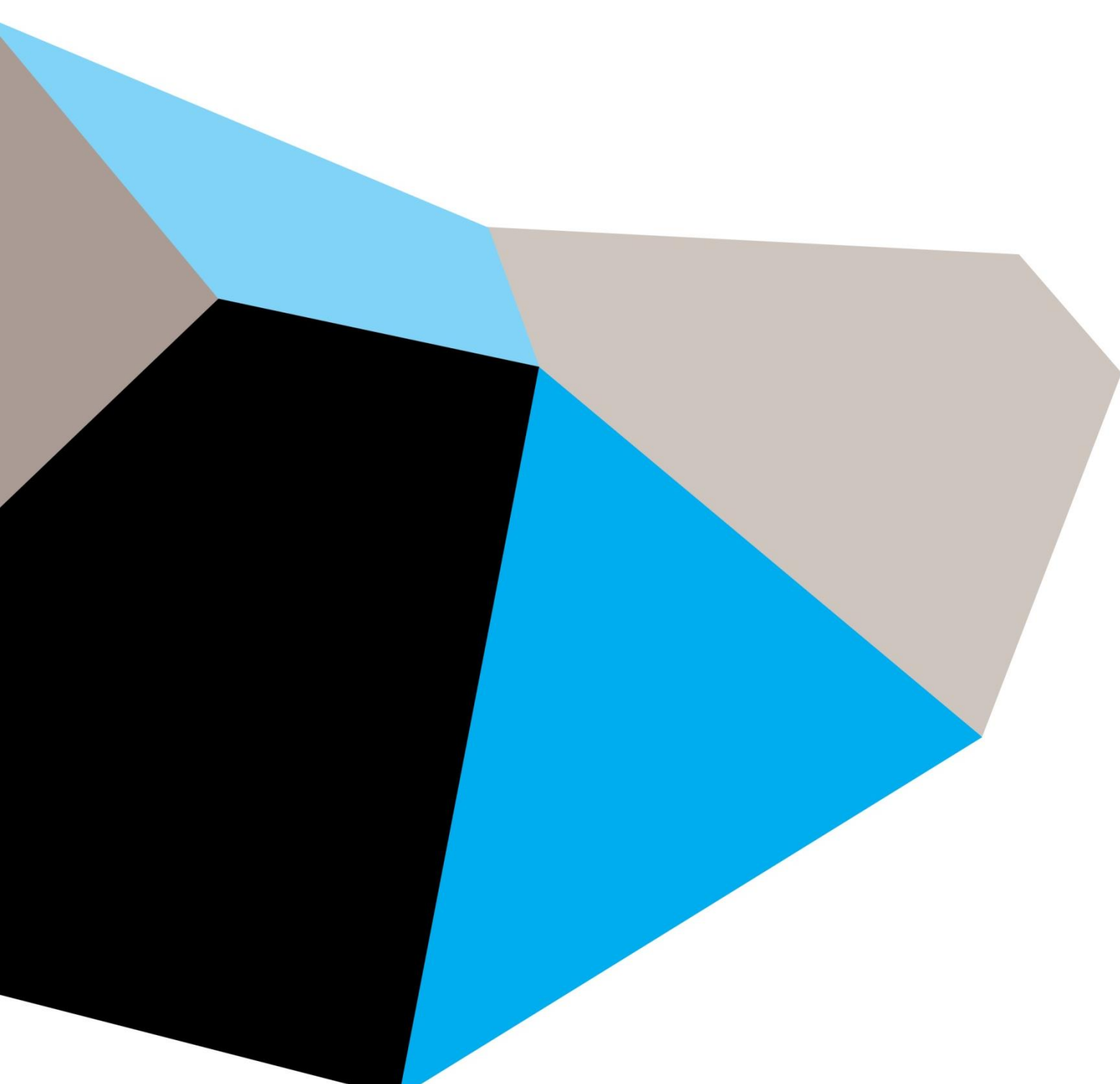
Council considered the reports and discussed the matters In Camera.

The meeting was re-opened to members of the public.

There being no further business, the Chairperson declared the meeting closed at 9.25pm.



Chairperson – Cr Angela Altair
Signed and certified as having been confirmed.
10 April 2018



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