



# Ordinary Council Meeting Minutes

Tuesday 12 June 2018

Council Chamber  
Hobsons Bay Civic Centre  
115 Civic Parade, Altona

**HOBSONS  
BAY CITY  
COUNCIL**



# **HOBSONS BAY CITY COUNCIL**

Ordinary Council Meeting Minutes

12 June 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

Aaron van Egmond

Chief Executive Officer

Hobsons Bay City Council

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**Minutes of the Ordinary Council Meeting held on Tuesday  
12 June 2018 at 7.09pm in the Council Chamber, Hobsons Bay  
Civic Centre, 115 Civic Parade, Altona.**

**PRESENT**

**CHAIRPERSON:**

Cr Angela Altair (Mayor)	Strand Ward
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**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 A van Egmond	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
Ms J Legge	Acting Manager Communications and Community Relations
Ms Di Eyckens	Manager Governance and Local Laws
Ms T Spiteri	Coordinator Governance and Integrity/ 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.

**The Mayor welcomed the incoming Chief Executive Officer, Mr Aaron van Egmond, and thanked Ms Tammi Rose, Director Corporate Services for her services as Interim Chief Executive Officer.**

### 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.

**Cr Peter Hemphill and Cr Angela Altair declared an interest in item 7.1.2 – Proposal to Lease – 110 The Strand, Newport.**

**Cr Hemphill advised that members of his family are members of the South Pacific Health Club and Cr Altair advised that she is a general member of the Health Club.**

**Cr Peter Hemphill declared an interest in a submission to be heard at Item 7.1.1 – Presentation of Budget submission, for the Enterprize Ship Trust as he is a board member of Seaworks.**

### 4 Minutes Confirmation

#### 4.1 Ordinary Council Meeting

Confirmation of the minutes of the Ordinary Council Meeting of the Hobsons Bay City Council held on 8 May 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 8 May 2018 be confirmed.**

Carried

## **5 Councillors' Questions**

**Cr Sandra Wilson enquired whether Council will reinforce the messaging to the community regarding the closure of the Altona Loop due to the Kororoit Creek level crossing removal between 16 June to 13 July 2018 and what is Council doing to make people more aware of the options available to them during the closure of the train line?**

Bill Millard, Director of Strategic Development advised that the Communications team will use various forms of communications, particularly facebook to promote alternatives that are available to the community, and where possible lean on the LXRA to provide a reasonable replacement service for the six week period.

**Cr Tony Briffa requested an update on the street lighting in Stenhouse Avenue, Cypress Avenue and Geelong Road, Brooklyn.**

Sanjay Manivasagasivam, Director of Infrastructure and City Services advised that the service provider has completed an assessment of those sites and the works have been included in their work schedule.

**Cr Tony Briffa requested an update on the Altona and Seaholme Foreshore Masterplan and when the Council will be establishing the Altona and Seaholme Foreshore Community Liaison Committee.**

Sanjay Manivasagasivam, Director of Infrastructure and City Services took that question on notice and advised that an update would be provided back to the Councillors.

**Cr Peter Hemphill asked whether Council had been provided a timeline of when the designs for the level crossing removal at Williamstown North station will be available?**

Sanjay Manivasagasivam, Director of Infrastructure and City Services advised that the Level Crossing Removal Authority (LXRA) has not provided Council any timelines but the early indications are that the project will commence in 2019.

**Cr Peter Hemphill asked if the LXRA have provided any information to Council regarding suggested impediments to a 'rail under' solution at Williamstown North?**

Sanjay Manivasagasivam, Director of Infrastructure and City Services advised that the LXRA have not provided any further information, and that the information will be available when the project commences in 2019.

**Cr Peter Hemphill forshadowed a notice of motion for the next Council meeting on the Ferguson Street level crossing.**

**Cr Peter Hemphill requested an update regarding the promise from the state government that John Holland, being the contractors for the Westgate Tunnel project, would fund the building of the pavilion at the Spotswood Football, Cricket/Golf club.**

Ms Tammi Rose, Director Corporate Services advised that she met with the Western Distributor Authority in relation to the pavilion who sought clarification on the concept design that Council provided, consistent with Councils masterplan, and the expectations of Council in relation to the pavilion being built. No further timelines have been provided.

**Cr Peter Hemphill requested an update on other project funding provided in relation to the Westgate tunnel project**

Ms Tammi Rose, Director Corporate Services advised that the Western Distributor Authority have requested Council provide a draft service level agreement in relation to the three projects that Council identified for funding with the \$5M. This is currently being prepared and will include phasing and time to phasing for Council to access the funds.

**Cr Peter Hemphill asked if Council can raise the issue of the timing of the traffic lights changes on the Millers Road ramps to the Westgate Freeway.**

Ms Tammi Rose, Director Corporate Services advised that the issue was discussed with the Western Distributor Authority and the traffic banking up along Millers Road entering the Westgate Freeway. Vicroads and the Western Distributor Authority have commenced altering signalling to better understand where signalling adjustments can correct the traffic bank up.

**Cr Colleen Gates requested an update as to whether a Vicroads business case has been accepted into next years state government budget for a turnpike crossover for the Point Cook road entry and exit from the Westgate Freeway.**

Sanjay Manivasagasivam, Director of Infrastructure and City Services advised that they have asked Vicroads for an update but have not received a response as yet.

**Cr Colleen Gates requested an update on the landscape plans for the freeway exit and entrance points at High Street, Laverton, Newland Street, Altona Meadows and Point Cook Road, and when Vicroads plan to conduct the works.**

Sanjay Manivasagasivam, Director of Infrastructure and City Services advised that Vicroads have confirmed that funding is part of the next financial years maintenance program.



## **Motion**

Moved Cr Jonathon Marsden, seconded Cr Colleen Gates:

That Council bring forward Item 11 – Other Business to be heard immediately after Item 7.1.1 – Presentation of Budget Submissions 2018-19.

Carried

## **Motion**

Moved Cr Tony Briffa, seconded Cr Sandra Wilson:

That Council hear the late report at Item 11 – Other Business, *West Gate Tunnel Project – Grieve Parade Tree Removal*, immediately after Item 7.1.1 of the Agenda.

Carried.

## 6 Public Question Time

### Jason Price – Altona City Soccer Club

**Q1. Agenda Item 7.4.2 – How** are the priority lists determined for each sport and what is the process?

**A.** As part of the Sports Facility Needs Analysis, three key sports facility development principles have been used to guide the interpretation and preparation of sports facility development priorities in Hobsons Bay.

These key principles are:

- Maximise the use of existing facilities
- Participation and Access
- Facility Sustainability.

Each principle has a number of sub dot points which are outlined on Page 12 of the Report.

**Q2. Agenda Item 7.4.2 – What importance and value of club data:**

- **evidence of participation numbers**
- **breakdown of males/females**
- **club projection growth participation numbers**

**is used as part of the decision making process and the priority list?**

**A.** The development of the Sports Facility Needs Analysis has captured detailed participation data from 29 State Sporting Associations. This data has established a current benchmark and will be utilised in the future to measure changes and inform future participation projections. This data along with facility audits has been used to inform the future priorities identified in the Sports Facility Needs Analysis.

**Q3. Agenda Item 7.4.2 When is HC Kim Reserve – Altona City Soccer Club going to be considered in the priority list for Soccer in Hobsons Bay?**

**A.** The Sports Facility Needs Analysis identifies that Kim Reserve has a gap in facility provision specifically relating to the provision of Female Friendly (unisex) amenities. This is captured on Page 71 of the report.

The female friendly upgrades project will also provide Council with the opportunity to undertake other building renewal improvements to the pavilion at the same time. As with all projects of this type, the club will be consulted throughout the scoping and design phase of the project.

Further details on this project, including its scope and timeframes, will be included in response to the current petition regarding the redevelopment of the HC Kim Reserve pavilion. This response is scheduled for the 10 July 2018 OCM.

## **7 Business**

### **7.1 Corporate Services**

#### **7.1.1 Presentation of Budget Submissions 2018-19**

Directorate: Corporate Services

Appendix: 1 1<sup>st</sup> Pink

Councillor Portfolio: Not applicable

#### **Purpose**

To present the submissions received by Council in relation to the proposed Annual Budget 2018-19 and to hear from submitters requesting to be heard in support of their submission as a result of the public exhibition process

**Cr Peter Hemphill declared an interest in a submission to be heard at Item 7.1.1 – Presentation of Budget Submissions, for the Enterprize Ship Trust, at Item 3 of this Agenda.**

#### **Motion**

**Moved Cr Peter Hemphill, seconded Cr Jonathon Marsden:**

**That Council suspend standing orders to her public submission to the proposed Budget 2018-19.**

**Carried**

The following submitters, having so requested, were heard by Council:

1. Jeff Challis – Electric Vehicle Charge Points

**Cr Peter Hemphill, having declared an interest in the budget submission to be hear on the Enterprize Ship Trust, left the Chamber at 7.40pm.**

2. Michael Womack – Enterprize Ship Trust

**Cr Peter Hemphill returned to the Chamber at 7.46pm.**

3. Steven Mayne – Gambling Reform
4. Jason Price – Altona City Soccer Club
5. Ian Miller – Williamstown Crossing Group

#### **Motion**

**Moved Cr Tony Briffa, seconded Cr Peter Hemphill:**

**That Council resume standing orders.**

**Carried**

## Motion

Moved Cr Peter Hemphill, seconded Cr Tony Briffa:

That Council:

1. Note the submissions received as a result of the public exhibition process for the proposed Annual Budget 2018-19.
2. Note the submitters who presented, having requested to be heard by Council in support of their submission.
3. Respond to submissions as part of the final budget deliberations at the Ordinary Council Meeting on 26 June 2018.

Carried

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## Summary

The Proposed Annual Budget 2018-19 was placed on public exhibition following formal consideration at the Ordinary Council Meeting held on 10 April 2018, in accordance with Section 223 of the *Local Government Act* 1989 (the Act). This statutory exhibition period provides a further opportunity for interested parties from the community to make comment.

At the close of the public exhibition period Council received 12 responses. A copy of each is attached to this report. Five of the parties that provided feedback have requested to be heard by Council at tonight's meeting.

## Background

In accordance with the requirements of the Act, the Proposed Annual Budget 2018-19 was placed on public exhibition and comments invited from interested members of the community. The exhibition period was for 28 days and closed on 16 May 2018.

Interested parties who have provided comment could request to present to Council at the Ordinary Meeting of Council to be held on 12 June 2018. Five requests have been made to address Council at this meeting.

## Discussion

A schedule of the submissions on the budget is attached as an appendix to this report. The following interested parties have requested to be heard in support of their submission:

- Jeff Challis, in relation to electric vehicle charge encouragement and charge points, including funding of \$300,000
- Michael Womack, General Manager Enterprize Ship Trust, requesting \$40,000 per annum for the next five years, to assist in the operations of the Enterprize
- Tony Mohr, Executive Director Alliance for Gambling Reform, seeking \$15,000 for Council to join as a principal partner of Alliance to assist with advocating for reforms to the gambling industry
- Ian Miller, Williamstown Crossing Group, seeking a Community Grant of \$5,000 to raise awareness of the Rail Crossing Removal proposed for North Williamstown

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- Jason Price, Altona City Soccer Club, seeking an estimated \$4 million in relation to their Community Sporting Hub Proposal to develop the associated club rooms and facilities as per the Master Plan for Kim Reserve

Following this meeting, Council will take into account all submissions and presentations in final consideration of the annual budget. The Annual Budget 2018-19 will be formally considered at the Ordinary Council Meeting on 26 June 2018.

Having moved a motion, the late report at Item 11 – Other Business, *West Gate Tunnel Project – Grieve Parade Tree Removal*, is brought forward to be heard immediately after Item 7.1.1 of this Agenda.

## **11 Other Business**

### **West Gate Tunnel Project – Grieve Parade Tree Removal**

Directorate: Infrastructure and City Services

Appendix: Nil

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

#### **Purpose**

To provide Council with details regarding tree removal on Council land on Grieve Parade, Altona North which occurred as a part of the West Gate Tunnel Project construction preparatory works.

#### **Motion**

**Moved Cr Sandra Wilson, seconded Cr Tony Briffa:**

**That Council:**

- 1. Notes the apology received from the Western Distributor Authority on behalf of the project contractor for work recently undertaken on Council owned land in Grieve Parade Altona North.**
- 2. Demand that all future undertakings by the Project Contractor on Council owned or managed land are provided to Council and consultation will occur in advance with Council**
- 3. Demand that the reinstatement of the Grieve Parade site at the conclusion of construction and all other Council sites be undertaken in accordance with Council's specifications and in the case of works near Lower Kororoit Creek to be developed with input from the Friends of Lower Kororoit Creek.**
- 4. Demand that the Western Distributor Authority and the Project Contractor undertake to gain a better understanding of the Hobsons Bay community and their values as reinforced through the Community Liaison Group's.**

**Carried**

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#### **Summary**

On Friday 8 June 2018 Council Officers were made aware that approximately 50-70 semi mature trees had been removed from Council land west of Grieve Parade, Altona North as a part of the West Gate Tunnel construction preparatory works not in accordance with Council's requirements. Council had renegotiated with the West Gate Tunnel Project Contractor an area west of Grieve Parade to be used for the purposes of a construction compound. The area had been altered slightly to ensure mature trees would not be damaged or removed. It was understood that some smaller trees would need to be removed however

reinstatement would be undertaken upon decommissioning of the compound at completion of the works in four years.

It was agreed that a joint inspection would be undertaken between Council's arborist and a project contractor representative to determine which semi mature trees would be retained and protected and which trees could be removed. This joint inspection did not occur and works proceeded with approximately 50-70 semi mature trees removed. This area forms a part of the Urban Forrest and has been a focus for the Friends of the Lower Kororoit Creek and their remediation activities.

As construction for the West Gate Tunnel Project commences, construction compounds and access points are being established on various sites within Hobsons Bay. This removal of trees without the agreed consultation with Council jeopardises trust between Council and the Project contractor and raises significant concern by Council towards the Project.

## **Background**

The Grieve Parade Altona North site is partially owned by Council and VicRoads. The Project identified this site early in the planning phases as a preferred location of a construction compound due to its direct access to the Project corridor and major roads and the area available. Council has maintained in principle support for the Project to access this site and more recently the exact area to be used for the purposes of the construction compound was confirmed to ensure the protection of mature trees on the northern boundary of the site.

Access to this site was provided to the Project on the agreement that:

1. A joint inspection with a Council arborist to determine adequate tree and vegetation protection and reinstatement measures as required.
2. Relevant conditions contained within the project construction licence and construction access agreements between CPBJH and State Government apply;
3. Further consultation to occur with Council on agreed reinstatement plan for the site upon completion of the occupation.

Council Officers were made aware on Friday 8 June 2018 that approximately 50-70 semi mature trees had been removed from within the agreed compound area without the joint inspection occurring.

Council understood that some of the smaller trees and vegetation would be removed within the compound however the purpose of the joint inspection was to identify the semi-mature trees to be retained within the compound. Council also understands that the Project has statutory planning powers however Council has continued to work with the Project to mitigate ancillary impacts to the Hobsons Bay community and where possible preserve the values of the community. In commenting on the Project during the planning and preliminary design Environmental Effects Statement process Council consistently raised the need to minimise the loss of vegetation particularly in areas of environmental and amenity importance to the community such as Kororoit Creek.

## **Discussion**

The removal of these semi mature trees without the agreed joint inspection occurring raises concerns for the remainder of the Project and specifically potential impacts to the Hobsons Bay community. These recent actions undermines trust between Council and the Project contractor. It is imperative that the Project team including the contractors have a genuine understanding of the Hobsons Bay community values as represented by Council's position and as reinforced through various communications to the Project.

As the construction phase now commences it is important that the Project minimises impacts to the community and gives consideration to options available to achieve access to the Project corridor while maintaining the Hobsons Bay community values. Council will continue to represent the communities' interests however greater diligence is required of the Project contractor and oversight by the WDA and the independent auditor.



### 7.1.2 Proposal to Lease – 110 The Strand, Newport

Directorate: Corporate Services

Appendix: 2 1<sup>st</sup> Green

Councillor Portfolio: Not applicable

#### Purpose

To advise Council of the outcome of the statutory procedure pursuant to sections 190 and 223 of the *Local Government Act* 1989 and to commence preparation of documentation with the 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.

**Cr Angela Altair and Cr Peter Hemphill declared an interest in Item 7.2.1 at Item 3 of this Agenda.**

#### Motion

**Moved Cr Tony Briffa, seconded Cr Michael Grech:**

**That Council:**

**Resolves to appoint South Pacific Health Club Williamstown (current incumbent) as the tenant for the new Lease;**

<b>Premises</b>	<b>Newport Park Gymnasium and Recreation Centre including the carpark located at 110 The Strand, Newport</b>
<b>Permitted use</b>	<b>Operation of a gymnasium and leisure centre</b>
<b>Commencement</b>	<b>1 July 2018</b>
<b>Length of term</b>	<b>Five (5) years with one five (5) year option</b>
<b>Rent</b>	<b>\$235,000 per annum plus GST per annum and payable monthly with annual CPI increases, and a rent review at commencement of option period.</b>

**Carried**

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#### 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.

At the Ordinary meeting of Council held on 13 March 2018, Council resolved to commence the statutory process to grant a new lease. Council is required to give public notice of the proposal to lease the Premises and invite and hear submissions in accordance with sections 190 and 223 of the Act.

Council published a Public Notice in the Maribyrnong and Hobsons Bay Star Weekly on 11 April 2018. The submission period was for 28 days and expired on 9 May 2018. No submissions were received.

This report is presented to Council seeking approval to proceed with the granting of the lease.

## Background

The Premises, is located on Council land and is approximately 3,176m<sup>2</sup>. 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 Cyber town 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 current lease expires on 30 June 2018 and a request from South Pacific to Council was received, requesting a new lease for the Premises to allow for continuation of its operation as a Health Club. The Premises has a current site value of \$1,139,000 and a capital improved value of \$3,028,000 and a current annual rent is \$222,492.84 (ex GST) plus outgoings.

## Discussion

Public Notice was published on 11 April and ended on 9 May 2018 with no submissions received.

Agreement during preliminary discussions was sought and reached by Council and South Pacific to proceed and enter into a new lease of the Premises upon the following terms and conditions:

- commencing rent of \$235,000 (ex GST) plus annual CPI increases
- market rental review at the commencement of the five (5) year option
- all outgoings to be paid by the lessee
- cosmetic internal works including such as painting, replacement of carpet etc. to be undertaken by the lessee

South Pacific have also proposed that, during the first term of the proposed lease, a range of refurbishment and cosmetic improvements will be undertaken to the Premises by South Pacific including refurbishing the change rooms and crèche as well as establishing a new member's lounge, juice bar/café and cycle studio. The current estimated costs of the proposed improvements is approximately \$300,000. These improvements will be undertaken by the tenant at their expense and will be subject to the required approval processes.

Council will retain responsibility for repairs and maintenance of the Premises as required under the *Retail Leases Act 2003*.

### **7.1.3 Policy Review – Dogs in Public Places, Street Stalls and Collections and Zero Tolerance – Illegal Parking Around Schools**

Directorate: Corporate Services

Appendix: 3 1<sup>st</sup> Yellow

Councillor Portfolio: Not applicable

#### **Purpose**

To review Council's policies regarding Dogs in Public Places, Street Stalls and Collections and Zero Tolerance – Illegal Parking Around Schools

#### **Motion**

**Moved Cr Colleen Gates, seconded Cr Sandra Wilson:**

**That Council:**

- 1. Revoke the Dogs in Public Places Policy dated 2 August 2011.**
- 2. Revoke the Street Stalls and Collections Policy dated 28 August 2012.**
- 3. Revoke the Zero Tolerance – Illegal Parking Around Schools dated 27 September 2005.**
- 4. Adopt the amended Dogs in Public Places, Street Stalls and Collections and Zero Tolerance – Illegal Parking Around Schools Policies as attached.**

**Carried**

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#### **Summary**

The Dogs in Public Places, Street Stalls and Collections and Zero Tolerance – Illegal Parking Around Schools Policies (the Policies) were developed to ensure compliance with the relevant Acts and laws and respond to community safety concerns.

The Policies outline Council's approach to the following:

- ensuring accordance with the *Domestic Animals Act* 1994
- how Council will approach breaches of parking laws and rules around schools
- criteria for the approval of permits for street stalls, collections, busking and spruiking

#### **Background**

There are a number of policies that complement the provision of the Community Local Law 2015. These policies have been reviewed and updated in accordance with legislation and changes to procedures. The objectives of these policies are to provide a safe and healthy environment in which residents enjoy a quality of life and use of municipal property and amenity that meet the general expectations of the community.

**Discussion**

Council reviewed the above policies and the following changes are recommended:

- clarification that the policy applies to both dog owners and dog walkers
- inclusion of definitions of key terms
- updated list of off-leash locations
- an amendment which requires all stallholders proposing to sell food to submit a Statement of Trade to Council's Public Health Department

### 7.1.4 Proposed Discontinuance of Part of a Government Road abutting 15 Challis Street, Newport

Directorate: Corporate Services

Appendix: 4 1<sup>st</sup> Blue

Councillor Portfolio: Not applicable

#### Purpose

The purpose of this report is to seek Council endorsement of the proposal to discontinue part of a Government Road in Jubilee Street, Newport and being part of the Road adjoining and enclosed within the boundary of 15 Challis Street, Newport.

#### Motion

Moved Cr Peter Hemphill, seconded Cr Jonathon Marsden:

That Council, having considered the two objections received, and in accordance with Section 206 Clause 3 of Schedule 10 of the *Local Government Act 1989* resolve to:

1. Discontinue part of a Government Road and the land be returned to the Crown
2. Authorise the Chief Executive Officer of Council or their delegate to prepare and have published a notice of the discontinuance in the Victorian Government Gazette.

Carried

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#### Summary

Council received a request from the owners (**the applicant**) of 15 Challis Street, Newport to consider a proposal to discontinue part of a Government Road in Jubilee Street, Newport (**the Proposal**) and being the land currently enclosed within the boundary fencing of this property as shown hatched on the plan at Appendix One. The portion of the land affected by the Proposal is part of a Government Road having an area of approximately 52m.

If the discontinuance of part of a Government Road pursuant to the provisions of the *Local Government Act 1989* (LGA) were to occur, the land will then vest to the Crown as freehold land and enable the Crown to either retain or sell the land at their discretion.

#### Background

Council as its Ordinary Meeting of Council on 13 February 2018 resolved to commence the statutory procedures to discontinue part of a Government Road in Jubilee Street, Newport and being the land adjoining and enclosed with the property known as 15 Challis Street Newport.

On 28 February, 2018 an advertisement was placed in the Maribyrnong & Hobsons Bay Star Weekly newspaper and on Council' website under sections 82A, 207A and 223 of the LGA providing public notice of the Proposal. Letters were also written to adjoining landowners advising of the Proposal.

In response to the public notice, two written submissions were received (**the submitters**) objecting to the Proposal.

## Discussion

At the Ordinary Meeting on 8 May 2018 Council considered the two written submissions. The submitters have listed the following reasons for objecting to the Proposal:

1. Fence line not constructed in accordance with a property land survey
2. No entitlement to take over public land causing pedestrians to have to deviate past this property rather than follow a lawful course
3. Council's does not have the power to sell land that forms part of a Government Road and should not proceed with this proposal and should take back the land and retain the part of the land as Government Road and deny the applicants the opportunity to legitimise the occupation of the land
4. Council proceeding with this proposal, will legitimise the illegal occupation and will set a dangerous precedent for the future.

Council officers have written to the submitters, outlining Councils response as provided in the report considered at the 8 May 2018 Ordinary Meeting.

1. In response to the first issue, the applicant has provided to Council a copy of a survey plan depicting the misalignment of the property boundary for 15 Challis Street, Newport. The encroachment onto the Government Road may well be more of a historical survey anomaly rather than a land grab.
2. With respect to the second issue, while there is no legal entitlement for a member of the public to take over public land, the fact of the matter is that occupation of the land has existed for well in excess of 50 years which appears to be as a result of a historical survey misalignment. The Jubilee Street road pavement adjacent to 15 Challis Street Newport has an irregular alignment and a wider than normal nature strip due to the roundabout at the intersection of Challis Street, Jubilee Street and Champion Road. As a result, this minor encroachment does not negatively impact on the function of Jubilee Street, the nature strip or the existing footpath.
3. In relation to the third key issue raised by the submitters Council is advised that Jubilee Street is a Government Road, which is essentially 'owned' by the State Government (the Crown). While Council has the power under section 206 and Schedule 10 Clause 3 of the LGA to discontinue and remove the road status of a Government Road, Council does not have the power to sell or transfer land from a Government road.
4. If discontinued, the land comprising the discontinued road will vest in the Crown pursuant to section 207B of the LGA, which land then becomes the freehold property of the Crown and may only be sold by the Crown. Any proposal to sell this land can only be undertaken by the State Government land manager, the Department of Environment, Land Water and Planning (DELWP). It is noted that prior to Council proceeding with the Proposal, Council is required to liaise with DELWP and seek "in principle" approval to commence the statutory procedures having regards to section 349 of the *Land Act 1958*.
5. The last key issue raised by the submitters pertaining to setting a precedent in the future, given that the Proposal seeks to regularise a survey anomaly which has existed for fifty years plus, proceeding with a proposal to discontinue the portion of the Government Road enclosed within the fenced boundary of the property, 15

Challis Street, Newport, will rectify a historical survey anomaly which has existed for fifty (50) years plus.

## 7.2 Office of the Chief Executive

### 7.2.1 Council Plan Quarter 3 2017-18 Progress Report

Directorate: Office of the Chief Executive Officer

Appendix: 5 2<sup>nd</sup> Pink

Councillor Portfolio: Not applicable

#### Motion

**Moved Cr Sandra Wilson, seconded Cr Michael Grech:**

To update Council on the progress of the Council Plan 2017-21 major initiatives and initiatives for the third quarter of 2017-18 from 1 January to 31 March 2018.

#### Recommendation

**That Council note the third quarter 2017-18 Council Plan progress report for the period 1 January to 31 March 2018.**

**Carried**

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#### Summary

This third quarter report indicates Council's progress against the 2017-18 major initiatives and initiatives that form the basis of the Council Plan and annual budget. Reporting on the progress of these actions is a legislative requirement. It also assists Council to ensure initiatives are on track throughout the financial year.

#### 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 Council Plan 2017-21 articulates Council's strategic direction for the next four years. It is prepared in accordance with legislative requirements of 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 identifies the objectives the organisation will work towards achieving for the period 2017 - 2021.

#### Discussion

In 2017-18 the Council Plan and annual budget included 12 major initiatives and 30 initiatives. Overall at the end of quarter three (31 March 2018), 52 percent (22) of all initiatives were progressing on schedule, with 36 percent (15) completed and 12 percent (5) to be completed in the 2018-19 financial year.



The third quarter progress report has identified that:

- of the 12 major initiatives, two have been completed, nine are progressing on schedule and one has been deferred to 2018-19
- of the 30 initiatives, 13 have been completed, 13 are progressing on schedule and four will be deferred to 2018-19

Initiatives completed this quarter included:

- develop a policy position on the provision of community aged care and disability services, including Home Care Package Pilot (HPCC) and National Disability Insurance Scheme (NDIS) rollout
- update and review the Influenza Pandemic Plan
- redraft the Municipal Public Health Emergency Management Sub Plan
- coordinate the Gold Coast Commonwealth Games Queens Baton Relay and produce associated events taking place in Williamstown in February 2018
- review the Road Management Plan

## 7.2.2 Annual Review of the Council Plan 2017 - 21 and Hobsons Bay Community Vision

Directorate: Office of the Chief Executive Officer

Councillor Portfolio: Not applicable

### Purpose

To inform Council on the annual review of the Council Plan 2017-21 and Hobsons Bay 2030 (Council's integrated Municipal Public Health and Wellbeing Plan).

### Motion

**Moved Cr Peter Hemphill, seconded Cr Colleen Gates:**

**That Council note that no changes are required to the Council Plan 2017-21 and the Hobsons Bay 2030 community vision.**

**Carried**

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### Summary

Section 125 (7) of the *Local Government Act* 1989 requires Council to consider, at least once each financial year, whether the current Council Plan requires any adjustments in respect to the remaining period of the Council Plan.

In addition the *Public Health and Wellbeing Act* 2008, Section 26 (4), requires that the Municipal Public Health and Wellbeing Plan be reviewed annually. The Hobsons Bay 2030 community vision (HB2030) together with the Council Plan meet Council's legislative requirement for an integrated Municipal Public Health and Wellbeing Plan (MPHWP), as per section 27 of the *Public Health and Wellbeing Act* 2008. Accordingly, Hobsons Bay 2030 also requires annual review.

### Background

The Council Plan 2017-21 is guided by the vision and priorities of the HB2030. The Council Plan includes the organisation's mission and values along with goals, strategic objectives and strategic indicators for Council.

The HB2030 and the Council Plan 2017-21 were developed through in-depth consultation with community, staff and stakeholders, in order to understand their needs and develop future directions for Council and the municipality.

In addition to specific consultation around projects and policies, each year Council undertakes an Annual Community Survey. This survey interviews a statistically representative sample of residents to seek feedback on how important Council's services and facilities are to them, their level of satisfaction with these services and facilities, and any key issues facing the municipality. Results from this survey assist Council to monitor and prioritise service and infrastructure improvements as well as to identify any issues that need addressing, including areas for advocacy.

Each year, in alignment with the legislation described above, Hobsons Bay 2030 and the Council Plan 2017-21 must be reviewed to ensure that they still align with community and organisational directions.

### **Discussion**

In July 2015 Council undertook a mid-term review of the Community Health and Wellbeing Plan 2013-17 (Council's previous Municipal Public Health and Wellbeing Plan). Feedback indicated that the plan required no changes; however suggested that the next health plan have a longer term focus with stronger implementation links through the four year Council Plan. This feedback supported the development of the community vision, Hobsons Bay 2030, formally received by Council in February 2017. Following this, the Council Plan 2017-21 was adopted by Council in June 2017.

As HB2030 is implemented via the Council Plan, the annual action planning process fulfils our legislative requirement to review the Council Plan and Hobsons Bay 2030 each year. Further, feedback from the community through the Annual Community Survey supports that no changes are considered necessary to the goals, objectives or indicators, as these continue to reflect the long term priorities of the community and Council (articulated in HB2030) as well as current legislation and government priorities.

### 7.2.3 CEO Operations Report

Directorate: Office of the Chief Executive Officer

Appendix: 6 2<sup>nd</sup> Green

Councillor Portfolio: Not applicable

#### 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 Sandra Wilson, seconded Cr Tony Briffa:**

**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; and**
- 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 8 and 15 May and 5 June 2018.**

**Carried**

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#### Summary

The CEO's Report on Operations provides Councillors and community a regular update from the Chief Executive Officer on key initiatives, projects and performance (appendix is attached).

#### 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.

## 7.3 Strategic Development

### 7.3.1 Compact of Mayors Reporting 2017-18

Directorate: Strategic Development

Appendix: 7 2<sup>nd</sup> Yellow

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

**Cr Michael Grech left the chamber at 9.01pm and returned at 9.04pm and was present for the vote on item 7.3.1.**

#### **Purpose**

To provide an update on Council's progress towards reporting on our commitment to the Compact of Mayors.

#### **Motion**

**Moved Cr Sandra Wilson, seconded Cr Jonathon Marsden:**

**That Council note the progress made towards its Compact of Mayors commitments and continue to support and promote Council's climate change mitigation and adaptation activities.**

**Carried**

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#### **Summary**

On 5 June 2017, Council committed to the Compact of Mayors. As part of its first year commitment, Council has completed a community-wide greenhouse gas emissions profile and identified its climate hazards through Council's Climate Change Adaptation Plan 2013-2018.

The emissions profile and hazards will be reported through the International Council for Local Environmental Initiatives (ICLEI) to the Compact of Mayors. Once verified, Council will receive confirmation of its compliance with the Inventory Phase (Phase 2) of the program. Council's emissions profile and hazards will be made public on the Global Covenant of Mayor's website and Council's website. In 2018-19 Council will then be required to set science-based greenhouse gas reduction targets and assess its vulnerability to climate change.

#### **Background**

The Compact of Mayors is part of a global coalition of mayors and city officials committed to reducing local greenhouse gas emissions, enhancing resilience to climate change and publicly tracking progress.

Council has up to three years to meet a series of requirements, culminating in the creation of a full climate action and adaptation plan, which will be recognised as each phase is achieved. The four phases are:

1. Commitment – made on 5 June 2017.
2. Inventory - build and complete a community-wide greenhouse gas inventory and identify climate hazards.
3. Target – set science-based greenhouse gas reduction targets and assess climate change vulnerability.
4. Plan – develop a climate action plan demonstrating how Council will reduce its emissions and a climate change adaptation plan demonstrating how the city will adjust to actual or expected climate change impacts.

## Discussion

As a signatory to the Global Covenant of Mayors for Climate and Energy, Council is required in the first year to build and complete a community-wide greenhouse gas inventory and identify climate hazards.

An emissions profile compliant with the Global Protocol for Community-Scale Greenhouse Gas Emission Inventories (GPC) has been completed. Council's total annual community emissions have been calculated as 1,568 Kilotonnes (kt) of carbon dioxide equivalent. The largest source of community emissions is stationary energy, which mainly comprises electricity consumed by buildings and facilities and accounts for 77 percent of total emissions. Meanwhile, on-road transportation is responsible for 21 percent of emissions, emissions from solid waste account for 2 percent and wastewater 1 percent.

It is important to note that while this profile is compliant with the international standard (GPC), and covers emissions from the entire community, Council only has a limited amount of control and influence over many of the sources of the emissions. While Council can continue to advocate and assist the broader community to implement energy efficiency and renewable energy projects, a cross-sectoral approach – with residents, business and other levels of government – is required to achieve substantial emissions reductions throughout the municipality.

Rather than use this profile as a baseline upon which to develop targets and measure the impact of climate change mitigation actions by Council, a targeted monitoring program should be developed to measure and report on the impact of these actions. As new data sources become available and methods for calculating emissions become more sophisticated, the calculated profile for Hobsons Bay will change, regardless of actual changes to emissions.

Council's Climate Change Adaptation Plan 2013-18 identified Hobsons Bay's climate hazards broadly as drought, floods, storms and heat. The plan identifies 38 risks across these hazards. The Climate Change Adaptation Plan is currently being reviewed and will respond to the need to identify and monitor actions that have a significant impact on climate change hazards.

### 7.3.2 Electric Vehicle Charging Stations

Directorate: Strategic Development

Appendix: 8 2<sup>nd</sup> Blue

Councillor Portfolio: Integrated Transport

Cr Jonathon Marsden and Cr Sandra Wilson

**Cr Tony Briffa left the Chamber at 9.10pm and returned to the Chamber at 9.21pm and was not present for the vote on Item 7.3.2.**

#### **Purpose**

To consider the position of Council in supporting the uptake of electric vehicles (EV) and the provision of electric vehicle charging stations (EVCS) including support for undertaking a feasibility study, including a trial, to understand demand and usage.

#### **Motion**

**Moved Cr Colleen Gates, seconded Cr Jonathon Marsden:**

**That Council:**

- 1. Undertake a feasibility study with the aim of trialing electric vehicle charging stations (EVCS) at key locations across the municipality and investigate the feasibility of combining this with SmartPole infrastructure.**
- 2. Work with local businesses to encourage the installation of destination and workplace charging infrastructure.**
- 3. Investigate the expansion of the Energy\$mart program to provide subsidies to businesses for EVCS.**
- 4. Continue to advocate to the Victorian and Australian Government to support the adoption of EVCS through direct and indirect incentives as well as the promotion of the benefits of the technology.**
- 5. Prepare a EVCS policy to ensure there is a coordinated and consistent approach to the provision of EVCS for the community.**
- 6. Investigate the feasibility of an electric vehicle as part of the Council fleet and publically available EVCS at the Hobsons Bay Civic Centre to promote access to the community.**

**Carried**

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#### **Summary**

Electric vehicles (EVs) are a small but growing part of the vehicle market which bring a number of benefits in terms of lower greenhouse gas emissions and air pollutants and lower running costs for owners.

The provision of electric vehicle charging stations (EVCS) in Hobsons Bay would promote EVs in the local area, highlighting leadership in sustainability, providing a necessary service to the community, and acting as an economic attractor and point of difference for EV owners from outside the municipality. Currently there are no EVCS in the Hobsons Bay City Council area.

This paper proposes that Council investigate the feasibility of facilitating and providing EVCS to respond to anticipated market demand and provide leadership to enhance the take-up of low carbon vehicles.. This will include: developing a commercial partnership model; the inclusion of EVCS in the future Environmentally Sustainable Development (ESD) Policy; infrastructure to trial an EV in the Council fleet; and a feasibility study totorial EVCS in Hobsons Bay.

## Background

In mid-2017, Council requested submissions from the community for projects to be considered as part of its 2017-18 budget development process. One request was a feasibility study into the potential of Council providing public charging infrastructure for electric vehicles (EVs).

In 2017 Australians purchased approximately 2,184 EVs (not including hybrids) which is approximately 1.2 percent of total vehicle sales, representing a 60 percent increase on 2016 sales. Sales are poised to grow even quicker in coming years with the introduction of lower priced models below \$50,000 bringing EVs closer to cost parity with internal combustion vehicles. The Australian Energy Market Operator is forecasting there will be 10 million EVs in Australia by 2037 representing more than half the current small car fleet of 18.8 million vehicles.

The current network of EVCS is inadequate to support the uptake of EVs across Australia and is acting as a barrier to expansion. Currently there are no EVCS in Hobsons Bay while in Melbourne there are 78, in Victoria there are 134 and 476 across Australia. Compare this to the UK, which has public charging points in 5,495 locations.

Council is currently undertaking research and project work in a number of related areas which have alignment with the proposal and these are included to maximise benefits:

- discussions with partners in Hobson's Bay to promote the link between economic development and sustainability outcomes, in particular, the provision of EVCS which could gain traction, especially if Council provided support or subsidies. Altona Gate Shopping Centre and Victoria Museums Scienceworks are potential partners
- Council is developing ESD policies which will consider the potential of EVs and EVCS as part of a suite of outcomes to reduce greenhouse gas emissions across the municipality
- a behaviour change initiative is currently underway in regards to Council's fleet to improve efficiencies and lower emissions. The feasibility of an EV trial is currently being considered as part of this work
- Council has recently endorsed a motion to the MAV for State Government support for the installation of Smart Poles. Smart Poles have the potential to include EVCS technology (Blacktown City Council in NSW has recently installed this technology). Potential locations for Smart Poles are Nelson Place, Williamstown and Pier Street, Altona. As the most expensive component of EVCS installation is site works, it is logical to consider Smart Poles in relation to level crossing removal projects.

## Discussion

Recent economic modelling from Pricewaterhouse Coopers (PwC) has found that a supportive approach to EV adoption could deliver a \$2.9 billion benefit for the Australian economy. EVs and EVCS are supported by several existing Council plans and strategies. The recently adopted *Integrated Transport Plan 2017 – 30* indicates Council's commitment to understand, support and prepare for new and emerging transport models and technologies such as EVs. Encouraging EV adoption through a low carbon vehicle strategy is outlined in



the *Community Greenhouse Strategy 2013-30* to address the growing emission contribution of residential travel. Similarly Council identified in its *Corporate Greenhouse Strategy 2013 – 2020* that undertaking an EV trial could be a comparatively low cost per tonne option for reducing emissions while building knowledge of the technology.

The EVCS can range from an adaptor in a simple wall-socket to recharge at home overnight to a sophisticated rapid charger located at freeway service centres which can recharge a battery to 80 percent in 20-30 minutes. While manufacturers and other stakeholders are developing the long distance rapid charging network, there is an important role for local governments to provide EVCS for local residents and visitors. A comprehensive EVCS network recognises that although EV owners predominantly recharge at home, provision at a local and regional scale provides the confidence to undertake longer distance trips. This acts as an important enabler for the higher uptake of EVs.

Many councils have, or are considering, EVCS with Moreland City Council an example. Moreland City Council currently have six EVCS which have been used 8,800 times over the last five years and they are currently looking to expand their network further. All of their EVCS are free to use and are viewed as tools to promote leadership in sustainability and as an economic attractor to residents and visitors alike.

### 7.3.3 SKM Recycling Processing Cost Increase

Directorate: Strategic Development  
Corporate Services

Appendix: 9 3<sup>rd</sup> Pink

Councillor Portfolio: Environmental Sustainability  
Cr Johnathan Marsden and Cr Sandra Wilson

#### Purpose

To provide an update on the financial implications of the global recycling changes on Council's recycling contract with SKM industries Pty Ltd (SKM) and propose a revision to the draft 2018-19 budget's waste service charge to accommodate an increase in recycling processing costs from 1 July 2018.

#### Motion

**Moved Cr Colleen Gates, seconded Cr Jonathon Marsden:**

**That Council revise the draft 2018-19 budget to accommodate an increase of \$760,000 in the waste service charge.**

**Carried**

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#### Summary

On 8 May 2018 at Council's Ordinary Meeting Council resolved to accept SKM Industries Pty Ltd's (SKM) contract variation for processing recyclables from 1 March 2018 to 30 June 2018 with a fixed per tonne payable to SKM with no penalties for contamination. On 21 May 2018 SKM submitted a draft proposal for a contract variation from 1 July 2018. SKM has proposed the same fee per tonne payable to SKM during the first year of a contract variation but with a 100 percent pass through of contamination costs. Second and future years of SKM's draft proposal varies for contracts with greater than two years remaining.

Council's contract with SKM expires on 4 February 2019. There is one final extension available to 4 February 2020. Due to the remaining possible term of Council's contract with SKM, the only option available to Council a fixed rate per tonne for 2018-19 and 2019-20 with 100 percent pass through of contamination costs. This equates to approximately \$760,000 per year (subject to tonnes collected, CPI and the level of contamination) for the remaining two years of Council's contract, if extended. The year one costs quoted by SKM is within the vicinity or less than other Victorian recycling processors. Prices after 2019-20 will depend on a public tender by Council individually or with a groups of councils. Alternatively being able to opt into the Metropolitan Waste and Resource Recovery Group contract, which expires in 2026 and the outcome of this groups' renegotiated contract.

This report is not on the contract variation or extension with SKM. A further report will consider this separately.

This report highlights four scenarios for funding the \$760,000 per year increase including through an increase in the waste service charge or through the Waste Management Financial Reserve (the Waste Reserve). Budgetary and legislative implications of these scenarios are discussed in appendix 1.

This report recommends funding the \$760,000 increase through an increase in the waste service charge. The 2018-19 proposed budget includes a 17 percent increase in the waste

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service charge from 2017-18 rates. A comparison with other councils' waste service charges and increases, demonstrates that even with an increase in the waste service charge to accommodate the \$760,000 increase, Council's waste service charge is still lower than other councils.

The following table illustrates the impact of this increase in the charge.

	Waste and recycling service structure	2017-18 waste charge	Proposed waste charge 2018-19	\$ increase per property increase	% increase per property increase	Overall effect on rates
<b>Draft 2018-19 budget</b>	Standard service - 120 litre garbage bin collected weekly, 240 litre recycling collected fortnightly	\$169.70	\$200.00	\$30.30	17.85%	3.24%
	A 240 litre green waste service collected fortnightly with a standard service (120 litre garbage bin collected weekly, 240 litre recycling collected fortnightly)	\$180.75	\$210.00	\$29.25	16.18%	
<b>Revised proposed waste service charge 2018-19</b>	Standard service - 120 litre garbage bin collected weekly, 240 litre recycling collected fortnightly	\$169.70	\$218.30 *	\$48.60	28.5%	4%
	A 240 litre green waste service collected fortnightly with a standard service (120 litre garbage bin collected weekly, 240 litre recycling collected fortnightly)	\$180.75	\$232.50 *	\$51.75	28.5%	

Table note: \*if the \$760,000 expense were to be included in the waste service charge

## Background

Council's draft 2018-19 budget includes a 17 percent proposed increase in the waste service charge and is due to an overall change of \$870,000, comprising a loss of recycling income (\$500,000), an increase in landfilling costs (\$90,000) and an increase in costs of garbage, recycling, green waste, and hard waste services (\$175,000).

The proposed budget did not include any additional expenses in recycling processing costs due to uncertainties at the time of budget preparations. Only now is there more certainty. This report recommends passing on the full cost of the recycling cost increases.

Council's contract with SKM is until February 2019 with one possible extension until February 2020. A further report to Council will consider the contract variation from 1 July 2018 and an extension. Council collects approximately 10,000 tonnes of recyclables per year. Contamination over six years has ranged between 8.6 and 13.4 percent with an average of 12.4 percent.

## Discussion

On 21 May 2018 SKM submitted a draft proposal for a contract variation commencing on 1 July 2018. The proposal is the same for all councils contracted with SKM and includes four options depending on the remaining term of council contracts.

The first two options are a fixed price options, the first of which is for contracts with two years remaining, the second for five year minimum contracts. The third and fourth options are variable price model based on the price of mixed paper in the Asia market, one with an upper and lower caps and the other with no caps.

The first year (2018-19) of each option is a fixed rate per tonne. It is not until year two (2019-20) of the variable price models that the variability commences. All options include contamination fees payable by councils and includes the sorting of non-recyclables and transport and disposal to landfill. The variable price models are not yet formal offers by SKM.

The short term contract options proposed by SKM create certainty for councils in an unstable market. But for longer contracts there is opportunity to share both risk and reward with SKM.

Appendix 1 provides budgetary and legislative implications of four scenarios to fund the \$760,000 increase. These include increasing the waste service charge, drawing it from the Waste Reserve or mitigating the change through additional waste revenue or savings.

Increasing the waste service charge (scenario A in appendix 1) is recommended because the direct increment in costs is clearly attributed to the global recycling issue which has been widely publicised in the community. It would be difficult to increase the waste service charge in 2019-20 to cover the increase for an issue that evolved in 2017-18. Funding the increase from the Waste Reserve in 2018-19 and 2019-20 would diminish a source of funding earmarked for significant future waste and recycling projects and a funding source that will now not grow significantly due to the global recycling issue and loss of income.

Council adopted its first Waste Reserve Policy (the Policy) on 14 June 2016. It was established to address future waste and litter management initiatives following the adoption of Council's Waste and Litter Management Plan 2012-17 and the adoption of Council's first Waste Service and Charge Policy in April 2013. It was revised and adopted on 10 April 2018. The Policy guides how funds from the Waste Reserve are used, how decisions are made and how any savings or additional income is deposited into the Waste Reserve.

The forecast balance of the Waste Reserve at the end of 2016-17 is \$4.66 million. When the Policy was established, initiatives that the Waste Reserve could fund were flagged with Council and were estimated to cost more than \$5.4 million. These included food waste recovery services, specifically the initial purchase of new bins for the service, rate relief for group procurement of processing technologies to treat waste traditionally sent to landfill and the management of legacy landfill issues and potential decontamination. Also improvements in Council's operations centre waste and litter management, public litter infrastructure, public place recycling and service innovation. Current applications include bin sensors and bin compactors to improve litter bin service efficiencies and a public place recycling trial together equating to approximately \$450,000. Despite the substantial balance of the Financial Reserve, some initiatives may cost a significant amount and therefore it is important that Council makes sound decisions.

If Council were to increase the waste charge to accommodate the \$760,000 increase in recycling processing costs, its charge for the base level of waste and recycling service (a 120 litre garbage bin collected weekly and a 240 litre recycling bin collected fortnightly) would be approximately \$218.30 per year.

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The following table is a comparison of eight councils' waste service charges and increases, which have similar waste and recycling services to Council's.

Council	Contractor	Waste and recycling service structure	2017-18 waste charge	Proposed waste charge 2018-19	\$ increase per property increase	% increase per property increase
Hobsons Bay	SKM Recycling	Standard service - 120 litre garbage bin collected weekly, 240 litre recycling collected fortnightly	\$169.70	\$218.30 *	\$48.60	28.5%
		Standard service (120 litre garbage bin collected weekly, 240 litre recycling collected fortnightly) and a 240 litre green waste service collected fortnightly	\$180.75	\$232.50 *	\$51.75	28.5%
Brimbank	SKM Recycling	Variable service models. The most comparable to Council's standard service is a 140 litre garbage bin collected weekly and a 240 litre recycling bin collected fortnightly	\$313.80	\$329.27	\$15.47	4.93%
Boroondara	SKM Recycling via contract with Cleanaway	120 litre garbage bin collected weekly, 240 litre recycling bin collected fortnightly. If residents choose an optional green waste bin then there is a one off bin costs and then ongoing servicing costs are through the standard charge	\$349	\$405	\$56	16%
Bayside	Polytrade	140 litre garbage bin collected weekly, 240 litre recycling bin collected fortnightly	\$231	\$324	\$92.75	40%
Maroondah	Polytrade	120 litre garbage bin collected weekly, 240 litre recycling bin	\$255.50	\$324 (adopted budget)	\$68.50	26.8%

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Council	Contractor	Waste and recycling service structure	2017-18 waste charge	Proposed waste charge 2018-19	\$ increase per property increase	% increase per property increase
		collected fortnightly				
Manningham	VISY	80 litre garbage bin collected weekly, 240 litre recycling bin collected fortnightly, 240 litre garden waste bin collected fortnightly	\$212	\$254.50 (Hobsons Bay City Council's comparable waste charge would be \$232.50)	\$42.50	20%

Table note: \*if the \$760,000 expense were to be included in the waste service charge

A detailed comparison of 11 councils with waste and recycling services and proposed waste charges is provided in appendix 2, including those councils listed above. Of note is that there are differences in the level of waste and recycling services provided by each council and how they pass the costs onto ratepayers. For example some councils own and operate waste and resource recovery facilities or don't have a separate waste service charge.

This report is not on the contract variation or extension with SKM. It does not discuss the merits of SKM's options or Council's contract variation or the extension with SKM. A further report will consider a contract variation and extension separately. However due to only having a one to two year window until Council with SKM contract expires, there are limited options available if Council were not to agree to a contract variation and extension with SKM. A tender within the next year is likely to mean higher costs to Council.

Due to *Local Government Act 1989* requirements Council may have to tender independently or collaboratively for a new contract to commence in March 2020. This is not ideal given that the market is not likely to have settled in this time and it will not be enough time for new service providers to enter the market to provide competition to SKM, VISY and Polytrade. New tenders may include mechanisms for midterm reviews to allow for market stabilisation and changes to conditions. An alternate would be to opt into the Metropolitan Waste and Resource Recovery Group's (MWRRG) collective contract with SKM and Brimbank, Melbourne, Port Phillip and Wyndham City Councils which expires in 2026. Opting into this contract would depend on the outcome of current negotiations between MWRRG, SKM and the four councils regarding SKM's draft proposal.

Landfilling is a more expensive option that would jeopardise Council's reputation and result in poor recycling behaviours.

### 7.3.4 30<sup>th</sup> Anniversary of Anjo Sister City Relationship

Directorate: Strategic Development

Appendix: 10 3<sup>rd</sup> Green

Councillor Portfolio: Not applicable

#### Purpose

To report on the Council and Hobsons Bay International Friendship Association (HBIFA) delegation to Anjo Japan from 19-22 April 2018, to mark the 30<sup>th</sup> anniversary of the relationship.

#### Motion

**Moved Cr Peter Hemphill, seconded Cr Jonathon Marsden:**

**That Council:**

- 1. Note the report from the Hobsons Bay International Friendship Association on the delegation to Anjo, Japan from 19 to 22 April 2018.**
- 2. Formally invite the City of Anjo to visit Hobsons Bay in October 2018 to acknowledge the 30 year sister city relationship.**

**Carried**

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#### Summary

2018 marks the 30<sup>th</sup> anniversary of the sister city relationship between Anjo Japan and Hobsons Bay. In April 2018 Council and the HBIFA led a delegation to visit Anjo and recognise the 30<sup>th</sup> anniversary of the relationship.

Council was represented by Mayor Cr Angela Altair and Bill Millard, Director Strategic Development. The HBIFA consisted of 16 representatives headed by Joy Martin, President of HBIFA.

The President of the HBIFA has written to Council providing a report from their perspective, of the visit. (Appendix 1)

#### Background

Hobsons Bay has a strong and active Sister City relationship with the City of Anjo in Japan. The alliance was formalised between the City of Anjo and the City of Altona on 17 October 1988 and it is expected that Council will receive a delegation from Anjo in October 2018 as a reciprocal exchange.

Hobsons Bay has three sister city relationships, being with Anjo in Japan, Buloke Shire and Yarrabah Aboriginal Shire Council.

At the Ordinary Meeting of Council 14 November 2017 Council adopted the following motion. ***'That Council plan a delegation to Anjo, Japan from 19 to 22 April 2018 to acknowledge the 30 year sister city relationship'.***

Council has a history of strong Sister City relationships and has recently been asked to attend and speak at the Victorian Sister Cities Forum in July at Queens Hall Parliament House, hosted by The Hon Bruce Atkinson MP President of the Legislative Council and The

Hon Colin Brooks MP Speaker of the Legislative Assembly. The forum will discuss various topics relating to sister city relationships.

### **Discussion**

The delegation hosts in Anjo focused on three key elements;

Firstly, community infrastructure including visits to key city sites such as the new 'Mizkan Museum' a contemporary museum with five interpretive zones telling the history of Japanese food culture, recycling and sustainability activities, cultural and community centres.

Secondly, the industry and economic base of the city with visits to the Toyota Plant, Toyota Museum, Toyota Stadium and the Nakano Saki Brewery.

Thirdly, a focus on longstanding relationships between Anjo and Hobsons Bay citizens, as well as school visits (Anjo-Minami Junior High School).

The welcome provided by Anjo City was genuine, warm and well received by delegates. Host families generously provided accommodation and allowed delegates the opportunity to experience Japanese culture and lifestyle firsthand.

A reciprocal invitation to host a delegation from Anjo, is suggested to visit Hobsons Bay in October 2018. Officers in the Cultural and Economic Development team will work with the HBIFA to ensure a reciprocal visit is handled appropriately.

Council could consider inviting representatives of Buloke Shire and Yarrabah Aboriginal Shire Council, to Hobsons Bay in October 2018 to meet with the Anjo delegation and to establish connections, leveraging Council's relationship with each.



### **7.3.5 Draft Creative City Hobsons Bay Arts and Culture Plan 2018-22**

Directorate: Strategic Development

Appendix: 11 3<sup>rd</sup> Yellow

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

#### **Purpose**

To present the Draft Creative City Hobsons Bay Arts and Culture Plan 2018-22 for public exhibition.

#### **Motion**

**Moved Cr Colleen Gates, seconded Cr Peter Hemphill:**

**That Council:**

- 1. Note the Draft Creative City Hobsons Bay Arts and Culture Plan 2018-22.**
- 2. Place the Draft Creative City Hobsons Bay Arts and Culture Plan 2018-22 on public exhibition for six weeks.**
- 3. Receive a further report to adopt the Creative City Hobsons Bay Arts and Culture Plan 2018-22 following the exhibition period.**

**Carried**

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#### **Summary**

Council has a leadership role in assisting the growth and development of arts and culture in Hobsons Bay. The Creative City Hobsons Bay Arts and Culture Plan (the Creative City Plan) is guided by four principles supporting excellence in the creative sector and for the city, and is delivered through six program areas. Its development was informed by community consultation and the Draft plan will be placed on public exhibition for community feedback.

#### **Background**

Delivery of a new Arts and Culture Plan is an initiative of the Hobsons Bay Council Plan 2017-18. At the Ordinary Meeting of Council held on 12 July 2016, Council noted the outcomes of the Hobsons Bay Arts and Culture Plan 2011-2015, and extended its life while the Hobsons Bay 2030 and Council Plans were completed. In August 2017, Council supported the methodology of the Draft Hobsons Bay Arts and Culture Plan 2018-2022 (Creative City), as a refresh of the Hobsons Bay Arts and Culture Plan 2011-2015, building on the foundations of previous work and including a consultation phase.

#### **Discussion**

It is recognised across all levels of government and in society that access to the arts has a very positive effect on the liveability of a city. A strong creative sector and cultural reputation contribute to its economy and a defined commitment to the arts and creative industries are at the basis of Council's new Arts and Culture Plan, Creative City.

The Creative City Plan is guided by four principles supporting excellence in the creative sector and for the city and six program areas that support its delivery. The Principles are:

1. Cultural Vitality: supporting a vibrant city through the development and promotion of its creative community
2. Sustainability: a focus on sustainability of the creative sector, including for artists, initiatives and organisations
3. Innovation and Excellence: this reflects Council's leadership role in being able to support and advocate for diverse programming that enhances the cultural reputation of the city, for the people who live and work here and for the reputation of the city in Melbourne and beyond
4. Participation and Social Inclusion: understanding that access to the arts provides myriad ways to participate in city life, from attending a festival or performance, learning new skills at a workshop, being part of a professional development program or experiencing any number of cultural activities in the community

Feedback from the community consultations was positive about Council's role in arts and culture to date, and generally supportive of the principles and program areas. The public survey delivered a high ranking of the importance of arts and culture in the city with an average response of 92 on a scale of 1-100. Areas highlighted for improvement or attention included access to grants, flexibility of support, information on commissioning and program opportunities, more ways to network locally, more ways to find out about what is happening in the city and access to space.

The survey had the highest numbers of responses in the 25-65 age groups, and several actions are proposed in the Creative City Plan around engaging more cohesively with young people.

The proposed Creative City Plan responds to the opportunities raised, grouped around the following six program areas:

1. Our Creative City
2. Creative Spaces and Places
3. Cultural Festivals and Events
4. Communities and Cultural Development
5. Telling our Stories
6. Advocacy, Partnerships and Capacity Building

The Creative City Plan has an Action Plan to support work in 2018-19, some of it ongoing, some project and research related, and actions to take place in future years. Progress on actions and outcomes will be reported each year.

Since 2011, when the first Arts and Culture Plan was adopted, Council has adopted work that relates directly to the arts and culture sector, the Hobsons Bay Public Art Strategy, the Hobsons Bay Events and Festivals Plan, the Hobsons Bay Economic Development Plan as well as Hobsons Bay 2030 and Council's suite of social policies supporting community wellbeing.

### 7.3.6 Amendment C113 – Anomalies Amendment

Directorate: Strategic Planning

Appendix: 12 3<sup>rd</sup> Blue

Councillor Portfolio: Planning

Cr Tony Briffa and Cr Michael Grech

#### Purpose

To consider the preparation of Amendment C113 to the Hobsons Bay Planning Scheme which corrects zoning, overlay and text errors to ensure the accuracy of the scheme.

#### Motion

**Moved Cr Sandra Wilson, seconded Cr Peter Hemphill:**

**That Council:**

- 1. Support the preparation of Amendment C113 to the Hobsons Bay Planning Scheme.**
- 2. Write to the Minister for Planning and seek authorisation of the Amendment pursuant to notification requirements prescribed under Section 20(2) of the *Planning and Environment Act 1987*.**

**Carried**

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#### Summary

Amendment C113 seeks to correct a number of zoning, overlay and text anomalies to ensure the ongoing accuracy of the Hobsons Bay Planning Scheme. These corrections will provide clarity in the administration of the planning scheme by ensuring the provisions of the scheme are correct and up to date.

The vast majority of changes sought are mapping anomalies which rezone Council land to Public Park and Recreation Zone (PPRZ) from different zones (typically General Residential Zone– GRZ1 and GRZ2) to reflect the underlying use of the land. This will provide a true indication of open space throughout the municipality. The changes will have a positive effect on administration of the scheme by correcting the zoning of land to reflect its current use as open space.

#### Background

Anomalous text and maps provide unclear direction, often resulting in inefficient use of Council and applicant resources. Council has been progressively observing such errors and anomalies in the Hobsons Bay Planning Scheme throughout its day to day administration of the planning scheme. These anomalies should be corrected in order to ensure the efficient administration of the scheme.

Correction of mapping anomalies involving rezoning Council land to PPRZ to reflect the underlying use of the land, will assist Council's completion of its Draft Open Space Strategy. This strategy recognises numerous open space areas owned by Council are inaccurately depicted in the Hobsons Bay Planning Scheme by other zones, despite their function as open space. By rezoning these sites to PPRZ the Hobsons Bay Planning will accurately reflect Council's contribution to open space within the municipal area.

## Discussion

A detailed assessment of the merits of the amendment is appended to this report. (Refer Appendix One). A summary of the proposed changes is listed below:

### Zoning Maps

- rezone the following sites from General Residential Zone Schedule 1 (GRZ1) to PPRZ to reflect the true use of the areas as Council owned public parks:
  - 14a Lindwood Avenue, Altona
  - 2a Hygea Court/60 Everingham Road (Everingham Road Reserve), Altona Meadows
  - 3a Clement Court, Altona Meadows (JF O'Brien Reserve)
  - 8a Edina Grove (Edina Grove Reserve), Altona Meadows
  - 28-32 Point Cook Road (Oakdene Grove Reserve), Altona Meadows
  - 1 Cherry Avenue (Duke Street Reserve), Altona North
  - 7 Rowan Avenue (Rowen Avenue Reserve), Brooklyn
  - 16 Henderson Street (Henderson Street Reserve), Laverton
  - 21 Eaton Parade (Dick Murdoch Reserve), Laverton
  - 22 Cropley Crescent (Cropley Crescent Reserve), Laverton
  - 22-26 Whittaker Avenue (Beverley Anton Reserve), Laverton
  - 39 Whittaker Avenue (Whittaker Avenue Reserve), Laverton
  - 22-26 Jennings Street (McCormack Park), Laverton
  - 15-23 Garnsworthy Place (Williamstown Junction Reserve), Newport
  - 121 Power Street (Western Portion of Jackson Reserve), Newport
  - 170-178 John Liston Drive (Aphrasia Lane Reserve), Newport
  - 43 St Anthony Court and 96 Shane Avenue (St Anthony Court East), Seabrook
  - 46 St Anthony Court (St Anthony Court Reserve West), Seabrook
  - 29a Noordene Avenue (Part Norah McIntyre Reserve), Seaholme (GRZ2 to PPRZ)
  - 48 Vernon Street (Walkers Corner/Vernon Street Reserve), South Kingsville
  - 613A Melbourne (E.G Smith Reserve), Spotswood
  - 7a Crofton Drive, Williamstown (Kingshott Close Reserve)
  - 12 Queen Street (Queen Street Reserve), Williamstown
  - 14 Maguire Crescent (Teal Court Reserve), Williamstown
  - 16 Farrell Court, Williamstown (Farrell Court Reserve)
  - 17 Sandpiper Place (Sandpiper Place Accessway), Williamstown
  - 35 Smith Avenue (Smith Avenue Reserve) Williamstown
  - 60a Merrett Drive (Bates Drive Reserve), Williamstown
  - 99a Merrett Drive (Proctor Street Reserve), Williamstown
  - 110 Crofton Drive (Crofton Drive Accessway), Williamstown

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- Tregutha Road Reserve (located on Farrell Lane), Williamstown
- rezone 26 Trafalgar Avenue (Woodyard Court Reserve), Altona Meadows, from Public Use Zone 6 (PUZ6) to Public Park and Recreation Zone (PPRZ) to reflect the underlying use of the land as a public-park.
- rezone 14 Caspian Terrace (Caspian Terrace Reserve), Williamstown, from Comprehensive Development Zone Schedule 1 (CDZ1) to PPRZ to reflect the underlying use of the land and to align with the provisions of Clause 37.02 'Schedule 1 to the Comprehensive Development Zone'.

Ordinance

- correct a formatting error at Clause 21.03-1.
- correct Map 1: Hobsons Bay West Neighbourhood Character Precincts at Clause 22.07 by reducing the West Neighbourhood Character Precinct boundary to be east of Machair Drive, Seabrook.
- correct the Design and Development Plan at Section 1 of Schedule 11 to the Design and Development Overlay at Clause 43.02 by including 23 Anne Street and 9-13 Aitken Street Williamstown. These inclusions align with the overlay prescriptions depicted in Planning Scheme Map 19 that defines the Williamstown location.

The proposed amendment maps, ordinance and statutory documents are appended to this report as Appendix Two.

The amendment is required to ensure that the provisions of the planning scheme are correct and up-to-date. An assessment of the amendment has determined that it is considered administrative only and as such, will not materially affect any property owners, current applications or other parties. Given the administrative nature, it is proposed to apply to the Minister under section 20(2) of the *Planning and Environment Act* 1987 to permit exemption of amendment notification requirements.

## 7.4 Infrastructure and City Services

### 7.4.1 Hobsons Bay Open Space Strategy

Directorate: Infrastructure and City Services

Appendix: 13 4<sup>th</sup> Pink

Councillor Portfolio: Active and Inclusive Communities

Cr Michael Grech and Cr Peter Hemphill

#### **Purpose**

To seek Council's endorsement of the Hobsons Bay Open Space Strategy.

#### **Motion**

**Moved Cr Jonathon Marsden, seconded Cr Sandra Wilson:**

**That Council:**

- 1. Adopt the Hobsons Bay Open Space Strategy.**
- 2. Acknowledge the feedback received during the public exhibition of the Draft Hobsons Bay Open Space Strategy.**
- 3. Write to all submitters to thank them for their contribution.**

**Carried**

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#### **Summary**

At the 12 December 2017 Ordinary Meeting of Council, Council resolved to place the Draft Hobsons Bay Open Space Strategy (HBOSS) on public exhibition for a 10 week period from 15 December 2017 to 23 February 2018. The public exhibition period was widely promoted to the Hobsons Bay Community.

In total, 709 people visited the Draft HBOSS page on Participate. Community members also had the opportunity to attend any of the seven community drop-in sessions hosted during February 2018 across the municipality to find out more or discuss the Draft HBOSS with Council staff. In total, approximately 220 people attended these sessions.

At the completion of the public exhibition period, 86 online survey responses were received via Participate and 26 written submissions were received. Of the 26 submissions, three took the opportunity to present their written submission to Council on 27 March 2018.

The feedback received during the public exhibition period has been considered and has informed the updated HBOSS that is presented for adoption.

#### **Background**

The HBOSS is a key Council strategic document that will guide the provision, protection, planning, design and management of open space in Hobsons Bay. The HBOSS provides a framework for Council to set priorities and make decisions on the maintenance, upgrade and development of both existing and new spaces or facilities, which will cater for the current and future needs of the Hobsons Bay community.

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The project commenced in 2013, with a comprehensive community survey being undertaken and a significant amount of background analysis. A briefing on the progress of the project was presented to Council in June 2016. One of the key concerns raised by Council was the lack of sports needs analysis and subsequent recommended future actions, in addition to the need for an open space developer contributions framework.

At the end of 2016, open space and recreation specialists were engaged to assist with the development of the following key documents:

- A base line analysis and future directions paper on Open Space.

- A preliminary Open Space contributions framework report

- A Draft Hobsons Bay Open Space Strategy

- A Draft Sports Facilities Needs Analysis and

- A Draft Tennis Needs Assessment report

The HBOSS has been developed concurrently with the Sports Facilities Needs Analysis and the Tennis Needs Assessment.

## **Discussion**

The HBOSS has identified how much open space is required for the existing and future population of Hobsons Bay and those precincts that require additional new open space. The strategy outlines a hierarchy for parks across the City and the associated service standards for amenity and maintenance.

The HBOSS lists a series of actions that relate to the broader open space network across the municipality, in addition to specific actions for each precinct based on short, medium and long term priorities. The costs for renewal, upgrade and new works for open space have been estimated, to provide Council with a guide for the long term Capital Works Program required to implement the strategy. A process for the implementation and monitoring of the objectives and actions within the HBOSS has been developed and incorporated into the final Draft Strategy (See Attachment 1)

Of the 86 online survey responses received on the Draft HBOSS 80 percent of respondents indicated that they were either excited or satisfied with the Draft HBOSS.

The key themes that emerged from feedback received on the Draft HBOSS include:

- the strong desire for the upgrade of local community parks, including diversity in amenity and activity.
- the strong desire for the continued upgrade of play spaces
- support for defined dog areas and development of dog specific parks
- request to consider climate change and adaptation. Greening and a Street Tree Strategy were well received in addition to advocacy for urban agriculture and community gardens.
- some concern that the implementation of priorities will result in a loss of open space for passive recreation (reference to Dennis Reserve and Precinct 15 main open space were made)
- concern about loss of amenity and public space as a result of the West Gate Tunnel Project, particularly for the areas of Spotswood – South Kingsville and Brooklyn.

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- concerns about the lack of family and social recreation public open space and the need to develop and acquire more land, particularly for Altona North, Brooklyn and Spotswood – South Kingsville.

All feedback received during the public exhibition period and from presentations to Council have been reviewed. Following careful consideration of the feedback, changes to the Draft HBOSS have been incorporated into the final Draft HBOSS. A high level summary is provided below:

- strengthen recommendations regarding opportunities for land acquisition for new open space in the northern precincts, particularly those suburbs that are impacted on by the West Gate Tunnel Project, have minimal open space and increased population densities over the next 10 year period.
- include a specific action to develop a methodology to evaluate the implementation of the HBOSS and provide an annual report on the progress of all actions.
- include an action on working with Museum Victoria to develop a strong and inspired vision for this area.
- include a specific action to investigate urban renewal and open space development opportunities in Simcock Avenue, Spotswood, working with the State Government and private developers.
- include a specific action to resolve the future use of the Ladies Bowls Club site at Dennis reserve
- include a specific action to investigate and potentially trial open space rangers to enforce and educate the public regarding shared trails, conservation zones and on lead dog areas within parklands



## Motion

**Moved Cr Tony Briffa, seconded Cr Sandra Wilson:**

**In accordance with clause 40 of the *Meeting Procedure and Common Seal Local Law 2015*, the meeting be extended beyond 10pm and shall conclude no later than 11pm.**

**Carried**

## 7.4.2 Sports Facility Needs Analysis Final Report

Directorate: Infrastructure and City Services      Appendix: 14    4<sup>th</sup> Green

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

## Purpose

To seek Council's endorsement of the Sports Facility Needs Analysis Final Report.

## Motion

**Moved Cr Peter Hemphill, seconded Cr Tony Briffa:**

**That Council:**

- 1. Adopt the Sports Facility Needs Analysis Final Report**
- 2. Acknowledge the feedback received during the public exhibition of the Draft Sports Facility Needs Analysis.**
- 3. Write to all submitters to thank them for their contribution.**

**Carried**

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## Summary

At the 12 December 2017 Ordinary Meeting of Council, Council resolved to place the Draft Sports Facility Needs Analysis (SFNA) on public exhibition for a 10 week period from 15 December 2017 to 23 February 2018. The public exhibition period was widely promoted to local sports clubs and the Hobsons Bay Community.

In total, 1300 people visited the combined Draft SFNA and Draft Tennis Needs Assessment page on Participate and approximately 220 people attended community drop in sessions during February 2018 to discuss the plans. Community members or groups also had an opportunity to present their written submission to Council.

The feedback received during the public exhibition period has been considered and has informed the updated SFNA that is presented for adoption.

## Background

The intention of the SFNA is to determine the future planning and development of Council's sport and active recreation infrastructure, identify priorities for the effective and sustainable delivery of sport within the municipality. The SFNA will guide the improvement, upgrade and

renewal of Council's sports facilities, and provide information on the future demand for new facilities to meet the needs of the community.

The project commenced in January 2017 and has included extensive consultation with state sporting associations, sports club and the Hobsons Bay community. The SFNA has been developed concurrently with the Tennis Needs Assessment and the Open Space Strategy.

## Discussion

The SFNA has identified that the top six sports in terms of participation in Hobsons Bay are netball, basketball, AFL, tennis, soccer and cricket. Combined, these sports represent 60 percent of all sports participation in the municipality. 71 percent of all clubs in the municipality play in these top six sports and they use 73 percent of Council owned/managed sports facilities. These sports show signs of future growth, some having current waiting lists and restrictive competition formats and therefore have the greatest demand for additional or improved infrastructure to support the future needs of their sports.

There is sustained participation in other key local sports including hockey, baseball, badminton, lacrosse, rugby league, rugby union and touch football. Each sport has their own facility needs to ensure they remain strong participation sports in the municipality.

Future facility needs have been identified as short, medium and long term priorities in the Draft SFNA. These priorities best meet the current and future sports needs for the community of Hobsons Bay.

Of the 60 online survey responses received on the Draft SFNA during the public exhibition period, 68 percent of respondents indicated that they were either excited or satisfied with the report. Furthermore 80 percent of respondents stated that they either strongly agreed or agreed with the principles included in the Draft SFNA.

The key themes that emerged from feedback received on the Draft SFNA include:

- support for additional basketball and netball courts and the need to act more quickly on this provision.
- need to accurately reflect growing junior and female participation in sport and ensure there are more facilities to cater for the growing demand.
- some concern that the implementation of priorities will result in a loss of open space for passive recreation (reference to Dennis Reserve was made)
- there is a large reliance on schools to permit community use which could be minimised if use of existing facilities were maximised.
- squash was raised as a sport that could have additional demand with the installation of courts in Hobsons Bay.
- it was noted that there was limited recognition of cycling and gymnastics within the future priorities.

All feedback received during the public exhibition period and from presentations to Council has been reviewed. Following careful consideration of the feedback, a high level summary of the changes to the exhibited Draft SFNA is provided below:

- undertake investigations to install floodlighting at Newport Park Athletics Track in the Medium term. Implementation to remain a long term priority.

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- amend the long term soccer priority referencing the development of Precinct 15 to align with outcomes of separate planning reports.
- modify priorities relating to Bayside College Williamstown and Bayside College Paisley Campus to short term so they align with recent State Government announcement.
- include the establishment of a formalised partnership with Williamstown High School as a short term priority item and include an allocation in the medium term for the development of the external courts for netball, basketball or tennis onsite.
- update the existing medium term priority which investigates the feasibility of new indoor courts to service basketball, netball and other emerging indoor sports in the east of the municipality to include Paisley Park, Newport Recreation Centre and other appropriate sites.
- remove the AFL reference to KC White Reserve, place lighting as a medium term upgrade for the site and include back netting upgrades to both diamonds.
- make reference to the Hobsons Bay Bicycle Plan for information on recreational cycling needs within the municipality.

### 7.4.3 Tennis Needs Assessment Final Report

Directorate: Infrastructure and City Services      Appendix: 15      4<sup>th</sup> Yellow

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

#### **Purpose**

To seek Council's endorsement of the Tennis Needs Assessment Final Report.

#### **Motion**

**Moved Cr Peter Hemphill, seconded Cr Sandra Wilson:**

**That Council:**

- 1. Adopt the Tennis Needs Assessment Final Report.**
- 2. Acknowledge the feedback received during the public exhibition of the Draft Tennis Needs Assessment.**
- 3. Write to all submitters to thank them for their contribution.**

**Carried**

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#### **Summary**

At the 12 December 2017 Ordinary Meeting of Council, Council resolved to place the Draft Tennis Needs Assessment (TNA) on public exhibition for a 10 week period from 15 December 2017 to 23 February 2018. The public exhibition period was widely promoted to local sports clubs and the Hobsons Bay Community.

In total 1300 people visited the combined Draft TNA and Draft Sports Facility Needs Analysis page on Participate and approximately 220 people attended community drop in sessions during February 2018 to discuss the plans. Community members or groups also had an opportunity to present their written submission to Council.

The feedback received during the public exhibition period has been considered and has informed the updated TNA that is presented for adoption.

#### **Background**

The intention of the TNA is to determine the future planning and development of Council's tennis infrastructure, and identify priorities for the effective and sustainable delivery of the sport within the municipality. The TNA will guide the improvement, upgrade and renewal of Council's tennis facilities, and provide information on the future demand for new facilities to meet the needs of the community.

The project commenced in January 2017 and has included extensive consultation with Tennis Victoria, local tennis clubs and the Hobsons Bay community. The TNA has been developed concurrently with the Sports Facility Needs Analysis and the Open Space Strategy.

## Discussion

There are 14 tennis venues in Hobsons Bay, with eight club facilities and six public access venues, providing 54 dedicated tennis courts.

At the conclusion of the Draft TNA public exhibition period, 101 online survey responses received. Of the responses, 94 percent indicated that they were either excited or satisfied with the Draft TNA, and 94 percent of respondents stated that they either strongly agreed or agreed with the principles included in the Draft TNA.

The key themes that emerged from feedback received on the Draft TNA include:

- overwhelming support for additional courts across the municipality with the majority supporting new courts in Williamstown.
- many wish to see a decision made on the future of Dennis Reserve; historical inaction is causing concern.
- significant commentary supporting additional tennis courts at Dennis Reserve.
- counter balance (from four respondents) was received wanting no additional courts constructed at Dennis Reserve.
- participation figures believed to be higher than identified in the report.
- Altona Tennis Clubs and local participants expressed a preference to retain red porous courts onsite.
- value add items requested at public tennis courts like rebound walls, drinking taps and public toilets.
- many respondents were interested in implementation commencing as soon as possible.

All feedback received during the public exhibition period and from presentations to Council has been reviewed. Following careful consideration of the feedback, a high level summary of the changes to the exhibited Draft TNA is provided below:

- update report reflecting Altona Tennis Club's preference for red porous courts.
- remove Laverton Park and Liston Tennis Clubs from the blended lines hot shots program.
- update report to include the installation of book a court technology (including costs) at Altona and Williamstown based clubs.
- acknowledge the commencement of hot shots and the installation of book a court technology at Williamstown Beach Tennis Club.
- report to be updated to reflect Council's position on third party investment so it is consistent with the Capital Development of Sport and Recreation Facilities Policy.
- report to be updated to outline the benefits and potential costs of upgrading floodlights to use LED technology.
- identify opportunities for Council to collaborate with Tennis Victoria and clubs to develop venue management arrangements.

Future tennis facility needs have been identified as short, medium and long term priorities in the TNA. These priorities best meet the current and future needs of the sport for the community of Hobsons Bay.

The short term priority works recommended within the TNA include the construction of six additional courts in the east of the municipality (four at Bayside College and two at Dennis Reserve). The provision of these additional courts will bring the ratio to a rate that is consistent with the current municipal average. The focus in the west within the short to medium term is to renew and better utilise the facilities available, while the medium term focus for the central area of the municipality is to renew the courts and fencing at the Altona Tennis Club.

### **7.4.4 Contract 2018.15 - Facilities Maintenance Service Contract**

Directorate: Infrastructure and City Services

Councillor Portfolio: Not applicable

#### **Purpose**

To award Contract No: 2018.15 for Provision of Facilities Maintenance Services for the initial term of five years.

#### **Motion**

**Moved Cr Peter Hemphill, seconded Cr Colleen Gates:**

**That Council award Contract No. 2018.15 for Provision of Facilities Maintenance Services to Urban Maintenance Systems Pty Ltd (UMS) for a period of five years with a 2 x one year options to extend: as follows;**

- **Fixed price lump sum of \$6,381,078.00 (GST inclusive)**
- **Provisional schedule of rates component estimated at \$9,250,675.50 (GST inclusive).**

**Carried**

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#### **Summary**

This report outlines the review which was undertaken by Council in order to investigate the delivery of Facilities Maintenance (FM) services at Hobsons Bay and engage a contractor to provide this service under contract to Council.

ArcBlue acted as a consultant to Council to undertake a service review considering Councils requirements, user and manager expectations, internal audit findings, recommendations and staffing arrangements. The findings of the review focussed on ensuring Council improved works scheduling and records management by ensuring these tasks were managed and completed internally. Contractor responsibilities will be to react to Councils job requests, work within Councils systems (CONFIRM) and ensure scheduled maintenance is undertaken.

Due to a change in the delivery model of the Facilities Maintenance contract and the competitive tendering process cost reduction of \$1,850,000 have been made on the lump sum component over the new five year contract. Facility inspection and data collection will be brought in house as per the internal audit.

#### **Background**

Hobsons Bay City Council is required to maintain its building infrastructure in a sound condition and prevent as far as practical any breakdown maintenance issues that may disrupt the use of the buildings. The Council's current facility maintenance contract is due to expire on 30 June 2018. The new contract will focus on the move to a more programmed approach to maintenance. The contract is made up of two distinct areas of service delivery:

### Programed Maintenance

Programmed maintenance which includes work to systems and equipment which must meet a regulatory standard in order to be deemed compliant. This maintenance includes management of a high volume of records to prove that certain inspections have been undertaken and any necessary repairs completed. Where this cannot be proven the building can be deemed unfit for occupancy.

### Reactive Maintenance

A significant change from the previous contract is in the provision of reactive maintenance which has historically been managed and undertaken by the contractor. Cost reduction in the programmed maintenance requirement allow Council to provide minor maintenance and support to our facility users internally streamlining this response while still having access to specialist trades via the contractor where these are required. One of the dominant changes in the new contract is a transition for this work completely into Councils Asset Management System.

The changes ensure Council is able to make informed decisions on the performance of Council assets which in turn informs more effective maintenance and replacement programs. Internal staff requirements for this service will be reviewed after six months of new contract delivery.

## **Discussion**

A public tender process was conducted on 3 March 2018. At the close of the tender responses were received from five tenderers. Of the submissions received, two were deemed non-conforming as they did not respond to all of the services which were required as part of the tender, instead they provide Council with costs for services in which they specialised only. The submission by Harris HMC Interiors was not shortlisted due to their tender price significantly exceeding Council's budget. This provided Council with two conforming tenders from Campeyn Group and Urban Maintenance Systems.

Campeyn and Urban Maintenance Systems were interviewed on 22 April 2018. Prior to interview a series of questions and clarifications were emailed to each tenderer. Responses to the questions were addressed at interview. Post tender interview clarifications were sought from each tenderer in regard to costing of the management and servicing of Council's Exeloo's (Electronic public toilets) and costing of planned maintenance on Council's lifts. Subsequently revised pricing was received from both tenderers.

The revised tender will enable a number of financial efficiencies:

- Urban Maintenance Systems will be able to amalgamate two works offices into one while maintaining responsiveness
- graffiti management services have been retained but streamlined to reduce their cost
- due to works programming being managed on Councils side, the administrative requirement is greatly reduced on the contract side

While these financial incentives have been achieved there is a requirement to continue to manage the processes which have historically been undertaken on the contractor side. This will include managing the following tasks internally:

- management of all works requests received by the organisation



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- assessment and appropriate treatment of all defects which are identified as part of the planned maintenance program
- ensure all appropriate records are maintained in Councils systems
- customer service and providing minor works and support

Following the interview, post tender clarifications and assessment of the submissions received, the panel members recommended Urban Maintenance Systems be award the contract based on their demonstrated industry experience including high level experience of key personnel assigned to the contract, capacity and having the highest weighted score pending Council approval.

### **7.4.5 Contract 2017.02 - Provision of Personal Protective Equipment, Uniforms and Consumables**

Directorate: Infrastructure and City Services

Councillor Portfolio: Not applicable

#### **Purpose**

To award contract no. 2017.02 for supply of Personal Protective Equipment, Uniforms and Consumables to a panel consisting of suppliers being Blackwoods, Hip Pocket Workwear, Totally Workwear and Bunzl Brands.

#### **Motion**

**Moved Cr Tony Briffa, seconded Cr Colleen Gates:**

**That Council award contract no. 2017.02 for supply of Personal Protective Equipment, Uniforms and Consumables to a panel consisting of suppliers being Blackwoods, Hip Pocket Workwear, Totally Workwear and Bunzl Brands at an estimated schedule of rates of \$600,000 for a period of 3 years with two one year extension options.**

**Carried**

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#### **Summary**

Councils City Services Department is tasked with maintaining, cleaning and improving the many thousands of assets which are installed throughout the municipality. This work includes various outdoor tasks involving manual labour. Council provides staff with a wide range of equipment to ensure that this work is undertaken safely and all the relevant Occupational Health and Safety issues are adequately considered. This report ensures this equipment can be procured in line with legislative requirements.

#### **Background**

Historically PPE and consumable equipment has been purchased from various local suppliers. Fuel containers would be purchased separately to garden hoses and hats for example. Over the past few years the stocking and delivery of this kind of equipment has changed dramatically with more and more "one stop suppliers" being able to supply and deliver a variety of equipment. This has resulted in Council exceeding the Procurement Policy for individual suppliers.

To ensure compliance with Section 186 of *Local Government Act 1989* and Councils Procurement Policy, a public tender process was conducted inviting suitable companies to submit a tender response for a panel of suppliers for the supply of a variety of equipment used across the varied work areas of the Operations Centre.

The appointment of a panel will ensure Council is able to source the equipment required and similarly ensure that these items are in stock should they be required at short notice. In addition, the tender covers the supply of various materials and consumables which Council does not currently use although will require in coming years, this is due to the movement to single larger suppliers rather than dispersed specialist providers.

**Discussion**

The engagement of a panel of suppliers will ensure Council has access to the PPE and consumables that operations require. The fact that there are several larger suppliers servicing Councils area and providing similar services puts Council in a strong position. Given each of these suppliers were competitive on similar items and that each stock items which are in high demand for Council, it is recommended that each of the four complying tenders be appointed to the panel.

This course of action will have the following advantages for Council:

- ensuring the ongoing competitiveness of the tenders given the likely fluctuations in price
- providing a broad range of purchasing options. This is especially important with PPE where staff can have medical requirements for certain types of shoes or other pieces of uniform
- ensuring adequate stock. An objective of the Operations Centre is to remove the need for a stock room by ensuring our suppliers can provide us with what we need on very short notice

## **8 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 Peter Hemphill:**

**That Council receive and note the recent Delegates Report.**

**Carried**

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### **Metropolitan Local Government Waste Forum**

**10 May 2018**

#### **Councillor Delegates: Cr Angela Altair and Cr Colleen Gates**

The Victorian Government provided an update on the e-waste policy. The commencement of the policy has been postponed until the 1 July 2019 to allow time for the industry and community to adapt to the requirements and for infrastructure to be in place.

Whittlesea and Frankston City Councils provided their perspective on how they are responding to the policy through service delivery and waste and resource recovery infrastructure. A panel of representatives from the Victorian Environment Protection Authority, Sustainability Victoria, Department of Environment, Land, Water and Planning, the Metropolitan Waste and Resource Recovery Group and councils responded to questions.

Key concerns were about the model of the e-waste policy requiring people to travel 20 minutes to recycle e-waste, the absence of manufacturer product stewardship and retail drop off options, the insignificant funding for the communications campaign, the focus of enforcement, the costs to Local Government to deliver and maintain the services and infrastructure, the communications and illegal dumping.

**RoadSafe Westgate Community Road Safety Council Inc.****16 May 2018****Councillor delegate: Cr Sandra Wilson****Local Area Traffic Management Planning**

Consultants have been formally appointed to deliver Council's Local Movement and Transport Plan, which will cover the suburbs of Laverton, Seabrook and Altona Meadows. Work is currently focusing on the preparation and analysis of background material for example historical speed counts, traffic studies and customer enquiries, to enable the preparation of a background paper to guide the study.

**Safe Travel in Local Streets program**

VicRoads have advised that Hobsons Bay were successful in their application for funding for design work on pedestrian improvements and speed reduction infrastructure on The Esplanade, Williamstown, between Victoria Street and Giffard Street. The design work will be undertaken by the appointed consultant over the coming months along with community consultation.

## **9 Notice of Motion.1201 – Condolence Motion – Dr Michael Hampton**

Cr Tony Briffa has given notice of the following:

### **Motion**

**Moved Cr Tony Briffa, seconded Cr Sandra Wilson:**

**“That the Council:**

- a) acknowledges the recent passing of Dr Michael Hampton, who has served the local community as a medical doctor for 25 years and was much respected by the local community; and**
- b) sends Dr Hampton’s widow, Mrs Lan Hampton, a card expressing our sincerest condolences on behalf of the City of Hobsons Bay”.**

**Carried**



## 10 Supplementary Public Question Time

Nil.

Having moved a motion, the late report at Item 11 – Other Business, *West Gate Tunnel Project – Grieve Parade Tree Removal*, was heard immediately after Item 7.1.1 of this Agenda.

There being no further business, the Chairperson declared the meeting closed at 10.13pm.

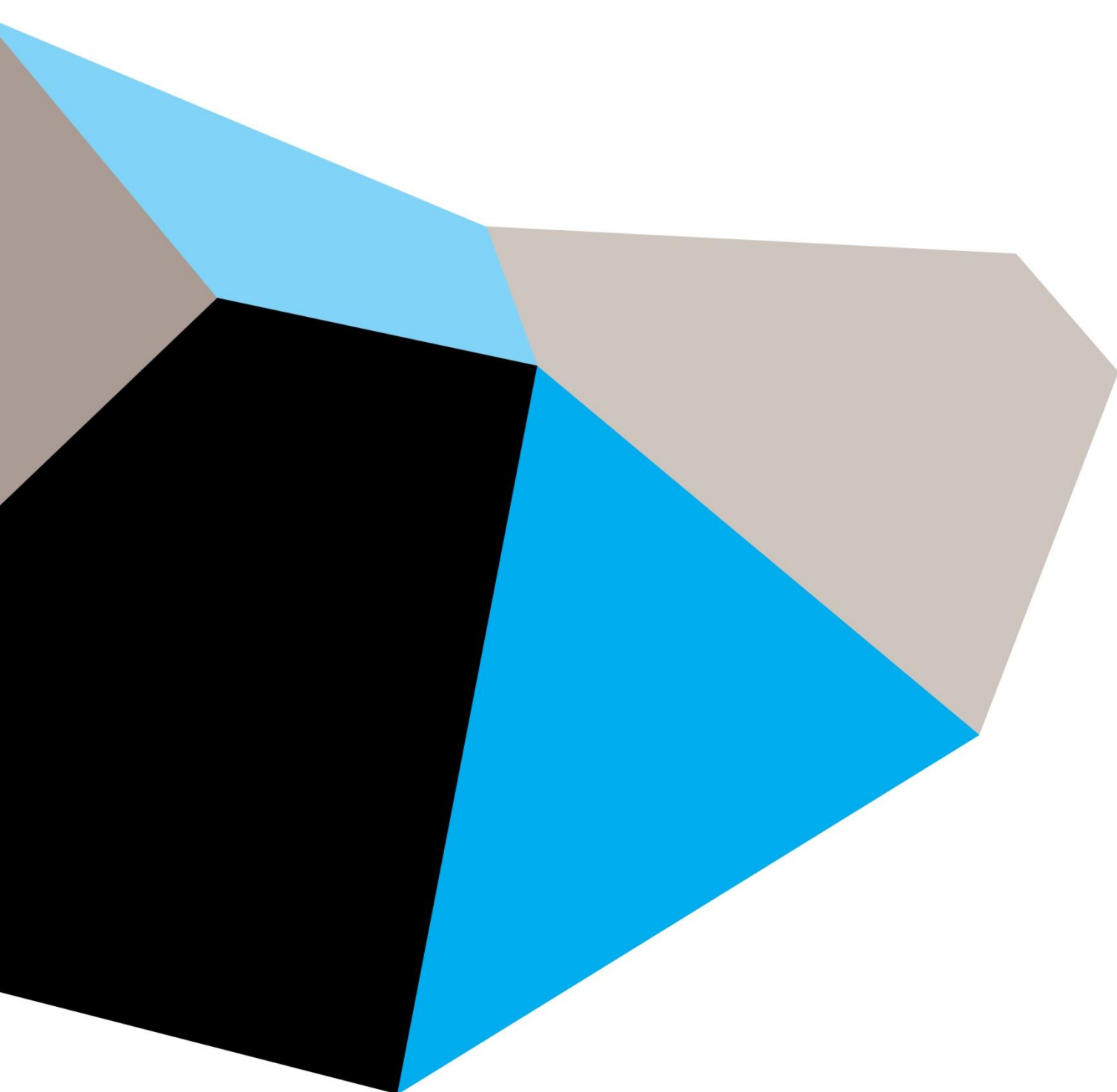


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Chairperson – Cr Angela Altair  
Signed and certified as having been confirmed.  
26 June 2018







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**HOBSONS BAY CITY COUNCIL**

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