



# Ordinary Council Meeting Minutes

Tuesday 25 June 2019

Council Chamber  
Hobsons Bay Civic Centre  
115 Civic Parade, Altona

**HOBSONS  
BAY CITY  
COUNCIL**



## THE COUNCIL'S MISSION

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

## OUR VALUES

Respectful

Community driven and focused

Trusted and reliable

Efficient and responsible

Bold and innovative

Accountable and transparent

Recognised

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

### Chairperson:

Cr Jonathon Marsden (Mayor)

Strand Ward

### Councillors:

Cr Angela Altair

Strand Ward

Cr Peter Hemphill

Strand Ward

Cr Tony Briffa

Cherry Lake Ward

Cr Sandra Wilson

Cherry Lake Ward

Cr Colleen Gates

Wetlands Ward

Cr Michael Grech (Deputy Mayor)

Wetlands Ward

Aaron van Egmond  
Chief Executive Officer  
Hobsons Bay City Council

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**Minutes of the Council Meeting Held on Tuesday 25 June 2019 at 7.05pm in the Council Chamber, Hobsons Bay Civic Centre, 115 Civic Parade, Altona.**

**PRESENT**

**CHAIRPERSON:**

Cr Jonathon Marsden (Mayor) Strand Ward

**COUNCILLORS:**

Cr Peter Hemphill Strand Ward

Cr Tony Briffa Cherry Lake Ward

Cr Sandra Wilson Cherry Lake Ward

Cr Colleen Gates Wetlands Ward

Cr Michael Grech (Deputy Mayor) Wetlands Ward

**OFFICERS:**

Mr Aaron van Egmond Chief Executive Officer

Ms Penelope Winslade Director Sustainable Communities

Mr Sanjay Manivasagasivam Director Infrastructure and City Services

Mr Andrew McLeod Director Corporate Services

Ms Diane Eyckens Manager Governance and Local Laws

Mr Stephen Zelez Manager Communications and Community Relations

Ms Martina Simkin Governance Coordinator/Minute Secretary

## 1 Council Welcome

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

## 2 Apologies

**Council has previously granted Cr Angela Altair leave of absence.**

## 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 Wilson declared an interest in Item 8.1.1 Annual Budget 2019-20 Adoption as she is a member of the working group for the Hobsons Bay Wetlands Centre. There is a funding allocation to the Hobsons Bay Wetlands Centre in the budget.**

## 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 11 June 2019 (copy previously circulated).

### Motion

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

**That the minutes of the Ordinary Council Meeting of the Hobsons Bay City Council held on 11 June 2019 be confirmed.**

**Carried**

## 5 Councillors' Questions

Cr Peter Hemphill noted that the irrigation system on Fearon Reserve, Williamstown has been operating during times of heavy rain and asked whether it can be checked to ensure the system is functioning properly?

Sanjay Manivasagasivam, Director Infrastructure and City Services, advised that officers will investigate the matter.

Cr Peter Hemphill raised concerns regarding the deterioration of the road surface of Hall Street, Spotswood between High Street and Hudsons Road resulting in crevices and large holes.

Sanjay Manivasagasivam, Director Infrastructure and City Services, advised that officers will investigate the matter.

## 6 Public Question Time

### Jeff Challis

In June 2018, the Council adopted the recommendations of the Electric Vehicle Charging Stations report. My questions in relation to this are:

**Q. When are we likely to see the smart pole chargers in Nelson Place and Altona Beach and when are we likely to see the charge point at the Council?**

A. Council is currently installing five charge points at the Council Offices in Altona which will facilitate a shift to electric vehicles in Council's fleet over time. Of these charge points, one will be available to the public, initially for free and then moving to a paid basis after a trial period. Council is currently investigating suitable locations in Williamstown to locate a charging station and this will be delivered in 2019-20.

### Jeff Challis

**Q. Which businesses has the Council lobbied for charge points and what is the outcomes of these discussions and what has the Council lobbied for to the Australia government?**

A. Council will continue to engage with the business community regarding electric vehicles and proposed charging stations such as Altona Gate Shopping Centre and Scienceworks. Further engagement will occur once Council has completed its own charge point project, to identify and learn from experience. Council provided a submission to the Australian Senate Select Committee on Electric Vehicles and received three separate mentions in the resulting report.

### Jeff Challis

**Q. How is the Council going with its EVCS consistency in policy development and when is the Council going to lead by example in its own fleet by having vehicle(s) that can be purchased by ordinary residents?**

A. Council has included requirements for electric vehicle charge points in its recently adopted Environmentally Sustainable Development Policy Statement 2018 whereby new developments must consider low emission vehicle technologies and supporting

infrastructure as part of a Sustainability Design Statement. Council will, over the coming months, be introducing electric vehicles into its fleet.

### Lynne Georgiadis

I have objected to both developments through the correct channels and I have emailed each of the Councillors directly specifically in regards to the Knights Slipway Drystack Facility proposal, which will be reviewed next week.

I have read through the new document by Council, Williamstown Major Activity Centres. This document has some key and valuable points noted that could be argued by Council for both developments.

Page 3:-

**\* has an even stronger village feel**

**\* has grown in an incremental way so that development has had minimal, if any, visual impact and respected the heritage values and elements that make the area unique**

**\*encourage site and urban design responses that improve on a sense of place and village feel**

**\*respect and reinforce heritage values**

**\* ensure development does not visually dominate a heritage place or precinct**

**\* encourage innovative design that respects the predominant height and proportions of existing heritage buildings and, as appropriate, reflects the existing proportion and rhythm of heritage elements**

**Q. Will Council use the Williamstown Activity Centre document as instructions for Council officers at the VCAT hearings that are scheduled for next week, who is responsible to ensure that this takes place and that the VCAT Panel see this document and the community plans for our future?**

A. The draft Williamstown Activity Centre Strategy is not sufficiently well advanced in the adoption process to be given any statutory weight in the VCAT adjudication relating to the Burkes site. The Strategy has not been through a public exhibition stage; it has not been reviewed by an Independent Planning Panel; and it has not been formally adopted by the Council. All of these things are required for a strategy, that is proposed to be incorporated into the Hobsons Bay Planning Scheme via an amendment, is considered to be a “*seriously entertained planning proposal*”. VCAT will not give the document any weight until it has passed the “seriously entertained” milestone. .

### Lynne Georgiadis

**Q. Has this document and its vision and values been used in regard to the Knights Slipway Proposal, as the scale and size of this development will turn that precinct into an industrial centre, not a maritime, or heritage centre?**

A. No, for the reasons provided in response to the previous question.

The draft Activity Centres Strategy will be relevant to applications being consider under the provisions of the Hobsons Bay Planning Scheme. The Knights application is being assessed under the provisions of the Port of Melbourne Planning Scheme.

**Lynne Georgiadis**

- Q. When is our Council and its representatives going to lobby our State Government to change the current planning laws that do not 'Fit 'the unique aspects that Hobsons Bay represents? We need to have a scheme and planning laws that can assist our representatives in maintaining our so called 'Village feel". Currently they are being eroded away and the 2036 Vision, will have just been a dream!**
- A. The former Knights Slipway site is located in the part of Williamstown that is covered by the Port of Melbourne Planning Scheme and is in a Special Use Zone relating to marine related development. There is no heritage overlay on the site itself, although it does abut land that is covered by a heritage overlay in the Hobsons Bay Planning Scheme. The juxtaposition of the two sets of planning controls adds to the complexity of the assessment process for the Knights site.

More broadly, while Williamstown is considered to be unique, both geographically and in its historic urban form, the pressures of population growth are such that the State Government will not allow any local area to quarantine itself from some form of urban consolidation. The blueprint for urban consolidation across Hobsons Bay is set down in the draft [Hobsons Bay Housing Strategy](#). A Planning Scheme Amendment to incorporate the Housing Strategy in to the Hobsons Bay Planning Scheme will be formally exhibited later in the year.



## **7 Petitions/Joint Letters**

### **7.1 Petition - Disabled Car Parking Space outside 56 River Street, Newport**

**Directorate:** Infrastructure and City Services

**Councillor Portfolio:** Not applicable

**Appendices:** Nil

#### **Purpose**

To receive a petition, containing 10 signatories, opposing the disabled car parking space outside 56 River Street, Newport.

#### **Motion**

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

**That Council:**

- 1. Receive and note the petition opposing the disabled car parking space outside 56 River Street, Newport.**
- 2. Receive a report on this matter at a future Council Meeting.**

**Carried**

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#### **Summary**

The petition, received on 12 June 2019, reads as follows:

“Please find below the names and details of local residents opposing the disabled parking spot located out the front of 56 River Street, Newport 3015.

The reason for opposing the car park is due to the fact that the owner of the house does not own a car, nor does anyone in their family own a car, nor does anyone who cares for the residents own a car.

The street has limited street parking available and it is only exacerbated by having a personal disabled car park that is not being utilised.

We appreciate your assistance in addressing this matter to a satisfactory conclusion for all residents.”

## 7.2 Petition - Request to Resurface Byrne Lane, Seaholme

**Directorate:** Infrastructure and City Services

**Councillor Portfolio:** Not applicable

**Appendices:** Nil

### Purpose

To receive a petition, containing 18 signatories, requesting Council to resurface Byrne Lane in Seaholme and to supply a power pole at the end of the lane for lighting.

### Motion

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

**That Council:**

- 1. Receive and note the petition requesting Council to resurface Byrne Lane in Seaholme and to supply a power pole at the end of the lane for lighting.**
- 2. Receive a report on this matter at a future Council Meeting.**

**Carried**

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### Summary

The petition, received on 11 June 2019, reads as follows:

“Request for community members to add their name to a petition to be submitted to Hobsons Bay City Council regarding resurfacing of Byrne Lane in Seaholme (June 2019) and to please supply a power pole at the end of the lane for lighting as it’s pitch black and very dark down the length of the laneway.”

The petition includes the following concerns:

- increased potholes in the laneway due to increased usage for access to the Seaholme Station car park, and construction traffic resulting from development in the area
- vehicle damage from unsealed surface
- higher levels of allergens in the area due to dust from the unsealed road and increased traffic
- erosion during rainfall events
- shrubs and weeds growing in the laneway
- discovery of syringes buried in the unsealed road surface
- previous attempts to close the laneway have not been successful so maintenance is requested
- lack of lighting and road construction contributes to rubbish dumping in the laneway

## 8 Business

### 8.1 Corporate Services

#### 8.1.1 Annual Budget 2019-20 Adoption

Directorate:	Corporate Services
Councillor Portfolio:	Not applicable
Appendices:	1 Annual Budget
	2 Fees and Charges
	3 Detailed Capital Works

Cr Michael Grech left the Council Chamber at 7:17 pm and returned at 7:19pm, and was present for the vote on Item 8.1.1.

#### Purpose

To adopt the Annual Budget and declare rates and charges for the year ending 30 June 2020.

#### Motion

Moved Cr Sandra Wilson, seconded Cr Peter Hemphill:

That Council having given public notice of the preparation of a proposed annual budget and having considered submissions received pursuant to section 223 of the *Local Government Act 1989* (the Act) resolves to:

1. Adopt the Annual Budget 2019-20 annexed to this report as an appendix, in accordance with section 130 of the Act.
2. Authorise the Chief Executive Officer to give public notice of the decision to adopt the Annual Budget 2019-20 in accordance with section 130(2) of the Act.
3. Declare Rates and Services Charges totalling \$111.161 million (refer to section 4.1.1 of Annual Budget 2019-20) for the year ending 30 June 2020 in accordance with section 158(1) of the Act as follows:
  - a) A general rate to be declared in respect of the 2019-20 financial year, raised by the application of differential rates as follows:
    - i) A general rate of 0.2128 cents in the dollar on Capital Improved Value (CIV) of all rateable residential properties;
    - ii) A general rate of 0.3405 cents in the dollar on CIV of all rateable vacant residential properties;
    - iii) A general rate of 0.5107 cents in the dollar on CIV of all rateable commercial properties;

- iv) A general rate of 0.7597 cents in the dollar on CIV of all rateable industrial properties;
  - v) A general rate of 0.8512 cents in the dollar on CIV of all rateable petro chemical properties;
  - vi) A rating concession of 0.0958 cents in the dollar on CIV of all rateable recreational properties.
- b) Under section 171(1)(a) of the Act, provide a waiver of:
- i) \$70 for all residential properties occupied by a ratepayer who is an eligible Department of Veteran Affairs Gold card recipient; OR
  - ii) \$50 for all residential properties occupied by a ratepayer who is an eligible Centrelink pension card recipient (excluding healthcare).
- c) Declare an annual service charge on properties, in accordance with section 158(1) of the Act for the collection, disposal and processing of garbage, recycling, garden waste and hard waste for the year ending 30 June 2020 to be raised as follows:
- \$234.00 (group A includes 240L green waste collection).
  - \$231.75 (group B includes 120L green waste collection).
  - \$222.70 (groups C and D excludes green waste collection).
  - \$176.25 (group E additional 120L garbage bin).
  - \$92.00 (groups F & G additional 240L green or recycle bin).
  - \$75.00 (group H additional private green waste bin).
4. In accordance with section 158(4) of the Act require that general rates and annual service charge must be paid by four instalments made on or before the following dates.
- |              |                   |
|--------------|-------------------|
| Instalment 1 | 30 September 2019 |
| Instalment 2 | 30 November 2019  |
| Instalment 3 | 28 February 2020  |
| Instalment 4 | 31 May 2020       |
5. In accordance with section 172 of the Act, require persons to pay interest on any general rate or annual service charge, which that person is liable to pay and has not been paid by the date specified for payment.
6. Authorise the Revenue Administrator of Council to levy and recover the general rates, annual service charges and interest where applicable in accordance with the Act.
7. Respond to all submitters to the budget.

Carried

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## Summary

Council's recommended Annual Budget 2019-20 is provided as an appendix to this report and presented for adoption.

The budget as presented has been amended since it was proposed and advertised for public comment. Changes have been made because of the March 2019 forecast review, some adjustments to operating items and also in response to submissions made by the community where required.

The budget is premised on an operational surplus of \$25.05 million based on total income of \$148.047 million and expenses of \$122.997 million. Operating surpluses are required to ensure that Council remains financially viable and able to fund current and future commitments including the Capital Works Program, budgeted to be \$59.77 million in 2019-20.

Council proposes to increase its general rates by 2.47 per cent, in accordance with the State Government rate cap legislation. The State Government recently announced a rate cap of 2.5 per cent for the 2019-20 year. Council's Rating Strategy is based on a general rate increase of 2.47 per cent, which is consistent with the rate cap and Council's commitment to reduce its rate increase by 0.03 per cent to compensate for the previous year's immaterial non-compliance.

The average amounts to be levied for waste service charges have also been increased by 2.16 per cent. These are exempt from the rate cap as the charges are based on the cost to provide the service.

This year's rates will be based on new 2019 valuations, meaning rate increases will vary considerably across the differential rating categories and individual properties.

Residential property valuations on average have decreased, whilst the non-residential sector (apart from petro-chemical properties) have experienced on average, slight property value growth. Council's Rating Strategy has attempted to mitigate the effect of the revaluation by slightly adjusting its differential rating structure. The Rating Strategy is considered as a separate report to Council.

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

Whilst the 2019-20 operational surplus is a strong result, it should be noted that surpluses are expected to decline in future years of the Long Term Financial Plan (LTFFP). There is limited movement predicted in relation to income funding streams such as contributions, operating grants, user charges and fees. Income is therefore not increasing in line with operational expenditure and the requirements of a robust Capital Works Program, including increasing infrastructure renewal needs.

Council has a strong history of being financially sustainable and managing service delivery within its means. As revenue constraints outside of Council's control are applied and as the level of organisational maturity increases in the area of asset management, a higher degree of work is required for service planning. This work should ensure that Council remains in a reasonable financial position throughout the duration of its LTFFP.

## Background

The Annual Budget process commenced in September 2018. A number of key elements influenced the development of the proposed Annual Budget including the community consultation processes, strategic priorities, Capital Works Program, Borrowing Strategy, Rating Strategy and rate modelling, operational budget and fees and charges.

The proposed Annual Budget as well as the proposed Rating and Borrowing strategies were all adopted by Council on 9 April 2019. Submissions were invited from the public and Council received 37 submissions in relation to the proposed budget. The submissions were presented to Council on 11 June 2019 and four of seven submitters who requested to do so, spoke in support of their submissions.

The proposed Annual Budget and Rating Strategy were based on valuations provided to Council on 1 March 2019. Rates calculations have been updated with valuations at 6 June 2019. As a result, rate in the dollars for all rating categories have been reduced slightly from those within the proposed Annual Budget and Rating Strategy. Despite this, slightly higher rates income has been calculated due to an increase in the base average rate. This is a result of further supplementary rates in 2018-19 as well as the continued growth in the number of properties within the municipality.

## Discussion

The Annual Budget 2019-20 as appended has been changed since it was proposed and advertised for public comment, as a result of additional information received. The operational surplus of \$25.05 million is a reduction of \$1.722 million from the proposed budget operational surplus because of:

- rates and charges increased by \$195,000 mainly as a result of supplementary growth since the proposed budget
- user fees and other income decreased by \$382,000 mainly because of the loss of boat launch permit income, which is offset by additional grant funding
- operational grants increased by \$504,000 due to the introduction of state funding to offset the loss of boat launch permit income (\$367,000), Metro access funding (\$70,000) and Victorian Grants Commission funding (\$65,000)
- capital grants decreased by \$1.826 million due to further income budgeted to be received in 2019-20, which has been received in 2018-19 earlier than anticipated
- materials and services increased by \$293,000 as a result of insurance premiums
- depreciation decreased by \$79,000

The Capital Works Program has increased from \$56.15 million in the proposed Annual Budget to \$59.77 million as appended to this report as a result of the capital works carryover, which represents work that is expected to be incomplete at the end of 2018-19 and will now be completed as part of the 2019-20 program. A carryover of \$9.239 million was determined during the March 2019 forecast review and is an increase (\$3.979 million) over the \$5.26 million carryover included in the proposed budget.

Thirty-seven responses were received as a result of the legislated public comment process in relation to in the 2019-20 Annual Budget. In summary:

- twenty-five were in support of budget inclusions that had already been addressed within the budget
- five are agreed to in-principle but will require future planning

- three are not supported
- two are included within current and/or future capital works programs
- one requires further information
- one submission includes an element that is not supported and an element that has already been included within a current budget allocation

All submitters will receive an individual response following Council consideration of the final budget.

The 2018-19 comparative figures included in the annual budget as appended have been updated according to forecasts determined during the March 2019 forecast review. The proposed budgets forecasts included amounts determined at December 2018, so the variances between 2018-19 and 2019-20 have been adjusted accordingly.

## 8.1.2 Strategic Resource Plan

<b>Directorate:</b>	Corporate Services
<b>Councillor Portfolio:</b>	Not applicable
<b>Appendices:</b>	1 Strategic Resource Plan

### Purpose

To adopt the Strategic Resource Plan for the period of four years ending on 30 June 2023.

### Motion

**Moved Cr Colleen Gates, seconded Cr Michael Grech:**

**That Council:**

- 1. Adopt the Strategic Resource Plan (SRP) for a period of four years ending on 30 June 2023 provided as an appendix to this report and in accordance with any changes made by Council when adopting the Annual Budget 2019-20.**

**Carried**

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### Summary

The SRP for the four year period ending 30 June 2023 is attached and presented to Council for adoption.

The SRP includes financial and non-financial resources (including human resources) for the next four financial years to achieve the strategic objectives in the Council Plan. The SRP is reviewed annually in line with the Annual Budget. Any changes made by Council in regard to the adoption of the Annual Budget 2019-20 will also need to be reflected in the SRP.

### Background

The SRP, Annual Budget and Long Term Financial Plan are updated annually through a process of consultation with the community, Councillors and staff.

The information contained in the attached SRP is based on Council's Annual Budget 2019-20. Several key elements influenced the development of these documents including the community consultation process, strategic priorities, Capital Works Program, Borrowing Strategy, Rating Strategy, operational budget and fees and charges.

### Discussion

The key objective of the SRP is financial sustainability in the medium to long term, whilst achieving Council's strategic objectives as specified in the Council Plan. The key financial objectives that underpin the SRP are:

- generally maintaining existing service levels
- achieving operational surpluses each year



- maintaining a robust capital works program with a focus on asset renewal
- achieve balanced financial (rate determination) results
- increases to cash reserves to consider increasing future commitments

### 8.1.3 Borrowing Strategy 2019-20

<b>Directorate:</b>	Corporate Services
<b>Councillor Portfolio:</b>	Not applicable
<b>Appendices:</b>	1 Borrowing Strategy 2019-20

#### Purpose

To present the Borrowing Strategy 2019-20 to Council for adoption.

#### Motion

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

**That Council:**

- 1. Adopt the Borrowing Strategy 2019-20 provided as an appendix to the report and in accordance with any changes made by Council when adopting the Annual Budget 2019-20.**
- 2. Respond to all submitters to the Borrowing Strategy 2019-20.**

**Carried**

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#### Summary

The Borrowing Strategy 2019-20 is attached. The Borrowing Strategy 2019-20 recognises that loans can be a responsible option in addressing infrastructure backlogs, delivering improved assets and services to the community and maintaining equity between those generations of ratepayers who will actually benefit from the capital investment.

In the long term, borrowing does not increase the amount of money available to spend. It allows a higher level of expenditure in a given year, however as borrowings must be repaid with interest, a reduction in expenditure is required in future years.

Council is in a reasonable financial position and is financially sustainable in the short term with reasonably low levels of debt.

The Borrowing Strategy 2019-20:

- recognises that existing borrowings of \$14.2 million are maintained, with no further borrowings factored into this strategy at this point
- will consider further borrowings after prioritising its 10 year Capital Works Program and in the context of conducting service reviews and considering the other options contained within this strategy

#### Background

Hobsons Bay borrowing strategies previously focused on debt reduction up until 2014-15. Rates, grants, cash and investment reserves were used to fund capital works programs.

Internal and external funding, rather than borrowings were identified as important sources to fund capital works.

In 2014-15 Council decided to borrow, specifically to fund additional capital works renewal expenditure. By borrowing to fund additional renewal, ratepayers benefit from the expenditure both now and into the future, in line with the intergenerational equity principle. Low interest rates have been and are still available due to the economic climate and the Municipal Association of Victoria (MAV) Local Government Funding Vehicle (LGFV).

As the external environment continues to change, alternative revenue sources constrict and infrastructure pressures build, Council's level of borrowing has capacity to increase to support immediate needs that can then be paid for over an extended period. Any future borrowings will be considered on a case by case basis.

## **Discussion**

This Borrowing Strategy 2019-20 has been premised on:

- existing loan borrowings of \$9.2 million that are part of a LGFV seven year interest only bond that is due to be repaid in 2021-22
- existing loan borrowings of \$5 million that are part of a LGFV ten year interest only bond that is due to be repaid in 2025-26
- no further borrowings proposed at this time

### 8.1.4 Rating Strategy 2019-20

**Directorate:** Corporate Services

**Councillor Portfolio:** Not applicable

**Appendices:** 1 Rating Strategy

#### **Purpose**

To present the Rating Strategy 2019-20 to Council for adoption.

#### **Motion**

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

**That Council:**

- 1. Adopt the Rating Strategy 2019-20 provided as an appendix to this report and in accordance with any changes made by Council when adopting the Annual Budget 2019-20.**
- 2. Respond to all submitters to the Rating Strategy 2019-20.**

**Carried**

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#### **Summary**

The Rating Strategy 2019-20 (the Strategy) is attached. The Strategy provides an overview and introduction to the rating framework. It explains what rates are, the revaluation process, the objectives of differential rating and outlines appropriate rating under the Ministerial guidelines.

Rates in 2019-20 will be based on new 1 January 2019 valuations and the Strategy provides information on the expected changes to average capital improved values (CIV). It highlights that as a general rule residential property valuations have decreased slightly, whilst there has generally been a slight increase to the non-residential sector. Rate increases will vary considerably across the differential rating categories and individual properties in a revaluation year. Despite this, the variations are not as dramatic as the previous year.

This is the first year that property revaluations have been required to be undertaken annually in accordance with State Government legislation. Revaluations previously occurred every two years. It is also the first year that the process has been managed centrally by the Valuer-General Victoria.

The 2019 revaluation has returned varying changes to valuations across all rating categories. As a direct result, very few land owners will experience rate increases of 2.47 per cent.

Rate notices will also include the fire services property levy that Council collects on behalf of the State Government. This levy is not regarded as Council income and is not included within the figures outlined in the Strategy. Additionally, the levy is not subject to the rate cap.

There is a common misconception that as properties are revalued, Council receives a 'windfall gain' of additional revenue. This is not the case, as the revaluation process results in

a redistribution of the rate burden across all properties in the municipality. Total income from rates (excluding waste service charges) is determined by the rate cap. In simple terms, as property values increase, the rate in the dollar is reduced.

Council's rating structure is outlined in the Strategy, which explains in detail how Council proposes to raise its rates in 2019-20. The Strategy outlines that, in accordance with the rate cap, and to offset Council's immaterial non-compliance in 2018-19, a 2.47 per cent average rate increase will be applied in 2019-20.

There has been an average increase of 2.16 per cent for amounts to be levied for waste service charges. These service charges are not subject to the rate cap, but the increases are required as they are based on the cost to provide the service.

The effect on rate increases as a result of the revaluation, both in dollar and percentage terms, for each of the rating categories is explained in the Strategy. Further detail is also provided on the expected changes in residential rates, both in dollar and percentage terms, for each of the suburbs within the municipality.

## Background

The State Government implemented an inflation based rate cap, the Fair Go Rates System, which has been overseen by the Essential Services Commission (ESC) since the 2016-17 financial year.

The Government announced an inflation based rates cap of 2.5 per cent in 2019-20, slightly more than the 2.25 per cent cap used in the 2018-19 year. In 2018-19, it was determined that Council were immaterially non-compliant with the cap (an average of 75 cents per property). Council resolved to make a commitment to reduce its rate increase in 2019-20 by 0.03 per cent below the rate cap to refund ratepayers for the immaterial non-compliance in 2018-19. The Strategy is therefore based on a rate increase of 2.47 per cent.

Although considered as rates, Council's waste service charges are exempt from the rates cap.

## Discussion

Rates will be based on new valuations as at 1 January 2019. As such, rate changes will vary considerably across the differential rating categories and individual properties. The valuations and rates included in the Strategy have been updated since the proposed budget, with new valuation figures provided on 6 June 2019.

The Strategy highlights that residential property valuations on average have decreased, whilst the non-residential sector (apart from petro-chemical properties) have experienced on average, slight property value growth. The overall average valuation decrease is 1.89 per cent, but this varies for each rating category as follows:

- residential 2.81 per cent decrease
- residential vacant land 3.64 per cent increase
- commercial 2.87 per cent increase
- industrial 5.35 per cent increase
- petro-chemical 0.33 per cent decrease
- cultural and recreational 5.90 per cent increase

The effect of the revaluations is that the rates burden will shift to the non-residential sector, which is the opposite of the previous year. Council has decreased the commercial rate differential from 2.50 to 2.40 with the aim to remove some of the rates burden on the

commercial rating category and provide businesses some expenditure relief. Conversely, the vacant residential land differential has been increased from 1.50 to 1.60 to provide an incentive for owners of vacant residential land to develop their land. All other differentials have remained the same.

The average general rate increase is 2.47 per cent, consistent with Council's commitment to reduce its rate increase by 0.03 per cent below the 2.5 per cent rate cap. The average rate and service charge increase is 2.44 per cent (0.03 per cent lower) when waste service charges are taken into account. The average rate increases vary for each rating category as follows:

- residential 0.59 per cent
- residential vacant land 14.19 per cent
- commercial 2.01 per cent
- industrial 8.77 per cent
- petro-chemical 2.96 per cent
- cultural and recreational 8.62 per cent

## 8.2 Sustainable Communities

### 8.2.1 Port of Melbourne Planning Scheme - Planning Permit Application - Knights Slipway - 266-268 Nelson Place, Williamstown - Use and development of the land for Recreational boat facility

**Directorate:** Sustainable Communities

**Councillor Portfolio:** Planning - Cr Tony Briffa and Cr Michael Grech

**Appendices:** 1 Plans - Knights Slipway 266-268 Nelson Place, Williamstown

#### **Purpose**

To advise Council that notice of an application has been received from the Department of Environment, Land, Water and Planning (DELWP) seeking Council's comments on the use and development of Knights Slipway for a recreational boat facility/marina.

#### **Motion**

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

**That Council:**

1. Advise DELWP it objects to planning permit application PA1800463 for the use and development of a recreational boat facility at Knights Slipway unless it is redesigned with the following general provisions but not excluding:
  - a. a design reflecting the heritage character of Williamstown
  - b. a maximum of 8 metres
  - c. and not the bulk of the existing proposal

#### **Amendment**

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

**That Council:**

1. Advise DELWP it objects to planning permit application PA1800463 for the use and development of a recreational boat facility at Knights Slipway unless it is redesigned with the following general provisions but not excluding:
  - a. a design reflecting the heritage character of Williamstown
  - b. a maximum of 8 metres
  - c. not the bulk of the existing proposal; and
  - d. any other issues not covered by a, b and c relating to built form, materials, crossings, landscaping and fencing as consistent with the heritage advice as outlined in the report

**The Amendment was Carried.**

**The Amendment became the substantive motion and was Carried.**

**Carried**

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## Summary

Council has been notified of a planning permit application lodged with the Department of Environment, Land, Water and Planning (DELWP) under the Port of Melbourne Planning Scheme for the use and development of a recreational boat facility at Knights Slipway at 266-268 Nelson Place, Williamstown. The primary purpose is for the 'dry stack' storage of boats. It is recommended that Council objects to the proposal unless appropriate conditions are included on any permit that is issued dealing with built form, materials, vehicle crossings, landscaping and fencing.

## Background

A town planning permit application was lodged with DELWP on 5 December 2018, by Williamstown Marine Centre Pty Ltd. The application has been lodged under the Port of Melbourne Planning Scheme for which the Minister for Planning is the responsible authority. DELWP subsequently notified Council of the application on 9 April 2019 under Section 52(1)(b) of the *Planning and Environment Act 1987* seeking comment.

The application is for the use and development of the land for a recreational boat facility. Specifically, the proposed buildings and works would comprise of the following:

- a dry stack boat storage facility to store up to 208 boats. The boat storage facility comprises three buildings including a roofed rack structure ranging in height from 12.5 metres to 14 metres and an 11m high unroofed rack structure. Boats would be stacked four high.
  - the Rack A building is 54.5 metres long by 11.2 metres wide and is set off the southern boundary at least 3.0 metres, with a 17.294 metre setback from Nelson Place
  - the Rack B building is 61.5 metres long by 10.2 metres wide, and set back between 0mm and 588mm off the northern boundary, with a 22.558 metre setback from Nelson Place. There is a 14.638 metre setback between the Rack A and B buildings in the centre of the site
  - the Rack C building is 27 metres long by 9 metres wide, and setback 932mm from the northern boundary. It is located to the east of Rack B by 4.5 metres
  - the open Rack D structure is 25 metres long by 6.5 metres wide and is set back 1.8 metres from the southern boundary. It is located east of Rack A by around 20.5 metres
- a two storey building adjoins the eastern end of Rack A, comprising a ground floor lounge, amenities and deck, with a first floor office. The office is proposed to be open between 7am and 6pm, 7 days a week. Up to four staff would work on site
- on-site car parking with 31 permanent car parking spaces, 10 overflow car parking spaces and 5 bicycle parking racks (10 spaces). The majority of the car parking is located to the front of the site and is setback between 400mm and 2.25 metres from the Nelson Place property boundary
- a 1.8 metre wide pedestrian public access path is located along the southern boundary of the site. Provision is made for pedestrian access across the waterside frontage of the site
- a boat launching and retrieval pad area on the eastern portion of the site, which currently forms part of the bay, would be reclaimed. This includes a new steel sheet sea wall to the east, north and south site boundaries. Boat launching and retrieval



would primarily occur between 7am and 7pm in peak season, dropping back to between 9am and 5pm in off season

- all boats would be booked in for launch. For after-hours boat launches, the launch would be scheduled during standard hours, and owners would access the boat at the pontoon as required. Retrievals would then occur first thing in the morning after the owners have docked and stored their boat at the pontoon
- a new 75m long pontoon to the east of the new sea wall forming part of an additional seabed lease area
- fuel facilities on site, with pumps on site and on the pontoon
- a boat wash down bay with a triple interceptor trap
- waste pump out facilities on-site
- stormwater harvesting and collection for re-use on site

The plans and details submitted with the application are attached in Appendix 1.

The land based western main portion of the subject site is in Schedule 3 to the Special Use Zone – *Foreshore Area – The Strand & Nelson Place* (SUZ3) and the water based eastern portion which comprises the seabed areas, is in Schedule 4 to the Special Use Zone – *Waters of the Port of Melbourne* (SUZ4) under the Port of Melbourne Planning Scheme (the Scheme).

The proposal falls within the definition of a 'recreational boat facility'. This is defined as *land used to provide facilities for boats operated primarily for pleasure or recreation, including boats operated commercially for pleasure or recreation*. Nested within this land use term are the uses 'boat launching facility' and 'marina'. The former is defined as *land used to launch boats into the water and to retrieve boats from the water* and the latter is defined as *land used to moor boats, or store boats above or adjacent to the water. It may include boat recovery facilities, and facilities to repair, fuel, and maintain boats and boat accessories*. A 'pontoon' is nested within the marina land use term but is not defined. The proposed use includes elements of all these uses. There is also a land use definition for 'boat and caravan storage' which is defined as *land used to store boats, caravans, or vehicle-towed boat trailers*. While the proposal includes the storage of boats, the overall use is not just for storage, so best fits within the recreational boat facility definition.

Within the SUZ3 a recreational boat facility and boat storage are permit required uses, so a permit is required for buildings and works. In the SUZ4 a pleasure boat facility (now known as a recreational boat facility) is an as-of-right use. There is an exemption from the need for a permit for buildings and works for a pleasure boat facility.

Pursuant to Clause 52.06-6 of the Scheme, car parking spaces must be provided to the satisfaction of the responsible authority as the car parking rate for the use of the land as a Recreational boat facility is not specified in Table 1 in Clause 52.06-5 of the Scheme.

## Discussion

### Referrals

The application was referred to the following Council departments: Active Communities, Traffic Engineering, Economic Development and City Services (Council's Tree Coordinator). Comments were also sought from the Planning Department's Heritage Adviser, and external urban design advice was sought. The advice received is considered in the assessment below where relevant. The key issues are considered to be as follows:

## Traffic & Parking

Council's Traffic Engineer is satisfied with the parking provisions and advises the likely traffic generation will not impact on Nelson Place.

The number of staff proposed is up to four on site at any one time. As car spaces 30 and 31 are tandem spaces, these should be nominated as staff parking spaces.

Concerns have been raised about impacts on the Nelson Place shared trail. However, there are already numerous vehicle crossings along Nelson Place which potentially impact on trail users. If it proved to be a problem, coloured pavement treatments could be introduced to signify priority for trail users in addition to exit signage. In any event, the traffic advice submitted with the application indicates that volumes should not be excessive.

Provision is made on-site for vehicle turning to ensure they enter and exit in a forward direction. The largest trucks likely to access the site would be a 6 tonne rigid frame fuel truck, and swept paths have been provided confirming the truck could enter and exit the site in a forward direction.

Cars/vehicles with trailers are nominated to be between six and eight metres long but up to 10 metres in some cases. For anything outside of this it is proposed to launch the boat at the Royal Yacht Club of Victoria further along Nelson Place and motor the boat to the proposed pontoon.

The urban design advice suggests that the car parking layout be reconfigured to retain the existing trees near the northern boundary of the site. It also recommends that the front boundary fence be relocated to the eastern side of the car park so the street setback appears as public threshold forecourt. Parking could be restricted to users through appropriate signage.

Council's Heritage Adviser also commented that fencing should be sympathetic to the heritage context. There is no consistent fencing theme in the street and the existing front fencing is a fairly innocuous black coloured spear picket fence. Relocating the front boundary fence to the building line as suggested above will ensure the streetscape impacts are minimised.

## Vehicle Crossings

There are currently three vehicle crossings along the site frontage. The northernmost crossing is shared with the Hobsons Bay Yacht Club and is around 8.0 metres wide overall and around 4.5 metres wide in front of the site. There is a 4.5 metre (approx.) wide crossing towards the centre of the site. Both of these provide access to the current boat sales yard and will become redundant as part of the current proposal.

There is a 4.2 metre (approx.) wide crossing towards the southern side of the site around 5.2 metres from the southern site boundary. This provides access to the existing boat storage yard. This is proposed to be widened to around 7.5 metres wide under the current proposal which would bring it to within around 900mm from the trunk of an existing street tree. This tree was planted about 10 years ago. Council's Tree Coordinator advised the southern edge of the widened crossing should be located 2.5 metres away from the trunk of the tree. There is a new 7 metre wide crossing proposed towards the centre of the site. This is located a sufficient distance away from the other street trees on the property frontage.

Council's Heritage Adviser raised concerns with the number and width of crossings.

Separate approval from Council is required for the crossings. Conditions should be included on any planning permit issued by DELWP requiring the removal of redundant crossings and

reinstatement of the kerb, channel and nature strip, and to require the widened southern crossing to be reduced in width to be no closer than 2.5 metres from the trunk of the existing street tree and to reduce the width of the entry crossing to the minimum width to accommodate the likely vehicles accessing the site.

### **Built Form**

The rack storage buildings range from 12.5 metres high on the outer edges to 14 metres high on the sides facing into the site.

The two storey additions to the Hobsons Bay Yacht Club (HBYC), on the adjoining site to the north of the subject site, range in height from around nine metres to around 10.4 metres. The higher parts of the building are setback around 20 metres from Nelson Place.

The clubhouse for the Royal Victorian Motor Yacht Club (RVMYC), on the adjoining site to the south, ranges in height from around 8.4 metres to 10.4 metres and is setback around 82 metres from Nelson Place.

The ridgeline of the main roof of the Holy Trinity church is around 17.8 metres high. The apartments at 261 Nelson Place are around 9.0 metres high at their highest point.

The previously approved marine sales and service centre on the subject site was around 11.35 metres high at the Nelson Place frontage rising to 13.0 metres to feature tower element. The building was setback around 4.65 metres from the front (Nelson Place) boundary.

The rack storage buildings are proposed to be constructed in a mix natural finish precast concrete panels up to a height of 3.0 metres, painted full height precast concrete panels on the north-eastern corner of the Rack B building, metal deck wall and roof cladding in a mid-grey colour as well as some sections some of clear polycarbonate wall panelling. The office/lounge building is to be clad in 'standing seam' metal wall cladding in a dark grey colour.

While no view analysis has been included with the application, the separation between the two rows of buildings towards the middle of the site should allow for views to the water from Nelson Place. Views from the north would be impeded in part by the HBYC building. However, beyond this there are fairly open views from the Ferguson Street roundabout over the yacht club boat yard to the RVMYC building which would be cut off by the new buildings (Rack B & C). Views from the south would be reduced by the Rack A building and Rack D open boat rack, although the RVMYC car park adjoins this boundary so some limited water views should still be available across their site.

The urban design advice made the following recommendations in relation to the built form:

- painted concrete dado walls should be replaced with mixed-batch cream brick similar to the adjacent building to provide a high quality, textured and site responsive outcome
- the feature boundary wall on the Rack B building should be constructed in mixed-batch cream brick to the same width but the height reduced to be no higher than the parapet height of the HBYC extension with clear lightweight cladding above. On the western elevation of the Rack B building return the feature wall should be at the same height for the full width of the building with lightweight clear cladding above
- the simple steel structure of the rack sheds and infill should be expressed with lightweight cladding between the structural systems. Cladding should be a clear robust material to allow views of the stored boats and activity of the boat storage to reduce perceived bulk and visual intrusion of the built form

- replace the curved roofs with a skillion roof form
- extend the steel frame structure of the Rack A building one additional bay to sit over the proposed office/lounge building. The additional bay can be an open structure but the office/lounge should appear as part of the broader shed building envelope. The office/lounge wall cladding should also be clear or transparent cladding but could be steel cladding in a more recessive colour (e.g. lighter). The red feature window canopy should be deleted or use a more recessive colour
- any signage should be individually cut lettering and logos three dimensionally mounted to the proposed feature wall

Council's Heritage Adviser raised concerns with the height of the buildings impacting on the heritage context of the adjoining area, the proposed roof forms and the continuous form of the buildings impacting on oblique views of the water. She also made comments on colours and materials.

The proposed buildings are higher than those on adjoining sites. Removal of one level of the boat storage racks in the buildings will reduce the height by around 3.0 metres, which is more in keeping with the context.

Roof forms in the vicinity are varied but are generally either pitched or flat. Altering the roof forms to a skillion roof will provide a contemporary pitched roof form that references traditional roofs.

In terms of the continuous built form and water views, there are currently limited views to the water from Nelson Place due to the existing boat sales and storage yard on the site. The separation of the proposed buildings in the centre of the site should allow for improved and adequate views to the water from Nelson Place. Providing breaks in the buildings to allow for oblique views is not proposed to be adopted, as the breaks would need to be sufficiently large and located appropriately to the extent that the amount of boat storage may be unreasonably reduced. There are also buildings on adjoining sites which may limit such oblique views.

The Heritage adviser suggested the colours used should be subdued to minimise prominence and dominance. She supported the use of transparent wall cladding as suggested by the urban designer combined with the reduced height as suggested above.

### **Pedestrian Access**

A key recommendation and action of the Williamstown Foreshore Strategic Plan (2010) is to improve public access to, from and along the foreshore. The proposal provides for this in the form of a 1.8 metre wide pedestrian path for public access along the southern boundary of the site. Provision is also made for pedestrian access across the waterfront side of the site to connect to a future boardwalk planned by Parks Victoria. This would be accessible during business hours other than when boats are being moved around on the site for public safety reasons. The reduction in the width of the southern crossing referred to above should allow for the pedestrian access to be improved to be more prominent from Nelson Place and for existing vegetation to be retained or supplemented.

### **Heritage**

Knights Slipway is not in the Heritage Overlay. It is however listed on the Victorian Heritage Inventory (site number H7822-0357). Heritage Victoria has advised DELWP that no Heritage Act consent is required for the buildings and works on the above water area of the site and that no further heritage consent is required for the seawall reclamation area unless excavation of the seabed is proposed.

According to the DELWP officer, no seabed excavation is proposed. The pontoon appears to be a floating structure and the reclamation works to create the new sea wall do not involve excavation but filling of land.

Council's Heritage Adviser raised concerns that there appears to be a lack of assessment of the appropriateness of the proposal having regard to the heritage significance of Knights Slipway. Heritage Victoria is the responsible authority in this regard and have raised no concerns with the proposal.

### **Use**

The Knights Slipway lease specifies *"that all premises and all buildings and improvements from time to time erected thereon shall be used exclusively for the purposes of the operation of a commercial slipway, vessel repair business, ship chandlery service and ancillary services pertaining to the marine industry"*. The proposed use is generally consistent with this.

It is also generally consistent with the historic maritime use of the slipway site.

The 'purpose' of the SUZ3 is:

- *to provide areas in the vicinity of Port Phillip Bay for small boat building and associated uses*
- *to provide for development that protects the amenity, safety and character of nearby areas*

The 'purpose' of the SUZ4 is:

- *to provide navigable channels and access for shipping to the Port of Melbourne as a key area of the State for the interchange, storage and distribution of goods*
- *to provide for boating and recreational uses within the waters of the Port of Melbourne*

The proposal is generally consistent with these zone purposes, save for the question of whether the development will contribute to protecting the character of the Nelson Place precinct rather than detracting from it.

The use would allow for off-water boat storage in a location where on-water storage is either heavily used already or unavailable. It should also ensure that predominantly only vehicles would access the site rather than vehicles and trailers thus reducing potential parking conflicts.

### **Conclusion**

While the proposed land use is acceptable, the built form and site development raise some concerns. Council should object to the application unless conditions addressing built form, materials, crossings, landscaping and fencing as outlined in the report are included on any permit issued.

## 9 Delegates Report

Directorate: Corporate Services

### Purpose

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

### Motion

Moved Cr Peter Hemphill, seconded Cr Colleen Gates:

That Council:

1. Receive and note the recent Delegates Report.

Carried

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### Delegates Report - Arts, Culture and Tourism Portfolio Advisory Committee Councillor Delegate: Cr Angela Altair and Cr Colleen Gates

#### Date of Meeting: 16 May 2019

The fourth meeting for the Arts, Culture and Tourism Portfolio Advisory Committee (PAC) was held at the Louis Joel Arts and Community Centre in Altona on 16 May 2019.

Following a short update on upcoming Arts and Events and key initiatives, the group worked together to develop knowledge and insights on "Visitor attraction, place making and presentation, what do you love about our city and what needs work?" The session focused on three suburbs: Altona, Altona Meadows and Williamstown. Information can be distributed to PAC members and the work on these suburbs will be further developed, and further suburbs will be added, as the year progresses.

Examples of interesting ideas that emerged include commissioning photos around activity themes, marketing and local insights into local favourites, online competitions, and artists-in-residence programs.

## 10 Supplementary Public Question Time

Nil.

## 11 Urgent and Other Business

### Motion

Moved Cr Sandra Wilson, seconded Cr Tony Briffa, that Council consider an item of Other Business relating to a condolence motion.

Carried

## 12.1 Condolence – Ms Lynette Wannan AM

### Motion

Moved Cr Sandra Wilson, seconded Cr Peter Hemphill:

That Council:

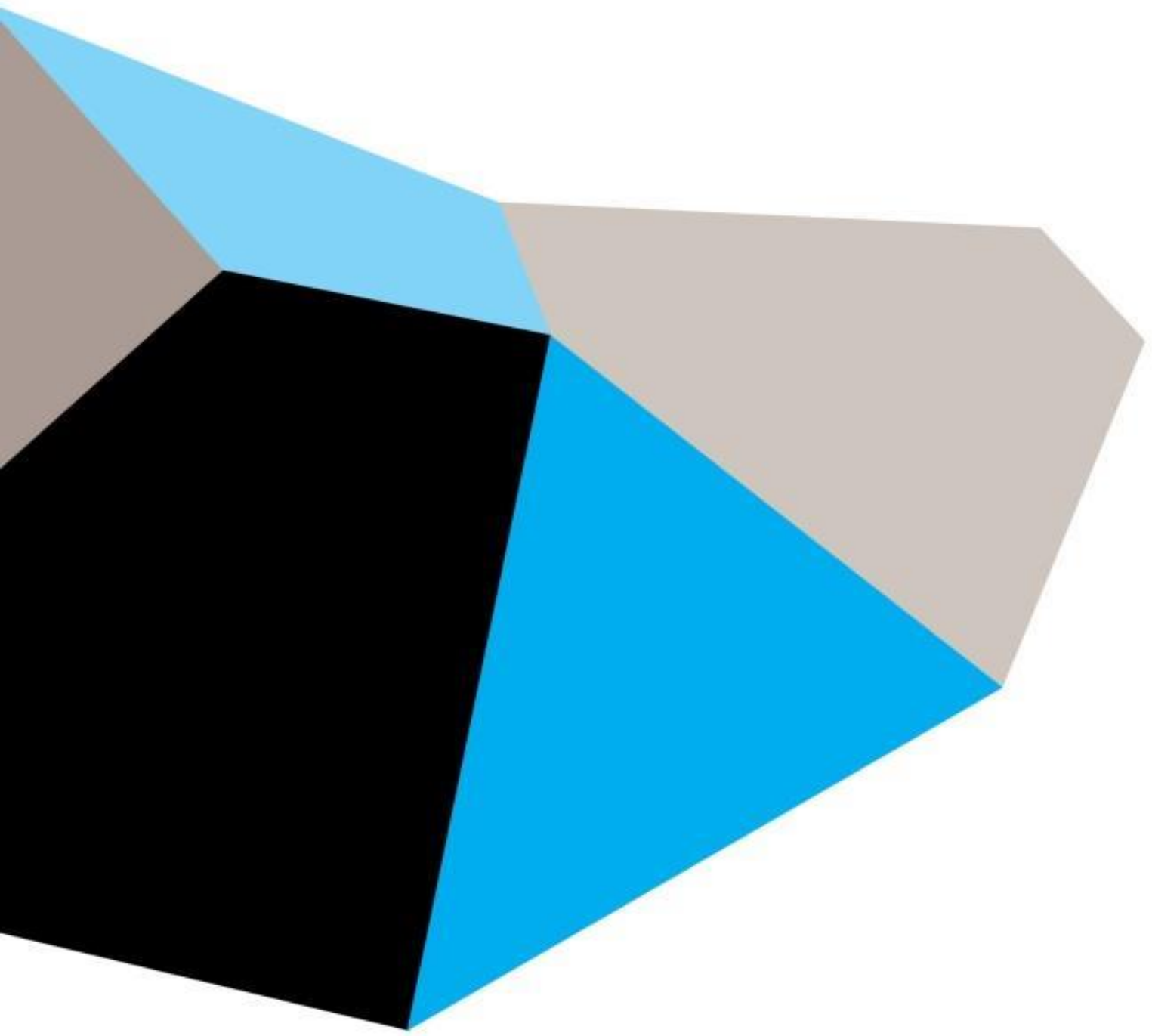
1. Extends condolences to the family of Ms Lynette Wannan AM on her recent passing and offers its appreciation for the significant contribution to the community and all levels of government through her leadership and advocacy.

Carried

There being no further business, the Chairperson declared the meeting closed at 8.09pm.

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Chairperson – Cr Jonathon Marsden  
Signed and certified as having been confirmed.  
9 July 2019



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**HOBSONS BAY CITY COUNCIL**

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