



Ordinary Council Meeting Agenda

Tuesday 9 October 2018
Commencing at 7.00pm

Council Chamber
Hobsons Bay Civic Centre
115 Civic Parade, Altona

**HOBSONS
BAY CITY
COUNCIL**



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

Honesty

Trust

Integrity

Collaboration

Respect

Accountability

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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AGENDA

1 Council Welcome and Acknowledgement

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

2 Apologies

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

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.

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 September 2018 (copy previously circulated).

5 Councillors' Questions

6 Public Question Time

Public question time provides an opportunity for the public to ask questions related to items on the agenda of the Council meeting or any other matter within Council's responsibility. Questions must be put in writing and received by 12pm on the day of the Council meeting

7 Petitions/Joint Letters

7.1 Petition - Request to Change Parking Meters and Hours within Nelson Place, Williamstown

Directorate: Corporate Services

Councillor Portfolio: Integrated transport

Cr Jonathon Marsden and Cr Sandra Wilson

Purpose

To receive a petition requesting changes to the parking meters and hours within Nelson Place, Williamstown.

Recommendation

That Council:

1. **Receive and note the petition requesting changes to the parking meters and hours within Nelson Place, Williamstown.**
 2. **Receive a further report in relation to this matter at a future Council meeting.**
-

Summary

The petition, containing 43 signatures, was received on 4 October 2018.

The petition reads as follows:

The businesses in and around Nelson Place Williamstown have been suffering due to parking meters for too long.

This petition is to request an urgent meeting with Council and to explore and redefine the current meters and the effect they are having on the precinct.

By signing this petition, you agree to the following points that Nelson Place businesses are requesting from Council. An urgent meeting with Council is requested to discuss and explore immediate change to help improve the area.

Nelson Place Businesses request

1. Parking to be FREE during the winter months as previously tested. This was supposed to be a regular feature, but it was forgotten by Council.
2. Parking hours to be reduced. Currently parking hours are from 9am to 10pm. We believe these hours are unreasonable and should be reduced dramatically.
3. Parking fees to be dropped from \$3.50 per hour to a price that is comparable to the local area. (Comparing to areas within the municipality and out)
4. Nelson Place businesses and surrounding would like the Council to hire a 3rd party consultant to analyse and compare Nelson Place Williamstown meters, the current

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policies, other areas within the municipality and similar areas to Nelson Place Williamstown.

5. Nelson Place businesses are requesting a marketing levy to be provided by Council from the collection of parking and ticketing funds. These funds should only allocated toward Nelson Place to market and bring people back to the area.
6. Nelson Place businesses request the support from Council to form a traders group, who will be in charge of the marketing levy and focus on improving all aspects of the precinct.

8 Business

8.1 Office of the Chief Executive

8.1.1 2017-18 Annual Report

Directorate: Office of the Chief Executive

Councillor Portfolio: Nil

Appendices: 1 Hobsons Bay City Council 2017-18 Annual Report
2 Hobsons Bay City Council 2017-18 Annual Financial Report

Purpose

To consider the Hobsons Bay City Council 2017-18 Annual Report.

Recommendation

That Council consider the 2017-18 Annual Report in accordance with the legislative requirements of the *Local Government Act 1989* and notes its submission to the Minister for Local Government in accordance with legislation.

Summary

The 2017-18 Annual Report (the Annual Report) reports on Council's operational and financial performance for the 2017-18 year against the goal areas and objectives of the Council Plan 2017-21. The Annual Report was prepared and submitted to the Minister for Local Government by 30 September 2018 in accordance with section 133 of the *Local Government Act 1989* (the Act). Section 134 of the Act requires Council to consider the Annual Report at an Ordinary Council Meeting.

Background

Through its Annual Report, Council details the activities, achievements, challenges and financial performance during the 2017-18 financial year, and informs the community about delivery against the commitments of the Council Plan 2017-21 and the 2017-18 Annual Budget.

Information about Council's performance in the Annual Report is structured around the four goal areas outlined in the Council Plan. Performance is measured against results achieved in relation to the Major Initiatives and Initiatives identified in the Budget, the results against the prescribed Local Government Performance Reporting Framework indicators and against community satisfaction with the services, facilities and infrastructure provided and maintained by Council.

The Annual Report also provides information about the elected Council, the organisation and other statutory information. Council's overall financial position is reported in the Audited Financial Statements section of the report.

Discussion

An overview of Council's performance results are as follows:

- overall 60 per cent of all initiatives committed to in 2017-18 were completed. This includes 60 per cent of initiatives (18) and 58 per cent of major initiatives (7)
- community satisfaction results demonstrate that the Hobsons Bay community is largely satisfied with the various services, facilities and infrastructure provided and maintained by Council. In most instances results are similar to those from the previous year. At an aggregate level, the overall satisfaction index score in 2017-18 was 68 (two points higher than in 2017)
- Local Government Performance Reporting Framework indicators, including information about how Hobsons Bay compares to other like Councils, will be made publicly available through the *Know Your Council* website in November 2018

Further information on the performance and financial results can be found within the appendix to this report.

Strategic Alignment

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

Goal 4: A Council of excellence

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

The Annual Report reviews Council's operational and financial performance for the 2017-18 year against the goal areas and objectives of the Council Plan 2017-21.

Policy and Previous Council Reports

Each year Council must consider the Annual Report at an Ordinary Meeting of the Council

Legal/Statutory Obligations/Risk

The Annual Report addresses the prescribed requirements for the content and preparation of the Annual Report as per the Act and the *Local Government (Planning and Reporting) Regulations 2014*.

Section 134 of the Act requires Council to consider the Annual Report at an Ordinary Council Meeting, open to the public, within one month of its submission to the Minister for Local Government.

Financial and Resource Implications

Production of the Annual Report is funded from Council's operating budget. A limited number of printed copies of the Annual Report are produced, to reduce the impact on resources and the environment.

Environmental/Social/Economic Impacts

The Annual Report provides information on Council's performance in relation to the goal areas of the Council Plan. The Council Plan is developed every four years and is based on a planning framework that aligns the Hobsons Bay 2030 community vision to the planning, development, resource allocation and service provision that Council undertakes for the Hobsons Bay community.

Consultation and Communication

In accordance with section 134 of the Act, public notice was provided to inform the community of the meeting at which the Annual Report would be considered. In addition, the public notice outlined where copies of the Annual Report could be obtained before the meeting, including that copies will be on display at the Hobsons Bay Civic Centre and Hobsons Bay Libraries, available on Council's website and that printed copies would be made available on request.

Officer Declaration of Conflict of Interest

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

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

8.1.2 Chief Executive Officer - Report on Operations

Directorate: Corporate Services

Councillor Portfolio: Nil

- Appendices:**
- 1 Chief Executive Officer - Report on Operations - September 2018
 - 2 AOC - Planning Portfolio Advisory Committee - 3 September 2018
 - 3 AOC - OCM - 11 September 2018
 - 4 AOC - Smart Cities Portfolio Advisory Committee - 13 September 2018
 - 5 AOC - CBS - 18 September 2018
 - 6 AOC - Social Wellbeing and Community Services Portfolio Advisory Committee - 19 September 2018
 - 7 AOC - CBS - 2 October 2018

Purpose

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

Recommendation

That Council:

1. **Receive and note the Chief Executive Officer's Report on Operations, including details of recent issues and initiatives undertaken by the organisation.**
 2. **In accordance with section 80A(2) of the *Local Government Act 1989* incorporate into the minutes of this meeting the written Record of Assembly of Councillors held on 3, 11, 13, 18 and 19 September 2018 and 2 October 2018.**
-

Summary

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

Discussion

The purpose of this report is to inform Council and the community of recent issues, initiatives and projects undertaken across Council. The report is provided on a monthly basis.

Strategic Alignment

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

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

Priority 6: An accessible and connected community.

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

Goal 4: A Council of excellence

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

Officer Declaration of Conflict of Interest

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

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

8.2 Corporate Services

8.2.1 Instrument of Appointment and Authorisation - Planning Officers

Directorate: Corporate Services

Councillor Portfolio: Planning

Cr Tony Briffa and Cr Michael Grech

Appendices: 1 Instrument of Appointment and Authorisation - Planning and Environment Act 1987 - dated 9 October 2018

Purpose

For Council to update the Instrument of Appointment and Authorisation for planning officers in accordance with section 147(4) of the *Planning and Environment Act 1987* and section 232 of the *Local Government Act 1989*.

Recommendation

That Council:

- 1. In accordance with section 147(4) of the *Planning and Environment Act 1987* and section 232 of the *Local Government Act 1989* authorise the officers named in the Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) as attached.**
 - 2. Affix Council's common seal to the instrument of Appointment and Authorisation.**
-

Summary

Authorised officers under the *Planning and Environment Act 1987* are required to be appointed by Council.

The last authorisation of Council officers under the *Planning and Environment Act 1987* was via a Council resolution on 14 March 2017.

Since that date, there have been a number of changes to the officers that require authorisation. The attached Instrument of Appointment and Authorisation has been amended accordingly.

Background

The *Planning and Environment Act 1987* regulates enforcement and is reliant on authorised officers acting on behalf of the Responsible Authority. Council has received legal advice recommending that Council appoint authorised officers pursuant to section 147(4) of the *Planning and Environment Act 1987* for matters relating to planning compliance and enforcement.

Discussion

Authorisation of Council officers for decision-making is essential to enable the smooth operation of the planning system and reasonable timeframes for decisions. It is important that Council's Planning Officers can act as authorised officers under the *Planning and Environment Act 1987* to ensure good governance and effective enforcement of the Hobsons Bay Planning scheme.

The Chief Executive Officer, under authority delegated by Council, generally appoints authorised officers. Due to the particular provisions of the *Planning and Environment Act 1987*, authorised officers under that Act need to be appointed by a Council resolution.

The updated Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) attached to this report, provides for Council to appoint authorised officers for the purposes of the *Planning and Environment Act 1987* and authorises the officers under the *Local Government Act 1989* to commence proceedings for breaches against the Acts and Regulations in Council's name.

The Instrument of Appointment and Authorisation comes into force immediately the common seal of the Council is affixed to the Instrument, and remains in force until Council determines to vary or revoke it, or until the authorised officer ceases to be a member of Council staff.

Strategic Alignment

Choose Priority

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

Goal 4: A Council of excellence

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

Policy and Previous Council Reports

The last review of Planning Officer Authorisations was last undertaken by Council on 14 March 2017.

Legal/Statutory Obligations/Risk

Section 147(4) of the *Planning and Environment Act 1987* requires Council to authorise members of Council staff to carry out the duties and functions of that Act.

Council officers authorised under section 232 of the *Local Government Act 1989* may institute proceedings in the corporate name of Council for the enforcement of any provision of any act, regulation or local law for which the Council is responsible.

Environmental/Social/Economic Impacts

It is important that Council's Planning Officers can act as authorised officers under the *Planning and Environment Act 1987* to ensure good governance and effective enforcement of the Hobsons Bay Planning scheme.

Consultation and Communication

The Instrument of Appointment and Authorisation to the planning officers has been prepared to reflect the advice in the Delegation and Authorisation Service provided by Maddocks Lawyers.

Officer Declaration of Conflict of Interest

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

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

8.3 Strategic Development

8.3.1 Update on Recent State Planning Policy Changes

Directorate: Strategic Development

Councillor Portfolio: Planning
Cr Tony Briffa and Cr Michael Grech

Appendices: Nil

Purpose

To update Council on the Victorian Government's recent changes to the Victoria Planning Provisions.

Recommendation

That Council note the recent changes to the Victoria Planning Provisions implemented by the Victorian Government.

Summary

On 31 July 2018 the Victorian Government implemented reforms to the Victoria Planning Provisions (VPP). The changes introduced by Amendment VC148 are the most extensive since the VPPs were created in the 1990s. The most significant change was the formation of the Planning Policy Framework (PPF) which combines state, regional and local planning policies into a single policy source. This transition was only partially completed through Amendment VC148 with only the state and regional portions combined.

To comply with the Victorian Government planning reforms, Council is required to relocate its Local Planning Policy Framework (LPPF), including the Municipal Strategic Statement (MSS) and local policies, into the PPF. While the deadline for this work is unclear, it is expected to be within the next eighteen months. It is noted that these changes will mean a delay in completion of the current rewrite of the MSS.

Background

Council's Municipal Strategic Statement (MSS) is a key aspect of the Planning Scheme. It provides a policy rationale for the application of zones and overlays within the municipality and links local planning policy to Council's corporate strategic planning framework specifically the Council Plan 2012-17 and Hobsons Bay 2030 Community Vision.

An MSS review concluded in 2012 with the adoption of the current policy neutral position. Thereafter, a further review commenced with the aim of producing a revised MSS that would incorporate Council's adopted strategy and policy directions which are clearly implemented within the context of land use planning.

During the same period the Victorian Government had been working on changes to the Planning Policy Framework. In July 2013 the Minister for Planning established an Advisory Committee to review the State Planning Policy Framework (SPPF) to investigate ways in which the LPPF could be better aligned with the SPPF. This review was intended to take into account the, then, recently introduced Plan Melbourne. In 2014 the Advisory Committee released the Draft Planning Policy Framework for public consultation. It showed a revised

format for the SPPF and LPPF. The Advisory Committee report to the Minister for Planning was not released publicly. However, the Hobsons Bay Planning Scheme Review undertaken in 2014 acknowledged that the Victorian Government’s proposed Planning Policy Framework would significantly influence the structure of the MSS because local policy and state policy were to be merged into the same thematic framework. Despite being exhibited for comment in early 2014, the Planning Policy Framework (PPF) concept did not progress following the change of Government later that year. The ambiguity around the fate of this reform delayed finalisation of a revised MSS.

On 31 July 2018 Amendment VC148 was approved by the Minister for Planning. The Amendment makes significant changes to the VPPs including the inclusion of the PPF. The PPF replaced the SPPF and in future the PPF will, in conjunction with the new Municipal Planning Strategy (MPS), also replace the LPPF. Under the PPF, the state, regional and local levels of policy are grouped by theme with directly relevant regional and local policies ‘nested’ under the corresponding state planning policy. (See Figure 1)

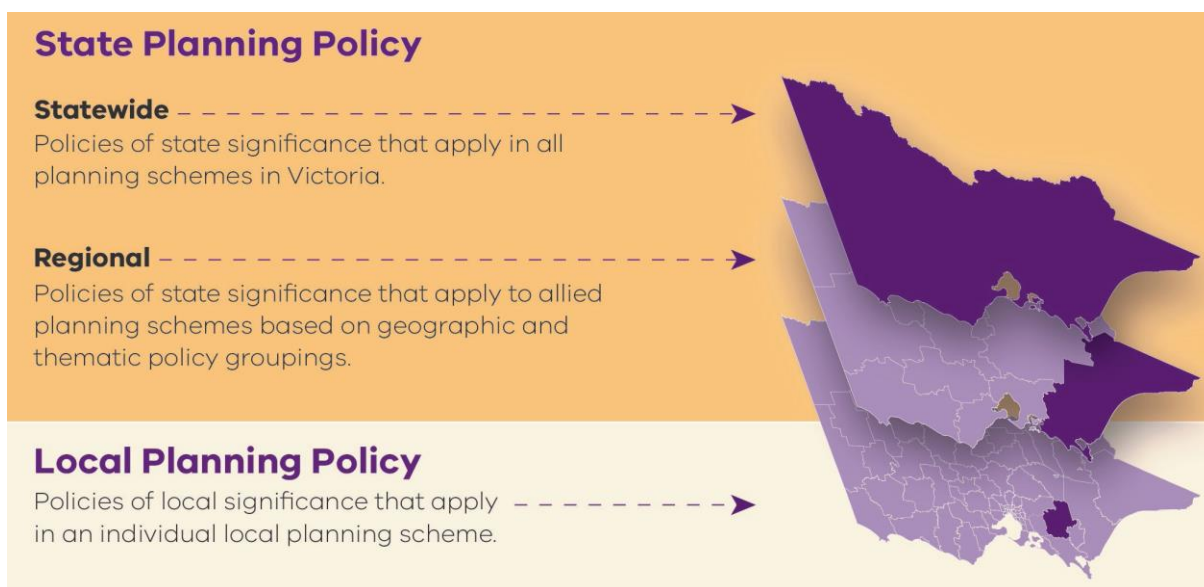


Figure 1 – Structure of Planning Policy Framework (example as provided by Victorian Government)

In addition to the introduction of the PPF, Amendment VC148:

- enabled the future introduction of a MPS
- simplified the VPP structure by
 - restructuring particular provisions
 - integrating VicSmart into applicable zones, overlays and particular provisions
 - consolidating operational and administrative provisions
- amended specific zones, overlays and particular provisions to improve their structure and operation, and to support the future translation of LPPFs to the MPS and PPF
- introduced a Specific Controls Overlay to replace Clause 52.03 – Specific sites and exclusions
- deleted outdated particular provisions
- deleted permit requirements for low impact uses in industrial zones

- reduced car parking requirements for uses in commercial areas and for land within walking distance of high quality public transport

Discussion

The Department of Environment, Land, Water and Planning (DELWP) are 'committed to supporting councils with their LPPF translations'. However DELWP are yet to inform councils about how changes to the MPS and PPF should proceed and the deadline for these changes to occur. Councils are expecting that these changes will be required within the next eighteen months.

The purpose of Council's MSS is to provide a local policy response to the policy direction indicated within the PPF and to provide a policy rationale for the application of the zones and overlays, which in turn trigger planning permits for development and land use. As such, a review of the MSS needs to clarify and review policy directions in response to Council's adopted strategies and policies and, where they are applicable to land use planning outcomes, implement those directions through the planning system.

Since the Advisory Committee released its version of the Planning Policy Framework in 2014, a similar format has been followed. This will allow for a more simplistic transition of the MSS into the new PPF.

Under the reforms to the VPPs, local planning policies currently in Clause 22 of the Planning Scheme will need to be incorporated into the PPF, zones, overlays and particular provisions. These include:

- 22.01 Heritage Policy
- 22.02 Industry
- 22.04 Altona Meadows Urban Design Policy
- 22.05 Williamstown Commercial Area – Car Parking Policy
- 22.06 Mixed Use Policy – Altona Activity Centre
- 22.07 Hobsons Bay West Neighbourhood Character Policy
- 22.08 Hobsons Bay North Neighbourhood Character Policy
- 22.09 Hobsons Bay South Neighbourhood Character Policy
- 22.10 Hobsons Bay East Neighbourhood Character Policy
- 22.11 Outdoor Advertising Signage Policy

Policies and strategies either under development or recently adopted by Council would need to be included in the Planning Scheme through the PPF, zones, overlays and particular provisions, where they would previously have been included in the MSS or a local policy. These documents include:

- Activity Centres Strategy
- Ageing Well Strategy 2013-17
- Biodiversity Strategy

- Climate Change Adaptation Plan
- Community Greenhouse Strategy 2013-30
- Council Plan 2017-21
- Disability, Access and Inclusion Strategy 2013-17
- Economic Development Strategy 2015-20
- Environmentally Sustainable Design Policy
- Hobsons Bay 2030 Community Vision
- Hobsons Bay Affordable Housing Policy Statement 2016
- Hobsons Bay Public Art Policy and Public Art Strategy 2016-2020
- Housing Strategy and Revised Residential Zones
- Integrated Transport Plan
- Integrated Water Management Plan 2014-19
- Minimising the Harm of Alcohol Policy Statement 2016
- Neighbourhood Character Study
- Open Space Strategy 2018
- Problem Gambling on Electronic Gaming Machines Policy Statement 2015

Work will progress to undertake the PPF translation following the process and timeframe set out by DELWP.

Strategic Alignment

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

Choose Priority

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

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

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

The revised PPF will be informed by the Council Plan 2017-21 and the Hobsons Bay 2030 Community Vision.

Policy and Previous Council Reports

There are no direct policy implications from this report. The revised PPF will respond to policy implications of other adopted Council policies and strategies.

Council has not been presented with any reports relating to the recent Victorian Government planning reforms. In 2012 Council received an update on the MSS with the adoption of Amendment C63. Council was briefed in April 2014 on proposed public consultation that was undertaken to inform the revision of the MSS. The information gained through public consultation will be used to inform the proposed changes to the PPF and the incorporated MPS.

Legal/Statutory Obligations/Risk

Section 12A of the *Planning and Environment Act 1987* (P&E Act) requires that Council must prepare a Municipal Strategic Statement for its municipal district and that it must be consistent with the current Council Plan prepared under section 125 of the *Local Government Act 1989*.

Section 12B(1)(a) of the P&E Act requires Council to review its planning scheme, including the MSS, no later than one year by which it is required to approve a Council Plan under Section 125 of the *Local Government Act 1989*.

The Council Plan 2017-21 was adopted as required by 30 June 2017. Therefore, under the provisions of section 12B (1)(a) of the P&E Act, a review of the Hobsons Bay Planning Scheme was due to be undertaken by June 2018. However the Department of Environment, Land, Water and Planning have allowed planning authorities a further six months, to December 2018, to complete their Planning Scheme Review in light of the state based changes.

Financial and Resource Implications

There are adequate resources within the current operational budget to update the Planning Scheme and incorporate the LPPF into the PPF.

Environmental/Social/Economic Impacts

The proposed PPF will incorporate adopted policies to reflect Council's position on environmental, social and economic issues.

Consultation and Communication

Formal public exhibition of a draft revised PPF will be carried out in accordance with both the *Planning and Environment Act 1987* and Council's Community Engagement Framework.

Officer Declaration of Conflict of Interest

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

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

8.3.2 Altona RSL - Electronic Gaming Machines Application to VCGLR

Directorate: Strategic Development

Councillor Portfolio: Nil

Appendices: 1 Altona RSL NBA Group Social and Economic Impact Assessment
2 Altona RSL SGS Social and Economic Impact Assessment

Purpose

To present the findings of the independent Social and Economic Impact Assessment regarding an application to increase the number of electronic gaming machines at the Altona RSL, and having considered that Assessment, to seek endorsement for Council to formally oppose the application and appear at the subsequent hearing to present and defend its position not to support an increase in gaming machines.

Recommendation

That Council:

- 1. Note and adopt the findings of an independent Social and Economic Impact Assessment in relation to the licence application for an additional 22 electronic gaming machines (EGMs) at the Altona RSL.**
- 2. Make a written submission to the Victorian Commission for Gambling and Liquor Regulation objecting to the application by the Altona RSL Sub-Branch Inc. to increase the number of electronic gaming machines at the Altona RSL by 22 electronic gaming machines, for the reasons set out in this report and in the independent Social and Economic Impact Assessment prepared by SGS Economics and Planning.**
- 3. Appear at the hearing before the Victorian Commission for Gambling and Liquor Regulation to present Council's objection.**

Summary

The Altona RSL has lodged an application with the Victorian Commission for Gambling and Liquor Regulation (VCGLR) for an additional 22 electronic gaming machines (EGMs). Council's Problem Gambling (Electronic Gaming Machines) Policy Statement 2015 states that it will oppose any applications to the VCGLR that increases or transfers EGMs to areas where there is high socio-economic disadvantage or other community groups identified as vulnerable.

To inform its decision to support or oppose the application, Council engaged SGS Economic and Planning to prepare an independent Social and Economic Impact Assessment. The assessment found that (if approved) the application is likely to have a net economic and social detriment to the Hobsons Bay and Altona-Seaholme communities. As such, it is recommended that Council oppose the application and appear at the subsequent VCGLR hearing to present and defend its position.

Background

On 30 July 2018 Council received correspondence from Williams Winter Solicitors on behalf of the Altona RSL Sub-Branch Inc. advising that an application had been lodged with the VCGLR to increase the number of electronic gaming machines permitted at the Altona RSL from 58 to 80. As part of its application, the Altona RSL submitted a social and economic impact statement, prepared by the NBA Group (appendix 1).

In accordance with Section 3.4.19 of the *Gambling Regulation Act 2003*, Council has until Monday 8 October to make a submission to the VCGLR 'addressing the economic and social impact of the proposed amendment on the wellbeing of the community of the municipal district in which the approved venue is located'. A planning application has been submitted to Council, and it is being considered concurrently with the VCGLR licence application.

The Altona RSL is located at 31 Sargood Street, Altona. It is in a residential zone within the Altona Beach Major Activity Centre. The Altona RSL has been operating electronic gaming machines since 1993 and at the current site since 1996. In 2017-18, net expenditure (i.e. 'player losses') at the Altona RSL was \$3.6 million.

There are currently 535 EGMs in Hobsons Bay, with nearly half of these (239) located within the Altona-Seaholme neighbourhood. This translates to EGM densities of 7.2 per 1,000 adult residents for the municipality and 23.3 per 1,000 adult residents for Altona-Seaholme. The average EGM density for metropolitan Melbourne is 5.1 per 1,000 adult residents. If approved, EGM densities in these locations will increase to 7.5 and 25.5 respectively. This is significant as recent research has shown that postcodes with an EGM density of 7.5 or higher have 20 per cent more family incidents and 30 per cent more domestic violence assaults, compared to postcodes without EGMs (Markham et al, 2016).

Council's Problem Gambling (Electronic Gaming Machines) Policy Statement 2015 states that 'Council will oppose any applications to the VCGLR that increases or transfers EGMs to areas where there is high socio-economic disadvantage or other community groups identified as vulnerable' (Commitment 1.3). To assist the process of deciding whether to support or oppose the application, Council engaged SGS Economics and Planning to prepare a Social and Economic Impact Assessment (SEIA).

Discussion

Under the proposal, an additional 22 EGMs will be introduced to the Altona RSL. The additional EGMs have become available due to the closure of the Williamstown RSL which had 42 EGMs. According to the Altona RSL's social and economic impact statement, the remaining 20 Williamstown RSL entitlements have been purchased by others within the RSL network and are scheduled to be transferred outside of the municipality.

The expenditure report prepared by the Altona RSL estimates that the new EGMs will lead to additional net expenditure of \$3.45 million at the venue in the first twelve months. This will increase the total annual net expenditure to approximately \$7.04 million. While the report indicates that 88 per cent of this expenditure will be transferred from other venues, the overall impact on Hobsons Bay will be an additional \$1.3 million in net expenditure in the first 12 months.

The application also proposes the following elements:

- capital works – a \$5.27 million renovation is proposed, including a new children's play area and upgrades to most other parts of the venue, including the members' lounge, boardroom and meeting facilities, welfare office (currently located in the house next to the venue), administration offices, function room, gardening and landscaping, entry

foyer and sign-in area, and upgrades to the gaming room. The capital works are subject to an assessment under the *Planning and Environment Act 1987*

- employment – it is proposed that four full-time gaming attendant positions and one part-time (0.5 EFT) welfare officer position will be created
- community contributions – a commitment has been provided to increase the annual community contribution budget in line with the actual amount of revenue generated by the additional machines. In 2016-17, the Altona RSL's community contributions totalled approximately \$145,000, including donations, gifts and sponsorships, as well as core RSL business such as voluntary services provided by members and staff, and advice, support and services provided to ex-service personnel

In accordance with Section 3.3.7 of the *Gambling Regulation Act 2003*, the VCGLR must not grant an application unless it is satisfied that the net economic and social impact of approval will not be detrimental to the wellbeing of the community of the municipal district in which the premises are located.

To assess the application, Council engaged SGS Economics and Planning to undertake an independent SEIA (appendix 2). This assessment identifies and assesses a wide range of social and economic impacts and concludes that the net social and economic impact of the application will be detrimental to the communities of Altona-Seaholme and Hobsons Bay.

The SEIA includes a qualitative assessment of social impacts. Some of these (such as community contributions and increased opportunities for recreational gaming) are assessed to be beneficial. Others (particularly the impact of increased incidence of problem gambling on the community) are assessed to be detrimental. Overall, the SEIA Report estimates that the social detriments will exceed the social benefits if the application is approved.

The SEIA includes a qualitative assessment of economic impacts. Some of these (such as complementary expenditure and consumer surplus linked with gaming expenditure not associated with problem gambling) are assessed to be beneficial. Others (such as gaming expenditure associated with problem gambling and diversion of trade from retail facilities and other gaming venues) are assessed to be detrimental. Overall, the SEIA Report estimates that the economic detriments will exceed the economic benefits if the application is approved.

Finally, the SEIA undertakes a quantitative assessment of the application, which seeks to 'monetise' each benefit and detriment category over a 20 year evaluation period. It estimates \$2.53 million in benefits over this period and \$2.82 million in detriments. Overall, the analysis reveals that the application would result in a social and economic detriment to the community estimated at \$292,879.

Therefore, based on Council's Problem Gambling (EGM) Policy Statement and the findings of the SEIA, that (if approved) the application is likely to result in a net detriment to the Hobsons Bay and Altona-Seaholme communities, it is recommended that Council formally oppose the licence application through its social and economic impact submission and appear at the VCGLR hearing to present and defend its position.

Strategic Alignment

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

Priority 2: Community wellbeing and inter-connection

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

Goal 4: A Council of excellence

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

Policy and Previous Council Reports

Council's Problem Gambling (Electronic Gaming Machines) Policy Statement 2015 states that 'Council will oppose any applications to the VCGLR that increases or transfers EGMs to areas where there is high socio-economic disadvantage or other community groups identified as vulnerable' (Commitment 1.3).

Council has adopted a Local Gaming Policy which is currently being considered by the Minister.

Council has been a supporter of the Alliance for Gambling Reform (AGR) since 2015 and became an Alliance Leader in 2018-19. Council has done a range of advocacy to decrease the harms of electronic gaming machines, including a recent notice of motion to the Municipal Association of Victoria State Council.

Legal/Statutory Obligations/Risk

In responding to the application, Council is bound by the provisions set out in the *Gambling Regulation Act 2003*. There is no inherent risk in providing a submission on the application. However, if Council opposes the application, there is some reputational risk to Council, given the Altona RSL's long-standing and well-regarded position in the local community. This risk is being mitigated by commissioning an independent Social and Economic Impact Assessment Report to inform Council's position, and by working with the Victorian Local Governance Association (VLGA) and the AGR to present clear and balanced messaging about the benefits and costs of this application.

Financial and Resource Implications

The development of the SEIA Report and subsequent submission and presentation of the report at the VCGLR hearing in late October will be costed through existing operational budgets.

The VLGA will provide support for community members that may wish to make a submission. In addition, via Council's membership to the AGR (\$15,000), the Alliance are able to support with social media and community engagement.

Environmental/Social/Economic Impacts

The independent SEIA Report prepared by SGS outlines the social and economic impacts of the application. It concludes that (if approved) the application will have a net detrimental social and economic impact on the communities of Altona-Seaholme and Hobsons Bay.

Consultation and Communication

The 2014 Annual Community Survey asked Hobsons Bay residents about their attitudes to poker machines. Almost two-thirds (63 per cent) indicated that poker machines had a harmful or very harmful impact. Almost half of respondents (42.3 per cent) indicated that there were

too many machines, with a further 33 per cent unsure. A similar proportion of Altona-Seaholme residents (42.5 per cent) felt that there were too many machines. Consultation to inform Council's Problem Gambling (EGMs) Policy Statement 2015 also found that 84 per cent of residents believe gambling is a harmful activity.

A range of community organisations are being notified by Council that the application has been lodged with the VCGLR, and that they have the opportunity to make a formal submission. Further promotion within the community will be undertaken, including social media posts, media releases, and direct support for community members who wish to make a submission. A summary of community attitudes regarding the application will be submitted to the VCGLR prior to the hearing.

Officer Declaration of Conflict of Interest

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

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

8.3.3 Amendment C116 - Consideration of submissions following the exhibition of the proposal for the removal of covenants

Directorate: Strategic Development

Councillor Portfolio: Planning

Cr Tony Briffa and Cr Michael Grech

Appendices: 1 Table of Submissions

2 Amendment C116 Documents Part 1

Purpose

To present the submissions received in response to the exhibition of draft Planning Scheme Amendment C116 and to consider the options to progress the amendment.

Recommendation

That Council:

1. **Note and consider the submissions received in response to the exhibition of Planning Scheme Amendment C116 (the Amendment).**
2. **Split the Amendment into two parts being:**
 - a. **Part 1: 430 - 436 Blackshaws Road, Altona North**
 - b. **Part 2: 122 Woods Street, Newport**
3. **Adopt Amendment C116, Part 1: 430 - 436 Blackshaws Road, Altona North under section 29 of the *Planning and Environment Act 1987* and generally in accordance with the appendices and submit it to the Minister for Planning for approval and gazettal.**
4. **Having considered submissions refer unresolved submissions for Amendment C116, Part 2: 122 Woods Street, Newport to an Independent Planning Panel under section 23 of the *Planning and Environment Act 1987*.**
5. **Write to all submitters informing them of Council's decision.**

Summary

In May 2018 Council resolved to prepare and exhibit a draft planning scheme amendment to remove covenants from two properties, being the former Altona Gate Primary School site at 430-436 Blackshaws Road, Altona North and the former Hobsons Bay Kindergarten and Toy Library site at 122 Woods Street, Newport. The preparation of the amendment was authorised by the Minister for Planning and the amendment was advertised to the community. Twenty submissions were received; one stating no objection and 19 raising objections to the amendment as it relates to 122 Woods Street, Newport.

The two properties have been the subject of transition over a number of years, due to the relocation of community facilities to other sites. Covenants apply to portions of both properties, which are deemed no longer relevant or necessary.

There are no issues with Council continuing to pursue the amendment as it relates to 430-436 Blackshaws Road. To allow this, Council may split the amendment into two parts and adopt the part removing the covenant from this site and submit it directly to the Minister for Planning for processing.

As there are objections to the 122 Woods Street part of the amendment, Council has three options under Section 23 of the *Planning and Environment Act 1987*:

- (1) *After considering a submission which requests a change to the amendment, the planning authority must—*
 - (a) *change the amendment in the manner requested; or*
 - (b) *refer the submission to a panel appointed under Part 8; or*
 - (c) *abandon the amendment or part of the amendment.*

After considering a number of submissions Council is unable to resolve all the matters raised. Therefore it is recommended that all unresolved submissions be referred to an independent planning panel for consideration. This gives the community a chance to present their concerns to the panel.

Background

Former Altona Gate Primary School site, 430-436 Blackshaws Road, Altona North

The former Altona Gate Primary School at 430-436 Blackshaws Road, Altona North was closed in 2012 and was recently sold to Development Victoria and is being prepared for redevelopment to medium-density housing. The land has been rezoned to Residential Growth Zone and an approved Development Plan provides for 127 dwellings with associated infrastructure including roads, pedestrian paths and landscaping.

Twenty-eight of the lots within the property are subject to a covenant which restricts any excavation on site, except for the purposes of building foundations, and prohibits the use of the site for the manufacture or winning of bricks, tiles or pottery ware. The covenants originally responded to concerns about the land being used for quarrying and brick and tile manufacture; activities that no longer occur in this area. The covenants were also deemed to be necessary land use control measures as modern planning scheme provisions did not exist to inform development.

Former Hobsons Bay Kindergarten, 122 Woods Street, Newport

The former Council owned Kindergarten and Toy Library at 122 Woods Street, Newport was vacated in 2014 following the completion of the Newport Gardens Early Years Centre at 51 Maddox Road, Newport, and the transition of services to that facility.

Two of the lots (Lots 82 and 83) were purchased by the former City of Williamstown from the Commonwealth of Australia in 1954 with the intention of constructing a baby health centre, kindergarten and public hall. The buildings were constructed in approximately 1954 contravening a covenant on title that restricts the use of the land to public recreation. The third lot (Lot 81) forms part of the kindergarten property and was purchased by Council in 1961. Lot 81 is on a separate title, free of any encumbrances.

At the 14 December 2010 Ordinary Meeting of Council, Council resolved to record Council's intention to sell the land, receive a further report in relation to the sale of the land and

transfer any proceeds from the sale to the capital works infrastructure reserve. Council is unable to consider a report on the sale of the land until the covenant is removed.

Discussion

At its Ordinary Meeting of Council on 8 May 2018, Council resolved to request authorisation to prepare and exhibit Planning Scheme Amendment C116 which would allow the removal of covenants from the abovementioned properties. Authorisation was received on 8 June and the Amendment was subsequently exhibited for a period of six weeks from 26 July to 7 September 2018. During this time 20 submissions were received, nineteen objecting to the amendment as it relates to Woods Street and one refers to both sites stating no objection to the amendment.

As there were no submissions made regarding the land at 430-436 Blackshaws Road, Altona North, and there were 19 submissions relating to the land at 122 Woods Street, Newport, it is appropriate that the two properties be dealt with separately, requiring the amendment be split into two parts:

- Part 1: 430 - 436 Blackshaws Road, Altona North
- Part 2: 122 Woods Street, Newport

Former Altona Gate Primary School site, 430-436 Blackshaws Road, Altona North

As no objection was received regarding the Former Altona Gate Primary School site it is appropriate for Council to continue to pursue the removal of the covenants from this land. The lack of objections means that there is no need for Council to refer this matter to a planning panel. To ensure that this amendment is progressed in a timely manner it is proposed to be spilt from the exhibited amendment, adopted by Council and submitted to the Minister for Approval.

Former Council Kindergarten, 122 Woods Street, Newport

All of the submissions were in relation to the removal of the covenant at 122 Woods Street. Some foresee the covenant removal leading to the potential sale of the land and the consequential loss of a public asset. The amendment cannot be altered to address the majority of submissions, as many seek abandonment of the amendment. Concerns were expressed about the potential of the land to be developed for multi-unit housing in the future, with concern or perception that the area is experiencing growth beyond its capacity. One submission suggests that if not abandoned, the amendment could be changed such that the covenant still applies to the Woods Street frontage to retain a portion of the site for recreation.

As Council cannot amend the amendment to address all the submissions there are only two options available; to abandon the amendment as it relates to 122 Woods Street, Newport or refer the amendment to an independent panel, appointed by the Minister for Planning, to consider the submissions and provide advice to Council on a recommended way forward.

The options available to Council are:

Option 1: Refer the matter (122 Wood Street, Newport - Part 2) to an independent panel

Council could continue to progress the 122 Woods Street Newport component of the amendment, as exhibited, to panel. Refer the submissions to a panel and put forward Council's position that the covenant is out dated and unnecessary given the development of facilities nearby at Maddox Road. At the 14 December 2010 Ordinary Council Meeting, Council resolved to record Council's intent to sell the land, receive a further report in relation

to the sale of the land and transfer any proceeds to the capital works reserve. If the covenant is removed the potential sale will be subject to a public processes governed by the *Local Government Act 1989*.

Option 2: Abandon Part 2 of the amendment

Council could abandon Part 2 of the amendment, maintain the covenant on the two titles and develop the land for recreation. This option will still allow Council to sell the third title (fronting Laurie Street) should that be the preference, and following due process.

After considering the options and the intent of the Council resolution of the 14 December 2010 it is considered that Council is unable to resolve all submissions. Therefore all unresolved submissions should be referred to an independent planning panel for consideration. This gives both the community and Council to present their case to the Panel.

Strategic Alignment

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

Priority 1: Visionary, vibrant, accountable urban planning

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

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

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

Policy and Previous Council Reports

Former Altona Gate Primary School site, 430-436 Blackshaws Road, Altona North

Council has considered a report in relation to the removal of the covenant of the Former Altona Gate Primary School. The land has an approved development plan for the construction of 127 dwellings and associated infrastructure and amenities. All policies and previous Council decisions support the development of the land. Removing the current impediment created by the covenant provides for that outcome.

Former Council Kindergarten, 122 Woods Street, Newport

On 14 December 2010 Council resolved to record its intention to sell the property following the relocation of the Hobsons Bay Kindergarten and Toy Library to the Newport Gardens Early Years Centre and receive a further report with respect to the statutory procedures required to be adopted. Proceeds from the land were targeted to be retained for capital works infrastructure for use in the capital works program.

Council subsequently contemplated options available to remove the existing restrictive covenants from the property and in May 2018 Council resolved to pursue an amendment of the planning scheme to remove the restrictive covenants.

Council's Open Space Strategy 2018 considers that there is sufficient open space in this precinct for the current and expected future population, with Loft Reserve, Jack Madigan, Newport Lakes, Bryan Martyn Oval and the proposed park in front of the Mosque all within a walkable catchment of the site.

Legal/Statutory Obligations/Risk

The removal of the covenants from 122 Woods Street is a stand-alone process that provides an ability for Council to contemplate using the land for a wide range of uses within the provisions of the planning scheme. Council is unable to sell the land with the current covenant attached. If the covenant is successfully removed then Council can commence the sale of public land process is governed under the *Local Government Act 1987*, which is separate to this planning scheme amendment process.

Through the submission process the community has expressed concerns that Council's motivation to remove the covenants relates to selling the land. This forms the basis for the majority of the submissions and would therefore be the primary topic discussed at a panel hearing should there be one. Referring unresolved submission to a panel gives the community and Council an opportunity to present their submission to an independent body. The panel will then provide a detailed report responding to submissions back to Council for consideration.

Council will need to provide a detailed rationale and evidence to support why the covenant requires removal and Council's future intentions for the site. In addition evidence that the land is surplus to Council's needs through a Social Impact Analysis identifying that this site is no longer required for community uses.

Council is required under Ministerial Direction 15 to make a decision to request a panel hearing for an amendment within forty business days of the closure of the exhibition period.

Financial and Resource Implications

Pursuing the finalisation of the Blackshaws Road part of the amendment will have minor administrative costs associated with preparing the documents for submission to the Minister and no ongoing costs.

Pursuing a panel hearing for the Woods Street part of the amendment is likely to cost in the order of \$50,000 which will cover preparation of documentation, submission to panel, hearing attendance and panel fees. These costs will be incurred regardless of the position Council puts to the panel or the outcome of the panel.

Environmental/Social/Economic Impacts

The Amendment will have positive environmental, social and economic effects by enabling the efficient and sustainable use and development of the sites as anticipated by the Hobsons Bay Planning Scheme, and in the case of the Blackshaws Road site, the approved Development Plan.

Removal of the 430-436 Blackshaws Road covenants allows for development of the land in accordance with the approved Development Plan. This had been prepared and adopted following due consideration of environmental, social and economic impacts.

Efficient management of Council assets saw the relocation of the early years services to the new centre in Maddox Road, which considered community impacts. In addition, Council's Open Space Strategy 2018 considers that there is sufficient open space in this precinct for the current and expected future population. The removal of the covenants from the Woods Street site does not diminish the consideration of the environmental, social and economic impacts of future use of the land.

Consultation and Communication

The Amendment was exhibited for a period of six weeks from 26 July to 7 September 2018 which meets all the requirements of the *Planning and Environment Act 1987* and Council's consultation framework.

The amendment was advertised to the community by notification in newspapers, notification in the Victorian Government Gazette, letters to all potentially affected neighbours, on Council's website, signs on both sites and a community drop-in session.

If the covenant is removed the potential sale will be subject to further community consultation processes as governed by the *Local Government Act 1989*.

Officer Declaration of Conflict of Interest

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

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

8.4 Infrastructure and City Services

8.4.1 West Gate Tunnel Council Strategic Requests Report

Directorate: Infrastructure and City Services

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

Appendices: Nil

Purpose

To consider current requests from the West Gate Tunnel Project (the Project) including relocation of the 66KV power lines, use of Council land for the purposes of a construction compound and property acquisition.

Recommendation

That Council:

- 1. Approve in principal the use of The Avenue Reserve, South Kingsville by CPB John Holland Joint Venture (JV) for cable head poles and wires in accordance with the submitted design on a temporary basis only until a permanent more appropriate location can be established prior to September 2022, subject to a detailed agreement between Council and the JV, which defines the creation of easements and compensation to Council.**
 - 2. Approve the proposed temporary overhead relocated 66KV power lines within the SP Ausnet easement between the Newport rail line and the Brooklyn Terminal Station in the submitted design on the condition that it is placed underground by the JV prior to September 2022.**
 - 3. Not approve to lease a portion of The Avenue Reserve, South Kingsville to the JV for the purposes of establishing a construction compound on the basis that the proposed use is a prohibited use under the Hobsons Bay Planning Scheme.**
 - 4. Not approve the use of Hall Street Spotswood as a construction traffic route by the JV due to the environmental, amenity and visual impacts on the surrounding area, including the Emma McLean Kindergarten and that an alternative access be identified by the JV for Council consideration.**
 - 5. Approve:**
 - a) Land acquisition for the Project in Primula Ave, Brooklyn (approximately 25 square metres) subject to compensation**
 - b) Discontinuance of parts of the existing road reserves in Lynch Road Reserve, Brooklyn (Richards Court, Carlsson Court and Houston Court)**
 - 6. Approve the Chief Executive Officer to negotiate a final amount with Western Distributor Authority (WDA) as compensation for the acquisition of Council land described as Easements E-51, E-53 and E-54 – Hope Street, Spotswood (Part of Westgate Golf Course).**
-

Summary

This report presents a number of proposals by Western Distributor Authority and the contractors, CPBJH Joint Venture (JV) that require Council consideration and decision, including:

- relocation of 66KV electricity supply assets to the south of the freeway between The Avenue and the Brooklyn Terminal Station
- use of The Avenue Reserve, South Kingsville as a construction compound
- use of Hall Street and Simcock Avenue as a construction traffic haulage route
- acquisition of small parcels of Council land in WJ Crofts Reserve, Primula Avenue, Lynch Road Reserve and on Hope Street near Stony Creek.

The report discusses the impacts associated with these requests and provides officer recommendations. It is noted that approved project works within the project area under the *Major Transport Projects Facilitation Act 2009* do not require Council approval.

Background

At the Ordinary Council Meeting on 14 August 2018 Council adopted the Decision Making Framework to manage future requests for the Project. The Framework identifies operational matters to be considered by the Senior Management Group and strategic items requiring Council consideration. A number of current strategic and property items require Council consideration and are described below.

1. 66KV Power Relocation

The Tender Design that was subject to the Environmental Effects Statement for the Project proposed that the relocation of electricity supply assets would be contained within the designated Project area and mostly confined to the north of the freeway. Due to space constraints and power company requirements, the JV now intend to relocate the 66KV power lines to the south of the freeway. The proposed design now includes use of part of the existing reserve in The Avenue, Spotswood to locate six 14 metre high 66KV cable head poles and stays to transition from underground cables to over the rail lines connecting to temporary new poles and overhead lines connecting to the Brooklyn Terminal along the existing SPAusnet easement on the northern edge of Watson Street and the Precinct 15 development site (refer figure 1 below). The land requested in the Council reserve (about 40m x 27m) is outside the Project area.

The JV advise that undergrounding the cables under the rail lines is not feasible due to the proximity of the fuel lines (Exon fuel and APA gas), easier maintenance of overhead cables and the loss of power rating placing cables underground. This is discussed further below. A number of meetings have been held to discuss the proposal and to identify opportunities to minimise the impacts on surrounding community and future land use. The JV have now committed to relocate the poles in The Avenue reserve when they have access to the land immediately west of the rail line (Palmer's site) and will place the overhead lines in the easement to the Brooklyn Terminal underground prior to completion of the project.

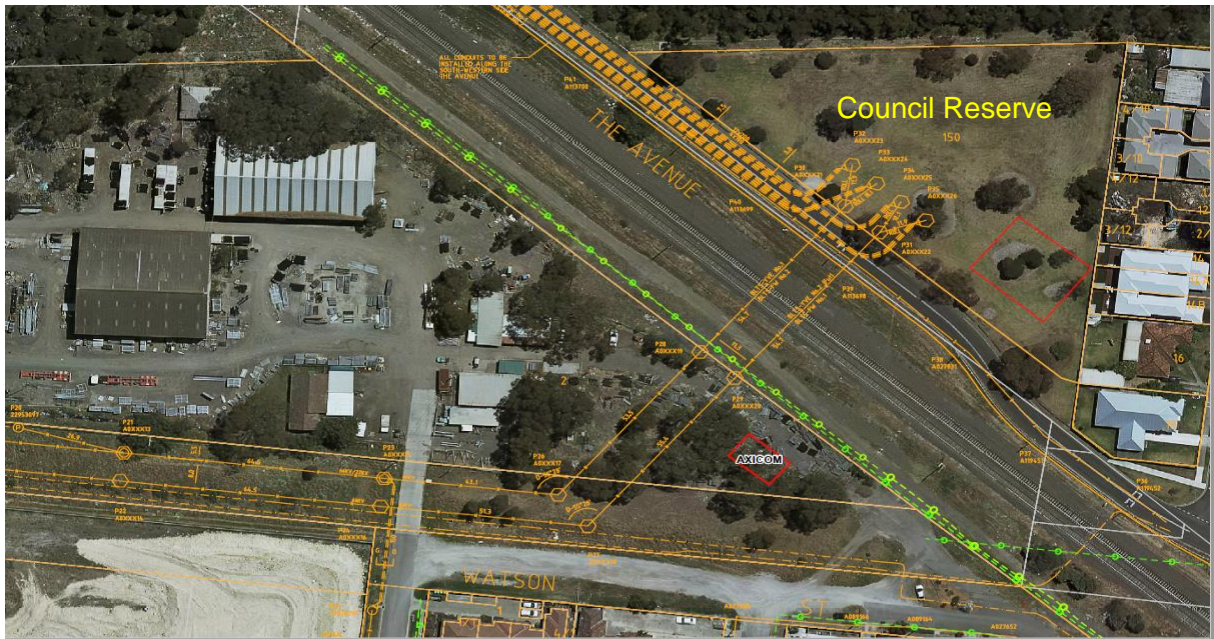


Figure 1

2. Construction compounds and haulage routes.

A number of compounds were approved within the Project area in the EES. An additional compound has now been requested by the JV (located outside the Project area) in The Avenue Reserve to facilitate the construction activity in that area. Also a request has been received to use Simcock Avenue and Hall Street Spotswood to access a compound north of the freeway adjacent to Stony Creek.

3. Council Property Implications

The approved Project design identified property required to be acquired for the road widening and associated ramps construction, including some small parcels of Council land. WDA has now advised Council that it intends to permanently acquire small sections of Council land in:

- Primula Avenue, Brooklyn
- WJ Crofts Reserve, Altona North
- Adjacent to Hope Street, Spotswood
- Lynch Road Reserve, Brooklyn

WDA and the JV have also requested Council consider the permanent closure of Paringa Road, Altona North at the intersection with Millers Road to facilitate the new freeway access ramp and noise walls. Whilst operational approval has been given for a temporary closure for the preliminary service relocations and construction access, a permanent closure will require more detailed consideration of the issues and impacts. Further information has been requested from the JV in terms of consultation with the surrounding businesses and residents and the traffic management impacts and a further report will be presented to Council when this is available.

Discussion

The following current Project requests impact on Council property and the Hobsons Bay community and are detailed in the following:

1. 66KV power lines and poles in The Avenue Reserve and Precinct 15

The following points have been provided by the JV as the basis of route selection for the Jemena (power transmission company responsible) 66kV relocation works for Fogarty Ave/The Avenue/AusNet Freehold Parcel corridor:

- north of the freeway poses significant operational and maintenance safety risks due to a high level of infrastructure congestion, with the proposed location a 1200mm storm water pipe, ITS (freeway management system) and Federation Trail
- crossing the freeway to the Brooklyn Terminal Station (BTS) as overhead would need to maintain horizontal clearance between 66kV and the proposed toll gantry, vertical clearance between the 220kV and the 66kV, and vertical clearance from the lowest point of the catenary to the freeway. The maximum pole height that Jemena have is 14m which will require an intermediate pole in the median of the freeway to support the conductor and maintain clearance from the freeway, this will also require 27m x 40m area on the north side of the freeway directly opposite the north eastern corner of the BTS boundary, which will require a fenced easement within private land parcel at 9 Cawley Rd, Yarraville
- crossing underground from north of the freeway directly to the BTS to mitigate all overhead clearance issues would require Jemena's 66 kV cable to be greater than 5m deep to avoid being impacted by the southern outbound portal excavation. The resulting reduction in cable capacity would render it inadequate to maintain network capacity

The JV has advised Council that Jemena have explored the above possible options and the primary factor of Jemena's current concept design is to reduce the risks for construction safety, operations and maintenance and mitigate potential network capacity reduction. The proposed overhead crossing of the Newport Rail corridor removes the interface safety risks with the two licenced pipelines, which are significant state infrastructure. The jet fuel line supplies Tullamarine Airport and the Transmission Gas line is the main Geelong and Werribee supply. From the discussion with the pipeline owners and from the information gathered by the project geotechnical investigation, it is understood that the pipelines were installed on top of the rock strata level. Boring under the existing licenced pipeline is deemed by asset owners as a high risk activity, which should be avoided where possible. The vibration of the horizontal drilling will damage the pipeline coating and likely to exceed the vibration limit thus causing stress to the pipeline joints. The JV note that the existing 22KV overhead powerline assets within the SPAusNet freehold easement are intended to remain. The visual impact and functional loss of open space on The Avenue Reserve need to be considered and it is noted that this power line relocation proposal was not included in the EES planning approval. The technical difficulties and safety risks of placing the lines under the rail lines and fuel lines raised by the JV are noted. Various locations within The Avenue Reserve to locate the CHP's have been investigated and an alternative preferred location in the north west corner has been suggested, however this would conflict with the proposed bridge works, a proposed construction compound (see below) and impact on the tunnel portal worksite west of the rail lines. The JV has committed to relocate the CHP's to this location prior to the Project completion. The location of the poles in the current design is considered satisfactory in the short term as a temporary measure as it results in low impact on the residents of Strong Street and reduces removal of the more established trees. Upon

completion of the WGTP works to be undertaken in the area, the poles will be relocated by the JV to a position in the north west of the Reserve (further away from residents) to optimise future use and functionality of the remaining open space.

If approved compensation would be required to be considered for the land value and also the value of loss of amenity trees. JV has suggested that a community benefit/infrastructure could be provided to an equivalent value as compensation and have asked HBCC for suggestions. HBCC has sought further information on the exact area of land required for valuation purposes and how the landscaping design for the Reserve (to be undertaken as part of the Project) will respond to the proposal. A planning permit is not required to use or develop land for a minor utility installation based on the current permit exemptions in the Planning Scheme.

The JV has now agreed to place the two rows of proposed temporary overhead 66KV power lines between the rail line and the BTS underground prior to the Project completion. The Project's design for the temporary relocated power lines (two rows) within the easement is represented in figure 2 below. The proposed landscape design for the new open space including pathways and proposed play space will be reported separately to Council.

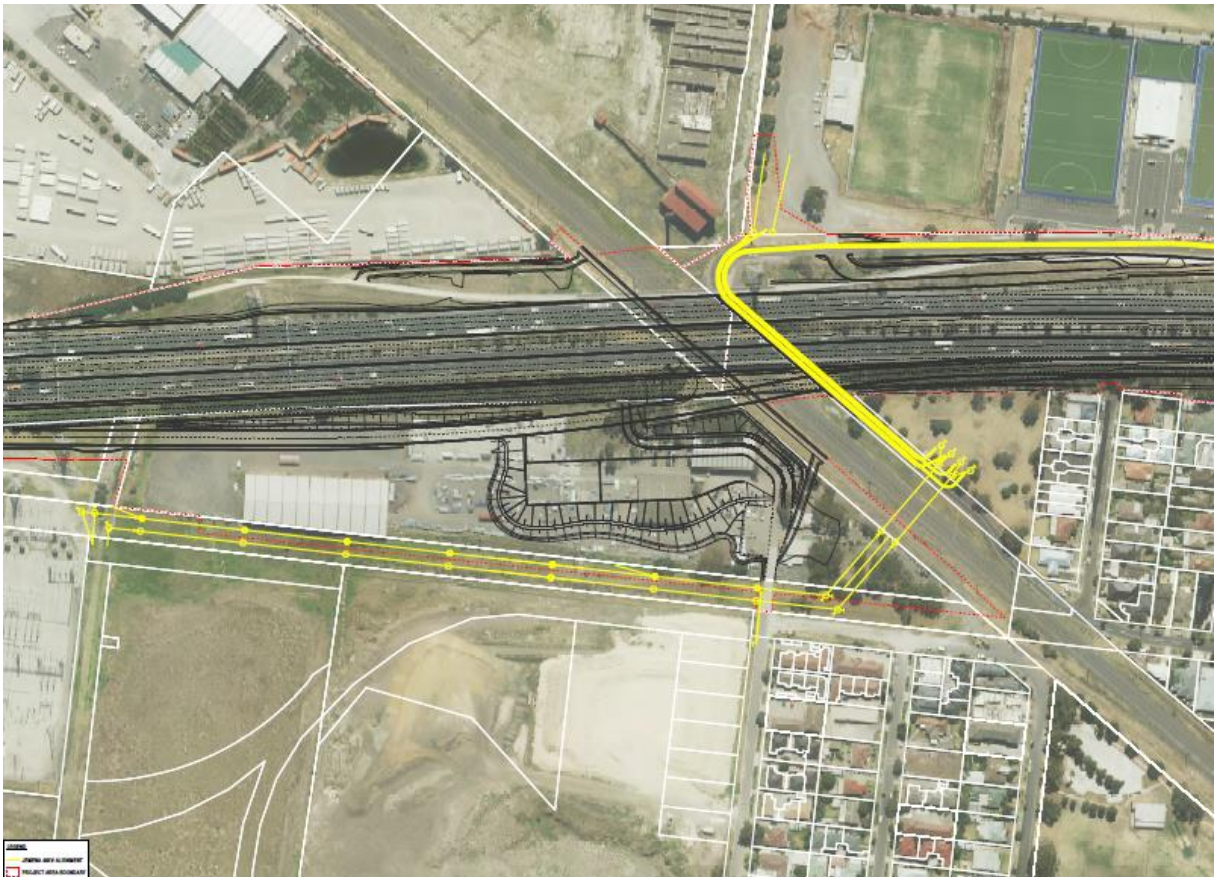


Figure 2

2. The Avenue Reserve Construction Compound

The JV has requested to lease a section of The Avenue Reserve, South Kingsville (approximately 3845 sqm) located adjacent to the Freeway and The Avenue for a construction compound for up to 2 years mainly for the installation of a new bridge over the rail line to cater for the freeway widening. Refer to figure 3 below.

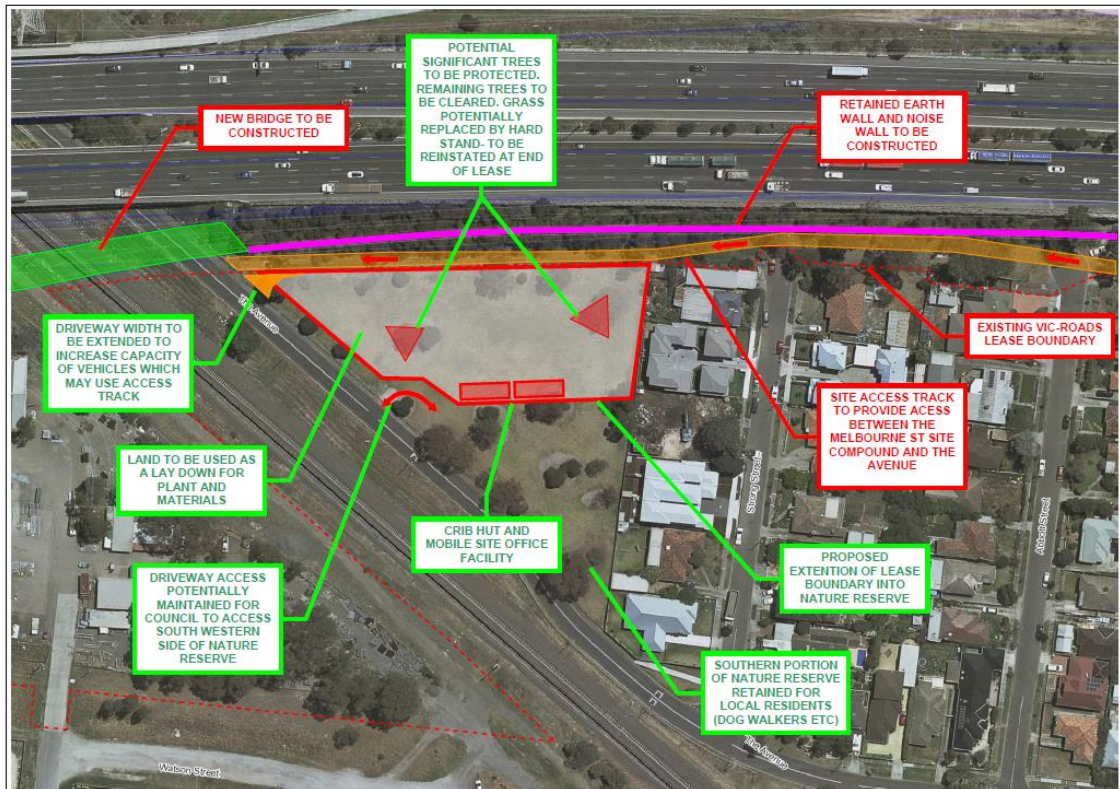


Figure 3

The reserve is zoned Public Park & Recreation Zone (PPRZ) and is within Design & Development Overlay 16 (DDO16). Under the PPRZ a contractor’s depot does not require a permit to use land for this purpose if it is a *use conducted by or on behalf of a public land manager* under relevant legislation. As it does not meet this condition, it reverts to a permit required use. As the proposed contractor’s depot is not associated with public land use it is prohibited and a planning permit cannot be issued to use land for this purpose or for the associated buildings and works. To overcome this issue, the Minister for Planning could amend the Incorporated Document to show the part of the reserve to be occupied as being within the project land boundary.

It is recommended that the request be denied on the basis that the proposed use is a prohibited use under the HBCC Planning Scheme.

3. Stony Creek Construction Compound and Site Access via Hall Street

The JV are seeking HBCC’s decision on access to a proposed storage site and construction compound adjacent to Stony Creek via Hall Street and Simcock Avenue (see figure 4 below). HBCC are Committee of Management of the Crown Land.



Figure 4

The site is an approved construction compound under the EES approval and most of the site is within the project area (exempt from planning permit) except for a small triangle in the middle. The Project advises:

In preparation for the build of the Hyde Street ramps the Project will need to stockpile some salvaged pavement material for construction of crane hardstands and access roads adjacent to the West Gate Bridge. The proposed stockpile location falls within Crown Land (owned by HBCC) which consists of an electrical easement due to the electrical tower which will be moved as part of the ramp works.

We estimate the number of trucks to be approximately 1,000 in total (30,000T / 28T). Likely to be in short bursts of say 35 trucks per day (5 per hour) when carting. Most of the material coming in will also be carted back out again. Haulage Route will be from Freeway, North on Williamstown Road, East on Francis Street and South on Hyde, turning right (West) into Simcock and right (North) again into Hall.

Hall Street is also in the project area and a designated construction route for the project. It is the only practical road route to access the compound. Council's adopted position on the Project states:

That Hall Street not be used as a construction traffic route due to the environmental, amenity and visual impacts on the Emma McLean Kindergarten and an alternative access is required to be identified.

Also heavy construction traffic loads on Hall Street and Simcock Road will likely accelerate deterioration of the existing very poor condition pavements and road surfaces and result in amenity impacts on properties, including the Emma McLean Kindergarten (EMK). The JV has agreed to provide a temporary screen along the rail line/Hope Street boundary at the EMK (see figure 5) but this will not be constructed until works on the Hyde Street ramps commence in approximately 18 months. EMK has not yet been consulted by the WGTP on

the early use of Hall Street as a haulage route and have expressed concerns to Council if the screen is not installed prior to this occurring.

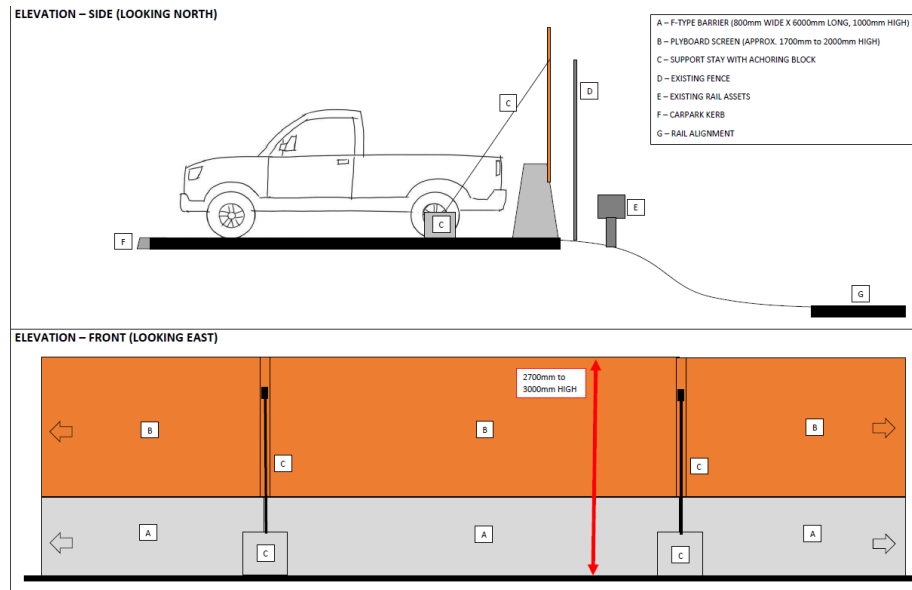


Figure 5

Given Council’s position on the use of Hall Street it is recommended that Council oppose the request and that JV consider arranging alternative construction traffic access through the adjacent vacant private industrial land.

4. Land Acquisition

In accordance with the tender design and the EES approval, WDA has advised Council that it intends to permanently acquire small areas of Council land as described below.

- a) Primula Ave, Brooklyn for the purposes of new noise wall establishment

The subject land parcel is located on Primula Avenue close to the intersection of

Millers Road in Brooklyn. The land highlighted in yellow below was previously required for temporary occupation purposes and on 13 March 2018, the Minister for Planning approved the inclusion of the subject land parcel as part of the project area for the Project. The JV’s detailed design has now identified a need to utilise a small portion of the subject land parcel for permanent works. The works involve construction of the noise wall along the proposed freeway boundary. The area impacted by the change is approximately 25sqm (hatched area in figure 6) and would not impact the use and access of Primula Avenue.



Figure 6

b) Lynch Road Reserve, Brooklyn

Notice has been received to discontinue parts of the existing road reserves within the open space under section 186 of the MTPF Act for the purposes of locating power poles and service requirements for the Project (see below figure 7):

- Richards Court
- Carlsson Court
- Houston Court

The use of these land parcels in the Project is consistent with the approved design and known impacts addressed in the EES.



Figure 7

c) WJ Crofts Reserve, Altona North

A minimal area on the northern boundary for the purposes of noise wall establishment is required for the Project. While the detailed area required has not yet been determined it is expected to be less than 100sqm and have no detrimental impact on the functionality of the reserve. This is consistent with the approved design and known impacts addressed in the EES. A valuation and offer of compensation has not been determined by WDA and will be presented to Council when available. Figure 8 below indicates the area impacted by the Project.



Figure 8

d) HBCC owned land within the West Gate Golf Course

An offer for compensation of \$70,000 has been received from WDA to acquire three parcels of Council land described as Easements E-51, E-53 and E-54 adjacent to Hope Street, Spotswood (highlighted yellow in figure 9) for the purposes of relocating the 220KV electricity towers and lines. The land is within the West Gate Golf Course and are remanent parcels from the original West Gate Freeway construction.

An independent valuation has been commissioned by Council. Should this valuation be higher than WDA's, a conference between the two valuers will occur to determine a recommended amount. It is noted that valuation and legal costs incurred by Council are recoverable costs payable by DEDJTR as part of the compensation. It is recommended that Council authorise the Chief Executive Officer to negotiate a final amount with WDA when the valuation is finalised.



Figure 9

Strategic Alignment

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

Priority 2: Community wellbeing and inter-connection

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

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

Goal 1: An inclusive and healthy community

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

1.3 Ensure all community members will have access to quality community, sport and recreation facilities, cultural experiences and open spaces to encourage a healthy and active lifestyle

Goal 2: A great place

2.5 Work with all levels of government and other stakeholders to improve our transport network and to address gaps and capacity in public transport, our roads, foot paths and cycle routes

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

3.2 Deliver and maintain well-designed, accessible and environmentally sustainable community assets

Goal 4: A Council of excellence

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

Policy and Previous Council Reports

On 26 August 2016 Council adopted the updated Hobsons Bay Position and Recommendations for the Western Distributor Project. Several Council policies and strategies were considered in the establishment of the adopted position on the Project and have been considered to inform the ongoing review of the preferred design and submission to the Environment Effects Statement for the West Gate Tunnel. Council has received numerous reports regarding officer assessments of the Project design development, community engagement and advocacy activities undertaken in response to the Project. More recently Council endorsed the decision making framework for Council's consideration of strategic requests from the Project.

Legal/Statutory Obligations/Risk

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

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

Council approval is not required for works within the Project Area as defined under the *Major Transport Projects Facilitation Act 2009*. Under the Planning Scheme Amendment, the construction and operation of the project must be generally in accordance with the plans and in accordance with the Environmental Performance Requirements (EPRs). The Project Co (Transurban) must work within the Project Scope and Requirements and also the Construction Licence entered into with the State Government.

For works on Council land outside the Project Area, the contractors CPBJH Joint Venture must negotiate directly with Council to gain approval for its use and comply with conditions that Council may impose.

Financial and Resource Implications

Significant officer time has been committed in responding to the Project requests for advice, information and comment. Design packages are still being reviewed and daily requests are being received now that construction is underway. A resource funding agreement has been developed.

Environmental/Social/Economic Impacts

The environmental, social and economic impacts of the project to the Hobsons Bay community have been described in detail through the EES and will be monitored and mitigated through the implementation of the Environmental Performance Requirements (EPR's) for the Project.

Local procurement, jobs and business development will be a key objective for the further planning and delivery of the works.

Consultation and Communication

The West Gate Tunnel Project includes a consultation and communication process. A Project EPR requires the development of a detailed Communications and Community Engagement Plan which will link closely with the proposed EPR's requiring a Traffic Monitoring and Management Plan, Business Involvement Plan and Community Involvement and Participation Plan.

Council officers continue to have regular deputations with the Project and the respective State Government department representatives.

Officer Declaration of Conflict of Interest

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

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

8.4.2 Dennis Reserve Draft Master Plan

Directorate: Infrastructure and City Services

Councillor Portfolio: Active and inclusive communities

Cr Peter Hemphill and Cr Michael Grech

Appendices: 1 Draft Dennis Reserve Master Plan

Purpose

To recommend the public exhibition of the draft Dennis Reserve Master Plan. Consultation will be undertaken over a four week period which will include community drop in sessions and online feedback opportunities via Council's online forum Participate.

Recommendation

That Council:

- 1. Endorse the public exhibition of the draft Dennis Reserve Master Plan for four weeks between 15 October 2018 and 15 November 2018.**
 - 2. Receive a further report following the public exhibition period.**
-

Summary

At the 10 July 2018 Ordinary Meeting of Council, Council resolved to prepare a draft Dennis Reserve Master Plan based on the inclusion of four tennis courts in keeping with option 4 as presented, and upon completion of the draft Dennis Reserve Master Plan undertake a public exhibition process.

A draft Dennis Reserve Master Plan has now been prepared which includes the staged planning for:

- demolition of the existing Ladies Bowling green and pavilion
- four tennis courts
- new multi-purpose community building catering for the needs of user groups within the Williamstown Senior Citizens Centre and the Williamstown Central Tennis Club.
- upgraded open space areas and features

The draft Dennis Reserve Master Plan will be on public exhibition for four weeks between 15 October 2018 and 15 November 2018, prior to the final master plan being presented to Council for endorsement.

Background

Following the amalgamation of the Williamstown Ladies Bowling Club (WLBC) and the Williamstown Bowling Club (WBC) in 2012, the WLBC bowling green and pavilion on Dennis Reserve have remained unutilised and fenced off from the rest of the reserve. The future use of the site has been the subject of submissions and reports since 2011.

In July 2015 the Dennis Reserve Master Plan working group was established to engage with interested stakeholder groups to assist Council by making a recommendation on the future use of the former WLBC site and the plans for Dennis Reserve. Seven working group meetings were conducted with breaks prior to the 2016 Council elections, and to allow time for the completion of the Hobsons Bay Open Space Strategy, Sports Facility Needs Analysis and Tennis Needs Assessment.

The now completed and endorsed Tennis Needs Assessment and Sports Facility Needs Analysis identified the need for additional tennis courts across the municipality with a specific shortage identified in Williamstown. Dennis Reserve was identified as a site for two additional tennis courts. The Open Space Strategy acknowledged Dennis Reserve as an important open space in Williamstown, a precinct that is viewed to have an adequate supply of open space areas.

At the 10 July 2018 Ordinary Meeting of Council, Council noted the recommendations made by the Dennis Reserve Master Planning Group and resolved to prepare a draft Dennis Reserve Master Plan based on the inclusion of four tennis courts.

Discussion

The draft Dennis Reserve Master Plan addresses the resolution from the July 2018 Ordinary Council Meeting and includes a staged plan for the provision of:

- demolition of the existing ladies bowling green and pavilion
- the reconfiguration of existing courts to accommodate four tennis courts
- new multi-purpose community building catering for the needs of Williamstown Senior Citizens Centre user groups and the Williamstown Central Tennis Club.
- upgraded open space areas and features

The realignment of the tennis courts provides the best use of the space within Dennis Reserve to accommodate tennis needs and increase the availability of functional open space.

Three stages have been identified to implement the draft Dennis Reserve Master Plan:

Stage 1: Demolish the ladies bowling green and pavilion, the Williamstown Central Tennis Club pavilion and the two existing courts; and construct four new courts.

Stage 2: Reconstruct the central east/ west pathway connection, construct a new central open space area with a playspace, construct perimeter pathway along Melbourne Road and update southern playground.

Stage 3: Demolish the Williamstown Senior Citizens Centre and construct the new multi-purpose community pavilion.

The draft Dennis Reserve Master Plan will be placed on public exhibition period for four weeks between 15 October 2018 and 15 November 2018. The public exhibition period will include:

- two community drop in sessions at the Williamstown Senior Citizens Centre; one on a week night and one on a weekend (dates to be confirmed)
- exhibition of the draft Master Plan on Council's online forum 'Participate'

- promotion of the draft Master Plan through Council's social media platforms
- preparation of a media release to advertise the draft Master Plan

Strategic Alignment

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

Priority 2: Community wellbeing and inter-connection

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

Goal 1: An Inclusive, Resilient and Healthy Community

- 1.2 Deliver, support and facilitate projects and programs that encourage equity and diversity, so everyone can reach their full potential

The draft Dennis Reserve Master Plan aligns with recommendations from the Tennis Needs Assessment, Sports Facility Needs Analysis and Open Space Strategy.

Policy and Previous Council Reports

Dennis Reserve has been the subject of numerous Council reports over recent years as shown below;

- at the 12 November 2013 Ordinary Meeting of Council, submissions and a petition were acknowledged, and a public consultation process was endorsed.
- presentations to Councillors by three submitters in March 2014.
- at the 12 May 2015 Ordinary Meeting of Council, a long term plan for Dennis Reserve was presented to Council. Council deferred the motion for further consideration and decided to convene a meeting with all interested parties and Councillors prior to further consideration.
- at the 9 June 2015 Ordinary Meeting of Council, following the earlier public meeting on 1 June 2015 Council resolved to develop a master plan for Dennis Reserve and to establish a stakeholder reference group to assist Council in the master plan process.
- at the 12 June 2018 Ordinary Meeting of Council, Council adopted the Hobsons Bay Open Space Strategy, Sports Needs Analysis Final Report and Tennis Needs Assessment Final Report.
- at the 10 July 2018 Ordinary Meeting of Council, Council noted the recommendations made by the Dennis Reserve Master Planning group and resolved to prepared a Draft Dennis Reserve Master Plan based on the inclusion of four tennis courts.

Legal/Statutory Obligations/Risk

In conducting the assessment of the site, consideration has been given to:

- heritage
- soil conditions

- existing trees including the engagement of an arborist in relation to the potentially historic nature of trees on the site
- site boundaries from a planning perspective

A traffic study was conducted modelling future potential impacts of changed use. This work has been undertaken to consider and mitigate the potential risks associated with additional works on the site.

Financial and Resource Implications

The preparation of the draft Dennis Reserve Master Plan has captured preliminary work which required the engagement of external experts including advice from an arborist, heritage advisor, soil testing, building inspection and a traffic study.

Urbis Consulting were also engaged to assist the Master Plan group in formulating concept plans and options, and have been engaged to develop the Draft and Final Dennis Reserve Master Plan. In total approximately \$75,000 has been expended on the project to date.

The capital costs associated with the implementation of the Dennis Reserve Master Plan will be finalised following the public exhibition period and included with the final master plan report. There is no funding allocated within Council's Capital Works Program to undertake works on the reserve or buildings on Dennis Reserve. Funding for the implementation of the Dennis Reserve Master Plan will be subject to Council's annual budget approval process.

Environmental/Social/Economic Impacts

The development of the draft Dennis Reserve Master Plan has sought to respect and respond to the reserve's key environmental and social features. This has been achieved by protecting the heritage palms, improving access through the reserve, improving the condition of path surfaces and the installation of path lighting. These works will encourage greater use and increased pedestrian access throughout the reserve and the local Williamstown neighbourhood.

Consultation and Communication

As previously indicated in the report and in the timeline, Council has been engaging with the community in relation to Dennis Reserve since 2013.

Council has undertaken recent consultation through the formation of the Dennis Reserve Master Plan working group that has been chaired by either Ward Councillors or the Mayor of the day. The group has been meeting since 2015, going into hiatus during the election period late 2016, then meeting again in June 2018 to provide feedback to Council following the completion of the Sports Facility Needs Analysis, Tennis Needs Assessment and Open Space Strategy. It is noted that this group has now completed its task and has been wound up.

The development of the draft Dennis Reserve Master Plan has included engagement with tenants of the Williamstown Senior Citizens Centre and the Williamstown Central Tennis Club to understand future facility needs. The Williamstown Bowling Club has also been consulted on the development of this plan.

The draft Dennis Reserve Master Plan will be placed on public exhibition period for four weeks between 15 October 2018 and 15 November 2018.

Officer Declaration of Conflict of Interest

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

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

8.4.3 Altona Beach Precinct - Trial Seasonal Closure

Directorate: Infrastructure and City Services

Councillor Portfolio: Integrated transport

Cr Jonathon Marsden and Cr Sandra Wilson

Appendices: 1 Altona Seasonal Trial - Recommended Option

2 Altona Precinct Seasonal Trial - Concept Plan

Purpose

To provide an update on the Altona Beach Precinct - Trial Seasonal Closure Project (Formerly named Pier Street Revitalisation Project), including the preferred trial option, activation measures and the key stakeholder and community notification process for the project.

Recommendation

That Council

- 1. Endorse the Altona Beach Precinct - Trial Seasonal Closure Project for the 2018-19 summer season.**
 - 2. Undertake broader community consultation during the trial period and share Trial Seasonal Closure outcomes with the broader community early next year.**
-

Summary

Council has allocated \$150,000 in the 2018-19 Capital Works Program for the Altona Beach Precinct – Trial Seasonal Closure Project (Formerly Pier Street Revitalisation Project). Following Councillor briefing sessions, several meetings with the local traders association and the Altona Surf Lifesaving Club, a preferred trial option has been developed.

The trial area will include temporary closure of the Esplanade, Altona between Bent and Pier Streets, activation of the road reserve in this zone and the installation of parklets to facilitate extended cafe trading along Pier Street. Closure of this section of the Esplanade and activation will run over the 2018-19 summer period for approximately eight to ten weeks as attached in Appendix 1.

Background

Over recent years, Council has undertaken numerous strategic studies and plans for areas within the southern portion of Pier Street and the Altona Beach Activity Centre (south of Queen Street). Based on consultation from previous staged works within Pier Street, there was a desire to examine what other possible streetscape outcomes could be realised within the southern portion of Pier Street given its relationship with key public open space (Logan Reserve, Weaver Reserve, Altona Beach and the Altona pier), its civic role and high quality commercial address.

A series of project objectives have been developed based on a number of strategic studies and past streetscape works within Pier Street and the Altona Beach Activity Centre including:

- establish a strategic direction on the future development of Pier Street and its integration with the broader Altona Beach Precinct
- address functional issues such as traffic/ pedestrian movements and parking configurations
- improve pedestrian connectivity and accessibility
- enhance the streetscape character, presentation and image
- review previous staged work and identify improvements that will harmonise the entire streetscape
- provide flexible streetscape elements to support community events and street activation activities
- identify opportunities to support local businesses and economic development
- engage with local traders, stakeholders and the local community to achieve a high level of stakeholder satisfaction

Discussion

A recommended trial option (see Appendix 2) has been developed following recent feedback from the Altona Village Traders Association, Altona Life Saving Club (ALSC), local traders and staff from City Services, Capital Works and Economic and Cultural Development departments.

The trial proposes a series of test zones to occur along the eastern side of the bottom section of Pier Street and the Esplanade (between Bent and Pier Street).

Zone 1 - To inform future planning for streetscape works within this section of Pier Street, an extended footpath trial is proposed. Within this zone, car parking spaces will be temporarily reimaged as increased public space and include a number of 'parklets' for outdoor dining/trading and bicycle parking.

Potential implementation of time restrictions could be applied to the car parking spaces on the western side of Pier Street to encourage quicker turnover and help offset the loss of parking used within this test zone.

Zone 2 – There is opportunity to activate the frontage of Weaver Reserve and encourage increased pedestrian activity along the eastern side of Pier Street. This zone will assist in linking the test zones together and promote safe pedestrian connections from Pier Street to the beach.

The remainder of the car parking spaces on the western side of Pier Street will remain unchanged and fully accessible to vehicles although time restrictions may be introduced.

Zone 3 - As part of Council's Altona Summer Safety planning framework it was identified that there was a need to improve pedestrian access, safety and amenity particularly at key intersections along the Esplanade. A road closure trial is proposed to along the Esplanade (Between Pier and Bent Streets) and to occur during this upcoming peak summer / holiday period. This space would be car-free allowing improved beach connection and could continue to support existing programmed events i.e. Australia Day In Altona celebrations, Life Saving Club triathlon events, Altona Village Market etc.

The key benefits of trialling a road closure of this section of the Esplanade (from Pier Street to Bent Street) includes:

- no loss of parking on the Esplanade
- Pier Street closure at the Esplanade is not required
- self-directed and passive activities could occur on the road reserve in addition to allowing recreation vendors such as bicycle hire paddle boards etc.

This recommended option addresses many of the benefits of a broader Esplanade closure without the negative traffic, car parking and amenity impacts. It is noted that such a trial would also provide the opportunity to extend the scope in subsequent years should the 2018-19 trial prove successful.

Strategic Alignment

This report specifically addresses the following priorities of the Hobsons Bay 2030 Community Vision:

Priority 1: Visionary, vibrant, accountable urban planning

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

Goal 2: A great place

- 2.5 Work with all levels of government and other stakeholders to improve our transport network and to address gaps and capacity in public transport, our roads, foot paths and cycle routes

Policy and Previous Council Reports

Previous policies and reports include:

- The Altona Beach Activity Centre, Urban Design Framework 2008
- Pier Street Concept Plan 2009
- Council Briefing Report dated 31 October 2017
- Council Briefing Report and presentation 17 July 2018
- Council Briefing Report and presentation 21 August 2018

Legal/Statutory Obligations/Risk

The community information sharing process for the proposed temporary closure of the Esplanade, Altona (Pier Street to Bent Street) will ensure affected stakeholders are notified on the proposal in accordance with requirements of the *Local Government Act 1989*.

Financial and Resource Implications

\$150,000 is allocated in the 2018-19 budget to progress this project, and to implement temporary road trials and place making opportunities during the 2018-19 summer period. Funding for physical works will be subject to future budget processes.

Environmental/Social/Economic Impacts

The benefits of the Altona Beach Precinct seasonal road closure will have far reaching impacts to the local community and traders. Creation of an attractive and vibrant shopping centre will encourage social activity, increase trader confidence and support a safe and comfortable public realm.

Consultation and Communication

On 19 September 2018 at the Municipal Emergency Management Planning Committee meeting (including representatives from VicPol, Ambulance Victoria, Metropolitan Fire Brigade, VICSES and other emergency service authorities), Council officers had presented two road closure options of the Esplanade, Altona. The options presented included the trial closure of the Esplanade from Bent Street to Pier Street (as outlined in the recommended option of this report) and from Bent Street to Sargood Street. The feedback received from the group indicated support for a reduced closure of the Esplanade (from Bent Street to Pier Street) as it was considered as the safer option and results in less extreme impacts to the local precinct.

Council officers have convened several meetings with AVTA and the ASLSC, presented at two Council Briefings and held discussions with Cherry Lake Ward Councillors and there is support for the preferred option.

Following an endorsement to proceed with the preferred trial option, Council officers will commence community and local resident notification process of the proposed trial. Officers will undertake a number of communication methods including social media, public advertising and letter drop to all affected residents, traders and service providers within the immediate precinct.

Design and programming for the trial will continue to be discussed and planned internally with key departments including City Operations, Cultural and Economic Development, Capital Works and Local Laws. Further consultation will also be held with immediate traders and AVTA to confirm the final design including implementation and logistical issues.

Officer Declaration of Conflict of Interest

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

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

9 Delegates Reports

Directorate: Corporate Services

Purpose

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

Recommendation

That Council receive and note the recent Delegates Reports.

Delegates Report - Metropolitan Transport Forum Councillor Delegate: Cr Jonathon Marsden

Report

Date of Meeting: 1 August 2018

A presentation from the CEO of Infrastructure Victoria, focused on their recent report *Five-year focus: Immediate actions to tackle congestion*. The potential actions include:

- off-peak fares for public transport to increase ridership outside peak periods
- increase the inner city car parking levy and expand the area in which it operates
- an overhaul of the underperforming bus network to improve its performance
- better allocation of road space to improve traffic flows and facilitate active transport

It was advised that Infrastructure Victoria's 30 year strategy will be refreshed in early 2019 to coincide with the newly elected Government. The strategy will have a focus on integrated transport and land-use planning. This refresh will make greater use of the Melbourne Activity-Based Model (MABM) developed by KPMG and Arup. The model helps understand how people travel and forecasts how people are likely to travel in the future, as well as the impacts on the transport network.

Infrastructure Victoria has also released a report on automated and zero emission vehicles. The report investigates the potential impacts on infrastructure, financial outcomes for the different levels of government, information and communication technology, energy and land-use. The report examined these aspects by applying scenarios with different levels of uptake and different technologies.

The Town Hall meeting for Hobsons Bay and the Inner West will be held on Wednesday 17 October at 6.30 pm at the Williamstown Town Hall. This meeting will include representatives from all major parties who will be asked transport related questions which they will need to answer in relation to how their party will address the issues if elected. Tickets are available at www.eventbrite.com.au

Delegates Report - Metropolitan Local Government Waste Forum Councillor Delegate: Cr Angela Altair and Cr Colleen Gates

Report

Date of Meeting: 9 August 2018

Key items of this meeting included announcements to the Minister appointed skills based Board Directors of the Metropolitan Waste and Resource Recovery Group (MWWRG). Also a presentation by Huong Truong, MLC on the Victorian Greens Party's position on the long term visions for waste and resource recovery. Key elements of the Green's presentation include the following:

- support for the recent reform to the *Environment Protection Act* 1970 that allows reporting that avoids pollution issues versus responding to pollution that has already occurred
- an election package that includes container deposit legislation and funds for communities that innovate to end plastic pollution. Also a waste plan that will focus on a circular economy
- concern about the mitigation and management of emissions from waste to energy facilities and lack of investment from the Sustainability Fund
- support for the standardisation of waste and recycling services and recovery of organic waste

The MWWRG's Chief Executive Officer also provided an update on the MWRRG's activities. These included the following:

- activities relating to the recycling industry global reforms
- the bans of electronic waste being sent to landfill
- the development of a food waste recycling guide for councils to use when implementing food in green waste bin collection services
- working with the commercial and industrial sector targeting food and soft plastic waste
- developing a business case through funding from the Western Partnership for a waste and resource recovery centre of excellence hub
- finalising the regional business case for advanced waste and resource recovery processing in metropolitan Melbourne
- a review during 2018-19 of the Metropolitan Waste and Resource Recovery Implementation Plan

The Department of Environment, Land, Water and Planning provided an update on their activities in the waste and resource recovery space including the following:

- the development over the next two years of a circular economy policy for government decisions in waste and resource recovery
- researching options for better source separation of waste and recycling over the next twelve months

- the legislation by 2019 of the plastic bag bans
- the approval of the reforms to the *Environment Protection Act 1970*
- the implementation of Environment Ministers commitments in April 2018

**Delegates Report - Planning Portfolio Advisory Committee
Councillor Delegate: Cr Tony Briffa and Cr Michael Grech****Report****Date of Meeting: 3 September 2018**

The inaugural meeting of the Planning Portfolio Advisory Committee provided an informal opportunity for members to meet, learn about each other and talk about their motivations for nominating for the Committee. The meeting took the Committee through a range of activities and provided an overview of the terms of reference, selection process and purpose of the Committee. Behaviour expectations, confidentiality, the role of the Committee and influence over outcomes were clearly established.

The Committee was introduced to a range of policy and projects currently under way or recently completed across the organisation to illustrate the variety of matters the Committee may be asked to consider and provide feedback. The session was well received and members are enthusiastic about their involvement.

**Delegates Report - Mobil Altona Refinery Community Liaison Committee
Councillor Delegate: Cr Peter Hemphill****Report****Date of Meeting: 5 September 2018**

The Committee discussed the operation report in line with the EPA license agreement for emission of sulphur dioxide, noise and particles limit from the stacking monitor. Community enquiries to the Mobil hotline reported six unverified odour complaints each for July and August in the Newport East area. These resulted in a joint investigation with the EPA to try and determine the source. EPA is planning spot checks and monitoring in the area.

Community Engagement projects included donation of furniture to two local community centres and a kindergarten, organisation and sponsoring of Opera Australia's children's performances which enabled 1,000 primary school children to attend at two sessions at the Williamstown Town Hall in August, dispersion of Bright Future Grants to 24 schools and kindergartens and ongoing tree planting and weed control along Kororoit Creek.

Altona groundwater monitoring: 12 new groundwater wells installed, water sampling (groundwater sampling of 79 wells and surface water sampling at 10 locations) along Kororoit Creek was conducted in July and August, results pending and will be reported to the EPA.

A trial shutdown of Extraction Line 3 (EL3) as part of the Remediation System was conducted between November 2017 and May 2018. The trial is now complete and results are currently being reviewed by an independent auditor. If the trial was successful the operation of re injection lines and EL2 are planned to be reviewed.

Construction of a new crude oil tank in the North Crude Tank Farm which will take the refinery's storage from 220 million to 320 million litres will commence soon and expected to be completed in 2020.

Upcoming maintenance activities will occur from 1 October 2018 to approximately 15 November 2018 and will result in additional staff on site and an increase in flaring with potential noise impact on residents. Residents in Altona North and Seaholme will be notified by letter.

**Delegates Report - Integrated Transport Portfolio Advisory Committee
Councillor Delegate: Cr Jonathon Marsden and Cr Sandra Wilson****Report****Date of Meeting: Wednesday 12 September**

The inaugural meeting of the Integrated Transport Portfolio Advisory Committee provided an opportunity for members to meet, learn about each other and talk about their motivations for nominating for the Committee. The meeting took the Committee through a range of activities and provided an overview of the Terms of Reference, selection process and purpose of the Committee. Behaviour expectations, confidentiality, the role of the Committee, and influence over outcomes were also clearly established.

The Committee was introduced to the recently adopted Integrated Transport Plan 2017 – 2030 and related policy and project work that is currently already underway. The Committee was asked about their particular areas of interest relating to the plan to identify the most productive ways for involvement in its ongoing implementation. Future meetings of the group were discussed with the Committee displaying an interest in a meeting before the new year if possible and a willingness to actively contribute in the short term. Overall the session was well received, the dynamic and composition of the Committee was well balanced, and members were enthusiastic about their involvement going forward.

**Delegates Report - Smart Cities Portfolio Advisory Committee
Councillor Delegate: Cr Angela Altair and Cr Peter Hemphill****Report****Date of Meeting: 13 September 2018**

The inaugural meeting of the Smart Cities Portfolio Advisory Committee provided an informal opportunity for members to meet, learn about each other and talk about their motivations for nominating for the Committee. The meeting took the Committee through a range of activities and provided an overview of the terms of reference, selection process and purpose of the Committee. Behaviour expectations, confidentiality, the role of the Committee and influence over outcomes were clearly established.

The Committee was introduced to a range of Smart City strategy, policy, and projects currently under way or recently completed across the organisation to illustrate the variety of matters the Committee may be asked to consider and provide feedback. The session was well received and members are enthusiastic about their involvement.

Delegates Report - LeadWest
Councillor Delegate: Cr Jonathon Marsden

Report

Date of Meeting: 15 September 2018

A LeadWest Special Meeting was held on Wednesday 15 September 2018.

The purpose of the meeting was to discuss the CEO Transition Plan from the current CEO to an Interim CEO. The current CEO, Craig Rowley will step down from this role on 26 November 2018.

Chris Eddy has been appointed as the Acting CEO and will undertake this role until February 2019.

A timeline for key events and responsibilities was discussed and agreed upon.

**Delegates Report - Social Wellbeing and Community Services
Councillor Delegate: Cr Colleen Gates and Cr Tony Briffa****Report****Date of Meeting: Wednesday, 19 September 2018**

The inaugural meeting of the Social Wellbeing and Community Services Portfolio Advisory Committee provided an opportunity for members to meet, learn about each other and talk about their motivations for nominating for the Committee. The meeting took the Committee through a range of activities and provided an overview of the Terms of Reference, selection process and purpose of the Committee as well as behaviour expectations, and confidentiality.

The committee was introduced to the complementary roles of Community Development and Social Policy and Planning, outlining priorities within work plan areas.

Future meetings of the group were discussed with the Committee displaying an interest in a meeting before the new year if possible. The session was well received, the dynamic and composition of the Committee was well balanced, and members were enthusiastic about exploring their involvement going forward.

**Delegates Report - RoadSafe Westgate Community Road Safety Council Inc.
Councillor Delegate: Cr Sandra Wilson****Report****Date of Meeting: 19 September 2018**

The RoadSafe Westgate Community Road Safety Council Annual General Meeting was held on 19 September 2018 with Jim Giddings re-elected as Chair.

The Ordinary meeting reported on the status of the draft RoadSafe Westgate Council Strategic Plan. This plan proposes a new governance structure comprising a Board supported by a number of technical works groups. The strategic plan focuses on engagement and advocacy, finance, road safety technical and operational support, education and innovation, community and regional agency and stakeholder engagement and governance.

The Roadsafe Westgate Council has endorsed a transition period of up to 12 months to implement the new structure to progress the implementation of the strategic action plan.

Current Hobsons Bay City Council activities reported included:

- the West Gate Tunnel Project and Level Crossing Removal (Aviation Road Laverton) – response to authority requests, Council reporting and liaison
- liaison with Transport for Victoria to progress the Northern Local Area Movement and Transport Plan
- school crossing audit to confirm necessary works to ensure compliance and safety
- progression of the Local Area Movement and Transport Plans for Laverton, Altona Meadows and Seabrook development
- VicRoads and TAC Funding applications seeking to support local safe streets within school zones and key activity areas

Delegates Report - Arts, Culture and Tourism**Councillor Delegate: Cr Angela Altair and Cr Colleen Gates****Report****Date of Meeting: 20 September 2018**

The inaugural meeting of the Arts, Culture and Tourism Portfolio Advisory Committee (the Committee) provided an informal opportunity for members to meet, learn about each other's interest and backgrounds and talk about their motivations for nominating for the Committee.

Nine members were in attendance, along with two Co-chairs and two Council officers, three members were an apology. The meeting was facilitated by a representative from Mosaic Lab. The session included the terms of reference, purpose of the Committee and their advisory role.

A brief overview of the Council's work in the areas of arts, culture and tourism was presented to the group as well as an outline of the kinds of topics that would suit discussion, for consideration as future agendas. The Committee was provided with relevant strategic documents and programs to take away and read.

The session was very well received. Positive energy and cohesion of the group was immediate and members are enthusiastic about their involvement. The group have requested more opportunities to meet and would like the ability to network with each other, share biographies and connect outside of the official framework.

10 Notices of Motion

10.1 Notice of Motion No. 1207 – Inner West Truck Plan

Councillor Portfolio: Integrated transport

Cr Jonathon Marsden and Cr Sandra Wilson

Cr Sandra Wilson and Cr Jonathan Marsden have given notice of the following:

“That Council initiate discussion with the Victorian Transport Association and the Minister for Roads on the recently announced Inner West Truck Plan (IWTP) to:

a) Ensure that a plan which has benefits for the “Inner West” (actually only residential roads in Maribyrnong), does not have negative impacts on residential roads in other parts of the road network, particularly Hobsons Bay;

b) Express the need for extension of the plan to roads in Hobsons Bay, such as Millers Road, Blackshaws Road and Melbourne Road to improve the air quality and road safety in Hobsons Bay’s residential areas where truck movements are increasing and will continue to increase;

c) Ensure that the various traffic studies and constituted groups relating to the Westgate Tunnel Project, such as the Millers Road Corridor Study Working Group, Air Quality Reference Group, Traffic Management Liaison Group, and others that have commenced (or are yet to commence) consider the impacts of the IWTP on road freight movements within the City of Hobsons Bay;

d) Seek to understand how the IWT plan to alter truck movements affects the Western

Transport Alliance Freight Infrastructure Investment Plan, for which the six councils of LeadWest have requested further funding from the State and Federal Governments.”

Rationale: To date Council has not had engagement with or an approach from the VTA on issues of truck movements within the municipality or as a result of the proposed increased truck movements that are likely to occur on local roads due to the WGTP. It is commendable that there has been engagement between the VTA and the Maribyrnong Truck Action Group to recognise the impact of trucks on air quality, road safety and congestion and develop a plan that goes some way to mitigating the impacts. The road network on which trucks travel in the inner west is not confined to the roads in Maribyrnong, which is designated here in the IWTP as the “inner west”. Significant volumes of truck traffic move in and between industrial areas, onto freeways and on many residential roads within Hobsons Bay, and this truck traffic is anticipated to increase, especially on Millers Road (some 7000 extra trucks per day) resulting from the WGTP. It stands to reason that the provisions of the plan to other similar areas nearby will result in better outcomes on Hobsons Bay’s roads especially for residents living near and using the interconnected road network of the Inner West. LeadWest have been advocating for some time to State and Federal Governments for funding to develop a Freight Infrastructure Investment Plan for Melbourne’s West. Any changes to road freight routes ought to be considered as part of a coordinated plan to remove unnecessary freight movements from local and residential streets.

Links:

<http://www.leadwest.com.au/Policy-Priorities/A-Freight-Infrastructure-Investment-Planfor-the-West>

<https://www.theage.com.au/national/victoria/radical-truck-plan-for-melbourne-s-innerwest-unites-rivals-20180912-p503a9.html>

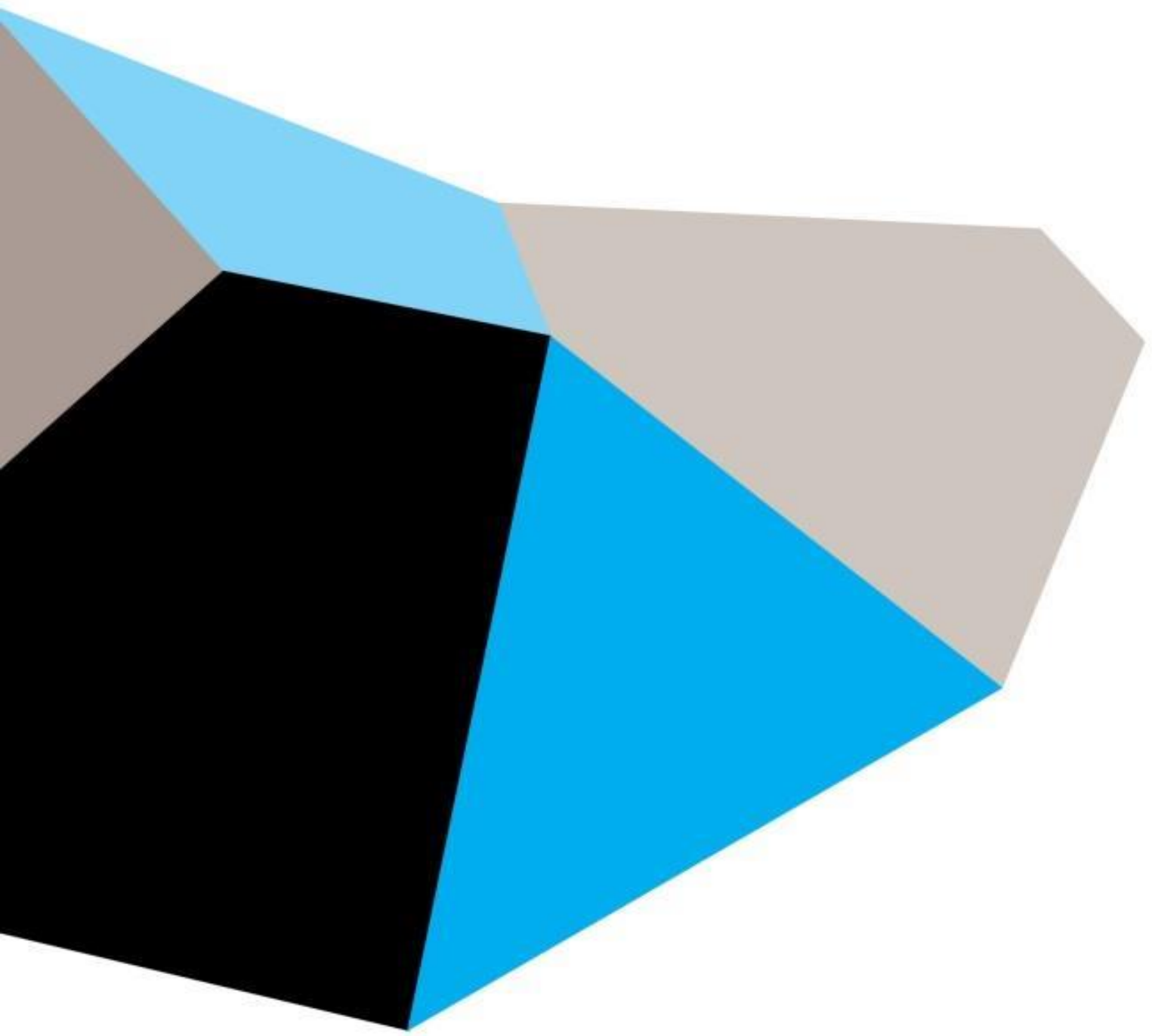
11 Supplementary Public Question Time

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

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

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

12 Urgent and Other Business



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