

Council Meeting Minutes

14 September 2021

COUNCIL CHAMBER

Virtual Meeting

HOBSONS
BAY CITY
COUNCIL



OUR MISSION

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

OUR VALUES

Respectful

Community driven and focused

Trusted and reliable

Efficient and responsible

Bold and innovative

Accountable and transparent

Recognised

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

Chairperson:

Cr Jonathon Marsden (Mayor)

Strand Ward

Councillors:

Cr Daria Kellander (Deputy Mayor)

Cherry Lake Ward

Cr Tony Briffa JP

Cherry Lake Ward

Cr Peter Hemphill

Strand Ward

Cr Pamela Sutton-Legaud

Strand Ward

Cr Diana Grima

Wetlands Ward

Cr Matt Tyler

Wetlands Ward

Aaron van Egmond
Chief Executive Officer
Hobsons Bay City Council

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**Minutes of the Council Meeting held on 14 September 2021 at
7.03pm.**

Present

Chairperson

Cr Jonathon Marsden (Mayor) Strand Ward

Councillors

Cr Daria Kellander (Deputy Mayor)	Cherry Lake Ward
Cr Tony Briffa JP	Cherry Lake Ward
Cr Peter Hemphill	Strand Ward
Cr Pamela Sutton-Legaud	Strand Ward
Cr Diana Grima	Wetlands Ward
Cr Matt Tyler	Wetlands Ward

Officers

Mr Aaron van Egmond	Chief Executive Officer
Mr Andrew McLeod	Director Corporate Services
Mr Sanjay Manivasagasivam	Director Infrastructure and City Services
Ms Penelope Winslade	Director Sustainable Communities
Ms Diane Eyckens	Manager Corporate Integrity (Legal Counsel)
Ms Briony Davis	Governance Officer and Minute Secretary

1 Council Welcome and Acknowledgement

The Chairperson welcomed members of the public and acknowledged the Bunurong People of the Kulin Nation as the Traditional Owners of this land.

2 Virtual Meeting Protocols

Due to current COVID-19 restrictions, this Council Meeting was conducted virtually in accordance with subsection 4.6 of the Hobsons Bay Governance Rules, and livestreamed on the Council website at <http://webcast.hobsonsbay.vic.gov.au>

2.1 Voting Method

Voting was conducted by show of hands, as in the Council Chamber.

2.2 Absence From Meeting

If a Councillor leaves the meeting at any time for any reason other than for a conflict of interest, the Councillor will stand to indicate their intention to leave and then walk away.

If a Councillor needs to leave the meeting due to a declared conflict of interest, the Chairperson will remove the Councillor from the virtual meeting until the matter under discussion has been resolved. The Chairperson will then invite the Councillor back into the meeting.

If a Councillor cannot be seen or heard due to technical issues and cannot carry on as a participant in the meeting, the meeting will continue as long as a quorum remains.

If the quorum is lost, the meeting will be adjourned until the quorum can be returned.

The time that any Councillor leaves and returns to the meeting will be recorded in the minutes regardless of the reason for absence.

3 Apologies

The Chairperson called for apologies received from Councillors who are unable to attend this meeting.

Nil

4 Disclosure of Interest

In accordance with sections 127 and 128 of the *Local Government Act 2020* Councillors are required to disclose a general or material conflict of interest. A conflict of interest must be disclosed in accordance with rule 15.3 of the Hobsons Bay Governance Rules.

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

Nil

5 Confirmation of Minutes

5.1 Confirmation of Minutes

Confirmation of the minutes of the Council Meeting of Hobsons Bay City Council held on 10 August 2021 (copy previously circulated).

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Peter Hemphill:

That Council confirms the minutes of the Council Meeting of Hobsons Bay City Council held on 10 August 2021.

Carried unanimously

6 Councillor Questions

Cr Diana Grima left the meeting at 7.14pm and returned at 7.15pm.

Cr Matt Tyler asked what role Council is playing to increase vaccination rates in Hobsons Bay and provide support for the community in the ongoing response to COVID-19.

Ms Pene Winslade, Director Sustainable Communities, responded that while Council is not the lead government agency on vaccinations, which are led by the Australian and state governments, Council is playing an active role in supporting the community to get vaccinated.

Ms Winslade mentioned a range of ways in which Council is doing so, in terms of:

- communicating what vaccinations are available
- supporting the Department of Health in finding sites to offer vaccinations from
- getting content out to residents, such as letterboxing suburbs with higher densities of current cases

Ms Winslade added that Council is currently working with the Victorian Government and the local Commonwealth vaccination centre in a unique arrangement offering a surge capacity hub at Altona Badminton Centre, where local clinicians who are happy to do extra shifts can offer an additional service to the community. Ms Winslade stated that Council's role with the centre is to support the venue through providing administrative and facilitative resources and helping with rostering and similar tasks to make sure that those extra vaccinations are available to those residents who want them.

Cr Matt Tyler asked how residents could arrange a booking to be vaccinated.

Ms Pene Winslade, Director Sustainable Communities, reiterated that Council is not the lead agency on vaccinations, but that it is doing its best to make information available to residents, and added that the options include larger vaccination centres as well as local GPs

and pharmacists who are offering vaccinations. Ms Winslade added that Council's website has a Coronavirus Community Information page where residents can find links to current information about what vaccinations are available and where. Ms Winslade stated that the key larger scale vaccination centres in the municipality are the Victorian Government-run pop-up hub at the Australian Islamic Centre on Blenheim Road, Newport, which is staffed by Western Health and delivered about 2,900 vaccinations over the previous week, and the Altona Badminton Centre, which delivered about 22,200 vaccinations in the last week.

Ms Winslade added that Council has been contacted by the Department of Health regarding the range of pop-ups in key locations that was announced by the Premier on Sunday, and that Council would advertise if and when more pop-ups become available in the municipality.

The Coronavirus Community Information webpage can be found at:

<https://www.hobsonsbay.vic.gov.au/Community/Coronavirus-community-information>

Cr Pamela Sutton-Legaud asked whether there was the opportunity to offer the community the option of a virtual citizenship ceremony or other COVID-safe citizenship ceremony.

Mr Andrew McLeod, Director Corporate Services, responded that he understood that Council had scheduled its first virtual citizenship ceremony for 28 September 2021, adding that this was great news and would help a lot of people who were waiting for their citizenship during this very difficult period.

Cr Pamela Sutton-Legaud requested clarification regarding the mention of deferred aged care operating grants in the finance report, specifically asking what the funds were supposed to be for and why they were deferred.

Ms Pene Winslade, Director Sustainable Communities, responded that many of Council's activities to support the aged and younger people with a disability are funded by the Australian and Victorian governments, and the underspend reflected the fact that during COVID-19 restrictions, a number of Council's services have had to be curtailed.

Ms Winslade mentioned as examples Council's Planned Activity Groups which provide social connection for older people, some day and night programs which can be costly, and some of Council's Home and Community Care Program for Younger People (HACC-PYP) for people under 65 with higher care needs.

Ms Winslade noted that as per the finance report, Council is holding the grants as a deferral and are hoping that other tiers of government will allow those dollars to be spent on expanded services for these cohorts when Council is able to do so.

Cr Tony Briffa expressed concern about the risk of drownings over summer given the long period during which people have been unable to go swimming or have swimming lessons due to the pandemic. Cr Briffa requested an update on the program providing lifeguards at Altona Beach and Williamstown Beach and whether it would continue, and what Council could do to support the provision of lifeguards at its beaches.

Mr Sanjay Manivasagasivam, Director Infrastructure and City Services, responded that providing lifeguards along the foreshore is the Victorian Government's responsibility, and the program Cr Briffa referred to was a three-year funding program by the Victorian Government to provide lifeguards at Williamstown Beach and Altona Beach which concluded last summer. Mr Manivasagasivam stated that while there was currently no funding program for the upcoming summer season, Council was working closely with Lifesaving Victoria to understand what plans and other opportunities there were to get lifesavers on board.

Mr Manivasagasivam added that Council officers would provide further information to Council and the community once they knew more.

Cr Tony Briffa requested that Council officers also find out whether the Victorian Government provides any funding for lifeguards at beaches on the other side of Melbourne, to see if there is any disparity.

Mr Sanjay Manivasagasivam, Director Infrastructure and City Services, responded that the information would be sought and provided as part of the update.

Cr Peter Hemphill, requested an update on plans to scale up the operation of the vaccination surge centre at the Altona Badminton Centre, with regard to increasing the number of days, number of hours and number of booths available.

Ms Pene Winslade, Director Sustainable Communities, responded that the intent of the surge centre is to run it at the maximum capacity it can be staffed at. Ms Winslade stated that the Department of Health had confirmed Council would have access to as much vaccine as it needs at this stage, so the primary constraint was establishing a roster of clinicians from different organisations around the municipality who are willing to do extra shifts.

Ms Winslade added that Council had discussed aspiring to run the centre for five to seven days a week, potentially running two shifts or sessions each day. Noting that about 2,200 doses were delivered in four sessions last week, Ms Winslade stated that at two sessions a day, there was the potential to be doing 10 to 12 sessions a week once the roster is confirmed.

Cr Peter Hemphill asked how long a single session was.

Ms Pene Winslade, Director Sustainable Communities, responded that a session ran for three and a half to four hours, adding that the site's operational system moved people through quickly and smoothly, with the schedule meaning that people could arrive, have their vaccination and leave without a big queue, parking issues or similar problems.

Cr Peter Hemphill requested confirmation that when the centre does scale up, Council would make that apparent to the community straight away.

Ms Pene Winslade, Director Sustainable Communities, responded that as soon as those sessions were confirmed, they would be advertised. Ms Winslade added that there may be some exceptions for certain sessions made specifically available for particular cohorts – for example, if there was a desire from the Department of Health to offer a session for schools, Council would be able to specify that on the given day, only people from schools could book an appointment.

Cr Peter Hemphill requested an update on the status of a planning application to extend operating hours and increase the storage area for 30 Craig Street, Spotswood, which is run by Symal.

Ms Pene Winslade, Director Sustainable Communities, responded that she believed the application was lodged four or five months ago but that it may be an amended application relating to a previous application. The application is at the detailed assessment stage and the officer is currently writing the report. Noting that Council had received 58 objections to the application, Ms Winslade confirmed that the matter would come to the Delegated Planning Committee at either its September or October meeting.

7 Public Question Time

Cr Tony Briffa was disconnected from the meeting at 7.23pm and returned at 7.24pm.

Diana Rice

Q Recently “Private Car Park” signs have appeared at the Altona Sports Club car park with text reading "Reserved for Altona Sports Club patrons only" and "All unauthorised vehicles will be towed away/Park at own risk".

As Crown land, how can this car park be private?

A The Altona Sports Club has a long-term lease which includes the car park area for the exclusive use of its members.

The lease does not extend to the foreshore.

The signs recently installed were not installed by Council.

The Altona Sports Club can erect signage as the lessees of the site in accordance with the lease conditions.

Q **Does the current lease allow for the exclusive use of the car park by Altona Sports Club for its patrons only?**

A As indicated before, yes.

Q **I would also like to know if the Altona Sports Club contributed financially to the upgrade of PA Burns Reserve, and in particular the new car parking for the dog beach?**

A Upgrades at PA Burns Reserve have been funded by Council with support from the Victorian Government’s Economic Stimulus Program. The Altona Sports Club has not contributed financially towards the project.

Craig Rowley

Q **In relation to Council's waste and recycling collection services, Council collects suburb-level contamination data. Could that data be published so that residents and ratepayers are aware of which suburbs have higher contamination rates and thus need more focus for compliance education campaigns?**

A Council is continually developing and refining our broad-ranging communications, which can include sharing operational data to empower and encourage residents to reduce, reuse and recycle more. Future campaigns may include sharing suburb-level contamination findings if doing so would assist the community in our shared aim to reduce contamination and increase the rate of waste Hobsons Bay diverts from landfill.

Roland Watts

Q I read an article in the *Herald Sun* on 7 September 2021. It referenced a proposed rail freight hub in Altona as part of the Port of Melbourne Container Logistics Chain Study.

Is Council aware of the actual location of this proposed hub?

A Council has not been formally advised of the location of the rail freight hub proposed by the Victorian Government.

Q **Has a vehicle impact study of the suburb been undertaken?**

A Council has not been made aware of any vehicle impact study to date.

Q **Will residents be consulted prior to its approval?**

A The proposed rail freight hub is being led by the Victorian Government, with funding also being provided by the Australian Government. Given the project is of state significance any planning application is likely to be determined by the Minister for Planning rather than Council. At this stage it is not clear whether there would be a formal consultation process.

8 Petitions and Joint Letters

8.1 Petitions and Joint Letters Received

Nil

9 Business

9.1 Office of the Chief Executive

9.1.1 Chief Executive Officer - Report on Operations

Directorate:	Office of the Chief Executive
Responsible Officer:	Executive Assistant to the Chief Executive Officer
Reviewer:	Chief Executive Officer
Attachments:	1. CEO Report on Operations [9.1.1.1 - 39 pages]

Purpose

To present the Chief Executive Officer's (CEO's) Report on Operations (Attachment 1).

Motion

Motion

Moved Cr Diana Grima, seconded Cr Matt Tyler:

That Council receives and notes the Chief Executive Officer's Report on Operations, including details of recent issues and initiatives undertaken by the organisation.

Carried unanimously

Recommendation

That Council receives and notes the Chief Executive Officer's Report on Operations, including details of recent issues and initiatives undertaken by the organisation.

Summary

The attached CEO's Report on Operations provides Councillors and community with a regular update from the CEO on key initiatives, projects and performance.

Discussion

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

In accordance with rule 10.7.1 of the Hobsons Bay Governance Rules, Council maintains records of meetings attended by Councillors in the CEO's Report on Operations to ensure transparency and equity of information. A summary of meetings for the period between 1 August 2021 and 31 August 2021 is provided in this month's report.

9.2 Corporate Services

9.2.1 Interim Financial Report - Year Ended 30 June 2021

Directorate:	Corporate Services
Responsible Officer:	Chief Financial Officer
Reviewer:	Director Corporate Services
Attachments:	1. Financial Report - June 2021 [9.2.1.1 - 13 pages] 2. Capital Works Program 2020-21 [9.2.1.2 - 3 pages]

Purpose

To present Council with the interim financial results for the year ended 30 June 2021.

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Matt Tyler:

That Council notes the interim financial report for the year ended 30 June 2021.

Carried unanimously

Recommendation

That Council notes the interim financial report for the year ended 30 June 2021.

Summary

The financial report for the year ended 30 June 2021 (Attachment 1) and a detailed report on the Capital Works Program (Attachment 2) are attached.

Council's Audit and Risk Committee received and noted the Interim Financial Report for the year ended 30 June 2021, in conjunction with the audited Draft Annual Financial Report, at its meeting held on 25 August 2021.

The financial results are yet to be finalised and are subject to the end-of-year audit currently being conducted. The interim operational surplus for 2020-21 is \$15.356 million compared to the original operational budget of \$23.762 million, although this does not include Council's significant investment in capital expenditure of \$69.589 million in 2020-21.

Cash and investments decreased by \$29.404 million during the financial year to \$45.067 million at 30 June 2021.

When compared to budget, income decreased by \$8.643 million and operational expenditure decreased by \$237,000.

The result of the Capital Works Program compared to budget is a deficit of \$3.708 million after forecast adjustments and carryovers are considered.

A \$4 million deficit has been calculated as the Available Funding Result, consistent with the original budget. It is not usual practice to calculate an available funding deficit, but the decision considers the financial impacts of COVID-19 and ongoing financial sustainability of Council within the Financial Plan.

Quarterly financial reporting provides accountability and transparency in relation to Council's operations and capital works. Council budgets are subject to internal scrutiny, driven by regular reports to the Executive Leadership Team and meetings with managers.

Background

The interim result is inferior when compared to budget as COVID-19 has had a greater impact than originally anticipated. While an interim operational surplus has still been achieved, it should be noted that surpluses are required to fund Council's significant investment in capital expenditure. The Financial Plan has been updated and indicates that Council can remain in a reasonable financial position and continue to be financially sustainable.

When compared to previous Financial Plans, current and projected income has been dramatically reduced because of rate capping. Income funding streams such as user charges and statutory fees have also been significantly impacted by COVID-19. It is difficult to assess how long it will take for these income streams to recover from the ongoing impact of COVID-19. These assumptions will have an impact on the amount of funding expected to be available in future years of the Financial Plan to be used by Council to maintain critical community assets.

Council will continue to monitor the impact of the financial results in relation to Council's overall financial viability. The Financial Plan has been updated to reflect the 1.5 per cent rate cap for 2021-22 recently announced by the Victorian Government.

9.2.2 Draft Annual Financial Report 2020-21

Directorate:	Corporate Services
Responsible Officer:	Chief Financial Officer
Reviewer:	Director Corporate Services
Attachments:	1. Draft Annual Financial Report 2020-21 [9.2.2.1 - 46 pages] 2. Draft Performance Statement 2020-21 [9.2.2.2 - 19 pages]

Purpose

To present the Draft Annual Financial Report and the Draft Performance Statement for the year ending 30 June 2021 for in-principle approval to be certified in their final form.

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Peter Hemphill:

That Council:

- 1. Notes that the Audit and Risk Committee received, noted and provided recommendations in relation to the Draft Annual Financial Report and the Draft Performance Statement for the year ending 30 June 2021.**
- 2. In accordance with section 99(2) of the *Local Government Act 2020*, records its approval “in principle” to the Annual Financial Report and Performance Statement for the year ended 30 June 2021 and authorises the Chief Executive Officer to send the Annual Financial Report and Performance Statement to the Auditor-General.**
- 3. Pursuant to section 99(3) of the *Local Government Act 2020* and subject to the review of the final version of the Annual Financial Report and Performance Statement, authorises the Chief Executive Officer, Chief Financial Officer (Principal Accounting Officer), the Mayor Cr Jonathon Marsden and Cr Pamela Sutton-Legaud to certify the final versions.**
- 4. Authorises the Chief Financial Officer to implement any non-material changes as recommended by the Auditor-General.**
- 5. Authorises the Chief Financial Officer to make any material changes requested by the Auditor-General after discussion with the Chair of the Audit and Risk Committee.**

Carried unanimously

Recommendation

That Council:

1. **Notes that the Audit and Risk Committee received, noted and provided recommendations in relation to the Draft Annual Financial Report and the Draft Performance Statement for the year ending 30 June 2021.**
2. **In accordance with section 99(2) of the *Local Government Act 2020*, records its approval “in principle” to the Annual Financial Report and Performance Statement for the year ended 30 June 2021 and authorises the Chief Executive Officer to send the Annual Financial Report and Performance Statement to the Auditor-General.**
3. **Pursuant to section 99(3) of the *Local Government Act 2020* and subject to the review of the final version of the Annual Financial Report and Performance Statement, authorises the Chief Executive Officer, Chief Financial Officer (Principal Accounting Officer), the Mayor Cr Jonathon Marsden and Cr Pamela Sutton-Legaud to certify the final versions.**
4. **Authorises the Chief Financial Officer to implement any non-material changes as recommended by the Auditor-General.**
5. **Authorises the Chief Financial Officer to make any material changes requested by the Auditor-General after discussion with the Chair of the Audit and Risk Committee.**

Summary

The audited Draft Annual Financial Report and the Draft Performance Statement for the year ending 30 June 2021 are attached. It is important to note that both are subject to final approval by the Auditor-General.

The Draft Annual Financial Report and the Draft Performance Statement are now presented to Council for examination and adoption in principle, subject to any changes recommended or agreed to by the Auditor-General.

Council’s Audit and Risk Committee received and noted the Draft Annual Financial Report and the Draft Performance Statement for the year ending 30 June 2021, in conjunction with the Interim Financial Report, at its meeting held on 25 August 2021.

The Draft Annual Financial Report indicates a surplus for 2020-21 of \$15.356 million compared to the original operational budget of \$23.762 million. This does not include Council’s significant investment in capital expenditure of \$66.705 million in 2020-21.

The cash and investment balance was \$45.067 million at 30 June 2021, compared to an original budget of \$44.392 million and forecast of \$35.551 million determined at the March forecast review. The decrease of \$29.404 million in cash and investments during the financial year was generally planned to fund the significant increase to the Capital Works Program and the ongoing impacts of the COVID-19 pandemic.

The Draft Annual Financial Report demonstrates that Council is in a reasonable financial position and is financially sustainable in the short and medium term, despite the significant impact of COVID-19.

Discussion

The Draft Annual Financial Report indicates an inferior financial performance when compared to budget, mainly due to COVID-19 having a greater impact than originally anticipated. While the report indicates that a strong operational surplus has still been achieved, it should be noted that surpluses are required to fund Council's significant investment in capital expenditure.

9.2.3 Draft Hobsons Bay Property Strategy 2021-30

Directorate:	Corporate Services
Responsible Officer:	Coordinator Property and Insurance
Reviewer:	Director Corporate Services
Attachments:	1. Draft Hobsons Bay Property Strategy 2021-30 [9.2.3.1 – 22 pages]

Purpose

To seek Council's approval to place the Draft Hobsons Bay Property Strategy 2021-30 on public exhibition for a period of four weeks.

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Peter Hemphill:

That Council:

- 1. Receives this report.**
- 2. Places the Draft Hobsons Bay Property Strategy 2021-30 on public exhibition for four weeks.**
- 3. Receives a further report following the exhibition period to adopt the Hobsons Bay Property Strategy 2021-30.**

Carried unanimously

Recommendation

That Council:

- 1. Receives this report.**
- 2. Places the Draft Hobsons Bay Property Strategy 2021-30 on public exhibition for four weeks.**
- 3. Receives a further report following the exhibition period to adopt the Hobsons Bay Property Strategy 2021-30.**

Summary

The vision of the Property Strategy is to strategically align Council's property portfolio with its service delivery objectives and community needs to ensure open access to Council facilities that is fair and impartial to all of the Hobsons Bay community.

The draft strategy proposes that Council's properties be well utilised, well maintained and generate high levels of public value, and includes a proposal for the management of Council's commercial portfolio in a development and investment fund.

Background

The previous Property Policy was approved in 1996. This policy is considered redundant, and a more contemporary policy is necessary to address the changing needs of the community.

Council's property consists of land owned by Council in freehold, reserved Crown land where Council is appointed as the Committee of Management (CoM), land owned by the Crown where Council is the Coordinating Road Authority, land vested in Council and used for public purposes, land acquired by Council to construct affordable housing and provide affordable housing and where Council is the lessor.

Council owns 1,018 parcels of land with 227 buildings. There are 140 leased or licensed buildings with an asset value of \$571 million.

The Draft Hobsons Bay Property Strategy has been developed to include a vision and guiding principles for property transactions carried out by Council. Previous draft versions of the document lacked strategic intent to inform Council about what property is needed, where and when.

Commercial Management focuses on the use of Council's property assets for predominately profitable purposes to provide an alternative source of income for Council.

It incorporates tactical consideration, analysis and planning of commercial properties for tenancy, acquisition/disposal and/or development which maximises Council's return on investment with a view to relieving some pressure on its primary source of income being rates.

This will be supported by the creation of a Property Development and Investment Fund.

Discussion

The purpose of the Draft Hobsons Bay Property Strategy is to provide a policy framework to guide Council's decision making in relation to Council owned and managed property and the requirements of the municipality. The draft strategy is strategically aligned with Hobsons Bay 2030 Community Vision and the Council Plan 2017-2021.

The draft strategy provides an evidence-based set of pillars and principles that will support a fit for purpose property portfolio that meets the needs of Hobsons Bay City Council through the acquisition, renewal/development, occupancy, maintenance and disposal of Council's property portfolio.

The draft property strategy is underpinned by seven principles, grouped under three pillars as follows:

Portfolio Management

1. Maximising community benefit generated using the asset portfolio
2. Property use is aligned with Council priorities, policies, plans and objectives

Community Occupancy Management

3. Leases and licences are consistent and transparent, encouraging equity, inclusion, and fair community access
4. Property allocation and support consider evidence of tenant service delivery, performance, community participation and multi-community group utilisation
5. Long term partnership arrangements will preference shared responsibility for costs, maintenance, and facility management

Commercial Management

6. Council property will be used to leverage strategic multi-modal community outcomes as well as commercial return where possible and appropriate
7. Differentiation will occur as to how we manage our commercial and community property portfolio outcomes



9.2.4 Draft Domestic Animal Management Plan 2021-25

Directorate:	Corporate Services
Responsible Officer:	Team Leader – Governance and Animal Management
Reviewer:	Director Corporate Services
Attachments:	1. Draft Animal Management Plan 2021-25 [9.2.4.1 - 29 pages]

Purpose

To seek Council's approval to place the Draft Domestic Animal Management Plan 2021-25 on public exhibition for four weeks from 15 September 2021 to 13 October 2021.

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Matt Tyler:

That Council:

- 1. Places the Draft Domestic Animal Management Plan 2021-25 on public exhibition for four weeks from 15 September 2021 to 13 October 2021.**
- 2. Receives a further report following the exhibition period to adopt the Domestic Animal Management Plan 2021-25.**

Carried unanimously

Recommendation

That Council:

- 1. Places the Draft Domestic Animal Management Plan 2021-25 on public exhibition for four weeks from 15 September 2021 to 13 October 2021.**
- 2. Receives a further report following the exhibition period to adopt the Domestic Animal Management Plan 2021-25.**

Summary

The *Domestic Animals Act* 1994 (the DA Act) requires all Victorian councils to develop and maintain a Domestic Animal Management Plan (DAMP) in consultation with residents, members of the public and other stakeholders.

Council adopted the Domestic Animal Management Plan 2017-21 in November 2017. The DAMP must be reviewed and updated every four years. This report provides an overview of the periodical review and update of the DAMP.

Background

Victorian Government legislation requires councils to formulate and implement a DAMP every four years. The plan is used to manage and evaluate animal safety and welfare, community safety and compliance priorities and welfare and authorised Council officer enforcement practices.

Some key elements of the DAMP are:

- promoting responsible pet ownership and the welfare of dogs and cats in the community
- protecting the community and the environment from nuisance cats and dogs
- identifying a method to evaluate whether the animal management services provided are adequate
- outlining the training programs for authorised officers to ensure they are capable in administering and enforcing the provisions of the DA Act

Council is committed to developing and implementing a DAMP that captures community concerns and priorities surrounding pet ownership, animal and community welfare and the environmental impact caused by domestic pets. By seeking community feedback, Council can ensure that it creates a plan that includes the lived experience of the wider community, both pet and non-pet owners.

Discussion

The management of domestic animals in Hobsons Bay affects the entire community. The DAMP is designed to respond strategically to the needs of the community as a whole.

Council's obligation to ensure community safety and compliance means that pet owners are expected to employ responsible pet ownership practices and minimise the potential for nuisance or safety issues to occur. Council provides a range of information and education initiatives and works with the community to achieve positive outcomes. Council also performs legislative functions to ensure compliance, where required, in accordance with enforcement procedures.

The Draft DAMP 2021-25 was developed in consultation with Council's Animal Management Unit and informed by community consultation, research and benchmarking activities with other councils. It is a four-year strategy that guides the delivery of animal management services across Hobsons Bay.

The DAMP provides a sound basis and direction from which Council can plan and make future decisions over the next four years and relates back to the wider Council policy context.

The DAMP also builds on the foundation established through the implementation of the DA Act. Under this Act, every Victorian council must prepare a DAMP that addresses the following requirements:

- set out a method for evaluating whether animal control services provided by Council are adequate to give effect to the requirements of the DA Act and regulations
- outline programs for the training of authorised officers

- outline programs, services and strategies to:
 - promote and encourage responsible ownership of dogs and cats
 - ensure that people comply with the DA Act, regulations and legislation
 - minimise risk of attacks by dogs on people and animals
 - address over-population and high euthanasia rates for cats
 - encourage registration and identification of dogs and cats
 - minimise potential for dogs and cats to create a nuisance
 - effectively identify all dangerous, menacing and restricted breed dogs and to ensure that these dogs are kept in compliance with DA Act and regulations
- provide for review of existing and relevant Local Laws made under the DA Act
- provide for review of any other matters related to management of domestic animals
- provide for annual evaluation of the Plan

The DAMP describes how Hobsons Bay will fulfil its regulatory responsibilities and deliver animal management services in accordance with the DA Act.

9.2.5 Contract No. 2020.74 Library Collections, Furniture, Equipment and Associated Requirements

Directorate: Corporate Services
Responsible Officer: Manager Community Learning and Service Centres
Reviewer: Director Corporate Services
Attachments: Nil

Purpose

To confirm the outcome of the Procurement Australia tender process relating to library collections and obtain Council endorsement to enter into a contract arrangement.

Motion

Moved Cr Peter Hemphill, seconded Cr Tony Briffa:

That Council approves participation in the Procurement Australia Contract 2306/0843 – Library Collections, Furniture, Equipment & Associated Requirements, effective July 2021 until 30 June 2023 with two one-year options to extend, in line with the recommendation of the Hobsons Bay City Council Tender Review Board.

Carried unanimously

Recommendation

That Council approves participation in the Procurement Australia Contract 2306/0843 – Library Collections, Furniture, Equipment & Associated Requirements, effective July 2021 until 30 June 2023 with two one-year options to extend, in line with the recommendation of the Hobsons Bay City Council Tender Review Board.

Summary

The current contract relating to library collections has reached the maximum extensions and ended in June 2021. A tender process has been managed by Procurement Australia to commence a new contract from July 2021. It is anticipated that more than 85 per cent of collection purchases can be made from suppliers under the new collection contract. All purchasing will be conducted in line with the Collection Curation and Management Statement and within approved budgets.

Some expenditure (up to 15 per cent – \$144,000 per annum) will occur outside the contract to the full extent of the budget for items that require sourcing direct from the publisher or vendor, in categories 1-7, or may require a Request for Quote process, from category 12.

Background

In 2010 Hobsons Bay moved from managing multiple individual purchasing agreements with suppliers to participating in a shared purchasing contract managed by Procurement Australia. This change in process streamlined purchasing and processing of library collections. For example, this enabled the library service to move to shelf ready collections, reducing staff manual handling, as well as reducing turnaround times for the community in accessing new material.

Discussion

Procurement Australia asked members to submit a commitment/engagement letter to participate in this tender before the tendering process began and 52 members committed, including Hobsons Bay City Council.

This contract is for the provision of library collections, furniture, equipment and associated requirements across 15 categories. The new contract is an expansion of the previous contract that now includes removalist services.

The request for tender was advertised in the *Sydney Morning Herald* on 24 November 2020 and the *Herald Sun* on 25 November 2020 with a closing date of 18 December, later extended to 23 December 2020.

Tenders were evaluated using a set of criteria and weightings including:

- compliance with specification (mandatory)
- customer focus
- contractor's performance
- corporate social and supply chain responsibility profile
- price

Seventy companies downloaded tender documents and 57 submitted tenders for consideration.

COVID-19 lockdowns have delayed the final stages of the review process. The contract commenced in July 2021 ending 30 June 2023 with two one-year extension options.

9.2.6 Memorial Plaque Request - The Late Sue Sofarnos OAM

Directorate: Corporate Services
Responsible Officer: Governance and Business Support Officer
Reviewer: Director Corporate Services
Attachments: Nil

Purpose

To consider the installation of a memorial plaque in recognition of the late Ms Sue Sofarnos OAM.

Motion

Moved Cr Peter Hemphill, seconded Cr Tony Briffa:

That Council, having considered the significant contribution made by the late Ms Sue Sofarnos OAM to the social, civic, and sporting life of Hobsons Bay:

- 1. Approves the installation of a memorial plaque on an existing seat at the Williamstown Back Beach, Battery Road in Williamstown.**
- 2. Notes that the cost of the memorial plaque will be borne by the applicant.**

Carried unanimously

Recommendation

That Council, having considered the significant contribution made by the late Ms Sue Sofarnos OAM to the social, civic, and sporting life of Hobsons Bay:

- 1. Approves the installation of a memorial plaque on an existing seat at the Williamstown Back Beach, Battery Road in Williamstown.**
- 2. Notes that the cost of the memorial plaque will be borne by the applicant.**

Summary

Council has received a request from the family of the late Ms Sue Sofarnos OAM for a memorial seat and plaque in her memory to be installed at the Williamstown Back Beach, Battery Road in Williamstown.

Background

Council has adopted a policy for the installation of memorial plaques and the scattering of ashes in public places. The policy aims to commemorate individuals who have contributed to the cultural, political or social aspects of Hobsons Bay's development or shared community history.

Discussion

Ms Sue Sofarnos OAM made a significant contribution to the local community throughout her adult life.

Known for her success in the world of lacrosse at a local, national, and international level, Ms Sofarnos contributed to the community through her extensive volunteering efforts across Hobsons Bay. She was also a highly valued staff member of Mount St Joseph Girls' College in Altona.

Her contributions were formally acknowledged at the Council Meeting held on 13 October 2020.

Her association with the Newport Ladies' Lacrosse Club as a player, voluntary coach, committee member and president extended for over 43 years.

Ms Sofarnos was also a White Lion Volunteer Mentor. She mentored young people within the local community.

She also developed and ran sports development programs at no cost for the local school community. For 10 years, she worked as a volunteer across local schools.

Ms Sofarnos' outstanding achievements in women's lacrosse are unparalleled in Australia for longevity and for successful campaigns at all levels of the sport. Her qualities made her an icon among not only the lacrosse fraternity in Hobsons Bay but also Australia and throughout the world.

Some of Ms Sofarnos' many accolades include:

- The Medal (OAM) of the Order of Australia in the General Division (2020)
- Commonwealth Games Baton Bearer (2018)
- Sport Australia Hall of Fame Nominee (2014)
- Victorian Government Community Coach of the Year (2014)
- Newport Ladies Lacrosse Club President (2009-12), Committee Member (2003-12) and Director of Coaching (2012-19)
- FIL Women's Competition Committee (2013-14)
- World Team Coach: 3 Test Series England (2011)
- Commonwealth Games High Performance Program (2009-10)
- Victorian Government Sport Development Program Grant Recipient (2006)
- Sport Australia Award Australian Sports Commission – Services to Womens' Lacrosse (2000)
- Australian Living Legend – Women's Lacrosse (1999)

- Australian Womens' Lacrosse Team – Team Member (1978-97), Word Champions (1986), Captain (1989, 1993, 1997), Assistant Team Assistant Coach: World Champions (2005), Australian Team General Manager: World Championship Team (2021)
- Victorian Womens' Lacrosse Team – Team Member (1971-99), Captain (1987-99), All Star Coach (2013, 2014, 2015, 2017, 2019)

9.3 Sustainable Communities

9.3.1 Hobsons Bay Mobile Vendor Policy 2021

Directorate:	Sustainable Communities
Responsible Officer:	Manager Strategy, Economy and Sustainability
Reviewer:	Director Corporate Services
Attachments:	1. Hobsons Bay Mobile Vendor Policy 2021 [9.3.1.1 - 8 pages]

Purpose

To provide an update on the Hobsons Bay Mobile Vendor Policy 2021.

Motion

Moved Cr Tony Briffa, seconded Cr Daria Kellander:

That Council:

1. Notes the community feedback received during public exhibition of the Draft Hobsons Bay Mobile Vendor Policy 2021.
2. Liaises further with Council officers regarding the draft Hobsons Bay Mobile Vendor Policy 2021.
3. Brings back a further report regarding the draft policy at the first Council Meeting of 2022.
4. Retains existing arrangements for current mobile vendors until a policy is formally adopted.

Carried

Division

For: Cr Matt Tyler, Cr Jonathon Marsden, Cr Diana Grima, Cr Daria Kellander,
Cr Tony Briffa

Against: Cr Pamela Sutton-Legaud, Cr Peter Hemphill

Carried

Recommendation

That Council:

1. **Notes the community feedback received during public exhibition of the Draft Hobsons Bay Mobile Vendor Policy 2021.**
2. **Notes the Hobsons Bay Mobile Vendor Policy 2021.**

Summary

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

Council considered a draft mobile vendor policy at the 20 April 2021 Council Meeting. The policy provides a framework to support the operation of stationary and itinerant roadside trading.

Community feedback on the draft policy was sought from 26 April to 6 June 2021. The community was generally supportive of a policy facilitating mobile vendors to operate in Hobsons Bay with some changes to the draft policy.

Based on the feedback and regulatory framework an updated policy has been prepared enabling mobile vendors to operate in Hobsons Bay in a managed and monitored way.

Background

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

Council currently undertakes a tender process for Stationary Roadside Vendor permits across approved locations including the Altona boat ramp, Cherry Lake, Apex Park, Newport boat ramp, Kororoit Creek Road and the Timeball Tower in Williamstown. These sites were selected as they benefit from a high level of foot traffic while giving operators the opportunity to operate with minimal competition from nearby businesses. Successful applicants are granted use of the specified site for two years, with a fee paid annually.

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

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

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

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

Demand for mobile trading is expected to grow as businesses seek new ways of operating and interest and support from the local community appears to be increasing. A mobile vendor policy and permit process provides a consistent, transparent and equitable approach to managing mobile vendors to ensure they provide value to the Hobsons Bay community.

Discussion

Mobile trading, when managed appropriately, can contribute to creating a vibrant and diverse local economy, attracting visitors and providing residents in isolated areas with local access to goods and services. However, consideration must be given to any potential negative impacts on the community, particularly on existing business owners, landowners and residents.

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

Other controls used by the surveyed councils include:

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

In the Draft Mobile Vendor Policy presented for community engagement, Council proposed the inclusion of the following control measures to support the management of mobile vendors:

- requirement that vendors not operate within 500m of a trading precinct, a permitted stationary roadside vendor, another itinerant vendor or a bricks and mortar business
- itinerant vendors must not stay in the same location for longer than one hour

- one permit per location for stationary vendors, with no cap to the number of itinerant permits available each year
- \$12,000 yearly permit fee for itinerant vendors
- require applicant businesses to:
 - have an ABN registered in Hobsons Bay
 - be registered on Streatrader
 - have public liability insurance
 - provide a waste management plan
- require vendors to submit a Statement of Trade to Council at least one day prior to trade

Engagement results

Council sought feedback on the Mobile Vendor Policy between 26 April and 6 June 2021 from business owners, mobile vendors and residents. The community was able to provide feedback via a survey on the Participate Hobsons Bay website. Email communications from the traders associations were also accepted.

A total of 1,208 survey submissions (excluding duplicate entries) were received through Participate over the consultation period with the majority of surveys (93 per cent) being submitted by residents. Many survey responses included reference to an existing mobile vendor by name in their feedback, indicating their support. In addition to the online results from the Participate survey, 96 handwritten surveys were received.

Two letters from trader associations were also submitted from the Newport Traders Association (NTA) and Altona Village Traders Association (AVTA) together representing 203 businesses. The Williamstown Chamber of Commerce (WCC) representing 181 businesses also submitted feedback as a single submission on Participate.

Fee structure and exclusion zones were aspects that the community were most vocal about which was also reflected in the survey results.

Based on the survey results, mobile vendors are in support of a 100m exclusion zone while the feedback from businesses and residents was split between:

- no exclusion zone
- 100m exclusion zone
- limiting in some capacity

Survey results regarding fee structure indicate that the majority of respondents do not support the proposed fees for itinerant vendors (\$12,000 per year) and all groups support lower fees for itinerant vendors.

The submission from AVTA indicated a preference for a 500m exclusion zone unless the business offers a service that is not offered in that precinct and a minimum permit fee of \$12,000 per year. The NTA submission requested the final policy be implemented on a short-term trial basis and more consultation before the policy is finalised.

The WCC submission indicates a preference for clear guidance to be provided with detailed maps indicating where mobile vendor trade is and isn't allowed. Concerns regarding exclusion zones and operational requirements and impacts on parking and traffic were raised. WCC indicated a preference for a trial of the program with a cap of 10 permits

allocated during the first year after which stakeholders would be able to provide further feedback and the policy reassessed.

Revised Policy

An updated Hobsons Bay Mobile Vendor Policy has been prepared in response to the feedback. The updated policy will replace the existing Stationary Roadside Vendor Permit tender process, enabling mobile vendors to operate in Hobsons Bay in a managed and monitored way. This overarching policy allows more flexibility in vendor locations, as well as daily, monthly and annual permit types.

Vendors will be classified as either **stationary** (one site for the duration of their permit) or **itinerant** (roaming at least 200m away from other operators, businesses and the coastline).

While some feedback has been received in regard to varying the exclusion distance to enable itinerant vendors to trade close to businesses that do not sell similar items, the changing nature of businesses and the operational impact on existing businesses does not support this. To ensure a policy that can be enforced, a standard exclusion distance of 200m is proposed from all businesses (regardless of what they sell), activity centres, approved locations, other permitted mobile vendors, and the coastline.

Approved locations, along with the ability to request new sites to be assessed as approved locations, provides varied opportunities for stationary vendors. Subject to permits, stationary vendors would be able to operate from one of the existing six approved locations (Altona boat ramp, Cherry Lake, Apex Park, Newport boat ramp, Kororoit Creek Road and the Timeball Tower in Williamstown) identified on the Mobile Vendor Areas of Trade Map, or from a new approved site.

Itinerant vendors would be permitted to roam across the municipality but not within 200m of:

- an activity centre (as identified in the Activity Centres Strategy 2019-26)
- existing bricks and mortar businesses
- approved vendor locations with permits issued to stationary vendors (noting some approved locations do not have permits issued)
- another permitted mobile vendor
- the coastline

Itinerant vendors would be permitted to operate on roads and public spaces as identified in green on the Mobile Vendor Areas of Trade Map.

A dynamic Mobile Vendor Areas of Trade Map will be developed to ensure up to date information is readily available for vendors to access and know where they are able to trade. Permitted mobile vendors will be required to download the map to ensure they can access current information and are able to meet exclusion requirements.

Permit fees would apply based on whether vendors are operating from an approved location (with three tiers of permit fees) or whether they are roaming. Table 1 below details the proposed permit fees based on reduced existing roadside vendor permit fees, with options for daily and monthly permits. Itinerant fees are proposed to be in line with the Tier 1 stationary permit.

While the policy is an operational policy any revisions to fees will be managed through the annual budget process with fees to be identified through annual fees and charges process and brought to Council for consideration.

It is proposed that no more than 20 itinerant permits are issued at any given time, to minimise the impact of itinerant vendors on local amenity. The number of permits may be reviewed after the first year of trading.

	Stationary			Itinerant
	Tier 1	Tier 2	Tier 3	—
Application fee (new sites)	\$75	\$75	\$75	N/A
One day permit	\$400	\$200	\$200	\$400
Monthly permit	\$1,500	\$1,000	\$1,000	\$1,500
Annual permit	\$6,000	\$4,000	\$2,500	\$6,000
Maximum permits available	1 per site	1 per site	1 per site	20 in total

9.3.2 Amendment C131 - Panel Recommendations and Adoption

Directorate:	Sustainable Communities
Responsible Officer:	Coordinator Strategic Planning
Reviewer:	Director Sustainable Communities
Attachments:	<ol style="list-style-type: none">1. Amendment C131 Panel Report [9.3.2.1 - 85 pages]2. Panel Recommendations and Officer Response [9.3.2.2 – 8 pages]3. C131 Amendment Documents [9.3.2.3 - 254 pages]4. DELWP Authorisation Letter With Conditions [9.3.2.4 – 4 pages]5. Summary of New and Revised Zones and Overlays [9.3.2.5 - 9 pages]6. Table of Submissions and Officer Responses [9.3.2.6 – 29 pages]

Purpose

To provide an update on Amendment C131 (the “new zones and updated scheme”) including the panel report, and to recommend adoption of the amendment and submission to the Minister for Planning for approval.

Motion

Moved Cr Tony Briffa, seconded Cr Matt Tyler:

That Council:

1. Considers the Amendment C131 Panel Report at Attachment 1 in accordance with section 27(1) of the *Planning and Environment Act 1987*.
2. Adopts the amendment in accordance with the recommended officer response to the C131 Panel Report as outlined in Attachment 2 in accordance with section 29 of the *Planning and Environment Act 1987*.
3. Advocates to State Government for a review of the designation of Altona Gate as a Major Activity Centre in Plan Melbourne which has influenced the zoning proposed in this area including the Residential Growth Zone designation along on Millers Road, and therefore not reflecting the changing focus of activity toward Millers Junction.
4. Notes Council’s continued advocacy position to the State Government to reinstate a train station in Altona North which would serve the growing need in this area and influence Activity Centre classifications.
5. Submits the amendment documentation as included at Attachment 3, together with the prescribed information, to the Minister for Planning for approval.
6. Notifies all submitters to Amendment C131 of Council’s decision.

Carried unanimously

Recommendation

That Council:

1. **Considers the Amendment C131 Panel Report at Attachment 1 in accordance with section 27(1) of the *Planning and Environment Act 1987*.**
2. **Adopts the amendment in accordance with the recommended officer response to the C131 Panel Report as outlined in Attachment 2, in accordance with section 29 of the *Planning and Environment Act 1987*.**
3. **Submits the amendment documentation as included at Attachment 3, together with the prescribed information, to the Minister for Planning for approval.**
4. **Notifies all submitters to Amendment C131 of Council's decision.**

Summary

Amendment C131 (the Amendment) updates and restructures the Hobsons Bay Planning Scheme to align with new Victorian Government requirements regarding structure and policy inclusions, introduces new residential zones across the municipality and references recently adopted Council policies in the Planning Scheme.

The Amendment is supported by robust strategic planning work that has been subject to extensive community consultation and a review by an independent Planning Panel. Some minor amendments have been made to the Amendment that was publicly exhibited, taking on board feedback from the exhibition process.

Background

The Hobsons Bay Planning Scheme is a statutory document that includes state and local policies, objectives and controls that inform land use and development outcomes.

The Victorian Government has introduced reforms to simplify the planning process including a new planning scheme format that all Councils must adopt, and three new residential zones known as the Residential Growth Zone (RGZ), General Residential Zone (GRZ) and Neighbourhood Residential Zone (NRZ).

New residential zones

When the "new zones" were introduced, the Victorian Government reverted all residential areas to one zone, the GRZ, which allows building heights up to three storeys. As a result, currently Hobsons Bay residential areas are all zoned as GRZ. The new residential zones will limit heights to two storeys in some areas by applying the NRZ and will ensure growth is directed to the right locations.

Council's work on the new residential zones started in 2013 and was subject to community consultation in 2014 and 2018. In August 2019 Council resolved to adopt the new residential zones and underlying strategic work including the Housing Strategy, Neighbourhood Character Study (and design brochures) and Activity Centres Strategy.

Translation to the new state format

Just after Council resolved to adopt the new residential zones, the Victorian Government released new and further planning guidance in late 2019 (Planning Practice Notes 90 and 91). This meant that in order to introduce the new residential zones into the planning scheme, substantial further work was required to translate the scheme into the new state format. The translation was undertaken from October 2019 to July 2020.

While translating the Local Planning Policy Framework into the new state format, Council officers also further updated the scheme to reference Council policy such as the Urban Forest Strategy 2020, to ensure that the scheme was as up to date as possible.

Amendment C131

At the Council Meeting held on 11 August 2020, Council resolved to adopt the changes to the new residential zones and strategic work as required to respond to new state guidelines, and to seek the approval of the Minister for Planning to prepare and exhibit an amendment that implements this work along with the updated and restructured Hobsons Bay Planning Scheme (Amendment C131).

The following section outlines the process that the Amendment has followed since August 2020, including authorisation of the Amendment, public exhibition and review by an independent Planning Panel.

Discussion

Changes to Amendment C131 to respond to authorisation conditions

Amendment C131 was submitted to the Minister for Planning for authorisation on 11 September 2020. The Amendment proposes to change the scheme by:

- replacing the Municipal Strategic Statement (MSS) and Local Planning Policy Framework (LPPF) at Clause 21 and Clause 22 with a Municipal Planning Strategy (MPS) and local policies within the Planning Policy Framework (PPF)
- including new schedules to existing zones and overlays
- revising provisions at Clause 52, Clause 72 and Clause 74
- introducing new residential zones and Neighbourhood Character Overlays and corresponding map changes

On 14 October 2020, under delegation of the Minister for Planning the Department of Environment, Land, Water and Planning granted authorisation to exhibit the Amendment subject to conditions (refer to Attachment 4).

The conditions mostly required changes to the residential zone schedules and neighbourhood character policy and meant that:

- neighbourhood character policy only applies to land in the NRZ or GRZ in the minimal, incremental and moderate housing change areas
- neighbourhood character policy does not apply to precinct heritage overlays, where heritage objectives already apply
- prescriptive detail in the Neighbourhood Character Study and design brochures could not be translated into the scheme where this was duplicating or contrary to existing

state policy, design objectives and standards and did not align with the extent of housing change proposed

- the design brochures have been removed as background documents, the zone schedules and policy (which includes parts of the neighbourhood character study information) will inform development outcomes going forward
- schedules to the zones were combined where they were similar. The total number of zone schedules reduced from 37 to 19

The above is discussed further in Section 4 of the Panel Report included at Attachment 1. A summary of the changes to the zone schedules is also included at Attachment 5.

Overall, while not all the detail in the Neighbourhood Character Study and brochures could be translated into the scheme the new content significantly expands existing content and improves decision-making guidance for residential development.

In particular the Amendment:

- translates elements and design objectives from the Neighbourhood Character Study and brochures into the GRZ and NRZ schedules and includes some detail relating to requirements for setbacks, private open space, landscaping and tree planting
- implements a Neighbourhood Character Overlay to protect special neighbourhood character areas. The schedules to the overlay contain a full translation of the character objectives and design requirements detailed in the design brochures in recognition of these six unique areas
- includes a new Clause 15.01-5L Hobsons Bay Preferred Neighbourhood Character that translates the content of the adopted neighbourhood character study and design brochures into high level policy objectives

Public exhibition

The Amendment was on public exhibition for six weeks from 11 November to 23 December 2020 and received a total of 56 submissions. The key issues raised in submissions are summarised below. Refer also to Attachment 6.

Issues raised regarding the new residential zones and housing changes

- building height of the proposed GRZ and RGZ and the associated impact on residential amenity and neighbourhood character
- increased density and impact on existing infrastructure, community facilities, traffic and parking issues, and the environment (reduced green spaces)
- variations to schedules to NRZ and GRZ considered to restrict development potential
- criteria used for applying new zones to particular sites and areas queried

Issues raised regarding the new structure (PPF translation)

- translating specific strategies, policies and background documents from the current scheme
- wording of specific strategies – disagreeing with intended outcomes
- translation of the existing Environmentally Sustainable Development Policy, in particular the loss of reference to “best practice” and the text change of the sunset clause from “equivalent” to “comparable”

- perceived introduction of competing policy objectives (e.g. subjecting land within a Design and Development Overlay (DDO) to a proposed design policy (Clause 15.01-1L Design in substantial change areas)
- strategic work required to justify particular policies or strategies and lack of policy guidelines

In response to the submissions Council suggested some changes to the Amendment to address issues raised. All submissions were referred by the Chief Executive Officer (CEO) under delegation to an independent Planning Panel for consideration (refer to Attachment 6).

Planning Panel recommendations

A Planning Panel is a panel appointed by the Minister for Planning to hear submissions on amendments to planning schemes. Panel members consist of experts in their field. They review submissions and make recommendations to Council that must be considered before an amendment is adopted. A four-day Panel Hearing on the Amendment was held in May 2021 and all submitters to the Amendment had the opportunity to be heard by the panel. The Panel Report was issued on 9 August 2021 and is included at Attachment 1.

Amendments introduce legislative changes and as such it is a requirement that they be strategically justified. The panel report found Amendment C131 was underpinned by robust strategic work, stating that “Council is to be congratulated on integrating a substantial amount of strategic work to develop a comprehensive forward-looking framework that addresses housing growth and urban character issues”.

In addition, the panel report found:

- the application of the new residential zones and the level of housing change proposed across the municipality is strategically justified and appropriately considers state guidance and matters such as heritage, environmental risks/proximity to Major Hazard Facilities, and proximity to services
- the Neighbourhood Character Overlays proposed to protect distinctive character areas as well as the objectives and requirements in the schedules to the zones are justified and necessary to protect existing neighbourhood character

Overall, the Panel supported Council’s response to submissions with a few exceptions. The Panel’s recommended changes to the Amendment and the officer’s responses are outlined at Attachment 2 and summarised below:

Panel recommendation*	Officer response
Recommendations 1 to 5 seek to relocate, rename and reword some of the policy clauses to align with the State planning framework and to improve clarity.	Agree. These are formatting changes and do not have a material effect on the policy intent.
Recommendation 6 seeks to reword objective to ensure clarity	Agree.

Panel recommendation*	Officer response
Recommendations 7 and 8 relate to specific matters in the residential zone schedules around landscaping of front setbacks and requirements for planting canopy trees. The specification around a 6m high canopy tree is recommended to be removed in favour of flexibility.	Agree. Changes would clarify policy intent and would provide flexibility in how the requirement for canopy tree planting is met.
Recommendations 11 to 16 seek to revise the zoning applied at several sites due to consideration of boundary changes, existing uses and any overlays currently in place. Many of the recommendations are changes suggested by Council.	Agree. Revisions and the zone maps have been updated accordingly.

* Note that the Panel Report incorrectly numbers the recommendations by skipping #9-10. Only 14 recommendations are provided in total.

Council officers have also recommended some further minor changes to correct typographical and mapping errors identified during the amendment process. These are detailed in Attachment 2.

Amendment adoption and next steps

The Amendment proposed for adoption is as per the exhibited version subject to some minor changes outlined above. Council can resolve to adopt or abandon part or all of the Amendment which is included at Attachment 3. If adopted the Amendment would then be submitted to the Minister for Planning for approval.

Officers are recommending adoption of Amendment C131 which has been considered by an independent Planning Panel to be well founded and consistent with the modernised structure for planning schemes introduced as a requirement by the Victorian Government.

The Amendment provides a significant reform to the Hobsons Bay Planning Scheme that will include new residential zones and local policy to assist Council to make better planning decisions that protect valued neighbourhood character, improve residential design and increase tree canopy cover.

9.3.3 Hobsons Bay Kindergarten Infrastructure

Directorate:	Sustainable Communities
Responsible Officer:	Manager Community Life
Reviewer:	Director Sustainable Communities
Attachments:	1. Combined MOU Project Schedule Statement of Intent [9.3.3.1 - 22 pages] 2. Anticipated Unmet Kindergarten Demand in Hobsons Bay [9.3.3.2 - 1 page] 3. Hobsons Bay KISP [9.3.3.3 - 17 pages]

Cr Jonathon Marsden adjourned the meeting at 8.38pm for a short break until 8.50pm.

Purpose

To update Council on the three-year-old kindergarten reforms and infrastructure requirements in Hobsons Bay and to seek endorsement to commit Council funding contributions in order to secure substantial Victorian Government funding to deliver the infrastructure.

Motion

Moved Cr Peter Hemphill, seconded Cr Diana Grima:

That Council:

1. Notes the Victorian Government three-year-old kindergarten reforms and the plan to deliver this in Hobsons Bay as set out in the Building Blocks Partnership Memorandum of Understanding 2021 (the MOU).
2. Endorses the allocation of up to \$2.43 million (two million, four hundred and thirty thousand dollars) excluding GST of Council funds in future budget years between 2022-23 and 2025-26 for capital works expenditure, subject to receipt of an additional \$8.45 million (eight million, four hundred and fifty thousand dollars) excluding GST from the Victorian Government.
3. Notes that this would bring the total expenditure on the provision of additional kindergarten facilities in Hobsons Bay to \$11.865 million (eleven million, eight hundred and sixty-five thousand dollars) excluding GST, of which \$0.985 million (nine hundred and eighty-five thousand dollars) (excluding GST) is underway in 2021-22, with the remaining \$10.88 million (ten million, eight hundred and eighty thousand dollars) (excluding GST) the subject of the MOU.

Carried unanimously

Recommendation

That Council:

1. **Notes the Victorian Government three-year-old kindergarten reforms and the plan to deliver this in Hobsons Bay as set out in the Building Blocks Partnership Memorandum of Understanding 2021 (the MOU).**
2. **Endorses the allocation of up to \$2.43 million (two million, four hundred and thirty thousand dollars) excluding GST of Council funds in future budget years between 2022-23 and 2025-26 for capital works expenditure, subject to receipt of an additional \$8.45 million (eight million, four hundred and fifty thousand dollars) excluding GST from the Victorian Government.**
3. **Notes that this would bring the total expenditure on the provision of additional kindergarten facilities in Hobsons Bay to \$11.865 million (eleven million, eight hundred and sixty-five thousand dollars) excluding GST, of which \$0.985 million (nine hundred and eighty-five thousand dollars) (excluding GST) is underway in 2021-22, with the remaining \$10.88 million (ten million, eight hundred and eighty thousand dollars) (excluding GST) the subject of the MOU.**

Summary

Hobsons Bay City Council currently supports the provision of kindergarten services for about 940 children per week. Programs are delivered by not-for-profit early years providers and voluntary parent committees of management under lease or licence and service agreements. Council's primary role is to provide facilities and ensure that volunteer committees of management and not-for-profit providers deliver appropriate services.

The Victorian Government Early Childhood Reform Plan 2017 includes the introduction of three-year-old kindergarten across the state, commencing in Hobsons Bay in 2022. This will greatly increase the number of children attending kindergarten and the number of places required to accommodate them. Implementation is supported through a document called the Kindergarten Infrastructure and Services Plan (KISP) (Attachment 3) which is agreed between the Department of Education and Training (DET) and Council and outlines anticipated supply and demand, and proposed provision and funding of infrastructure. The Hobsons Bay KISP indicates that Hobsons Bay will experience unmet demand for kindergarten places from 2024 onwards.

The Victorian Government has committed \$1.68 billion to support kindergarten infrastructure expansion across the state and is seeking to work in partnership with Council via a Building Blocks Partnership MOU (draft attached) to co-invest in new facilities and expand existing facilities. Through the MOU, the Victorian Government is committing to contribute at least \$8.45 million over the next four years to expanding facilities in Hobsons Bay to meet three-year-old kindergarten demand, provided Council contributes \$2.43 million. While the MOU is signed by officers, it includes future funding commitments which require Council endorsement. The Council contribution has been included in the forward Capital Works Program although these amounts have not received Council endorsement. This report seeks Council's endorsement for future years investments, so the MOU can be executed and state funding secured.

Background

Hobsons Bay City Council has 18 kindergarten services and supports not-for-profit early years providers and voluntary parent committees of management to deliver kindergarten programs from these Council facilities, under lease or licence and service agreements. While over 51 of Victoria's 79 councils deliver kindergarten services directly, the Hobsons Bay service delivery model is more cost efficient, saving Council approximately \$700,000 per annum while also allowing for greater community involvement.

Approximately 1,200 children attend funded four-year-old kindergarten in Hobsons Bay each week. 940 of these are in a service supported by Council and the remaining children access kindergarten through a private long day care centre.

Discussion

The Early Childhood Reform Plan 2017 (the Reform) outlines the Victorian Government's vision for and commitment to early childhood education. It aims to create a higher quality, more equitable and inclusive early childhood system. This is supported by a joint "Supporting Children and Families in the Early Years" compact between the DET, the Department of Families, Fairness and Housing and local government.

To support implementation of the Reform, the Victorian Government has committed to fund three-year-old kindergarten for all children with a total investment of almost \$5 billion, including a \$1.68 billion commitment to support infrastructure expansion by co-investing with local governments and other not-for-profit kindergarten providers.

From 2022, children in Hobsons Bay will have access to two years of funded kindergarten (three- and four-year-old) prior to commencing primary school. It is expected that this will almost double enrolments in not-for-profit and committee of management services, from 940 in 2021 to 1,600 in 2022.

Council's role in the implementation of the Reform is to work in partnership with the Victorian government and local service providers to ensure that kindergarten infrastructure, facilities and services are adequate and equipped to meet the additional demand for places following the introduction of three-year-old programs.

The Hobsons Bay Kindergarten Infrastructure and Services Plan (KISP) estimates supply and demand for three-year-old kindergarten from 2021-29. It predicts that Hobsons Bay will require additional infrastructure to meet demand from 2024 onwards, as outlined in the table below. The KISP acknowledges that population growth estimates may change, particularly as the impacts of the current pandemic flow through and enables amendment if growth and patterns change.

Table: estimates of demand for and availability of kindergarten places within current facilities

LGA Level estimates	2021	2022	2023	2024	2025	2026	2027	2028	2029
Total estimated demand for kindergarten places (three and four-year-old)	1,365	1,770	1,941	2,114	2,264	2,509	2,653	2,803	2,990
Total kindergarten places that cannot be accommodated by existing services	0	0	0	22	75	278	377	482	628

The KISP predicts that unmet need will be most prominent in:

- Altona North from 2024
- Newport West and East, South Kingsville, and Spotswood from 2025
- Seabrook, and Altona from 2026
- Williamstown from 2029

Attachment 2 includes a map of anticipated unmet kindergarten demand in Hobsons Bay.

Council's forward Capital Works Program has already provisioned for a range of Early Years infrastructure investment to meet the needs of ongoing population growth and the three-year-old kindergarten reforms.

Area/ Suburb	Current licensed places	Year additional places needed	Increase in licensed places	Constructio n / funding year	Total capex \$m	Total proposed Council funding \$m	Total proposed DET funding \$m
Altona North	113	2024	40	2022-23	1.73	1.13	0.60
Newport, South Kingsville and Spotswood	220	2025	47	2022-23	2.95	0.00	2.95
Altona	189	2026	36	2024-25	2.10	0.00	2.10
Seabrook	66	2026	TBC	2025-26	1.60	0.80	0.80
Altona North Precinct 15	0	2026	66	2025-26	2.50	0.50	2.00
Total (\$m)					10.88	2.43	8.45

Note that the MOU excludes a project already underway in Newport, which was budgeted in 2021-22. This includes a \$0.6 million Victorian Government grant and \$0.385 million in Council funding, which will increase Newport's capacity by 33 places (from 149 to 182). With this project, the total investment to expand kindergarten services to offer three-year-old kindergarten over the next five years will be \$11.865 million, of which \$9.05 million is Victorian Government contribution and \$2.815 million Council funding.

The MOU is a very positive step from the Victorian Government to provide councils with certainty of future funding commitment and will enable Council to plan for its own co-investment and capital works program. Historically most Victorian Government contributions in the early years space are made via annual competitive grants with no certainty of outcomes.

While the MOU is endorsed by Council officers, it contains future funding commitments that require Council endorsement. If Council endorses the future expenditure, Council officers will sign the MOU. Once signed, the MOU's Statement of Intent and the KISP will become public facing, high level documents highlighting the most immediate projects up to 2025-26 and anticipated unmet kindergarten demand. In addition to the infrastructure funding outlined in the table above, the endorsed MOU will also allow Council to access grants from \$50,000 and funded modular facilities per infrastructure project via a guaranteed, streamlined process.

9.3.4 Events and Festivals Plan Reporting

Directorate:	Sustainable Communities
Responsible Officer:	Coordinator Events and Visitor Services
Reviewer:	Director Sustainable Communities
Attachments:	1. Hobsons Bay Events and Festivals Plan Year 5 Report – Table of Funded, Supported or Produced Events [9.3.4.1 – 3 pages] 2. Events and Festivals Plan Year 5 Progress Report - Table of Permit Applications July 2020-December 2021 [9.3.4.2 – 3 pages]

Purpose

To report on the progress and outcomes of the Hobsons Bay Events and Festivals Plan 2016-21 during the period from July 2020 to December 2021.

Motion

Moved Cr Matt Tyler, seconded Cr Diana Grima:

That Council notes the progress and outcomes of Year 5 of the Hobsons Bay Events and Festivals Plan 2016-21.

Carried unanimously

Recommendation

That Council notes the progress and outcomes of Year 5 of the Hobsons Bay Events and Festivals Plan 2016-21.

Summary

Through the Hobsons Bay Events and Festivals Plan 2016-21 (the Plan), Council enables a diverse events program which showcases the city and provides opportunities for community celebration, participation, collaboration and connection, and capacity building.

This report summarises the outcomes of the Plan during the period from July 2020 to December 2021, lists the actions undertaken in line with its goals, values, and themes, and notes the impact of the COVID-19 pandemic. This is the final report on the 2016-21 Plan which included a requirement to report to Council on outcomes.

Background

Successful events can build cultural identity, enhance social cohesion and connection, and enable a celebration of sense of place, providing a greater understanding of where we live.

Investment in events can support the local economy, attract visitors, and encourage their return, which can benefit local business and organisations.

Council has several roles in relation to events and festivals. These include the assessment and approval of events on Council-managed land, provision of advice on compliance and coordination of stakeholders and authority approvals. Council takes an active advisory and facilitation role, providing a central point of contact for event organisers, monitoring, and evaluating event impacts and providing guidance and capacity building to the community. Council provides support through funding and in-kind contributions to events which help meet Council goals, identifies opportunities and develops partnerships and is sometimes an event producer.

Discussion

Hobsons Bay is home to a diverse calendar of events that contribute to making the city a great place to live and visit. The Plan provides direction for the support, management and development of events and festivals in Hobsons Bay and is established across three goals:

1. To strengthen and support events that enhance our community
2. To strengthen tourism and economic outcomes
3. To effectively manage event impacts

Council funding

During 2020 Council provided funding assistance to event producers who had made application to the Local Events and Festivals Fund and Major Events Sponsorship programs, and through an open round in support of Small Short Lead requests. Funds unexpended due to COVID-19 impacts were incorporated into the Hobsons Bay Recovery and Connection Make It Happen grants program.

Applications are reviewed by representatives across Council on the criteria established in the Plan Goals, assessing proposals on the delivery of community benefits and outcomes, economic and tourism benefits and outcomes, dispersion, contribution to a diverse events calendar for the city as well as the applicant's capacity to deliver.

COVID-19 Impact

During the period, funding was offered to 35 events and festivals that relate to the arts, cultural programming, community celebration and major events. A list of successful applicants is attached.

Federal and state government actions to limit health impacts due to the pandemic including, to date, six lockdown periods in metropolitan Melbourne, have had a direct impact on event planning and delivery resulting in the cancellation, postponement or rescheduling of 19 events during the period. Additionally, event organisers had to adjust content to meet public health requirements for COVID-safe events. These circumstances have proved challenging for both event producers and community event organisers who directly report financial, social and health and wellbeing impacts.

The development for the third Art & Industry Festival was able to progress through 2020 and was successfully recast as an online program. Major events which were able to take place included Puppet Mayhem, which launched newly resident puppet company A Blanck Canvas

to a sold-out audience at Seaworks, and the Piers Festival which was produced for a rescheduled Midsumma program in April. Planning is underway for the inaugural Monster Mayhem in the Meadows event in October and the planned return of the Laverton Festival in February 2022.

To create a festive and low impact events environment in the city in December 2020, Council created its Hobsons Bay Festive Heart program, with displays of neon hearts across the city and six roving performances in Altona, Laverton, and Williamstown.

Council enabled partnerships in major festivals through Midsumma Westside and the National Trust Australian Heritage Festival in Heritage Hobsons Bay. Through the Melbourne Food and Wine partnership Eat Drink Westside, the new neighbourhood scale Westside Crawls was launched in Altona and Spotswood in March.

Assistance was provided to organisers of ANZAC commemoration services in Altona, Newport, Seabrook and Williamstown and Council's Events Unit coordinated the response to the New Year's Eve gathering in Williamstown and Newport.

Cancelled events included the Vernon Street Festival, Newport Lakes Bush Dance, Altona Meadows Carols by Candlelight and Winter in Altona. The Newport Folk Festival cancelled its program and is working to present live performances from festival artists during the remainder of the year, and the Williamstown Literary Festival cancelled its June program but was able to proceed with the annual Ada Cambridge Writing Awards as an online event. Others, including premier Melbourne Food and Wine Festival event "Food for Thought" have rescheduled events to 2022 in the hope of more favourable conditions.

During the reporting period, Council received 99 applicants for events permits. Of these, 32 needed to cancel, reschedule, redesign or postpone events due to COVID-19 impacts. See attachments for a summary of events and festivals which were funded, supported, produced or issued with permits during the period July 2020 to December 2021.

Proposed actions for 2021-22

The Hobsons Bay Events and Festivals Plan 2016-2021 is in its final year. Council will be able to consider the future direction of its new Events and Festivals Plan over the coming months.

Each year Council augments the calendar with a series of free outdoor events. In 2022, this program will be designed to minimise financial and community risk while still delivering opportunities for events and community benefit.

Council will continue to strengthen and support event organisers by providing practical support and advice about what they need to rebuild and how to work within an unpredictable COVID-19 landscape.

9.4 Infrastructure and City Services

9.4.1 Draft Hobsons Bay Landscape Design Guidelines

Directorate:	Infrastructure and City Services
Responsible Officer:	Manager Active Communities and Assets
Reviewer:	Director Infrastructure and City Services
Attachments:	1. Draft Hobsons Bay Landscape Design Guidelines [9.4.1.1 - 32 pages]

Purpose

To seek Council's approval to place the Draft Hobsons Bay Landscape Design Guidelines on public exhibition.

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Peter Hemphill:

That Council:

- 1. Places the Draft Hobsons Bay Landscape Design Guidelines on public exhibition for four weeks.**
- 2. Receives a further report to adopt the Hobsons Bay Landscape Design Guidelines at a future Council Meeting.**

Carried unanimously

Recommendation

That Council:

- 1. Places the Draft Hobsons Bay Landscape Design Guidelines on public exhibition for four weeks.**
- 2. Receives a further report to adopt the Hobsons Bay Landscape Design Guidelines at a future Council Meeting.**

Summary

The Draft Hobsons Bay Landscape Design Guidelines aim to improve residential and urban landscaping outcomes across the municipality and improve the quality of the municipality's physical and natural environments by ensuring high quality landscape design is provided as part of new developments.

The guidelines are a valuable tool used when assessing landscape plans within planning permit applications and will help prepare the municipality for population growth as we respond to increasing densification in key growth areas.

The draft guidelines will be placed on public exhibition for four weeks before the final guidelines will be considered for final adoption.

Background

The current Landscape Design Guidelines were adopted by Council on 20 April 1999. Since that time, Hobsons Bay has undergone notable change as neighbourhoods have densified and gentrified, industrial land has been converted to residential zones and the overall population of the municipality continues to grow.

As Hobsons Bay enters a period of unprecedented change and population growth, it is critical that current and future developments meet the expectations of the community. The guidelines enable Council officers to provide consistent advice to developers that achieve good outcomes for the community.

Discussion

The purpose of the guidelines is to assist applicants, property owners, developers, builders, architects, and designers in preparing a suitable landscaping response to their development.

The guidelines also support Statutory Planning when assessing landscape plans as part of planning permit applications, and ensures development appropriately aligns with neighbourhood character.

Landscaping is often the final element to any development and can be the most vital. Urban landscaping plays a critical role by reducing heat island effects, enhancing biodiversity, protecting ecosystems, reducing stormwater runoff, improving water balance, reducing community stress, as well as contributing to the character of an area.

These guidelines seek to ensure that the landscaping enhances the existing local neighbourhood character, integrates the development with the surrounding environment, improves the site amenity and provides liveable outdoor spaces for residents.

The objectives of the guidelines are to:

- improve the quality of the municipality's physical and natural environments
- ensure that high quality landscape design is provided as part of developments
- assist in achieving sustainable and environmentally beneficial landscape design outcomes

Implementing these guidelines will ensure that landscape design considers the impact on existing vegetation, heritage values, the streetscape and neighbouring properties including open space and nearby significant biodiversity areas.

9.4.2 Contract 2021.02 Blenheim Road Community Park Upgrade

Directorate:	Infrastructure and City Services
Responsible Officer:	Senior Project Manager
Reviewer:	Director Infrastructure and City Services
Attachments:	1. Blenheim Road Reserve Layout Plan [9.4.2.1 - 1 page]

Purpose

To seek Council endorsement for the awarding of Contract 2021.02 for Blenheim Road Newport Community Park – Construction.

Motion

Moved Cr Peter Hemphill, seconded Cr Pamela Sutton-Legaud:

That Council awards Contract 2021.02 for Blenheim Road Newport Community Park – Construction to Commercialscapes Pty Ltd at a fixed lump sum price of \$1,251,544 (one million, two hundred and fifty-one thousand, five hundred and forty-four dollars) including GST.

Carried unanimously

Recommendation

That Council awards Contract 2021.02 for Blenheim Road Newport Community Park – Construction to Commercialscapes Pty Ltd at a fixed lump sum price of \$1,251,544 (one million, two hundred and fifty-one thousand, five hundred and forty-four dollars) including GST.

Summary

A public tender process was conducted on 9 June 2021. At the close of tenders, five submissions were received and evaluated with the three lowest priced submissions being shortlisted for interview. At the conclusion of the interviews, the panel agreed to recommend Commercialscapes Pty Ltd based on highest weighted score, lowest price, capacity and resources to undertake the works within the timelines including favourable referee comments.

Background

In 2004, Council resolved to develop a public park on the Council-owned site in front of the Australian Islamic Centre (AIC) on Blenheim Road in Newport. The park is adjoined by a recently completed sportsground development with a shared use agreement between Council and Bayside P-12 College's Paisley Campus. The Blenheim Road Park project will be developed for passive recreational use by the local community, as per the layout plan

attached. The community consultation and concept development for the project was undertaken in 2019.

The park is a significant site for Council at a municipal level, given the context of the AIC, which was designed by world renowned and internationally recognised Australian architect Glenn Murcutt in collaboration with Hakan Elevli of Elevli+ Architects. The project was featured in Open House Melbourne and is visited by architects and tourists from around the world.

The Blenheim Road Park project's procurement and specifications place special focus on using sustainable materials and practices to reduce waste and greenhouse gas emissions during construction and to consider sustainable options for the site.

Key features of the open space design include the path network, park furniture, picnic shelters, barbeque, public toilet, water feature, play equipment, art items, irrigation and landscaping including advanced tree planting and landscaped areas to provide shade and resting spaces throughout the reserve.

The 2021-22 budget allocation for the construction phase is \$1,935,000 of which \$535,000 has already been allocated to another contract for the furniture on the site.

Discussion

A public tender process was conducted from 9 July 2021 to 29 July 2021 inviting suitably qualified and experienced contractors to submit a tender response. Fifteen companies downloaded the tender documents, and five tender submissions were received at the close of tender. The five submissions were evaluated with three submissions shortlisted for interview, these being Commercialscapes Pty Ltd, LD Total Pty Ltd and PTA Landscapes Pty Ltd.

Tender interviews were held with Commercialscapes, LD Total and PTA Landscapes on 7 July 2021. Prior to interview, the shortlisted tenderers were provided with the agenda and a series of questions and clarifications.

Following the interview, specific clarifications were issued to Commercialscapes and LD Total as there were several anomalies within their tendered price. Subsequently the tenderers provided adjusted pricing.

The tender panel reconvened to finalise the scoring. As the three shortlisted tenderers prices were under budget, the panel agreed to include several tender options that were within the initial tender schedules and priced by each tenderer.

The options include planting of grasses and ground cover, large and small shrubs, maintenance of all soft landscape for a period of 18 months, supply and installation of feature barrier fence and furniture play items.

At the conclusion of the interview, the tender panel reassessed the tendered submissions based on the mandatory and assessable criteria. The panel recommends awarding the project to Commercialscapes based on highest weighted score, lowest price, capacity and resources to undertake the works and favourable referee comments.

9.4.3 West Gate Tunnel Project Update

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

Motion

Moved Cr Tony Briffa, seconded Cr Diana Grima:

That Council extends the meeting to 10pm.

Carried unanimously

Purpose

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

Motion

Moved Cr Diana Grima, seconded Cr Pamela Sutton-Legaud:

That Council:

- 1. Receives and notes this update report on the West Gate Tunnel Project and Council's advocacy on aspects of the Project.**
- 2. Notes that the reporting frequency of the West Gate Tunnel Project Update report will change from monthly to quarterly reporting.**

Carried unanimously

Recommendation

That Council:

- 1. Receives and notes this update report on the West Gate Tunnel Project and Council's advocacy on aspects of the Project.**
- 2. Notes that the reporting frequency of the West Gate Tunnel Project Update report will change from monthly to quarterly reporting.**

Summary

This report includes strategic advocacy items and progress updates on Project works, the Sports and Open Space Enhancement Package and the West Gate Neighbourhood Fund.

Background

The Project commenced in 2018 and is expected to be completed in 2024. The Project is delivered through a partnership between the Victorian Government and Transurban (Project Co), managed by the West Gate Tunnel Project – Major Transport Infrastructure Authority (WGTP MTIA) and built by construction contractors CPB Contractors and John Holland as a joint venture (the JV).

Monthly reports providing updates on various aspects of the Project have been tabled through Council Meetings since early 2018. It is now proposed to change the reporting frequency from monthly to quarterly updates with four reports per year.

Initially, monthly updates were required when the project was in the planning and design phase and decisions were required to be made in advocating the interests of the community. Now that the project is well into the construction phase, less frequent decision making by Council is needed. It is proposed that the final monthly update on the project will be provided to the September meeting with the following report to be tabled at the December 2021 meeting.

Previous reports can be accessed via the Council website at:

<https://www.hobsonsbay.vic.gov.au/Council/Council-Meetings/Minutes-and-Agendas>

Discussion

Sports and Open Space Enhancement Package

Works are progressing on the WLJ Crofts Reserve, Altona North sporting pavilion and the WH Couch Pavilion at Donald McLean Reserve, Spotswood (Figure 1). Construction of the new cricket practice nets at Donald McLean Reserve has commenced with expected completion in October.



Figure 1: New pavilion at Donald McLean Reserve under construction

West Gate Neighbourhood Fund

The West Gate Neighbourhood Fund is a \$10 million community grants program established to support communities in Melbourne's inner west. There will be one round of partnerships and one round of grants each financial year.

Applications for the first round of the West Gate Neighbourhood Fund community grants closed on 18 June 2021. This grants stream will support community-led projects that improve community access and participation across three funding categories up to \$100,000. Eighty-four applications were received and are being assessed by WGTP MTIA with an announcement of successful applicants expected in September 2021.

Further information on the West Gate Neighbourhood Fund can be found at:
www.westgatetunnelproject.vic.gov.au/neighbourhoodfund

Project Works Update

Recent Project construction works have progressed in the west zone, with several traffic lane switches planned to enable rebuilding of the freeway in various sections. Major work continues at the Williamstown Road, Millers Road and the M80/Western Ring Road freeway interchange areas. Noise wall works continue along both sides of the freeway corridor including installing new noise walls panels at night between Steel Street and Vernier Street in Spotswood.

Major project works along the West Gate Freeway corridor will continue until the end of the year in the following areas:

- West Gate Freeway (outbound from Millers Road)
- Simcock Avenue, Spotswood
- Fogarty Avenue and The Avenue, Spotswood
- West Gate Freeway between Newport Rail Bridge and Williamstown Road

Outbound freeway lanes around Grieve Parade are currently split apart while the centre lanes are rebuilt (Figure 2). If you are travelling outbound you will need to make sure you are in the correct lane, depending on your destination, when you are passing Millers Road.

More information and a video about this arrangement, including a guide to which lane you need to be in and what to do if you miss your turn, is available on the WGTP website:
<https://westgatetunnelproject.vic.gov.au/about/latest-updates/plan-ahead-traffic-lane-changes-coming-soon-on-the-west-gate-freeway>



Figure 2: Traffic switch between Grieve Parade and M80

A one-way traffic set up is now in place on Simcock Avenue until the end of September 2021 to facilitate an underground utility service relocation (Figure 3). Pedestrian access around the work area and access to businesses on Simcock Avenue has been maintained. More information is available at:

https://westgatetunnelproject.vic.gov.au/_data/assets/pdf_file/0016/553201/Simcock-Avenue,-Spotswood-one-way-setup-and-road-closure,-12-July-2021.pdf



Figure 3: Simcock Avenue Traffic Management Plan

Traffic changes including intermittent road closures between Fogarty Avenue and The Avenue will occur until January 2022 for freeway widening and constructing the new walking and cycling path along Fogarty Avenue (Figure 4).

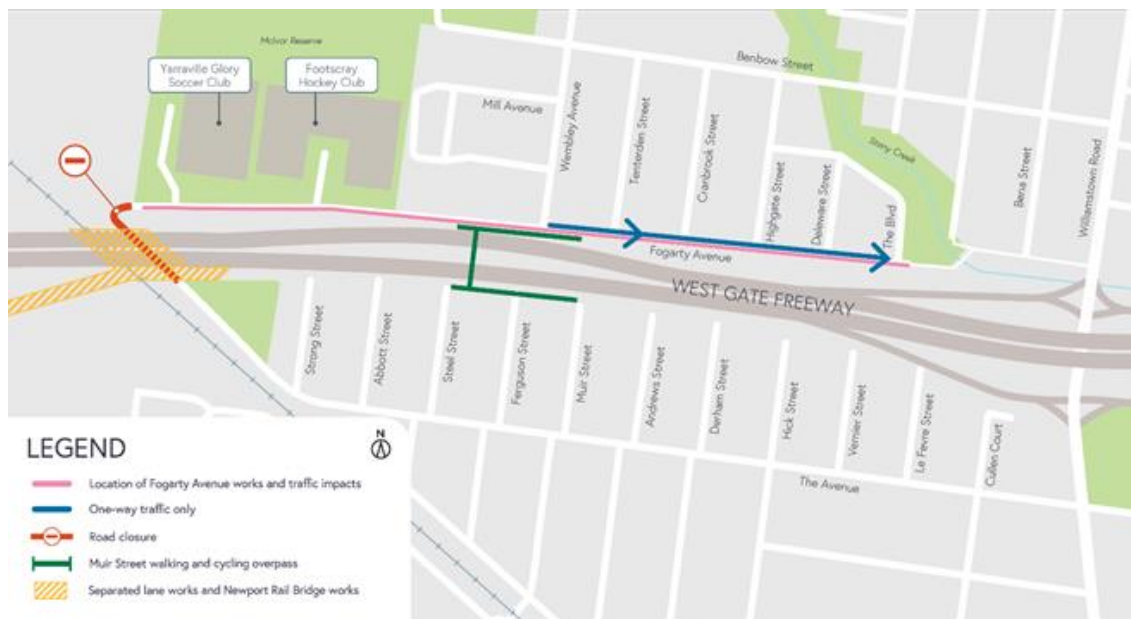


Figure 4: Planned works at Fogarty Avenue and The Avenue, Spotswood

Between August to October 2021 the Project will be carrying out occasional noisy nightworks and freeway lane closures between Newport Rail Bridge to Williamstown Road. Works include the installation of new noise walls (mainly between Steel Street and Vernier Streets), installation of support structures for the new Hyde Street ramps at Williamstown Road (Figure 5) and demolition works (which will necessitate the closure of The Avenue under the West Gate Freeway). Notification of the works has been circulated to about 1000 houses in the vicinity.



Figure 5: Hyde Street ramps – map of work areas and photos of construction

Up-to-date information on planned road closures and detours can be found at the Victoria’s Big Build website: <https://bigbuild.vic.gov.au/disruptions>

Strategic Advocacy Issues

Underground Power Lines

On 9 October 2018 Council considered the JV proposal to relocate 66kV electricity supply assets to the south of the freeway between The Avenue in Spotswood and the Brooklyn Terminal Station and resolved to approve temporary overhead power lines within the SP Ausnet easement between the Newport rail line and the Brooklyn Terminal Station on the condition that it is placed underground by the JV prior to September 2022.

Council has requested the JV to provide a timeline to place the temporary overhead power lines underground and move the overhead poles in The Avenue Reserve to a more appropriate position. The JV is preparing a design for the works expected to be finalised in October.

Primula Avenue

In September 2021 the JV will be implementing detector loops in Primula Avenue that are linked to the traffic signals on the freeway exit ramp at Millers Road to improve the right turn from Primula Avenue.

Paringa Road

A permanent closure of Paringa Road at Millers Road was included in the JV design for the Millers Road/West Gate Freeway interchange upgrade for the extension of the noise wall into Paringa Road and to simplify the left turn access into the west outbound freeway access ramp.

Following community and retail trader concerns on the proposed closure the JV have prepared a design for Paringa Road access to remain open, subject to WGTP MTIA approval. The key changes are removal of a section of proposed noise wall, realigned road kerb alignment, shifting some intersection infrastructure and incorporating a signalised pedestrian crossing. The JV propose to achieve the required noise mitigation outcomes through specific measures on each of the four properties impacted.

Offset Tree Planting

The Project has a requirement to plant five trees for every tree that is removed because of the Project works pursuant to Environmental Performance Requirement (EPR) - EP6 Landscape Plan.

An offset tree plan has been developed with input from Council and community stakeholder groups, which identifies suitable locations for offset tree planting within the Project corridor. The final plan is being prepared by the JV for review by Council and other stakeholders, expected to be available in late 2021.

Kororoit Creek Trail and Federation Trail Upgrade

The JV has commenced work on the new section of Kororoit Creek Trail between Geelong Road and GJ Hosken Reserve, linking the existing paths. Works are expected to be completed by mid-2022. The design includes an upgrade of Federation Trail between Kororoit Creek and Millers Road with an asphalt resheet over the existing path. Council and Brimbank City Council continue to advocate for the trail to be reconstructed with concrete consistent with SUP standards and for long term durability.

10 Delegate Reports

Purpose

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

Motion

Moved Cr Peter Hemphill, seconded Cr Tony Briffa:

That Council receives and notes the recent Delegate Reports.

Carried unanimously

Recommendation

That Council receives and notes the recent Delegate Reports.

RoadSafe Westgate Community Road Safety Council

Directorate: Infrastructure and City Services

Councillor Delegate: Cr Diana Grima

Date of Meeting: 16 June 2021

Road Safe West Gate Working Group Update

The Fit to Drive (F2D) program with local schools has been delayed due to the May-June lockdown. The older driver programs remain on hold due to COVID-19 impacts.

Hobsons Bay City Council Update

Hobsons Bay provided updates on the planned introduction of a new drop-off and pick-up zone at Spotswood Primary School, progress on the implementation of the Transport Accident Commission's Community Road Safety Grant Program for purchase of Variable Message Signs (VMS) to reduce road speeds, and the development of expressions of interest bids for the Australian Government's annual Black Spot Program.

Other Member Council Updates

Officers from Maribyrnong City Council provided an update on the implementation of the VicRoads Community Road Safety Grants Program projects, which focused on VMS near schools to encourage lower vehicle speeds and the creation of safer pedestrian paths to encourage a higher proportion of active travel.

Wyndham City Council provided an update on the upgrade the intersection of Derrimut Road and Boundary Road (recently announced by the Victorian Government), their local area traffic management projects, and their program to promote road safety around schools.

RoadSafe Westgate Community Road Safety Council

Directorate: Infrastructure and City Services

Councillor Delegate: Cr Diana Grima

Date of Meeting: 21 July 2021

RoadSafe Westgate Update

RoadSafe Westgate provided the following update at the July 2021 meeting:

- data shows that RoadSafe Westgate's road safety messages that are displayed at VicRoads approved roadside locations are seen by more than a million road users per month
- the Looking After Our Mates sessions have been postponed due to the May-June COVID-19 lockdown
- Due to COVID-19 protocols no RACV Years Ahead or Senior Driver Expos sessions are planned for the 2021-2022 financial year

Hobsons Bay City Council Update

Hobsons Bay provided updates on the following key activities carried out in July 2021:

- preliminary assessment for Transport Accident Commission (TAC) analysis/design grant application has been made for active travel corridor (Green Line) project in Spotswood
- engagement results on the Draft Northern Local Area Movement Plans have been analysed and presented to Council for endorsement
- progress on potential blackspot submission for Churchill Street, Williamstown North (industrial area) has occurred

Other Member Council Updates

Officers from Maribyrnong City Council provided an update that Road Safety Around School program is currently on hold due to the COVID-19 lockdown. They are also working on TAC analysis and infrastructure grants.

Officers from Melton City Council provided updates regarding surveys relating to a walking and cycling study taking place in Brookfield, Melton and Melton South.

Officers from Wyndham City Council provided updates regarding significant increase in Council's Active Travel Program budget for the 2021-22 financial year. Officers also highlighted progress on Local Area Traffic Movement and other road safety projects.

Truganina Explosives Reserve Advisory Committee

Directorate: Infrastructure and City Services

Councillor Delegate: Cr Pamela Sutton-Legaud

Date of Meeting: 14 July 2021

The restoration works for the Under Keeper's Quarters are nearing completion, with the kitchen scheduled to be installed by the end of October 2021.

The working bee and Truganina Explosives Reserve Preservation Society would like to extend their thanks to Council for the recent grant funding received.

The Hobsons Bay Wetlands Centre has been in discussions with Council and architects regarding concept designs for the Wetlands Centre. Group members were encouraged to provide input into the design for the centre.

It was agreed that discussions would be opened with relevant Council officers to establish a course of action to review the Truganina Explosives Reserve Master Plan.

Metropolitan Transport Forum

Directorate: Infrastructure and City Services

Councillor Delegate: Mayor Cr Jonathon Marsden

Date of Meeting: 4 August 2021

Representatives from Victoria Walks presented on their position statement on Safer Urban Speed Limits. The presentation emphasised the relationship between reduced fatality risk at low impact speed. It also highlighted the safety benefits of low urban speed limits supported by convincing evidence of reduced crashes resulting in death or serious injury in Canada and the UK.

A recent survey found 64 per cent of Australians and 66 per cent of Victorians support lower speed limits in neighbourhood streets. The position statement provides the following key recommendations for the Victorian Government:

- review speed limits on arterial roads currently set at 60 km/h or more
- reducing the default urban speed limit for local roads from 50 to 40 km/h
- give councils the option of applying 30 km/h speed limits in areas of high pedestrian activity
- rethink school zones to allow reduced speed across the school neighbourhood, not limited to outside the school gate
- simplify state government approval processes for reduced speed limits and invest in street changes to support lower speeds.

Eng Lim, Coordinator Transport from Maribyrnong City Council shared the council's experience in creating safer roads in the municipality. In partnership with VicRoads, the council will be lowering the speed limit to 40km/hour on most council-owned roads. The rollout of the lower speed zone signage will take place across the municipality in four stages between March 2019 and June 2022.

This decision was endorsed by the council in October 2017 and was based on results from Local Area Traffic Management studies, the 2016 Annual Community Survey Report and feedback from residents feeling unsafe to walk or cycle in their local streets due to cars travelling at high speeds.

Eng also highlighted that with reduced speed limits on local roads, the rate of casualty crashes was observed to decrease based on annualised data.

11 Notices of Motion

11.1 Notice of Motion No. 1229 - Condolence - The Late Val Davis

Cr Diana Grima has given notice of the following:

Motion

Moved Cr Diana Grima, seconded Cr Tony Briffa:

That Council acknowledges the passing of the late Val Davis and sends a letter of condolence written under the signature of the Mayor to her family.

Carried unanimously

That Council acknowledges the passing of the late Val Davis and sends a letter of condolence written under the signature of the Mayor to her family.

Ms Davis's longstanding involvement in Laverton centred around the work she did in running the *Around Laverton* newspaper. She volunteered on the committee from 1979 to 2016. She was one of the founding members of the Laverton Garden Club as well as a founding member of the Laverton Together project which culminated in the Laverton community renewal project.

11.2 Notice of Motion No. 1230 - COVID-19 Advocacy to the Victorian Government

Section 8.15.5 of the Hobsons Bay Governance Rules requires the Chief Executive Officer to inform Councillors about the legal and cost implications of any proposed notice of motion. Accordingly, the costs of implementing this notice of motion will be accommodated within the existing operational budget.

At the time of receiving this notice of motion, there are no apparent legal implications to be considered.

Cr Daria Kellander and Cr Matt Tyler have given notice of the following:

Motion

Moved Cr Daria Kellander, seconded Cr Matt Tyler:

That Council writes under the signature of the Mayor to the Minister for Health, local MPs and relevant senior Victorian Government personnel to:

- a. Acknowledge the collaboration between the Victorian Government, the Australian Government, Circle Health, GPs and other health professionals, community groups and Council which has resulted in the pilot of a vaccination surge centre in Hobsons Bay
- b. Acknowledge the efforts of the Victorian Government to reach an 80 per cent vaccination rate (double dose) as soon possible so that, as agreed in the National Cabinet's plan, the community reaches the post-vaccination phase where we "minimise cases in the community without ongoing restrictions or lockdowns"
- c. Emphasise the importance of continuing to distribute vaccines to areas with higher case numbers, noting that Hobsons Bay is continuing to experience considerable cases of COVID-19
- d. Share the impact that ongoing lockdowns are having on residents, local traders and community groups, noting that Council understands that restrictions seek to protect the health of the community, particularly its most vulnerable residents, and the health system, to minimise hospitalisations and deaths against the backdrop of considerable uncertainties
- e. Share Council's interest in an ongoing discussion regarding opportunities, as lockdowns end, for sustained decentralisation rather than a "snap back" to the Melbourne Central Business District. Benefits of decentralisation for Hobsons Bay include patronage for local businesses and local jobs, higher quality of life for residents, lower carbon emissions and lower congestion on local roads.

Carried unanimously

That Council writes under the signature of the Mayor to the Minister for Health, local MPs and relevant senior Victorian Government personnel to:

- a. Acknowledge the collaboration between the Victorian Government, the Australian Government, Circle Health, GPs and other health professionals, community groups and Council which has resulted in the pilot of a vaccination surge centre in Hobsons Bay
- b. Acknowledge the efforts of the Victorian Government to reach an 80 per cent vaccination rate (double dose) as soon possible so that, as agreed in the National Cabinet's plan, the community reaches the post-vaccination phase where we "minimise cases in the community without ongoing restrictions or lockdowns"
- c. Emphasise the importance of continuing to distribute vaccines to areas with higher case numbers, noting that Hobsons Bay is continuing to experience considerable cases of COVID-19
- d. Share the impact that ongoing lockdowns are having on residents, local traders and community groups, noting that Council understands that restrictions seek to protect the health of the community, particularly its most vulnerable residents, and the health system, to minimise hospitalisations and deaths against the backdrop of considerable uncertainties
- e. Share Council's interest in an ongoing discussion regarding opportunities, as lockdowns end, for sustained decentralisation rather than a "snap back" to the Melbourne Central Business District. Benefits of decentralisation for Hobsons Bay include patronage for local businesses and local jobs, higher quality of life for residents, lower carbon emissions and lower congestion on local roads.

11.3 Notice of Motion No. 1231 - Condolence - The Late David "Hugh" Graham OAM

Motion

Moved Cr Tony Briffa, seconded Cr Daria Kellander:

That Council extends the meeting to 10.30pm.

Carried unanimously

Section 8.15.5 of the Hobsons Bay Governance Rules requires the Chief Executive Officer to inform Councillors about the legal and cost implications of any proposed notice of motion. Accordingly, the costs of implementing this notice of motion will be accommodated within the existing operational budget.

At the time of receiving this notice of motion, there are no apparent legal implications to be considered.

Cr Tony Briffa has given notice of the following:

Motion

Moved Cr Tony Briffa, seconded Cr Peter Hemphill:

That Council acknowledges the passing of the late former Mayor and Councillor David "Hugh" Graham OAM, acknowledging his significant contribution to the community, and sends a letter of condolence written under the signature of the Mayor to his family.

Carried unanimously

That Council acknowledges the passing of the late former Mayor and Councillor David "Hugh" Graham OAM, acknowledging his significant contribution to the community, and sends a letter of condolence written under the signature of the Mayor to his family.

Mr Graham OAM was first elected to the City of Altona on 27 August 1977 and served as Mayor twice in 1982-83 and 1990-91 before retiring from Council on 1 August 1992. He was awarded the Medal of the Order of Australia in 2013 for his service to the community, including considerable service within both the Maribyrnong and Hobsons Bay communities. Mr Graham passed recently at the age of 90 and will be sadly missed.

12 Urgent Business

Nil

13 In Camera Business

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Daria Kellander:

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with section 66(2)(a) and section 3(1)(f) of the *Local Government Act 2020* as it relates to personal information:

13.1 Chief Executive Officer's Performance Appraisal 2020-21

Carried

Recommendation

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with section 66(2)(a) and section 3(1)(f) of the *Local Government Act 2020* as it relates to personal information:

13.1 Chief Executive Officer's Performance Appraisal 2020-21

Council considered the report and discussed the matter in camera.

14 Close of Meeting

There being no further business, the Chairperson declared the meeting closed at 10.28pm.

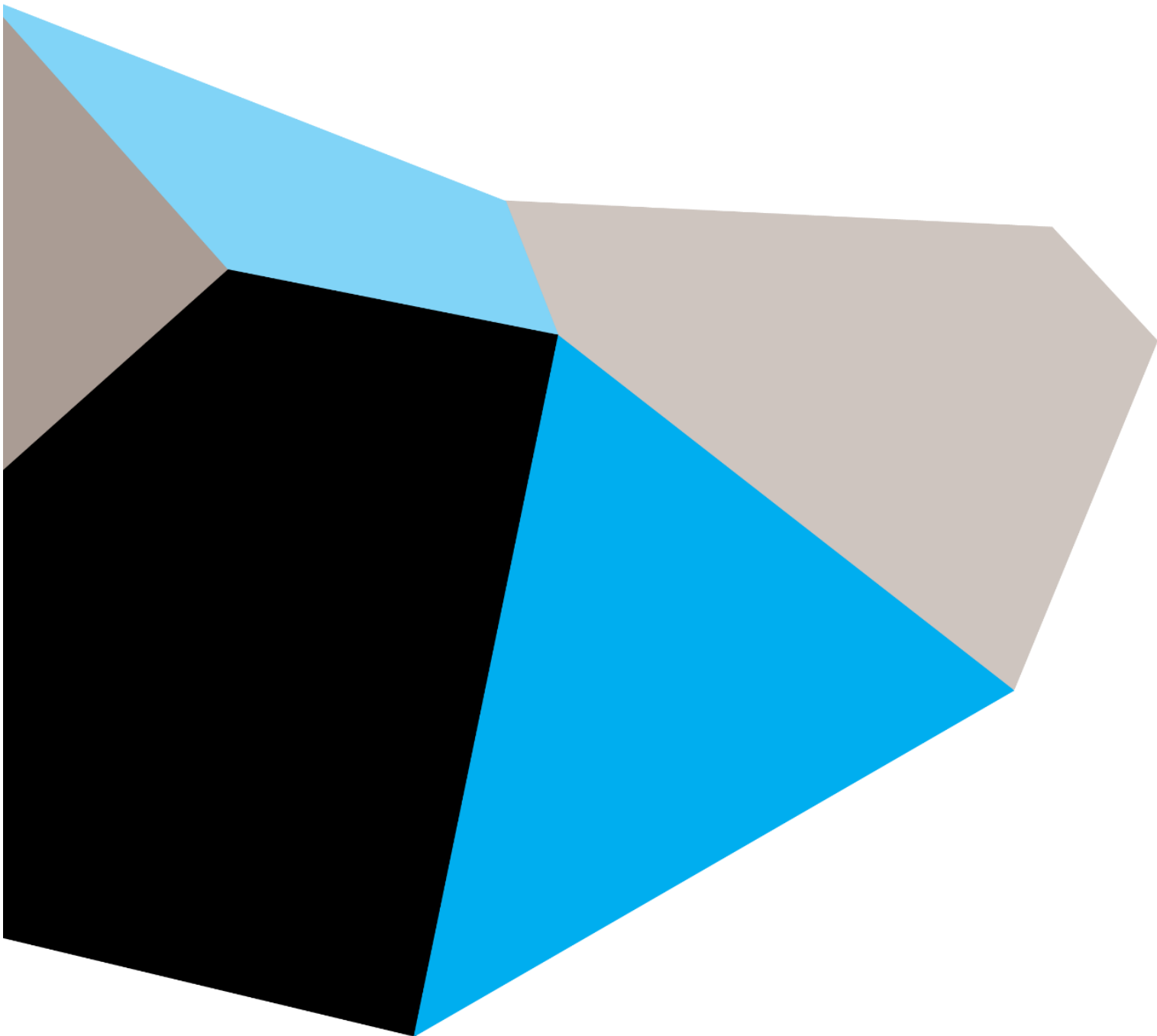
Chairperson – Cr Jonathon Marsden

Signed and certified as having been confirmed.

12 October 2021

HOBSONS
BAY CITY
COUNCIL





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