

The cover features a large, abstract geometric design. A black shape on the left contains the title text. To its right, a blue brick wall texture is visible, with the words 'COUNCIL CHAMBER' written on it in a dark, blocky font. The background is composed of light blue and grey geometric shapes.

Ordinary Council Meeting Minutes

Tuesday 13 November 2018

Council Chamber
Hobsons Bay Civic Centre
115 Civic Parade, Altona

**HOBSONS
BAY CITY
COUNCIL**



THE COUNCIL'S MISSION

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

OUR VALUES

Respectful

Community driven and focused

Trusted and reliable

Efficient and responsible

Bold and innovative

Accountable and transparent

Recognised

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

Chairperson:

Cr Jonathon Marsden (Mayor)

Strand Ward

Councillors:

Cr Tony Briffa

Cherry Lake Ward

Cr Sandra Wilson

Cherry Lake Ward

Cr Peter Hemphill

Strand Ward

Cr Jonathon Marsden

Strand Ward

Cr Colleen Gates

Wetlands Ward

Cr Michael Grech (Deputy Mayor)

Wetlands Ward

Aaron van Egmond
Chief Executive Officer
Hobsons Bay City Council

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

PRESENT

CHAIRPERSON:

Cr Jonathon Marsden (Mayor) Strand Ward

COUNCILLORS:

Cr Tony Briffa Cherry Lake Ward

Cr Sandra Wilson Cherry Lake Ward

Cr Angela Altair Strand Ward

Cr Colleen Gates Wetlands Ward

Cr Michael Grech (Deputy Mayor) Wetlands Ward

OFFICERS:

Mr Aaron van Egmond Chief Executive Officer

Ms Tammi Rose Interim Director Strategic Development

Mr Sanjay Manivasagasivam Director Infrastructure and City Services

Mr Roger Verwey Acting Director Corporate Services

Mr Peter Hunt Director Community Wellbeing

Ms Diane Eyckens Manager Governance and Local Laws

Mr Stephen Zelez Manager Communications and Community Relations

Ms Martina Simkin Governance Advisor/Minute Secretary

1 Council Welcome

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

2 Apologies

Motion

Moved Cr Michael Grech, seconded Cr Sandra Wilson:

That an apology be received and accepted on behalf of Cr Peter Hemphill.

Carried

3 Disclosure of Interests

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

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

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

Nil.

4 Minutes Confirmation

4.1 Ordinary Council Meeting

Confirmation of the minutes of the Ordinary Council Meeting of the Hobsons Bay City Council held on 9 November 2018 (copy previously circulated).

Motion

Moved Cr Sandra Wilson, seconded Cr Michael Grech:

That the minutes of the Ordinary Council Meeting of the Hobsons Bay City Council held on 9 October 2018 be confirmed.

Carried

5 Councillors' Questions

Cr Sandra Wilson referred to the recently damaged artworks at the Altona Pier and the former Williamstown racecourse and asked whether there have been any updates or leads from Victoria Police in relation to these incidents?

Tammi Rose, Interim Director Strategic Development, advised that Council has been in contact with Victoria Police and that there are no further updates. Both artworks are being refurbished and it is expected that they will be replaced in March next year.

Cr Angela Altair referred to the change of maintenance authority for roundabouts and median strips on VicRoads controlled roads and requested an update on the current situation going forward. Cr Altair noted that while Council had the maintenance contract, works were undertaken to a high standard and Council's absorbed the extra costs.

Aaron van Egmond, Chief Executive Officer, explained that VicRoads had previously engaged Council to undertake works within roundabouts until the end of last financial year when the process changed and a contractor was engaged by VicRoads to perform the works. Council was no longer required to undertake the maintenance of these areas resulting in the current standard being below that of the Council works previously undertaken, leading to concerns from the community. Council has sought permission to undertake some upgrades to roundabouts in the short term and will be meeting with VicRoads to discuss the future arrangements to ensure an acceptable standard of maintenance continues for the community.

Cr Angela Altair sought confirmation that a a minor, unintentional technical error has been brought to Council's attention after the rating process concluded this year, and that the issue may be subject to a report that Council may consider under the Other Business section of the Agenda tonight.

Roger Verwey, Acting Director Coprorate Services, advised that a report has been prepared on the rating issue which acknowledges and addresses an error that occurred during the annual rate setting process, resulting in a rate increase calculation of 2.28 per cent which is 0.03 per cent higher than the permissable 2.25 per cent rate cap. This has lead to an average overcharge of 75 cents per rateable property. The report sets to determine an appropriate course of action to address the issue and the immaterial non compliance rate cap status that is the intended determination by the Essential Services Commission. Mr Verwey also confirmed that this evening is the first opportunity that Council has had to deal with this matter.

Cr Colleen Gates sought clarification on a procedural matter, asking that if there is an item to be tabled under Other Business, will the report be added as an addendum to the Council Meeting Agenda on the website?

Aaron van Egmond, Chief Executive Officer, advised that the report will be uploaded as an addendum to the Council Meeting Agenda on the Council website and copies will be available for members of the gallery should it be considered by Council this evening.

6 Public Question Time

Simon Hogan

Q. Draft Bicycle Plan

- (a) Is it true that no final bicycle plan has been released?(Yes or No)**
(b) If so when is it envisaged that the final bicycle plan will be released?

A. Hobsons Bay has not released the final Bicycle Plan.

Council has prioritised the development of local area movement and transport plans which considers all traffic and transport modes. It is expected these plans will be released for community consultation in December 2018 for the west of the community.

Simon Hogan

Q. Tim Watts MP has indicated that:

- If the Labor party wins the next federal election they intend to fund the connection of shared path corridors,
- Both the Bay and Federation shared trails are corridors of the kind that they would seek to connect, and
- In order to have federal funding for the construction of a connection between shared path corridors the federal government requires plans for the project.

Therefore federal government funding for the connection of the Bay and Federation shared trails is likely to be available after the next election provided HBCC has a plan for construction of the path.

Given the above factors when does Hobsons Bay City Council expect to have completed the planning for the construction of the Kororoit Creek shared trail?

A. The design for the remaining sections of Kororoit Creek Trail are expected to be completed this financial year. These designs will include the section of the trail from Barnes Road to the Coastal Trail which is the remaining section yet to be constructed. These designs and defined costs would be considered for Council's future capital works program and State and Federal Government funding opportunities.

Kate Fraser

Q. Item 8.3.1 Draft Newport Structure Plan – Consideration of Submissions

How will Council preserve current sunlight access and privacy for Durkin Street residents in the proposed structural plan? How will litter from the proposed multi-storey carpark be controlled?

In all areas of Hobsons Bay new residential development must meet the requirements within the Planning Scheme, which addresses overshadowing and overlooking. Chapter 7 of the Draft Newport Structure Plan details Built Form Guidelines expected in certain situations such as overshadowing, building frontages and heritage responses.

There is a proposal in the Draft Newport Structure Plan to "Explore the feasibility of redeveloping the at-grade car park south of Paine Reserve as a multi-storey (midrise) development". Further investigation of this site will need to be undertaken and will include the consideration of litter.

Kate Fraser

Q. Item 8.3.1 Draft Newport Structure Plan – Consideration of Submissions

Why can't the proposed Derwent Street multi-storey carpark structure be positioned on the non-residential side rather than aligning the rear of Durkin Street properties?

- A. The Draft Newport Structure Plan identifies several sites that are currently underutilised, including the site in Derwent Street. It was identified for further investigation because it is a large space that could be used more effectively, and has exceptional locational attributes, being close to the station, bus interchange, community services and activity centre. Any future development of the site would need to undertake a significant design and community consultation process prior to development.

Kate Fraser

Q. Item 8.3.1 Draft Newport Structure Plan – Consideration of Submissions

What measures will Council take to ensure that Durkin Street properties are not devalued by developments in the proposed Newport Activity Centre?

- A. Property values have a number of influences and the Draft Newport Structure Plan has been prepared using best practice land use planning. It identifies land within proximity to public transport and activity centres to be ideal locations for increased development density. While the value of property is a factor in the preparation of the Newport Structure Plan, Council cannot consider each individual property.

Kate Fraser

Q. Item 8.3.1 Draft Newport Structure Plan – Consideration of Submissions

How can Council assure Durkin Street residents of traffic safety for young children and seniors in the precinct?

- A. Section 6.5 of the Draft Newport Structure Plan focuses on Access and Movement. Items proposed to address issues of traffic safety include elements such as: shared zones, new pedestrian crossings, investigation of signalised intersections, and ensuring shared spaces are universally accessible.

Sean McCourt

Q. Home Care Services

Council have previously advised that they have written to all current home care clients within the Hobsons Bay community to consult with them about the possible outsourcing of their services, should the tender process result in a successful candidate. It was claimed that this letter having been sent, and the lack of responses received from it, was an indicator of a genuine consultative process that clients were happy with. The letter Council sent to clients does not seek input from them, but rather advises them of a decision by Council to seek other service providers. The letter does not offer an opportunity for the client to voice their opposition or otherwise to the decision, does not seek information or advice from clients, and can in absolutely no way be considered to be community consultation. Given this, **can Council please once again advise what it has done to genuinely consult the community, including current clients, their families, and all residents who have an**

interest in Council providing quality care to elderly Hobsons Bay residents as part of this process?

- A. Council wrote to all current home care clients advising them of Council's intent to seek an alternative provider. Of the approximately 1800 letters that were distributed approximately 30 residents sought further detail.

Sean McCourt

Q. Home Care Services

Given the trend that Victorian councils who were considering pre-emptively contracting out home care services prior to mid-2020 changed their position to keeping the services in-house as long as possible once they sought feedback from residents, for example just recently Moonee Valley, Brimbank and Surf Coast Councils, due to the strength of that feedback and the view of residents that their Council should be providing these services to the community, **why is Hobsons Bay so determined to neglect community consultation in favour of forging ahead with contracting out these services?**

- A. Local government's participation in the direct delivery of in home support services will differ from Council to Council and any service decision is considered on an individual Council basis. It has been determined that the best way forward has been to test the market in regards to seeking an alternative provider to deliver these services on our behalf, under a sub-contract arrangement to ensure the best outcome is reached for the community.

Sean McCourt

Q. Home Care Services

At the last Ordinary Council meeting, Council responded to concerns about maintaining the safety and security standards of home care services once it left Council hands, should a tender be accepted to contract out the services, by saying that the tender process included requirements of candidates who submitted a tender. What this didn't address, however, is how Council will actively enforce those standards should they no longer be the direct employer of staff providing them, particularly new staff employed by the new provider, should the services be contracted out of house. **Can Council please answer this important question about how the standards outlined in the tender documents will be monitored and enforced should the services be contracted out?**

- A. Monitoring and enforcing of the home care standards will be undertaken by Council through our contract management function. Under a sub-contract arrangement Council is still directly accountable to state and commonwealth governments for adherence to these standards including the recruitment of suitably qualified and Police checked staff.

Paul Loughran

Q. Item 8.3.1 Draft Newport Structure Plan – Consideration of Submissions

According to Hobsons Bay City (HBC) population forecast for 2018 is 95,395, and is forecast to grow to 112,642 by 2036 (<https://forecast.id.com.au/hobsons-bay>). **What research has HBC commissioned to determine the optimum population target for Hobsons Bay by 2036 in relation to retaining the current level of services to ensure the current quality of living?**

- A. Population forecasts for council are commissioned and delivered by .id. They have been preparing small area population forecasts for councils across Australia for almost 20 years.

Council uses population forecast information to inform services and infrastructure planning. This includes planning and maintaining existing assets and asset renewal, service delivery needs, and the level of community facilities required into the future.

Paul Loughran

Q. Item 8.3.1 Draft Newport Structure Plan – Consideration of Submissions

What is the total number of period homes/dwellings/structures that are located in Hobsons Bay? How many period homes/dwellings/structures have been demolished within the Hobsons Bay from 1 January 2000 to present and how many more period homes/dwellings/structures will be demolished by 2036 and specifically, how many period homes in Durkin Street and Mirils Street are subject to demolition?

- A. There are 336 heritage places and precincts identified in the Hobsons Bay Planning Scheme, noting a heritage precinct may contain multiple heritage places.

Data on the number of heritage places demolished within Hobsons Bay from 1 January 2000 to present is not readily available.

Generally, Council does not support the demolition of places identified in the Hobsons Bay Heritage Study that are identified as being 'contributory to the heritage precinct'. Currently there is no heritage overlay on Durkin Street and Mirils Street Newport, however the Newport Structure Plan recommends a Heritage Gap Study as a short term medium/high priority.

Paul Loughran

Q. Item 8.3.1 Draft Newport Structure Plan – Consideration of Submissions

Noting that sites are marked for residential development at:

- Newport Timber yard on Paine Street (Newport)
- Caltex Service station on the corner of Melbourne Road and New Castle Street (Newport)
- Caltex Storage site on Blackshaws Road adjacent to the railway line (South Kingsville)
- large industrial area on Blackshaws Road where Don Small Goods was located opposite Broadway
- Masonic Lodge on the corner of Melbourne Road and Mason Street (Newport)
- Industrial site adjacent to Sadlers on Melbourne Road and McLister Street (Spotswood)
- Industrial site on Mason Street adjacent to Newport Lakes (Newport)
- Industrial site on Nelson Place adjacent to the Titanic Theatre Restaurant (Williamstown)
- Industrial site on Kanowna Street adjacent to the Waterline Place (Williamstown)

In conjunction with the proposal to allow 4 Storey Development in Durkin, Mirs and Derwent Street (Newport), what is the forecast in relation to the increase in traffic volume on Melbourne Road. **What is the current traffic volume per annum and what is the expected traffic volume following the completion of the above residential development?**

- A. Melbourne Road is managed by Vicroads. Council works with VicRoads on a regular basis to understand capacity and future needs. Investigation of traffic conditions on the Millers Road and Williamstown Road/ Melbourne Road Corridors will continue. In addition any major developments will also be assessed for traffic management.

Norm Marr

Q. Dennis Reserve Development

I feel there are some serious concerns regarding the four new tennis courts to be constructed on this Reserve.

- Valuable land will be lost in their construction by creating unusable land between adjoining properties in Lyons St and new courts. Approximately 72 metres x 8 metres +578 square metres which will be fenced in for public safety, causing unnecessary waste of land
- Serious damage to new courts caused by tree root systems and overhanging branches (mainly Morton Bay Fig)
- Removing two perfectly good and well-kept tennis courts and functioning club rooms is a total waste of ratepayers money, possibly changing Central Tennis club to members detriment, especially as Central Tennis Club were prepared to fund two new courts on the existing but not used Williamstown Ladies Bowls Club site.
- No costings done
- Demolishing two existing courts (in excellent condition) to erect four new courts.

Was any consideration given to incorporate existing courts?

- A. The Draft Master Plan is on public exhibition until 15 November 2018.

It includes the removal of the two existing courts and the installation of four courts in a new alignment to maximise the amount of functional open space within the reserve.

Any future works at Dennis Reserve following the endorsement of the master plan will include a detailed design process which will factor in the impacts on or of trees onsite.

Varied feedback has been received during the public exhibition period on the section of land between the rear of the Lyons St properties and the tennis courts.

Implementation costs on the Dennis Reserve Master Plan will be finalised following the public exhibition period and included with the final report.

7 Petitions/Joint Letters

The Chief Executive Officer advised that a petition has been received from the Australian Services Union in relation to in home support services.

The petition reads as follows:

“We, the undersigned, petition Council to maintain and continue to deliver quality in home support services for our frail and elderly residents. We urge Council to continue direct delivery of this vital community service providing care from Council workers to vulnerable and older residents in their homes.”

Motion

Moved Cr Tony Briffa, seconded Cr Colleen Gates:

That Council:

1. Receive and note the petition received from the Australian Services Union in relation to home care services.
2. Receive a report on this matter at a future Council meeting.

Carried

8 Business

8.1 Office of the Chief Executive

8.1.1 Chief Executive Officer - Report on Operations

Directorate: Strategic Development

- Appendices:**
- 1 Chief Executive Officer - Report on Operations - October 2018
 - 2 AOC - Integrated Transport PAC 12 September 2018
 - 3 AOC - OCM 9 October 2018
 - 4 AOC - CBS 16 October 2018
 - 5 AOC - CBS 30 October 2018

Purpose

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

Motion

Moved Cr Sandra Wilson, seconded Cr Angela Altair:

That Council:

1. **Receive and note the Chief Executive Officer's Report on Operations, including details of recent issues and initiatives undertaken by the organisation**
2. **In accordance with section 80A(2) of the *Local Government Act 1989* incorporate into the minutes of this meeting the written Record of Assembly of Councillors held on 12 September and 9, 16 and 30 October 2018.**

Carried

Summary

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

Discussion

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

8.2 Corporate Services

8.2.1 Quarterly Financial Report - Period Ended 30 September 2018

Directorate: Corporate Services

Appendices:

- 1 Appendix 1 - Quarterly Financial Report - September 2018
- 2 Quarterly Financial Report - September 2018 - CWP

Purpose

To present Council with the financial results for the period ended 30 September 2018, and the revised 2018-19 annual forecast projections following completion of the September forecast review.

Motion

Moved Cr Colleen Gates, seconded Cr Michael Grech:

That Council notes the financial report for the period ended 30 September 2018 and the revised 2018-19 annual forecast.

Carried

Summary

The financial report for the period ended 30 September 2018 and a detailed report on the position of the Capital Works Program are attached as appendices. The September forecast review focuses on carryovers and timing differences that occur between the 2017-18 and 2018-19 financial years. This report has been received and noted by Council's Audit Committee at its meeting on 31 October 2018.

The operational budget surplus for 2018-19 of \$17.011 million has increased to a \$19.654 million forecast.

The increased forecast surplus of \$2.643 million is largely a result of additional income (\$2.503 million) expected to be received throughout the year. Operational expenditure is forecast to be under budget by \$140,000. This includes projected savings in employee costs and depreciation (non-cash).

The forecast result of the Capital Works Program compared to budget is a balanced result after forecast adjustments and carryovers are taken into account.

Despite the increased operational forecast surplus, a balanced financial (rate determination) result continues to be calculated. It is pleasing that this balanced result has been achieved despite \$1.3 million less funding required (compared to the current year's budget) from the infrastructure reserve for capital works.

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 Corporate Management Team and meetings with managers.

Background

The overall financial results show improvements when compared to budget. Council's Long Term Financial Plan (LTFP) has been updated and highlights that Council remains in a reasonable financial position and is financially sustainable in the short term.

Whilst the forecasts in 2018-19 predict a strong operational surplus, it should be noted that surpluses are expected to decline in future years of the LTFP. Despite that, the LTFP predictions are slightly better than when the financial report was last presented to Council.

When compared to previous financial plans, current and projected income has been dramatically reduced as a result of rate capping. There is also limited movement predicted in relation to income funding streams such as contributions, operating grants, user charges and fees. Council needs to address these issues, which in turn impacts Council's ability to maintain critical community assets.

Council will continue to monitor the impact of the financial results in relation to Council's overall financial viability. Current long term financial planning includes future forecasts of rating levels increasing in line with the 2.25 per cent cap applied in 2018-19.

8.2.2 Audit Committee - Membership, Fee Structure and Charter

Directorate: Strategic Development

Appendices:

- 1 Audit Committee Charter - March 2015
- 2 Draft - Audit Committee Charter November 2018

Purpose

To review the independent membership of the Audit Committee, the fee structure and amending the Charter accordingly.

Motion

Moved Cr Sandra Wilson, seconded Cr Colleen Gates:

That Council:

- 1. Endorse a per meeting fee structure for newly appointed members of \$1,250 for independent members and \$1,500 for the Chair.**
- 2. Adopt the revised Audit Committee Charter.**
- 3. Commence advertising for independent members and receive a further report with recommended appointments.**
- 4. Acknowledge and thank outgoing Audit Committee Members Mr Ashmore and Mr Gibbs for their valued contribution and expertise.**

Carried

Summary

This report will address three issues relating to the Audit Committee being membership, fee structure and review of the current Audit Committee Charter.

Background

Council's Audit Committee is an advisory committee of Council, appointed under section 139 of the *Local Government Act* 1989. The committee comprises three independent members and two Councillors. The chair is an independent member, who has the casting vote. The Mayor and Chief Executive Officer are non-voting members.

The committee meets at a minimum, quarterly throughout the year and has a Charter that addresses responsibilities including risk management, control frameworks, external accountability, legislative compliance and internal and external audits.

Discussion

Membership

The current Charter states that Council will review its representatives on the Committee in conjunction with the annual “Review of Council Committees and Community Groups Appointment of Delegates” and will consider the positions of the three independent representatives at the expiration of their appointed terms.

Individual Councillor representatives will be appointed as delegates to the Audit Committee after the Mayoral Election in November 2018.

The terms of independent members have been reviewed with the intention to seek expressions of interest for appointment followed by consideration and selection by Council.

Best Practice Audit Committee Guidelines recommend that periodic rotation be encouraged enhancing the independence, skill base and capacity of the Audit Committee. However, to ensure continuity, ideally no more than one member should leave the Audit Committee in any one year.

The current independent members and associated expiry date is as follows:

- Mr David Ashmore, current Chairman – expires 2018
- Mr David Gibbs – expires 2018
- Mr Rod Page – expires 2019

Both Mr Ashmore and Mr Gibbs have been long serving members of the Audit Committee, having both served multiple terms on the committee.

It is proposed to commence advertising for independent members to replace those whose terms expire in 2018. The two appointments would be recommended for a two and three year term respectively to ensure the terms are staggered for continuity of service on the Audit Committee. A further advertisement would occur in 2019 at the conclusion of the term of the third Audit Committee member.

Fee Structure

The current remuneration structure is based on an hourly rate however it is intended that this structure be changed to a meeting rate e.g. four meetings per year.

Currently independent members can claim an hourly rate of up to \$225 for meeting attendance as well as reading time up to a maximum of three hours. On average this equates to around \$1,575 per meeting for independent members, with the chair receiving an approximate meeting payment of \$1,900.

As part of the review of the Charter and membership, a benchmarking exercise has been undertaken with like size and neighbouring councils which reflects audit committee payments ranging from \$5,000 to \$7,000 per annum for independent members and payments to Chairpersons ranging from \$8,000 to \$9,000 per annum.

It is recommended that new appointments to the Audit Committee are appointed on a per meeting basis of \$1,250 for independent members and \$1,500 for the chair.

Charter

Good Governance and Best Practice supports the development and maintenance of an Audit Committee Charter. Officers have reviewed the existing Charter and propose a number of changes that ensure the Charter remains contemporary and supports exceptional governance practices. The new Charter retains the majority of the current Charter content. Key proposed changes relate to membership renewal terms and support current Best Practice principles. The existing Charter and the proposed Charter are attached for reference.

8.3 Strategic Development

8.3.1 Draft Newport Structure Plan - Consideration of Submissions

Directorate: Strategic Development

Appendices: 1 Draft Newport Structure Plan Summary of Submissions

Purpose

To consider the submissions made to the Draft Newport Structure Plan following community consultation.

Motion

Moved Cr Angela Altair, seconded Cr Tony Briffa:

That Council:

That Council:

- 1. Acknowledge all submissions received to date regarding the Draft Newport Structure Plan.**
- 2. Receive a further report to consider the next steps in the process which may include additional consultation.**
- 3. Write to all submitters advising them of the status and next steps in the process.**

Carried

Summary

The Draft Newport Structure Plan (the Plan) has been prepared over a number of years. During this time there have been several consultation periods that have each shaped the Plan.

The Plan was placed on public exhibition from 11 July to 31 August and Council received 42 submissions from community members, authorities and other stakeholders detailing varying reactions (a summary of submissions is contained in appendix 1).

The key issues raised in submissions relate to the proposed increase in height and density, potential traffic issues created by increased population and existing parking concerns. There was support for proposed amenity improvements.

In response to submissions a number of modifications will be made to the Plan including: reassess the proposed priorities within the implementation plan to better align with the community's vision; review building heights to ensure they align with the recently revised Neighbourhood Character Study; further investigate connections between the Williamstown Junction area and the train station/Hall Street precinct, and provide a stronger focus on advocacy projects, particularly Melbourne Metropolitan Rail Project 2. Submitters will be notified in writing of Council's decision.

Background

The Newport Local Structure Plan was prepared in 1999. Although the overarching strategic direction remains the same, crucial policy changes at state and local level have occurred since then and needed to be addressed in a revised Newport Structure Plan.

A detailed background and context review was undertaken during 2013 and 2014 including an in depth policy review which identified gaps relating to economic and market feasibility, access and mobility, urban design guidelines, heritage and social impacts. Substantial background research and work was undertaken to address these gaps and inform the Plan. In 2014 community and stakeholder consultation was undertaken to ensure community ideas are appropriately captured in the future vision for Newport.

Work stalled on the project during the second half of 2015 as clarity was required around how the Victorian Government required new development that abuts pipelines and Major Hazard Facilities (MHF) to be considered within the structure plan. There have been several ongoing issues and challenges for Victoria's land use planning framework in protecting the safety and amenity surrounding MHF and ensuring the ongoing viability of MHFs.

In response an MHF Advisory Committee was established to consider the challenges around development abutting MHFs. The Advisory Committee report was released on 17 March 2017. The report suggested that a new overlay should be applied around MHFs restricting development and that further research is required into land use planning around pipelines. This is particularly critical for Newport and the development of the structure plan, as several planning decisions for higher density housing or sensitive uses have been overturned by the Victorian Civil and Administrative Tribunal (VCAT) because of their proximity to MHFs. Other parts of Newport within proximity to pipelines have restricted development potential because operators consider density to be inappropriate. The Minister for Planning responded to the Advisory Committee recommendations in late 2017 and released new guidelines in October 2018.

Discussion

Following community consultation 42 submissions were received. The key issues arising from submissions are summarised below:

Increase in density

Many of the submissions received from community members opposed the proposed increase of density within Newport suggesting that an increase in density may impact on Newport's heritage and amenity.

A large proportion of the respondents who opposed the proposed increased density were residents of Durkin Street. These submissions raised concerns about the proposed three to four storey preferred building height in Durkin Street, citing a change to the area's visual aesthetic.

Some submitters supported the proposed heights as they see the need for growth and felt that the heights were consistent with the existing buildings within Newport Activity Centre.

Response

While it is acknowledged that there is public apprehension to increased heights and density, every attempt has been made to balance the needs of existing residents and those of future generations. The draft Housing Strategy (currently out for community consultation) indicates that Newport will need to accommodate in the order of 900 new residents over the coming eighteen years. Newport is trending towards an increase in lone person households and

households comprising couples without dependents and will require housing to accommodate these residents.

The Victorian Government has a policy to encourage '20 minute neighbourhoods' which aims to supply a resident with the ability to meet most of their everyday needs including access to shops, childcare and schools, parks, doctors and public transport, within a 20 minute walk, or alternatively cycle or local public transport trip from their homes.

Housing densities proposed in the Plan are based on a number of factors, including heritage and neighbourhood character; a need to provide more diverse housing in proximity to public transport and services. Durkin Street's central location, adjacent to a range of services and activity on Mason Street and Melbourne Road, provides the rationale behind Council's proposal for this area. A growing population should have a diverse range of residential opportunities in prominent locations such as Durkin Street.

Regarding heritage, the Plan recommends the preparation of a heritage gap study for Newport to ensure all heritage significant properties are appropriately considered and protected.

Taking into account the items above, the proposed heights and densities will be reviewed in light of the recently released Draft Neighbourhood Character Study and reviewed Heritage Study to ensure they align and are consistent with the proposed Housing Framework Plan.

Road network and traffic

Concerns were raised about increased traffic associated with a higher population of residents and visitors to Newport. High use roads including Melbourne Road and Mason Street have been identified as being susceptible to an increase in congestion as they already carry large volumes of traffic, especially during peak times. There is concerns for the safety of pedestrians, particularly in the vicinity of the train station, that may be exposed to higher traffic volumes. Several submissions identified that the Melbourne Road overpass hinders Newport's east/west connectivity.

Response

The Plan recognises the road network and traffic challenges that arise through increased population and that improvements are required, especially around Melbourne Road and Mason Street. Any works in these areas will require input from VicRoads, Metro Trains and Transport for Victoria as they are all major stakeholders.

As part of the implementation section of the Plan, a key action is to 'liaise with VicRoads to develop a Smart Roads Strategy for the Newport Activity Centre'. A Smart Roads Strategy would aim to free up the roads and increase participation in active transport.

The Plan, through proposed works such as shared spaces that connect to the train station and entry points to the centre, intends to reduce the dominance of the Melbourne Road overpass and increase pedestrian traffic and improve connectivity. Such works are an example of the Plan's support for safer more pedestrian friendly spaces in Newport.

Many of the issues raised in submissions are addressed in Council's Integrated Transport Plan 2017 (ITP) which focuses on improving accessibility for all modes of transport. As the Plan is implemented it is envisaged some of the main concerns will be addressed. Responses to key submitters will outline where there concerns are addressed in the ITP.

Additionally, there is a possibility to consider the redesign of the train station and the Melbourne Road overpass during master planning of the Metropolitan Rail Project 2 and

Council will continue to advocate for an improvement in the traffic and amenity conditions of this area.

Parking provision

Submitters identified the need to address parking issues, particularly citing a lack of parking spaces near to high use locations such as the train station. Whilst multiple submitters support the provision of at grade parking, contention surrounds any development of multi-storey parking facilities. There were concerns about the possible amenity impacts of multi-storey parking structures in central locations and residential areas. Submitters also questioned the implications of paid parking, safety impacts and potential increase in traffic accessing parking spaces.

Response

The Plan acknowledges the significant role car parking plays in the centre of Newport. Any provision of new parking facilities will require a feasibility analysis to be undertaken before more detailed plans can be considered. The Plan takes into account a range of factors including issues of convenience, aesthetic, pedestrian safety and cost, all of which are involved when assessing proposals to increase parking spaces. The implementation plan includes the preparation of a car parking strategy to determine long term parking needs.

The at grade commuter car park on the western side of the rail reserve occupies the single largest site in Newport, and represents a substantial underutilisation of valuable Activity Centre space. At grade car parking to the south of Paine Reserve also presents an opportunity to better utilise the space that is otherwise lost.

The Plan recommends upgrades to Newport's public realm to improve pedestrian and cyclist linkages, which aligns with the Hobsons Bay Integrated Transport Plan 2017.

Additionally, the document recommends strong advocacy for improved public transport within Newport including Melbourne Metropolitan Rail Project 2, and physical improvements such as new access to platform 2 around the train station. The concerns raised in the submissions will also be used to inform future advocacy matters.

Closure of Newport RSL

Several submitters raised concerns regarding the closure of the Newport RSL and offered ideas about potential uses on the site.

Response

The Newport RSL was closed during the exhibition process of the Plan. Numerous short term strategies have been identified within the Plan to activate the central area of Newport including the RSL. The former RSL is located on Crown owned land and Council officers are currently discussing the future of this site with relevant agencies. The Plan will be updated accordingly. Future master planning will ensure the former RSL, scout hall and bowling club are appropriately incorporated into the precinct.

For more detailed responses to all submissions including those from community members, authorities and stakeholders, refer to appendix 1.

8.3.2 Environmentally Sustainable Development Policy Statement

Directorate: Strategic Development

- Appendices:**
- 1 Environmentally Sustainable Development Policy Statement - Summary of Submissions
 - 2 Draft Environmentally Sustainable Development Policy Statement

Purpose

To present the draft Environmentally Sustainable Development Policy Statement, following consultation, to Council for adoption.

Motion

Moved Cr Sandra Wilson, seconded Cr Colleen Gates:

That Council:

1. **Note and consider the submissions received following the public exhibition of the draft Environmentally Sustainable Development Policy.**
2. **Note the changes made in response to submissions.**
3. **Adopt the Environmentally Sustainable Development Policy Statement.**
4. **Write to submitters informing them of Council's decision.**

Carried

Summary

At the Ordinary Meeting of Council 14 August 2018, Council resolved to place the draft Environmentally Sustainable Development (ESD) Policy Statement on public exhibition.

The public exhibition period was promoted through Participate Hobsons Bay and to the local community through Council's environmental networks. 137 visitations were made to the Participate Hobsons Bay website to view the policy and four submissions were received during the public exhibition period (see appendix 1).

In response to the key issues raised in the submissions some modifications have been made to the ESD Policy Statement.

Background

The Hobsons Bay 2030 Community Vision identified the need for Council to activate sustainable practices and to plan for visionary, vibrant and accountable urban planning for its residents. The policy statement and background paper provides support for Council's decision on 13 March 2018 to seek authorisation from the Minister for Planning to amend the Hobsons Bay Planning Scheme, primarily to introduce an ESD Policy. On 15 October 2018 Council received advice from the Minister for Planning that the Planning Scheme amendment is approved which introduces an ESD Policy into the Hobsons Bay Planning Scheme.

The ESD Policy Statement establishes the basis for Council's role as a leader in ESD, which can only be achieved through the application and showcasing of best practice ESD design standards for Council buildings and infrastructure. The Policy Statement also provides Council with a strategic approach to establishing the social, economic and environmental standards that empower the community to demand higher ESD outcomes for homes, businesses and their community. The Policy Statement assists Council in reaching its commitment of zero net emissions by 2020 and the community reaching carbon neutrality by 2030.

Discussion

A summary of feedback received during the public exhibition period and Council's response is provided at appendix 1. A key component of this summary includes an analysis of all weaknesses and issues raised by each respondent along with comments on whether the draft Policy Statement should be amended or not.

The key items identified as weaknesses of the ESD Policy Statement are:

1. Does not address the potential to retro-fit existing housing stock to enable residents to adapt homes to climate change factors
2. Inability to include the phase out of heavy industry in its development plans
3. Beef up and tighten the planning side of the ESD Policy given the risk of exposure to high levels of pollution (air and waterways/sea) and explosion/fire with extreme impact
4. Concerns that the Policy does not contribute to affordable housing

The following recommendations and changes to the draft Policy Statement (see appendix 2) have been included:

1. The Policy Statement recommend that a review of the Industrial Design and Development Guidelines 2008 to further embed ESD requirements.
2. A recommendation added to the current review of the Climate Change Adaptation Plan to address issues of retrofitting buildings.
3. A life cycle analysis and an evaluation of the potential savings achieved through the application of ESD principles be developed and promoted through Council's website and information brochures.
4. A recommendation incorporated into the Climate Change Adaptation Plan to address crisis response and clean up in response to extreme events, including floods, fires and drought.
5. The trigger point for requiring a sustainability report from two units to five units be evaluated following one year of implementation.
6. The development of a stricter stormwater detention policy be investigated in line with leading municipalities, including review of the discharge flow rates for Hobsons Bay.

8.4 Infrastructure and City Services

8.4.1 West Gate Tunnel Status Update Report

Directorate: Infrastructure and City Services

Appendices: Nil

Purpose

To provide Council with a current status report on the West Gate Tunnel Project and Council's current advocacy activities on the West Gate Tunnel Project.

Motion

Moved Cr Colleen Gates, seconded Cr Angela Altair:

That Council:

- 1. Notes the update on the current status of the project across a range of aspects in accordance with the adopted governance and decision making framework.**
- 2. Request that the Western Distributor Authority funds allocated for the play space and public art proposed to be located within the triangle portion of land north of Watson Street adjacent to the West Gate Tunnel southern portal, Altona North be provided to Council for utilising in future in accordance with Council's open space and play space strategies and also to benefit those communities most impacted by the West Gate Tunnel Project.**
- 3. Subject to confirmation of the funds, that a further report is provided to Council on selection of play space and a process for commissioning and locating the public art in accordance with Council's public art policy.**

Carried

Summary

Early stage construction works and final design development on the West Gate Tunnel Project (the Project) are progressing. The CBHJH Joint Venture (JV) and Western Distributor Authority (WDA) continue to seek Council approval to access Council owned and/or managed land and infrastructure and input to specific project design and community outcomes.

The purpose of this report is to provide Council with an update on the current status of the Project across a range of aspects in accordance with the governance and decision making framework. Discussion is provided on the Project's proposal to establish a new play space and public art in the proposed open space adjacent to the southern portal, north of Precinct 15. The status of Council's committed advocacy activities that specifically relate to the Project are also included within this report.

Background

Council has received a number of reports on the development and planning process associated with the Project and as the Project enters into the construction phase monthly status reports will continue to be provided to Council. This report provides an update on current Project activities, items currently lodged with Council by the JV seeking approval, Council advocacy activities, governance arrangements including communications and engagement and capital works to be undertaken by Council as a result of the Project.

Discussion

Current construction activity in the western section is focused in the areas highlighted on the Figure 1 below.

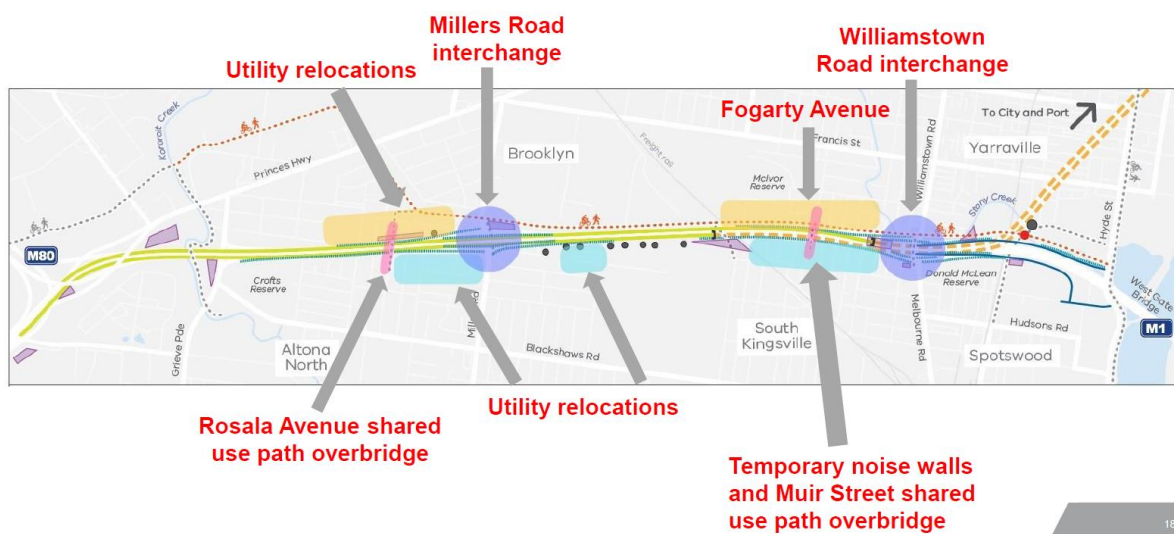


Figure 1

As the Project progresses through the final design development phase and further into construction there are a number of current Project activities undertaken by the JV as outlined below.

1. Following consultation with the Millers Road businesses, the temporary closure of Paringa Road at Millers Road has been implemented to allow works to occur at the Millers Road freeway west bound on ramp and for noise wall construction. The JV are seeking a permanent closure at Paringa Road which will be subject to a separate report.
2. Notifications have been sent to residents of Kyle Road regarding the Project traffic using the road (via Blackshaws and Millers Roads, Altona North) for the purposes of accessing work sites on the southern side of the freeway and around the southern tunnel portal structure. Up to 40 trucks per day are estimated during the preparatory construction phase during the hours 7am-5pm Monday to Friday.
3. Notifications have been sent to residents of Beevers Street between Millers Road and the Italian Social Club by the JV in regards to upcoming 66KV power utility relocation works. Sections of the road will be closed in a staged manner that will result in vehicular access restrictions to properties. The JV will work with the residents to provide for individual requirements, including access options for the duration of the works.

Current and Short Term Traffic Impacts

Figure 2 below highlights the current traffic impacts and work locations. For the latest updates and detour route information:

www.westgatetunnelproject.vic.gov.au/travel disruptions

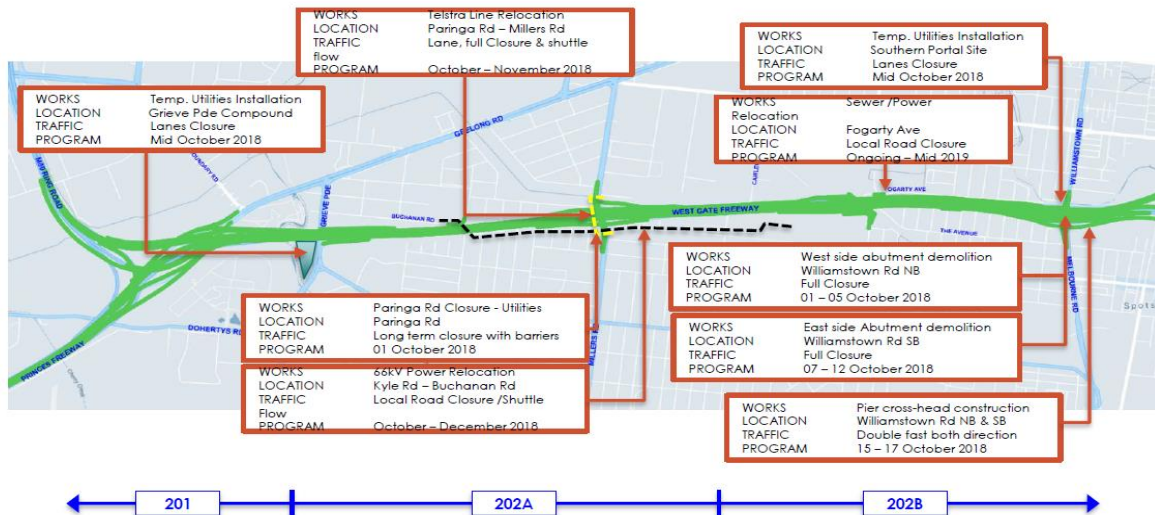


Figure 2

Construction Compounds

Consistent with the Project Tender Design a number of construction compounds are being established along the Project corridor for the term of the Project. Specifically within Hobsons Bay eight locations are proposed at:

- Grieve Parade, Altona North (Council land) - now established
- Geelong Road, Altona North (VicRoads land) - now established
- Lynch Road Reserve, Brooklyn (Council land) – under preparation
- Millers Road, Brooklyn east side adjacent to Freeway on ramp (VicRoads land) - under preparation
- South of Freeway west of New Street, Altona North, (Project land) - to be established
- Melbourne Road, Spotswood (VicRoads land) - established
- Hall Street, Spotswood. (Project land) – to be established
- Stony Creek Reserve, Spotswood (Council land) – to be established

In considering these locations current use, access, impacts to trees and vegetation, community impacts including noise and regulatory planning requirements are taken into consideration in accordance with the Project controls and requirements. The JV has requested to lease a section of The Avenue Reserve, South Kingsville located adjacent to the Freeway and The Avenue for an additional construction compound for up to two years. This site is outside the project area and as its use as a construction depot is prohibited under the Planning Scheme, was not approved by Council.

Sports and Open Space Enhancement Package

This Package was endorsed at the Ordinary Meeting of Council on 13 February 2018 and is supported by the state government through a \$5M contribution and nearly \$3M Council contribution. Project Managers are appointed for the design, procurement and delivery of the following projects:

- upgrades to Duane, Brooklyn and Rowan Avenue Reserves, Brooklyn
- development and implementation of the revised masterplan for Donald McLean Reserve, Spotswood
- development and implementation of a masterplan for WLJ Crofts Reserve, Altona North including a new pavilion.

Project scope for each site and commencement of the procurement process for design development will be under way mid-October. The procurement for the Brooklyn Reserves open space enhancement program commenced in October with a further report proposed for December 2018 detailing the approach to the design and construction for a range of elements to improve the amenity within these reserves.

The development of the new master plan for Crofts Reserve will occur between November – May 2019 and review of the existing Donald McLean Reserve Master Plan will occur November to March 2019. Both projects include community and stakeholder consultation and engagement. Preliminary consultation with the reserve tenants was undertaken in early October 2018 providing an update on the status of this funding package and the associated timelines.

The timelines and design details of the new Donald McLean Reserve Sports Pavilion to be provided as a part of the Project are yet to be confirmed by the JV.

Land Acquisition

WDA has advised Council that it intends to permanently acquire small sections of Council land:

- adjacent to Hope Street, Spotswood (for 220KV power line easement)
- in Primula Avenue, Brooklyn (small area of 25 sqm for noise wall establishment)
- in Lynch Road Reserve (for power poles and service requirements)
- in WJ Crofts Reserve, Altona North (minimal area on the north boundary for the purposes of noise wall establishment).

Several parcels of Crown land administered by the Council required as part of the Project works will be the subject of a section 140 Order under the Major Transport Projects Facilitation Act 2009. Responsibilities that Council has as Committee of Management or otherwise as land manager for these parcels will end.

- Decisions regarding land acquisition are strategic and will be presented to Council for consideration.

Council Advocacy

Council has commenced engagement with Transport for Victoria (TfV) on the development of an Integrated Transport Plan to address the shortfalls in public transport options across all modes. A draft scope for the development of this Plan has been established and the governance details are currently being finalised. It is intended that first meetings of the Project Steering and Working Groups will be held over the coming weeks. Further information will be provided in future updates.

A Memorandum of Understanding has been developed and signed between Council and the Western Distributor Authority to reflect the organisational roles and responsibilities and to support the ongoing resources from the state government to support Officers in project delivery for the term of the Project.

Proposed play space and public art in new open space area near southern tunnel portal

Council has provided comment to the Project advocating for the relocation of the proposed 'nature' play space proposed within the triangle portion of land north of Watson Street adjacent to the WGT southern portal (refer to figure 3 below) to a more appropriate and accessible location that provides a better community outcome. The proposed site is considered a poor site location for a play space, between and amongst infrastructure (rail line, freeway overpass and power and fuel utilities). Edwards Reserve play space is approximately 400m to the east and subsequently easily accessible to the local community east of New Street.

Alternative options for siting this play space include:

- a. A central location within Precinct 15. This is within proximity to the proposed site but in a far more advantageous location in terms of community access and convenience. Timing of the development of Precinct 15 may be an issue.
- b. Donald McLean Reserve, Spotswood (replacing the existing play space) in accordance with the master plan.
- c. Other sites along or near the freeway corridor consistent with Councils open space and play space strategies, e.g. Mary Street Reserve, Spotswood or Newport Lakes Park.

It is recommended that the WDA funds allocated for this play space be provided to Council for utilising in future in accordance with Council's open space and play space strategies and also to benefit those communities most impacted by the West Gate Tunnel Project.

The JV is required to deliver public art, interpretative signage in feature areas and wayfinding signage along the shared use paths. Three large public art installations are proposed in the western section – two in Footscray near the Maribyrnong River and one in Altona North in the southern portal open space (near the new play space). Council officers recommend that the proposed public art piece in this area would be better located in a more visible gateway location such as on Melbourne Road near the WGF interchange in the Don McLean Reserve, as with the play space funding. Council officers recommend that the funding allocated for the public art be provided to Council to manage the procurement, commissioning and siting.

Officers believe that the open space reserves adjacent to the tunnel ventilation structure and freeway should be treated as landscape buffer areas and passive recreational places (e.g. dog walking areas) with shared use path links through the landscape buffer areas.



Figure 3

Community Involvement and Participation Plan

A Community Involvement and Participation Plan (CIPP) is being developed by WDA which includes a state funded grants and partnership program to fund community led social legacy outcomes and initiatives, e.g. capital projects, community programs and events. The governance structure, available funding and proposed implementation plan is being finalised and will be reported on when available. The CIPP is proposed to operate over the life of the Project. Officers have advised WDA that Council does not support Council administering this program but would promote the funding opportunity to the community.

Inner West Air Quality Community Reference Group

The state government announced the establishment of the Inner West Air Quality Community Reference Group in July this year. This Group will give community members the opportunity to provide community insight and input to future improvements for air quality in the inner west. Recruitment to the Community Reference Group is via invitation to some groups as well as by an expression of interest process. Council will have a representative on the Group. The recruitment period will close at 5pm Monday 15 October.

A draft Terms of Participation will be reviewed and finalised by the Community Reference Group at its first meeting. The following link has further information on the process:

<https://www.environment.vic.gov.au/sustainability/inner-west-air-quality-reference-group>

8.4.2 Response to Petition - Request for Basketball Hoops/Court in the Altona area

Directorate: Infrastructure and City Services

Appendices: 1 Den Dulk Reserve, Altona

Purpose

To advise Council of the proposed actions to be undertaken in response to a petition regarding a request for a basketball/netball half court facility at G. Den Dulk Reserve, Altona

Motion

Moved Cr Sandra Wilson, seconded Cr Tony Briffa:

That Council:

That Council:

- 1. Refer the development of a basketball/netball half court facility at G. Den Dulk Reserve to the 2019-20 Capital Works Program.**
- 2. Advise the lead petitioner of the outcome.**

Carried

Summary

A petition has been received requesting that Council develop a basketball/netball half court facility at G. Den Dulk Reserve, Altona.

The Hobsons Bay Open Space Strategy (HBOSS) recommends an assessment and the development of a park improvement plan to upgrade G. Den Dulk Reserve as a local community park. The service standards described for local parks include appropriate self-directed activity such as a half court facility.

Background

On 9 September 2018 Council received a petition seeking Council “*to provide a community accessible basketball court and/or hoops in Altona in a location such as the reserve at Somers Parade, Altona*”. The petition was signed by 121 people of which 96 per cent were residents of Hobsons Bay.

Located between Somers Parade and Blyth Street Altona, G. Den Dulk Reserve is a linear local park that is surrounded primarily by residential properties. G. Den Dulk Reserve is zoned Public Park and Recreation Zone (PPRZ). The Somers Parade Kindergarten and Latitude (a young people’s outreach service.) are located at the eastern end of the reserve. With the exception of a small play space located between these two buildings, the rest of the linear park land contains no other play or self-guided recreation activities.

Discussion

The HBOSS recommends an assessment and the development of a park improvement plan to upgrade G. Den Dulk as a local community park.

The service standards described for local parks include appropriate self-directed activity such as a half court facility. Council's Play Space Strategy (2013-2023) has the play space listed for a full upgrade in 2023. The current playground is in reasonable condition, however, it could be better located further west within the reserve to serve the needs of young families in the immediate vicinity.

Relocation of the play space (to the west and larger area of the reserve) would provide Council with the opportunity to construct a half court facility in the same location and provide for a better range of family and social recreation opportunities for the local community.

It would also provide potential opportunity to develop a community garden space within the park area currently containing the play space. (Attached as Appendix 1)

8.5 Community Wellbeing

8.5.1 Naming of Altona Early Years Hub

Directorate: Community Wellbeing

Appendices: Nil

Purpose

To advise Council of the outcome of the public advertising process and to finalise the naming of the Altona Early Years Hub.

Motion

Moved Cr Colleen Gates, seconded Cr Sandra Wilson:

That Council adopt the name Altona Early Years Hub for the new early years facility being constructed on the Altona P- 12 Secondary College site.

Carried

Summary

The report summarises the outcome of the public advertising process in relation to the naming of the Altona Early Years Hub.

Background

At the Ordinary Meeting of Council 11 September 2018, a report was presented to Council recommending the endorsement of the name Altona Early Years Hub for the new early years facility being constructed on the Altona P-9 Secondary College site, and that a public advertisement be undertaken inviting comments from the community.

On 19 September 2018 a Public Notice of Council's intention to name the facility Altona Early Years Hub was published in the Maribyrnong & Hobsons Bay Star Weekly newspaper inviting comments from residents and the community. On 17 October 2018 the Public Notice submission period expired. There have been no submissions received through this process.

At the Ordinary Meeting of Council 11 September 2018, a public question time question was received asking if "Could Council suggest a name that carries weight with the traditional owners of this place and invite all traditional owners to come up with a name?"

Discussion

The Council, as the naming Authority, is required to resolve on geographic place names in the municipality guided by Council's Naming Policy.

The proposed place name, Altona Early Years Hub, is in keeping with Council's Naming Policy and is consistent with the Victorian Guidelines for Geographic Names. Altona Early Years Hub meets the need for the place name to be easy to pronounce, spell and write, and that the name does not compromise public safety and operational safety for emergency services, or cause confusion for transport, communication and mail services. In addition, the

criteria stipulates that infrastructure names should be the same as their locality to promote local identity and avoid confusion.

The new building is located next to the Altona P-12 College; the similarity in the names brings in a sense of uniformity and collaboration, promotes local identity and maintains the name that the community has associated with the building for a number of years. The inclusion of the words “Hub” and “Early Years”, highlights the multi-functional characteristics of the building as well as the focus on early years education and care, which is important in what has become a competitive market for care and education.

The Naming Policy also indicates that recognition and use of traditional indigenous names may be considered subject to agreement from relevant indigenous communities. As the facility is scheduled to be handed over to the service provider in late October and open in January 2019 the timeframe in which Council would have to secure agreement from all three indigenous groups of the region would not allow for the respectful and considered discussions this would require.

The draft Reconciliation Action Plan provides the opportunity to acknowledge traditional owners through the installation of signage within buildings, and the suggestion to explore the use of an indigenous name for the facility will be incorporated into the post-opening phase of the project. In addition, after the opening of the facility, Council will work in partnership with the service provider, local families and children to include design and practice elements that foster and increase community recognition of the traditional owners of the land into the facility.

8.5.2 2019 Community Grants Recommendations

Directorate: Community Wellbeing

Appendices: Nil

Cr Tony Briffa left the Council Chamber at 8.35pm, and was absent for the vote on item 8.5.2.

Purpose

To endorse the allocation of the 2019 Community Grants Program funding.

Motion

Moved Cr Colleen Gates, seconded Cr Angela Altair:

That Council:

- 1. Approve the allocation of \$169,526 to fund 98 projects.**
- 2. Write to all applicants confirming the outcome of the Community Grants Program and display a list of the grant recipients on Council's website.**
- 3. Provide unsuccessful applicants an opportunity to obtain feedback on their application.**
- 4. Open the 2019 Quick Response Grant round on 4 February 2019 closing on 3 April 2019 to allocate a reserved amount of \$128,563 to emerging projects across all four grant funding categories in the remainder of the 2018-19 financial year.**
- 5. Receive a Council Grants review report before the announcement of the 2020 Grants Program.**

Carried

Summary

Council received 117 applications for the Community Grants Program in four grants categories. Vibrant Grants, Small Expenses Grants, Toyota Equipment Grants and Invested Together Grants with a total funding request of \$298,089. There are 98 applications recommended for funding, totalling \$169,526.

This year there has been a lower than usual allocation of funding through the initial Community Grants Program. It is recommended that officers bring a report to Council before the 2020 program is conducted to consider a refreshed and or revised program considering all the Council grant programs.

Background

Council's 2018-19 budget for community grants is \$298,089 including administration of \$20,000 pledged by the Toyota Motor Corporation Australia for equipment grants.

A sum of \$128,563 is reserved for disbursement in a Quick Response Grant round during the 2018-19 financial year. The round will open for a period of up to two months on 4 February 2019 with the intent of disbursing the funds under officer delegation before the end of the financial year with a report on those funded to be brought back to Council.

A sum of \$11,590 is allocated to the second year partnership projects from the 2018 Community Grant Round, approved in the 2017-18 grant program.

Discussion

The 2019 Community Grants Program opened on 4 June 2018 and closed on 1 August 2018. The grants scheme was advertised in the local newspapers, on Council's website and through social media, as well as through an extensive email list to previous applicants and community groups.

Council staff offered two information and grant writing sessions which were well attended by 40 residents representing local community groups and organisations. The Community Grants Officer also provided a grants information session to 21 residents attending the Cultivate Women's Leadership program.

Assistance was provided to an additional eight groups through local libraries to complete the application form online.

Recommendations for the 2019 Community Grants Program have been formulated following a robust assessment process that has included initial eligibility, assessment scoring by Council staff across a range of portfolio areas (youth, diversity, arts, culture and heritage, multicultural, early years, environment/sustainability, sport and recreation, parks, libraries, aged and disability, community development, volunteers, health and wellbeing and social policy) and a further assessment and shortlist by the Community Development team. An applicant's ability to demonstrate alignment with the Hobsons Bay 2030 Community Vision priorities was part of the assessment process. The final stage included a review by a Council appointed review panel. All applications and recommendations were provided to all Councillors for comment prior to the Community Grants Councillor Review Panel meeting.

The Toyota Equipment Grants were assessed by four employees from Toyota's Port Melbourne location in accordance with partnership arrangements.

Year one

acquittal reports will be reviewed for three partnership projects approved with last year's grant program prior to disbursing the \$11,560 for second year funding.

The recommended grant projects focus on local community development activities including supporting newly arrived communities, water safety for children, indigenous awareness projects, cultural activities, community arts projects, social connection projects, increasing female participation in sport, governance training, youth activities, and volunteer initiatives and supporting seniors' activities.

A total of 39 individual organisations received small expenses grants to support the administration of their groups and a further 23 organisations were supported to purchase equipment through the Toyota Equipment Grant program.

A total of 98 applications are recommended with an allocation of \$169,526.

This year the initial allocation of funding is lower than previous years with more funding to be allocated through the Quick Response Grant round. Council has been running a similar Community Grants Program for a number of years with slight variations in the guidelines

approved by Council. The lower level of allocation through the initial round suggests that the program should be reviewed and or refreshed to stimulate a higher level of response. Council also provides grants through a number of other programs including sustainability grants and festival grants. The Hobsons Bay Community Fund also conduct a separate grant allocation program. It is therefore recommended that officers undertake a review of grant funding and bring a report back to Council before the 2019-2020 program is conducted.

Community Groups Matching Investment and Program Examples

A review and analysis of the 2016 and 2017 community grants funded project outcomes has provided some insights regarding the Community Grants Program. The Community Grants Program is a highly competitive process with demand outstripping available funds over the course of the full financial year. For every dollar Council provides in funding the community group/organisation/club contributes a further \$3. Community wellbeing, capacity and sense of belonging (Health and Wellbeing Plan 2014-2017) was the predominant Council priority pursued, followed by the provision of a range of opportunities that support people to engage in healthy and active lifestyles. Volunteer hours were recorded in 2017 as 23,032 hours. The total number of people participating in projects over the two years was 64,059. The majority of projects drew participants from across the municipality even when located in a specific suburb. The most popular funding category was the Vibrant Community Project category (up to \$5,000 funding).

Some examples of programs include a healthy community lunch program at Williamstown Community and Education Centre that provided the opportunity for Centre users from diverse backgrounds to mix and socialise, increased the use of Centre's garden beds and instigated a produce swap stand; a capacity building project amongst a group of sports clubs focusing on strategic planning and governance; the establishment of a local dialysis support group for people suffering renal failure; a series of workshops which culminated in an exhibition of stories, memories and feelings from the LGBTIQ community; many different sporting clubs including cricket, football and soccer clubs employing strategies to increase the participation of women in sport and an Aboriginal project to increase cultural connectedness amongst the local aboriginal community through a possum skin cloak project.

2019 Quick Response Grants

An amount of \$128,563 will be available through the Quick Response Grants. The Quick Response Grant (QRG) has been operating for the past three years from February to April each year with applications across two grant categories, small expenses and vibrant community project.

The 2019 QRG round proposes to pilot offering all four funding categories that are also available through the community grants round. These four categories include small expenses (\$500), equipment and resources (up to \$1,000), vibrant community project (up to \$5,000) and invested together projects (up to \$10,000 over two years). Groups will be eligible to submit only one application for each category. Groups already in receipt of funding from the 2019 Community Grants Program will be ineligible to receive a grant in the same funding category through the 2019 QRG round.

8.5.3 Status Resolution Support Service Membership and Contribution Proposal

Directorate:	Community Wellbeing
Councillor Portfolio:	Social Wellbeing and Community Services - Cr Tony Briffa and Cr Colleen Gates
Appendices:	<ol style="list-style-type: none">1 The Agenda Group - SRSS Public Advocacy Media and Communication Support Services Proposal2 Proposal for Financial Contribution from Taskforce Member Councils for SRSS Letter to CEO

Cr Michael Grech left the Council meeting at 8.36pm, and was absent for the vote on Item 8.5.3. Cr Grech was absent for the remainder of the meeting.

Cr Tony Briffa returned to the Council Chamber at 8.41pm, and was present for the vote on Item 8.5.3

Purpose

To confirm the contribution of \$5,000 for an advocacy campaign to the Local Government Mayoral Taskforce Supporting People Seeking Asylum on joint advocacy to reverse changes to the Status Resolution Support Services (SRSS).

Motion

Moved Cr Altair, seconded Cr Wilson:

That Council provides \$5,000 to the Status Resolution Support Services campaign to support the joint advocacy campaign actions of the Mayoral Taskforce Executive.

Carried

Summary

At the Ordinary Meeting of Council 11 September 2018 Council resolved to work with other Victorian councils advocating on the issue of SRSS program reductions and their impact on people seeking asylum and the broader community. As part of the actions agreed, Council has written to the Australian Prime Minister and the Federal Minister for Home Affairs seeking a reversal of the SRSS program changes and outlining the impact on the Hobsons Bay community and service providers.

City of Greater Dandenong has initiated a Mayoral Taskforce with an Executive Member and General Membership levels to jointly formulate options for combined advocacy and discuss strategies to better coordinate emergency and ongoing material aid resources at municipal and regional levels. The Taskforce is comprised of Councillors from 17 municipalities including our western region neighbours Brimbank City Council. Hobsons Bay City Council has been invited to join the Executive Membership.

The purpose of the taskforce is to coordinate joint state-wide advocacy by Victorian councils and share resources and practical responses by Victorian communities to the issues caused by the SRSS cuts. By accepting this opportunity to join the Executive Membership of the Taskforce, Hobsons Bay City Council will nominate a Councillor to attend monthly meetings commencing 31 October 2018 in Brimbank, sometimes along with Council Officers.

The role of the Executive Member Council is to drive the implementation of the objectives, strategic priorities and make key decisions, particularly relating to the advocacy campaign and materials. Post the Ordinary Council Meeting of 11 September a request was received from Dandenong Council to contribute \$5,000 towards the budget for this joint advocacy campaign.

Background

The Australian Government's national SSRS program provides people formally seeking asylum within our community with a basic living allowance worth about \$247 a week, (approximately 89 per cent of the Newstart Allowance), casework support, and access to torture and trauma counselling. It is delivered by not-for-profit agencies and according to the Asylum Seeker Resource Centre (ASRC) approximately 13,000 people across Australia were receiving SRSS prior to June 2018.

In June 2018 the Australian Government reduced the number of people eligible for the SRSS. Income support stopped for 1,500 people on 27 July 2018 and from 1 August to November, a further 5,500 people will be notified of cuts to their support.

The changes will significantly affect a number of people seeking asylum that live in Hobsons Bay. People seeking asylum are already seeking emergency assistance from local community organisations in increasing numbers and these cuts will only add to this.

Discussion

Council has a strong history of welcoming refugees and people seeking asylum into the community. We are a multicultural municipality; over 30 per cent of our residents are born overseas and the municipality has a growing population of migrants, refugees and people seeking asylum.

Council actively supports the Hobsons Bay Settlement Network and Hobsons Bay Interfaith Network, both which provide coordinated settlement support to refugees and people seeking asylum.

In addition Council supports community groups such as the Hobsons Bay Refugee Network and West Welcome Wagon initiatives that support people affected by the SRSS reductions.

8.5.4 Reconciliation Action Plan

Directorate: Community Wellbeing

Appendices: 1 Hobsons Bay City Council Innovate Reconciliation Action Plan 2019-2021

Purpose

To present the Hobsons Bay City Council Reconciliation Action Plan 2019-2021 for formal adoption.

Motion

Moved Cr Tony Briffa, seconded Cr Sandra Wilson:

That Council adopt the Reconciliation Action Plan 2019-2021.

Carried

Summary

The Hobsons Bay City Council Reconciliation Action Plan 2019-2021 (RAP 2019-2021) will articulate Council's role in promoting respect for Aboriginal and Torres Strait Islander peoples, celebrating Indigenous cultures and histories, and improving access to social, economic and civic opportunities, including activities within all areas of Council.

Background

Hobsons Bay City Council recognises that reconciliation between First Nations Peoples and the broader Australian community is paramount in advancing relationships, respect and opportunities for Indigenous Australians in line with the Federal government's *Closing the Gap* objectives. Council also recognises that due to systemic disadvantage and the legacy of colonisation, Aboriginal and Torres Strait Islander persons and communities experience barriers to accessing economic, social and civic opportunities.

Hobsons Bay has a rich and complex representation of Aboriginal and Torres Strait Islander peoples. Statistically, 488 Aboriginal and Torres Strait Islander community members reside in Hobsons Bay. In addition to this, there is also a diverse representation of traditional owner organisations who claim ancestral ties to the lands and waterways within the municipality; Boon Wurrung, Bunurong and Wurundjeri.

As the level of government closest to the community, local government is well placed to promote and foster reconciliation. Council has a key leadership role in acknowledging our First Nations Peoples and in promoting awareness, understanding, respect and recognition of the local Aboriginal and Torres Strait Islander community.

The RAP 2019-2021 is modelled on the template set out by Reconciliation Australia, the national expert body on reconciliation. The Reconciliation Australia frameworks provide organisations with a structured approach to advance reconciliation. There are four types of RAP that an organisation can develop: Reflect, Innovate, Stretch or Elevate. Each type of RAP is designed to suit an organisation at different stages of their reconciliation journey.

The Hobsons Bay RAP is based on the Innovate stage and is prescribed for a two year period in keeping with the framework during which time a commitment is made to the action

plan items. Council can repeat the two year Innovate stage should this be the desired direction or work toward the next stages. The broad principles and objectives of Relationships, Respect and Opportunity outline the framework for a formally endorsed Reconciliation Action Plan.

At the community level, Council seeks to foster greater visibility and inclusion of Aboriginal and Torres Strait Islander cultures, histories and persons. Over many years, Council has observed Reconciliation Week and has also celebrated NAIDOC in partnership with local traditional owner organisations, Aboriginal and Torres Strait Islander community members and the wider Hobsons Bay community.

Council has undertaken various activities and campaigns to advance reconciliation within the municipality to promote greater awareness and understanding of Aboriginal and Torres Strait Islander cultures and peoples. The RAP 2019-2021 will further consolidate a whole of Council approach to achieving the overarching principles of developing stronger relationships, fostering respect and creating opportunities with our First Nations Peoples. All Council departments play a role in implementing the RAP 2019-2021 and these commitments will be reflected in departmental Service Plans.

The adoption and implementation of the RAP 2019-2021 is a celebration of the next milestone in our local reconciliation journey.

9 Delegates Report

Directorate: Corporate Services

Purpose

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

Motion

Moved Cr Sandra Wilson, seconded Cr Angela Altair:

That Council receive and note the recent Delegates Report.

Carried

Delegates Report - Metropolitan Transport Forum Councillor Delegate: Cr Douglas Rowland

Report

Date of Meeting: Wednesday 3 October 2018

Steven Huxtable, Policy Officer for Road User and Vehicle Access at VicRoads, and Ashley Cook, Manager of Regulatory Policy, Policy and Reform Division at Transport for Victoria presented on autonomous vehicles. An autonomous vehicle is defined as one that has an automated driving system (ADS) that can perform the entire dynamic driving task and includes light vehicles, buses, freight vehicles, delivery drones and robots.

The State Government and relevant agencies have developed the ADS permit scheme to provide policy guidance for the testing of autonomous vehicles in Victoria. A permit to test autonomous vehicles will be a requirement and applicants will need to demonstrate that they have considered all relevant safety risks and have strategies in place to mitigate them. This includes a safety management plan and public liability insurance. All permits will be subject to conditions that includes the use of the vehicle, record keeping and reporting. Local Government and other stakeholders will be consulted on autonomous vehicle trials as required.

An update on the pre-election local transport forums was provided. Unfortunately, the Hobsons Bay and Inner West Forum scheduled for 17 October 2018 was cancelled due to timetabling clashes. This meant no high-profile candidate from the Government could be confirmed so close to the election.

The Billions4Bus campaign will soon be launched at www.billions4bus.melbourne. Billions4Bus is a Metropolitan Transport Forum (MTF) joint advocacy campaign seeking a small percentage of the billions committed to larger infrastructure projects to position buses as a viable transport alternative by rebranding, investing in new high capacity electric buses, and running them on direct express routes across Melbourne. Thirty bus routes are being proposed and the MTF will ask Council to produce a local media release for the campaign.

**Delegates Report - LeadWest
Councillor Delegate:****Report****Date of Meeting: 10 October 2018**

The October meeting of the LeadWest Board was hosted by Hobsons Bay City Council and held at the Newport Community Hub. The following business was progressed:

- noting the revised Transport Strategy for Melbourne's West
- approval of the LeadWest 2018-19 budget as endorsed by the Finance Committee
- consideration of the draft list of federal advocacy priorities and agreement that the top three advocacy issues should be Freight Infrastructure Investment Plan, more transport options for Melbourne's West and kindergarten funding
- agreement to receive a presentation from Western Melbourne Tourism at a future board meeting
- recommendation to refer the request from the Greening the West Steering Committee for an allocation of \$80,000 to the LeadWest budget process for next year
- discussion around the State Government's announcement of funding for a new Footscray hospital and the campaign for a new hospital in Melton. It was agreed that LeadWest should prepare a consolidated view of health and hospital advocacy needs for the West over the longer term, but in the interim that LeadWest provide a letter of support to the Build Melton Hospital campaign

**Delegates Report - RoadSafe Westgate Community Road Safety Council Inc.
Councillor Delegate: Cr Sandra Wilson****Report****Date of Meeting: 17 October 2018**

The Roadsafe Westgate Committee agreed to write to the Minister for Roads, The Hon. Luke Dunnellon and VicRoads CEO Mr Michael Malouf raising concerns about the recent changes to the road side maintenance service agreements.

The Committee is concerned about road safety particularly for drivers due to poor visibility due to the increased height and density of vegetation growth on roundabouts and road verges. Copies of the letter will also be provided to local members of Parliament. Each of the member councils raised their concerns on this matter and indicated support for the development of the correspondence to the Minister.

An update on the progress of the Hobsons Bay Local Transport and Movement Plans for Laverton, Altona Meadows and Seabrook was received noting a discussion paper will be made available for community consideration in November.

Maribyrnong City Council received a report from the Victorian Transport Association which includes a range of recommendations pertaining to heavy vehicle access throughout the western metropolitan region. Hobsons Bay has not received a copy of this report from the VTA but requested a copy from Maribyrnong City.

The Committee noted that Transport for Victoria in collaboration with Hobsons Bay City Council continues to develop the project brief and governance structure for the Local Transport and Movement Plans for Altona North, Brooklyn and Spotswood. The development of these plans is expected to be completed by mid-2019.

10 Notices of Motion

10.1 Notice of Motion No. 1206 - Review of Property Rates and Charges

Motion

Moved Cr Tony Briffa, seconded Cr Angela Altair:

That Council officers undertake a comprehensive review of property rates and charges as part of the development of the 2019-2020 Rating Strategy and budget reporting to Council that considers the impact of increasing property values as well as available options including for changes to differential rating structures.

Carried

In recent years property valuations across Hobsons Bay have increased substantially which has, and continues to, cause financial pressure on residents. Residents are feeling financial stress as a result of wage increases not keeping pace with the cost of living pressures such as power, water, insurances and rates.

Council understands that rates are a property tax and residents experiencing significant rates increases are also generally experiencing a high increase in the value of their property, however council also understands the direct struggle of ratepayers needing to find funds within their personal budgets to pay the bill.

Long term Hobsons Bay residents in particular are seeing property values outstrip affordability, not just for those who are seeking to buy into the area, but for those who have lived here their whole lives and cannot continue to afford cost of living increases. Some residents and families have had to make the decision about whether or not to sell a family home because they are unable to afford to continue to live in Hobsons Bay. This is not a situation unique to Hobsons Bay, however Council has a strong focus on responding to these challenges if possible as we understand that property valuations are likely to continue to rise given the proximity to the CDB and desirability of our city.

As part of its 2018/19 Annual Budget, council developed an internal Revenue Strategy which identifies the variety of sources of income and places focus on ensuring that all revenue sources are maximised in an effort to lessen the reliance on rate increases. As part of this review, officers will ensure the Revenue Strategy considers property affordability issues.

For residents experiencing difficulty in making a rates payment, Council has a hardship policy that can assist residents, but this should also be reviewed in light of the current stress on residents. Other options can include automatic options to pay rates in equal monthly instalments.

11 Supplementary Public Question Time

Q. Louise Keramaris

When was the last time the Council reviewed its Community Engagement Framework 2015? Is it now time to adopt a more proactive engagement process with the whole community with major policy decisions such as e.g. housing strategy, environment etc. Please contact me to have input. Thank you.

Q. Louise Keramaris

I invite Council to review the Reconciliation Action Plan (RAP) in light of the Victorian Aboriginal Affairs framework in particular self-determination guidelines and include reference in the RAP to this new way of working with Traditional Owners.

Q. Louise Keramaris

That Council seriously consider commissioning public art inviting Traditional Owners to submit in keeping with honouring the intent of the RAP. Hopefully the Public Art Policy will be updated following the RAP.

Q. Louise Keramaris

How and when and where will Council be advertising for new members of the Audit Committee? I am interested.

A written response will be provided to each of these questions.

12 Urgent and Other Business

Motion

Moved Cr Angela Altair, seconded Cr Colleen Gates:

That Council consider an item of Other Business relating to a rate cap non compliance issue.

Carried

12.1 Rate Cap Non-Compliance Acknowledgement and Reformation

Directorate: Corporate Services

Councillor Portfolio: Not applicable

Appendices: Nil

Purpose

To acknowledge that an error occurred during the annual rate setting process, resulting in a rate increase calculation of 2.28 per cent (0.03 per cent higher than the permissible 2.25 per cent rate cap), leading to an average overcharge of 75 cents per property, and to determine the appropriate course of action to address the issue.

Motion

Moved Cr Angela Altair, seconded Cr Sandra Wilson:

That Council:

1. Acknowledge that Council's rating calculations were unintentionally erroneous resulting in a general rate increase of 2.28 per cent (0.03 per cent higher than the permissible 2.25 per cent rate cap), leading to an average overcharge of 75 cents per property, and that an 'immaterial non-compliant' rate cap status is the intended determination by the Essential Services Commission.
2. Correct the error via a reduced rate in next financial year (2019-20).
3. Implement changes to rating administration processes to prevent this error from re-occurring.

Carried

Summary

Council set its 'rate in the dollars' at the Ordinary Council Meeting held on 26 June 2018 through the adoption of the 2018-19 Annual Budget and Rating Strategy. 'Rate in the dollars' were calculated based on valuations provided by Council's contract Valuers. At the time of this adoption, Council was compliant with the 2.25 per cent rate cap.

Subsequently some adjustments were made to the valuations, including three objections processed at the end of June. These adjustments resulted in a reduction to the baseline valuations, causing a rate increase calculation of 2.28 per cent, 0.03 per cent higher than the permissible 2.25 per cent rate cap and leading to an average overcharge of 75 cents per property (note: this is the average overcharge across all rate classifications i.e. Residential, Commercial, Industrial and Petrochemical). This error has been flagged by the Essential Services Commission (ESC) as 'immaterially non-compliant' with the 2.25 per cent rate cap.

Council acknowledges this error and is committed to ensuring that the overcharge is corrected in the most cost effective manner possible. It is also important to ensure that measures are put in place to prevent this issue from occurring again in the future.

Background

The 2018-19 Annual Budget and Rating Strategy were adopted on 26 June 2018. The budget, Rating Strategy and the setting of the 'rate in the dollars' were based on valuation data received by Council's independent contract Valuers on 6 June 2018. At this time, Council was compliant with the rate cap of 2.25 percent.

On 28 June 2018 (two days after the Annual Budget and Rating Strategy were adopted), three property valuation objections were processed, reducing valuations in the prior financial year 2017-18. The timing of these changes were erroneously applied to Council's valuations database, effectively lowering the benchmark ('base rate') upon which the ESC rate cap compliance is calculated. Shortly after, Council submitted its ESC Annual Rate Cap Compliance Return.

In completing the return, it was discovered that the calculated rate increase was over by 0.03 per cent, an average of 75 cents per property. This error has been flagged by the ESC as 'immaterially non-compliant'. More importantly, Council recognises this mistake and its potential impact on the community, and is seeking to resolve this issue as soon as practicable.

Discussion

In line with Council's key values of accountability, responsibility, transparency, and efficiency, Council publicly acknowledges the rate cap error and the ESC's pending non-compliance determination. Council also seeks to resolve the issue in the most cost effective manner possible.

To address this rating overcharge, the ESC suggested that Council could reduce its 'rate in the dollars' and apply a rebate within the 2018-2019 financial year in order to rectify the non-compliance determination. Before acting on this advice, Council sought to conduct its own due diligence regarding the implications of this approach, particularly compliance with the *Local Government Act 1989 (Act)*, and the operational and monetary cost of reversing the overcharge within the existing financial year.

Following this line of enquiry, Council recently sought and received legal confirmation that due to the immaterial nature of the non-compliance, Council could proceed with the approach suggested by the ESC without breaching the Act and revise its 'rate in the dollars' via a Council Resolution.

On face value, this was the preferred option as it would enable Council to compensate all affected rate payers within this financial year, and rectify the ESC's 'immaterial non-compliant' determination.

However, a cost-benefit analysis of this approach revealed that in order to deliver this rebate (75 cents per property average) within this financial year, additional expenditure would be necessary to perform intricate database changes to Council's valuation system. Furthermore, there will be associated impacts on staff resources and other complexities such as adjustments to direct debit accounts, pension rebates, supplementary valuations, and configuring refund mechanisms for those who have already paid their rates upfront, or have set up automatic scheduled payments.

Adjusting the 'rate in the dollars' this late in the process is costly, and will nullify any benefit to the community. This approach would only be valid if applied before rates were raised, the first and second instalments processed, and supplementary adjustments made.

A more pragmatic and cost effective approach is to apply a reduced rate increase in the 2019-20 financial year to the value of this year's overcharge. This will ensure that rate payers are compensated without any additional cost to Council, and by extension, the community.

To avoid this issue in the future, Council will not allow any adjustments to be made to the valuation database after the 'rate in the dollars' have been calculated, and valuation objections will only be considered as part of the following year's processes.

Motion

Moved Cr Tony Briffa:

That Council consider an item of Other Business relating to condolence motion.

Carried

13.2 Condolence Motion – Mrs Marilyn Elg

Motion

Moved Cr Angela Altair, seconded Cr Tony Briffa:

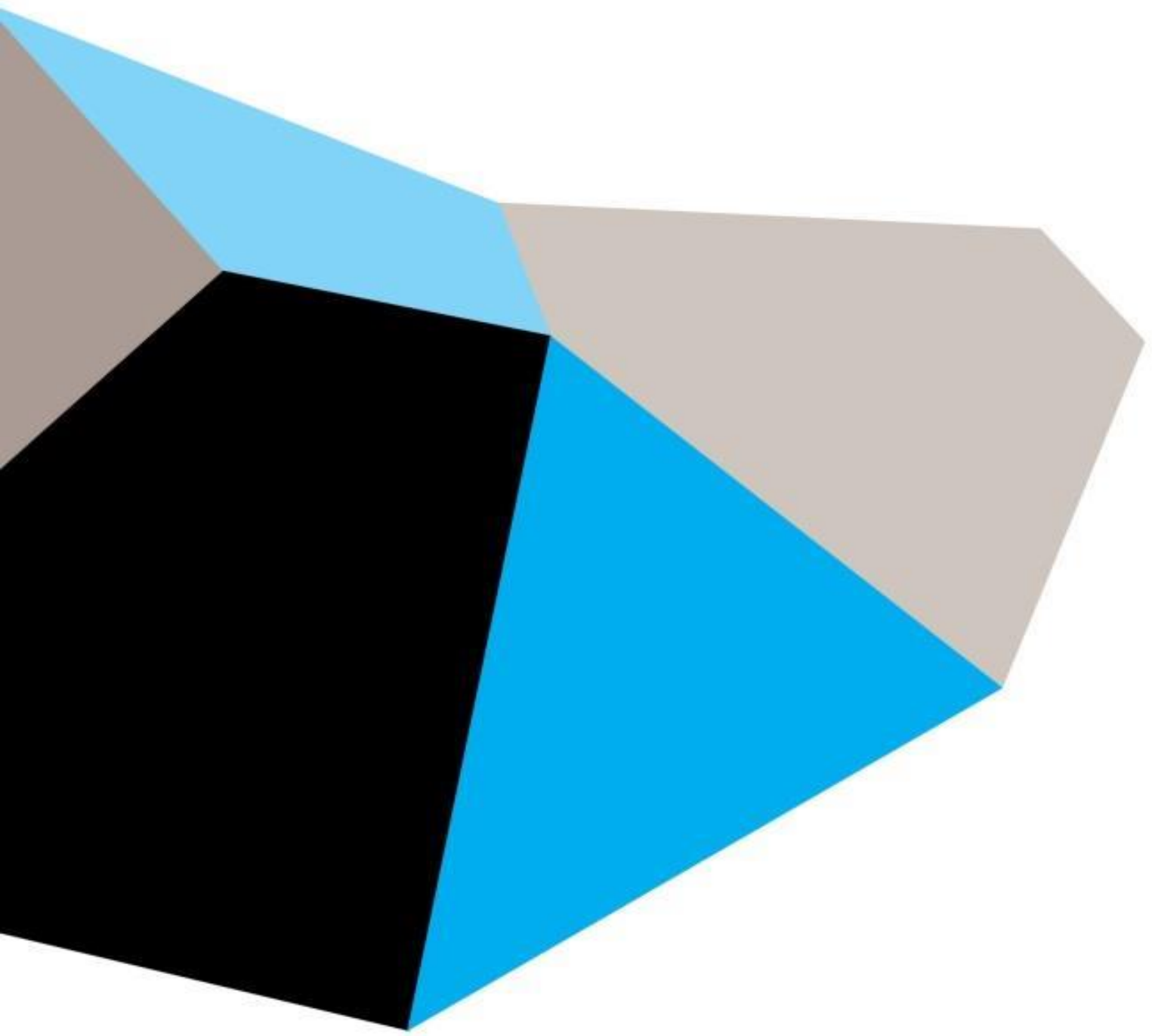
That Council acknowledge the contribution of outstanding citizen and successful business women, the late Mrs Marilyn Elg and express its condolences to Mr Philip Elg and her family.

Carried

There being no further business, the Chairperson declared the meeting closed at 9.32 pm.



Chairperson – Cr Jonathon Marsden
Signed and certified as having been confirmed.
11 December 2018



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