



Ordinary Council Meeting Minutes

Tuesday 14 May 2019

Council Chamber
Hobsons Bay Civic Centre
115 Civic Parade, Altona

**HOBSONS
BAY CITY
COUNCIL**



THE COUNCIL'S MISSION

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

OUR VALUES

Respectful

Community driven and focused

Trusted and reliable

Efficient and responsible

Bold and innovative

Accountable and transparent

Recognised

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

Chairperson:

Cr Jonathon Marsden (Mayor)

Strand Ward

Councillors:

Cr Angela Altair

Strand Ward

Cr Peter Hemphill

Strand Ward

Cr Tony Briffa

Cherry Lake Ward

Cr Sandra Wilson

Cherry Lake Ward

Cr Colleen Gates

Wetlands Ward

Cr Michael Grech (Deputy Mayor)

Wetlands Ward

Aaron van Egmond
Chief Executive Officer
Hobsons Bay City Council

CONTENTS

1	Council Welcome	6
2	Apologies	6
3	Disclosure of Interests	6
4	Minutes Confirmation	6
4.1	Ordinary Council Meeting	6
5	Councillors' Questions	7
6	Public Question Time	7
7	Petitions/Joint Letters	14
7.1	Petition/Joint Letter - Request for Pedestrian and Cycling Crossing at Millers Road/Kororoit Creek Road Intersection.....	14
7.2	Petition - Request to Reconsider Demolition of the Cooraminta Children's Centre.....	15
7.3	Petition - Request to Repair Footpath outside 7 Challis Street, Newport	16
8	Business.....	17
8.1	Office of the Chief Executive	17
8.1.1	Establishment of the new LeadWest Special Committee	17
8.1.2	Chief Executive Officer - Report on Operations	22
8.2	Corporate Services.....	23
8.2.1	Proposed Abandonment of Change of Name of the Newport Athletics Track.....	23
8.2.2	Quarterly Financial Report - March 2019	27
8.2.3	Council Plan Progress Report Quarter 3.....	29
8.2.4	Discontinuance of road adjoining 45 Epsom Street, Laverton	31
8.3	Sustainable Communities	33
8.3.1	Amendment C113 - Anomalies Amendment	33
8.3.2	Response to Petition - Request to Rebuild and Return 16 Oxford Street, Newport to Victorian Arabic Social Services	35
8.3.3	Newport Structure Plan Progress Report	39
8.3.4	Experience Hobsons Bay Tourism Strategy.....	42
8.4	Infrastructure and City Services.....	44
8.4.1	Contract No. 2015.132 Extension of Contract for Active Tree Services (ATS) ...	44
8.4.2	West Gate Tunnel Update Report.....	46
9	Delegates Report	52

10	Notices of Motion	53
10.1	Notice of Motion No. 1210 – Williamstown Ferry Operator	53
10.2	Notice of Motion No. 1211 – Condolence Ms Margaret Kidd	54
11	Supplementary Public Question Time	55
12	Urgent and Other Business.....	55
12.1	Leave of Absence – Cr Angela Altair.....	55
13	In Camera Business.....	56

Minutes of the Council Meeting Held on Tuesday 14 May 2019 at 7.00pm in the Council Chamber, Hobsons Bay Civic Centre, 115 Civic Parade, Altona.

PRESENT

CHAIRPERSON:

Cr Jonathon Marsden (Mayor) Strand Ward

COUNCILLORS:

Cr Peter Hemphill Strand Ward

Cr Tony Briffa Cherry Lake Ward

Cr Sandra Wilson Cherry Lake Ward

Cr Colleen Gates Wetlands Ward

Cr Michael Grech (Deputy Mayor) Wetlands Ward

OFFICERS:

Mr Aaron van Egmond Chief Executive Officer

Ms Penelope Winslade Director Sustainable Communities

Mr Sanjay Manivasagasivam Director Infrastructure and City Services

Mr Andrew McLeod Director Corporate Services

Ms Diane Eyckens Manager Governance and Local Laws

Ms Jennifer Legge Manager Communications and Community Relations

Ms Martina Simkin Governance Coordinator/Minute Secretary

1 Council Welcome

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

2 Apologies

Motion

Moved Cr Peter Hemphill, seconded Cr Sandra Wilson:

That Council receive and accept an apology on behalf of Cr Angela Altair.

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 April 2019 (copy previously circulated).

Motion

Moved Cr Peter Hemphill, seconded Cr Tony Briffa:

That the minutes of the Ordinary Council Meeting of the Hobsons Bay City Council held on 9 April 2019 be confirmed.

Carried

5 Councillors' Questions

Nil.

6 Public Question Time

Pamela Mackellin

Q. Why didn't the Council communicate with the residents of this street when it involved such a massive project? One letter, supposedly sent in 2007, when the project didn't actually start until 2018.

A. The planning permit application was widely advertised in accordance with statutory requirements. Notification included letters to adjoining and nearby owners and occupiers, three signs were displayed on each of the road frontages to the site and a notice was placed in the local newspaper. Following the issue of the planning permit, the owner applied for an extension of time to the permit as is allowed for under S69 of the *Planning & Environment Act 1987*. Council has granted seven such extensions of time to the permit. While there is no statutory limit on how many times someone can apply to extend a permit, VCAT case law has established a series of tests to be considered in the assessment of an extension of time request. Council referred to these tests in each instance. There is no statutory requirement under the Act to notify other parties when an extension of time request is received.

Pamela Mackellin

Q. When the Aged Care Facility approached the Council prior to the Planning Permit being approved in 2007, at what point did the Council decide to gift the Nursing Home, public space for their car park and what was the rationale behind this debatable decision?

A. The land has not been gifted to the Aged Care Facility. The car park is situated within the road reserve and remains in Council's ownership. The car spaces are being constructed by the nursing home owner at their expense and will be available for nursing home staff and visitors to use as well as members of the general public. The car park will also ensure that on street parking associated with the nursing home will be less likely to occur further down Ascot Street.

Pamela Mackellin

Q. Why wasn't the Nursing home made to accommodate the car spaces they require in their footprint?

A. The planning scheme requires Council to consider parking and any parking waivers associated with a development on a case-by-case basis. The application as lodged and subsequently advertised included the car parking to be provided on the eastern side of Ascot Street. Given the availability of the land and the need for aged care services within the area, this proposal was supported in this instance.

Philip Frisina

Q. On one hand, how can HBCC be so concerned with parking that they are issuing fines to local residents parking on nature strips, then on the other hand allowing private enterprise to extend the nursing home to 105 beds without having adequate space on their land for parking?

- A. The parking of vehicles on the nature strip is governed by Council's Local Laws. Given the availability of the land and the need for aged care services within the area, in this instance this proposal was supported. The proposed parking bays provide for formalised parking within the road reserve. They will also reduce the likelihood of any off street parking associated with the nursing home occurring further down Ascot Street.

Philip Frisina

- Q. Where is the justice that private enterprise can get a permit to extend the nursing home from 34 beds to 105 with the same amount of parking spaces on site (11)?**

- A. In this instance, the proposal fulfils an important gap in the provision of high care beds in the municipality. Aged care facilities play an important role in accommodating for an aging population, a requirement supported strongly by the Planning Scheme. Although each application is considered on its own merits, other uses that do not have a net community benefit may not be approved with a similar parking proposal.

Philip Frisina

- Q. What research and observations have been undertaken on Ailsa street south to understand current congestion with nursing home staff and child care centre pickups/drop offs to still allow a permanent loading dock entrance for the nursing home?**

- A. The planning permit application was accompanied by a traffic report which considered specific traffic impacts and was reviewed by Council's traffic engineer at the time.

The design allows for staff and visitor parking on the eastern side of the building and separates the delivery and service vehicle access to the 'back of house' areas on the western side of the building. Conditions on the permit require the use to not detrimentally affect the amenity of the area including through the transport of materials, goods or commodities to or from the land, and also that the delivery of goods must be carried out entirely within the subject site.

Frank Frisina

- Q. My family is directly affected being next door to the site of the extension. How will we be compensated for the loss of natural sunlight to my home and established garden, excess noise pollution, privacy violation and the obvious drop in re-sale value of our newly bought home?**

- A. An assessment against the off-site impacts of the development were considered by Council as part of the planning application assessment process. Although there will be some additional shadows cast from the development onto the adjoining properties to the south, they will not be excessive when considered at the September equinox (23 September). All south facing first floor windows of the development are required to be screened to a height of 1.7 metres above finished floor level and, although the proposed use is not anticipated to emit significant noise, an acoustic boundary fence is required along the southern boundary. Potential impact on property values is not a relevant planning consideration, as confirmed by relevant VCAT case law.

Frank Frisina

Q. With each extension of permit, why is it 'not' policy to allow for objections to the proposed development for local residents who may be new to the affected area?

A. Under the Planning and Environment Act, there is no statutory requirement to notify other parties when an extension of time request is received or granted.

Alison Brideson

Q. What is the Council's definition of 'passive' exercise that governs activity on The Strand and how does activity such as bicycle riding, jogging and the new exercise pods constitute 'passive activity' but precludes Step Into Life?

A. Exercise is permitted in spaces suitable for passive recreation. Issuing permits for groups to undertake formal sport or commercial training in these spaces is not considered suitable.

Alison Brideson

Q. Are other groups which currently use The Strand area for outdoor group exercise, also now precluded from use of this area or is it just Step into Life?

A. Step into Life have been issued with a permit to use John Morley Reserve along the Strand until 30 June 2019. It is acknowledged that Step into Life have used this space for an extended period of time without a permit. No other groups have or will be issued with a permit for this reserve.

David Brideson

Q. If Step into Life (a group which comprises local ratepayers and brings great health benefits to the community) is no longer able to use The Strand, could Council advise what events preclude use of a corner of Commonwealth Reserve at 6.00 am and 9.15 am during the week?

A. Commonwealth Reserve is not considered a suitable site for training due to the reserve functioning as a regional level park and the high volume of visitors, special events and other activities hosted including weddings. It is considered important that apart from these activities the reserve remains available for all visitors to enjoy at all times. There are several suitable alternative reserves available for Step into Life to use in the Williamstown area.

David Brideson

Q. If Step Into Life were to be permitted to use Commonwealth Reserve, in the unlikely occurrence of a conflicting priority, what is to preclude Council from requesting Step into Life use one of the alternative permitted areas on that particular day?

A. Commonwealth Reserve is not considered a suitable site for training. There are several suitable alternative reserves available for Step into Life to use in the Williamstown area.

Lee Banh

Q. Traffic disturbance and congestion in Ascot Street South are currently impacted, 105 beds will bring added disturbance and congestion to our streets, more visitors fighting for parking spots and only 11 parking spots are provisioned on private land Allanvale extension. Public parkland is also used to accommodate

private enterprise use including pedestrian crossing from public car park, did Hobsons Bay think it was a good idea to give away a piece of public land, putting car parks would resolve traffic congestion? How was this not considered at time of endorsement enforcing private parking built on private property?

- A. The planning application as lodged and advertised included a proposal for car parking to be provided within the road reserve on the eastern side of Ascot Street. Council is required under Section 58 of the *Planning & Environment Act 1987* to consider every application for a permit that is lodged.

The approved car parks are available for all members of the community to use and are not solely for the purpose of the aged care facility. They also do not change the purpose of the land (being a road reserve) and the land has not been gifted to any party. The car park is being constructed at the cost of the developer in accordance with civil drawings approved by Council's Engineering Team.

Lee Banh

- Q. I have north facing solar panels on my roof. I am two houses down from Allanvale Nursing Home, the new extension will be blocking lights and sun where my solar panels are currently fitted especially during the winter months of low sun. The Government are pushing households to go solar, and on the other hand Hobsons Bay City Council approved such monstrous size construction without giving affected areas notice to object. How are you going to compensate for this error when both blocks are completed?**

- A. Having regard to the shadow diagrams submitted with the planning application, the proposed building is a sufficient distance away from this property to have no impact on the solar panels.

Lee Banh

- Q. You have devalued houses around this area by approving monstrous commercial extension and affecting street parking restrictions, and without giving residents opportunity to object, why should residents have to wear the loss of property value due to this redevelopment?**

- A. The application was widely advertised at the time the application was considered providing residents with the opportunity to lodge submissions for Council's consideration. The right of appeal also existed for residents unhappy with Council's decision to approve the application. No appeals were lodged.

Aun Lim

- Q. Why is the new car parking in Bruce Comben Reserve side of Ascot Street South allowed to extend past the Allanvale site area and now requiring "no stopping" zones on west side of Ascot Street South such that some residents can no longer park on the street directly outside their own homes?**

- A. The new public car parking spaces are currently being constructed as part of the Allanvale Private Nursing home development. No Standing signs which have been installed are a temporary measure whilst works occur to ensure the road remains open to traffic during this time. Consultation was held with directly affected residents in relation to the installation of these signs. Once the construction works are complete, the No Standing signs will be removed and residents will be able to park in front of their properties again.

Aun Lim

Q. What is the minimum required parking for the redevelopment of the Allanvale Private Nursing home and is the current planned parking provisions sufficient considering it will mostly be shared with the public?

A. At the time the planning permit was considered there was no parking rate specified in the Planning Scheme. Parking was required to be provided “to the satisfaction of the Responsible Authority”. The traffic report submitted with the application used a rate of 0.3 spaces per bed based on relevant case law and traffic engineering practice requiring 31 spaces. Based on the assessment of the application and surrounding area, the proposed 28 spaces were sufficient to accommodate the required parking for the facility.

Since this time, the State Government has amended the Planning Scheme parking clause to include a parking rate for a residential aged care facility (which includes a nursing home) of 0.3 spaces per lodging room, as there are 105 rooms there has been no change to the assessed outcome.

Aun Lim

Q. Why can't Allanvale Private Nursing Home allocate provisions for private car parking on their own site instead of destructing public parklands to fulfil their parking obligations and setting a precedence for other private enterprise to do the same?

A. The parking outside of the site is located within the Ascot Street road reserve. Only a very small section extends into the adjoining park. This is due to the curvilinear alignment of the road carriageway and the fact it is biased to the eastern side of the road reserve in this location.

In this instance, the proposal fulfils an important gap in high care beds in the municipality. Aged care facilities play an important role in accommodating an aging population, which is also supported strongly by the Planning Scheme. Each application is considered on its own merits, and another use that does not have a net community benefit may not be approved with a similar parking arrangement.

The provision of car parking on this public land also allows other members of the public to utilise this parking, which would not be available if provided on private land.

Jason O'Donnell

Q. Why can we no longer continue to train as an exercise group along The Strand whereby the council is implementing fitness equipment along the Strand to encourage health and fitness and that is exactly what Step into Life has been doing for the past 15 years for members of the community along the Strand? We have not received any noise complaints, nor have we had any incidents with members of the community using the area to visit, look out at views, have picnics or use the exercise path so I find it hard to understand why after June 30th, we will no longer have a permit for this area. We have received 1 complaint from the council from a recidivist complainant, who was unhappy with regards to using the table and chairs as part of our warm up, which has now ceased. The Strand provides a safe training environment for the members as it is a vacant space during non-peak times of the day and offers parking & lighting and nearby toilets.

- A. There are some sites that have historically been used by trainers that are no longer considered suitable for individual and group training and John Morley Reserve along The Stand is one such site.

It is acknowledged that Step into Life Williamstown have used John Morley Reserve and other sites in Hobsons Bay for several years without obtaining a permit. During this time noise complaints have been received, along with complaints about the group using Council furniture for training sessions.

As part of the implementation of new processes, Step into Life have been informed that from 1 July 2019 the reserve would no longer be available for training due to a number of factors including:

- the reserve primarily functions as an area for passive recreation with the historic cannons, picnic tables and chairs providing views over the bay;
- the reserve also functions as a commuter link with the Bay Trail running through the entire space, there is the potential for conflict between path users and exercise groups; and
- the small size of the reserve and its proximity to nearby residents has resulted in Council receiving a number of noise complaints regarding Step into Life's use of this space

Council officers have continued to work with the Step into Life operator to assess alternative sites in the Williamstown area for training and have updated the permit to include use of other reserves within Williamstown including Robertson Reserve and Fearon Reserve.

Jason O'Donnell

- Q. My research has shown that the cost I am being charged for a permit at a per session rate of \$6 is completely unreasonable as it equates to \$3,432 per year. This amount is excessive and why there are multiple trainers in the area training without permits and why at times I have not been able to pay for previous permits as my business would have gone broke and would have been forced to close and no longer fulfil the service to the members of the community who I provide health and fitness benefits for to live a healthier lifestyle. Other councils charge an annual rate which is far more reasonable and sustainable. To give you an understanding of the significant variance in cost, the Port Phillip Council have an annual rate of \$304 which is 1129% lower than Hobson Bay City Council rates. Yarra City Council have an annual rate of \$300.30 which is 1143% lower than Hobson Bay City Council Rates. I have addressed this excessively high cost of permit to the Sport & Recreation Office on numerous occasions over the last 18 months who have advised this would be reviewed and likely to change to an annual rate but has still not been implemented or addressed to date. Can you please advise when the council will review the permit rate to an annual cost and if it will be far more reasonable than the current rate in place?**
- A. It is acknowledged that Step into Life Williamstown have used John Morley Reserve and other sites in Hobsons Bay for several years without obtaining a permit.

Step into Life have also not been charged any fees for the groups historical use of Council's public open space during the period of time where no permit was obtained.

In December 2018, Step into Life were charged a discounted rate of \$528 for a 7 month permit to use Council's public open space for training.

Council officers are in the process of reviewing how personal training permits are issued including fees and charges. These changes will make them more affordable for those groups that conduct a high number of training sessions.

As part of the review benchmarking has been undertaken with other Council's fees and charges.

Jason O'Donnell

- Q. I would like Commonwealth Gardens to be considered as an alternative area for the Strand after June 30th although I have been advised that the request is not supported due to the high volume of visitors and events which already take place in this location. We are requesting use of this site Monday to Friday between 6am-7am and 9am-10.30am whereby I can't imagine events/activities are being held at such time. When events/activities have been booked by the council in the Commonwealth Gardens on such days, we would relocate to an alternative approved site. The Commonwealth Gardens have no residents within 100m of the requested location as it is situated on the water and next to the Liston Tennis Club. It also provides a safe training environment for the members as it is a vacant space during non-peak times of the day and offers parking & lighting and nearby toilets. Would you reconsider the requests for a permit for either The Strand or Commonwealth Gardens so our group can continue to train by the water over-looking the city views?**
- A. Commonwealth Reserve has been considered by Council officers and is not considered a suitable site due to the reserve functioning as a regional level park and the high volume of visitors, special events and other activities hosted including weddings. It is considered important that apart from these activities the reserve remains available for all visitors to enjoy for passive and active purposes.

The most suitable spaces in the Williamstown area for Step into Life to access are Greenwich Reserve, RJ Long Reserve, Hatt Reserve and Gloucester Reserve.

A permit has also been issued allowing Step into Life to access Robertson Reserve and Fearon Reserve noting some restrictions associated with other group's use of these sites.

Step into Life may also wish to make contact with Parks Victoria who manage Point Gellibrand Coastal Park along Battery Road.

7 Petitions/Joint Letters

7.1 Petition/Joint Letter - Request for Pedestrian and Cycling Crossing at Millers Road/Kororoit Creek Road Intersection

Directorate: Infrastructure and City Services

Councillor Portfolio: Not applicable

Purpose

To receive a petition, containing 94 signatories, from residents requesting Council to lobby the State Government and VicRoads to install a crossing for pedestrians and cyclists across all sides of the Millers Road/Kororoit Creek Road intersection.

Motion

Moved Cr Tony Briffa, seconded Cr Sandra Wilson:

That Council:

- 1. Receive and note the petition requesting Council to lobby the State Government and VicRoads to create a safe crossing for pedestrians and cyclists across all sides of the Millers Road/Kororoit Creek Road intersection.**
- 2. Receive a report on this matter at a future Council Meeting.**

Carried

Summary

The petition was received on 26 April 2019.

The petition reads as follows:

“The following residents of the City of Hobsons Bay hereby respectfully petition the Hobsons Bay City Council to directly lobby the state government and VicRoads to create a safe crossing for pedestrians and cyclists across all sides of the Millers Road/Kororoit Creek Road intersection.”

7.2 Petition - Request to Reconsider Demolition of the Cooraminta Children's Centre

Directorate: Infrastructure and City Services

Councillor Portfolio: Not applicable

Purpose

To receive a petition, containing 634 signatories, requesting that Council reconsider the need to demolish the Cooraminta Children's Centre.

Motion

Moved Cr Colleen Gates, seconded Cr Michael Grech:

That Council:

- 1. Receive and note the petition requesting that Council reconsider the need to demolish the Cooraminta Children's Centre.**
- 2. Receive a further report on this matter at a future Council Meeting.**

Carried

Summary

The on-line petition coordinated via change.org was received on 10 May 2019.

The petition requests Council to reconsider the need to demolish the Cooraminta Children's Centre, and states "Cooraminta is still a strong thriving service, a great support network to many many children and families in our community, so please read the current plans, leave comments and sign the petition to save a vital part of our community and children's early years education. Surely there is enough room on Comben Reserve for Cooraminta and the new Aquatic Centre."

7.3 Petition - Request to Repair Footpath outside 7 Challis Street, Newport

Directorate: Infrastructure and City Services

Councillor Portfolio: Not applicable

Purpose

To receive a petition, containing 16 signatories, requesting that Council repair the footpath directly in front of 7 Challis Street, Newport.

Motion

Moved Cr Peter Hemphill, seconded Cr Sandra Wilson:

That Council:

- 1. Receive and note the petition requesting that Council repair the footpath directly in front of 7 Challis Street, Newport.**
- 2. Receive a further report on this matter at a future Council Meeting.**

Carried

Summary

The petition was received on 13 May 2019 and tabled at the Council meeting.

The petition reads as follows:

“We understand that the Hobsons Bay City Council is responsible for the condition and good repair of footpaths in Challis St Newport.

We would like the Council to repair the footpath directly in front of 7 Challis Street Newport back to a safe condition as soon as is reasonably possible and before a serious accident occurs.”

8 Business

8.1 Office of the Chief Executive

8.1.1 Establishment of the new LeadWest Special Committee

Directorate: Office of the Chief Executive

Councillor Portfolio: Not applicable

Appendices: 1 Instrument and Terms of Reference 26 April 2019

Purpose

To provide the background about the proposed changes in the governance arrangements for LeadWest and to recommend that Council establish a new Special Committee under section 86 of the *Local Government Act 1989*, known as "LeadWest Committee".

Motion

Moved Cr Michael Grech, seconded Cr Sandra Wilson:

That Council:

1. **Establishes a Special Committee called LeadWest Committee (Special Committee) pursuant to section 86 of the *Local Government Act 1989*, commencing operation from 1 July 2019.**
 2. **By Instrument of Delegation pursuant to section 86 of the Act, delegates to the Special Committee, the powers, duties and functions relevant to the LeadWest governance arrangements, in accordance with the Instrument of Delegation and Schedule in Attachment 1, effective from 1 July 2019.**
 3. **Authorises the affixation of Council's common seal to the Instrument of Delegation.**
 4. **Determines that the Instrument of Delegation will:**
 - 4.1 **come into force on 1 July 2019; and**
 - 4.2 **remain in force until Council determines to vary or revoke it.**
 5. **Adopts the Terms of Reference for the Special Committee as detailed at Attachment 2.**
 6. **Appoints as voting members of the Special Committee:**
 - **one Councillor and their proxy from each of the Cities of Brimbank, Hobsons Bay, Maribyrnong, Melton, Moonee Valley and Wyndham, as nominated by each of those Councils from time to time, provided that a proxy will only be entitled to vote in the absence of the relevant nominated Councillor;**
-

- the Chief Executive Officer from each of the Cities of Brimbank, Hobsons Bay, Maribyrnong, Melton, Moonee Valley and Wyndham, and the proxy nominated by each Chief Executive Officer from time to time, provided that a proxy will only be entitled to vote in the absence of the relevant Chief Executive Officer; and
 - an Independent Chairperson
7. **Appoints:**
- Cr Angela Altair as the Councillor delegate and Cr Michael Grech as the proxy or the delegate and proxy as determined from time to time;
 - Council's Chief Executive Officer and the proxy nominated by the Chief Executive Officer from time to time; and
 - Mr Jim Williamson, as the inaugural Independent Chairperson,
- to the Special Committee established by Council and by each of the Cities of Brimbank, Hobsons Bay, Maribyrnong, Melton and Moonee Valley.
8. Exempts all members of the Special Committee other than those nominated by Council as its representatives and the Independent Chairperson from having to submit a primary or an ordinary return.
9. Determines that the first Ordinary Meeting of the Special Committee will be held on the first scheduled meeting date of the Special Committee, held on or after 1 July 2019.
10. Requires all minutes be presented to Council on the progressive implementation of the Special Committee.

Carried

Summary

- Proposal to transition LeadWest from a company to a Special Committee
- to establish the LeadWest Committee under the Special Committee provisions all six Councils are required to adopt an identical Instrument of Delegation and Terms of Reference. This effectively enables the Committee to meet as one.
- the current objective of LeadWest to remain the same under the new Special Committee arrangements and a new ten year strategic plan and a four year rolling implementation plan to be prepared
- appointments of the voting members to the Committee
- the officer recommendations in this report is designed to implement the necessary arrangements for the LeadWest Committee to be established. Each member Council must establish a Special Committee under section 86(3) of the *Local Government Act 1989* (the Act) which mirrors the delegations and terms of reference of the other members

Background

LeadWest LTD (LeadWest) was established as a company in 2007 as a regional organisation for Melbourne's west. Since this time LeadWest has had a focus on advocacy for the region and has been a nonpartisan and not-for-profit, membership-based organisation.

The LeadWest Constitution provides that its objective is to foster and undertake actions that will support sustainable growth and development of the region having regard to:

- legislative requirements;
- available resources;
- existing initiatives and programmes;
- economic, social and environmental values; and
- respecting individual difference between communities.

The members of LeadWest has included all six local governments in Melbourne's west (Brimbank, Hobsons Bay, Melton, Maribyrnong, Moonee Valley and Wyndham) companies and other organisations with substantial operations or interests that are based in Melbourne's west.

In late 2018 following consideration of the organisation's priorities the LeadWest Board decided to commence a strategic review process. This process reconfirmed the importance of the continued focus on the existing objective of LeadWest. It was agreed that there was a need for a new governance model that would better provide the required structure for the organisation to fully achieve its objective going forward in a more cost effective and sustainable way.

Following detailed consideration, it was agreed in principle to transition LeadWest from a company to a Council-aided section 86 special committee structure, along the lines of the Inner Melbourne Action Plan model used by the cities of Melbourne, Yarra, Port Phillip, Stonnington and Maribyrnong.

The necessary processes to deregister LeadWest as a company has commenced and is expected to be finalised by 30 June 2019. Following this deregistration, the new LeadWest Committee can commence. The new Committees can be established prior to the deregistration process being finalised.

Legislative requirements for Special Committees

Under section 86 of the Act a Council may establish a Special Committee with authority to exercise certain Council powers. The process of delegating a power, duty or function must include a Council formally approving an Instrument of Delegation. Without a formal Instrument of Delegation, a Special Committee may not exercise any Council powers.

The Instrument of Delegation defines what authorities are given to the Committee including setting limits on the amounts of any contracts or expenditure that the committee may approve.

A Council may delegate most matters to a Special Committee however, it is prohibited from delegating the following powers:

- declaring a rate or charge
- borrowing money
- entering into contracts for amounts exceeding the limit set in the Instrument of Delegation
- incurring expenditure beyond the limit set in the Instrument of Delegation
- any prescribed matter under the Act

In addition, the Council cannot allow a Special Committee to delegate any of its responsibilities to others.

The Instrument of Delegation must be reviewed within twelve months of a general election and regular reviews are also recommended for probity reasons.

A Special Committee may include Councillors, Council staff or any other people as members. The membership is a matter for Council to decide. No appointment process is specified in the Act for the appointment of members.

The Council may appoint a chairperson for the committee or if it does not the members must appoint a Chairperson. Conduct of meetings must comply with the Act including the meeting being open to the public. Minutes of the meetings must be kept in accordance with the requirements in the Act.

The restrictions on decision making by a Council during the election period before an election as required by the Act apply to Special Committees.

The Act requires any member of a Committee with delegated powers to comply with the conflict of interest rules. Special Committee members must complete primary and ordinary interest returns although a Council may exempt non-Council member from this requirement. To this end it is proposed that Council exempts all members of the special committee who are not Councillors and officers from Council, except for the Independent Chairperson, from being required to submit a primary return or an ordinary return under section 81(2A) of the Act. This provision will reduce duplication and meet the audit requirements.

Discussion

4.1 LeadWest Committee

It is proposed that the purpose of the new LeadWest Committee will be to oversee the preparation and implementation of the LeadWest Committee's Strategic Plan and identified sub projects as adopted and agreed by member Councils. As such the new Special Committee arrangements will, amongst other things, be a confirmation of the importance of regional partnerships and a demonstration of the advantages that such arrangements can bring to make real and lasting positive change for the western region of Melbourne.

One of the first tasks of the Committee will be to lead the development of a new ten year Strategic Plan and a four year rolling implementation plan. The proposed key areas of focus for the Strategic Plan are jobs and skills; transport infrastructure and connectivity; health and wellbeing; and continuing environmental rehabilitation and sustainable development. It is envisaged that the Plan will continue to emphasise the importance of building and maintaining strong partnerships with other levels of Government, the private sector, other regional bodies and stakeholders.

4.2 Instrument of Delegation and Terms of Reference - LeadWest Committee

A draft Instrument of Delegation and Terms of Reference has been prepared to enable the establishment of the LeadWest Committee as at attachment 1 to this report.

The key items to note include:

- A feature of LeadWest since it was established in mid 2000s is the appointment of an Independent Chairperson. This is reflected in the decision to retain this position in the new section 86 Committee arrangements and by this position continuing to be a voting member. This role has several key purposes and is important in delivering the LeadWest agenda including:
 - chairing the LeadWest Committee Meetings
 - lead the preparation of the LeadWest Strategic Plan
 - assist to establish and foster relationships and partnerships with State and Federal Governments, statutory authorities, local businesses, not for profit sector, regional boards and committees and other stakeholders
 - assist the Committee to establish sound governance practices
 - provide leadership to the Committee

The Terms of Reference provide for the Independent Chairperson to be appointed for a term of three years on conditions, including reimbursement of expense or remuneration, as the Committee determines. It is proposed that the Chairperson has a maximum two term appointment. Mr Jim Williamson was appointed as the Chair of LeadWest in 2018 and it is recommended that his appointment as the inaugural Independent Chairperson of the Special Committee be made.

- It is proposed that each Council resolves to appoint a Councillor (and their proxy) and each CEO (and such proxy as nominated by the CEO) to the Committee as voting members. This will mean that there are thirteen voting members (including the Independent Chairperson) which will require a quorum of seven.
- It is proposed that stakeholders can, when needed, attend the Meetings of LeadWest Committee but will not be voting members.
- An Executive Officer will be appointed to undertake a Coordination/Project Management role and provide regular reports to the Committee.
- Protocols will be established to support the operations of the Committee including Meeting Procedures and media protocols.

8.1.2 Chief Executive Officer - Report on Operations

Directorate:	Office of the Chief Executive
Councillor Portfolio:	Not applicable
Appendices:	<ol style="list-style-type: none">1 Chief Executive Officer - Report on Operations - April 20192 AOC - Planning PAC 27 February 20193 AOC - Arts and Culture PAC 28 March 20194 AOC - OCM 9 April 20195 AOC - CBS 16 April 2019

Purpose

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

Motion

Moved Cr Colleen Gates, seconded Cr Michael Grech:

That Council:

- 1. Receive and note the Chief Executive Officer's Report on Operations, including details of recent issues experienced 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 27 February 2019, 28 March 2019, 9 and 16 April 2019.**

Carried

Summary

The attached CEO's Report on Operations provides councillors and the community with a regular update from the Chief Executive Officer on key organisational 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 Proposed Abandonment of Change of Name of the Newport Athletics Track

Directorate: Corporate Services

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

Appendices: 1 Appendix - Location Map

Purpose

To advise Council that the proposal for a change of name for the property known as Newport Athletics Track at 120 The Strand Newport, and being part of Lots 1, 2 and 3 on Title volume 10022 Folio 390 be abandoned due to the overwhelming volume of written submissions to Council objecting to the name change. To propose that Council seek alternative naming proposals for the Newport Athletics Track.

Motion

Moved Cr Peter Hemphill, seconded Cr Colleen Gates:

That Council:

1. **Considers the written submissions made in accordance with the Naming Rules for Places Victoria statutory requirements for Naming Roads, Features and Localities 2016, with respect to the proposed name change for the Newport Athletics Track.**
2. **Abandons the suggested name change due to overwhelming public opposition to the proposal and writes to all submitters of Council's decision not to proceed.**
3. **Seek an alternative naming proposal for the Newport Athletics Track.**

Carried

Summary

Council resolved to commence community consultation for a proposed change of name of the Newport Athletics Track to the Peter Norman Athletics Track at the 11 December 2018 Ordinary Council meeting.

Council's Chief Executive Officer, was notified formerly by The Hon Wade Noonan MP at the time of public support and sentiment via his office to pursue a name change for the property known as Newport Athletics Track at 120 The Strand, Newport and being part of Lots 1, 2 and 3 on Title Volume 10022 Folio 390 and shown on the attached plan.

Background

Council at its Ordinary Meeting on 11 December 2018 resolved to commence the consultative process to change the name of the Newport Athletics Track to the Peter Norman Athletics Track to recognise the contribution of Hobsons Bay resident and Olympian Peter Norman to athletics and human rights.

Peter Norman's legacy of Olympic success and civil rights history and perceived public support was a major factor for Council's decision to pursue a name change for the Newport Athletics Track in his honour. Peter Norman also lived and worked in the Williamstown area and had a connection with the local area.

Discussion

Council's Chief Executive Officer was notified formerly by The Hon Wade Noonan MP at the time of public support and sentiment via his office to pursue a name change for the property known as Newport Athletics Track at 120 The Strand, Newport.

The increased awareness of Peter Norman's legacy of Olympic glory and civil rights history, that is recognised globally, changed societal perspectives through sport and was a driving factor for Council's recommendation for the proposed name change of the Newport Athletics Track to the Peter Norman Athletics Track.

The Geographical Place Names Act 1998 which came into effect 31 December 1998 gives Council and other naming authorities, the power to decide on names for places such as suburbs, streets and places which are then referred to the Registrar of Geographic Names. The Registrar will check for compliance with standardisation principles and consultation procedures, and register a new or altered place name in the official register.

Media content of the proposal appeared in the Maribyrnong and Hobsons Bay Star Weekly on Wednesday 14 February and members of the public were invited to provide feedback on the proposed new name by close of business, Wednesday 13 March 2019. In addition written notification in the form of a letter was sent to surrounding businesses, Aboriginal Elders, emergency groups, statutory authorities including Parks Victoria and Melbourne Water and other sporting users such schools and sporting groups were also addressed and represented.

In response to the public notice a total of 63 written submissions were received by Council with 16 submitters in support and 47 submitters objecting to the Proposal. Copies of the submissions are attached in the Appendix. The 63 written submissions were received within the statutory timeframe. The submitters have listed the following key reasons to objecting to the Proposal:

1. Peter Norman's lack of involvement in the development of the Newport Athletics Track (32 cited)
2. Peter Norman's lack of involvement with local athletics clubs (Williamstown Athletics Club, Williamstown Athletic Club) (37 cited)
3. Peter Norman has been adequately honoured elsewhere with a statue erected at Lakeside Stadium in Albert Park in Melbourne. (7 cited)
4. There are other more appropriate ways for Peter Norman to be honoured locally (7 cited);

- renaming other local facilities with which Perter Norman had an association
 - Peter Norman's link with Williamstown Technical School where he taught
 - Williamstown Library
 - Williamstown Town Hall
 - Plaque for Peter Norman's contribution
 - Renaming the track at Aberfeldie Park Moonee Ponds, in which Peter Norman competed
5. Previous proposal to rename the track in honour of local individuals and families have been declined on the basis of Council's policy (15 cited)
 6. The current name should be retained (7 cited)
 7. Other individuals more closely associated with the Newport Athletics Track and other athletics clubs are more deserving of such an honour (17 cited);
 - Graeme Morrish QC (7 cited)
 - The Jamieson family (6 cited) in support of; Jim Jamieson (4 cited), Mavis Jamieson (2 cited) David Jamieson (4 cited)
 - Les Perry (3 cited)
 - Allan Gittins (1 cited)

Officers note the following with respect to the key issues raised by the submitters as follows:

1. The objectors have advised that Peter Norman was a member of the East Melbourne Athletics Club which is understood to have merged with the Essendon Athletics Club.
2. The achievements of Peter Norman had largely gone unrecognised during his lifetime. Council considered that there was sufficient merit in the proposal to rename the Newport Athletics Track as the Peter Norman Athletics Track to put the proposal to public consultation. Added weight to the proposal was received in the form of support from then then Local Member for Parliament, Wade Noonan MP.
3. Peter Norman has been honoured with a statue at the Lakeside Stadium at Albert Park but has not been honoured in the municipality that he lived and worked.
4. Given Peter Normans' international success and the positive community sentiment received via Wade Noonan MP there was sufficient merit for Council to consider the renaming of the Newport Athletics track for Council to seek public feedback for the proposal.
5. *"Council's Naming Policy 2011 sets out the need for the place name to be easy to pronounce, spell and write, and 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*

and, subject to agreement from relevant indigenous communities, recognition and use of traditional indigenous names may be considered.”

It is considered that Council's decision to pursue the proposed change of name to the Peter Norman Athletics Track met and was in keeping with the criteria of Council's Naming Policy.

6. The retention of the current name of the Newport Athletics Track is the default position if Council agrees with the proposal not to proceed with the renaming of the Newport Athletics Track to the Peter Norman Athletics Track.
7. The renaming proposal for the Newport Athletics Track has generated much debate as to who should be honoured with a number of local individuals put forward. Council's decision to proceed to consultation was based on Peter Normans Olympic success and to acknowledge his achievements in sport.

8.2.2 Quarterly Financial Report - March 2019

Directorate: Corporate Services

Appendices:

- 1 Quarterly Financial Report
- 2 Capital Works Program

Purpose

To present Council with the financial results and Capital Works Program for the period ended 31 March 2019, and the revised 2018-19 annual forecast projections following completion of the March forecast review.

Motion

Moved Cr Michael Grech, seconded Cr Colleen Gates:

That Council:

1. **Receives and notes the financial report for the period ended 31 March 2019 and endorse the revised 2018-19 annual forecasts.**

Carried

Summary

The financial report for the period ended 31 March 2019 and a detailed report on the position of the Capital Works Program are attached as appendices.

The March forecast review has been undertaken in addition to the extensive midyear budget review process. The report will be received and noted by Council's Audit Committee at the meeting to be held on 12 June 2019.

The operational budget surplus for 2018-19 of \$17.011 million has increased to a \$27.305 million forecast.

The increased forecast surplus of \$10.294 million is largely a result of additional income (\$8.143 million) expected to be received throughout the year. The most significant relates to the receipt of additional capital grants (\$5.634 million) and monetary contributions (\$1.528 million). Operational expenditure is forecast to be under budget by \$2.151 million, including projected savings in employee costs (\$1.72 million) and depreciation - non-cash (\$478,000).

The forecast result of the Capital Works Program compared to budget is a deficit of \$243,000 after forecast adjustments and carryovers are taken into account. The deficit has been maintained to a reasonable level despite it including the unbudgeted purchase of a property. (\$644,000).

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 \$2.874 million less funding required (compared to the original 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 indicates 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 fluctuate in future years of the LTFP, with a declining trend. Despite that, the LTFP predictions are slightly better than when the original budget was adopted by 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 2.5 per cent cap that will be applied in 2019-20.

8.2.3 Council Plan Progress Report Quarter 3

Directorate: Corporate Services

Councillor Portfolio: Not applicable

Appendices: 1 Council Plan Progress Report Quarter 3 2018-19

Purpose

To provide Council with an update on the progress of the Council Plan 2017-21 initiatives and major initiatives (major projects or significant service improvements) included in the budget.

Motion

Moved Cr Sandra Wilson, seconded Cr Michael Grech:

That Council:

- 1. Receives and notes the progress made on the initiatives and major initiatives of the Council Plan 2017-21 during the third quarter of 2018-19.**

Carried

Summary

Quarterly reporting on the progress of the Council Plan 2017-21 initiatives and major initiatives assists Council to ensure progress is on track throughout the financial year. In 2018-19, 11 major initiatives and 26 initiatives were committed to. Overall, at the end of the third quarter 2018-19, 19 per cent (5) of all initiatives were completed, while 42 per cent (11) of all initiatives and 82 per cent (9) of all major initiatives were progressing on schedule to be completed by 30 June 2019.

Background

The Council Plan is developed every four years and reviewed annually in accordance with the legislative requirements of the Local Government Act 1989. It is based on a planning framework that aligns the Hobsons Bay 2030 community vision to the planning, development, resource allocation and service provision undertaken by Council for the Hobsons Bay community.

The Council Plan is comprised of four goal areas which include the strategic objectives which describe what Council will do for the period 2017-21. The delivery of each objective is supported by initiatives and major initiatives (major projects, or significant service improvements) identified through the annual budget.

Discussion

In 2018-19 11 major initiatives and 26 initiatives were committed to in Council's budget. Overall, at the end of the third quarter 2018-19, 42 per cent (11) of all initiatives were progressing on schedule.

Two initiatives were completed this quarter, bringing the total number of completed initiatives in 2018-19 to date to five. The initiatives completed this quarter include finalisation of the design of the Altona Sports Centre Expansion and the review and development of the Advocacy Strategy.

Of the 11 major initiatives, 82 per cent (9) were progressing on schedule, 9 per cent (1) were behind schedule and another 9 per cent (1) were deferred.

Cr Peter Hemphill left the Council Chamber at 7:48 pm, and was absent for the vote on item 8.2.4.

8.2.4 Discontinuance of road adjoining 45 Epsom Street, Laverton

Directorate:	Corporate Services
Councillor Portfolio:	Not applicable
Appendices:	1 Appendix 1 - Gazettal Plan 2 Appendix 2 - Plan of Relocation

Purpose

To recommend to the Council the discontinuance of the Road adjoining 45 Epsom Street, Laverton.

Motion

Moved Cr Colleen Gates, seconded Cr Michael Grech:

That Council:

1. Notes that, in accordance with sections 82A, 207A and 223, and clause 3 of Schedule 10 of the *Local Government Act 1989* (the Act), and the Council resolution dated 19 February 2019, a notice of intention to discontinue the road adjoining 45 Epsom Street, Laverton (the Road) was published on 6 March 2019.
2. Notes that no submission was received in response to the notice of intention to discontinue the Road.
3. Having followed all of the required statutory procedures pursuant to the Act and being of the opinion that the Road is no longer reasonably required for public use, resolves to discontinue the Road.
4. Directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the *Victoria Government Gazette*.
5. Directs that, once discontinued, the Road be retained by Council.
6. Authorise the Chief Executive Officer (or such other Council officer that the Chief Executive Officer appoints for the purpose of giving effect to this resolution) to sign any documents and undertake all other necessary tasks to discontinue the Road, transfer the discontinued Road to Council and consolidate the title to the discontinued Road with any other adjoining land owned by Council.

Carried

Summary

In a report dated 19 February 2019 Council resolved to commence the statutory process to discontinue the Road adjoining Council's property at 45 Epsom Street, Laverton as shown in the plan at appendix 1.

The public notice was published on 6 March 2019 and closed on 5 April 2019. No submissions were received.

It is proposed to discontinue the Road and vest the discontinued Road in Council pursuant to Section 207B of the Act. The discontinued Road will be amalgamated with the adjoining land which is to be used by Council for affordable housing.

Background

Council purchased the adjoining property at 45 Epsom Street, Laverton on 31 August 2018. Council has also purchased the former school site at 7-43 Epsom Street, Laverton on 29 September 2014.

The subject Road is part fenced into the properties at 7-43 and 45 Epsom Street and part forms the walkway bounded by the sound-wall bounding the Princes Freeway as shown on the attached plan at Appendix 2.

The subject Road was part of the land acquired by the former County Roads Board (now VicRoads) however the acquisition was unable to be finalised with the solicitors acting on behalf of the estate of the registered proprietor.

The land was declared a Municipal Road in a Government Gazette No 53, 29 June 1977. Council is the coordinating road authority under the *Road Management Act 2004* (RMA).

Discussion

The subject Road is partly enclosed within the properties at 7-43 and 45 Epsom Street and the balance forms the concrete footpath from Epsom Street to Fitzroy Street. The footpath provides access to the overbridge crossing the Princes Freeway.

The property at 45 Epsom Street, Laverton was purchased to be added to the former school site previously purchased by Council. It is proposed to develop the site as a community park and make provision for affordable housing. These proposals are being considered by Council. The proposed community park will provide improved linkage to the overbridge.

Council has budgeted \$1.085 M in the 2018-19 Capital Works Programme for the design and delivery of the new community park.

It is proposed that the discontinuance of the Road adjoining 45 Epsom Street will provide additional Council freehold land for the area of land to be devoted to affordable housing.

8.3 Sustainable Communities

8.3.1 Amendment C113 - Anomalies Amendment

Directorate:	Sustainable Communities
Councillor Portfolio:	Planning - Cr Tony Briffa and Cr Michael Grech
Appendices:	1 Amendment C113 - Exhibited Documents 2 Amendment C113 Authorisation Letter

Purpose

To update Council on the exhibition of Amendment C113 and to recommend its adoption and submission to the Minister for Planning for approval.

Motion

Moved Cr Colleen Gates, seconded Cr Sandra Wilson:

That Council:

1. Pursuant to section 29 of the *Planning and Environment Act 1987* adopt Amendment C113 to the Hobsons Bay Planning Scheme in accordance with the appended documents.
2. Request the Minister for Planning to approve Amendment C113 in accordance with section 31 of the *Planning and Environment Act 1987*.
3. Note our current approach to managing Anomalies Amendments, and that as part of Council's process improvement program, specific consideration will be given to streamlining Council's current process.

Carried

Summary

Planning Scheme Amendment C113 seeks to correct a number of zoning, overlay and text anomalies in the Hobsons Bay Planning Scheme. The amendment was exhibited for public and stakeholder comment from 17 January 2019 until 1 March 2019. No submissions were received. It is recommended that Council adopt the Amendment without changes and refer it to the Minister for Planning for approval.

Background

Amendment C113 was prepared to correct anomalies that have become evident during the administration of the scheme. Without their removal, the scheme will provide unclear direction that may lead to poor planning outcomes.

The Amendment proposes to correct 36 anomalies affecting land throughout the municipality. The vast majority of changes sought are mapping anomalies which rezone Council land to Public Park and Recreation Zone (PPRZ) from different zones (typically General Residential

Zone – GRZ1 and GRZ2) to reflect the underlying use of the land. This will provide a true indication of open space throughout the municipality. It will also assist Council's implementation of the Hobsons Bay Open Space Strategy, which identifies the rezoning of these sites to PPRZ in order to accurately reflect Council's contribution to open space within the municipal area.

At the Ordinary Council Meeting on 12 June 2018 Council resolved to seek authorisation to prepare the Amendment.

Discussion

On 29 October 2018 the Minister for Planning authorised the preparation and exhibition of Amendment C113 subject to conditions (see appendix 2 for the letter of authorisation). These conditions relate to the:

- revision of two Planning Scheme Maps to accurately reflect the rezoning of land at 14 Caspian Terrace Reserve, Williamstown
- revision of the Explanatory Report to include additional information relating to potentially contaminated land and correction of street addresses of McCormack Park East Reserve and Beverley Anton Reserve
- revision of all ordinance to be consistent with the Ministerial Direction on The Form and Content of Planning Schemes and the latest version in the Hobsons Bay Planning Scheme

Changes to the proposed Amendment were made in accordance to these conditions. It was also noted that one of the proposed corrections was already made as part of recently approved Amendment C109 – Rezoning of 290-298 Millers Road, Altona North. This anomaly was therefore removed from Amendment C113.

The Amendment was exhibited for six weeks from 17 January until 1 March 2019. Notices were placed in the Government Gazette and the Star Weekly; affected land owners were directly notified; and amendment documents were made available at Council offices and Hobsons Bay local libraries.

Given that no submissions were received during the exhibition period it is recommended that Amendment C113 be adopted without changes and submitted to the Minister for Planning for approval. The exhibited amendment documents are at appendix 1.

Amendments correcting anomalies in the Hobsons Bay Planning Scheme are administrative in nature and do not require any strategic justification. As a result these types of amendments receive very little community interest, as demonstrated by no submissions received for Amendment C113. There is an opportunity to explore the delegation powers for these types of amendments in the context of achieving efficiencies. This may be one of a number of streamlining opportunities that is brought to Council for consideration at a later date.

Cr Peter Hemphill was absent for the vote on item 8.3.1.

Cr Peter Hemphill returned to the Council Chamber at 7:52 pm.

8.3.2 Response to Petition - Request to Rebuild and Return 16 Oxford Street, Newport to Victorian Arabic Social Services

Directorate:	Sustainable Communities
Councillor Portfolio:	Social Wellbeing and Community Services - Cr Tony Briffa and Cr Colleen Gates
Appendices:	Nil

Purpose

To provide information to Council and respond to the petition received from Victorian Arabic Social Services (VASS), seeking to rebuild a community centre at 16 Oxford Street, Newport, and return the centre to VASS.

Motion

Moved Cr Peter Hemphill, seconded Cr Sandra Wilson:

That Council:

- 1. Acknowledge the good work that Victorian Arabic Social Services undertake with and for the local and regional Arabic community.**
- 2. Confirm Victorian Arabic Social Services continuing operation from Newport Hub and their welcomed presence within our municipality.**
- 3. Confirm that Council's policy direction deems 16 Oxford Street as unsuitable for the construction of a standalone community centre.**
- 4. Write to VASS advising of Council's policy direction, and noting our support for VASS to continue to use existing community infrastructure within the municipality.**

Carried

Summary

Council received a petition containing 419 signatures from VASS on 20 November 2018, and acknowledged receipt on 21 November 2018. The petition was tabled at the Ordinary Council Meeting held on 11 December 2018.

The petition reads as follows:

"I, the undersigned, support the Victorian Arabic Social Services (VASS) campaign for the Hobsons Bay City Council to rebuild the community centre at 16 Oxford Street, Newport so VASS can resume delivering its culturally safe and inclusive social services to people, groups and organisations in the City of Hobsons Bay.

The community centre is required for the Arabic speaking communities and the broader community of the Hobsons Bay area. This will enhance the social, cultural, health,

wellbeing and education activities and events promoted by VASS and will contribute to the economic and personal growth of the Hobsons Bay community.

Social service activities that were conducted by VASS at 16 Oxford Street Newport for over 20 years were highly successful and had strong support of the people, community leaders, businesses, organisations, and other groups that VASS collaborated with in the Hobsons Bay community.

The Arabic community also has a strong spiritual connection to the 16 Oxford Street Newport site and wants to return to delivering its high quality social welfare and cultural activities as a purpose-built centre at the site that caters for the socially inclusive and health needs of the whole community.

The dominant language spoken at home, other than English, in Hobsons Bay is Arabic, with 3.4 per cent of the population, or 3,044 people speaking the language at home.

VASS has a state-wide reputation as a social service provider in Victoria and its services are now increasingly being called on by the multicultural community. I urge the Hobsons Bay City Council to rebuild the community centre at 16 Oxford Street Newport.”

Background

Community Petition

The petition was received and noted at the Ordinary Council Meeting held on 11 December 2018. Council requested a report be prepared by officers regarding the matter.

The community facility at 16 Oxford Street was originally built to house a community managed kindergarten.

- After the kindergarten closed it was occupied by various community playgroups.
- VASS was granted a licence (circa April 2008) to use the space for programming, activities and education opportunities. VASS facilitated a range of programs from 16 Oxford St over a number of years.
- The final three year licence expired in September 2016. VASS continued to deliver programs from the facility, in over hold, until the facility was deemed unfit for occupation.
- The decision to formally close the facility to prepare for demolition was made at an Ordinary Council Meeting on 13 March 2018.
- VASS programs were assisted to relocate into other Council facilities to continue operation. The building was subsequently demolished.

Council consideration of request

The petition seeks Council's consideration to explore rebuilding a community centre at 16 Oxford Street, and allocate the asset to VASS. Council requested a report be prepared outlining the matter. This is detailed below.

Construction of a standalone community centre in Newport

Council’s Facility Planning Principles 2008 and Asset Management Plan 2017 identified Council policy priorities in the planning and resourcing of community infrastructure. In these documents, Council:

- declares that an integrated formal approach to the management of assets is essential
- commits to make asset investment decisions based on a long term, integrated process informed by strategic plans, asset and service strategies, service plans and asset management plans, where assets will be utilised to their fullest potential to maximise usage and economic performance
- commits to shifting its facility planning to be consistent with Federal and State policy, moving away from delivering services to the community in standalone, single purpose centres towards multipurpose facilities which deliver a range of services
- prioritises the building of community hubs within neighbourhoods of high need or within established activity centres

The proposed construction of a standalone community facility, in a residential area, away from the established Newport activity centre is not consistent with Council policy direction.

Community need

According to a recent report, Newport West is well-supplied with community infrastructure. The Newport West Community Infrastructure Assessment (CIA) report, commissioned in 2018, investigated community infrastructure needs within Newport West as part of consideration into redeveloping the Woods Street Kindergarten for other community use.

An extract from the Newport West CIA report is provided below.

Current Provision of Community Services and Infrastructure	According to industry benchmarks Newport West is currently oversupplied with community services and infrastructure including: <ul style="list-style-type: none"> - four Hobsons Bay City Council owned services and facilities - fourteen Non-Council services and facilities
Capacity of existing facility to respond to future demand	The existing community services and facilities in the Newport West area have the capacity to respond to the forecast community needs up to 2036

Services

VASS is a not-for-profit organisation based in Broadmeadows, with regional presence in Epping, Dandenong and Newport. VASS delivers Programmed Activity Groups (PAG) programs, occasional education programs, social support groups and advocacy on behalf of and with the Arabic community through a range of funded and fee-for-service mechanisms.

The local Arabic community also uses the facilities as places for community to drop in, spaces to connect and to share information. The facilities are also used as places to cook and prepare for festivals and large gatherings.

VASS programming is consistent with 2030 Community Vision and the Council Plan 2017-21 priorities, most notably:

- visionary, vibrant, accountable urban planning

- community wellbeing and inter-connection

Given the alignment and need set out above, VASS and associated community groups should be encouraged to access and deliver programs from community facilities within Hobsons Bay. Increasing VASS presence and visibility within the Newport Hub is a welcomed addition to the fabric of programming within the Hub.

Discussion

Council's community infrastructure policy direction prioritises multi-use facilities in major activity centres. These centres are able to be flexible, fully activated throughout the year, and accessed by multiple groups for multiple purposes.

Independent recent research regarding the repurposing of other council owned infrastructure found that a new Council-funded community centre is not required nor a priority for Newport. It is well serviced by existing infrastructure. There are no plans for new construction of such a facility in Newport in the 5 year Capital Works Program.

The future use of 16 Oxford Street will be determined at a future date, based on achieving the best possible public value for the Hobsons Bay community into the future.

VASS are currently utilising the Newport Hub, to deliver all the programs they previously delivered at 16 Oxford Street. Council is supportive of VASS growing their presence in Newport, and at Newport Hub in particular where Council officers are supporting their transition. Depending on their evolving infrastructure and service delivery needs, VASS may also choose to explore other options, including libraries, neighbourhood houses, sporting pavilions and other nearby public facilities. They may also wish to explore private options through purchasing lands or buildings, leasing shopfronts or through private agreements in other community infrastructure, such as those owned by religious groups or community agencies.

Based on the above, it is proposed that Council formally respond to the VASS petition with a letter that advises of Council's policy direction, and notes our continued support for VASS to use existing community infrastructure within the municipality.

8.3.3 Newport Structure Plan Progress Report

Directorate:	Sustainable Communities
Councillor Portfolio:	Planning - Cr Tony Briffa and Cr Michael Grech
Appendices:	1 Newport Structure Plan Flowchart Process 2 Newport Structure Plan

Purpose

To provide an update on the progress of the draft Newport Structure Plan.

Motion

Moved Cr Peter Hemphill, seconded Cr Colleen Gates:

That Council:

- 1. Note the progress of the draft Newport Structure Plan.**
- 2. Defer consideration of adoption of the Newport Structure Plan until July 2019.**
- 3. Note that work on a heritage gap study has commenced.**
- 4. Write to all submitters and advise them of Council's decision.**

Carried

Summary

At the Ordinary Council Meeting (OCM) on 12 March 2019 Council resolved to defer the consideration of the Newport Structure Plan to the OCM on 14 May 2019 and to commence a Heritage Gap Study for the structure plan area to identify any individual places and precincts that may be of heritage significance. Work on the Heritage Gap Study has commenced with procurement almost finalised. This work is likely to take three to six months and will be finalised prior to Council commencing an amendment to the Hobsons Bay Planning Scheme to implement the structure plan. Since the OCM on 12 March 2019, officers have had a further meeting with residents to work through some remaining concerns from community submissions, and are proposing additional changes to the Structure Plan.

At the OCM on 10 July 2018, Council resolved to exhibit the draft Newport Structure Plan (Structure Plan). The exhibition period ran over seven weeks during July and August 2018. Council received 42 submissions from community members, authorities and stakeholders. The submissions outlined the need to strengthen recommendations to advocate for improved public transport, affordable housing, provide clear direction on development heights and other mapping changes.

Background

The Newport Local Structure Plan was prepared in 1999, based on the development pressures in Newport and surrounding areas Council instigated a review. Although the overarching strategic directions remain the same, policy changes at the state and local level have occurred and needed to be included in a revised Newport Structure Plan (the Plan).

Substantial background research and work was undertaken to address the gaps in the Plan including economic and market feasibility, access and mobility, urban design guidelines, heritage, social impacts and consultation with community, stakeholders and authorities.

In 2015, a review of the Plan was delayed as clarity was sought from the Victorian Government about how new development abutting pipelines and Major Hazard Facilities (MHF) should be considered within the structure plan. In response to advocacy campaigns, an MHF Advisory Committee was established in early 2015. Following targeted consultation, a discussion paper attracting submissions and a hearing, a report was released on 17 March 2017 with the Government response released in January 2018. 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 restrictions associated with building near or over pipelines. New planning tools have been partially implemented with a new State policy and Ministerial Direction requiring all amendments and permit applications within proximity to MHFs to be forwarded to WorkSafe. More specific changes are expected to be implemented by the Victorian Government soon.

Discussion

The Plan sets out strategic directions based on a vision and five key themes: identity; land use and activity; built form and heritage; public realm and open space; and access and movement. These themes are derived from the vision, which was informed by community engagement in 2014, and provide direction for objectives, strategies and actions to ensure the implementation of the Structure Plan, through the planning policy framework and public works, achieve community aspirations.

Key directions in the Plan include:

- create defined gateways and entries into the activity centre
- retain and draw on local heritage for new built form, adaptive re-use and redevelopment
- encourage economic activity and strengthen Newport's role as a vibrant activity centre, with an emphasis on culture, food, retail and convenient living
- support development at key sites for future mixed use development, subject to detailed feasibility and planning
- provide policy direction on zoning, building heights, design responses (such as setbacks) and activation across the activity centre
- strengthen the role of Paine Reserve as the "green heart" of Newport and recommend improvements to public realm within the centre
- support and encourage sustainable modes of travel within and around the centre
- improve linkages between the train station and bus terminal and key surrounding facilities or open spaces

The Draft Newport Structure Plan was placed on public exhibition between July and August 2018. The key issues raised by submitters are outlined below:

- bringing the timing of an action to undertake a heritage study forward
- increase in heights and density
- overshadowing, setback and other amenity issues
- lack of car parking in the activity centre
- concerns were raised regarding the redevelopment of the at-grade car park at the rear of Paine Reserve
- the future of the bowling club, RSL and scout hall
- concerns about pedestrian and cyclist safety, with a strong focus on improving access to public transport
- lack of green spaces and trees in Newport. Some members of the community were concerned about house prices in Newport
- drainage capacity
- development around pipelines
- concerns around the implementation of the Structure Plan following adoption.

Since the OCM on 12 March 2019, work on the Heritage Gap Study has commenced, with procurement almost finalised. This action will be completed prior to progressing the formal planning scheme amendment to implement the Newport Structure Plan into the planning scheme. It is noted that should the Heritage Gap Study identify further sites for heritage protection, it may not necessarily lead to any change to the application of the Neighbourhood Residential Zone.

Following the OCM of 12 March 2019 officers met with residents to further understand their concerns in relation to the car park to the south of Paine Reserve. In response, officers are working through further changes to the Structure Plan to make it clear that the redevelopment of the carpark will be subject to a detailed feasibility study considering potential retail/ commercial development and a green link between Paine Reserve and Bryan Martyn Oval. The precise wording and detail of the changes in the Structure Plan are yet to be finalised

At the 12 March 2019 OCM, Council also received a petition requesting a review and rezoning of properties in Newport. Council officers are in the process of responding to the concerns raised in the petition, which relates to the New Residential Zones for the municipality. The lead petitioner will be informed of the date the petition will be considered by Council.

8.3.4 Experience Hobsons Bay Tourism Strategy

Directorate: Sustainable Communities

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

Appendices:

- 1 Experience Hobsons Bay Tourism Strategy 2019-24
- 2 Experience Hobsons Bay Tourism Strategy 2019-24 Action Plan 2019-20 Year One

Purpose

To summarise feedback from the Draft Experience Hobsons Bay Tourism Strategy 2019-24 public exhibition period and recommend that Council note the submissions received and endorse the final strategy and associated actions.

Motion

Moved Cr Colleen Gates, seconded Cr Peter Hemphill:

That Council:

1. **Receive and note the submissions received to the Draft Experience Hobsons Bay Tourism Strategy 2019-24 and first year Action Plan and proposed responses.**
2. **Endorse the Experience Hobsons Bay Tourism Strategy 2019-24 and first year Action Plan, giving consideration to changes made in response to feedback.**
3. **Write to the submitters, thanking them for their feedback.**

Carried

Summary

The Experience Hobsons Bay Tourism Strategy (the Strategy) outlines the key themes and objectives that will guide Council's work in supporting the sustainable growth of the local visitor economy. The Strategy follows four themes, Recognising the Visitor Economy; Rich Experiences; City Image and Presentation; Leadership and is supported by an annual action plan.

Following Council's review, the Strategy was placed on public exhibition for six weeks from 22 February to 5 April 2019. Submissions received have been either incorporated into the Strategy or noted for inclusion in action plans, and in some cases will be referred to other Council work as well. The Strategy is now ready for Council endorsement.

Background

Council endorsed the preparation of an updated Hobsons Bay Tourism Strategy, following on from the Hobsons Bay Sustainable Tourism Strategy 2006 and as an action of the Hobsons Bay Economic Development Strategy 2015-20.

Tourism is important to Hobsons Bay, as a local economic driver, and through its contribution towards improving the vibrancy, liveability and prosperity of the city by supporting local services, building pride in the city and preserving and improving amenity and local character.

The Strategy was developed in consultation with local tourism and business operators, and following Council's endorsement was placed on public exhibition for six weeks from 22 February to 5 April 2019.

Council received 10 submissions. Of the ten who submitted through Council's Participate portal, nine rated that they were excited or satisfied with the Strategy. Additional feedback was sought from members of the Arts, Culture and Tourism Portfolio Advisory Committee (PAC) prior to the tourism strategy being released for public consultation. This feedback has also been considered and included. All submissions included information and suggestions that will be of value to a healthy visitor economy.

Discussion

Strategy exhibition and submissions

Opportunities to provide feedback to the Experience Hobsons Bay Tourism Strategy were promoted across Council's communication channels, at key venues and facilities and at relevant Council events. Links to the Strategy on the Hobsons Bay Participate portal were promoted, shared publicly on social media, included in Hobsons Bay Business Works e-newsletter. The Strategy was emailed directly to operators who had contributed to its development and promoted at the Hobsons Bay Business Breakfast. A media release led to a feature article in The Star Weekly including a photograph featuring Melbourne's Seaplanes.

A total of 11 submissions were received including from businesses and residents with feedback also sought and received from the Hobsons Bay Arts, Culture and Tourism Portfolio Advisory Committee. The feedback received from the submissions was positive and included relevant suggestions for how Council can further improve the visitor experience in Hobsons Bay.

Some submissions reinforced the value of experiences and assets, including arts and culture in cultural tourism related to Altona, and the boating and maritime industry led by the sailing and boating clubs along the Williamstown waterfront. Several raised the importance of high standards of city image and presentation, from beachfront cleansing to wayfinding. Advocacy for increased public transport, ways to link attractions, and the importance of bringing operators together to coordinate resources and actions were also noted.

A number of recommendations including ways to further develop and market itineraries and destinations, digital storytelling, visitor materials will be supported in the Strategy action plans. Limitations of data capture, outside of macro state trends, anecdotal evidence from operators and visitors through the Hobsons Bay Visitor Information Centre, was raised as an issue, and being able to better analyse the impact of events and activities is planned to be addressed in the first year. Recommended additions to the attractions list and map have been incorporated into the Strategy.

8.4 Infrastructure and City Services

8.4.1 Contract No. 2015.132 Extension of Contract for Active Tree Services (ATS)

Directorate: Infrastructure and City Services

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

Appendices: Nil

Purpose

To outline the options available to Council to continue to provide tree maintenance services across the municipality. In particular to recommend that a 12 month extension be provided to Councils current tree maintenance contractor Active Tree Services (ATS).

Motion

Moved Cr Peter Hemphill, seconded Cr Sandra Wilson:

That Council:

- 1. Approve the 12 month contract extension to Active Tree Services under Contract No. 2015.132 for Street Tree Maintenance at a fixed lump sum price of \$644,600 (GST inclusive) and a provisional reactive maintenance allocation of \$440,000 (GST inclusive).**

Carried

Summary

Hobsons Bay has over 40,000 street trees across the municipality requiring specialist arboriculture and risk management works. Our community feels strongly about trees and expects our street trees to be maintained at a high standard whilst managing the risks associated with mature trees in the urban environment.

One of the key services provided in this contract includes implementing the cyclic street tree maintenance program which includes the following services:

- ensuring trees are compliant to Energy Safe Victoria Regulations regarding vegetation clearance around powerlines
- proactive inspections of all street trees on a neighbourhood by neighbourhood basis covering all areas of Hobsons Bay every two years for condition and defects. This information is captured by our contractor and updated in Council's asset management system
- deliver pruning maintenance specifications which include footpath clearance (2.5 metres), road clearance (5 metres) and removal of dead and diseased wood in trees

Our reactive tree service is mainly used for customer service requests made by the community in regard to further tree pruning that is not covered in the cyclic program such as

property clearance and canopy reduction pruning. Our reactive tree service is also used to cover cost for removal of trees that have been identified as dead, dying, diseased or high risk and for emergency call out works.

Active Tree Services (ATS) is currently at the end of its initial three and a half year contract. The contract has two x one year contract extension options that are exercisable at Council's discretion.

To ensure the continued management of the street trees across the municipality over the next twelve months it is recommended to award the first available contract extension option of twelve months from 1 July 2019 to Active Tree Services to ensure Council meets our legislated tree maintenance obligations, reduce the risks associated with trees as well as expectations of the community.

Background

On 18 November 2015 Council awarded a three year and a half year contract to Active Tree Services based on a fixed lump sum price for cyclic of \$ 1,768,456.03(GST exclusive) plus an estimated reactive lump sum of \$1,338,591.45. The initial three years and six month contract began on 1 January 2016 with the option of two x one year contract extension options available.

During the tender process Active Trees Services overall price submission was \$700,000 less than the next competitor. They also scored very well in all other aspects of the tender evaluation at the time.

The street tree maintenance service is governed by legislation, specifically clearance of powerlines, footpaths and roads. Throughout the contract term Active Tree Services have demonstrated their experience, capability and capacity to provide this essential service.

Discussion

Active Tree Services are the incumbent contractor, the three and a half year contract term expires on 30 June 2019. There is a contract provision for two x one year contract extensions that are exercisable entirely at the discretion of Council. The first of the two available 12 month extensions would take the contract through to 30 June 2020.

In the period from January 2018 to January 2019, Council tree officers assigned approximately 1,000 arboriculture reactive tasks to ATS. Of these tasks 50 per cent were customer service requests and the remaining 50 per cent were a result of proactive inspections. During this period ATS consistently delivering over 88 per cent completion within allocated timeframes.

Any issues relating to performance of this contract have been discussed and resolved in a professional matter with minimal service disruption.

8.4.2 West Gate Tunnel Update Report

Directorate: Infrastructure and City Services
Councillor Portfolio: Integrated Transport - Cr Jonathon Marsden and Cr Sandra Wilson
Appendices: Nil

Purpose

To provide Council with a current status report on the West Gate Tunnel Project (the Project) and associated initiatives and advocacy activities.

Motion

Moved Cr Sandra Wilson, seconded Cr Peter Hemphill:

That Council:

- 1. Receive and note the current status of the West Gate Tunnel Project.**
- 2. Approve the Chief Executive Officer to negotiate the final settlement of claims for compensation (inclusive of valuation and legal fees) with the West Gate Tunnel Authority for property acquired from the Council for the Project.**

Carried

Summary

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 including property impacts and transactions. The status of Council's committed advocacy activities that specifically relate to the Project, the Sports and Open Space Enhancement Package and the Hobsons Bay Transport Study are also included within this report.

Construction works are well advanced on the Project. The CPB Contractors and John Holland Joint Venture (JV) and West Gate Tunnel Authority (WGTA) continue to seek Council input to specific project design, community outcomes and approval to access Council land and infrastructure.

Background

Council has received a number of reports on the development and planning process associated with the Project and as it progresses through the construction phase regular status reports continue to be provided to Council. This report provides an update on current Project activities, items submitted by the WGTA/JV for Council 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

The following outlines current Project related activities.

Construction Activity

Current construction activity being undertaken by the JV in the western section is focused in the areas highlighted on Figure 1 and as outlined below:

- Works to widen the West Gate Freeway (WGF) between Chambers Road and Grieve Parade and new noise walls
- 66KV powerline relocations along southern edge of freeway – now working in Paringa Road
- 66KV power line relocation works north of the freeway for the Kororoit Creek bridge widening works
- Construction of retaining walls, bridge structural works including excavations and piling at various locations
- Buchanan Road and nearby Reserve, Brooklyn - replacing 220kV tower with a monopole
- West Gate Freeway (outbound) between Williamstown Road and The Avenue - installation of noise walls
- Williamstown Road bridge structure widening and traffic lane switches, adjusting the alignment of the freeway to allow preparation for the inbound tunnel entry
- Assembly of the Tunnel Boring Machines (TBMs) for commencement in June.

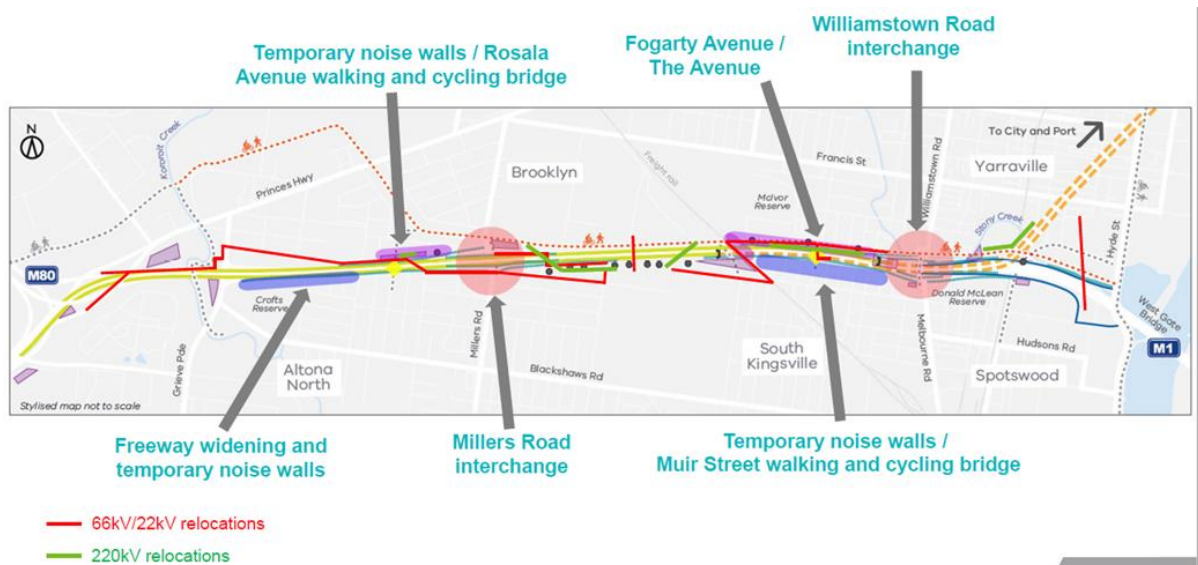


Figure 1

Further details are available at: <http://westgatetunnelproject.vic.gov.au/constructionupdates/>

Construction Traffic Impacts

Some night time and freeway ramp closures have been programmed for May and June 2019 with detailed Traffic Management and Communications Plans to be implemented in the lead up to the closures. Figure 2 below highlights the current and upcoming traffic impacts and work locations between Hyde Street and the M80.

For the latest updates and detour route information refer to:

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

Ordinary Council Meeting Minutes

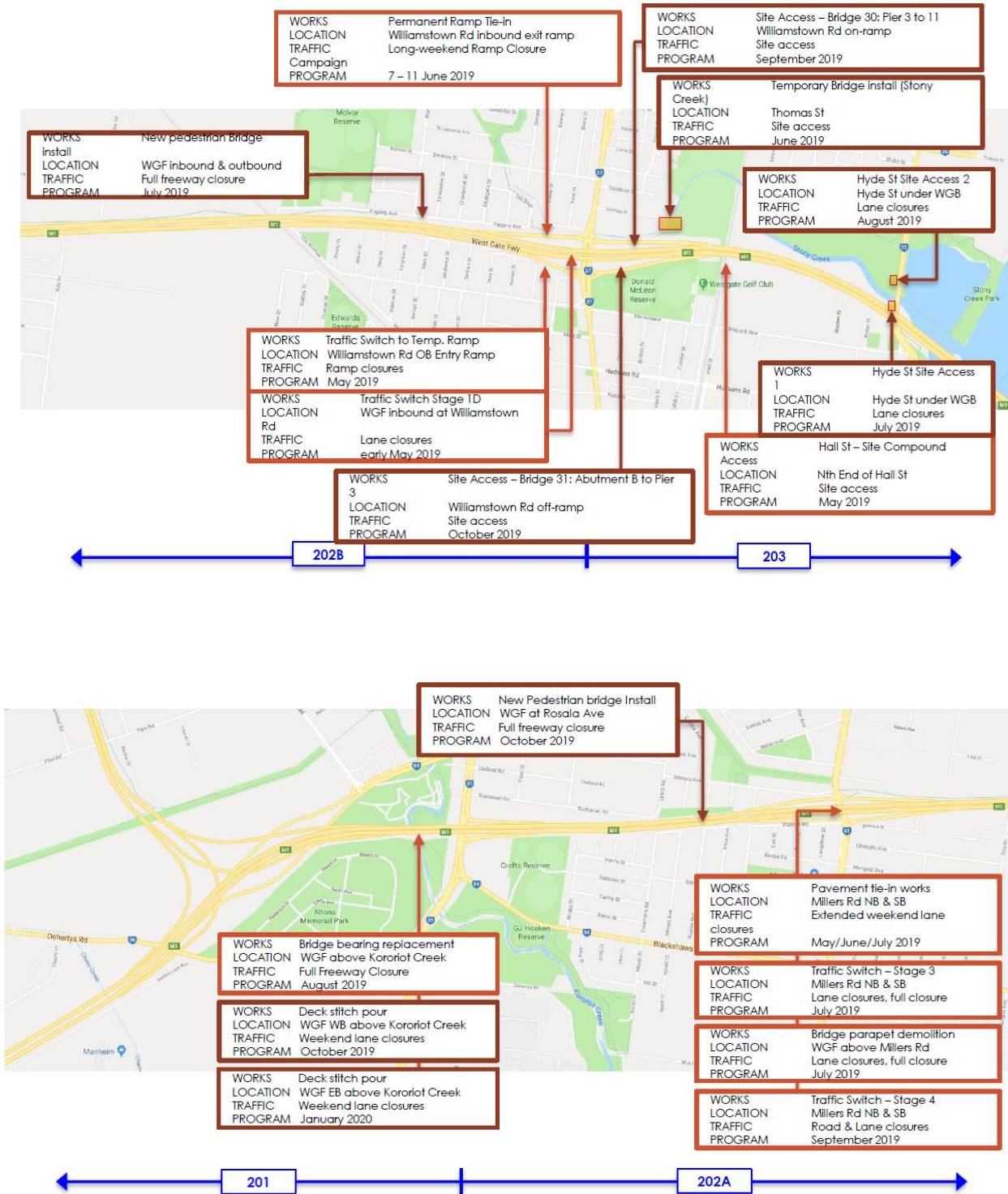


Figure 2

Land Acquisition

WGTA is acquiring small sections of Council land along the project corridor to facilitate the freeway widening:

- Primula Avenue, Brooklyn - small area of road reserve (40 sqm) to be discontinued for noise wall establishment

- Part of Lynch Road Reserve - for power poles and service requirements
- WLJ Crofts Reserve, Altona North (minimal area on the north boundary for the purposes of noise wall establishment) – valuation review completed and WGTA has agreed to Council’s full claim as compensation (inclusive of valuation and legal fees to date) for the property divested from the Council by way of Order published in the Government Gazette on 20 March 2018.

Other small parcels acquired for the Project will be assessed for compensation by WGTA as Council valuations are completed. To expedite the settlement process it is proposed that that CEO be delegated approval to finalise the Council property settlement claims.

Council Advocacy

Throughout the design and now construction stages, officers have where possible negotiated outcomes and improvements consistent with the adopted Council position to optimise beneficial community outcomes. An example is the JV now agreeing, subject to the WGTA approval, to construct the 220m section of the Kororoit Creek Trail (between the recently completed Stage 2 section constructed by Council and the start of the Stage 1 Project section at Grieve Parade).

A Memorandum of Understanding has been established between Council and the 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.

Sports and Open Space Enhancement Package

This Package was endorsed at the 13 February 2018 Ordinary Council Meeting and is supported by the state government through a \$5M contribution and \$2.86M Council contribution. The status of the Enhancement Package is as follows:

Item	Status
Duane Reserve, Brooklyn - improvements and lighting upgrade	Submissions recently received through the community consultation process are currently being reviewed and collated. Concept plans will be available for community comment in May.
Brooklyn Reserve improvements	
Rowan Avenue Reserve, Brooklyn improvements	
WLJ Crofts Reserve, Altona North Master Plan and Works	Architect, Clarke Hopkins Clarke has prepared a concept Improvement Plan for both Crofts and Donald McLean Reserves together with concept pavilion designs following consultation with tenant clubs. Community consultation will occur in May with drop-in sessions proposed on 6 and 8 May 2019. Target completion date of works December 2020.
Donald McLean Reserve, Spotswood Master Plan Review and Works	Refer above.

	Target completion date of works June 2020.
--	--

The Plans will include all infrastructure elements within these Reserves and provide detailed designs for the respective pavilions. The WGTA are engaged in this planning process to ensure impacts as a result of the West Gate Tunnel Project are factored into the designs and consideration given to construction timelines.

Hobsons Bay Transport Planning Study

Council has commenced, with Transport for Victoria (TfV) the development of an Integrated Transport Plan for Hobsons Bay to be funded by state government. A technical scope for the development of this Plan, a Communications and Engagement Plan and the governance details have now been finalised by the Project Steering Committee. The project consultant has now been appointed.

The Study, to be completed by early-mid 2020, will consist of three key deliverables:

1. An evidence based transport study to be used as a working document
2. An implementation plan with mutually agreed interventions to be identified by the study, and projects to proceed for endorsement by government
3. An advocacy document for HBCC which will include items that may not align with current state government policy.

Transport Corridor Study (Williamstown Road and Millers Road)

The Transport Corridor Study is led by VicRoads to identify and address key transport issues and impacts in the Williamstown Road and Millers Road corridors resulting from the West Gate Tunnel project, particularly the proposed increase in truck traffic.

A Working Group has been established and has met four times. Membership includes Hobsons Bay City Council, Maribyrnong City Council, Don't Destroy Millers Road, Brooklyn Residents Action Group, Friends of Lower Kororoit Creek, Maribyrnong Truck Action Group, Save Williamstown, Williamstown Crossing Group, Victorian Transport Association, Bicycle Network Victoria and Hobsons Bay Bicycle Users Group.

The last meeting was held on 27 March 2019 with a discussion on the 16 shortlisted options from the 58 identified actions by the Group. Public consultation on the selected options is to occur in the near future.

Further information on the Study can be found at:

<https://www.vicroads.vic.gov.au/newsmedia/2018/changing-traffic-movement-through-melbournes-growing-innerwest>

Email: mnw.communications@roads.vic.gov.au

Community Liaison Group

The next CLG meeting will be held on 17 April 2019 with the agenda including an update on construction activities and various aspects of the total project. A site meeting was undertaken at the Muir Street pedestrian overpass location on 9 April.

Further information on the CLG can be found at:

<http://westgatetunnelproject.vic.gov.au/clg/>

Traffic Management Liaison Group (TMLG)

The TMLG last met on 3 April 2019 and continues to convene monthly to discuss various traffic management aspects of the project including:

- Communications / Complaints
- Network Disruptions
- Signal Impacts
- Detour impacts
- Coordination with other planned works
- Events
- Any other relevant information

Upcoming traffic impacts are included in Figure 2 and link provided above.

Community Involvement and Participation Plan

A Community Involvement and Participation Plan (CIPP) is being developed by WGTA 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. The CIPP, expected to be announced in the near future, is proposed to operate over the life of the Project.

WGTA has pledged funding to support the Council resource requirements to administer the CIPP. A funding agreement will be established to define these arrangements.

Inner West Air Quality Community Reference Group

This Group provides community members the opportunity to provide community insight and input to future improvements for air quality in the inner west. The Group has an initial term of 12 months (to the end of 2019), with a mid-term review to determine its future.

The fourth meeting, to be held on Monday 29 April will focus on the regulation of industry in the inner west of Melbourne with a presentation from the CEO of the Environment Protection Authority, Dr Cathy Wilkinson.

Further information on the Group can be found at:

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

Air quality monitoring for the project has been established at six locations to develop a baseline of data from current local conditions. This baseline will be used to measure any changes once the project tunnel opens in 2022. Monitoring will continue for up to 5 years following opening. Refer to the following link:

http://westgatetunnelproject.vic.gov.au/_data/assets/pdf_file/0007/349423/West-Gate-Tunnel-Project-Ambient-Air-Quality-Monitoring-Report-November-2018.pdf

9 Delegates Report

Purpose

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

Motion

Moved Cr Sandra Wilson, seconded Cr Michael Grech:

That Council:

1. Receive and note the recent Delegates Report.

Carried

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

Date of Meeting: 3 April 2019

Daniel Bowen from the Public Transport Users Association (PTUA) made a presentation on public transport in Melbourne and provided his views on the future priorities for train and bus networks.

Daniel identified Melbourne Metro 2 (MM2) as PTUA's second most important train project after the Metro Tunnel due to its benefits for increasing network capacity. Daniel highlighted the need for MM2 to immediately follow the Metro Tunnel to maximise the expertise developed and equipment available.

Daniel spoke of the need for less visible projects such as: bus and tram priority; grade separations; high-capacity metro trains; upgraded signalling; and accessible trams. Daniel highlighted the importance of public transport services being frequent and reliable and not focus only on infrastructure. Daniel argued that it is now feasible for the government to increase and maintain service levels for longer periods during the day and evening and that this is required due to the growth in population. It was noted that Melbourne's' bus network is performing poorly compared to similar cities, such as Sydney, and that entire bus network requires fixing.

Advocacy

The MTF Executive outlined their approach to strategic public transport advocacy in the lead up to the Federal Budget. This includes meetings with state politicians and a submission to the State budget. The submission will highlight:

- bus rapid transit systems as the next logical step for Melbourne based on equity, efficiency, the economy, jobs, response times, innovation, integration, network performance and the need for alternative mass transit models
- a potential approach to transitioning higher functioning bus routes into the broader network, maximising integration with trains, real-time information, bus priority lanes and working with Councils to develop patronage

10 Notices of Motion

10.1 Notice of Motion No. 1210 – Williamstown Ferry Operator

Cr Peter Hemphill had given notice of the following:

Motion

Moved Cr Peter Hemphill, seconded Cr Colleen Gates:

That Council:

- 1. Notes Williamstown ferry operator Williamstown Bay and River Cruises' work in pioneering the tourist ferry services to Williamstown since 1984.**
- 2. Given its support of disability access to services, notes that Williamstown Bay and River Cruises is the only ferry operator with a wheelchair-accessible boat on the Yarra River.**
- 3. Notes that Williamstown Bay and River Cruises has run a service to Williamstown for decades, supporting tourism in Hobsons Bay.**
- 4. Supports fair competition between ferry services to Hobsons Bay.**
- 5. Supports Williamstown Bay and River Cruises in its request for a review of Parks Victoria's decision on the permanent berthing at Southgate.**

Carried

10.2 Notice of Motion No. 1211 – Condolence Ms Margaret Kidd

Cr Sandra Wilson had given notice of the following:

Motion

Moved Cr Sandra Wilson, seconded Cr Tony Briffa:

That Council extends condolences to the family of Margaret Kidd on her recent passing and offers its appreciation for the significant contribution that Margaret made to the Altona and Hobsons Bay community over her lifetime, including her membership of the former Hobsons Bay Women’s Advisory Committee and as a long-time community representative on the Altona Complex Neighbourhood Consultative Group.

Carried

11 Supplementary Public Question Time

D Grima

Q. Will Council allocate funding for 'Dogs off leash' area in Altona Meadows from this year's budget despite 12 month delay?

A. Council will investigate and engage with the community to identify a suitable location and design over the next 12 months in Altona Meadows. The allocation of budget and construction can happen in the 2020-21 financial year.

J Walsh

Q. There has been a number of allegations of asbestos being found during the construction of the nursing home in Ascot Street. Is the Council aware of these allegations and were there any positive reports of asbestos found on this site during construction.

A. The question will be taken on notice and a response provided to Mr Walsh. A response will also be provided at the next Council Meeting as requested by Mr Walsh.

12 Urgent and Other Business

Motion

Moved Cr Peter Hemphill, seconded Cr Sandra Wilson:

That Council consider a matter of Other Business relating to a leave of absence.

Carried

12.1 Leave of Absence – Cr Angela Altair

Motion

Moved Cr Peter Hemphill, seconded Cr Sandra Wilson:

That Council grant a leave of absence to Cr Angela Altair from 15 May 2019 to 14 August 2019.

Carried

13 In Camera Business

Recommendation

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 89(2) of the *Local Government Act 1989*:

13.1 Review of Confidential Status of In-Camera Council Reports

This report is considered confidential under s89(2)(a), (b), (c), (d), (e) and (h) of the *Local Government Act 1989* as it relates to personnel matters, the personal hardship of any ratepayer or resident, industrial matters, contractual matters, proposed developments and any matter which Council considers prejudicial to Council or any person.

Motion

Moved Cr Peter Hemphill, seconded Cr Sandra Wilson:

In accordance with s89(2)(a), (b), (c), (d), (e) and (h) of the *Local Government Act 1989*, Council close the meeting to members of the public as the meeting is discussing personnel matters, the personal hardship of any ratepayer or resident, industrial matters, contractual matters, proposed developments and any matter which Council considers prejudicial to Council or any person.

Carried

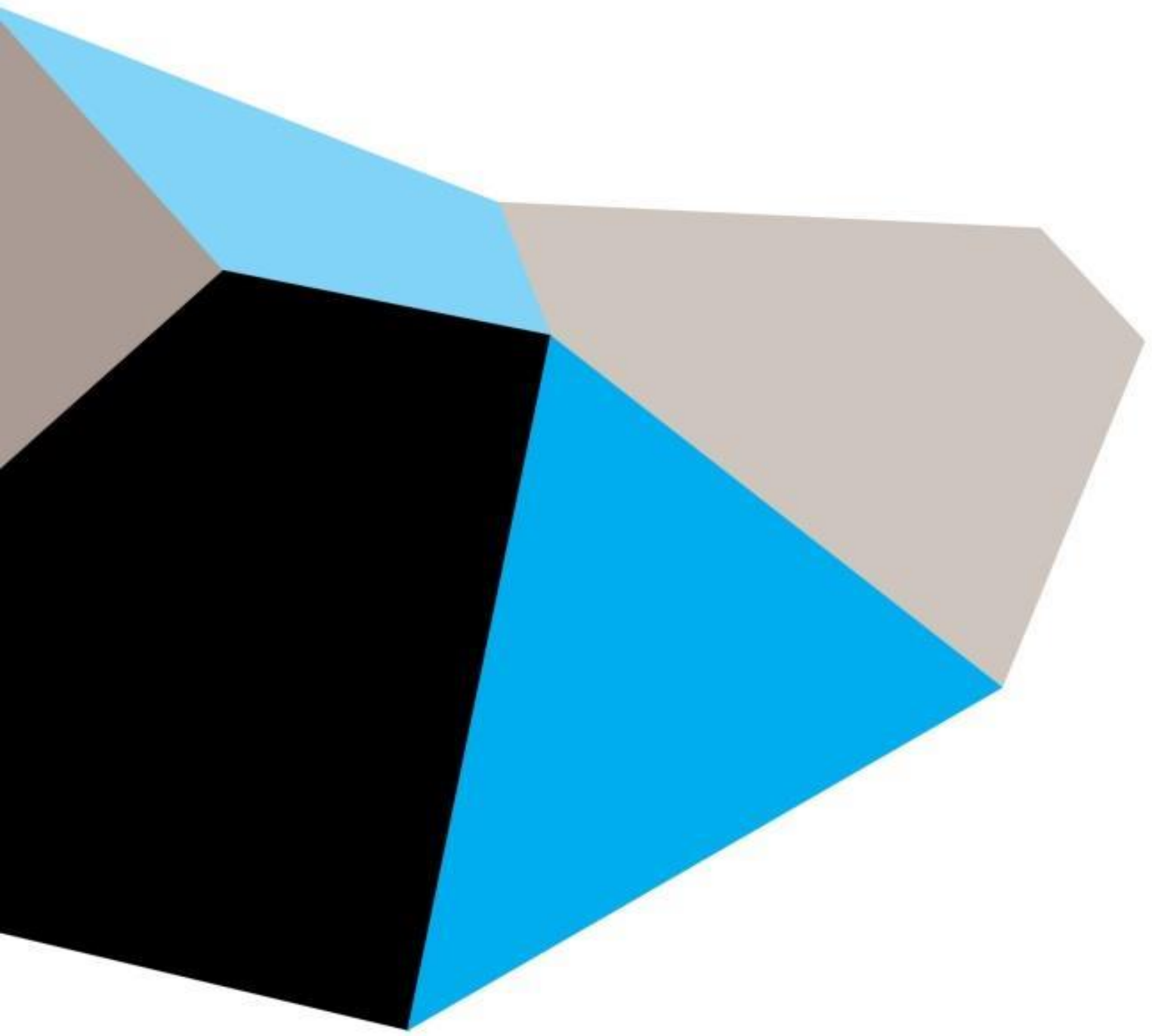
Council considered the report and discussed the matter In-Camera.

The meeting was opened to members of the public at 9.02pm.

There being no further business, the Chairperson declared the meeting closed at 9.03pm.



Chairperson – Cr Jonathon Marsden
Signed and certified as having been confirmed.
11 June 2019



HOBSONS BAY CITY COUNCIL

115 Civic Parade, Altona

PO Box 21, Altona 3018

Phone (03) 9932 1000

Fax (03) 9932 1039

NRS phone 133 677 and quote 03 9932 1000

Email customerservice@hobsonsbay.vic.gov.au

 www.twitter.com/HobsonsBayCC

 www.facebook.com/HobsonsBayCityCouncil

 www.hobsonsbay.vic.gov.au
