

**Unconfirmed Minutes
which are to be
confirmed at the Council
Meeting on
25 June 2024.**

Council Meeting Minutes

Tuesday 11 June 2024
Commencing at 7.00 PM

Council Chamber
Hobsons Bay Civic Centre
115 Civic Parade, Altona

**HOBSONS
BAY CITY
COUNCIL**



OUR MISSION

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

OUR VALUES

Respectful

Community driven and focused

Trusted and reliable

Efficient and responsible

Bold and innovative

Accountable and transparent

Recognised

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

CONDUCT OF COUNCIL MEETINGS

Meetings of Hobsons Bay City Council are to be conducted in accordance with Council's Governance Rules, which can be viewed at:

<https://www.hobsonsbay.vic.gov.au/Council/About-Council/Governance/Governance-Rules>

Members of the public attending Council meetings must abide by the standards of behaviour set out in section 13.3 of the Governance Rules. Any person engaging in disruptive or disorderly behaviour may be required by the Chairperson to leave the meeting in accordance with the Governance Rules.

Chairperson:

Cr Matt Tyler (Mayor)

Wetlands Ward

Councillors:

Cr Pamela Sutton-Legaud (Deputy Mayor)

Strand Ward

Cr Antoinette Briffa

Cherry Lake Ward

Cr Diana Grima

Wetlands Ward

Cr Peter Hemphill

Strand Ward

Cr Daria Kellander

Cherry Lake Ward

Cr Jonathon Marsden

Strand Ward

Aaron van Egmond
Chief Executive Officer
Hobsons Bay City Council

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Minutes of the Council Meeting held on 11 June 2024 at 7.00pm**Present****Chairperson**

Cr Matt Tyler (Mayor)

Wetlands Ward

Councillors

Cr Pamela Sutton-Legaud (Deputy Mayor)

Strand Ward

Cr Diana Grima

Wetlands Ward

Cr Daria Kellander

Cherry Lake Ward

Cr Peter Hemphill

Strand Ward

Cr Jonathon Marsden

Strand Ward

Officers

Mr Aaron van Egmond

Chief Executive Officer

Mr Andrew McLeod

Director Corporate Services

Mr Matthew Irving

Director Infrastructure and City Services

Ms Rachel Lunn

Director Sustainable Communities

Ms Diane Eyckens

Manager Corporate Integrity and Legal Counsel

Ms Paula Giaquinta

Governance Lead

Ms Christine Maule

Governance Officer and Minute Secretary

1 Council Welcome and Acknowledgement

The Chairperson will welcome members of the gallery and acknowledge that Council is gathered on the traditional land of the Bunurong People of the Kulin Nation and offers its respect to elders past, present and emerging.

2 Apologies

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

Motion

Moved Cr Diana Grima, seconded Cr Jonathon Marsden:

That Council accepts an apology from Cr Antoinette Briffa

Carried unanimously

3 Disclosure of Interest

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

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

No disclosures were made at this point in relation to the items listed on the agenda. However, disclosures were made later in the course of the meeting as new items arose.

4 Confirmation of Minutes

4.1 Confirmation of Minutes

Confirmation of the minutes of the Council Meeting of Hobsons Bay City Council held on 14 May 2024 (copy previously circulated).

Motion

Moved Cr Jonathon Marsden, seconded Cr Pamela Sutton-Legaud:

That Council confirms the minutes of the Council Meeting of Hobsons Bay City Council held on 14 May 2024 (copies previously circulated).

Carried unanimously

5 Leaves of Absence

5.1 Leave of Absence Request: Cr Peter Hemphill

That Council acknowledges Cr Peter Hemphill's requested leave of absence from 14 June 2024 to 2 August 2024.

Motion

Moved Cr Jonathon Marsden, seconded Cr Pamela Sutton-Legaud:

That Council That Council acknowledges and supports Cr Peter Hemphill's requested leave of absence from 14 June 2024 to 2 August 2024.

Carried unanimously

6 Councillor Questions

- Q. Cr Peter Hemill said that he received an email from Mr Joe Gallivan, a resident of Farm Street, Newport. Joe refers to our latest newsletter in particular, an item where it says we're making it easier to install solar. Joe has been trying for more than two years to get solar on his house and the issue is that his home is heritage listed and has been blocked from getting solar because of this. Joe states that it is totally impractical not to be able to get solar and that he's not the only one that is in this camp. I believe Cr Marsden also has had some inquiries from people in the past that goes back to when I received the first complaint from Mr Gallivan in August 2022 where we were asked to see if there is way of finding a balance between heritage restrictions and the environment?**
- A. Ms Rachel Lunn, Director Sustainable Communities, said that Council has undertaken some research on the balance between heritage restrictions and sustainable homes and technologies and acknowledged that this resident has tried hard to be able to modify their house within the current rules. Council's proposed budget includes the development of a Heritage Strategy to help us get a clear view with State Government on what is and isn't acceptable. Council is also working on an advocacy letter to State Government that aligns with our Plan Victoria response. This letter will request more guidance from State Government on the balance between heritage restrictions and sustainable homes. The rules are largely set in the Victorian Planning Scheme rather than for Council.
- Q. Cr Peter Hemphill said he received a request from a Williamstown resident, Rod Walker. Rod is the inventor of the Curb Charge, which is a popup device that allows electric car owners who have no off-street parking to charge vehicles from the nature strip or the footpath. I understand the City of Port Phillip agreed that this device has some merit and these devices will be installed in their municipality, subject to a review in four years. If one hundred devices go are installed, that will trigger another trigger review in two or three years. Is this an option soon to be available to Hobsons Bay electric car owners and how quickly can that be done?**
- A. Mr Matthew Irving, Director Infrastructure and City Services, said that Council is aware of the trial that the City of Port Phillip has been doing and we plan to bring a report to Council very shortly to look into this as an option for Hobsons Bay City Council.
- Q. Cr Peter Hemphill said his last question related to the Councillor Complaint Handling Policy which was devised by Ms Eyckens in January 2022. This policy has never ever been ratified by the Council. All policies, as we know must be approved by the Councillors, particularly if they relate to the governance of the Council and all workings of the Council come before the Council is to be approved as we will see again on the agenda tonight. We get so many resolutions to vote on at every Council Meeting, it's hard to know which ones we have been put in place. I certainly know that we have a general Complaint Handling Policy. We had a complaint by Mr Hurlston, Council Watch President (Rate payers Victoria) against a Councillor and I had to adjudicate on it because I was the previous Mayor. It was a complaint against Cr Briffa. We got legal advice using an external based on the Complaint Handling Policy. What I've recently discovered was that there's some areas in that (policy) of great concern. We had the complaint dismissed under the Council's**

Complaint Handling Policy, yet was upheld by an internal arbitration process, which sent alarm bells in my mind. When will the policy come before the Council to be ratified?

A. Mr Aaron van Egmond, Chief Executive Officer, said we will take that question on notice and come back to you Councillor following tonight's meeting.

Q. Cr Peter Hemphill asked will the policy have some consistency with our general Complaint Handling Policy and also the Internal Arbitration Guidelines?

A. Mr Aaron van Egmond, Chief Executive Officer, said once again, we will take that question on notice following tonight's meeting and give it consideration to you question.

Q. [REDACTED]
[REDACTED]
[REDACTED] Cr Peter Hemphill stated that he has to put it on the record that he made a number of complaints and gone through all the official channels, some of them have been going for three months and going nowhere, this one in particular, has been going for more than a month and still there are no responses. Cr Peter Hemphill stated that he has to put it on the record that he made a number of complaints and gone through all the official channels, some of them have been going for three months and going nowhere, this one in particular, has been going for more than a month and still there are no responses. Cr Hemphill asked why can't we get responses to some very serious questions about governance?

A. Mr Aaron van Egmond, Chief Executive Officer, said I think it's appropriate not to be raising that in this forum. Mr van Egmond stated that I appreciate your concerns but I don't think it's appropriate and I won't be answering the questions this evening. Mr van Egmond confirmed that Cr Hemphill's complaints are being given consideration but he won't be answering those questions in the public Chamber tonight.

Q. Cr Peter Hemphill stated that he would be writing to Mr Hurlston and telling him that he has been hoodwinked and letting him know what's going on.

Q. Cr Daria Kellander asked about the item 9.4.1 Pier Street Altona Permanent Outdoor Trading Precinct on the agenda and stated that the report specifically says that until the detailed design and construction plans are endorsed by Council the Pier Street site will remain closed to vehicles. Cr Daria Kellander asked to advise whether the principle of retaining the current outdoor parklets also applies to the traders on Pier Street between Blyth and Railway South Streets?

A. Mr Matthew Irving, Director Infrastructure and City Services, said that the same principle will apply for those parklets that exist between Blyth and and Railway South Streets.

Q. Cr Daria Kellander asked for a general update on the eviction of the residents from Techno Park?

Cr Diana Grima declared a conflict of interest in relation to the report on Techno Park Drive, and left the chamber at 7.16pm and returned at 7.25pm after the matter was discussed.

A. Ms Rachel Lunn, Director Sustainable Communities said that residents have been sent letters from lawyers in the past couple of days, and a number of different letters will be sent out in the next coming days. These include a media statement and some information about how to get more help for people who are living at Techno Park.

Ms Lunn reminded the Councillors that the law changed in February 2024 and that Council have provided advice to people to say that it may now be possible for applicants at Tecno Park to apply for existing use rights. Ms Lunn confirmed that this does not mean that that it has been approved, but the application process may now be open to residents. Lawyers are dealing with this particularly complicated planning law matter. Further information for residents and other parties, including the Department of Transport, seeking further clarification about those changes will be forthcoming in the next day or two.

Ms Lunn said that there is still a pause on any action further action from Council pending the outcome of these matters that will be coming out in the next few days. Ms Lunn confirmed that Council would be happy to talk with anybody that receives a letter or is unsure what it means and that the letters and the information Council will provide to people are very clear and include a lot of help and support about how to get more information. Ms Lunn confirmed that the lawyers talking to each other doesn't mean that that captures everybody because Council have to treat legal letters slightly differently.

Q. Cr Daria Kellander stated that in a media statement released by Council in October 2023, Council resolved to support the establishment of a Techno Park Housing Solutions group. Cr Kellander said that the media statement outlined that this group would be made up of local housing and support groups such as Latitude and State Government agencies, the MP for Williamstown, Techno Park stakeholders and Council Representatives. I've been advised by the residents of Techno Park that they have never been invited to a meeting as such. I'm concerned that a resolution of Council appears to have been ignored and I'm seeking some clarity on this matter?

A. Ms Rachel Lunn, Director Sustainable Communities said that we will take that one on notice, noting that it would never have been intentional that anyone would have ever ignored a resolution of Council and it might just be good to clarify that wording with you and just understand what we mean.

- Q. Cr Daria Kellander stated that she understand Council has written to the lawyers representing Techno Park residents to inform them that they can now apply to Council to recognise existing use rights by providing 15 years evidence of residential use of their property. Cr Kellander said that in November 2022, a report called Operation Pegasus was presented to Council and was released to the ABC under FOI. The presentation states that some of the 88 properties at Techno Park have been in use for residential purposes for longer than 15 years. Please explain how Council will approach establishing the existing use rights in cases where Council has already assessed that the property has been in use for residential purposes for longer than 15 years?**
- A. Ms Rachel Lunn, Director Sustainable Communities said that Council will be following the Planning Law process for people to apply for existing use rights. It will depend on what information Council receive and also what information we use in the assessment of that application. Ms Lunn confirmed that she didn't have that report in front of her and would take the rest of that question on notice, but suffice to say, Council will be very open and follow all the correct processes and procedures when assessing any applications that come to us.
- Q. Cr Daria Kellander stated that her concern, in this particular case, was that Council appears to have confirmed that a number of those properties have been in residential use for over 15 years asked how it will treat those cases where it appears that Council have already made that statement.**
- A. Ms Rachel Lunn, Director Sustainable Communities said that we will take that on notice because that's a complicated legal question and, that's not to be divisive, but it is a complicated legal question so we can't answer it for you now but we will get back to you.
- Q. Cr Daria Kellander asked who will be the ultimate decision maker in granting the residents of Techno Park with a certificate that potentially recognises their existing use rights?**
- A. Ms Rachel Lunn, Director Sustainable Communities said that the the decision maker will assess the application and make a recommendation. Either way it might not be an approval. It might be a refusal. That's not to say Council will automatically grant something. Ms Lunn confirmed that Council will follow the process as we would normally do at an officer level. Ms Lunn said these decisions wouldn't normally come to Council unless there's a reason under the Delegated Planning Committee Rules that it that should be an alternative course of action. Ms Lunn said it would normally be a senior officer's decision somebody like the Manager of Planning and Building or myself.
- Q. Cr Daria Kellander stated that Techno Park is a site of historical significance to the area, being a former migrant hostel in the post War II era. Cr Kellander said the hostel's original Nissen Hut are still in existence from circa 1950. The Nissen Hut has architectural significance as fewer are believed to have survived. The remaining apartments themselves, being built by the Commonwealth in the late 1960s, were designed by Australian architect Reg Grouse and nominated for a State architectural award in the 1970s. The Techno Park site has been home to generations of migrants who are ancestors to many residents of Hobsons Bay. I understand that the former Maribyrnong Migrant Hostel has heritage protections in place for these same reasons. Cr Kellander asked if Council ever considered the Techno Park site for heritage overlay protections?**

- A. Ms Rachel Lunn, Director Sustainable Communities said that she didn't think she could answer that tonight because that's a Heritage protection question and her understanding is that it's not a listed heritage building, a noted building or that it has any listing coverage at the moment. Ms Lunn confirmed that she will come back to Cr Kellander on the process for doing that and whether it's been considered.

Cr Peter Hemphill left the chambers at 7.23pm and came back at 7.28pm.

7 Public Question Time

At the beginning of public question time, the Chairperson noted that a number of public questions submitted for the meeting could not be read out as they were either not within Council's power to respond or were in conflict with the Governance Rules section 13.1.16.

Rowena Joske

Q. In the past couple of decades what, if any, work has been done by Council to explore different options and/or assess feasibility and/or build a business case for the reinstatement of Paisley train station or for an Altona North train station?

A. The reinstatement of the Paisley Train Station is an advocacy priority for Council. At the Council meeting on 13 September 2022, Council resolved to support the work carried out by the Transport Think Tank and the Rail Futures Institute in developing a concept for improved train services via an East West Metro Rail Initiative (EWR). This concept work included the reinstatement of Paisley Train Station in Altona North. Since this time, the work has been included and will continue to be included in advocacy campaigns and submissions to the State Government.

Rowena Joske

Q In the current Council budget \$170,000 is allocated to a project in the Better Places Brooklyn and Altona North program called "Multi Modal Network". The budget line includes the description - potential future train station and better networks. What has this \$170,000 been spent on?

A. The project has not progressed to date, with the funds to be carried forward to the next financial year. The project's intent is to bring together the range of existing information known on transport issues and options in the suburbs to prepare a multi modal network plan that can be used for advocacy work. The first aspect of the project, in line with the Better Places Guide, is to develop the scope with this work to commence early in the next financial year.

Rowena Joske

Q The endorsed streetscape design for Stage 9 of Mirvac's development show's Fabric Drive with indented car parking along the eastern side near the signalised intersection. This is clearly not compliant with Requirement 20 of the Comprehensive Development Plan which requires that "There must be no intersecting roads or vehicle crossovers within 80m of a signalised intersection" (with the background documents confirming that this refers to indented car parking). Will these carparking spaces be removed from the construction plans for this road?

A. Council is commencing the 2024 Planning Implementation and Enforcement Review of the Hobsons Bay City Council strategic redevelopment areas. These redevelopment areas were strategically planned and zoned by the State Government and Council is committed to ensuring that these requirements are implemented and enforced. The Review will include Precinct 15 and Local Area Management Plan (LAMP) Brooklyn and Altona North. The specific question regarding the requirements of the Development Plan and how these are being applied to this permit will be responded to in writing.

Peter Georgiadis

Q Council officers have summarised the context of the Public Question Time request from Peter as follows:

- The questions relate to the planned or scheduled service to remove leaves from streets in Williamstown, in particular, during the Autumn period.**
 - The concerns raised include issues with pick-up and scheduling of works during the peak season where deciduous trees drop leaves**
 - The outcome that Peter is seeking includes a cleaner, safer and better looking streetscape resulting in prouder and happier residents, residents who feel they are getting value for their rates and improved mutual relationships between residents and Council.**
- A.** Council has a proactive street cleansing program in place which is one of Council's essential services. During the autumn period, streets that have a larger proportion of deciduous trees that increase leaf litter. As this period ends, with most leaves now fallen, work crews will be in key streets throughout Williamstown and other suburbs to clear them.

John O'Hagan

- Q. In the September 2023 Council meeting, Council said that they did not remove the Hobsons Bay Caravan Park, which housed community members on industrially zoned land for more than 30 years, because "The Caravan Park operated with an applicable planning permit." In fact, the Caravan Park operated legally in the industrial zone due to existing use rights. Why did Council give this wrong answer?**
- A.** Mr O'Hagan asked the same question at the May 2024 Council Meeting and following the Minutes of the last Council Meeting, Officers have prepared a written response to this planning law question. Mr O'Hagan will receive the written response this week.

John O'Hagan

- Q. In the section on the Williamstown North Industrial Precinct, Council's May 2023 draft Industrial Land Management Strategy recommends the "Renewal and rehabilitation of Exxon Mobil landholdings to benefit the local economy and local jobs." The ILMS identifies four Exxon Mobil sites in the precinct: 1) the former refinery, 2) Blending Area, 3) North Crude Tank Farm, and 4) South Crude Tank Farm. Since 2021, Mobil's website has stated that Mobil will continue to operate a fuel import and storage terminal at three of these sites: "utilising tanks to the north of Kororoit Creek Road (former North Crude Tank Farm, between the railway line and Fink Street) and to the east of Millers Rd (former Blending area, corner of Millers Road and Kororoit Creek Road) as well as some required associated infrastructure on the former refinery processing site associated with the operation of the terminal."**

Can Council please name precisely which Exxon Mobil landholdings in the Williamstown North Industrial Precinct it anticipates will become available for "renewal and rehabilitation"?

- A. Council's Industrial Land Management Strategy (ILMS) sets out the current strategic position regarding the ExxonMobil land and all other industrial land in the city. Neither WorkSafe or ExxonMobil have provided Council with updates as to the future of the Tank Farms that is different to the ILMS document. Council is in the process of seeking a response from ExxonMobil in relation to the current and future uses of the site to respond to concerns from residents.

Sandra Wilson

- Q. The Urban Forest site on Grieve Parade near the freeway was cleared of all its mature trees without seeking permission from the Council at the commencement of Westgate Tunnel Project (WTGP) to become a contractor worksite. The site has since been vacated by contractors. The WTGP was to replant 5 trees for every one removed across the whole corridor.**

When and with what trees will the Urban Forest site on Grieve Parade be replanted to return it to its pre-WGTP state of mature trees as per the agreement with Council?

- A. CPB contractors and John Holland joint venture contractors for the WGTP have advised that they have now engaged their landscaping contractor to start work on the project's Offset Tree Planting Program across various areas in the west zone in coming months.

The first Offset Tree Planting will include the areas near and in Kororoit Creek Road and within Hosken Reserve. The Grieve Parade compound area will also be reinstated including new tree planting. Tree species have been chosen in consultation with Council, Melbourne Water and Friends of Lower Kororoit Creek.

Rosa McKenna

- Q. Regarding Agenda Item 9.1.1 CEO Report p44. Better Place Spotswood South Kingsville, the CEO reports that 'Detailed engineering design has commenced for section one of the East-West GreenLine in Spotswood (EW1). The project will include a new cycleway, footpath, tree planting, traffic calming and one-way traffic flow on Birmingham and McLister Streets. The engineering design should be completed in 2024/25.' What consultation and engagement with the community and councillors and approval from the Department of Transport and Planning will be required before this work commences?**

Council consulted with the community in 2022 for an options assessment for the GreenLine section EW1 on Birmingham Street and McLister Street in Spotswood.

The wider community supported Option A, which involved a new footpath and cycleway, the removal of car parking on Birmingham Street, planting of trees, and the implementation of one-way traffic flow. Directly impacted residents preferred Option B, which mostly followed the same design but retained some car parking.

Subsequently, Council developed a concept plan that incorporated the key elements of Option A and B. That is, a footpath and cycleway, a parking lane interspersed with tree planting on Birmingham Street, west-bound one-way traffic flow on Birmingham Street, and east-bound one-way traffic flow on McLister Street.

Detailed engineering design on the GreenLine section EW1 has commenced and any approvals required by the Department of Transport Planning (DTP) will be obtained as required.

Rosa McKenna

- Q.** Does this scope of works still include the planting of a casuarina tree, the original species of the message tree, on the north side of Nelson Place and Thompson St intersection adjacent to the interpretative installation and agreed by the Message Tree Project undertaken by GetUp OutWest Inc (renamed New Message Tree Alliance Inc) with Council officers in August 2021.
- A.** The Message Tree Project will include the planting of a Casuarina, also known as She-Oak.

8 Petitions and Joint Letters

8.1 Petitions and Joint Letters Received

No petitions or joint letters had been received at the time of printing the agenda.

Cr Jonathon Marsden tabled a petition/joint letter regarding the reinstatement of leaf clean up and collection services in Williamstown containing 28 signatories which read as follows:

We, the undersigned, petition Hobsons Bay City Council to reinstate the essential service of street leaf collection and the unblocking of gutters and drains on a regular basis particularly during autumn.

This basic and essential service has been gradually withdrawn without consultation in the last few years.

Our streets are choked with leaves that litter the pathways and roads, block all the gutters and drains and creates a significant health and safety risk, for which HBCC must take full responsibility.

HBCC promotes its “greenness” relating to tree planting etc. but lacks the necessary ongoing maintenance costs to support the existing canopy trees. We need HBCC to move from its current reactive minimal approach to managing this significant problem to an ongoing proactive wholistic solution.

Motion

Moved Cr Jonathon Marsden, seconded Cr Daria Kellander:

That Council:

- 1. Receives and notes the petition in relation to the reinstatement of leaf clean and collection service.**
- 2. Subject to a review of the petition in accordance with the Hobsons Bay Governance Rules, receives a further report on this matter at a future Council Meeting.**

Carried unanimously

Cr Daria Kellander asked the following questions with regard to Council’s street cleaning:

Q. Cr Daria Kellander asked what does Council’s street cleaning schedule looks like?

A. Mr Matthew Irving, Director Infrastructure and City Services, said Council does regular street cleaning specifically in autumn and when there are deciduous trees but will take this on notice to provide a detailed breakdown of the program at this point of time.

Q. Cr Daria Kellander asked how often does Council’s streetsweepers hit a resident’s home?

A. Mr Matthew Irving, Director Infrastructure and City Services, said he will take this question on notice and come back with that data.

- Q. Cr Daria Kellander asked whether Council has schedule published for residents? Cr Kellander said that she asks this question for her residents and for her own understanding as a resident?**
- A. Mr Matthew Irving, Director Infrastructure and City Services, said that he will take that question on notice and get back Cr Kellander about that schedule and how Council can release that to the public domain.

9 Business

9.1 Office of the Chief Executive

9.1.1 Chief Executive Officer's Report on Operations - May 2024

Purpose

To present the Chief Executive Officer's (CEO's) Report on Operations for May 2024.

Recommendation

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

Motion

Moved Cr Diana Grima, seconded Cr Jonathon Marsden:

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

Carried unanimously

9.2 Corporate Services

9.2.1 2024 Mayoral Program Update

Directorate: Corporate Services
Responsible Officer: Director Sustainable Communities
Reviewer: Director Corporate Services
Attachments: Nil

Purpose

To update Councillors and the community on the areas of focus for the 2023-24 mayoral term of Cr Matt Tyler.

Recommendation

That Council notes the progress made on initiatives and activities that were identified as focus areas for the 2023-24 mayoral term.

Motion

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

That Council notes the progress made on initiatives and activities identified as focus areas for the 2023- 2024 Mayoral term.

Carried unanimously

Cr Daria Kellander left the livestream at 8.08pm and returned at 8.09pm.

Cr Daria Kellander left the livestream at 8.10pm and returned at 8.11pm.

9.2.2 Submission to Victorian Government's Inquiry into Local Government Funding and Services

Directorate:	Corporate Services
Responsible Officer:	Senior Business Analyst
Reviewer:	Director Corporate Services
Attachments:	1. Submission to the Victorian State Government's Legislative Council Economy and Infrastructure Commit [9.2.2.1 - 10 pages]

Purpose

To seek Council's endorsement of the attached submission to the Victorian State Government's Legislative Council Economy and Infrastructure Committee, focusing on the critical issues and consequences arising from the practice of cost shifting by the Victorian and Australian governments onto Hobsons Bay City Council.

Recommendation

That Council endorses the submission to the Victorian State Government's Legislative Council Economy and Infrastructure Committee for the Inquiry into Local Government Funding and Services.

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Jonathon Marsden:

That Council endorses the submission to the Victorian State Government's Legislative Council Economy and Infrastructure Committee for the Inquiry into Local Government Funding and Services.

Carried

9.3 Sustainable Communities

9.3.1 Submission to Plan Victoria

Directorate:	Sustainable Communities
Responsible Officer:	Manager Strategy, Economy and Sustainability
Reviewer:	Director Sustainable Communities
Attachments:	1. HBCC Submission to Plan Victoria FINAL June 4 Councillor Briefing [9.3.1.1 - 12 pages]

Purpose

To seek Council's endorsement of a submission to early engagement for Plan Victoria and resolve to lodge a submission with the Department of Transport and Planning.

Recommendation

That Council:

1. Endorses the submission to Plan Victoria.
2. Authorises the Director Sustainable Communities to lodge the submission to the Department of Transport and Planning.

Motion

Moved Cr Jonathon Marsden, seconded Cr Pamela Sutton-Legaud:

That Council:

1. Endorses the submission to Plan Victoria.
2. Authorises the Director Sustainable Communities to lodge the submission to the Department of Transport and Planning.

Carried unanimously

Cr Diana Grima declared a conflict of interest in relation to the report on Techno Park Drive when Cr Kellander spoke to the topic, and left the chamber again at 7.27pm and returned at 8.30pm after the matter was discussed.

9.4 Infrastructure and City Services

9.4.1 Pier Street, Altona - Permanent Outdoor Trading Precinct Progress

Directorate: Infrastructure and City Services and Sustainable Communities

Responsible Officer: Acting Manager Capital Works
Manager Strategy, Economy and Sustainability

Reviewer: Director Infrastructure and City Services
Director Sustainable Communities

Attachments: Nil

Purpose

To provide an update on the Capital Works Permanent Pier Street Outdoor Trading Design Optioneering pursuant to the resolution of Council on 14 November 2023 at Agenda Item 8.3.1, Item 2.

Recommendation

That Council:

1. **Notes the current design work underway to permanently extend the footpaths in Pier Street between Blyth Street and Railway Street South and the feature site between Blyth Street and Queen Street.**
2. **Receives a future report at the August 2024 Council Meeting, providing details of the concept design for permanent extension of the footpaths in Pier Street between Blyth Street and Railway Street South and the feature site between Blyth Street and Queen Street.**
3. **Seeks to retain current parklets within Pier Street between Blyth Street and Railway Street South and the feature site between Blyth Street and Queen Street, while the design work progresses and subject to appropriate regulatory requirements such as safety, permits and insurance being in place to the satisfaction of responsible officers.**

Motion

Moved Cr Daria Kellander, seconded Cr Jonathon Marsden:

That Council:

- 1. Notes the current design work underway to permanently extend the footpaths in Pier Street between Blyth Street and Railway Street South and the feature site between Blyth Street and Queen Street.**
- 2. Receives a future report at the August 2024 Council Meeting, providing details of the concept design for permanent extension of the footpaths in Pier Street between Blyth Street and Railway Street South and the feature site between Blyth Street and Queen Street.**
- 3. Seeks to retain current parklets within Pier Street between Blyth Street and Railway Street South and the feature site between Blyth Street and Queen Street, while the design work progresses and subject to appropriate regulatory requirements such as safety, permits and insurance being in place to the satisfaction of responsible officers.**

Carried unanimously

9.4.2 Maddox Road and Champion Road Level Crossing Removal Project

Directorate:	Infrastructure and City Services
Responsible Officer:	Strategic Projects Specialist
Reviewer:	Director Infrastructure and City Services
Attachments:	<ol style="list-style-type: none">1. Attachments Planning Submission Champion Maddox Roads [9.4.2.1 - 47 pages]2. Final Planning Submission Champion Maddox Roads [9.4.2.2 - 35 pages]

Purpose

To provide an update on the proposed level crossing removal at Champion Road and Maddox Road, Newport, present work carried out by Council officers including a traffic impact assessment from the proposed closure of Champion Road, development of potential options to retain the opening of Champion Road to traffic and submission to the Level Crossing Removal Project (LXRP) engagement process on proposed planning controls for the project.

Recommendation

That Council:

1. **Notes this update report on the proposed level crossing removals at Champion Road and Maddox Road, Newport.**
2. **Notes the work carried out by Council officers including a closure of Champion Road traffic impact assessment and development of potential options to keep Champion Road open to traffic.**
3. **Provides the traffic impact assessment and potential options work to the Level Crossing Removal Project (LXRP).**
4. **Requests a meeting with the LXRP to discuss the options work completed by Council to keep Champion Road open.**
5. **Endorses the attached Project Planning submission to the LXRP's engagement process on the proposed planning controls for the project.**

Motion

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

That Council:

- 1. Notes this update report on the proposed level crossing removals at Champion Road and Maddox Road, Newport.**
- 2. Notes the work carried out by Council officers including a closure of Champion Road traffic impact assessment and development of potential options to keep Champion Road open to traffic.**
- 3. Provides the traffic impact assessment and potential options work to the Level Crossing Removal Project (LXRP).**
- 4. Requests a meeting with the LXRP to discuss the options work completed by Council to keep Champion Road open.**
- 5. Endorses the attached Project Planning submission to the LXRP's engagement process on the proposed planning controls for the project.**

Carried unanimously

Mr Aaron van Egmond, Chief Executive Officer, acknowledged a letter received by Level Crossing Removal Project (LXRP) at 4.40pm on Tuesday 11 June 2024 and confirmed that it could not be tabled at the meeting given how late it was received Mr van Egmond confirmed that Council be meeting with LXRP in the coming days.

9.4.3 Contract 2023.05 Roads and Drainage Maintenance Services

Directorate: Infrastructure and City Services
Responsible Officer: Manager City Works and Amenity
Reviewer: Director Infrastructure and City Services
Attachments: Nil

Purpose

To award Contract 2023.05 for provision of Roads and Drainage Maintenance for the initial term of five years.

Recommendation

That Council:

1. **Awards Schedule of Rates to Contract 2023.05 for the provision of Roads and Drainage Maintenance Services to Citywide Service Solutions Pty Ltd for an initial contract period of five years at an estimated value of \$27,911,000 (twenty-seven million, nine hundred and eleven thousand dollars) including GST, with two one-year options to extend.**
2. **Delegates to the Chief Executive Officer the ability to negotiate and approve extensions in the prior year within contracted conditions, which if exercised would bring total anticipated contract expenditure to \$37,793,770 (thirty-seven million, seven hundred and ninety-three thousand, seven hundred and seventy dollars) including GST, should both one-year extensions be appropriate at the time.**
3. **Delegates to the Chief Executive Officer the ability to vary the contract within the requirements of the Procurement Policy should operational needs require.**

Motion

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

That the item be deferred to the Council Meeting of 25 June 2024 when the budget will be considered.

Carried unanimously

9.4.4 Contract 2023.50 Altona North Library Refurbishment

Purpose

To seek Council endorsement for the awarding of Contract 2023.50 Altona North Library Refurbishment.

Recommendation

That Council:

1. Awards Contract 2023.50 Altona North Library Refurbishment to Alchemy Construct Pty Ltd for the tendered lump sum price (including provisional sum) of \$1,220,750 (one million, two hundred and twenty thousand, seven hundred and fifty dollars) excluding GST.
2. Delegates authority to the Chief Executive Officer to execute the formal agreement for Contract 2023.50.
3. Delegates authority to officers to approve variations in line with current approved financial delegations.

Motion

Moved Cr Jonathon Marsden, seconded Cr Diana Grima:

That Council:

That Council extend the meeting time to 10pm

Carried unanimously

Motion

Moved Cr Jonathon Marsden, seconded Cr Pamela Sutton-Legaud:

That Council:

1. Awards Contract 2023.50 Altona North Library Refurbishment to Alchemy Construct Pty Ltd for the tendered lump sum price (including provisional sum) of \$1,220,750 (one million, two hundred and twenty thousand, seven hundred and fifty dollars) excluding GST.
4. Delegates authority to the Chief Executive Officer to execute the formal agreement for Contract 2023.50.
5. Delegates authority to officers to approve variations in line with current approved financial delegations.

Carried unanimously

Motion

Moved Cr Diana Grima, seconded Cr Peter Hemphill:

That Council:

That Council extend the meeting time to 10.30pm

Carried unanimously

9.4.5 West Gate Tunnel Project Update - June 2024

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

Purpose

To provide a quarterly update report on the West Gate Tunnel Project (the Project) and associated initiatives, projects and advocacy activities.

Recommendation

That Council receives and notes this update on the status of the West Gate Tunnel Project and Council's advocacy on aspects of the Project.

Motion

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

That Council receives and notes this update on the status of the West Gate Tunnel Project and Council's advocacy on aspects of the Project.

Carried unanimously

10 Committee and Delegate Reports

10.1 Delegate Reports

Purpose

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

Recommendation

That Council receives and notes the recent Delegate Reports.

Motion

Moved Cr Peter Hemphill, seconded Cr Jonathon Marsden:

That Council receives and notes the recent Delegate Reports.

Carried unanimously

11 Notices of Motion

11.1 Notice of Motion No. 1254: Williamstown Swimming and Life Saving Club

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

Cr Peter Hemphill has given notice of the following motion:

That Council:

1. **Presents an updated Williamstown Swimming and Life Saving Club concept plan at the August Council meeting to immediately release for public consultation following authorisation from Council.**
2. **Notes that after discussion between Williamstown Swimming and Life Saving Club representatives and council officers, \$5.5 million has been included in the 2024-25 Proposed Council Budget to progress redevelopment of the Williamstown Swimming and Life Saving Club.**
3. **Requests council officers involve Strand Ward councillors in regular discussions on the redesign and progress of the project.**
4. **Requests council officers include a monthly update on the progress of the project in the CEO Operational Update Report.**

Motion

Moved Cr Peter Hemphill, seconded Cr Jonathon Marsden:

That Council:

- 1. Presents an updated Williamstown Swimming and Life Saving Club concept plan at the August Council meeting to immediately release for public consultation following authorisation from Council.**
- 2. Notes that after discussion between Williamstown Swimming and Life Saving Club representatives and council officers, \$5.5 million has been included in the 2024-25 Proposed Council Budget to progress redevelopment of the Williamstown Swimming and Life Saving Club.**
- 3. Requests council officers involve Strand Ward councillors in regular discussions on the redesign and progress of the project.**
- 4. Requests council officers include a monthly update on the progress of the project in the CEO Operational Update Report.**

Carried unanimously

12 Urgent Business

No urgent business

13 Supplementary Public Question Time

No Supplementary Public Question Time were received.

14 Close of Meeting

There being no further business, the Chairperson declared the meeting closed at 10.13pm.

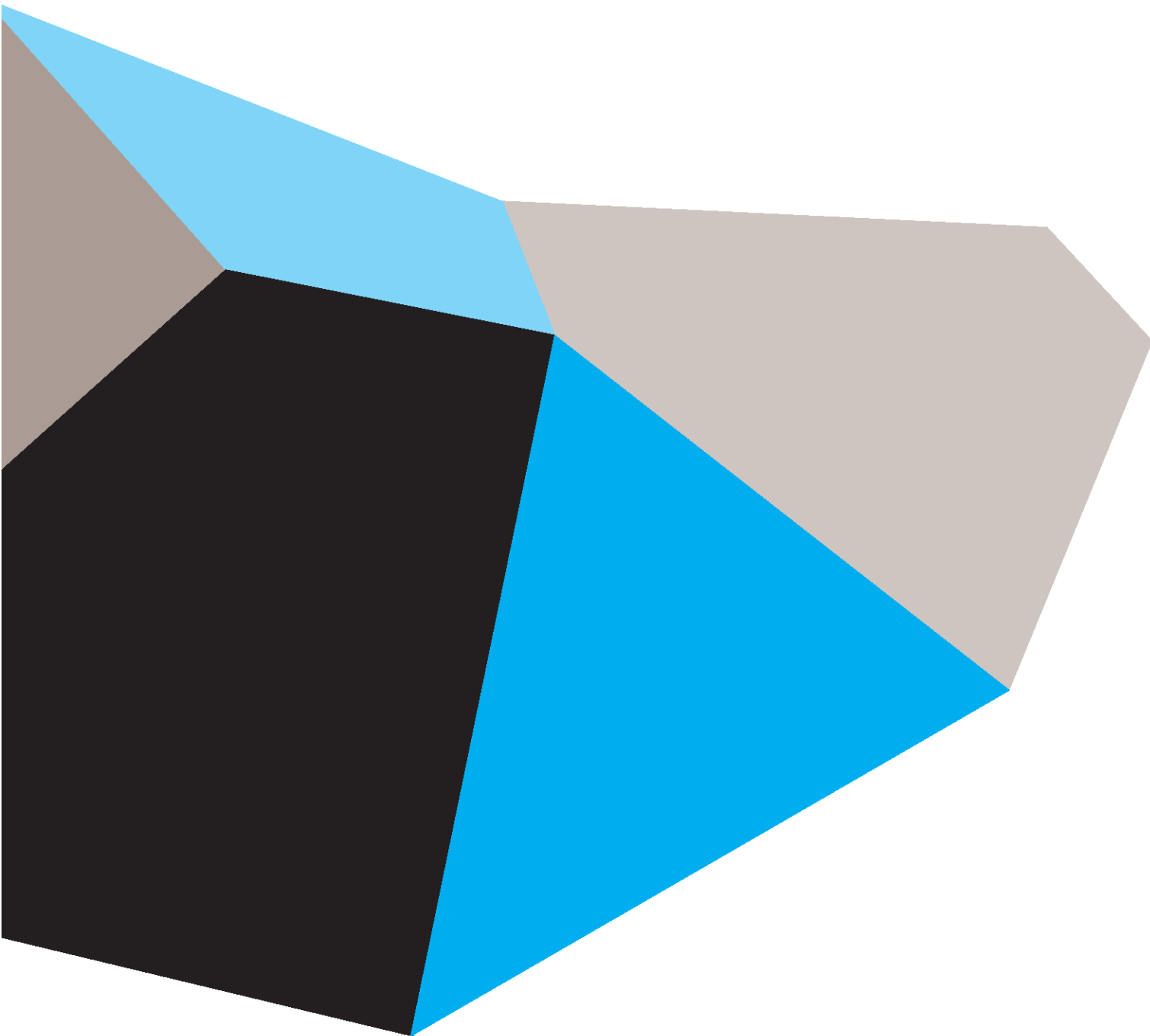
Chairperson – Cr Matt Tyler

Signed and certified as having been confirmed

11 June 2024

HOBSONS
BAY CITY
COUNCIL





HOBSONS BAY CITY COUNCIL

115 Civic Parade, Altona

PO Box 21, Altona 3018

Phone 1300 179 944

Fax (03) 9932 1039

NRS phone 133 677 and quote 1300 179 944

Email customerservice@hobsonsbay.vic.gov.au

 www.twitter.com/HobsonsBayCC

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 www.hobsonsbay.vic.gov.au
