

Council Meeting Minutes

13 August 2024

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 JP

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 13 August 2024 at 7.00pm.

Present

Chairperson

Cr Matt Tyler (Mayor)

Wetlands Ward

Councillors

Cr Pamela Sutton-Legaud (Deputy Mayor)

Strand Ward

Cr Antoinette Briffa JP

Cherry Lake Ward

Cr Diana Grima

Wetlands Ward

Cr Daria Kellander

Cherry Lake 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 Christine Maule

Acting Lead Governance and Business Support and Minute Taker

Ms Susan Magro

Governance Officer

1 Council Welcome and Acknowledgement

The Chairperson welcomed members of the gallery and acknowledged 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 called for apologies received from Councillors who were unable to attend this meeting.

Cr Peter Hemphill was absent from the meeting, but rather than moving an apology motion at this point, Cr Pamela Sutton-Legaud foreshadowed that she had a motion to move later during urgent business in relation to this.

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.

Cr Matt Tyler disclosed a potential conflict of interest in relation to the Leo Hoffmann Reserve, Newport item on the agenda due to a family member that has a property in that vicinity.

4 Confirmation of Minutes

4.1 Confirmation of Minutes – 9 July 2024 Council Meeting

Recommendation

That Council confirms the minutes of the Council Meetings of Hobsons Bay City Council held 9 July 2024.

Motion

Moved Cr Jonathon Marsden, seconded Cr Antoinette Briffa:

That Council confirms the minutes of the Council Meeting of Hobsons Bay City Council held on 9 July 2024.

Carried unanimously

Cr Matt Tyler later returned to the confirmation of Minutes after the Councillor Questions were complete. Cr Tyler confirmed that because there were two sets of minutes to confirm he needed to revisit this part of the agenda to confirm a mover and seconder for the 11 June 2024 Council Meeting Minutes in addition to the 9 July 2024 Council Meeting Minutes.

4.2 Confirmation of Minutes – 11 June 2024 Council Meeting

Motion

Moved Cr Jonathon Marsden, seconded Cr Diana Grima:

That Council confirms the minutes of the Council Meeting of Hobsons Bay City Council held on 11 June 2024.

Division

For: Cr Diana Grima, Cr Jonathon Marsden, Cr Matt Tyler

Against: Cr Pamela Sutton-Legaud, Cr Daria Kellander

Abstained: Cr Antoinette Briffa

Carried

5 Councillor Questions

Social housing at Bronte Court

Cr Pamela Sutton-Legaud inquired about the future of social housing at Bronte Court, Williamstown, noting concerns from residents about the building being retired by Homes Victoria. She requested advice from Council officers regarding the residents' future housing situation.

Mr Aaron van Egmond, Chief Executive Officer, said that Council is still gathering information and that he would raise the issue with the CEO of Homes Victoria in an upcoming meeting. Mr van Egmond confirmed that he would provide an update soon.

Newport Railway Workshops Heritage Status

Cr Pamela Sutton-Legaud asked about the heritage status of the railyards on Champion Road, inquiring about recent correspondence and requested information on the proposals and Council's response.

Ms Rachel Lunn, Director Sustainable Communities, explained that the Newport Railway Yards were the focus of a Council submission requesting additional heritage protections, and that the Executive Director of Heritage Victoria had recently put out a proposal to add more items to the heritage register, with a 60-day consultation period. While not all of Council's requests were met, significant progress was achieved. Ms Lunn stated that Council would provide more details at the next Council meeting and that community members could submit feedback. Ms Lunn said that a decision would be made after 6 September 2024, and for further information, she recommended checking the Heritage Victoria website.

Legionnaires' disease outbreak in Laverton North

Cr Pamela Sutton-Legaud inquired about the recent media coverage of a Legionnaires' disease outbreak that potentially originated in Laverton North. Ms Sutton-Legaud asked if there was any further information available and whether Council planned to make a public statement about it.

Ms Rachel Lunn, Director Sustainable Communities, acknowledged the recent media reports on the Legionnaires' disease outbreak, which was believed to have started in a cooling tower in Laverton North. She expressed condolences to those affected and noted that the Council had not received specific directives to act differently from other councils. Ms Lunn indicated that the Council's role was to encourage community awareness, with information available on the Department of Health website, and she advised people to be aware of the signs and symptoms. She added that while the affected cooling tower has been shut down and cleaned, no additional actions were required from the Council at this time.

Closure of Champion Road level crossing

Cr Pamela Sutton-Legaud asked if there had been any further feedback from the Victorian Government regarding the Council's public statement opposing the closure of Champion Road's level crossing.

Mr Matthew Irving, Director Infrastructure and City Services, confirmed that Council had not received feedback specifically regarding the newsletter about the Champion Road closure. He noted that the Minister of Planning had recently designated the project area for the site, which would be officially recognised once published in the Government Gazette.

Racecourse Road ford upgrade

Cr Antoinette Briffa referred to the upcoming agenda item regarding the upgrade of the Racecourse Road ford into a culvert, and asked for an explanation of the differences between a ford and a culvert to clarify the specifics of the proposal. Cr Briffa expressed concern that the community might expect a bridge that would mitigate flood events, but wanted to confirm that this was not the case.

Mr Matthew Irving, Director of Infrastructure and City Services, explained that significant modeling was conducted to determine an appropriate improvement for addressing flooding at for Racecourse Road. Currently the ford is designed to cater for a one-in-one-year flood event with a 100% chance of flooding each year, while the proposed upgrade is a one-in-two structure meaning that it has a 50% chance of flooding each year. He noted that moving to a more flood-resistant structure would be much more expensive and some options are not viable due to the environmental conditions at the site.

** A ford is a simple water crossing that can flood easily, while a culvert is a more engineered solution designed to manage and direct water flow under infrastructure.*

Hobsons Bay Career Expo

Cr Grima requested an update on the attendance numbers for the Hobsons Bay Career Expo and asked for feedback on the event.

Ms Rachel Lunn, Director of Sustainable Communities, reported that around 850 people attended the Career Expo and that a detailed report with statistics and feedback would be provided as part of the Mayoral Program update at the next Council meeting. She noted that feedback was very positive, with attendees enjoying the event and even some attendees potentially finding job opportunities. Ms Lunn said comments from youth and teenagers were particularly favorable, describing the event as "rad" and expressing overall satisfaction with the experience.

Cr Diana Grima asked if Council was thinking about the future of this successful program.

Ms Rachel Lunn, Director Sustainable Communities, said that the Career Expo was a one-off event with financial support from the federal government and not part of Council's regular budget, and that while it was a successful event, future events will depend on available funding. Ms Lunn said that Council is considering ways to achieve similar outcomes in the future, possibly through events held every few years or collaborations with other councils.

Altona foreshore works

Cr Daria Kellander asked for an update on the work currently taking place on the Altona foreshore.

Mr Matthew Irving, Director Infrastructure and City Services, explained that Stage 1 of the esplanade improvements involves significant pedestrian upgrades works and upgrades to foreshore elements such as drinking fountains, tables, chairs and viewing shelters. Mr Irving said work began in July and is expected to continue until November, weather permitting. Mr Irving said that Stage 2 is dependent on working through plans for the road closure, which is subject to community consultation, and is planned to commence after the summer peak period in 2025.

Cr Kellander asked if that meant current works will be complete prior to the summer peak season.

Mr Irving confirmed that the plan is to complete Stage 1 of the works by November, weather permitting, and that everything was currently on track.

Altona Youth Hall

Cr Daria Kellander inquired about the maintenance concerns recently raised by a club at the Altona Youth Hall and asked for an update on how these issues are being addressed.

Mr Matthew Irving, Director Infrastructure and City Services confirmed that Council officers recently met with the Altona Youth Hall club members regarding their maintenance concerns, which included issues with heating and cooling, painting, and floor polishing. Constructive discussions were held, and the concerns will be addressed over the coming financial year through a range of maintenance and renewal programs.

The Message Tree

Mayor Tyler requested an update on the progress regarding the Message Tree, specifically asking for information on the Tree's proposed location and the current status of Council staff's deliberations on this matter.

Ms Rachel Lunn, Director Sustainable Communities, confirmed that the installation of the Message Tree and associated artwork in Nelson Place has started. Benches and new bluestone footpath works are already completed. The new she-oak message tree will be installed within the next week or two at the corner of Nelson Place, near the benches and interpretive signage. This location was selected to complement existing storytelling elements, and further updates will be provided as the project continues over the next month.

6 Public Question Time

Public Question Time provides an opportunity for the public to ask questions related to items on the agenda of the Council Meeting or any other matter within Council's responsibility.

There are some public questions submitted for the meeting, some are in conflict with the Governance Rules section 13.1.16 which unfortunately cannot be read out and some submitters have exceeded the three-question limit and therefore some of their questions also cannot be read out.

There are some Techno Park-related questions that following on from Council's letters to people living at Techno Park and other state government agencies that can't be answered because they may prejudice future decisions or planning, building permit or certificate applications.

Yamama Al-Shourbaji

Q.1 Does the Mayor and Councillors believe that local government has a responsibility to advocate for and utilize Council's powers to address human rights abuses?

The *Local Government Act 2020* requires that the role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community. Council always seeks to advocate and understand its responsibilities under the Charter of Human Rights and Responsibilities 2006.

Q.2 Should Hobsons Bay refrain from investing rate-payers' money in industries that contribute to human suffering and human rights violations, such as weapons manufacturing, surveillance technology, gambling, or tobacco?

Council has an Investment Policy, in accordance with section 103 of the *Local Government Act 2020*.

Council's investments comply with the policy and are held with major financial institutions within Australia. The portfolio is diversified with no more than 30 per cent held with any financial institution.

This policy will be reviewed at the commencement of the new Council term following the Local Government elections later this year. Your views have been noted and will be considered in more detail at the time of this review.

Q.3 Maribyrnong Council recently took a significant step by interrogating 2,506 creditors to explore options for cancelling contracts with companies that support or profit from war crimes. Do you agree that local government and Councillors have a duty to use their authority to address human rights abuses, including divesting from companies involved or are some how complicit in war crimes?

Council is happy to make enquiries regarding the actions taken by Maribyrnong Council, as described in the question, to assist Hobsons Bay City Council in its deliberations.

Rowena Joske

Q.1 Council recently ran online consultation on concept designs for The Link. The project was described as designing a walking and cycling connection between Brooklyn to Altona Gate Shopping Centre. The designs indicate that Council is unaware of several walking and bikes paths that have been recently constructed but that are not yet on Google Maps. This includes the shared bike path along the west side of Millers Road under the Freeway, the narrow path along the south side of the Freeway between Irwin Ave and Chambers Road in Altona North and the connecting path from Richards Court in Brooklyn.

Did the project to develop the concept plans for The Link include site visits to Altona North and Brooklyn to survey the current conditions?

A. The draft concept designs for The Link project in Brooklyn and Altona North were developed in line with the Better Places guide for the area. These designs aim to create a comfortable walking and cycling connection to Altona Gate Shopping Centre, avoiding Millers Road, which the Better Places guide identified as uncomfortable for pedestrians and cyclists.

Officers conducted several site visits when preparing the concept plans and are aware of the infrastructure delivered by the West Gate Tunnel Project.

Q.2 The engagement snapshot for the "The Link" shows 36% of respondents said they were generally unsupportive. How will the next stage of the project respond to this high level of dissatisfaction?

The feedback that has been received will be considered as the design work is further developed. This work will continue over the coming financial year and be subject to further consultation.

Q.3 Students at Bayside College have indicated that they were not aware of Council's proposal for "The Zone" which is a new park in Altona North for teenagers, that consultation is currently being done on.

Noting the importance of consulting with the young people who would use this park can the Council please run some lunchtime pop-ups, or something similar, at the Paisley and Altona North campuses of Bayside?

A. As part of the engagement plan for The Zone, Council officers approached local schools, to seek the preferred ways to engage with students at their schools. Each of the schools provided preferred avenues for engagement to be carried out. The schools in the main sought for the promotion of existing engagement activities through their existing communication channels.

Officers have also worked with local youth focus groups to gather insights on what they would like to see at The Zone. These groups included young people from local schools.

Officers will reach out again to the local schools to identify if any other opportunities may exist to engage with students.

Geoff Mitchelmore**Q.1 Is council applying for a grant through the Federal Government Thriving Suburbs program, which closes on the 26th of August, to fund stages 4&5 of the Kororoit Creek Shared trail.**

The guidelines for this funding program allows up to two applications per organisation. Taking into consideration the funding guidelines, Council's Advocacy Strategy, Priority Project Plan, Long Term Financial Plan and 2024-25 Budget Document, priority projects such as the Western Aquatic and Early Years Centre, Hobsons Bay Wetlands Centre and Kororoit Creek Shared Trail – Stages 4 & 5 projects are being considered for applications to this program. Liaison with the funding body is ongoing to ensure any applications put forward best align with the funding guidelines. Applications for this funding program will be made by the 26 August deadline.

7 Petitions and Joint Letters

7.1 Petitions and Joint Letters Received

7.1.1 Tabled Petition - Install Traffic Management Treatments to Osborne Street at Fearon Reserve

Recommendation

That Council:

- 1. Receives and notes the petition titled “Petition to install Traffic Management treatments to Osborne St at Fearon Reserve”.**
- 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.**

Motion

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

That Council:

- 1. Receives and notes the petition titled “Petition to install Traffic Management treatments to Osborne St at Fearon Reserve.”**
- 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

7.2 Responses to Petitions and Joint Letters

7.2.1 Response to Petition - Stop Hiking Our Rates

Directorate: Corporate Services
Responsible Officer: Chief Financial Officer
Reviewer: Director Corporate Services
Attachments: Nil

Purpose

To respond to the petition presented to the Council meeting held on 14 May 2024 requesting Council to “Stop Hiking Our Rates”.

Recommendation

That Council:

1. Notes that the Annual Budget 2024-25 included a rate increase of 2.75 per cent in accordance with the Victorian Government rate cap legislation.
2. Writes to the lead petitioner advising of the outcome.

Motion

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

That Council:

1. Notes that the Annual Budget 2024-25 included a rate increase of 2.75 per cent in accordance with the Victorian Government rate cap legislation.
2. Writes to the lead petitioner advising of the outcome.

Division

For: Cr Antoinette Briffa, Cr Diana Grima, Cr Jonathon Marsden, Cr Pamela Sutton-Legaud, Cr Matt Tyler

Against: nil

Abstained: Cr Daria Kellander

Carried

8 Business

8.1 Office of the Chief Executive

8.1.1 Chief Executive Officer's Report on Operations - July 2024

Directorate: Office of the Chief Executive

Responsible Officer: Executive Assistant to the Chief Executive Officer

Reviewer: Chief Executive Officer

Attachments: 1. CEO Report on Operations - July 2024 [8.1.1.1 - 52 pages]

Purpose

To present the Chief Executive Officer's (CEO's) Report on Operations for July 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 Pamela Sutton-Legaud:

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

8.2 Corporate Services

8.2.1 Annual Adjustment to Mayoral, Deputy Mayoral and Councillor Allowances 2024

| | |
|-----------------------------|--|
| Directorate: | Corporate Services |
| Responsible Officer: | Manager Corporate Integrity and Legal Counsel |
| Reviewer: | Director Corporate Services |
| Attachments: | 1. Allowance payable to Mayors, Deputy Mayors and Councillors (Victoria) Annual Adjustment Determination 2024 [8.2.1.1 - 42 pages] |

Purpose

To note the annual adjustment to the Mayoral, Deputy Mayoral and Councillor allowances as set out in section 39 of the *Local Government Act 2020* (LG Act).

Recommendation

That Council:

1. Notes the *Allowance payable to Mayors, Deputy Mayors and Councillors (Victoria) Annual Adjustment Determination 2024* of the Victorian Independent Remuneration Tribunal (the Determination).
2. Notes the 3.5 per cent increase in annual base allowances (inclusive of superannuation) in the Determination effective from 1 July 2024 to 17 Dec 2024, being:

| | |
|-----------------------------|-----------|
| a. Mayoral allowance | \$109,114 |
| b. Deputy Mayoral allowance | \$54,558 |
| c. Councillor allowance | \$34,028 |
3. Notes the future 3.5 per cent increases (inclusive of GST) to be applied to Mayoral and Deputy Mayoral allowances on 18 December 2024 and 18 December 2025.

Motion

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

That Council:

1. Notes the *Allowance payable to Mayors, Deputy Mayors and Councillors (Victoria) Annual Adjustment Determination 2024* of the Victorian Independent Remuneration Tribunal (the Determination).
2. Notes the 3.5 per cent increase in annual base allowances (inclusive of superannuation) in the Determination effective from 1 July 2024 to 17 Dec 2024, being:

| | |
|-----------------------------|-----------|
| a. Mayoral allowance | \$109,114 |
| b. Deputy Mayoral allowance | \$54,558 |
| c. Councillor allowance | \$34,028 |
3. Notes the future 3.5 per cent increases (inclusive of GST) to be applied to Mayoral and Deputy Mayoral allowances on 18 December 2024 and 18 December 2025.

Carried unanimously

8.2.2 Contract 2024.21 Electricity Retail Supply

Directorate: Corporate Services
Responsible Officer: Chief Financial Officer
Reviewer: Director Corporate Services
Attachments: Nil

Purpose

To delegate authority to the Chief Executive Officer (CEO) to award and execute a contract for Electricity Retail Supply.

Delegated authority is required as the contract value is expected to be over the CEO's financial delegation of \$1 million, and the time to accept and sign an electricity retailer agreement is within approximately 48 hours from the offer being received.

Recommendation

That Council delegates authority to the Chief Executive Officer to award and execute Contract 2024.21 for Electricity Retail Supply after conducting a tender process compliant with Council's Procurement Policy 2021.

Motion

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

That Council delegates authority to the Chief Executive Officer to award and execute Contract 2024.21 for Electricity Retail Supply after conducting a tender process compliant with Council's Procurement Policy 2021.

Carried unanimously

8.3 Sustainable Communities

8.3.1 Plan for Victoria Submission Addendum - Victorian State Government Housing Targets

| | |
|-----------------------------|--|
| Directorate: | Sustainable Communities |
| Responsible Officer: | Manager Strategy, Economy and Sustainability |
| Reviewer: | Director Sustainable Communities |
| Attachments: | 1. HBCC Submission to Plan for Victoria - Addendum to respond to housing targets [8.3.1.1 - 6 pages] |

Purpose

To seek endorsement of an addendum to Council's submission to the Victorian Government's Draft Plan for Victoria consultation to include consideration of the State's draft future Housing Targets for Hobsons Bay.

Recommendation

That Council:

1. **Endorses the Director Sustainable Communities to provide the attached written feedback to the current State consultation on the Victorian Draft Housing Targets (June 2024) in the form of an addendum to the previously endorsed submission to the draft Plan for Victoria from the resolution of Council on 11 June 2024.**
2. **Notes that based on its current Housing Strategy work from 2019, there is not enough land planned to deliver the State Housing Target for Hobsons Bay.**
3. **Notes that current and future Strategic Planning work is required with State Government to seek to agree suitable Housing Targets for Hobsons Bay in light of both the needs of the future community and the constraints of Hobsons Bay.**

Motion

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

That Council:

- 1. Endorses the Director Sustainable Communities to provide the attached written feedback to the current State consultation on the Victorian Draft Housing Targets (June 2024) in the form of an addendum to the previously endorsed submission to the draft Plan for Victoria from the resolution of Council on 11 June 2024.**
- 2. Notes that based on its current Housing Strategy work from 2019, there is not enough land planned to deliver the State Housing Target for Hobsons Bay.**
- 3. Notes that current and future Strategic Planning work is required with State Government to seek to agree suitable Housing Targets for Hobsons Bay in light of both the needs of the future community and the constraints of Hobsons Bay.**

Carried unanimously

8.3.2 Hobsons Bay Women's Advisory Group - Terms of Reference

| | |
|-----------------------------|--|
| Directorate: | Sustainable Communities |
| Responsible Officer: | Coordinator Community Development |
| Reviewer: | Director Sustainable Communities |
| Attachments: | 1. Terms of Reference 2024-25 Hobsons Bay Women's Advisory Group [8.3.2.1 - 2 pages] |

Purpose

To seek Council endorsement of the Terms of Reference for the 2024-25 Hobsons Bay Women's Advisory Group.

Recommendation

That Council:

1. Endorses the Terms of Reference for the 2024-25 Hobsons Bay Women's Advisory Group (the Group).
2. Notes Council's designated champions of the Victorian Local Government Association Women's Charter as the co-Chairs of the Group.
3. Notes that the role of Chair or co-Chairs of the Group for 2025 may be determined by, and should be tabled as part of, future processes that inform Councillor Delegates and Proxies.

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Antoinette Briffa:

That Council:

1. Endorses the Terms of Reference for the 2024-25 Hobsons Bay Women's Advisory Group (the Group).
2. Notes Council's designated champions of the Victorian Local Government Association Women's Charter as the co-Chairs of the Group.
3. Notes that the role of Chair or co-Chairs of the Group for 2025 may be determined by, and should be tabled as part of, future processes that inform Councillor Delegates and Proxies.

Carried unanimously

8.3.3 Contract 2024.15 Provision of Meals (Hobsons Bay Meals on Wheels Service)

Directorate: Sustainable Communities
Responsible Officer: Manager Community Life
Reviewer: Director Sustainable Communities
Attachments: Nil

Purpose

To award Contract 2024.15 for Provision of Meals for the initial term of three years.

Recommendation

That Council:

1. Awards Contract 2024.15 for Provision of Meals (Hobsons Bay Meals on Wheels Service) to Ranahans Pty Ltd under their schedule of rates, with an estimated collective spend over five years of \$2,785,946 (two million, seven hundred and eight-five thousand, nine hundred and forty-six dollars) including GST for the contract period of three years, with two one-year options for further extension.
2. Delegates to the Chief Executive Officer the ability to execute the formal agreement for Contract 2024.15.
3. Delegates to the Chief Executive Officer the ability to vary the estimated annual value of Contract 2024.15 to align with the approved budget.

Motion

Moved Cr Diana Grima, seconded Cr Jonathon Marsden:

That Council:

1. Awards Contract 2024.15 for Provision of Meals (Hobsons Bay Meals on Wheels Service) to Ranahans Pty Ltd under their schedule of rates, with an estimated collective spend over five years of \$2,785,946 (two million, seven hundred and eight-five thousand, nine hundred and forty-six dollars) including GST for the contract period of three years, with two one-year options for further extension.
2. Delegates to the Chief Executive Officer the ability to execute the formal agreement for Contract 2024.15.
3. Delegates to the Chief Executive Officer the ability to vary the estimated annual value of Contract 2024.15 to align with the approved budget.

Carried unanimously

8.4 Infrastructure and City Services

8.4.1 Pier Street, Altona - Endorsement of concept plans and consultation on options

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|-----------------------------|---|
| Directorate: | Infrastructure and City Services |
| Responsible Officer: | Acting Manager Active Communities and Assets |
| Reviewer: | Director Infrastructure and City Services |
| Attachments: | 1. 240813 Pier Street - Council Presentation [8.4.1.1 - 13 pages] |

Purpose

To seek approval to place on public exhibition updated concept designs and activation options for the Pier Street Feature Site, including extended footpaths along Pier Street from Queen Street to Railway Street South.

Recommendation

That Council:

1. Endorses the concept designs for Pier Street for the purposes of public consultation for a period of four weeks from Friday 16 August 2024 until Friday 13 September 2024, that includes the following areas:
 - a. Pier Street Feature Site from Queen Street to Blyth Street
 - b. Extended footpaths from Blyth Street to Railway Street South
2. Receives a future report following the public consultation period.

Motion

Moved Cr Antoinette Briffa, seconded Cr Daria Kellander:

That Council:

1. Endorses the concept designs for Pier Street for the purposes of public consultation for a period of four weeks from Friday 16 August 2024 until Friday 13 September 2024, that includes the following areas:
 - a. Pier Street Feature Site from Queen Street to Blyth Street
 - b. Extended footpaths from Blyth Street to Railway Street South
2. Receives a future report following the public consultation period.

Carried unanimously

8.4.2 Permanent Closure of Pier Street, Altona

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

Purpose

To seek approval to commence the permanent closure of Pier Street between Queen Street and Blyth Street, Altona in line with the statutory process as set out in the *Local Government Act 1989*.

Recommendation

That Council:

1. Commences a Section 223 community consultation process for the permanent closure of Pier Street between Queen Street and Blyth Street pursuant to the statutory process as set out in Schedule 11, clause 9 of the *Local Government Act 1989*.
2. Receives a further report following the completion of the community consultation process.

Motion

Moved Cr Daria Kellander, seconded Cr Jonathon Marsden:

That Council:

1. Commences a Section 223 community consultation process for the permanent closure of Pier Street between Queen Street and Blyth Street pursuant to the statutory process as set out in Schedule 11, clause 9 of the *Local Government Act 1989*.
2. Receives a further report following the completion of the community consultation process.

Carried unanimously

8.4.3 Permanent Closure of the Esplanade, Altona - Hearing of Submissions

| | |
|-----------------------------|---|
| Directorate: | Infrastructure and City Services |
| Responsible Officer: | Acting Manager Capital Works |
| Reviewer: | Director Infrastructure and City Services |
| Attachments: | Altona Beach - Submission Permanent Closure of The Esplanade Redacted [8.4.3.1 - 100 pages] |

Purpose

To receive submissions under section 223 of the *Local Government Act 1989* for the proposed road closure for part of the Esplanade, Altona and hear any person who seeks to present to Council on their submissions.

Recommendation

That Council:

1. **Receives submissions on the proposed road closure for part of the Esplanade, Altona in accordance with section 223 of the *Local Government Act 1989*.**
2. **Notes that no persons sought to make any verbal presentations to those submissions.**
3. **Requests that a report come to the 10 September 2024 meeting to consider the proposed road closure for part of the Esplanade, Altona.**

Motion

Moved Cr Daria Kellander, seconded Cr Antoinette Briffa:

That Council:

1. **Receives submissions on the proposed road closure for part of the Esplanade, Altona in accordance with section 223 of the *Local Government Act 1989*.**
2. **Notes that no persons sought to make any verbal presentations to those submissions.**
3. **Requests that a report come to the 10 September 2024 meeting to consider the proposed road closure for part of the Esplanade, Altona.**

Carried unanimously

8.4.4 Williamstown Swimming and Life Saving Club - Updated Concept Plans

Directorate: Infrastructure and City Services

Responsible Officer: Manager Active Communities and Assets

Reviewer: Director Infrastructure and City Services

Attachments:

1. 2228 Williamstown Swimming and Life Saving Club Landscape Schematic Design - Reduced Size [8.4.4.1 - 5 pages]
2. 22017 WSLSC FINAL Community Consultation 070824 [8.4.4.2 - 10 pages]

Purpose

To seek Council endorsement for the public exhibition of updated concept plans for the Williamstown Swimming and Life Saving Club (WSLSC) redevelopment.

Recommendation

That Council:

1. **Endorses the concept design for the Williamstown Swimming and Life Saving Club redevelopment for the purposes of public consultation, for four weeks from 14 August 2024 until 10 September 2024.**
2. **Receives a future report following the public exhibition period.**

Motion

Moved Cr Antoinette Briffa, seconded Cr Jonathon Marsden:

That Council:

1. Endorses the concept design for the Williamstown Swimming and Life Saving Club redevelopment for the purposes of public consultation, for four weeks from 14 August 2024 until 10 September 2024 noting:
 - a) the retention of the swimming pool is to be funded by the WSLSC and is not part of the budgeted works
 - b) there is a current estimated shortfall of \$2.844 million to implement this design with all options included (and excluding any additional funding required for the pool)
 - c) the future management of the kiosk/cafe is yet to be determined by the Council
 - d) the design results in the removal of 19 existing car parking spaces.
2. Seeks an executed deed or Agreement by the WSLSC accepting responsibility for the retention of a swimming pool, and the funding they are committed to providing for the project implementation.
3. Acknowledges the good will and collaboration of the WSLSC in partnering with the Council to achieve the best outcomes for the community.
4. Receives a future report following the public exhibition period, including a detailed project plan and budget as well as options analysis with financial forecasts for the kiosk/cafe.

Carried unanimously

Councillor Questions

Cr Antoinette Briffa noted that according to the report, the new design involved the removal of 19 existing car parking spaces, and asked what the annual revenue loss would be as a consequence.

Mr Matthew Irving, Director Infrastructure and City Services, confirmed that 19 car parking spaces were proposed to be removed under the current concept design, and it is estimated to be \$30,000 per year of foregone revenue from the paid parking meters in those areas.

Cr Briffa asked for this figure to be noted in the minutes.

8.4.5 Renaming of Pavilion at HC Kim Reserve

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

Purpose

To inform Council of the recommendation to name the recently constructed pavilion at HC Kim Reserve, Seaholme.

Recommendation

That Council:

1. Supports the naming of the pavilion as “McIntosh Pavilion”.
2. Supports an application to the Victorian Government via Geographic Names Victoria as per its naming protocols, to have the pavilion name formally recognised.

Motion

Moved Cr Daria Kellander, seconded Cr Antoinette Briffa:

That Council:

1. Supports the naming of the pavilion as “McIntosh Pavilion”.
2. Supports an application to the Victorian Government via Geographic Names Victoria as per its naming protocols, to have the pavilion name formally recognised.

Carried

8.4.6 Contract 2023.24 Racecourse Road, Altona - Culvert and Ford Crossing Upgrade

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

Purpose

To award Contract 2023.24 for the Racecourse Road, Altona - Culvert & Ford Crossing Upgrade to SME Civil Construction Pty Ltd at a lump sum cost of \$2,433,043 (including GST).

Recommendation

That Council:

1. Awards Contract 2023.24 for the Racecourse Road Altona - Culvert & Ford Crossing Upgrade to SME Civil Construction Pty Ltd at a lump sum cost of \$2,433,043 (two million, four hundred and thirty-three thousand, forty-three dollars) including GST.
2. Delegates authority to the Chief Executive Officer to execute the formal agreement for Contract 2023.24.
3. Delegates authority to officers to approve variations in line with current approved financial delegations.

Motion

Moved Cr Daria Kellander, seconded Cr Jonathon Marsden:

That Council:

1. Awards Contract 2023.24 for the Racecourse Road Altona - Culvert & Ford Crossing Upgrade to SME Civil Construction Pty Ltd at a lump sum cost of \$2,433,043 (two million, four hundred and thirty-three thousand, forty-three dollars) including GST.
2. Delegates authority to the Chief Executive Officer to execute the formal agreement for Contract 2023.24.
3. Delegates authority to officers to approve variations in line with current approved financial delegations.

Carried unanimously

Point of Order

During discussions about the report Cr Daria Kellander, in her closing remarks as mover of the motion, said (without specifying that anyone had said this) that it was “just outrageous” to “suggest that City West Water¹ or the state government were potentially not aware of community sentiments or that this ford would flood and propose ongoing problems to our community”.

Cr Antoinette Briffa called a Point of Order citing Rule 8.18.3. (Improper, obscene or intimidating) of the Governance Rules at this point, saying that Cr Kellander’s remarks were “improper” because she (Cr Briffa) “didn’t make some of those comments that Cr Kellander has said that [she] made” and that “what [she] said was misrepresented by Cr Kellander” and it was also improper to “suggest that we haven’t consulted with City West Water

Cr Briffa withdrew the Point of Order

Cr Briffa announced that she wished to withdraw the point of order and asked that “people just keep it to the matter of fact and not misrepresent what other Councillors say”.

The Chairperson acknowledged the withdrawal and noted that he was unable to be sure whether the remarks had been representative or not.

Extension of time

Motion

Moved Cr Jonathon Marsden, seconded Cr Diana Grima:

That Council extend the meeting time to 10.00pm.

Carried unanimously

Councillor Movements

The Chairperson, Cr Matt Tyler, announced that due to his declaration of a conflict of interest with the next item on the agenda regarding Leo Hoffmann Reserve he would leave the Chamber during the item, and asked Deputy Mayor Cr Pamela Sutton-Legaud to take the Chair in his absence.

Cr Tyler left the Chamber at 9.29pm and returned at 9.34pm after the vote was held.

8.4.7 Contract 2023.32 Leo Hoffmann Reserve, Newport - Playground Upgrade

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

Purpose

To award Contract 2023.32 Leo Hoffmann Reserve – Playground Upgrade.

Recommendation

That Council:

1. Awards Contract 2023.32 for Leo Hoffmann Reserve – Playground Upgrade to Rainscapes at final lump sum cost of \$1,157,046 (one million, one hundred and fifty-seven thousand and forty-six dollars) including GST.
2. Delegates authority to the Chief Executive Officer to execute the formal agreement.
3. Delegates authority to officers to approve variations of the lump sum (including GST) in line with current approved financial delegations.

Motion

Moved Cr Jonathon Marsden, seconded Cr Diana Grima:

That Council:

1. Awards Contract 2023.32 for Leo Hoffmann Reserve – Playground Upgrade to Rainscapes at final lump sum cost of \$1,157,046 (one million, one hundred and fifty-seven thousand and forty-six dollars) including GST.
2. Delegates authority to the Chief Executive Officer to execute the formal agreement.
3. Delegates authority to officers to approve variations of the lump sum (including GST) in line with current approved financial delegations.

Carried

8.4.8 Contract 2023.57 Laverton Football Club - Female Friendly Changerooms

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

Purpose

To seek Council endorsement for the awarding of Contract 2023.57 for Laverton Football Club – Female Friendly Changerooms.

Recommendation

That Council:

1. Awards Contract 2023.57 for Laverton Football Club – Female Friendly Changerooms to WI Building Services Pty Ltd at a final lump sum cost of \$1,110,197 (one million, one hundred and ten thousand, one hundred and ninety-seven dollars) including GST.
2. Delegates authority to the Chief Executive Officer to execute the formal agreement for Contract 2023.57.
3. Delegates authority to officers to approve variations of the lump sum (including GST) for Contract 2023.57 in line with current approved financial delegations.

Motion

Moved Cr Diana Grima, seconded Cr Antoinette Briffa:

That Council:

1. Awards Contract 2023.57 for Laverton Football Club – Female Friendly Changerooms to WI Building Services Pty Ltd at a final lump sum cost of \$1,110,197 (one million, one hundred and ten thousand, one hundred and ninety-seven dollars) including GST.
2. Delegates authority to the Chief Executive Officer to execute the formal agreement for Contract 2023.57.
3. Delegates authority to officers to approve variations of the lump sum (including GST) for Contract 2023.57 in line with current approved financial delegations.

Carried unanimously

9 Committee and Delegate Reports

9.1 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 Antoinette Briffa, seconded Cr Pamela Sutton-Legaud:

That Council receives and notes the recent Delegate Reports.

Carried unanimously

10 Notices of Motion

10.1 Notice of Motion No. 1255: Condolence - The Late Cr Sarah Carter

Cr Antoinette Briffa has given notice of the following motion:

The Council expresses our sincerest condolences to the family and friends of the late Cr Sarah Carter. We acknowledge Cr Carter's service to the Maribyrnong community as Mayor on three occasions and during her four terms on Council. The Council also expresses our sincerest condolences to the City of Maribyrnong and authorises the Mayor to formally write to them on our behalf.

Motion

Moved Cr Antoinette Briffa, seconded Cr Diana Grima:

The Council expresses our sincerest condolences to the family and friends of the late Cr Sarah Carter. We acknowledge Cr Carter's service to the Maribyrnong community as Mayor on three occasions and during her four terms on Council. The Council also expresses our sincerest condolences to the City of Maribyrnong and authorises the Mayor to formally write to them on our behalf.

Carried unanimously

10.2 Notice of Motion No. 1256: Proposal to keep additional records of Council meetings and committees

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 Daria Kellander has given notice of the following motion:

That Council:

- 1. Resolves to prepare a record of all meetings of an advisory committee of the Council, if at least one Councillor is present, or a planned or unscheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be—
 - a. the subject of a decision of the Council; or**
 - b. subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee****

—but does not include a meeting of the Council, a special committee of the Council, an audit and risk committee established under section 53 of the *Local Government Act 2020*, a club, association, peak body, political party, or other organisation.

The records must be included in the published Council Meeting papers as a line item in the agenda, and reports as an attachment.

- 2. That officers prepare a report detailing any resource or cost implications and recommending an appropriate procedure to be tabled at the 10 September 2024 Council Meeting.**

Motion

Moved Cr Daria Kellander, seconded Cr Jonathon Marsden:

That Council:

- 1. Resolves to prepare a record of all meetings of an advisory committee of the Council, if at least one Councillor is present, or a planned or unscheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:**

- a. the subject of a decision of the Council; or**
- b. subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.**

The records must be included in the published Council Meeting papers as a line item in the agenda, and reports as an attachment.

- 2. That officers prepare a report detailing any resource or cost implications and recommending an appropriate procedure to be tabled at the 10 September 2024 Council Meeting.**

Carried unanimously

Extension of time

Motion

Moved Cr Daria Kellander, seconded Cr Jonathon Marsden:

That Council extend the meeting time to 10.30pm.

Carried unanimously

11 Urgent Business

Cr Pamela Sutton-Legaud proposed a matter of urgent business regarding Cr Peter Hemphill's absence. In standard meeting procedure it was necessary for Council to move a motion allowing the urgent business to be heard.

Councillor Questions

Cr Antoinette Briffa emphasised the importance of adhering to the Hobsons Bay Governance Rules and asked if the request for this urgent item of business had been submitted in writing to the CEO by the deadline of 12pm the day before the meeting, as required by Governance Rule 11.4.2.

Mr Aaron van Egmond, Chief Executive Officer, stated that, according to Rule 11.4.1, if the agenda for the meeting makes provisions for urgent business, such business cannot be admitted as urgent except by a resolution of Council.

Cr Antoinette Briffa proposed that, given the apology offered for Cr Hemphill at the beginning of the meeting, it would be appropriate to accept the apology rather than treating it as an urgent item of business. She suggested that the matter could be addressed today with the apology and, if Cr Hemphill required a leave of absence, a formal leave request could be submitted before the September meeting. Thus, she argued, it did not qualify as an urgent item of business.

The Chairperson noted that, according to Governance Rule 11.4.2 and based on the CEO's advice, urgent business must be received in writing to be considered, and so he would not be able to accept the item as urgent business. The Chairperson proposed that, instead of addressing the matter as urgent business, a Councillor should move a motion to officially note Cr Hemphill's apology so that it was recorded.

Motion

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

That Council consider an item of urgent business relating to Cr Peter Hemphill's leave of absence.

**Not voted upon
Deemed invalid under Governance Rule 11.4.2**

Motion

Moved Cr Pamela Sutton-Legaud, seconded Cr Antoinette Briffa:

That Council accepts an apology from Cr Peter Hemphill.

Carried unanimously

Councillor Movements

Cr Diana Grima left the Chamber at 10.10pm and returned at 10.11pm while the Chairperson was seeking advice on how to proceed with the motion.

Note

If the motion had been permitted to go ahead, the motion would have been: "That Council acknowledges and supports Cr Peter Hemphill's request to extend his leave of absence from 2 August 2024 until 28 August 2024."

12 Supplementary Public Question Time

No Supplementary Public Question Time questions were received.

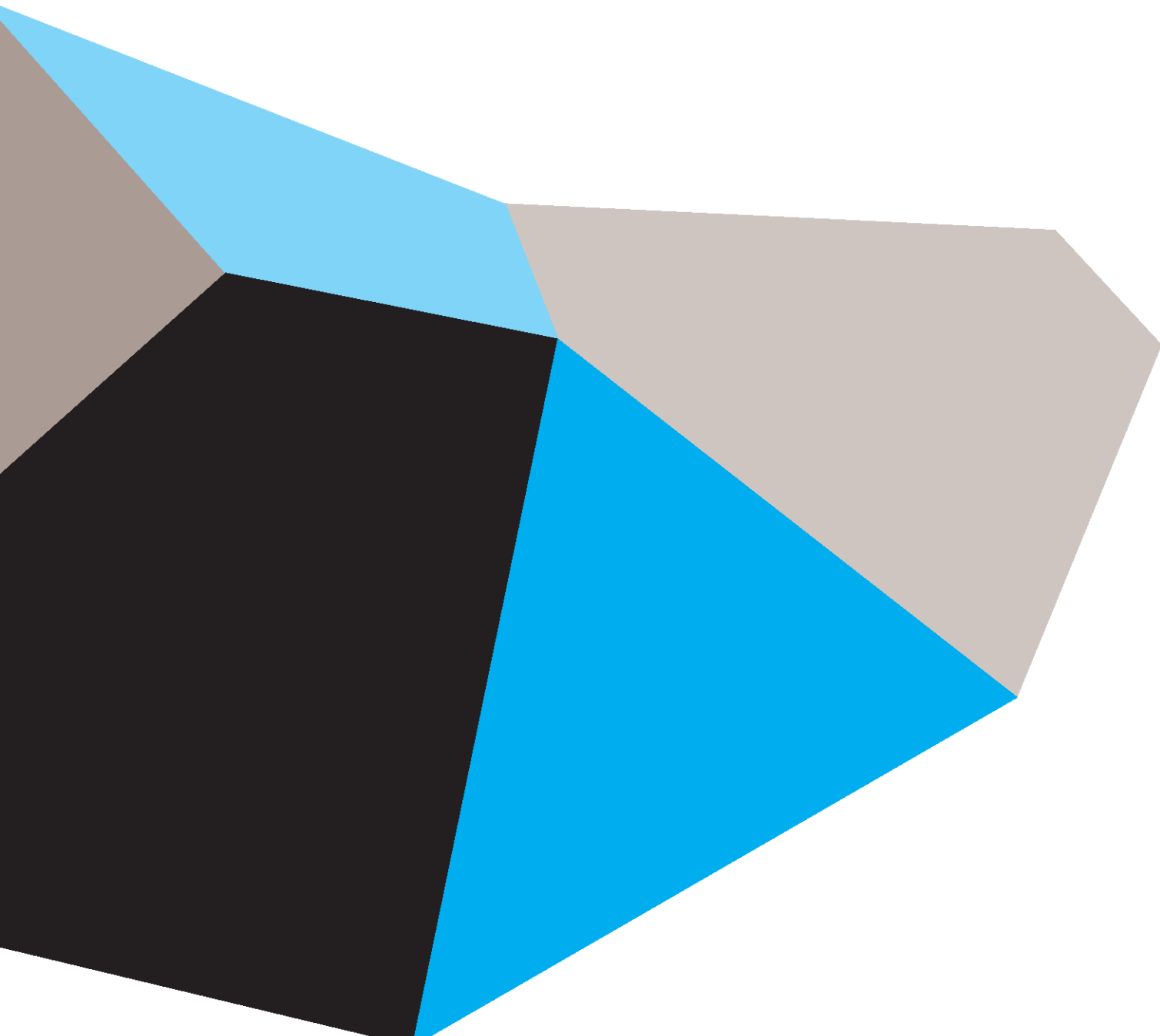
13 Close of Meeting

There being no further business, the Chairperson declared the meeting closed at 10.15pm.

Chairperson – Cr Matt Tyler

Signed and certified as having been confirmed.

Date:



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