

Council Meeting Agenda

Tuesday 8 October 2024
Commencing at 7.00 PM

Council Chamber
Hobsons Bay Civic Centre
115 Civic Parade, Altona

**HOBSONS
BAY CITY
COUNCIL**



COUNCIL CHAMBER

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.

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

Aaron van Egmond
Chief Executive Officer
Hobsons Bay City Council

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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.

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.

4 Confirmation of Minutes

4.1 Confirmation of Minutes

Confirmation of the minutes of the Council Meeting of Hobsons Bay City Council held on 10 September 2024 (copy previously circulated).

5 Councillor Questions

5.1 Councillor Questions

In accordance with Rule 8.8 of the Election Period Policy, Councillors are not permitted to use the public forum provided by the Council Meeting for purposes of campaigning, or to use their position to gain electoral advantage or to disadvantage another candidate. Therefore, Councillors will not be permitted to ask any questions during this meeting.

6 Public Question Time

6.1 Public Question Time

In accordance with Rule 9.4 of the Election Period Policy, Public Question Time will continue to be listed on the agenda during the election period, however the questions will not be read out and will only be responded to in writing.

7 Petitions and Joint Letters

7.1 Petitions and Joint Letters Received

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

7.2 Responses to Petitions and Joint Letters

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

8 Business

8.1 Office of the Chief Executive

8.1.1 CEO Report on Operations - September 2024

This report is being considered by Council during the Election Period. The recommendations, if moved and carried by Council, constitute neither prohibited decisions in accordance with section 69(2) and (3) of the *Local Government Act 2020*, nor significant decisions within the meaning of Council's Election Period Policy.

Councillors are reminded that, under the Hobsons Bay Election Period Policy 2023, they cannot make a significant decision during the Election Period that would be binding on the incoming Council.

Councillors are also not permitted to use the public forum provided by the Council Meeting for purposes of campaigning, or to use their position to gain electoral advantage or to disadvantage another candidate.

Directorate: Office of the Chief Executive

Responsible Officer: Executive Assistant to the Chief Executive Officer

Reviewer: Chief Executive Officer

Attachments: 1. 202409 - Appendix - CEO Report on Operations [8.1.1.1 - 48 pages]

Purpose

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

Recommendation

That Council:

- 1. Receives and notes the Chief Executive Officer's Report on Operations, including details of recent issues and initiatives undertaken by the organisation.**
- 2. Notes that the recommended decisions constitute neither a prohibited decision in accordance with section 69(2) and section 69(3) of the *Local Government Act 2020*, nor significant decisions within the meaning of Council's Election Period Policy.**

Summary

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

Discussion

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

In accordance with rule 10.7.1 of the Hobsons Bay Governance Rules, Council maintains records of meetings attended by Councillors in the CEO's Report on Operations to ensure transparency and equity of information. A summary of meetings for the period between 1 September and 30 September 2024 is provided in this month's report.

Strategic Alignment

Council provides a wide range of services to the community of Hobsons Bay as well as developing and delivering actions to ensure community assets are maintained and service the needs of the community. Each month this report highlights these activities, initiatives and projects and provides a high-level performance summary.

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

Priority 2: Community wellbeing and inter-connection

Council Plan 2021-25

Objective 5: A High Performing Organisation

Strategy 5.4: Enhance transparency, accountability and good governance practice

Declaration of Conflict of Interest

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

Council officers involved in the preparation of this report have no conflict of interest in this matter.

8.2 Corporate Services

8.2.1 Annual Report 2023-24

This report is being considered by Council during the Election Period. The recommendations, if moved and carried by Council, constitute neither prohibited decisions in accordance with section 69(2) and (3) of the *Local Government Act 2020*, nor significant decisions within the meaning of Council's Election Period Policy.

Councillors are reminded that, under the Hobsons Bay Election Period Policy 2023, they cannot make a significant decision during the Election Period that would be binding on the incoming Council.

Councillors are also not permitted to use the public forum provided by the Council Meeting for purposes of campaigning, or to use their position to gain electoral advantage or to disadvantage another candidate.

Directorate: Corporate Services

Responsible Officer: Manager Corporate Integrity and Legal Counsel

Reviewer: Director Corporate Services

Attachments:

1. Annual Financial Report 2024 [8.2.1.1 - 56 pages]
2. Annual Performance Statement 2024 [8.2.1.2 - 22 pages]
3. Annual Report 2024 [8.2.1.3 - 124 pages]

Purpose

To note the Hobsons Bay 2023-24 Annual Report.

Recommendation

That Council:

1. Notes the Hobsons Bay City Council 2023-24 Annual Report in accordance with the legislative requirements of the *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations 2020.
2. Notes that the recommended decisions constitute neither a prohibited decision in accordance with section 69(2) and section 69(3) of the *Local Government Act 2020*, nor significant decisions within the meaning of Council's Election Period Policy.

Summary

Under sections 18(1)(d) and 100(1) of the *Local Government Act 2020*, the Mayor must report at least once each year on the implementation of the Council Plan by presenting the annual report at a Council Meeting open to the public.

The Annual Report, consisting of the Report of Operations, the Annual Financial Report and the Performance Statement is a legislative requirement providing details of Council's operational and financial performance for the 2023-24 financial year.

The Report of Operations includes information on the progress of the 19 initiatives which Council committed to in the 2023-24 budget and Council's performance in the Local Government Performance Reporting Framework (LGPRF) Indicators. The report represents results achieved in relation to the 18 indicators under the five objectives in the Council Plan and the progress of projects in delivering 19 strategies and 59 priorities.

This is the third Annual Report prepared in accordance with section 98 of the *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations 2020. It is also the third year reporting against the Council Plan 2021-25.

16 initiatives were carried over from the previous financial year, with three new initiatives included in the 2023-24 budget. Seven of the planned initiatives have been completed. A number of initiatives will be delivered through a phased approach over the four-year plan; there are 12 currently progressing, which have been carried over into the next financial year.

The 2023-24 results from the LGPRF Performance Indicators showed that Council has improved in 18 of 38 performance measures compared to the previous year.

Background

Council's strategic reporting framework includes the Hobsons Bay 2030 Community Vision which guides Council in identifying the community's needs and aspirations over the long term. Council decides on, plans and aims to deliver the work required to deliver the Vision through the adoption of a four-year Council Plan. The resources required to achieve the strategic objectives in a Council Plan are managed through the Annual Budget process and Council holds itself accountable to the community through the Annual Report.

The Annual Report is a statutory obligation that informs the community about Council's activities, achievements, challenges and financial performance over the year and reports on the delivery of the commitments made in Council Plan 2021-25 and the Annual Budget 2023-24.

Council's performance for the 2023-24 year has been reported against each of the strategic objectives of the Council Plan 2021-25:

- Objective 1: Community – Healthy, equitable and thriving communities
- Objective 2: Environment – Valuing our environment
- Objective 3: Place, Recreation and Economy – Vibrant place and economy
- Objective 4: Community Infrastructure – Visionary community infrastructure
- Objective 5: Organisation – A high performing organisation

Performance has been measured as follows:

- 1. Progress in relation to the initiatives identified in the 2023-24 budget**
Major Initiatives are programs or projects that Council undertakes to support the delivery of the Council Plan.
- 2. Results achieved in relation to the indicators in the Council Plan**
Under each strategic objective in the Council Plan, several indicators have been nominated, as required under the *Local Government Act 2020*, to provide indications of achievement of the objectives. The results are calculated from various data sources, such as the Annual Community Survey results and Council's operational data.
- 3. Results against the LGPRF Performance Indicators**
The Local Government Performance Reporting Framework is a mandatory system of performance reporting for all Victorian councils. It ensures that councils are measuring and reporting on their performance in a consistent way to promote transparency and accountability in the local government sector.
- 4. Progress in relation to the projects in delivering each objective, strategy and priority**
In addition to delivering ongoing core services, Council also delivers projects and actions to improve the services and create more value for the community. The projects are delivered in line with the Council Plan's objectives, strategies and priorities.

The Annual Report also provides information about the elected Council, the organisation, the community and other statutory corporate governance information. Council's overall financial position is reported in the Audited Financial Statements section of the Annual Financial Report.

Discussion

Council initiatives

Council completed seven initiatives committed to in the 2023-24 budget. These initiatives included:

- Altona Meadows Library Building Renewal & Energy Efficiency Upgrades
- Alma Avenue Reserve, Altona Meadows
- Better Places Laverton
- Dennis Reserve master plan implementation
- HC Kim Reserve, Altona - New Pavilion, Female Friendly Change Rooms and Car Park Upgrades
- Bruce Comben Reserve
- Electronic Document Management System (EDMS) and Intranet Project

The remaining initiatives are multi-year projects which have progressed to various degrees and have been carried over into the next financial year.

LGPRF results

The 2023-24 results of the LGPRF Performance Indicators reported improvements in 18 of the 38 measures of service performance compared to the previous year. The highest improvements were:

- Time taken to action food complaints
- Time taken to decide planning applications
- Planning applications decided within required time frames (audited) (target required)
- Sealed local road requests
- Kerbside collection bins missed

11 measures remained consistent (within 2 per cent of the previous year) including:

- Satisfaction with sealed local roads
- Participation in 4-week Key Age and Stage visit
- Sealed local roads maintained to condition standards (audited) (target required)
- Animal management prosecutions (audited)
- Participation in the MCH service by Aboriginal children (audited)
- Infant enrolments in the MCH service
- Cost of elected representation
- Councillor attendance at council meetings
- Food safety assessments
- Community satisfaction rating out of 100 with the performance of council in making decisions in the interest of the community
- Kerbside collection waste diverted from landfill (audited) (target required)

Reductions of performance were observed in 17 of the measures, particularly:

- Animals reclaimed
- Cost of sealed local road resealing
- Cost of kerbside recyclables collection service
- Cost of kerbside garbage bin collection service

The LGPRF Performance Indicators have been shared with the relevant departments across Council to build understanding and foster continuous improvement in the areas where Council performance has declined.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

This report relates to all priorities within the Hobsons Bay 2030 Community Vision.

Council Plan 2021-25

Objective 5: A High Performing Organisation

Strategy 5.4: Enhance transparency, accountability and good governance practice

Policies and Related Council Documents

Related policies and documents include:

- Annual Budget 2023-24
- Council Plan 2021-25

Quarterly reports on the Council Plan initiatives were presented at the Council meetings held on 14 November 2023 and 14 May 2024.

The half year progress report on the Council Plan initiatives and the LGPRF was presented at the Council Meeting held on 13 February 2024.

Legal/Statutory Obligations and Risk

The 2023-24 Annual Report was prepared to meet the operational and financial reporting requirements of sections 98 to 100 of the *Local Government Act 2020* and Part 4 of the Local Government (Planning and Reporting) Regulations 2020.

This is the third Annual Report under the Council Plan 2021-25 and it is also the third to be prepared in accordance with section 98 of the *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations 2020.

Financial and Resource Implications

Production of the Annual Report is funded from Council's operating budget. The number of printed copies is limited to reduce the impact on resources and the environment. The Annual Report is available on Council's website and this continues to be the most popular way the report is viewed.

Environmental, Social and Economic Impacts

The Annual Report provides information on Council's performance for the 202-24 year against the strategic indicators, objectives, strategies and priorities of the Council Plan 2021--25. The Council Plan is developed every four years and is based on the integrated strategic planning and reporting framework that aligns the Hobsons Bay 2030 Community

Vision to the planning, development, resource allocation and service provision that Council undertakes for the Hobsons Bay community.

Consultation and Communication

The Annual Report will be considered at the Council Meeting to be held on 8 October 2024 in accordance with section 100 of the *Local Government Act 2020*. Copies will also be available for inspection at the Hobsons Bay Civic Centre and at all Hobsons Bay Libraries.

Declaration of Conflict of Interest

Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.

Council staff involved in the preparation of this report have no conflict of interest in this matter.

8.3 Sustainable Communities

No reports had been received at the time of printing the agenda.

8.4 Infrastructure and City Services

No reports had been received at the time of printing the agenda.

9 Committee and Delegate Reports

9.1 Committee Reports

9.1.1 Audit and Risk Committee Update - August 2024 Minutes and Biannual Report

This report is being considered by Council during the Election Period. The recommendations, if moved and carried by Council, constitute neither prohibited decisions in accordance with section 69(2) and (3) of the *Local Government Act 2020*, nor significant decisions within the meaning of Council's Election Period Policy.

Councillors are reminded that, under the Hobsons Bay Election Period Policy 2023, they cannot make a significant decision during the Election Period that would be binding on the incoming Council.

Councillors are also not permitted to use the public forum provided by the Council Meeting for purposes of campaigning, or to use their position to gain electoral advantage or to disadvantage another candidate.

Directorate: Corporate Services

Responsible Officer: Manager Corporate Integrity and Legal Counsel

Reviewer: Director Corporate Services

Attachments:

1. Audit and Risk Committee Biannual Report February to July 2024 [9.1.1.1 - 9 pages]
2. Audit and Risk Committee Meeting Minutes - draft [9.1.1.2 - 5 pages]

Purpose

To update Council regarding issues considered at the Audit and Risk Committee meeting held on 28 August 2024. A copy of the Audit and Risk Committee Biannual Report (February to July 2024) is also provided.

Recommendation

That Council:

1. Notes the draft minutes considered by the Audit and Risk Committee at the meeting held on 28 August 2024 to be signed off at the next council meeting.
2. Receives and notes the Audit and Risk Committee Biannual Report (February to July 2024).
3. Notes that the recommended decisions constitute neither a prohibited decision in accordance with section 69(2) and section 69(3) of the *Local Government*

Act 2020, nor significant decisions within the meaning of Council's Election Period Policy.

Summary

This report provides an update of the Audit and Risk Committee meeting held on 28 August 2024 to ensure that Council is informed of the activities of the Audit and Risk Committee. The Audit and Risk Committee Biannual Report for February to July 2024 is also provided in accordance with the requirements of the *Local Government Act 2020*.

Background

The Hobsons Bay City Council Audit and Risk Committee is an independent Committee of Council. The Committee comprises three independent members and two Councillors. The Chairperson is an independent member who has the casting vote. The Mayor and Chief Executive Officer are non-voting members. The Committee meets at least quarterly throughout the year and has a Charter that addresses responsibilities that include risk management, control frameworks, external accountability, legislative compliance and internal and external audits.

The Audit and Risk Committee Biannual Report meets the reporting requirements to Council as mandated by the *Local Government Act 2020* pursuant to section 54(5) and importantly provides Council with a summary of the matters that the Committee has addressed in the reporting period in discharging its responsibilities under its Charter. Councillor members of the Audit and Risk Committee are appointed annually by Council as part of the process of appointing Councillor delegates and proxies to Council and community committees and groups at the final Council Meeting of each year.

Discussion

The 28 August 2024 meeting addressed the following items:

- VAGO Interim Management Letter for the year ended 30 June 2024
- draft Annual Financial Report for the year ended 30 June 2024
- Asset Valuations
- VAGO Closing Report and recommendation to Council
- Chief Executive Officer's update
- statutory compliance update
- outstanding audit recommendations
- Audit and Risk Committee bi-annual report (February to July 2024)
- Governance and management checklist
- internal audit program, including endorsement of proposed scopes
- risk and insurance report
- occupational health and safety report
- quarterly financial report for the period ended 30 June 2024

- cash and investment balances as at 31 July 2024
- Capital Works quarterly report for the period ended 30 June 2024

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2030 Community Vision

This report does not relate to a specific priority of the Hobsons Bay 2030 Community Vision.

Council Plan 2021-25

Objective 5: A High Performing Organisation

Strategy 5.4: Enhance transparency, accountability and good governance practice

Policies and Related Council Documents

The Audit and Risk Committee operates in accordance with the Hobsons Bay Audit and Risk Committee Charter 2022.

Legal/Statutory Obligations and Risk

As an independent committee of Council, appointed by Council pursuant to section 53 of the *Local Government Act 2020*, the Audit and Risk Committee is not a delegated committee as defined by the Act.

The Audit and Risk Committee Charter has been developed having regard to *Audit Committee – A Guide to Good Practice for Local Government*, which was issued in January 2011 by the Minister of Local Government and the Victorian Auditor General's report *Audit Committee Governance* of August 2016 (including the Standing Directions of the Minister for Finance 2016).

It is a requirement under section 54(5) of the *Local Government Act 2020* that the Audit and Risk Committee prepare a biannual audit and risk report which is to be provided to the Chief Executive Officer for tabling at the next Council meeting.

Financial and Resource Implications

The work of the Audit and Risk Committee ensures strategic and independent oversight of Council's operations and risk management practices, and assurance against financial management and financial position. Independent members are compensated for their participation on this committee as provided for in section 53(6) of the *Local Government Act 2020*. Provisions are contained within the Audit and Risk Committee Charter with respect to payment of fees to independent members of the Committee.

There are no unbudgeted financial or resource implications arising from this report.

Environmental, Social and Economic Impacts

There are no specific environmental, social or economic impacts arising from this report.

Consultation and Communication

The minutes from the Audit and Risk Committee meeting held on 28 August 2024 have been reviewed and endorsed, out of session, by the Independent Members who attended the meeting. The meeting minutes will be formally confirmed at the next Audit and Risk Committee meeting on 27 November 2024.

Declaration of Conflict of Interest

Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.

Council staff involved in the preparation of this report have no conflict of interest in this matter.

9.2 Delegate Reports

This report is being considered by Council during the Election Period. The recommendations, if moved and carried by Council, constitute neither prohibited decisions in accordance with section 69(2) and (3) of the *Local Government Act 2020*, nor significant decisions within the meaning of Council's Election Period Policy.

Councillors are reminded that, under the Hobsons Bay Election Period Policy 2023, they cannot make a significant decision during the Election Period that would be binding on the incoming Council.

Councillors are also not permitted to use the public forum provided by the Council Meeting for purposes of campaigning, or to use their position to gain electoral advantage or to disadvantage another candidate.

Purpose

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

Recommendation

That Council:

1. **Receives and notes the recent Delegate Reports.**
2. **Notes that the recommended decisions constitute neither a prohibited decision in accordance with section 69(2) and section 69(3) of the Local Government Act 2020, nor significant decisions within the meaning of Council's Election Period Policy.**

Western Melbourne Tourism Board

Directorate: Sustainable Communities

Councillor Delegate: Cr Pamela Sutton-Legaud

Date of Meeting: 6 September 2024

Attachments: Nil

The Western Melbourne Tourism (WMT) Board met on Friday 6 September 2024.

Key agenda items included:

- Jenny Mitten, Officer at Brimbank City Council, provided a briefing on the proposed Vietnamese Museum in Sunshine
- Richard Ponsford provided an update on the consumer website and brand development on behalf of Mack Nevill from ROAM
- a Year-To-Date budget update was presented alongside an overview of the achievements of the 2023-24 Financial Year

Richard Ponsford, Executive Officer of WMT, also provided updates on:

- Eat Drink Westside 2025 / Westside Wanders program and the proposal for an alternative campaign
- an update on the Namaste Westside project and overview of the research completed
- opportunities with Open House Melbourne for the 2025 program
- opportunities to engage with Western Melbourne Football Club
- the release of the City of Melbourne's Experience Melbourne Plan

10 Notices of Motion

No notices of motion were received.

11 Urgent Business

12 Supplementary Public Question Time

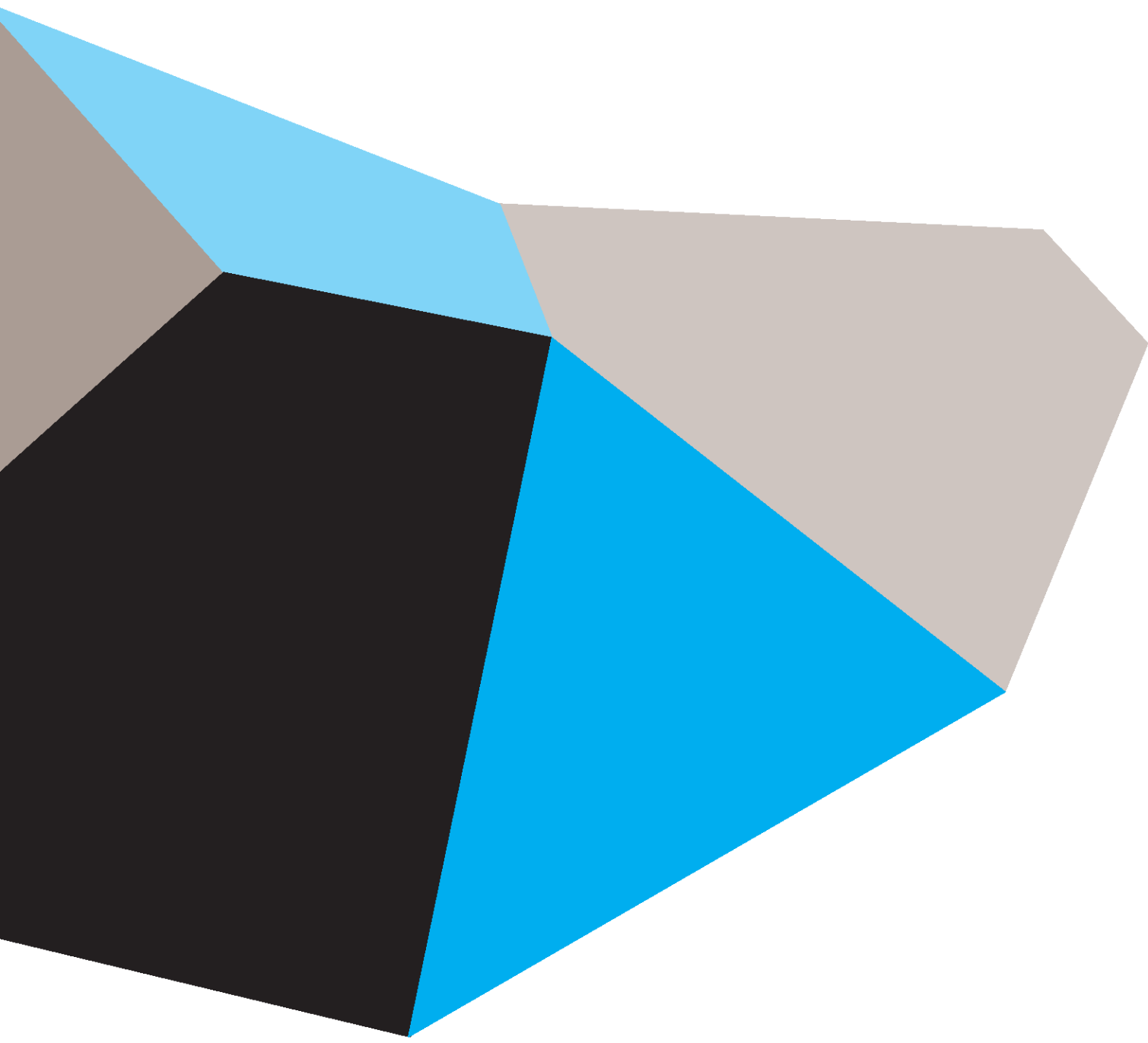
Supplementary Public Question Time provides an opportunity for the public to ask questions directly related to items on the agenda that have arisen during the evening's proceedings.

Where it is not possible to provide a response during the meeting, a written response to the question will be provided promptly.

Written public questions received during the Council Meeting that are not related to items on the agenda will be taken on notice and responded to in writing by the appropriate Council officer, or referred to the next Council Meeting for a public response if so requested by the questioner.

13 In Camera Business

14 Close of Meeting



HOBSONS BAY CITY COUNCIL

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