



Ordinary Meeting of the Council

AGENDA

Date:	Tuesday, 24 March 2020
Time:	7:00pm
Location:	Council Chamber, Civic Centre 699 Doncaster Road, Doncaster

This meeting is convened to transact the business listed below.

Andrew Day
Chief Executive Officer

This meeting will be livestreamed. Members of the public who address Council will be heard on the live audio stream, and audio of them speaking will be recorded. All reasonable efforts will be made to avoid capturing live or recorded video footage of public attendees however there might be incidental capture.

COUNCIL MEETING SEATING PLAN

**ACTING DIRECTOR
CITY SERVICES**
Grant Jack

**DIRECTOR SHARED
SERVICES**
Philip Lee

**MANAGER
COMMUNICATIONS**
Jude Whelan

Andrew Day
Chief Executive Officer

Cr Paul McLeish
Mayor
Mullum Mullum Ward

**GROUP MANAGER
GOVERNANCE & RISK**
Andrew McMaster

Cr Sophy Galbally
Mullum Mullum Ward

Cr Mike Zafiroopoulos AM
Deputy Mayor
Koonung Ward

**SENIOR
GOVERNANCE
ADVISOR**
Carrie Bruce

Cr Michelle Kleinert
Heide Ward

Cr Anna Chen
Koonung Ward

**ACTING DIRECTOR
CITY PLANNING &
COMMUNITY**
Matt Slavin

Cr Paula Piccinini
Heide Ward

Cr Dot Haynes
Koonung Ward

**GROUP MANAGER
APPROVALS AND
COMPLIANCE**
Niall Sheehy

Cr Andrew Conlon
Mullum Mullum Ward

Cr Geoff Gough
Heide Ward

INDEX

1 OPENING PRAYER AND STATEMENTS OF ACKNOWLEDGEMENT2

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE2

3 PRIOR NOTIFICATION OF CONFLICT OF INTEREST.....2

4 CONFIRMATION OF MINUTES.....2

5 PRESENTATIONS.....2

6 PETITIONS2

7 PUBLIC QUESTION TIME.....2

8 ADMISSION OF URGENT BUSINESS2

9 PLANNING PERMIT APPLICATIONS.....2

10 CITY PLANNING & COMMUNITY3

 10.1 Yarra Valley Water Doncaster Hill Recycled Water Project3

11 CITY SERVICES13

12 SHARED SERVICES13

13 CHIEF EXECUTIVE OFFICER.....14

 13.1 ALGA and MAV Motions 202014

 13.2 Appointment of Authorised Officers - Planning and Environment Act 198718

 13.3 Record of Assembly of Councillors22

14 URGENT BUSINESS30

15 COUNCILLORS’ QUESTION TIME30

16 CONFIDENTIAL REPORTS30

 16.1 2 - 14 Websters Road, Templestowe - Feasibility Study Findings30

 16.2 Proposed New Park on Hepburn Road in Doncaster Hill30

**1 OPENING PRAYER AND STATEMENTS OF
ACKNOWLEDGEMENT**

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

3 PRIOR NOTIFICATION OF CONFLICT OF INTEREST

4 CONFIRMATION OF MINUTES

Confirmation of the Minutes of the Ordinary Meeting of Council held on 25 February 2020.

5 PRESENTATIONS

6 PETITIONS

7 PUBLIC QUESTION TIME

8 ADMISSION OF URGENT BUSINESS

9 PLANNING PERMIT APPLICATIONS

There are no Planning Permit Applications.

10 CITY PLANNING & COMMUNITY

10.1 Yarra Valley Water Doncaster Hill Recycled Water Project

File Number:	IN20/123
Responsible Director:	Director City Planning and Community
Attachments:	1 Letter from Yarra Valley Water, 20 February 2020 ↓

EXECUTIVE SUMMARY

The purpose of this report is to consider revoking a previous resolution of Council on 28 August 2012 regarding a proposal by Yarra Valley Water (YVW) for a Doncaster Hill Recycled Water Facility.

The original site selected for a water recycling facility was Tram Road Reserve in Doncaster (a Council owned reserve). However the associated planning application to construct the facility was refused by Council in 2012 on various grounds including adverse amenity impacts, loss of open space and vegetation. Subsequently, Council at this time also resolved to not lease or sell its land in Koonung Ward for a Recycled Water or Sewerage Treatment Plant.

This prompted YVW to initiate a community engagement process in 2017 to identify an alternative site, led by an Independent Panel. The Panel identified a preferred site at Eram Park in Box Hill North in the City of Whitehorse, and planning progressed to investigate this option.

However, since this time, it has been determined by YVW that the alternative location at Eram Park is no longer viable. This is due to the proposed impact of the North East Link (Eastern Freeway widening) and flood/drainage implications. Based on this advice, YVW have determined Tram Road Reserve as the most viable location and the focus of its future plans.

Revoking the motion of 2012 will provide the opportunity for YVW to work with Council to more adequately plan and consider the impacts / opportunities of a proposed facility at Tram Road Reserve. Revoking this previous motion does not however imply that Council supports the proposal at this time. Key issues and community concerns will need to be considered as part of the planning process, with the proposal subject to all the necessary planning and statutory approvals associated with such a facility on public land. It will provide the opportunity however for YVW to engage with Council as a key stakeholder and the land owner to consider a proposal that addresses the need for more sustainable water management practices in urban metropolitan Melbourne.

It should be noted that the current proposal has changed significantly from the previous planning application and now includes:

- to underground the facility (versus a previous above-ground facility);*
- greater retention of open space, minimal structures above ground with the majority of vegetation being retained;*
- potential for park enhancements based on community preferences;*
- a proposed Regional Recycled Water scheme proposed to service a broader area (not just Doncaster Hill) and community assets.*

YVW undertook community consultation and engagement in February 2020, and provided an update to Council. Feedback from the community engagement identified that there is general support for initiatives which will improve the reliability and resilience of our water system, but concerns exist about the impacts of a facility in close proximity to residential areas. These concerns are acknowledged as issues that need to be addressed through the design phase.

RECOMMENDATION

That Council:

- A. revoke Part (B) of its resolution of 28 August 2012 as follows;**
 - (B) *Council undertakes not to lease or sell its land in Koonung for a Recycled Water or Sewerage Treatment Plant.***
- B. note that Yarra Valley Water are reconsidering the proposal to construct an underground recycled water facility at Tram Road Reserve Doncaster to supply Doncaster Hill.**
- C. note that Yarra Valley Water undertook stakeholder and community engagement in February 2020 to address key concerns previously raised by residents. Submission of a planning application to Council for the proposal would be expected in 2021.**

1. BACKGROUND

- 1.1 As a result of a three-way Memorandum of Understanding (MoU) signed in 2009, Yarra Valley Water (YVW), Manningham Council and Melbourne Water undertook a joint study to look at the implications of development in Doncaster Hill and the Eastern Golf Course (Tullamore) on local water supply and sanitation and stormwater management.
- 1.2 As a result of the MoU, a consultant was engaged to look at a range of water management options and projected population growth. This work identified that there may be constraints in water supply that could arise at the full build-out of Doncaster Hill. The provision of alternate water sources (i.e. recycled water) could augment the mains supply and offered improved environmental outcomes.
- 1.3 The *Doncaster Hill Strategy (2004)* and Manningham Council's Planning Scheme requirements for Doncaster Hill encourage the consideration of sustainable resource objectives. The prospect of an alternate water source was seen as a compatible outcome.
- 1.4 In 2010, YVW used its legislative powers to declare Doncaster Hill and the adjoining Eastern Golf Course site as a mandated recycled water supply area. As such, all properties within the area are required by regulation to provide purpose built plumbing to connect toilets to YVW's recycled water network.
- 1.5 At its meeting on 27 July 2010, Council adopted a recommendation to include a requirement for new development in Doncaster Hill to include 'third pipe' plumbing to supply all toilet and laundry needs.

- 1.6 In 2012, YVW submitted a planning application to Council for the construction of a recycled water facility in Tram Road Reserve (Koonung Creek Linear Park), which was subsequently refused by Council. In addition to refusing the permit application on largely amenity grounds, the motion also sought to prohibit land being made available in the Koonung Ward (Doncaster) for the purposes of a recycled water treatment plant.
- 1.7 Since the recycled water area was declared in 2010, over 2,000 dwellings have been constructed in the recycled water area, and there has been a network of underground mains constructed in the Tullamore estate. All residences have internal plumbing that is 'ready' to receive recycled water once it is available.
- 1.8 As such, YVW is again looking to develop a local recycled water facility to supply water into the area.
- 1.9 After further site investigations, YVW has expressed interest in constructing an underground water recycling facility at Tram Road Reserve in Doncaster.
- 1.10 At the SBS meeting on 19 November 2019, YVW presented their revised proposal to Council, outlined their rationale for proceeding with this proposal and outlined their plans to consult with the community.
- 1.11 They also took the opportunity to ask Council to consider how they would like to be engaged and what they would like to see included to achieve a positive outcome for the community.
- 1.12 On 7 February 2020, YVW formally wrote to Council (see **Attachment 1**) regarding the following:
- Outlining some of the historic context and an update on YVW's progress on developing a new proposal for a recycled water treatment facility;
 - Outlining how their revised approach (which included constructing an underground facility) responded to previous community concerns around amenity impacts;
 - Potential mechanisms to improve the community offering beyond just servicing development in the mandated area (e.g. water for irrigation, activation of parkland/ open space improvements in Tram Road Reserve); and
 - Requesting consideration given that components of the previous Council decision relating to land being made available be revoked.
- 1.13 Revocation of part of the motion relating to land tenure would provide an opportunity to further explore improved outcomes for the community prior to any formal planning application process commencing.

2. DISCUSSION / ISSUE

Previous Council decision (2012)

- 2.1 On 28 August 2012, Council considered a proposal to construct a treatment plant within Tram Road Reserve Doncaster to create a source of recycled water to be supplied to new developments in the Doncaster Hill area and the Eastern Golf Course site.

- 2.2 This included the creation of a level site, buildings and works including above ground building to house water treatment equipment, storage tanks, ventilation structures and an access driveway to Grange Park Avenue.
- 2.3 A total of 207 objections were received to the application.
- 2.4 At this meeting, and after a division was called, Council rejected a proposal to defer permit determination until after the status of a referral to EPA was known.
- 2.5 A subsequent motion was proposed and passed as follows:

That

(A) Having considered all objections A REFUSAL be issued in relation to Planning Application No. PL12/022631 for Use and development of land for a Utility Installation (Recycled Water Treatment Plant) on the following grounds:

- 1. The proposal represents an unacceptable loss of parkland area;*
- 2. The operation of the proposal will result in an unacceptable reduction in the functionality of the parkland area;*
- 3. The proposal represents an unacceptable impact on existing native vegetation; and*
- 4. The visual impact of the proposed buildings and works represents an unacceptable amenity impact on local parkland and on local neighbourhood character.*

Council undertakes not to lease or sell its land in Koonung for a Recycled Water or Sewerage Treatment Plant."

- 2.6 The EPA subsequently granted works approval to the YVW application.

In the interim

- 2.7 Since the refusal decision, there has been a considerable amount of building activity in Doncaster Hill and Tullamore which will require a solution to ensure recycled water can be provided.
- 2.8 There have also been progression in state level water policy, which seek to promote the importance of Integrated Water Management (IWM) and place-based planning.
- 2.9 It is considered that the example provided by the development of Doncaster Hill has been influential in setting the IWM agenda with Doncaster Hill continuing to provide an exemplar model for development in established suburbia and at the forefront of leading practice.
- 2.10 The technical work that was undertaken through the MoU process was at the forefront of practice at the time, and was recognised as a finalist in the 2011 Premier's Sustainability Awards, and received a high commendation from Engineers Australia.

Yarra Valley Water revisit proposal (2017)

- 2.11 In 2017 YVW re-affirmed its commitment to the project, and developed a deliberative community engagement approach to engaging with the community to understand concerns, and to evaluate potential sites.
- 2.12 An independent panel was appointed to consult with the community.
- 2.13 Council was briefed prior to the panel commencing its consultation, and provided with a summary of outcomes.
- 2.14 The Independent Panel report identifies that 2,300 responses were received from community members which included opportunities for one-on-one consultation and online feedback.
- 2.15 The Independent Panel recommended Eram Park in Box Hill North (City of Whitehorse) as the preferred location, with Tram Road Reserve in Doncaster as the next alternative suitable location.
- 2.16 In relation to Tram Road Reserve, the Independent Panel synthesised community feedback, and identified that an underground facility was the most popular choice.

Revised Proposal (2019)

- 2.17 The Independent Panel's preferred location, Eram Park has been ruled out as feasible after discussions with the North East Link Authority (NELP) due to potential impacts to Eram Park as a result of the widening of the Eastern Freeway. In addition, the site also presents a number of flooding constraints.
- 2.18 The location at Tram Road Reserve was the second preference identified by the Panel. YVW have indicated that the North East Link alignment does not impact the viability of the Tram Road Reserve site.
- 2.19 YVW will have to undertake further technical feasibility assessments prior to progressing any proposal at Tram Road Reserve.
- 2.20 A broader community engagement program will be undertaken to gather the community's ideas about the design and construction of the proposed facility and park improvement opportunities.
- 2.21 While the focus of YVW has returned to the original site, the nature of the project has changed considerably, informed by extensive stakeholder and community engagement and addressing key concerns previously raised by residents.
- 2.22 Most significant is that the undergrounding of the facility will retain existing open space and addresses the substantive issues articulated in the previous permit refusal.
- 2.23 There will be impacts during construction, and reinstatement will need to be factored in so that open space is retained and potentially enhanced. On the basis of concepts presented thus far, this is considered possible.

- 2.24 Since 2012, an underground recycled water facility has been constructed in Yarra Park (located immediately outside the MCG) that is of a similar capacity. This provides a comparative benchmark against which to assess any proposal from YVW.
- 2.25 Based on YVW's correspondence any revised proposal will substantially differ from previous, with key changes are summarised below:

Previous Proposal (2012)	Current Proposal (2019)
Above ground facility	Underground facility
Loss of open space	Retains open space, minimal structures, retains majority of vegetation – potential park enhancements based on community preferences.
Only supplies Doncaster Hill development (no apartments yet constructed)	Regional Recycled Water scheme proposed to service a broader area and community assets <ul style="list-style-type: none"> • 1300 properties are now ready for recycled water, and recycled water can be available for future development. • Supply of recycled water to irrigate community parks, ovals and gardens. • Discounted recycled water process for community assets – 50% reduction in cost of water to Council • Opportunity to irrigate nearby residents' gardens.

3. COUNCIL PLAN / STRATEGY

- 3.1 Under the *Council Plan 2017-21*, consideration of this issue relates to the following goals:

- A healthy, resilient and safe community
- 2.4 Well utilised and maintained community infrastructure
- 3.2 Reduce our environmental impact and adapt to climate change

- 3.2 The *Doncaster Hill Strategy (2004)* actively promotes principles for Ecologically Sustainable Development (ESD) including for water conservation that consider emerging technology and continuous innovation to ensure the successful development of a sustainable urban village. Such ESD principles have been embedded into Manningham's Planning Scheme requirements (e.g. through conditions placed on permits in relation to recycled water) since YVW mandated its recycled water supply area in 2010. YVW state that this proposal has the potential to provide recycled water to 5,000 properties and will help save 2.5 million litres of drinking water every week.

- 3.3 At its meeting on 28 January 2020 Manningham Council unanimously agreed to declare a climate emergency. Supporting sustainable development and alternate water sources are tangible ways in which the adverse impacts of climate change can be mitigated.

4. IMPLEMENTATION

4.1 Timing

4.1.1 Adopting the recommendation to revoke the previous resolution will provide Council the opportunity to engage in discussions with YVW about the proposal. YVW will then develop a proposal in consultation with Council and the community subject to feedback received from the community information sessions to be held in February 2020.

4.1.2 It is expected that a revised planning application will be lodged with Council in 2021.

4.2 Finance / Resource Implications

4.2.1 There are no direct financial implications to Council as a result of the recommendation being adopted.

4.3 Communication and Engagement

4.3.1 In February 2020 YVW notified local media and approximately 12,000 residents of its intention to progress the development of an underground recycled water treatment facility.

4.3.2 On 22 and 26 February 2020, YVW conducted a drop in session which was attended by 69 people. Feedback from these sessions show that the majority of people understood the need for and were generally supportive of recycled water, but there were concerns about the location and impacts. YVW have identified these as issues that will need to be addressed through subsequent design phases.

4.3.3 Yarra Valley Water propose further consultation as the design progresses. Until a formal proposal is received, Council is unable to provide comment other than to note that due process will be followed should a planning application be received.

4.3.4 All community enquiries on the proposal will be directed to YVW as the proponent of the project.

5. DECLARATIONS OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.



YARRA VALLEY WATER LTD
ABN 93 066 902 501

Lucknow Street
Mitcham Victoria 3132

Private Bag 1
Mitcham Victoria 3132

DX 13204

F (03) 9872 1353

E enquiry@yvw.com.au
yvw.com.au

20 February 2020

Mr Andrew Day
CEO
Manningham City Council
699 Doncaster Rd
Doncaster VIC 3108

Doncaster Hill Recycled Water Project

Dear Andrew,

I am writing to provide an update on our progress towards building an underground water recycling facility to service residents in Manningham. We are keen to discuss next steps to consolidate a partnership approach as Yarra Valley Water prepares to launch the next round of engagement with the community in 2020.

As you are aware, the project has a long history, commencing with a Memorandum of Understanding between Manningham Council, Melbourne Water and Yarra Valley Water to explore alternative servicing and mandating Doncaster Hill as a recycled water area. This included requiring new developments to install a third 'purple pipe' system for flushing toilets and irrigation. The agreement arose due to a joint desire to pursue growth that is more sustainable, concerns about a hotter and drier climate and to help drought-proof our city and secure our water supply for the future.

The original site selected in conjunction with Manningham for a water recycling facility was Tram Road Reserve, however the Council of the day rejected a planning permit in response to community feedback. This prompted Yarra Valley Water to initiate an extensive community engagement process in 2017 to identify a suitable site, led by an Independent Panel. The Panel identified Eram Park in Box Hill North as the preferred site and also recommended considering an underground facility. Since that time Yarra Valley Water has focused its investigation and planning on Eram Park as the preferred site for an underground facility.

The Victorian Government's North East Link (NEL) project has progressed in tandem with ours, and Yarra Valley Water has worked closely with NEL to coordinate our project with their proposals. Most recently, following detailed investigations undertaken by both projects, and consultation with Melbourne Water, it became clear that due to the proposed changes to the Eastern Freeway there will be an increase in the extent of water run-off expected to occur at the park which provides flood water storage.

On 5 December, the Minister for Planning released the North East Link's Independent Inquiry and Advisory Committee's recommendations, together with an assessment of the environmental effects of the project. The release of these documents was important in order to fully understand whether the proposed changes to the Eastern Freeway would be impacted by the recommendations.

We have now carefully considered these recommendations, and in mid-January 2020 NEL confirmed that, notwithstanding ongoing efforts to reduce the footprint of the Eastern Freeway in this area, the important role of Eram Park in storing floodwater will remain critical. This advice has definitively confirmed that Eram Park is no longer a viable site for an underground facility. Given the information provided by NEL, we have revisited the Independent Panel's recommendations, which identified Tram Road Reserve in Doncaster as the next most preferred site. Tram Road Reserve is now the focus of our investigations. Discussions with NEL indicate that this Reserve is outside the construction footprint of NEL.

While we have returned our focus to the original site, our project has changed considerably, informed by extensive stakeholder and community engagement and addressing key concerns previously raised by residents. I have summarised the key changes below:

Previous Proposal	Current Proposal
Above ground facility	Underground facility
Loss of open space	Retains open space, minimal structure, retains majority of vegetation – potential park enhancements based on community preferences
Only supplies Doncaster Hill development (no apartments yet constructed)	Regional Recycled Water scheme proposed to service a broader area and community assets <ul style="list-style-type: none"> • 1300 properties are now ready for recycled water, and recycled water can be available for future development • Supply of recycled water to irrigate community parks, ovals and gardens • Discounted recycled water prices for community assets – 50% reduction in cost of water to Council • Opportunity to irrigate nearby residents' gardens

Council's support is crucial for this project to proceed and to deliver the best outcomes for the community we both serve. Yarra Valley Water has commenced community engagement on the design, park amenity, access to recycled water and construction and operational impacts of the underground recycled water facility. At the same time, we will need to work with Council to acquire an easement in Tram Road Reserve and obtain any required planning permits - and address Council's former resolution not to sell land in Koonung Ward for a recycled water facility.

Attached to this letter is a short presentation providing further detail on the project, including a draft timeline of proposed next steps.

This is an exciting opportunity for Council to partner with us and for both organisations to demonstrate progressive leadership in environmental sustainability and climate change response. I welcome the opportunity to further discuss and formalise how we can move forward collaboratively to bring recycled water to Manningham.

Yours sincerely,

11 CITY SERVICES

There are no City Services reports.

12 SHARED SERVICES

There are no Shared Services reports.

13 CHIEF EXECUTIVE OFFICER

13.1 ALGA and MAV Motions 2020

File Number:	IN20/174
Responsible Director:	Chief Executive Officer
Attachments:	1 2020 - ALGA NGA - Motion - Waste ↓
	2 2020 - MAV May State Council Motion - Waste ↓

EXECUTIVE SUMMARY

Each year local government is given the opportunity to submit advocacy motions to peak bodies; Municipal Association of Victoria (MAV) and the Australian Local Government Association (ALGA).

This report seeks endorsement of the proposed motion for the ALGA National General Assembly, June 2020 and the May MAV State Council.

1. RECOMMENDATION

That Council endorse the advocacy motions for the 2020 ALGA National General Assembly and the May 2020 MAV State Council as shown in Attachments 1 and 2 to this report.

2. BACKGROUND

The Australian Local Government Association (ALGA) is the national voice of local government, representing 537 councils across the country. ALGA National General Assembly (NGA) 2020 is focussed on partnerships and working together. Motions should have an emphasis on how Local Government can work in partnership with the Australian Government to address the challenges our communities face or the opportunities that are arising.

The Municipal Association of Victoria (MAV) is the state peak body for local government. MAV motions must have state-wide significance to the sector, relate to one of the sector's priority issues in the MAV Strategic Plan 2019 - 2021 and MAV will not consider issues that have already been adopted at a previous meeting of State Council or are current campaigns.

3. DISCUSSION / ISSUE

3.1 ALGA National General Assembly

To be eligible for inclusion, and subsequent debate at NGA, motions must be:

- relevant to the work of local government nationally
- not be focussed on a specific location or region
- be consistent with the theme of NGA
- complement or build on the policy objectives of the association.
- propose a clear action and outcome

- not be advanced on behalf of a third party that may seek the use the NGA to apply pressure on Board members or gain political exposure for positions that are not directly relevant to the work of, or in the national interest of local government.

3.2 MAV State Conference

Issues already adopted at a previous State Council constitute policy directions of the MAV and remain active until the issue is resolved.

New motions should relate to either new, or variations to, existing policy directions'. A number of key advocacy issues for Manningham are already included in the MAV Strategic Workplan.

4. IMPACTS AND IMPLICATIONS

If the motion was successful in stimulating changes, there could be significant social and economic benefit to our community.

5. IMPLEMENTATION

5.1 Finance / Resource Implications

There will be no finance / resource implications in submitting the motion

5.2 Communication and Engagement

There will be no communication and engagement implications in submitting the motion

5.3 Timelines

The Motion will need to be considered at the March Ordinary Council Meeting to meet the ALGA NGA and MAV State Council timelines.

6. DECLARATIONS OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

ALGA National General Assembly June 2020 Motion

That the National General Assembly call on the Federal Government to provide leadership and allocate appropriate funding to local government to cover the extra resources and costs needed to implement a coordinated response to the waste management crisis occurring in Australia.

*National Objective – Why is this a national issue and why should this be debated at NGA?
250 words*

- Australia is struggling to respond to the waste crisis and all state governments are developing siloed approaches to manage this. For instance the Victorian State Government has produced the 'Recycling Victoria' policy, which recognises significant change and investment is required in Victoria's waste sector to minimise waste and improve recovery of valuable resources.
- Victoria's policy will introduce a fourth (purple lidded) kerbside bin; promote investment in recycling infrastructure; market development for recovered materials; introduction of a container deposit scheme; community education campaigns and strengthened industry oversight, as well as introduce a new regulatory body. It is clear that without a coordinated approach and leadership from the national level, duplication of effort and possible conflicting solutions to the issue is inevitable.
- Victoria's policy also acknowledges that councils will need to tailor service models to meet the needs of their communities; there is no one-size-fits-all approach. Leadership on a National standard for kerbside system and service delivery is needed.
- The lack of leadership and action by the Commonwealth on waste issue is frustrating as it forcing State Governments across Australia to 'go it alone'.
- To assist in achieving the State's goals, it is imperative that the Commonwealth introduce national product stewardship schemes which require companies to minimise waste output or otherwise take responsibility for the environmental impacts of their products.
- The decision by the State to double the landfill levy over the next three years is not unexpected however there is a concern that the money raised through the levy is not being fully invested back into the resource recovery system

Summary of key argument - background information and supporting arguments

- Every State is struggling to implement the behavioural change required to achieve lasting beneficial outcomes to the way we produce, consume and dispose of goods.
- Without strong coordinated leadership from the national level, State governments will inevitably create policies, and less sustainable implementation solutions to achieve the desired circular economy outcomes.
- To implement the policy recommendations to reduce waste levels it is imperative that both seed and ongoing funding is allocated to councils to cover the costs of implementing and delivering waste initiatives as well as incentivise, guide and embed solutions that turn the tide on waste.
- It is anticipated that the \$129 million funding support for kerbside bin reform will only cover a portion of the implementation costs for councils. The long term operational costs of any new initiative will be far greater than any introductory cost and will be a cost borne by the councils. More funding assistance will be required to reduce impacts on households.
- It will be critical that the Federal Government works closely with State and Local Governments, industry and others to achieve best outcomes for the community.

2020 MAV May State Council Motion**1. Name of Motion – Waste****2. Motion**

That the State Council call on the State Government to allocate appropriate funding to cover the extra resources and costs needed to implement the new circular economy policy, *Recycling Victoria*.

3. Rationale for Motion

- Change is required in the way we produce, consume and dispose of goods to achieve lasting beneficial outcomes to the community.
- The State Government's 'Recycling Victoria' policy recognises significant change and investment is required in Victoria's waste sector to minimise waste and improve recovery of valuable resources.
- This policy will promote investment in recycling infrastructure; market development for recovered materials; introduction of a container deposit scheme; community education campaigns and strengthened industry oversight.
- The policy acknowledges that councils will need to tailor service models to meet the needs of their communities; there is no one-size-fits-all approach.
- As with all policies, effective implementation will be essential to achieve the desired circular economy outcomes.
- To implement the policy recommendations to reduce waste levels it is imperative that both seed and ongoing funding is allocated to councils to implement waste initiatives as well as incentivise, guide and embed solutions that turn the tide on waste.
- The decision to double the landfill levy over the next three years is not unexpected however there is a concern that the money raised through the levy is not being fully invested back into the resource recovery system.
- It will be critical that the State works closely with councils, industry and others to achieve best outcomes for the community.

13.2 Appointment of Authorised Officers - Planning and Environment Act 1987

File Number:	IN20/175
Responsible Director:	Chief Executive Officer
Attachments:	1 Instrument of Appointment and Authorisation - Stewart Mala ↓
	2 Instrument of Appointment and Authorisation - Emily Vile ↓

EXECUTIVE SUMMARY

In accordance with the Planning and Environment Act 1987(the Act), Council is required to authorise officers for the purpose of enforcing the provisions of the Act. It is proposed to appoint the Council officers detailed below as Authorised Officers pursuant to Section 147(4) of the Act.

1. RECOMMENDATION

In the exercise of the powers conferred by section 224 of the *Local Government Act 1989* and the other legislation referred to in the attached instrument of appointment and authorisation, Council resolves that:

- A. the following Council Officers be appointed as authorised officers:**
- Stewart Mala – Planning Compliance Officer
 - Emily Vile – Town Planner
- B. the instruments will come into force immediately upon execution and will remain in force until Council determines to vary or revoke the Instruments or the officer ceases their employment with Council; and**
- C. the Instruments be signed and sealed.**

2. BACKGROUND

- 2.1 The *Planning and Environment Act 1987* (the Act) regulates enforcement of the Act and is reliant on authorised officers acting on behalf of the Responsible Authority which is Council.
- 2.2 The Act, unlike the *Local Government Act 1989*, does not permit appointments to be made by the Chief Executive Officer and therefore in order for the officer to legally undertake the duties of their position under the Act, it is necessary for Council to make appointments by formal resolution.
- 2.3 The Instruments of Appointment and Authorisation has been prepared based on advice from Maddocks Lawyers and empowers the relevant officer to exercise those powers granted in the Instrument.

- 2.4 The appointments will come into force immediately upon execution under the Seal of Council and will remain in force until varied or revoked by Council or the officer ceases employment with Council.
- 2.5 In addition to the appointment under the Act, Council pursuant to Section 224 of the *Local Government Act 1989*, may appoint any person other than a Councillor to be an authorised officer for the purposes of the administration and enforcement of most other Acts, Regulations or Local Laws which relate to the functions and powers of Council. This broader Instrument of Appointment and Authorisation has already been carried out, in respect to the designated officer, under the delegated authority of the Chief Executive Officer as the first part of a dual appointment process.
- 2.6 The appointment form will be recorded in the Authorised Officers Register that is required to be kept by Council and is available for public inspection.

3. DECLARATIONS OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Stewart Mala

By this instrument of appointment and authorisation Manningham City Council -

- 1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 2. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument comes into force immediately upon its execution and remains in force until varied or revoked.

This instrument is authorised by a resolution of the Manningham City Council on 24 March 2020.

The Common Seal of)
Manningham City Council)
was hereunto affixed)
in the presence of:)

Mayor

Chief Executive Officer

Date:

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Emily Vile

By this instrument of appointment and authorisation Manningham City Council -

- 1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 2. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument comes into force immediately upon its execution and remains in force until varied or revoked.

This instrument is authorised by a resolution of the Manningham City Council on 24 March 2020.

The Common Seal of)
Manningham City Council)
was hereunto affixed)
in the presence of:)

Mayor

Chief Executive Officer

Date:

13.3 Record of Assembly of Councillors

File Number:	IN20/107
Responsible Director:	Chief Executive Officer
Attachments:	<ol style="list-style-type: none">1 Healthy City Advisory Committee - 19 February 2020 ↓2 Open Space and Streetscape Advisory Committee - 24 February 2020 ↓3 Arts Advisory Committee – 26 February 2020 ↓4 Access and Equity Advisory Committee - 2 March 2020 ↓5 Strategic Briefing Session - 3 March 2020 ↓6 Strategic Briefing Session – 10 March 2020 ↓

EXECUTIVE SUMMARY

Section 80A of the Local Government Act 1989 requires a record of each meeting that constitutes an Assembly of Councillors to be reported to an ordinary meeting of Council and those records are to be incorporated into the minutes of the Council Meeting.

1. RECOMMENDATION

That Council note the Records of Assemblies for the following meetings and that the record be incorporated into the minutes of this Council Meeting:

- **Healthy City Advisory Committee - 19 February 2020**
- **Open Space and Streetscape Advisory Committee - 24 February 2020**
- **Arts Advisory Committee – 26 February 2020**
- **Access and Equity Advisory Committee 2 March 2020**
- **Strategic Briefing Session – 3 March 2020**
- **Strategic Briefing Session – 10 March 2020**

2. BACKGROUND

2.1 An Assembly of Councillors is defined in the *Local Government Act 1989* as a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of the Council staff which considers matters that are intended or likely to be:-

2.1.1 The subject of a decision of the Council; or

2.1.2 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 committee established under section 139, a club, association, peak body, political party or other organisation.

2.2 An advisory committee can be any committee or group appointed by council and does not necessarily have to have the term 'advisory committee' in its title.

2.3 Written records of Assemblies are to include the names of all Councillors and members of Council staff attending, a list of matters considered, any conflict of interest disclosures made by a Councillor and whether a Councillor who has disclosed a conflict of interest leaves the meeting.

3. DISCUSSION / ISSUE

3.1 The Assembly records are submitted to Council, in accordance with the requirements of Section 80A of the Local Government Act 1989. The details of the following Assemblies are attached to this report.

- Healthy City Advisory Committee - 19 February 2020
- Open Space and Streetscape Advisory Committee - 24 February 2020
- Arts Advisory Committee – 26 February 2020
- Access and Equity Advisory Committee 2 March 2020
- Strategic Briefing Session – 3 March 2020
- Strategic Briefing Session – 10 March 2020

4. DECLARATIONS OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

Record of an Assembly of Councillors

Manningham City Council

Healthy City Advisory Committee Meeting

Meeting Date: Wednesday 19 February
Venue: Council Chamber, Civic Office, 699 Doncaster Rd, Doncaster
Starting Time: 3pm

1. Councillors Present:
Cr Paul McLeish, Mayor

Officers Present:

Angelo Kourambas, Director City Planning and Community
Matt Slavin, Manager Integrated Planning
Bronwyn Morphett, Coordinator Social Planning and Community Development
Barb Ryan, Community Planner
Janae Hendrey, Social Planning and Development Officer
Katrine Gabb, Community Development Officer

2. Disclosure of Conflicts of Interest
n/a

3. Items Considered

1. **Welcome to Country and Introductions**
2. **Apologies**
3. **Confirmation of previous minutes**
4. **Strategic Planning Presentation**
5. **Afternoon Tea**
6. **Healthy City – planning for the Healthy City strategy 2021-25 and Planning for next Healthy City Action Plan iteration 20-21**
7. **Healthy City Partnership Evaluation Review**
8. **Collaborative Actions Areas**
9. **Other Business**
10. **Next Meeting**

Finishing time - The meeting ended at 5pm

Record of an Assembly of Councillors

Manningham City Council

Open Space and Streetscape Advisory Committee

Meeting Date: Mon 24 February 2020
Venue: Koonung Room
Starting Time: 6pm

1. **Councillors Present:**
Cr Geoff Gough (Chair)
Cr Anna Chen
Cr Andrew Conlon

Officers Present:
Matt Slavin
Carrie Lindsay
Helen Napier

2. **Disclosure of Conflicts of Interest**
No conflicts

3. **Items Considered**

1. Welcome and introductions
2. Apologies
3. Conflicts of interest
4. Confirmation of previous minutes
5. Action Items
6. Whether to co-op a community member to replace the one who resigned due to no show
7. Streetscape across the municipality as a result of the success of George Streets ornamental pear planning. Do we have an updated strategy and action plan?
8. Concerns around the fire risk associated with the extent of the undergrowth and dead wood in our parks
9. Update on new park for Hepburn Road
10. Update on Ruffey Lake Park landscape Masterplan
11. Update on Urban Design Capital upgrades
12. Open Space Land Acquisition
13. Yarra Strategic Plan
14. NELP
15. Next Meeting

Finishing time

The meeting ended at 8.05pm

Record of an Assembly of Councillors

Manningham City Council

Arts Advisory Committee

Meeting Date: Tuesday 26 February 2020

Venue: Function Room 2, Civic Office, 699 Doncaster Rd, Doncaster

Starting Time: 4pm

1. Councillors Present:

Councillor Paula Piccinini – Heide Ward

Officers Present:

Lee Robson, Group Manager Community Programs

Justin Hanrahan, Manager Economic & Community Wellbeing

Michelle Zemancheff, Arts & Culture Lead

2. Disclosure of Conflicts of Interest

No conflicts of interest declared.

3. Items Considered

3.1. Minutes of the previous meeting.

3.2. Business arising.

3.3. Annual review survey.

3.4. Imagine Manningham 2040.

3.5. Prospective assessment panel representation.

3.6. Arts Manningham network development.

3.7. Other business.

Finishing time

The meeting ended at 5.30pm

Record of an Assembly of Councillors

Manningham City Council

Access and Equity Advisory Committee

Meeting Date: Mon 2 March 2020

Venue: Koonung Room

Starting Time: 5pm

1. Councillors Present:

Cr Paul McLeish

Officers Present:

Bronwyn Morphet

Katrine Gabb

Janae Hendrey

2. Disclosure of Conflicts of Interest

No conflicts

3. Items Considered

1. **Welcome and introductions**
2. **Confirmation of Previous Minutes and Actions**
3. **Welcoming Cities**
4. **Manningham City Council front counter and foyer re-development**
5. **Committee partnership strategic planning and next steps**
6. **State disability plan consultation update**
7. **Committee Members update**
8. **Other Business**
9. **Next Meeting Dates Proposed Bi-Monthly**

Finishing time

The meeting ended at 7.15pm

Record of an Assembly of Councillors

Manningham City Council

Strategic Briefing Session

Meeting Date: 3 March 2020
Venue: Council Chamber, Civic Office, 699 Doncaster Rd, Doncaster
Starting Time: 6:30pm

1. Councillors Present:

Cr Paul McLeish (Mayor), Cr Mike Zafiroopoulos (Deputy Mayor), Cr Anna Chen, Cr Andrew Conlon, Cr Geoff Gough, Cr Dot Haynes, Cr Michelle Kleinert and Cr Paula Piccinini

Apologies from Councillors:

Cr Sophy Galbally

Executive Officers Present:

Angelo Kourambas, Acting CEO
Leigh Harrison, Director City Services
Philip Lee, Director Shared Services
Andrew McMaster, Corporate Counsel and Group Manager Governance & Risk

Other Officers in Attendance:

Carrie Bruce, Senior Governance Advisor
Kim Tran, Governance Officer
Matt Slavin, Manager Integrated Planning
Lydia Winstanley, Senior Strategic Planner
Andrew Allan, Strategic Water Engineer
David Bellchambers, Manager Information Technology
Molley Qi, Manager Procurement

2. Disclosure of Conflicts of Interest

Nil.

3. Items Discussed

- 3.1 Doncare – Social Support Services Contract Update
- 3.2 Liveable City Strategy and Doncaster Hill Strategy Review Update (confidential)
- 3.3 Yarra Valley Water Doncaster Hill Recycled Water Project
- 3.4 Cyber Security Overview
- 3.5 Social Procurement Strategy

The meeting ended at 10.22pm

Record of an Assembly of Councillors

Manningham City Council

Strategic Briefing Session

Meeting Date: 10 March 2020
Venue: Council Chamber, Civic Office, 699 Doncaster Rd, Doncaster
Starting Time: 6:30pm

1. Councillors Present:

Cr Paul McLeish (Mayor), Cr Mike Zafiroopoulos (Deputy Mayor), Cr Anna Chen,
Cr Andrew Conlon, Cr Sophy Galbally, Cr Geoff Gough, Cr Dot Haynes,
Cr Michelle Kleinert and Cr Paula Piccinini

Apologies from Councillors:

Nil.

Executive Officers Present:

Andrew Day, Chief Executive Officer
Grant Jack, Acting Director City Services
Angelo Kourambas, Director City Planning & Community
Andrew McMaster, Corporate Counsel and Group Manager Governance & Risk

Other Officers in Attendance:

Carrie Bruce, Senior Governance Advisor
Matt Slavin, Manager Integrated Planning
Frank Vassilacos, Coordinator City Planning
Gabrielle O'Halloran, Senior Strategic Planner
Anna Bunbury, Senior Open Space Planner
Cormac McCarthy, Senior Open Space Development Officer
Jude Whelan, Manager Communications

2. Disclosure of Conflicts of Interest

Nil.

3. Items Discussed

- 3.1 2 - 14 Websters Road, Templestowe - Feasibility Study Findings (Confidential)
- 3.2 Draft 10 Year Parks Improvement Program (Confidential)
- 3.3 Open Space Land Acquisitions (Confidential)
- 3.4 Schramms Cottage Visitor Centre
- 3.5 Proposed new park on Hepburn Road in Doncaster Hill (Confidential)
- 3.6 Mountain Biking in Manningham
- 3.7 ALGA Motion 2020
- 3.8 Advisory Committees

The meeting ended at 10.12pm

14 URGENT BUSINESS**15 COUNCILLORS' QUESTION TIME****16 CONFIDENTIAL REPORTS****16.1 2 - 14 Websters Road, Templestowe - Feasibility Study Findings**

This information has been designated in writing as confidential information by the Chief Executive Officer pursuant to S77(2)(c) of the Local Government Act 1989. The relevant ground applying is S89(2)(h) of the Act concerning Any other matter which the Council or special committee considers would prejudice the Council or any person.

16.2 Proposed New Park on Hepburn Road in Doncaster Hill

This information has been designated in writing as confidential information by the Chief Executive Officer pursuant to S77(2)(c) of the Local Government Act 1989. The relevant ground applying is S89(2)(h) of the Act concerning Any other matter which the Council or special committee considers would prejudice the Council or any person.