

MANNINGHAM

Ordinary Meeting of the Council

MINUTES

Date:	Tuesday, 28 January 2020
Time:	7:00pm
Location:	Council Chamber, Civic Centre 699 Doncaster Road, Doncaster

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**MANNINGHAM CITY COUNCIL
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL
HELD ON 28 JANUARY 2020 AT 7:00PM
IN COUNCIL CHAMBER, CIVIC CENTRE
699 DONCASTER ROAD, DONCASTER**

The meeting commenced at 7pm.

PRESENT: Councillor Paul McLeish (Mayor)
Councillor Mike Zafiroopoulos (Deputy Mayor)
Councillor Anna Chen
Councillor Andrew Conlon
Councillor Sophy Galbally
Councillor Geoff Gough
Councillor Dot Haynes
Councillor Michelle Kleinert
Councillor Paula Piccinini

OFFICERS PRESENT: Chief Executive Officer, Mr Andrew Day
Director City Services, Mr Leigh Harrison
Director City Planning & Community, Mr Angelo Kourambas
Director Shared Services, Mr Philip Lee
Corporate Counsel and Group Manager Governance & Risk,
Mr Andrew McMaster

**1 OPENING PRAYER AND STATEMENTS OF
ACKNOWLEDGEMENT**

The Mayor read the Opening Prayer & Statements of Acknowledgement.

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

There were no apologies.

3 PRIOR NOTIFICATION OF CONFLICT OF INTEREST

The Chairperson asked if there were any written disclosures of a conflict of interest submitted prior to the meeting and invited Councillors to disclose any conflict of interest in any item listed on the Council Agenda.

There were no disclosures made.

4 CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

MOVED: CR SOPHY GALBALLY
SECONDED: CR MICHELLE KLEINERT

That the Minutes of the Ordinary Meeting of Council held on 10 December 2019 be confirmed.

CARRIED

5 PRESENTATIONS

5.1 Condolence Motion - Mr Robert Douglas White

The Mayor acknowledged the recent passing of former Mayor and Councillor Robert Douglas White. Mr White served as a Councillor for the Shire and City of Doncaster and Templestowe from 1966 to 1980, including one term as Mayor in 1973/74.

COUNCIL RESOLUTION

MOVED: CR ANDREW CONLON
SECONDED: CR PAULA PICCININI

That Council:

- **place on record its sadness and regret at the recent passing of Mr Robert Douglas White;**
- **record its appreciation for the contribution by Mr White during his term as Mayor and Councillor for the Shire and City of Doncaster and Templestowe; and**
- **extend its sympathy and condolences to Mr White's family at this very difficult time.**

CARRIED

5.2 Condolence Motion - Mr Alan Fotheringham

The Mayor acknowledged the recent passing of Mr Alan Fotheringham. Mr Fotheringham was a longstanding member of Manningham's Audit and Risk committee for nine years between 2010 - 2019, including the role of chairperson from 2013-2017. Mr Fotheringham brought considerable public value to the citizens of Manningham during his time on the committee.

COUNCIL RESOLUTION

MOVED: CR DOT HAYNES
SECONDED: CR MICHELLE KLEINERT

That Council:

- place on record its sadness and regret at the recent passing of Mr Alan Fotheringham;
- record its appreciation for the contribution by Mr Fotheringham during his term as Committee member for the Audit and Risk Committee; and
- extend its sympathy and condolences to Mr Fotheringham's family at this very difficult time.

CARRIED

5.3 Australia Day Honours List

The Mayor acknowledged the following Manningham residents who were recipients of awards in the 2020 Australia Day Honours List:

- Professor Roy Robins-Browne – Officer (AO) in the General Division - for distinguished service to medical education and research in the field of microbiology and immunology, and professional groups
- Ms Melissa Noonan – Member (AM) in the General Division – for significant service to people with disability
- Mr Vianney Shiel – Member (AM) in the General Division – for significant service to electronic engineering, and to education
- Ms Judith Sammut – Medal (OAM) in the General Division – for service to community health
- Mr Alfred Tregear – Medal (OAM) in the General Division – for service to Australian rules football

6 PETITIONS

There were no Petitions.

7 PUBLIC QUESTION TIME

7.1 Mr B Watson, Doncaster

- Q1 Will Manningham Council now take legal action against NEL based on the serious negative Air Quality health impact?
- Q2 Will Manningham Council now take legal action against NEL based on the serious negative Road Traffic Noise (daytime & night time) health impact?

The Mayor responded by stating the North East Link (NEL) Project is a State Government project authorised under the major transport projects legislation which sets out the processes that must be followed for major projects. The Mayor advised that Council has made extensive submissions to these processes on the issues raised by the questioner as well as many other issues.

The Chief Executive Officer, Mr Andrew Day clarified his previous discussions with the Mr Watson noting that at their August meeting, the conversation was primarily focussed on noise, however the issue of air quality was also raised. Mr Day advised that Mr Watson was put in touch with Council's legal representatives to raise his concerns. Mr Day advised Mr Watson to refer to Council's joint submission with the other three impacted Council, particularly pages 159-164, which specifically references air quality and the expert advice drawn upon by all four Councils.

The Mayor further responded the project will proceed based on the Minister's response to the Panel's report. He advised that Council is not in a position to challenge the substance of the Minister's recommendations and that the only basis for legal action is to appeal the process. The Mayor advised that Council, along with the other three affected Councils, is currently considering its options regarding legal action.

The Mayor thanked Mr Watson for his questions.

7.2 Mr V Testa, Templestowe

- Q1 The photographic evidence spanning nine months prove that the quarterly inspection had not been done properly. The evidence supplied is accurate and not rubbish as stated in the leader newspaper.

These unjustified comments have smeared my reputation and therefore I am requesting that Manningham City Council publish a retraction and an apology.

The Chief Executive Officer, Mr Andrew Day thanked Mr Testa for the additional information and advised that officers would look into it.

In response to Mr Testa's concerns about officer comments, Mr Day advised that he has read the comments and, in his view, they were entirely appropriate and professional.

7.3 Ms C Pilli, Doncaster East

- Q1 If the NEL were to go ahead, is there a point at which the damaging health effects to residents will be considered unacceptable and untenable and call on Premier Andrews to abandon the NEL and provide transport services that work for everyone?

The Director of City Planning and Community, Mr Angelo Kourambas responded that Council has actively advocated for changes to the reference design to mitigate community health and other negative effects. This includes calling for a reduction in the project's footprint, regular air quality monitoring and better integrated public transport solutions.

Mr Kourambas further advised that these matters have been considered by the IAC and the Minister. He noted that the Minister had addressed most issues in his decision but others remain unclear. Council is continuing to work constructively with the NEL Project to ensure the best possible outcome for the local community.

- Q2 Will presenters to the forum be decided only by recommendations from the North East Link Agency and Ministers of the Andrews Government, or will Council also invite a person with expertise on the health impacts of air traffic pollution, for example – Associate Professor (Dr) Vicki Kotsirilos AM, recognised for significant service to integrative medicine, to health practitioner standards and regulations, to medical education and to the environment, as well as other awards?

The Director of City Planning and Community, Mr Angelo Kourambas responded that the Community Information Session is currently being planned. He advised that the session will focus on providing community members with an easy to understand summary of Council's submission, the IAC and Minister's findings and the next steps for Council.

Mr Kourambas advised that the session will be facilitated by Council officers with extensive knowledge and experience of the NEL Project. He stated that it is not Council's intention to call external speakers on particular topics to interrogate the merits of the IAC and Minister's decision as Council acknowledges that the IAC and Minister were generally satisfied with the expert evidence presented on topics such as air quality.

7.4 Ms S Yee, Doncaster

- Q1 I'd like to ask whether the City of Manningham applied for any grants to improve the sporting infrastructure in our city? If yes, which projects were submitted but didn't get funded? If no, why not?

The Chief Executive Officer, Mr Andrew Day responded that Council received funding during the last federal election in relation to four sports related infrastructure projects; Boronia Grove Reserve floodlights, Templestowe Leisure Centre, Rieschiecks Reserve Tom Kelly Athletics Track and the Warrandyte Football Club lighting upgrade.

With regard to the specific grants program raised by Ms Yee, Mr Day advised that he would take the question on notice and confirm whether Council applied for grants from that specific program.

7.5 Mr J Cranston, Doncaster East

- Q1 Does the Council acknowledge that we are facing a climate emergency
- Q2 If so, is the Council willing to include a declaration of a climate emergency as part of the climate action motion.

The Mayor responded that Council would be considering a Notice of Motion regarding climate change later in the meeting. He advised that it would be inappropriate to pre-empt the outcome of the Council's consideration of that motion.

7.6 Ms C Sterrett, North Warrandyte

- Q1 Do you acknowledge that climate change is a serious threat to our existence and if so, what will you do as a Council to ensure we reduce our risk as much as possible and quickly ideally through a climate emergency declaration and comprehensive plan to address this?

The Mayor responded that Council would be considering a Notice of Motion regarding climate change later in the meeting. He advised that it would be inappropriate to pre-empt the outcome of the Council's consideration of that motion.

8 ADMISSION OF URGENT BUSINESS

There were no items of Urgent Business.

9 PLANNING PERMIT APPLICATIONS

There were no Planning Permit Applications.

10 CITY PLANNING & COMMUNITY

There were no City Planning & Community reports.

11 CITY SERVICES

There were no City Services reports.

12 SHARED SERVICES

12.1 2019/20 Mid-Year Budget Review

File Number: IN20/32
 Responsible Director: Director Shared Services
 Attachments: 1 Mid Year Budget Review [↓](#)

EXECUTIVE SUMMARY

This report provides an update of the outcome of the 2019/20 Mid-Year Review (MYR) and recommends to endorse the 2019/20 reviewed forecasts and incorporate in financial systems for reporting purposes for second half of the year.

The reviewed forecasts indicate that Council is expected to meet the adopted budget operating surplus and will remain in a strong financial position as at 30 June 2020.

The 2019/20 year-end forecasts will again be revisited as part of the 2020/21 Annual Budget process and along with active monthly monitoring will focus on achieving the budget targets.

The key financial indicators are summarised below:

Key Financial Indicators	Adopted Budget \$ million	MYR Adjustment \$ million	Reviewed Forecast \$ million	
Operating surplus	16.798	0.030	16.828	↑
Capital expenditure	50.346	1.089	51.435	↑
Cash and investments	71.154	0.422	71.576	↑
Unrestricted cash	25.036	0.228	25.264	↑
Net assets	2,261.097	(73.921)	2,187.176	↓

The variances primarily relates to the following items:

Operating surplus (\$0.030 million increase)

Income (\$0.092 million increase)

- 1.1 Increase – grants and contributions of \$0.803 million primarily relates to club contributions of \$0.234 million for number of floodlighting projects and transfer of \$0.340 million of funds set aside to be returned to Commonwealth and State government departments for grants received in 2018/19. These funds are not required to be returned following assessment of data provided;
- 1.2 Decrease – fees, fines and user charges are forecast to be lower than budgeted by \$0.613 million. The reduction is mainly due to lower than anticipated planning permit income (\$0.350 million) and bus shelter advertising income (\$0.300 million); and

- 1.3 Decrease – interest revenue is expected to be lower than forecast by \$0.200 million resulting from lower term deposit rates applied to Council's investments.

Expenses (\$0.062 million increase)

- 1.4 Increase – expenses associated with North East Link project (\$0.500 million), electric line clearance (\$0.185 million), Mandella Reserve site rehabilitation (\$0.138 million), and other council wide expenses of \$0.136 million to support services include insurance, leases, software licences, legal expenses and consultancy.
- 1.5 Decrease – employee costs are projected to be lower than budgeted by \$0.845 million. The savings arising from the ongoing management of staff costs and time taken to fill vacancies along with the expected refund of workcover premium.

Capital expenditure (\$1.08 million increase)

- 1.6 The capital program is forecast to increase by \$1.089 million from the adopted budget to \$51.345 million. The increase is funded from the capital surplus funds and additional carry forward from 2018/19 enable Council to allocate funds to Civic Office Front Counter project to comply with DDA requirement (\$0.600 million) and Playground reinstatement after asbestos removal at Mandella Reserve (\$0.282 million).

Cash and investments (\$0.422 million increase)

- 1.7 The reviewed forecasts a cash and investment balance of \$71.576 million including \$46.312 million in restricted cash and reserve balances leaving an unrestricted cash balance of \$25.264 million. This represents an improvement of \$0.422 million of the budgeted cash position as a result of higher cash balances carried forward from 2018/19.

Net assets (\$73.921 million decrease)

- 1.8 The revaluation of property and infrastructure assets in 2018/19 resulted in a decrease in asset values in the net assets of Council.

COUNCIL RESOLUTION

MOVED: CR GEOFF GOUGH
SECONDED: CR ANDREW CONLON

That Council:

- A. Note the reviewed 2019/20 budget forecasts and explanation of budget variances; and**
- B. Endorse the proposed 2019/20 forecasts as contained in Attachment 1 to this report.**

CARRIED

3. BACKGROUND

- 3.1 The MYR is undertaken as part of Council's financial framework and good practice to forecast year end position and update with the changes that have arisen since the budget was adopted in June 2019.
- 3.2 As part of the process, each Service Unit reviewed the forecast to bring to account changes and develop corrective actions to achieve budget target.

4. DISCUSSION / ISSUE

The MYR provides an opportunity to:

- update estimates of income and expenditure for the year with material changes to the adopted budget;
- identify budget surplus / shortfall;
- prioritise and reallocate resources to the areas in need;
- help determine the baseline for the 2020/21 Budget and the Strategic Resource Plan (2021-2024).

5. IMPACTS AND IMPLICATIONS

- 5.1 The proposed MYR adjustments are not material in amount relative to the Council's budget and balance sheet and hence represent an update to the year-end forecast, not the adoption of a revised budget. As such, the 2019/20 Annual Report will compare financial outcome of the year against the budget adopted by Council on 25 June 2019.
- 5.2 The 2019/20 MYR outcome will not have adverse impact or implications for specific group or people or ratepayers.

6. IMPLEMENTATION**6.1 Finance / Resource Implications**

The reviewed forecasts will be used as a starting base for the 2020/21 Budget and Strategic Resource Plan (2021-2024).

6.2 Communication and Engagement

No special communication or engagement is required for MYR implementation.

6.3 Timelines

The reviewed forecast will be used from January 2020 to June 2020 quarterly performance reports.

7. 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.

**Attachment 1
2019/20 Mid-Year Budget Review**



2019/20 Mid-Year Budget Review

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**Attachment 1
2019/20 Mid-Year Budget Review**



1. Executive Summary

The Mid-Year Review (MYR) is undertaken as part of Council's financial framework to review and update the financial changes that have arisen since the budget was adopted in June 2019.

As part of the process, income and expenditure for the year is updated to reflect current circumstances, put in place actions to address forecast changes (if necessary) and to reallocate resources to the areas in need to deliver services to the community.

Some of the features of the 2019/20 MYR forecasts are:

- Council to meet the operating surplus target of \$16.80 million;
- Repayment of \$7.29 million loan in November 2019 – Council is now debt free;
- Strong cash position, an increase of \$0.422 million;
- Expected to achieve a \$51.44 million capital works program to maintain and improve \$2.2 billion of Council's community asset portfolio; and
- Expected to maintain low financial sustainability risk (using VAGO indicators).

The table below summarises the comparison of key performance indicators:

Key Financial Indicators	Section	Adopted Budget \$ million	MYR Adjustment \$ million	Reviewed Forecast \$ million	
Operating surplus	2	16.798	0.030	16.828	↑
Capital expenditure	3	50.346	1.089	51.435	↑
Cash and investments	4	71.154	0.422	71.576	↑
Unrestricted cash	4	25.036	0.228	25.264	↑
Net assets	5	2,261.097	(73.921)	2,187.176	↓

Detailed explanations are provided in sections 2 to 8.

Attachment 1
2019/20 Mid-Year Budget Review



2. Net Operating Result

This section details key movements in revenue and expenditure items resulting from the MYR forecasts.

	Adopted Budget	MYR Adjustment	Reviewed Forecast
	\$ million	\$ million	\$ million
1 - Revenue	143.189	0.092	143.281
2 - Expenditure	126.391	(0.062)	126.453
Operating surplus for the year	16.798	0.030	16.828

Operating Income	Adopted Budget	MYR Adjustment	Reviewed Forecast	Note
	\$ million	\$ million	\$ million	
11 - Rates & waste charges	105.813	0.099	105.912	
12/13 - Fees, fines and user charges	13.879	(0.613)	13.266	2a
14 - Interest revenue	1.785	(0.200)	1.585	2b
15/16 - Grants and contributions	11.660	0.803	12.463	2c
17 - Contributions (developers)	8.982	-	8.982	
17 - Other revenues	0.975	0.003	0.978	
18/28 - Net gain on disposal of assets	0.095	-	0.095	
Total Operating Income	143.189	0.092	143.281	

Notes

2a) Fees, fines and user charges are forecast to decrease by \$0.613 million

Fees, fines and user charges are forecast to decrease by \$0.662 million or 4.4 per cent mainly due to:

- reduction in planning permit income of \$0.350 million (partly offset by an increase in user fees resulting from S173 Agreements) as a result of softening of the development market and a decline in high value applications;
- reduced demand for external functions at the Function Centre is forecast to reduce income by \$0.376 million (partly offset by reduced operating expenses);
- bus shelter income is expected to be significantly less than the original forecast due to a changing advertising market using online / social media and more targeted advertising. It is anticipated that advertising revenue is likely to be \$0.300 million lower than originally anticipated; partly offset by an
- an increase in commercial rental income of \$0.149 million from leased Council assets over the period from July 2019 – February 2020.

**Attachment 1
2019/20 Mid-Year Budget Review**



2b) Interest revenue is forecast to decrease by \$0.200 million

Declining interest revenues resulting from lower term deposit rates applied to Council's surplus funds. The Reserve Bank has lowered the official interest rate from 1.25% on 30 June 2019 to the current 0.75%, representing a 40% decline in just 6 months.

2c) Grants and contributions are forecast to increase by \$0.803 million

Grants and contributions include operating and capital monies received from State, Federal and other sources. Overall the level of grants is projected to increase by \$0.803 million mainly for following projects / council services:

Capital (\$0.234 million increase)

- o club contributions for number floodlighting projects (Wonga Park, Schramms and Templestowe reserve)

Operating (\$0.569 million increase)

- o a transfer of funds totalling \$0.340 million set aside to be returned to Commonwealth and State received in 2018/19 for Commonwealth Home Support Programme and Home and Community Care services. Following assessment of data provided, the Government departments confirmed that these funds will not be required anymore and hence transferred to the operating account to be treated as an income for the year;
- o increased VicRoads funding of \$0.056 million for School Crossing supervision;
- o extension of School Focused Youth Services program funding of \$0.056 million contributed an increase in the operating grants, offset by corresponding expenditure; and
- o increased funding of \$0.050 million to support innovation in Childhood Immunisation program, offset by corresponding expenditure.

Expenditure

Operating Expenditure	Adopted Budget	MYR Adjustment	Reviewed Forecast	Note
	\$ million	\$ million	\$ million	
21 - Employee costs	55.839	0.845	54.994	2d
22 - Materials & contracts	27.472	0.409	27.063	2e
23 - Interest	0.129	0.022	0.107	
24 - Utilities	2.872	0.030	2.842	
26 - Other expenses	16.397	(1.368)	17.765	2e
27 - Depreciation	23.682	-	23.682	
Total operating expenditure	126.391	(0.062)	126.453	

2d) Employee costs are forecast to decrease by \$0.845 million

Employee costs are projected to decrease by \$0.845 million or 1.5 per cent for the 2019/20 financial year. This is mainly due to:

**Attachment 1
2019/20 Mid-Year Budget Review**



- expected workcover premium refund of \$0.250 million following revised remuneration estimate provided for the year; and
- savings of \$0.595 million arising from the ongoing management of staff costs and time taken to fill vacancies.

2e) Materials and contracts are forecast to decrease by \$0.409 million

Materials and contracts are forecast to decrease by \$0.409 million and mainly relates to expenditure of \$0.732 million budgeted under materials and contracts line item will now being incurred in other expenses line item (refer below 2f). This is partly offset by:

- an increase in one-off funding allocation of \$0.138 million to address site clean-up of contaminated soil including the removal (excavation, bulk haulage & disposal) and rehabilitation of Mandella Reserve site under supervision of specialist environmental hygienist;
- additional funds totalling \$0.185 million required to block pruning and to perform works arising from Energy Safe Victoria Audit to meet legislative works for pruning to mitigate electrical lines fires from high voltages live lines;

2f) Other expenses are forecast to increase by \$1.368 million

Key forecast adjustments funded by savings in other areas relate to:

- significant parts of Manningham's recreation and community facilities, infrastructure and private businesses are impacted by the proposed State Government North East Link project. The MYR applies \$0.500 million to ensure that Council's views are represented in project planning processes and to ensure the best outcome is achieved for Council and the Manningham community;
- software licences for Transformation projects (Servers to the Cloud - \$0.252 million, and Workplace Health & Safety Solution - \$0.045 million);
- higher than expected increase in insurance premium of \$0.123 million; and
- an increase in other council wide expenses to support the wide variety of services include legal expenses, consultancy, leases funded by savings in employee costs and materials and contracts.

3. Capital Program

The capital program is forecast to increase by \$1.089 million from the adopted budget to \$51.435 million.

The capital surplus funds and additional carry forward from 2018/19 enable Council to allocate funds to projects to be completed during the year.

A summary of the variations to the adopted budget is presented in the table below.

Summary of Variances	\$ million
Adopted Budget	50.346
Capital surplus funds from 2018/19	0.882
Additional carry forwards from 2018/19	0.207
Total MYR Forecast	51.435

Attachment 1 2019/20 Mid-Year Budget Review



Key projects in the \$1.089 million capital works program increase:

- Civic Office Front Counter project to comply with DDA requirement (\$0.600 million);
- Playground reinstatement after asbestos removal (\$0.282 million);
- Drainage Strategy advance design and implementation (\$0.149 million);

The detailed 2019/20 Capital Works Program Status Report was presented to Council in December 2019 Council Meeting.

4. Cash Position

	Adopted Budget	MYR	Reviewed Forecast
		Adjustment	
	\$ million	\$ million	\$ million
Cash and Investments	71.154	0.422	71.576
Unrestricted Cash	25.036	0.228	25.264

The Mid-Year Budget Review forecasts a cash and investment balance of \$71.576 million as at 30 June 2020. The increase of \$0.422 million arises from a higher cash balance carried from 2018/19, result of an improved 2018/19.

The cash forecast of \$71.576 million includes \$46.312 million in restricted cash and reserve balances including future Waste Initiatives \$10.720 million, Resort and Recreation Reserve \$10.158 million, \$13.574 million related to trust funds and \$4.510 million in asset sale proceeds to fund future capital works. In addition to these restricted cash reserves, the cash balance also includes \$6.500 million set aside to fund a potential defined benefits superannuation shortfall.

5. Net Assets

	Adopted Budget	MYR	Reviewed Forecast
		Adjustment	
	\$ million	\$ million	\$ million
Net Assets	2,261.097	(73.920)	2,187.177

The MYR forecasts net assets of \$2,187.177 million at 30 June 2020. The decrease of \$73.920 million relates to the revaluation of property and infrastructure assets in the prior year (2018/19) resulted in a decrease in asset values by \$80.187 million compared to budgeted increase. The revaluation reflects the downturn in the market value of land in Manningham.

The decreased values of property and infrastructure assets are carried forward into 2019/20.

6. Local Government Performance Indicators

The following table highlights the projected performance across a range of key financial performance indicators. The indicators show a steady performance resulting from the forecast surplus and cash position for 2019/20.

The indicators as presented in the table are included in Council's annual report.

Attachment 1
2019/20 Mid-Year Budget Review



Financial Performance Indicators	Actual 2018/19	Adopted Budget 2019/20	Reviewed Forecast 2019/20
Operating position			
Adjusted underlying result [Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x 100	10.6%	5.4%	5.2%
Liquidity			
Working capital [Current assets / Current liabilities] x 100	223.0%	192.7%	210.9%
Unrestricted cash [Unrestricted cash / Current liabilities] x 100	37.6%	58.5%	62.6%
Obligations			
Loans and borrowings [Interest bearing loans and borrowings / Rate revenue] x 100	7.1%	-	-
Loans and borrowings [Interest and principal repayments / Rate revenue] x 100	0.3%	7.0%	7.0%
Indebtedness [Non-current liabilities / Own source revenue] x 100	1.1%	0.7%	1.1%
Asset renewal [Asset renewal & upgrade expenses / Asset depreciation] x 100	87.5%	127.5%	156.5%*
Stability			
Rates concentration [Rate revenue / Adjusted underlying revenue] x 100	76.3%	79.2%	79.4%
Rates effort [Rate revenue / Capital improved value of rateable properties in the municipality] x 100	0.2%	0.2%	0.2%
Efficiency			
Expenditure level [Total expenses / Number of property assessment]	\$2,372	\$2,511	\$2,512
Revenue level [Total rate revenue / Number of property assessments]	\$1,961	\$2,018	\$1,822**
Sustainability			
Own-source revenue [Own-source revenue / Municipal population]	\$955	\$930	\$925
Recurrent grants [Recurrent grants / Municipal population]	\$106	\$83	\$86
Total expenditure [Total expenses / Municipal population]	\$952	\$960	\$960
Infrastructure [Value of infrastructure / Municipal population]	\$6,802	\$6,396	\$6,675

**Attachment 1
2019/20 Mid-Year Budget Review**



Financial Performance Indicators	Actual 2018/19	Adopted Budget 2019/20	Reviewed Forecast 2019/20
Population density [Municipal population / Kilometres of local roads]	206	220	220
Workforce turnover *** [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x 100	9.6%	8.5%	8.5%

Note: Changes to the indicators from 1 July 2019:

- * The numerator for this indicator will change from 'Asset renewal expense' to 'Asset renewal and upgrade expenditure' in line with the Victorian Auditor General's Office (VAGO) Renewal gap ratio indicator.
- ** The numerator and the denominator for this indicator will change in alignment with the Essential Services Commission's capped average rate. The name change from 'Average residential rate per residential property assessment' to 'Average rate per property assessment'.
- *** This indicator will move from the Efficiency subset to the Sustainable Capacity subset.

7. Victorian Auditor-General's Office Indicators

Each year the Victorian Auditor-General's Office (VAGO) prepares a report for the Parliament of Victoria detailing the financial performance of the Victorian Local Government Sector.

The table below shows anticipated VAGO financial indicator results (using indicators per 2017/18 Report, 2018/19 Local Government Report still to be tabled). The forecast outcomes reflect similar to prior years except Internal Financing and Capital Replacement indicators and these are attributable to high level of 2019/20 capital works program as a result of prior year carried forward.

	Range			Actual	Budget	Reviewed
	High	Medium	Low	2018/19	2019/20	Forecast 2019/20
Net result (%)	-10% or less	0% to -10%	more than 0%	19.6%	11.7%	11.7%
Adjusted underlying result	less than 0%	0% - 5%	More than 5%	10.6%	5.4%	5.2%
Liquidity (ratio)	less than 0.75	0.75 to 1.0	more than 1.0	2.2	1.9	2.1
Internal financing (%)	less than 75%	75%-100%	more than 100%	197.8%	83.7%	81.9%
Indebtedness (%)	more than 60%	40%-60%	40% or less	1.1%	0.7%	1.1%
Capital replacement (ratio)	less than 1.0	1.0 to 1.5	more than 1.5	1.1	2.1	2.2
Renewal gap (ratio)	less than 0.5	0.5 to 1.0	more than 1.0	1.0	1.5	1.6
Overall rating				LOW	LOW	LOW

Overall, it is anticipated that Manningham would continue to be placed in the "Low Risk" category in 2019/20.

Attachment 1
2019/20 Mid-Year Budget Review



8. Conclusion

The reviewed forecasts indicate that Council is expected to meet the adopted operating surplus target and will remain in a strong financial position as at 30 June 2020. The reviewed forecast results will be used as a starting base in the preparation of the 2020/21 Budget and Strategic Resource Plan.

The proposed MYR adjustments are not material in amount relative to Council's operating budget and balance sheet and hence represent an update to the year-end forecast, not the adoption of a revised budget. As such, the 2019/20 Annual Report will compare financial outcomes for the year against the budget adopted by Council on 25 June 2019.

The 2019/20 MYR key financial performance indicators are:

Key Financial Indicators	Section	Adopted Budget \$ million	MYR Adjustment \$ million	Reviewed Forecast \$ million	
Operating surplus	2	16.798	0.030	16.828	↑
Capital expenditure	3	50.346	1.089	51.435	↑
Cash and investments	4	71.154	0.422	71.576	↑
Unrestricted cash	4	25.036	0.228	25.264	↑
Net assets	5	2,261.097	(73.921)	2,187.176	↓

During the review process, number of new challenges have been identified which will likely to have an impact on the 2020/21 Budget and beyond. These include:

- the Minister for Local Government recently announced that the Average Rate Cap for the 2020/21 financial year will be 2.0%, lower than LTFP forecast of 2.5%;
- historic low interest rates and lower than the LTFP forecasts will have an impact on interest revenue forecasts from Council's investment;
- softening of property and development market is expected to have an impact on planning permit revenue stream;
- anticipated reduction in the advertising revenue for the current year and beyond due to a significant movement in the advertising market towards online / social media and more targeted advertising;
- insurance market remains tight and the higher insurance premiums are expected to be an ongoing additional cost for future year budgets; and
- a likely increase in IT services and licencing costs in the future budgets resulting from investments in technology and corporate systems.

The reviewed forecasts as detailed in this report will be used from January 2019 to June 2020 quarterly performance reports.

It is recommended that Council:

- note the reviewed forecasts and explanations of major variations for the 2019/20 Mid-year Review; and
- endorse the 2019/20 reviewed forecasts.

Attachment 1
2019/20 Mid-Year Budget Review



9. Appendix 1. Mid-Year Budget Review Financial Statements

Manningham City Council
Budgeted Standard Income Statement
For the year ending 30 June 2020

	Actual	Budget	MYR Budget	Variance
	2018/19	2019/20	2019/20	
	\$'000	\$'000	\$'000	\$'000
Income				
Rates charges	88,853	92,144	92,192	48
Waste charges	13,126	13,669	13,720	51
Statutory fees and fines	3,649	3,783	3,476	(307)
User charges	10,921	10,096	9,790	(306)
Interest income	1,981	1,785	1,585	(200)
Operating grants	12,173	9,768	10,337	569
Capital grants and contributions	2,672	1,892	2,126	234
Operating contributions (monetary)	6,364	7,982	7,982	-
Contributed Assets (non-monetary)	7,585	1,000	1,000	-
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	96	95	95	-
Share of loss/(gain) from investment in associate	78	-	-	-
Other revenue	1,102	975	978	3
Total income	148,600	143,189	143,281	92
Expenses				
Employee costs	53,326	55,839	54,994	845
Materials, services and contracts	12,647	15,675	15,266	409
Waste contracts	10,799	11,797	11,797	0
Utilities	2,782	2,872	2,842	30
Community grants	5,575	5,202	4,951	251
Depreciation and amortisation	21,640	23,682	23,682	-
Finance costs	309	129	107	22.00
Other expenses	12,370	11,195	12,814	(1,619)
Total expenses	119,448	126,391	126,453	(62)
Surplus/(deficit) for the year	29,152	16,798	16,828	30
Other Comprehensive Income				
Net asset revaluation increment	(80,187)	-	-	-
Comprehensive result	(51,035)	16,798	16,828	30

Attachment 1
2019/20 Mid-Year Budget Review



Manningham City Council
Budgeted Standard Balance Sheet
For the year ending 30 June 2020

	Actual	Budget	MYR Budget	Variance
	2018/19	2019/20	2019/20	
	\$'000	\$'000	\$'000	\$'000
Assets				
Current assets				
Cash and cash equivalents	64,342	71,154	71,576	422
Other financial assets	23,700	-	-	-
Trade and other receivables	11,098	9,447	10,742	1,295
Other assets	2,803	1,810	2,803	993
Total current assets	101,943	82,411	85,121	2,710
Non-Current Assets				
Investments (Regional Library)	2,305	2,227	2,305	78
Trade and other receivables	31	31	31	-
Property, plant & equipment	2,109,650	2,215,059	2,135,374	(79,685)
Intangibles	3,487	5,014	6,063	1,049
Total non-current assets	2,115,473	2,222,331	2,143,773	(78,558)
Total assets	2,217,416	2,304,742	2,228,894	(75,848)
Liabilities				
Current liabilities				
Payables	(12,621)	(14,255)	(13,193)	1,062
Trust funds	(12,574)	(14,294)	(13,574)	720
Provisions	(12,279)	(13,123)	(12,586)	537
Loan - current	(7,279.00)	-	-	-
Income received in advance	(958)	(1,105)	(1,008)	97
Total current liabilities	(45,711)	(42,777)	(40,361)	2,416
Non-current liabilities				
Provisions	(1,356)	(868)	(1,356)	(488)
Total non-current liabilities	(1,356)	(868)	(1,356)	(488)
Total liabilities	(47,067)	(43,645)	(41,717)	1,928
Net assets	2,170,349	2,261,097	2,187,177	(73,920)
Equity				
Accumulated surplus	(738,643)	(748,355)	(754,540)	(6,185)
Reserves	(1,431,706)	(1,512,742)	(1,432,637)	80,105
Total equity	(2,170,349)	(2,261,097)	(2,187,177)	73,920

Attachment 1
2019/20 Mid-Year Budget Review



Manningham City Council
Budgeted Standard Cash Flow Statement
For the year ending 30 June 2020

	Actual	Budget	MYR Budget	Variance
	2018/19	2019/20	2019/20	
	\$'000	\$'000	\$'000	\$'000
Cash flows from operating activities				
Receipts				
Rates	87,710	92,502	92,548	46
Waste charges	13,126	13,669	13,720	51
Fees, fines and user charges	15,246	13,978	13,315	(663)
Operating grants	12,173	9,768	10,337	569
Capital grants	2,672	1,892	2,126	234
Contributions	6,387	7,982	7,982	-
Interest	1,949	1,785	1,585	(200)
Net increase in trust funds and deposits	280	1,000	1,000	-
Other receivables	326	977	979	2
Total receipts	139,869	143,553	143,592	39
Payments				
Payments to suppliers	(46,749)	(47,380)	(47,549)	(169)
Payment to employees	(53,089)	(54,348)	(54,238)	110
Interest payments	(309)	(129)	(107)	22.00
Total payments	(100,147)	(101,857)	(101,894)	(37)
Net cash provided by operating activities	39,722	41,696	41,698	2
Cash flows from investing activities				
Property, plant & equipment	(24,664)	(50,346)	(51,435)	(1,089)
Proceeds from assets sold	4,584	550	550	0
Net (increase)/decrease in financial assets	(5,900)	21,000	23,700	2,700
Net cash used in investing activities	(25,980)	(28,796)	(27,185)	1,611
Cash flows from financing activities				
Repayment of borrowings	-	(7,279)	(7,279)	-
Net cash provided by financing activities	-	(7,279)	(7,279)	-
Net increase (decrease) in cash and investments	13,742	5,621	7,234	1,613
Cash and cash equivalents at beginning of year	50,600	65,533	64,342	(1,191)
Cash and cash equivalents at end of year	64,342	71,154	71,576	422

13 CHIEF EXECUTIVE OFFICER

13.1 Proposed Road Name Change - Part Henry Street to Bloom Street, Doncaster

File Number: IN20/33
Responsible Director: Chief Executive Officer
Attachments: Nil

EXECUTIVE SUMMARY

Council has received a road naming proposal to rename part of Henry Street, Doncaster. It has become necessary to rename this small part of Henry Street due to a recent residential development on the abutting land on Clancy's Lane. Following consultation with directly affected property owners, the name 'Bloom' was put forward as the preferred name for broader consultation with the community. The preferred name was supported by the majority of people who responded. This report recommends that Council endorse the naming proposal to rename part of Henry Street to Bloom Street, Doncaster.

COUNCIL RESOLUTION

MOVED: CR ANNA CHEN
SECONDED: CR MIKE ZAFIROPOULOS

That Council:

- A. support the proposal to rename Henry Street, Doncaster to Bloom Street, Doncaster.**
- B. advise the Registrar of Geographic Names of Council's support for the naming proposal.**
- C. advise affected residents of the outcome of this decision.**
- D. amend the Road Naming Policy to update the delegated position from 'Executive Manager People and Governance' to 'Group Manager Governance and Risk'.**

CARRIED

2. BACKGROUND

- 2.1 The 'Naming rules for place in Victoria – Statutory requirements for naming roads, features and localities 2016' ('the naming rules') set out the process to be followed for naming, renaming or changing the boundaries of roads, features and localities in Victoria.

- 2.2 The rules are a statutory requirement allowed for under the *Geographic Place Names Act 1998* (the Act) and are mandatory for all naming authorities in Victoria. Council is a naming authority under the Act and must ensure that all naming proposals conform with the general principles outlined in the rules.
- 2.3 Council has received a naming proposal to rename part of Henry Street, Doncaster due to a recent residential development on the abutting land at 21 Clancy's Lane and confusion over addressing this small portion of Henry Street known locally as 'Little Henry Street'.
- 2.4 This issue has evolved over many years beginning the 1940's when Henry Street was named and extended from Williamsons Road to Clancy's Lane. Further development in the mid 1980's extended Henry Street to the west, up to and abutting Stanley Drive. (See Diagram 1 below.)

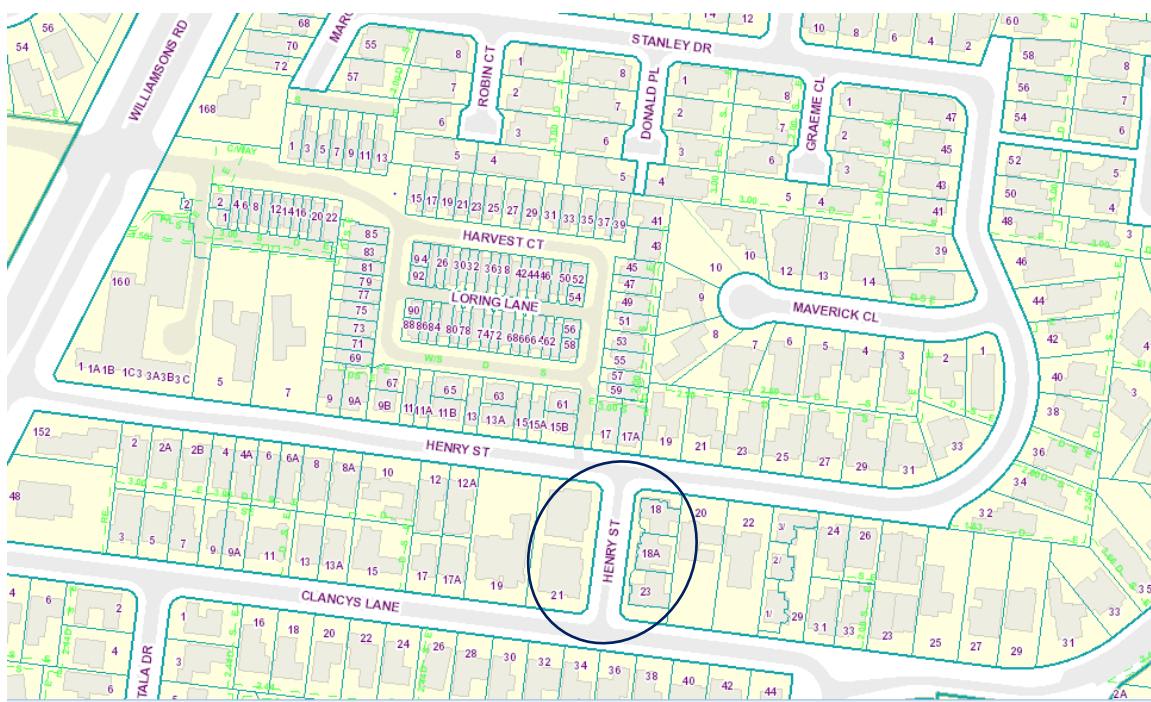


Diagram 1

- 2.5 Residents of Henry Street have expressed their concerns regarding public safety in relation to this street as it is confusing for both services and visitors in locating the properties on 'Little Henry Street'.
- 2.6 In addition, the current name is also contrary to the naming rules established by the Office of Geographic Names (OGN). This presents an opportunity for Council to tidy up this anomaly prior to the properties at 21 Clancy's Lane being occupied.

3. DISCUSSION / ISSUE

- 3.1 In renaming any street, Council is required to comply with the naming rules established by the OGN. The rules provide clear principles that Council must follow when proposing a new name. Consultation is a key component in the naming process. As the naming authority, Council is required to consult with the public on any naming proposal in accordance with the naming rules.

3.2 The initial request for renaming part of Henry Street did not include a suggested name. Officers undertook research of the area and identified two potential names for consideration. The names were:

- Archibald Street – after the late Archibald Morrison who owned and operated the Morrison Brothers Plant Nursery that was situated opposite Henry Street for more than 30 years. Archibald’s three sons, Graeme, Donald and Robin already have roads named after them in the local area in acknowledgement of the Morrison family.
- Nursery Street – in recognition of the Morrison Brothers Plant Nursery.

3.3 Directly affected owners on ‘Little Henry Street’ were consulted regarding the two potential names. Neither of these options were supported and a number of alternatives were proposed. Most of the alternatives were discounted as they duplicated existing names within a 5km radius.

3.4 The suggested option of ‘Bloom Street’ was put forward by a resident of Henry Street, well researched and conformed with the naming principles. The basis for the proposal put forward by the resident was:

- It references a local Doncaster fruit growing family (Otto and Christian Bloom and their descendants, including Otto’s son who enlisted as an ANZAC in 1916);
- It has a pleasant botanical sound, giving a connection to the nearby parkland at Ruffey Lake Park, and also providing a nod to the fact that there was an orchard at the end of the street (until 2014);
- It is appropriately short for this little street, easy to pronounce and spell, hence easy to locate, especially in an emergency; and
- it has not been used a street name within 10km.

3.5 The suggested option was considered and supported by officers as it aligned with the principles and was put forward by a directly affected owner. On this basis, officers proceeded with broader consultation on the preferred name of ‘Bloom Street’.

3.6 In late September 2019, advertisements were placed in the Manningham Leader and on Council’s website and social media channels seeking feedback on the naming proposal. In addition, property owners of 110 properties along Henry Street and Clancy’s Lane were directly contacted by letter with a survey seeking feedback on the proposed name and any alternative naming proposals. The letter forwarded to residents advised that if no response was received, that would be an indication of support for the proposal. Submissions closed 31 October 2019.

3.7 The following feedback was received during the consultation period:

Total Responses Received		In favour	Against
Survey Form	31	25	6
Non Property Owner/Occupier	3	2	1
	34	27	7
		79%	21%

Total Properties Consulted		In Favour	Against
Survey Form (Excluding Duplicates)*	20	16	4
No Response (Tacit Consent)	90	90	0
Non Property Owner/Occupier	3	2	1
	113	109	5
		96%	4%

* It is noted that of the responses received, 11 individual properties submitted two separate responses.

3.8 Based on the responses received, the proposal to rename part of Henry Street to 'Bloom Street' is considered to have community consent. Officers were also contacted by a member of the Bloom family in response to the advertisement who expressed their support for the proposal.

3.9 The majority of comments against the proposal supported the current unofficial name of 'Little Henry Street'. The use of a prefixed or suffixed extension of a road name, e.g. upper, lower, little, old or new is not acceptable under the naming rules. For this reason, the suggestion of retaining 'Little Henry Street' is not supported, particularly given the overwhelming support for the name 'Bloom Street'.

3.10 The naming proposal has also been circulated internally to relevant departments including property services, asset management, subdivisions and the mapping team. The teams were supportive of the naming proposal and no issues or impediments were identified.

3.11 Council is also required to assess the naming proposal against the general principles of the naming rules to ensure there is no ambiguity, confusion, error or discrimination caused. Whilst all principles have been considered, the key principles in this case are:

- Principle A – Ensuring public safety
- Principle B – Recognising the public interest
- Principle C – Linking the name to place
- Principle D – Ensuring names are not duplicated
- Principle E – Names must not be discriminatory
- Principle J – Language

3.12 Road names must not risk public and operational safety for emergency response or cause confusion for transport, communication and mail services. The boundary of a locality must be applied in a way that makes sense, not only for the local community but also for visitors. If approved, the naming proposal will ensure this small part of Henry Street complies with Principle A of the naming rules.

3.13 Recognising the public interest requires Council to give regard to the long-term consequences and short-term effects on the wider community of naming the road. Given the development at 21 Clancy's Lane, it is in the public interest to resolve this anomaly for properties along the identified portion of 'Little Henry Street'. This will ensure the properties are easy to locate, addressed appropriately and confusion is avoided when services and visitors are accessing properties.

- 3.14 Place names should be relevant to the local area with preference given to unofficial names used by the local community. As previously advised, the unofficial name of 'Little Henry Street' does not conform with the naming rules and would not be supported by the Registrar. The naming proposal seeks to link the naming of the road to place by acknowledging the connection to the Bloom family and the botanical reference to local parks and the former orchard.
- 3.15 Proposed names must not be duplicated. Duplicates are considered to be two or more names within close proximity, and those which are identical or have a similar spelling or pronunciation. The default distance in metropolitan urban areas is a 5 kilometre radius. Results from a VICNAMES search indicate that the proposed name of 'Bloom Street' is not duplicated.
- 3.16 Having undertaken extensive public consultation and considered all comments against the proposal it is recommended that Council proceed to renaming the small duplicated section of Henry Street to 'Bloom Street'.
- 3.17 If Council supports the naming proposal, it will be lodged with the OGN for consideration by the Registrar. If the Registrar deems the proposal conforms with the naming rules, the OGN will gazette the name and notify relevant stakeholders including Council as the naming authority.
- 3.18 As the naming authority, Council will notify residents and ratepayers in the immediate area and arrange for signage to be updated.
- 3.19 The naming proposal also complies with Council's Road Naming Policy. Ordinarily requests to rename a road are managed under delegation, however, due to an organisation realignment, the delegated position no longer exists. It is recommended that the Road Naming Policy be updated to change the delegate from 'Executive Manager People and Governance' to 'Group Manager Governance and Risk'.

4. IMPACTS AND IMPLICATIONS

This naming proposal has been initiated at the community's request. The impact of the naming proposal is minimal as it is confined to a small part of Henry Street and affects a limited number of properties, many of which are not yet occupied as they are still being constructed.

5. IMPLEMENTATION

5.1 Finance / Resource Implications

Costs associated with implementing this proposal can be funded within existing resources.

5.2 Communication and Engagement

Consultation has been undertaken with the community regarding this proposal as outlined in section 3 above.

5.3 Timelines

If Council supports this naming proposal, the matter will be referred to OGN for consideration by the Registrar. If endorsed by the Registrar, Council will have 30 days to update relevant signage and notify affected stakeholders.

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.

13.2 Documents for Sealing

File Number: IN20/1
Responsible Director: Chief Executive Officer
Attachments: Nil

EXECUTIVE SUMMARY

The following documents are submitted for signing and sealing by Council.

COUNCIL RESOLUTION

MOVED: CR MICHELLE KLEINERT
SECONDED: CR DOT HAYNES

That the following documents be signed and sealed:

**Consent to Build Over an Easement
Agreement under Section 173 of the Planning and Environment Act 1987
Council and T H Wong and L Wong
33 Margot Avenue, Doncaster**

**Consent to Build Over an Easement
Agreement under Section 173 of the Planning and Environment Act 1987
Council and M A Moruzi and K L Moruzi
7 Arapilles Drive, Templestowe Lower**

**Consent to Build Over an Easement
Agreement under Section 173 of the Planning and Environment Act 1987
Council and Aminian Investments Pty Ltd
12 Mitcham Road, Donvale**

**Consent to Build Over an Easement
Agreement under Section 173 of the Planning and Environment Act 1987
Council and C Li and J K Soo
3 Buller Terrace, Templestowe Lower**

CARRIED

2. BACKGROUND

The Council's common seal must only be used on the authority of the Council or the Chief Executive Officer under delegation from the Council. An authorising Council resolution is required in relation to the documents listed in the recommendation section of this report.

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.

13.3 Record of Assembly of Councillors

File Number: IN20/30
Responsible Director: Chief Executive Officer
Attachments: 1 Access and Equity Advisory Committee - 2 December 2019 [↓](#)

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.

COUNCIL RESOLUTION

MOVED: CR PAULA PICCININI
SECONDED: CR ANNA CHEN

That Council note the Record of Assembly for the following meeting and that the record be incorporated into the minutes of this Council Meeting:

- **Access and Equity Advisory Committee - 2 December 2019**

CARRIED

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.

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 Assembly are attached to this report.

- Access and Equity Advisory Committee - 2 December 2019

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

Access and Equity Advisory Committee

Meeting Date: Monday, 2 December 2019

Venue: Function Room 3, Civic Office, 699 Doncaster Rd, Doncaster

Starting Time:

1. **Councillors Present:**
Councillor Sophy Galbally – Mullum Mullum Ward

Officers Present:

Matt Slavin – Manager, Integrated Planning,
Bronwyn Morphet - Coordinator Social Planning and Community,
Stacey Robinson - Senior Landscape Architect

2. **Disclosure of Conflicts of Interest**
NIL

3. **Items Considered**
Welcome and Acknowledgement of Country
Confirmation of Previous Minutes and Actions
Ruffey Lake Landscape Plan Presentation
Committee Partnership Review
Calendar of Significant Dates: International Day of People with a
Disability/Human Rights Week
Community Bus
Affordable Housing Update
Other Business

Finishing time

The meeting ended at 7.00 p.m.

14 NOTICES OF MOTION

14.1 Notice of Motion by Cr Mike Zafirooulos AM (NOM No. 1/2020)

File Number: IN19/757

Attachments: Nil

This motion is proposed in accordance with clause 56 of the Manningham City Council Meeting Procedure Law 2017.

COUNCIL RESOLUTION

MOVED: CR MIKE ZAFIROPOULOS
SECONDED: CR ANDREW CONLON

That Council:

- 1. acknowledges we are in a state of serious climate and environmental change, and that this climate emergency requires urgent action by all levels of government, including local government.**
- 2. continues to monitor relevant developments, particularly by local government and enhance Council's understanding and expertise in this area based on the best available evidence.**
- 3. prepares as part of Manningham's 2020 Environment report a comprehensive Climate Emergency Response Plan, incorporating inter alia appropriate actions, budgetary implications, timelines, associated risks, policy changes and overall benefits to the community.**
- 4. consults with and educates Manningham residents about Council's important obligation to respond to climate and environmental change and empower the community to initiate its own actions in this area at the local level.**
- 5. advocates to other levels of government on climate change and biodiversity through its membership of the Northern Alliance for Greenhouse Action, Eastern Region Group of Councils, Municipal Association of Victoria and other local government umbrella bodies.**

CARRIED

BACKGROUND

Climate Change has gradually grown as one of the most important issues we face globally. It was 40 years ago when the first World Climate Change conference took place in Geneva, with 50 nations attending. The 1979 Conference agreed that alarming trends for climate change made it urgently necessary to act. Recently, 11,000 scientists from around the world declared that clearly and unequivocally planet earth is facing a climate emergency.

The MAV in May 2017 accepted a motion that recognizes that we are in a state of “climate emergency” that requires urgent action by all levels of government, including local councils.

In recent years, more than 50 Councils have shown leadership by declaring a climate emergency and incorporating climate change as one of their priorities with appropriate strategies and programs. This number is growing as there is gradual acceptance by all political parties that climate change should not be ignored.

The City of Manningham has taken many steps towards mitigating the effects of climate change and needs to continue to implement changes to protect the future of our communities and our natural and built environments and eco systems. Our Council Plan 2017-2021 has a goal to “reduce our environmental impact and adapt to climate change”. As a consequence, we have developed a Carbon Abatement Plan, which commits Council to a 20% reduction in greenhouse gas emission by 2020 in contrast with the baseline year 2008/09.

Our Annual Environment Report outlines several climate change environmental initiatives including:

- \$2.5 m installation of over 6,000 LED street lights, which cut Council emissions by about 25%
- 450 KWs of solar installed at the new Mullum Mullum stadium
- 99 KWs of solar installed at the Council depot in Doncaster East
- 2019/20 budgetary commitments to solar and battery installations at two community centres and LED decorative street lights.
- Allocation of almost 40% of Council’s electricity accounts to a joint tendering process for wind or solar farm electricity in collaboration with over 40 other Victorian councils.
- 18 electric-petrol hybrid cars in Council’s fleet
- Membership of the Northern Alliance for Greenhouse Action
- Membership in the Compact of Mayors
- Installation of solar for 9 pensioner households – in collaboration with 20 other councils
- Energy saving advice to the community

In 2017, Manningham Council also joined the *Global Covenant of Mayors for Climate & Energy*. As part of this, we will report Manningham's emissions profile, our climate change mitigation, adaptation and renewable energy initiatives to the Global Covenant for publishing on their website.

While Manningham has been responding to this issue, it is now important that we acknowledge formally the damaging effects of climate change and the need to take urgent action both globally and at the local level. We need to continue to prioritise and deliver on the above mentioned programs, introduce new initiatives and incorporate climate change considerations in all future strategies and decisions that shape our city.

15 URGENT BUSINESS

There were no items of Urgent Business.

16 COUNCILLORS' QUESTION TIME

16.1 Integrated Environment Strategy

Councillor Chen requested an update on the scope and progress of the Integrated Environment Strategy, specifically the differences between the current and proposed strategy and where whether sustainable transport would be included in the strategy.

The Director of City Services Mr Leigh Harrison advised that the Integrated Environment Strategy is intended to be an overarching strategy which will sit under the resilient environment theme and goals of the Council Plan. He noted that the strategy will integrate the five main areas of climate, biodiversity, water, waste and community stewardship and referenced a number of plans that will sit under the strategy.

Mr Harrison advised that a number of workshops have been held to inform drafting of the strategy, and noted that the climate change notice of motion may result in further stakeholder engagement. Once the draft strategy is developed, Mr Harrison stated that Councillor feedback would be sought prior to formal consideration by Council and consultation with the community.

Mr Harrison noted that sustainable transport is covered under the Liveable City Strategy and officers are still working through how these two strategies will relate to each other.

16.2 Bushfire Management Policies and Practices in Manningham

Cr Gough requested a report from officers to come to a future Strategic Briefing Session which outlines the policies and practices in place that may affect the safety of Manningham as they relate to bushfire management on public and privately owned land in Manningham.

It was requested that the report address:

- Current Council policies and practices regarding bushfire management and mitigation
- Expectations regarding clearance on privately owned land
- Net gain and offset requirements and areas in Manningham
- Impact of the Manningham Planning Scheme
- Manningham's approach to state owned reserves

The Chief Executive Officer advised that a report will be brought to a future Strategic Briefing Session.

16.3 Fuel Loads in Zerbes Reserve, East Doncaster

Councillor Haynes advised that she had received a number of complaints regarding a dead fuel load in Zerbes Reserve, East Doncaster and requested that officers inspect and respond to this issue.

Councillor Haynes also noted that complaints had also been received about dead pine trees and other fuel loads on state owned land behind Brindy Crescent on old Weatherby Road.

17 CONFIDENTIAL REPORTS

COUNCIL RESOLUTION

MOVED: CR ANDREW CONLON

SECONDED: CR SOPHY GALBALLY

That Council declare the report and attachment 1 contained in Item 17.1 - 110-114 Hall Road, Warrandyte South no longer be confidential information and the report and attachment 1 be considered in the open meeting of Council.

CARRIED

17.1 110-114 Hall Road, Warrandyte South

File Number:	IN19/773
Responsible Director:	Director City Services
Attachments:	1 Lease - Part Road Reserve, 110-114 Hall Road, Warrandyte South ↓
	2 Proposed Disposal of Part Road Reserve abuts 110-114 Hall Road, Warrandyte South (confidential)

EXECUTIVE SUMMARY

In 2017, Council Officers became aware of a land encroachment into the road reserve at 110-114 Hall Road, South Warrandyte (Property). Council officers have met and discussed the issue with the owner of the Property. The owners have requested to purchase a portion of the road reserve at the front of the Property. A 2.5 metre section of road reserve, which is not likely to be used as part of future road or footpath works in this area, is considered to be superfluous to Council requirements. It is recommended that Council discontinues the section of road and sells it to the abutting owner, subject to satisfying the necessary statutory requirements.

COUNCIL RESOLUTION

MOVED: CR ANDREW CONLON
SECONDED: CR SOPHY GALBALLY

That Council:

- A. Agree to publish a notice advising of Council's proposal to discontinue the section of road reserve at the front of 110-114 Hall Road, South Warrandyte, which is shown on the plan attached to this report and labelled as Attachment 1;**
- B. In the event that no submissions are received in relation to the proposal, delegate to the CEO all necessary statutory powers to:**
- discontinue the section of road reserve at the front of 110-114 Hall Road, South Warrandyte, attached to this report and labelled as Attachment 1; and**
 - sell the land shown on the plan attached to this report and labelled as Attachment 1, to the owner of 110-114 Hall Road, South Warrandyte.**

CARRIED

2. BACKGROUND

Nature of Encroachment

- 2.1 Council records indicate the current owners of the Property purchased it in 2011. They advise that at the time of purchase they were unaware that a fence enclosing their land encroached on a portion of the road reserve fronting the Property.
- 2.2 In addition, a building permit (issued by a private building surveyor) had approved the dwelling on the property in a different location than where it has ultimately been constructed. The current owners advise that they purchased the property unaware that the land they were purchasing did not extend to the existing fence position.
- 2.3 The house location on the Property, and in particular its proximity to the Hall Road boundary is problematic, as it restricts the area by which the present owners can enter and exit the garage attached to the existing dwelling. The owners contend, and officers agree, that an extension to the title boundary of the Property in this area would correct issues associated with access to the current owner's garage.
- 2.4 It is proposed to sell to the current owner a 2.5 metre wide strip of the road reserve abutting the Hall Road boundary of the Property (effectively extending the boundary towards Hall Road).
- 2.5 It is acknowledged that the sale of the 2.5 metre portion of the road reserve will not transfer all of the land behind the fence on the road reserve into the ownership of the Property owners. In the event Council agrees to sell the land as proposed, the landowners have advised that they are willing to enter into a licence agreement for the balance of the road reserve area, which will regularise their occupation of this area of land, and contain appropriate clauses which protect Council from any risk associated with that occupation.
- 2.6 A minor alteration to the wooden part of the fence has also been agreed, to make it run parallel to the new boundary, such that there is sufficient clearance from the road carriage way to preserve public safety.
- 2.7 The road reserve in this section of Hall Road varies in width and Council's underground drain is located outside the area proposed for sale. Given the wider road reserve width and location of drain it is considered that a future footpath and any possible road widening can be accommodated outside the proposed 2.5m wide strip.

3. DISCUSSION / ISSUE

- 3.1 If Council resolves that it intends to sell the land, the following actions will take place:
 - 3.1.1 A public notice will be published in the Manningham Leader newspaper, advising of Council's proposal to discontinue the section of road and sell the land to the abutting owner, and of a person's right to make a submission.

- 3.1.2 If there are no submissions, Council will proceed to formally discontinue the section of road and to sell this land to the abutting owner.
- 3.1.3 If submissions are made, they will need to be considered and/or heard by a Committee of Council established for that purpose, which would consider the matter and refer to a second report and recommendation to Council. A further report to Council on the submissions and to seek approval from Council will then be prepared.
- 3.1.4 If Council then resolves to sell the land, a notice will be prepared for publication in the Victorian Government Gazette to discontinue the section of road. Council's surveyor will be engaged to prepare the necessary plans and its solicitor will be engaged to undertake the transfer of the land.

4. COUNCIL PLAN / STRATEGY

- 4.1. Council strategy is to consider such matters on a 'case by case' basis in consultation with relevant service units and other interested parties, in accordance with statutory requirements.
- 4.2 The sale of discontinued roadways by Council to abutting owners must be made on the basis of a fully transparent and equitable process. This is consistent with Council Plan Theme 5 – a Well Governed Council.

5. IMPACTS AND IMPLICATIONS

- 5.1 Council will receive the market value of the land if the land is sold.
- 5.2 As it has not been used for a roadway, has been fenced for a substantial period of time, and has been exclusively occupied by the owners of the abutting property, it is considered there will be minimal impact of this proposal to Council.

6. IMPLEMENTATION

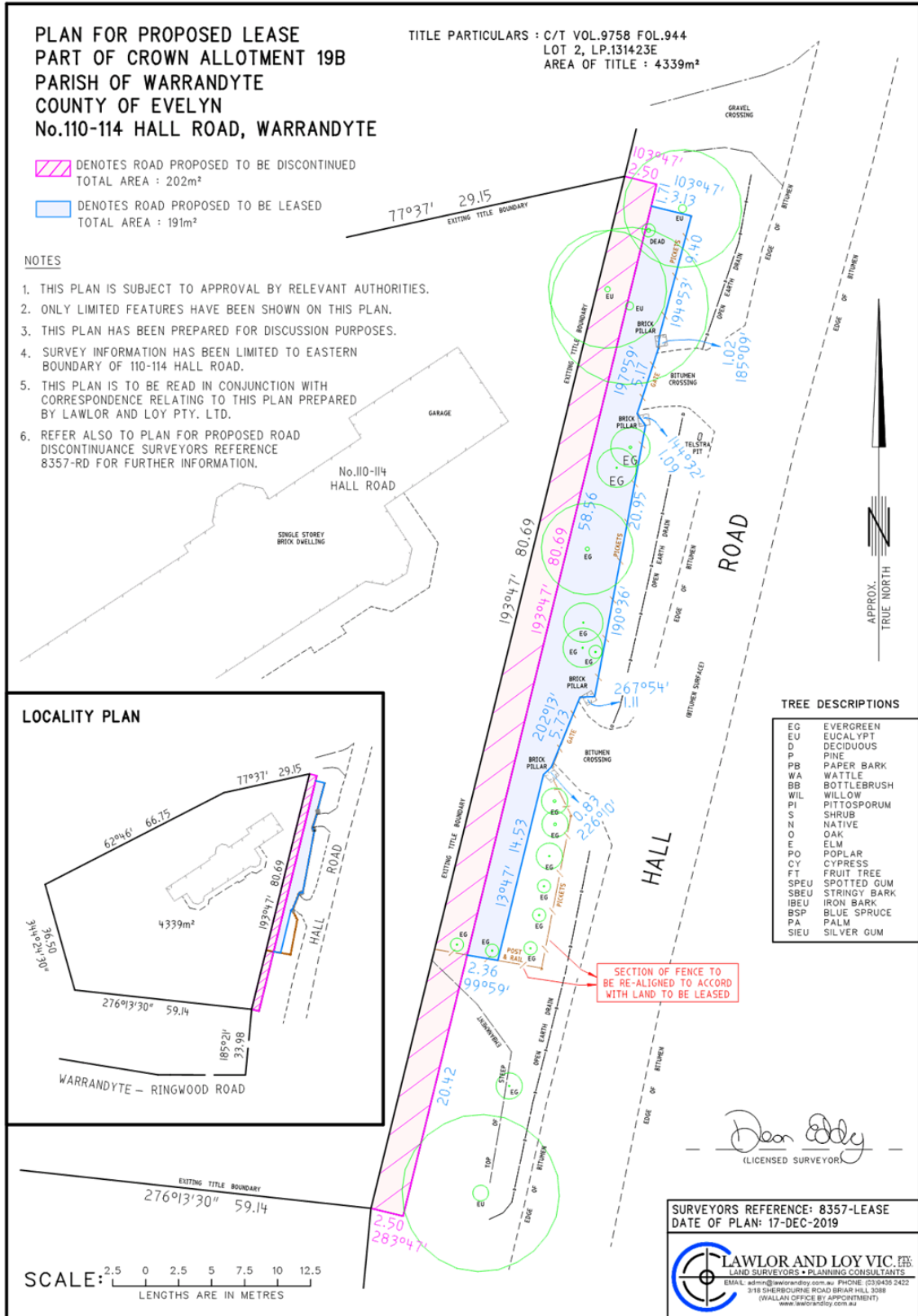
- 6.1 Finance / Resource Implications
- 6.1.1 The land that is the subject of this report has been valued by Council's valuers at market value, and the price has been agreed by the prospective purchaser, who has also agreed to pay Council's associated survey and legal costs. Refer to attachment 2.
- 6.1.2 The proceeds from the sale has not been anticipated in Council's budget.
- 6.2 Communication and Engagement
- A Public Notice in accordance with the Local Government Act 1989 will be published in the Manningham Leader, advising of Council's intention to discontinue the section of road and to sell it for market value plus costs, providing for the opportunity for any person to make a submission to Council.

6.3 Timelines

It is anticipated that the discontinuance and sale of the land may take at least 3-4 months.

7. 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.



The meeting concluded at 8:25pm

Chairperson
CONFIRMED THIS 25 FEBRUARY 2020