

## Questions taken on notice

18 February 2020



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At Council meetings, questions from the public and from Councillors are sometimes taken 'on notice', meaning that an answer cannot be provided at the meeting itself. When an answer is available, it is provided direct to the questioner, and is also published here.

As well as the full response, the text below includes a summary of the question and the answer provided at the meeting. A recording of the Council Meeting (including Public Question Time and Councillor Questions Without Notice) is available on Council's website for twelve months following the meeting.

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### **Response to question from Cr Bosler**

#### Question

I have received a number of questions from residents Neil and Anne House on the Yarra Riverbank frontage via email dated 17 February. I will forward on the email to the Governance officer and relevant officer to respond.

Can officers please provide a report in writing to Councillors and to the interested residents?

#### Response at the meeting

The Director City Works and Assets advised seeing the email and would respond to the residents and Councillors.

#### Subsequent response

1. *What authority is responsible to monitor and enforce Glenville's obligations to repair this damage? What is Council's role in this? What can residents do?*

Council is responsible to monitor the development site to ensure that works comply with planning requirements, environmental requirements (EPA guidelines) and Melbourne Water (MW) requirements. MW is responsible for the river bank (noting that the land in question is private land).

At Council's request, the developer has submitted a Site-wide Environmental Management Plan (SEMP) and a Construction Management Plan (CMP). These plans are reviewed and updated as necessary, with officers attending site regularly to inspect and ensure compliance.

Council has engaged a third party expert consultant (Alluvium) to provide advice on the best ways to monitor and manage the impacts of water on the site and investigations are ongoing. Alluvium are liaising with Council Officers, Glenvill and their consultants to ensure the site is managed appropriately and implement mitigation measures on site as required.

Community members can and do report their observations to officers, and these are followed up as appropriate.

2. *Has Council ensured that all of Alluvium's short term management implications quoted above have been met? Have Council specified timely time frames on this?*

The advice of Alluvium in their report made recommendations as to mitigation works. Glenvill have been working towards implementing these recommendations, with support, advice and direction from Council Officers, and consultants for both Council and Glenvill.

The initial sediment ponds have been sealed as per the recommendation of Alluvium. A liner is proposed for the remaining sediment pond south of the Boiler House and works are expected to commence within 1 week. Cut-off drains have also been installed.

Subsoil drains (agricultural/AG drains) to intercept any possible subsurface runoff along the ridge line to the embankment and to the south of the hardstand area have been installed. AG drains were also recommended towards the bottom of the embankment's lower terrace, to drain the water logged areas. Glenvill have sought Melbourne Water's approval for the temporary installation of this AG drain. Council have been in discussions with MW and Glenvill in the last two weeks to progress this proposal.

The investigations being undertaken by consultants on behalf of Glenvill, with Alluvium oversight and input, are being undertaken to understand the cause of the increased ground water and impacts on the river bank. This will inform any works to mitigate and/or repair this area.

3. *Should Alluvium and/or other agencies be funded to extend testing, ongoing monitoring and reporting monthly directly to Councillors as well as Officers to maintain the independence of expertise until these riverbank restoration areas are completed?*

It is Glenvill's responsibility to manage the development site in accordance with relevant Council permits and EPA guidelines. Hence Councils request for Glenvill to undertake a detailed investigations to verify the cause of the river bank slumping and to determine interim and long term solutions. Alluvium have been engaged by Council to inform and peer review these investigations. Council will continue to engage Alluvium to ensure expertise and independence in the process, and will report to Council and the community as appropriate, as per previous public reports and advice on these matters.

4. *Should Alluvium/other body be asked to provide graphs and modelled images of what this riverbank will look like in 1/2/5 years if no restorations are made by Glenvill. Reasons such as inadequate planning controls, weak enforcement regulations are totally unacceptable. Changes are needed as a matter of emergency to ensure landowners cannot create other environmentally hot spots such as this, but we cannot afford to wait for this to happen.*

Council and officers are aware of the importance of this site to community. There is currently monitoring in place for the river bank, in addition to the regular presence of officers on site. The detailed investigations as outlined above will inform options for the ultimate river bank landscape and will address bank and embankment stability. This information will be publicly reported back to Council once a report on the investigations has been received and reviewed by Council and Alluvium.

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## **Response to question from Cr O'Brien**

### Question

As mentioned in the Yana Ngargna Advisory Group delegates report our understanding is that we have engaged with a highly qualified research team and would like to ask the following questions:

Were any terms of reference provided to guide this program? If so, are they available to the public or confidentially to Councillors?

Is the project related to any specific resolutions or resolution of Council?

### Response at the meeting

The Director Community Wellbeing took the question on notice.

### Subsequent response

The Director Community Wellbeing subsequently advised that staff from Council's Social Strategy team have worked closely with, and been advised by, the members of the Aboriginal Partnerships team in developing the scope for the consultation. It is intended to ensure that the voice of Yarra's Aboriginal community is heard and respected throughout all aspects of the consultation, and the project scope has been designed to reflect that.

Whilst the consultants are not Aboriginal, they are acutely aware of the complexities and cultural sensitivities around the issue, and the team includes an outreach worker based in Richmond who comes with in-depth experience of a variety of people, issues and experiences in the area. Further, the Aboriginal Partnerships team will be working closely with the consultants to broker relationships and link them in with Aboriginal and Torres Strait Islander outreach workers and street drinkers.

The project scope has not yet been passed by the Yana Ngargna Advisory Group, but it is intended to do so, prior to their next meeting in April. Council will be seeking feedback and input from the members. Furthermore, it is intended to ensure that the working committee that will oversee the project will contain members of the local Aboriginal community.

The project scope has been submitted to the Monash University for ethics approval and this has recently been granted.

In relation to the specific question about the Terms of Reference, the Director Community Wellbeing advised that there is a project brief that Council provided to the researchers for ethics approval, but there are no 'terms of reference' as such. This will be developed as part of the formation of the project committee. The project is separate from Yana Ngargna, but will be heavily informed by this strategy. The Yana Ngargna Plan and the commitments by Council that the plan articulates are also the overarching principles of all work undertaken that involves or affects Yarra's Aboriginal community and this project will be conducted in accordance with these high ethical standards. A project reference group will oversee the consultation, including local Aboriginal service providers.

In relation to the question about the relation to any specific Council resolutions, the Director Community Wellbeing advised that the project is being undertaken in response to the Council Resolution at the meeting on 8 October 2019 that Council, among other things, *"requests the Community Partnerships Branch continue ongoing consultation regarding the Local Law and Protocol with the Aboriginal and Torres Strait Islander community and other relevant Aboriginal community service stakeholders."*

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