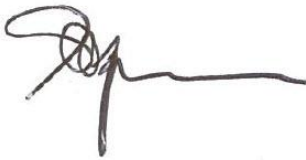


Councillor
(as addressed)

The next Council Meeting will be held in the Council Chamber, Braeside Avenue, Ringwood, on Monday 18 November 2019, commencing at 7:30pm and your presence is requested.

Yours faithfully



Steve Kozlowski
CHIEF EXECUTIVE OFFICER

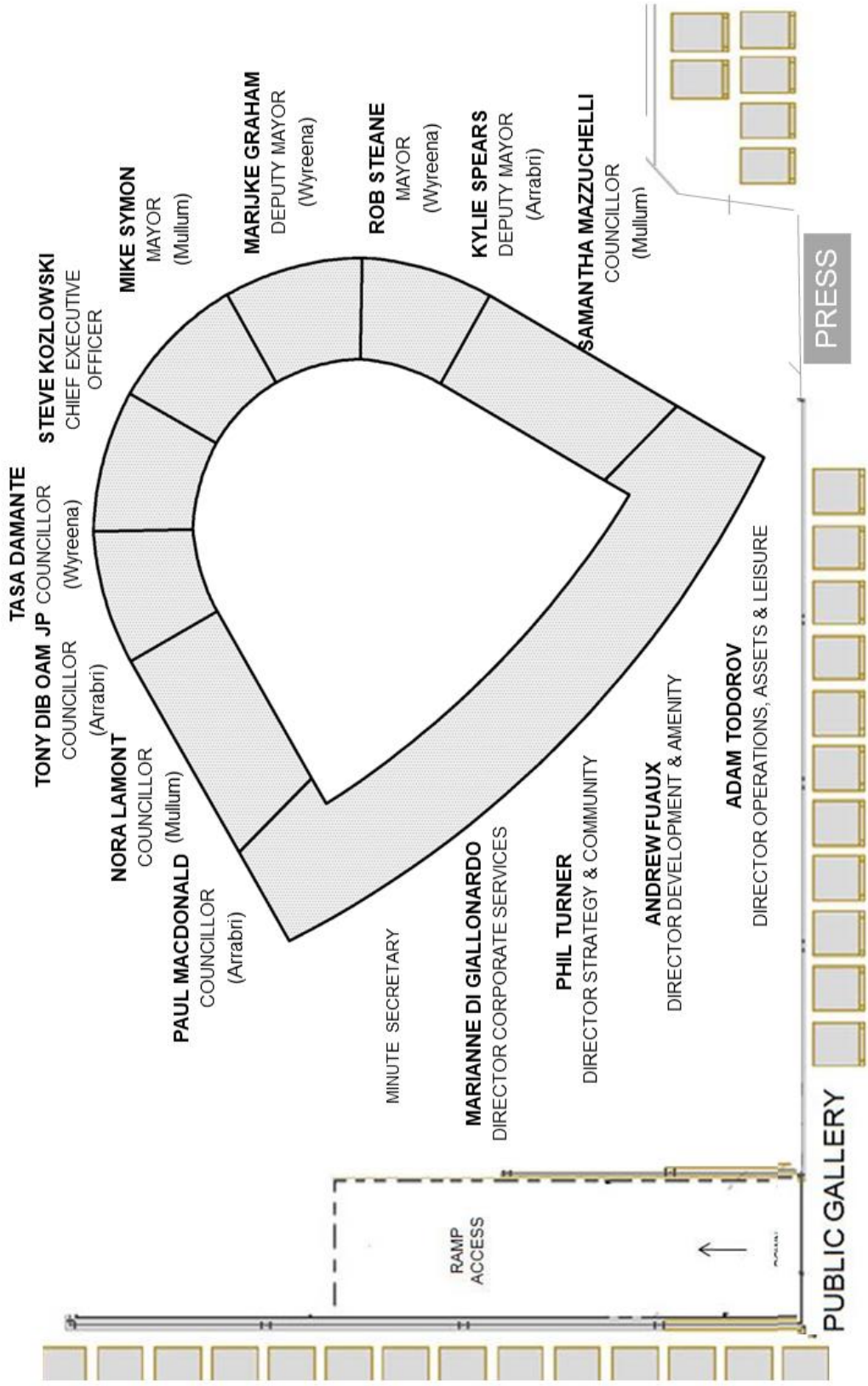
Note:
This meeting is being streamed live on the internet and recorded.
Every care is taken to maintain privacy and attendees are advised they may be recorded.



COUNCIL CHAMBER
IS FITTED WITH A HEARING AID
INDUCTION LOOP

**SWITCH HEARING AID TO 'T' FOR
RECEPTION**

City Offices	Braeside Avenue, Ringwood, 3134
Postal	PO Box 156, Ringwood 3134 DX 38068, Ringwood
Telephone	1300 88 22 33 Translating and Interpreting Service (TIS): 131 450 National Relay Service (NRS): 133 677
Facsimile	(03) 9298 4345
Email	maroondah@maroondah.vic.gov.au
Web	www.maroondah.vic.gov.au
Service Centres	Croydon: Civic Square REALM: 179 Maroondah Hwy, Ringwood



ORDER OF BUSINESS

1. Prayer
2. Acknowledgment of Country
3. Apologies
4. Declaration of Interests
5. Confirmation of Minutes of the Ordinary Council Meeting held on Monday 21 October 2019 and the Statutory Council Meeting held on Wednesday 13 November 2019.
6. Public Questions
7. Officers' Reports
 - Director Corporate Services
 1. Attendance Report 5
 2. Reports of Assembly of Councillors 7
 3. Councillor Representation Reports 10
 4. Discontinuance and Sale of Road and Reserve at 193 Dorset Road Croydon 12
 5. Financial Report: Three Months Ending September 2019 17
 6. Councillors Quarterly Expense and Reimbursement Report - July to September 2019 23
 7. Audit and Risk Advisory Committee - Further Term Appointment for Current Member 26
 8. Outcomes of Maroondah Motions to the Municipal Association of Victoria State Council Meeting 28
 9. Position of Deputy Mayor Policy 2019 32
 10. Submission to the Victorian Local Government Rating System Review 34
 11. Council Representation 2019/20 40
 12. Audit & Risk Advisory Committee Report 45
 - Director Operations, Assets & Leisure
 1. Capital Works Report: First Quarter 2019/2020 Financial Year 48
 - Director Strategy & Community
 1. Maroondah Planning Scheme Amendment C116 Jubilee Park: Adoption 53
 2. Council Plan 2017-2021 (Year 3: 2019/20) Priority Action Progress Report - Quarter 1, 2019/20 65
 - Director Development & Amenity
 1. MAV Submission - Environment Protection Act 1970 - Legislative Reform 68

8. Documents for Sealing
 1. Volunteer Years of Service Recognition 71
 9. Motions to Review
 10. Late Item
 11. Requests / Leave of Absence
 12. In Camera
- Director Development & Amenity
1. Tender Evaluation Report – Contract 20938 Lincoln Road Upgrades & Reconstruction (Stage 2)

ATTENDANCE REPORT

ITEM 1

PURPOSE

To provide an opportunity for Councillors to report on Council activities undertaken since the last Ordinary Meeting of Council and forthcoming ward activities.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 3: 2019-2020) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community

Our Vision: Maroondah is an effectively empowered community that is actively engaged in Council decision making through processes that ensure their voice is heard and considered. Council provides strong and responsive leadership, ensures transparent processes and works with the community to advocate and champion their needs

Key Directions 2019 – 2020:

8.1 Provide enhanced governance that is transparent, accessible, inclusive and accountable

BACKGROUND

Not Applicable

ISSUE / DISCUSSION

It is intended that the Mayor and Councillors be given the opportunity to present a verbal or written report updating Council on the activities they have undertaken in their role as Councillors and forthcoming ward activities.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

It is appropriate that Councillors formally report to Council upon the activities they have undertaken in their role as Councillors.

ATTENDANCE REPORT Cont'd

ITEM 1

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL RECEIVES AND NOTES THE REPORTS AS PRESENTED BY
COUNCILLORS**

REPORTS OF ASSEMBLY OF COUNCILLORS

ITEM 2

PURPOSE

To present the 'Public Record' of those Assembly of Councillors briefings which are attended by all Councillors and generally held on Monday evenings at the City Offices Ringwood, usually two weeks prior to the formal Council Meeting, and to note the issues discussed.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 3: 2019-2020) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community

Our Vision: Maroondah is an effectively empowered community that is actively engaged in Council decision making through processes that ensure their voice is heard and considered. Council provides strong and responsive leadership, ensures transparent processes and works with the community to advocate and champion their needs

Key Directions 2019 – 2020:

- 8.1 Provide enhanced governance that is transparent, accessible, inclusive and accountable

BACKGROUND

An Assembly of Councillors, as defined under the Local Government Act 1989 [s.3], is a planned or scheduled meeting, comprising at least five (5) Councillors and one (1) member of Council staff, that considers matters that are intended or likely to be:

- the subject of a decision of the Council; or
- subject to the exercise of a delegated function, duty or power of Council

Examples of an Assembly of Councillors may include:

- Councillor Briefings (which are attended by all Councillors and generally held on Monday evenings),
- On-site inspections,
- Consultative Meetings with residents, developers, consultants,
- Panel Hearings conducted under s223 of the Act,
- Meetings with local organisations, Government Departments, statutory authorities, and local politicians

ISSUE / DISCUSSION

As part of decision making processes at Maroondah, it is essential that Councillors are briefed on a range of issues which come before Council for consideration. As a means of providing this information, Assembly of Councillors briefings are conducted.

REPORTS OF ASSEMBLY OF COUNCILLORS Cont'd

ITEM 2

Assemblies are also attended by Council Officers, and sometimes other specific advisors, to provide Councillors with a detailed knowledge and understanding of issues under consideration to a level of detail that would inhibit timely decision-making, that would not be possible in an open Council meeting, where decision-making related debate is governed by strict meeting procedures.

The intent of this report is to present the 'Public Record' of those Assembly of Councillors briefings which are attended by all Councillors and generally held on Monday evenings, and to note the items discussed. This information is already available to the public upon request in accordance with the Local Government Act [s.80A].

This report and attachments formally table the information items previously covered by Councillors.

The 'Public Record' of the Assembly of Councillors briefings held on 21 October 2019, 7 November 2019 and 11 November 2019 is attached for information.

The items contained therein were noted.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION




Assembly of Councillors briefings are important forums for advice and discussion, on what are often complex issues facing the municipality, in the lead up to formal decisions being made by Councillors at Council Meetings. At Assemblies, or outside them, Councillors also have the opportunity of requesting additional information to assist in the decision making process.

It is appropriate that the 'Public Record' of those Assembly of Councillors briefings which are attended by all Councillors and generally held on Monday evenings at the City Offices Ringwood, usually two weeks prior to the formal Council Meeting, be noted at a formal meeting of Council.

REPORTS OF ASSEMBLY OF COUNCILLORS Cont'd

ITEM 2

ATTACHMENTS

1.  2019 October 21 - Assembly of Councillors Public Record
2.  2019 November 07 - Assembly of Councillors Public Record
3.  2019 November 11 - Assembly of Councillors Public Record

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES THE PUBLIC RECORD OF THE ASSEMBLY OF COUNCILLORS BRIEFINGS HELD ON 21 OCTOBER 2019, 7 NOVEMBER 2019 AND 11 NOVEMBER 2019

COUNCILLOR REPRESENTATION REPORTS

ITEM 3

PURPOSE

To receive and note the following meeting minutes.

- Maroondah Arts Advisory Committee held on 25 September 2019

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 3: 2019-2020) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community

Our Vision: Maroondah is an effectively empowered community that is actively engaged in Council decision making through processes that ensure their voice is heard and considered. Council provides strong and responsive leadership, ensures transparent processes and works with the community to advocate and champion their needs.

Key Directions 2019 – 2020:

8.1 Provide enhanced governance that is transparent, accessible, inclusive and accountable.

BACKGROUND

As part of Council's commitment to the principles and practice of good governance, it is appropriate that Councillors and the Community are formally updated on the actions and activities of the various organisations bodies/advisory groups upon which it is represented.

ISSUE / DISCUSSION

Council is represented on numerous Boards and Organisations. Appointments are made annually by Council at the commencement of the new Mayoral term.

Crs Spears, Graham and Symon are Council's representatives on the Maroondah Arts Advisory Committee.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

It is appropriate that Councillors and the Community are formally updated on the actions and activities of the various organisations bodies/advisory groups upon which Council is represented.

ATTACHMENTS

1.  Maroondah Arts Advisory Committee Minutes - 25 September 2019

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES MINUTES OF THE MAROONDAH ARTS ADVISORY COMMITTEE HELD ON THE 25 SEPTEMBER 2019

DISCONTINUANCE AND SALE OF ROAD AND RESERVE AT 193 DORSET ROAD CROYDON **ITEM 4**

PURPOSE

To seek Council's approval to;

- the discontinuance and sale of the road abutting 193 Dorset Road Croydon, being the land contained in certificate of title volume 10171 folio 287 shown as 'Road R1' on the plan of subdivision no. PS 314897W (Road) and
- consider the sale of the reserve contained in the certificate of title volume 10171 folio 286 shown as "Reserve No.1" on plan of subdivision no. PS 314897W (Land)

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 3: 2019-2020) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community.

Our Vision: Maroondah is an effectively empowered community that is actively engaged in Council decision making through processes that ensure their voice is heard and considered. Council provides strong and responsive leadership, ensures transparent processes, and works with the community to advocate and champion their needs.

Key Directions 2019 – 2020:

- 8.1 Provide enhanced governance that is transparent, accessible, inclusive, and accountable.
- 8.2 Ensure responsible and sustainable management of Maroondah resources, assets, infrastructure, and natural environment.

Priority Action 2019-2020:

Not applicable

BACKGROUND

Council is the registered proprietor of the Road and the Land on the plan of subdivision no. PS 314897W, as shown on the plan attached to this report as Schedule 1 (Title Plan).

In 1994, Lot 1 LP86687, then known as 193 Dorset Road Croydon, was subdivided into lots 1 and 2 on PS 314897W, known as 193 and 193A Dorset Road Croydon (Adjoining Properties). This subdivision created the Road and Land, and the titles to such parcels were issued in Council's name.

In July 2018, the Adjoining Properties were sold to the new owner who applied for a planning permit to subdivide the Adjoining Properties into 22 lots, as shown on plan of subdivision no. PS 823064J, a copy of which is contained in Schedule 2 to this report.

DISCONTINUANCE AND SALE OF ROAD AND RESERVE AT 193 DORSET ROAD CROYDON Cont'd **ITEM 4**

In reviewing the planning permit application, Council's statutory planning officers considered that the Road and the Land, located at the entrance of the Adjoining Properties, could form part of the new plan of subdivision no. PS 823064J, as they serve no purpose to Council.

A section 173 agreement is registered on the title to the Common Property No. 1 on PS 823064J, which adjoins the Road and the Land.

The section 173 agreement provides that the owner of the common property (Owner) must consolidate the title to the common property with the title to the Road, at the Owner's expense and to Council's satisfaction, within 6 months of the gazettal of the road discontinuance.

As a condition of sale of the Road and Land to the Owner, Council required a section 173 agreement to be registered on the titles, which imposed an obligation on the Owner to consolidate the Land with the common property at the Owner's expense and to Council's satisfaction, within 6 months of the gazettal of the road discontinuance.

The owner of the Adjoining Properties had agreed to purchase the Road and the Land for the market valuation of \$10,400 + GST, as provided by Council's contract Valuers, Westlink Consulting.

Road

The Road is a road on title and is therefore a 'road' for the purposes of the Local Government Act 1989 (Vic) (Act).

The Road is only used by the Adjoining Properties for private access and physically constructed in a way which appears to form part of the common property.

The Road parcel is 96.1 sqm.

The Road is not on Council's Public Roads Register and therefore it is not known as a public road.

Reserve

The Land forms part of the front landscaping of the Adjoining Properties and is a total of 8 sqm.

Before selling the Land, Council is required to apply for a planning permit pursuant to section 24A of the Subdivisions Act 1988 (Vic) to remove the reserve status from the Land.

ISSUE / DISCUSSION

On 29 April 2019, Council resolved to commence the statutory procedures pursuant to the Act, to discontinue the Road, and to consider the sale of the Land.

In accordance with sections 189, 207A and 223 of the Act, a Public Notice was published in 'The Age' newspaper on 31 May 2019. The notice advised that if the Road is discontinued, it would be sold to the adjoining property owner at 193 Dorset Road Croydon.

DISCONTINUANCE AND SALE OF ROAD AND RESERVE AT 193 DORSET ROAD CROYDON Cont'd **ITEM 4**

In addition, the public notice advised that Council is proposing to sell the Land to the adjoining owner. Any sale of the Land would be subject to Council removing the reservation from the Land pursuant to section 24A of the Subdivision Act 1988 (Vic).

The Road and the Land would be sold at no less than the market valuation held by Council - \$10,400 + GST.

The closing date for submissions was 28 June 2019, and no submissions were received in response to the Public Notice.

It is considered that the Road is not reasonably required for public use as;

- The Road is physically constructed to form part of the Adjoining Properties
- The Road is not open and is not available for public use
- There is no evidence that the Road is used for public access purposes

If the Road is discontinued, a notice in the Government Gazette must be published in accordance with clause 3(a) of Schedule 10 of the Act.

The section 173 agreement, which is registered on the title to the common property, imposes an obligation on the Owner to consolidate the Road with the common property within 6 months of the gazettal of the road discontinuance, at the Owner's expense and to the satisfaction of Council.

As a condition of sale of the Road and Land to the Owner, Council required a section 173 agreement to be registered on the titles, which imposed an obligation on the Owner to consolidate the Land with the common property at the Owner's expense and to Council's satisfaction, within 6 months of the gazettal of the road discontinuance.

Council is now in a position to complete the statutory procedures and make a final decision.

FINANCIAL / ECONOMIC ISSUES

The legal and disbursement costs associated with the discontinuance and sale of the Road and the Land, would be funded by the purchaser in line with Council's Policy. The costs associated with Council's administration in dealing with property matters is contained within the current budget.

ENVIRONMENTAL / AMENITY ISSUES

Not applicable

SOCIAL / COMMUNITY ISSUES

Not applicable

COMMUNITY CONSULTATION

Council has notified the community of the proposal to discontinue the Road and sell the Road and Land, through a Public Notice that was published in 'The Age' on 31 May 2019, inviting

DISCONTINUANCE AND SALE OF ROAD AND RESERVE AT 193 DORSET ROAD CROYDON Cont'd **ITEM 4**



submissions to be received in accordance with the statutory procedures pursuant to section 223 of the Act.

At the conclusion of this consultation period on 28 June 2019, there were no submissions received to the discontinuance and sale of the Road and Land.

CONCLUSION

It is proposed that Council complete the statutory procedures pursuant to section 189 and clause 3 of Schedule 10 of the Act, to discontinue the Road and sell the Road and Land to the Owner.

ATTACHMENTS

1.  Schedule 1 - Title Plan PS 314897 193 Dorset Road
2.  Title Plan - PS 823064J - 193 Dorset Road Croydon - Kepsi Place

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

1. **THAT COUNCIL, ACTING UNDER CLAUSE 3 OF SCHEDULE 10 OF THE LOCAL GOVERNMENT ACT 1989 (ACT), RESOLVES THAT**
 - i. **HAVING FOLLOWED ALL THE REQUIRED STATUTORY PROCEDURES PURSUANT TO SECTIONS 207A AND 223 OF THE ACT, PURSUANT TO ITS POWER UNDER CLAUSE 3 OF SCHEDULE 10 OF THE ACT, HAVING CONSIDERED THAT THERE WERE NO SUBMISSIONS RECEIVED IN RESPONSE TO THE PUBLIC NOTICE , AND BEING OF THE OPINION THAT THE ROAD ABUTTING 193 DORSET ROAD CROYDON, BEING PART OF THE LAND CONTAINED IN CERTIFICATE OF TITLE VOLUME 10171 AND FOLIO 287 (ROAD) IS NO LONGER REASONABLY REQUIRED FOR GENERAL PUBLIC USE, TO DISCONTINUE THE ROAD**
 - ii. **A NOTICE PURSUANT TO THE PROVISIONS OF CLAUSE 3(A) OF SCHEDULE 10 OF THE ACT, IS PUBLISHED IN THE VICTORIAN GOVERNMENT GAZETTE**
 - iii. **ONCE DISCONTINUED, THE ROAD BE TRANSFERRED TO THE REGISTERED PROPRIETOR OF THE COMMON PROPERTY AT 193 DORSET ROAD CROYDON (OWNER), FOR NO LESS THAN THE MARKET VALUE, PLUS OTHER INCIDENTAL COSTS IN RELATION TO THE DISCONTINUANCE AND SALE PROCESS**
 - iv. **THE CHIEF EXECUTIVE OFFICER, OR ANY PERSON WITH THE NECESSARY DELEGATION, SIGN ANY TRANSFER OF LAND AND ANY OTHER DOCUMENTS REQUIRED TO BE SIGNED IN CONNECTION WITH THE DISCONTINUANCE OF THE ROAD AND ITS SUBSEQUENT TRANSFER TO THE OWNER; AND**

DISCONTINUANCE AND SALE OF ROAD AND RESERVE AT 193 DORSET ROAD CROYDON Cont'd **ITEM 4**

- v. **THE OWNER BE REQUIRED TO CONSOLIDATE THE TITLE OF THE ROAD WITH THE TITLE OF THEIR PROPERTY, WITHIN 6 MONTHS OF THE DATE OF TRANSFER OF THE DISCONTINUED ROAD AT THE OWNER'S EXPENSE**
- 2. THAT COUNCIL, ACTING UNDER SECTION 189 OF THE ACT, RESOLVES THAT;**
- i. **HAVING FOLLOWED ALL THE REQUIRED STATUTORY PROCEDURES PURSUANT TO SECTIONS 189, AND 223 OF THE ACT, IN RELATION TO THE LAND CONTAINED IN CERTIFICATE OF TITLE VOLUME 10171 FOLIO 286 (LAND), AND HAVING CONSIDERED THAT THERE WERE NO SUBMISSIONS RECEIVED IN RESPONSE TO THE PUBLIC NOTICE, THE LAND BE SOLD TO THE OWNER OF THE COMMON PROPERTY AT 193 DORSET ROAD CROYDON (OWNER) FOR NO LESS THAN THE MARKET VALUE, PLUS OTHER INCIDENTAL COSTS IN RELATION TO THE SALE PROCESS**
 - ii. **COUNCIL APPLY FOR A PLANNING PERMIT PURSUANT TO SECTION 24A OF THE SUBDIVISION ACT 1988 (VIC), TO REMOVE THE RESERVE STATUS FROM THE LAND**
 - iii. **THE CHIEF EXECUTIVE OFFICER, OR ANY PERSON WITH THE NECESSARY DELEGATION, SIGN ANY TRANSFER OF LAND AND ANY OTHER DOCUMENTS REQUIRED TO BE SIGNED IN CONNECTION WITH THE SALE OF THE LAND TO THE OWNER; AND**
 - iv. **THE OWNER BE REQUIRED TO CONSOLIDATE THE TITLE OF THE LAND WITH THE TITLE OF THEIR PROPERTY, WITHIN 6 MONTHS OF THE DATE OF TRANSFER OF THE LAND AT THE OWNER'S EXPENSE**

**FINANCIAL REPORT: THREE MONTHS ENDING
SEPTEMBER 2019**

ITEM 5

PURPOSE

To present Council with a snapshot of Council's financial performance for the three months ending 30 September 2019. Attachment 1 provides the full financial report.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 3: 2019-2020) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community.

Our Vision: In the year 2040, Maroondah will be an effectively empowered community that is actively engaged in Council decision making through processes that ensure their voice is heard and considered. Council provides strong and responsive leadership, ensures transparent processes and works with the community to advocate and champion their needs.

Key Directions 2017 – 2021:

8.1 Provide enhanced governance that is transparent, accessible, inclusive and accountable.

BACKGROUND

In accordance with Sections 136, 137 and 138 of the Local Government Act 1989, Council is required each quarter to consider the financial performance of the municipality against budget for the year to date (YTD).

This requirement is not a substitute for the more frequent range of detailed financial reports that continue to be provided to Council management and the Audit and Risk Advisory Committee.

The attached financial statements contain an Income Statement (Operating Statement); Balance Sheet; Statement of Cash Flows and a Statement of Capital Works. The Income Statement is presented per accounting standards by nature.

The statements have been prepared on the basis of accrual accounting (i.e. including significant accruals) and non-consolidation (i.e. excludes the results of the Eastern Regional Library Corporation and Section 86 Committees of Management).

The statements provide comparisons between actual results and the YTD forecast budget.

ISSUE / DISCUSSION

The following is a summary of the financial position for the three months ending 30 September 2019. A detailed report is attached to this document.

FINANCIAL REPORT: THREE MONTHS ENDING
SEPTEMBER 2019 Cont'd

ITEM 5

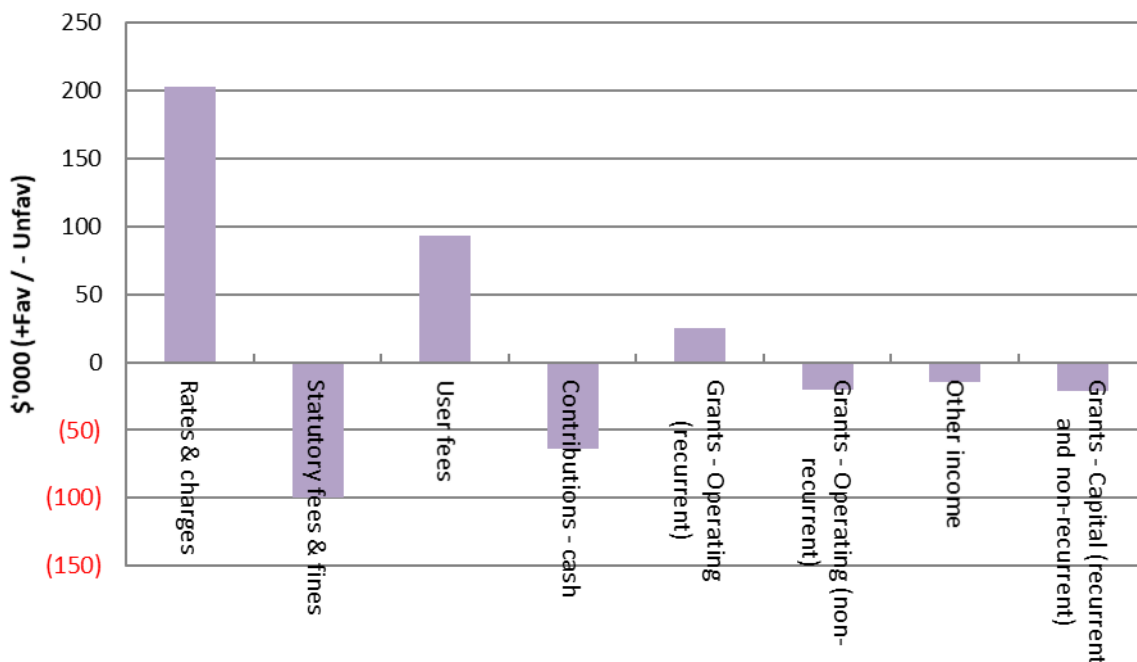
1. OPERATING PERFORMANCE

1.1 Overall Operating Performance

	YTD Forecast \$'000	YTD Actual \$'000	YTD Var \$'000	Forecast Budget \$'000	Adopted Budget \$'000
Operating					
Income	103,511	103,637	126	139,174	137,752
Expenses	33,329	32,103	1,226	136,379	133,403
Underlying Surplus (Deficit)	70,182	71,535	1,353	2,794	4,349
Capital					
Grants - Capital (recurrent and non-recurrent)	1,456	1,435	(22)	3,844	522
Comprehensive result	71,638	72,969	1,331	6,638	4,871

For the three months ended 30 September 2019, Council has recorded an underlying surplus before capital revenues of \$71.54 million, which is \$1.35 million ahead of the year to date forecast budget. This is primarily related to unexpended funds during the period, as outlined in section 1.3 of the report.

1.2 Income – YTD Forecast Budget variances



**FINANCIAL REPORT: THREE MONTHS ENDING
SEPTEMBER 2019 Cont'd**

ITEM 5

The table at 1.2 illustrates how each income stream is performing year to date against forecast, by variance. Key variances of note include:

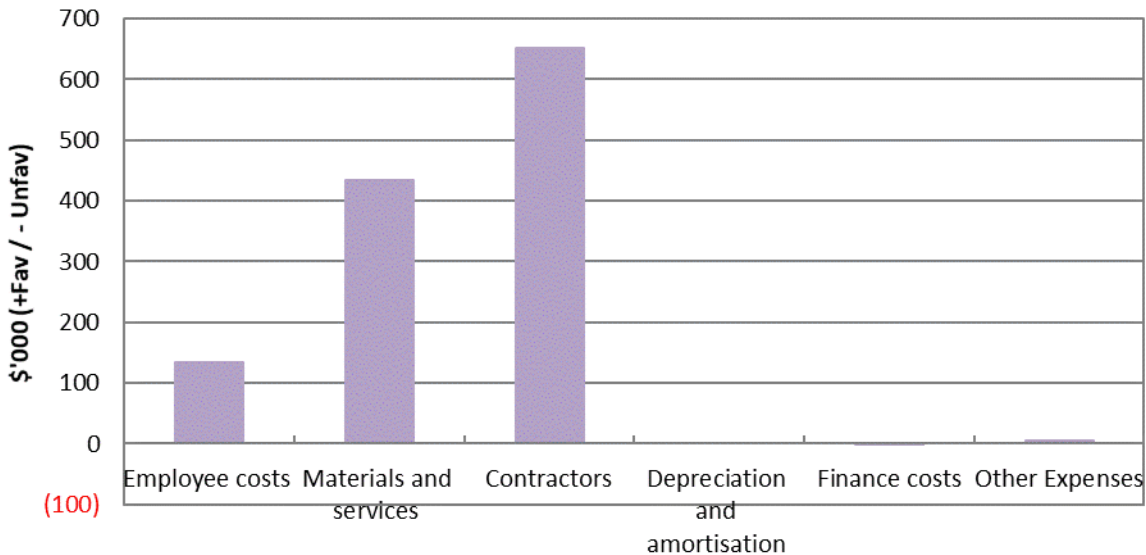
Favourable Variances:

- User Fees \$93k – variance predominantly due to higher than anticipated income across Council leisure facilities
- Rates and Charges \$203k - variance predominantly due to higher than anticipated supplementary rates

Unfavourable Variances:

- Statutory Fees and Fines (\$100k) – variance due to lower than forecast income amounts from planning application fees (\$93k) and statutory planning (\$95k)
- Cash Contributions (\$64k) – variance due to lower than forecast income amounts from statutory planning (\$50k), planning contributions (\$30k) and open space contributions (\$20k)

1.3 Expenses – YTD Forecast Budget variances



The table at 1.3 illustrates how each expense stream is tracking year to date against forecast, by variance. Key variances of note include:

Favourable Variances:

- Contractors \$652k – Driven by differences in the timing of expenses across the organisation. Areas of council contributing to the variance include Finance and Governance \$252k, Operations \$95k, Business & Activity Centre \$89k, Assets \$50k,

FINANCIAL REPORT: THREE MONTHS ENDING SEPTEMBER 2019 Cont'd

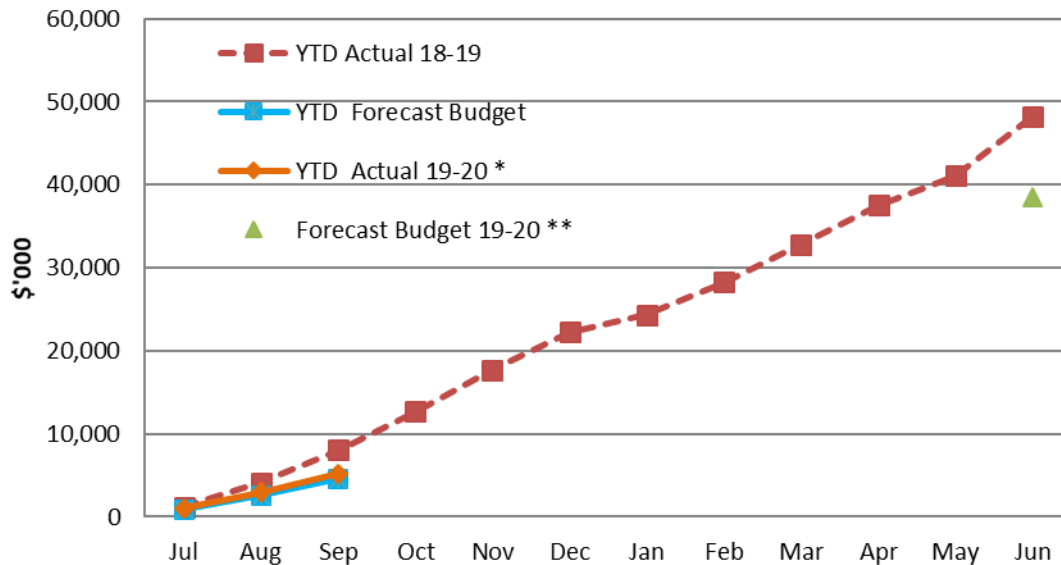
ITEM 5

Workplace People and Culture \$48k, Leisure \$44k, Integrated Planning \$43k and Health, Local Laws & Emergency \$15k

- Materials and Services \$434k – Driven by differences in the timing of expenses across the organisation. Areas of council contributing to the variance include Leisure \$274k, Finance and Governance \$141k, Community Services \$110k, Workplace, People & Culture \$68k, Information Technology \$42k, Communications & Engagement \$22K, Assets (\$80k), Operations (\$77k) and Business & Activity Centre (\$58k)
- Employee Costs \$134k – Driven by differences in the timing of expenses across the organisation. Areas of council contributing to the variance include Engineering & Building Services \$12k and Leisure \$130k

2. CAPITAL WORKS

2.1 CAPITAL WORKS YTD EXPENDITURE CUMULATIVE



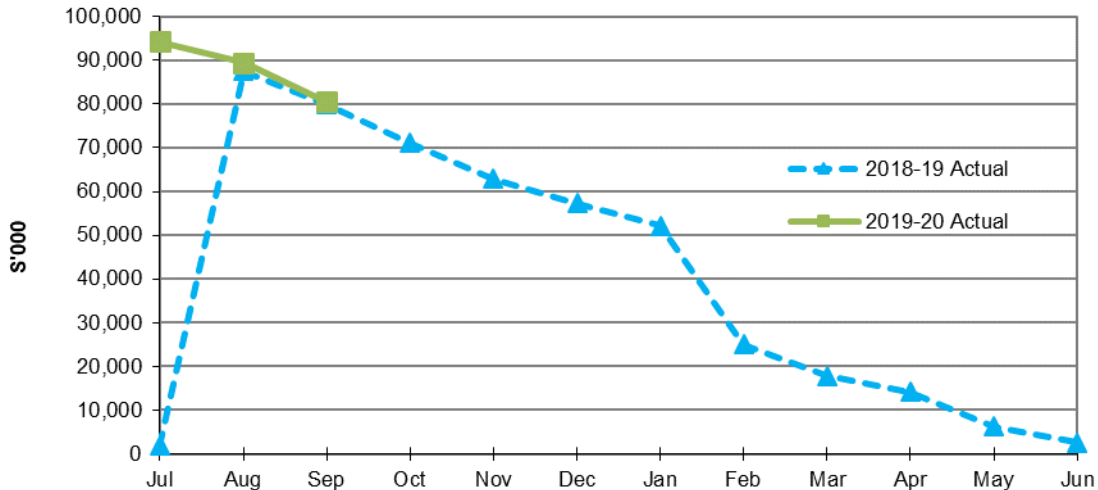
* YTD Actual expenditure includes Carried Forwards
 ** Forecast Budget expenditure includes Carried Forwards

The Forecast Capital Expenditure program for 2019/20 is \$38.457 million. A carry forward amount from 2018/19 of \$9.447 million is included in the forecast for the current period.

The chart above indicates how Council is performing year to date against the forecast, as well as how we are tracking to achieve the period end target of \$38.457 million. Council has spent 13.50% of its forecast at the end of the first quarter and plans to meet target by period end.

3. RATES

3.1 ACTUAL RATES OUTSTANDING BALANCE BY MONTH



The chart above compares the rates outstanding as at 30 September 2019 to the same time last financial period. Our collection rate follows a similar pattern to previous periods, based on rate instalments occurring at set times throughout the financial period. Note that this graph accounts for rates being struck in July this period compared to August last period. Council has one of the highest debt recovery performances in comparison to other local government authorities.

FINANCIAL / ECONOMIC ISSUES

As presented in this report and accompanying financial statements.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

The 30 September 2019 YTD results are favourable and provide a solid foundation for achieving Council's 2019/2020 services and advocacy programs.

**FINANCIAL REPORT: THREE MONTHS ENDING
SEPTEMBER 2019 Cont'd**

ITEM 5

ATTACHMENTS

1.  Quarterly Reporting Council Meeting - Sep 2019
2.  Quarterly Finance Report - 30 Septmeber 2019 - Appendix Analytics - Final

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES THE REPORT ON THE FINANCIAL PERFORMANCE AGAINST BUDGET FOR THE THREE MONTHS ENDING 30 SEPTEMBER 2019

COUNCILLORS QUARTERLY EXPENSE AND REIMBURSEMENT REPORT - JULY TO SEPTEMBER 2019

ITEM 6

PURPOSE

To provide a report to the community on Councillor expenses.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 3: 2019-2020) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community.

Our Vision: In 2040, Maroondah will be an empowered community that is actively engaged in council decision making through processes that consider the needs and aspirations of all ages and population groups. Council will provide strong and responsive leadership, ensuring transparency, while working with the community to advocate for and 'champion' local needs.

Key Directions 2019 – 2020:

8.1 Provide enhanced governance that is transparent, accessible, inclusive and accountable.

BACKGROUND

In accordance with Section 75 of the Local Government Act 1989, Council is required to reimburse a Councillor for expenses incurred whilst performing his or her duties as a Councillor. Council is also required to adopt and maintain a Policy in relation to the reimbursement of expenses for Councillors. The Policy provides guidance for the payment of reimbursements of expenses and the provision of resources, facilities and other support to the Mayor and Councillors to enable them to discharge their duties.

The Councillor Expenses, Support and Reimbursement Policy was adopted by Council on 29 April 2019.

Council also publishes in its Annual Report the details of the expenses, including reimbursement of expenses for each Councillor and member of a Council Committee paid by the Council. The details of the expenses for the past financial year are set out in the 2018/19 Annual Report.

ISSUE / DISCUSSION

This is a standard Governance reporting item.

COUNCILLORS QUARTERLY EXPENSE AND REIMBURSEMENT REPORT - JULY TO SEPTEMBER 2019
Cont'd

ITEM 6

FINANCIAL / ECONOMIC ISSUES

A budget of \$102,000 in the 2019/2020 financial year exists for the expenses and reimbursement of Councillors. A budget of \$12,000 is allocated to the Office of the Mayor for the provision of a vehicle for the November 2018 – November 2019 Mayoral term.

<i>Councillor</i>	<i>TR (\$)</i>	<i>CM (\$)</i>	<i>CC (\$)</i>	<i>IC (\$)</i>	<i>CT (\$)</i>	<i>CCA (\$)</i>	<i>Total July to Sept 2019 (\$)</i>
Tony Dib OAM JP	0	0	0	235.90	0	137.27	373.17
Paul Macdonald	0	0	0	64.19	1,229.00	931.86	2,225.05
Kylie Spears Deputy Mayor	139.07	0	0	77.85	63.00	666.00	945.92
Nora Lamont	1,545.93	0	0	286.40	1,862.32	22.73	3,717.38
Samantha Mazzuchelli	0	0	0	155.90	0	0	155.90
Mike Symon	1,021.12	60.09	0	102.38	3,320.88	60.00	4,564.47
Tasa Damante	277.89	0	409.29	68.33	63.00	406.36	1,224.87
Marijke Graham	131.88	0	187.77	75.55	63.00	868.77	1,326.97
Rob Steane Mayor	3,425.81	3,000.00	0	142.39	1,065.75	178.18	7,812.13
TOTAL	6,541.70	3,060.09	597.06	1,208.89	7,666.95	3,271.17	22,345.86

Legend: TR-Travel, CM-Car Mileage (# a budget allocation of \$12,000 is allocated to the Office of the Mayor for the provision of a vehicle for the Nov 18 – Nov 19 Mayoral term), CC-Child Care, IC-Information and Communication expenses, CT- Conferences and Training expenses, CCA-Civic and Community Attendance.

Note: No expenses were paid by Council including reimbursements to members of Council Committees during the year.

Note: Figures are provisional end of financial year results and are subject to finalisation as part of the external audit processes for the 2019/20 Statements in the Annual Report.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

**COUNCILLORS QUARTERLY EXPENSE AND
REIMBURSEMENT REPORT - JULY TO SEPTEMBER 2019
Cont'd**

ITEM 6

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

Not Applicable

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL NOTES THE COUNCILLORS EXPENSE AND REIMBURSEMENT
REPORT FOR JULY TO SEPTEMBER 2019**

**AUDIT AND RISK ADVISORY COMMITTEE - FURTHER
TERM APPOINTMENT FOR CURRENT MEMBER**

ITEM 7

PURPOSE

To reappoint a current independent member to Council's Audit and Risk Advisory Committee for a further term in line with Council's Charter for this Committee

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 3: 2019-2020) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community.

Our Vision: In 2040, Maroondah will be an empowered community that is actively engaged in council decision making through processes that consider the needs and aspirations of all ages and population groups. Council will provide strong and responsive leadership, ensuring transparency, while working with the community to advocate for an 'champion' local needs.

Key Directions 2019 - 2020

8.1 Provide enhanced governance that is transparent, accessible, inclusive and accountable.

BACKGROUND

Council's Audit and Risk Advisory Committee Charter requires Council to appoint an Audit and Risk Advisory Committee which consists of at least five members – three independent members, the Mayor and one Councillor.

The Audit and Risk Advisory Committee Charter requires appointments to be made on a three year rotational basis, with a maximum of two terms per member allowed to be served. In order to facilitate this approach, Mr. Michael Ulbrick was appointed for a three year term as Committee member in 2016, hence his current term has now expired.

ISSUE / DISCUSSION

Given Mr Ulbrick's extensive sector experience including roles such as these as well as his exemplary performance over the past three years, Council is able to provide him a further term.

FINANCIAL / ECONOMIC ISSUES

Council's budget provides for the operation of the Audit and Risk Advisory Committee and for the completion of an Internal Audit Program.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable.

**AUDIT AND RISK ADVISORY COMMITTEE - FURTHER
TERM APPOINTMENT FOR CURRENT MEMBER Cont'd**

ITEM 7

SOCIAL / COMMUNITY ISSUES

Not Applicable.

COMMUNITY CONSULTATION

Not Applicable.

CONCLUSION

Given Mr. Ulbrick's vast sector experience in Audit Committee roles as well as his exemplary performance to date, Council will be well placed to reappoint him for a further three year term in line with Council's Audit & Risk Advisory Committee Charter.

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT MR. MICHAEL ULBRICK BE APPOINTED AS AN INDEPENDENT COMMITTEE
MEMBER FOR A FURTHER THREE YEAR TERM**

**OUTCOMES OF MAROONDAH MOTIONS TO THE
MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL
MEETING**

ITEM 8

PURPOSE

To consider the outcomes of motions submitted by Council to the Municipal Association of Victoria (MAV) State Council Meeting held on Friday 18 October 2019.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council plan 2017-2021 (Year 3: 2019-2020) provide the strategic framework that underpins the purpose in this report.

Outcome Area: A well governed and empowered community

Our Vision: Maroondah is an effectively empowered community that is actively engaged in Council decision making through processes that ensure their voice is heard and considered. Council provides strong and responsive leadership, ensures transparent processes and works with the community to advocate and champion their needs.

Key Directions 2018 – 2019:

8.1 Provide enhanced governance that is transparent, accessible, inclusive and accountable

BACKGROUND

The Municipal Association of Victoria (MAV) is one of the local government sector peak body associations and together with local members of parliament, provides significant advocacy to both State and Federal Governments on behalf of Maroondah residents and ratepayers.

The MAV State Council is made up of representatives from each member Council, and meets twice each year in May and October, or more if needed.

ISSUE / DISCUSSION

Council, at its meeting on 16 September 2019, resolved to submit the following three motions to the MAV State Council Meeting held on Friday 18 October 2019, which were all carried with overwhelming support.

Motion 1: Cost Recovery for Properties with Hoarding and Squalor

That the Municipal Association of Victoria State Council calls upon the State Government to amend section 197 (5) of the Public Health and Wellbeing Act to allow Councils the option to recover the costs and expenses from regulatory action and orders by issuing a charge to the land or property that is the subject of the order, along with the existing ability to pursue the person on whom the order is made.

**OUTCOMES OF MAROONDAH MOTIONS TO THE
MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL
MEETING Cont'd**

ITEM 8

Rationale:

The *Public Health and Wellbeing Act (PHWB Act) 2008 (s60)* sets out a positive duty of Councils to investigate nuisances. Hoarding incidents have historically been investigated under the nuisance provisions of the PHWB Act. A home or property where hoarding and squalor exists is reported to councils, often by neighbours, due to odours, poor condition of the property, risk of fire, pests and vermin. If there is a failure to act, councils can be found to not have fulfilled the requirements of the legislation.

Hoarding is now recognised in the Diagnostic and Statistical Manual of Mental Disorders as a long term behavioural mental health condition. Council recognises that these properties can pose significant risk to the residents, neighbours and emergency services attending the property. However, enforced clean-ups are incredibly distressing to the householder and to staff overseeing the clean-up. The removal of the items cause significant trauma and anxiety, are very expensive to complete and often just result in more items being returned to the property.

Currently, the PHWB Act s197 (5) states that when an order has been made under s197 (4), the Council may both enter the land to which the order relates and *abate the nuisance* and do *whatever is necessary to execute the order*; and then recover the costs and expenses incurred by it from the person on whom the order is made. There is no option for the Council to place these costs on the land/property. People suffering from hoarding disorder are often extremely vulnerable and isolated. In these instances, Council may have no option but to sue the householder for expenses incurred in the clean-up and legal costs. Residents with few resources are not able to pay, so the Council absorbs the costs (anywhere between \$10,000 and \$50,000).

Motion 2: Derelict Properties

That the Municipal Association of Victoria State Council calls upon the State Government to amend the existing building regulations to provide Councils the necessary power to require the rectification or ultimately demolition of properties that are in a significant state of neglect and dereliction.

Rationale:

Vacant dwellings are becoming more prevalent as developers and overseas investors buy properties for future development. The length of time properties remain vacant and unmaintained can be dependent on the current property market. Many vacant properties are being left to fall in to a state of neglect and dereliction. Vandalism, tagging, illegal dumping of rubbish, squatting and damage to nearby properties have been linked to many properties that are not properly fenced, secured or being upkept.

Councils can deal with certain aspects of derelict properties under the *Building Act 1993*, *Public Health and Wellbeing Act 2008 (PHW Act)*, and sometimes a Council Local Law. However, dealing with items in isolation often does not solve the overall safety and maintenance requirements and Councils do not have the necessary powers required to enforce a demolition permit.

**OUTCOMES OF MAROONDAH MOTIONS TO THE
MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL
MEETING Cont'd**

ITEM 8

The *Building Act* could be amended to provide council with the option, via the Municipal Building Surveyor, to address vacant dwellings that, while structurally adequate, are in a state of neglect. The amendment could allow the Municipal Building Surveyor to form the opinion that a building is a derelict building and cause a building notice to be served on the owner of the property requiring them to (a) put the building or part of the building into a state of repair, or (b) to demolish the building where it cannot be repaired. The *Planning and Environment Act 1987* requires a planning permit for demolition of properties affected by a Heritage Overlay and buildings covered by a Neighbourhood Character Overlay, and this must also be considered in any review where the property is also classified as derelict.

Motion 3: Waste Management in Victoria

That the Municipal Association of Victoria State Council calls upon the State Government to re-prioritise and re-focus what is critical in the Waste and Resource Recovery space, including:

- ***Deeming waste and resource recovery as an essential service***
- ***Expanding legislative reform on plastic bags to include the phasing out of problematic single-use plastic products, including plastic wrappings on food at supermarkets***
- ***Establishing a container deposit scheme by legislation in line with other States and Territories***
- ***Advocating to the Federal Government for effective national product stewardship arrangements, including container deposit framework, to drive recycling of drink containers, textiles, polystyrene, paper, cupboard and all electronic goods***
- ***Giving special consideration for those Councils spending a premium to maintain recycling with current contractors, that they are also considered as part of any grant funding***
- ***Establishing consistent marketing tools and techniques that can be shared with the wider community by all Councils - to ensure recycling is not forgotten (other than just consistent bin colours)***
- ***Ensuring that the messaging regarding Food Organics in the Green Bin (FOGO) and Alternative Waste Solutions is clear and well understood - to ensure that these two methods of waste processing are not perceived to be in conflict with one-another***

**OUTCOMES OF MAROONDAH MOTIONS TO THE
MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL
MEETING Cont'd**

ITEM 8

Rationale:

The time to work positively and look towards the opportunities that can be realised from this crisis is now. However, without prioritising the needs, there is a risk that the focus and energy does not deliver on required outcomes.

FINANCIAL / ECONOMIC ISSUES

Refer to rationale as highlighted under Background

ENVIRONMENTAL / AMENITY ISSUES

Refer to rationale as highlighted under Background

SOCIAL / COMMUNITY ISSUES

Refer to rationale as highlighted under Background

COMMUNITY CONSULTATION

Council, through various forums, consultations and strategies, has engaged the Maroondah community regarding these various issues. This report further demonstrates Council's preparedness to advocate to other spheres of government on behalf of Maroondah residents.

CONCLUSION

The three motions submitted by Maroondah indicates the willingness of Council to advocate in such forums on behalf of residents and ratepayers, in addition to demonstrating Council's continued leadership on issues within the sector.

All resolutions from the MAV State Council held on Friday 18 October 2019 are attached

ATTACHMENTS

1.  MAV State Council Resolutions-October 2019

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL NOTES THE OVERWHELMING SUPPORT OF MOTIONS SUBMITTED BY COUNCIL THAT WERE THE SUBJECT OF CONSIDERATION AND DEBATE AT THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL MEETING HELD ON 18 OCTOBER 2019

POSITION OF DEPUTY MAYOR POLICY 2019

ITEM 9

PURPOSE

To review this policy, the purpose of which is to provide a consistent set of guidelines for Council in relation to the duties of the Deputy Mayor.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 3: 2019-2020) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community

Our Vision: Maroondah is an effectively empowered community that is actively engaged in Council decision making through processes that ensure their voice is heard and considered. Council provides strong and responsive leadership, ensures transparent processes and works with the community to advocate and champion their needs.

Key Directions 2019 – 2020:

8.1 Provide enhanced governance that is transparent, accessible, inclusive and accountable.

BACKGROUND

Under current legislation (the Local Government Act 1989), the position of Deputy Mayor is not referenced and therefore the role is not legislatively defined. Therefore, it is at the discretion of the Council of the day whether to have a Deputy Mayor, which can be simply achieved by resolution of Council.

At the present time, the local government sector is awaiting introduction of the proposed Local Government Bill 2019, which when passed, will provide for election of a Mayor and Deputy Mayor and make clear the powers and duties of both roles.

In the meantime, it is appropriate that Council should review and update its existing policy as deemed appropriate.

ISSUE / DISCUSSION

The intent of this Policy is to provide an understanding regarding the scope of the position of the Deputy Mayor, which will enable Council to work together efficiently and with clarity

The Policy seeks to ensure that the prominence of the Mayoralty, which is legislatively recognised, is maintained throughout the Mayor's term of office, and to provide a comprehensive list of duties and functions the Deputy Mayor can undertake throughout his/her term.

POSITION OF DEPUTY MAYOR POLICY 2019 Cont'd

ITEM 9

Following a review of the Policy, the only change proposed is to articulate those occasions that the Deputy Mayor would wear the Mayoral Drop (Medallion), i.e.

The Deputy Mayor, whilst acting on behalf of the Mayor during the Mayor's absence, shall wear the Mayoral Drop on the following occasions:

- *Council Meetings*
- *Australia Day and Australian Citizenship Ceremonies held within Maroondah*
- *Any other Civic Ceremony or Event that requires the formality for the Mayoral Drop to be worn by the Mayor*

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION


Not Applicable

CONCLUSION

To support good governance processes at Maroondah, it is appropriate for Council to review and update this policy with a view to providing a consistent set of guidelines in relation to the duties of the Deputy Mayor.

The proposed amendment is reflected on page 2 of the Draft Policy as attached to this report.

ATTACHMENTS

1.  2019 Draft Policy - Position of Deputy Mayor

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL ADOPTS THE POSITION OF DEPUTY MAYOR POLICY 2019, AS REVISED AND ATTACHED TO THIS REPORT

**SUBMISSION TO THE VICTORIAN LOCAL GOVERNMENT
RATING SYSTEM REVIEW**

ITEM 10

PURPOSE

Council to note this submission to this State Government Review which supports enhancements to the current system to ensure fairness and equity for all ratepayers and at the same time ensure the ongoing financial viability for Councils within the current rate capped environment.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 3: 2019-2020) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community

Our Vision: Maroondah is an effectively empowered community that is actively engaged in Council decision making through processes that ensure their voice is heard and considered. Council provides strong and responsive leadership, ensures transparent processes and works with the community to advocate and champion their needs

Key Directions 2019 – 2020:

8.1 Provide enhanced governance that is transparent, accessible, inclusive and accountable

BACKGROUND

In response to the Parliament of Victoria's Inquiry into the Sustainability and Operational Challenges of Victoria's Rural and Regional Councils, the State Government agreed to undertake an Inquiry into the Victorian Local Government Rating System the Terms of Reference for which can be found [here](#).

The Ministerial Panel for the Victorian Local Government Rating System Review is advice that the State Government has agreed to undertake to identify changes "that will improve fairness and equity" for all Victorian ratepayers. The State Government has undertaken a wide range of consultation mechanisms with the sector including this submission process.

Maroondah City Council (MCC) officers support the review to address provisions of the Victorian State Government legislative rating regime that are no longer viable due to changing social and economic conditions. While no system of taxation is perfect, the fairness and equity of the Victorian Local Government Authority (LGA) rating system could be improved.

The Review, however, should not create greater complexity in the LGA rating regime which is already considered by many as extremely complex and difficult to understand. Any further transparency, explanation and communication the State Government could provide to ratepayers would be welcomed.

By way of context, public rates discussions in metropolitan Melbourne and in larger Council regions focuses almost exclusively on delivering value for money which according to recent State Government Community Satisfaction scores indicate that local government authorities are continually improving the service system, community engagement and advocacy for their

**SUBMISSION TO THE VICTORIAN LOCAL GOVERNMENT
RATING SYSTEM REVIEW Cont'd****ITEM 10**

respective communities within the current rate capped environment. In Victoria the 2017/18 LGA rates revenue, often also known as own source revenue, of \$5.1 billion accounted for approximately 48% of total LGA revenue however these rates are not the only property tax property owners pay. A key issue is the increasing share of Victorian property taxes being taken by the State Government. Between 2010/11 and 2017/18 State Government property taxes increased by 114% whereas local government taxes on property increased by only 52%.

According to Council's Published 2019/2020 Budget, MCC's current breakdown of rateable property classes is as follows:

Type or class of land	2019/20 Number
General Land	45,760
Vacant Land	223
Commercial Land	2,195
Industrial Land	1,967
Derelict Land	-
Cultural and Recreational Lands Act	3
Total number of assessments	50,148

The rates to be levied on each of this type or class of land is as follows:

The rate and amount of rates payable in relation to land in each category of differential are a general rate of:

- 0.210025% for all rateable General Land:
- 0.252030% for all rateable Commercial Land; and
- 0.252030% for all rateable Industrial Land; and
- 0.315038% for all rateable Vacant Land; and
- 0.630075% for all rateable Derelict Land.

Each differential rate is determined by multiplying the Capital Improved Value of each rateable land type or class by the relevant percentages indicated above and for which specific objectives have been determined by Council.

MCC has 552 non-rateable properties which include a range of properties owned by State Government, Churches, private schools and a range of not-for-profit organisations.

ISSUE / DISCUSSION

The Maroondah submission to this Review covers:

1. responses to Consultation Questions in the associated Discussion Paper (see attachment A);
2. rating system items that MCC consider need to either be retained or reviewed; and

**SUBMISSION TO THE VICTORIAN LOCAL GOVERNMENT
RATING SYSTEM REVIEW Cont'd**

ITEM 10

3. as members of the Municipal Association Victoria (MAV) MCC broadly supports the MAV's submission which focuses primarily on Regional and Rural Council needs (see attachment B).

This report highlights the key points.

1. Responses to Consultation Questions in the associated Discussion Paper

A range of current matters are raised such as a requirement to further define charitable organisations given these receive rating exemptions and which can range anywhere between those that support homeless 'couch surfing' to large institutions which are significant players in the health and wellbeing of many people within society, private schools and some organisations with gaming machines. The question here is whether they are being treated equitably between each other and with other ratepayers? Maroondah's exemptions could be reported in the Annual Report as a disclosure although to date this has never been requested by ratepayers.

MCC has a differential rating structure in line with its Rating Strategy and is a significant part of its Long Term Financial Strategy and has done for many years. The structure is clearly outlined in all budget and annual report documentation in line with State Government requirements. Again to date this has not been a matter raised by Maroondah ratepayers.

Further in line with Council's Rating Strategy, rate waivers are not supported for any property class within a rate capped environment given the high expectation of ratepayers for the full range of Council service at a quality and best value standard. Maroondah's Rating Strategy does however provide for the opportunity of discretion during financial hardship where Council assists ratepayers getting through typically temporary difficult circumstances.

To the question should cultural and recreational land and electricity generators have alternative rating arrangements, MCC support cultural and recreational land having an alternative rating arrangement given this land provides broader social, cultural and health benefit to the community when on private land, however, similar to the National Competition Policy a universal criteria by State Government should be provided to ensure transparency State-wide. In relation to electricity generators as they are a business generating derived profit from consumers albeit returned to State Government, similar transparency and real cost accounting should be applied.

To the question should property values determine rates (own source revenue for local governments), many alternatives have been canvassed through research including the Productivity Commission and the Australian Centre for Excellence, all of whom have landed on the recommendation that while not a perfect system, it is the best approach to ensure financial fairness, equity and sustainability for Councils with respective communities to provide the current range of services to ratepayers. Tweaks within the current system could be further explored by State Government which is what this submission process is seeking.

**SUBMISSION TO THE VICTORIAN LOCAL GOVERNMENT
RATING SYSTEM REVIEW Cont'd**

ITEM 10

2. Rating system items that MCC consider need to either be retained or reviewed

Council is of the view that the vast majority of the current rating system already provides a high level of fairness and equity across the State. The following provides the main aspects of which is deemed is currently working and which could be enhanced further.

Retain

- Current differential powers with the ability for further flexibility to levy as deemed appropriate by respective local government communities
- Current retention of property valuations as the basis for the rating strategy
- Current Council powers to recover full cost of providing waste services and that the State Government release the landfill levy for its intended purpose to assist Councils achieve sustainable outcomes for their respective communities.

Review

- Current rate exemption categories to ensure universality across the State
- The current Cultural and Recreational Lands Act could be abolished and incorporated into the pending review of the Local Government Act
- Having a medium-longer term rate-cap called by the Minister which would increase certainty beyond a 12 month period and would greatly assist Long Term Financial Strategy review and planning for Councils. State Government typically works on a five year rolling budget.
- Provision of valuations by the Valuer General delivered earlier in the budgeting cycle to reduce uncertainty in the budget process. Officers suggest 28 February each year would greatly assist this process.
- The Fire Services levy reporting to State Government requires significant investment with software companies as officers take an inordinate amount of time to manually meet those requirements each year
- Rate notices could be streamlined by State Government for ratepayers as there is too much information that is required to be on notices by legislation or regulation. In an electronic age this could be referenced centrally.

3. As members of the Municipal Association Victoria (MAV), MCC broadly supports the MAV's submission which focuses primarily on Regional and Rural Council needs

Enhanced administrative and bureaucratic processes currently required by the State Government could be streamline as outline in 2 above which will assist all Victorian Local Governments. MCC also recognises the different environments in which all Victorian Local Governments operate and hence broadly supports the submission provided to the Ministerial Panel.

**SUBMISSION TO THE VICTORIAN LOCAL GOVERNMENT
RATING SYSTEM REVIEW Cont'd**

ITEM 10

An approach currently in practice Nation-wide and State-wide is that which is applied to the Grants Commission funding and for which very specific criteria is applied to different types of Councils, again to seek fairness and equity for all Victorian ratepayers. A similar formulae approach could be applied by State Government, using property valuations as a basis.

FINANCIAL / ECONOMIC ISSUES

Depending on the degree of change proposed by the Ministerial Review Panel to the State Government and the degree of change appetite by the State Government, this matter might have a low risk minimal change for Council's own source revenue or high risk should massive change be adopted by State Government. MCC would argue the current system isn't broken and could be streamlined provided it doesn't jeopardise current own source revenue arrangements for financial sustainability to service and infrastructure needs and expectations.

ENVIRONMENTAL / AMENITY ISSUES

Minimal impacts. This is primarily a financial matter for Council and the Maroondah community.

SOCIAL / COMMUNITY ISSUES

Depending on the degree of change to the current rating system this is potentially similar to the matters raised under the financial/economic issues above, and could potentially have a low or high risk to what social and community services and infrastructure, hence issues faced by the community.

COMMUNITY CONSULTATION

Minimal beyond the knowledge Council has about the current system and the current Maroondah community which when taking everything into account is a system which works. Some back end administrative enhancements by the State Government would be welcomed.

CONCLUSION



While very few ratepayers look forward to receiving their annual rate notice. Many at Maroondah as outlined by current Community Satisfaction Scores and minimal complaints on this matter within Council Customer Request System understand that paying rates is a reality of life when one owns property for the opportunity to pay for Council services and infrastructure. This Rating Review undertaken by the State Government is a valid opportunity for the State Government to draw its own conclusions as to the degree of change it is prepared to undertake after consulting with Councils, and other stakeholders.

From an MCC perspective the current rating system isn't 'broken'. It is providing a valuable stable, fair and equitable system and is an instrument which has been tested over many decades to be successful in serving its purpose. It is providing the community with highly needed and valued services to facilitate and enhance their social wellbeing as outlined by MCC's 2040 aspirations and Council Plan objectives.

**SUBMISSION TO THE VICTORIAN LOCAL GOVERNMENT
RATING SYSTEM REVIEW Cont'd**

ITEM 10

ATTACHMENTS

1.  Maroondah Submission to Vic Local Government Rating System Review
2.  Submission-from-MAV-to-Rating-System-Review-1-November-2019

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL NOTES THE SUBMISSION TO THIS VICTORIAN LOCAL
GOVERNMENT RATING SYSTEM REVIEW**

COUNCIL REPRESENTATION 2019/20

ITEM 11

PURPOSE

To consider formal Council representation to internal and external organisations, and other appointments, for the period November 2019 to November 2020.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 3: 2019-2020) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community.

Our Vision: Maroondah is an effectively empowered community that is actively engaged in Council decision making through processes that ensure their voice is heard and considered. Council provides strong and responsive leadership, ensures transparent processes and works with the community to advocate and champion their needs.

Key Directions 2019 – 2020:

- 8.1 Provide enhanced governance that is transparent, accessible, inclusive and accountable

BACKGROUND

Council appoints Council delegates at the commencement of a new Mayoral term on an annual basis. It provides clear communication and delegate identification for Councillors, the community and the organisations or bodies/advisory groups to which a Councillor is a delegate.

There are two types of bodies requiring formal Council representation, either internal or external. Internal bodies/advisory groups have been initiated by Council and are serviced administratively. They typically consider in-depth issues that are related to Council policy or activities. Their primary purpose is to advise Council on issues. An extension of these Committees has been the development of internal committees with a large degree of community representation.

External bodies are those outside the control of Council as they operate under their own charter and determine their own procedures, policies and practices. In these instances, Council involvement is to participate and influence the activities of those external groups where those activities are in the Maroondah public's interest.

ISSUE / DISCUSSION

Committee representation is reviewed on an annual basis and aligns with the election of Mayor through the November cycle of meetings.

Convention indicates that where the Mayor is a member of an internal Committee of Council, they would automatically act as the chair, unless they relinquish that role. Additionally, in accordance with good governance practice where the Mayor is not a specific member of a Committee – they may exercise the option to attend any Committee in an ex-officio capacity.

COUNCIL REPRESENTATION 2019/20 Cont'd

ITEM 11

The internal Committees are: -

- Arts Advisory Committee *
- Audit and Risk Advisory Committee *
- Disability Advisory Committee *
- Maroondah Business Advisory Committee *
- Maroondah Community Safety Committee *
- Maroondah Partners in Community Wellbeing Committee *
- Maroondah Environment Advisory Committee *
- Maroondah Age-friendly Cities & Communities Network
- Victorian Local Government Women's Charter

** These Council Committees have external key stakeholders/advisors as active participants.*

The external Committees are: -

- Eastern Affordable Housing Alliance
- Eastern Alliance for Greenhouse Action
- Eastern Regional Group – Mayors and CEO'S
- Eastern Regional Libraries Corporation
- Eastern Transport Coalition
- Local Government Safe Cities Network
- Maroondah - Communities of Wellbeing Steering Committee
- METEC (Metropolitan Training Education Centre Inc.)
- Metropolitan Waste and Resource Recovery Forum
- Municipal Association of Victoria – State Council

Each of the Committees has at least one Council appointees with a number also requiring a substitute Councillor or officer, should Council's primary appointee be unable to attend.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COUNCIL REPRESENTATION 2019/20 Cont'd

ITEM 11

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

That Council consider the appointments as listed within the recommendation to this report.

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL:

1. NOTES THAT THE MAYOR, CR , IS ABLE, AS EX-OFFICIO, TO ATTEND ANY OF THE BODIES/ADVISORY GROUPS WHERE HE IS NOT A SPECIFIC MEMBER AS A DELEGATE; AND
2. MAKES THE FOLLOWING APPOINTMENTS:

INTERNAL COMMITTEES

ARTS ADVISORY COMMITTEE

CR CR..... AND CR AS COUNCIL'S REPRESENTATIVES TO THE ARTS ADVISORY COMMITTEE

AUDIT AND RISK ADVISORY COMMITTEE

THE MAYOR OF THE DAY AND CR AS COUNCIL'S REPRESENTATIVES TO THE AUDIT AND RISK ADVISORY COMMITTEE

DISABILITY ADVISORY COMMITTEE

CR AND CR AS COUNCIL'S REPRESENTATIVES WITH THE PROGRAM MANAGER COMMUNITY PLANNING & DEVELOPMENT AS SUBSTITUTE REPRESENTATIVE TO THE DISABILITY ADVISORY COMMITTEE

MAROONDAH BUSINESS ADVISORY COMMITTEE

CR, CR AND CR AS COUNCIL'S REPRESENTATIVES TO THE MAROONDAH BUSINESS ADVISORY COMMITTEE

MAROONDAH COMMUNITY SAFETY COMMITTEE

CR, CR AND CR AS COUNCIL'S REPRESENTATIVES WITH THE COMMUNITY SAFETY OFFICER AS SUBSTITUTE REPRESENTATIVE TO THE MAROONDAH COMMUNITY SAFETY COMMITTEE

MAROONDAH PARTNERS IN COMMUNITY WELLBEING COMMITTEE

CR AND CR AS COUNCIL'S REPRESENTATIVES WITH THE SOCIAL PLANNING & DEVELOPMENT OFFICER AND PROGRAM MANAGER COMMUNITY PLANNING & DEVELOPMENT AS SUBSTITUTE REPRESENTATIVES TO THE MAROONDAH PARTNERS IN COMMUNITY WELLBEING COMMITTEE

MAROONDAH ENVIRONMENT ADVISORY COMMITTEE

CR, CR AND CR AS COUNCIL'S REPRESENTATIVES TO THE MAROONDAH ENVIRONMENT ADVISORY COMMITTEE

MAROONDAH AGE-FRIENDLY CITIES & COMMUNITIES NETWORK

CR..... CR AND CR, AS COUNCIL'S AGE-FRIENDLY CHAMPIONS

VICTORIAN LOCAL GOVERNMENT WOMEN'S CHARTER

CR CR, CR, CR, CR AND THE DIRECTOR CORPORATE SERVICES AS COUNCIL'S REPRESENTATIVES/CHARTER CHAMPIONS

EXTERNAL COMMITTEES

EASTERN AFFORDABLE HOUSING ALLIANCE

CR AS COUNCIL'S REPRESENTATIVE WITH THE PROGRAM MANAGER COMMUNITY PLANNING & DEVELOPMENT AND/OR MANAGER INTEGRATED PLANNING AS SUBSTITUTE REPRESENTATIVES TO THE EASTERN AFFORDABLE HOUSING ALLIANCE

EASTERN ALLIANCE FOR GREENHOUSE ACTION

CR AS COUNCIL'S REPRESENTATIVE WITH CR, THE DIRECTOR STRATEGY & COMMUNITY AND/OR MANAGER INTEGRATED PLANNING AS SUBSTITUTE REPRESENTATIVES TO THE EASTERN ALLIANCE FOR GREENHOUSE ACTION

EASTERN REGIONAL GROUP – MAYORS AND CEO'S

THE MAYOR OF THE DAY, THE DEPUTY MAYOR OF THE DAY AND THE CHIEF EXECUTIVE OFFICER AS COUNCIL'S REPRESENTATIVES AND CR AS SUBSTITUTE REPRESENTATIVE TO THE EASTERN REGIONAL GROUP – MAYORS AND CEO'S

EASTERN REGIONAL LIBRARIES CORPORATION

CR AND CR AS COUNCIL'S REPRESENTATIVES WITH CR, IN ADDITION TO THE DIRECTOR CORPORATE SERVICES (OR NOMINEE) AND MANAGER REVENUE, PROPERTY & CUSTOMER SERVICE AS SUBSTITUTE REPRESENTATIVES TO THE EASTERN REGIONAL LIBRARIES CORPORATION

EASTERN TRANSPORT COALITION

CR AS COUNCIL'S REPRESENTATIVE WITH CR AND THE TRANSPORT & SUSTAINABILITY PLANNER AND/OR TEAM LEADER STRATEGIC PLANNING & SUSTAINABILITY AS SUBSTITUTE REPRESENTATIVES TO THE EASTERN TRANSPORT COALITION

LOCAL GOVERNMENT SAFE CITIES NETWORK

CR AS COUNCIL'S REPRESENTATIVE WITH CR AS SUBSTITUTE REPRESENTATIVE TO THE LOCAL GOVERNMENT SAFE CITIES NETWORK

MAROONDAH – COMMUNITIES OF WELLBEING STEERING COMMITTEE

CR AND CR AS COUNCIL'S REPRESENTATIVES WITH THE MANAGER INTEGRATED PLANNING AS SUBSTITUTE REPRESENTATIVE TO THE MAROONDAH – CITY OF WELLBEING STEERING COMMITTEE

METEC (METROPOLITAN TRAINING EDUCATION CENTRE INC.)

CR AS COUNCIL'S REPRESENTATIVE WITH CR AS SUBSTITUTE REPRESENTATIVE TO METEC

METROPOLITAN WASTE AND RESOURCE RECOVERY FORUM

CR AS COUNCIL'S REPRESENTATIVE WITH THE DIRECTOR CORPORATE SERVICES, MANAGER FINANCE & GOVERNANCE, AND WASTE MANAGEMENT CO-ORDINATOR AS SUBSTITUTE REPRESENTATIVES TO THE METROPOLITAN LOCAL GOVERNMENTS' WASTE FORUM

MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL

CR AS COUNCIL'S REPRESENTATIVE WITH CR AS SUBSTITUTE REPRESENTATIVE TO THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL

AUDIT & RISK ADVISORY COMMITTEE REPORT

ITEM 12

PURPOSE

To report to Council on the outcomes of the Audit and Risk Advisory Committee Meeting held on 13 November 2019.

STRATEGIC / POLICY ISSUES

The Local Government Act 1989 prescribes that Council must establish an Audit and Risk Advisory Committee and that such a committee will be advisory in nature. The Audit and Risk Advisory Committee provides a mechanism for Council to strategically examine various aspects of the Council operations to ensure risk management, legal compliance, financial control, and governance measures are in place.

BACKGROUND

Council's Audit and Risk Advisory Committee consists of both Council and external representatives. The Mayor of the day, Councillor Rob Steane, and Councillor Mike Symon, are Council representatives on the Committee.

The external members are Mr John Watson (chair), Mr Bruce Potgieter and Mr Michael Ulbrick.

The Audit and Risk Advisory Committee Charter requires that this Committee report to Council on the findings and recommendations from its meetings. This report provides a summary of matters under consideration by the Audit and Risk Advisory Committee of the meeting held on 13 November 2019. Many items on the Agenda are regular reports such as the CEO's Report including State-wide Integrity Agencies activity and Report Findings, MCC's Internal Audit Progress Report, 1/4terly Finance Report, Risk and Insurance Report, Internal Audits Actions Register, sector related agencies Report and MCC's Minutes from the Risk Management Advisory Committee at which all Service Area Senior Officers across all services attend demonstrating active management of all Council's risks.

ISSUE / DISCUSSION

The details associated with the some of the regular reports considered by the Audit and Risk Advisory Committee and the Committees assessment included:

- Internal Audit Tracking Report Summary as well as the Internal Audit Actions Register for the 1st Quarter 30 September 2019. Feedback was positive, as well as the changes made to the report summary were endorsed and supported going forward;
- It was also made clear that there have been no obstructions to the internal audit program and they are gaining support from Council Officers. Since no internal Audit Reports were presented at this meeting due to minor finalisations, it is planned to have four audit reports presented at the next Committee meeting in February 2020;
- The Finance Report for the three months ending 30 September 2019 was discussed and the Committee was satisfied with the results and the way in which the report presented at the end of the first quarter. As well as this, the introduction of an executive summary and flash report to the finance update has also been welcomed and supported by the Committee;

AUDIT & RISK ADVISORY COMMITTEE REPORT Cont'd

ITEM 12

- An updated risk management and insurance report for the period ending 30 September 2019 – presenting the organisations current operational and strategic risks and the controls that are currently in place to mitigate those risks. The report noted a decrease in several significant-level residual risks. The Committee suggested reviewing the Organisational Risks, and ensuring that management expand on those for the Committee's benefit ie linking them to the specific Operational Risks, within the Risk Register. This will further strengthen the Risk Framework from Management's perspective;
- A report that presented a desktop assessment of Maroondah's position against VAGO's findings within the Fraud and Corruption Report that was issued to the sector. The desktop findings were presented to the Committee. The Committee thanked officers for the level of detail that went into that report and are pleased to see such reports be presented throughout the year. For the next meeting, a benchmark report on IBAC's Procurement Report Recommendations is planned to be presented to the Committee; and
- Once again, the Committee congratulated the organisation in its high-level of org-wide attention and integration of Risk Management and it is looking forward to the organisation continuing to enhance itself in this space, in displaying best practice principles.

FINANCIAL / ECONOMIC ISSUES

Council's budget provides for the operation of the Audit and Risk Advisory Committee and for the completion of an Internal Audit Program.

ENVIRONMENTAL / AMENITY ISSUES

Not applicable.

SOCIAL / COMMUNITY ISSUES

Not applicable.

COMMUNITY CONSULTATION

Not applicable.

CONCLUSION

This report provides a summary of the outcomes of the Audit and Risk Advisory Committee meeting held on 13 November 2019 as an opportunity to provide transparency to the Maroondah Community and stakeholders.

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL RECEIVES AND NOTES THE REPORT FROM THE AUDIT & RISK
ADVISORY COMMITTEE MEETING HELD ON 13 NOVEMBER 2019**

**CAPITAL WORKS REPORT: FIRST QUARTER 2019/2020
FINANCIAL YEAR**

ITEM 1

PURPOSE

To present the financial and operational status of major Capital Works projects for the period 1 July 2019 to 30 September 2019.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 3: 2019-2020) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community

Our Vision: Maroondah is an effectively empowered community that is actively engaged in Council decision making through processes that ensure their voice is heard and considered. Council provides strong and responsive leadership, ensures transparent processes and works with the community to advocate and champion their needs

Key Directions 2019 – 2020:

8.1 Provide enhanced governance that is transparent, accessible, inclusive and accountable.

BACKGROUND

Council, as part of its Adopted Budget 2019/2020, allocated \$28.764m to Capital Works projects, including some State and Federal grant funding. Council expects to shortly receive an additional \$244k in grant funding and has carried forward \$9.447m from the 2018/2019 capital works budget. The total adjusted forecast budget for 2019/2020 is therefore currently \$38.457m.

Capital Works programs status reports are prepared by management and reviewed monthly at the Capital Works Implementation Group (CWIG) and presented quarterly to the Audit and Risk Advisory Committee (ARAC).

Provided in this report is an overview of Capital Expenditure on Council's major project areas for the period 1 July 2019 to 30 September 2019.

**CAPITAL WORKS REPORT: FIRST QUARTER 2019/2020
FINANCIAL YEAR Cont'd**

ITEM 1

ISSUE / DISCUSSION

The following is a summary of the status of Council's major project areas at 30 September 2019:

CAPITAL PERFORMANCE – THREE MONTHS ENDING 30 SEPTEMBER 2019

	YTD Forecast Budget \$'000	YTD Actual * \$'000	YTD Bud Var \$'000	Forecast Budget ** \$'000	Amount Carried Forward \$'000	Adopted Budget \$'000
Classification						
Buildings ¹	692	1,423	(731)	14,068	7,478	6,695
Roads ²	485	490	(5)	4,309	(14)	3,562
Footpaths and Cycleways ³	954	1,048	(94)	3,055	(471)	3,540
Carparks ⁴	195	206	(10)	549	69	480
Drainage ⁵	458	461	(3)	2,962	1,017	2,685
Waste Management	0	0	0	103	53	50
Other Capital Roads and Drainage ⁶	48	0	48	1,390	395	745
Recreational Leisure and Community Facilities ⁷	435	257	178	4,003	1,198	2,285
Parks and Open Space ⁸	196	62	134	1,515	275	1,240
Fixtures, Fittings and Furniture	5	4	1	122	42	80
Plant, Machinery and Equipment ⁹	752	682	70	3,248	222	3,422
Computers and Telecommunications ¹⁰	125	133	(9)	2,151	1,230	950
Property Sales	0	38	(38)	0	0	0
Building Renewal ¹¹	220	391	(171)	982	(2,048)	3,030
Total capital works	4,564	5,195	(631)	38,457	9,447	28,764

* YTD Actual expenditure includes Carried Forwards

** Forecast Budget expenditure includes Carried Forwards

Explanation of variations between forecast budget and adopted budget:

- ¹ **Buildings** – Variation between adopted \$6.69m and forecast \$14.06m budgets is due primarily to:
 - \$7.47m in carried forwards from 18/19 relating to major projects commenced in 18/19 and continuing into 19/20;
 - \$250k that was allocated to the Other Capital Roads & Drainage Program; and
 - \$100k of the total \$500k grant for the Ainslie Park Redevelopment.
- ² **Roads** – Variation between adopted \$3.56m and forecast \$4.31m budgets is due primarily to:
 - \$740k that was allocated from the Stormwater Drainage Program to complement road works

**CAPITAL WORKS REPORT: FIRST QUARTER 2019/2020
FINANCIAL YEAR Cont'd**

ITEM 1

- **³ Footpaths & Cycleways** – Variation between adopted \$3.54m and forecast \$3.05m budgets is primarily due to:
 - Negative carried forward of \$471k from 18/19 (ie relating to projects that were undertaken in 2018/19 but being funded in 2019/20).
- **⁴ Carparks** – Variation between adopted \$480k and forecast \$549k budget is due primarily to:
 - \$69k in carried forwards from 18/19.
- **⁵ Drainage** – Variation between adopted \$2.68m and forecast \$2.96m budgets is due primarily to:
 - \$1.0m in carried forwards from 18/19; and
 - \$740k that was allocated to the Roads Program.
- **⁶ Other Capital Roads and Drainage** – Variation between adopted \$745k and forecast \$1.39m is due primarily to:
 - \$395k in carried forwards from 18/19; and
 - \$250k that was transferred from the Building Program.
- **⁷ Recreational Leisure and Community Facilities** – Variation between adopted \$2.28m and forecast \$4.0m budgets due primarily to:
 - \$1.19m in carried forwards from 18/19;
 - \$396k that was allocated from the Plant, Machinery & Equipment Program;
 - \$91k contribution for Jubilee Park Tennis Lighting; and
 - \$15k grant for Griff Hunt Sportsfield Lighting.
- **⁸ Parks and Open Space** – Variation between adopted \$1.24m and forecast \$1.51m budgets is due primarily to:
 - \$275k in carried forwards from 18/19.
- **⁹ Plant, Machinery and Equipment** – Variation between adopted \$3.42m and forecast \$3.24m budgets is due primarily to:
 - \$222k in carried forwards from 18/19; and
 - \$396k that was allocated to the Recreation, Leisure and Community Facilities program.
- **¹⁰ Computers and Telecommunication** – Variation between adopted \$950k and forecast \$2.15m budgets is primarily due to:
 - \$1.23m in carried forwards from 18/19.
- **¹¹ Building Renewal** – Variation between adopted \$3.03m and forecast \$982k budgets is due to:
 - Negative carried forward of \$2.04m from 18/19 (ie relating to projects that were undertaken in 2018/19 but being funded in 2019/20)

**CAPITAL WORKS REPORT: FIRST QUARTER 2019/2020
FINANCIAL YEAR Cont'd**

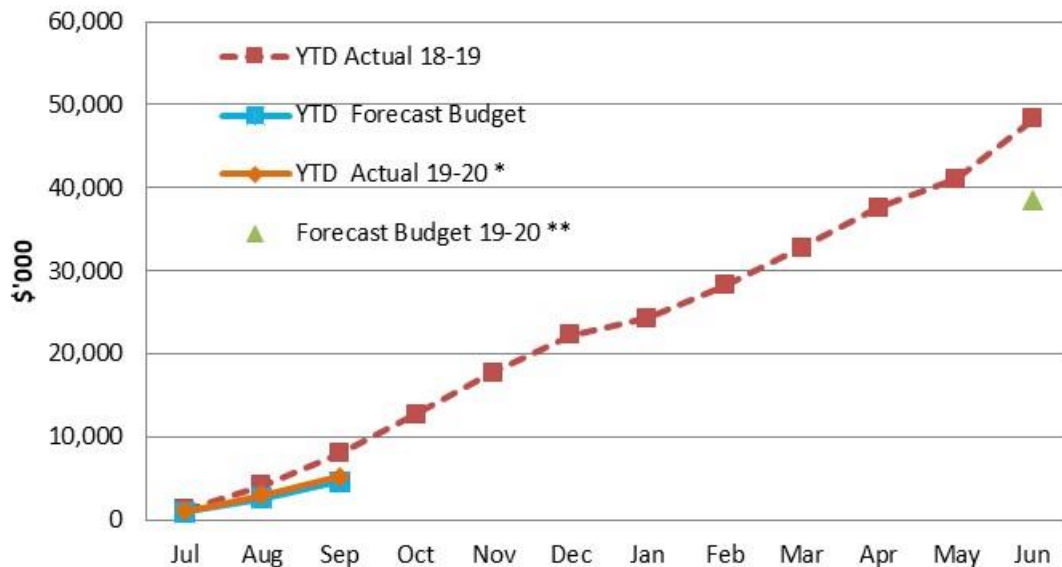
ITEM 1

FINANCIAL / ECONOMIC ISSUES

CARRIED FORWARDS FROM 2018/2019

Council carried forward an amount of \$9.447m into the 2019/2020 financial year, which primarily related to major projects that were underway at the end of the 2018/2019 financial year.

CAPITAL WORKS YTD – EXPENDITURE (CUMULATIVE)



*YTD Actual expenditure includes Carried Forwards

**Forecast Budget expenditure includes Carried Forwards and future years' projects brought forward

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

Council has a total Capital Works forecast budget for 2019/2020 of \$38.457m, which includes \$9.447m that was carried forward from 2018/19 and an additional \$244k anticipated in grant funding.

Key variations between adopted and forecast budgets for the period 1 July 2019 to 30 September 2019 are noted within this report.

**CAPITAL WORKS REPORT: FIRST QUARTER 2019/2020
FINANCIAL YEAR Cont'd**

ITEM 1

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL RECEIVES AND NOTES THE REPORT ON THE STATUS OF THE
CAPITAL WORKS PROGRAM FOR THE PERIOD 1 JULY 2019 TO 30 SEPTEMBER
2019**

**MAROONDAH PLANNING SCHEME AMENDMENT C116
JUBILEE PARK: ADOPTION**

ITEM 1

PURPOSE

Amendment C116 affects land in the Jubilee Park study area and proposes to implement the findings of the *Jubilee Park Heritage and Neighbourhood Character Study Final Report, February 2018*.

The purpose of this report is to consider the adoption of Amendment C116 to the Maroondah Planning Scheme. Pursuant to section 29(1) of the *Planning and Environment Act 1987* a planning authority can adopt an amendment or part of it with or without changes.

Following exhibition of the Amendment an independent panel was appointed to hear the 71 (seventy-one) submissions received. A panel hearing took place on 21, 22 and 23 August 2019.

A copy of the Panel report is included in **Attachment 1** of this report.

The Panel concluded that there is adequate strategic justification to apply the heritage overlay controls and the Neighbourhood Character Overlay (NCO3). It stated that these two planning tools can work in a complementary fashion and not impact on the achievement of the broader municipal and metropolitan housing policy objectives. Key Panel recommendations are summarised as follows:

- Application of the Heritage Overlay: The Panel considered that the introduction of the heritage overlay is an “appropriate response to an area that demonstrates the characteristics of one of the earliest suburban developments in Ringwood associated with the establishment of the Lilydale line”. The Panel further noted that the “precincts and individual places proposed for heritage control are relatively intact and rare for Maroondah and modest in the extent so as not to impact on the achievement of other policy objectives”. The Panel adopted the evidence provided by Council’s expert heritage witness in full, and supported Council’s post exhibition changes to exclude 18 James Street and the even numbered properties between 8-24 Haig Street and to update all the Statements of Significance. The Panel further considered that the introduction of the heritage overlay with the proposed changes is supported by the Planning Policy Framework and will result in a net community benefit.
- Application of the Neighbourhood Character Overlay (NCO3): The Panel supported the application of the Neighbourhood Character Overlay Schedule 3. It considered that its use complements the identified local cultural heritage values in Haig, Ellison, and Kendall Streets.
- Application of the Neighbourhood Residential Zone: In relation to the proposed rezoning of the land to Neighbourhood Residential Zone, the Panel did not support applying the Neighbourhood Residential Zone Schedule 5 at Jubilee Park until Council undertakes further strategic planning that provides more strategic justification.

**MAROONDAH PLANNING SCHEME AMENDMENT C116
JUBILEE PARK: ADOPTION Cont'd**

ITEM 1

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 3: 2019-2020) provide the strategic framework that underpins the purpose of this report.

Outcome Area: An attractive, thriving and well-built community.

Our Vision: In 2040, Maroondah will be an attractive community with high quality residential and commercial areas incorporating infrastructure that meets the needs and aspirations of all ages and abilities. A diverse range of housing options are available and thriving activity centres provide a broad range of facilities and services that meet community needs.

Key Directions 2019 – 2020:

6.10 Develop and implement an urban form that enhances the desirable attributes in Maroondah to protect and value ridgelines, vegetation, neighbourhood character, local history and cultural heritage.

Priority Action 2019-2020:

One of the Council Plan priority actions 2017-2020 is to undertake a municipal wide review of Council's neighbourhood character and heritage controls.

Key Direction 3.1, Action 3b of Maroondah's Housing Strategy 2016 set out the need to "Review neighbourhood character elements including heritage of the Jubilee Park area."

BACKGROUND

The primary objective in proposing the changes to the planning provisions for properties in the Jubilee Park study area is to protect and manage the unique character of the precinct whilst at the same time addressing the broader policy considerations of urban consolidation, use of existing infrastructure and sustainable development.

As initially exhibited the Amendment proposed to:

- Apply a Heritage Overlay (HO)
- Apply a Neighbourhood Character Overlay (NCO)
- Rezone the land from General Residential Zone to Neighbourhood Residential Zone-Schedule 5 (NRZ5)

Whilst Council has embarked on a municipal wide Heritage Study Review, the genesis of the Amendment stemmed from community concerns about recent residential developments during the preparation of the Maroondah Housing Strategy in 2016. A petition signed by 163 residents of the Jubilee Park area stated that "*without formal recognition of the unique neighbourhood character, heritage and vegetative nature of middle Jubilee Park surrounding Federation estate and Jubilee Park ovals, this pocket of Ringwood will lose its character, which is valued by both residents and broader community.*"

**MAROONDAH PLANNING SCHEME AMENDMENT C116
JUBILEE PARK: ADOPTION Cont'd**

ITEM 1

An action was subsequently inserted in the adopted Maroondah Housing Strategy in 2016 as follows:

“Review neighbourhood character elements including heritage of the Jubilee Park area.”

In August 2016, Council engaged Context Pty Ltd and Claire Scott Planning as independent consultants to undertake the Jubilee Park Heritage Review. The findings of the Jubilee Park Heritage and Neighbourhood Character Study (the Study) provides the strategic basis for this Amendment. The recommendations of the Study incorporate an integrated approach to the application of statutory controls, namely overlays and zoning provisions.

The following provides a summary of the process undertaken to date:

Pre-Planning Scheme Amendment process:

Prior to initiating the Amendment Council undertook the following actions:

- Scoping of the Study area and pre-amendment process community engagement.
- A Steering Committee was established comprising representatives from the Jubilee Park Residents Group, the Ringwood Historical Society and Council. The Committee provided valuable feedback on the project methodology and community engagement.
- Reviewed community input previously provided during the preparation of the Housing Strategy. This was taken into consideration in fieldwork and findings of the Study.
- A community survey to gain an understanding of what residents valued about the study area. The survey was made available on line and as a hard copy brochure.
- An information brochure was circulated to residents to inform them of the Study. The brochure included information on the outcomes from the community survey.

Resolution to Prepare the Amendment:

- On 26 February 2018, Council resolved to seek authorisation from the Minister for Planning under Section 8A of the *Planning and Environment Act 1987* to prepare and exhibit Amendment C116 to the Maroondah Planning Scheme.

Authorisation Stage

- Council wrote to the Department of Environment Land Water and Planning (DELWP) requesting authorisation to prepare the Amendment.
- On 23 March 2018, Council received advice from DELWP that the request required further review and information. A key issue related to the proposed application of the Neighbourhood Character Overlay and the need to highlight why the area covered by the Neighbourhood Character Overlay is unique when compared to other areas of the municipality.

**MAROONDAH PLANNING SCHEME AMENDMENT C116
JUBILEE PARK: ADOPTION Cont'd**

ITEM 1

- Following subsequent discussions with DELWP on 3 July 2018 Council responded to the request for further information with a revised schedule for the NCO and an updated explanatory report that offered further justification for the proposed NCO.
- Authorisation was subsequently issued by the Minister for Planning on 2 August 2018 subject to conditions. The primary condition related to the need to strengthen the Neighbourhood Character Overlay to further highlight the special characteristics of the area.

Public Notification Stage

- The Amendment was initially exhibited between 29 October 2018 and 13 December 2018 in accordance with Section 19 of the *Planning and Environment Act 1987 (PE Act)*. The advertising period was extended between 21 February 2019 and 20 March 2019 by re sending notices to all properties within the affected area.
- A total of 71 submissions were received of which 3 were duplicate submissions. Of these submissions forty-seven (47) objected to the Amendment wholly or in part and twenty-one (21) supported the Amendment.

Post Exhibition changes to the Amendment

- Following exhibition, Council considered the submissions received and resolved to refer the submissions to an Independent Panel under Section 23 (1) (b).
- In preparation for the Panel, Council engaged two expert witness who prepared a detailed response to each of the submissions received as part of the expert evidence.
- Following the comments from the two-expert witness, Council identified several changes to the exhibited Amendment documents. On 5 August 2019, Council gave additional notice to all the landowners affected by the Amendment. The post exhibition changes were as follows;
 - Replace the proposed HO at 18 James Street with NCO3
 - Replace the proposed HO at 8-24 Haig Street (even numbers) with NCO3
 - Retain 28 and 30 Greenwood Avenue and 62A Ford Street in GRZ1

At the panel hearing, Council identified a number of further changes to the Amendment:

- Amend Clause 21.04 to identify an updated Jubilee Park Study as a reference document.
- Retain 28 and 30 Greenwood Avenue and 62A Ford Street within the existing General Residential Zone Schedule 1.
- Extend the mapped extent of NRZ5 to include land at the rear of properties on the south side of Haig Street to cover hiatus land.

**MAROONDAH PLANNING SCHEME AMENDMENT C116
JUBILEE PARK: ADOPTION Cont'd**

ITEM 1

- Remove the proposed heritage overlay at 18 James Street and 8 to 24 Haigh Street (even numbers only) with the proposed Neighbourhood Character Overlay Schedule NCO3.
- Amend the Statement of Significance and consequential changes to the Schedule to Clause 43.01 and 72.04.
- Amend the NCO3 statement of neighbourhood character and permit requirements relating to swimming pools.

ISSUE / DISCUSSION

The proposed introduction of the heritage overlay and neighbourhood character overlay as part of this Amendment is the result of a rigorous assessment to determine the most appropriate planning tools.

The Panel primarily supported the methodology adopted by Council in the Jubilee Park Study, namely to determine the heritage significance and the building gradings which were based primarily on the integrity of the dwelling rather than intactness.

In relation to the proposed introduction of the Neighbourhood Character Overlay the Panel indicated that in this instance there was a case to warrant its application to specific locations within the Jubilee Park area.

A detailed summary of the issues, Panel comments and officer's response is provided in **Attachment 2** to this report.

The following provides a summary of key Panel recommendations in relation to the Heritage Overlay, Neighbourhood Character Overlay and the rezoning of the land to Neighbourhood Residential Zone.

Heritage Overlay

The Panel concluded that in relation to the proposed heritage overlay:

Ellison Street Precinct:

- The expanded Ellison Street precinct is of cultural significance at the local level.
- The Jubilee Park Study provides the strategic basis to justify the use of a heritage overlay as a planning tool.
- 14 Ellison Street is appropriately graded contributory
- There is no strategic justification to extend the HO98 to any other parts of Ellison Street as part of this Amendment.
- Minor changes should be made to the Ellison Street Precinct Statement of Significance as shown in the Panel preferred version of the Statement of Significance in Appendix D.

**MAROONDAH PLANNING SCHEME AMENDMENT C116
JUBILEE PARK: ADOPTION Cont'd**

ITEM 1

Haig Street Precinct

The Panel noted that the post exhibition exclusion of the post war 1950's dwellings is considered appropriate based on the level of comparative analysis undertaken as part of the Jubilee Study Report, February 2018.

The comparative analysis undertaken focused on the interwar period of Ringwood development. It was noted that there is insufficient evidence to suggest at this point that the 1950 era houses in Haig Street are particularly rare in Ringwood or Maroondah. The Panel supports the further review of these dwellings, possibly as part of the municipal wide heritage study review.

The Panel accepted the heritage evidence in relation to the identification of 2 and 1/30 Haig Street as having contributory grade within the precinct. These dwellings still retain significant interwar features that reflect the heritage values of the precinct.

The Panel supported the retention of the properties between 2-6 Haig Street (even numbers) within the precinct. These properties display the interwar heritage characteristics of the rest of the precinct and have strong visual relationship with the properties on the north side of the precinct.

The Panel also supported several minor changes to the Statement of Significance concluding that:

- Haig Street precinct as amended is of cultural heritage significance at the local level.
- That the properties at 2-6 Haig Street (even numbers) should remain within HO140
- That contributory grade is appropriately applied to properties in the Haig Street precinct
- That non-contributory dwellings should remain within the Haig Street precinct
- That the Jubilee Park Study provides a sufficient strategic basis to justify the use of the heritage overlay as a planning tool.

Kendall Street Precinct

The Panel considered that the extent of the precinct is appropriate and should not be extended to include the northern portion of the street closer to the Ringwood Railway Station. The Panel commented that the heritage expert recommendation to undertake further assessment of the dwelling at 11 Kendall Street to see if it warrants a local heritage overlay is considered appropriate.

The Panel further agreed that 27 Kendall Street is appropriately graded contributory. It further noted that there is no strategic justification to extend HO 141 to any other parts of Kendall Street or applying a heritage overlay to 11 Kendal Street as part of the Amendment.

The Panel concluded that Kendall Street is of cultural heritage significance at the local level and that the Jubilee Park Study and expert heritage evidence provides sufficient strategic basis to justify the use of the heritage overlay as a planning tool for the Kendall Street Precinct.

**MAROONDAH PLANNING SCHEME AMENDMENT C116
JUBILEE PARK: ADOPTION Cont'd**

ITEM 1

It also indicated that 27 Kendall Street is appropriately graded contributory and that there is no strategic justification to extend HO 141 to any other parts of Kendall Street or apply a heritage overlay to 11 Kendall Street as part of this Amendment.

5 Caroline Street

The Panel concluded that 5 Caroline Street is of cultural heritage significance at the local level and accepted that the Jubilee Park Study, together with the evidence from the heritage expert, provides the strategic basis to justify the use of a heritage overlay. Minor changes to the Statement of Significance for 5 Caroline Street were recommended.

18 James Street

The Panel further noted that the dwelling does have the features that characterise the building form of the southern portion of James Street and supported the inclusion of the property in NCO3.

20 Caroline Street

The Panel considered that Council's proposed changes to 20 Caroline Street Statement of Significance in response to the heritage expert evidence are logical and minor in nature.

Jubilee Park Study Report as an Incorporated or Reference Document.

The Panel agreed with Council's proposed changes and supported the exhibited version of Clause 21.04 without the further inclusion of the updated Jubilee Park Study as a background document (previously referred to as reference document).

Schedule changes to Clause 43.01 and 72.04

The Panel supports Council's post exhibition changes to Clause 43.01 and 72.04 to remove reference to the Jubilee Park Study documents; remove reference to 18 James Street Ringwood and use of consistent reference to titles of the Statement of Significance.

Statement of Significance

Council's post exhibition changes proposed to remove reference to the Jubilee Park Study under primary source in each of the Statements of Significance. The changes were supported by the Panel.

Neighbourhood Character Overlay Schedule 3 (NCO3)

The Panel acknowledged that the Jubilee Park Study provides the strategic basis to justify the proposed controls. This is supported by the work that forms part of the broader Maroondah municipal wide Neighbourhood Character Study Review.

**MAROONDAH PLANNING SCHEME AMENDMENT C116
JUBILEE PARK: ADOPTION Cont'd**

ITEM 1

The Panel found that the proposed NCO is considered appropriate in these circumstances for the following reasons:

- The area is very small and not expected to significantly impact on the capacity of the broader area to accommodate growth.
- The introduction of the NCO in Jubilee Park will not materially impact on the capacity of the Ringwood MAC to accommodate additional growth.
- The areas designated for the NCO will help augment the proposed HO in surrounding properties.
- The NCO does not prohibit development, rather it is about ensuring that future development respects the identified neighbourhood character of the area.
- The proposal is supported by the Neighbourhood Character Study.
- The use of the NCO has been well targeted in this instance to achieve built form controls over a limited area. It further noted that it has been applied judiciously rather than a blanket approach. It is consistent with the expectations of Planning Practice Note 28 (PPN28). The Panel is satisfied that Jubilee Park represents a special circumstance that warrants the careful application of the NCO.
- The Jubilee Park Study provides a sufficient strategic basis to justify the use of the NCO as a planning tool at Jubilee Park. It is appropriate to apply the NCO to the southern end of James Street and northern side of Ellison Street as exhibited. On the basis that 18 James Street and 8-24 Haig Street do not meet the threshold for these properties to be included in the HO, it is appropriate to include these properties within the NCO. There is no strategic justification to extend the NCO to any other parts of Jubilee Park. Furthermore that:
 - Clause 1.0 Statement of Neighbourhood Character in Schedule 3 to Clause 43.05 should be amended to reflect the version presented by the heritage expert at the hearing.
 - A variety of changes should be made to Clause 2.0 Neighbourhood Character and Clause 5.0 decision guidelines in Schedule 3 to Clause 43.05 to ensure that the provisions remove reference that could be interpreted as having restrictions to demolitions to conserve existing buildings.
 - That the requirement in clause 3.0 in schedule 3 to clause 43.05 for a planning permit to construct a swimming pool should be limited to a swimming pool constructed in the front setback area of the dwelling on the site.

Neighbourhood Residential Zone-Schedule 5 (NRZ5)

In considering the application of the NRZ as proposed by the exhibited Amendment the Panel assessed:

- The need for NRZ5 in the area proposed for inclusion within the heritage overlay or NCO.

**MAROONDAH PLANNING SCHEME AMENDMENT C116
JUBILEE PARK: ADOPTION Cont'd**

ITEM 1

- The application of NRZ5 in areas not covered by the proposed heritage overlay or NCO.

The Panel concluded that the neighbourhood character objectives in NRZ5 largely duplicate the purposes and decision guidelines in the Heritage Overlay and the neighbourhood character objectives and decision guidelines proposed in schedule 3 to Clause 43.05. The Panel noted that under the GRZ provisions there is still a requirement to encourage development that respects the neighbourhood character of the area. The Panel concluded that it does not see that the NRZ offers any significant additional value to the consideration of planning permit applications in the area affected by a heritage overlay or NCO3. The Panel found that the objectives and guidelines mirror the proposed overlays and hence view this as an unnecessary duplication that has the potential to create confusion and misunderstanding.

With regards to the introduction of 9 metre or 2 storey dwellings for a dwelling as a maximum height the Panel is not convinced that a strong case has been made to warrant the need for a 9 metre height limit on this area.

The Panel concluded that it does not support the introduction of NRZ5 to areas within the proposed heritage overlay or NCO.

With reference to the application of NRZ5 in the area not covered by the proposed heritage overlay or NCO, the Panel noted that it is likely that the consideration of neighbourhood character objectives and decision guidelines would generally be limited to permit applications for multi-unit development.

The Panel further noted that many properties in Henry Street and Caroline Street have single dwelling covenants.

With reference to the maximum height for buildings the Panel noted that the 9 metre height limit would apply to all dwellings including those that do not require a planning permit. The Panel indicated that it is not convinced that sufficient evidence has been presented to justify the need for a 9 metres height limit in these areas. It further noted that Council has not completed sufficient detailed research to articulate the problem with the current controls to justify the need to change the proposed height controls. The Panel stated that Council needed to undertake further work to justify any changes to the current GRZ1.

The Panel noted that Council is well advanced with a municipal wide Neighbourhood Character Study incorporating a comprehensive review across the whole of the municipality that will provide a comparative assessment between the different areas.

Any future potential rezoning should have regards to the outcomes of the broader character review that Council is currently completing as well as further detailed consideration of the interaction with the heritage overlay and NCO controls at Jubilee Park.

It also noted that the detailed provisions in the exhibited Schedule 5 to Clause 32.09 require further consideration.

FINANCIAL / ECONOMIC ISSUES

Costs associated with Amendment C116 are covered within Council's operational budget.

**MAROONDAH PLANNING SCHEME AMENDMENT C116
JUBILEE PARK: ADOPTION Cont'd**

ITEM 1

ENVIRONMENTAL / AMENITY ISSUES

The recognition of the unique character of the Jubilee Park area will encourage the retention of garden settings, established tree canopies and the reduction of hard surfaces within front gardens.

SOCIAL / COMMUNITY ISSUES

As noted in the Panel Report, in light of the proposed application of heritage controls to a small area, the likely broad community benefits outweigh any potential short-term negative impacts. The Panel further indicated that it did not consider that applying the heritage overlay in precincts will compromise the broader housing and activity centre policy objectives of the Planning Policy Framework.

COMMUNITY CONSULTATION

As noted previously community consultation was undertaken throughout the various stages of the process pre-amendment and the notification requirements under the Planning and Environment Act 1987.

Notice of the Amendment was given by:

- Sending written notification directly to all owners and occupiers of the land between 29 October 2018 to 13 December 2018. This notification period was extended to 21 February 2019 to 20 March 2019.
- Sending letters to Prescribed Ministers.
- Publishing a notice of the Amendment in the Government Gazette on 1 November 2018.
- Publishing a notice of the Amendment in The Age newspaper on 29 October 2018.
- Copies of the Amendment were available for inspection during office hours at the offices of Council's customer service area and libraries and DELWP and online on both DELWP and Council website.
- Two public information sessions were held on 17 November 2018 and 29 November 2018 at Federation Estate.

CONCLUSION

Amendment C116 to the Maroondah Planning Scheme responds to Council's obligations under the Planning and Environment Act 1987 Section 1(d) to: "*conserve places that are of scientific, aesthetic, architectural or historical interest or otherwise of special cultural value.*"

As acknowledged by the Panel, the area affected by Amendment C116 is one of the earliest suburban developments in Ringwood associated with the establishment of the Lilydale line. Furthermore, the area is significant within Maroondah as a rare example of a neighbourhood that includes development from the interwar period, and also for its collection of intact and consistent post war dwellings.

**MAROONDAH PLANNING SCHEME AMENDMENT C116
JUBILEE PARK: ADOPTION Cont'd**








ITEM 1

The Panel recommendations supported the proposed Amendment as modified in the post exhibition version with a recommendation to introduce a Heritage Overlay and Neighbourhood Character Overlay.

In relation to the rezoning of the land from General Residential Zone to Neighbourhood Residential Zone, the Panel recommendations are supported. Council will further investigate the justification for any future rezoning of the land as part of the municipal wide Neighbourhood Character Study Review.

It is therefore recommended that Council resolve to adopt the Amendment and refer the Amendment to the Minister for Planning for final approval as set out in Attachments 3, 4, 5, 6 and 7.

ATTACHMENTS

1.  Attachment 1 Maroondah C116 Panel Report(2)
2.  Attachment 2 Maroondah C116 Adoption Summary Table Panel Recommendations
3.  Attachment 3 Maroondah Amendment C116 Adoption Statement of Significance
4.  Attachment 4 Maroondah C116 001ncoMap04 ApprovalV1 (2)
5.  Attachment 5 Maroondah C116 001HOMap04 ApprovalV1 (1)
6.  Attachment 6 Maroondah C116 Adoption Amendment documents
7.  Attachment 7 Maroondah Amendment C116 Adoption Explanatory report

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL

HAVING PREPARED AND EXHIBITED AMENDMENT C116 TO THE MAROONDAH PLANNING SCHEME UNDER SECTION 19 OF THE PLANNING AND ENVIRONMENT ACT 1987; AND

HAVING CONSIDERED ALL SUBMISSIONS TO AMENDMENT C116 UNDER SECTION 22 OF THE PLANNING AND ENVIRONMENT ACT 1987; AND

HAVING CONSIDERED THE REPORT AND RECOMMENDATIONS OF THE INDEPENDENT PANEL FOR AMENDMENT C116 UNDER SECTION 27 OF THE PLANNING AND ENVIRONMENT ACT 1987; RESOLVES TO

1. **ADOPT AMENDMENT C116 TO THE MAROONDAH PLANNING SCHEME IN ACCORDANCE WITH SECTION 29 OF THE PLANNING AND ENVIRONMENT ACT 1987 AS CONTAINED IN ATTACHMENTS 3; 4; 5; 6 AND 7**

**MAROONDAH PLANNING SCHEME AMENDMENT C116
JUBILEE PARK: ADOPTION Cont'd**

ITEM 1

- 2. SUBMIT AMENDMENT C116 TO THE MAROONDAH PLANNING SCHEME, TOGETHER WITH THE PRESCRIBED INFORMATION, TO THE MINISTER FOR PLANNING IN ACCORDANCE WITH SECTION 31 OF THE PLANNING AND ENVIRONMENT ACT 1987**
- 3. AS PART OF ITS SUBMISSION REQUESTING APPROVAL OF AMENDMENT C116 ADVISE THE MINISTER FOR PLANNING THAT COUNCIL HAS ACCEPTED ALL OF THE PANEL'S RECOMMENDATIONS**
- 4. ADVISE ALL SUBMITTERS TO AMENDMENT C116 THAT COUNCIL HAS ADOPTED THE AMENDMENT**
- 5. THAT THE EXHIBITED AMENDMENT BE AMENDED IN ACCORDANCE WITH THE PANEL RECOMMENDATIONS, IN PARTICULAR, THAT THE FOLLOWING CHANGES TO THE PROPOSED CONTROLS BE INCORPORATED INTO THE AMENDMENT**
 - i. THAT THE INTERIM HERITAGE OVERLAYS THAT CURRENTLY APPLY TO THE PROPERTIES IDENTIFIED IN AMENDMENT C116 BE REPLACED WITH THE PERMANENT HERITAGE OVERLAY, WITH THE EXCEPTION OF THE FOLLOWING PROPERTIES, WHICH ARE RECOMMENDED TO BE REMOVED FROM THE HERITAGE OVERLAY**
 - REMOVE HO140 TO THE PROPERTIES BETWEEN 8-24 HAIG STREET (EVEN NUMBERS) RINGWOOD**
 - REMOVE HO144 TO 18 JAMES STREET RINGWOOD**
 - ii. APPLY THE NEIGHBOURHOOD CHARACTER OVERLAY TO THE EXHIBITED AREAS AS WELL AS THE PROPERTIES AT 18 JAMES STREET AND 8-24 HAIG STREET (EVEN NUMBERS ONLY)**
 - iii. ABANDON APPLYING THE NEIGHBOURHOOD RESIDENTIAL ZONE SCHEDULE 5 AT JUBILEE PARK UNTIL FURTHER STRATEGIC PLANNING PROVIDES A MORE COMPREHENSIVE STRATEGIC JUSTIFICATION FOR THE NEIGHBOURHOOD RESIDENTIAL ZONE IN THIS LOCATION**
- 6. SHOULD COUNCIL RESOLVE TO ADOPT AMENDMENT C116 AND FOLLOWING AN APPROVAL OF AMENDMENT C116 BY THE MINISTER, PROCEED TO UNDERTAKE THE FOLLOWING**
 - i. REVISE THE JUBILEE PARK STUDY REPORT TO ENSURE CONSISTENCY WITH THE PANEL'S RECOMMENDATIONS**
 - ii. UPON COMPLETION OF THE REVISED JUBILEE PARK STUDY REPORT INCLUDE THE JUBILEE PARK STUDY REPORT AS A BACKGROUND DOCUMENT TO THE MAROONDAH PLANNING SCHEME**

**COUNCIL PLAN 2017-2021 (YEAR 3: 2019/20) PRIORITY
ACTION PROGRESS REPORT - QUARTER 1, 2019/20**

ITEM 2

PURPOSE

To provide an update on the progress made towards implementation of Year 3 priority actions identified in the Council Plan 2017-2021, as at 30 September 2019.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 3: 2019-2020) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community

Our Vision: In the year 2040, Maroondah will be an effectively empowered community that is actively engaged in Council decision making through processes that ensure their voice is heard and considered. Council provides strong and responsive leadership, ensures transparent processes and works with the community to advocate and champion their needs.

Key Directions 2019 – 2020:

- 8.1 Provide enhanced governance that is transparent, accessible, inclusive and accountable
- 8.2 Ensure responsible and sustainable management of Maroondah's resources, assets, infrastructure and natural environment
- 8.4 Foster a Council culture of innovation, cooperation, commitment, communication and continuous improvement that positions Maroondah as a leader in local government

Priority Action 2019-2020:

Not Applicable

BACKGROUND

The *Council Plan 2017-2021* is Maroondah City Council's key medium-term strategic document that sets key directions and priority actions to work towards the long-term community vision outlined in *Maroondah 2040: Our future together*.

The Council Plan plays a vital role in shaping Maroondah's future over a four-year period. It identifies both challenges and opportunities for our community at local and regional level within the context of the community's long-term community vision, *Maroondah 2040: Our Future Together*. It also forms the basis for Council to make decisions regarding resources and priorities in response to community needs and aspirations.

The Council Plan is implemented through a service delivery planning process, and outcomes are measured and reported regularly. Achievements are reported back to Council and the community through the Maroondah City Council Annual Report at the end of each financial year.

**COUNCIL PLAN 2017-2021 (YEAR 3: 2019/20) PRIORITY
ACTION PROGRESS REPORT - QUARTER 1, 2019/20 Cont'd**

ITEM 2

ISSUE / DISCUSSION

Within the Council Plan, there are a range of priority actions identified that work towards delivery of the Maroondah 2040 Community Vision. These actions are updated annually to ensure the Plan continues to be aligned with *Maroondah 2040: Our Future Together*, the community's long-term vision, and is responsive to community needs and expectations.

The Council Plan is divided into eight future community outcome areas, each with a set of four-year key directions (strategies), four-year priority actions, strategic indicators and supporting strategies and plans. The priority actions identified work towards the achievement of the key directions, and ultimately toward the outcomes and visions outlined in *Maroondah 2040: Our Future Together*.

The attached report identifies the progress made by Council in delivering the 2019/20 priority actions identified in the *Council Plan 2017-2021*.

As at 30 September 2019, three actions are complete, 54 are in progress and three are yet to commence. A number of priority actions are multi-year initiatives scheduled to be completed in future financial years.

Reports on priority action progress are provided to Council on a quarterly basis throughout the financial year. At the end of the financial year, a final progress report on Council's achievements relating to these Council Plan priority actions will be included in the Annual Report 2019/20.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

Not Applicable

ATTACHMENTS

1.  Council Plan 2017-2021 - Priority Actions Quarterly Report - 30 September 2019

**COUNCIL PLAN 2017-2021 (YEAR 3: 2019/20) PRIORITY
ACTION PROGRESS REPORT - QUARTER 1, 2019/20 Cont'd**

ITEM 2

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL NOTES PROGRESS MADE TOWARDS THE DELIVERY OF 2019/20
PRIORITY ACTIONS IDENTIFIED IN THE COUNCIL PLAN 2017-2021**

**MAV SUBMISSION - ENVIRONMENT PROTECTION ACT 1970 ITEM 1
- LEGISLATIVE REFORM**

PURPOSE

Council has had the opportunity to provide input in the Municipal Association of Victoria's (MAV) submission to the Environment Protection Authority on the proposed amendments to the Environment Protection Act 1970 (Environment Protection Amendment Act 2017).

It is the single greatest overhaul of environment protection legislation since the 1970 Act came into effect.

STRATEGIC / POLICY ISSUES

Council's duties under the Environment Protection Act cover many service areas of Council.

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 3: 2019-2020) provide the strategic framework that underpins the purpose of this report.

Outcome Area:

A safe, healthy and active community

A clean, green and sustainable community

An attractive, thriving and well-built community

A well governed and empowered community

Our Vision: Maroondah will be a safe, healthy and active community with local opportunities provided for people of all ages and abilities to have high levels of social, emotional and physical wellbeing.

Maroondah will be a leafy green community with high levels of waste diversion and sustainable approaches to infrastructure development, urban design and management of natural resources. Our community is resilient and has the knowledge, capacity and resources to make sustainable lifestyle choices

Maroondah will be an attractive community with high quality urban form and infrastructure that meets the needs and aspirations of all ages and abilities. A diverse range of housing options are available and thriving activity centres provide a broad range of facilities and services to meet community needs. The character of local neighbourhoods continues to be maintained while also accommodating population growth.

Maroondah will be an effectively empowered community that is actively engaged in Council decision making through processes that ensure their voice is heard and considered. Council provides strong and responsive leadership, ensures transparent processes and works with the community to advocate and champion their needs.

Key Directions 2019 – 2020:

Not Applicable

**MAV SUBMISSION - ENVIRONMENT PROTECTION ACT 1970 ITEM 1
- LEGISLATIVE REFORM Cont'd**

Priority Action 2019-2020:

Not Applicable

BACKGROUND

The *Environment Protection Amendment Act 2017* is due to come into effect on 1 July 2020. Public consultation was open for comments until 31 October 2019.

The MAV drafted a submission on behalf of all Councils and represents the views, concerns and areas of focus that Councils, through working groups and individual submissions have highlighted over the past year, and over many years regarding the practical implementation of the *Environment Protection Act 1970*.

ISSUE / DISCUSSION

The Environment Protection Act legislative reform framework consisted of the following documents:

- Environment Protection Regulations - Exposure Draft
- Environment Protection Transition Regulations
- Regulatory Impact Statement – Proposed Environment Protection Regulations
- Environment Reference Standard – Exposure Draft
- Impact Assessment – Proposed Environment Reference Standard

There are many aspects of the proposed changes which will impact Councils. The MAV submission focussed on the following key areas:

- Contaminated land
- Noise
- Air
- Litter
- Waste
- Onsite wastewater management (septic tanks)
- Land and infrastructure management (including stormwater)
- Potential delegations to councils in the new legislation

**MAV SUBMISSION - ENVIRONMENT PROTECTION ACT 1970 ITEM 1
- LEGISLATIVE REFORM Cont'd**

CONCLUSION

In general, the reforms to the Environment Protection Act are welcome, and Council acknowledges the significant organisation transformational change that is occurring within the Environment Protection Authority.

Overall, Maroondah supports the impacts and considerations raised by MAV in their submission.

Council looks forward to significantly more consultation with EPA over the coming months, and collaboration in the development of any guidance notes or standards of practice, particularly in the following areas (as highlighted in the MAV submission):

- General Environmental Duty, (in particular, clarification on its use for individuals)
- potential for EP Act delegations for Council officers and the resourcing impact that maybe incurred (currently only Environment Protection Officers are delegated powers under many parts of the Act)
- domestic wastewater management (septic tanks), there are significant flaws in the proposed regulations that do not consider rigorous feedback, over many years, regarding the gaps in legislation and effective management of domestic wastewater systems
- integrating the changes into planning and local laws frameworks

ATTACHMENTS

1.  MAV Final Submission to Proposed Environment Protection Subordinate Legislation

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL SUPPORTS THE SUBMISSION SUBMITTED BY THE MUNICIPAL ASSOCIATION OF VICTORIA TO THE ENVIRONMENT PROTECTION AUTHORITY, ON BEHALF OF MAROONDAH CITY COUNCIL AND OTHER MEMBER COUNCILS, TO PROPOSED REFORMS TO THE ENVIRONMENT PROTECTION ACT 1970

DOCUMENTS FOR SEALING

VOLUNTEER YEARS OF SERVICE RECOGNITION

ITEM 1

BACKGROUND

On the occasion of the Annual Volunteer Recognition Civic Reception to be held on Thursday 5 December 2019, Council has much pleasure in recognising the valuable contribution to the community of our Volunteer helpers to a range of Council services and programs.

At the Volunteer Recognition Civic Reception, long serving volunteers are recognised with a presentation of a Letter Under Seal by the Mayor.

The names of the volunteers to be presented with Letters Under Seal are listed in the recommendation to this report.

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL SIGNS AND SEALS THE VOLUNTEER YEARS OF SERVICE AWARD LETTERS IN RECOGNITION OF:

45 YEARS OF SERVICE GIVEN BY:

- PATRICIA GAME
- FAY LAWN

40 YEARS OF SERVICE GIVEN BY:

- FAY LAWN
- MARGARET LUFF

30 YEARS OF SERVICE GIVEN BY:

- GRAEME LORIMER
- JUSTIN WILSON

25 YEARS OF SERVICE GIVEN BY:

- PAMELA CATLING
- LYNETTE CHEERS
- MICHAEL CHEERS

DOCUMENTS FOR SEALING

- OLWEN JONES
- ALAN KRAHE
- ROGER LORD
- ROBERT LUFF
- DAVID POCKETT
- ROSE POCKETT
- LLOYD SMILEY
- OLWYN SMILEY
- THERESE STARLING

20 YEARS OF SERVICE GIVEN BY:

- MALCOLM ALEXANDER
- BARRY CLARRIS
- THERESA RODRIGUEZ

15 YEARS OF SERVICE GIVEN BY:

- PAMELA BANFIELD
- GWYNEDD DAVIES
- COLIN HASLAM
- JOYCE HERMON
- SHIRLEY HOAD
- PETER MILFORD
- SUZANNE MOSLEY
- RONALD STANDFORD
- RUTH WILSON
- BERNADETTE YOUNG

10 YEARS OF SERVICE GIVEN BY:

- LYNETTE BETTS
- ROBERT BRIGGS

DOCUMENTS FOR SEALING

- MEREDITH BRIGGS
- RICHARD CROMPTON
- LISA FLEMING
- WINSOME FOX
- MARGARET RYAN
- KEVIN SOUTHEY