



Councillor
(as addressed)

The next Council Meeting will be held virtually, on Monday 20 September 2021, commencing at 7:30pm and your presence is requested.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Steve Kozlowski', with a long horizontal line extending to the right.

Steve Kozlowski
CHIEF EXECUTIVE OFFICER

Note:

This meeting is being streamed live on the internet and recorded.

The Public Gallery is currently closed to the public.

This meeting of Council can be viewed on Council's website via:

<https://www.maroondah.vic.gov.au/Live-Council-Meetings>

Realm	179 Maroondah Hwy, 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, Croydon 3136 Realm: 179 Maroondah Hwy, Ringwood 3134

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 16 August 2021.
6. Public Questions
7. Officers' Reports
 - Director Corporate Services
 1. Attendance Report 4
 2. Reports of Councillor Briefings 6
 3. Councillor Representation Reports 8
 4. Proposed Part Road Discontinuance Abutting 274-280 Liverpool Road Kilsyth South 10
 5. Maroondah City Council Complaints Policy as part of the Local Government Act 2021 Implementation 15
 6. 2020 Council Election Report from the Victorian Electoral Commission 18
 7. Outcomes - 2021 Australian Local Government Association (ALGA) National General Assembly of Local Government 21
 - Director Operations, Assets & Leisure
 1. Community Facilities Standard Lease & Licence Review 24
 - Director Strategy & Community
 1. Maroondah City Council Annual Report 2020/21 27
 2. Greening the Greyfields, Amendments C134 and C136 - Planning Panel Recommendations 31
 3. Council Plan 2017-2021 (Year 4: 2020/21) Priority Action Progress Report - Quarter 4, 2020/21 38
 4. Local Government Performance Reporting Framework - Service Indicator Progress Report - Quarter 4, 2020/21 41
 5. Eastern Region Group of Councils (ERG) Annual Report 2020/21 44
8. Documents for Sealing
9. Motions to Review
10. Late Item

11. Requests / Leave of Absence

12. In Camera

Mayor & Councillors

1. Chief Executive Officer Annual Report and Review - 2020/21

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 2021-2025 (Year 1: 2021-2022) 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 2021 – 2025:

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 COUNCILLOR BRIEFINGS

ITEM 2

PURPOSE

To present the ‘Public Record’ of those Councillor Briefings which are attended by all Councillors and generally held on Monday evenings at Realm, 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 2021-2025 (Year 1: 2021-2022) 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 2021 – 2025:

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

BACKGROUND

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, Councillor Briefings are conducted.

Councillor Briefings 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.

A Councillor Briefing is a non decision making forum, and as per past good governance practice, is deemed to be a scheduled or planned meeting comprising a majority of Councillors (at least 5) and one (1) Council employee, for the purpose of discussing 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 a Councillor Briefings may include:

- On-site inspections,
- Consultative Meetings with residents, developers, consultants
- Meetings with local organisations, Government Departments, statutory authorities, and local politicians

REPORTS OF COUNCILLOR BRIEFINGS Cont'd

ITEM 2

ISSUE / DISCUSSION

Councillor Briefings are generally held twice a month, on Monday evenings at Realm, usually two (2) weeks prior to, and on the night of a formal Council meeting.

The intent of this report is to present a 'Public Record' of those Councillor Briefings which are generally attended by all Councillors and typically held on Monday evenings, and to note the items discussed.

The 'Public Record' of the Councillor Briefing held on the 16 August 2021 and 13 September 2021 are attached for information.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

Councillor 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 Councillor Briefings, 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 Councillor Briefings, which are attended by a majority of Councillors, i.e. at least five (5) Councillors and one (1) employee of Council, be noted.

ATTACHMENTS

1.  2021 August 16 - Councillor Briefing Public Record
2.  2021 September 13 - Councillor Briefing Public Record

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES THE PUBLIC RECORD OF THE FOLLOWING COUNCILLOR BRIEFINGS HELD ON THE 16 AUGUST 2021 AND 13 SEPTEMBER 2021

COUNCILLOR REPRESENTATION REPORTS

ITEM 3

PURPOSE

To receive and note the meeting minutes of the following committees:

- Eastern Transport Coalition (ETC) meeting held on the 19 August 2021
- Eastern Affordable Housing Alliance Executive Meeting held on the 12 August 2021

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2021-2025 (Year 1: 2021-2022) 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 2021 – 2025:

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.

Cr Graham is Council's Representative along with Cr Damante as Substitute Representative on the Eastern Transport Coalition.

Cr Macdonald is Council's Representative along with Cr Stojanovic as Substitute Representative on the Eastern Affordable Housing Alliance.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

COUNCILLOR REPRESENTATION REPORTS Cont'd

ITEM 3

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.  Eastern Transport Coalition Meeting Minutes - 19 August 2021
2.  Eastern Affordable Housing Alliance Executive Meeting Minutes - 12 August 2021

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES MINUTES OF THE FOLLOWING COMMITTEES

1. **EASTERN TRANSPORT COALITION MEETING HELD ON THE 19 AUGUST 2021**
2. **EASTERN AFFORDABLE HOUSING ALLIANCE EXECUTIVE MEETING HELD ON THE 12 AUGUST 2021**

PROPOSED PART ROAD DISCONTINUANCE ABUTTING 274- 280 LIVERPOOL ROAD KILSYTH SOUTH **ITEM 4**

PURPOSE

This report seeks Council's authority to:

- Commence the statutory procedures pursuant to the Local Government Act 1989 (Act) to consider discontinuing part of the road abutting 274-280 Liverpool Road Kilsyth South, being part of the land contained in the certificate of title volume 9804 folio 865, shown marked as Lot 1 on TP 965734, attached as Schedule 1 (Road); and
- Consider removing the Road from Council's Register of Public Roads pursuant to section 17(4) of the Road Management Act 2004 (Vic) (RMA).

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2021-2025 (Year 1: 2021-2022) 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 2021 – 2025:

- 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.

BACKGROUND

The Road abuts 274-280 Liverpool Road Kilsyth South, shown shaded red on the locality plan, attached as Schedule 2 (Locality Plan).

The owner of the property at 274-280 Liverpool Road, shown shaded blue on the Locality Plan (Owner) has requested that Council discontinue the Road and sell the Road to the Owner (Proposal).

The Road is 121 square meters in area.

The Road was previously fenced into the Owner's property until 2015 when the Owners reinstated the fence to the correct title boundary. The Owner has subsequently planted trees and has continued to maintain the Road.

The Owner has agreed to pay Council's costs and disbursements associated with the proposed discontinuance of the Road, together with the market value for the transfer of the discontinued Road to the Owner.

**PROPOSED PART ROAD DISCONTINUANCE ABUTTING 274- ITEM 4
280 LIVERPOOL ROAD KILSYTH SOUTH Cont'd**

ISSUE / DISCUSSION

Road Status

Council is the registered proprietor of the Road which is known to title as a 'road' and shown as 'Tereddan Drive' on the registered plan of subdivision no. LP 207093 attached as Schedule 3.

The Road is recorded on Council's Register of Public Roads. The Road is therefore a 'public road' for the purposes of section 17 of the RMA, and a 'road' for the purposes of section 3(1) of the Act.

Council has the statutory power to consider discontinuing the Road.

It is considered that the Road is no longer reasonably required for general public use as the Road is not;

- Constructed as a road;
- Required for public access; and
- Part of a thoroughfare for pedestrian or vehicular traffic.

If the Road is discontinued, the Road will vest in Council.

Adjoining Owners

The Road does not adjoin any other property and Council did not require the written consent to the Proposal from any other property owner.

Internal Consultation

Council's relevant internal service areas have been consulted and all had no objection to the proposed road discontinuance.

Comments provided;

- No traffic issues or implications associated with the road discontinuance
- Discontinuance appears logical - does not affect any future developments for the area
- No issues from a drainage perspective
- No need for the area to remain as road

**PROPOSED PART ROAD DISCONTINUANCE ABUTTING 274- ITEM 4
280 LIVERPOOL ROAD KILSYTH SOUTH Cont'd**

Public Authorities

The following statutory authorities have been advised of the proposed discontinuance and have been asked to respond to the question whether they have any existing assets in the Road which should be saved under section 207C of the Act:

- Yarra Valley water
- Telstra
- Ausnet
- Optus
- Multinet/Comdain

All authorities notified advised that they have no assets in or above the Road and have no objection to the proposed discontinuance of the Road.

Consolidation

If the Road is discontinued, and sold to the Owner, Council will require the Owner to consolidate the title to the discontinued Road with the title of their abutting property, as a condition of the sale of the Road to the Owner.

Financial Costs

Council's Valuers, Westlink Consultants, provided a market valuation of \$7,750.00 plus GST, for the 121 square meters for the Road to be discontinued.

If the Road is discontinued, the Road is to be sold to the Owner at market value which is currently \$7,750.00 plus GST for the reasons outlined in this report.

FINANCIAL / ECONOMIC ISSUES

The legal and disbursement costs associated with the discontinuance, subdivision and sale of the part of the Road to be purchased by the Owner, would be funded by the Owner, in line with Council Policy, estimated at \$10,000.

The costs associated with Councils administration in dealing with property matters us contained within the current budget.

ENVIRONMENTAL / AMENITY ISSUES

Not applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

PROPOSED PART ROAD DISCONTINUANCE ABUTTING 274- 280 LIVERPOOL ROAD KILSYTH SOUTH Cont'd **ITEM 4**

COMMUNITY CONSULTATION

Before proceeding with the discontinuance of the Road, Council must give public notice of the proposed discontinuance and sale in accordance with section 223 of the Act. The Act provides that a person may, within 28 days of the date of the public notice, lodge a written submission regarding the proposed discontinuance and sale of the land.

Where a person has made a written submission to Council requesting that he or she be heard in support of the written submission, Council must permit that person to be heard before a meeting of Council or the Committee which has delegated authority to hear those submissions, giving reasonable notice of the day, time and place of the meeting.

After hearing of submissions made, Council must determine whether the Road is not reasonably required as a road for public use, in order to decide whether the Road should be discontinued.

CONCLUSION

It is proposed that Council considers removing the Road from Council's Register of Public Roads on the basis that the Road is no longer reasonably required for general public use for the reasons set out in the report and should commence the statutory procedures pursuant to clause 3 of Schedule 10 of the Act to consider discontinuing the Road and selling the Road to the Owners.

ATTACHMENTS

1. Proposed Part Road Discontinuance abutting 274-280 Liverpool Road - Schedule 1 -  TP 965734
2. Proposed Part Road Discontinuance abutting 274-280 Liverpool Road - Schedule 2 -  Locality Plan
3. Proposed Part Road Discontinuance abutting 274-280 Liverpool Road - Schedule 3 -  LP 207093

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL ACTING UNDER:

1. **SECTION 17(4) OF THE ROAD MANAGEMENT ACT 2004 (VIC), RESOLVES THAT THE PART OF THE ROAD ABUTTING 274-280 LIVERPOOL ROAD KILSYTH SOUTH, BEING PART OF THE LAND CONTAINED IN THE CERTIFICATE OF TITLE VOLUME 9804 FOLIO 865, SHOWN MARKED AS LOT 1 ON TP 965734, ATTACHED AS SCHEDULE 1 (ROAD) BE REMOVED FROM COUNCIL'S REGISTER OF PUBLIC ROADS ON THE BASIS THAT THE ROAD IS NO LONGER REASONABLY REQUIRED FOR GENERAL PUBLIC USE FOR THE REASONS OUTLINED IN THE REPORT; AND**

PROPOSED PART ROAD DISCONTINUANCE ABUTTING 274- 280 LIVERPOOL ROAD KILSYTH SOUTH Cont'd **ITEM 4**

- 2. CLAUSE 3 OF SCHEDULE 10 OF THE LOCAL GOVERNMENT ACT 1989 (ACT):**
- i. RESOLVES THAT THE STATUTORY PROCEDURES BE COMMENCED TO DISCONTINUE THE ROAD;**
 - ii. DIRECTS THAT UNDER SECTIONS 207A AND 223 OF THE ACT PUBLIC NOTICE OF THE PROPOSED DISCONTINUANCE OF THE ROAD BE GIVEN IN THE AGE NEWSPAPER;**
 - iii. RESOLVES THAT THE PUBLIC NOTICE REQUIRED TO BE GIVEN UNDER SECTIONS 207A AND 223 OF THE ACT SHOULD STATE THAT IF THE ROAD IS DISCONTINUED, COUNCIL PROPOSES TO SELL THE ROAD TO THE OWNER OF 274-280 LIVERPOOL ROAD KILSYTH SOUTH;**
 - iv. A COMMITTEE COMPRISING OF COUNCILLORS TONY DIBB, TASA DAMANTE, AND PAUL MACDONALD BE APPOINTED TO HEAR ANY PERSONS WISHING TO BE HEARD IN SUPPORT OF THEIR SUBMISSION, ON A DATE TO BE DETERMINED; AND**
 - v. THE DIRECTOR OF CORPORATE SERVICES BE AUTHORISED TO UNDERTAKE THE ADMINISTRATIVE PROCEDURES NECESSARY TO ENABLE COUNCIL TO CARRY OUT ITS FUNCTIONS UNDER SECTION 223 OF THE ACT IN RELATION TO THIS MATTER.**

**MAROONDAH CITY COUNCIL COMPLAINTS POLICY AS
PART OF THE LOCAL GOVERNMENT ACT 2021
IMPLEMENTATION**

ITEM 5

PURPOSE

The purpose of the Complaints Policy 2021 is to outline how Maroondah City Council manages complaints. Council is introducing this Policy as an external facing document as required by the new Local Government Act 2020. It aligns with Council's current complaints process that aims to achieve public accountability and transparency and to establish a clear, fair and objective complaint handling system for all Maroondah City Council stakeholders.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2021-2025 (Year 1: 2021-2022) provide the strategic framework that underpins the purpose of this report.

Outcome Area:

A well governed and empowered community.

Our Vision:

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

Foster a culture of innovation, cooperation, commitment, communication and continuous improvement that positions Maroondah City Council as a leader in local government

Work in partnership with key agencies and other levels of government to provide leadership in emergency preparedness, response and recovery processes.

Key Directions 2021 – 2025:

- 8.1 Provide enhanced governance that is transparent, accessible, inclusive and accountable
- 8.4 Foster a culture of innovation, cooperation, commitment, communication and continuous improvement that positions Maroondah City Council as a leader in local government

BACKGROUND

Section 107 of the new *Local Government Act 2020* requires Council to develop and maintain a Complaints Policy with certain statutory inclusions. As a result of the Act changes, Maroondah City Council Complaints Policy 2021 was created as an external facing document clearly articulating how Council defines and deals with complaints.

It has also been benchmarked with recent Local Government Act Sector Engagement via Local Government Victoria (LGV) as well as the Local Government Professionals Victoria Customer Service Special Interest Group.

The Policy prescribes a process for dealing with complaints, reviewing any decision, service or action taken by Council and aligns with the Good Practice Guide from the Victorian Ombudsman (VO).

**MAROONDAH CITY COUNCIL COMPLAINTS POLICY AS
PART OF THE LOCAL GOVERNMENT ACT 2021
IMPLEMENTATION Cont'd**

ITEM 5

FINANCIAL / ECONOMIC ISSUES

The resources required to undertake work is contained within Council's current budget.

ISSUE / DISCUSSION

This Policy applies to all customers, employees, Councillors, contractors, agents and volunteers of Council.

This Policy does not apply to decisions or processes once other legislative processes are in place or those that are bound by specific legislative procedure. Examples of these decisions or processes can be complaints relating to:

- a planning application or decision or
- compliance infringements: parking, local law, animal management, health, planning or building.

Complaints are an opportunity for customers to tell us when their experience with Council has not met their expectations. We see complaints as customer dissatisfaction requiring a response and a resolution. The complaint may relate to a decision, service experience or behaviour of a Council employee and assist Council to enhance or improve services.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

The Complaints Policy went on public exhibition between the 13 August 2021 and the 3 September 2021 and Council received two submissions. There were as follows:

Submitters 1's key points received:

- Councillors roles and responsibilities are outlined within policy under the Relevant Roles and Responsibilities section but was not included under the Scope of the Policy.

Response: Supported. Councillors are included under the Scope of the Policy section.

Submitters 2's key points received:

- This was in relation to internal employee performance management processes predominantly relating to Occupational Health Safety (OHS) matters.

**MAROONDAH CITY COUNCIL COMPLAINTS POLICY AS
PART OF THE LOCAL GOVERNMENT ACT 2021
IMPLEMENTATION Cont'd**

ITEM 5

Response: Not Supported. Hence no change to the existing Draft Policy, since the organisation already has an internal Policy relating to these matters. The specifics raised have been referred to Workplace People and Culture Service Area for review.

CONCLUSION

The organisation continues to seek best customer service practice in all areas of Council activity and in the way it responds to complaints from the community. The Draft Policy has undertaken community consultation with two submissions; one which can be included in the Policy and the other can be accommodated through existing internal OH&S Policy.

The Complaints Policy 2021 will support Council's processes of an open and transparent complaint handling system and seek to promote continuous improvement and is ready for Council determination.

ATTACHMENTS

1.  Maroondah City Council Complaints Policy draft 2021

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL ENDORSE THE DRAFT COMPLAINTS POLICY 2021 AS PART OF THE
IMPLEMENTATION OF THE NEW LOCAL GOVERNMENT ACT 2020**

**2020 COUNCIL ELECTION REPORT FROM THE VICTORIAN
ELECTORAL COMMISSION**

ITEM 6

PURPOSE

As required by Regulation 83 of the Local Government (Electoral) Regulations 2020 (the Regulations), the Victorian Electoral Commission (VEC) has provided Council an Election Report for the Maroondah City Council general election held in 2020. Additionally, the VEC has issued a Report to State Parliament on the 2020 Local Government elections for the whole of the sector.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2021-2025 (Year 1: 2021-2022) 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 2021 – 2025:

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

BACKGROUND

The Victorian Electoral Commission (VEC) has provided Council with a Report on the 2020 Maroondah City Council general election, including details of the end-to-end service delivery of electoral activities throughout the election timeline. The Report which is attached, also provides details of post-election items including compulsory voting enforcement. As a requirement of section 83 of the Regulations, this Report has been written for Council noting with the electoral documentation attached.

Additionally, the VEC has issued a Report to Parliament on the 2020 Local Government elections. This Report is also attached, and provides information on the planning and functions of the VEC throughout the election timeline and its performance in the execution of the 2020 government elections.

ISSUE / DISCUSSION

Maroondah City Council - Election Report 2020:

The Report attached from the VEC, including the accompanying letter to the Chief Executive Officer provides Council with contextual information regarding the election process, as well as some specific information relating to Maroondah City Council.

The Report comprehensively documents detailed information relating to the demographics of the municipality, the ward structure which changed from a three wards with three Councillors per ward to a nine ward structure with a single Councillor per ward, Covid arrangements, the number of nominations by ward, candidate statements, postal vote process and results per

**2020 COUNCIL ELECTION REPORT FROM THE VICTORIAN
ELECTORAL COMMISSION Cont'd**

ITEM 6

ward—enrolment number and category, count summaries, percentage 1st preference results, formal and informal votes, voter turnout as well as complaints for which there was 29 in number both conduct of participants and administration. The majority of complaints related to election participant behaviour and each complaint was responded to by the VEC. This number is understood to be very low compared to other local authorities. No complaints escalated to VCAT. All statutory requirements including voter communications were completed in an accurate and timely manner.

The Report itself, as required by the Regulations, requires noting by Council that it has been received.

Report to State Parliament on the 2020 Local Government elections:

The VEC has issued a report to Parliament on the 2020 Local Government elections. This report is also attached, and it provides information on the planning and functions of the VEC throughout the election timeline and its performance in the execution of the 2020 government elections.

Also provided in the Report is information on the pandemic implications, especially in relation to the election process and the strategies the VEC implemented to adapt to the everchanging environment.

The Report (p. 47) went on to make nine (9) Key Recommendations to the Government, targeted at enhancing future Local Government elections, informed by feedback from voters and other stakeholders through the VEC's post-election evaluation, for consideration by the Government and Local Government sector.

FINANCIAL / ECONOMIC ISSUES

The resources for this item are contained within the budget.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable.

SOCIAL / COMMUNITY ISSUES

This is the final Report required to be undertaken by the VEC relative to Council's and Local Government sectors 2020 Elections and is a valuable source of information for members of the Maroondah Community who are interested in this increased transparency.

COMMUNITY CONSULTATION

Not Applicable. It is an information item.

CONCLUSION

The Victorian local government general elections are a critical governance function of local government and the Reports provided by the Victorian Electoral Commission provide a valuable summary of the process undertaken for Council's 2020 general election.

**2020 COUNCIL ELECTION REPORT FROM THE VICTORIAN
ELECTORAL COMMISSION Cont'd**

ITEM 6

ATTACHMENTS

1.  Maroondah City Council - letter to CEO Election Report 2020
2.  Maroondah City Council - Election Report -2020 Local Government elections
3.  Report to Parliament on the 2020 Local Government elections

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL NOTES THE ATTACHED REPORTS AND LETTER RECEIVED FROM
THE VICTORIAN ELECTORAL COMMISSION REGARDING THE 2020 GENERAL
ELECTION**

**OUTCOMES - 2021 AUSTRALIAN LOCAL GOVERNMENT
ASSOCIATION (ALGA) NATIONAL GENERAL ASSEMBLY OF
LOCAL GOVERNMENT**

ITEM 7

PURPOSE

To consider the outcomes of motions submitted by Council to the 27th ALGA National Assembly held in Canberra from 20 to 23 June 2021.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2021-2025 (Year 1: 2021-2022) 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 2021 – 2025:

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

BACKGROUND

The National General Assembly of Local Government provides a forum for Councils across Australia to develop and express a united voice on the core issues affecting local government on a national level. The theme for the Conference was *'Working Together For Our Communities.'*

The Australian Local Government Association together with local members of parliament provide significant advocacy opportunities to the Federal Government on behalf of Maroondah residents and ratepayers.

Maroondah City Council submitted the one motion that was carried. Attached is the report of all the resolutions from the National Assembly.

ISSUE / DISCUSSION

The following motion submitted by Council was Carried:

COVID Funding to Local Government

Motion:

'That this National General Assembly calls upon the Federal Government to provide a one-off increase in the amount of Financial Assistance Grants made to Local Government for the 2021/22 year in recognition of the substantial costs incurred and revenue losses for all Councils as a result of the Covid-19 pandemic and the financial impacts of the resultant Federal, State and Territory Government restrictions imposed to mitigate the spread of the disease.'

**OUTCOMES - 2021 AUSTRALIAN LOCAL GOVERNMENT
ASSOCIATION (ALGA) NATIONAL GENERAL ASSEMBLY OF
LOCAL GOVERNMENT Cont'd**

ITEM 7

Rationale:

Councils across Australia have had to significantly increase expenditure to deal with the local impacts of Covid-19, increasing spending on basic essential services to keep their communities safe through the pandemic and meeting community expectations during this extremely challenging time. Significant expenditure has also been incurred due to the provision of additional sanitation and cleaning as required to support and sustain a range of essential services during this period under State and Territory Governments State of Emergency legislation.

Further, Council revenues have been significantly impacted due to the closure of revenue generating services as well as hardship considerations and a large reduction in the amounts collected for fees, fines and services. A one-off increase to the Financial Assistance Grants would enable Local Governments to direct the extra revenue towards services and programs that have been curtailed due to Covid-19 imposed budget cuts and savings measures.

Maroondah strongly supports the case for the Federal Government to provide one-off funding to local governments.

Since that time, Council has received a recent letter from the ALGA President, Cr Linda Scott, providing an update on the June Motion, thanking Council for contributing to the National debate in assisting Local Governments across Australia. The resolution assists ALGA representations to Australian Government Ministers and their Departments.

Cr Scott, ALGA President advised she has written to The Hon. Kevin Hogan MP, advising of Maroondah's NGA resolution on the Financial Assistance Grants which are general purpose in nature, and inviting a response. She also outlined that ALGA will continue to advocate for the Australian Government to: restore Financial Assistance Grants to a level equal to 1 per cent of Commonwealth taxation revenue; preserve Financial Assistance Grants as the major source of Federal Funding to Local Government; and advocate to restore the Financial Assistance Grants funding lost in the 2014-15 indexation freeze as the first phase in restoring Financial Assistance Grants funding levels.

FINANCIAL / ECONOMIC ISSUES

This ALGA Motion is designed to increase Financial Assistance Grants from the Federal Government via the Commonwealth Grants Commission to the various State Government Grants Commissions. For Victoria the Commission is known as the the Victorian Local Government Grants Commission.

ENVIRONMENTAL / AMENITY ISSUES

Not applicable.

SOCIAL / COMMUNITY ISSUES

Council has undergone significant income losses and cost pressures in the order of \$26m in the previous financial year and between \$420k and \$450k per week with the current Covid settings. Council has ensured that its essential core services to the disadvantaged and vulnerable are being addressed.

**OUTCOMES - 2021 AUSTRALIAN LOCAL GOVERNMENT
ASSOCIATION (ALGA) NATIONAL GENERAL ASSEMBLY OF
LOCAL GOVERNMENT Cont'd**

ITEM 7

COMMUNITY CONSULTATION

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

CONCLUSION

The motion indicates the willingness of Council to advocate in such forums to other spheres of government on behalf of Maroondah residents and ratepayers, in addition to demonstrating Council's continued leadership on issues within the sector. With the motion having been carried, it also indicated the support gathered across the sector Nation-wide.

ATTACHMENTS

1.  2021-NGA-Resolutions Paper

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL NOTES THE SUCCESSFUL OUTCOME AND UPDATE OF THE MOTION
SUBMITTED BY COUNCIL THAT WAS THE SUBJECT OF CONSIDERATION AND
DEBATE AT THE AUSTRALIAN LOCAL GOVERNMENT NATIONAL GENERAL
ASSEMBLY HELD FROM 20 to 23 JUNE 2021**

**COMMUNITY FACILITIES STANDARD LEASE & LICENCE
REVIEW**

ITEM 1

PURPOSE

To seek Council endorsement of the revised standard Community Facilities Lease and Community Facilities Licence Agreement templates and the endorsement of the proposed position for addressing non-compliance due to persistent default.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2021-2025 (Year 1: 2021-2022) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A safe healthy and active community

Our Vision: in 2040, Maroondah will be a safe, healthy and active community where all people have the opportunity to experience enhanced levels of social, emotional and physical wellbeing.

Key Directions 2021 – 2025

- 1.13 Promote physical activity by supporting education initiatives and providing a diverse range of accessible active and passive open spaces, state of the art sporting precincts and integrated recreation facilities
- 1.14 Work in partnership to increase opportunities and create welcoming, supportive and accessible environments for all community members to undertake physical activity

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

Our Vision: In 2040, Maroondah will be an attractive, sustainable and well-built community with thriving activity centres and a network of neighbourhoods where everyone has the opportunity to live, work and play locally.

Key Directions 2021 – 2025

- 6.1. Plan for and support a range of multi-use community connection hubs that are inclusive, promote social interaction, encourage lifelong learning, and provide a wide range of services
- 6.7 Coordinate and advocate for the increased utilisation, longevity and availability of fit-for-purpose public, private and not-for-profit buildings and spaces that can act as key places for neighbourhood connection

BACKGROUND

Council subsidises the use of community facilities to encourage their use and to support community organisations. A lease or licence may be offered to community organisations to provide greater security of tenure over a fixed period, thus eliminating the need to apply annually for allocation.

**COMMUNITY FACILITIES STANDARD LEASE & LICENCE
REVIEW Cont'd**

ITEM 1

In 2010, Council in conjunction with Maddocks Law Firm, developed a suite of standard Community Facilities Lease and Licence documentation. The standard templates were designed to ensure consistent terms and processes for community organisations on lease or licence agreements with Council. Since this time the majority of lease holders have come across to the standard lease with a few long-term peppercorn lease exceptions.

Given that it has been 10 years since development, it was timely to review and update the documentation and lease management processes.

ISSUE / DISCUSSION

Overall there have been limited changes required to the documentation which was desired to ensure minimal difference for organisations transitioning from the previous standard to the new standard. Changes to the documentation have been primarily for clarity and to reflect updates to legislation. Amendments have included reference to Working with Children's Checks, greater alignment to the Community Facilities Hire Policy, refinement of annual requirements and reporting, and the inclusion of a dispute resolution clause and new essential term articulating Council's expectations in holding safe the interests of both Council and the community.

FINANCIAL / ECONOMIC ISSUES

After legal advice it was determined that the standard community facility lease will only be utilised for agreements with an annual rental of less than \$10,000. Any rental that equals or exceeds this amount triggers additional requirements under the **Retail Leases Act 2003** (Vic) and will require further legal advice to alter the standard community facility lease agreement. This requirement does not apply to the standard community licence agreement.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Community organisations have a responsibility to comply with their obligations under the lease or licence agreement. If tenants do not comply with their obligations, the standard lease and licence agreement provides Council with options to address non-compliance.

If tenants breach, and do not remedy, the terms of their agreement up to three times (**three strikes**) within a 24-month period, a decision to terminate tenancy may be taken. These infringements may not be the same on each occasion, and based on the severity of the breach, a decision to terminate tenancy may occur, at Council's discretion, prior to the tenant reaching three strikes.

While it is at Council's discretion to terminate a licence agreement given that it is a contractual arrangement, it has been determined that the same process be undertaken for organisations on a standard lease or licence agreement.

**COMMUNITY FACILITIES STANDARD LEASE & LICENCE
REVIEW Cont'd**

ITEM 1

COMMUNITY CONSULTATION

Council engaged Aughtersons Solicitors to assist with the standard community facility lease and licence review. An internal working group of representatives from Youth and Children's Services, Sport & Recreation, Karralyka, Aged & Disability and Risk Management reviewed the existing documentation and processes.

Internal guidelines for the development and management of community facilities leases and licences have been developed as part of the review as well as explanatory notes for tenant organisations to understand the essential terms of their agreements, the associated obligations and Council's process for addressing non-compliance. Correspondence will be sent to all existing lease and licence holders to clarify annual reporting requirements and to advise of Council's endorsed non-compliance position.

CONCLUSION

Council has reviewed and updated the standard community lease and licence agreements to reflect changes in legislation, update required annual reporting and align with Council policy (including Working with Children requirements). Council has also established a 'Three strikes' position in relation to persistent defaults and a process for addressing non-compliance which will be communicated with all organisations occupying Council facilities on a lease or licence agreement.

ATTACHMENTS

1.  Draft Community Facilities Standard Lease - Aug 2021
2.  Draft Community Facilities Standard Licence - Aug 2021

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL ENDORSES THE DRAFT COMMUNITY FACILITY STANDARD LEASE AND LICENCE AGREEMENT TEMPLATES AND THE PROPOSED POSITION FOR ADDRESSING NON-COMPLIANCE DUE TO PERSISTENT DEFAULT

PURPOSE

To consider the Maroondah City Council Annual Report 2020/21 prior to submission to the Minister for Local Government and release to the community.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2021-2025 (Year 1: 2021-2022) 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 a vibrant and diverse city with a healthy and active community living in green leafy neighbourhoods which are connected to thriving and accessible activity centres contributing to a prosperous economy within a safe, inclusive and sustainable environment.

Key Directions 2021 – 2022:

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

Priority Action 2021-2022:

Not applicable

BACKGROUND

The Annual Report provides a comprehensive report on Council operations to meet its commitment of open, responsive, consultative and accountable government. The transitional provisions in section 329 (7)(b) of the *Local Government Act 2020 (the Act 2020)* mean that the *Local Government Act 1989 (the Act 1989)* continues to apply to the preparation of council 2020/21 Annual Reports. Within this report, Council meets all its statutory obligations under *the Act 1989* and *the Act 2020*. The Annual Report is Council's highest-level comprehensive report to the community outlining how it has met its annual objectives as articulated in the Council Plan and Annual Budget. For Council's report on operations for the 2020/21 financial year, these objectives are derived from Maroondah 2040: Our future together and Council's long-term financial plan.

The primary objective of the Annual Report is to inform the Maroondah community and stakeholders of Council's performance during 2020/21 against the objectives and priorities outlined in the Council Plan 2017-2021 (Year 4: 2020/21). Council's achievements, challenges and future directions are considered under each community outcome area.

Key features of the Annual Report as required by Section 131 of *the Act 1989* and Section 98 of *the Act 2020*, include the following matters:

- A report of Council's operations during the financial year

**MAROONDAH CITY COUNCIL ANNUAL REPORT 2020/21
Cont'd**

ITEM 1

- Audited financial statements for the financial year
- Audited performance statement for the financial year
- A copy of the auditor's report on the financial statements
- A copy of the auditor's report on the performance statement
- Any other matters prescribed by the regulations including relevant performance indicator results and checklist items from the Local Government Performance Reporting Framework as required by *the Act 1989*.

Council is also required to provide a range of other statutory information through this report. This information can be found within the Corporate Governance and Statutory Information sections of the report.

This Council Report presents the full Annual Report 2020/21, incorporating audited financial statements with unqualified certification on the standard statements and performance statement provided by the Victorian Auditor General's Office (VAGO).

The Annual Report comprises two sections - Part A: The Report of Operations and Part B: Annual Financial Report. These two parts combined provide a comprehensive view of Council's performance in 2020/21.

ISSUE / DISCUSSION

Pursuant to section 131(6) of *the Act 1989*, Council is required to prepare and submit an Annual Report to the Minister within three months of the end of each financial year.

Subject to Council endorsement, the Annual Report 2020/21 will be submitted to the Minister for Local Government no later than 30 September 2021. The Annual Report will also be made available on the Council website.

Council at its meeting on 16 August 2021 approved in principle the 2020/21 financial statements as required by *the Act 1989*. These have been signed by the Victorian Auditor General with statements included in this Annual Report 2020/21.

Section 134 of *the Act 1989* also requires Council to hold a meeting to formally consider the report within one month of submission to the Minister and such meeting is to be advertised. The report will be formally considered at the Council Meeting to be held on 18 October 2021 at 7.30pm.

FINANCIAL / ECONOMIC ISSUES

Development and production of Council's Annual Report 2020/21 is met within the current budget. The Annual Report will only be printed on request and will be made available on Council's website.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

**MAROONDAH CITY COUNCIL ANNUAL REPORT 2020/21
Cont'd**

ITEM 1

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Pursuant to section 133 of *the Act 1989*:

- After the Annual Report 2020/21 has been submitted to the Minister, Council must give public notice that the Annual Report has been prepared and can be inspected on the Council's website.

This consultation process will follow Council's consideration of the Maroondah City Council Annual Report 2020/21.

Pursuant to section 134 of *the Act 1989*, Council must:

- Consider the Annual Report at a meeting of the Council
- Advertise the report at least 14 days before the meeting is held
- Note where the Annual Report can be obtained
- Keep the Council meeting open to the public while the Annual Report is discussed

In accordance with these provisions of *the Act 1989*, an Ordinary Council Meeting to formally consider the Maroondah City Council Annual Report 2020/21 will be held on 18 October 2021.

A public notice will be placed in The Age newspaper providing formal notice of this meeting. The Annual Report 2020/21 will be made available to the public for inspection on Council's website.

CONCLUSION

The Maroondah City Council Annual Report 2020/21 confirms that Council has made significant advances towards achieving the community vision articulated in *Maroondah 2040: Our future together* whilst maintaining responsible and sustainable management of Maroondah's resources, assets, infrastructure and the natural environment. The report also outlines how Council has continued to meet its legislative responsibilities under the *Local Government Act 1989* and the *Local Government Act 2020*.

ATTACHMENTS

1.  Maroondah City Council Draft Annual Report 2020/21

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL

- 1. NOTES THE PREPARATION OF THE MAROONDAH CITY COUNCIL ANNUAL REPORT 2020/21**
- 2. ENDORSES THE MAROONDAH CITY COUNCIL ANNUAL REPORT 2020/21 FOR SUBMISSION TO THE MINISTER FOR LOCAL GOVERNMENT**
- 3. ENSURES THE ANNUAL REPORT 2020/21 IS MADE AVAILABLE FOR PUBLIC INSPECTION FROM 23 SEPTEMBER 2021 ON COUNCIL'S WEBSITE**

GREENING THE GREYFIELDS, AMENDMENTS C134 AND C136 - PLANNING PANEL RECOMMENDATIONS

ITEM 2

PURPOSE

The purpose of this report is for Council to consider the Panel report relating to Amendments C134maro and C136maro (the Amendments) to the Maroondah Planning Scheme. This report recommends that Council adopt the Amendments, with changes in keeping with the recommendations of the Panel report.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2021 - 2025 (Year 1: 2021 - 2022) 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, sustainable and well-built community with thriving activity centres and a network of neighbourhoods where everyone has the opportunity to live, work and play locally.

Key Directions 2021 – 2025:

- 6.1 Work in partnership to deliver distinctive, attractive and high-quality architecture through the use of urban design guidelines and principles.
- 6.2 Facilitate urban design that enhances the connection between the built, natural and social environments.
- 6.3 Work in partnership to pursue urban design that promotes environmental sustainability, water sensitivity, and community wellbeing.
- 6.5 Develop and implement an urban environment that enhances the desirable attributes of Maroondah to protect and value neighbourhood character, local history and cultural heritage.

Priority Action 2021 - 2022:

Implement the Greening the Greyfields project in partnership with stakeholders to facilitate a sustainable approach to urban redevelopment in identified residential precincts.

BACKGROUND

Greening the Greyfields (or 'Greyfield Renewal')(GtG) is a pilot project for Maroondah City Council in partnership with Swinburne University and in close consultation with the Department of Environment, Land, Water and Planning (DELWP). The project was initially part funded by the Australian Government as part of the Smart Cities and Suburbs Program through the Cooperative Research Centre for Low Carbon Living and FronteirSI. Council received further funding in March 2021 through the Victorian Planning Authority (VPA) to help expand and implement the project.

**GREENING THE GREYFIELDS, AMENDMENTS C134 AND
C136 - PLANNING PANEL RECOMMENDATIONS Cont'd**

ITEM 2

The Amendments seek to implement the relevant objectives and strategies of the following key Maroondah documents:

- Maroondah 2040: Our future together, Maroondah City Council.
- Maroondah Council Plan 2021 - 2025, Maroondah City Council.
- Maroondah Housing Strategy, Maroondah City Council, 2016.

The Greening the Greyfields concept is a key direction of Plan Melbourne 2017 - 2050 (Plan Melbourne), the Victorian Government's key strategic directive for the sustainable, productive and liveable growth of Melbourne as it approaches a population of eight million people. Action 23 of Plan Melbourne entitled '*Redevelopment of greyfield areas*' aims to '*Support Councils to identify greyfield areas suitable for redevelopment for medium density and lot consolidation.*' Plan Melbourne encourages Councils to work with Swinburne University to implement Greyfield Renewal.

Maroondah's Greening the Greyfield project aims to help facilitate a sustainable and liveable approach to urban redevelopment in identified precincts in keeping with the above-noted key Council policy directives and Plan Melbourne.

The Amendments were exhibited from 25 January 2021 to 26 February 2021. Council considered submissions to the Amendments on 22 March 2021 and referred all submissions to an independent Planning Panel.

A two-person Panel was appointed by the Minister for Planning and the Amendments were the subject of a two-day Planning Panel Hearing held on 28 and 29 January 2021. Due to the COVID-related physical distancing requirements, the Panel Hearing was held by video conference. Five submitters requested to be heard by the Panel. Council called expert witnesses from the fields of urban planning and economics (namely Development Contributions).

Council received the Panel report in mid-August 2021. The Panel report recommends the Amendments should be supported, subject to addressing specific recommendations discussed in detail in the Panel report and summarised at pages ii and iii of the Panel report (see Attachment 1). It is recommended that Council accept the Panel recommendations in their entirety (see Attachment 2).

The Panel also made comments of relevance to other key pieces of work underway at Council. Specifically, comments were made regarding environmental sustainability, vegetation, 20-minute neighbourhoods and housing policy, which further support the integration of the broader Maroondah GtG project with these complementary, important strategic directions.

In addition to the Amendment process and in keeping with Council's successful VPA funding application, Officers will continue to undertake the agreed to work program, namely within the following key areas.

GREENING THE GREYFIELDS, AMENDMENTS C134 AND C136 - PLANNING PANEL RECOMMENDATIONS Cont'd

ITEM 2

- Milestone 1 - Invite Expressions of Interest from the landowners and developers of identified greyfield renewal projects.
- Milestone 2 - Prepare concept plans for identified greyfield renewal precincts.
- Milestone 3 - Finalise governance model to implement the GtG project.
- Milestone 4 - Project evaluation and sharing findings with other municipalities.

ISSUE / DISCUSSION

The Panel Report and Recommendations

Council received the Panel report in mid-August 2021 (see Attachment 1). In summary, the Panel concluded the following.

- *The Amendments are strategically justified and supported by State and local policy.*
- *There is demonstrable community and development industry support for the Amendments.*
- *The built form and landscape provisions are appropriate and will implement 'greening' subject to some changes for clarification and consistency between both Development Plan Overlays.*
- *The proposed pedestrian and cycling links are appropriate and will improve walking and cycling, subject to some changes.*
- *The expected traffic generated by redevelopment in each precinct can be readily accommodated within the existing road network and the parking provisions are appropriate.*
- *The Development Contributions Plans (DCPs) are appropriate subject to exempting redevelopment of the Eastfield Road local centre and some minor changes.*
- *Owners of land required for infrastructure should be compensated either by listing the land as a DCP project or suitably adjusted DCP liabilities.*
- *Any flooding and drainage issues will not impact on implementation of the Amendments.*
- *The risks associated with approval and implementation of the Amendments as 'pilot projects' are acceptable.*

In summary, the Panel recommended that Amendments C134maro and C136maro be adopted as exhibited subject to the following:

1. *Amend Development Plan Overlay Schedules 7 and 8 in accordance with the Panel recommended versions at Appendix D of this Report, and:
a) combining the plan at 'Figure 1: Indicative Concept Plan' with the plan at 'Figure 2: Building Height Plan' into one plan in each Schedule.*

GREENING THE GREYFIELDS, AMENDMENTS C134 AND C136 - PLANNING PANEL RECOMMENDATIONS Cont'd

ITEM 2

- b) clarifying Clause 4 to specify whether side setbacks of a minimum of 1.4 metres apply where the adjoining building is 'up to 9 metres in height' or '9 metres or more in height'.*
- c) deleting the 'potential pedestrian link' extending between Mackenzie Court and Thomas Street from the Indicative Concept Plan at Figure 1 of Schedule 8.*
2. *Amend the Strategic Framework Plan at Clause 21.02 to include representation of the Ringwood and Croydon South Greyfield Renewal area and amend the legend to the plan accordingly.*
3. *Amend Clauses 21.06 and 21.10 to replace references to 'Ringwood North' with 'Ringwood'.*
4. *Amend the preamble paragraph to Clause 22.02, Residential Neighbourhood Character, of the Maroondah Planning Scheme to add the words "a Greyfield Renewal Precinct" at the end of the paragraph, and amend the Neighbourhood Character map accordingly.*
5. *Amend the Development Contributions Plans as follows:*
- a) The sub-section in section 6.3 headed, Payment of Development Contributions, be amended to read:*
- "The Development Infrastructure Levy will be levied by Council at the planning permit stage, subdivision stage or building permit stage of development, in accordance with the timing points indicated in this DCP and whichever timing points occur first. This payment must be made no later than the date of issue of a building permit under the Building Act 1993. If Council seeks payment at the:*
- Planning Permit Stage, it must be made before the start of construction.*
 - Subdivision Permit Stage, it must be made before a statement of compliance is issued for the subdivision."*
- b) The sub-section in section 6.3 headed, Deferral of Payment, be amended to replace the words "at an alternative date" with "before a specified time or event".*
- c) Amend Table 2 and Figure 3 to remove the costs of, and a reference to the McKenzie Court to Thomas Street "potential pedestrian path" and recalculate the development levies accordingly.*
6. *Add the following to the list of exemptions at section 6.5 of the Croydon South Greyfield Precinct Development Contributions plan: "This DCP does not apply to development within the activity centre located at the junction of Eastfield Road and Bayswater Road where land is zoned Commercial 1 Zone or Public Use Zone 6."*
7. *Amend Table 2 at Clause 2 of the Development Contributions Plan Overlay Schedule 3, to make it consistent with the recalculated Development Contributions Plan as shown in Recommendation 5b).*

GREENING THE GREYFIELDS, AMENDMENTS C134 AND C136 - PLANNING PANEL RECOMMENDATIONS Cont'd

ITEM 2

Under Section 27 of the *Planning and Environment Act 1987* Council must consider the Panel Report prior to deciding on the Amendment. After considering the Panel Report, Council may:

- Adopt the Amendment, with or without changes; or
- Abandon the Amendment.

This report recommends that Council adopt the Amendments, with changes consistent with the seven recommendations of the Panel. If Council adopted the Amendment with changes it must provide a description of, and the reasons for, any changes made to the Amendment before adopted to ensure transparency and consistency and to enable the Minister to properly assess whether the changes should be approved. In addition, if Council decides not to accept any of the Panel recommendations, it must give reasons for this when it submits the adopted Amendment to the Minister for Planning for approval.

Attachment 2 provides a detailed response to each of the seven recommendations in the Panel Report, including the reasons for agreeing to each recommendation. As noted above, Officers recommend that Council should accept all the Panel recommendations.

The Planning Panel concluded the Amendments should be supported, subject to addressing specific recommended changes. Officers recommend Council accept all the Panel recommendations.

Next Steps

Once adopted Council will submit the Amendments to the Minister for Planning for approval.

As noted above, the Panel made additional comments of relevance to other key strategic work at Council, including in the areas of environmental sustainability, vegetation, 20-minute neighbourhoods and housing policy. Officers will continue to integrate the broader GtG project with these key policy areas and to progress work on tasks within the four GtG Milestones outlined above.

FINANCIAL / ECONOMIC ISSUES

Expenses associated with the approval of the Amendment will be covered through Council's operational budget.

ENVIRONMENTAL / AMENITY ISSUES

The recognition of the potential of the significant opportunities for sustainable growth and improvement within the existing residential areas of Maroondah will encourage the enhancement and protection of community and private assets including open space areas, vegetation and pedestrian and cycling networks.

SOCIAL / COMMUNITY ISSUES

The proposed Amendments are a result of collaboration between Council, DELWP, the related-GtG precincts, and the wider Maroondah community to manage and enhance the character of, and housing provision within, the precincts.

GREENING THE GREYFIELDS, AMENDMENTS C134 AND C136 - PLANNING PANEL RECOMMENDATIONS Cont'd

ITEM 2

COMMUNITY CONSULTATION

A significant amount of pre-Amendment engagement was carried out in both the Ringwood and Croydon South Greyfield Renewal precincts between 2019 and 2021.

The Amendments were exhibited in accordance with the requirements of the *Planning and Environment Act 1987*. Public exhibition occurred between 25 January and 26 February 2021.

Copies of the Amendments were available at Council customer service centres and libraries and, online via the Maroondah Council and DELWP websites.

Council received nine submissions to Amendment C134maro, including one late submission made just prior to the Panel Hearing. Council received ten submissions to C136maro, including one received post the Council meeting of 22 March 2021 during which submissions were considered to both Amendments and referred to the Planning Panel for consideration.

CONCLUSION

Amendments C134maro and C136maro specifically support the delivery of directions in Maroondah 2040: Our Future Together and the Council Plan action, along with Plan Melbourne 2017 - 2050.

The Amendments were publicly exhibited and were the subject of a Planning Panel that determined the Amendments to be strategically justified and supported by State and local policy. The Panel recommended that Council adopt the Amendments as exhibited subject to some changes. In keeping with the Panel recommendation, it is recommended that Council adopt the Amendments, with changes, as detailed in this report and its attachments.

Also, based on commentary provided by the Panel and the funding agreement with the Victoria Planning Authority, Officers will continue to progress the broader GtG project in keeping with the four key GtG Milestones.

ATTACHMENTS

1.  Maroondah C134maro and C136maro Panel Report
2.  Consideration of Panel Recommendations
3.  Changes to Amendment C134
4.  Changes to Amendment C136

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL

HAVING PREPARED AND EXHIBITED AMENDMENTS C134MARO AND C135MARO TO THE MAROONDAH PLANNING SCHEME UNDER SECTION 19 OF THE PLANNING AND ENVIRONMENT ACT 1987;

**GREENING THE GREYFIELDS, AMENDMENTS C134 AND
C136 - PLANNING PANEL RECOMMENDATIONS Cont'd**

ITEM 2

HAVING CONSIDERED ALL SUBMISSIONS TO AMENDMENTS C134MARO AND C136MARO TO THE MAROONDAH PLANNING SCHEME UNDER SECTION 22 OF THE PLANNING AND ENVIRONMENT ACT 1987; AND

HAVING CONSIDERED THE REPORT AND RECOMMENDATIONS OF THE INDEPENDENT PANEL FOR AMENDMENTS C134MARO AND C136MARO UNDER SECTION 27 OF THE PLANNING AND ENVIRONMENT ACT 1987;

RESOLVES TO:

- 1. ADOPT AMENDMENTS C134MARO AND C136MARO TO THE MAROONDAH PLANNING SCHEME IN ACCORDANCE WITH SECTION 29 OF THE PLANNING AND ENVIRONMENT ACT 1987 AS CONTAINED IN ATTACHMENTS 3 AND 4;**
- 2. SUBMIT AMENDMENTS C134MARO AND C136MARO 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. ADVISE ALL SUBMITTERS TO AMENDMENTS C134MARO AND C136MARO THAT COUNCIL HAS ADOPTED THE AMENDMENTS.**

**COUNCIL PLAN 2017-2021 (YEAR 4: 2020/21) PRIORITY
ACTION PROGRESS REPORT - QUARTER 4, 2020/21**

ITEM 3

PURPOSE

To provide an update on progress made towards implementation of Year 4 priority actions identified in the Council Plan 2017-2021, as at 30 June 2021.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 4: 2020-2021) 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 a vibrant and diverse city with a healthy and active community, living in green leafy neighbourhoods which are connected to thriving and accessible activity centres contributing to a prosperous economy within a safe, inclusive and sustainable environment.

Key Directions 2020 – 2021:

- 8.1 Provide community inspired governance that is transparent, accessible, inclusive and accountable
- 8.2 Ensure responsible and sustainable management of Maroondah’s resources, assets, infrastructure and natural environment
- 8.3 Nurture a continuous improvement council culture of being collaborative, strategic, sustainable and employing best practice, that positions Maroondah as a leader in local government

Priority Action 2020-2021:

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 a 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 service delivery activities and initiatives across Council, and outcomes are measured and reported regularly.

**COUNCIL PLAN 2017-2021 (YEAR 4: 2020/21) PRIORITY
ACTION PROGRESS REPORT - QUARTER 4, 2020/21 Cont'd**

ITEM 3

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 (June 2020 Update)*, 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 (June 2020 Update)*.

The attached report identifies the progress made by Council in delivering the 2020/21 priority actions identified in the *Council Plan 2017-2021*.

As at 30 June 2021, 15 actions are complete, 46 are in progress and three have been deferred. A number of priority actions are multi-year initiatives scheduled to be completed in future financial years.

FINANCIAL / ECONOMIC ISSUES

Three Council Plan priority actions have been deferred due to the impacts of the coronavirus (COVID-19) pandemic.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Council Plan achievements are reported back to Council and the community through quarterly reporting and through the Maroondah City Council Annual Report at the end of each financial year.

CONCLUSION

Council has made excellent progress during the past twelve months (1 July 2020 to 30 June 2021) towards the implementation of a broad range of Council Plan Priority Actions for the 2020/21 financial year.

ATTACHMENTS

1.  Council Plan 2017-2021 - Priority Actions Progress Report - As at 30 June 2021

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL NOTES PROGRESS MADE TOWARDS THE DELIVERY OF 2020/21
PRIORITY ACTIONS IDENTIFIED IN THE COUNCIL PLAN 2017-2021 AS AT 30 JUNE
2021**

**LOCAL GOVERNMENT PERFORMANCE REPORTING
FRAMEWORK - SERVICE INDICATOR PROGRESS REPORT -
QUARTER 4, 2020/21**

ITEM 4

PURPOSE

To provide a report of Council's indicators of service performance as measured by the Local Government Performance Reporting Framework (LGPRF) for the 2020/21 financial year (1 July 2020 to 30 June 2021).

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 4: 2020-2021) 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 a vibrant and diverse city with a healthy and active community, living in green leafy neighbourhoods which are connected to thriving and accessible activity centres contributing to a prosperous economy within a safe, inclusive and sustainable environment.

Key Directions 2020-2021:

- 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 culture of innovation, cooperation, commitment, communication and continuous improvement that positions Maroondah City Council as a leader in local government

Priority Action 2020-21:

Not Applicable

BACKGROUND

The Local Government Performance Reporting Framework (LGPRF) is a mandatory reporting system developed by Local Government Victoria which was introduced in 2014 to ensure all Victorian Councils are measuring and reporting on their performance in a consistent way.

The LGPRF is a Victorian Government initiative aimed at ensuring transparency and accountability of the local government sector performance to ratepayers and the public. The Framework is made up of service performance, financial performance and sustainability measures, along with a governance and management checklist. Together these components build a comprehensive picture of local government performance.

These measures are reported in Council's Annual Report as part of the Report of Operations and Performance Statement sections as required by the *Local Government (Planning and Reporting) Regulations 2020* and associated elements of the *Local Government Act 2020*.

**LOCAL GOVERNMENT PERFORMANCE REPORTING
FRAMEWORK - SERVICE INDICATOR PROGRESS REPORT -
QUARTER 4, 2020/21 Cont'd**

ITEM 4

End of financial year results are also publicly released on the Victorian Government's 'Know Your Council' website in November each year. This site provides information on the sector and enables users to benchmark the relative performance of Council's on LGPRF indicators.

ISSUE / DISCUSSION

Council continues to monitor LGPRF results on a quarterly basis for service performance indicators and annually for financial performance and sustainable capacity indicators.

Service performance indicators are subject to fluctuations and not necessarily reflective of the final year result. Some individual indicators will reflect seasonality or phasing of service delivery so are not indicative of the year result. Indicator results from the annual Local Government Community Satisfaction Survey were made available in June and have been updated within this report.

At the completion of the financial year, most service indicators are progressing as expected. Despite the coronavirus (COVID-19) pandemic, it is pleasing to see that most indicators of services are aligned with expected results at this stage of the financial year. A number of indicator results have been impacted by facility closures associated with the COVID-19 pandemic, particularly in relation to the utilisation levels and service costs for aquatic facilities and the number of active borrowers for libraries in Maroondah.

Council will continue to monitor its performance against the LGPRF indicators and report quarterly to ensure accountability and transparency.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

End of 2020/21 financial year results will be publicly released in Council's Annual Report 2020/21. They will also be submitted for inclusion on the Victorian Government's 'Know Your Council' website in November 2021.

CONCLUSION

LGPRF service performance indicators for the full 2020/21 financial year as at 30 June 2021 are presented in the attached report.

It is important to note that these results for a number of indicators have been impacted by the COVID-19 pandemic. Some indicators are also subject to seasonal fluctuations.

**LOCAL GOVERNMENT PERFORMANCE REPORTING
FRAMEWORK - SERVICE INDICATOR PROGRESS REPORT -
QUARTER 4, 2020/21 Cont'd**

ITEM 4

Annual results for the full 2020/21 financial year will be published in Council's Annual Report 2020/21 and on the Victorian Government 'Know Your Council' website in November 2021.

ATTACHMENTS

1.  LGPRF Service Indicator Progress Report - Q4, 2020/21

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL NOTES THE LOCAL GOVERNMENT PERFORMANCE REPORTING
FRAMEWORK SERVICE PERFORMANCE RESULTS FOR THE 2020/21 FINANCIAL
YEAR AS AT 30 JUNE 2021**

PURPOSE

To present the Eastern Region Group of Councils (ERG) Annual Report for 2020/21 for Council information.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2021-2025 (Year 1: 2021-2022) 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 actively engaged in local decision making, led by an innovative community inspired Council that collaborates regionally and proactively champions local needs.

Key Directions 2021 – 2025:

- 8.11 Work in partnership to advocate for and champion the needs and aspirations of the community to Victorian and Australian levels of government, service providers and the business sector
- 8.12 Foster local and regional partnerships with individuals, community groups, businesses, service providers, agencies and all levels of government

Priority Action 2021-2022:

Not applicable.

BACKGROUND

The Eastern Region Group of Councils (ERG) comprises six local government authorities of eastern Melbourne - Knox, Manningham, Maroondah, Monash, Whitehorse and Yarra Ranges. The region has nearly one million residents and 440,000 jobs that produced \$59 million in gross regional product in 2020.

While not a separate legal entity, the ERG prepares a report of its activities annually which is published on the ERG website and circulated to stakeholders.

The collective vision for the ERG is to be a catalyst for collaborative action and a trusted voice on regionally significant matters. ERG councils collaborate and partner on shared priorities through advocacy, integrated planning, shared services and joint procurement to benefit the region's communities. The mission is to work together to make lives better, create better places and deliver better performance across all councils.

The ERG comprises the Mayor, Deputy Mayor (or Councillor) and CEO (or their delegate) and is renewed after the annual Mayoral elections. The ERG elects its Chair and Deputy Chair annually in December and generally meets every two months.

EASTERN REGION GROUP OF COUNCILS (ERG) ANNUAL REPORT 2020/21 Cont'd

ITEM 5

ERG's vision is strengthened by strong working relationships with regional groups and council officers across the east, including the Eastern Affordable Housing Alliance (EAHA); Eastern Alliance for Greenhouse Action (EAGA); Eastern Transport Coalition (ETC); Melbourne East Region Economic Development Group (MEREDG); Eastern Alliance for Sustainable Learning (EASL); and the Eastern Metropolitan Partnership (EMP).

The ERG also works closely with council officer networks, such as Communications Managers, and Procurement Managers, and with other regional local government groups.

ISSUE / DISCUSSION

The ERG Annual Report was supported at its meeting on 20 August 2021. It outlines a number of highlights and achievements for 2020/21 including:

- Creation of a four-year Strategic Plan
- Supporting responses to Covid -19 challenges
- Advocacy for a regional adult mental health facility and addressing youth mental health needs
- Social support in the east
- Supporting active transport
- A commitment to strong Government relations
- Joint procurement and shared services.

The report also outlines regional group highlights for the EAHA, ETC, MEREDG, EAHA and the Regional Local Government Homelessness and Social Housing Charter (13 Councils).

The Annual Report also outlines the ERG's Financial Position as well as ERG Members meeting attendance for the year.

More details can be found in the attached ERG 2020/21 Annual Report.

FINANCIAL / ECONOMIC ISSUES

As highlighted in the 2020/21 Annual Report and 2021-2025 Strategic Plan.

ENVIRONMENTAL / AMENITY ISSUES

As highlighted in the 2020/21 Annual Report and 2021-2025 Strategic Plan.

SOCIAL / COMMUNITY ISSUES

As highlighted in the 2020/21 Annual Report and 2021-2025 Strategic Plan.

**EASTERN REGION GROUP OF COUNCILS (ERG) ANNUAL
REPORT 2020/21 Cont'd**

ITEM 5

COMMUNITY CONSULTATION

Key partners involved in the development of the 2020/21 Annual Report have included Mayors and CEO's of the six Councils together with key regional groups.

CONCLUSION

The ERG has finalised its Annual Report outlining its role, achievements, financial position and meeting attendance for the 2020/21 financial year.

ATTACHMENTS

1.  ERG Annual Report 2020-2021

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL NOTES THE ERG ANNUAL REPORT 2020/21