

Councillor
(as addressed)

The next Council Meeting will be held in the Council Chamber Realm, on Monday 28 August 2023, commencing at 7:30pm and your presence is requested.

Yours faithfully



Andrew Fuaux
ACTING 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.***

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

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

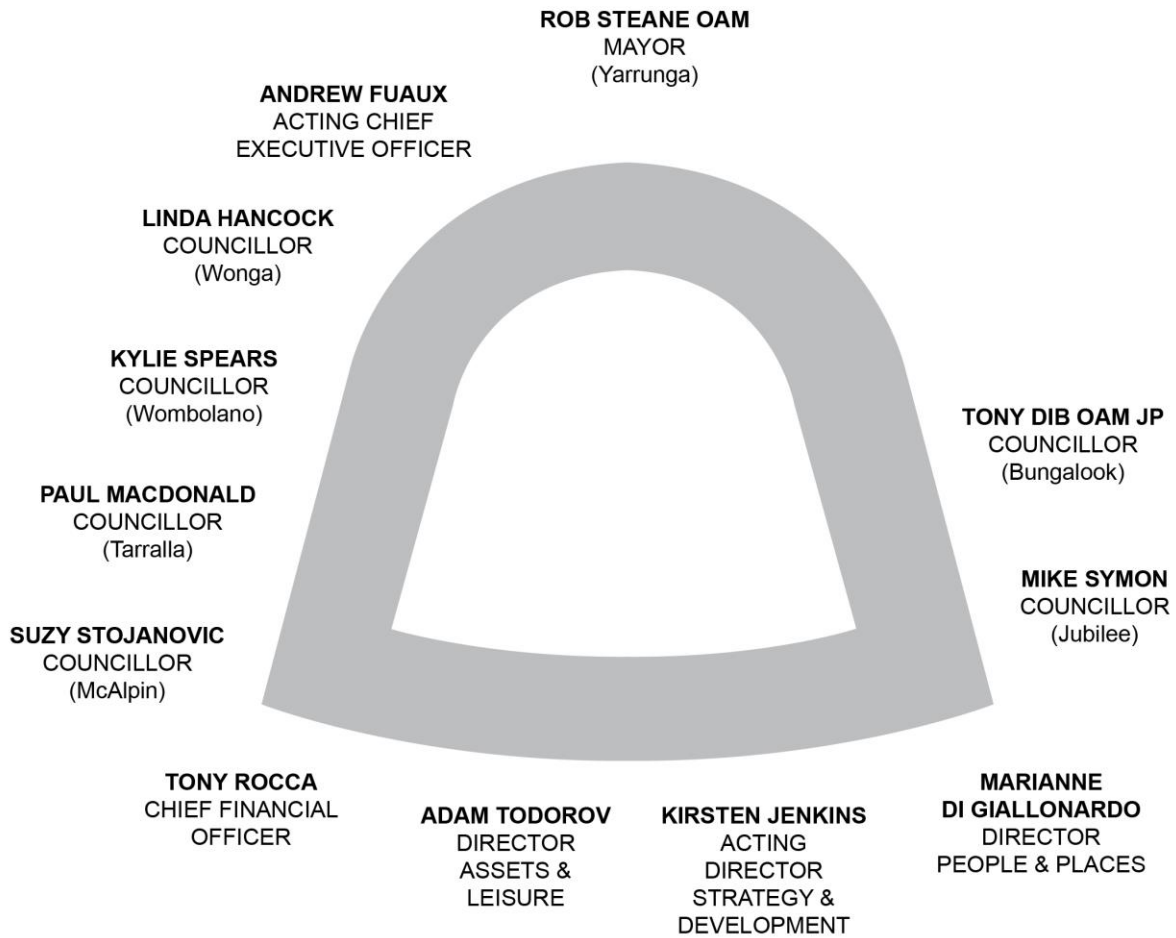


COUNCIL CHAMBER
IS FITTED WITH A HEARING AID
INDUCTION LOOP

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

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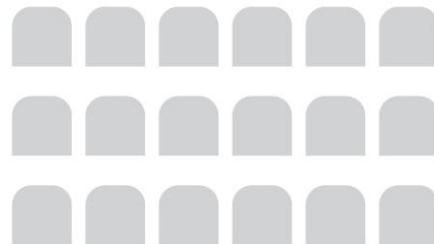
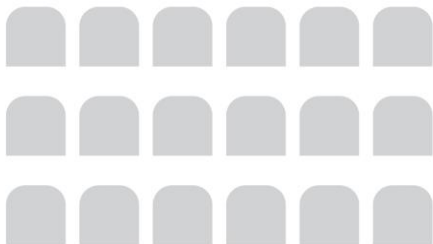
Council Chamber Seating



APOLOGY

TASA DAMANTE DEPUTY MAYOR (Wicklow)
MARIJKE GRAHAM COUNCILLOR (Barngeong)

Public Gallery



ORDER OF BUSINESS

1. Prayer and Councillor Pledge
2. Acknowledgment of Country
3. Apologies
4. Declaration of Interests
5. Confirmation of Minutes of the Ordinary Council Meeting held on Monday 17 July 2023.
6. Public Questions
7. Officers' Reports

Chief Financial Officer

- | | | |
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| 12. | In Camera | |

Acting Director Strategy & Development

- | | | |
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| 1. | Tender Evaluation Report - Contract 21044 Minor Civil Works | |
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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 3: 2023-2024) 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 innovation community inspired Council that collaborates regionally and proactively champions local needs.

Key Directions 2021 – 2025:

- 8.1 Provide community inspired 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 since the last Ordinary Meeting of Council on the 17 July 2023 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 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 3: 2023-2024) 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 innovation community inspired Council that collaborates regionally and proactively champions local needs.

Key Directions 2021 – 2025:

- 8.1 Provide community inspired 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 Briefings held on the 17 July 2023, 7 August 2023 and 15 August 2023 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.  2023 July 17 - Councillor Briefing Public Record
2.  2023 August 07 - Councillor Briefing Public Record
3.  2023 August 15 - Councillor Briefing Public Record

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES THE PUBLIC RECORD OF THE COUNCILLOR BRIEFINGS HELD ON 17 JULY 2023, 7 AUGUST 2023 AND 15 AUGUST 2023

COUNCILLOR REPRESENTATION REPORTS

ITEM 3

PURPOSE

To receive and note meeting minutes from the following organisations, boards and/or advisory committees where Council is represented:

- Maroondah Disability Advisory Committee held on 27 July 2023
- Maroondah Liveability, Safety and Amenity Committee held on 26 July 2023
- Eastern Transport Coalition held on 20 July 2023
- Maroondah Environment Advisory Committee held on 13 June 2023
- Maroondah Business Advisory Committee held on 7 June 2023

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2021-2025 (Year 3: 2023-2024) 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 innovation community inspired Council that collaborates regionally and proactively champions local 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, boards and advisory committees where Council is represented.

ISSUE / DISCUSSION

Council is represented on numerous internal and external bodies.

Internal advisory committees have been initiated by Council and are serviced administratively. They typically consider in-depth issues that are related to Council policy or activities.

External bodies 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 organisations, boards and committees where those activities are in the interests of Maroondah residents.

COUNCILLOR REPRESENTATION REPORTS Cont'd

ITEM 3

Representation on these internal and external bodies is reviewed on an annual basis at the commencement of the new Mayoral term.

Council representatives for the bodies providing reports for this item are noted below:

Crs Dib, Spears and Hancock are Council's Representatives on the Maroondah Disability Advisory Committee.

Crs Damante, Hancock and Steane are Council's Representatives on the Maroondah Liveability, Safety and Amenity Committee.

Cr Dib as Council's Representative with Cr Damante as Substitute Representative on the Eastern Transport Coalition.

Crs Graham, Macdonald and Stojanovic are Council's Representatives on the Maroondah Environment Advisory Committee.

Crs Damante, Spears and Steane are Council's Representatives on the Maroondah Business 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, boards and advisory committees where Council is represented. Recent meeting minutes from a number of these bodies are tabled for noting.

ATTACHMENTS

1. 2023 July 27 - Maroondah Disability Advisory Committee Meeting Minutes

2. 2023 July 26 - Maroondah Liveability Safety and Amenity Committee Meeting Minutes

3. 2023 July 20 - Eastern Transport Coalition Draft Minutes

4. 2023 June 13 - Maroondah Environment Advisory Committee Meeting Minutes


COUNCILLOR REPRESENTATION REPORTS Cont'd

ITEM 3

5. 2023 June 07 - Maroondah Business Advisory Committee Meeting Minutes



CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES MINUTES OF THE FOLLOWING BODIES

- 1. MAROONDAH DISABILITY ADVISORY COMMITTEE HELD ON 27 JULY 2023**
- 2. MAROONDAH LIVEABILITY, SAFETY AND AMENITY COMMITTEE HELD ON 26 JULY 2023**
- 3. EASTERN TRANSPORT COALITION HELD ON 20 JULY 2023**
- 4. MAROONDAH ENVIRONMENT ADVISORY COMMITTEE HELD ON 13 JUNE 2023**
- 5. MAROONDAH BUSINESS ADVISORY COMMITTEE HELD ON 7 JUNE 2023**

**COUNCILLORS QUARTERLY EXPENSE AND
REIMBURSEMENT REPORT - APRIL TO JUNE 2023**

ITEM 4

PURPOSE

To provide the regular quarterly report to the community on Councillor expenses.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2021-2025 (Year 3: 2023-2024) 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:

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

BACKGROUND

In accordance with Section 40 and 42 of the *Local Government Act 2020* (the Act), Council is required to:

- reimburse a Councillor for expenses reasonably incurred in the performance of their role as a Councillor;
- make available to the Mayor and Councillors the resources and facilities reasonably necessary to enable them to effectively perform their role.

Council is also required to adopt and maintain an Expenses Policy in relation to the reimbursement of expenses for Councillors (Section 41 of the Act). 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 perform their duties.

The Council Expenses Policy was adopted by Council on 31 August 2020.

Council also publishes in its Annual Report the details of the 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 2021/22 Annual Report.

ISSUE / DISCUSSION

This is a standard Governance reporting item in line with legislative requirements and sector Best Practice and an opportunity to be transparent to the Maroondah Community regarding these matters.

CHIEF FINANCIAL OFFICER – TONY ROCCA**COUNCILLORS QUARTERLY EXPENSE AND REIMBURSEMENT REPORT - APRIL TO JUNE 2023 Cont'd****ITEM 4****FINANCIAL / ECONOMIC ISSUES**

A budget of \$102,000 in the 2022/2023 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 during the Mayoral term (November to November). All expenditure is within budget.

<i>Councillor</i>	<i>TR (\$)</i>	<i>CM (\$)</i>	<i>CC (\$)</i>	<i>IC (\$)</i>	<i>CT (\$)</i>	<i>CCA (\$)</i>	<i>Total 1 April to 30 June 2023 (\$)</i>	<i>YTD 1 July 2022 to 30 June 2023 (\$)</i>
Tasa Damante	0.00	0.00	95.10	289.00	1,244.00	175.00	1,803.10	8,709.82
Tony Dib OAM JP	0.00	531.93	0.00	289.00	2,076.00	654.00	3,550.93	8,421.93
Marijke Graham	0.00	0.00	0.00	239.00	105.00	132.00	476.00	3,801.40
Linda Hancock	406.00	0.00	0.00	289.00	1,727.52	1,291.00	3,713.52	11,759.41
Paul Macdonald	548.00	0.00	0.00	239.00	539.00	246.00	1,572.00	12,148.60
Kylie Spears	677.00	0.00	0.00	391.00	5,721.00	105.00	6,894.00	12,035.33
Rob Steane OAM Mayor 9 November 2022 to 30 June 2023	405.00	#3,000.00	0.00	239.00	935.00	396.00	#4,975.00	#14,067.87
Suzy Stojanovic	0.00	0.00	505.00	232.00	637.00	147.00	1,521.00	11,605.53
Mike Symon Mayor 1 July to 9 November 2022	163.00	1,143.31	0.00	239.00	0.00	55.00	1,600.31	#16,870.46
TOTAL	2,199.00	4,675.24	600.10	2,446.00	12,984.52	3,201.00	26,105.86	99,420.35

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

Note:

1. No expenses were paid by Council including reimbursements to members of Council Committees during the year
2. Figures are provisional end of financial year results and are subject to finalisation as part of the external audit processes for the 2022/23 Statements in the Annual Report.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

**COUNCILLORS QUARTERLY EXPENSE AND
REIMBURSEMENT REPORT - APRIL TO JUNE 2023 Cont'd**

ITEM 4

CONCLUSION

Council as a whole and Councillors as individuals continue to be diligent with their Councillor Allowances as these quarterly figures demonstrate. All are within budget and expectation.

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL NOTES THE COUNCILLOR'S EXPENSE AND REIMBURSEMENT
REPORT FOR APRIL TO JUNE 2023**

**COUNCIL PLAN 2021-2025 (YEAR 2: 2022/23) PRIORITY
ACTION PROGRESS REPORT - QUARTER 4, 2022/23**

ITEM 5

PURPOSE

To provide an update on progress made towards implementation of Year 2 priority actions identified in the Council Plan 2021-2025, as at 30 June 2023.

STRATEGIC / POLICY ISSUES

The following directions contained in *Maroondah 2040: Our Future Together* and the Council Plan 2021-2025 (Year 3: 2023-2024) 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 2022 – 2023:

- 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 2022-2023:

Not Applicable

BACKGROUND

The *Council Plan 2021-2025* 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 2021-2025 (YEAR 2: 2022/23) PRIORITY
ACTION PROGRESS REPORT - QUARTER 4, 2022/23 Cont'd**

ITEM 5

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 2022/23 priority actions identified in the *Council Plan 2021-2025*. A number of priority actions are multi-year initiatives scheduled to be completed in future financial years.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

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 12 months (1 July 2022 to 30 June 2023) towards the implementation of a broad range of Council Plan Priority Actions for the 2022/23 financial year.

ATTACHMENTS

1.  Council Plan Priority Actions 2021-2025 - Year 2 (2022-23) - Q4 Report

CONFIDENTIALITY

Not Applicable

CHIEF FINANCIAL OFFICER – TONY ROCCA

**COUNCIL PLAN 2021-2025 (YEAR 2: 2022/23) PRIORITY
ACTION PROGRESS REPORT - QUARTER 4, 2022/23 Cont'd**

ITEM 5

RECOMMENDATION

**THAT COUNCIL NOTES THE PROGRESS MADE TOWARDS THE DELIVERY OF 2022/23
PRIORITY ACTIONS IDENTIFIED IN THE COUNCIL PLAN 2021-2025 AS AT 30 JUNE
2023**

**LOCAL GOVERNMENT PERFORMANCE REPORTING
FRAMEWORK - SERVICE PERFORMANCE INDICATOR
REPORT - QUARTER 4, 2022/23**

ITEM 6

PURPOSE

To provide a report of Council's indicators of service performance as measured by the Local Government Performance Reporting Framework (LGPRF) as at the end of quarter 4 of the 2022/23 financial year (30 June 2023).

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2021-2025 (Year 3: 2023-2022) 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:

- 8.1 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
- 8.4 Work in partnership to deliver innovative, accessible and evidence informed services that are people focused, proactive, integrated and responsive

Priority Action 2022-2023:

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 PERFORMANCE INDICATOR
REPORT - QUARTER 4, 2022/23 Cont'd**

ITEM 6

End of financial year results are also publicly released by the Victorian Government in November/December each year, enabling benchmarking of the relative performance of Council 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.

Many service performance indicators are subject to fluctuations across the year, reflect seasonality, or phasing of service delivery. As a result, quarterly data is not always indicative of the end of financial year result.

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

FINANCIAL / ECONOMIC ISSUES

As identified within the report.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

End of financial year results for 2022/23 will be publicly released in Council's Annual Report 2022/23. They will also be submitted for publication by the Victorian Government in November/December 2023.


From 1 January 2023, Local Government Victoria (LGV) moved to the newly formed Department of Government Services and the 'Know Your Council' website was deactivated. Performance data submitted by Councils remain publicly available via the LGV website.

CONCLUSION

LGPRF service performance indicators for the full 2022/23 financial year (as at 30 June 2023) are presented in the attached report.

These full 2022/23 financial year results will be published in Council's Annual Report 2022/23.

ATTACHMENTS

1.  LGPRF Service Performance Indicator Report - Quarter 4, 2022/23

CHIEF FINANCIAL OFFICER – TONY ROCCA

**LOCAL GOVERNMENT PERFORMANCE REPORTING
FRAMEWORK - SERVICE PERFORMANCE INDICATOR
REPORT - QUARTER 4, 2022/23 Cont'd**

ITEM 6

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL NOTES THE LOCAL GOVERNMENT PERFORMANCE REPORTING
FRAMEWORK SERVICE PERFORMANCE RESULTS FOR THE 2022/23 FINANCIAL
YEAR AS AT 30 JUNE 2023**

AUDIT & RISK COMMITTEE REPORT

ITEM 7

PURPOSE

To report to Council on the outcomes of the Audit and Risk Committee Meeting held on 23 August 2023.

STRATEGIC / POLICY ISSUES

The Local Government Act 2020 prescribes that Council must establish an Audit & Risk Committee and that such Committee will be advisory in nature. The Audit & Risk 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 Committee consists of both Council and external representatives. The Mayor Rob Steane, and Cr Mike Symon are the Councillors on the Committee. The external members are Mr John Watson (chair), Mr Bruce Potgieter and Mr Michael Ulbrick.

All were in attendance, including three Councillor observers, Cr Linda Hancock, Cr Kylie Spears and Cr Suzy Stojanovic.

The Audit and Risk 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 Committee of the meeting held on Wednesday 23 August 2023.

ISSUE / DISCUSSION

The Audit and Risk Committee refers the following two items to Council for information. The Annual:

- Financial Report for the year 2022/2023;
- Performance Statement for the Year Ended 30 June 2023
- The Victorian Local Government Performance Reporting Framework (LGPRF) Governance & Management Checklist

These items were presented for the consideration and approval in principle of the Audit and Risk Committee with an overview of the Statements being provided by the Auditor-General's auditing agents. The Committee resolved unanimously as follows:

- 1) *The Annual Financial Report and Performance Statement including the approved final closing report from the Auditor-General's appointed auditors RSM be received and noted.*
- 2) *The LGPRF Governance and Management Checklist be received and noted.*

AUDIT & RISK COMMITTEE REPORT Cont'd

ITEM 7

- 3) *The Audit and Risk Committee recommended that Council approve in principle the annual financial report and performance statement (the statements) for the year ended 30 June 2023 and that Council authorises the:*
- *Acting Chief Executive Officer to send the statements to the Auditor-General;*
 - *Acting Chief Executive Officer, the Mayor and a Councillor to certify the final version of the statements;*
 - *Director/Chief Financial Officer to implement any non-material changes to the statements as recommended by the Auditor-General and provide a summary of any such changes to the Audit and Risk Committee at its next meeting*
 - *Director/Chief Financial Officer to discuss any material changes to the Audit and Risk Committee Chair prior to reporting to the Council.*
- 4) *The Committee recorded its appreciation to all the employees involved in the end of year closing of the City's accounts and the preparation of the Financial Statements, Performance Statement and LGPRF Governance and Management Checklist..*

Attached to this report, is also an Executive Summary covering the 2022/23 financial year.

FINANCIAL / ECONOMIC ISSUES

Council's budget provides for the operation of the Audit and Risk Committee and for the completion of the year end financials.

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 Committee meeting held on Wednesday 23 August 2023.

ATTACHMENTS

1.  Finance - Final Year-End Executive Summary Report 2022-23

CONFIDENTIALITY

Not Applicable

CHIEF FINANCIAL OFFICER – TONY ROCCA

AUDIT & RISK COMMITTEE REPORT Cont'd

ITEM 7

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES THE REPORT FROM THE AUDIT AND RISK COMMITTEE MEETING HELD ON WEDNESDAY 23 AUGUST 2023

**APPROVAL IN PRINCIPLE OF 2022/23 ANNUAL FINANCIAL
REPORT AND ANNUAL PERFORMANCE STATEMENT**

ITEM 8

PURPOSE

To give approval in principle to the Annual Financial Report, and the Annual Performance Statement (collectively known as the Documents) for the year ended 30 June 2023; to authorise two Councillors to sign the Forms of Certification for the Documents and to authorise the Principal Accounting Officer to make any non-significant changes to the Documents prior to certification.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2021-2025 (Year 3: 2023-2024) 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:

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

BACKGROUND

Approval in Principle

Section 98 (1) of the Local Government Act 2020 (the 2020 Act) requires Council to prepare an Annual Report in respect of each financial year. Section 99 (2) of the 2020 Act provides Council, after passing a Resolution giving its Approval In Principle to the Performance Statement and Financial Statements, must submit the Statements to the Auditor for reporting on the Audit. The Statements were considered by Council's Audit and Risk Committee on the 23 August 2023. It is recommended that Council:

- Receive and note the Annual Finance Report and Performance Statement including Closing Report
- Record its approval 'In Principle' to the Annual Financial Report and Financial Statement (the statements) for the year ended 30 June 2023; and that Council authorise the:
 - Chief Executive Officer to send the statements to the Auditor-General;
 - Chief Executive Officer, the Mayor and a Councillor to certify the final version of the Statements;
 - Chief Financial Officer to implement any non-material changes to the Statements as recommended by the Auditor-General and provide a summary of any such changes to the Audit and Risk Committee at its next meeting. Any material changes will be discussed with the Chair of the Audit and Risk Committee prior to being presented to Council.

**APPROVAL IN PRINCIPLE OF 2022/23 ANNUAL FINANCIAL
REPORT AND ANNUAL PERFORMANCE STATEMENT
Cont'd**

ITEM 8

The next actions in respect of the finalisation of the Documents and the production of the Annual Report are:

- Submission of the 'Approved in Principle' Documents to the Auditor-General
- Notification to Council of any amendments of significance agreed with the Auditor-General's auditing contractors
- The certification of the Documents (as amended if required) by two designated Councillors; and
- Issue of the Auditor-General's report on the Documents.

Certification and Changes

Section 99 (3) of the 2020 Act, Council must ensure that the performance statement and the financial statements, in their final form after any changes recommended or agreed by the auditors have been made, are certified in accordance with the regulations by:

- 2 Councillors authorised by the Council for the purposes of section 99 of the 2020 Act; and
- Any other persons prescribed by the regulations for the purposes of section 99 (3) of the Act. This is as per the Local Government (Planning and Reporting) Regulations 2020 section 13 (1) notes the prescribed persons being:
 - (a) The Chief Executive Officer; and
 - (b) The Principal Accounting Officer

ISSUE / DISCUSSION

Annual Financial Report - Year Ending 2022/23

The Financial Statements for 2022/23, which have been prepared based on the Australian equivalents to International Financial Reporting Standards (AIFRS), disclose a surplus for the period of \$6m compared to an Adopted Budget outcome of \$25.6m. This result, however, is not reflective of Council's underlying and unrestricted surplus, which was \$4.2m for the 2022/23 financial year and is further explained below. During 2022-23, whilst the COVID-19 pandemic continued to impact on Council's operations, recovery has been steady with community activities resuming to almost pre-pandemic levels. The significant effects on the 2022-23 financial statements and estimates, as a result of the pandemic, have mainly related to materials, services and labour supply impacting the delivery of capital works and services.

**APPROVAL IN PRINCIPLE OF 2022/23 ANNUAL FINANCIAL
REPORT AND ANNUAL PERFORMANCE STATEMENT
Cont'd**

ITEM 8

Key items of discussion have been noted below:

- Grants - Capital:

Unfavourable (\$13.9m) when compared to the adopted budget. The development schedule for the Ringwood Activity Centre Carpark has been deferred to 2023/24 and \$18m of related funding will be recognised as income in the next financial year. This is partially offset by \$6.5m of grant income recognised for works delayed and carried forward from the previous COVID impacted years including Jubilee Park Indoor Cricket Facility and JW Manson Pavilion improvements.

- Grants - Operating:

Favourable \$2.5m. The full amount of the 2023/24 Australian Government Financial Assistance Grants funding allocation was brought forward and received in May 2023 resulting in \$1.5m of additional income in 2022/23. Additionally, \$1m of grants received in 2021/22 mainly for maternal child health and youth services was recognised in 2022/23 as services returned to normal and obligations were met for the receipt of these funds.

- Other Income:

Favourable \$3.24m. Interest received was \$2.5m higher than the adopted budget due to rising interest rates; Council also received insurance recovery payment of \$1.1m for flooring restoration at The Nets caused by flooding.

- Other Expenses - Assets written off

Unfavourable (\$11.65m). This is an unbudgeted and non-cash item which is subject to variation year on year and is based on assessments conducted on zero value assets prior to renewal works. During 2022/23, these assets were mainly related to infrastructure such as pipes and footpaths.

Underlying and Unrestricted Surplus

Although Council is reporting a surplus in 2022/23, there is a large proportion of that surplus that is either non-cash related items, capital in nature or restricted in nature. In order to establish Council's actual over and above performance against the adopted budget 2022/23, it is integral that the underlying surplus is considered (not reported on from a financial perspective). The underlying surplus is income and expenditure, not including capital grants, non-monetary contributions, and other expenses (such as assets written-off).

**APPROVAL IN PRINCIPLE OF 2022/23 ANNUAL FINANCIAL
REPORT AND ANNUAL PERFORMANCE STATEMENT
Cont'd****ITEM 8**

As per the below table:

Item	Variance to Proposed Budget (\$'000)
Underlying Surplus	\$8,180
Restricted Allocations	\$4,000
Underlying Unrestricted Surplus	\$4,180

After allowing for the financial effect of the above movements and adjustments, Council has performed extremely well in relation to actual achievements against its 2022/23 Adopted Budget. In addition, the levels of assets and liabilities as recorded in the Balance Sheet are substantially in line with the projections contained in Council's Annual Budget and Long-Term Financial Strategy helping to ensure ongoing financial sustainability to provide the services required by the Maroondah Community.

FINANCIAL / ECONOMIC ISSUES

The Audit, scrutiny and certification of the Documents are an integral part of overall financial stewardship and control. The results of that Audit and scrutiny reveal that the financial status of Council as at 30 June 2023 is healthy and provides a solid foundation for the achievement of targets when moving towards its Adopted Budget for 2023/2024.

ENVIRONMENTAL / AMENITY ISSUES

This Annual Financial Report, Performance Statements and associated documents provide for the environmental and amenity stability and enhancement for the Maroondah Community as outlined in an extensive list of Frameworks, Planning Scheme, Policies, Strategies and Action Plans ensuring the environmental and amenity issues for the Community are managed, maintained and enhanced in line with Community needs, expectations and aspirations.

SOCIAL / COMMUNITY ISSUES

When subsequently published in Council's Annual Report, the Annual Performance Statement will provide the community with details of a wide range of service performance and financial performance measurements arising from the Local Government Performance Reporting Framework and which have been audited. Additional indicators within this framework are also included in Council's Annual Report. These are the significant drivers publicly articulated demonstrating the high standard of the organisations service and advocacy delivery for the Maroondah Community's needs expectations and aspirations in line with the Maroondah 2040 and the Council Plan Directions.

**APPROVAL IN PRINCIPLE OF 2022/23 ANNUAL FINANCIAL
REPORT AND ANNUAL PERFORMANCE STATEMENT
Cont'd**

ITEM 8

FINAL ANNUAL REPORT

The Documents will form a major component of Council's 2022/23 Annual Report and under Section 98 of the Local Government Act 2020, a Council must ensure that:



- The Annual Report has been prepared; and
- The report of the Auditor under Section 9 of the Audit Act 1994 has been received.

Section 100 of the 2020 Act provides that the Annual Report must be considered at a meeting of Council within four months of the end of financial year.

CONCLUSION

Council can duly consider the Approval In Principle and subsequent certification of the Documents with the knowledge that the Documents as tabled have been the subject of both Audit by the Auditor-General's contractor and considered by Council's Audit and Risk Committee on the 23 August 2023.

ATTACHMENTS

1.  Financial Statements (Draft) 2022-23 - Council Meeting - 28 August 2023
2.  Performance Statement (Draft) 2022-23 - Council Meeting 28 August 2023

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL

1. **APPROVES IN PRINCIPLE THE 2022/23 ANNUAL FINANCIAL REPORT AND ANNUAL PERFORMANCE STATEMENT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 99 OF THE LOCAL GOVERNMENT ACT 2020**
2. **AUTHORISES THE MAYOR COUNCILLOR STEANE AND COUNCILLOR SYMON AS AUDIT AND RISK COMMITTEE MEMBERS, TO SIGN THE CERTIFICATION OF THE 2022/23 ANNUAL FINANCIAL REPORT AND THE ANNUAL PERFORMANCE STATEMENT IN ACCORDANCE WITH SECTION 99 OF THE LOCAL GOVERNMENT ACT 2020**
3. **AUTHORISES THE CHIEF EXECUTIVE OFFICER TO SEND THE FINANCIAL STATEMENTS TO THE AUDITOR GENERAL AS WELL AS CERTIFY THE FINAL VERSION OF THE FINANCIAL STATEMENTS**

APPROVAL IN PRINCIPLE OF 2022/23 ANNUAL FINANCIAL REPORT AND ANNUAL PERFORMANCE STATEMENT

ITEM 8

Cont'd

- 4. AUTHORISES MR ANTONIO ROCCA AS PRINCIPAL ACCOUNTING OFFICER TO MAKE, WITHOUT FURTHER FORMAL NOTIFICATION TO COUNCIL, NON-MATERIAL CHANGES TO THE 2022/23 ANNUAL FINANCIAL REPORT AND ANNUAL PERFORMANCE STATEMENT WHICH HAVE PREVIOUSLY BEEN APPROVED IN PRINCIPLE BY COUNCIL**

MAROONDAH GOLF - ANNUAL STATE OF PLAY REPORT

ITEM 1

PURPOSE

The purpose of this report is to update Council on the implementation of actions from the Maroondah Golf Strategy 2020 - 30 and provide an update of Maroondah Golf's performance during the 2022-23 financial year.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2021-2025 (Year 3: 2023-2024) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A Safe, Healthy and Active Community

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

BACKGROUND

In July 2020 Council endorsed the Maroondah Golf Strategy 2020 - 30. The Strategy identified key focus areas and priority actions that will enable golf within Maroondah to remain financially sustainable, achieve performance targets and see participation levels continue to increase and diversify. A strategic, evidence-based approach to future planning was identified as critical to ensure that any changes consider community need, community benefit and financial sustainability, and inform any long-term Council investment in Council's two (2) 18-hole golf courses.

ISSUE / DISCUSSION

The 2022/23 financial year has seen Golf fully recover from the impacts of Covid 19 and remain open for 364 days of the financial year (closed only for Christmas day).

The demand for golf remains high and this has resulted in a record financial result for our golf facilities.

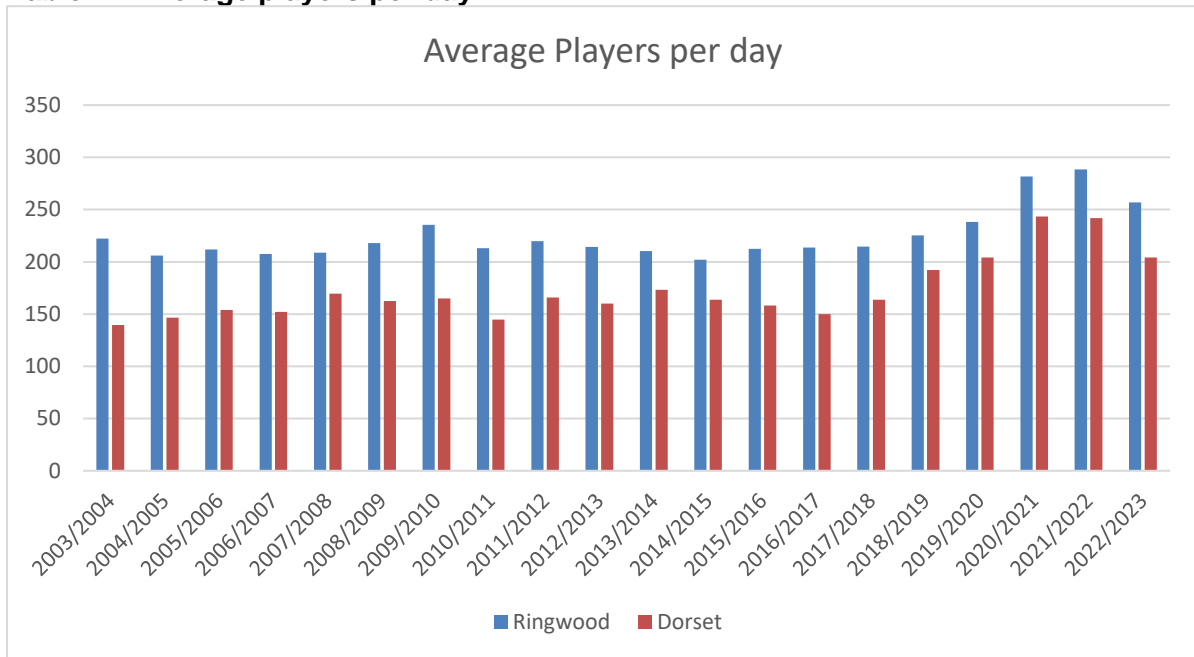
ATTENDANCE

On average, Ringwood hosted 257 players and Dorset 204 players every day that the facilities were open. Table 1 on the following page provides a graphical comparison of the 22/23 financial year, relative to the previous years.

MAROONDAH GOLF - ANNUAL STATE OF PLAY REPORT
Cont'd

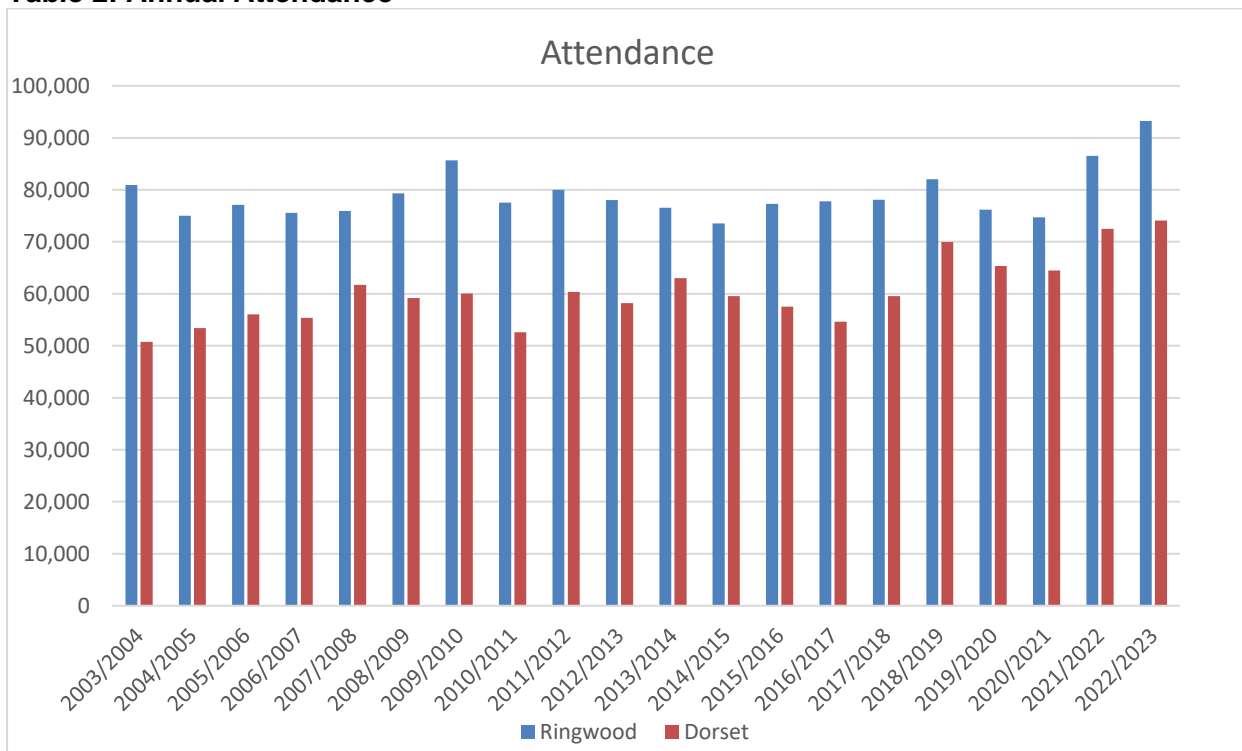
ITEM 1

Table 1: Average players per day



Overall attendance was very strong at both courses with both significantly exceeding the 5 and 10 year averages. Ringwood had the best overall attendance since 1997/98, recording 93,242 visits. This is Ringwood's second-best result and Dorset had the best overall attendance ever, recording 74,066 visits. Table 2 provides a graphical comparison of the 22/23 financial year, relative to previous years

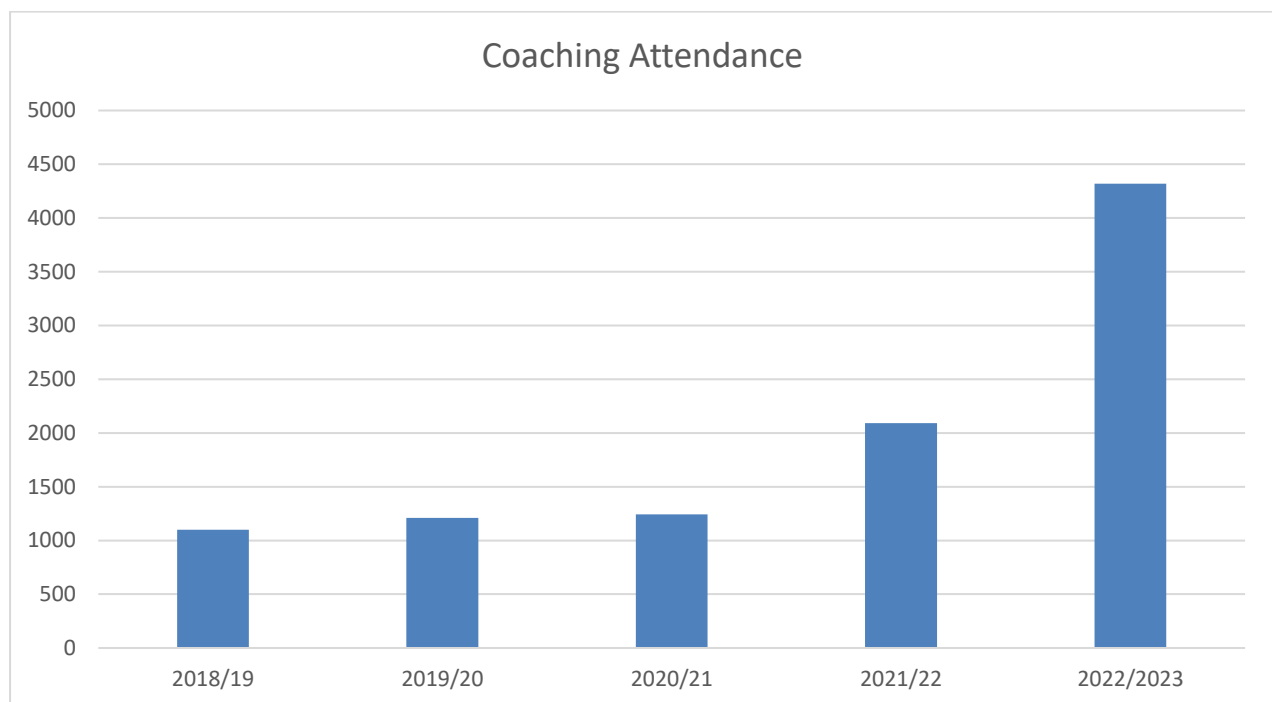
Table 2: Annual Attendance



**MAROONDAH GOLF - ANNUAL STATE OF PLAY REPORT
Cont'd****ITEM 1****Coaching and Programs**

Over the past 12 months we have made changes to the team structure to accommodate the growth and focus on clinics and participation. For the first time we have employed a Golf Participation Coordinator, with a clear focus on growing participation in golf activities on and off the golf course. We have developed a Golf Participation Plan (draft) to ensure that there is a clear plan to grow participation at our golf facilities. We have now trained 4 of the current customer service staff as Golf Australia accredited community coaches and employed a PGA qualified Golf coach to carry out coaching at Dorset. Historically there has been minimal coaching undertaken at Dorset however with the new structure and coaching programs now in place it is expected that the program will significantly grow.

In the 2022 -23 financial year we have experienced a 68% growth in clinics. The growth in clinic participation is encouraging and a good news story for golf as most clinic participants are new to golf. Further growth strategies will be implemented to ensure that this continues. A comparison on previous years can be seen in table 3 below.

Table 3 - Coaching Participants**Golf Strategy**

The Maroondah Golf Strategy identified 18 priority actions, and the table on the following page provides an update on the status of these actions.

MAROONDAH GOLF - ANNUAL STATE OF PLAY REPORT
Cont'd

ITEM 1

Key Action Description	Action status
Develop a long term (10+years) capital expenditure program	Completed / ongoing - 2 year program completed. Annual review in line with master planning and operational requirements.
Implement a system to capture customer and potential customer contact information	Completed - online booking system captures all customers data
Develop and regularly review a golf marketing plan to ensure it is relevant and engaging	Completed / ongoing - review of marketing plan and calendar completed. Changes to marketing processes to ensure low cost direct marketing is utilized
Implement online booking platform that captures customer data and has the functionality to provide dynamic pricing	Completed - Miclub online booking system implemented. Over 13,000 players in database
Analyze data to identify opportunities to maximize yield through a demand-based pricing structure	Ongoing in conjunction with membership review.
Benchmark, review and set pricing to ensure competitive neutrality principles are met	Completed - Annual price review and benchmarking for casual and membership pricing.
Review membership offering to ensure offerings are relevant and maximum yield is achieved	Completed - membership review implemented
Identify and implement programs and services that diversify participation and income generation.	Commenced / ongoing - Additional programs targeting female, junior and senior participation implemented
Implement Golf Australia programs and other initiatives to target underrepresented groups	Commenced / ongoing - Additional programs targeting female, junior and senior participation implemented
Develop a participation plan that addresses underrepresented segments of the community and ensures financial sustainability	Commenced - Draft participation plan developed

Whilst most of the key actions that were identified as a high priority have commenced and are on track to be completed as per the implementation plan, the commencement of the following key actions will be forthcoming:

- Develop a Maroondah Golf facilities master plan that demonstrates both social and financial positive outcomes for Council and the community.
- Develop a feasibility study and comprehensive business case/s to support master plan
- Investigate opportunities with complimentary businesses and services that would assist in providing new and diverse revenue

MAROONDAH GOLF - ANNUAL STATE OF PLAY REPORT
Cont'd

ITEM 1

Challenges - Present and Future

The availability of an adequate number of tee times to meet the demand has been one of the key challenges faced in the last 12 months. Each course can only accommodate a maximum of 4 players every 8 minutes with demand during peak times often 50% greater than the available times. Dynamic pricing during peak and off-peak times is being considered, to assist in levelling out the demand experienced during these peak times, whilst still providing affordable options for participation.

The ability to grow the golf business will soon become restrictive within the current facilities, as these are ageing and at capacity in relation to being able to grow retail operations, cart storage, coaching and staff. A further exploration of future opportunities will commence over the coming 12 months.

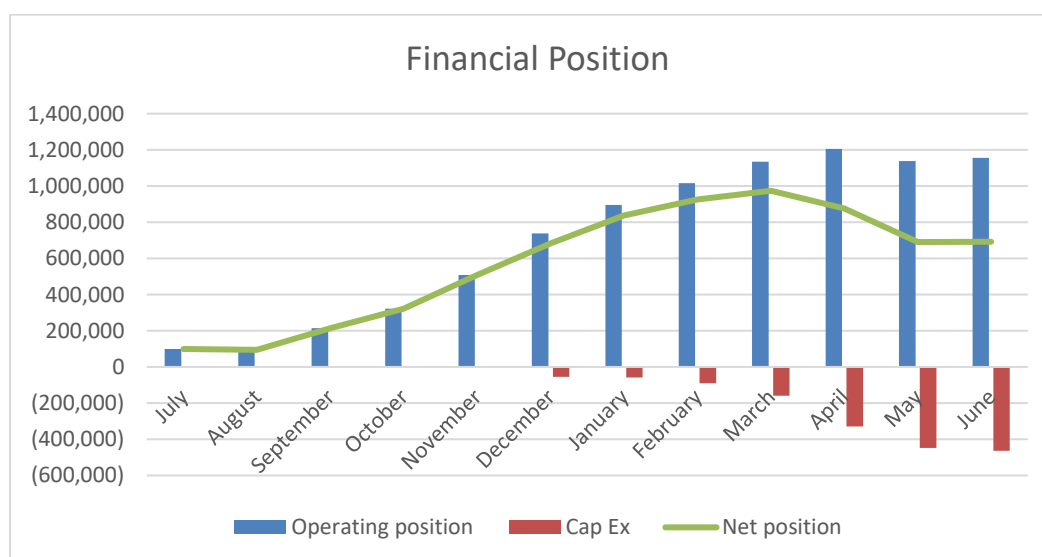
FINANCIAL / ECONOMIC ISSUES

The adopted budget for golf for the 2022/23 financial year was a \$718,000 operational surplus. The end of year financial operational position was a \$1,155,000 surplus, which is the best financial result for Golf ever recorded.

The operational surplus of \$1,155,000 however, did not include the capital expenditure of \$464,000 for the financial year.

The capital expenditure has been comfortably offset by the operational surplus for the year, which is a key objective of the Maroondah Golf Strategy, resulting in a net financial position of a \$691,000 surplus. The operational and net financial results for the 2022/23 financial year are illustrated in table 4.

Table 4 - operations and net financial result



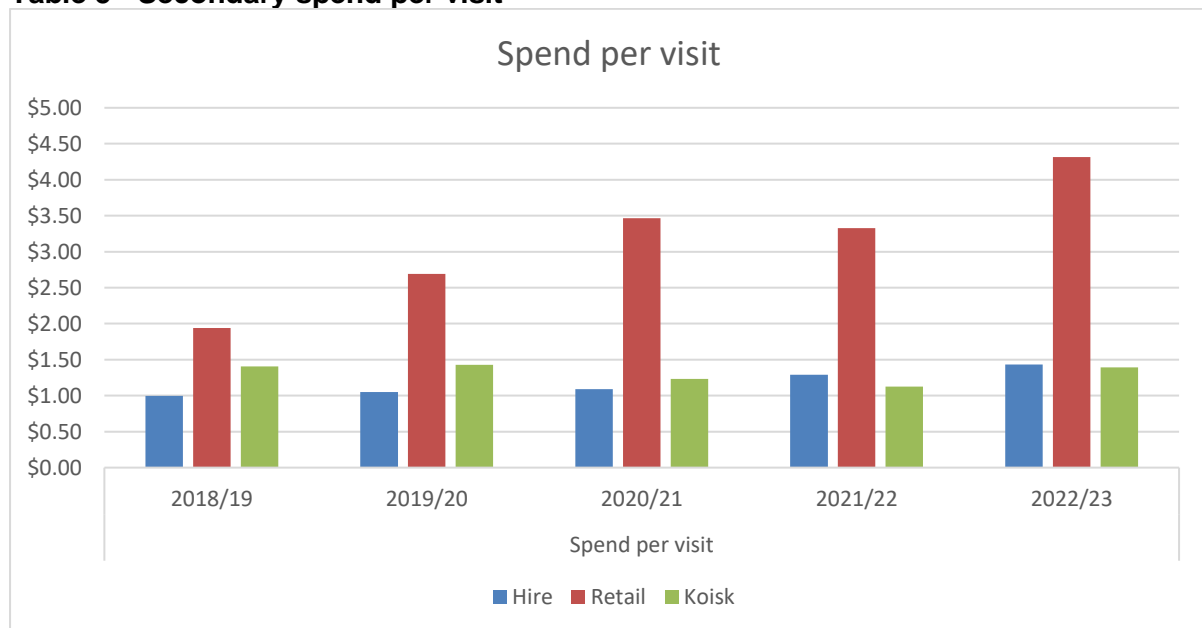
MAROONDAH GOLF - ANNUAL STATE OF PLAY REPORT
Cont'd

ITEM 1

New initiatives have been introduced to diversify and grow income. Over the past year income from hire has increased to \$239,796 up from \$205,000 in 2021/22. The golf cart fleet is now at 14 per course and further initiatives will be introduced to continue to grow income from the current hire fleet. There are however, no plans to increase the current hire fleet until further infrastructure such as cart paths, drainage and cart storage is built. In addition, changes and improvements to golf retail have increased sales from \$294,575 in 2017/18 to \$721,776 in 2022/23. In May 2023 Maroondah Golf Online Retail shop was launched. This initiative was developed to help combat issues with inadequate space to grow the retail offerings within the current facilities. The online store will assist in reaching a broader retail audience and has benefits of suppliers direct shipping stock without our facilities having to hold or warehouse stock.

There has been a focus to ensure the offerings in secondary spending categories of hire, retail and kiosk are maximised to continue to diversify income streams and reduce reliance on green fees for revenue. Results of secondary spending per visit over the past 5 financial years is illustrated in table 5.

Table 5 - Secondary spend per visit



ENVIRONMENTAL / AMENITY ISSUES

General course conditions have been excellent for most of the year however high rainfall resulted in some wet conditions through the 2022 winter and spring months at Dorset Golf. The excellent course conditions and course presentation has contributed to the high demand for golf over the past 12 months. It is widely acknowledged that both courses set the standard in the region for the quality of surfaces and general playing conditions.

The Golf capital improvement program has focused on projects that directly support increase in revenue and/or that improve the year-round playing conditions, resulting in reduced risk of service disruption and/or loss of income, due to the deterioration of the courses.

MAROONDAH GOLF - ANNUAL STATE OF PLAY REPORT
Cont'd

ITEM 1

Over the past 12 months the following capital improvement projects have been completed:

Dorset Golf

- Drainage improvements on the 3rd, 4th, 6th, 7th, 8th, 9th, 13th and 15th holes



- Concrete cart path installation on the 3rd, 4th, 6th, 7th, 8th, 10th and 13th holes



MAROONDAH GOLF - ANNUAL STATE OF PLAY REPORT
Cont'd

ITEM 1

- Bunker renewal on the 8th hole



Ringwood Golf

- Sand capping and drainage improvements on the 5th and 11th holes;
- Concrete cart path construction on the 5th fairway

SOCIAL / COMMUNITY ISSUES

The golf courses have continued to provide an important meeting place and social hub for many residents. The courses combined, host up to 15 regular weekly user groups enabling the creation of strong community connections within the groups. It is important that the golf facilities continue to provide opportunities for groups and individuals to meet and interact socially.

COMMUNITY CONSULTATION / FEEDBACK

There are several regular user groups based at each course, with each user group having set weekly allocated tee times. Regular meetings are held with each group to ensure a positive relationship is maintained. Feedback is sought to help inform management of capital works priorities, general course conditions, tee times and special events. The feedback received over the past 12 months has been around groups requesting additional allocated tee times. It is however, critical that there is a balance of allocated or reserved tee times and public access tee times. Council Officers believe that the current allocations achieve a good balance.

**MAROONDAH GOLF - ANNUAL STATE OF PLAY REPORT
Cont'd****ITEM 1**

Other feedback received has been in relation to the high demand for tee times early in the day. Staff will continue to aid customers on the use of the online booking system and continue to work with the provider of the booking software (Miclub) to continuously improve the system to meet the demands of the customers.

A large amount of positive feedback around the course conditions and customer service has also been received and appreciated. The course maintenance team have done an excellent job to ensure the course conditions are maintained to a high standard.

CONCLUSION

Whilst there was a huge impact on the operations of the golf courses during the Covid-19 pandemic, several key actions and initiatives to diversify income and participation have been implemented. An operating surplus and the highest average daily attendance are all positive indicators that golf has a solid foundation to achieve the community and financial outcomes of the Maroondah Golf Strategy 2020- 2030.

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL NOTES THE MAROONDAH GOLF - ANNUAL STATE OF PLAY REPORT

**CAPITAL WORKS REPORT: FINAL QUARTER 2022/23
FINANCIAL YEAR**

ITEM 2

PURPOSE

To present the financial and operational status of Council's Capital Works program at the end of the 2022/2023 financial year.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2021-2025 (Year 3: 2023-2024) 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:

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

BACKGROUND

Council, as part of its Adopted Budget 2022/23, allocated \$51.70M to Capital Works projects. Council also carried forward \$12.78M from the 2021/22 capital works budget which includes some State and Federal grant funding previously received. The total adjusted forecast budget for 2022/23, taking account of external funding received, was \$48.12M as of 30 June 2023 (note that this figure included adjustments to reflect the Federal Government's decision to withdraw funding for the Heathmont Activity Centre carpark project).

Capital Works program status reports are prepared by management and reviewed monthly at the Capital Works Implementation Group (CWIG) meetings 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 program areas for the period 1 July 2022 to 30 June 2023.

**CAPITAL WORKS REPORT: FINAL QUARTER 2022/23
FINANCIAL YEAR Cont'd**

ITEM 2

ISSUE / DISCUSSION

The following is a summary of the status of Council's major program areas at the end of the 2022/2023 financial year:

CAPITAL PERFORMANCE – 12 MONTHS ENDING 30 JUNE 2023

	YTD Forecast Budget	YTD Actual *	YTD Bud Var	Forecast Budget **	Amount Carried Forward from 21/22 \$'000	Adopted Budget \$'000
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Classification						
Buildings	16,628	18,241	(1,613)	16,628	5,225	2,800
Roads	5,785	5,829	(44)	5,785	778	2,638
Footpaths and cycleways	2,689	2,665	24	2,689	221	3,446
Carparks	1,233	1,132	101	1,233	440	24,050
Drainage	6,333	4,632	1,701	6,333	1,559	4,292
Waste management	2,570	1,488	1,082	2,570	37	2,550
Other capital roads and drainage	1,684	654	1,029	1,684	667	1,045
Recreational leisure and community facilities	1,870	3,045	(1,175)	1,870	348	1,201
Parks and open space	2,116	1,616	501	2,116	700	2,197
Fixtures, fittings and furniture	100	100	0	100	33	95
Plant, machinery and equipment	3,670	2,544	1,126	3,670	500	3,238
Computers and telecommunications	2,289	597	1,691	2,289	1,618	359
Property sales	0	(10)	10	0	0	0
Building renewal	1,157	1,105	52	1,157	651	3,787
Total capital works	\$48,124	\$43,638	\$4,486	\$48,124	\$12,779	\$51,698

* YTD Actual expenditure includes Carried Forwards

** Forecast Budget expenditure includes Carried Forwards

Explanation of variations between forecast budget and adopted budget:

- **Buildings** – Variation between adopted \$2.8M and forecast \$16.63M budgets is due primarily to:
 - \$5.23M in funds carried forward from 2021/22;
 - \$3.90M transferred from Building Renewal for various major community facility projects;
 - \$484K grant funds for East Ringwood Reserve lighting;
 - \$500K transferred from Parks and Open Space for works to complement community facility projects;
 - \$437K transferred from Roads to support works associated with pavilion improvements;
 - \$150K from Commercial Centres for CCTV Upgrades in Ringwood and Croydon precincts;

**CAPITAL WORKS REPORT: FINAL QUARTER 2022/23
FINANCIAL YEAR Cont'd**

ITEM 2

- \$122K transferred from Footpaths and Cycleways for the peripheral works associated with the JW Manson redevelopment project;
 - \$100K from Recreation, Leisure & Community Facilities for Bedford Guide Hall renewal; and
 - \$97K from Building Renewal for Gracedale Tennis Pavilion roof replacement;
- **Roads** – Variation between adopted \$2.64M and forecast \$5.79M budgets is due primarily to:
 - \$778K in funds carried forward from 2021/22;
 - \$928K from Footpaths and Cycleways transferred to complement various Road projects;
 - \$599K from Carpark funds transferred to complement various Road projects;
 - \$56K transferred to Parks and Open Space projects; and
 - \$36K transferred from Other Capital Roads and Drainage for the Ringwood Metropolitan Activity Centre (RMAC) projects
- **Footpaths & Cycleways** – Variation between adopted \$3.45M and forecast \$2.69M budgets is due primarily to:
 - \$221K in funds carried forward from 2021/22;
 - \$928K transferred to complement various Road projects;
 - \$122K transferred to Buildings for works associated with the JW Manson redevelopment project; and
 - \$20K to Open Space for the Vinter Avenue Retaining Wall project
- **Carparks** – Variation between adopted \$24.05M and forecast \$1.23M budget is due primarily to:
 - \$440K in funds carried forward from 2021/22;
 - \$3.7M forecast adjustment for the Heathmont Activity Centre Carpark, based on the Federal Government's decision to withdraw funding;
 - \$18.38M forecast adjustment for the Ringwood Activity Centre Carpark, based on the timing associated with the construction commencement; and
 - \$599K transferred to complement various Road projects
- **Drainage** – Variation between adopted \$4.29M and forecast \$6.33M budgets is due primarily to:
 - \$1.56M in funds carried forward from 2021/22; and
 - \$297K from Recreational Leisure and Community Facilities for Golf Course drainage projects
- **Other Capital Roads and Drainage** – Variation between adopted \$1.05M and forecast \$1.42M is due primarily to:
 - \$667K in funds carried forward from 2021/22;
 - \$36K transferred for RMAC road projects; and
 - \$35K transferred to Open Space for complementary street furniture works

**CAPITAL WORKS REPORT: FINAL QUARTER 2022/23
FINANCIAL YEAR Cont'd**

ITEM 2

- **Recreational Leisure and Community Facilities** – Variation between adopted \$1.20M and forecast \$1.87M budgets is due primarily to:
 - \$348K in funds carried forward from 2021/22;
 - \$297K to Drainage for Golf Course drainage projects;
 - \$130K grant funding for JW Manson Cricket Nets;
 - \$100K to Buildings for Bedford Guide Hall renewal;
 - \$108K grant funding for Proclamation Park Safety Nets;
 - \$61K grant funding for Heathmont Reserve Safety Nets; and
 - \$150K transferred from Open Space
- **Parks and Open Space.** – Variation between adopted \$2.20M and forecast \$2.12M budgets is due primarily to:
 - \$697K in funds carried forward from 2021/22;
 - \$500K transferred to Buildings to complement works for various projects;
 - \$250K transferred from Roads for Grayswood Reserve improvements;
 - \$150K transferred to complement works associated with Recreational Leisure and Community Facilities projects;
 - \$56K transferred from Roads to support various Open Space projects;
 - \$50K transferred to Building Renewal to support various projects; and
 - \$20K from Footpaths and Cycleways for Vinter Ave Retaining Wall
- **Plant Machinery and Equipment** – Variation between adopted \$3.24M and forecast \$3.67M budgets is primarily due to:
 - \$500K in funds carried forward from 2021/22
- **Computers and Telecommunication** – Variation between adopted \$359K and forecast \$2.29M budgets is due primarily to:
 - \$1.62M in carried forwards from 2020/21
- **Building Renewal** – Variation between adopted \$3.79M and forecast \$1.16M budgets is due primarily to:
 - \$651K in funds carried forward from 2021/22;
 - \$3.9M funds transferred to individual community facility Building projects; and
 - \$97K transferred to Buildings for Gracedale Tennis Pavilion roof replacement

**CAPITAL WORKS REPORT: FINAL QUARTER 2022/23
FINANCIAL YEAR Cont'd****ITEM 2****FINANCIAL / ECONOMIC ISSUES****CARRIED FORWARDS FROM 2021/22**

Council carried forward an amount of \$12.78M into the 2022/23 financial year, which primarily related to major projects that were underway at the end of the 2021/22 financial year.

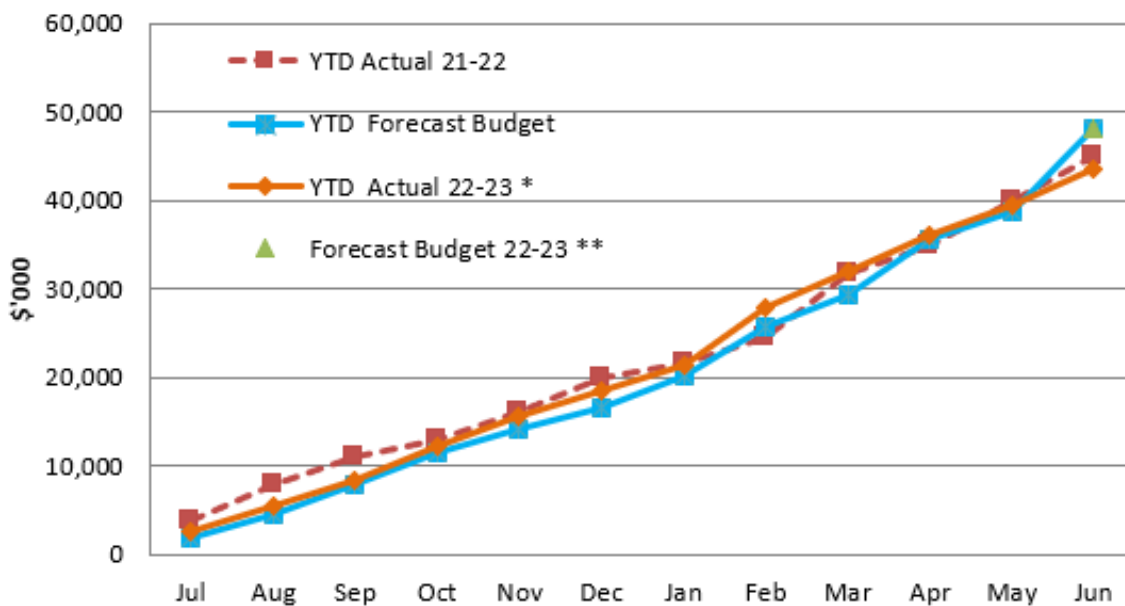
FINAL EXPENDITURE FOR 2022/23

Council spent \$43.64M in 2022/23 on a wide range of capital projects that will provide significant benefit to the community.

CARRY FORWARDS INTO 2023/24

Based on the abovementioned final expenditure, and the previously mentioned total adjusted forecast budget of \$48.12M, Council has carried forward \$4.49M into the 2023/24 financial year.

The graph below depicts the overall final status of the 2022/23 capital works program.



*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

**CAPITAL WORKS REPORT: FINAL QUARTER 2022/23
FINANCIAL YEAR Cont'd****ITEM 2****CONCLUSION**

Council had a total Capital Works forecast budget in 2022/23 of \$51.70M, including \$12.78M carried forward from 2020/21, grant funding from State and Federal Governments, and taking account of some forecast adjustments for the externally funded Activity Centre Carpark projects. Key variations between adopted and forecast program budgets for the period 1 July 2022 to 30 June 2023 are noted within this report. Council spent \$43.64M during the 2022/23 financial year on a wide range of capital projects that will provide significant benefit to the community.

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 2022 TO 30 JUNE 2023**

MAROONDAH COMMUNITY LOCAL LAW 2023

ITEM 1

PURPOSE

To propose that Council make the Community Local Law 2023, in accordance with the Local Government Act 2020, to replace Maroondah's General Local Law No. 11.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2021-2025 (Year 3: 2023-2024) provide the strategic framework that underpins the purpose of this report.

Outcome Area:

- A safe, healthy and active community
- A thriving and well-built community
- An attractive community
- An empowered 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.

In 2040, Maroondah will be an empowered community that is 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:

A safe community

- 1.1 Work in partnership to address community safety and implement initiatives aimed at improving the actual and perceived safety of the community.
- 1.2 Plan and advocate for the application of community safety principles that facilitate a safe built environment
- 1.3 Promote and facilitate safer cultures relating to alcohol, tobacco and other drugs

A well governed community

- 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

MAROONDAH COMMUNITY LOCAL LAW 2023 Cont'd**ITEM 1****BACKGROUND**

The *Local Government Act 2020* gives Councils broad powers to make local laws for, or with respect to an act matter or thing in respect of which the Council has a function or power under legislation.

Maroondah's current General Local Law No.11 came into effect on 1 January 2016 and is due to expire on 31 December 2025. It is important to ensure that local laws adequately reflect current community needs and emerging issues. As such, due to the length of time that has passed since its adoption, it has been reviewed earlier.

In order to promote the efficient and effective enforcement and administration of municipal activities and protect the amenity of the local community, it is proposed to repeal the current General Local Law No.11 and replace it with the *Community Local Law 2023* (as seen in Attachment 1). The *Community Local Law 2023* will commence on 1 November 2023.

ISSUE / DISCUSSION

Significant consultation and engagement activities initially occurred in April to June 2022, to inform the development of the *Draft Community Local Law 2023*. This included:

- receiving community feedback as to what community safety and amenity issues were important to them,
- conducting internal discussions as to how the proposed Local Law could meaningfully address municipal changes, regulatory concerns and emerging issues; and
- obtaining input from a number of local and partner agencies including Victoria Police and Council's Liveability Safety and Amenity Advisory Committee, among others.

Areas of concern and emerging issues were included in the *Draft Community Local Law 2023* either through the insertion of new provisions or the strengthening of existing clauses.

The Local Law has removed unnecessary duplications and administrative matters. Council's enforcement requirements have been refined, creating a user-friendly, 'Plain English' document which does not compromise Council's enforcement powers and functions.

Once the *Draft Community Local Law 2023* was developed and underwent a primary legal review, further consultation occurred in April - May 2023. Further details can be found in the community consultation section of this report.

There were amendments made to the *Community Local Law 2023* following this consultation period and a secondary legal review.

These amendments are summarised below:

- The definition of filming was updated. The introduction of this clause is to manage the approval process for commercial filming in Maroondah, specifically in areas that can cause traffic and amenity concerns for residents, and not filming for personal use. Permits issued under the Local Law to allow for commercial filming will be consistent with the film friendly principles as contained in the *Filming Approval Act 2014*;

MAROONDAH COMMUNITY LOCAL LAW 2023 Cont'd

ITEM 1

- Removal of the proposed clause relating to injuries caused by animals not under effective control because the *Domestic Animals Act 1994* restricts Council's ability to make Local Laws. Further advocacy is required to look to legislative reform of the *Domestic Animals Act* at a State level.
- Removal of proposed clause relating to noxious weeds as defined by *Catchment and Land Protection Act 1994*, given that there is an existing State Government department that has the authority to enforce noxious weeds on privately owned land.
- Other inconsequential administrative amendments were made to definitions, general formatting and clause numbering changes, with such amendments reflected in the Infringement Notice Penalty Schedule.

Certification has been provided (see Attachment 3) in accordance with the requirements of the *Local Government Act 2020*, to certify that the Local Law meets set criteria and provided by an Australian Lawyer who has been admitted to the legal profession for at least five years.

FINANCIAL / ECONOMIC ISSUES

Any fees that are payable under the Local Law are considered annually as part of the budget process. Council also has the discretion to waive, reduce or defer payment of fees and charges in whole or in part, with or without conditions.

The penalties applying to all existing and new Local Law clauses were considered and reviewed. The penalty amounts stated in the proposed Local Law are designed as a deterrent and considered appropriate as they have been intentionally scaled to reflect the impact of the offence on the community and the prevalence of the particular type of offending.

A distinction has been made between offences committed by individuals and bodies corporate with the latter imposing higher penalties where stated. The included penalties are consistent in nature and align with neighbouring municipalities.

ENVIRONMENTAL / AMENITY ISSUES

The purpose of the *Draft Community Local Law 2023* is to protect Maroondah's amenity and environmental characteristics, while ensuring equitable, accessible, safe and enjoyable use of Council land, roads and assets.

SOCIAL / COMMUNITY ISSUES

The purpose of the *Community Local Law 2023* is to promote the health and safety, and provide for the peace, order and good governance of the municipal district of Maroondah. The Community Local Law now specifically includes the consideration of extenuating circumstances such as homelessness and other vulnerable situations, providing Authorised Officers with the express opportunity and resultant confidence to exercise their discretion.

COMMUNITY CONSULTATION

Community feedback was sought in accordance with the *Local Government Act 2020*, and Council's Community Engagement Policy to assist in finalising the Community Local Law 2023.

Community consultation was undertaken in two main parts.

MAROONDAH COMMUNITY LOCAL LAW 2023 Cont'd

ITEM 1

In order to inform the preparation of the *Draft Community Local Law*, Council undertook a preliminary community engagement process during April and June 2022. The purpose of this engagement was to gain an understanding on what matters to the community in regard to safety and amenity, and how important it is for Council to monitor those activities. The engagement activities undertaken included face to face pop up listening posts, meetings with Council's Advisory Committees and other external partnership committees (Liquor Accord) and an online survey through Council's Your Say Maroondah webpage.

Areas of concern and emerging issues highlighted through this work were included in the *Draft Community Local Law 2023* either through the insertion of new provisions or the strengthening of existing clauses. These were provided for consideration in the '*Summary of proposed changes to the Maroondah Community Local Law*' document that was available through the consultation process.

The *Community Local Law 2023* introduces *Council's Waste Services Guidelines (2023)* (see Attachment 2) as an incorporated document which provides Council with opportunity for more flexibility to manage the changing landscape of waste management into the future, without having to conduct a statutory, legal process to review and amend the Local Law.

Waste management is a key amenity concern for Maroondah residents, and this allows a process to regulate community concerns with domestic waste and hard waste collection in addition to other changes to the waste collection program.

Once the *Draft Community Local Law 2023* was complete and underwent a primary legal review, further consultation occurred in April - May 2023.

A total of 756 people visited the consultation page on the Your Say Maroondah engagement website between 10 April and 16 May 2023. There were 180 downloads of the '*Summary of proposed changes to the Draft Maroondah Community Local Law*' and 103 downloads of the '*Draft Maroondah Community Local Law 2023*'

There were 19 submissions provided through the online survey, formal submissions and via email. Feedback received from the community are summarised in the attached Consultation report (Attachment 4).

Themes highlighted through this consultation indicated generally positive support from the community. However, it also highlighted the need to continue to provide better communication and education regarding particular compliance issues. Changes made to the *Community Local Law 2023* following this feedback are highlighted in the Issues/Discussion section of the report.

CONCLUSION





The *Local Government Act 2020* gives Councils broad powers to make local laws for, or with respect to an act matter or thing in respect of which the Council has a function or power under legislation.

The *Community Local Law 2023* has been written in user-friendly, plain English style. It responds to current and emerging community issues that impact or have the potential to impact the wellbeing, environment, safety and amenity of Maroondah residents.

MAROONDAH COMMUNITY LOCAL LAW 2023 Cont'd

ITEM 1

ATTACHMENTS

1.  Maroondah Community Local Law 2023 - Final for adoption
2.  Waste Services Guideline - 2023 - Incorporated - Final version
3.  Legal Certification - Maroondah Community Local Law - 26 July 2023
4.  Consultation report - Draft Community Local Law 2023

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL

1. **IN ACCORDANCE WITH SECTION 74(3) OF THE *LOCAL GOVERNMENT ACT 2020* NOTE THE LEGAL CERTIFICATION OF THE *MAROONDAH COMMUNITY LOCAL LAW 2023***
2. **IN ACCORDANCE WITH SECTION 71 OF THE *LOCAL GOVERNMENT ACT 2020* RESOLVE TO MAKE THE *MAROONDAH COMMUNITY LOCAL LAW 2023* TO COMMENCE ON 1 NOVEMBER 2023, AND IN DOING SO REVOKE GENERAL LOCAL LAW 11, INCLUDING LOCAL LAW 13 AND LOCAL LAW 14**
3. **AUTHORISE THE CHIEF EXECUTIVE OFFICER TO PUBLISH THE REQUIRED PUBLIC NOTICES**
4. **MAKE THE *MAROONDAH COMMUNITY LOCAL LAW 2023* AVAILABLE ON COUNCIL'S WEBSITE AND HARD COPIES AVAILABLE IN COUNCIL'S CUSTOMER SERVICE CENTRES AT REALM AND CROYDON**

DOCUMENTS FOR SEALING

BEDFORD PARK - LEASE WITH INDARA INFRASTRUCTURE PTY LTD

ITEM 1

LETTERS UNDER SEAL

BACKGROUND

Indara Infrastructure Pty Ltd (formerly Axicom Pty Ltd) operates a telecommunication tower and facility located within Bedford Park, occupying an area of approximately 120m² which has been leased by Indara for many years.


The previous lease agreement with Indara expired on 14 March 2023, and Indara approached Council to negotiate the renewal of this Lease. The previous Lease was on the following terms:

Term:	Initial term of five (5) years, with three further terms of five (5) years each (20 years in total)
Commencement Date:	15 March 2003
Annual Rent:	\$16,000
Annual Increases	5% on the anniversary of the Lease commencement date

The new Lease has been negotiated on terms consistent with other recent telecommunication tower proposals in Maroondah. The salient Lease terms are as follows:

Term:	20 Years
Commencement Date:	15 March 2023
Annual Rent:	\$30,000
Annual Increases	3% on the anniversary of the Lease commencement date

ATTACHMENTS

1.  Council Telecommunications Lease - Bedford Park, Ringwood - tenant executed

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL SIGNS AND SEALS THE LEASE WITH INDARA INFRASTRUCTURE PTY LTD FOR THE OCCUPATION OF PART BEDFORD PARK AT 53C BEDFORD PARK, RINGWOOD FOR THE PURPOSES OF OPERATING A TELECOMMUNICATIONS TOWER AND FACILITY