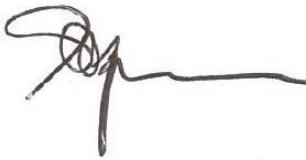


Councillor
(as addressed)

The next Council Meeting will be held in the Council Chamber, Braeside Avenue, Ringwood, on Monday 26 November 2018, commencing at 7:30pm and your presence is requested.

Yours faithfully



Steve Kozlowski
CHIEF EXECUTIVE OFFICER

Note:

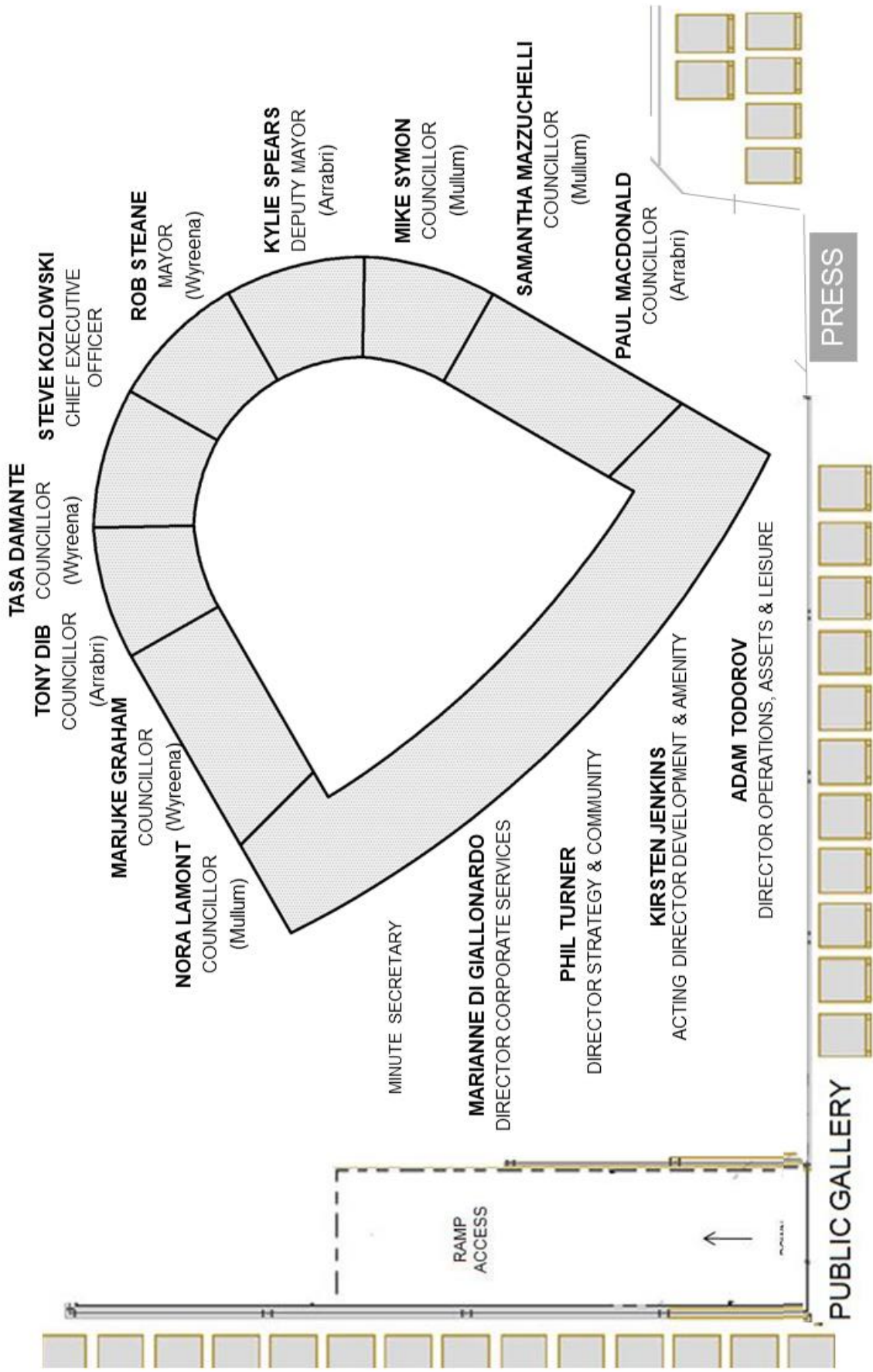
***This meeting is being streamed live on the internet and recorded.
Every care is taken to maintain privacy and attendees are advised they may be recorded.***



COUNCIL CHAMBER
IS FITTED WITH A HEARING AID
INDUCTION LOOP

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

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



ORDER OF BUSINESS

1. Prayer
2. Acknowledgement of Country
3. Apologies
4. Declaration of Interests
5. Confirmation of Minutes of the Ordinary Council Meeting held on Monday 29 October 2018 and the Statutory Council Meeting held on Wednesday 14 November 2018.
6. Public Questions
7. Officers' Reports
 - Director Corporate Services
 1. Attendance Report 5
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 3. Local Government Women's Charter 21 10
 4. Transfer of Land - Mullum Mullum Creek Trail Shared Path 16
 5. Consideration of Submission - Proposed Sale Of Discontinued Right Of Way At 40A Cuthbert Street Heathmont 20
 6. Financial Report: Three Months Ending 30 September 2018 24
 7. Council Representation 2018/19 30
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 9. Audit & Risk Advisory Committee Report 37
 - Director Operations, Assets & Leisure
 1. Warranwood Reserve Special Committee of Council - Ratification of Appointments 39
 2. Capital Works Report - First Quarter 2018/2019 42
 - Director Strategy & Community
 1. Ringwood Metropolitan Activity Centre Masterplan 47
 2. Local Government Performance Reporting Framework - Quarter 1 2018/19 60
 - Acting Director Development & Amenity
 1. Smokefree Public Places - Proposed Local Law 14 63
8. Documents for Sealing
 1. Volunteer Years of Service Recognition 68
9. Motions to Review

10. Late Item
11. Requests / Leave of Absence
12. In Camera

Director Operations, Assets & Leisure

1. Tender Evaluation Report - Contract 20895 Provision of Footpath, Kerb & Channel Works

ATTENDANCE REPORT

ITEM 1

PURPOSE

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

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 2: 2018-2019) 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 2018 – 2019:

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

BACKGROUND

Not Applicable

ISSUE / DISCUSSION

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

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

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

ATTENDANCE REPORT Cont'd

ITEM 1

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

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

REPORTS OF ASSEMBLY OF COUNCILLORS

ITEM 2

PURPOSE

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

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 2: 2018-2019) 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 2018 – 2019:

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

BACKGROUND

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

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

Examples of an Assembly of Councillors may include:

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

ISSUE / DISCUSSION

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

REPORTS OF ASSEMBLY OF COUNCILLORS Cont'd

ITEM 2

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

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

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

The 'Public Record' of the Assembly of Councillors briefings held on 29 October 2018 and 12 November 2018 is attached for information.

The items contained therein were noted.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION



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

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

REPORTS OF ASSEMBLY OF COUNCILLORS Cont'd

ITEM 2

ATTACHMENTS

1.  2018 October 29 - Assembly of Councillors Public Record
2.  2018 November 12 - Assembly of Councillors Public Record

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES THE PUBLIC RECORD OF THE ASSEMBLY OF COUNCILLORS BRIEFINGS HELD ON 29 OCTOBER 2018 AND 12 NOVEMBER 2018

LOCAL GOVERNMENT WOMEN'S CHARTER 21**ITEM 3****PURPOSE**

To provide an update on Maroondah City Council's participation in the Victorian Local Government Australia (VLGA) Women's Charter; update Council's nominated charter champions; and to acknowledge a twelve month project "WomensCharter21" funded by the DHHS Community Primary Prevention Partnerships to the VLGA.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 2: 2018-2019) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community

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

Key Directions 2018 – 2019:

The organisation has a significant amount of activity relating to increasing female participation across all its operations.

- 1.6 Actively promote health and wellbeing principles and initiatives within the community
- 2.15 Facilitate and encourage the provision of world class life-long learning opportunities in Maroondah, from early learning through to adult and tertiary levels
- 2.20 Encourage life-long learning opportunities that support mature age and retired people to participate in the workforce, learn new skills and build community connections
- 2.23 Facilitate connections between education providers, businesses and the broader community to support employment pathways, intergenerational connections and knowledge transfer
- 7.1 Ensure accessibility and social inclusion principles are considered in the planning, delivery and evaluation of facilities and services
- 7.4 Support community members to age in place, live in accessible neighbourhoods and remain socially connected
- 7.8 Supports all ages and population groups to be valued, connected and empowered within their local community through the provision and coordination of accessible services, programming and facilities
- 7.9 Promote the value, expertise and contribution of mature aged workers and encourage intergenerational mentoring and skill transfer
- 7.10 Promote and create opportunities for community connectedness, learning, mentoring and social interactions for people from all life-stages and cultural background

LOCAL GOVERNMENT WOMEN'S CHARTER 21 Cont'd

ITEM 3

- 8.1 Provide enhanced governance that is transparent, accessible, inclusive and accountable
- 8.3 Provide community inspired leadership in democratic governance
- 8.8 Undertake inclusive engagement and consultation using accessible and tailored approaches to consider the needs and aspirations of different age and population groups

Priority Action 2018-2019:

- Develop a gender equity policy
- Prepare and commence implementation of a new Health and Wellbeing Plan 2017
- Develop a female participation strategy for physical activity
- Investigate and implement additional female changing facilities at local sporting venues

BACKGROUND

The Local Government Women's Charter recognises the need for increased women's participation in Local Government by support of three key principles:

- **gender equity:** advocating the equal right of women and men to be local government representatives;
- **diversity of representation:** encouraging the inclusion of different experiences and perspectives in local government and community decision making;
- **recognising and supporting the active citizenship of women:** increasing the numbers and participation of women in decision making so that our community demographics are more accurately reflected in local government.

Council at its meeting in August 2010 endorsed the Victorian Local Government Women's Charter and nominated both Councillor Lamont and Thomas as Charter Champions along with the Director Corporate Services. Council undertook a range of activities during 2012 in the lead up to the Council elections to attract greater interest in civic affairs and increase participation in the number of female candidates for the 2012 elections.

ISSUE / DISCUSSION

The Local Government Women's Charter is in its 21st year of existence and is adopted by 69 out of 79 Victorian Councils. VLGA has received funding from the DHHS Community Primary Prevention Partnerships program to work with Councils to reactive the Charter in their local government area, with a 12 month project entitled "WomensCharter21".

LOCAL GOVERNMENT WOMEN'S CHARTER 21 Cont'd**ITEM 3****Issue 1**

Councillor Lamont is the remaining Councillor who is an endorsed Women's Charter Champion. The appointment of Councilors Spears, Lamont, Graham and Damante as Women's Charter Champions is to be endorsed by Council at this meeting, in conjunction with Item 8, Director Corporate Services, Council Representation 2018/19.

Issue 2

The VLGA has provided a guide to reactivating and implementing the Charter, which is attached. Council is reviewing the guide to ensure it continues the work of increasing participation by women in local democracy.

Issue 3

Since endorsing the VLGA Women's Charter in August 2010, Council has undertaken a range of programs and projects to support the three key principles: gender equity; diversity; and active citizenship. A list of these activities over the past 12 months is provided below:

- Gender Equity
 - Council adopted a new Gender Equity Policy in May 2018 which is based on two key principles. The first that everyone is entitled to basic human rights such as social inclusion, equal opportunity and freedom from discrimination. The second principle is that Council will demonstrate leadership and commitment to gender equity in all communication, policies, practices and processes, both internally and externally.
 - Council is one of 30+ partners participating in Together for Equality and Respect, the regional plan for preventing violence against women project. This includes regular attendance at Community of Practice forums; looking at practice in sporting clubs, gender equity in culturally and linguistically diverse communities and women in leadership. A new action plan for the 2017-2021 period was developed with project partners during 2017/18.
 - For the past four years, Council has participated in '16 Days of Activism Against Gender Based Violence'. Held annually during November, the 2018 campaign will focus on the message: "It stops when we all say no more".
 - Council has worked with a range of partners to develop a booklist of stories that promote gender equity. Launched in October 2018, the Gender Equity Booklist - Beyond sparkles and superheroes - is a partnership between Eastern Regional Libraries Corporation, Knox City Council, Maroondah City Council, Yarra Ranges Council, Women's Health East and EACH. The booklist highlight children's books that go beyond gender stereotypes and promote healthy, equal, respectful and positive relationships. This booklist was launched in October 2018.
 - The Maroondah community made an incredible contribution of more than 30,000 stars to the One Million Stars to End Violence nationwide community art project. The stars made in Maroondah were included in a Weave100 community exhibition as part of the 2018 Commonwealth Games held in April on the Gold

LOCAL GOVERNMENT WOMEN'S CHARTER 21 Cont'd

ITEM 3

Coast. The woven stars are symbols of light and reminders of the importance of having the courage to end all forms of violence, including violence against women and children, elder abuse, homophobia and racism. Stars were provided by more than 45 different groups including kindergartens, schools, churches, businesses, service clubs and aged care facilities

- The pioneering work of Council's MABELS (Mothers And Babies Engaging and Living Safely) program has been recognised by the State Government and resulted in a two year extension of the funding for the program.
- Council also piloted a program where an infant mental health specialist works alongside a maternal and child health nurse to plan and implement services for children who have been exposed to childhood trauma as a result of family violence. The success of the pilot has resulted in the program now being offered in other local governments in the region. The program has also resulted in education programs to improve the capacity of professionals to work with children exposed to trauma.
- Diversity of Representation
 - Council holds a gender balance at the Councillor level. The 2016 Maroondah election saw 13 women run for Council, resulting in 4 women elected to a 9 seat Council. With the recent countback, Council now has a majority 5 women in elected positions which is the second time this has occurred at Maroondah. Cr Damante's formal appointment recommendation to Council's Women's Charter Champions list is contained in the Council Representation Report elsewhere in this Agenda.
- Recognising and Supporting the Active Citizenship of Women
 - Council's 2015 Physical Activity strategy highlighted the need to help improve the physical activity of females within Maroondah. To provide a comprehensive assessment of the current opportunities, and develop a coordinated approach, a Female Participation Strategy is being developed. A situational analysis has been completed, a project plan developed and broader consultation continues to be undertaken to ensure the strategy meets community needs.
 - Council in undertaking several initiatives to increase or modify its existing change room facilities and pavilions to cater for increased female participation. There are several facilities involved at a range of progression states. Upgrades to the Dorset Soccer Pavilion are complete and the redevelopment of Heathmont and Silcock pavilions are underway. There are proposed upgrades to the Quambee and Croydon pavilions, planned modifications to Benson Pavilion and also the development of concept plans for the redevelopment of Springfield Pavilion.
 - Council worked with neighbouring Councils, local community groups and sporting clubs on the Our Codes Our Clubs project. The project identified the practical actions sporting clubs can take to promote and normalise gender equality within their clubs. The collaboration developed an online resource that outlines the practical actions sporting club committees can take to promote gender equality and highlights the benefits for clubs in creating a more inclusive environment. To complement the resource a short film also titled Equality is the Game! was produced with representatives of local clubs sharing their

LOCAL GOVERNMENT WOMEN'S CHARTER 21 Cont'd

ITEM 3

experiences in increasing opportunities for females to be involved in sport and the benefits it brings including helping to prevent violence against women.

- As part of International Women's Day in March 2018, Council held its annual breakfast event, with a panel of guest speakers who shared their experiences at a senior level in a variety of sports, and across a range of State, National and International competitions. Council also hosted its annual Women on the Go event at Eastland. The event was an opportunity for 40 local women to showcase their businesses and provides an opportunity for the businesses to network and build important contacts.
- Council recently hosted the ALGWA (Australian Local Government Women's Association) Victoria Branch annual conference at Realm with the support of Eastland. Designed specifically for women in Local Government, Council put together a two day program designed to empower delegates to become more effective, engaging and resilient leaders in their communities, while providing time for important networking opportunities.

FINANCIAL / ECONOMIC ISSUES

Advocacy and Council programs identified in this repeat are contained within the current budget.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

This report recognises the positive work undertaken across the municipality by Council and its many partners in ensuring women in Maroondah are able to develop to their full potential and participate equally across all aspects of family, community and business life.

COMMUNITY CONSULTATION

Maroondah 2040 Health and Wellbeing Plan provided extensive community consultation surrounding female friendly opportunities and was recently adopted by Council.

CONCLUSION

The WomensCharter21 provides an opportunity for Council to continue to encourage greater participation of women to enhance diversity and representation for Local Government and the community.

ATTACHMENTS

1.  Safe and Strong - A Victorian Gender Equality Strategy

CONFIDENTIALITY

Not Applicable

LOCAL GOVERNMENT WOMEN'S CHARTER 21 Cont'd

ITEM 3

RECOMMENDATION

THAT COUNCIL NOTES THE

- 1. GUIDE TO REACTIVATING AND IMPLEMENTING THE CHARTER, AND WILL CONTINUE TO IDENTIFY WAYS TO INCREASE PARTICIPATION BY WOMEN IN LOCAL DEMOCRACY**
- 2. UPDATE OF ACTIONS IN SUPPORT OF THE THREE WOMEN'S CHARTER KEY PRINCIPLES OF GENDER EQUITY, DIVERSITY AND ACTIVE CITIZENSHIP**

**TRANSFER OF LAND - MULLUM MULLUM CREEK TRAIL
SHARED PATH**

ITEM 4

PURPOSE

To authorise the transfer of part of the land known as part Mullum Mullum Creek Trail Shared Path (Land) currently located within the common property of Strata Plan 1242, situated at 28 Oliver Street Ringwood.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 2: 2018-2019) 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 2018 – 2019:

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

In March 2016, the owner of 4/28 Oliver Street Ringwood approached Council regarding the replacement of the side boundary fence between the common property of Strata Plan 1242 and Council's path.

Based on Council's map base and the understanding that the Shared path was situated on Council land, Council agreed to contribute 50% of the cost to renew the boundary fence, as per Council's half cost fencing policy.

However, it was noted that a discrepancy within the property boundary existed, where the Shared Path was located within the title boundary of 28 Oliver Street. As such an investigation was undertaken in relation to the line work associated with Council's map base.

Council had mistakenly identified part of Department of Environment, Land, Water, and Planning (DELWP) land to be Council owned land. Part of the Mullum Mullum Creek Trail Shared Path had been constructed over the common property at 28 Oliver Street.

The investigation included a review of the title plans near 28 Oliver Street, and subsequently, the area identified as Council land abutting the correct title boundary of 28 Oliver Street, was updated as belonging to DELWP.

Council received correspondence dated 9 January 2017 from Rennick & Gaynor solicitors, acting on behalf of the Owners' Corporation of 28 Oliver Street stating:

**TRANSFER OF LAND - MULLUM MULLUM CREEK TRAIL
SHARED PATH Cont'd**

ITEM 4

“Our client seeks Council’s agreement to the new fence being constructed on the title boundary.

If Council claims an entitlement to the Land, we seek an explanation of the basis of such an entitlement. “

Whilst Council is not the Committee of Management for the land abutting 28 Oliver Street, the land from the top of the creek bank, including the Shared Path, is inspected, and maintained by Council employees.

Based on Council’s records (microfiche photos from the former City of Ringwood - Mullum Creek landscape masterplan), it is estimated that the constructed pathway and the existing alignment of 28 Oliver Street, has been in place prior to 1982.

The Shared Path is not identified as a road on title, however it is included on Council’s register of Public Roads, as a shared path.

ISSUE / DISCUSSION

Council instructed its solicitors to provide legal advice on whether Council has acquired a possessory proprietary interest in the Shared Path, based on the duration of time that the pathway has been used by the public and has been maintained by Council.

The advice provided:

- The Land constitutes a public highway at common law as it has been constructed as part of the shared path for a period of at least 30 years and has for some time been used by the general public as a pedestrian and cycle path.
- The dedication of the Land as a road for use by the public and acceptance by the public as a road, is established through a long history of use by the public of the shared path and therefore, the common law test for a public highway is satisfied.
- The Land is also a public highway for the purposes of the Road Management Act 2004 (Vic) (RMA). The effect of this is that the Land is vested in fee simple (represents absolute ownership of the land) in Council pursuant to clause 1 (5) of Schedule 5 to the RMA. The vesting in Council of the Land overrides the ownership by the Oliver Street owners, who no longer have ownership of this Land at law.
- Council is entitled to require construction of any replacement fence to be in the same location, so that the public has full utilisation of the Land.
- DELWP has no specific rights over the Land above and beyond the rights to the public, as the Land is vested in Council pursuant to the RMA.

Response sent to Rennick & Gaynor:

- The Land has become a public highway and is now vested in fee simple in Council pursuant to RMA.

**TRANSFER OF LAND - MULLUM MULLUM CREEK TRAIL
SHARED PATH Cont'd**

ITEM 4

- A replacement fence will be constructed in the same current position.
- Council agreed to half cost fencing in this instance as a once only, as Council's policy for half cost fencing does not include replacement of boundary fences where the fence abuts roads, right of ways, Crown Land, or land owned by others.

Questions raised by Rennick & Gaynor

- Public liability issues - requesting confirmation that Council is responsible for all public liability matters over the Land.
- Councils agreement to arrange for the Land to be transferred to Council.
- The Land not be included in the valuation of the properties at 28 Oliver Street.
- Reimbursement of rates charged to the properties at 28 Oliver Street.

These issues were addressed with the following responses sent to Rennick & Gaynor:

- Council holds public liability insurance which includes any public liability claims at the Land which were caused by Council's negligent actions or omissions. Council will continue to manage the Land as per their normal practices.
- As the Land is vested in Council pursuant to RMA, immediate transfer is not necessary, but the matter will be investigated further and will be dealt with after April 2018.
- Council confirmed that rates had not been charged on the Land.
- Council's Valuers are currently valuing the properties at 28 Oliver Street based on 1050 m2 in total. The total area of 28 Oliver Street is 1550 m2, not including the Shared Path component. This will be corrected once the Plan of Subdivision is completed to distinguish between the Land and the properties of 28 Oliver Street.

FINANCIAL / ECONOMIC ISSUES

All legal and disbursement costs associated with the Subdivision and Transfer of Land to Council, will be funded by Council.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable


**TRANSFER OF LAND - MULLUM MULLUM CREEK TRAIL
SHARED PATH Cont'd**

ITEM 4

CONCLUSION

It is proposed that Council should proceed with the Transfer of Land of the Mullum Mullum Creek Trail Shared Path which is situated on the common property at 28 Oliver Street Ringwood to Council.

ATTACHMENTS

1.  Transfer of Land - 28 Oliver Street - Map & Aerial Council Report

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL ACTING UNDER CLAUSE 1(5) OF SCHEDULE 5 OF THE ROAD MANAGEMENT ACT 2004 VIC (RMA) RESOLVES THAT:

- 1. THE SECTION OF THE MULLUM MULLUM CREEK TRAIL SHARED PATH THAT IS SITUATED ON THE COMMON PROPERTY OF 28 OLIVER STREET RINGWOOD BE TRANSFERRED TO COUNCIL**
- 2. THE CHIEF EXECUTIVE OFFICER, OR ANY OTHER PERSON WITH THE NECESSARY DELEGATION, SIGN ANY TRANSFER OF LAND AND ANY OTHER DOCUMENTS REQUIRED TO BE SIGNED IN CONNECTION WITH THE TRANSFER OF LAND**

CONSIDERATION OF SUBMISSION - PROPOSED SALE OF DISCONTINUED RIGHT OF WAY AT 40A CUTHBERT STREET HEATHMONT **ITEM 5**

PURPOSE

To consider the submission received in response to Council's notification of its proposal to sell part of the discontinued right of way (DROW) at 40A Cuthbert Street Heathmont.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 2: 2018-2019) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed community

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

Key Directions 2018 – 2019:

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.

BACKGROUND

Council at its meeting on 17 August 2009, resolved to discontinue the right of way (ROW) at 40A Cuthbert Street Heathmont.

- Council made numerous attempts since the discontinuance took effect to sell the DROW to the property owners.
- A public consultation was conducted on 29 January 2014 for the sale of the land at the rear of No. 2 & No. 4 Hardy Crescent to the owners of 4 Hardy Crescent. No submissions were received. This sale is currently being finalised.
- A public consultation was conducted on 24 May 2016 for the sale of the land at the rear of 16 Hardy Crescent to the owner of 16 Hardy Crescent.
- One submission was received for the sale of the land at the rear of 16 Hardy Crescent. This submission was presented at Council's meeting on 20 February 2017 with a decision to proceed with the sale to the owner at 16 Hardy Crescent. This sale is on hold, pending transfer documents to be signed.
- As a follow up to Council's report on 20 February 2017, a further attempt was made to sell the remainder of the DROW, with letters sent to the abutting property owners seeking their interest in purchasing the land at the rear of their property.

CONSIDERATION OF SUBMISSION - PROPOSED SALE OF DISCONTINUED RIGHT OF WAY AT 40A CUTHBERT STREET HEATHMONT Cont'd **ITEM 5**

- A report was presented at Council's meeting 16 October 2017 to commence the statutory procedures to sell part of the remaining DROW to the following property owners;
 - Rear 8 Hardy Crescent - \$11,200 plus GST
 - Rear 10 Hardy Crescent - \$11,200 plus GST
 - Rear 12 Hardy Crescent - \$11,200 plus GST
 - Rear 14 Hardy Crescent - \$11,200 plus GST
 - Rear 18 Hardy Crescent - \$11,200 plus GST
 - Rear 5/32 Waterloo Street - \$11,200 plus GST

Council's Valuers provided a valuation for the land at \$200 per sqm plus GST. Each parcel of land at the rear of the above properties is approximately 56 sqm.

ISSUE / DISCUSSION

In accordance with legislation, the Public Notice advertising Councils proposal to sell the land to the respective property owners for no less than the valuation of each parcel held by Council, was published on 15 August 2018 in 'The Age' newspaper.

As required by Councils' policy, copies were posted on Councils website, on the notice boards at the library, and at the three customer service centres. Submitters were given until close of business on 12 September 2018 to respond.

Council received one submission. The submission canvassed the notion that Council would not be receiving full market value for land for which it is proposing to dispose. The submitter provided commentary in the submission that the valuations placed on the land for the purpose of sale to the abutting owners were "incorrect and require immediate revaluing".

In line with Councils statutory obligations, the submissions hearing was held on Monday 15 October 2018 at 6 pm at Council offices, attended by Cr Kylie Spears and Cr Paul MacDonald.

During the submissions hearing, the submitter tabled supplementary documentation to the original submission, for further consideration by the Committee. A copy of the original submission and the supplementary documentation are included as Appendix A and B.

The supplementary information provided data on other more recent discontinued right of ways which Council had undertaken and included base square metre rates for the land being disposed. This table has been reproduced below for ease of reference, given this information is already available in the public domain.

CONSIDERATION OF SUBMISSION - PROPOSED SALE OF DISCONTINUED RIGHT OF WAY AT 40A CUTHBERT STREET HEATHMONT Cont'd **ITEM 5**

Date	Location	Amount per square metre
July 2015	Hardy Crescent Heathmont	\$295
April 2017	Joffre Street Croydon	\$250
October 2017	Grey Street Ringwood East	\$350
October 2017	Hardy Cres/Waterloo St	\$200
July 2018	Loughnan Rd Ringwood Nth	\$350
August 2018	Dunn Street Ringwood East	\$350

The submitter also provided REIV Median House prices for the suburbs involved. The REIV information is not considered relevant in this scenario as the size of the land and potential market for these specific parcels of land is extremely limited and hence provides no relevance for the proposed sales.

Although the contention by the submitter, would to the average observer, be viewed as reasonable, there are factors that are not addressed as part of the submission that support the valuations that Council's independent Valuers have placed in each instance. These factors are;

- Land such as discontinued right of ways will firstly have a limited valuation potentially due to their nature of only being marketable to the immediate abutting owners. The only time that the valuation may see an increase is when two or more abutting owners are competing for the same parcel of land, such has occurred in the recent examples of Grey Street and Dunn Street Ringwood East.
- Grey Street Ringwood East and Loughnan Road Ringwood North, have a higher rate per square metre for the DROW land due to these two areas having a higher underlying land values. They also have a General Residential Zone (Schedule 1) (GRZ1) that allows for multi-unit development.
- Joffre Street Croydon has a lower underlying land value than Grey Street and Loughnan Road which is why the adopted rate per square metre is less than Grey St and Loughnan Road.
- The underlying land value in Hardy Crescent and Waterloo Street is lower than the two above areas. These properties also have a different zoning of Neighbourhood Residential Zone (Schedule 3) (NRZ3) which has a lesser multi-unit development potential.

Council officers are satisfied that the levels of valuations used for the sales of DROW, as noted above, reflect the individual circumstances correctly at the time of obtaining such valuations.

FINANCIAL / ECONOMIC ISSUES

The resources associated with the management of Council's land asset portfolio are contained within the current budget.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

**CONSIDERATION OF SUBMISSION - PROPOSED SALE OF
DISCONTINUED RIGHT OF WAY AT 40A CUTHBERT STREET
HEATHMONT Cont'd**

ITEM 5

SOCIAL / COMMUNITY ISSUES

Not Applicable



COMMUNITY CONSULTATION

Council has complied with both the statutory requirements as per section 189 and 223 of the Local Government Act 1989 (Act), and with Council's Public Exhibition Policy, and is now in a position to authorise officers to undertake the required procedures to finalise the sale of the DROW.

CONCLUSION

Council has applied all its legislative obligations as well as the Consultation Policy Principles and Procedures. Having considered the submission received, Council is in a position to proceed with the sale of the land to the successful property owners as outlined in this report.

ATTACHMENTS

1.  Submission Report DROW 40A Cuthbert Street - Appendix B Supplementary information to objection
2.  Submission Report DROW 40A Cuthbert Street Heathmont - Appendix A Objection

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT HAVING UNDERTAKEN PUBLIC CONSULTATION PURSUANT TO SECTION 189 AND 223 OF THE LOCAL GOVERNMENT ACT 1989 AND COUNCIL'S PUBLIC EXHIBITION POLICY FOR STATUTORY NOTIFICATION, COUNCIL:

1. **PROCEEDS TO SELL PART OF THE DISCONTINUED RIGHT OF WAY AT 40A CUTHBERT STREET HEATHMONT TO THE PROPERTY OWNERS AS FOLLOWS;**
 - i. **8, 10, 12, 14, 18 HARDY CRESCENT HEATHMONT AND**
 - ii. **5/32 WATERLOO STREET HEATHMONT; AND**
2. **SELLS EACH PORTION OF THE DISCONTINUED RIGHT OF WAY AS PER THE AGREED VALUES AS OUTLINED IN THE BACKGROUND SECTION OF THIS REPORT**

**FINANCIAL REPORT: THREE MONTHS ENDING 30
SEPTEMBER 2018**

ITEM 6

PURPOSE

To present Council with a snapshot of Council's financial performance for the three months ending 30 September 2018. Attachment 1 provides the full financial report.

STRATEGIC / POLICY ISSUES

The following directions contained in the Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 2: 2018-2019) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community.

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

Key Directions 2017 - 2021:

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

BACKGROUND

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

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

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

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

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

ISSUE / DISCUSSION

The following is a summary of the financial position for the three months ending 30 September 2018. A detailed report is attached to this document.

FINANCIAL REPORT: THREE MONTHS ENDING 30
SEPTEMBER 2018 Cont'd

ITEM 6

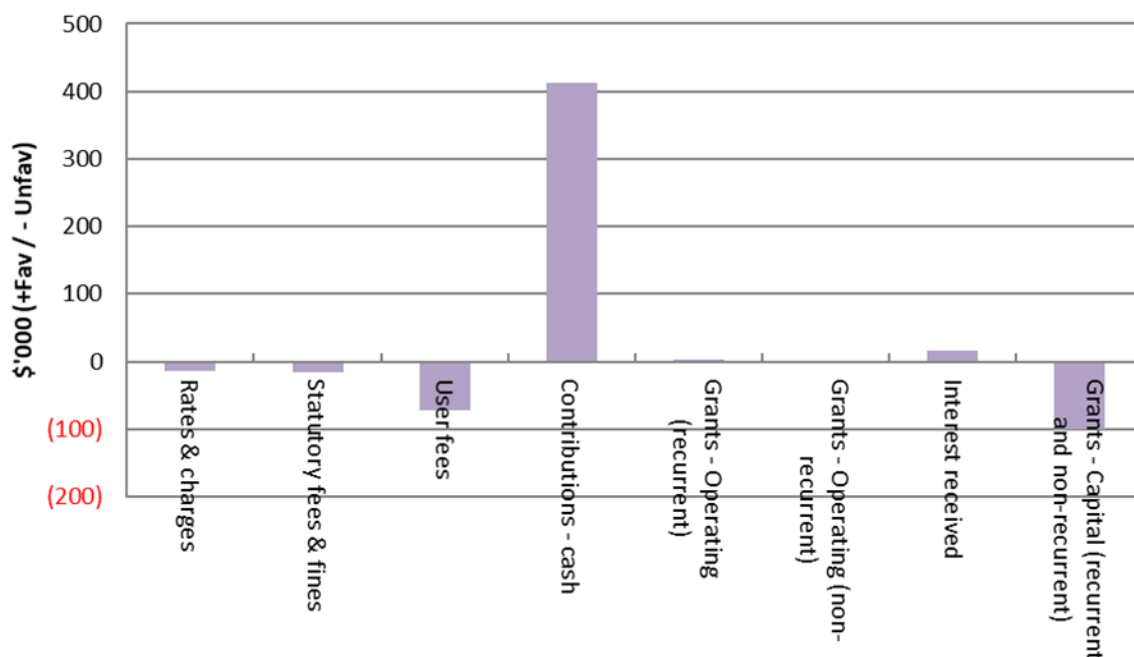
1. OPERATING PERFORMANCE

1.1 Overall Operating Performance

	YTD Forecast \$'000	YTD Actual \$'000	YTD Var \$'000	Forecast Budget \$'000	Adopted Budget \$'000
Operating					
Income	100,722	101,014	243	139,384	137,489
Expenses	(32,755)	(31,828)	927	(136,054)	(132,594)
Underlying Surplus (Deficit)	68,016	69,186	1,170	3,330	4,895
Capital					
Grants - Capital (recurrent and non-recurrent)	5,538	5,438	(100)	17,346	13,105
Comprehensive result	73,554	74,624	1,070	20,676	18,000

For the three months ended 30 September 2018, Council has recorded an underlying surplus before capital revenues of \$69.2 million, which is \$1.2 million ahead of the year to date forecast budget. This is primarily related to unexpended funds during the period, as outlined in section 1.3 of the report.

1.2 Income – YTD Forecast Budget variances



**FINANCIAL REPORT: THREE MONTHS ENDING 30
SEPTEMBER 2018 Cont'd**

ITEM 6

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

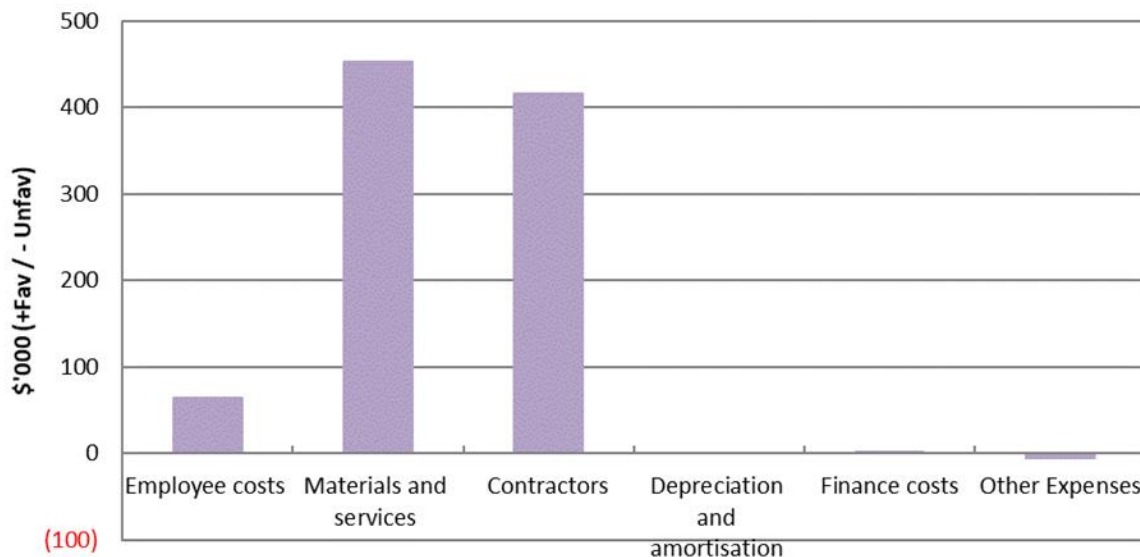
Favourable Variances:

- *Contributions - cash \$413k* – stemming from \$805k in received open space contributions, which is \$434k higher than forecasted for at this point in the financial period.

Unfavourable Variances:

- *Grants Capital (\$100k)* – variance related to the timing of funding to be received for various tennis club and court projects.

1.3 Expenses – YTD Forecast Budget variances



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

Favourable Variances:

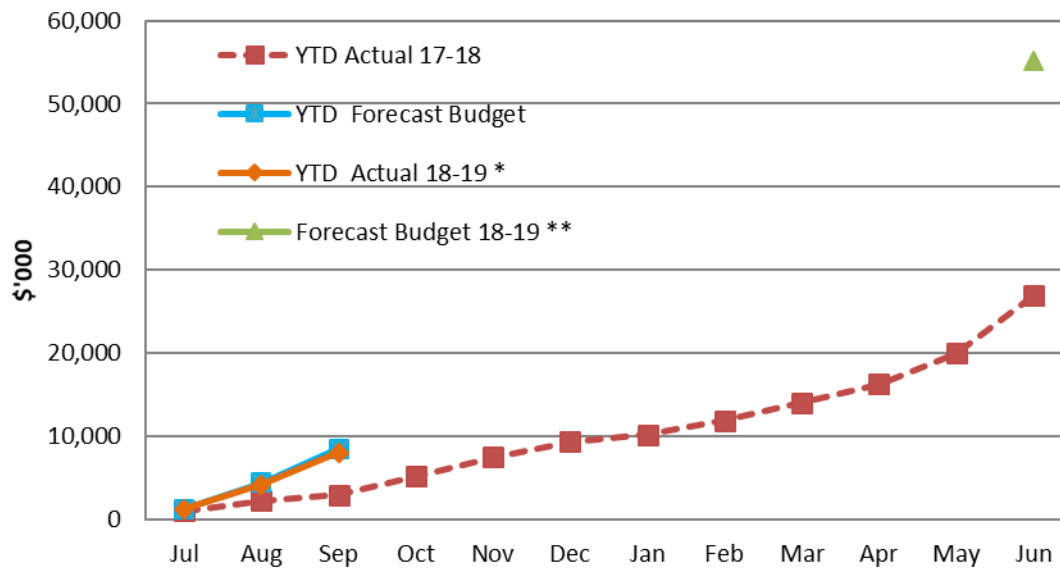
- *Materials and Services \$452k* – Driven by differences in the timing of expenses across the organisation. Areas of council contributing to the variance include Community Services \$264k, Leisure \$207k and Integrated Planning \$58k amongst others. Assets (\$146k) and IT (\$50k) were above year to date forecast.
- *Contractors \$415k* – Driven by differences in the timing of expenses across the organisation. Areas of council contributing to the variance include Community Services \$120k, Finance & Governance \$82k, Workplace, People & Culture \$67k and Integrated Planning \$56k amongst others.

**FINANCIAL REPORT: THREE MONTHS ENDING 30
SEPTEMBER 2018 Cont'd**

ITEM 6

2. CAPITAL WORKS

2.1 Capital works YTD expenditure cumulative

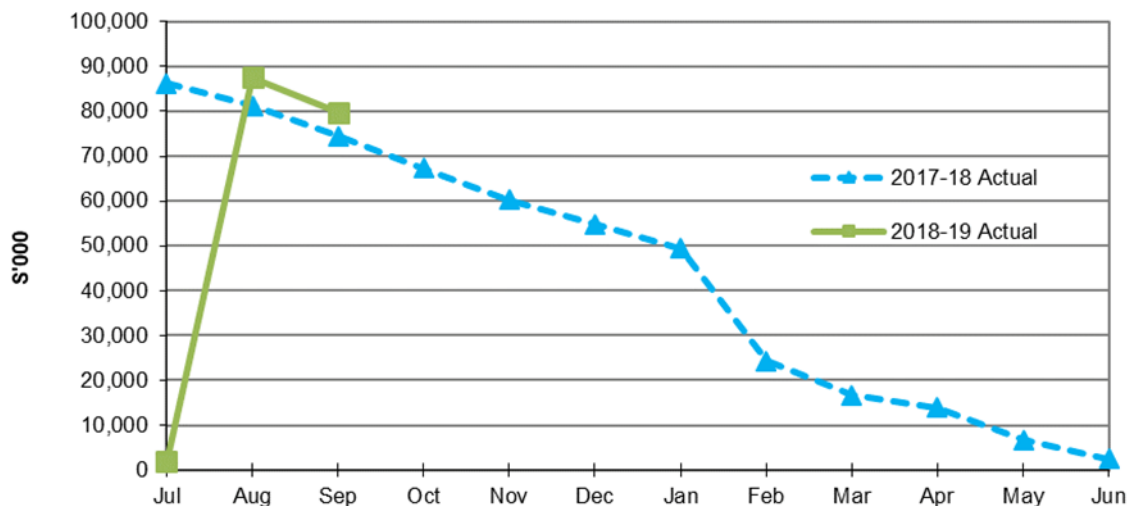


* YTD Actual expenditure includes Carried Forwards

** Forecast Budget expenditure includes Carried Forwards

The Forecast Capital Expenditure program for 2018/19 is \$55.2m. A carry forward amount from 2017/18 of \$7.8m is included in the forecast for the current period.

The chart above indicates how Council is performing year to date against the forecast, as well as how we are tracking to achieve the period end target of \$55.2m. Council has spent 14.5% of its forecast at the end of the first quarter, and plans to meet target by period end.

**FINANCIAL REPORT: THREE MONTHS ENDING 30
SEPTEMBER 2018 Cont'd****ITEM 6****3. RATES****3.1 Actual rates outstanding balance by month**

The chart above compares the rates outstanding as at 30 September 2018 to the same time last financial period. Our collection rate follows a similar pattern to previous periods, based on rate instalments occurring at set times throughout the financial period. Note that this graph accounts for rates being struck in August this period compared to July last period. Council has one of the highest debt recovery performances in comparison to other local government authorities.

FINANCIAL / ECONOMIC ISSUES

As presented in this report and accompanying financial statements.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable



CONCLUSION

The 30 September 2018 YTD results are favourable and provide a solid foundation for achieving Council's 2018/2019 services and advocacy programs.

**FINANCIAL REPORT: THREE MONTHS ENDING 30
SEPTEMBER 2018 Cont'd**

ITEM 6

ATTACHMENTS

1.  Financial report appendix 3 months 30 September 2018
2.  Financial report appendix 2 - report analytics

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL RECEIVES AND NOTES THE REPORT ON THE FINANCIAL
PERFORMANCE AGAINST BUDGET FOR THE THREE MONTHS ENDING 30
SEPTEMBER 2018**

COUNCIL REPRESENTATION 2018/19

ITEM 7

PURPOSE

To consider formal Council representation to internal and external organisations, and other appointments, for the period November 2018 to November 2019.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 2: 2018-2019) 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 2017 – 2018:

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

BACKGROUND

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

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

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

ISSUE / DISCUSSION

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

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

COUNCIL REPRESENTATION 2018/19 Cont'd

ITEM 7

The internal Committees are: -

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

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

The external Committees are: -

- Eastern Affordable Housing Alliance
- Eastern Alliance for Greenhouse Action
- Eastern Regional Group – Mayors and CEO'S
- Eastern Regional Libraries Corporation
- Eastern Transport Coalition
- Local Government Safe Cities Network
- Metropolitan Local Governments' Waste Forum
- Municipal Association of Victoria – State Council
- Maroondah - Communities of Wellbeing Steering Committee

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

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COUNCIL REPRESENTATION 2018/19 Cont'd

ITEM 7

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

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

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL:

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

ARTS ADVISORY COMMITTEE

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

AUDIT AND RISK ADVISORY COMMITTEE

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

DISABILITY ADVISORY COMMITTEE

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

EASTERN AFFORDABLE HOUSING ALLIANCE

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

EASTERN ALLIANCE FOR GREENHOUSE ACTION

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

COUNCIL REPRESENTATION 2018/19 Cont'd

ITEM 7

EASTERN REGIONAL GROUP – MAYORS AND CEO'S

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

EASTERN REGIONAL LIBRARIES CORPORATION

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

EASTERN TRANSPORT COALITION

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

LOCAL GOVERNMENT SAFE CITIES NETWORK

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

MAROONDAH BUSINESS ADVISORY COMMITTEE

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

MAROONDAH COMMUNITY SAFETY COMMITTEE

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

MAROONDAH PARTNERS IN COMMUNITY WELLBEING COMMITTEE

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

MAROONDAH – COMMUNITIES OF WELLBEING STEERING COMMITTEE

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

MAROONDAH ENVIRONMENT ADVISORY COMMITTEE

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

COUNCIL REPRESENTATION 2018/19 Cont'd

ITEM 7

METROPOLITAN LOCAL GOVERNMENTS' WASTE FORUM

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

MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL

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

VICTORIAN LOCAL GOVERNMENT WOMEN'S CHARTER

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

MAROONDAH AGE-FRIENDLY CITIES & COMMUNITIES NETWORK

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

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

ITEM 8

PURPOSE

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

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 2: 2018-2019) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community.

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

Key Directions 2018– 2019:

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

BACKGROUND

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

The Audit and Risk Advisory Committee Charter requires appointments to be made on a three year rotational basis, with a maximum of two terms per member allowed to be served. In order to facilitate this approach, Mr. John Watson was appointed for a three year term as Committee member in 2015, hence his current term has now expired.

ISSUE / DISCUSSION

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

FINANCIAL / ECONOMIC ISSUES

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

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

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

ITEM 8

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

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

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT MR. JOHN WATSON BE APPOINTED AS THE INDEPENDENT CHAIR OF
COUNCIL'S AUDIT & RISK ADVISORY COMMITTEE FOR A FURTHER THREE YEAR
TERM ENDING NOVEMBER 2021**

AUDIT & RISK ADVISORY COMMITTEE REPORT

ITEM 9

PURPOSE

To report to Council on the outcomes of the Audit & Risk Advisory Committee Meeting held on 14 November 2018.

STRATEGIC / POLICY ISSUES

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

BACKGROUND

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

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

The Audit & Risk Advisory Committee Charter requires that this Committee report to Council on the findings and recommendations from its meetings. This report provides a summary of matters under consideration by the Audit & Risk Advisory Committee of the meeting held on Wednesday 14 November 2018.

ISSUE / DISCUSSION

The Audit & Risk Advisory Committee confidentially considered several items, which included:

- Internal Audit report update by Crowe Horwath Partner, Mr Andrew Zavitsanos, who discussed the following internal audit reports:
 - Public Health Review
- Andrew introduced a graduate auditor to the meeting for their development, in which the Committee welcomed their attendance.
- Andrew also made clear that there have been no obstructions to the audit program and they are gaining support from Council Officers. There should be four audit reports presented at the next Committee meeting.
- The 18/19 Quarterly Finance Report for the three months ended September 2018, with the focus on variances and the fact that it is still early in the reporting period to gain any significant trend analysis. The Committee requested that we come to the next meeting with a brief report on leave balances and how they compare to prior year. As part of this report, the Committee was presented with a summary level Flash Report, which highlights key points of interest. The Committee was extremely pleased with such a summary and want it included in future agendas.

AUDIT & RISK ADVISORY COMMITTEE REPORT Cont'd**ITEM 9**

- Updated risk management and insurance report – presenting the organisations current operational and strategic risks and the controls that are currently in place to mitigate those risks. A new strategic risk was introduced and noted by the Committee, regarding Change Management risk, which will link all Operational Readiness risks for the next meeting.
- Status report of how MCC is tracking in implementation of past audit recommendations. Committee was satisfied with the progress and timeliness of implementation of audit recommendations as well as the percentage of completion regarding the audit recommendations.
- Reports from sector related agencies – with focus on the Victorian Auditor General Reports on services in Local Government – with some contextual discussion around regarding the reports.

FINANCIAL / ECONOMIC ISSUES

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

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

This report provides a summary of the outcomes of the Audit & Risk Advisory Committee meeting held on Wednesday 14 November 2018.

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES THE REPORT FROM THE AUDIT & RISK ADVISORY COMMITTEE MEETING HELD ON WEDNESDAY 14 NOVEMBER 2018

**WARRANWOOD RESERVE SPECIAL COMMITTEE OF
COUNCIL - RATIFICATION OF APPOINTMENTS**

ITEM 1

PURPOSE

To ratify the appointment of Committee members following the biennial meeting of the Special Committee of Council (the Committee) held on Wednesday 18 October 2018.

STRATEGIC / POLICY ISSUES

The following directions contained in the Council Plan 2017-2021 (Year 2: 2018-2019) provide the strategic framework that underpins the purpose in this report:

Outcome Area: A well governed and empowered community

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

Key Directions 2018 - 2019

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

BACKGROUND

By a Deed of Delegation dated 28 September 2017 Council appointed the Committee to exercise Council's duties in relation to the care and management of Warranwood Reserve in accordance with clearly defined powers and subject to specified exceptions, conditions and limitations. The Committee members appointed were:

- Margaret Baber
- Janette McNally
- Jim McNally
- Katie O'Callaghan
- Peter Fuller
- Stephen Teasdale
- Roger Lord

Sections 86 and 88 of the Local Government Act 1989 ("the Act") make provisions for Council to establish Special Committees with delegated powers to manage and/or control resources or facilities.

The Deed of Delegation sets out the powers and functions of the Committee in relation to the management of Warranwood Reserve subject to the exceptions, conditions and limitations also set out in the Deed.

**WARRANWOOD RESERVE SPECIAL COMMITTEE OF
COUNCIL - RATIFICATION OF APPOINTMENTS Cont'd**

ITEM 1

The Committee can do all things necessary for the efficient management of Warranwood Reserve including:

- Enter into contracts for a period of no more than two years, incurring expenditure of no more than \$5,000 in any six month period, provided that the Committee does not enter into any contract that exceeds the Committee's available funds;
- Assist Council with the organisation of voluntary maintenance activities and programs;
- Act as a forum for users and residents to provide feedback to Council on the welfare and future development of Warranwood Reserve;
- Report to Council defects and other issues relating to Warranwood Reserve; and
- Do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

The functions, duties and powers of the Committee do not include:

- The responsibility for the maintenance of the playground facilities, walking tracks, seats and signage at Warranwood Reserve;
- Making alterations to the reserve that are outside the current Reserve Management Plan, unless prior approval by Council is given;
- Exercising any powers, which in accordance with the Act, cannot be delegated; and
- Employing staff.

Under the Deed of Delegation the Committee is to be appointed at intervals of two years and shall comprise:

- Not less than six (6) and no more than fourteen (14) members appointed by Council to act as representatives to the Committee; and
- All such appointments are subject to ratification by Council.

ISSUE / DISCUSSION

The biennial meeting was held on 18th October 2018 and advertised accordingly.

At the meeting seven (7) nominations were received however one was withdrawn due to a change in personal circumstances.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

**WARRANWOOD RESERVE SPECIAL COMMITTEE OF
COUNCIL - RATIFICATION OF APPOINTMENTS Cont'd**

ITEM 1

ENVIRONMENTAL / AMENITY ISSUES

The continued interest of the Committee and the community ensures that the facility will be responsibly managed and maintained on behalf of Council.

SOCIAL / COMMUNITY ISSUES

The continued interest of the Committee and the community ensures that the reserve is responsibly managed and maintained on behalf of Council, ensuring ongoing use of the reserve by the community.

COMMUNITY CONSULTATION

The biennial meeting was advertised to 345 local residences through a letter box drop undertaken by the Committee.

CONCLUSION

The appointment of members to the Warranwood Reserve Special Committee of Council confirms Council's recognition of the importance of such Committees to the efficient management of Council's Reserves. The Committee has undertaken its duties effectively as detailed in the Deed of Delegation over the past two years and Council recognises and thanks the Committee for its efforts.

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL

- 1. APPOINTS THE FOLLOWING PERSONS TO THE WARRANWOOD RESERVE SPECIAL COMMITTEE OF COUNCIL FOR THE PERIOD NOVEMBER 2018 TO JUNE 2020**
 - MARGARET BABER
 - JANETTE MCNALLY
 - JIM MCNALLY
 - ROGER LORD
 - KATIE O'CALLAGHAN
 - STEPHEN TEASDALE
- 2. THANKS THE WARRANWOOD RESERVE SPECIAL COMMITTEE OF COUNCIL FOR ITS EFFORTS DURING THE PERIOD 2016-2018**

CAPITAL WORKS REPORT - FIRST QUARTER 2018/2019

ITEM 2

PURPOSE

To present the financial status of Council's Capital Works Program for the first quarter of the 2018/2019 financial year.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 2: 2018-2019) 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 2018 – 2019:

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

BACKGROUND

As part of Council's Adopted Budget for 2018/2019 \$43.68m has been allocated to Capital Works projects. This includes \$13.1m of State and Federal grant monies. Council expects to receive an additional \$3.74m in grant funding and has carried forward \$7.78m from the 2017/2018 capital works budget. The total forecast budget for 2018/2019 is therefore \$55.20m.

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

This report provides an overview of the status of Council's Capital Works Budget for the period 1 July 2018 to 30 September 2018.

CAPITAL WORKS REPORT - FIRST QUARTER 2018/2019
Cont'd

ITEM 2

ISSUE / DISCUSSION

The following is a summary of the status of Council's capital projects financial position for the first quarter of the 2018/2019 financial year.

CAPITAL PERFORMANCE – 3 MONTHS ENDING 30 SEPTEMBER 2018

	YTD Forecast Budget \$'000	YTD Actual * \$'000	YTD Bud Var \$'000	Forecast Budget ** \$'000	Amount Carried Forward \$'000	Adopted Budget \$'000
Classification						
Buildings ¹	3,599	3,514	85	26,359	3,494	17,741
Roads ²	1,466	1,459	7	6,671	1,153	4,325
Footpaths and Cycleways ³	949	946	3	3,134	17	3,090
Carparks ⁴	153	148	5	544	104	460
Drainage ⁵	161	174	(13)	3,346	94	3,467
Waste Management	11	17	(6)	81	31	50
Other Capital Roads and Drainage ⁶	103	38	65	1,581	841	720
Recreational Leisure and Community Facilities ⁷	131	103	28	3,874	525	3,206
Parks and Open Space ⁸	210	183	27	2,644	1,465	1,260
Fixtures, Fittings and Furniture	18	4	14	109	5	80
Plant, Machinery and Equipment	912	685	227	3,845	(37)	3,882
Computers and Telecommunications ⁹	144	165	(21)	1,743	838	930
Property Sales	0	16	(16)	0	0	0
Building Renewal ¹⁰	559	570	(11)	1,266	(754)	4,470
Total capital works	8,417	8,023	394	55,197	7,777	43,681

*YTD Actual expenditure includes Carried Forwards

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

Explanation of variations between forecast budget and adopted budget:

- ¹ **Buildings** – Variation between adopted \$17.7m and forecast \$26.3 budgets is due primarily to:
 - \$3.5m in carried forwards from 17/18;
 - \$2.0m grant for the Jubilee Park Sporting Pavilion Redevelopment;
 - \$513k grant for the Springfield Sports Pavilion Redevelopment;
 - \$200k grant for the Eastfield Park Sporting Pavilion Changerooms; and
 - \$100k grant for the Quambee Sporting Pavilion Changerooms.

**CAPITAL WORKS REPORT - FIRST QUARTER 2018/2019
Cont'd**

ITEM 2

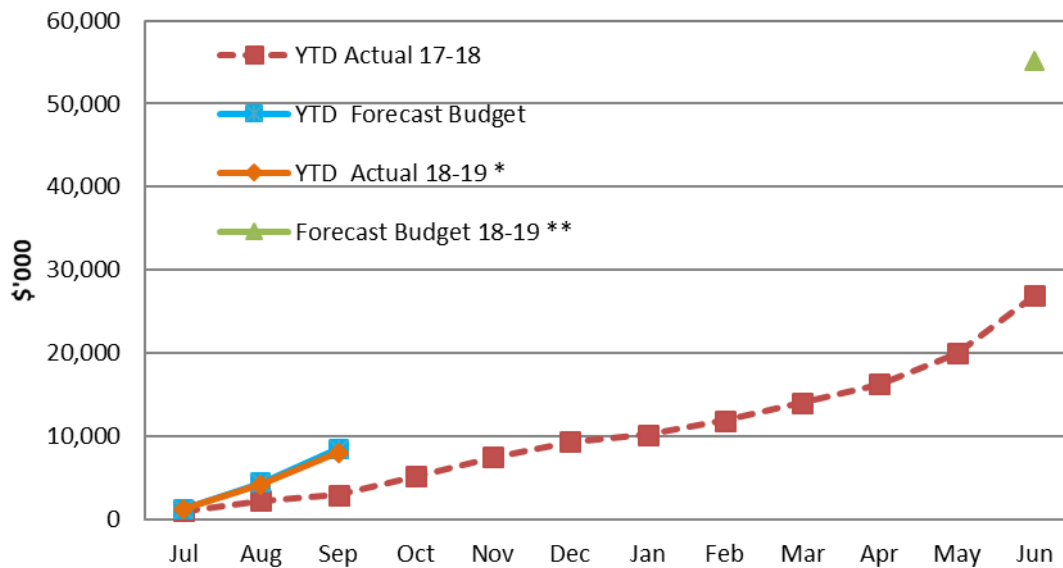
- ² **Roads** – Variation between adopted \$4.3m and forecast \$6.6m budgets is due primarily to:
 - \$1.2m in carried forwards from 17/18;
 - \$1.045m grant for the Heathmont Shopping Centre Access Improvements; and
 - \$85k grant for the Main Street Pedestrian Safety Improvements.
- ³ **Footpaths & Cycleways** – Variation between adopted \$3.0m and forecast \$3.1m budgets is due primarily to:
 - \$17k in carried forwards from 17/18.
- ⁴ **Carparks** – Variation between adopted \$460k and forecast \$544k budget is due primarily to:
 - \$104k in carried forwards from 17/18.
- ⁵ **Drainage** – Variation between adopted \$3.4m and forecast \$3.3m budgets is due primarily to:
 - \$94k in carried forwards from 17/18.
- ⁶ **Other Capital Roads and Drainage** – Variation between adopted \$720k and forecast \$1.5m due primarily to:
 - \$841k in carried forwards from 17/18.
- ⁷ **Recreational Leisure and Community Facilities** – Variation between adopted \$3.2m and forecast \$3.8m budgets due primarily to:
 - \$525k in carried forwards; and
 - \$100k grant for the HE Parker Oval no 1 Sportsfield Lighting.
- ⁸ **Parks and Open Space** – Variation between adopted \$1.2m and forecast \$2.6m budgets is due primarily to:
 - \$1.26m in carried forwards.
- ⁹ **Computers and Telecommunication** – Variation between adopted \$930k and forecast \$1.74m budgets is primarily due to:
 - \$838k in carried forwards from 17/18.
- ¹⁰ **Building Renewal** – Variation between adopted \$4.47m and forecast \$1.26m budgets is due to:
 - \$754k in negative carried forwards; and
 - \$2.45m being allocated to specific community facility projects (such as Bill Wilkins Lodge Redevelopment) within the 'building' category of the report

**CAPITAL WORKS REPORT - FIRST QUARTER 2018/2019
Cont'd****ITEM 2****FINANCIAL / ECONOMIC ISSUES****CARRIED FORWARDS**

Council has carried forward an amount of \$7.78m into the 2018/2019 financial year.

PROJECT STATUS

Attachment 1 shows the status of capital works expenditure to 30 September 2018.

CAPITAL WORKS YTD – EXPENDITURE (CUMULATIVE)

* YTD Actual expenditure includes Carried Forwards

** Forecast Budget expenditure includes Carried Forwards

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable


CONCLUSION

Council has a total Capital Works forecast budget for 2018/2019 of \$55.20m, which is comprised of \$43.68m (including \$13.1m of State and Federal grants), \$7.78m carried forward from 2017/2018 and an additional \$3.74m anticipated in grant funding. Variations between adopted and forecast budgets are noted for the period 1 July to 30 September 2018.

**CAPITAL WORKS REPORT - FIRST QUARTER 2018/2019
Cont'd**

ITEM 2

ATTACHMENTS

1.  Capital Works status as at 30 September 2018

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES THE REPORT ON THE STATUS OF CAPITAL WORKS PROJECTS FOR THE PERIOD 1 JULY 2018 TO 30 SEPTEMBER 2018

**RINGWOOD METROPOLITAN ACTIVITY CENTRE
MASTERPLAN**

ITEM 1

PURPOSE

To consider submissions received from community consultation of the Draft Ringwood Metropolitan Activity Centre (MAC) Masterplan and to adopt the Ringwood MAC Masterplan with changes in accordance with this report.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 2: 2018-2019) provide the strategic framework that underpins the purpose of this report.

Outcome Area:

- A prosperous and learning community;
- A clean, green and sustainable community;
- An accessible and connected community;
- An attractive, thriving and well-built community;

Our Vision:

Maroondah will be a vibrant and diverse city with a healthy and active community, living in green and 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 2018 – 2019:

- 2.2 Promote and leverage the strategic location of Ringwood as the Metropolitan Activity Centre for the outer eastern region;
- 2.3 Promote the diversification and localisation of Maroondah's economy to stimulate job growth and encourage the community to work, shop and live locally;
- 4.3 Build the capacity of households and businesses to behave more sustainably, reduce waste and minimise consumption of natural resources;
- 4.10 Encourage increased green spaces within activity centres that link the built environment to the natural landscape;
- 4.13 Advocate for increased stormwater harvesting and greywater reuse by households and businesses;
- 5.1 Work in partnership to provide improved accessibility and safety for transport users across all modes;

**RINGWOOD METROPOLITAN ACTIVITY CENTRE
MASTERPLAN Cont'd**

ITEM 1

- 5.4 Work in partnership to provide a safe and efficient integrated transport network that enhances livability, encourages a shift in travel modes and promotes Maroondah as a 20-minute city;
- 5.6 Advocate for and encourage the use of sustainable transport by enhancing local access to public transport, supporting behavior change initiatives and enhancing the pedestrian and cycling network, including the provision of on-road bicycle lanes;
- 6.1 Encourage high quality urban design that provides for a healthy, attractive and desirable built form;
- 6.2 Work in partnership to ensure development considers urban design principles that enhance the connection between the built environment and the natural environment;
- 6.3 Work in partnership to deliver distinctive and high quality architecture through the use of urban design guidelines and principles;
- 6.7 Plan and facilitate the development of a community where everyone can live, work and play locally;
- 6.8 Encourage and support the provision of a diverse range of housing across Maroondah, that meets the needs of current and future residents;
- 6.9 Encourage high density development in activity centres where there is access to high quality facilities, services and amenities;
- 6.10 Develop and implement an urban form that enhances the desirable attributes of Maroondah to protect and value ridgelines, vegetation, neighbourhood character, local history and cultural heritage.

Priority Action 2018-2019:

Update the Ringwood Metropolitan Activity Centre Masterplan

BACKGROUND

Plan Melbourne (2017) is the State Government's strategy to guide the growth of metropolitan Melbourne over the next 35 years and is built on a vision for Melbourne to "continue to be a global city of opportunity and choice".

Plan Melbourne recognises Metropolitan Activity Centres (including Ringwood) and Employment Clusters as the cornerstone of establishing more jobs, housing and services in the suburbs. The 'polycentric city' concept encourages planning for more jobs close to where people live and vice versa. It expects Activity centres to be planned to provide good access to a range of major retail, community, government, entertainment, cultural and transport services, with a focus for higher density development.

Ringwood is identified as one of nine MACs in *Plan Melbourne*, and therefore is a priority for growth.

**RINGWOOD METROPOLITAN ACTIVITY CENTRE
MASTERPLAN Cont'd**

ITEM 1

A masterplan aspires to create a framework to enable the delivery of a centre that has a diverse and well-connected communities that are rich in local jobs, transport, community services, culture and housing choices. Protecting valuable natural and historical features, as well as using land more efficiently, are also important factors of masterplans.

In 2004 Maroondah City Council adopted the Ringwood Transit City Urban Design Masterplan (the 2004 Masterplan) which has facilitated development for more than 10 years. The 2004 Masterplan identified Council's vision for Ringwood and set in place a planning framework to encourage the realisation of its vision.

The 2004 Masterplan promoted Ringwood as a key commercial, retail, industrial and residential location, strategically located within the expansive transport network of eastern Melbourne, and the gateway to the Yarra Valley.

The Masterplan has served Ringwood well over the past decade, with the majority of actions being implemented. It has helped to cement Ringwood's role as a key outer eastern destination, providing for broad community needs, while retaining its natural assets and landscape character and identity. This success can be attributed to the consistent application of its vision and quality of its supporting guidelines and planning controls.

A review of the 2004 Ringwood Transit City Masterplan has been undertaken. The aim of the revised Masterplan is to reinforce development and economic growth that responds to a changing market and ensures the future success of the Ringwood MAC.

The Ringwood MAC Masterplan study boundary applies to all land shown in Figure 1. It includes:

- To the north, the Bypass from EastLink to Mt Dandenong Road;
- To the east, Ringwood Lake and Bedford Park to Pitt Street;
- To the south, Bedford Road, to Station Street then following the properties to the rear of Station Street through to Wantirna Road. The boundary then follows the train line to New Street, then along Molan Street to Heatherdale Road (Municipal boundary);
- To the West, the boundary follows Heatherdale Road to Maroondah Highway then the eastern side of EastLink through to the Bypass.

**RINGWOOD METROPOLITAN ACTIVITY CENTRE
MASTERPLAN Cont'd**

ITEM 1



Figure 1: Ringwood Metropolitan Activity Centre Study Boundary

The Ringwood MAC benefits from:

- Planning policy support for higher order commercial and employment uses;
- Significant activity generators in Eastland Shopping Centre, Realm and Costco;
- A large and established residential base within proximity of the centre;
- Continued momentum in residential and retail development, supporting both short term and long term employment;
- Unique town centre fundamentals including an established boulevard, diverse range of uses, walkable areas and other strong urban design characteristics.

The land use planning controls for Ringwood MAC have been effective in enabling an increase in housing development. The drivers for apartment development include: transport links, infrastructure, established housing prices and improved amenity, consistent with *Plan Melbourne*. There is a growing demand for apartment living in Ringwood MAC.

The high level of capacity created through the significant investment in the public realm (eg Realm and the Town Square, Train Station Interchange) provides Council with the opportunity to emphasise the value of urban design. Strong urban design codes also leverage the existing high quality public realm core that has been developed within Ringwood MAC.

The high quality public realm and presence of a strong retail core, means that Ringwood MAC is increasingly attractive for both commercial and residential development.

The revised Masterplan does not seek to make significant changes to the current land use patterns within Ringwood MAC. Rather the aim is to enhance and improve the existing planning controls to continue to encourage quality development within Ringwood MAC.

**RINGWOOD METROPOLITAN ACTIVITY CENTRE
MASTERPLAN Cont'd**

ITEM 1

The revised Ringwood MAC Masterplan includes detailed Urban Design Guidelines. The objectives of these guidelines are:

- To define the standard of urban design for Ringwood MAC that will contribute to wellbeing and liveability and ensure that future urban design is consistently high across Ringwood MAC;
- To ensure the future development of Ringwood MAC in both the public and private realm has a focus on human scale, ensuring a positive experience when interacting with any aspect of Ringwood MAC;
- To ensure the design and operation of development has positive environmental impacts;
- To provide clear strategic direction and certainty of future development outcomes to both the local community and to investors;
- To understand and respond to the unique characteristics of Ringwood MAC, the role they play, and how they function to support improved development outcomes;
- To be sympathetic to Maroondah's 2040 Community Vision that has a focus for a 'clean, green and sustainable community' and 'an attractive and thriving and well-built community';
- To ensure the heritage values of Ringwood MAC are considered as the centre continues to grow.

ISSUE / DISCUSSION

At its meeting of 27 August 2018, Council resolved to adopt the Draft Ringwood MAC Masterplan for community consultation. The Draft Masterplan was placed on community consultation from Monday 3 September 2018 to Monday 8 October 2018.

A total of 41 submissions were received and can be summarised as follows:

- 22 raised concerns about the Neighbourhood Character and Heritage elements in the Jubilee Park area as well as objecting to the heights proposed in the Ringwood Station Precinct;
- 12 supported the Masterplan;
- 7 raised concerns regarding a variety of issues such as traffic, Environmentally Sustainable Development (ESD), heritage and urban design.

The issues raised in submissions have been categorised as follows:

- Land use
- Activity centre and precinct boundaries
- Building heights

**RINGWOOD METROPOLITAN ACTIVITY CENTRE
MASTERPLAN Cont'd**

ITEM 1

- Strategic site designation
- Environment and landscape protection
- Heritage
- Traffic

A detailed summary of submissions received can be found in **Attachment 1**.

Land Use

Issues raised

In some precincts it was suggested it is unclear as to the types of uses encouraged within the precinct. It is suggested there is a need for more specific guidance on the use, repurposing and options that could be considered to enable clear and positive development opportunities.

Response

While the Masterplan identifies precincts and broadly defines the purpose of each precinct, clarity around the uses that are encouraged is required.

Recommendation

That the Masterplan be amended to ensure the principles, objectives and strategies clearly identify uses encouraged for each precinct.

Activity centre and precinct boundaries

Issues raised

The majority of submissions received raise concern about the activity centre boundary, in particular, including the properties that abut Station Street to the south. The heights of 4-6 storey stated in the Masterplan are considered too high.

In contrast two submissions received suggest the study boundary doesn't extend far enough south, with one submission identifying contiguous landownership as the justification to extend the boundary further south.

Response

The Activity Centre Boundary Criteria is set out in Department of Environment, Land, Water and Planning's (DELWP) Planning Practice Note 58 (Structure planning for activity centres). The Ringwood MAC Masterplan study boundary considered the core retail precinct; the current commercial zones and residential growth areas; walkability distance of 800m; physical boundaries (ie Bypass and Mullum Mullum Creek, Eastlink); regeneration opportunities (ie Heatherdale Station); open space and adjoining areas of significant Heritage and Neighbourhood Character elements (Jubilee Park area).

The Jubilee Park area is located to the south of the Centre. This area is significant as it is representative of early Ringwood. It is therefore not included with the Masterplan area. The importance of heritage and neighbourhood character is demonstrated by the Jubilee Park Heritage and Neighbourhood Character Study (February 2018). This work has resulted in interim heritage controls applying to 58 sites within the Jubilee Park area, with permanent

**RINGWOOD METROPOLITAN ACTIVITY CENTRE
MASTERPLAN Cont'd**

ITEM 1

controls being pursued via Amendment C116. Amendment C116 is out on exhibition until 13 December 2018.

Currently, the Maroondah Planning Scheme suggests heights between 5 to 8 storey are appropriate to the properties that abut Station Street to the south (see Figure 2). Including these properties within the study area provides the opportunity to review the existing heights with a view to lowering them. It is also an opportunity to provide clarity on land use, heights and proposed development controls sought for the precinct. The other advantage of including these sites in the study area is that the Masterplan is seeking high quality urban design and ESD built form outcomes as well as financial contributions towards infrastructure improvements incorporated within the Planning Controls.

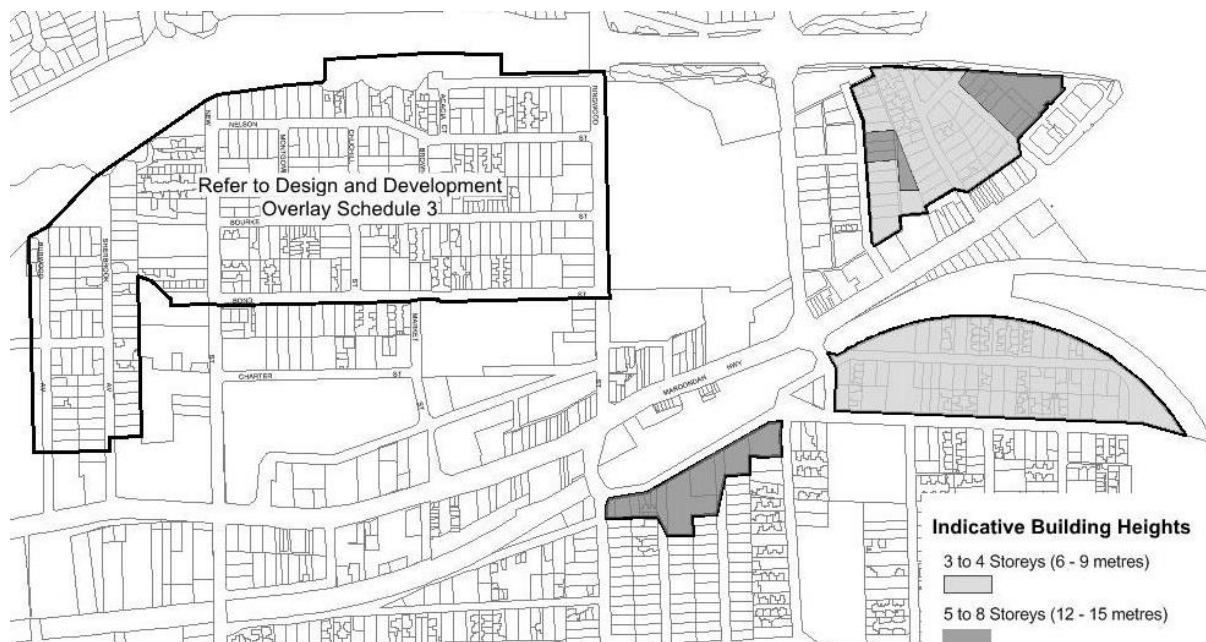


Figure 2: Clause 22.06 Indicative building height plan

Recommendation

To retain the current study boundary as exhibited, and to extend the boundary to respond to land ownership patterns and include 4A and 4B Greenwood Avenue, Ringwood.

To strengthen the interface typologies, particularly for the residential transition to ensure there is an overall positive urban design impact to properties outside of the study boundary.

Continue with Amendment C116 which implements the Jubilee Park Heritage and Neighbourhood Character Study. Amendment C116 is out on exhibition until 13 December 2018.

Building heights

Issues raised

Heights of 4 to 6 storey in the Ringwood Station Precinct have been submitted as being too high, with a desire to have the precinct remain a low scale area. Another submitter indicated heights of 4 to 6 storey within the North Western Precinct are too high which is causing overshadowing of smaller houses.

**RINGWOOD METROPOLITAN ACTIVITY CENTRE
MASTERPLAN Cont'd**

ITEM 1

One submitter, supporting the Masterplan, indicated that 8 storey levels would be appropriate, but no higher. With another submitter indicating heights of 15 storey may block sunlight to neighbouring properties through overshadowing particularly in winter from the West.

In contrast two submitters indicated that the heights within the Ringwood Station Precinct weren't high enough, given its locality to the station and being within a designated Metropolitan Activity Centre. Another submitter indicated that heights of 4 to 6 storey is not commensurate in a Metropolitan Centre, heights of up to 15 storey should be managed.

Another two submissions indicated that sites over a certain size should be considered to incorporate performance criteria that demonstrated public benefit to the broader community.

Response

A key strategy of metropolitan planning is to build up activity centres as a focus for housing and economic growth by ensuring a Metropolitan centre can grow, being able to meet forecast demand and projected population growth over at least a 15-year timeframe.

Based on the height controls within the Draft Ringwood MAC Masterplan the Commercial and Residential Capacity Analysis (SGS Economics & Planning) determined, that there is ample capacity to accommodate growth over the next twenty years.

This capacity demonstrates that the heights proposed within the Masterplan are appropriate. It also allows the focus of future development for Ringwood MAC to be based on strong urban design guidelines to be developed that can leverage the existing high quality public realm core that has been developed within Ringwood MAC. The urban design guidelines developed ensure the future development of Ringwood MAC has a focus on the human scale; provides clear direction and certainty of future development and ensures the standard of development outcomes contribute to wellbeing and liveability.

The Ringwood MAC Masterplan sets a consistent standard for development in the Ringwood MAC and therefore performance based criteria is not appropriate.

Recommendation

No changes to heights are proposed.

Strategic site designation

Issues raised

Several submissions indicated that consideration should be given to sites over a certain size being permitted to exceed the preferred built-form guidelines where it can provide a demonstrable public benefit to the broader community.

Response

The Ringwood Masterplan raises the expectation for development and it is expected that all development will contribute to wellbeing and liveability and ensure that future urban design is consistently high across Ringwood MAC. Future development of Ringwood MAC has a focus on human scale, ensuring a positive experience when interacting with any aspect of Ringwood MAC, and development has positive environmental impacts.

**RINGWOOD METROPOLITAN ACTIVITY CENTRE
MASTERPLAN Cont'd**

ITEM 1

Recommendation

No changes are recommended.

Environment and landscape protection

Issues raised

Two submissions received indicated development should include more ESD components. With one of these submissions going into further detail seeking apartments having access to roof gardens, balcony sizes to be large enough for potted trees, tree protection to be mandatory on commercial sites and heights of development must consider access to sunlight and overshadowing.

Response

Objectives for landscape and environment for Ringwood MAC have been set out in the Urban Design Guidelines and are: to advance and improve the boulevard character of Maroondah Highway; retain the established garden setting of residential streets; reinforce the landscape character of the Mullum Mullum Creek environment; provide new opportunities for new landscaping including additional canopy tree planting and understorey vegetation; and support landscaping opportunities in between buildings and along street frontages.

Apartment guidelines included within the Maroondah Planning Scheme set out the requirements for roof gardens and balcony sizes. The Urban Design Guidelines consider sunlight and overshadowing and include suggested setbacks to encourage sunlight and to reduce overshadowing.

Recommendation

Implement the urban design guidelines into the Maroondah Planning Scheme and continue to implement the existing ESD policy.

Heritage

Issues raised

Heritage protection for the Ringwood Uniting Church is needed.

There is a lack of comprehensive strategic guidance to guide the development of heritage places, and new development adjoining heritage places, in the context of the intensification of development within the Ringwood MAC.

Response

Council's Heritage Advisor has recommended that the Ringwood Uniting Church warrants heritage protection. Council is committed to protecting heritage across Maroondah and is in the process of undertaking a review of heritage across Maroondah. The scope of the Heritage Review also includes developing strategic guidance for new heritage places within activity centres, including the Ringwood MAC.

Recommendation

Continue with Council's Heritage Review including considering the introduction of heritage protection on the Ringwood Uniting Church with associated guidelines.

**RINGWOOD METROPOLITAN ACTIVITY CENTRE
MASTERPLAN Cont'd**

ITEM 1

Traffic

Issues raised

One submission indicated that Council hasn't done enough to reduce congestion in the North Western Precinct. Another submission has suggested that more cars need to use the Bypass, rather than Maroondah Highway. This submission and one other also raised concern about the need for an improved pedestrian connection between Ringwood Station and Eastland.

One submission highlighted a concern that parking on street is limited for residents, and would like to see more thought put towards parking in local streets.

One submission indicated that at the moment travelling by car is challenging. Another submission disagreed with the new road connection in the Eastern Precinct and new bicycle lanes.

One submission indicated that car share schemes need to be provided for.

Response

The Masterplan addresses how the Centre will function with an increase in transport and movement, including ways to encourage traffic to the Bypass, rather than Maroondah Highway.

The Action Plan within Ringwood MAC Masterplan includes the recommendation to review the car parking strategy with a focus on on-street parking; commuter parking; exiting uses with insufficient on-site car parking to inform a Parking Overlay.

Further, Council is looking to the future to ensure the parking needs of our community is addressed and has developed a Draft Maroondah Parking Framework. The Framework takes into account the views and priorities expressed by the community and outlines how Council will manage and plan for future parking needs.

Recommendation

Finalise the Draft Maroondah Parking Framework and pursue a review of the Ringwood MAC Car Parking Strategy.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

The Ringwood MAC Masterplan is consistent with key directions included within the Maroondah Housing Strategy (2016) to plan for increased housing densities within the Ringwood MAC and to continue to protect neighbourhoods, ridgelines and vegetation.

SOCIAL / COMMUNITY ISSUES

The Ringwood MAC Masterplan has been prepared to encourage access to jobs, facilities, services and improve amenities.

**RINGWOOD METROPOLITAN ACTIVITY CENTRE
MASTERPLAN Cont'd**

ITEM 1

COMMUNITY CONSULTATION

Community consultation and stakeholder engagement was undertaken in the preparation of this draft Masterplan and was done in three phases as follows:

Phase One:

- To engage and consult with the Maroondah community to ensure the review of the Ringwood Masterplan is consistent with needs and aspirations;
- To inform and educate around the role of the Metropolitan Activity Centre; background, progress to date and future opportunities and directions.

The community was engaged in three ways; a visual display; vision exercise and an online survey. The engagement activities were advertised through Council's website, Maroondah Focus and Maroondah City Council Facebook.

A visual display was undertaken at Realm and provided information on what has happened within Ringwood MAC since the 2004 Masterplan was developed. The vision exercise asked the community to use three words to describe their vision for the Ringwood Metropolitan Activity Centre in 2030. The online survey also included a vision question and focused on the following themes:

- Land use;
- Urban design;
- Transport and movement.

Phase Two

This phase focused on how the residential and commercial areas of Ringwood MAC will continue to develop over the next ten years to achieve quality urban environments. Two activities were conducted:

- Interviews with major land owners within the study area;
- Community mapping workshops were held with residents living in the study area.

Phase Three

Broader community consultation on the draft Ringwood MAC Masterplan took place from Monday 3 September 2018 to Monday 8 October 2018. Copies of the document were available at all Customer Service outlets and was available on Council's website.

CONCLUSION

The Ringwood MAC Masterplan is consistent with Plan Melbourne and Maroondah 2040 as a focus for growth. This will enable Council to continue to protect neighbourhoods, ridgelines and vegetation outside of the activity centre.

**RINGWOOD METROPOLITAN ACTIVITY CENTRE
MASTERPLAN Cont'd**

ITEM 1


The Masterplan has included extensive stakeholder and community engagement and has considered all feedback received.

The Masterplan outlines how Ringwood MAC will continue to grow in a way that has a focus on human scale, ensuring a positive experience when interacting with any aspect of Ringwood MAC, and development has positive environmental impacts.

Areas abutting and outside of Ringwood MAC continue to be protected with the further work currently being undertaken in the Jubilee Park area as well as Council's Heritage Review.

It is therefore appropriate to recommend to adopt the Ringwood MAC Masterplan in accordance with the with changes identified in this report

ATTACHMENTS

1.  Summary of Submissions - Draft Ringwood MAC Masterplan

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL ADOPTS THE RINGWOOD METROPOLITAN ACTIVITY CENTRE MASTERPLAN WITH THE FOLLOWING CHANGES:

- i. **THAT THE MASTERPLAN BE AMENDED TO ENSURE THE PRINCIPLES, OBJECTIVES AND STRATEGIES CLEARLY IDENTIFY USES ENCOURAGED FOR EACH PRECINCT**
- ii. **TO RETAIN THE CURRENT STUDY BOUNDARY AS EXHIBITED, AND TO EXTEND THE BOUNDARY TO RESPOND TO LAND OWNERSHIP PATTERNS AND INCLUDE 1 KENDALL STREET, 4A AND 4B GREENWOOD AVENUE, RINGWOOD**
- iii. **TO STRENGTHEN THE INTERFACE TYPOLOGIES, PARTICULARLY FOR THE RESIDENTIAL TRANSITION TO ENSURE THERE IS AN OVERALL POSITIVE URBAN DESIGN IMPACT TO PROPERTIES OUTSIDE OF THE STUDY BOUNDARY**
- iv. **CONTINUE WITH AMENDMENT C116 WHICH IMPLEMENTS THE JUBILEE PARK HERITAGE AND NEIGHBOURHOOD CHARACTER STUDY. AMENDMENT C116 IS OUT ON EXHIBITION UNTIL 13 DECEMBER 2018**
- v. **IMPLEMENT THE URBAN DESIGN GUIDELINES INTO THE MAROONDAH PLANNING SCHEME AND CONTINUE TO IMPLEMENT THE EXISTING ESD POLICY**

**RINGWOOD METROPOLITAN ACTIVITY CENTRE
MASTERPLAN Cont'd**

ITEM 1

- vi. CONTINUE WITH COUNCIL'S HERITAGE REVIEW INCLUDING CONSIDERING THE INTRODUCTION OF HERITAGE PROTECTION ON THE RINGWOOD UNITING CHURCH WITH ASSOCIATED GUIDELINES
- vii. FINALISE THE DRAFT MAROONDAH PARKING FRAMEWORK AND PURSUE A REVIEW OF THE RINGWOOD MAC CAR PARKING STRATEGY

**LOCAL GOVERNMENT PERFORMANCE REPORTING
FRAMEWORK - QUARTER 1 2018/19**

ITEM 2

PURPOSE

To provide a report of Council's performance as measured by the Local Government Performance Reporting Framework (LGPRF) service indicator set for the first quarter of the 2018/19 financial year (1 July 2018 to 30 September 2018).

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 2: 2018-2019) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community.

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

Key Directions 2018 – 2019:

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 2018-2019:

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 2014 and associated elements of the Local Government Act 1989.

**LOCAL GOVERNMENT PERFORMANCE REPORTING
FRAMEWORK - QUARTER 1 2018/19 Cont'd**

ITEM 2

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

Maroondah City 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. Indicators relying on the annual Community Satisfaction Survey will be updated at year end once the survey results are released.

Generally, all services are tracking well with some anomalies being monitored as the year progresses.

Maroondah City 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 financial year results will be publicly released in Council's Annual Report in September 2019 and placed on the Victorian Government's 'Know Your Council' website in November 2019.


CONCLUSION

LGPRF service performance indicators for the first quarter of the 2018/19 financial year are presented in the attached report. It is important to note that these quarterly results will not necessarily reflect or be predictive of annual performance due to phasing of service delivery across the year and seasonal influences. Annual results for 2018/19 financial year will be published in Council's Annual Report and on the Victorian Government 'Know Your Council' website in November 2019.

**LOCAL GOVERNMENT PERFORMANCE REPORTING
FRAMEWORK - QUARTER 1 2018/19 Cont'd**

ITEM 2

ATTACHMENTS

1.  Local Government Reporting Framework - Progress Report, Quarter 1 2018/19

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL NOTES THE LOCAL GOVERNMENT PERFORMANCE REPORTING
FRAMEWORK SERVICE PERFORMANCE INDICATOR RESULTS FOR THE FIRST
THREE MONTHS OF THE 2018/19 FINANCIAL YEAR**

SMOKEFREE PUBLIC PLACES - PROPOSED LOCAL LAW 14**ITEM 1****PURPOSE**

The purpose of this report is to advise on the outcomes of the public exhibition of proposed Local Law No.14; to amend Local Law No. 11, to insert a new clause that will prohibit smoking of tobacco products in certain prescribed public places, including Ringwood Town Square and Croydon Town Square.

STRATEGIC / POLICY ISSUES

The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 2: 2018-2019) 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:

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

Maroondah is an empowered community that is actively engaged in Council decision making through processes that consider the needs and aspirations of all ages and population groups. Council provides strong and responsive leadership, ensures transparency, while working with the community to advocate for and 'champion' local needs.

Key Directions 2018 – 2019:**A safe, healthy and active community**

- 1.6 Actively promote health and wellbeing principles and initiatives within the community
- 1.10 Embrace a preventative evidence-based approach to addressing issues of chronic and communicable disease, food safety, and public health

A thriving and well-built community

- 6.13 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

**SMOKEFREE PUBLIC PLACES - PROPOSED LOCAL LAW 14
Cont'd**

ITEM 1

An attractive community

- 6.6 Facilitate a vibrant day and night-time economy through development of high quality public spaces that incorporate diverse food, entertainment and cultural precincts

An empowered community

- 8.9 Create opportunities for shared decision making through active community involvement
- 8.10 Work in partnership to advocate for and champion the needs and aspirations of the community to other levels of government, service providers and the business sector
- 8.11 Foster a Council culture of collaboration and partnerships with individuals, community groups, businesses, service providers and other levels of government

Maroondah Health and Wellbeing plan 2017-2021

- 1.1.5 Develop a Tobacco Control Strategy that includes legislative requirements and health promotion activities such as investigating the feasibility of localised smoking bans in public places

In considering the issue of smoking in public places, it is important to note relevant legislation which creates an opportunity for local government to contribute to the safety of public places which support social health and wellbeing – especially those within Council control. Of particular interest are the *Public Health and Wellbeing Act 2008* and the *Tobacco Act 1987*.

Public Health and Wellbeing Act 2008

The function of a Council under this Act is to seek to protect, improve and promote public health and wellbeing within the municipal district by:

- (a) Creating an environment which supports the health of members of the local community and strengthens the capacity of the community and individuals to achieve better health
- (b) Initiating, supporting and managing public health planning processes at the local government level
- (c) Developing and implementing public health policies and programs within the municipal district. (*Public Health and Wellbeing Act 2008*, Sect 24)

BACKGROUND

Maroondah City Council's Local Law 11 came into effect on 1 January 2016.

The objectives of this Local Law are to:

- provide for and assure equitable, orderly and enjoyable use by people of community facilities, including roads;

**SMOKEFREE PUBLIC PLACES - PROPOSED LOCAL LAW 14
Cont'd**

ITEM 1

- protect Council Property and other community assets from loss or unnecessary or avoidable damage;
- support provision by Council of a safe, clean and healthy environment in areas under its control and management; and
- provide generally for the peace, order and good government of the Municipal District.

The Proposed Local Law 14 (General Amendment) (See Attachment 1) will amend Council's current Local Law 11. These amendments include changes to:

- Clause 6.1 – to insert new definitions in relation to tobacco as per the Tobacco Act;
- Clause 39A – a new clause that details the parameters of the smoking ban; and
- Schedule 2 – a new schedule that details in two parts: the prescribed smoke-free areas by plan layout and the guidelines for prescribing a smoke free area.

Council at its meeting of 27 August 2018 resolved to give notice of its intention to make Local Law No.14 (to amend Local Law 11), and further, to place this proposed local law on public exhibition in accordance with section 119 and 223 of the Local Government Act, to seek any public submissions on the matter.

ISSUE / DISCUSSION

Submissions

Submissions on the proposed Local Law 14 were invited in accordance with the legislative requirements as prescribed under section 223 of the Local Government Act 1989, and 34 written submissions were received.

Thirty-three of the submissions indicated clear support for Local Law 14, and one submission did not support the proposed Local Law (see Attachment 2).

All submitters were invited to attend a Panel Hearing, which was held on 9 October 2018. Submitters were afforded an opportunity to speak to their submission. One of the thirty-four submitters attended the meeting and addressed the Panel. This person indicated clear support for the new local law due to the health impacts of smoking.

The Community Impact Statement (see Attachment 3) has been updated to include the results of the Public Exhibition period. No other administrative changes were required.

Next Steps

If Council resolves to adopt the proposed Local Law No.14 to amend Local Law No.11; the following steps will apply:

- Notice to formally make Local Law No. 14 will be published in the Victoria Government Gazette and The Age newspaper
- Local Law No. 14 - will be specified to come into operation on the 1 January 2019 (as

SMOKEFREE PUBLIC PLACES - PROPOSED LOCAL LAW 14

Cont'd

ITEM 1

written in updated document)

- Local Law No. 11 will be amended by Local Law No. 14 and be placed on the Council website and in service centres on or by the 31 December 2018.
- A copy of the adopted Local Law No. 14 will be forwarded to the Minister for Local Government

FINANCIAL / ECONOMIC ISSUES

As detailed in Council Meeting Agenda 27 August 2018 (Item 1 - Director Development and Amenity)

ENVIRONMENTAL / AMENITY ISSUES

As detailed in Council Meeting Agenda 27 August 2018 (Item 1 - Director Development and Amenity)

SOCIAL / COMMUNITY ISSUES

As detailed in Council Meeting Agenda 27 August 2018 (Item 1 - Director Development and Amenity)

COMMUNITY CONSULTATION

Significant community consultation has been undertaken, including a Public Exhibition period from 5 September 2018 to 5 October 2018.

The community was able to review Council's proposed changes to the local law and to raise any concerns with the proposed Local Law No. 14.

The Community Impact Statement and proposed Local Law were made available on Council's website and Customer Service centres. This was then advertised through direct mailout and social media posts.

Thirty-four written submissions were received. All submitters were invited to attend a Panel Hearing, which was held on 9 October 2018. Submitters were invited to speak to their submission. One of the thirty- four submitters attended the meeting and addressed the Panel. This person indicated clear support for the new local law due to the health impacts of smoking.




CONCLUSION

That Council, having undertaken the required process as prescribed under Section 119 and Section 223 of the Local Government Act 1989, and, having given consideration to the written and verbal submissions received, should make the proposed Local Law No. 14 (to amend Local Law No. 11); to insert a new clause that will prohibit smoking of tobacco products in certain prescribed public places, being Ringwood Town Square and Croydon Town Square.

SMOKEFREE PUBLIC PLACES - PROPOSED LOCAL LAW 14
Cont'd

ITEM 1

ATTACHMENTS

1.  Proposed Local Law 14 General Amendment- Smokefree public places - updated
2.  Summary of Submissions for Proposed Local Law No.14
3.  Community Impact Statement - Smoke free public places - updated November 2018

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL

1. **HAVING COMPLETED THE STATUTORY PROCESS UNDER SECTION 119 OF THE LOCAL GOVERNMENT ACT AND CONSIDERED ALL WRITTEN AND VERBAL SUBMISSIONS FOLLOWING THE PUBLIC EXHIBITION OF THE PROPOSED LOCAL LAW, HEREBY RESOLVES TO MAKE LOCAL LAW NO. 14 – GENERAL (AMENDMENT) LOCAL LAW IN THE FORM OF THE PROPOSED LOCAL LAW ATTACHED TO THIS REPORT**
2. **SIGNS AND SEALS LOCAL LAW NO.14**
3. **FURTHER RESOLVES THAT NOTICES REGARDING THE MAKING OF LOCAL LAW NO. 14 – GENERAL (AMENDMENT) LOCAL LAW BE PLACED IN THE VICTORIA GOVERNMENT GAZETTE AND THE AGE AND THAT A COPY OF LOCAL LAW NO. 14 BE SENT TO THE MINISTER FOR LOCAL GOVERNMENT**

DOCUMENTS FOR SEALING

VOLUNTEER YEARS OF SERVICE RECOGNITION

ITEM 1

LETTERS UNDER SEAL

BACKGROUND

On the occasion of the Annual Volunteer Recognition Civic Reception to be held on Wednesday 5 December 2018, Council has much pleasure in recognising the valuable contribution to the community of our Volunteer helpers to a range of Council Services and programs.

It is thanks to volunteers such as these that Maroondah is able to offer enjoyment to the Maroondah community. Maroondah City Council relies on its willing volunteers to support its many services, and values their contribution greatly.

Council extends to you it's appreciation to our dedicated service of Maroondah volunteers in the past. Council and its citizens are indeed fortunate to have such caring volunteers working in this municipality. The names of the volunteers to be presented with Letters Under Seal are listed in the recommendation to this report.

The Chief Executive Office and the Mayor will host the civic reception on Wednesday 5 December 2018 at Karralyka, at which the Letters Under Seal will be presented.

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

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

35 YEARS OF SERVICE GIVEN BY:

- PENELOPE ANN WILLEY
- NEIL MCCALLUM TULL

30 YEARS OF SERVICE GIVEN BY:

- PATRICIA MARGARET MANSON

25 YEARS OF SERVICE GIVEN BY:

- CAROL MARGARET CLARKE
- ANNETTE JOSEPHINE CULLEY

DOCUMENTS FOR SEALING

20 YEARS OF SERVICE GIVEN BY:

- BARRY NEVILLE HALLIDAY
- TREVOR FRANCIS WILLERS
- SUSAN HELENE BAILEY

15 YEARS OF SERVICE GIVEN BY:

- VALERIE BOMFORD
- FIONA SUTTON

10 YEARS OF SERVICE GIVEN BY:

- CR. TONY DIB*
- CR. NORA LAMONT
- CR. ROB STEANE
- JANETTE HEATHER MCNALLEY
- JENNIFER DOBSON
- GAIL LAVENDER CARTER
- GAYLE ANN PORTEOUS
- MARY MALDWYN LLOYD
- HERBERT GEORGE BAUER
- BARRY DONALD CLARK
- MARY ELIZABETH EVANS
- ROSWAL GRAHAME EVANS
- WENDY RULE
- LYNETTE ANN RIGBY
- IAN STUART GRAY
- NERIDA GRAY

* Please note: Councillor Tony Dib has achieved 11 years of service however is yet to receive his 10-year recognition.