



Ordinary Meeting of Council Attachments

Monday 28 August 2023

Council Chamber Realm

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COUNCILLOR BRIEFING – PUBLIC RECORD

Briefing Details:

Date: Monday 17 July 2023

Time: 6:00pm

Location: Meeting Rooms 1 & 2

Attendees:

Councillors		
Cr Rob Steane OAM (Mayor)	Cr Marijke Graham	Cr Kylie Spears
Cr Tasa Damante (Deputy Mayor)	Cr Linda Hancock	Cr Suzy Stojanovic
Cr Tony Dib OAM, JP	Cr Paul Macdonald	Cr Mike Symon
Council Officers:		
Steve Kozlowski	Chief Executive Officer	
Phil Medley	Acting Director/Chief Financial Officer	
Adam Todorov	Director Assets & Leisure	
Marianne Di Giallonardo	Director People & Places	
Andrew Fuaux	Director Strategy & Development	
Emma Hills	Governance Officer	
		Item
Andrew Taylor	Manager Engineering & Building Services	2
Tom Dobson	Coordinator Engineering & Building Services	2
Danielle Butcher	Manager Communications & Citizen Experience	3
Andrew Arnold	Coordinator Digital & Online	3
Rhiannon Dunne	Digital & Online Officer	3
Steve McIntosh	Manager Projects & Asset Management	4
Tim Cocks	Manager Leisure & Major Facilities	5
Josh Burt	Coordinator Sport, Recreation & Events	5

Apologies:

Councillors:

Nil

Council Officers:

Tony Rocca, Chief Financial Officer

Conflict of Interest Disclosure:

Councillors:

Cr Steane: Item 2 - Contract 21044 - Minor Civil Works - Tender Evaluation
Reason: A tenderer is known by the Councillor and has a working relationship with them.

Cr Hancock: Item 2 - Contract 21044 - Minor Civil Works - Tender Evaluation
Reason: A tenderer is known by the Councillor and has a working relationship with them.

Council Officers:

Nil

Items Discussed: **## Confidential**

1	Council Meeting Agenda
2 ##	Contract 21044 - Minor Civil Works - Tender Evaluation
3	Maroondah City Council Website Redevelopment
4	Croydon Community Welbeing Precinct (CCWP) Hub A Design Update
5	MVC Boxing Audit Update
6	Item of a General Nature raised by Councillors

Record completed by:

Council Officer	Emma Hills
Title	Governance Officer



COUNCILLOR BRIEFING – PUBLIC RECORD

Briefing Details:

Date: Monday 7 August 2023

Time: 6:00pm

Location: Meeting Rooms 1 & 2

Attendees:

Councillors		
Cr Rob Steane OAM (Mayor)	Cr Marijke Graham	Cr Kylie Spears
Cr Tasa Damante (Deputy Mayor)	Cr Linda Hancock	Cr Suzy Stojanovic
Cr Tony Dib OAM, JP	Cr Paul Macdonald	Cr Mike Symon
Council Officers:		
Andrew Fuaux	Acting Chief Executive Officer	
Tony Rocca	Director/Chief Financial Officer	
Adam Todorov	Director Assets & Leisure	
Marianne Di Giallonardo	Director People & Places	
Kirsten Jenkins	Acting Director Strategy & Development	
Emma Hills	Governance Officer	
		Item
Tim Cocks	Manager Leisure & Major Facilities	1
Jeremy Cutajar	Manager Golf Courses & Sportsfields	1
Stu Robertson	Assistant Manager, Maroondah Golf	1
Phil Medley	Manager Governance & Performance	2
Brian Tu	Corporate & Community Planning Facilitator	2
Vincent King	Manager Operations	3

Apologies:

Councillors:	Nil
Council Officers:	Steve Kozlowski, Chief Executive Officer

Conflict of Interest Disclosure:

Councillors:	Nil
Council Officers:	Nil

Items Discussed: ## Confidential

1	Maroondah Golf Annual State of Play Report
2	Maroondah 2050 Community Vision and Council Plan 2025-2029 - Project Update
3	Arterial Road and Roadside Maintenance Update
4	Maroondah Community Local Law 2023
5	Community Assistance Fund
6	Councillor Delegates' Meeting Report
7	Items of a General Nature raised by Councillors

Record completed by:

Council Officer	Emma Hills
Title	Governance Officer



COUNCILLOR BRIEFING – PUBLIC RECORD

Briefing Details:

Date: Tuesday 15 August 2023 Time: 11:00 AM Location: Quambee Reserve

Attendees:

Councillors		
Cr Rob Steane OAM (Mayor)	Cr Linda Hancock	Cr Kylie Spears
Cr Tony Dib OAM, JP	Cr Paul Macdonald	Cr Suzy Stojanovic
		Cr Mike Symon
Council Officers:		
Adam Todorov	Director Assets & Leisure	
Tim Cocks	Manager Leisure & Major Facilities	
Josh Burt	Coordinator Sport, Recreation & Events	

Apologies:

Councillors:	Cr Tasa Damante, Cr Marijke Graham
Council Officers:	Nil

Conflict of Interest Disclosure:

Councillors:	Nil
Council Officers:	Nil

Items Discussed: ## Confidential

1	Parkwood Tennis Club, Quambee Reserve Site Visit
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Record completed by:

Council Officer	Emma Hills
Title	Governance Officer



Maroondah Disability Advisory Committee – Minutes

These minutes are yet to be confirmed. They will be presented to the Committee at the next meeting to be held on the 26 October 2023.

Meeting Details:

Date: Thursday 27 July 2023 Time: 10:00am - 12:00pm Location: Maroondah Federation Estate

Attendees:

<p>Councillors Cr Kylie Spears (Chair) Cr Linda Hancock Cr Tony Dib OAM, JP</p>	
<p>Council Officers: Adam Cooper, Acting Manager City Futures Fiona Burrridge, Community Development Officer Jack Mulholland, Community Access and Inclusion Facilitator Emma Hills, Governance Officer (Minute Taker) Josh Burt, Coordinator Sport, Recreation & Events Item 4.1 Sharon Trigt, Community Events Officer Item 4.1 Nick Doherty, Coordinator Customer Service Item 4.3 Chantelle O’Hara, Team leader Customer Service Item 4.3</p>	
<p>Agency Representative: Bruce Watson (NEAMI) Gill Andrews (Interchange Outer East) Amanda Watson (Villa Maria Catholic Homes) Laura Helps (EACH)</p>	
<p>Community Representative: Lawrence Seah Norma Seip OAM Cara Hudson</p>	

Apologies:

Councillors:	Nil
Council Officers:	Grant Meyer, Manager City Futures
Agency Representatives:	Michelle Egan (EACH), Debbie Loke (Vision Australia)
Community Representatives:	Melanie Adams, Lana Wheatfill, Gemma Lewer, Matt Haanappel, Emily Dive

Conflict of Interest Disclosure:

Councillors:	Nil
Council Officers:	Nil
Agency Representatives:	Nil
Community Representatives:	Nil

Items Discussed

1. OPENING OF MEETING

Cr Spears provided the Acknowledgment of Country.

Maroondah City Council, in the spirit of Reconciliation, acknowledges the Wurundjeri People of the Kulin Nation as traditional custodians of the land on which we are gathered today, where Indigenous Australians have performed age-old ceremonies. We pay our respects to their Elders, past, present and emerging.

2. WELCOME

Cr Spears welcomed everyone to the meeting.

2.1 Business arising - Respect Victoria Advocacy letter (Committee to approve and Chairperson to sign)

Fiona noted that a small change had been made to the letter since it was sent to the committee. No further changes or concerns were raised by committee members.

CONFIRMATION OF MINUTES - THURSDAY, 1 JUNE 2023

ITEM 3

Cr Spears requested the confirmation of the previous meeting's minutes.

Amanda moved the minutes and Norma seconded them. The minutes were confirmed.

4. ITEMS

REVIEW OF FESTIVAL AND CAROLS BY CANDLELIGHT WITH A
DISABILITY LENS

ITEM 4.1

Josh provided an overview of Maroondah Festival and Maroondah Carols. He spoke about what has already been implemented at these events from an accessibility point of view as well as the past achievements and challenges.

Josh advised that there is a limited budget for these events however, they are keen to understand what could be improved.

The committee discussed the following topics:

Maroondah Festival

- Ensuring that the accessibility features are included in the promotion of the event.
- Sensory areas having appropriate wording for the advertising and signage to ensure it is available for the intended purpose and people know what to expect. Members suggested using 'Quiet space' or 'Recovery/Quiet space' as an alternative term to 'sensory'.
- Rides that are wheelchair accessible or more accessible. It was noted that the stairs to rides are often an issue to accessibility.
- Maroondah Festival's Accessibility features could be included in the mapping to highlight what is available for our community.

Maroondah Carols

- Auslan interpreting was discussed for Maroondah Carols including funding opportunities. Braille Tactile Signs suggested as a potential sponsor. It was also suggested that livestreaming could be used for Auslan interpreting as an alternative to reduce the high cost of screens and AV production.
- Sensory room to be trialled in the athletics club rooms. The signage and wording for the Festival could be used for Carols as well.
- Designated areas for people with mobility aids as the athletics track gets crowded.
- Suggested exploring inclusion of performers from places such as Eastwood Primary School or YourDNA.
- Meeting points to assist people who are overwhelmed by the crowds.

INTERNATIONAL DAY OF PEOPLE WITH DISABILITY EVENT

ITEM 4.2

Jack spoke about the International Day of People with Disability event and advised that this year's theme will be Employment and this topic is being developed in partnership with Council's Business & Precincts team. Jack spoke about possible presenters for the event and outlined their areas of expertise.

Jack noted that there is an opportunity for a small business to join the speakers. The committee suggested the GLAD Group or having a panel for the small business category instead of one speaker.

It was suggested that Eastland could be approached to host the Expo to ensure broader visibility of the event.

CONSULTATION ON COUNCIL'S CUSTOMER SERVICE CENTRES

ITEM 4.3

Nick and Chantelle spoke about the role of customer service in Council.

Chantelle outlined the achievements of the customer service team and the accessibility functions and services available.

A question was provided to the committee asking them to describe a great customer service experience.

The committee provided some examples of good customer service experiences, noting that things like following up queries, and being understanding and accepting make a big difference.

The committee discussed the training of the customer service staff and how they are trained to assist people with additional needs. It was noted that it would be good to have an understanding of the training provided to ensure that it is reflective of community disability needs in Maroondah.

MEMBERS UPDATE

ITEM 4.4

Bruce advised that the model at NEAMI is moving to a Collaborative Recovery Practice which is working with people to identify what matters to them rather than being goal orientated.

Amanda noted that resources are stretched and there is currently an 18 month wait for Home Care Packages. She advised that the State Government has announced award changes to the pay structure for care workers and nurses to make these fields more attractive however, this has led to agencies putting rates up to accommodate for the extra cost.

Gill noted that Interchange Outer East have launched an Allied Health program and have employed a Counsellor and Occupational Therapist.

Laura advised that EACH are doing their best to overcome challenges working with the NDIS system.

Lawrence noted that the theme for International Day of People with Disability is really good. He suggested a small Employment pilot project could be an option in the future.

Jack advised that a flyer has been distributed to the community for Carers Month with twelve events listed on it.

Fiona thanked the committee for their feedback regarding the Emergency Preparedness Workshops. She noted that the people who attended were really impressed with the workshops with effort made to ensure the sessions weren't too promo overwhelming.

CLOSE OF MEETING

ITEM 4.5

Cr Spears thanked the committee and advised that the next meeting will be held on 26 October 2023.

The Meeting concluded at 11:54am.

Apologies:

Councillors:	
Council Officers:	Andrew Fuaux, Rosie Sheehan, Chris Zidak, Sharyn Davey-Sharman, Robyn Williams
Community Representatives:	Malory Healey, Ellen Mitchell
Agency Representatives:	Jodi Long, Sam Bartlett, Michael Bateman, Melissa Carmody, Carol Atkins, Sally Fornano, Anthony Glover, Shaun Ruigrok

Conflict of Interest Disclosure:

Councillors:	Nil
Council Officers:	Nil
Community Representatives:	Nil
Agency Representatives:	Nil

Items Discussed

1. OPENING OF MEETING (Acknowledgement of Country)

Cr Steane provided an Acknowledgement of Country

Maroondah City Council, in the spirit of Reconciliation, acknowledges the Wurundjeri People of the Kulin Nation as traditional custodians of the land on which we are gathered today, where Indigenous Australians have performed age-old ceremonies. We pay our respects to their Elders, past, present and emerging.

2. WELCOME

Cr Steane welcomed everyone to the meeting and the committee members went around the table to introduced themselves.

CONFIRMATION OF MINUTES - WEDNESDAY, 29 MARCH 2023

ITEM 3

Collectively the committee confirmed the Minutes of the previous meeting.

4. ITEMS

PHYSICAL ACTIVITY STRATEGY REVIEW

ITEM 4.1

Jeanette outlined the strategy and its goals and spoke about the key achievements of the previous strategy.

She spoke the community engagement that has been undertaken to date as well as upcoming engagement activities. Jeanette noted that the Your Say questionnaire is out now and will be open until 24 August. She advised that the results of the survey will help to guide the next stage of the strategy review.

Jeanette spoke about the Café Consult at Maroondah Festival and the results of speaking to the community at that event, noting the safety concerns that were identified by the community.

Jeanette noted that the strategy is still being formulated and she outlined the four key directions that relate to this committee.

Jeanette provided discussion questions for the group to consider relating to perceptions of safety being a barrier to physical activity. The following matters were discussed by the committee and the feedback provided at the meeting will form part of the submissions:

- Extended lighting periods at Croydon Park
- Public safety perception from a policing perspective and having a presence to help the community feel safe
- The possibility of a joint Mayoral video with Police to provide education and information to improve community perception about safety
- Promoting walking groups
- Pathways with separated areas for cyclists and pedestrians and signage to improve safety and awareness
- Playground equipment needs better maintenance e.g. the small park in Croydon South
- Advertising for activities and sports based on current trends e.g. cycling while the Tour de France is on, tennis during the Australian Open
- Events to improve confidence such as a bike maintenance day to help people know what to do in the case their bike need maintenance.

MAROONDAH BICYCLE NETWORK REVIEW CONSULTATION

ITEM 4.2

Michael introduced himself and his role and provided an overview of the project noting that the Maroondah Bicycle Network was first released in 2004. They are now conducting a review to ensure the networks is up to date.

Michael noted that the public consultation period for the review is currently open. Once the review is completed they will have a new network plan which will include a ten year action.

Michael noted that prior to the meeting the committee completed a survey. Michael outlined the key themes and insights from the survey.

Michael provided some discussion questions based on the survey results. The committee broke into three groups to discuss the questions.

Obstacles identified

- Money and space (wider lanes required)
- Availability of End of Trip facilities.
- Finding a trail and having trail maps more widely available/advertised
- On road protected lanes
- How to get from one track to another

Possible solutions suggested

- Signage for trails
- Apps to find trails
- Educational awareness and using schools to support education
- Trip planning and safe crossing mapping available
- Separating bikes, vehicles and walkers on footpaths and ensuring this is well signed

Michael advised that the online consultation will be open until 18 August 2023. The feedback provided at the meeting will form part of the submissions.

TERMS OF REFERENCE REVIEW AND AGREEMENT

ITEM 4.3

The Mayor provided some background in regards to the Terms of Reference.

An update is required for clarification regarding a quorum. Is it 50% of each type of committee member or 50% of the committee.

The committee agreed to the review of the Terms of Reference with the clarification of the above point.

CROYDON STRUCTURE PLAN

ITEM 4.4

Aman Mehta provided an update regarding the Croydon Structure Plan, noting that it is a long term plan that identifies opportunities to better the area.

Aman outlined the Structure Plan Stages noting what has been completed to date and what is ahead.

Aman spoke about the consultation feedback from 2021 and advised that consultation on the Draft Structure Plan is currently in progress.

Questions for discussions were provided to the committee:

- Who are the key stakeholders that will be critical to consultation?
- How can we effectively engage with these key stakeholders?

The Committee discussed a number of key stakeholders that should be included.

INFORMATION SHARE

ITEM 4.5

Dean provided an update in regards to current themes in the Maroondah area.

Kathryn spoke about the current training for secondary schools that METEC are gearing up for 2024.

Nathan provided an update in regards to Melbourne Water and the work being completed in partnership with Council.

Monica spoke about the strategic work she is involved with including the biodiversity sector and the Sustainability strategy.

Chris provided an update on Reconciliation Plan and noted that social housing is to be opened in Lusher Road.

Sulochi spoke about Staley Gardens Vision in regards to community engagement and the Laneway Lights Project in Croydon.

Tim provided an update on a number of matters for QIC including celebrating International Security day.

CLOSE OF MEETING

ITEM 4.6

The Mayor closed the meeting and Kirsten provided an insight into the possible items to be discussed at the next meeting to be held on 4 October 2023.

The Meeting concluded at 11:38am.



Attachment A

EASTERN TRANSPORT COALITION MINUTES OF MEETING

Date: Thursday, 20th July 2023

Time: 6.30pm – 8.30pm

Hosted by: City of Monash and Online

Attendees:

Councillors

- Cr Stuart James, City of Monash (Chair)
- Cr Tina Liu, City of Whitehorse
- Cr Tomas Lightbody, Manningham City Council
- Cr Andrew Fullager, Yarra Ranges Council
- Cr Anna Chen, Manningham City Council (observer)

Officers

- Lucas Sikiotis, City of Greater Dandenong
- Liz Lambropoulos, Manningham City Council
- Matthew Hanrahan, Knox City Council
- Michael Blowfield, Maroondah City Council
- Terry Tillotson, City of Monash
- Wayne Xu, City of Monash
- Ming Lou, City of Monash
- Rachael Antonacci, City of Monash
- Chris Hui, City of Whitehorse
- Karen O’Gorman, Yarra Ranges Council
- Kim O’Connor, Yarra Ranges Council

Secretariat

- James McGarvey, The Agenda Group

Guest

- Hayden Matthews, Planning & Development Manager, Ventura Buses

Apologies

- Cr Rhonda Garad, City of Greater Dandenong
- Cr Susan Laukens, Knox City Council
- Cr Tony Dib, Maroondah City Council
- Cr Richard Higgins, Yarra Ranges Council
- Christopher Marshall, City of Greater Dandenong
- Shane Hardingham, Knox City Council
- Frank Vassilacos, Manningham City Council
- Sandra Worsnop, City of Monash

1. Welcome and Apologies

The meeting commenced at 6.35pm. Cr Stuart James assumed the Chair and welcomed the attendees.

2. Conflicts of Interest

No conflicts of interest were raised.

3. ETC Finance Report

Terry Tillotson, City of Monash provided a finance report for the ETC for June 2023 – July 2023 as follows:

Opening Balance for June	\$21,470.91
May Invoice from TAG	\$7,500.00
Closing Balance for July is	\$13,970.91

Terry reported that invoices for the financial year had been distributed to all ETC members by email last week.

Moved: Cr Stuart James
Seconded: Cr Tina Liu

Carried

4. Ratify Previous Draft Minutes and Actions Arising

Minutes of the May 2023 ETC meeting:

As the meeting was inquorate, the minutes of the May 2023 meeting were not formally endorsed at that time, and were re-presented to the group for consideration.

Moved: Cr Stuart James
Seconded Cr Thomas Lightbody

Carried

Minutes of the June ETC meeting:

Moved: Cr Andrew Fullager
Seconded: Cr Tina Liu

Carried

5. Guest Presentation – Ventura Buses

Hayden Matthews, Planning & Development Manager, Ventura Buses attended the meeting to give a presentation and update on the results of FlexiRide bus service trials to date, from an operator (i.e. not government) perspective.

Ventura has received awards for the technology adopted to support mobility solutions including machine learning and bespoke software development.

Ventura has been working on interim trials in the Mornington Peninsula and Yarra Ranges, replacing a rudimentary telebus service, working with the Department of Transport to look at underperforming services and expand the bus zone out for better results.

The service can be booked by an application, and by a phone booking. The app allows for vehicle live tracking and ETA notification.

In instances where people have mobility needs, they can request a virtual stop location is suitable for their needs, including home-pick up options. A pre-booking facility (up to 7 days ahead, or for regular travel) is also available.

A virtual stop model in a new service avoids the need for hard infrastructure and can be assessed to avoid safety issues. These are more convenient for commuters and are placed within 220 metres of every house in the zone.

As well as commuters, Government has benefitted from the trials, as they've been delivered successfully on a cost neutral basis, saving the need to invest extra taxpayer dollars in supporting the service (trials in greenfield areas, effectively introducing a new service, will obviously not be cost-neutral). Cost-neutrality can only be achieved on low patronage/frequency routes, and wouldn't be achievable on busier inner city routes. Span of service hours needs to be tailored to each zone.

Patronage has increased at different rates from zone to zone. In Chirside Park/Lilydale, patronage has gone up by 300% (volume-wise an increase of 80 to 420 passengers per day), and Rowville 400% (35 to 150 passengers per day).

Waiting times vary from zone to zone, with 30 minutes as a benchmark. Ventura has consistently been achieving 11 minute wait times across all of the trial zones.

The trials use a kerb to hub model, not a kerb-to-kerb model like an Uber or Taxi, which is outside the scope of a public transport service.

One of the keys to success in designing an on-demand zone is understanding the commuters through passenger travel data - who they are, when and how they access the service, etc. School services in a zone ideally need to incorporate demand responsive options.

Consideration of key attractors (e.g. shopping centres, services) is also important in route design. Access to hospital and medical precincts, employee shuttle services, the needs of the retired communities are assessed on a case-by-case basis.

Success for Ventura was also measured through customer interaction, migrating from phone calls to use of the mobile app.

Zone designs need to take account of natural barriers to create efficient service flows.

Customer feedback – 95% of ratings received are five star, and many positive comments about drivers.

The FlexiRide app is now multi-modal – a one point journey information tool for commuters. The app was originally owned by Ventura but is now owned by the Department of Transport.

The vehicles used in the trial are smaller, as typically there's a maximum of 6-8 passengers per journey. Smaller vehicles have the advantage of lower fuel use and emissions, and are more able to navigate narrower suburban streets.

The kilometres covered in the trial, compared to traditional services, have decreased, but labour costs increase.

The Government and industry bus reform working group are looking at assessing where the trials are proving successful, and the criteria to decide on permanent introduction of on-demand services. Proposals for further trials have also been put forward to Government.

6. EAGA June presentation to ETC

Given the absence of a number of ETC members from the June meeting when Scott McKenry, Executive Officer for the Eastern Alliance for Greenhouse Action (EAGA) attended to give a presentation on Community Net Zero Analysis, Mr McGarvey provided a verbal summary of the presentation (which was set out in more detail in the June ETC meeting minutes).

Members again discussed whether the ETC's projects were sufficiently defined and of the appropriate nature to warrant engaging on a benefit-cost analysis, as well as where this exercise might fit within the ETC's advocacy timeframe and budget/electoral cycles.

It was agreed that none of the ETC's advocacy projects, for the time-being at least, are of the right nature to warrant a benefit-cost analysis exercise, though this should be reviewed again in the future.

7. 2023 Advocacy Work Plan

ETC Secretariat James McGarvey provided a brief report on the **Caulfield to Rowville TRT project**:

- There's no update currently available on the progress of the business case development or efforts by Vicinity and Monash University to gain funding agreement from the State or Federal Governments.

Councils have now provided their priority pedestrian crossing projects to the ETC secretariat. Mr McGarvey will provide advice at the next ETC meeting on a suggested advocacy approach in the lead up to next year's state and federal budgets.

8. Local Issue Presentation

Rachael Antonacci, City of Monash, presented to the group on the Atkinson Street Cycleway community engagement that Council has embarked on and how it will influence the project.

The Cycleway connects two major trails – the Scotchman Creek trail and the Djerring Trail along Atkinson Street through Oakleigh. There will be a loss of 24 parking spots along Atkinson Street.

The proposal is for a two-way, protected cycle way along the east side of Atkinson Street. Initially it was to be a pop up, but once Council delved into the detail and identified safety issues, Council decided to do it properly.

In consultation, the community was broadly supportive but the biggest safety concern raised by residents was cars turning right into driveways. Cyclists travelling in the same direction will have difficulty in seeing them. Atkinson Street is quite hilly in places, so cyclists could also be moving at high speed.

Council looked at options with a consultant to investigate putting parking on either or both sides of the street, and decided to remove parking on the east side, to make it safer for cyclists.

Further consultation starts soon, with a report back to Council by November. Concept design work is also under way.

Likely concerns to be addressed include loss of on-street parking, loss of trader parking spaces (plenty of other spaces are available in the area), and the changed environment for motorists.

The consultation plan will be conducted in two stages. Firstly, with local residents who will lose some parking, tailored engagement with traders and then a broader public consultation as stage 2, including residents, motorists and cyclists.

9. General Business

Michael Blowfield reported that the Eastern Region Trails Working Group had recently met and had agreed to work on updating their list of top ten priority projects. The group had done a criteria assessment of the projects, and this work is almost complete. The aim is to refine the list to the top three priorities, and then seek further discussion with the ETC about the best advocacy approach to gain government funding for the projects.

The ETC agreed to list this item on the agenda for the next meeting for report-back by an ERTS working group representative.

Matt Hanrahan suggested that Knox would be open to working with other ETC Councils on a joint approach to engaging with the Department of Transport and Planning on the issue of installing electric vehicle charging infrastructure on DTP controlled roads, and welcomed officers from across the ETC to make contact with him to discuss the way forward.

Chris Hui from Whitehorse City Council reported on an update they received from the bus review team on public consultation findings. None were groundbreaking. Infrastructure Victoria has also recently held an online session on bus planning.

Cr James and James McGarvey reported that Conduent had recently won the tender for the Myki ticketing contract and have indicated they are happy to meet with the ETC. It was agreed we would invite Conduent to speak to the next ETC meeting.

10. Next Meeting

The next meeting will be hosted online, and will commence at 6.30pm on Thursday, 17th August 2023.

Action Summary

Action Items	Owner(s)	Deadline
1. Councils to finalise identifying one pedestrian crossing project for ETC advocacy	Secretariat	August 2023
2. Seek an update on the new priority projects from the Eastern Region Trails working group at the August meeting.	Secretariat	August 2023
3. Invite a Conduent representative to present to the August ETC meeting	Secretariat	August 2023
4. Invite a DTP representative to update on the bus network review pilot at an upcoming ETC meeting	Secretariat	September 2023



Maroondah Environment Advisory Committee – Minutes

Meeting Details:

Date: Tuesday 13 June 2023 Time: 6:45 - 8:30pm Location: Meeting Room 1 & 2, Realm

Attendees:

<p>Councillors Cr Suzy Stojanovic</p> <p>Council Officers: Dale Bristow, Coordinator Strategic Planning and Sustainability Maryam Khodi, Carbon Reduction Planner Doug Evans, Strategic Environment Planner Chloe Messerle, Senior Governance Office (Minute Taker)</p>
<p>Community Representatives: Lisa Keedle Liz Sanzaro Tim Malloch (arrived at 6:55pm) Alicia Lehr Dennis Zhang (left at 8:12pm)</p>

Apologies:

Councillors:	Cr Marijke Graham (Chair), Cr Paul Macdonald
Council Officers:	Grant Meyer, Manager City Futures
Community Representatives:	John Senior Elspeth De Fanti Ken Whitney Howard Elston

Conflict of Interest Disclosure:

Councillors:	Nil
Council Officers:	Nil
Community Representatives:	Nil

Items Discussed

Cr Stojanovic welcomed all to the meeting advising that she was would be acting chair for the meeting.

1. OPENING OF MEETING (Acknowledgment of Country)

Maroondah City Council, in the spirit of Reconciliation, acknowledges the Wurundjeri People of the Kulin Nation as traditional custodians of the land on which we are gathered today, where Indigenous Australians have performed age-old ceremonies. We pay our respects to their Elders, past, present and emerging.

2. WELCOME

CONFIRMATION OF MINUTES - TUESDAY, 4 APRIL 2023

ITEM 3

Liz Sanzaro moved the minutes and Alicia Lehr seconded the minutes. The minutes were confirmed.

4. ITEMS

DRAFT CLIMATE CHANGE PLAN

ITEM 4.1

Cr Stojanovic introduced the item.

Dale Bristow introduced the item and provided an update on the draft Maroondah Climate Change Plan. Dale led the Committee to a workshopping process seeking feedback on the proposed list of key directions that are being considered in a future draft Maroondah Climate Change Plan.

Committee members were split into two small groups and were asked to indicate their level of support (high, medium, low) for the possible key directions. Then they were asked to identify the four most important actions from the list of actions presented at the workshop. The criteria provided to the Committee will feed into the overall prioritisation of actions related to carbon emission reduction and adaptation measures to respond to climate change in Maroondah.

The following key directions were identified as high priority by both the groups:

- Understand how climate change risks interact with Council's core functions and community vulnerability by updating the climate risk assessment and integrating these risks into Council's risk management processes.
- Prioritise participatory approaches to community education and engagement to better understand the needs and values of the community in relation to climate change impacts and to empower the community to take strong climate action.
- Address the climate risks to our natural environment and biodiversity to maintain the leafy character of the municipality, sustaining our biodiversity into the future, and protecting the health and well-being of the community.
- Embed the consideration of climate change impacts and risks into Council's land use planning processes, including climate proofed flooding/bushfire planning controls

- Maintain Council's carbon neutral status and continue to reduce emissions from all sources and to phase out Council's reliance on purchasing of carbon offsets

Maryam to collect this feedback and use it along with research and other forms of consultation to inform the draft Maroondah Climate Change Plan.

CITIZEN SCIENCE STRATEGY

ITEM 4.2

Cr Stojanovic introduced the item.

Doug Evans introduced the item and provided a powerpoint presentation that outlined three phases for building an extensive local network of competent citizen scientists meaningfully contributing to specific and purposeful data collection needs and projects.

Doug then led the Committee through a three-part workshoping process to elicit committee members' views on what attributes a citizen science program would need for it to be successful in each phase. The Committee was split into two small groups, and for each phase Committee members first wrote down their individual thoughts on the program attributes that would make it appealing, and then as a group decided on their top three attributes to be shared.

This process was repeated for each of the three stages (raw data attached).

The top three attributes from both groups for each phase were as follows:

Phase 1 – "Introducing potential citizen scientists to the world of citizen science"

- Ease of contribution/easy to use app
- Learn local - opportunity via a game?
- Engage with nature - outdoor activity
- Education/learning/career goals
- Contributes and informs Council policy - get involved to be involved
- Family-friendly activities

Phase 2 – "Developing their capacity to collect good quality data"

- Ease of data capture
- Feedback "good data"
- Tools - accessible, see where it goes ("linking" to other data, purposeful)
- Data collection - fun; structured; supported; educational
- How is the data used? Its importance
- Procedures. Benchmarking. What data to collect - what are the details?

Phase 3 – "Willingly taking on specific/purposeful data collection tasks/missions/projects set by Maroondah and/or others"

- Clarity of image and details
- Feel part of a collective group
- Generosity of sharing data
- The science
- The social
- To win (against family/friends)

Dennis left the meeting at 8:12pm.

Doug to collect the information shared and use it to inform the strategy.

FOR INFORMATION REPORT

ITEM 4.3

The For Information report was noted.

OTHER BUSINESS

ITEM 4.4

A request was made by a Committee Member about the possibility of moving the meeting online.

The next meeting will be in person but there will be the opportunity to move to hybrid if required due to the number of apologies leading up to the meeting.

Dale noted that he is leaving Council and thanked everyone for his time being part of MEAC.

NEXT MEETING - 15 AUGUST 2023

ITEM 4.5

Cr Stojanovic closed the meeting and advised that the next meeting would be held on Tuesday 15 August 2023.

The Meeting concluded at 8:34pm.



Maroondah Business Advisory Committee – Minutes

Meeting Details:

Date: Wednesday 7 June 2023 Time: 9:30am - 12:00pm Location: Meeting Room 1 & 2, Realm

Attendees:

<p>Councillors Cr Kylie Spears (Chair) Cr Rob Steane (Mayor)</p> <p>Council Officers: Steve Kozlowski, Chief Executive Officer Chris Zidak, Manager Business and Precincts Georgia Loccisano, Team Leader Business Support, Programs and Engagement Andrew Binks, Strategy and Projects Officer Chloe Messerle, Senior Governance Officer (Minute Taker)</p>
<p>Community Representatives: Jenny Newman, Maroondah Business Group Simon Fuller, Contek Constructions Marcus Young, Incarta IT Claudia Gatt, Braille Tactile Signs (Aust) Jessica Shaw, True Fairies Louisa Ellum, Swinburne University of Technology</p>
<p>Others: Amy Harris, Bayswater Business Precinct</p>

Apologies:

Councillors:	Cr Tasa Damante (Deputy Mayor)
Council Officers:	Marianne Di Giallonardo, Director People and Places
Community Representatives:	Greg Balmforth, Eastland QIC Geoff Daniel, The Casual GM James Braunegg, Micron21 Pty Ltd Jodie Murphy, Eastland QIC

Conflict of Interest Disclosure:

Councillors:	Nil
Council Officers:	Nil
Community Representatives:	Nil

Items Discussed

1. OPENING OF MEETING (Acknowledgment of Country)

Maroondah City Council, in the spirit of Reconciliation, acknowledges the Wurundjeri People of the Kulin Nation as traditional custodians of the land on which we are gathered today, where Indigenous Australians have performed age-old ceremonies. We pay our respects to their Elders, past, present and emerging.

2. WELCOME

CONFIRMATION OF MINUTES - WEDNESDAY, 5 APRIL 2023

ITEM 3

Cr Spears advised that meeting minutes in the future would be written from a high level overview as the minutes are included in the Council Meeting Agenda.

It was noted that the minutes reflect some discussion and resolution.

Marcus suggested a possible rolling document that includes the actions tracked at each meeting. It would not be a public document.

Discussion surrounded the set up owl with meeting moving forward in case it is required.

4. ITEMS

INTRODUCTIONS: NEW ATTENDEES AND GUESTS - JESSICA SHAW
AND AMY HARRIS

ITEM 4.1

Cr Spears welcomed all to the meeting and introduced Jessica Shaw from True Fairies and Amy Harris from Bayswater Business Precinct.

Jessica provided a brief introduction to herself and her organisation.

CEO UPDATE

ITEM 4.2

Steve provided a verbal update for the projects occurring in conjunction with advocacy efforts through the State and Federal Governments. He also spoke about the multiple projects across the municipality providing a more detailed update.

Discussion surrounded the future projects in the City of Maroondah with an update to be presented to the advisory committee at a future meeting.

The CEO Update will be attached to the minutes.

Steve Kozlowski left the meeting at 10:00am.

MAROONDAH BUSINESS GROUP UPDATE

ITEM 4.3

Jenny provided a verbal update and spoke about the new members, increased membership and new businesses with the group. Jenny spoke about the need to adjust event dates due to the 20th June weekend, with the next MBG event focussing on the importance of business financial planning, local banking relationships and legal documents such as wills being a presentation at the next meeting.

SECTOR UPDATES - ROUND TABLE

ITEM 4.4

Members of the advisory committee provided an update regarding their sector and what is currently occurring.

Discussion surrounded the financial economy in relation to businesses as well as affordable housing in the current housing crisis noting that all sectors are interrelated.

FOCUS SECTOR - INCARTA; HEALTH SECTOR IT INFRASTRUCTURE
DEVELOPMENT, DEPLOYMENT AND MANAGEMENT

ITEM 4.5

Marcus provided a verbal update on the understanding of artificial intelligence noting that it is statical analysis in terms of the way it works.

Marcus spoke about ChatGTP which is a large language model influencing the accessibility in the way people write documents.

PEOPLE FOR BUSINESS - SKILL LINKAGES - GROUP DISCUSSIONS

ITEM 4.6

Chris provided a powerpoint presentation in regards to what we know:

- Businesses have difficulty finding skilled employees
- Disconnect between the needs of business and skills being taught / courses being delivered
- A specific education pathway isn't a guarantee to employment

The committee separated into three groups and discussed the following questions:

1. *What have been your sector's experiences in finding the right employees?*
2. *Could the process for finding the right employees be improved? If so, how?*
3. *Is there a role for Council? What should this be?*

Chris advised that additional research will be undertaken in regards to new initiatives to be presented at the next committee meeting.

BIZWEEK THINK BIG 2023 RECAP

ITEM 4.7

Georgia Loccisano provided a powerpoint presentation and an executive overview. She also spoke about the Think Big at Brunch event noting opportunities as well as the event speakers.

Discussion surrounded the committees feedback in regards to BizWeek which included the items such as:

- BizMonth instead of BizWeek due to the amount of events
- Too many events that you can't attend all the events you want to attend
- Being conscious of the timing of events for businesses - ie: day events for hospitality workers
- Themes for each week
- Connecting with local businesses
- The longer the event - word of mouth
- Conscious of timing of event

MBEA23 CATEGORIES AND APPROACH

ITEM 4.8

Chris Zidak provided a powerpoint presentation and spoke about the categories since the last meeting's discussion and feedback received.

The key dates were noted for the upcoming events.

**KEY PROJECTS - SPATIAL PLANNING FOR BBP, COLLABORATIVE
FUNDING MULTI-COUNCILS**

ITEM 4.9

Cr Spears introduced Amy Harris from the Bayswater Business Precincts.

Amy provided a powerpoint presentation and provided an understanding of what the BBP is and how it works across three municipalities - Knox, Yarra and Maroondah.

OTHER BUSINESS

ITEM 4.10

Cr Spears spoke about the 'Women On The Go' event coming up at Karralyka on Wednesday 19 July 2023.

NEXT MEETING - 16 AUGUST 2023 AND CLOSE OF MEETING

ITEM 4.11

Cr Spears closed the meeting advising that the next meeting will be on the 16 August 2023.

The Meeting concluded at 11:58pm.

Council Plan 2021 - 2025 Priority Actions Progress Report



**Progress Report on Priority Actions - Year 2
Quarter 4, 2022/23 - as at 30 June 2023**

Introduction

The Council Plan 2021-2025 is Maroondah City Council’s key medium-term strategic document that sets key directions and priority actions to work towards the long-term community vision outlined in the refreshed *Maroondah 2040: Our future together* community vision.

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

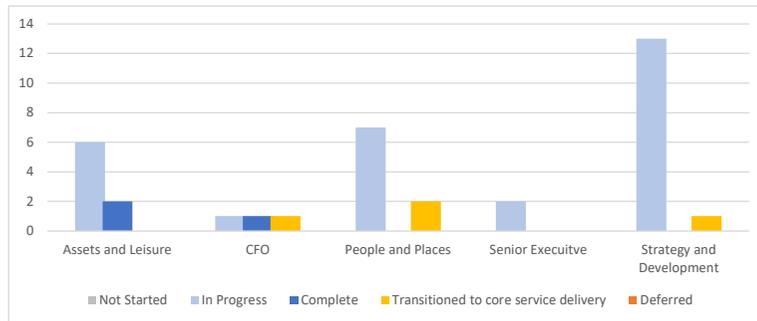
Each year, Council presents to the community an updated set of key directions and priority actions for implementing the four-year Council Plan. This helps to ensure that the Plan continues to be aligned with *Maroondah 2040: Our future together*, the community’s long-term vision, and is responsive to community needs and expectations.

The Council Plan is implemented through a service delivery planning process, and outcomes are measured and reported regularly. This report identifies Council's progress in relation to the Council Plan Priority Actions for the 2022-23 financial year. Some actions span multiple years as identified in the Council Plan 2021-2025. Progress is identified as at 30 June 2023.

The following status icons assist with interpreting the progress of Council Plan Priority Actions:

-  Priority action is currently on track and/or progressing as expected.
-  Priority action is at risk of not being on track.
-  Priority action is currently not on track and/or not progressing as expected
-  Priority action has been achieved
-  Priority action has been deferred to another year or transitioned to core service delivery

Summary of Progress



	Assets and Leisure	CFO	People and Places	Senior Executive	Strategy and Development	Total
Not Started	0	0	0	0	0	0
In Progress	6	1	7	2	13	29
Complete	2	1	0	0	0	3
Transitioned to core service delivery	0	1	2	0	1	4
Deferred	0	0	0	0	0	0
Total	8	3	9	2	14	36

Council Plan 2021 - 2025
Year 2 - 2022/23 Priority Actions
Q4 Progress Reporting - as at 30 June 2023



Maroondah 2040 Outcome Area	No.	Council Plan Priority Action	Progress Comment	Project Status	On Track	Target Completion	Directorate	Service Area
A safe, healthy and active community	1	Continue to monitor the social and economic impacts of the COVID-19 pandemic and provide responses aligned to community needs	In 2022/23, Council continued to engage with different sectors of the community regarding the completion of outdoor activation programs, COVID-19 rapid antigen test (RAT) provision and other community initiatives, as these initiatives integrate into normal service delivery. Relevant social and economic data continues to be collected and reported to ensure that service delivery is aligned with community needs. Mental health and business support initiatives continue to be implemented.	In Progress	😊	2024-25	Strategy and Development	Community Safety
	2	Design and construct a dog park in Ringwood North	The fully enclosed Parkwood Dog Park is open for community use and is the second dog-only park for the municipality. The Park features multiple entry gates and a range of elements to keep dogs of all sizes entertained, including a time-out zone for younger and quieter dogs.	Complete	✓	2022-23	Assets and Leisure	Major Projects and Assets Management
	3	Design and construct sporting infrastructure upgrades at Jubilee (regional cricket hub), Proclamation, Springfield, Cheong and Ainslie Parks, and at Dorset Recreation, Silcock and JW Manson Reserves	During 2022/23, Council completed infrastructure upgrades including the Maroondah Edge indoor cricket training centre at Jubilee Park, and pavilions at Cheong Park, Ainslie Park, Dorset Recreation Reserve, and JW Manson Reserve.	Complete	✓	2022-23	Assets and Leisure	Major Projects and Assets Management
	4	Review, update and implement Council's Physical Activity Strategy, and develop and implement an Indoor Sports Facilities (basketball, netball and volleyball) Strategy	A Draft Stadium Sports Strategy has now been completed for community consultation from June 2023. Community consultation for the Physical Activity Strategy commenced with Café Consult at Maroondah Festival in November 2022 and a Your Say General Survey is scheduled for July 2023.	In Progress	😊	2024-25	Assets and Leisure	Leisure and Major Facilities
	5	Finalise and implement the Maroondah Liveability, Wellbeing and Resilience Strategy 2021-2031 ^ (including the Health and Wellbeing Action Plan 2021-2023 and Positive Ageing Framework and Action Plan 2021-2025)	Council has continued implementation of Year 2 actions associated with the Maroondah Liveability, Wellbeing and Resilience Strategy and Health and Wellbeing Action Plan. Actions were undertaken across priority areas of healthy lifestyles, liveable neighbourhoods, safe communities, social inclusion, embracing diversity and minimising social harms. Highlights include continued delivery of mental health initiatives in response to the COVID-19 pandemic; developing the Croydon Community Wellbeing Precinct (CCWP); implementing the Gender Equality Action Plan and the Free From Violence Project; celebrating and recognising indigenous culture; and the establishment of internal and external reconciliation networks; and facilitating sector-based networks and Council's Advisory committees.	In Progress	😊	2024-25	Strategy and Development	City Futures
	6	Work in partnership with a broad range of service providers and agencies, to develop and deliver services and cultural experiences in the Croydon Community Wellbeing Precinct	Council has continued to work in partnership with a broad range of service providers and agencies to progress the staged development of the Croydon Community Wellbeing Precinct (CCWP).	In Progress	😊	2024-25	Strategy and Development	City Futures

Maroondah 2040 Outcome Area	No.	Council Plan Priority Action	Progress Comment	Project Status	On Track	Target Completion	Directorate	Service Area
A prosperous and learning community	7	Advance planning and implementation of local neighbourhood initiatives, including completion of a strategic review of shopping centres in Maroondah	<p>Council continued to advance planning of local neighbourhood initiatives and was invited to participate in the Local Neighbourhoods Municipal Planning Project in 2022/23. This provided access to grant funding and the opportunity to work with the Victorian Government to plan for local neighbourhoods in Maroondah.</p> <p>A draft Liveable Neighbourhoods Strategy has been prepared to advance planning of local neighbourhood initiatives and identify opportunities for social, economic and capital investment in Maroondah's neighbourhoods and local activity centres. A five-year capital works program was developed in January 2023 to further support local retailers. The capital works program will see a significant investment in infrastructure such as footpaths, seating, bike hoops and landscaping in the 31 shopping centres across the city.</p>	In Progress		2024-25	People and Places	Business and Precincts
	8	Work in partnership to implement the Bayswater Business Precinct Transformation Strategy and investigate and implement opportunities to enhance business capability, skill development, employment and education pathways for the manufacturing sector	<p>Council is working in partnership with Knox and Yarra Ranges councils to implement the Bayswater Business Precinct (BBP) Transformation Strategy adopted by Council in March 2022. The proposed governance structure has been agreed by the three partner councils and its implementation has begun. Economic activities continue to focus on building awareness of the precinct and understanding and strengthening local business connections. Work has progressed on the case for a Hub to provide a connecting space for business and support agencies, and on engaging all relevant internal teams regarding the Action Plan and priorities. Cross council teams have been formed to implement the Strategy focusing on transport, land use planning and the BBP economy.</p>	In Progress		2024-25	People and Places	Business and Precincts
	9	Work in partnership with the Victorian Government to plan for and support the rollout of funded three year old kindergarten in Maroondah	<p>Council is working closely with the Department of Education (DE) to support the rollout of funded three-year-old and four-year-old kindergarten in Maroondah. In 2022, three-year-old-children were able to access five hours a week in a funded kindergarten program, increasing to 15 hours per week by 2029. Through DE funding, Council has employed a Kindergarten Initiative Project Officer to work with services to plan and understand their needs to meet the Best Start, Best Life reforms. The Kindergarten Infrastructure and Services Plan (KISP) for the City of Maroondah was originally finalised in 2022. Following this, there was an announcement of 30 hours of funded kindergarten for all four-year-olds (up from the current 15 hours) and the implications of this policy announcement are now being worked through. A new KISP will be developed soon. Council is currently in negotiations with DE in regards to funding to support a redevelopment of Croydon North Kindergarten and Croydon Central Kindergarten.</p>	In Progress		2024-25	People and Places	Community Services

Maroondah 2040 Outcome Area	No.	Council Plan Priority Action	Progress Comment	Project Status	On Track	Target Completion	Directorate	Service Area
A prosperous and learning community	10	Facilitate co-working opportunities and spaces in Maroondah	The BizHub Coworking space provides a flexible and professional space that inspires collaboration and business connection. The space is currently operating at 95% capacity for premium members, with 20 casual bookings a week. It continues to attract enquiries and tours, predominantly for casual use. The BizHub team continues to build the cowork community through engagement, social events and networking opportunities and promotions.	Transitioned to core service delivery in 2023/24		2022-23	People and Places	Business and Precincts
	11	Design the Karralyka redevelopment, and undertake staged redevelopment works	During 2022/23, Council completed the renewal of Karralyka theatre seating and made improvements to the loading dock. In 2023/24, Council will continue the design and construct for the staged redevelopment of the venue subject to funding. The proposed redevelopment will include a new multi-purpose foyer expansion, outdoor paved terraced area leading from the enhanced foyer space and some accessibility improvements.	In Progress		2024-25	Assets and Leisure	Major Projects and Assets Management
A vibrant and culturally rich community	12	Implement the Arts and Cultural Development Strategy 2020-2025 and work with the Maroondah Arts Advisory Committee to maximise arts and cultural opportunities across Maroondah	Implementation of the <i>Arts and Cultural Development Strategy 2020-2025</i> continues. Planning for the integration of arts and cultural facilities including black box theatre within the Croydon Community Wellbeing Precinct is ongoing. Artists were shortlisted for the <i>Reignite Croydon - Laneway Lights</i> public art project, co-funded by the Victorian government, to increase perceptions of safety and vibrancy in Croydon Main Street and Activity Centre. Ringwood Arts Precinct activations included <i>Maroondah Mix - Across Africa</i> music event in Realm, and the launch of Reconciliation Week initiatives with 250 people in Ringwood Town Square experiencing a Welcome to Country, Smoking Ceremony and concert featuring Kutcha Edwards, <i>From Our Elders</i> video installation in ArtSpace, and large-scale <i>Elders</i> portrait in Realm windows. Wyreena celebrated the 100th anniversary of its main building with new history tours as part of the National Heritage Festival (National Trust). As member galleries, Arts In Maroondah promoted the Public Galleries Association Victoria's state-wide advocacy campaign <i>Public Galleries: Our Creative Heart</i> . Exhibitions <i>Sound and Syncopation</i> and <i>Overstory</i> and associated music performances and printmaking workshops took place at Maroondah Federation Estate Gallery, showcasing local artists and exploring environmental, sustainability and sonic thematic. The 2023/24 Arts and Culture grant program attracted its highest ever numbers with 21 applications, and 7 projects recommended for full or partial funding.	In Progress		2024-25	People and Places	Business and Precincts

Maroondah 2040 Outcome Area	No.	Council Plan Priority Action	Progress Comment	Project Status	On Track	Target Completion	Directorate	Service Area
A clean, green and sustainable community	13	Work in partnership to implement the Reimagining Tarralla Creek project	In 2022/23, Council continued its partnership with Melbourne Water to deliver the next stage of the Re-imagining Tarralla Creek project. Discussions are underway to identify opportunities to align works on the upcoming Kilsyth to Croydon South Water Mains Renewal Project with delivery of the Swinburne section (Stage 4) of the Re-imagining Tarralla Creek project.	In Progress		2024-25	Strategy and Development	City Futures
	14	Review, update and implement Council's Sustainability Strategy, and Climate Change Risk and Adaptation Strategy	In 2022/23, Council adopted the <i>Sustainability Strategy 2022-2031</i> . The Strategy includes actions that will promote environmental, social and economic sustainability, addressing themes of the built environment, climate change, community connections, a green economy, green infrastructure, governance, evaluation and improvement. The actions outlined in the Sustainability Strategy Action Plan were updated in early 2023. The Climate Change Risk and Adaptation Strategy will be replaced by the Climate Change Plan.	In Progress		2024-25	Strategy and Development	City Futures
	15	Review, update and implement Council's Carbon Neutral Strategy, including participation in the power purchasing agreement	The Climate Change Plan seeks to combine the Climate Change Risk and Adaptation Strategy and the Carbon Neutral Strategy into a single plan. The Plan will provide a holistic approach to managing climate change mitigation, adaptation and risk across Council and the community.	In Progress		2024-25	Strategy and Development	City Futures
	16	Develop and implement Council's Waste, Litter and Resource Recovery Strategy 2020-2030	The new Food Organics and Garden Organics (FOGO) service was successfully rolled out to Maroondah households in May 2023. This included standardising the existing garden bin lid from maroon to lime green and delivery of a FOGO kit to eligible households. The new hard waste contract came into effect, including changes allowing an additional paid hard waste collection and bookings for collection of bundled garden prunings. Maroondah participated in a number of collaborative grant projects which included; Best Practice Reusable Sanitary and Incontinence Aid Program; Best Practice Reusable Nappyy Program; and the Circular Resource Practices at Retail Business Precincts Program. Maroondah also participated in a multi-Council project called Multi-Unit Dwelling Feasibility Study which looked into models for increasing waste diversion in Multi-Unit Dwellings. An annual Detox Your Home event was secured with the Victorian Government, making it more convenient for residents to recycle their household chemicals. A recycling station was installed at Council's Realm customer service which accepts CDs/ DVDs, VHS tapes, compact fluorescent light globes, small e-waste, x-rays, household batteries and sharps containers. Maroondah undertook an extensive illegal dumping prevention education program which has reduced the amount of rubbish being placed out on nature strips without a booking with Council.	In Progress		2024-25	CFO	Finance and Commercial

Maroondah 2040 Outcome Area	No.	Council Plan Priority Action	Progress Comment	Project Status	On Track	Target Completion	Directorate	Service Area
A clean, green and sustainable community	17	Prepare and implement a Maroondah Habitat Connectivity Action Plan	In 2022/23, eight 'biolinks' were identified for improving habitat connectivity across the municipality. A group of key stakeholders have been developing a detailed plan for building the first of these, the Mullum Mullum Creek Biolink. Detailed planning for at least two more biolinks will commence in 2023/24.	In Progress		2024-25	Strategy and Development	City Futures
	18	Implement a streetscape enhancement program, including a significant increase in tree planting	The streetscape enhancement program continued in 2022/23 with significant tree planting. There were four street tree renewal projects where existing trees with low useful life expectancies were removed to make way for natural growth. A number of larger specimens were also planted in selected parks and reserves to replace trees lost in recent storm events.	In Progress		2024-25	Assets and Leisure	Operations
An accessible and connected community	19	Work in partnership with the Victorian Government to implement road improvement works at New Street Ringwood, Reilly Street and Wantirna Road Ringwood, Eastfield Road Ringwood East, Plymouth Road and Kirtain Drive Croydon; and undertake carpark improvement works at McAlpin Reserve Ringwood North and Dorset Recreation Reserve Croydon	Road improvement works at New Street, Ringwood were completed in July 2022, and the upgrade of the intersection at Reilly Street and Wantirna Road was completed in December 2022. The upgraded intersection includes new traffic lights, a dedicated right turn lane into Reilly Street, and two signalised pedestrian crossings. The upgrade to Plymouth Road and Kirtain Drive is being delivered by Department Transport and Planning (DTP / VicRoads) and commenced in late 2022, with early service installation works associated with traffic signals and pedestrian operated signals. Due to delays in service authority works experienced by DTP, the project is now expected to be completed in the first half of the 2023/24 year (end of 2023 calendar year). Carpark improvement works at McAlpin Reserve in Ringwood North were completed in July 2021. The carpark upgrade at Dorset Recreation Reserve in Croydon is complete and operational with carpark and facility landscaping and other minor works completed in May 2023 to finalise the project.	In Progress		2023-24	Strategy and Development	Engineering and Building
	20	Design and construct activity centre carparks in Croydon, Ringwood and Heathmont; and at Heatherdale station	In 2022/23, Council continued the design and construction of the Activity Centre carpark in Ringwood.	In Progress		2024-25	Assets and Leisure	Major Projects and Assets Management

Maroondah 2040 Outcome Area	No.	Council Plan Priority Action	Progress Comment	Project Status	On Track	Target Completion	Directorate	Service Area
An accessible and connected community	21	Work in partnership with the Victorian Government to support the removal of level crossings at Bedford Road Ringwood, Dublin Road Ringwood East and Coolstore Road Croydon; and the construction of new stations at Ringwood East and Croydon	In 2022/23, Council continued to work in partnership with Level Crossing Removal Projects (LXRP) on the Bedford, Dublin and Coolstore Road level crossing removal projects. Following project announcements and initial public consultation for both the Bedford and Dublin level crossing removals, the Bedford Road level crossing removal project has been enhanced to include a shared walking and cycling path connecting the Heathmont Rail Trail to Bedford Park alongside the Belgrave line. Approximately 460 upgraded car parking spaces at Ringwood East Station will be provided, including 200 spaces funded by the Car Parks for Commuters program. Bedford Road early works commenced in late 2022, with major construction commencing in 2023. Dublin Road major construction will start in 2023, with trains running in the new trenches. It is expected Bedford and Dublin roads will be level crossing free by 2025. Initial site investigations and assessment for the Coolstore Road level crossing indicate that the most suitable design solution for the community would be to build a new rail bridge over the road to remove the Coolstore Road level crossing, connecting Croydon's city centre which is currently divided by the railway line. Further community engagement and engineering assessments will continue in 2023/24 regarding these projects.	In Progress		2024-25	Strategy and Development	Engineering and Building
	22	Advocate to the Australian and Victorian Governments for provision of new and upgraded major transportation infrastructure in Maroondah, including public transport enhancements	In 2022/23, Council continued its advocacy work to address the major transport needs of the Maroondah community, with funding committed for \$6.6 million major traffic safety improvements at Canterbury Road, Waterloo Street and Great Ryrie Road in Heathmont. Advocacy continued to deliver improved vehicle and pedestrian outcomes during the level crossing removals in Croydon and Ringwood.	In Progress		2024-25	Senior Executive	Senior Executive

Maroondah 2040 Outcome Area	No.	Council Plan Priority Action	Progress Comment	Project Status	On Track	Target Completion	Directorate	Service Area
An accessible and connected community	23	Work in partnership to undertake renewal works on the Mullum Mullum Creek and Colchester Road shared trails; and continue footpath construction in the Principle Pedestrian Network	Council worked in partnership to undertake renewal works on the Mullum Mullum Creek and Colchester Road shared trails. Preliminary design plans for the section of trail from Marilyn Crescent to Kalinda Road are completed, with community consultation and construction to commence in 2023/24. Council's footpath construction program for 2022/23 is now complete with 4.5 kilometres of footpath constructed at a total value of \$1.35 million. Completed works include: Eastfield Road (Mt Dandenong Road to Railway Avenue and Shane Crescent to Pleasant Rise); Sunhill Avenue (Wonga Road to Hendra Grove); Sang Court (Ambrie Avenue to Hendra Grove); Hendra Grove (Graeme Avenue to 27 Hendra Grove); Ambrie Avenue (Sang Court to 7 Ambrie Avenue); Lavender Street (Great Ryrie Street to Ford Street); Belle Vue Avenue (Great Ryrie Street to Heathmont Road); Pearwood Street (Great Ryrie Street to Ford Street); Gardini Avenue (Shared User Pathway, Greenwood Avenue to Thomas Street); Devon Avenue (Great Ryrie Street to Leoni Avenue); Erica Court (Great Ryrie Street to 23 Erica Court); Leoni Avenue (Devon Avenue to Viviani Crescent); Dresden Avenue (Great Ryrie Street to Leoni Avenue); Viviani Crescent (Leoni Avenue to Balfour Avenue); Langley Street (Knaith Road to School); Anzac Street (Mt Dandenong Road to Mena Avenue); Bond Street (New Street to Market Street); Parsons Street (Dorset Road to Morgan Avenue); Jenkins Lane (along Dorset Recreation Reserve); Gordon Street (16 Gordon Street to End); and Yarra Road (Panorama Drive to Holloway Road).	In Progress		2024-25	Strategy and Development	Engineering and Building
An attractive, thriving and well built community	24	Develop a new Croydon Structure Plan and prepare a planning scheme amendment to incorporate the policy into the Maroondah Planning Scheme	In 2022/23, Council has continued to develop the new Croydon Structure Plan, which will be available for community consultation in the second half of 2023. After the Structure Plan has been adopted by Council, permission will be sought from the Minister for Planning to commence preparation of a planning scheme amendment.	In Progress		2023-24	Strategy and Development	City Futures
	25	Work in partnership to implement the Greening the Greyfields project to facilitate a sustainable approach to urban redevelopment in identified residential precincts	In 2022/23, Amendments C134maro and C136maro for the two identified residential precincts were gazetted in the Maroondah Planning Scheme. Council is continuing to work with stakeholders to implement the Greening the Greyfields project in two identified residential precincts and participation is being sought from relevant landowners.	In Progress		2024-25	Strategy and Development	City Futures
	26	Undertake the staged redevelopment of the Croydon Community Wellbeing Precinct	In 2022/23, Council continued the design and construction of the Croydon Community Wellbeing Precinct (CCWP).	In Progress		2024-25	Assets and Leisure	Major Projects and Assets Management

Maroondah 2040 Outcome Area	No.	Council Plan Priority Action	Progress Comment	Project Status	On Track	Target Completion	Directorate	Service Area
An attractive, thriving and well built community	27	Undertake flood mitigation works in New Street, Ringwood, Sherbrook Avenue catchment in Ringwood, and Scenic Avenue and Wingate Avenue catchments in Ringwood East; and work in partnership to develop flood mitigation solutions for central Croydon	Council has continued flood mitigation works at identified sites. The contract for the Sherbrook Avenue catchment (Stage 3) drainage upgrade in Ringwood from Bourke Street to Charter Street has been awarded and the works are scheduled to commence in early July 2023 and will be completed in late 2023. The final stage of the upgrade works in Wingate Avenue in Ringwood East were completed in March 2022; flood mitigation works in New Street in Ringwood were completed in April 2022; and the Scenic Avenue drainage upgrade (stage 4) was completed in March 2023. Development and prioritisation of drainage upgrade solutions for central Croydon catchment is continuing with work programmed for future years;	In Progress		2024-25	Strategy and Development	Engineering and Building
An inclusive and diverse community	28	Work in partnership to support volunteer-based organisations and facilitate volunteerism within Maroondah	In 2022/23, Council continued to work with Eastern Volunteers and volunteer-led community groups and organisations, to encourage volunteering and support local community groups to recover from impacts of the coronavirus (COVID-19) pandemic. The annual Community Grants program supported volunteer-run organisations to encourage and increase volunteering opportunities.	Transitioned to core service delivery in 2023/24		2022-23	Strategy and Development	City Futures
	29	Investigate and implement additional female changing facilities at local sporting venues	In 2022/23, Council's sporting pavilion works included women's, unisex and accessible amenities at JW Manson Reserve, Wantirna. These works have been completed and were officially opened on 4 July 2023.	In Progress		2024-25	Assets and Leisure	Leisure and Major Facilities
	30	Implement the Children and Families Strategy and Action Plan; and the Youth Strategy and Action Plan	Council has completed an extensive community consultation with children, young people, families and stakeholders. Findings from this consultation are now being used to inform the development of new two-year Action Plans (2023/24 to 2024/25) for Council's Children and Families Strategy and Youth Strategy.	Transitioned to core service delivery in 2023/24		2022-23	People and Places	Community Services
	31	Implement the Gender Equality Act 2020, including Council's Gender Equality Action Plan	The Commission for Gender Equality in the Public Sector, through its functions under the <i>Gender Equality Act 2020</i> , published Council's workplace gender audit data highlights and Gender Equality Action Plan (GEAP). In 2022/23, Council documented the status of its first year's actions and prepared for its second workforce audit and analysis. This included the recent People Matters Survey which was sent to all employees. The data gathered from this survey will help inform the progress report on the GEAP.	In Progress		2024-25	People and Places	People and Culture
	32	Continue to monitor and respond to Australian Government Aged Care Reforms to ensure that Council services adapt appropriately to meet current and future community needs	Council continued to monitor the My Aged Care reform agenda. The Australian Government has announced that reforms will not occur prior to July 2025 in line with the recommendations of the Royal Commission into Aged Care.	In Progress		2024-25	People and Places	Community Services

Maroondah 2040 Outcome Area	No.	Council Plan Priority Action	Progress Comment	Project Status	On Track	Target Completion	Directorate	Service Area
A well governed and empowered community	33	Implement the new <i>Local Government Act 2020</i>	During 2022/23, Council implemented the new Rating Reform Bill, which was made publicly available in June 2022. All other elements of the <i>Local Government Act 2020</i> have also been implemented.	Complete	✓	2022-23	CFO	Governance and Performance
	34	Advocate on key local issues on behalf of the Maroondah community, including in the lead up to the Victorian and Australian Government elections in 2022	During 2022/23, Council continued its advocacy to both the Australian and Victorian governments to seek funding to address a range of key priority infrastructure, and sporting and transportation improvement projects that will benefit the Maroondah community. Council received funding commitments from both the Liberal Party and the Labor Party totalling \$12.5 million in the lead up to the Federal election in May 2022 and has worked with the new government to secure funding agreements totalling \$5.5 million. Council continued its advocacy campaign in the lead up to the Victorian Government election in November 2022, receiving election commitments of \$32.5 million from the Liberal Party and the Labor Party and has worked with the new government to secure their funding of \$500,000 for sportsfield lights at East Ringwood Reserve. The Victorian Government also committed \$1 billion for a new Maroondah Hospital and Council is advocating to the government to ensure improved outcomes from the project delivery.	In Progress	😊	2024-25	Senior Executive	Senior Executive
	35	Develop and implement a new Customer Service Strategy that will continue to advance Council's commitment to be highly responsive and customer focused	Council has developed a Customer Service Strategy in line with evolving customer expectations. This Strategy includes the development of online engagement channels and focuses on strengthening internal service partnerships. These partnerships are reviewed on a regular basis with action plans developed to ensure continued and integrated service provision to the Maroondah community.	In Progress	😊	2024-25	People and Places	Communications and Citizen Experience
	36	Deliver a broad range of Council services to meet current and future community needs along with sustainable management of Maroondah's resources, assets and environment	In 2022/23, Council continued to ensure service delivery considers community needs and aspirations, national and regional trends, financial sustainability and the challenges arising from the coronavirus COVID-19 pandemic.	Transitioned to core service delivery in 2023/24	😊	2022-23	CFO	Governance and Performance

Local Government Performance Reporting Framework 2022/23 Reporting Year



SERVICE PERFORMANCE INDICATOR RESULTS - Quarter 4, 2022/23
(1 July 2022 – 30 June 2023)

Introduction

The Local Government Performance Reporting Framework (LGPRF) is a key initiative to improve the transparency and accountability of council performance to ratepayers and to provide a more meaningful set of information to the public. The framework is made up of a range of performance measures and a governance and management checklist items which together build a comprehensive picture of council performance.

The following report provides the prescribed Local Government Performance Reporting Framework service performance indicator results as at 30 June 2023.

The following status icons may assist in interpreting these service performance results:

	Result is currently on track / progressing as expected / within expected range for the reporting period
	Result is neutral / yet to be finalised / being monitored
	Result is currently not on track / not progressing as expected / outside expected range for the reporting period
	Result not available / New measure with no comparison available



Animal Management

Provision of animal management and responsible pet ownership services to the community including monitoring, registration, enforcement and education

Service indicator/measure	Measure expressed as:	EoY 2022/23	EoY 2021/22	EoY 2020/21	Comment	Status
Timeliness Time taken to action animal requests	Number of days taken to action animal requests <i>Expected range: 1 to 10 days</i>	1.01 days	1.03 days	1.05 days	This measure relates to the average number of days since receipt and the first response for all animal management requests. The time taken to action animal management requests continues to remain low due to the number of animal management requests.	
Service standard Animals reclaimed	% of collected animals reclaimed <i>Expected range: 30% to 90%</i>	65.45%	70.3%	48.2%	This measure considers the percentage of collected registrable animals reclaimed under the <i>Domestic Animals Act 1994</i> . The number of animals being collected may have decreased as a result of changes in legislation relating to reuniting pets.	
Service standards Animals rehomed	% of animals rehomed <i>Expected range: 20% to 80%</i>	18.79%	19%	44.01%	This measure considers the percentage of collected registrable animals under the <i>Domestic Animals Act 1994</i> that are rehomed. The number of animals rehomed in the reporting period has remained consistent, in comparison to the previous financial year.	

Service indicator/measure	Measure expressed as:	EoY 2022/23	EoY 2021/22	EoY 2020/21	Comment	Status
Service cost						
Cost of animal management service	\$ direct cost of the animal management service per registered animal <i>Expected range: \$3 - \$40</i>	\$5.25	\$5.33	\$4.20	This measure captures the direct cost of the animal management service per registrable animal under the Domestic Animals Act 1994. There has been a slight reduction in cost of the animal management service compared to previous years. This can be attributed to an increased response to animal registration fee renewal as well a staff vacancy.	
Health and safety						
Animal management prosecutions	No of prosecutions <i>Expected range: 50% - 200%</i>	100%	100%	N/A	This measure captures the percentage of successful animal management prosecutions under the <i>Domestic Animals Act 1994</i> . This measure has changed to a percentage value instead of a numeric value. Over the reporting period, the number of prosecutions remains consistent and within the expected range.	



Aquatic Facilities

Provision of indoor and outdoor aquatic facilities to the community and visitors for wellbeing, water safety, sport and recreation

Service indicator/measure	Measure expressed as:	EoY 2022/23	EoY 2021/22	EoY 2020/21	Comment	Status
Service standard Health inspections of aquatic facilities	Number of health inspections per Council aquatic facility <i>Expected range: 1 to 4 inspections</i>	1 inspection	1 inspection	2 inspections	The last annual health inspections were conducted in late 2022, meaning they are due late 2023/early 2024.	
Utilisation Utilisation of aquatic facilities	Number of visits to aquatic facilities per head of municipal population <i>Expected range: 1 to 10 visits</i>	9.43 visits	4.43 visits	3.34 visits	The utilisation of aquatic facilities has increased significantly compared to the previous financial year. The increase can be attributed to the success of Council attracting and engaging with patrons. Moving forward, Council will continue to focus on embedding and building on this positive trend.	
Service cost Cost of aquatic facilities	\$ direct cost less any income received of providing aquatic facilities per visit <i>Expected range: \$3 to \$20</i>	\$0.32	\$2.91	\$5.70	This measure considers the overall cost to Council of running its aquatic facilities less revenue received. The cost of running aquatic facilities has reduced significantly compared to previous financial years. This favourable result can be attributed to the increase in utilisation rates, as well as operating efficiencies.	



Food Safety

Provision of food safety services to the community including registrations, education, monitoring, inspections and compliance

Service indicator/measure	Measure expressed as:	EOY Calendar Year 2022	EOY Calendar Year 2021	EOY Calendar Year 2020	Comment	Status
Timeliness Time taken to action food complaints	Number of days taken to action food complaints <i>Expected range: 1 to 10 days</i>	1.56 days	1.67 days	1.95 days	The indicator measures the average number of days taken for Council to respond to food complaints from receipt to first response action. Data shown is for the 2022 calendar year to align with reporting to the Department of Health (DoH). The number of days taken to action food complaints is less than two days. Where possible, Environmental Health Officers (EHOs) ensure they respond to customers as soon as they are received.	
Service standard Food safety assessments	% of registered class 1 food premises and class 2 food premises that receive an annual food safety assessment <i>Expected range: 50% to 120%</i>	98.24%	99.11%	93.61%	This measure relates to the percentage of registered Class 1 food premises and Class 2 food premises that receive an annual food safety assessment. Data shown is for the 2022 calendar year to align with reporting to the Department of Health (DoH). The number of food safety assessments has decreased compared to the same time in the previous year. Where scheduled assessments were not completed, this is due to premises transferring ownership late in the calendar year, meaning assessment for these premises are now not due until 2023.	

Service indicator/measure	Measure expressed as:	EoY 2022/23	EoY 2021/22	EoY 2020/21	Comment	Status
Service cost Cost of food safety service	\$ direct cost of the food safety service per registered food premises <i>Expected range: \$300 to \$1,200</i>	\$737.18 <i>(2022/23 financial year)</i>	\$641.56 <i>(2021/22 financial year)</i>	\$599.36 <i>(2020/21 financial year)</i>	This measure captures the direct cost of providing food safety services per food premises. The cost of food safety service is higher for this period compared to the same time last year. This mainly as a result of EBA increases in salary and some overlap between EHO on LSL and backfill. The total number of registered premises is also lower than this time last year, increasing the cost per premises.	
Health and safety Critical and major non-compliance notifications	% of critical and major non-compliance outcome notifications that are followed up by council <i>Expected range: 60% to 100%</i>	100%	83.33%	100%	This indicator measures the percentage of critical and major non-compliance outcome notifications that are followed up by Council. Council aims to respond to 100% of these notifications. Data shown is for the 2022 calendar year to align with reporting to the Department of Health (DoH).	





Governance

Provision of good governance to the community including making and implementing decisions with reference to community engagement, policy frameworks and agreed practice

Service indicator/measure	Measure expressed as:	EoY 2022/23	EoY 2021/22	EoY 2020/21	Comment	Status
Transparency Council resolutions at meetings closed to the public	% of Council resolutions made at meetings closed to the public <i>Expected range: 0% to 30%</i>	7.79%	15.49%	13.13%	This indicator measures the percentage of Council resolutions made at an ordinary or special Council meeting, or at a meeting of a special committee consisting only of Councillors, closed to the public under Section 66 of the <i>Local Government Act 2020</i> . The percentage of Council resolutions at meetings closed to the public has decreased due to the decreased number of tender evaluation recommendations/reports that required Council approval (>\$500,000).	
Consultation and engagement Satisfaction with community consultation and engagement	Satisfaction rating out of 100 <i>Expected range: 40 to 70</i>	56	59	55	Community satisfaction is measured in the annual Maroondah Community Satisfaction Survey. Community satisfaction with "community consultation and engagement" has remained consistent with results received in previous financial years.	

Service indicator/measure	Measure expressed as:	EoY 2022/23	EoY 2021/22	EoY 2020/21	Comment	Status
Attendance Council attendance at Council meetings	% of Council attendance at ordinary and special Council meetings <i>Expected range: 80% to 100%</i>	89.81%	83.33%	92.86%	Each year, a range of ordinary and special meetings of Council are held. This indicator measures the overall attendance levels for these meetings. The percentage of attendance of Council meetings has increased compared to the previous financial year due to no leave of absences.	
Service cost Cost of elected representation	\$ direct cost of the governance service per councillor <i>Expected range: \$30,000 to \$80,000</i>	\$60,914.56	\$54,133.44	\$46,640.44	This measure captures the direct cost of delivering the governance service per elected representative. The cost of elected representation has increased slightly compared to the same time in the previous financial year due to an increase in activities as the Council term progresses.	
Decision making Satisfaction with Council decisions	Satisfaction rating out of 100 <i>Expected range: 40 to 70</i>	58	59	60	Community satisfaction is measured in the annual Maroondah Community Satisfaction Survey. Community satisfaction with "community consultation and engagement" has remained consistent with results received in previous financial years.	



Libraries

Provision of print and digital based resources to the community in a variety of formats including collection services, e-services, research tools and interactive learning programs

Service indicator/measure	Measure expressed as:	EoY 2022/23	EoY 2021/22	EoY 2020/21	Comment	Status
Utilisation Physical library collection usage	Number of physical library collection item loans per library collection item <i>Expected range: 1 to 9 items</i>	8.19	6.22	4.97	Libraries in Maroondah are provided by Your Library Ltd, which is a co-operative venture serving three outer eastern metropolitan councils. The number of library loans are slowly increasing back to pre-pandemic levels as well as an increase in visitations.	
Resource standard Recently purchased library collection	% of recently purchased library collection that has been purchased in the last 5 years <i>Expected range: 40% to 90%</i>	76.97%	78.43%	79.27%	This measure refers to the percentage of the library collection that has been purchased in the last five years.	
Participation Active library members	% of the municipal population that are active library members <i>Expected range: 10% to 40%</i>	10.72%	12.03%	13.83%	This indicator highlights the percentage of the municipal population that are active library members. The number of active library borrowers within the municipality varies over time. Active Library borrowers over the last 3 years has been low due to pandemic related restrictions. The number of people borrowing from the library services has commence increasing and is expected to return to pre-covid rates in the next financial years.	

Service indicator/measure	Measure expressed as:	EoY 2022/23	EoY 2021/22	EoY 2020/21	Comment	Status
Service cost	\$ direct cost of the library service					
Cost of library service	<i>Expected range: \$10 to \$90</i>	\$20.21	\$19.71	\$17.37	This measure captures the direct cost of the library service per municipal population. The cost of library services has slightly increased compared to the previous year but remains within the expected range.	





Maternal and Child Health

Provision of universal access to health services for children from birth to school age and their families including early detection, referral, monitoring and recording child health and development

Service indicator/measure	Measure expressed as:	EoY 2022/23	EoY 2021/22	EoY 2020/21	Comment	Status
Service standard Infant enrolments in the MCH service	% of infants enrolled in the MCH service <i>Expected range: 90% to 110%</i>	100.97%	101.33%	101.09%	The Maternal Child Health (MCH) service enrolls newborn infants in the service at the home visit following receipt of a birth notification from the hospital. All birth notifications received by Council result in a Maternal Child Health enrolment, however the phasing of birth notification and enrolment across reporting periods can result in the reported figure being less than or greater than 100%.	
Service cost Cost of the MCH service	\$ cost of the MCH service per hour of service delivered <i>Expected range: \$50 to \$200</i>	\$76.45	\$76.47	\$97.53	This measure refers to the cost of Councils MCH service per hour of service delivered. The cost of the MCH service has now returned to expected range.	
Participation Participation in MCH service	% of children enrolled who participate in the MCH services <i>Expected range: 70% to 100%</i>	75.16%	73.42%	76.19%	This measure captures participation of children in key age and stage appointments which can vary due to timing of appointments during the financial year. Participation rates are within the expected range.	
Participation Participation in MCH service by Aboriginal children	% of Aboriginal children enrolled who participate in the MCH service <i>Expected range: 60% to 100%</i>	77.08%	84.69%	78.31%	This measure captures the percentage of Aboriginal children enrolled who participate in the MCH service, which can vary due to timing of appointments during the financial year.	
Satisfaction Participation in first MCH home visit	% of infants enrolled in the MCH service who receive the first MCH home visit <i>Expected range: 90% to 110%</i>	95.72%	101.33%	96.99%	This measure considers the percentage of infants enrolled in the Maternal Child Health (MCH) service who participated in 4-week Key Age and Stage visit. The percentage shows 95.72%, which indicates appointments scheduled but not yet attended.	



Roads

Provision of a network of sealed local roads under the control of the municipal council to all road users

Service indicator/measure	Measure expressed as:	EoY 2022/23	EoY 2021/22	EoY 2020/21	Comment	Status
Satisfaction of use						
Sealed local road requests	Number of sealed local road requests per 100 kilometres of sealed local road <i>Expected range: 10 to 120 requests</i>	131.39	113.31	93.96	Road requests are customer requests logged on Council's customer service application Infor Pathway. Requests include line marking, pothole repairs, damaged roads and patching, and road sweeping. The number of sealed road requests has increased over the reporting period due to there being more motorists on the road, following the easing of coronavirus (COVID-19) restrictions.	
Condition						
Sealed local roads below the intervention level	% of sealed local roads that are below the renewal intervention level <i>Expected range: 80% to 100%</i>	97.71%	98.65%	98.85%	Council defines the intervention level to be a road condition rating equivalent to 'very poor'. There was only minor variation in this result when compared to the previous year.	
Service cost						
Cost of sealed local road reconstruction	\$ direct reconstruction cost per square metre of sealed local roads reconstructed <i>Expected range: \$20 to \$200</i>	\$238.06	\$385.77	\$250.31	The total project cost associated with the reconstruction of a sealed local road is considered. The project cost may include but is not limited to traffic control, road base, road surface, kerb, stormwater drain and traffic management device costs.	

Service indicator/measure	Measure expressed as:	EoY 2022/23	EoY 2021/22	EoY 2020/21	Comment	Status
Service cost						
Cost of sealed local road resealing	\$ direct resealing cost per square metre of sealed local roads resealed <i>Expected range: \$4 to \$30</i>	\$29.90	\$36.89	\$25.37	Council only uses asphalt products for resealing in line with community expectations. Generally, where advanced pavement deterioration is present (i.e. crocodile cracking), Council undertakes deep lift patching prior to resealing. Only reseals for a full road block as defined in Council's asset register has been included in this figure. Full costs of sealed local road resealing has been influenced by the cost to Council of materials and construction.	
Satisfaction						
Satisfaction with sealed local roads	Satisfaction rating out of 100 <i>Expected range: 50 to 100</i>	61	63	67	Community satisfaction is measured as part of the annual Community Satisfaction Survey. The satisfaction rating of "sealed local roads" is within the expected range.	



Statutory Planning

Provision of land use and development assessment services to applicants and the community including advice and determination of applications

Service indicator/measure	Measure expressed as:	EoY 2022/23	EoY 2021/22	EoY 2020/21	Comment	Status
Timeliness						
Time taken to decide planning applications	Days between receipt of a planning application and a decision on the application <i>Expected range: 30 to 110 days</i>	35	29	28	This measure looks at the median number of days taken between receipt of a planning application and a decision relating to that application. The time taken to make decisions on planning applications remains low at 35 days (on average). This is within Council's target timeframe of between 30 and 110 days.	
Service standard						
Planning applications decided within 60 days	% of planning application decisions made within required timeframe days <i>Expected range: 40% to 100%</i>	73.99%	83.54%	86.87%	In accordance with the Planning and Environment Act 1987, a Council is permitted 60 statutory days to make a determination on a planning application. Planning Applications decisions are within the expected range but are lower compared to the same time in the previous financial year. This space has been impacted by staff movements and vacancies.	
Service cost						
Cost of statutory planning service	\$ direct cost of the statutory planning service per planning application <i>Expected range: \$500 to \$4,000</i>	\$2,784.56	\$1917.15	\$1,919	This measure looks at the direct cost to Council to provide the statutory planning service, per planning application received. The direct cost of the statutory planning service was higher than the same time in the previous financial year, due to the increased expenditure regarding the need for additional resources to assist with an increased workload, as a result of staff vacancies.	

Service indicator/measure	Measure expressed as:	EoY 2022/23	EoY 2021/22	EoY 2020/21	Comment	Status
Decision making						
Planning decisions upheld at VCAT	% of decisions subject to review by VCAT that were not set aside <i>Expected range: 30% to 100%</i>	95.45%	89.19%	81.82%	If an applicant disagrees with the decision of Council in relation to a planning application, that person has the opportunity to appeal the decision at the Victorian Civil and Administrative Tribunal (VCAT). This indicator measures the percentage of planning application decisions made by Council, which are subsequently appealed by an applicant and are then subject to a review by VCAT and which were not set aside (i.e. VCAT agreed with the decision of Council). Of the 15 VCAT decisions made in the reporting period, 13 have been upheld by the Tribunal, resulting in a success rate of 95.45% of Council decisions being supported	



Waste Collection

Provision of kerbside waste collection service to the community including garbage and recyclables

Service indicator/measure	Measure expressed as:	EoY 2022/23	EoY 2021/22	EoY 2020/21	Comment	Status
Satisfaction						
Kerbside bin collection requests	Number of kerbside bin collection requests per 1000 kerbside bin collection households <i>Expected range: 10 to 300 requests</i>	86.34	88.87	76.91	Council provides a comprehensive waste management service that strives to meet best practice standards in terms of kerbside collection. There was a slight variation on the kerbside bin collection requests compared to the same time in the previous financial year.	
Service standard						
Kerbside collection bins missed	Number of kerbside collection bins missed per 10,000 scheduled kerbside collection bin lifts <i>Expected range: 1 to 20 bins</i>	4.65	4.7	4.55	This indicator identifies the ratio of bins missed, compared to scheduled bin collections, this includes 120L, 80L, second bins and fortnightly recycling kerbside bin collection. There was a slight decrease in the amount of missed collections, compared to the same time in the previous financial year	
Service cost						
Cost of kerbside garbage collection service	\$ direct cost of the kerbside garbage bin collection service per kerbside garbage collection bin <i>Expected range: \$40 to \$150</i>	\$133.26	\$131.30	\$109.55	This measure captures the direct cost of Council providing the kerbside garbage bin collection service (per kerbside garbage bin). The variation in cost of the kerbside garbage collection is due to increases in the landfill levy as well as fuel price increases, but has also decreased as Council's new disposal site is located closer than the previous one which results in less disposal costs.	

Service indicator/measure	Measure expressed as:	EoY 2022/23	EoY 2021/22	EoY 2020/21	Comment	Status
Service cost						
Cost of kerbside recyclables collection service	\$ direct cost of the kerbside recyclables collection service per kerbside recyclables collection bin <i>Expected range: \$10 to \$80</i>	\$66.22	\$75.74	\$77.45	This measure looks at the direct cost of Council to provide the kerbside recyclables collection service per kerbside recyclables bin. The cost of kerbside recycling processing has decreased due to Council obtaining a better rate with the new processing contract	
Waste diversion						
Kerbside collection waste diverted from landfill	% of garbage, recyclables and green organics collected from kerbside bins that is diverted from landfill <i>Expected range: 20% to 60%</i>	56.22%	55.50%	56.71%	This measure refers to the percentage of garbage, recyclables and green organics collected from kerbside bins, that is diverted from landfill. There has been a slight increase in the percentage of garbage, recyclables and green organics collected from kerbside bins that is diverted from landfill. This increase is attributed to the introduction of Council's Food Organics Garden Organics service on 1 May 2023.	

Finance Final Report: Financial Year-End 2022/23 Executive Summary

Finance & Commercial Services

Executive Summary

The Financial Statements for 2022/23, which have been prepared based on the Australian equivalents to International Financial Reporting Standards (AIFRS), disclose a comprehensive surplus result for the period of \$6M, which is \$19.6M lower than the Adopted Budget outcome of \$25.6M.

The lower than anticipated surplus for the year is mainly related to:

- timing of revenue recognition for capital grants including the Ringwood Activity Centre Carpark development which was extended into 2023/24 resulting in \$18M of capital funding received to be deferred to next year; and
- higher Other Expenses related to assets written off during the period as part of the annual review process, which is typically not budgeted for, of \$12M (non-cash impact).

These were partially offset by a number of items including:

- operating grant carried forward from 2021/22 and the receipt of 100% of the Victorian Grants Commission 2023/24 funding allocation (\$2.5M)
- recognition of capital grant carried forward from 2021/22 as these projects are delivered (\$6.5M)
- slight increases in Fees and Fines as consumer activities resume post pandemic (\$1.0M)
- insurance recovery for flooring at Maroondah Nets (\$1.1M)

Council's underlying and unrestricted surplus of \$3.9M is \$1.6M favourable to budget.

During 2022-23, the COVID-19 pandemic continued to impact on Council's operations and the financial implications of the pandemic have been considered in the preparation of these financial statements. The significant effects on the 2022-23 financial statements and estimates, as a result of the pandemic, have mainly related to materials, services and labour supply impacting the delivery of capital works and services. These are outlined in Note 2.1 Performance against budget where applicable.

Overall, indicators are positive and indicate that Council has maintained a strong financial position with a cash balance of \$74.1M and a liquidity ratio of 1.5 indicating that Council is able to meet its current financial obligations as and when they are due.

Council delivered \$43.1M of capital works against a budget of \$51.7M with the underspend largely related to the Ringwood Activity Centre works postponed to 2023/24. This was partially offset by carried forward works from Covid impacted years being delivered in 2022/23 including completion of a number of pavilions (Dorset Multipurpose Redevelopment, Jubilee Park Indoor Cricket Facility, Cheong Park Sporting Pavilion); and Road renewals and patching works. The Capital Replacement ratio is 1.61 and the Renewal ratio is 1.39 for 2022/23 reflecting a healthy capital spend on upkeeps of assets.

2022/23 Income Statement

Impact on Income

Whilst there were lost income across the organisation due to Covid-19 in the past three financial years, Council is seeing a steady increase in Statutory Fees and fines as well as User Fees during 2022-23 as consumer activities particular in leisure continue to normalise. However, the economic impact on global material supply markets and the shift in working norms with its impact on labour supply have both impacted the delivery of 2022-23 capital works resulting in the deferral of grant income recognition.

Income is \$7.3M under budget and the variance largely driven by the following areas:

Income Stream	Variance to Budget \$'000	Comment
User Fees	731	Mainly from Ringwood and Dorset Golf due to increased leisure activity post pandemic and membership review.
Grants Operating	2,470	The favourable variance in operating grants is due to 100% of the 2023/24 Australian Government Financial Assistance Grants funding being brought forward to 2022/23 resulting in a variance of \$1.456M; and carried forward grants received in 2021/22 mainly for maternal child health and youth services being recognised as income in 2022/23.
Grants Capital	(13,898)	The Ringwood Activity Centre Carpark development schedule has been extended into 2023/2024 and \$18M of capital funding received will be recognised in 2023/24. This is partially offset by \$6.5M of grants received in 2021/2022 being recognised as income in 2022/23 for capital works delivered including Jubilee Park Indoor Cricket Facility and JW Manson Pavilion improvements.
Other income	\$3,238	Higher return on Investments than anticipated due to rise in interest rates. Insurance claim payment relating to The Maroondah Nets Flooring \$1.1M.

Impact on Expenditure

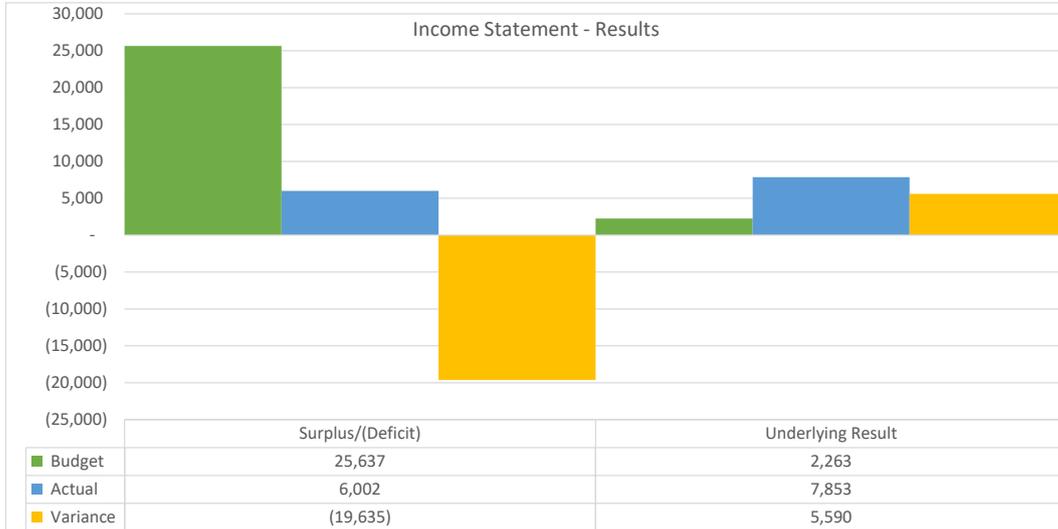
Expenses are \$12.3M over budget and mainly relate to non-cash items such as increase in Amortisation and Finance costs due to the recognition of Right of Use assets under AASB16 Leases for waste trucks contracts which commenced in October 2022, and asset write-off following an annual review by the Asset Management team.

These key areas are further detailed below:

Expenditure	Variance to Budget \$'000	Comment
Finance costs - leases	(\$253)	Unfavorable variance relates to the recognition of Right of Use asset related to waste trucks in 2022/2023.
Amortisation -Right of use of Asset	(\$701)	Unfavorable variance is due to the recognition of Right of Use assets under AASB 16 Leases for Waste Trucks. This was not included in the Adopted budget as contracts were still in negotiation at the time the budget was prepared.
Other Expenses	(\$11,496)	Due to assets with Written Down Value of zero written off during the period (\$11.7M) mainly related to infrastructure such as pipes and footpaths, which is subject to variation.

Income Statement Results

The below chart provides a comparison of the Income Statement outcomes compared to Adopted Budget and also illustrate that, although the surplus and variance to budgeted surplus appears high and unfavorable, when it is further broken down, the real underlying surplus variant to budget is \$5.6M favourable.



The underlying and unrestricted surplus considers intended results and strips away any restricted type items, which include:

- Public Open Space
- Waste Management Restricted Asset
- Carried Forward Grants
- Capital Reserve Allocations

In taking those into account, the breakdown of the underlying and unrestricted result is below:

Item	2022/23 Variance to Budget (\$'000)
Underlying Surplus	\$5,590
Restricted Allocations	\$4,000
Underlying Unrestricted Surplus	\$1,590

Balance Sheet - Summary

The balance sheet as at 30 June 2023, presents a solid and adequately liquid financial position for Council. The below table provides an analysis of key movements on the balance sheet:

Asset/Liability	Note Reference	2023 \$'000	2022 \$'000	Variance \$'000	Comment
Assets					
Cash	5.1	74,061	45,875	28,186	Higher cash balance is mainly due to grant funding received for car park upgrades in July 2022 of \$19.3M; the payment of 100% of the Victorian Grants Commission funding for 2023/24; and higher returns generated from higher interest rates on term deposits.
Trade and Other Receivables	5.1	10,108	29,316	(19,208)	Grant receivables was reduced with the receipt of car park upgrade funding in July 2022 of \$19.3M from the Department of Infrastructure, Transport, Regional Development and Communications (DITRDC).
Other Financial Assets	5.1	14,575	23,981	(9,406)	Decrease due to timing of Term Deposits over 90 days which were mostly redeemed in May and June 2023.
Property, Infrastructure, Plant and Equipment	6.1	2,087,642	2,014,272	73,370	Key drivers of this variance include: \$35.1M in additions due to completion of major projects including: <ul style="list-style-type: none"> Buildings - Dorset Multipurpose Pavilion Redevelopment (\$1.5M), Jubilee Park Indoor Cricket Facility Roads - New St Road Renewal and Eastfield Rd Renewal projects which are part of the Local Road and Community Infrastructure project initiative totaling \$1.34M; Yarra Rd project works \$0.4M and Major Patching works \$0.22M. Parks and Open Space - Cheong Park Sporting Pavilion (\$1.6M), Dorset Multipurpose Pavilion (\$1.4M) and East Ringwood Reserve Sport Lighting (\$0.5M). (\$7.2M) prior period adjustment for newly recognized assets largely related to drainage. \$76.4M revaluation increase mainly due to the full revaluation of drainage assets and indexation of footpaths and roads. (\$11.6M) of written off assets as part of the annual review process mainly in infrastructure. (\$26.8M) depreciation expenditure.
Right of Use Assets	5.8	8,652	1,308	7,344	Increase due to recognition of right of use assets under AASB16 <i>Leases</i> for waste trucks contracts commencing October 2022.
Liabilities					
Trade & Other Payables	5.3	32,935	9,759	(23,176)	Increase due to Heatherdale and Heathmont carpark projects ceasing. Grants monies to be returned to the DITRC in early 2023-24 and income has been moved out of unearned income into Grants payable. \$3M relates to an increase in Sundry creditors due to Accounts Payable backlog cleared as part of EOFY procedures and accrued.
Unearned Income	5.3	19,259	41,611	22,352	Decrease mainly due to Heatherdale and Heathmont carpark grants to be returned with funding moved out of unearned income into trade and other payables.
Interest-bearing liabilities	5.4	21,562	24,227	2,715	We have two main loans with TCV and ANZ. Reduction is mainly in the non-current portion as higher principal payments are settled for the loan over the years.
Lease Liabilities	5.8	8,745	1,344	(7,401)	Increase is mainly due to \$6.2M recognition of a lease liability related to Waste trucks under AASB16 <i>Leases</i> with the contract commencing in October 2022. Additionally, lease liabilities for IT equipment increased by \$1M due to the roll out of Desktop as a Service (DaaS) program.

CAPEX- Summary

The CAPEX Program during 2022/23 was a healthy CAPEX Program, as can be seen from the graph below:



Some key reasons for material variations:

- Buildings:
 - Ringwood Activity Centre Carpark works(\$19M) being postponed into 2023/2024, with limited works carried out in 2022/2023
 - The underspend is partially offset by works being completed at a number of pavilions including Dorset Multipurpose Pavilion Redevelopment (\$1.5M), Jubilee Park Indoor Cricket Facility (\$4.1M with funding allocation of \$2.2M)
- Roads:

Over spend in Roads is attributed to a number of large projects being completed this financial year due to COVID impacts on supply of both materials and labour, including:

 - the New St Road Renewal and Eastfield Rd Renewal projects which are part of the Local Road and Community Infrastructure project initiative totaling \$1.34M
 - Yarra Rd project works \$0.4M
 - Major Patching works \$0.22M
- Parks, open space and streetscapes:

There were a number of large Parks, Open Space and Streetscapes projects that were carried forward into 2022/2023 due to COVID and works extending over multiple years which have now been completed including:

 - Cheong Park Sporting Pavilion (\$1.6M)
 - Dorset Multipurpose Pavilion (\$1.4M)
 - East Ringwood Reserve Sport Lighting (\$0.5M)

Maroondah City Council

ANNUAL FINANCIAL REPORT
for the year ended 30 June 2023



Maroondah City Council

2022/2023 Financial Report

Annual Financial Report
for the year ended 30 June 2023

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2022/2023 Financial Report

Annual Financial Report

for the year ended 30 June 2023

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Content Overview

These financial statements are General Purpose Financial Statements and cover the consolidated operations for Maroondah City Council

All figures presented in these financial statements are presented in Australian Currency.

These financial statements were authorised for issue by the Council on dd MMMM yyyy
Council has the power to amend and reissue these financial statements.

Maroondah City Council

2022/2023 Financial Report

Annual Financial Report for the year ended 30 June 2023

Certification of the Financial Statements

In my opinion, the accompanying financial statements have been prepared in accordance with the *Local Government Act 2020*, the *Local Government (Planning and Reporting) Regulations 2020*, the Australian Accounting Standards and other mandatory professional reporting requirements.

Antonio Rocca, CA
Principal Accounting Officer
Dated: dd MMMM yyyy
Melbourne

In our opinion, the accompanying financial statements present fairly the financial transactions of Maroondah City Council for the year ended 30 June 2023 and the financial position of the Council as at that date.

At the date of signing, we are not aware of any circumstances which would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify the financial statements in their final form.

R. Steane
Mayor
Dated: dd MMMM yyyy
Melbourne

M. Symon
Councillor
Dated: dd MMMM yyyy
Melbourne

S. Kozlowski
Chief Executive Office
Dated: dd MMMM yyyy
Melbourne

Maroondah City Council

2022/2023 Financial Report

Annual Financial Report
for the year ended 30 June 2023

Victorian Auditor-General's Office Report

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Maroondah City Council

2022/2023 Financial Report

Annual Financial Report
for the year ended 30 June 2023

Victorian Auditor-General's Office Report (continued)

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Maroondah City Council

2022/2023 Financial Report

Comprehensive Income Statement
for the year ended 30 June 2023

	Notes	2023 \$ '000	2022 \$ '000
Income / Revenue			
Rates and charges	3.1	102,531	99,239
Statutory fees and fines	3.2	5,449	4,853
User fees	3.3	28,993	19,257
Grants - operating	3.4	11,230	12,984
Grants - capital	3.4	9,476	17,496
Contributions - monetary	3.5	5,355	8,145
Net gain on disposal of property, infrastructure, plant and equipment		405	132
Other income	3.6	4,416	873
Total income / revenue		167,855	162,979
Expenses			
Employee costs	4.1	63,624	57,824
Materials and services	4.2	55,930	52,277
Depreciation	4.3	26,786	25,917
Amortisation - Intangible assets	4.4	246	323
Amortisation - Right of use assets	4.5	1,563	947
Bad and doubtful debts		82	10
Borrowing costs	4.6	1,035	756
Finance Costs - Leases	4.7	314	58
Other expenses	4.8	12,265	10,216
Share of net losses of associates and joint ventures	6.2	9	1,199
Total expenses		161,854	149,527
Surplus/(deficit) for the year		6,001	13,452
Other comprehensive income:			
Items that will not be reclassified to surplus or deficit in future periods			
Net asset revaluation increment/(decrement)	6.1	76,367	70,219
Total items which will not be reclassified subsequently to the operating result		76,367	70,219
Total other comprehensive income		76,367	70,219
Total comprehensive result		82,368	83,671

The above comprehensive income statement should be read in conjunction with the accompanying notes.

Maroondah City Council

2022/2023 Financial Report

Balance Sheet

as at 30 June 2023

	Notes	2023 \$ '000	2022 \$ '000
Assets			
Current assets			
Cash and cash equivalents	5.1	74,061	45,875
Trade and other receivables	5.1	9,795	28,869
Other financial assets	5.1	14,575	23,981
Inventories		424	480
Other assets		881	724
Total current assets		99,736	99,929
Non-current assets			
Trade and other receivables	5.1	313	447
Investments in associates, joint arrangements and subsidiaries	6.2	2,525	2,533
Property, infrastructure, plant and equipment	6.1	2,087,642	2,014,272
Intangible assets	5.2	1,054	748
Right-of-use assets	5.8	8,652	1,308
Total non-current assets		2,100,186	2,019,308
Total assets		2,199,922	2,119,237
Liabilities			
Current liabilities			
Trade and other payables	5.3	32,935	9,759
Provisions	5.5	14,805	14,193
Unearned income/revenue	5.3	8,216	15,950
Trust funds and deposits	5.3	6,065	6,371
Interest-bearing liabilities	5.4	2,836	2,715
Lease liabilities	5.8(b)	1,451	645
Total current liabilities		66,308	49,633
Non-current liabilities			
Trust funds and deposits	5.3	132	293
Unearned income/revenue	5.3	11,043	25,661
Provisions	5.5	1,111	1,223
Interest-bearing liabilities	5.4	18,726	21,562
Lease liabilities	5.8(b)	7,294	699
Total non-current liabilities		38,306	49,438
Total liabilities		104,614	99,071
Net assets		2,095,308	2,020,166
Equity			
Accumulated surplus		847,539	848,764
Reserves	9.1	1,247,769	1,171,402
Total Equity		2,095,308	2,020,166

The above balance sheet should be read in conjunction with the accompanying notes.

Maroondah City Council

2022/2023 Financial Report

Statement of Changes in Equity

for the year ended 30 June 2023

	Note	Total \$ '000	Accumulated Surplus \$ '000	Revaluation Reserves \$ '000	Other Reserves \$ '000
2023					
Balance at beginning of the financial year		2,020,166	848,764	1,159,402	12,000
Adjustment for prior periods – property, infrastructure, plant and equipment	6.1	(7,226)	(7,226)	–	–
Adjusted opening balance		2,012,940	841,538	1,159,402	12,000
Surplus/(deficit) for the year		6,001	6,001	–	–
Other comprehensive income					
Net asset revaluation increment/(decrement)	6.1	76,367	–	76,367	–
Other comprehensive income		76,367	–	76,367	–
Total comprehensive income		82,368	6,001	76,367	–
Balance at end of the financial year		2,095,308	847,539	1,235,769	12,000
2022					
Balance at beginning of the financial year		1,938,387	837,204	1,089,183	12,000
Adjustment for prior periods – property, infrastructure, plant and equipment	6.1	(1,892)	(1,892)	–	–
Adjusted opening balance		1,936,495	835,312	1,089,183	12,000
Surplus/(deficit) for the year		13,452	13,452	–	–
Other comprehensive income					
Net asset revaluation increment/(decrement)	6.1	70,219	–	70,219	–
Other comprehensive income		70,219	–	70,219	–
Total comprehensive income		83,671	13,452	70,219	–
Balance at end of the financial year		2,020,166	848,764	1,159,402	12,000

The above statement of changes in equity should be read in conjunction with the accompanying notes.

Maroondah City Council

2022/2023 Financial Report

Statement of Cash Flows

for the year ended 30 June 2023

	Notes	2023 Inflows/ (Outflows) \$ '000	2022 Inflows/ (Outflows) \$ '000
Cash flows from operating activities			
Rates and charges		102,950	99,007
Statutory fees and fines		5,366	4,788
User fees		32,892	22,349
Grants - operating		11,057	13,148
Grants - capital		26,202	9,908
Contributions - monetary		5,470	8,325
Interest received		2,305	232
Trust funds and deposits taken		19,518	19,866
Other receipts		1,341	-
Net GST refund/payment		7,008	7,145
Employee costs		(63,745)	(57,851)
Materials and services		(63,584)	(62,603)
Short-term, low value and variable lease payments		95	(99)
Trust funds and deposits repaid		(20,187)	(19,796)
Net cash provided by/(used in) operating activities	9.2	66,688	44,419
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment	6.1	(43,163)	(48,951)
Proceeds from sale of property, infrastructure, plant and equipment		826	802
Payments for investments		(174,254)	(68,099)
Proceeds from sale of investments		183,659	83,092
Net cash provided by/(used in) investing activities		(32,932)	(33,156)
Cash flows from financing activities			
Finance costs		(1,035)	(756)
Proceeds from borrowings		-	8,459
Repayment of borrowings		(2,715)	-
Interest paid - lease liability		(314)	(58)
Repayment of lease liabilities		(1,506)	(947)
Net cash flow provided by/(used in) financing activities		(5,570)	6,698
Net Increase (decrease) in cash and cash equivalents		28,186	17,961
Cash and cash equivalents at the beginning of the financial year		45,875	27,914
Cash and cash equivalents at the end of the financial year		74,061	45,875
Financing arrangements	5.6	1,800	1,800

The above statement of cash flows should be read in conjunction with the accompanying notes.

Maroondah City Council

2022/2023 Financial Report

Statement of Capital Works

for the year ended 30 June 2023

	2023	2022
	\$ '000	\$ '000
Property		
Land	–	268
Total land	–	268
Buildings	19,069	24,678
Total buildings	19,069	24,678
Total property	19,069	24,946
Plant and equipment		
Plant, machinery and equipment	1,960	1,535
Fixtures, fittings and furniture	2,217	507
Computers and telecommunications	68	3
Total plant and equipment	4,245	2,045
Infrastructure		
Roads	3,407	1,957
Footpaths and cycleways	3,639	2,040
Drainage	3,118	5,569
Waste management	87	13
Parks, open space and streetscapes	6,826	7,702
Off street car parks	2,300	149
Other infrastructure	391	260
Total infrastructure	19,768	17,690
Total capital works expenditure	43,082	44,681
Represented by:		
New asset expenditure	5,785	9,611
Asset renewal expenditure	25,494	25,848
Asset upgrade expenditure	11,803	9,222
Total capital works expenditure	43,082	44,681

The above statement of capital works should be read in conjunction with the accompanying notes.

Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 1. Overview

Introduction

The Maroondah City Council ("The Council") was established by an Order of the Governor in Council on 15 December 1994 and is a body corporate.

The Council's main office is located at 179 Maroondah Highway Ringwood, VIC 3134.

Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 2020*, and the *Local Government (Planning and Reporting) Regulations 2020*.

The Council is a not-for-profit entity and therefore applies the additional AUS paragraphs applicable to a not-for-profit entity under the Australian Accounting Standards.

Significant accounting policies

1.1 Basis of accounting

Accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported. Accounting policies applied are disclosed in sections where the related balance or financial statement matter is disclosed.

The accrual basis of accounting has been used in the preparation of these financial statements, except for the cash flow information, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

The financial statements are based on the historical cost convention unless a different measurement basis is specifically disclosed in the notes to the financial statements.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

The financial statements have been prepared on a going concern basis. The financial statements are in Australian dollars. The amounts presented in the financial statements have been rounded to the nearest thousand dollars unless otherwise specified. Minor discrepancies in tables between totals and the sum of components are due to rounding.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of AAS's that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 6.1.)
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.1.).
- the determination of employee provisions (refer to Note 5.5.).
- the determination of whether performance obligations are sufficiently specific so as to determine whether an arrangement is within the scope of *AASB 15 Revenue from Contracts with Customers* or *AASB 1058 Income of Not-for-Profit Entities* (refer to Note 3)
- the determination, in accordance with *AASB 16 Leases*, of the lease term, the estimation of the discount rate when not implicit in the lease and whether an arrangement is in substance short-term or low value (refer to Note 5.8)
- other areas requiring judgements

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation, and disclosure has been made of any material changes to comparatives.

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 1. Overview (continued)

Goods and Services Tax (GST)

Income and expenses are recognised net of the amount of associated GST. Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the taxation authority is included with other receivables or payables in the balance sheet.

1.2 Impact of Covid-19

During 2022-23 the COVID-19 pandemic continued to impact on Council's operations and the financial implications of the pandemic have been considered in the preparation of these financial statements.

The significant effects on the 2022-23 financial statements and estimates, as a result of the pandemic, have mainly related to materials, services and labour supply impacting the delivery of capital works and services. These are outlined in Note 2.1 Performance against budget.

This Financial year 22/23 Council received a \$0.09M in grant funding for COVID19 Rapid Antigen Test Program.

Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 2. Analysis of our results

Note 2.1. Performance against budget

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variances. Council has adopted a materiality threshold of the lower of 10 percent or \$1 million where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

The budget figures detailed below are those adopted by Council on 22 June 2022. The Budget was based on assumptions that were relevant at the time of adoption of the Budget. Council sets guidelines and parameters for income and expense targets in this budget in order to meet Council's planning and financial performance targets for both the short and long-term. The budget did not reflect any changes to equity resulting from asset revaluations, as their impacts were not considered predictable.

These notes are prepared to meet the requirements of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

	Budget 2023 \$ '000	Actual 2023 \$ '000	Variance \$ '000	Variance %	Ref
2.1.1 Income / Revenue and expenditure					
Income / Revenue					
Rates and charges	102,337	102,531	194	0.19%	
Statutory fees and fines	5,190	5,449	259	4.99%	
User fees	28,262	28,993	731	2.59%	
Grants - operating	8,760	11,230	2,470	28.20%	1
Grants - capital	23,374	9,476	(13,898)	(59.46)%	2
Contributions - monetary	6,136	5,355	(781)	(12.73)%	3
Net gain on disposal of property, infrastructure, plant and equipment	(93)	405	498	(535.48)%	4
Other income	1,178	4,416	3,238	274.87%	5
Total income / revenue	175,144	167,855	(7,289)	(4.16)%	
Expenses					
Employee costs	63,388	63,624	(236)	(0.37)%	
Materials and services	56,292	55,930	362	0.64%	
Depreciation	27,209	26,786	423	1.55%	
Amortisation - intangible assets	-	246	(246)	∞	
Amortisation - right of use assets	862	1,563	(701)	(81.32)%	6
Bad and doubtful debts	-	82	(82)	∞	
Borrowing costs	926	1,035	(109)	(11.77)%	7
Finance costs - leases	61	314	(253)	(414.75)%	8
Share of net losses of associates and joint ventures	-	9	(9)	∞	
Other expenses	769	12,265	(11,496)	(1,494.93)%	9
Total expenses	149,507	161,854	(12,347)	(8.26)%	
Surplus/(deficit) for the year	25,637	6,001	(19,636)	(76.59)%	

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 2.1. Performance against budget (continued)

(i) Explanation of material variations

Variance	Explanation
----------	-------------

Ref	Explanation
-----	-------------

- | | |
|----|--|
| 1. | The favourable variance in operating grants is due to 100% of the 2023/24 Australian Government Financial Assistance Grant funding being brought forward to 2022/23 resulting in a variance of \$1.456M; and carried forward grants received in 2021/22 mainly for maternal child health and youth services being recognised as income in 2022/23. |
| 2. | The Ringwood Activity Centre Carpark development schedule has been extended into 2023/2024 and \$18M of capital funding received will be recognised in 2023/24. This is partially offset by \$6.5M of grants received in 2021/2022 being recognised as income in 2022/23 for capital works delivered including Jubilee Park Indoor Cricket Facility and JW Manson Pavilion improvements. |
| 3. | The unfavourable variance is due to timing of Open space Contributions (\$0.656M) and Ringwood Developer contributions (\$0.6M), previously budgeted in 2022/23 and now expected to be received in 2023/2024. |
| 4. | Favourable variance due to sale of 4 land parcels totalling \$0.121M which were not budgeted for. |
| 5. | Higher return on Investments than anticipated due to rise in interest rates. Insurance claim The Nets having been flooded and the Flooring needing to be removed and replaced \$1.1M. |
| 6. | Unfavourable variance is due to the recognition of Right of Use assets under AASB 16 Leases for Waste Trucks. This was not included in the Adopted budget as contracts were still in negotiation at the time the budget was prepared. |
| 7. | Higher borrowing costs due to timing of the approval of the loan and the loan schedule being received for the TCV loan which occurred after the budget was finalised. |
| 8. | The \$0.253M unfavourable variance relates to the recognition of Right of Use asset related to waste trucks in 2022/2023. |
| 9. | This category includes expenses related to assets written off during the period (\$11.7M), which is subject to variation and relates to old infrastructure assets reviewed prior to maintenance work. Refer to Note 4.8. |

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 2.1. Performance against budget (continued)

	Budget 2023 \$ '000	Actual 2023 \$ '000	Variance \$ '000	Variance %	Ref
2.1.2 Capital works					
Property					
Land	—	—	—	∞	
Total land	—	—	—	∞	
Buildings	30,137	19,069	(11,068)	(36.73)%	1
Total buildings	30,137	19,069	(11,068)	(36.73)%	
Total property	30,137	19,069	(11,068)	(36.73)%	
Plant and equipment					
Plant, machinery and equipment	2,413	1,960	(453)	(18.77)%	2
Fixtures, fittings and furniture	920	2,217	1,297	140.98%	3
Computers and telecommunications	359	68	(291)	(81.06)%	4
Total plant and equipment	3,692	4,245	553	14.98%	
Infrastructure					
Roads	2,638	3,407	769	29.15%	5
Footpaths and cycleways	3,446	3,639	193	5.60%	
Drainage	4,292	3,118	(1,174)	(27.35)%	6
Waste management	2,550	87	(2,463)	(96.59)%	7
Parks, open space and streetscapes	3,398	6,826	3,428	100.88%	8
Off street car parks	500	2,300	1,800	360.00%	9
Other infrastructure	1,045	391	(654)	(62.58)%	10
Total infrastructure	17,869	19,768	1,899	10.63%	
Total capital works expenditure	51,698	43,082	(8,616)	(16.67)%	
Represented by:					
New asset expenditure	27,845	5,785	(22,060)	(79.22)%	11
Asset renewal expenditure	18,919	25,494	6,575	34.75%	12
Asset upgrade expenditure	4,934	11,803	6,869	139.22%	13
Total capital works expenditure	51,698	43,082	(8,616)	(16.67)%	

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 2.1. Performance against budget (continued)**(i) Explanation of material variations**

1. Underspend in Buildings is largely related to the Ringwood Activity Centre Carpark works (\$19M) being postponed into 2023/2024, with limited works carried out in 2022/2023. The underspend is partially offset by works being completed at a number of pavilions including Dorset Multipurpose Pavilion Redevelopment (\$1.5M), Jubilee Park Indoor Cricket Facility (\$4.1M with funding allocation of \$2.2M).
2. Plant and Equipment underspend is due to ongoing supply chain issues as a result of COVID and other external global factors. The underspend is partially offset against lower than anticipated income received from the budgeted sale of items given assets were not turned over as planned.
3. Overspend mainly relates to bins required as part of the Food Organics Garden Organics (FOGO) rollout completed in May 2023. These were budgeted under Waste Management below (\$2.5M). Taking this into consideration, there is an overall underspend of \$1.2M mostly related to Leisure equipment replacement postponed to next financial year due to supply availability with funding allocated to 2023/2024.
4. Overspend in Computers and Telecommunications is due to Council obtaining funding for two separate projects Regulation Reform Incentive Fund (RRIF) Initiative and Customer Relationship Management (CRM) System Integration), expenditure on these projects totalled \$0.38M.
5. Overspend in Roads is attributed to a number of large projects being completed this financial year due to COVID impacts on supply of both materials and labour, including the New St Road Renewal and Eastfield Rd Renewal projects which are part of the Local Road and Community Infrastructure project initiative totalling \$1.34M; Yarra Rd project works \$0.4M and Major Patching works \$0.22M.
6. Underspend in Drainage is mainly due to project delays for the Ringwood Activities Area drainage program Sherbrook Avenue stage 3 works (\$1M), with the works now expected to commence in early 2023/2024.
7. Underspend relates to FOGO bins actual spend being accounted for under Fixtures, Fittings and Furniture as per comment above.
8. There was a number of large Parks, Open Space and Streetscapes projects that were carried forward into 2022/2023 due to COVID and works extending over multiple years which have now been completed including: Cheong Park Sporting Pavilion (\$1.6M) and Dorset Multipurpose Pavilion (\$1.4M). Works were also undertaken this year for East Ringwood Reserve Sport Lighting (\$0.5M).
9. With a large number of Pavilion Redevelopment works completed in 2022/2023, this included works on a number of carparks to accommodate the new Pavilions including the Dorset Recreational Reserve carpark (\$0.75M) and Ainslie Park carpark (0.52M).
10. Ringwood Metro Activity Centre had three projects commence in the year up to the study and/or design stage with overall spend in comparison to budget down \$0.5M. Works are anticipated to expand in 2023/24.
11. The timeframe for the Ringwood Activity Centre Carpark was postponed into 2023/2024, with limited works carried out in 2022/2023 resulting in an underspend in comparison to budget (\$19M).
12. A number of pavilion or sporting facility projects were carried forward into the 2022/2023 year for completion as a result of delays in prior years, these projects have now been completed including renewal works for: JW Manson Pavilion (\$2.4M), Jubilee Indoor Cricket (\$2.1M) and Dorset Multipurpose Pavilion (\$1.2M), and Eastfield Rd Renewal (\$1.2M).
13. A number of pavilion or sporting facility projects were carried forward into the 2022/2023 year for completion as a result of delays in prior years, these projects have now been completed including upgrades for: JW Manson Pavilion (\$2.4M), Jubilee Indoor Cricket (\$2.1M), Ainslie Park Pavilion (\$1.3M), Cheong Park Pavilion (\$0.8M) and Scenic Avenue drainage (\$1.2M).

Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 2.2. Analysis of Council results by program

2.2.1 Analysis of Council results by program

Council delivers its functions and activities through the following programs.

Strategy and Community

The directorate is responsible for:

- Business and Development, which coordinates Council's efforts in major projects such as the Ringwood Metropolitan Activity Centre, including Realm. The team also facilitates and supports the sustainable growth of the local economy and business networks
- Community Services, which provides maternal & child health, children's, youth, and aged and disability services to meet the needs of a diverse community, as well as Arts and Cultural Development
- Integrated Planning which looks after strategic land use, environmental sustainability, Maroondah Planning Scheme amendments, and community and policy development

Assets and Leisure

The directorate is responsible for:

- Projects and Asset Management, which includes strategic asset management, open space strategic direction and policy development, capital works renewal program development for roads, car parks, community facilities and public open spaces, and the delivery of community facility and open space capital works improvement projects. This area also includes the maintenance and management of Maroondah's community facility assets
- Leisure and Major Facilities, which provides opportunities, activities and events to encourage increased community involvement and physical activity. This area manages Council's Maroondah Leisure facilities, including Aquanation, Aquahub, Ringwood and Dorset Golf, The Rings, The Nets, Maroondah Edge and Croydon Memorial Pool. It is also responsible for overall occupancy of Council's sporting facilities and pavilions including seasonal allocations, leases, licences and casual use, as well as the maintenance and management of Maroondah's sportsfields
- Operations maintains Maroondah's built and natural environment community assets, including parks, gardens, bushland, trees, waterways, stormwater drainage, roads and footpaths, as well as fleet management and maintenance. This area also includes cleansing, street sweeping, public toilet cleaning, and graffiti management.

Chief Executive Office

The Chief Executive Officer is the principal advisor to Council and the key liaison between the elected Council and Council administration. The responsibility of the office is to ensure that Council's vision is realised through the organisation's activities and that policies and programs of Council are effectively managed. The office provides support to the Mayor and Councillors and undertakes principal advocacy and stakeholder management activities on behalf of the City.

Chief Financial Office

The directorate is responsible for the provision of several corporate services to operational areas of Council, and includes:

- Finance & Commercial Services
- Cyber & Technology
- Governance & Performance

This includes the provision of efficient, effective and proactive support services across council to enable the delivery of policy commitments, council plan and vision. The provision of these service areas listed above includes finance services, delivering technological infrastructure to deliver council services, property, governance & procurement, risk management and waste management services and program delivery and program integration and development.

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 2.2. Analysis of Council results by program (continued)

People and Places

The Directorate is responsible for four (4) service areas:

- Business and Precincts manages the relationship between Council and the business community to facilitate economic prosperity for Maroondah and the Eastern Region; providing placement at activity centres; working with the creative community and managing a range of arts, performance and cultural facilities.
- Communications and Citizen Experience manages public relations, communications, community engagement and corporate marketing via a range of channels and sites, and to keep the community and employees informed and engaged with associated strategies and planning across printed publications, online and digital, brand management, graphic design, social media, multimedia and customer service across two sites at Realm and Croydon Library, live chat, phone.
- Community Services works with and supports all ages, abilities and diverse cultural groups essential in planning and building community wellbeing across Maternal and Child Health; Childrens and Youth Services, Family Services and Aged and Disability Services.
- People and Culture optimises service delivery outcomes as delivered and facilitated by employees, student placements and volunteers across strategy, policy, procedures to meet best practice contemporary employee relations and legislative requirements. These include change management, employee and leadership development, employee relations, Gender Equality, OH&S and Work Cover and Injury management.

Strategy and Development

The directorate is responsible for:

- City Futures, which coordinates consultation for and delivery of key strategic policies, plans and actions relating city planning, liveability, environmental sustainability, community development and community wellbeing.
- Engineering and Building Services, provides engineering expertise in areas of transportation planning, drainage, engineering development approvals, asset protection, and capital works project management. It also provides building related approval permits, siting and hoarding consents, property information, and a range of other essential service and compliance activities set as legislative requirements.
- Statutory Planning facilitates Council's statutory land use and development decisions, environmental and planning compliance activities, delivering on key obligations under the Planning and Environmental Act and the Maroondah Planning Scheme
- Community Safety manages Council's statutory and compliance activities under the Public Health and Wellbeing Act, Food Act, Emergency Management Act and Council's Local Laws. It includes Environmental Health, Immunisation, Emergency Management and Local Laws

2.2.2 Summary of income / revenue, expenses, assets and capital expenses by program

Functions/activities	Income / Revenue \$ '000	Expenses \$ '000	Surplus / (Deficit) \$ '000	Grants included in income / revenue \$ '000	Total assets \$ '000
2023					
Assets and Leisure	36,074	82,606	(46,532)	9,577	2,088,008
Chief Executive Office	4	1,531	(1,527)	-	-
Chief Financial Office	109,436	33,479	75,957	6,810	111,914
People and Places	10,634	26,863	(16,229)	3,849	-
Strategy and Community	-	241	(241)	-	-
Strategy and Development	11,707	17,134	(5,427)	470	-
Total functions and activities	167,855	161,854	6,001	20,706	2,199,922
2022					
Chief Executive Office	341	2,893	(2,552)	-	-
Corporate Services	109,776	38,382	71,394	7,625	89,279
Development and Amenity	10,045	11,438	(1,393)	157	-
Operations, Assets and Leisure	37,144	81,906	(44,762)	18,830	2,029,958
Strategy and Community	5,671	14,907	(9,236)	3,868	-
Total functions and activities	162,977	149,526	13,451	30,480	2,119,237

Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 3. Funding for the delivery of our services

	2023	2022
	\$ '000	\$ '000

3.1 Rates and charges

Council uses capital improved value ("CIV") as the basis of valuation of all properties within the municipal district. The CIV of a property is the market value of land and improvements.

The valuation base used to calculate general rates for 2022/23 was \$44.86 billion (2021/22 \$38.49 billion).

General rates	83,080	81,019
Waste management charge	18,167	17,052
Special rates and charges	160	123
Supplementary rates and rate adjustments	697	631
Interest on rates and charges	408	396
Cultural and recreational	19	18
Total rates and charges	102,531	99,239

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2023, and the valuation will be first applied in the rating year commencing 1 July 2023.

Annual rates and charges are recognised as revenues when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

	2023	2022
	\$ '000	\$ '000

3.2 Statutory fees and fines

Infringements and costs	1,675	1,092
Court recoveries	253	188
Town planning fees	1,573	1,631
Land information certificates	109	137
Permits	1,699	1,671
Other	140	134
Total statutory fees and fines	5,449	4,853

Statutory fees and fines (including parking fees and fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 3. Funding for the delivery of our services (continued)

	2023	2022
	\$ '000	\$ '000
3.3 User fees		
Active leisure centres	21,967	14,083
Aged and health services	637	514
Asset Protection	303	352
Child care and children's programs	220	204
Community facilities recreation	739	507
Community health	36	18
Local laws	69	71
Occupation road reserve	121	226
Performing arts, functions and conferences	3,534	2,306
Public notices	89	93
Youth programs	-	4
Other fees / charges	1,278	879
Total user fees	28,993	19,257
User fees by timing of revenue recognition		
User fees recognised at a point in time	28,993	19,257
Total user fees	28,993	19,257

User fees are recognised as revenue at a point in time, or over time, when (or as) the performance obligation is satisfied. Recognition is based on the underlying contractual terms.

	2023	2022
	\$ '000	\$ '000

3.4 Funding from other levels of government

Grants were received in respect of the following:

Summary of grants

Commonwealth funded grants	10,180	19,732
State funded grants	10,526	10,748
Total grants received	20,706	30,480

(a) Operating Grants

Recurrent - Commonwealth Government

Aged care	1,011	968
Community health	14	7
Financial Assistance Grants	6,506	6,595
Youth and Children services	334	364
Other	-	39

Recurrent - State Government

Aged care	567	551
Community Health	107	-
Maternal and child health	1,239	1,335
Youth and Children services	92	66
Other	-	73
Total recurrent operating grants	9,870	9,998

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 3. Funding for the delivery of our services (continued)

	2023	2022
	\$ '000	\$ '000
<i>Non-recurrent - Commonwealth Government</i>		
Asset management	92	55
Youth and Children services	-	9
Other	20	-
<i>Non-recurrent - State Government</i>		
Activity Centre Development	82	-
Aged care	-	5
Asset management	-	40
Building Services	49	-
Community health	36	23
Community wellbeing	69	-
Council and community planning	-	1
COVID-19	283	851
Engineering services	11	53
Integrated planning	-	89
Maternal and child health	142	177
Sport and recreation	10	1
Waste management	-	140
Strategic Planning and Sustainability	167	-
Working 4 Victoria	-	1,146
Youth and Children services	383	298
Other	16	98
Total non-recurrent operating grants	1,360	2,986
Total operating grants	11,230	12,984
 (b) Capital Grants		
<i>Non-recurrent - Commonwealth Government</i>		
Buildings	250	6,198
Car parks	975	2,943
Footpaths and cycleways	-	298
Recreational, leisure and community facilities	15	539
Roads	963	1,715
<i>Non-recurrent - State Government</i>		
Buildings	5,200	3,348
Commercial centres	335	11
Car parks	-	28
Drainage	766	1,391
Footpaths and cycleways	-	15
Parks and open space	3	865
Recreational, leisure and community facilities	482	146
Roads	-	(1)
Other	487	-
Total non-recurrent capital grants	9,476	17,496
Total capital grants	9,476	17,496

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 3. Funding for the delivery of our services (continued)

	2023	2022
	\$ '000	\$ '000

(c) Recognition of grant income

Before recognising funding from government grants as revenue the Council assesses whether there is a contract that is enforceable and has sufficiently specific performance obligations in accordance with *AASB 15 Revenue from Contracts with Customers*. When both these conditions are satisfied, the Council:

- identifies each performance obligation relating to revenue under the contract/agreement
- determines the transaction price
- recognises a contract liability for its obligations under the agreement
- recognises revenue as it satisfies its performance obligations, at the time or over time when services are rendered.

Where the contract is not enforceable and/or does not have sufficiently specific performance obligations, the Council applies *AASB 1058 Income for Not-for-Profit Entities*.

Grant revenue with sufficiently specific performance obligations is recognised over time as the performance obligations specified in the underlying agreement are met. Where performance obligations are not sufficiently specific, grants are recognised on the earlier of receipt or when an unconditional right to receipt has been established. Grants relating to capital projects are generally recognised progressively as the capital project is completed. The following table provides a summary of the accounting framework under which grants are recognised.

Income recognised under AASB 1058 Income of Not-for-Profit Entities

General purpose	6,506	6,595
Specific purpose grants to acquire non-financial assets	9,476	17,496
Other specific purpose grants	-	-
Revenue recognised under AASB 15 Revenue from Contracts with Customers		
Specific purpose grants	4,724	6,389
	20,706	30,480

(d) Unspent grants received on condition that they be spent in a specific manner:**Operating**

Balance at start of year	11,529	12,713
Received during the financial year and remained unspent at balance date	915	8,103
Received in prior years and remained unspent at balance date	-	1,713
Received in prior years and spent during the financial year	(11,398)	(11,000)
Balance at year end	1,046	11,529

Capital

Balance at start of year	30,082	23,229
Received during the financial year and remained unspent at balance date	558	5,800
Received in prior years and remained unspent at balance date	-	12,141
Received in prior years and spent during the financial year	(12,427)	(11,088)
Balance at year end	18,213	30,082

Unspent grants are determined and disclosed on a cash basis.

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 3. Funding for the delivery of our services (continued)

	2023	2022
	\$ '000	\$ '000

3.5 Contributions

Monetary contributions

Monetary	5,355	8,145
Total monetary contributions	5,355	8,145

Monetary and non monetary contributions are recognised as revenue at their fair value when Council obtains control over the contributed asset.

	2023	2022
	\$ '000	\$ '000

3.6 Other income

Interest on investments	2,541	230
Interest other	1	1
Rent	752	642
Other	1,122	-
Total other income	4,416	873

Interest is recognised as it is earned.

Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.

Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements
for the year ended 30 June 2023

Note 4. The cost of delivering services

	2023	2022
	\$ '000	\$ '000

4.1 Employee costs

(a) Employee costs

Wages and salaries	56,445	51,775
WorkCover	623	399
Superannuation	5,999	5,144
Fringe benefits tax	557	506
Total employee costs	63,624	57,824

(b) Superannuation

Council made contributions to the following funds:

Defined benefit fund

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	194	215
	194	215

Accumulation funds

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	2,823	2,507
Employer contributions - other funds	2,982	2,422
	5,805	4,929

Total superannuation costs

	5,999	5,144
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Refer to Note 9.3. for further information relating to Council's superannuation obligations.

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 4. The cost of delivering services (continued)

	2023	2022
	\$ '000	\$ '000
4.2 Materials and services		
Agency staff	609	383
Apprentices	492	479
Bank charges	379	307
Cleaning	1,118	1,087
Communications, postage and advertising	1,125	1,326
Consultants	1,108	928
Cost of goods sold	1,143	868
Fire services levy	121	122
Food costs - meals on wheels	642	548
Fuels, oil, registrations and running costs - plant and fleet	1,309	1,090
Grants to the community	530	506
Insurance	1,444	1,235
Legal fees	801	443
Library contribution	2,799	2,774
Licence fees	445	390
Maintenance	5,527	4,524
Marketing and promotion	138	168
Materials - depot and golf courses	1,755	1,169
Memberships and subscriptions	229	216
Printing and stationary	156	142
Security	514	797
Training	453	396
Uniforms	121	101
Utilities	3,345	3,349
Other	4,267	3,548
Contract payments - waste	14,167	14,200
Contract payments - operations	5,189	4,625
Contract payments - valuations	60	59
Contract payments - election	1	86
Contractors - other	5,943	6,411
Total materials and services	55,930	52,277

Expenses are recognised as they are incurred and reported in the financial year to which they relate.

Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 4. The cost of delivering services (continued)

	2023	2022
	\$ '000	\$ '000
4.3 Depreciation		
Property		
Buildings - non specialised	8,152	7,970
Total depreciation - property	8,152	7,970
Plant and equipment		
Plant machinery and equipment	1,455	1,456
Fixtures fittings and furniture	454	414
Computers and telecomms	48	71
Total depreciation - plant and equipment	1,957	1,941
Infrastructure		
Roads	7,225	7,234
Footways and cycleways	1,792	1,467
Drainage	4,520	4,214
Parks open spaces and streetscapes	2,772	2,728
Off street car parks	368	363
Total depreciation - infrastructure	16,677	16,006
Total depreciation	26,786	25,917

Refer to note 5.2(c), 5.8 and 6.1 for a more detailed breakdown of depreciation and amortisation charges and accounting policy.

	2023	2022
	\$ '000	\$ '000
4.4 Amortisation - Intangible assets		
Software	246	323
Total Amortisation - Intangible assets	246	323

	2023	2022
	\$ '000	\$ '000
4.5 Amortisation - Right of use assets		
Vehicles	439	-
Photocopiers	50	47
IT Equipment	807	673
Leisure equipment	262	223
Land	5	4
Total Amortisation - Right of use assets	1,563	947

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 4. The cost of delivering services (continued)

	2023	2022
	\$ '000	\$ '000

4.6 Borrowing costs

Interest - Borrowings	1,035	756
Total borrowing costs	1,035	756

Borrowing costs are recognised as an expense in the period in which they are incurred, except where they are capitalised as part of a qualifying asset constructed by Council.

	2023	2022
	\$ '000	\$ '000

4.7 Finance Costs - Leases

Interest - Lease Liabilities	314	58
Total finance costs	314	58

	2023	2022
	\$ '000	\$ '000

4.8 Other expenses

Auditors' remuneration - VAGO - audit of the financial statements, performance statement and grant acquittals	69	73
Auditors' remuneration - Internal Audit	74	81
Councillors' allowances	366	332
Short term and low value leases	-	99
Assets written-off / impaired	11,646	9,631
Other	110	-
Total other expenses	12,265	10,216

Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 5. Our financial position

	2023	2022
	\$ '000	\$ '000

5.1 Financial assets

(a) Cash and cash equivalents

Current

Cash on hand	23	23
Cash at bank	69,155	9,000
Term deposits	4,883	36,852
Total current cash and cash equivalents	74,061	45,875

(b) Other financial assets

Current

Term deposits - current	14,575	23,981
Total current other financial assets	14,575	23,981

Total current financial assets

88,636 **69,856**

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of three months or less, net of outstanding bank overdrafts.

Other financial assets are valued at fair value, at balance date. Term deposits are measured at original cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

Other financial assets include term deposits and those with original maturity dates of three to 12 months are classified as current, whilst term deposits with maturity dates greater than 12 months are classified as non-current.

(c) Trade & Other Receivables

Current

Statutory receivables

Rates debtors	3,752	4,061
Garbage charges - debtors	799	830
Infringement debtors	343	248
Net GST receivable	505	829

Non-statutory receivables

Loans and advances to community organisations	15	21
Interest accrued - other investments	338	80
Other debtors	4,056	22,827

Provisions for doubtful debts

Provision for doubtful debts - other debtors	(13)	(23)
Provision for doubtful debts - infringements	-	(4)

Total current trade and other receivables

9,795 **28,869**

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2022/2023 Financial Report

Notes to the Financial Statements
for the year ended 30 June 2023

Note 5. Our financial position (continued)

	2023	2022
	\$ '000	\$ '000
Non-Current		
<i>Statutory receivables</i>		
Rates debtors	34	34
Infringement debtors	-	2
<i>Non-statutory receivables</i>		
Loans and advances to community organisations	14	18
Interest accrued - other investments	-	21
Other debtors	265	372
Total non-current trade and other receivables	313	447
Total trade and other receivables	10,108	29,316

Short term receivables are carried at invoice amount. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred. Long term receivables are carried at amortised cost using the effective interest rate method.

(d) Ageing of receivables

The ageing of the Council's trade & other receivables (excluding statutory receivables) that are not impaired was:

Current (not yet due)	2,214	3,031
Past due by up to 30 days	317	463
Past due between 31 and 180 days	139	4,864
Past due between 181 and 365 days	2,243	14,569
Past due by more than 1 year	279	412
Total trade and other receivables	5,192	23,339

(e) Ageing of individually impaired receivables

At balance date, other debtors representing financial assets with a nominal value of \$20,179 (2022: \$113,348) were impaired. The amount of the provision raised against these debtors was \$20,179 (2022: \$113,348). They individually have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged with Council's debt collectors or are on payment arrangements.

The ageing of receivables that have been individually determined as impaired at reporting date was:

Past due by more than 1 year	20	113
Total trade and other receivables	20	113

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements
for the year ended 30 June 2023

Note 5. Our financial position (continued)

	2023	2022
	\$ '000	\$ '000

5.2 Non-financial assets

(c) Intangible assets

Software	1,054	748
Total intangible assets	1,054	748

	Software	Total
	\$ '000	\$ '000

Gross Carrying Amount

Balance at 1 July 2022	1,231	1,231
Additions from internal developments	-	-
Other additions	551	551
Disposals	(294)	(294)
Balance at 30 June 2023	1,488	1,488

Accumulated amortisation and impairment

Balance at 1 July 2022	483	483
Amortisation expense	246	246
Disposals	(294)	(294)
Balance at 30 June 2023	435	435

Net book value at 30 June 2022

	748	748
--	-----	-----

Net book value at 30 June 2023	1,054	1,054
---------------------------------------	--------------	--------------

Intangible assets with finite lives are amortised as an expense on a systematic basis over the asset's useful life. Amortisation is generally calculated on a straight line basis, at a rate that allocates the asset value, less any estimated residual value over its estimated useful life. Estimates of the remaining useful lives and amortisation method are reviewed at least annually, and adjustments made where appropriate.

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2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 5. Our financial position (continued)

	2023	2022
	\$ '000	\$ '000

5.3 Payables, trust funds and deposits and unearned income/revenue

(a) Trade and other payables

Current

Non-statutory payables

Trade payables	31,095	7,536
Accrued expenses	1,840	2,223
Total current trade and other payables	32,935	9,759

(b) Trust funds and deposits

Current

Refundable deposits	4,796	4,742
Fire services levy	482	545
Retention amounts	626	926
Special rate assessment	161	158
Total current trust funds and deposits	6,065	6,371

Non-current

Refundable deposits	6	6
Special rate assessment	126	287
Total non-current trust funds and deposits	132	293

Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in council gaining control of the funds, are to be recognised as revenue at the time of forfeit.

Purpose and nature of items

Refundable Deposits - Deposits are taken by council as a form of surety in a number of circumstances, including in relation to building works, tender deposits, contract deposits and the use of civic facilities.

Fire Service Levy - Council is the collection agent for fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the state government in line with that process.

Retention Amounts - Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the lapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

Special Rate Assessment - Council is the collection agent for Promotional expenditure on behalf of Various Traders Associations. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the Traders associations in line with that process.

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2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 5. Our financial position (continued)

	2023	2022
	\$ '000	\$ '000
(c) Unearned income/revenue		
Current		
Grants received in advance:		
Grants received in advance - operating	1,046	11,529
Grants received in advance - capital	7,170	4,421
Total grants received in advance	8,216	15,950
Total current unearned income/revenue	8,216	15,950
Non-current		
Grants received in advance:		
Grants received in advance - capital	11,043	25,661
Total grants received in advance	11,043	25,661
Total non-current unearned income/revenue	11,043	25,661

Non-current unearned income amounts represent grant funding received by Council in relation to large, multi-year capital construction agreements. The non-current portion has been identified via planned expenditure and progress towards the projects as per Council's 10 year capital works program and adopted budget.

	2023	2022
	\$ '000	\$ '000
5.4 Interest-bearing liabilities		
Current		
Borrowings - secured	2,836	2,715
Total current interest-bearing liabilities	2,836	2,715
Non-current		
Borrowings - secured	18,726	21,562
Total non-current interest-bearing liabilities	18,726	21,562
Total	21,562	24,277

Borrowings are secured by a deed of charge over Council rates.

a) The maturity profile for Council's borrowings is:

Not later than one year	2,836	2,715
Later than one year and not later than five years	14,027	12,125
Later than five years	4,699	9,437
	21,562	24,277

Borrowings are initially measured at fair value, being the cost of the interest bearing liabilities, net of transaction costs. The measurement basis subsequent to initial recognition depends on whether the Council has categorised its interest-bearing liabilities as either financial liabilities designated at fair value through the profit and loss, or financial liabilities at amortised cost. Any difference between the initial recognised amount and the redemption value is recognised in net result over the period of the borrowing using the effective interest method.

The classification depends on the nature and purpose of the interest bearing liabilities. The Council determines the classification of its interest bearing liabilities at initial recognition.

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2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 5. Our financial position (continued)

	Employee provisions \$ '000	Total \$ '000
5.5 Provisions		
2023		
Balance at the beginning of the financial year	15,416	15,416
Additional provisions	5,705	5,705
Amounts used	(5,159)	(5,159)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	(46)	(46)
Balance at the end of the financial year	15,916	15,916
Provisions		
Provisions - current	14,805	14,805
Provisions - non-current	1,111	1,111
Total Provisions	15,916	15,916
2022		
Balance at the beginning of the financial year	15,896	15,896
Additional provisions	4,110	4,110
Amounts used	(4,047)	(4,047)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	(543)	(543)
Balance at the end of the financial year	15,416	15,416
Provisions		
Provisions - current	14,193	14,193
Provisions - non-current	1,223	1,223
Total Provisions	15,416	15,416
	2023	2022
	\$ '000	\$ '000

(a) Employee provisions

Current provisions expected to be wholly settled within 12 months

Annual leave	3,674	3,219
Long service leave	1,072	1,062
Service gratuities	18	7
	4,764	4,288

Current provisions expected to be wholly settled after 12 months

Annual leave	1,462	1,526
Long service leave	8,540	8,335
Service gratuities	39	44
	10,041	9,905

Total current employee provisions

	14,805	14,193
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Non-Current

Long service leave	1,111	1,223
Total Non-Current Employee Provisions	1,111	1,223

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2022/2023 Financial Report

Notes to the Financial Statements
for the year ended 30 June 2023

Note 5. Our financial position (continued)

	2023	2022
	\$ '000	\$ '000
Aggregate Carrying Amount of Employee Provisions:		
Current	14,805	14,193
Non-current	1,111	1,223
Total Aggregate Carrying Amount of Employee Provisions	15,916	15,416

The calculation of employee costs and benefits includes all relevant on-costs and are calculated as follows at reporting date.

Annual leave

A liability for annual leave is recognised in the provision for employee benefits as a current liability because the Council does not have an unconditional right to defer settlement of the liability. Liabilities for annual leave are measured at:

- nominal value if the Council expects to wholly settle the liability within 12 months
- present value if the Council does not expect to wholly settle within 12 months.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as current liabilities, measured at the present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

Long service leave

Liability for long service leave (LSL) is recognised in the provision for employee benefits. LSL is measured at present value. Unconditional LSL is disclosed as a current liability. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non-current liability.

Key assumptions:

- | | | |
|----------------------------------|-------|-------|
| - weighted average discount rate | 4.04% | 3.33% |
| - inflation rate | 4.35% | 3.85% |

	2023	2022
	\$ '000	\$ '000

5.6 Financing arrangements

The Council has the following funding arrangements in place as at 30 June 2023.

Bank overdraft	1,500	1,500
Corporate purchasing cards	300	300
Total Facilities	1,800	1,800
Used facilities	(141)	(159)
Used facilities	(141)	(159)
Unused facilities	1,659	1,641

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 5. Our financial position (continued)

5.7 Commitments

The Council has entered into the following commitments. Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value and presented inclusive of the GST payable.

(a) Commitments for expenditure

	Not later than 1 year \$ '000	Later than 1 year and not later than 2 years \$ '000	Later than 2 years and not later than 5 years \$ '000	Later than 5 years \$ '000	Total \$ '000
2023					
Operating					
Recycling	1,668	1,735	5,577	13,542	22,522
Waste management	14,993	15,592	50,122	58,820	139,527
Cleaning contracts for council buildings	941	805	1,000	–	2,746
Other	3,181	2,284	3,230	–	8,695
Total	20,783	20,416	59,929	72,362	173,490
Capital					
Buildings	2,442	1,405	3,218	–	7,065
Roads	5,493	4,508	6,594	–	16,595
Parks and reserves	246	8,500	–	–	8,746
Total	8,181	14,413	9,812	–	32,406
2022					
Operating					
Recycling	1,450	1,520	4,935	14,630	22,535
Waste management	13,175	14,117	45,845	77,967	151,104
Cleaning contracts for council buildings	1,178	284	90	–	1,552
Other	2,169	2,012	4,668	–	8,849
Total	17,972	17,933	55,538	92,597	184,040
Capital					
Buildings	11,236	2,433	1,149	–	14,818
Roads	2,189	855	–	–	3,044
Parks and reserves	2,296	–	–	–	2,296
Total	15,721	3,288	1,149	–	20,158

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 5. Our financial position (continued)

5.8 Leases

At inception of a contract, Council assesses whether a contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. To identify whether a contract conveys the right to control the use of an identified asset, it is necessary to assess whether:

- The contract involves the use of an identified asset;
- Council has the right to obtain substantially all of the economic benefits from use of the asset throughout the period of use; and
- Council has the right to direct the use of the asset.

This policy is applied to contracts entered into, or changed, on or after 1 July 2019.

As a lessee, Council recognises a right-of-use asset and a lease liability at the lease commencement date. The right-of-use asset is initially measured at cost which comprises the initial amount of the lease liability adjusted for:

- any lease payments made at or before the commencement date less any lease incentives received; plus
- any initial direct costs incurred; and
- an estimate of costs to dismantle and remove the underlying asset or to restore the underlying asset or the site on which it is located.

The right-of-use asset is subsequently depreciated using the straight-line method from the commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The estimated useful lives of right-of-use assets are determined on the same basis as those of property, plant and equipment. In addition, the right-of-use asset is periodically reduced by impairment losses, if any, and adjusted for certain measurements of the lease liability.

The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted using the interest rate implicit in the lease or, if that rate cannot be readily determined, an appropriate incremental borrowing rate. Generally, Council uses an appropriate incremental borrowing rate as the discount rate.

Lease payments included in the measurement of the lease liability comprise the following:

- Fixed payments
- Variable lease payments that depend on an index or a rate, initially measured using the index or rate as at the commencement date;
- Amounts expected to be payable under a residual value guarantee; and
- The exercise price under a purchase option that Council is reasonably certain to exercise, lease payments in an optional renewal period if Council is reasonably certain to exercise an extension option, and penalties for early termination of a lease unless Council is reasonably certain not to terminate early.

When the lease liability is remeasured in this way, a corresponding adjustment is made to the carrying amount of the right-of-use asset, or is recorded in profit or loss if the carrying amount of the right-of-use asset has been reduced to zero.

Under *AASB 16 Leases*, Council as a not-for-profit entity has elected not to measure right-of-use assets at initial recognition at fair value in respect of leases that have significantly below-market terms.

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Notes to the Financial Statements

for the year ended 30 June 2023

Note 5. Our financial position (continued)

(a) Right-of-Use Assets

	Vehicles \$ '000	Photocopiers \$ '000	IT equipment \$ '000	Leisure equipment \$ '000	Land \$ '000	Total \$ '000
2023						
Balance at 1 July	-	123	629	552	4	1,308
Additions	7,051	-	1,833	-	-	8,884
Amortisation charge	(439)	(50)	(807)	(262)	(5)	(1,563)
Other	-	14	6	-	3	23
Balance at 30 June	6,612	87	1,661	290	2	8,652
2022						
Balance at 1 July	-	135	1,301	706	7	2,149
Additions	-	35	-	70	1	106
Amortisation charge	-	(47)	(672)	(224)	(4)	(947)
Balance at 30 June	-	123	629	552	4	1,308
					2023	2022
					\$ '000	\$ '000

(b) Lease Liabilities

Maturity analysis - contractual undiscounted cash flows

Less than one year	1,819	675
One to five years	4,170	720
More than five years	4,867	-
Total undiscounted lease liabilities as at 30 June:	10,856	1,395

Lease liabilities included in the Balance Sheet at 30 June:

Current	1,451	645
Non-current	7,294	699
Total lease liabilities	8,745	1,344

Short-term and low value leases

Council has elected not to recognise right-of-use assets and lease liabilities for short-term leases of machinery that have a lease term of 12 months or less and leases of low-value assets (individual assets worth less than existing capitalisation thresholds for a like asset up to a maximum of AUD\$10,000), including IT equipment. Council recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

Expenses relating to:

Short-term leases	-	99
Total	-	99

Non-cancellable lease commitments - Short-term and low-value leases

Commitments for minimum lease payments for short-term and low-value leases are payable as follows:

Payable:

Within one year	-	7
Total lease commitments	-	7

Maroondah City Council

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Notes to the Financial Statements

for the year ended 30 June 2023

Note 6. Assets we manage

6.1 Property, infrastructure, plant and equipment

Summary of property, infrastructure, plant and equipment	Carrying amount 30 June 2022 \$ '000	Additions \$ '000	Contributions \$ '000	Revaluation \$ '000	Depreciation \$ '000	Disposal \$ '000	Write-off \$ '000	Transfers \$ '000	Carrying amount 30 June 2023 \$ '000
Property	1,288,431	15,241	-	(15,118)	(8,152)	(121)	(1,350)	7,446	1,286,377
Plant and equipment	9,569	4,226	-	-	(1,957)	(300)	(11)	77	11,604
Infrastructure	692,617	15,643	-	91,485	(16,677)	-	(10,286)	8,092	780,874
Work in progress	16,430	7,972	-	-	-	-	-	(15,615)	8,787
Total	2,007,047	43,082	-	76,367	(26,786)	(421)	(11,647)	-	2,087,642

Adjustments for prior periods

Council has brought to account a number of assets inadvertently omitted, overstated or not discovered during prior recognition processes. This has been adjusted against opening asset balances for Property, Infrastructure, Plant and Equipment and Accumulated Surplus at 1 July 2022.

	At fair value 30 June 2022 \$'000	Adjustments for prior periods \$'000	Adjusted fair value 30 June 2022 \$'000
Property	1,288,207	224	1,288,431
Plant and equipment	8,982	587	9,569
Infrastructure	700,653	(8,037)	692,617
Work in progress	16,430	-	16,430
Total	2,014,272	(7,226)	2,007,047

Summary of Work in Progress	Opening WIP \$ '000	Additions \$ '000	Write-off \$ '000	Transfers \$ '000	Closing WIP \$ '000
Property	8,729	3,828	-	(7,940)	4,617
Plant and equipment	77	19	-	(77)	19
Infrastructure	7,624	4,125	-	(7,598)	4,151
Total	16,430	7,972	-	(15,615)	8,787

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2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 6. Assets we manage (continued)

	Land specialised \$ '000	Land non specialised \$ '000	Total land and land improve- ments \$ '000	Buildings non specialised \$ '000	Total buildings \$ '000	Work in progress \$ '000	Total property \$ '000
Property							
At fair value 1 July 2022	269,693	752,981	1,022,674	365,800	365,800	8,729	1,397,203
Accumulated depreciation at 1 July 2022	–	–	–	(100,267)	(100,267)	–	(100,267)
	<u>269,693</u>	<u>752,981</u>	<u>1,022,674</u>	<u>265,533</u>	<u>265,533</u>	<u>8,729</u>	<u>1,296,936</u>
Movements in fair value							
Additions	–	–	–	15,241	15,241	3,828	19,069
Revaluation	(15,118)	–	(15,118)	–	–	–	(15,118)
Disposal	–	(121)	(121)	–	–	–	(121)
Write-off	–	–	–	(3,433)	(3,433)	–	(3,433)
Transfers	–	(494)	(494)	7,940	7,940	(7,940)	(494)
Prior period adjustment	–	–	–	210	210	–	210
	<u>(15,118)</u>	<u>(615)</u>	<u>(15,733)</u>	<u>19,958</u>	<u>19,958</u>	<u>(4,112)</u>	<u>113</u>
Movements in accumulated depreciation							
Depreciation and amortisation	–	–	–	(8,152)	(8,152)	–	(8,152)
Accumulated depreciation of disposals	–	–	–	–	–	–	–
Revaluation	–	–	–	–	–	–	–
Prior period adjustment	–	–	–	13	13	–	13
Transfers	–	–	–	–	–	–	–
Write off	–	–	–	2,084	2,084	–	2,084
	<u>–</u>	<u>–</u>	<u>–</u>	<u>(6,055)</u>	<u>(6,055)</u>	<u>–</u>	<u>(6,055)</u>
At fair value 30 June 2023	254,575	752,367	1,006,942	385,757	385,757	4,617	1,397,316
Accumulated depreciation at 30 June 2023	–	–	–	(106,322)	(106,322)	–	(106,322)
Carrying amount	<u>254,575</u>	<u>752,367</u>	<u>1,006,942</u>	<u>279,435</u>	<u>279,435</u>	<u>4,617</u>	<u>1,290,994</u>

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Notes to the Financial Statements
for the year ended 30 June 2023

Note 6. Assets we manage (continued)

	Plant machinery and equipment \$ '000	Fixtures fittings and furniture \$ '000	Computers and telecomms \$ '000	Total \$ '000	Work in progress \$ '000	Total plant and equipment \$ '000
Plant and Equipment						
At fair value 1 July 2022	12,640	7,086	1,235	20,961	77	21,038
Accumulated depreciation at 1 July 2022	(7,189)	(3,622)	(1,168)	(11,979)	–	(11,979)
	5,451	3,464	67	8,982	77	9,059
Movements in fair value						
Additions	1,959	2,217	50	4,226	19	4,245
Contributions	–	–	–	–	–	–
Disposal	(1,129)	(431)	–	(1,560)	–	(1,560)
Write-off	–	(1,233)	(911)	(2,144)	–	(2,144)
Transfers	–	77	–	77	(77)	–
Prior period adjustment	186	401	–	587	–	587
Revaluation	–	–	–	–	–	–
	1,016	1,031	(861)	1,186	(58)	1,128
Movements in accumulated depreciation						
Depreciation and amortisation	(1,455)	(454)	(48)	(1,957)	–	(1,957)
Accumulated depreciation of disposals	937	323	–	1,260	–	1,260
Prior period adjustment	–	–	–	–	–	–
Transfers	–	–	–	–	–	–
Write off	–	1,233	901	2,134	–	2,134
Revaluation	–	–	–	–	–	–
	(518)	1,102	853	1,437	–	1,437
At fair value 30 June 2023	13,656	8,118	373	22,147	19	22,166
Accumulated depreciation at 30 June 2023	(7,708)	(2,520)	(315)	(10,543)	–	(10,543)
Carrying amount	5,948	5,598	58	11,604	19	11,623

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Notes to the Financial Statements

for the year ended 30 June 2023

Note 6. Assets we manage (continued)

	Roads \$ '000	Footpaths and cycleways \$ '000	Drainage \$ '000	Parks open spaces and streetscapes \$ '000	Off street car parks \$ '000	Total \$ '000	Work in progress \$ '000	Total infrastructure \$ '000
Infrastructure								
At fair value 1 July 2022	450,014	170,156	509,142	79,625	22,499	1,231,436	7,623	1,239,059
Accumulated depreciation at 1 July 2022	(172,191)	(133,078)	(182,541)	(38,670)	(4,302)	(530,782)	–	(530,782)
	277,823	37,078	326,601	40,955	18,197	700,654	7,623	708,277
Movements in fair value								
Additions	3,070	2,422	2,576	6,016	1,559	15,643	4,125	19,768
Contributions	–	–	–	–	–	–	–	–
Revaluation	23,223	8,898	96,695	–	1,344	130,160	–	130,160
Disposal	–	–	–	–	–	–	–	–
Write-off	(4,280)	(4,711)	(5,181)	(1,886)	(1,478)	(17,536)	–	(17,536)
Transfers	726	549	2,298	4,446	73	8,092	(7,598)	494
Prior period adjustment	(2,544)	(339)	(7,793)	–	1,930	(8,746)	–	(8,746)
	20,195	6,819	88,595	8,576	3,428	127,613	(3,473)	124,140
Movements in accumulated depreciation								
Depreciation and amortisation	(7,225)	(1,792)	(4,520)	(2,772)	(368)	(16,677)	–	(16,677)
Accumulated depreciation of disposals	–	–	–	–	–	–	–	–
Prior period adjustment	(281)	7	1,064	–	(81)	709	–	709
Transfers	–	–	–	–	–	–	–	–
Revaluation	(12,603)	37,052	(62,741)	–	(383)	(38,675)	–	(38,675)
Write off	2,623	1,671	2,095	672	190	7,251	–	7,251
	(17,486)	36,938	(64,102)	(2,100)	(642)	(47,392)	–	(47,392)
At fair value 30 June 2023	470,208	176,974	597,738	88,201	25,926	1,359,047	4,151	1,363,198
Accumulated depreciation at 30 June 2023	(189,676)	(96,140)	(246,643)	(40,770)	(4,944)	(578,173)	–	(578,173)
Carrying amount	280,532	80,834	351,095	47,431	20,982	780,874	4,151	785,025

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 6. Assets we manage (continued)

Acquisition

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

Asset recognition thresholds and depreciation periods

	Depreciation Period years	Threshold Limit \$ '000
Land and land improvements		
land		–
Buildings		
buildings	25 - 150	10
Plant and Equipment		
plant, machinery and equipment	2 - 10	3
fixtures, fittings and furniture	2 - 15	1
works of art		–
computers and telecommunications	2 - 10	1
Infrastructure		
road pavements and seals	36 - 65	20
road substructure	36	20
road formation and earthworks	150 - 200	20
road kerb, channel and minor culverts	65	5
road appurtenance	10 - 65	5
drainage	110	5
footpaths and cycleways	50 - 80	5
Parks, reserves and recreational		
sub-surface drainage	10	5
irrigation	10	5
lake improvement works	60 - 80	5
sporting grounds surfaces	20 - 50	5
playground equipment	15 - 20	5
public seating	15 - 20	5
Intangible assets		
Intangible assets	5	2

Land under roads

Council recognises land under roads it controls at fair value.

Depreciation and amortisation

Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

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Notes to the Financial Statements
for the year ended 30 June 2023

Note 6. Assets we manage (continued)

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

Straight line depreciation is charged based on the residual useful life as determined each year.

Depreciation periods used are listed above and are consistent with the prior year unless otherwise stated.

Repairs and maintenance

Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

Valuation of land and buildings

Valuation of land and buildings were undertaken by a qualified independent valuer Alvin Lee - Certified Practising Valuer No. 62944. The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or un-serviced) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities

Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and

Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

The date of the current valuation is detailed in the following table. An indexed based revaluation was conducted in the current year, this valuation was conducted by a qualified independent valuer Alvin Lee - Certified Practising Valuer No. 62944, a full revaluation of these assets will be conducted in 2023/24.

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2023 are as follows:

	Level 1	Level 2	Level 3	Date of valuation	Type of Valuation
Land	–	13,500	738,867	Jun/22	Full Revaluation
Specialised land	–	–	254,575	Jun/23	Indexed
Buildings	–	12,736	266,700	Jun/22	Full Revaluation
Total	–	26,236	1,260,142		

Valuation of Infrastructure

Valuation of infrastructure assets has been determined in accordance with an independent valuation undertaken by [Alvin Lee - Certified Practising Valuer No. 62944].

The date of the current valuation is detailed in the following table.

An index based revaluation was conducted in the current year, this valuation was based on Rawlinsons Australian Construction Handbook 2023 - Edition 41.

The valuation is at fair value based on current replacement cost less accumulated depreciation as at the date of valuation.

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 6. Assets we manage (continued)

Details of the Council's infrastructure and information about the fair value hierarchy as at 30 June 2023 are as follows:

	Level 1	Level 2	Level 3	Date of valuation	Type of Valuation
Roads	–	–	280,532	Jun/23	Indexed
Footpaths and cycleways	–	–	80,834	Jun/23	Indexed
Drainage	–	–	351,095	Jun/23	Full Revaluation
Off street car parks	–	–	20,982	Jun/23	Indexed
Total	–	–	733,443		

Description of significant unobservable inputs into level 3 valuations

Specialised land and land under roads is valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values of 95%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values average \$595.53 per square metre.

Non specialised land is valued using a market based mass modelling technique. Significant unobservable inputs include the extent and impact of restriction of use. The extent and impact of restrictions on use varies, and the market value of land varies significantly depending on the location of the land and the current market conditions.

Infrastructure assets are valued based on the depreciated replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

Reconciliation of specialised land

	2023 \$ '000	2022 \$ '000
Land under roads	254,575	269,693
Total specialised land	254,575	269,693

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements
for the year ended 30 June 2023

Note 6. Assets we manage (continued)

	2023	2022
	\$ '000	\$ '000

6.2 Investments in associates, joint arrangements and subsidiaries

(a) Investments in associates

Investments in associates accounted for by the equity method are:

Eastern Regional Library Corporation	2,289	2,289
Narre Warren User Group	236	244
Total investments in associates and joint arrangements	2,525	2,533

Associates and joint arrangements - in loss

Eastern Regional Library Corporation	-	(1,182)
Narre Warren User Group	(9)	(17)
Total deficit for year in associates and joint arrangements	(9)	(1,199)

Eastern Regional Library Corporation

Background

Council's equity share in the Eastern Regional Library Corporation as at 30 June 2023, based on the Corporation's unaudited financial report, is disclosed as a non-current investment.

The equity holders in the Eastern Regional Library Corporation are:

Maroondah City Council - 24.89%
Knox City Council - 36.39%
Yarra Ranges Shire Council - 38.72%

The motion to wind up ERLC by 30 June 2023 in accordance with section 330(4) of the Local Government Act 2020 (LGA) was adopted by Council on the 19 June 2023. A beneficial enterprise, Your Library Ltd (a public company limited by guarantee), has been established in accordance with section 110 of the LGA to deliver library services from 1 July 2023 on behalf of the Knox, Maroondah and Yarra Ranges City Councils. Council share in equity will remain the same under Your Library Ltd.

Council's share of accumulated surplus/(deficit)

Council's share of accumulated surplus(deficit) at start of year	2,289	3,471
Reported surplus(deficit) for year	-	(1,182)
Council's share of accumulated surplus(deficit) at end of year	2,289	2,289

Narre Warren User Group

Background

Council holds a 15.94% interest in the net assets relating to the use of the now closed Narre Warren regional landfill facility. The investment held by the Narre Warren User Group is used for monitoring of the site, receipt of royalties and interest on the investment. Refer to Note 8.1 Contingent assets and liabilities.

Council's share of accumulated surplus/(deficit)

Council's share of accumulated surplus(deficit) at start of year	244	261
Reported surplus(deficit) for year	(9)	(17)
Council's share of accumulated surplus(deficit) at end of year	235	244

Associates are all entities over which Council has significant influence but not control or joint control. Investments in associates are accounted for using the equity method of accounting, after initially being recognised at cost.

Investments in joint arrangements are classified as either joint operations or joint ventures depending on the contractual rights and obligations each investor has, rather than the legal structure of the joint arrangement.

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 6. Assets we manage (continued)

For joint operations, Council recognises its direct right to, and its share of jointly held assets, liabilities, revenues and expenses of joint operations.

Interests in joint ventures are accounted for using the equity method. Under this method, the interests are initially recognised in the consolidated balance sheet at cost and adjusted thereafter to recognise Council's share of the post-acquisition profits or losses and movements in other comprehensive income in profit or loss and other comprehensive income respectively.

Community Asset Committee

All entities controlled by Council that have material income, expenses, assets or liabilities, such as community asset committees, have been included in this financial report. Any transactions between these entities and Council have been eliminated in full.

Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements
for the year ended 30 June 2023

Note 7. People and relationships

7.1 Council and key management remuneration

(a) Related Parties

Parent entity

Maroondah City Council is the parent entity.

Subsidiaries and Associates

Interests in subsidiaries and associates are detailed in Note 6.2.

(b) Key Management Personnel

Details of persons holding the position of Councillor or other members of key management personnel at any time during the year are:

Councillors

R. Steane (Mayor November 2022 - current) (Deputy Mayor July - November 2022)
A. Damante (Deputy Mayor November 2022 - current)
M. Graham
T. Dib
M. Symon (Mayor July - November 2022)
S. Stojanovic
P. Macdonald
K. Spears
L. Hancock

Key Management Personnel

Chief Executive Officer - Steve Kozlowski
Director - People and Places - Marianne Di Giallonardo
Director - Strategy and Development - Andrew Fuaux
Director - Assets and Leisure - Adam Todorov
Director - Strategy and Community - Phil Turner (July to November 2022)*
Director - Chief Financial Officer - Antonio Rocca (November 2022 to Current)*
** The departure of the Director Strategy and Community provided an opportunity to review the organisation's functional responsibilities and better align resourcing to meet emerging challenges.*

	2023	2022
	No.	No.
Total Number of Councillors	9	10
Total of Chief Executive Officer and other Key Management Personnel	6	5
Total Number of Key Management Personnel	15	15

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 7. People and relationships (continued)

	2023	2022
	\$ '000	\$ '000

(c) Remuneration of Key Management Personnel

Remuneration comprises employee benefits including all forms of consideration paid, payable or provided by Council, or on behalf of the Council, in exchange for services rendered. Remuneration of Key Management Personnel and Other senior staff is disclosed in the following categories.

Short-term employee benefits include amounts such as wages, salaries, annual leave or sick leave that are usually paid or payable on a regular basis, as well as non-monetary benefits such as allowances and free or subsidised goods or services.

Other long-term employee benefits include long service leave, other long service benefits or deferred compensation.

Post-employment benefits include pensions, and other retirement benefits paid or payable on a discrete basis when employment has ceased.

Termination benefits include termination of employment payments, such as severance packages.

Total remuneration of key management personnel was as follows:

Short-term employee benefits	1,918	1,631
Other long-term employee benefits	(94)	29
Post-employment benefits	202	167
Total	2,026	1,827

	2023	2022
	No.	No.

The numbers of key management personnel whose total remuneration from Council and any related entities, fall within the following bands:

\$1 - \$9,999	-	1
\$10,000 - \$19,999	-	1
\$20,000 - \$29,999	-	5
\$30,000 - \$39,999	6	1
\$40,000 - \$49,999	1	-
\$50,000 - \$59,999	1	1
\$80,000 - \$89,999	1	1
\$220,000 - \$229,999	1	-
\$240,000 - \$249,999	-	1
\$250,000 - \$259,999	1	-
\$260,000 - \$269,999	-	1
\$270,000 - \$279,999	1	2
\$280,000 - \$289,999	2	-
\$400,000 - \$409,999	-	1
\$430,000 - \$439,999	1	-
	15	15

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 7. People and relationships (continued)

(d) Remuneration of other senior staff

Other senior staff are officers of Council, other than Key Management Personnel, whose total remuneration exceeds \$160,000 and who report directly to a member of the KMP. *

Total remuneration of other senior staff was as follows:

	2023	2022
	\$ '000	\$ '000
Short-term employee benefits	2,431	2,324
Other long-term employee benefits	23	33
Post-employment benefits	254	232
Total	2,708	2,589

The number of other senior staff are shown below in their relevant income bands:

	2023	2022
	No.	No.
Income Range:		
\$160,000 - \$169,999	1	1
\$170,000 - \$179,999	3	1
\$180,000 - \$189,999	3	7
\$190,000 - \$199,999	7	4
	14	13

	2023	2022
	\$ '000	\$ '000
Total Remuneration for the reporting year for Senior Officers included above amounted to:	2,708	2,589

* Due to a definitional change the comparative figures in this note may not align with the previous year's annual report, which included disclosure of senior officers as defined in the Local Government Act 1989.

Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements
for the year ended 30 June 2023

Note 7. People and relationships (continued)

	2023	2022
	\$ '000	\$ '000

7.2 Related party disclosure

(a) Transactions with related parties

During the period Council entered into the following transactions with related parties:

There were 4 transactions that occurred during the current period with one related party, as contributions to the Eastern Regional Libraries. The total of these transactions was \$2,798,914.

	2,799	2,758
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(b) Outstanding balances with related parties

The following balances are outstanding at the end of the reporting period in relation to transactions with related parties:

There were no outstanding balances with related parties for the period ending 30 June 2023.

(c) Loans to/from related parties

The aggregate amount of loans in existence at balance date that have been made, guaranteed or secured by the council to a related party as follows:

No loans to / from related parties for the 2022/23 year.

(d) Commitments to/from related parties

The aggregate amount of commitments in existence at balance date that have been made, guaranteed or secured by the council to a related party are as follows:

Commitments to related parties noted for the 2022/23 year.	-	2,806
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These commitments are related to contributions to the Eastern Regional Libraries.

Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 8. Managing uncertainties

8.1 Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed and if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable, respectively.

(a) Contingent assets

Contingent assets are possible assets that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Council. As at 30 June 2023, Council is not aware of any contingent assets.

(b) Contingent liabilities

Superannuation

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme, matters relating to this potential obligation are outlined below. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists.

Insurance claims

Council receives claims arising from incidents which occur on its land or in its facilities, as well as incidents which arise from the actions or omissions of Council.

Council holds \$600m of public liability insurance and \$600m of professional indemnity insurance with the MAV Liability Mutual Insurance Scheme, with both having a policy excess of \$50,000. This means the maximum financial exposure to Council in any single claim is no greater than \$50,000.

Council is not aware of any above excess claims that would fall outside of the terms of Council's insurance policy or that has not been reported to the MAV Liability Mutual Insurance (LMI) Scheme.

Legal matters

The Council is presently involved in several confidential legal matters, which are being conducted through Council's solicitors. As the matters are yet to be finalised, and the financial outcomes are unable to be estimated, no allowance for these contingencies have been made in the financial report.

Liability Mutual Insurance

Council is a participant in the MAV Liability Mutual Insurance (LMI) Scheme, which provides public liability and professional indemnity insurance cover.

The Scheme states that each participating Council is required to contribute to the scheme, in each insurance year it participates, regarding its share of any shortfall in the provisions. Furthermore, coverage is still provided for previous years, regardless of whether Council remains in the scheme in future years.

Other contingent liabilities

Approximately \$1,480,648 (\$1,534,308 in 2022) is held by Whitehorse City Council in a Landfill Site Aftercare Reserve in relation to the Narre Warren Landfill Site to deal with any environmental problems that could arise in relation to the completed landfill site. Based on experience during operation no problems are expected but the Reserve will continue to be held for approximately the next 20 years until the site is safe. Council's exposure is 15.94% per cent of any works that are required to be completed.

8.2 Change in accounting standards

Certain new Australian Accounting Standards and interpretations have been published that are not mandatory for the 30 June 2023 reporting period. Council assesses the impact of these new standards. As at 30 June 2023 there were no new accounting standards or interpretations issued by the AASB which are applicable for the year ending 30 June 2023 that are expected to impact Council.

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 8. Managing uncertainties (continued)

8.3 Financial instruments

(a) Objectives and policies

The Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank borrowings. Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the notes of the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

(b) Market risk

Market risk is the risk that the fair value or future cash flows of Council financial instruments will fluctuate because of changes in market prices. The Council's exposure to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

Interest rate risk

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes Council to fair value interest rate risk. Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk.

Investment of surplus funds is made with approved financial institutions under the *Local Government Act 2020*. Council manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

(c) Credit risk

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council has exposure to credit risk on some financial assets included in the balance sheet. Credit risk exists in relation to outstanding fees and fines as well as loans and receivables from sporting clubs and associations. To help manage this risk:

- Council has a policy for establishing credit limits for the entities Council deals with;
- Council may require collateral where appropriate; and
- Council only invests surplus funds with financial institutions which have a recognised credit rating specified in Council's investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the Council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

Council may also be subject to credit risk for transactions which are not included in the balance sheet, such as when Council provides a guarantee for another party. Details of our contingent liabilities are disclosed in Note 8.1(b).

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 8. Managing uncertainties (continued)

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

(d) Liquidity risk

Liquidity risk includes the risk that, as a result of Council's operational liquidity requirements it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- have a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- have readily accessible standby facilities and other funding arrangements in place;
- have a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitor budget to actual performance on a regular basis; and
- set limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

The Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet, and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Details of the maturity profile for borrowings are disclosed at Note 5.4.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

(e) Sensitivity disclosure analysis

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, Council believes the following movements are 'reasonably possible' over the next 12 months:

- A parallel shift of +1% and -1% in market interest rates (AUD) from year-end rates of 4.10%.

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 8. Managing uncertainties (continued)

8.4 Fair value measurement

Fair Value Hierarchy

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair value measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

- Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities
- Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and
- Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

Revaluation

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. (For plant and equipment carrying amount is considered to approximate fair value given short useful lives). At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from 2 to 5 years. The valuation is performed either by experienced council officers or independent experts. The following table sets out the frequency of revaluations by asset class.

Asset Class	Revaluation frequency
Land	2 years
Buildings	2 years
Roads	4 years
Footpaths and cycleways	4 years
Drainage	8 years
Parks, open space and streetscapes	At Cost
Other infrastructure	2 to 5 years

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are offset.

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 8. Managing uncertainties (continued)

Impairment of assets

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs of disposal and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

8.5 Events occurring after balance date

No matters have occurred after balance date that require disclosure in the financial report.

Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements
for the year ended 30 June 2023

Note 9. Other matters

	Balance at beginning of reporting period \$ '000	Increment (decrement) \$ '000	Balance at end of reporting period \$ '000
9.1 Reserves			
(a) Asset revaluation reserves			
2023			
Property			
Land	599,117	(15,118)	583,999
Buildings	64,777	–	64,777
	<u>663,894</u>	<u>(15,118)</u>	<u>648,776</u>
Infrastructure			
Roads	249,124	10,620	259,744
Footpaths and cycleways	32,654	45,950	78,604
Drainage	213,617	33,954	247,571
Offstreet car parks	113	961	1,074
	<u>495,508</u>	<u>91,485</u>	<u>586,993</u>
Total asset revaluation reserves	<u>1,159,402</u>	<u>76,367</u>	<u>1,235,769</u>
2022			
Property			
Land	581,620	17,497	599,117
Buildings	57,932	6,845	64,777
	<u>639,552</u>	<u>24,342</u>	<u>663,894</u>
Infrastructure			
Roads	252,319	(3,195)	249,124
Footpaths and cycleways	28,045	4,609	32,654
Drainage	168,647	44,970	213,617
Offstreet car parks	620	(507)	113
	<u>449,631</u>	<u>45,877</u>	<u>495,508</u>
Total asset revaluation reserves	<u>1,089,183</u>	<u>70,219</u>	<u>1,159,402</u>

The asset revaluation reserve is used to record the increased (net) value of Council's assets over time.

Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 9. Other matters (continued)

	Balance at beginning of reporting period \$ '000	Transfer from Accumulated Surplus \$ '000	Transfer to Accumulated Surplus \$ '000	Balance at end of reporting period \$ '000
(b) Other reserves				
2023				
Restricted reserves				
General	12,000	-	-	12,000
Total restricted reserves	12,000	-	-	12,000
Total Other reserves	12,000	-	-	12,000
2022				
Restricted reserves				
General	12,000	-	-	12,000
Total restricted reserves	12,000	-	-	12,000
Total Other reserves	12,000	-	-	12,000

The general reserve is used to record funds set aside for future possible contingencies e.g. unfunded superannuation call, unplanned capital expenditure.

Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 9. Other matters (continued)

	2023	2022
	\$ '000	\$ '000
9.2 Reconciliation of cash flows from operating activities to surplus/(deficit)		
Surplus/(deficit) for the year	6,001	13,452
Depreciation/amortisation	28,595	27,187
Assets written off and adjustments	11,646	9,621
Profit/(loss) on disposal of property, infrastructure, plant and equipment	(405)	(132)
Net share of net profits of associates and joint ventures	9	1,199
Amounts disclosed in financing activities	1,349	814
Change in assets and liabilities:		
(Increase)/decrease in trade and other receivables	19,208	(15,482)
(Increase)/decrease in inventories	56	(59)
(Increase)/decrease in prepayments	(224)	614
Increase/(decrease) in accrued income	67	-
Increase/(decrease) in trade and other payables	22,705	(1,082)
Increase/(decrease) in provisions	500	(479)
Increase / (decrease) in trust funds and other deposits	(467)	70
Increase/(decrease) in Unearned income /revenue	(22,352)	8,696
Net cash provided by/(used in) operating activities	66,688	44,419

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 9. Other matters (continued)

9.3 Superannuation

Council makes the majority employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in the Comprehensive Income Statement when they are made or due.

Accumulation

The Fund's accumulation category, Vision MySuper/Vision Super Saver, receives both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2023, this was 10.5% as required under Superannuation Guarantee (SG) legislation (2022: 10.0%)).

Defined Benefit

Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119.

Funding Arrangements

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary. A triennial actuarial investigation is currently underway for the Defined Benefit category which is expected to be completed by 31 December 2023. Council was notified of the 30 June 2023 VBI during August 2023 (2022: August 2022). The financial assumptions used to calculate the 30 June 2023 VBI were:

Net investment returns 5.7% pa
Salary information 3.5% pa
Price inflation (CPI) 2.8% pa.

As at 30 June 2022, an interim actuarial investigation was held as the Fund provides lifetime pensions in the Defined Benefit category. The vested benefit index (VBI) of the Defined Benefit category of which Council is a contributing employer was 102.2%. The financial assumptions used to calculate the VBI were:

Net investment returns 5.5% pa
Salary information 2.5% pa to 30 June 2023, and 3.5% pa thereafter
Price inflation (CPI) 3.00% pa.

Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021). Vision Super has advised that the estimated VBI at June 2023 was 104.1%.

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2022 actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

Employer contributions

(a) Regular contributions

On the basis of the results of the 2022 interim actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2023, this rate was 10.5% of members' salaries (10.0% in 2021/22). This rate is expected to increase in line with any increases in the SG contribution rate and was reviewed as part of the 30 June 2022 interim valuation.

In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

(b) Funding calls

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements

for the year ended 30 June 2023

Note 9. Other matters (continued)

fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund’s participating employers (including Council) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund’s Defined Benefit category, together with the employer’s payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up. If there is a surplus in the Fund, the surplus cannot be returned to the participating employers.

In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer’s successor.

The 2022 interim actuarial investigation surplus amounts

An actuarial investigation is conducted annually for the Defined Benefit category of which Council is a contributing employer. Generally, a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year. An interim investigation was conducted as at 30 June 2022 and the last full investigation was conducted as at 30 June 2020.

The Fund’s actuarial investigations identified the following for the Defined Benefit category of which Council is a contributing employer:

	2022	2021
	(Interim)	(Interim)
	\$m	\$m
- A VBI Surplus	44.6	214.7
- A total service liability surplus	105.8	270.3
- A discounted accrued benefits surplus	111.9	285.2

The VBI surplus means that the market value of the fund’s assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2022.

The total service liability surplus means that the current value of the assets in the Fund’s Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2022.

The discounted accrued benefits surplus means that the current value of the assets in the Fund’s Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2022.

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Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements
for the year ended 30 June 2023

Note 9. Other matters (continued)

The 2023 interim actuarial investigation

An interim actuarial investigation is being conducted for the Fund's position as at 30 June 2023 as the Fund provides lifetime pensions in the Defined Benefit category. It is anticipated that this actuarial investigation will be completed by October 2023.

	2023 Triennial investigation	2020 Triennial investigation
Net investment return	5.7% pa	5.6% pa 2.50 %pa
Salary inflation	3.5%pa	for the first two years and 2.75%pa thereafter
Price inflation	2.8% pa	2.0% pa

Council was notified of the 30 June 2023 VBI during August 2023 (2022: August 2022).

Superannuation contributions

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2023 are detailed below:

Scheme	Type of scheme	Rate	2023 \$ '000	2022 \$ '000
Vision Super	Defined benefits	10.5% (2022:10.0%)	194	215
Vision Super	Accumulation	10.5% (2022:10.0%)	2,823	2,507
Other Schemes	Accumulation	10.5% (2022:10.0%)	2,982	2,421

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2023 is \$241,849 (This does not include any pay increases as we are not aware of what this amount will be).

Maroondah City Council

2022/2023 Financial Report

Notes to the Financial Statements
for the year ended 30 June 2023

Note 10. Changes in accounting policies

There have been no changes to accounting policies in the 2022-23 year.

There are no pending accounting standards that are likely to have a material impact on council.

Maroondah City Council Performance Statement

For the year ended 30 June 2023

Description of municipality

The City of Maroondah covers a land area of 61.4 square kilometres in Melbourne's outer east, 22 kilometres from the Central Business District (CBD). The area is a substantially developed peri-urban residential municipality, with an estimated population of 115,645 residents¹ and 46,933 households with an average of 2.53 people per household.²

The City of Maroondah includes the suburbs of Bayswater North, Croydon, Croydon Hills, Croydon North, Croydon South, Heathmont, Kilsyth South, Ringwood, Ringwood East, Ringwood North and Warranwood. The City also includes small sections of Kilsyth, Park Orchards, Vermont and Wonga Park. With little remaining land available for greenfield residential development, future population growth will be mainly stimulated by housing consolidation and medium density development.

Maroondah has the strategic advantage of being located at the north-eastern junction of the Eastern Freeway - EastLink corridor. There are two train lines and a large number of bus routes linking the City with other regions. Our sustainable transport links continue to expand, with on-road cycling paths and shared paths on major trails, including the Mullum Mullum Creek Trail, the EastLink Trail, Taralla Creek Trail and the Dandenong Creek Trail.

About the 2022/23 Performance Statement

This Performance Statement reflects Council performance on indicators included in the Local Government Performance Reporting Framework. Please note that the source for some of the data included in this framework is derived from external sources such as the Local Government Community Satisfaction Survey, the Australian Bureau of Statistics and the Department of Health.

¹ Estimated Residential Population, Australian Bureau of Statistics, 2022.

² Maroondah Population Forecasts, Id Consulting, 2022.

Sustainable Capacity Indicators

For the year ended 30 June 2023

Indicator / measure (Formula)	Results				Comments
	2020	2021	2022	2023	
Population					
Expenses per head of municipal population <i>[Total expenses / Municipal population]</i>	\$1,113	\$1,090	\$1,263	\$1,400	This indicator measures Council's total expenditure over the municipal population. The increase in expenditure relates to an increase in employee cost as a result of the new enterprise agreement and increases in material and services costs related to supply shortages and CPI increases. Additionally, current period population size is 1,800 less than at the same time of last year 2021/22.
Infrastructure per head of municipal population <i>[Value of infrastructure / Municipal population]</i>	\$7,369	\$7,823	\$8,440	\$9,345	The value of infrastructure assets has been increasing at a higher level than the population growth as Council's investment in capital works increases post pandemic where works were delayed due to lock downs. Additionally, current period population size is 1,800 less than at the same time of last year 2021/22.
Population density per length of road <i>[Municipal population / Kilometres of local roads]</i>	248	245	241	237	No material variation.
Own-source revenue					
Own-source revenue per head of municipal population <i>[Own-source revenue / Municipal population]</i>	\$1,007	\$1,070	\$1,048	\$1,226	This measures Council's own sourced revenue. Revenue it generates that on the most part, is not considered statutory, compared to the municipal population. User fees has improved as Council services returned to a post covid normal and facilities opened throughout the year and municipal population decrease has also contributed to the increase of the measure.

Results					
Indicator / measure (Formula)	2020	2021	2022	2023	Comments
Recurrent grants					
Recurrent grants per head of municipal population <i>[Recurrent grants / Municipal population]</i>	\$68	\$68	\$85	\$85	No material variation.
Disadvantage					
Relative socio-economic disadvantage <i>[Index of Relative Socio-Economic Disadvantage by decile]</i>	9	9	9	8	This measure looks at the relative socio-economic disadvantage of the municipality as derived from the ABS census of population and housing undertaken every five years. The updated census data made available for this measure in 22/23.
Workforce turnover					
Percentage of staff turnover <i>[Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100</i>	8.5%	9.4%	20.7%	17.1%	Even though this measure has decreased compared to last year, it is still high compared to the previous two years during COVID. The higher turnover is largely driven by an ageing workforce with long term staff retiring or reconsidering their future working options post pandemic.

Definitions

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

"infrastructure" means non-current property, plant and equipment excluding land

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

"population" means the resident population estimated by council

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

"relative socio-economic disadvantage", in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 2033.0.55.001) of SEIFA

"SEIFA" means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet website

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

Service Performance Indicators

For the year ended 30 June 2023

Service / indicator / measure	Results				Material Variations
	2020	2021	2022	2023	
Aquatic facilities					
Utilisation					
Utilisation of aquatic facilities <i>[Number of visits to aquatic facilities / Municipal population]</i>	7.57	3.34	4.43	9.43	The municipality has three Council-owned and operated aquatic facilities, which have experienced significant increases in their utilisation rates, compared to previous years. One reason for this increase can be attributed to the success of Council attracting and engaging with patrons, thereby solidifying Council's aquatic facilities as both popular and preferred destinations which meet the needs of the community. Moving forward, Council will continue to focus on embedding and building on this positive trend.
Animal management					
Health and safety					
Animal Management Prosecutions <i>[Number of successful animal management prosecutions / Total number of animal management prosecutions] x 100</i>	100.00%	NA	100.00%	100.00%	No material variation
Food safety					
Health and safety					
Critical and major non-compliance outcome notifications	100.00%	100.00%	100.00%	100.00%	No material variation

Service / indicator / measure	Results				Material Variations
	2020	2021	2022	2023	
<p><i>[Number of critical non-compliance notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance notifications and major non-compliance notifications about a food premises] x100</i></p>					
<p>Governance</p> <p>Satisfaction</p> <p>Satisfaction with council decisions 59 60 59 58 No material variation</p> <p><i>[Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]</i></p>					
<p>Libraries</p> <p>Participation</p> <p>Active library borrowers in municipality 15.88% 13.83% 12.03% 10.72% This indicator highlights the percentage of the municipal population that are active library members. The number of active library borrowers within the municipality varies over time. Active Library borrowers over the last 3 years has been low due to pandemic related restrictions.</p> <p><i>[Number of active library borrowers in the last three years / The sum of the population for the last three years] x100</i></p>					
<p>Maternal and child health</p> <p>Participation</p> <p>Participation in the MCH service 76.18% 76.19% 73.42% 75.16% No material variation</p> <p><i>[Number of children who attend the MCH service at least once (in the year)]</i></p>					

Service / indicator / measure	Results				Material Variations
	2020	2021	2022	2023	
<i>/ Number of children enrolled in the MCH service] x100</i>					
Participation					
Participation in the MCH service by Aboriginal children	76.24%	78.31%	84.69%	77.08%	No material variation
<i>[Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100</i>					
Roads					
Satisfaction					
Satisfaction with sealed local roads	64	67	63	61	No material variation
<i>[Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]</i>					
Statutory Planning					
Decision making					
Council planning decisions upheld at VCAT	92.59%	81.82%	89.19%	95.45%	No material variation
<i>[Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100</i>					

Service / indicator / measure	Results				Material Variations
	2020	2021	2022	2023	
Waste Collection					
Waste diversion					
Kerbside collection waste diverted from landfill	56.83%	56.71%	55.50%	56.22%	No material variation
<i>[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x 100</i>					

Definitions

"Aboriginal child" means a child who is an Aboriginal person

"Aboriginal person" has the same meaning as in the Aboriginal Heritage Act 2006

"active library borrower" means a member of a library who has borrowed a book from the library

"annual report" means an annual report prepared by a council under section 98 of the Act

"class 1 food premises" means food premises, within the meaning of the Food Act 1984, that have been declared as class 1 food premises under section 19C of that Act

"class 2 food premises" means food premises, within the meaning of the Food Act 1984 , that have been declared as class 2 food premises under section 19C of that Act

"critical non-compliance outcome notification" means a notification received by council under section 19N(3) or (4) of the Food Act 1984 , or advice given to council by an authorized officer under that Act, of a deficiency that poses an immediate serious threat to public health

"food premises" has the same meaning as in the Food Act 1984

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

"major non-compliance outcome notification" means a notification received by a council under section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken

"MCH" means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age

"population" means the resident population estimated by council

Financial Performance Indicators

For the year ended 30 June 2023

Dimension / indicator / measure	Results				Forecasts				Material Variations
	2020	2021	2022	2023	2024	2025	2026	2027	
Efficiency									
Revenue level									
Average rate per property assessment	\$1,520	\$1,565	\$1,601	\$1,611	\$1,678	\$1,715	\$1,756	\$1,794	Over the reporting period, this indicator is increasing marginally, in line with the expected rate increases within the rate cap and the forecast growth within the municipality.
<i>[Total rate revenue (general rates and municipal charges) / Number of property assessments]</i>									
Expenditure level									
Expenses per property assessment	\$2,583	\$2,551	\$2,908	\$3,113	\$3,013	\$3,080	\$3,124	\$3,176	This measure looks at the total expenses per property assessment. Over the reporting period, this indicator is increasing marginally, in line with the growth in the municipality and increases in expenditure as a result of price increases for contracts, materials, utilities and enterprise agreement and remains in line with previous years and the range expected by Council.
<i>[Total expenses / Number of property assessments]</i>									

Dimension / indicator / measure	Results				Forecasts				Material Variations
	2020	2021	2022	2023	2024	2025	2026	2027	
Liquidity									
Working capital									
Current assets compared to current liabilities	157.2%	161.7%	201.3%	150.4%	142.8%	139.7%	134.1%	126.8%	Prior period fluctuations were mainly driven by the changes in Accounting Standards, which increased the value of Council's short-term liabilities. The decrease in the current year and future years largely relates to capital grant funding mainly for car park constructions which are recognised as unearned income until spent, resulting in higher current liabilities for 2022/23 compared to previous years.
<i>[Current assets / Current liabilities] x100</i>									
Unrestricted cash									
Unrestricted cash compared to current liabilities	14.1%	30.5%	79.0%	73.5%	63.9%	59.8%	45.8%	43.3%	Higher cash balance in 2022/23 and 2023/24 largely related to borrowings undertaken in May 2022; delays in capital works and maintenance programs due to COVID and supply chain issues over the past couple of years; and additional grant funding for car parks. Future forecasts expect this ratio to then stabilise again from 2024/25 onwards with no additional borrowings anticipated and funds are spent in line with the 10 year financial plan.
<i>[Unrestricted cash / Current liabilities] x100</i>									

Dimension / indicator / measure	Results				Forecasts				Material Variations
	2020	2021	2022	2023	2024	2025	2026	2027	
Obligations									
Asset renewal and upgrade									
Asset renewal and upgrade compared to depreciation <i>[Asset renewal and asset upgrade expenses / Asset depreciation] x100</i>	131.5%	118.9%	135.3%	139.2%	108.5%	110.5%	103.5%	103.6%	Given some delays in some new capex spend in the current period, the level of maintenance/renewal was higher than anticipated with more capex spend invested in renewal and upgrade. Future forecasts are predicted on the 10-year capital works program, with anticipated levels of maintenance/renewal dropping with key new infrastructure being focused on.
Loans and borrowings									
Loans and borrowings compared to rates <i>[Interest bearing loans and borrowings / Rate revenue] x100</i>	19.9%	16.5%	24.5%	21.0%	17.4%	14.1%	10.9%	7.9%	This indicator measures total interest-bearing liabilities compared to rate revenue and reflects anticipated increased borrowings undertaken in May 2022 of \$10M. From 2022/23 onwards, with no new borrowings currently projected in the long-term planning, this ratio drops year-on-year.
Loans and borrowings									
Loans and borrowings repayments compared to rates <i>[Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100</i>	1.2%	3.6%	0.8%	3.7%	3.5%	3.4%	3.2%	3.1%	The higher repayments on loans and borrowings in 2022/23 compared to rates is due to the additional borrowings undertaken in May 2022. As the repayments increase in earlier periods, this percentage is expected to increase across the next three years, before it starts to trend down in 2025/26.

Dimension / indicator / measure	Results				Forecasts				Material Variations
	2020	2021	2022	2023	2024	2025	2026	2027	
Indebtedness									
Non-current liabilities compared to own source revenue	24.5%	15.1%	40.1%	27.0%	15.4%	12.3%	11.0%	7.6%	During the 2021/22 period, the non-current liabilities were higher than prior periods, mainly due to large levels of unearned income, which related specifically to grant
<i>[Non-current liabilities / Own source revenue] x100</i>									funding that could not be recognised as income until project milestones are met and the income is recognised in latter periods. This is projected to trend downwards each of the next four years, with less unearned income anticipated.
Operating position									
Adjusted underlying result									
Adjusted underlying surplus (or deficit)	1.1%	12.5%	(2.8%)	(2.2%)	2.4%	2.2%	3.2%	3.9%	The adjusted underlying result for the 2022-23 financial year has improved slightly from 2021/22 where Council had the one-off impact of the net loss in associates and joint ventures. However, higher assets write off over 2021/22 and 2022/23 as part of improvement initiatives has had a negative impact on this measure. The adjusted underlying surplus when these assets write offs are added back are 3.9% and 5.8% respectively. This measure is expected to improve over future years as reviews are completed in asset management.
<i>[Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x100</i>									

Dimension / indicator / measure	Results				Forecasts				Material Variations
	2020	2021	2022	2023	2024	2025	2026	2027	
Stability									
Rates concentration									No material variation.
Rates compared to adjusted underlying revenue	69.4%	64.5%	68.7%	64.6%	66.9%	67.3%	67.7%	67.7%	
<i>[Rate revenue / Adjusted underlying revenue] x100</i>									
Rates effort									
Rates compared to property values	0.26%	0.25%	0.26%	0.23%	0.24%	0.25%	0.25%	0.26%	No material variation.
<i>[Rate revenue / Capital improved value of rateable properties in the municipality] x100</i>									

Definitions

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

"adjusted underlying surplus (or deficit)" means adjusted underlying revenue less total expenditure

"asset renewal expenditure" means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability

"current assets" has the same meaning as in the AAS

"current liabilities" has the same meaning as in the AAS

"non-current assets" means all assets other than current assets

"non-current liabilities" means all liabilities other than current liabilities

"non-recurrent grant" means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants

"population" means the resident population estimated by council

"rate revenue" means revenue from general rates, municipal charges, service rates and service charges

"recurrent grant" means a grant other than a non-recurrent grant

"residential rates" means revenue from general rates, municipal charges, service rates and service charges levied on residential properties

"restricted cash" means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

Other Information

For the year ended 30 June 2023

Basis of preparation

Council is required to prepare and include a performance statement within its annual report. The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the *Local Government Act 2020 and Local Government (Planning and Reporting) Regulations 2020*.

Where applicable the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the council's strategic resource plan. The Local Government (Planning and Reporting) Regulations 2020 requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its financial plan on 30 June 2023 and which forms part of the council plan. The financial plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The financial plan can be obtained by contacting council.

Certification of the Performance Statement

In my opinion, the accompanying performance statement has been prepared in accordance with the *Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020*.

Antonio Rocca CA

Principal Accounting Officer

Dated:

In our opinion, the accompanying performance statement of the Maroondah City Council for the year ended 30 June 2023 presents fairly the results of council's performance in accordance with *the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020*.

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by the council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify this performance statement in its final form.

R Steane

Mayor

Dated:

T Damante

Deputy Mayor

Dated:

A Fuaux

Acting Chief Executive Officer

Dated:



MAROONDAH CITY COUNCIL COMMUNITY LOCAL LAW 2023



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PART 1 - INTRODUCTION

1.1 Local Law

This Local Law is titled Maroondah City Council Community Local Law 2023.

1.2 Objectives

The objectives of this Local Law are to:

- (a) protect the health and safety of persons within the *Municipal District*;
- (b) provide for the equitable, orderly and enjoyable use of *council land, roads and council assets*;
- (c) protect, maintain and enhance the natural environment of the *Municipal District*;
- (d) provide for the peace, order and good governance of the *Municipal District*;
- (e) regulate the management of animals on *land* and on *council land*; and
- (f) provide uniform and fair administration of this Local Law.

1.3 Power to make this Local Law

This Local Law is made under section 71 of the *Local Government Act 2020* and section 42 of the *Domestic Animals Act 1994*.

1.4 Commencement Date

This Local Law commences on 1 November 2023.

1.5 Revocation and Savings

- (1) Unless earlier revoked, this Local Law will cease to operate 10 years after the date on which it commenced.
- (2) On the commencement of this Local Law, Council's Local Law No.11, General Local Law, which incorporates Local Laws No.13 and 14, is revoked, save that any notice or consent given, or any business, matter or thing commenced, made, or done under that Local Law is not affected.

1.6 Application of Local Law

This Local Law operates throughout the *Municipal District* of Maroondah City Council.

1.7 Other Legislation

Anything allowed under any State or Federal Act, Regulation or the Planning Scheme, is not affected by any prohibition, requirement, or restriction under this Local Law.



1.8 Definitions

In this Local Law, words which are not defined will adopt their ordinary meaning, and unless the contrary intention appears, the following words have the meaning given to them, and appear in italics throughout the Local Law:

Act	means the <i>Local Government Act 2020</i> .
Advertising Sign	means any placard, board, poster, banner, sign, card, structure or other similar device, whether portable, affixed or attached to, or over any land, building, vehicle or structure, which: <ol style="list-style-type: none">provides information about a business or industry;advertises the sale of goods or hire, a service, and event or a competition; orcontains information or a promotion of a political nature.
Authorised Officer	means a person appointed by Council under sections 224 or 224A of the <i>Local Government Act 1989</i> .
Barbeque	means any structure or device, that is erected or fixed outdoors, portable or mobile which has as its primary purpose, the cooking of food for human consumption.
Building	includes any building or structure, whether temporary or permanent, or any part of a building or structure.
Building Site	includes any <i>land</i> on which <i>building works</i> are being undertaken.
Building Works	means work: <ol style="list-style-type: none">or activities for or in connection with the construction, demolition, renovation, alteration, or removal of, or to, any building, structure or <i>land</i>;for which a permit is required under the <i>Building Act 1993</i>; orfor which a permit is required under any other legislation, including this Local Law.
Bulk Waste Container	means a bin, skip, or other structure designed or used for holding a substantial quantity of rubbish, or other goods, that is unable to be lifted without mechanical assistance.
Camping	means using a caravan, tent, sleeping bag, <i>motor vehicle</i> , motor home, shipping container, shed or like structure for temporary accommodation by a <i>person</i> and camp has the corresponding meaning.



Commercial Filming	means recording images by film, video, digital or other technology to broadcast or publicly exhibit for commercial purposes, but does not include photography.
Council	means Maroondah City Council.
Council Asset	means any road, drain, drainage infrastructure, swale drain, culvert, tree, plant, road sign or any other property vested in or under the control of Council.
Council Land	means any land (including <i>council assets</i> on that land), reserve, building, easement in favour of Council, or road owned, vested in, managed by or under the control of Council, including any building, structure, street sign, street furniture, pole, light, batter, fence, tree or plant situated on that land.
Dangerous	means <i>land</i> kept in a manner which is deemed by an <i>Authorised Officer</i> to be, or is likely to be, dangerous to life, health or property, including the storage of dangerous or hazardous substances and materials on <i>land</i> . This does not apply to any danger to life or property arising from the condition of <i>vegetation</i> , including trees on privately owned <i>land</i> unless such <i>vegetation</i> or trees affect an area other than privately owned <i>land</i> which is utilised, accessed or occupied by members of the public.
Derelict	<p>means a building, structure or infrastructure which in the opinion of an <i>Authorised Officer</i> is in a state of significant disrepair or has deteriorated as a result of damage, age, neglect, poor maintenance, vandalism or misuse.</p> <p>This may be characterised by a state or condition of a building, structure, or other infrastructure which, in the opinion of an <i>Authorised Officer</i>, has:</p> <ul style="list-style-type: none"> (a) missing, broken or deteriorated exterior cladding; (b) been marked with graffiti; (c) deteriorated guttering or downpipes; (d) broken or missing windows, window-awnings, eave lining or doors; (e) damaged, missing or broken roofing materials; (f) deteriorated internal gates and fences; (g) inadequate or no maintenance; or (h) any other condition in a state of significant disrepair or deterioration which is a detrimental to the amenity and appearance of the surrounding area.
Donation Bin	means a bin or similar structure used for the placement of donated items.



e-cigarette	has the same meaning as “e-cigarette” in the <i>Tobacco Act 1987</i> .
Heavy Vehicle	has the same meaning as “heavy vehicle” in the <i>Road Safety Act 1986</i> .
Incinerator	includes a structure, device or contraption (not enclosed in a building) which is used or designed or is capable of being used for the purpose of burning any material.
Incorporated Document	means any document, guidelines, policy, plan or code of practice incorporated by reference into this Local Law.
Infringement Notice	means an infringement notice issued under the <i>Infringements Act 2006</i> .
Land	includes privately owned land, but excludes <i>council land</i> .
Licensed Premises	means any licensed hotel, tavern, bottle shop, bar, nightclub or other premises from which liquor is sold.
Liquor	means a beverage intended for human consumption with an alcoholic content greater than 0.5 per centum by volume at a temperature of 20 degrees Celsius.
Long Vehicle	means a vehicle that, together with any load or projection, is 7.5 metres long, or longer.
Mobile Garbage Bin	means a bin or receptacle supplied by Council for the purposes of waste collection including household waste, organic waste, recyclable materials, or other materials which may be regulated by Council.
Motor Vehicle	has the same meaning as in the <i>Road Safety Act 1986</i> .
Municipal District	means the municipal district of Council.
Notice to Comply	means a written direction issued under this Local Law prepared by an <i>Authorised Officer</i> .
Nuisance	includes any behaviour or condition which is dangerous to health, offensive or injurious to personal comfort.
Occupier	means a <i>person</i> : <ol style="list-style-type: none"> a. in charge or having the management or control of <i>land</i>, or b. legally entitled to occupy <i>land</i> (including premises)



and includes, in relation to *land* which has a lot entitlement or lot liability in respect of common property, the Owners Corporation created on the registration of a Plan of Subdivision affecting that *land*.

Owner	in relation to <i>land</i> means the <i>person</i> , business, trust or other legal entity that is registered on the Certificate of Title as the owner.
Penalty Unit	has the same meaning as used in the <i>Sentencing Act 1991</i> .
Permit	means a permit, required, or issued under this Local Law.
Person	includes a natural person, corporation, an association incorporated under the <i>Associations Incorporation Reform Act 2012</i> , partnership and an unincorporated association.
Person in Charge	means: <ul style="list-style-type: none"> (a) a person in charge of a <i>building site</i>; (b) a person who causes or conducts <i>building works</i> to be carried out on a <i>building site</i>; (c) a person who is the holder of a building permit or Council issued permit relating to works being undertaken on a <i>building site</i>; or (d) the owner or occupier of the <i>land</i> upon which <i>building works</i> are being carried out.
Planning Scheme	means the Maroondah Planning Scheme, as approved under the <i>Planning and Environment Act 1987</i> .
Poultry	includes chickens, ducks, geese, pheasants, turkeys, and guinea fowl and excludes roosters.
Public Place	has the same meaning as in section 3 of the <i>Summary Offences Act 1966</i> .
Reserve	means <i>council land</i> which is dedicated or used for outdoor, cultural, environmental, sporting, or recreational purposes and includes sporting reserves, bushland reserves, wetlands, parks and gardens and other like spaces.
Road	has the same meaning as in the <i>Local Government Act 1989</i> and includes: <ul style="list-style-type: none"> a) a street; b) a right of way;



- c) any land reserved or proclaimed as a street or road under the *Crown Land (Reserves) Act 1978* or the *Land Act 1958*;
- d) a public road under the *Road Management Act 2004*;
- e) a passage;
- f) a cul de sac;
- g) a by-pass;
- h) a bridge or ford;
- i) a footpath, bicycle path or nature strip; or
- j) any culvert or kerbing or other land or works forming part of the road.

Road Reserve	has the same meaning as used in the <i>Road Management Act 2004</i> .
Schedule	means a Schedule to this Local Law.
Shopping Trolley	means a wheeled container or receptacle supplied by a retailer to enable a <i>person</i> to transport goods.
Site Fencing	means a fence around the perimeter of <i>land</i> or a <i>building site</i> where <i>building works</i> are being undertaken.
Site Identification Sign	means a sign which is at least 600 millimetres in height and 400 millimetres in width, erected at the entrance to a <i>building site</i> which is clearly visible from the <i>road</i> , and includes the: <ul style="list-style-type: none"> a) lot and street number on the Certificate of Title relevant to the <i>land</i>; and b) name, postal address and 24-hour contact telephone number of the <i>person in charge</i>.
Smoke	has the same meaning as in the <i>Tobacco Act 1987</i> and includes the use of <i>e-cigarettes</i> .
Smoke Free Area	means an area: <ul style="list-style-type: none"> a) designated as a Smoke Free Area as shown in <i>schedule 2</i>; or b) prescribed to be a Smoke Free Area in accordance with clause 7.1(4).
Tobacco Product	has the same meaning as in the <i>Tobacco Act 1987</i> .



Unsightly	<p>includes <i>land</i> which contains:</p> <ul style="list-style-type: none"> (a) excessive waste and waste products; (b) uncontained waste products; (c) overgrowth of <i>vegetation</i>; (d) excessive second-hand timber or second-hand building material; (e) discarded, rejected, surplus or abandoned solid or liquid materials; (f) dilapidated structures; (g) graffiti; (h) machinery or machinery parts stored on the <i>land</i> for more than 2 months; (i) unregistered, unroadworthy, disassembled, incomplete or deteriorated <i>motor vehicles</i>, caravans, trailers or similar, visibly stored on the <i>land</i> for more than 2 months; (j) anything being built which is left incomplete and is detrimental to the amenity of the surrounding area; or (k) any other thing making the <i>land</i> visually detrimental to the general amenity of the area, including <i>land</i> which is neglected or unsecured.
Vehicle	<p>has the same meaning as in the <i>Road Safety Road Rules 2017</i> and includes:</p> <ul style="list-style-type: none"> (a) a motor vehicle, trailer and tram; (b) a bicycle; (c) an animal-drawn vehicle, and an animal that is being ridden or drawing a vehicle; (d) a combination; and (e) a motorised wheelchair that can travel at over 10 kilometres per hour (on level ground)— but does not include another kind of wheelchair, a train, a wheeled recreational device, a wheeled toy or an electric personal transporter.
Vehicle Crossing	<p>means a Council approved constructed access point between a privately owned property boundary and a <i>road</i> in order to facilitate vehicular access to that <i>land</i>.</p>
Vegetation	<p>includes trees, grass, shrubs, hedges or other plants, whether dead or alive, standing or not standing, on <i>land</i> or in water.</p>
Vermin	<p>includes cockroaches, feral bees, European wasps, rats or any animal which is destructive or a nuisance.</p>
Wheeled Recreational Device	<p>includes scooters (human-powered and low-powered e-scooters), skateboards, roller blades or roller skates. It does not include high-powered e-scooters with a motor output of more than 200 watts, or which are capable of travelling faster than 10 km/h.</p>



PART 2 - COUNCIL LAND AND ROADS

This Part contains provisions which aim to regulate and enhance the safety and orderly use of *council land and roads*.

2.1 Behaviour on Council Land and Roads

A *person* must not, on *council land* or on a *road*:

- (a) commit or cause any *nuisance* or cause any damage;
- (b) act in a manner that threatens, harasses or endangers any *person* or which may interfere with another *person's* reasonable use and enjoyment;
- (c) act contrary to any applicable conditions of use or sign displayed by Council;
- (d) act contrary to any lawful direction of an *Authorised Officer* or *person* in charge of a Council facility;
- (e) alter, damage, destroy, remove, interfere with, or deface any *council asset*;
- (f) enter other than through an entrance provided for that purpose;
- (g) organise a function or event unless prior written approval has been obtained from Council;
- (h) use or interfere with any lifesaving or emergency device unless during an emergency;
- (i) obstruct, hinder or interfere with any *person* employed by, or acting on behalf of Council, including Council contractors and *Authorised Officers*;
- (j) park, drive or ride a vehicle unless the area has been signposted for that purpose;
- (k) keep, train or ride an animal unless the land has been designated by Council for that purpose;
- (l) undertake any unauthorised building or construction related activities, including building any structures;
- (m) enter or remain, while under the adverse influence of alcohol or intoxicating drugs; or
- (n) ride a bicycle or use a *wheeled recreational device* unless the area has been designated for that purpose and not in a manner that:
 - (i) interferes with another *person's* use and enjoyment;
 - (ii) endangers any other *person*; or
 - (iii) causes damage.

2.2 Use of Reserves

(1) A *person* must not, in a *reserve*:

- (a) ride or lead a horse, except in areas designated for horse riding or leading;
- (b) destroy, deface, defile, damage, remove or interfere with a structure, notice, playing arena, playing surface, seat, tree, plant or land;
- (c) camp or pitch, erect or occupy a camp, tent or temporary shelter;
- (d) park, ride, drive or use a *vehicle* except in an area designated for that purpose;



- (e) light a fire or allow a fire to remain alight unless the fire is a *barbecue*;
 - (f) engage in playing or practising sports or games or any other organised activity which could be a danger to the safety of a *person* or interfere with the reasonable use and enjoyment of a reserve by another *person*;
 - (g) engage in, play, or practice golf;
 - (h) remain in the *reserve* outside the hours that reserve is open; or
 - (i) act contrary to a lawful direction of an *Authorised Officer* or *person* in charge of the *reserve*, including a direction to leave the *reserve* notwithstanding that a fee or charge for admission may have been paid.
- (2) A *person* must not, without a *permit*, in a *reserve*:
- (a) park, drive, ride or use a vehicle unless the land has been designated and signposted for that purpose; or
 - (b) erect, fix or place a sign, advertisement or advertising material for a personal, commercial, charitable, cultural or community purpose.
- (3) A *person* must not, without written Council approval, in a *reserve*:
- (a) hold a circus, carnival, festival or non-commercial event such as a wedding; or
 - (b) conduct, organise or participate in a game of sport which is a fixture of any competitive sporting program.

2.3 Gateways to Reserves

An *owner* or *occupier* of *land* abutting a *reserve*, must not without written Council approval, install or maintain a pedestrian gateway which enables access to or from that *land* onto a *reserve*.

2.4 Commercial Filming

A *person* must not, without a *permit*, engage in any *commercial filming* on, or adjacent to *council land*.

2.5 Camping on Council Land and in Public Places

A *person* must not, without a *permit* on *council land* or in a *Public Place*:

- (a) camp in a tent, *vehicle*, caravan or any other temporary or makeshift accommodation unless in an area prescribed for that purpose; or
- (b) erect a tent, caravan or annexe.



2.6 Donation Bins

- (1) A *person* must not, without a *permit*, place or cause to be placed a *donation bin* on *council land* or on a *road*.
- (2) A *donation bin* placed in a *Public Place* must be maintained, by the *owner* of that *donation bin*, in a clean and sanitary condition.

2.7 Shopping Trolleys

- (1) A *person* must not leave a *shopping trolley* other than in an area designated for collection.
- (2) The *owner* of a shopping trolley must ensure that their trading name is clearly marked on the *shopping trolley*.
- (3) Where an *owner* provides more than 25 *shopping trolleys*, the *owner* must:
 - (a) ensure that the *shopping trolleys* are fitted with either a functioning coin deposit and release mechanism or an alternate, locking mechanism approved by Council;
 - (b) demonstrate to Council's satisfaction that they have a regular collection system in place; and
 - (c) comply with a direction given by an *Authorised Officer* to collect any *shopping trolleys* left in an undesignated collection area within 24 hours.
- (4) Where an *owner* is served with a Notice of Impoundment, the *owner* must collect any impounded *shopping trolleys* within the time specified in that Notice.
- (5) Council may exempt an *owner* from the application of sub-clause 2.7(3).

2.8 Items on Council Land and Roads

- (1) A *person* must not, without a *permit*, place, authorise to be placed, or allow to remain, any object that is on, over or affecting *council land*, a *road* or a *Public Place*, including items which may:
 - (a) cause an obstruction to pedestrians or vehicles; or
 - (b) constitute a danger.
- (2) An *owner* or *occupier* of any *land* must ensure that any gate, door or other means of access from that *land* does not open outwards onto *council land*, a *road* or a *Public Place*.

2.9 Bulk Waste and Shipping Containers

- (1) A *person* must not, without a *permit*, place or cause to be placed a *bulk waste container* or shipping container on *council land*, a *road* or in a *Public Place*.



- (2) Unless permitted under the Planning Scheme, a *person* must not, without a *permit* place a shipping container on *land* for a period longer than 28 days.

2.10 Graffiti

A *person* must not write, draw, tag, paint, scribble, scratch or spray any substance, including paint on a wall or other surface in a *Public Place*.

2.11 Advertising Signs

A *person* must not, without a *permit*, on or across *council land* or any *road*:

- (a) write, deface, place or affix any letter, figure, device, poster, sign or advertisement on any building, fence or other property under the control of or vested in Council;
- (b) erect or place an advertising sign or cause or authorise another person to do so; or
- (c) erect or place any structure, banner or similar item.

2.12 Events

A *person* must not, without a *permit*, conduct or organise a street party, festival, market, event or procession on *council land*, a *road* or in a *Public Place*.

2.13 Roadside Trading

A *person* must not, without a *permit*, sell, promote or offer for sale, any goods or services from *council land* or a *road* from a vehicle parked on or beside that land or *road*, including the placement of tables, stalls or other similar structures, or authorise or allow another *person* to do so.

2.14 Busking and Street Performances

A *person*, with the objective of collecting money must not, without a *permit*, sing, spruik, perform, entertain or play any musical instrument, on *council land* or on a *road*.

2.15 Collections and Fundraising

A *person* must not, without a *permit*, solicit, collect or fundraise on *council land*.



2.16 Signs, Goods and Furniture

- (1) A *person* must not, without a *permit*, on *council land* or on a *road*, cause or allow another *person* to:
- (a) display or permit to be displayed any goods or services for the purposes of advertising or promotion;
 - (b) place, erect, hang or affix or allow to be placed or affixed any advertising sign or other item, or
 - (c) affix, place, or allow to be placed any street furniture such as a seat, umbrella, table, chair, planter box, barrier or other item.



PART 3 – ENVIRONMENTAL AMENITY & SAFETY

This Part contains provisions which aim to protect the environmental amenity of *land* and the general amenity of the municipality.

3.1 Property Numbering

The *owner* or *occupier* of *land* to which a property number has been allocated by Council, must prominently display and maintain that number in such a manner, so that it is clearly readable and visible from the *road* that the *land* fronts.

3.2 Condition of Land

The *owner* or *occupier* of any *land* must not cause, or allow the *land* to be kept in a manner which, in the opinion of an *Authorised Officer*.

- (a) is *unsightly*;
- (b) is *dangerous* or likely to cause danger to life, health or property; or
- (c) is detrimental to the general amenity of the area in which the *land* is located.

3.3 Condition of Buildings

(1) The *owner* of a building on *land* must not allow that building to be kept in manner which is, in the opinion of an *Authorised Officer*.

- (a) *derelict*;
- (b) in a state of disrepair;
- (c) damaged or defaced;
- (d) not secured to prevent unauthorised entry; or
- (e) adversely affecting the amenity of the surrounding neighbourhood.

(2) The *owner* of *land* on which there is a vacant or *derelict* building/s must take all reasonable steps to secure the *land* from unauthorised access.

3.4 Prevention of Fire

An *owner* or *occupier* of *land* must not allow to exist on that *land* any material, including *vegetation*, which constitutes or is likely to constitute a fire hazard or a source of fuel for any fire.



3.5 Trees and Vegetation

The *owner* or *occupier* of *land* must not allow *vegetation* on that *land* to:

- (a) overhang onto the footpath, *road* or *council land* at a height of not less than 3.0 metres from the surface of the adjacent road or *land*;
- (b) obstruct or impair the vision or clear passage of a *vehicle* using the *road*;
- (c) obstruct or interfere with the safe and accessible use of the footpath or *road* adjacent to or near the *land*;
- (d) encroach upon any adjacent *road* or *council land*;
- (e) cause damage to or interfere with any fixture or structure on *council land*; or
- (f) cause damage to any drain vested in or under the control of Council.

3.6 Fires in the open air

- (1) A *person* must not, without a *permit*, light or allow a fire to be lit or remain alight, on *land*:
 - (a) in the open air; or
 - (b) in an *incinerator*.
- (2) Clause 3.6(1) does not apply to:
 - (a) a well-constructed and safe device constructed of fire-resistant materials for the purpose of outdoor heating;
 - (b) a *barbeque*, grill, pizza oven or similar type structure used for the purpose of cooking food; or
 - (c) a *person* authorised to engage in such an activity for or on behalf of a public authority.
- (3) If an *Authorised Officer* is of the opinion that a *nuisance* has been caused by a fire lit in the open air, the *Authorised Officer* may direct the *owner* or *occupier* of the *land* on which the fire has been lit or the person in charge of the fire to extinguish the fire.

3.7 Vermin

An *owner* or *occupier* of *land* must not allow any *vermin* to exist on that *land*.

3.8 Keeping of Bees

The *owner* or *occupier* of any *land* where bees or beehives are kept must:

- (a) keep those bees in accordance with the relevant Apiary Code of Practice; and
- (b) ensure that the keeping of bees or beehives on that land does not cause a *nuisance*.



3.9 Storage of Vehicles

A person must not, without a *permit*, on *council land*, a *road* or in a *Public Place*:

- (a) place or store or allow to be placed or stored a boat, caravan, trailer, or any other vehicle unable to move on its own accord, other than a motor vehicle, for longer than 48 hours; or
- (b) store, leave or keep a registered vehicle for longer than 60 days.

3.10 Repairing Vehicles

A person must not dismantle, paint, carry out maintenance on or repair a vehicle on *council land*, a *road* or in a *Public Place*.

NOTE: Clause 3.10 does not apply to repairs carried out following a mechanical breakdown.

3.11 Vehicles in a Public Place

A person must not leave or allow to be left, a *vehicle* on *council land*, a *road* or in a *Public Place* that is:

- (a) unregistered;
- (b) immobile;
- (c) damaged;
- (d) dilapidated; or
- (e) causing a danger or an obstruction to other road users or pedestrians.

3.12 Vehicles and Machinery on Land

A person must not, without a *permit* use any *land*:

- (a) for the storage of more than 2 unregistered *motor vehicles* or machinery;
- (b) for the dismantling or breaking up of *motor vehicles* or machinery; or
- (c) for the repair or servicing of any *motor vehicle* other than a *motor vehicle* registered at the address of that *land* which is primarily used for residential purposes.

NOTE: Clause 3.12 does not apply if permitted under the Planning Scheme

3.13 Storage of Heavy Vehicles or Long Vehicles

An *owner* or *occupier* of land, must not, without a *permit*, store or keep a *heavy vehicle* or *long vehicle* on that *land*.

NOTE: Clause 3.13 does not apply if permitted under the Planning Scheme.



3.14 Alarms

An *owner* or *occupier* of *land* must not install, *permit* to be installed or cause to be retained on that *land* any alarm which emits a noise that is audible beyond the boundary of that *land*, unless:

- (a) when activated the alarm is automatically rendered inaudible beyond the boundary within 10 minutes of it being activated; and
- (b) the alarm cannot re-activate until the device has been re-set.

3.15 Camping on Land

An *owner* or *occupier* of *land* must not allow a *person* to camp on that *land* by occupying a caravan, *vehicle*, shed, tent or any other temporary, makeshift or like structure on the *land* in a manner that causes a *nuisance* or is detrimental to the general amenity of the area.



PART 4 - BUILDING SITE MANAGEMENT & ASSET PROTECTION

This Part aims to ensure the safety and amenity of the municipality by controlling activities associated with building work and to protect Council assets from damage during building works.

4.1 Asset Protection Permits

The *person in charge* of *building works* on *land*, must obtain an Asset Protection Permit at least 7 days prior to the *building works* commencing.

4.2 Containment of Building Sites

The *person in charge* of *building works* on *land*, must ensure that:

- (a) the *building works* are contained entirely within the *building site*;
- (b) the *building site* is provided with secure *site fencing*;
- (c) gates or access points of the *site fencing* do not open outwards onto *council land*; and
- (d) the *site fencing* is contained entirely within the *building site* and does not obstruct *council land*.

4.3 Building Site Safety and Amenity

The *person in charge* of *building works* on *land* must ensure, at all times:

- (a) that the *building works* do not cause, or are likely to cause a danger or detriment to pedestrian or vehicular traffic safety;
- (b) all building related material is kept within the *building site*;
- (c) any sediment, mud, erosion, stormwater pollutants or other site run off is prevented from leaving the *building site*;
- (d) mud, sediment, slurry or similar material is not deposited in or on any *road* or *Council land*;
- (e) dust or air pollutants from the *building site* is not detrimental to the amenity of the area;
- (f) that the *building site* displays a clearly legible *site identification sign*;
- (g) that there is on the *land* a toilet system installed and maintained to the satisfaction of an *Authorised Officer*; and
- (h) that the *building works* do not cause detriment to any *council asset*, or the natural or built environment.



4.4 Building Site Access

The *person in charge of building works* must ensure that the point of entry to the *building site* is:

- (a) only by way of a Council approved *vehicle crossing* whether permanent or temporary; and
- (b) maintained to the satisfaction of an *Authorised Officer*.

4.5 Building Site Waste

The *person in charge of building works on land* must ensure that any building waste is:

- (a) contained entirely within the *building site*;
- (b) contained in a receptacle in which the waste cannot escape from;
- (c) stored in a manner that does not cause detriment to the visual amenity of the area or a nuisance; or
- (d) disposed of regularly, and, where that waste is in the form of stormwater, to a legal point of discharge.

4.6 Soil Stockpiles

The *person in charge of building works on land* must ensure that soil stripped from the *building site* is:

- (a) stockpiled on the *building site* for re-use in a manner so as not to cause a *nuisance*;
or
- (b) is transported to a legal place of disposal.

4.7 Noise from Building Works

(1) The *person in charge of building works on land*, must not, without a *permit* cause or allow *building works* or other building related activities to be carried out on *land*:

- (a) outside the hours of 7.00am and 6.00pm on weekdays;
- (b) outside the hours of 9:00am and 3:00pm on Saturdays; and
- (c) on any Sunday and any Public Holiday.

(2) Clause 4.7 (1) does not apply to *building works* which are inaudible and do not cause a *nuisance*.



4.8 Management of Easements

Where *land* is encumbered by a drainage easement, a *person* must not, without the prior written consent of Council:

- (a) place any fill within an easement;
- (b) excavate any soil or dirt from within the easement;
- (c) excavate any soil or dirt from the *land* comprising the easement, in a manner which, in the opinion of an *Authorised Officer*, is likely to affect the flow of water over the easement or on or from *land* adjacent to the easement;
- (d) cover any drainage inspection pit or pit lid in a manner which, in the opinion of an *Authorised Officer*, makes it impracticable to conveniently use or access the drainage inspection point or the pit lid for its intended purpose; or
- (e) undertake *building works* on, over or within an easement, that in the opinion of an *Authorised Officer* may damage a Council drainage system, or limit Council's ability to access, maintain or renew a drainage system.

4.9 Direction to Cease Building Works

The *person in charge* of *building works* on *land* must cease *building works* immediately, when directed verbally or in writing to do so by an *Authorised Officer*.

4.10 Occupying Council Land or a Road for Building Works

A *person* must not, without a *permit*:

- (a) occupy any part of a *road* or *council land* for *building works*; or
- (b) alter the traffic flow or any parking provisions affecting *council land* or a *road*.

4.11 Vehicle Crossings

- (1) A *person* must not, without a *permit*:
 - (a) install, construct, alter, or reconstruct a *vehicle crossing*, whether permanent or temporary; or
 - (b) allow any *vehicle* to enter or leave any *land* except by using the *vehicle crossing* servicing that *land*.
- (2) Each point of vehicle access to *land* from a *road*, *road reserve* or *council land* must be approved by Council and properly constructed and maintained.
- (3) An *Authorised Officer* may direct a *person* to:
 - (a) construct, repair or reconstruct a *vehicle crossing*, whether permanent or temporary; or



- (b) remove a redundant vehicle crossing, whether permanent or temporary and reinstate any kerb, channel, footpath or other area.

4.12 Council Assets

A *person* must not, without a *permit*, destroy, damage, connect to, modify or interfere with any *council assets*.

4.13 Use of Drains and Legal Points of Discharge

- (1) A *person* must not, without a *permit*:

- (a) connect to;
- (b) alter;
- (c) interfere with;
- (d) excavate;
- (e) damage;
- (f) destroy; or
- (g) obstruct -

the function of any drain under the control of Council or any water course, ditch, creek, gutter, tunnel, bridge, levee, culvert or fence under Council management.

- (2) The *owner* and *occupier* of *land* or any other *person* involved in the management of *land* must ensure that:
 - (a) each building and/or structure on the *land* is connected to a legal point of discharge nominated by Council through a properly constructed and maintained underground drainage system;
 - (b) the *land* is adequately drained to the satisfaction of an *Authorised Officer*; and
 - (c) all drainage servicing their *land* is maintained in sound working order and does not cause damage to any other property, including *council land*.



PART 5 - WASTE MANAGEMENT

This Part aims to manage waste collection to prevent impacts to amenity including the management of hard waste collection.

5.1 Use of Council issued Mobile Garbage Bins

A *person* supplied with a Council issued *mobile garbage bin*, must ensure that waste is deposited into that bin, in accordance with *Council's Waste Services Guideline 2023* being a document incorporated by reference into this Local Law.

5.2 Privately arranged Waste Collection

The *owner* or *occupier* of *land* to which a privately arranged waste collection service occurs, must conduct and facilitate that collection in accordance with *Council's Waste Services Guideline 2023* being a document incorporated by reference into this Local Law.

5.3 Hard Waste

The *occupier* of *land* to which Council provides a hard waste collection must place the approved materials out for collection in accordance with *Council's Waste Services Guideline 2023* being a document incorporated by reference into this Local Law.

5.4 Interference with Waste and Mobile Garbage Bins

A *person* must not remove or interfere with any *mobile garbage bin*, refuse, recyclables or any other materials placed out for collection.

5.5 Use of Public Bins

A *person* must not use public bins to dispose of waste or recyclables generated from domestic, commercial or industrial premises.



PART 6 - ANIMALS

This Part contains provisions to manage domestic animals within the municipality and aims to ensure that animals kept on *land* do not cause a nuisance.

6.1 Animal Numbers

- (1) An *owner* or *occupier* of any *land* which is less than or equal to 5,000 square metres, must not, without a *permit*, keep or allow to be kept any more than the number for each animal set out in the following table:

Type of Animal	Number	Conditions
Dogs	2	An additional dog can be kept where according to Council records, the dog is 10 years old or more
Cats	2	An additional cat can be kept where according to Council records, the cat is 10 years old or more
Large Birds	0	
Domestic Birds	20	Birds must be kept in appropriate housing
<i>Poultry</i>	5	Does not include a rooster
Rooster	0	A rooster is not permitted
Pigeons	20	Pigeons must be kept in appropriate housing
Ferrets, Guinea Pigs, Rabbits or Rodents	5	
Horse or Donkeys	0	
Cattle, sheep, goats, alpacas or llamas	0	
Pigs	0	
Any other agricultural animal	0	

- (2) Where a Magistrate has found a *person* to be in breach of clause 6.1 and a *permit* for additional animals has not been granted, Council may enter the *land* on which the animals are being kept and seize and dispose of any such animals.

Note: Disposal for the purposes of clause 6.1(2) includes sale, rehoming or destruction of the animal as determined by an Authorised Officer.



6.2 Keeping of Animals

The *owner or occupier of land* on which any animal is kept, must ensure that the animal housing or enclosure:

- (a) is of adequate size to house the number or type of animals;
- (b) is maintained in a clean and sanitary condition that does not cause a nuisance to any other *person*;
- (c) provides adequate shelter for the number of and welfare needs of the animal;
- (d) is maintained in good repair, and the surrounding area is well drained so as to not cause a nuisance;
- (e) is located so as not to cause a nuisance;
- (f) does not form part of the property boundary fence;
- (g) is clear of materials which may harbour and/or attract *vermin*; and
- (h) is adequately fenced to prevent the animal from escaping.

6.3 Collection and disposal of animal excrement

A *person* in charge of any animal in a *Public Place* must:

- (a) carry a suitable litter device for the collection of excrement from that animal;
- (b) immediately collect any excrement deposited by that animal; and
- (c) dispose of the animal excrement in a proper and sanitary manner.

6.4 Animals at Large

The owner or person in charge of an animal must not allow that animal to wander from where it is usually kept.

Note: *This clause does not apply to dogs and cats that are dealt with under the Domestic Animals Act 1994.*

6.5 Animal Nuisance

An *owner or occupier of land* where an animal or bird is kept, must ensure that the animal or bird does not cause a nuisance.



PART 7 - LIQUOR AND SMOKE FREE AREAS

This Part aims to preserve public health and safety by regulating the consumption of alcohol and smoking in *Public Places*.

7.1 Smoke Free Areas

- (1) A *person* must not *smoke* in a *smoke free area* as shown in Part A of *Schedule 2*.
- (2) Where an *Authorised Officer* believes on reasonable grounds that a *person* is contravening or has contravened clause 7(1) the *Authorised Officer* may direct the *person* to:
 - (a) extinguish and dispose of the *tobacco product*, or
 - (b) cease use of the e-cigarette.
- (3) A *person* to whom a direction is given under clause 7(2) must comply with that direction.
- (4) In addition to the *smoke free areas*, Council may, by following the guidelines listed in Part B of *Schedule 2*, prescribe any other area within the municipal district to be a *smoke free area*.
- (5) Council may erect, or cause to be erected, appropriate signage indicating that an area is a *smoke free area*.

7.2 Consumption of Liquor in a Public Place

- (1) A *person* must not, without a *permit*, on *council land* or in a *Public Place*:
 - (a) consume any *liquor*, or
 - (b) have in that *person's* possession or control any *liquor* that is in an open container.
- (2) An *Authorised Officer* may impound any open or unopened container of *liquor*.

NOTE: Clause 7(1) does not apply to a *person* who consumes, possesses or has under their control, *Liquor*:

- a) on *premises* or at a *location* which is licensed under the *Liquor Control Reform Act 1998*;
or
- b) within a *Council Reserve* between the hours of 7.00 am and 10.00 pm, provided that its part of an organised activity with a *Permit* or as part of picnic with family/friends and no nuisance is being caused.

7.3 Behaviour at or near Licensed Premises

A *person* must not, in the course of arriving at or departing from *Licensed Premises* or any carpark designated for the use of patrons of such *Licensed Premises*, cause a *nuisance* on *council land* or in a *Public Place*.



PART 8 - ADMINISTRATION

This Part contains general provisions regarding the issuing, suspension and revocation of permits issued under this Local Law, including Asset Protection Permits.

8.1 Applications

An application for a *permit* under this Local Law must be:

- (a) in a form approved by Council; and
- (b) accompanied by the fee set by Council.

8.2 Further requirements

Council may require a *permit* applicant to:

- (a) supply more information; or
- (b) give public notice of the application.

8.3 Decision on permit application

After considering all relevant documentation, Council may decide to:

- (a) grant a *permit*;
- (b) grant a *permit* subject to conditions, including the requirement to lodge a bond with Council;
- (c) refuse to grant a *permit*; or
- (d) exempt a *person* or class of *persons* from the requirement to obtain a *permit*.

8.4 Correction, suspension or cancellation of permits

- (1) Council may correct a *permit* if the *permit* contains a clerical mistake, error or omission.
- (2) Council may suspend or cancel a *permit* at any time:
 - (a) if requested to do so by *permit* holder;
 - (b) if it considers there has been;
 - i) a material mis-statement or concealment of fact in relation to the application for the *permit*;
 - ii) a material mistake in relation to the issue of the *permit*;
 - iii) a material change in circumstances which has occurred since the granting of the *permit*; or
 - iv) there has been a substantial failure to comply with the *permit* conditions or a *Notice to Comply*.
- (3) Council must give written notice to a *permit* holder of any correction, cancellation suspension or amendment of a *permit*



- (4) Before it cancels a *permit*, the Council must provide the *permit* holder with an opportunity to make a submission on the proposed cancellation.
- (5) If the *permit* holder is not the *owner* of the *land*, and the *Authorised Officer* determined that the *owner's* consent was required to be given for the application for the *permit*, the *owner* must be notified of any *Notice to Comply* subsequently issued by Council.

8.5 Fees and Charges

- (1) Council may by resolution determine fees and charges for the purposes of this Local Law.
- (2) Council may waive, reduce or defer payment of fees and charges in whole or in part, with or without conditions.

8.6 Bonds

- (1) In deciding to grant a *permit*, Council may require the *permit* holder to lodge with Council a bond for such amount and in such a manner as Council determines.
- (2) If Council is required to remedy a breach of any *permit* condition or repair any damage caused by any work carried out under a *permit*, it may for that purpose, use part or all of any bond associated with that *permit*.
- (3) Where the bond or any part is used pursuant to clause 8(2), the *permit* holder, may be directed to replenish or increase the bond amount.
- (4) On satisfactory completion of any works which required a bond. Council must release any applicable bond or remainder of the bond.
- (5) Council may retain the bond amount and place it into Council's consolidated revenue if the *permit* holder cannot be located or has not collected the bond payment within 12 months of notice being given.



PART 9 – ENFORCEMENT

9.1 Exercise of discretion

- (1) In exercising any discretion contained in this Local Law, an *Authorised Officer* must have regard to:
 - (a) the objectives of this Local Law;
 - (b) any applicable Council Policy; and
 - (c) any other relevant matter, including extenuating circumstances which support a non-punitive response.

- (2) For the purposes of clause 9(1), extenuating circumstances include *persons* who are vulnerable because they are:
 - (a) experiencing homelessness;
 - (b) socially, culturally or economically marginalised; or
 - (c) experiencing chronic physical or mental health issues.

9.2 Offences and Penalties

- (1) A *person* who –
 - (a) contravenes or fails to comply with any provision of this Local Law or any document incorporated by reference;
 - (b) contravenes or fails to comply with any condition contained in a permit issued under this Local Law (excluding Asset Protection Permits which are addressed at clause 9.2(1)(j));
 - (c) knowingly supplies false or misleading information in support of an application for a permit issued under this Local Law;
 - (d) knowingly supplies false or misleading information to an Authorised Officer;
 - (e) fails to comply with a verbal or written direction issued by an Authorised Officer;
 - (f) fails to comply with a Notice to Comply issued by an Authorised Officer;
 - (g) fails to comply with a Notice of Impoundment served by Authorised Officer;
 - (h) fails to comply with a sign erected by Council;
 - (i) makes or attempts to make any agreement with an Authorised Officer to induce that Authorised Officer to compromise their duty; or
 - (j) contravenes or fails to comply with an Asset Protection Permit issued under clause 4.1

is guilty of an offence and is liable to a penalty not exceeding 20 *penalty units*.

- (2) The *penalty units* indicated in this Local Law are maximum penalties which may apply if the offence is found proven by a Court.



- (3) Following a finding of guilt or conviction for an offence against this Local Law in Court, a *person* is liable to a penalty of two penalty units for each day during which the contravention continues.
- (4) If a *person*, after a finding of guilt or conviction by a Court, commits a subsequent offence against the same provision of the Local Law, that *person* is liable to a penalty not exceeding 20 *penalty units*.

9.3 Offences by Corporations

Where a corporation commits an offence under this Local law, any directors or officers of that corporation also commit an offence.

9.4 Operator Onus Offence

- (1) The operator onus provisions under Part 6AA of the *Road Safety Act 1986* apply to any offence provision of this Local Law which involves the use of vehicles.
- (2) If the operator of a vehicle that is used in the commission of an offence under this Local Law, cannot be found or it is impracticable to charge the operator with an offence, the registered owner of that vehicle, is guilty of that offence.

9.5 Power to issue a Direction

Where an *Authorised Officer* reasonably believes that a *person* has committed an offence against this Local Law, the officer may issue a verbal or written direction, requiring a *person* to stop offending and do anything necessary to rectify the offence.

9.6 Notice to Comply

- (1) An *Authorised Officer* may serve a *Notice to Comply*, directing a *person* to take action to remedy any situation which may constitute a breach of this Local Law.
- (2) A *Notice to Comply* must specify the time and date by which the *person* specified in the *Notice to Comply* must comply with the directions stipulated in the *Notice to Comply*.
- (3) The period of time required to comply with a *Notice to Comply* must be reasonable in the circumstances having regard to:
 - (a) the amount of work required;
 - (b) the degree of difficulty;
 - (c) the availability of necessary materials or other items;
 - (d) climatic conditions;
 - (e) degree of potential risk; and
 - (f) any other relevant factors.



9.7 Infringement Notices

- (1) Where an *Authorised Officer* reasonably believes that a *person* has committed an offence under this Local Law, the *Authorised Officer* may serve on that *person* an *infringement notice*.
- (2) The penalties fixed for *infringement notices* served under this Local Law are set out in *Schedule 1*, or if no amount is set out, 2 *penalty units* is applied.

9.8 Impounding items

- (1) An *Authorised Officer* may immediately move or impound any object, thing or animal which the officer reasonably believes contravenes this Local Law.
- (2) Following impoundment, an *Authorised Officer* must, if practicable, serve a Notice of Impoundment on the *person* whom the officer reasonably believes is the owner of the object, outlining the process for collection.
- (3) An *Authorised Officer* may sell, dispose of or destroy an object that isn't collected in the manner specified in the Notice of Impoundment, with any proceeds from the sale being placed into Council's consolidated revenue.
- (4) An *Authorised Officer* may sell, dispose of or destroy an object, where an owner cannot be established or has laid claim, following 28 days of impoundment, with any proceeds from the sale placed into Council's consolidated revenue.
- (5) An *Authorised Officer* may direct any *person* responsible for causing or permitting an obstruction on *council land* to remove the obstruction.
- (6) An *Authorised Officer* may return the object to its owner on payment of a fee set by Council.

9.9 Urgent Circumstances

In any urgent circumstance arising under this Local Law, an *Authorised Officer* may take any reasonable action to remedy the situation without first serving a *Notice to Comply*.



SCHEDULE 1 - INFRINGEMENT NOTICE PENALTIES

The *infringement notice* penalty for a company or incorporated body is identical to the penalty for a person unless indicated otherwise. Unless a sub-clause with a corresponding penalty unit has been referenced, the penalty unit specified relates to all sub-clauses within that clause.

Clause	Activity	Infringement Penalty for a Person	Infringement Penalty for a Corporation
Part 2 - Use of Council Land and Roads			
2.1	Behaviour on Council Land and on Roads	2	4
2.1 (e)	Damage to a Council Asset	3	6
2.2	Use of Reserves	2	4
2.3	Gateways to Reserves	2	
2.4	Commercial Filming	3	6
2.5	Camping on Council Land and in Public Places	1	
2.6 (1)	Donation bins on Council Land	5	10
2.6 (2)	Maintenance of donation bins in Public Places	3	6
2.7	Shopping Trolleys	2	4
2.7(3)(c)	Compliance with direction to collect dumped trolleys	3	6
2.8	Items on Council Land and Roads	3	6
2.9(1)	Bulk Waste and Shipping Containers	5	10
2.10	Graffiti	3	
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Clause	Activity	Infringement Penalty for a Person	Infringement Penalty for a Corporation
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Clause	Activity	Infringement Penalty for a Person	Infringement Penalty for a Corporation
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SCHEDULE 2 - SMOKE FREE AREAS

PART A – SMOKE FREE AREAS

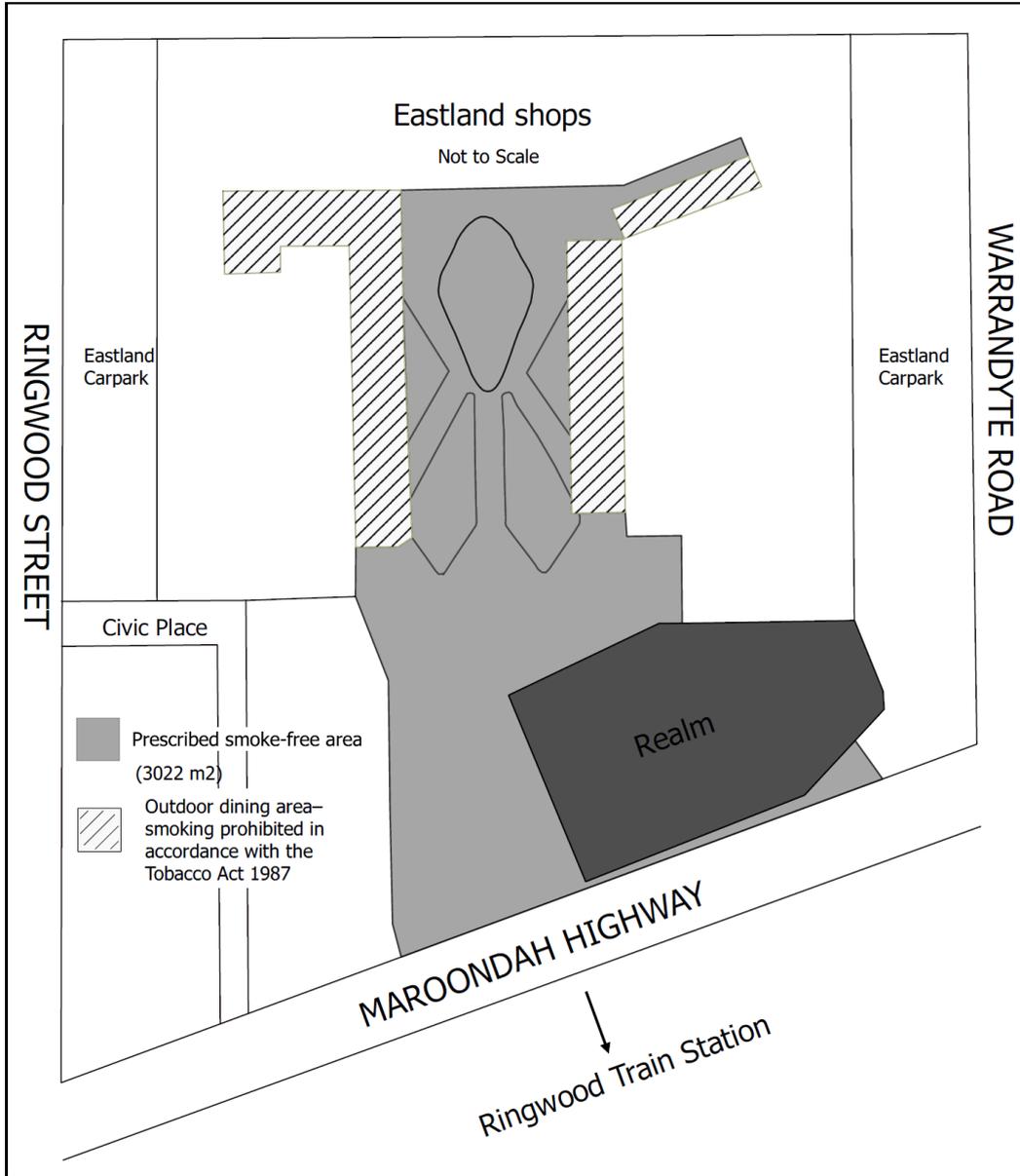
The following areas are *smoke free areas* for the purposes of clause 7 of this Local Law:

1. Ringwood Town Square – being the area more particularly described as such in the appended map.
2. Croydon Town Square – being the area more particularly described as such in the appended map.

Note: to any extent smoking is prohibited in the prescribed smoke free areas pursuant to the Tobacco Act 1987, the provision of the Local Law in respect to smoking are inoperative

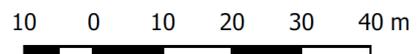


1 - Ringwood Town Square



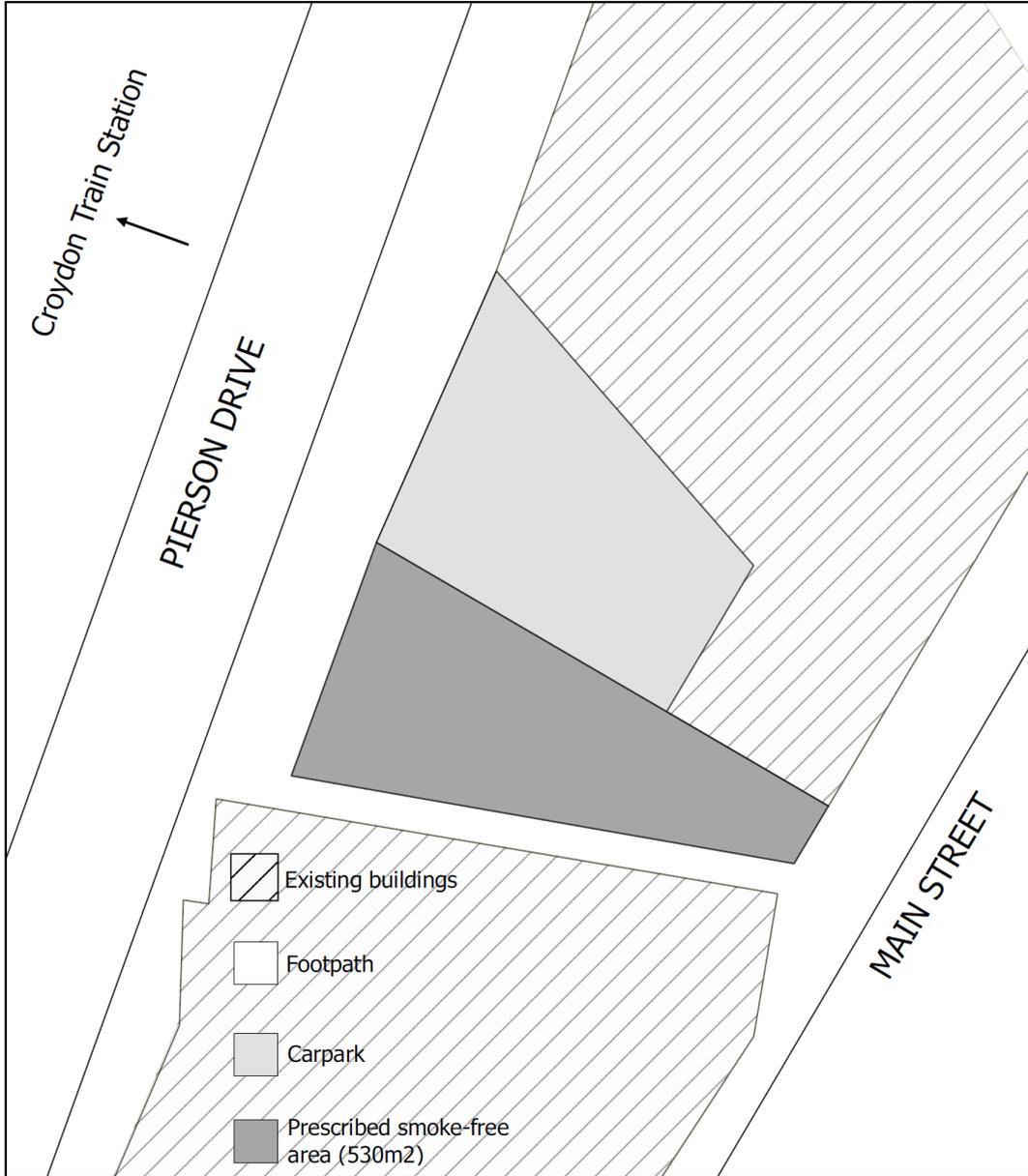
Maroondah City Council
Smoke Free Areas
Ringwood Town Square

Date 17-07-2018





2 - Croydon Town Square



Maroondah City Council
Smoke Free Areas
Croydon Town Square

Date 17-07-2018





PART B - GUIDELINES FOR PRESCRIBING SMOKE FREE AREAS

When determining whether to Prescribe a *smoke free area* for the purposes of clause 7.1 of this Local Law, Council must have regard to the following factors:

- a) the size of the proposed *smoke free area*;
- b) the opinions of any *person* who is the *owner* or *occupier* of any part of the proposed *smoke free area*;
- c) the proximity of the proposed *smoke free area* to a *Public Place*, part or all of which is not in a *smoke free area*;
- d) the extent and outcome of any public consultation on the proposed *smoke free area*;
- e) any benefits to the community which would be achieved by Council Prescribing the proposed *smoke free area*; and
- f) any detriment to the community which would be caused by Council Prescribing the proposed *smoke free area*.

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1. Objective

The objective of these Waste Services Guidelines (**Guidelines**) is to ensure the amenity of Council's municipal district is maintained through the correct placement, removal, and maintenance of Council issued Mobile Garbage Bins (**MGBs**).

As per the *Circular Economy (Waste Reduction and Recycling) Act 2021*, Council will be rolling out new services over the next 5-10 years including a Food Organics Garden Organics (**FOGO**) service that was delivered in May 2023, and a glass service in 2026/27.

2. Relationship with the Community Local Law 2023

These Guidelines are incorporated by reference into Council's Community Local Law 2023. Part 5 of the Local Law titled 'Waste Management' aims to manage waste collection to prevent impacts to amenity, including the management of hard waste collection and reduce impacts of contamination in the waste stream.

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While an educational approach is generally used, as a document incorporated by reference into the Local Law, these Guidelines form part of the Local Law and are capable of being administered and enforced in accordance with those enabling provisions.

Any amendments to these Guidelines will be advertised on Council's website.

3. Guideline

3.1. Use of Mobile Garbage Bins

The occupier of land to which Council provides a mobile garbage bin (MGB) must ensure that any Council issued MGB is:

- (a) appropriately maintained in a clean and sanitary condition so as not to be offensive to any person and/or become a health nuisance;
- (b) stored in a safe, clean, and sanitary area within the property boundary;
- (c) stored with the lid closed and not overfilled such that the lid cannot be completely closed down;
- (d) only used for the type of waste permitted;
- (e) only filled with waste generated from the property to which the bin has been issued;
- (f) positioned for collection with the lid closed and without any additional material beside of or on top of the MGB;
- (g) placed out for collection near the kerb or roadside with the wheel's positioned nearest to the house or property;
- (h) placed out for collection no more than one day before scheduled collection;
- (i) placed out for collection no later than 6:00am on the day of collection;
- (j) returned inside the property boundary within 24 hours of collection;
- (k) not left out on Council land outside of the collection times unless permitted to do so by an Authorised Officer;
- (l) placed out for collection at least 30 centimetres away from additional MGB's and at least one metre away from trees or light poles;
- (m) placed out for collection away from parked cars and outside the truck turning zone (e.g., dead end streets, court bowls etc);
- (n) placed out for collection where otherwise instructed by Council - i.e., some multi-unit developments have special MGB placement instructions;
- (o) placed out for collection with a total weight of no more than 40 kilograms; and
- (p) not removed from the premises or transferred to other premises except for collection in accordance with clause 3.1.(n)

3.2. Mixed Recycling

The occupier of every premises to which Council supplies a blue-lidded mixed recycling MGB must:

- (a) deposit only loose, not bagged or wrapped, mixed recycling material in the mixed recycling MGB; and
- (b) only place mixed recycling material in the mixed recycling MGB.

Refer to Appendix 2 for a standard list of accepted and non-accepted items. Additional information bin can be found on Council's website -

<https://www.maroondah.vic.gov.au/Residents-property/Waste-rubbish/Recyclables-collection>

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3.3. Food Organics and Garden Organics (FOGO)

The occupier of every premises to which Council supplies a lime-green-lidded FOGO MGB must:

- (a) only deposit loose, not bagged or wrapped, garden organics in the FOGO MGB, specifically, this includes:
 - i. grass clippings and weeds (free of soil)
 - ii. branches and small logs up to 10cm diameter and 40cm in length
 - iii. garden prunings
 - iv. leaves
- (b) only deposit food organics in the FOGO MGB, either loose or contained within a Council supplied liner, specifically, this includes:
 - i. fruit and vegetable scraps
 - ii. tea leaves and coffee grounds
 - iii. pasta, bread, rice, and cereal
 - iv. seafood, meat, and bones
 - v. eggshells, and dairy
 - vi. leftovers and plate scrapings
- (c) only place food organics or garden organics in the FOGO MGB.

Refer to Appendix 3 for a standard list of accepted and non-accepted items. Additional information can be found on Council's website -

<https://www.maroondah.vic.gov.au/Residents-property/Waste-rubbish/Garden-organics-collection>

3.4. Domestic General Waste

The occupier of every premises to which Council supplies a red or green lidded general waste MGB must:

- (a) only deposit in the general waste MGB bagged, wrapped, or otherwise securely contained solid waste other than the following:
 - i. vegetation that can be recycled using Council's bin-based garden organics service,
 - ii. recyclable materials that can be recycled using Council's bin-based mixed recycling service,
 - iii. hot or burning ashes,
 - iv. medical or infectious waste,
 - v. volatile, explosive, or flammable substances,
 - vi. dust, fine particle waste, polystyrene beads or similar unless securely wrapped,
 - vii. oil, paint, solvents or any material or item which may damage the MGB
- (b) not deposit waste derived from building construction or demolition activities, or waste created from the operation of a business.

Refer to Appendix 4 for a standard list of accepted and non-accepted items.

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Additional information can be found on Council's website –

<https://www.maroondah.vic.gov.au/Residents-property/Waste-rubbish/Weekly-rubbish-collection>

3.5. Hard waste and bundled prunings management

3.5.1. Use of hard waste and bundled prunings services

The occupier of premises to which Council provides a hard waste and bundled prunings collection service to:

- (a) Must not place the approved materials to be collected before a collection has been booked with Council and not earlier than the weekend prior to collection;
- (b) must place the approved materials to be collected on the nature strip of the booked address or other agreed location as determined by Council;
- (c) must place the approved materials to be collected in a neat, safe, and orderly manner;
- (d) must only deposit a maximum of two cubic metres for a single booking collection or four cubic metres for a double-booking collection of eligible general hard waste or bundled prunings. If put out together, general hard waste and bundled prunings must be booked separately adhering to the permissible quantities;
- (e) can only make a booking if there are allocations available. Allocated quantities are valid for the financial year. Unused allocations will not carry over into the next financial year;
- (f) may not cancel or change a hard waste and/or bundled prunings booking once a booking has been made; and
- (g) remove all non-collected material (either non-conforming or over limits) within 2 days following the specified collection period as advised by Council at the time of booking the service.

Additional information on the use of Council's hard waste and bundled prunings collection can be found on Council's website –

<https://www.maroondah.vic.gov.au/Residents-property/Waste-rubbish/On-call-hard-rubbish-and-bundled-prunings-collection>

3.5.2. General hard waste

In addition to the conditions in clause 3.5.1., the occupier of premises to which Council provides a hard waste collection service must only place out approved items for collection as listed in Appendix 5 which includes a list of common accepted and non-accepted items

3.5.3. Bundled prunings

In addition to the conditions in clause 3.5.1., the occupier of premises to which Council provides a bundled prunings collection service, must:

- (a) only place out approved items for collection as listed in Appendix 6 which includes a list of common accepted and non-accepted items;
- (b) tie all bundled prunings (green waste) into bundles not exceeding 1500mm long and 300mm wide per bundle using natural string or twine;
- (c) ensure single tree limbs are neatly stacked with no branches attached and are no larger than 1500mm long and 200mm wide; and

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- (d) ensure bundles and single branches are able to be lifted by two people.

3.5.4. Paid hard waste and/or bundled prunings collection

The occupier of premises to which Council provides a paid hard waste and/or bundled prunings collection service:

- (a) is eligible for additional paid collections which is subject to the same service inclusions and provisions as stated in clauses 3.5.1, 3.5.2, and 3.5.3; and
- (b) is eligible for up to two booked additional paid collections (of two cubic metres each) per financial year. Paid collection arrangements and payment are to be made directly between the resident and the contractor using the online booking portal.

3.6. Prohibited contents of Mobile Garbage Bins and Hard Waste / Bundled Prunings

Council reserves the right to refuse collection from properties where non-compliant materials are repeatedly found. A comprehensive list of accepted and non-accepted items can be found in Appendices 2 to 6.

3.7. Industrial and Commercial Properties

- (a) Owners or occupiers of industrial and commercial properties must not leave any commercial or industrial service MGB (whether it be subject to a Council or private service collection) out on Council Land for more than 12 hours before or after a collection day unless permitted to do so by an Authorised Officer
- (b) Exemptions to clause 3.7.(a) apply to commercial properties which do not have sufficient space to store MGB's on private land (e.g., shopping strips) and commercial and industrial properties where an onsite waste collection is required as part of the planning permit

Refer to Appendices 2, 3, and 4 for a list of accepted and non-accepted items.

3.8. Collection of Private Waste Services

- (a) The occupier of land to which a private waste service occurs on a road, on Council land, or private property must comply with all requirements in clause 3.1
- (b) The occupier of land to which a private waste service occurs on a road or on Council land, must ensure the area around the bins is kept secured, clean and free of waste spill over
- (c) The occupier of land to which a private waste service occurs within the property boundary must always comply with the site Waste Management Plan requirements

3.9. Interference with Refuse, Recyclable Goods, FOGO, Hard Waste

- (a) A person must not remove or interfere with any refuse or materials placed out for collection.
- (b) A person must not remove or interfere with a MGB or its contents when the MGB is left on a road, or at any other collection point, without written authority from an Authorised Officer.

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Clauses 3.9.(a) and 3.9.(b) do not apply to a person authorised by Council to remove waste, or an employee of such person during their employment, the person placing the waste out for collection or an Authorised Officer in the course of their employment.

3.10. Refrigerators and other Compartments

A person must not allow the placement of any disused refrigerator, ice chest, ice box, trunk, chest, or other similar article, without first removing every door, lid, lock and/or hinge rendering them incapable of being fastened on a road, public place, or Council Land.

3.11. Restriction of use of Public Bins

A person must not use public bins to dispose of waste or recyclables generated from domestic, commercial, or industrial premises.

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4. Appendices

4.1. Appendix 1 - Definitions table

Term	Definition
Act	the <i>Local Government Act 1989</i>
Authorised officer	a person appointed by <i>Council</i> to be an Authorised Officer under section 224 of the <i>Act</i>
Double booking	a hard waste or bundled prunings collection booking of four cubic metres (4m ³)
Food Organics and Garden Organics (FOGO)	means waste material from domestic kitchens, meal areas, and gardens. This includes food waste such as: fruit & vegetable scraps; tea leaves & coffee grounds; pasta bread rice & cereal; seafood, meat & bones; eggshells & dairy; leftovers & plate scrapings; and garden waste such as: grass clippings; weeds; leaves; garden prunings; branches and small logs up to ten (10) centimetres in diameter and forty (40) centimetres in length; and includes any other substance prescribed by Council within these Guidelines
Hard waste	means any waste items that cannot fit in an MGB and includes any other item prescribed by Council to be hard waste within these Guidelines
Mixed recycling	means items such as paper, glass and approved plastic materials and includes any other item as prescribed by Council to be 'mixed recyclables' within these Guidelines
Mobile Garbage Bin (MGB)	means a bin or receptacle supplied by Council for the purpose of collecting and disposing of general waste, mixed recycling, or garden organics, or other materials which may be regulated by Council
Occupier	the person or persons in charge, or having the management or control of, or legally entitled to occupy any land (including premises) and includes, in relation to land which has a lot entitlement or lot liability in respect of common property, the Owners Corporation created on the registration of a Plan of Subdivision affecting that land
Owner	in relation to land means the person, business, trust, or other legal entity who is registered on the Certificate of Title as the owner.
Premises	means any land in separate ownership or occupation and includes a shop, dwelling or a factory or part thereof as may be separately owned or occupied
Road	has the meaning ascribed to it by section 3 of the Act and includes every part of a road
Single booking	a hard waste or bundled prunings collection booking of two cubic metres (2m ³)

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4.2. Appendix 2 - Blue-lidded MGB mixed recycling standard list of contents

4.2.1. Accepted items

Accepted		
Category	Items	Presentation
Glass bottles and jars for food and drinks Any size Intact or broken	Soft drink, juice, water, milk bottles Beer, wine, spirits bottles Sauce, condiment, oil bottles and jars Food jars (e.g., pasta sauce, jam, pickles, coffee)	Empty, lightly rinsed Lids on No need to remove bottle rings, pourers, or labels
Glass bottles and jars for medicine, toiletries Any size Intact or broken	Medicine bottles Vitamin and supplement bottles Bottles and jars for toiletries and cosmetics (e.g., lotions, oils) – no nail polish, perfume, aftershave bottles)	
Plastic bottles and containers	Beverage bottles (e.g., soft drink, juice) Plastic sauce bottles (e.g., tomato sauce) Toiletry bottles and tubes (e.g., shampoo, shower gel, moisturiser – no toothpaste tubes) Laundry bottles (e.g., laundry detergent) Household cleaning bottles (e.g., dishwashing liquid, bathroom cleaners) Plastic jars and lids (e.g., peanut butter) Plastic food tubs and lids (e.g., yogurt, butter, ice cream) Biscuit and chocolate trays Fruit/vegetable trays and punnets Plastic takeaway containers and lids Plastic plant pots	Empty, lightly rinsed Crush bottles and replace cap No bottle pumps or spray nozzles Remove plastic film/plastic wrapping No need to remove labels
Tins, foil, metal lids	Beverage cans (e.g., soft drink cans, beer cans) Food tins (e.g., tomato tins, pet food tins) Drink powder tins (e.g., instant coffee, hot chocolate) Biscuit and chocolate tins Cooking oil canisters (no need to remove plastic pourer) Aerosol cans (must be empty) Aluminium foil (scrunch into a ball the size of a golf ball or larger), foil trays Metal bottle/jar lids (any size)	Empty, lightly rinsed No aerosol cans that: <ul style="list-style-type: none"> • contain any liquid • have a Schedule 6 rating under the Poisons Standard (empty or full) • are barbecue cleaners (empty or full)
Paper and cardboard	Cardboard boxes (including boxes with sticky tape) Pizza boxes Uncoated cardboard food containers (e.g., burger boxes, coffee cup carry trays, paper plates) Box packaging (e.g., tissue boxes, detergent boxes, cereal boxes) Office paper (not shredded)	Remove solid food (cardboard containers with food stains can be recycled) Remove any plastic wrapping, lining, polystyrene, cutlery, sachets, receipts Flatten cardboard boxes

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Accepted		
Category	Items	Presentation
	Cardboard tubes (e.g., for toilet paper or paper towel) Moulded cardboard packaging (e.g., egg cartons, produce trays) Greeting cards (without glitter/attached items) Cardboard postal envelopes (without bubble wrap) Brochures, leaflets, and flyers Newspapers, magazines, and catalogues Letters and envelopes (including windowed envelopes) Books, phone books Paper gift wrap (no foil/plastic gift wrap or tissue paper) Butchers paper (no plastic-lined deli paper) Paper bags (e.g., lunch bags, food delivery bags)	
Beverage cartons	Gable-top cartons (e.g., milk, juice) Long-life cartons (e.g., soy milk, long-life milk, soup, stock, juice boxes)	Empty, lightly rinsed Replace caps, leave straws in juice boxes

4.2.2. Non-accepted items

Not accepted	
Category	Items
Lids (loose)	Bottle lids, jar lids
Other closures	Bottle pumps, spray nozzles, droppers, corks
Soft plastics	Bagged recyclables, plastic bags, cling wrap, food pouches
Bottles or jars with contamination	Bottles/jars with items inside them (e.g., cigarette butts, straws, food, liquid)
Glass kitchenware (intact or broken)	Drinking glasses, glass cookware and containers (e.g., Pyrex), crystal glass Reusable coffee cups and water bottles Crockery and ceramics
Glass household items (intact or broken)	Perfume and aftershave bottles, nail polish bottles Essential oil bottles, candle jars Picture frame glass, mirrors Light bulbs, fluorescent tubes Decorative glass items (e.g., vases) Glass from furniture, appliances, electronics (e.g., microwave turntables)
Other glass (intact or broken)	Medical or laboratory glass Plate glass (window glass and windscreens), fibre glass Eyeglasses/sunglasses
Plastic	Meat trays, deli meat trays Cordial bottles Plastic plates, bowls, cups, cutlery, straws, drink stirrers

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Not accepted	
Category	Items
	<p>Items labelled compostable, biodegradable, degradable, oxo-degradable, plant-based, bioplastic</p> <p>Reusable plastic containers (e.g., reusable coffee cups, reusable water bottles, baby bottles, lunch boxes)</p> <p>Household items (e.g., coat hangers, toothbrushes, toys, eyeglasses)</p> <p>CDs, DVDs, video tapes, cassette tapes and their cases</p> <p>Plastic strapping</p> <p>Bank cards, loyalty cards</p> <p>Plastic items under 5cm in diameter (e.g., bottle lids/caps, bread tags, single-serve sauces)</p> <p>Plastic items larger than a 3L bottle (e.g., laundry baskets, water cooler bottles)</p>
Expanded polystyrene (Styrofoam)	<p>Foam trays</p> <p>Plates, bowls, cups</p> <p>Takeaway containers (e.g., clamshells), noodle cups</p> <p>Loose fill packaging (e.g., packing peanuts)</p> <p>Moulded packaging (e.g., for packaging home goods)</p>
Metal	<p>Kitchenware (e.g., pots, pans, cutlery)</p> <p>Reusable metal containers (e.g., stainless steel water bottles, lunch boxes)</p> <p>Metal household items (e.g., coat hangers, tools, screws, keys, magnets, wire)</p>
Paper and cardboard	<p>Tissues, serviettes, napkins, paper towels, tissue paper, toilet paper</p> <p>Coffee cups and lids, smoothie/milkshake cups and lids</p> <p>Frozen food cartons and tubs (e.g., ice cream cartons)</p> <p>Laminated, coated, or lined paper and cardboard (e.g., straws, fish and chips paper, deli paper, plastic-lined takeaway containers)</p> <p>Cardboard with a wax coating (e.g., waterproof fruit and vegetable boxes)</p> <p>Baking paper, wax paper</p> <p>Receipts, photographs, stickers</p> <p>Shredded paper, paper/cardboard items smaller than a business card (e.g., bread tags)</p>
Other fibre	<p>Wood/bamboo containers, cutlery, and straws</p> <p>Sugarcane containers, cutlery, and straws</p> <p>Chopsticks, drink stirrers, skewers, toothpicks, icy pole sticks</p> <p>Bamboo household items (e.g., toothbrushes, dish brushes), corks</p> <p>Cat litter</p>
Composite items	<p>Toothpaste tubes, dental floss containers, blister packs</p> <p>Coffee pods, cardboard cans with a metal base (e.g., chip containers, gravy containers)</p> <p>Bottle pumps, spray nozzles</p>
Textiles	<p>Clothing, fabric, rags (natural or synthetic fibres)</p>
Sanitary and personal care items	<p>Wipes (e.g., cleaning wipes, baby wipes, make up wipes)</p> <p>Nappies, sanitary pads, tampons</p> <p>Cotton wool, cotton bud sticks, makeup pads, sponges</p>
Hazardous items and substances	<p>Batteries of any kind</p> <p>Gas cylinders, CO2 canisters</p>

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Not accepted	
Category	Items
	Aerosol cans that are not empty Aerosol cans with a Schedule 6 Poisons rating; barbeque cleaner aerosols (empty or full) Paint tins (including empty paint tins), containers used for toxic or corrosive chemicals/oils Printer cartridges E-waste (any item that uses a cord, battery, or charger) Light bulbs, fluorescent tubes, string lights Sharps, medical waste, asbestos
Construction materials, furniture, appliances	Ropes, cables, straps Wood, pipes, wallpaper Bricks, concrete, rubble Drop sheets, tarpaulins Furniture, appliances

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4.3. Appendix 3 - Lime-green-lidded MGB FOGO standard list of contents

4.3.1. Accepted items

Accepted		
Category	Items	Presentation
Garden organics	Grass and lawn clippings Weeds (e.g., ivy) Leaves, flowers, and plants (including dead and diseased plants) Twigs, sticks, branches and prunings Vegetable waste from the garden Real Christmas trees Hay and straw Small amounts of soil and mulch (e.g., soil attached to dead plants)	Cut to fit in the bin with the lid closed Branches no more than 10cm in diameter (width) and 40cm long
Food organics	Biscuits Bones Bread Butter Cake Cereals Cheese Citrus, onion, chilli, garlic Coffee filter paper Coffee grounds Council provided liners Cream Cream cheese/cottage cheese Custard Deli meats Dips Disposable wooden cutlery Egg shells Eggs Fried foods Fruit and vegetable scraps and peelings Grains Herbs and spices Human or pet hair Lollies, chocolate, and other confectionary Meat, fish, and poultry Mouldy, expired, best-before date food Napkins Newspaper (used for wrapping, lining etc) Noodles Nuts Paper straws	Loose or contained within Council provided liner Remove all packaging, elastic bands, and stickers

Waste Services Guideline - 2023



Accepted		
Category	Items	Presentation
	Paper towel (used for wrapping, lining etc) Pasta Pastries Pet food Plate scrapings Rice Sauces and condiments (tomato, mustard, aioli etc) Seeds Shellfish (soft shells only) Soups, curries, and sauces Spreads (vegemite, peanut butter, jam etc.) Straw and hay Tea leaves Tinned foods Tissues Vacuum dust and dryer lint Wooden items Yoghurt	

4.3.2. Non-accepted items

Not accepted	
Category	Items
Food organics	Shellfish (hard shells, such as oysters) Solid oils / Copha
Liquids	Liquid food products (e.g., milk, cooking oil) unless soaked up with paper towel Other liquids (e.g., cleaning products, fertiliser)
Packaging and food containers	Stickers (e.g., fruit stickers), elastic bands, cling wrap Coffee pods, tea bags Coffee cups Takeaway containers
Plastics and plastic single-use tableware	Soft or rigid plastics Cutlery, straws, and stirrers Dinnerware (e.g., bowls, plates, cups)
Metal, glass, plastic	Metal (e.g., drink cans) Glass (e.g., beer bottles) Plastic items (e.g., plastic cutlery) Soft plastics, plastic bags, netting bags Expanded polystyrene
Wood and bamboo items	Wood/bamboo containers and straws Chopsticks, drink stirrers, skewers, toothpicks, icy pole sticks Bamboo toothbrushes, dish brushes
Paper and cardboard	Coated or uncoated paper & cardboard, shredded paper

Waste Services Guideline - 2023



Not accepted	
Category	Items
Recyclable cardboard items	Cardboard food containers (e.g., pizza boxes, burger boxes, paper plates) Moulded cardboard packaging (e.g., egg cartons, produce trays)
Coated paper and cardboard	Laminated, coated, or lined paper and cardboard (e.g., paper straws, fish and chips paper, plastic-lined deli paper, coated paper plates) Baking paper, wax paper, receipts, cardboard with a wax coating (e.g., waterproof fruit and vegetable boxes)
Items labelled compostable, biodegradable, degradable, oxo-degradable, biobased, bioplastic, plant-based	Coffee cups, smoothie/milkshake cups and lids Compostable plastic containers, cutlery, and straws Sugarcane containers, cutlery, and straws Bags (e.g., grocery/produce bags), coffee bags Postal satchels, packing peanuts Dish brushes, cloths, wipes
Hazardous materials	Batteries, sharps, asbestos, chemicals E-waste (any item that uses a cord, battery, or charger)
Hygiene and sanitary items	Nappies, including compostable or biodegradable nappies Sanitary items (e.g., wipes, sanitary pads), including compostable or biodegradable items Used tissues Cotton balls, cotton bud sticks
Timber, sawdust	Treated, coated, or engineered wood Garden stakes, fence posts, sleepers, furniture Sawdust, wood chips, wood shavings Engineered wood products (e.g., plywood, MDF, particle board)
Building, gardening, and landscaping material	Dirt, sand, mulch, soil Gravel or rocks, bricks, concrete, rubble Ash, charcoal Fencing/screens (e.g., brush fencing, bamboo screens)
Garden implements and pots	Plant pots (plastic or ceramic) Gardening supplies (e.g., fertiliser, weed killer) Gardening tools Hoses, ropes, string, twine Artificial plants, artificial Christmas trees Garden furniture
Litter	Cigarette butts Chewing gum
Animal waste	Animal faeces (e.g., pet poo) Synthetic cat litter (e.g., crystal), biodegradable cat litter (e.g., corn, paper, clay) Deceased animals
Textiles, latex, and wax products	Clothing, fabric, rags (natural or synthetic fibres) Balloons, gloves Candles, beeswax wraps
Bulky garden organics	Large branches (i.e., over 10cm diameter and/or more than 40cm long) Tree stumps Whole real Christmas trees

Waste Services Guideline - 2023



4.4. Appendix 4 - Red or green lidded MGB general waste standard list of contents

4.4.1. Accepted items

Accepted		
Category	Items	Presentation
Glass items not accepted in the recycling stream	Bottles/jars with items inside them (e.g., cigarette butts, straws, food, liquid) Drinking glasses, glass cookware and containers (e.g., Pyrex), crystal glass Reusable coffee cups and water bottles Perfume and aftershave bottles, nail polish bottles Essential oil bottles, candle jars Light bulbs, fluorescent tubes Glass from furniture, appliances, electronics, decorative items (e.g., vases, picture frames, microwave turntables) Mirrors, plate glass (window glass and windscreens), fibre glass Eyeglasses/sunglasses Medical or laboratory glass	Intact or broken
Plastic and packaging items not accepted in the mixed recycling stream	Stickers (e.g., fruit stickers), elastic bands Meat trays, deli meat trays Cordial bottles Plastic plates, bowls, cups, cutlery, straws, drink stirrers Reusable plastic containers (e.g., reusable coffee cups, reusable water bottles, baby bottles, lunch boxes) Plastic strapping, drop sheets, tarpaulins Bank cards, loyalty cards CDs, DVDs, video tapes, cassette tapes and their cases Plastic items under 5cm in diameter (e.g., bottle lids/caps, bread tags, single-serve sauces) Plastic items larger than a 3L bottle (e.g., laundry baskets, water cooler bottles)	
Expanded polystyrene (Styrofoam)	Foam trays Plates, bowls, cups Takeaway containers (e.g., clamshells), noodle cups Loose fill packaging (e.g., packing peanuts) Moulded packaging (e.g., for packaging home goods)	
Composite items	Toothpaste tubes, dental floss containers, blister packs Coffee pods, tea bags Cardboard cans with a metal base (e.g., chip containers, gravy containers) Bottle pumps, spray nozzles, droppers, corks	

Waste Services Guideline - 2023



Accepted		
Category	Items	Presentation
Paper and cardboard items not accepted in the mixed recycling stream	<p>Tissues, tissue paper, toilet paper</p> <p>Coffee cups and lids, smoothie/milkshake cups and lids</p> <p>Frozen food cartons and tubs (e.g., ice cream cartons)</p> <p>Laminated, coated, or lined paper and cardboard (e.g., straws, fish and chips paper, deli paper, plastic-lined takeaway containers)</p> <p>Cardboard with a wax coating (e.g., waterproof fruit and vegetable boxes)</p> <p>Baking paper, wax paper</p> <p>Receipts, photographs</p> <p>Shredded paper, paper/cardboard items smaller than a business card (e.g., bread tags)</p>	
<p>Certified compostable items</p> <p>Items labelled compostable, biodegradable, degradable, oxo-degradable, biobased, bioplastic, plant-based</p> <p>Wood and bamboo items</p>	<p>Compostable bags (e.g., grocery/produce bags, coffee bags)</p> <p>Postal satchels, packing peanuts</p> <p>Compostable/biodegradable coffee cups and lids, smoothie/milkshake cups and lids</p> <p>Compostable/biodegradable plastic containers, cutlery, and straws</p> <p>Sugarcane containers, cutlery, and straws</p> <p>Wood/bamboo containers, cutlery, and straws</p> <p>Wood/bamboo household items (e.g., toothbrushes, dish brushes)</p> <p>Chopsticks, drink stirrers, skewers, toothpicks, icy pole sticks</p> <p>Compostable/biodegradable dish brushes, cloths, wipes</p>	
Liquids	Liquid food products (e.g., cooking oil) – household quantities only	Pour into a container and close lid tightly
Small broken household items	<p>Smoke detectors</p> <p>Toys</p> <p>Coat hangers (any type)</p> <p>Crockery, ceramics, and kitchenware (e.g., cutlery, plates, pots, and pans)</p> <p>Reusable metal containers (e.g., stainless steel water bottles, lunch boxes)</p> <p>Metal household items (e.g., tools, screws, keys, magnets, wire)</p> <p>CDs, DVDs, video tapes, cassette tapes and their cases</p> <p>Hoses, ropes, string, twine</p> <p>Artificial plants</p>	<p>No batteries</p> <p>No toys that use a battery, cable, or cord</p>
Textiles, latex, and wax products	<p>Clothing, bedding, fabric, rags (natural or synthetic fibres)</p> <p>Balloons, gloves</p> <p>Candles, beeswax wraps</p>	

Waste Services Guideline - 2023



Accepted		
Category	Items	Presentation
Sanitary, personal care and cleaning items	Nappies, including compostable or biodegradable nappies Sanitary items (e.g., wipes, sanitary pads, tampons), including compostable or biodegradable items Tissues, face masks Paper towel used with chemicals/cleaning products Cotton wool, cotton bud sticks, makeup pads, sponges Toothbrushes, toothpaste tubes, dental floss First aid items Blister packs (empty) Razors, razor cartridges Makeup products	Nappies: empty contents into toilet Tissues, face masks: double-bagged if unwell
Timber and engineered wood (small pieces), sawdust	Small pieces of timber/engineered wood Sawdust, wood chips, wood shavings	Less than 40 cm long
Dust, lint, and litter	Vacuum dust, washing machine/dryer lint Cigarette butts (put out) Chewing gum	
Ash and charcoal	Wood heater ash Barbeque ash	Must be completely cooled before placing in the rubbish bin
Animal waste	Animal faeces (e.g., pet poo) Synthetic cat litter (e.g., crystal), biodegradable cat litter (e.g., corn, paper, clay)	
Small, deceased animals	Insects, spiders Birds, fish, rodents	

4.4.2. Non-accepted items

Not accepted in any household waste and recycling stream	
Category	Items
Hazardous items, e-waste	Batteries of any kind Any item that uses a cord, battery, or charger (e-waste) Mobile phones, tablets, televisions, computers Printers, printer cartridges Electrical cables, earphones Light bulbs, fluorescent tubes, string lights Aerosol cans that are not empty Aerosol cans with a Schedule 6 Poisons rating; barbeque cleaner aerosols (empty or full) Paint tins (empty or full), containers used for toxic or corrosive chemicals/oils Gas cylinders, CO2 canisters

Waste Services Guideline - 2023



Not accepted in any household waste and recycling stream	
Category	items
	Fire extinguishers Sharps, medical waste, asbestos
Hazardous substances	Medicine Acids and alkalis Ammonia-based cleaners Nail polish remover Petrol, kerosene, turpentine, paint thinners Pesticides and herbicides Automotive products (e.g., car polish, anti-freeze, brake and transmission fluids, body filler) Pool chemicals Aerosol cans containing liquid Barbeque cleaner aerosol cans (empty or containing liquid) Aerosol cans with a Schedule 6 Poisons rating (empty or containing liquid) Items labelled: Corrosive 8, Oxidizing agent 5.1, Toxic 6.1, Flammable liquid 3, Flammable solid 4.1 Cooking oil (commercial quantities)
Bulky garden organics	Large branches (i.e., over 10cm diameter and/or more than 40cm long) Tree stumps Whole Christmas trees
Furniture and appliances Construction and landscaping materials	Carpets, furniture, appliances Large pieces of timber/engineered wood (i.e., more than 40cm long) Bricks, concrete, rubble, Dirt, sand, mulch, soil Gravel or rocks, bricks, concrete, rubble Scrap metal
Large, deceased animals	Deceased dogs, cats Deceased livestock
Commercial waste	Materials from a commercial or industrial business, except where the material is listed as accepted in this Guideline or on Council's website

Waste Services Guideline - 2023



4.5. Appendix 5 - Hard waste standard list of contents

Accepted

- ✓ washing machines, dishwashers, stoves, dryers, fridges, and freezers (with doors removed)
- ✓ electrical appliances
- ✓ metal tools and equipment
- ✓ lawn mowers (empty of petrol and oil)
- ✓ empty paint tins (with lids removed)
- ✓ old tins, scrap iron and other metal items (excluding car parts).
- ✓ securely wrapped and labelled glass from table tops or coffee tables, window glass, mirrors, and shower screens
- ✓ mattresses (max of three, placed separately from other items)
- ✓ household furniture
- ✓ internal doors (max of three)
- ✓ carpet and underlay (rolled and tied, max 1.5m long and no more than two rooms)
- ✓ kitchenware, pottery and crockery
- ✓ timber (up to 10 pieces, without nails or staples, max 1.5m long)
- ✓ clothes hoists (max 1.5m long, if set in ground remove concrete)
- ✓ patio blinds (max 1.5m long, rolled and tied)
- ✓ home improvement material such as cupboards, solar panels (max six), toilet fittings (0.5 cubic meter limit)
- ✓ e-waste, including flat screen and cathode ray tube televisions, computers, laptops, keyboards, mice, printers, scanners, cables, cords, hard drives, monitors, tablets, and notebooks.

Not accepted

- × items longer than 1.5 metres (except mattresses, lounge suites and large furniture items such as buffets, bookshelves etc)
- × items that can't be lifted by two people
- × items placed out in plastic bags, including domestic garbage
- × garden waste, including branches, plant materials, soil, concrete pots and garden features, pavers, and rubble
- × gas bottles, helium bottles and fire extinguishers
- × building waste including bricks, concrete, tiles, pavers, rubble, soil, pallets, and insulation
- × cement sheeting, fibro, plasterboard, and asbestos
- × liquid waste, chemicals, and hazardous waste
- × paint cans or oil containers with any residual liquids in them
- × fencing material, including gates
- × vehicle parts including tyres, wheels, rims, body panels, batteries, and engines
- × garage roller doors
- × business waste - even if home based
- × explosive or flammable substances
- × pools or spas, unless broken down to 1.5m long pieces

Waste Services Guideline - 2023



4.6. Appendix 6 - Bundled prunings standard list of contents

Accepted

- ✓ bundles of prunings 1500mm long and 300mm wide.
- ✓ single tree limbs/logs smaller than 200mm wide and 1500m long (no branches attached and neatly stacked).
- ✓ natural string or twine used to bundle and tie prunings

Not accepted

- × unacceptable binding materials, e.g., synthetic, metal or plastic
- × tree stumps
- × untied prunings
- × grass clippings
- × soil
- × other garden waste e.g., concrete, and plastic pots, garden features, pavers, and rubble
- × hard waste materials (a separate hard waste collection must be booked to dispose of any hard waste items)
- × items that can't be lifted by two people



**MAROONDAH CITY COUNCIL
Community Local Law 2023**

Solicitor's Certificate - s.74(1) of the *Local Government Act 2020*

Pursuant to sub-section 74(1) of the *Local Government Act 2020 (Act)*, I, Georgie Ward of Macquarie Local Government Lawyers, certify that the proposed Community Local Law 2023 to be presented at the upcoming Council meeting is consistent with the Local Law requirements of section 72 of the Act which requires the following:

- A Local Law must not be inconsistent with any Act (including the *Charter of Human Rights and Responsibilities Act 2006*) or Regulations;
- A Local Law must not duplicate or be inconsistent with a Planning Scheme that is in force in the municipal district;
- A Local Law for or with respect to the issuing of film permits must not be inconsistent with the film friendly principles;
- A Local Law must not exceed the power to make Local Laws conferred by the Act or any other authorising Act;
- A Local Law must be consistent with the objectives of the Act or any other authorising Act;
- A Local Law must be expressed as clearly and unambiguously as is reasonably possible;
- Unless there is clear and express power to do so under the Act or any other authorising Act, a Local Law must not –
 - seek to have a retrospective effect;
 - impose any tax, fee, fine, imprisonment or other penalty; or
 - authorise the sub-delegation of powers delegated under the Local Law; and

Macquarie Local Government Lawyers

2

- A Local Law must comply with any details prescribed in the regulations relating to the preparation and content of Local Laws, of which at the time of providing this certification, no Regulations have been made.

In providing this certification, I confirm that I am an Australian lawyer who has been admitted to the legal profession for at least 5 years and that I am not a Councillor of the Council.

This certificate must be tabled at the Council meeting at which the proposed Local Law is to be made in compliance with sub-section 74(3) of the Act.

Yours faithfully

MACQUARIE LOCAL GOVERNMENT LAWYERS

Per:



Signed by Georgie Ward
In Victoria on 26 July 2023



Draft Community Local Law Community Consultation Report



May 2023

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1. Background

In mid-2022, the community provided feedback on what matters in regard to safety and local amenity, and how important it is for Council to monitor those activities. This feedback has helped us review Council's Local Law No 11 and to prepare the (renamed) Draft Community Local Law 2023.

Significant community consultation and engagement occurred in April to June 2022. More information on this process is available in the *Consultation Report - General Local Law Review - July 2022*.

This report includes:

- community feedback as to what community safety and amenity issues were important to the Maroondah community
- internal discussions as to how the proposed Local Law could meaningfully address municipal changes, regulatory concerns and emerging issues
- input from several local and partner agencies including Victoria Police and Council's Liveability Safety and Amenity Advisory Committee.

Using this information, the local law review and drafting process was undertaken in line with the *Local Government Act 2020*, and the *Guidelines for Local Laws - Manual and Resource Book*, published by the Victorian Government.

2. Community consultation

2.1 Communication channels

Council sought community feedback on the Draft Community Local Law 2023 during April and May 2023.

A range of communications channels were used to promote the consultation opportunities.

Communications Channel	Reach Statistics
Your Say Maroondah online engagement portal	Emailed to 906 subscribers of Maroondah Your Say updates on 13 April 2023.
Maroondah eNews	<p>Friday 21 April</p> <ul style="list-style-type: none"> • Sent to 11,689 recipients • Clicks on link to Your Say project page: 22 clicks. <p>Friday 5 May</p> <ul style="list-style-type: none"> • Sent to 11,688 recipients • Clicks on link to YourSay project page: 29 clicks
Social Media organic posts & paid ads	<p>Organic Facebook posts: 17 April, 27 April, 3 May and 8 May2023 Total reach: 3,374 Click on links to Your Say project page: 42</p> <p>Organic Instagram posts: 17 April, 27 April, 3 May and 8 May2023 Total reach: 1,309</p> <p>Social media ads: ran from 27 April to 10 May 2023 Total reach: 6,998 Clicks on link to YourSay project page: 348</p>
In person	The project lead attended the Liveability Safety and Amenity Advisory Committee on 29 March 2023, to discuss the community feedback report, and the consultation process. Email links to the YourSay page were distributed.

2.2 Consultation tools

Consultation tools	Description	Outcomes
Online	Your Say Maroondah	756 total visits to project page.

3. Community feedback

3.1 Online submissions - Your Say Maroondah

A total of 756 people visited the consultation page on the Your Say Maroondah engagement website between 10 April and 16 May 2023. The below image is a summary of visitors to the page during the four-week period.



The main spike in activity around 27 April period on the graph corresponds with the social media ads starting. The spike in activity around 21 April corresponds with the Maroondah eNews on 21 April and social media post on 17 April.

The above summary figures are based on the three types of activity with the project on the Your Say Maroondah engagement website:

- **Aware:** Participants that have viewed the project page and are aware that the project exists. This is the result of your promotional activities.
- **Informed:** Participants that have viewed various elements within the project page and are well informed about a subject and take time to think before participating.
- **Engaged:** And, finally, participants who provide feedback and contributions to a consultation.

There were 448 downloads of the documents available on the YourSay page, including:

- 180 downloads of the 'summary of proposed changes to the Draft Maroondah Community Local Law'
- 103 downloads of the 'Draft Maroondah Community Local Law 2023'
- 84 downloads of the 'Consultation report - General Local Law Review July 2022'

Visitors to the project page on the Your Say Maroondah engagement website were asked a few questions around about the Draft Community Local Law 2023. A summary is provided below.

3.2 Formal Submissions

There were two formal submissions provided through the YourSay page.

3.3 Online Survey

There were 12 surveys completed online through YourSay page.

3.4 Email submissions

There were 5 submissions via email directly to Local Laws.

4. Summary of responses

The following table shows the general themes raised in the submissions and responses. Some respondents raised more than one theme - so the number of responses column does not equal the total number of feedback responses received.

Theme	Comments	No of responses	Action/change Required
Use of inclusive language	Comprehensive, readable and easy to understand	1	
	Emphasis on tidy and peaceful environment, for humans and animals	1	
Nuisance noise from animal housing	Should be included	1	Section 6.2 and Section 6.6 address nuisance caused by animals. There is definition of nuisance is also included in the local law.
Filming	Most responses highlighted clarification on who was impacted i.e. personal filming on your mobile phone vs commercial film productions etc. As it would be bureaucratic to ban or require permits on all filming.	7	Definition of filming has been reviewed and changed to be clearer. Guidelines already available for filming in Maroondah on Council's website. Guidelines have clear direction on situations when a permit is and isn't required. The focus is on high impact filming that disrupts public space, and use of council land, reserves, roads, parking etc.
Graffiti	Support	1	
Drinking and smoking in public places	Not supported	2	Commentary regarding not being allowed to have a picnic or beer in the park - however this is still permitted in circumstances where the behaviour is not causing a nuisance.
Noise	Support - but noise is increasing from over development	3	Further communication and education campaigns with developers can be prepared by Council to address the impact of noise on neighbours.
Condition of buildings/land	Penalties too harsh for low socio-economic population that cannot maintain their homes.	1	Council has guidelines in place for working with residents in these situations. The focus of this clause is generally on vacant buildings and land.

Theme	Comments	No of responses	Action/change Required
			Without the passive surveillance of owners living in the dwelling, properties are not maintained and have increased risk of trespassing and squatters.
	Condition of Buildings should not be assessed on visual amenity alone, as that is subjective to people's tastes.	1	Detriment to the general amenity of the area is not determined on a design or uniqueness of a building, it is used in addition to the other conditions that define unsightly.
	Should be extended to nature strips as well	2	There are guidelines on Council's website on naturestrip planting and maintaining the nature strip area.
Vehicles and machinery on land	Not supportive	1	No action required. There have been recorded significant impacts to neighbours and residents where this has occurred.
Hard waste and illegal dumping	Supportive	1	Council resources include a Litter and Illegal Dumping Prevention Officer to address these issues.
Street parties	Not supportive - shouldn't need a permit for all street parties	1	This requirement hasn't altered from the current Local Law and is important to ensure safety when required.
Camping on land/public land	Homelessness - how will this law be applied when homelessness and rough sleepers are increasing	2	This clause has been revised from the previous local law to actually reduce the burden. Council has a partnership approach with other agencies to provide support and not a punitive approach to rough sleepers on Council land.
Animals at large	Maybe duplication with the Livestock Act 1994	1	Reviewed and no change required.

5. Conclusion

While feedback from this phase of community consultation generally indicates support from the community for the changes to the Local Law to be adopted, it also highlights the need to look for more opportunities for educational material on certain aspects of the Local Law, both on Council's website and through review and development of relevant guidelines. Education is a key component of Council's approach in implementing the Local Law. The administration and enforcement sections of the proposed Local Law also addresses these concerns.

6. Next Steps

As required under section 74 of the *Local Government Act* - before a Council makes a local law, a Council must obtain a certificate from a qualified person stating that the person is of the opinion that the proposed local law is consistent with the local law requirements. A qualified person means a person who is an Australian lawyer who has been admitted to the legal profession for at least 5 years.

The feedback regarding a change to wording for some clauses in the Draft Community Local Law will be provided as part of the legislative review. Any changes will be highlighted in the report to Council.



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Maroondah City Council
and

Indara Infrastructure Pty Ltd
ACN 090 873 019

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Canberra Sydney

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Schedule

- | | | | | |
|-----|------------------------------------|--|--------|------|
| 1. | Date of this Lease: | The | day of | 2023 |
| 2. | Landlord: | Maroondah City Council of 179 Maroondah Highway, Ringwood, Victoria 3134 | | |
| 3. | Tenant: | Indara Infrastructure Pty Ltd ACN 090 873 019 of Level 1, 110 Pacific Highway, St Leonards, New South Wales 3000 | | |
| 4. | Premises: | That part of the Land shown hatched on the plan attached as Annexure B | | |
| 5. | Land: | The land contained in certificate of title volume 5956 folio 068 and known as Bedford Park, Bedford Road, Ringwood, Victoria | | |
| 6. | Term: | 20 years | | |
| 7. | Commencement Date: | 15 March 2023 | | |
| 8. | Rent during the Term: | Year 1 - \$30,000 per annum plus GST
Each of Years 2 to 20 – percentage increase (3%) | | |
| 9. | How the Rent is to be paid: | Annually in advance commencing on the Commencement Date on each anniversary of the Commencement Date | | |
| 10. | Use of the Premises: | Provision of a telecommunications facility including installation, inspection, maintenance, construction, evacuation, replacement, repair, renewal, alteration, upgrade, cleaning, operation, access to and from and removal of the facility on the Land at the end of the Term. | | |
| 11. | Further Term(s): | Not applicable | | |
| 12. | Rent During Further Term: | Not applicable | | |

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Council Telecommunications Lease – Indara

Dated / /

This Lease is made on the date specified in Item 1.

Parties

The Landlord

The Tenant

The Parties Agree

1. Definitions

In this Lease, unless expressed or implied to the contrary:

ACMA means the Australian Communications and Media Authority and any body that succeeds ACMA or takes over its functions.

Act means the *Telecommunications Act 1997* (Cth).

Additional Clauses means the clauses (if any) specified in Annexure A.

Break Date means 15 March 2033.

Carrier has the meaning given to that term in the Act.

Commencement Date means the date specified in Item 7.

CPI means the Consumer Price Index - All Groups Melbourne or if this Index is not available, such other index that represents the rise in the cost of living in Melbourne, as the Landlord may reasonably determine;

Current CPI means the CPI number for the quarter ending immediately prior to the relevant Year.

Further Term means the Further Term (if any) specified in Item 11.

Interference means radio frequency, electrical, microwave or other such interference which adversely affects the Landlord or any other person and includes interference, which in the opinion of the Landlord (acting reasonably) is likely to place the Landlord in breach of any obligation owed to any other person suffering the interference.



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Item means an item in the Schedule.

Land means the land specified in Item 5.

Landlord means the Landlord specified in Item 2 and includes the Landlord's successors and assigns and where it is consistent with the context includes the Landlord's employees and agents.

Landlord's Fixtures includes all those fittings, fixtures, and chattels contained in the Premises at the Commencement Date (if any) or installed by the Landlord during the Term.

Licensed Area means the areas (if any) shown on the plan attached as Annexure B.

Local Government Act means the *Local Government Act 2020* (Vic).

Premises means the land specified in Item 4 including any buildings on the land and the Landlord's Fixtures.

Previous CPI means the CPI number for the quarter ending immediately before the latest of the Commencement Date or the last date when the Rent was reviewed or adjusted.

Related Body Corporate has the meaning given to that term in the Corporations Act 2001 (Cth).

Rent means the amount specified in Item 8 and, if applicable Item 12 as adjusted under this Lease.

Schedule means the Schedule at the front of this Lease.

Tenant means the Tenant specified in Item 5 and includes the Tenant's successors and assigns and where it is consistent with the context includes the Tenant's employees, agents, invitees and persons the Tenant allows on the Premises.

Tenant's Equipment means the equipment shown on this plan attached to this Lease as Annexure A and installed by the Tenant on the Premises and any equipment installed in accordance with clause 10.

Term means the term specified in Item 6 and includes any extension or overholding.

Year means each year of this Lease specified in Items 8 and 12 (the first year commencing on the Commencement Date).

2. Lease

The Landlord leases the Premises to the Tenant for the Term starting on the Commencement Date pursuant to the requirements of the Local Government Act.

3. Payments by the Tenant

3.1 Payment of Rent

The Tenant must pay the Rent to the Landlord in the manner specified in Item 9.



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3.2 Services

The Tenant must:

- 3.2.1 pay the relevant authority all charges for any services connected to the Premises (including electricity services); and
- 3.2.2 at its own cost, install a separate electricity meter to measure electricity consumed at the Premises in accordance with the Landlord's reasonable requirements.

The Landlord must allow Tenant to connect the Premises to an electricity supply where the Tenant complies with the Landlord's reasonable directions.

3.3 Rates and taxes

The Tenant must pay to the Landlord the amount of any rates, taxes, levies or other amounts which are separately levied and assessed in connection with the Premises due to the Tenant's particular use or occupation of the Premises within 30 days of demand by the Landlord.

3.4 Costs and duty

The Tenant must pay to the Landlord within 7 days of demand:

- 3.4.1 the Landlord's reasonable costs for preparing, negotiating and finalising this Lease and any other document in connection with this Lease up to a maximum of \$5,000.00 plus GST;
- 3.4.2 the Landlord's reasonable costs in giving any consent or approval under this Lease;
- 3.4.3 the reasonable cost of obtaining the Landlord's mortgagee's consent to this Lease (if required); and
- 3.4.4 the Landlord's reasonable costs (including charges on a solicitor-own client basis) incurred as a result of a breach of this Lease by the Tenant.

3.5 Interest on late payments

The Tenant must pay to the Landlord within 14 days of written notice interest at the rate per annum equal to the rate for the time being fixed under section 2 of the *Penalty Interest Rates Act 1983* (Vic) on any money payable by the Tenant under this Lease and remaining unpaid for 14 days. Interest will be computed from the date on which such payment became due.

3.6 No deduction or right of set-off

The Tenant must pay all amounts due under this Lease to the Landlord without deduction or right of set-off.

4. Fixed percentage Rent increase

If 'Percentage Increase' is specified in Item 8 then:

- 4.1 the Rent from the commencement of the relevant Year is increased by the percentage specified in Item 8; and



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- 4.2 the Tenant must pay to the Landlord the increased Rent from the commencement of the relevant Year regardless of whether the Landlord has given a notice specifying the increased Rent or not.

5. GST

5.1 Definitions

In this clause:

- 5.1.1 words and expressions that are not defined in this Lease but which have a defined meaning in the GST Law have the same meaning as in the GST Law;
- 5.1.2 **GST** means GST within the meaning of the GST Law and includes penalties and interest. If under or in relation to the *National Taxation Reform (Consequential Provisions) Act 2000* (Vic) or a direction given under s 6 of that Act, the supplier makes voluntary or notional payments, the definition of GST includes those voluntary or notional payments and expressions containing the term 'GST' have a corresponding expanded meaning; and
- 5.1.3 **GST Law** has the meaning given to that term in the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

5.2 GST exclusive

Except as otherwise provided by this Lease, all consideration payable under this Lease in relation to any supply is exclusive of GST.

5.3 Increase in consideration

If GST is payable in respect of any supply made by a supplier under this Lease (**GST Amount**), the recipient will pay to the supplier an amount equal to the GST payable on the supply.

5.4 Payment of GST

Subject to clause 5.5 the recipient will pay the GST Amount at the same time and in the same manner as the consideration for the supply is to be provided under this Lease.

5.5 Tax Invoice

The supplier must provide a tax invoice to the recipient before the supplier will be entitled to payment of the GST Amount under clause 5.4.

5.6 Reimbursements

If this Lease requires a party to reimburse an expense or outgoing of another party, the amount to be paid or reimbursed by the first party will be the sum of:

- 5.6.1 the amount of the expense or outgoing less any input tax credits in respect of the expense or outgoing to which the other party is entitled; and
- 5.6.2 if the payment or reimbursement is subject to GST, an amount equal to that GST.



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5.7 Adjustment events

If an adjustment event occurs in relation to a taxable supply under this Lease:

- 5.7.1 the supplier must provide an adjustment note to the recipient within 7 days of becoming aware of the adjustment; and
- 5.7.2 any payment necessary to give effect to the adjustment must be made within 7 days after the date of receipt of the adjustment note.

6. Repairs, alterations and damage

6.1 Repairs and maintenance

The Tenant must repair and maintain the Premises and keep the Premises in the same condition as they were in at the date the Tenant first entered occupation of the Premises, including repairing or replacing anything in the Premises which is damaged or destroyed except that the Tenant is not liable for:

- 6.1.1 fair wear and tear; or
- 6.1.2 repairing any damage to the extent it is caused or contributed to by the negligence of the Landlord.

6.2 Failure to repair and maintain

If the Tenant does not carry out any repairs, maintenance or other works required to be undertaken by the Tenant under this Lease within a reasonable time (but not exceeding 30 days) of receiving written notice from the Landlord, the Landlord may enter the Premises to carry out such repairs, maintenance and works at any reasonable time after giving the Tenant reasonable notice. The cost of all such repairs, maintenance and works must be paid by the Tenant to the Landlord on demand.

6.3 Notice of damage

The Tenant must give the Landlord prompt written notice of any material damage to the Premises or anything likely to be a risk to the Premises or any person in the Premises upon the Tenant becoming aware of any such damage or risk.

6.4 Alterations and works

The Tenant must obtain the prior written consent of the Landlord before carrying out any alterations or works to buildings on the Land owned by the Landlord on the Premises.

7. Insurance

7.1 Public liability insurance

The Tenant must maintain insurance with an insurer approved by the Landlord for public liability for the amount of \$20 million concerning 1 single event.

7.2 Other insurance

The Tenant must, at its cost, effect and maintain workers' compensation insurance for its employees to the reasonable satisfaction of the Landlord.



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7.3 Tenant's Equipment

The Tenant must insure the Tenant's Equipment for loss and damage from risks including fire and water damage for its full replacement value.

7.4 Payment and Production of Policies

The Tenant must pay all insurance premiums on or before the due date for payment and produce to the Landlord copies of the certificate of currency on or before the Commencement Date and each anniversary of the Commencement Date or upon demand by the Landlord.

7.5 Not Invalidate Policies

The Tenant must:

7.5.1 not do anything which may make any insurance effected by the Tenant or the Landlord invalid or which may increase any insurance premiums payable by the Landlord; and

7.5.2 pay any increase in the insurance premium caused by the Tenant's act, default or use of the Premises.

7.6 Requirements by Insurer

The Tenant must comply with all reasonable requirements of the Landlord's insurer in connection with the Premises.

8. Use of Premises

8.1 Permitted use

The Tenant must use the Premises for the use specified in Item 10 and not use the Premises for any other purpose.

8.2 No warranty

The Landlord does not warrant that the Premises are suitable for any of the purposes or uses of the Tenant.

8.3 Compliance with laws

The Tenant must comply with all laws and any requirements of any authority in connection with the Premises and the Tenant's use and occupation of the Premises. Nothing in this clause will require the Tenant to carry out any structural works unless structural works are required as a result of the Tenant's particular use of the Premises or the act or omission of the Tenant.

8.4 Nuisance

The Tenant must not do anything in connection with the Premises which may cause a nuisance, disturbance or interfere with any other person.

8.5 Licences and permits

The Tenant must maintain all licences and permits required for the Tenant's use of the Premises.



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8.6 Signs

The Tenant must seek the prior written consent of the Landlord before displaying or affixing any signs, advertisements or notices to any part of the Premises except signs which are required by law or for the purpose of complying with the Australian Safety Standards.

8.7 Heavy equipment and inflammable substances

The Tenant must obtain the Landlord's prior written consent before bringing any heavy equipment or inflammable substances into the Premises except to the extent to which it is consistent with the use of the Premises.

9. Access to Premises and the Land

9.1 Access to the Premises

The Tenant may have access to so much of the Land adjoining and adjacent to the Premises as is agreed to by the Landlord during the initial installation, construction, repair, replacement, renewal, maintenance of the Tenant's Equipment subject to the Tenant:

- 9.1.1 giving written notice to the Landlord specifying that part of the Land which the Tenant proposes to access for the purpose of the same;
- 9.1.2 not interfering with any occupant or user of the Land;
- 9.1.3 complying with the Landlord's reasonable directions in relation to the access and use of the Land; and
- 9.1.4 making good any damage caused to the Land or anything on the Land by the Tenant.

9.2 Licensed Area

Subject to clause 10, the Tenant is entitled to install electrical and other cables forming part of the Tenant's Equipment on any Licensed Area except that the Tenant acknowledges that:

- 9.2.1 it must comply with the Landlord's reasonable directions in installing any electrical or other cables on the Licensed Area;
- 9.2.2 it is entitled to occupy the Licensed Area as a licensee only and is not entitled to exclusive possession of the Licensed Area;
- 9.2.3 the obligations of the Tenant in respect of the Premises equally apply to the Licensed Area;
- 9.2.4 it must observe and comply with its obligations in respect of the Licensed Area as if a reference to the 'Premises' in this Lease was a reference to the 'Licensed Area'; and
- 9.2.5 the rights with respect to the Licensed Area enure for the Term



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10. Installation of Tenant's Equipment

10.1 Requirements of installation

The Tenant must:

- 10.1.1 obtain the Landlord's prior written consent (which must not be unreasonably withheld or delayed) before installing any additional Tenant's Equipment on the Premises or the Licensed Area;
- 10.1.2 provide plans and specifications for the installation (other than for repair or maintenance) of the Tenant's Equipment in a form required by the Landlord (acting reasonably) for the Landlord's approval prior to carrying out any installation;
- 10.1.3 comply with the Landlord's reasonable requirements as to the style, design, colour and measures to disguise any of the Tenant's Equipment which is visible from outside the Premises as us reasonably practicable have regard to the Permitted Use;
- 10.1.4 comply with the Landlord's requirements in installing the Tenant's Equipment on the Premises or the Licensed Area;
- 10.1.5 carry out all installation of the Tenant's Equipment in a proper and workmanlike manner and in accordance with all laws and requirements of any authority;
- 10.1.6 carry out the installation of the Tenant's Equipment during the times of the day or night approved by the Landlord acting reasonably;
- 10.1.7 not deviate from any plans and specifications approved by the Landlord in any material way (which includes adding additional equipment) in respect of the installation of the Tenant's Equipment without the Landlord's consent, which must not be unreasonably withheld or delayed.
- 10.1.8 promptly repair any damage to the Land or the Building which is caused or contributed to by the installation of the Tenant's Equipment.

10.2 Tenant's Equipment not a fixture

The parties acknowledge that the Tenant's Equipment does not constitute a fixture and at all times during the Term remains the property of the Tenant.

11. Release and indemnity

11.1 Release

The Tenant uses and occupies the Premises and the Land at its own risk and releases the Landlord from all claims resulting from:

- 11.1.1 any damage, loss, death or injury in connection with the Premises and the Land except to the extent that the claims arise out of the Landlord's negligence; and
- 11.1.2 any interference to the Tenant's Equipment caused or contributed to by any other occupant on the Land, other than the Landlord.



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11.2 Indemnity

The Tenant must indemnify and hold harmless the Landlord against all claims resulting from any damage, loss death or injury in connection with:

- 11.2.1 the Premises and the use and the occupation of the Premises by the Tenant;
- 11.2.2 the Tenant's Equipment; and
- 11.2.3 the Land to the extent caused or contributed to by the Tenant's use or occupation of the Land,

except to the extent that such claims arise out of the Landlord's negligence or wilful act or omission.

11.3 No liability

The Tenant acknowledges and agrees that:

- 11.3.1 nothing in this Lease in any way limits, fetters or restricts the power or discretion of the Landlord in the exercise of its statutory rights, duties or powers under the *Planning and Environment Act 1987* (Vic) or the Local Government Act or the exercise of any other statutory right, power or duty that the Landlord may lawfully exercise; and
- 11.3.2 the Landlord will not be liable to the Tenant under this Lease (including but not limited to a breach of the covenant of quiet enjoyment or a derogation of the grant of this Lease) for any acts or omissions of the Lease undertaken in any capacity including (but not limited to) in exercising any powers referred to in clause 11.3.1,

except nothing in this clause releases the Landlord from any obligations it owes to the Tenant under this Lease in its capacity as the owner of the Premises.

12. Assignment and sub-letting

12.1 Assignment, sub-letting and licencing

The Tenant must not deal with its interest in the Premises including assigning this Lease to a new tenant or sub-leasing the Premises to a new tenant without obtaining the prior written consent of the Landlord, which must not be reasonably withheld where the Tenant:

- 12.1.1 requests the Landlord in writing to consent to the assignment of the Lease, sub-lease of the Premises, or licence of the Premises to a new tenant or licensee;
- 12.1.2 has remedied any breach of this Lease of which the Tenant has received with notice from the Landlord;
- 12.1.3 provides to the Landlord the name and address of the assignee and proves to the Landlord's reasonable satisfaction that the assignee is financially sound; and
- 12.1.4 pays the Landlord's reasonable costs in connection with approving the assignee and the preparation, negotiation and stamping of any document required under this clause (regardless of whether the dealing proceeds or not).



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13. Tenant's obligations at the end of this Lease

13.1 Tenant's obligations

At the end of this Lease, the Tenant must:

- 13.1.1 vacate the Premises and give them back to the Landlord in a condition consistent with the Tenant having complied with its obligations under this Lease; and
- 13.1.2 remove the Tenant's Equipment and make good any damage caused by its removal.

13.2 Tenant's property left in premises

Anything left in the Premises on the date being two months after the end of this Lease will become the property of the Landlord and may be removed by the Landlord at the Tenant's cost and at the Tenant's risk.

13.3 Payment for property left in premises

The Tenant:

- 13.3.1 acknowledges that the Landlord is not obliged to remove the Tenant's Equipment if the Tenant has not done so at the end of this Lease; and
- 13.3.2 must pay to the Landlord mesne profits equal to the Rent payable immediately before the expiration of this Lease for so long as any of the Tenant's Equipment remains on the Premises.

14. Landlord's rights and obligations

14.1 Quiet enjoyment

The Landlord must not interfere with the Tenant's occupation of the Premises except as provided by this Lease.

14.2 Dealing with the Premises

The Landlord may subdivide the Premises or grant easements or other rights over the Premises except where it will unreasonably interfere with the Tenant's use and occupation of the Premises.

14.3 Entry by Landlord

The Landlord may enter the Premises at any reasonable time after giving the Tenant reasonable notice to:

- 14.3.1 inspect the condition of the Premises;
- 14.3.2 carry out any repairs or works required by any authority or law to be carried out to the Premises;
- 14.3.3 carry out any repairs or works which the Landlord requires to carry out to the Premises, any services to or running through the Premises, the Land or the Building,



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provided always that in exercising such rights (the Landlord acknowledging that the Tenant's Equipment is highly sensitive), the Landlord must use reasonable endeavours not to interfere with the Premises or the Tenant's Equipment, must ensure that the Landlord is accompanied at all times by a representative of the Tenant and must comply with the reasonable safety and security requirements. In an emergency, the Landlord may enter the Premises without giving notice to the Tenant.

14.4 Landlord's consent

Where the Landlord is required to give its consent under this Lease (unless specified to the contrary), the Landlord must not unreasonably withhold its consent but may give its consent subject to such conditions as the Landlord may reasonably determine.

15. Determination of Lease by the Landlord

15.1 Re-entry

The Landlord may re-enter the Premises and determine this Lease if:

15.1.1 any part of the Rent is in arrears for 30 days after a receipt of a written notice from the Landlord (no common law demand for rent is required); or

15.1.2 the Tenant breaches this Lease and does not remedy the breach within 30 days of receipt of written notice from the Landlord.

15.2 Damages following determination

If this Lease is determined by the Landlord, the Tenant agrees to compensate the Landlord for any loss or damage the Landlord suffers arising in connection with the Tenant's breach of this Lease including the loss of the benefit of the Tenant performing its obligations under this Lease up to the expiration of the Term. The Landlord must use reasonable endeavours to mitigate its loss.

15.3 Essential terms

The essential terms of this Lease are clauses 3.1, 3.2, 3.4, 6.1, 7, 8.1, 12.1, 13.1 and any Additional Clauses. The breach of an essential term is a repudiation of this Lease.

16. Determination of Lease by the Tenant

16.1 Tenant's right to terminate

The Tenant may by three months written notice to the Landlord terminate this Lease if:

16.1.1 the Tenant's carrier's licence under the Act is terminated not due to the act or default of the Tenant and for reasons beyond the Tenant's control;

16.1.2 the Tenant is unable to obtain or renew its carrier's licence except on terms which are onerous (when compared to other carriers) but such onerous conditions are not due to any act or default of the Tenant; or

16.1.3 the Tenant's ability to use the Premises is materially adversely affected by radio, physical or other interference as determined by an independent expert appointed by the Tenant and approved by the Landlord.



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16.2 Neither party liable

On and from the date of the termination of this Lease by the Tenant, neither party has any further obligations under this Lease. Nothing in this clause releases either party from any obligations that have arisen under this Lease prior to the date of the termination of this Lease.

16.3 No refund of rent

The Tenant acknowledges that if it terminates this Lease pursuant to clause 16, it is not entitled to a refund of any Rent paid in advance to the Landlord.

16.4 Termination on Break Date

If the Tenant gives the Landlord at least 6 months prior written notice (time is of the essence) that it wishes to end the Term on a Break Date stated in the notice, that Break Date becomes the date that this Lease is terminated.

17. Destruction or damage of Premises

17.1 Reduction in Rent

If the Premises, or any part of the Premises are destroyed or damaged to the extent that the Tenant cannot use or have access to the Premises, then the Landlord will reduce the Rent by a reasonable amount depending upon the nature and extent of destruction or damage until the Tenant can use or have access to the Premises, subject to clause 17.3.

17.2 Reinstatement of Premises

If the Premises, or any part of the Premises are destroyed or damaged:

17.2.1 the Landlord may by written notice to the Tenant terminate this Lease at any time; and

17.2.2 subject to clause 17.3, the Tenant may by written notice to the Landlord terminate this Lease if the Landlord has not reinstated the Premises within 30 days of receipt of written notice from the Tenant requiring the Landlord to reinstate the Premises.

17.3 No reduction or termination

The Rent will not be reduced and the Tenant is not entitled to terminate this Lease if:

17.3.1 the Tenant has caused or contributed to the destruction or damage to the Premises; or

17.3.2 the Landlord is not entitled to receipt of insurance money under any policy of insurance for the Premises due to any act or omission of the Tenant or because the Tenant caused or contributed to the destruction or damage of the Premises.

17.4 No reinstatement

The Landlord is not liable to reinstate the Premises despite anything to the contrary in this Lease.



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18. Non interference with Tenant's use of the Premises

18.1 Not to cause interference

The Landlord must use reasonable endeavours not to knowingly do anything on the Land or grant a right for any third party to occupy the Land in a manner which is likely cause materially adverse physical or radio interference with the Tenant's Equipment.

18.2 Removal of interference

The Landlord must, to the extent that it is within its power to do so, use reasonable endeavours to:

18.2.1 remove the interference (where the Landlord has caused the interference); or

18.2.2 demand a third party to remove the interference,

to the Tenant's Equipment, where the Tenant proves to the Landlord's satisfaction that the interference is caused by the Landlord or a third party, who has been granted a right by the Landlord to occupy the Land.

18.3 Clause not apply to certain persons

Clauses 18.1 and 18.2 do not apply to any interference to the Tenant's Equipment caused by:

18.3.1 any existing occupant of the Land or its successors or assigns;

18.3.2 any person (excluding a successor or assign referred to in clause 18.3.1) who enters the Land after the date that the Tenant entered occupation of the Premises but uses the Land in the same or substantially the same manner as an occupant of the Land at the date the Tenant entered occupation of the Premises, unless such person carries on a change to the existing use of the Land, or carries out any works on the Land that results in Interference to the Tenant's Equipment;

18.3.3 any licensed Carrier under the Act where the Landlord grants to the Carrier the right to locate its equipment on the Land (excluding the Premises) in connection with the Carrier locating equipment on the monopole on the Premises.

18.3.4 the Landlord acting in its capacity as the responsible authority under the relevant planning scheme or any relevant statute; or

18.3.5 any person or authority permitted or entitled to use or occupy any part of the Land including but not limited to:

(a) pursuant to any statute, law, regulation or the order of any court, tribunal or other body exercising lawful authority;

(b) pursuant to any easement or right of way; or

(c) by way of long user or adverse possession.

18.4 Landlord not liable

The Tenant acknowledges:



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- 18.4.1 that if the Landlord breaches clause 18.1, the Tenant's only remedy against the Landlord is to require the Landlord to comply with clause 18.2 or terminate under clause 16.1.3; and
- 18.4.2 the Landlord is not liable for any loss, damage, costs, expenses, loss of profits or loss of business of the Tenant due to any breach of clause 18.1 and releases the Landlord from all such claims.

19. Overholding

If the Tenant continues in occupation of the Premises after the end of the Term (other than pursuant to the grant of a further lease), without objection by the Landlord:

- 19.1 the Tenant occupies the Premises as a six-monthly tenant on the same terms and conditions as contained in this Lease; and
- 19.2 the Landlord or the Tenant may end this Lease during any period of overholding by giving six months written notice to the other party expiring at any time.

20. Electromagnetic Interference

If the Landlord or any other person in the vicinity of the Premises experiences Interference with their electrical or electronic equipment, the following provisions will apply:

- 20.1 the Landlord, must as soon as it is aware of any Interference, give written notice to the Tenant;
- 20.2 the Tenant must, within 7 days of receipt of the Landlord's notice, determine whether the Tenant's Equipment is the cause of the Interference and notify the Landlord of its determination;
- 20.3 if the Tenant reasonably determines that such interference is caused by the Tenant's Equipment it must immediately cease operation of the Tenant's Equipment;
- 20.4 if the Tenant reasonably determines that the Interference is not caused by the Tenant's Equipment, it must immediately notify the Landlord of such determination;
- 20.5 if the Landlord disagrees with the Tenant's determination under clause 20.4, either party may refer the matter to the ACMA for its determination;
- 20.6 if the ACMA determines that the Interference is caused by the Tenant the Tenant must immediately cease operation of the Tenant's Equipment and the Tenant must indemnify the Landlord for any loss, damage or claim arising from the Interference; and
- 20.7 if the Tenant fails to stop the Interference within 7 days of the determination, the Landlord may determine this Lease immediately by giving written notice to the Tenant and take such action as is necessary to prevent the Interference caused by the Tenant's Equipment.

The ACMA will act as an expert and not an arbitrator and its decision will be final and binding on the parties and the cost of the determination must be borne by the parties equally.



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21. EMR audits

The Tenant must:

- 21.1 ensure that the level of electromagnetic radiation (**EMR**) emanating from the Tenant's Equipment is within the limits specified by the Australian Radiation and Nuclear Protection Agency (**APRANSA**) (or any subsequent Australian Standard); and
- 21.2 reduce the level of EMR emanating from the Tenant's Equipment immediately in the event that the EMR exceeds the relevant Australian Standard (or any subsequent standard).

22. General

22.1 Notices

Any notice required to be served under this Lease must be in writing and must be served by post, facsimile transmission or hand delivered to:

- 22.1.1 the Tenant and addressed to the Regional Property Manager at its address set out in this Lease, the Tenant's registered office address, the Premises, or the last known address of the Tenant; and
- 22.1.2 the Landlord at its address set out in this Lease or any other address notified in writing to the Tenant by the Landlord.

22.2 Entire understanding

This Lease contains the entire understanding between the parties as to the subject matter contained in it. All previous agreements, representations, warranties, explanations and commitments, expressed or implied, affecting this subject matter are superseded by this Lease and have no effect.

22.3 Waiver

If the Landlord accepts Rent or any other monies under this Lease (before or after the end of this Lease) or does not exercise or delays exercising any of the Landlord's rights under this Lease, it will not be a waiver of the breach of this Lease by the Tenant or of the Landlord's rights under this Lease.

22.4 Additional Clauses

The Lease is subject to the Additional Clauses. The Additional Clauses override any inconsistent provisions in this Lease.

23. Interpretation

23.1 Governing law and jurisdiction

This Lease is governed by and is to be construed in accordance with the laws of Victoria. Each party irrevocably and unconditionally submits to the non-exclusive jurisdiction of the courts of Victoria and waives any right to object to proceedings being brought in those courts.



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23.2 Persons

In this Lease, a reference to a person includes a firm, partnership, association, corporation or other corporate body.

23.3 Joint and Several

If a party consists of more than one person, this Lease binds them jointly and each of them severally.

23.4 Legislation

In this Lease, a reference to a statute includes regulations under it and consolidations, amendments, re-enactments or replacements of any of them.

23.5 Clauses and headings

In this Lease:

- 23.5.1 a reference to a clause, schedule or appendix is a reference to a clause, schedule or appendix in or to this Lease; and
- 23.5.2 headings and sub-headings are inserted for ease of reference only and do not effect the interpretation of this Lease.

23.6 Severance

In this Lease:

- 23.6.1 if a provision is held to be illegal, invalid, void, voidable or unenforceable, that provision must be read down to the extent necessary to ensure that it is not illegal, invalid, void, voidable or unenforceable; and
- 23.6.2 if it is not possible to read down a provision as required in this clause, that provision is severable without affecting the validity or enforceability of the remaining part of that provision or the other provisions in this Lease.

23.7 Number and gender

In this Lease, a reference to:

- 23.7.1 the singular includes the plural and vice versa; and
- 23.7.2 a gender includes the other genders.

23.8 Exclusions

Section 144 of the *Property Law Act 1958 (Vic)* is expressly excluded from the operation of this Lease.



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Signing Page

Executed as a deed by the parties on the date specified in Item 1.

The Common Seal of Maroondah City Council was)
affixed in the presence of:)

..... COUNCILLOR

..... CHIEF EXECUTIVE OFFICER

Dated this day of 2023

Signed for and on behalf of Indara)
Infrastructure Pty Limited (ABN 34 090 873)
019) by its duly appointed attorney under)
power of attorney ~~dated 23~~ in the)
presence of: ~~December 2021~~)
dated 9 June 2022

Signature of Witness

Signature of Attorney

Lachlan Callister-Hakewill
Solicitor

Name of Witness (please print)

Level 1, 110 Pacific Highway
St Leonards, NSW, 2065
Address of Witness

By executing this deed, the attorney states
that the attorney has received no notice of
revocation of the power of attorney

Kate Bowman

Name of Attorney (please print)

Company Secretary



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Annexure A

Additional Clauses

1. **Graffiti**
 - 1.1 The parties acknowledge and agree that:
 - 1.1.1 the Landlord may serve a written notice on the Tenant (**Notice**) upon discovering any graffiti on the Premises;
 - 1.1.2 the Tenant must remove any graffiti from the Premises within 7 days of receipt of the Notice, subject to Additional Clause 1.1.3;
 - 1.1.3 if any graffiti cannot be successfully removed, then the Tenant must paint or otherwise treat the affected area so as to cover the graffiti using paint of the same colour as the Premises, within 5 business days of receipt of the Notice.



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Annexure B

Plan of Premises

