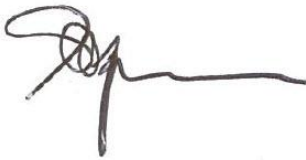


Councillor
(as addressed)

The next Council Meeting will be held in the Council Chamber Realm, on Monday 23 October 2023, commencing at 7:30pm and your presence is requested.

Yours faithfully



Steve Kozlowski
CHIEF EXECUTIVE OFFICER

Note:

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

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

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

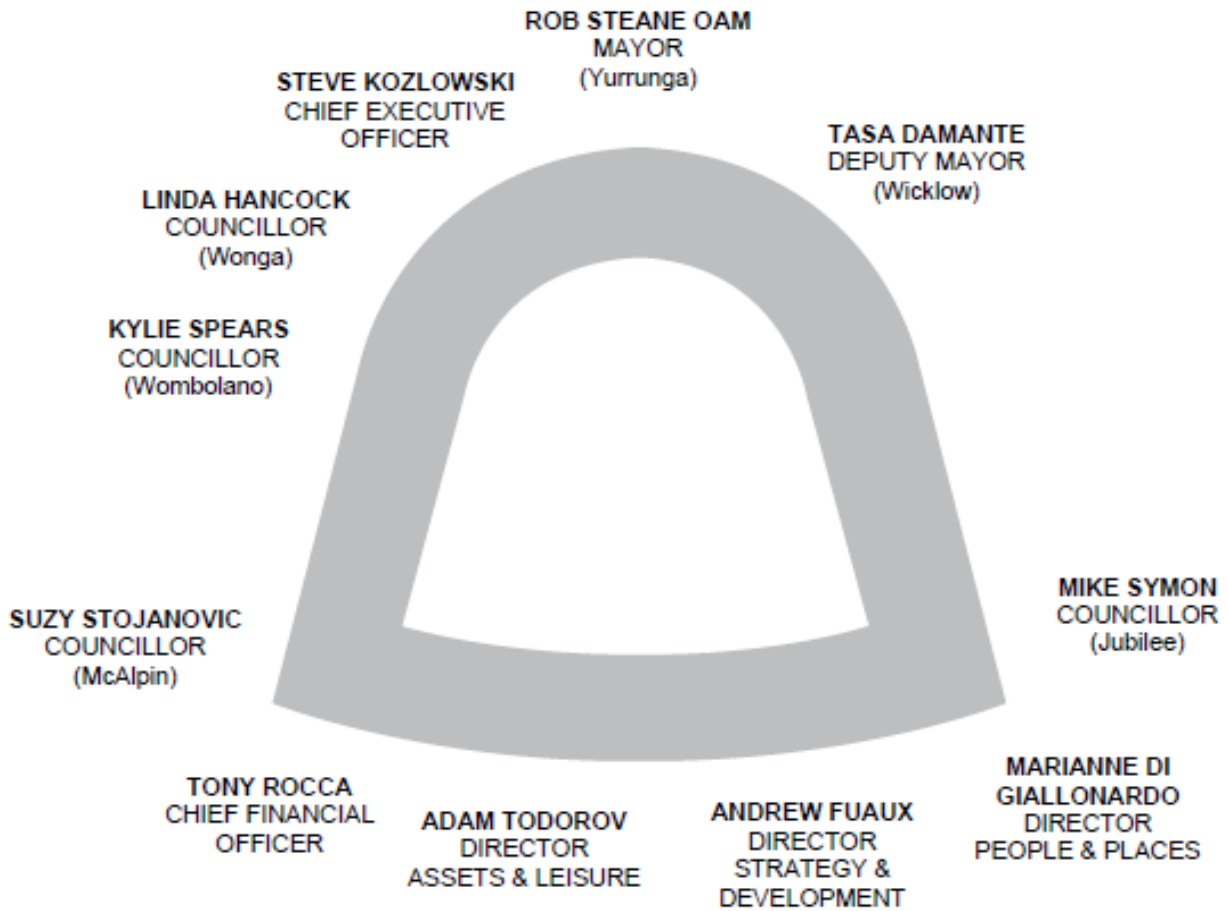


COUNCIL CHAMBER
IS FITTED WITH A HEARING AID
INDUCTION LOOP

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

Realm	179 Maroondah Hwy, Ringwood, 3134
Postal	PO Box 156, Ringwood 3134 DX 38068, Ringwood
Telephone	1300 88 22 33 Translating and Interpreting Service (TIS): 131 450 National Relay Service (NRS): 133 677
Facsimile	(03) 9298 4345
Email	maroondah@maroondah.vic.gov.au
Web	www.maroondah.vic.gov.au
Service Centres	Croydon: Civic Square, Croydon 3136 Realm: 179 Maroondah Hwy, Ringwood 3134

Council Chamber Seating



APOLOGY
PAUL MACDONALD COUNCILLOR (Tarralla)

LEAVE OF ABSENCE
TONY DIB OAM JP COUNCILLOR (Bungalook)

Public Gallery



ORDER OF BUSINESS

1. Prayer and Councillor Pledge
2. Acknowledgment of Country
3. Apologies
4. Declaration of Interests
5. Confirmation of Minutes of the Ordinary Council Meeting held on Monday 18 September 2023.
6. Public Questions
7. Officers' Reports
 - Chief Financial Officer
 1. Attendance Report 4
 2. Reports of Councillor Briefings 6
 3. Councillor Representation Reports 8
 4. Outcomes - Municipal Association of Victoria (MAV) State Council 13 October 2023 11
 5. Formal consideration of Annual Report 2022/23 17
 6. Proposed Lease - Telecommunication Facility at Dorset Recreation Reserve 22
 7. Sale Of Land - 111A Heathmont Road Heathmont 28
8. Documents for Sealing
9. Motions to Review
10. Late Items
11. Requests for Leave of Absence
12. In Camera
 - Director People & Places
 1. Contract RS8017-2023 Provision of Recruitment / Labour Hire Services (through MAV Procurement)

ATTENDANCE REPORT

ITEM 1

PURPOSE

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

STRATEGIC / POLICY ISSUES

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

Outcome Area: A well governed and empowered community

Our Vision: In 2040, Maroondah will be an empowered community actively engaged in local decision making, led by an innovation community inspired Council that collaborates regionally and proactively champions local needs.

Key Directions 2021 – 2025:

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

BACKGROUND

Not Applicable

ISSUE / DISCUSSION

It is intended that the Mayor and Councillors be given the opportunity to present a verbal or written report updating Council on the activities they have undertaken since the last Ordinary Meeting of Council on the 18 September 2023 in their role as Councillors and forthcoming ward activities.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

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

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES THE REPORTS AS PRESENTED BY COUNCILLORS

PURPOSE

To present the ‘Public Record’ of those Councillor Briefings which are attended by Councillors and generally held on Monday evenings at Realm, usually two weeks prior to the formal Council Meeting, and to note the issues discussed.

STRATEGIC / POLICY ISSUES

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

Outcome Area: A well governed and empowered community

Our Vision: In 2040, Maroondah will be an empowered community actively engaged in local decision making, led by an innovation community inspired Council that collaborates regionally and proactively champions local needs.

Key Directions 2021 – 2025:

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

BACKGROUND

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

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

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

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

Examples of a Councillor Briefings may include:

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

ISSUE / DISCUSSION

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

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

The 'Public Record' of the Councillor Briefings held on the 18 September 2023 and 2 October 2023 are attached for information.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

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

It is appropriate that the 'Public Record' of those Councillor Briefings, which are attended by a majority of Councillors, i.e. at least five (5) Councillors and one (1) employee of Council, be noted.

ATTACHMENTS

1.  2023 September 18 - Councillor Briefing Public Record
2.  2023 October 02 - Councillor Briefing Public Record

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES THE PUBLIC RECORD OF THE COUNCILLOR BRIEFINGS HELD ON 18 SEPTEMBER 2023 AND 2 OCTOBER 2023

PURPOSE

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

- Maroondah Liveability, Safety and Amenity Advisory Committee held on 4 October 2023
- Maroondah Access, Inclusion and Equity Advisory Committee held on 19 September 2023
- Eastern Transport Coalition held on 17 August 2023
- Maroondah Business Advisory Committee held on 16 August 2023

STRATEGIC / POLICY ISSUES

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

Outcome Area: A well governed and empowered community

Our Vision: In 2040, Maroondah will be an empowered community actively engaged in local decision making, led by an innovation community inspired Council that collaborates regionally and proactively champions local needs.

Key Directions 2021 – 2025:

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

BACKGROUND

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

ISSUE / DISCUSSION

Council is represented on numerous internal and external bodies.

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

External bodies operate under their own charter and determine their own procedures, policies and practices. In these instances, Council involvement is to participate and influence the activities of those external organisations, boards and committees where those activities are in the interests of Maroondah residents.

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

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

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

Crs Spears and Stojanovic are Council's Representatives on the Maroondah Access, Inclusion and Equity Advisory Committee.

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

Crs Damante, Spears and Steane are Council's Representatives on the Maroondah Business Advisory Committee.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable





COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

It is appropriate that Councillors and the community are formally updated on the actions and activities of the various organisations, boards and advisory committees where Council is represented. Recent meeting minutes from a number of these bodies are tabled for noting.

ATTACHMENTS

1. 2023 September 19 - Maroondah Access Inclusion and Equity Advisory Committee Meeting Minutes 
2. 2023 August 17 - Eastern Transport Coaliton meeting papers 
3. 2023 August 16 - Maroondah Business Advisory Committee Meeting Minutes 
4. 2023 October 04 - Maroondah Liveability Safety and Amenity Advisory Committee Meeting Minutes 

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES MINUTES OF THE FOLLOWING BODIES

- 1. MAROONDAH LIVEABILITY, SAFETY AND AMENITY ADVISORY COMMITTEE HELD ON 4 OCTOBER 2023**
- 2. MAROONDAH ACCESS, INCLUSION AND EQUITY ADVISORY COMMITTEE HELD ON 19 SEPTEMBER 2023**
- 3. EASTERN TRANSPORT COALITION HELD ON 17 AUGUST 2023**
- 4. MAROONDAH BUSINESS ADVISORY COMMITTEE HELD ON 16 AUGUST 2023**

**OUTCOMES - MUNICIPAL ASSOCIATION OF VICTORIA
(MAV) STATE COUNCIL 13 OCTOBER 2023**

ITEM 4

PURPOSE

To consider the outcome of a motion submitted by Council to the Municipal Association of Victoria (MAV) State Council Meeting held on Friday 13 October 2023. Details of all motions, submitting Councils and outcomes are available in the attachment to this report.

STRATEGIC / POLICY ISSUES

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

Outcome Area: A well governed and empowered community.

Our Vision: In 2040, Maroondah will be an empowered community actively engaged in local decision making, led by an innovative community inspired Council that collaborates regionally and proactively champions local needs.

Key Directions 2021 - 2025:

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

Priority Action 2023-2024:

Advocate on key local issues on behalf of the Maroondah community.

BACKGROUND

The Municipal Association of Victoria (MAV) State Council Annual Meeting was held on Friday 13 October 2023 with Council having previously resolved to submit one (1) motion. The motion was viewed as being of significance across the Victorian Local Government sector and therefore of importance for debate and consideration by the State Council Meeting.

The MAV is one of the Victorian local government sector peak body associations and together with local members of Parliament, provides significant advocacy to both State and Federal Governments on behalf of Maroondah residents and ratepayers.

ISSUE / DISCUSSION

The following motion (Motion 18) was submitted by Maroondah City Council.

Please note - the numbers reference the order of the Motion in the Agenda. The letter 'C' denotes it was a consolidated motion with other similar motions submitted by more than one Council. Consolidated motions were dealt with at the beginning of motion deliberations.

**OUTCOMES - MUNICIPAL ASSOCIATION OF VICTORIA
(MAV) STATE COUNCIL 13 OCTOBER 2023 Cont'd**

ITEM 4

Motion Number/Name	Motion	Rationale	Outcome
<p><i>Motion 18 - Maroondah City Council</i> Victorian Government Erosion of Funding for Public Libraries</p> <p><i>This motion was consolidated into Motion C8 which also included motion 19 from Knox City Council</i></p>	<p>That the MAV:</p> <p>1. Notes the State Government Grants for public libraries are frozen at 2022/23 levels; a) that this means funding for public libraries is effectively being further cost-shifted onto Local Government; b) that Local Government now bears 80% of the cost of this invaluable community service because of cost shifting; and,</p> <p>2. Calls on the Victorian Government to commit to: a) not place additional responsibilities on local government without a sustainable revenue stream to support them; b) revisit this recent decision that has resulted in further cost-shifting onto local government; and c) restore the level of public library funding by increasing the 2023/24 public library grant to the original partnership arrangements of equal 50/50%.</p>	<p>The sector's understanding is that in the 1970's State Government and Local Government funding contributions to Council-run Library services was on a 50/50 shared basis.</p> <p>Over time the State Government share of operating grant contribution has been decimated with an overall decline in State Government funding of 11% from the 1970's to 1986/86 and a further 19% between 1985/86 to 2023/24 financial years.</p> <p>In recent years, the State Government has driven the move from Regional Library Corporations to Beneficial Enterprises using the Local Government Act 2020. The Eastern Regional Libraries has instigated and is the second in the State to achieve that State Government direction, however as outlined in continual MAV motions over the past number of decades, the most recent outlined below, the State Government grant contributions have and do not support this State Government Policy direction and legislative requirements:</p> <p>13 May 2016 - Public Library Funding: That the Municipal Association of Victoria continue to press and lobby the Victorian Government for improved recurrent and capital library funding, including the urgent review of the current funding mechanisms to return to an equitable funding model between local and State Government.</p> <p>19 May 2023 - Regional Library Corporation Transition That the MAV: 1. Notes that regional library corporations are largely funded by</p>	<p>Consolidated into C8</p>

**OUTCOMES - MUNICIPAL ASSOCIATION OF VICTORIA
(MAV) STATE COUNCIL 13 OCTOBER 2023 Cont'd**

ITEM 4

<i>Motion Number/Name</i>	<i>Motion</i>	<i>Rationale</i>	<i>Outcome</i>
		<p>their member Councils.</p> <p>2. Notes that the Local Government Act 2020 requires existing regional library corporations to be wound up by 30 June 2031, which is 10 years after the commencement of section 110 of the Act.</p> <p>3. Notes that the cost to transition to an alternate management model may be significant and will be borne by the regional library corporations and their member Councils.</p> <p>4. Supports regional library corporations and their member Councils to advocate to the Victorian Government for resources, both financial and other support, to transition to alternative model.</p> <p>14 October 2022 - Extension of public library funding for programs, reduction of poker machine hours</p> <p>That the MAV State Council:</p> <p>1. notes with concerns that Victoria has approximately 500 poker machine venues which collectively are expected to drain more than \$3.2 billion from gamblers in 2022 with many of these losses occurring at un-social hours because more than 100 of these venues operate the legally maximum 140 hours a week or 20 hours a day.</p> <p>2. contrasts this with the 291 public libraries in Victoria, many of which are open less than 40 hours a week, partly because State Government funding of council-owned libraries has steadily fallen to below 20% of the cost, despite the constraints imposed on councils by rate capping over the past 6 years.</p> <p>At a recent Your Library Board meeting the Member Council Directors agreed to instigate advocacy actions to ensure the</p>	

**OUTCOMES - MUNICIPAL ASSOCIATION OF VICTORIA
(MAV) STATE COUNCIL 13 OCTOBER 2023 Cont'd**

ITEM 4

Motion Number/Name	Motion	Rationale	Outcome
		State Government is aware that the current funding is inadequate.	
<p>Motion 19 Victorian Government Funding of Public Libraries</p> <p>Knox City Council</p> <p><i>This motion was consolidated into Motion C8 which also included motion 18 from Maroondah City Council</i></p>	<p>That the MAV call on the Victorian Government to reverse its decision to freeze the level of grants for public libraries in 2023/24 and commit to restoring its funding contribution to 50% of the service cost.</p>	<p>The Victorian Government has advised that its funding for library services in 2023/24 will be held at 2022/23 levels, with no indexation to reflect the increasing costs of service provision. This follows an increase in funding of just 2% in the 2022/23 year. Across these two years, the Victorian Government's funding increase of 2% compares with an estimated increase in CPI of around 10%.</p> <p>This reduction in the Victorian Government's share of library funding continues a downward trend that has existed over many years. Historically, the Victorian Government and local governments shared the cost of providing library services on a 50/50 basis. Cost shifting over time has now resulted in the Victorian Government's share of funding reducing to around 20%, and local government's share increasing to around 80%. With local governments increasingly subject to constrained finances in a rate-capped environment, it will simply not be possible to maintain service levels in this critical community service.</p>	<p>Consolidated into C8</p>

**OUTCOMES - MUNICIPAL ASSOCIATION OF VICTORIA
(MAV) STATE COUNCIL 13 OCTOBER 2023 Cont'd**

ITEM 4

Consolidated Motion C8:

Motion Number/Name	Motion	Rationale	Outcome
<p>Motion C8 Victorian Government Erosion of Funding for Public Libraries</p>	<p>That the MAV:</p> <p>1. Notes that Victorian Government grants for public libraries are frozen at 2022/23 levels, with the result that funding for public libraries is effectively being further cost-shifted onto Local Government. As a result, councils are now bearing 80% of the cost of this invaluable community service which was previously equally funded by state and local governments.</p> <p>2. Calls on the Victorian Government to commit to:</p> <p>a) not place additional responsibilities on local government without a sustainable revenue stream to support their implementation</p> <p>b) reverse its decision to freeze the level of grants for public libraries in 2023/24</p> <p>c) increase the 2023/24 public library grant and commit to restoring its funding contribution to 50% of the service cost.</p>	<p>As per rationale provided for Motions 18 (Maroondah) and 19 (Knox)</p>	<p>Carried (100-0)</p>

Outcomes arising from the MAV State Council Meeting

A total of 54 motions were received for debate at the MAV State Council. Of these motions:

- 1 board motion (BM1) was submitted on behalf of the MAV Emergency Management Committee;
- 19 motions were consolidated into 8 motions;
- Motion 21 and late motion 4 were withdrawn to consider an addition board motion (BM2);
- 3 Strategic Priority motions (not consolidated) and 23 Standard Priority motions were debated;
- 1 motion was amended; and
- 8 late motions were accepted for debate.

**OUTCOMES - MUNICIPAL ASSOCIATION OF VICTORIA
(MAV) STATE COUNCIL 13 OCTOBER 2023 Cont'd**

ITEM 4

FINANCIAL / ECONOMIC ISSUES

Refer to rationale as highlighted under Issue / Discussion

ENVIRONMENTAL / AMENITY ISSUES

Refer to rationale as highlighted under Issue / Discussion

SOCIAL / COMMUNITY ISSUES

Refer to rationale as highlighted under Issue / Discussion

COMMUNITY CONSULTATION

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

CONCLUSION

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

ATTACHMENTS

1.  MAV State Council Meeting - 13 October 2023 - Outcomes

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL NOTES THE SUCCESSFUL OUTCOME OF THE MOTION SUBMITTED BY MAROONDAH CITY COUNCIL TO THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL MEETING HELD ON 13 OCTOBER 2023

PURPOSE

For Council to consider the Maroondah City Council Annual Report 2022/23, pursuant to the *Local Government Act 2020 (the Act 2020)* and its associated regulations.

STRATEGIC / POLICY ISSUES

The following directions which are contained in Maroondah 2040: Our Future Together and the Maroondah Council Plan 2021-2025 (Year 3: 2023-2024) provide the strategic framework underpinning this Report.

Outcome Area: A well governed and empowered community

Our Vision: In 2040, Maroondah will be an empowered community actively engaged in local decision making, led by an innovative community inspired Council that collaborates regionally and proactively champions local needs.

Key Directions 2021 – 2025:

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

Priority Action 2022-2023:

Not Applicable

BACKGROUND

Under Section 98 of *the Local Government Act 2020*, Council is required to prepare an Annual Report each financial year.

Section 100 of *the Act 2020* also requires Council to hold an open meeting to consider the Report within four (4) months of the end of the financial year.

Key features of the Annual Report must include the following:

- A report of Council’s operations during the financial year
- Audited financial statements for the financial year
- Audited performance statement for the financial year
- A copy of the auditor’s report on the financial statements
- A copy of the auditor’s report on the performance statement
- Any other matters prescribed by the regulations including relevant performance indicator results and checklist items from the Local Government Performance Reporting Framework.

**FORMAL CONSIDERATION OF ANNUAL REPORT 2022/23
Cont'd**

ITEM 5

ISSUE / DISCUSSION

The Annual Report reflects Council's activities/outcomes during 2022/23, which demonstrates Council's ongoing commitment to the Maroondah community.

Key highlights over the past 12 months include the development of several strategic plans/policies including the Maroondah Sustainability Strategy 2022-2031, the Maroondah Habitat Connectivity Action Plan, the Disability Action Plan 2022-2026; and the Child Safety and Wellbeing Policy. Council has also continued to partner with our community to implement the actions contained in the Maroondah COVID-19 Recovery Plan, which was formally recognised within the Local Government sector when it won the 2022 LGPro Corporate and Community Planning Award.

Council has continued to strategically plan for the future of Maroondah's two key Activity Centres. The Ringwood MAC Masterplan 2018 was completed in December 2021 when the Victorian Government gazetted Amendment C130 to the Maroondah Planning Scheme. Development in Ringwood continues in response to the land use guidance in the Masterplan, which has included considerable investment over the past 12 months, including the new Department of Transport building which opened in late 2022 as well as significant new developments along Maroondah Highway.

Council has continued to work with key stakeholders, user groups and the community regarding the development of the Croydon Structure Plan. The Structure Plan is nearing completion and will continue to respond to the expected population growth, with Croydon Main Street continuing to serve as an important local destination.

As planning progresses for the Community Wellbeing Precinct, Council celebrated the completion of Hub B, which is home to a range of community groups including: Croydon Central Kindergarten, Maroondah Occasional Care, Croydon U3A, Croydon Senior Citizens Centre, Maroondah Community Assist and Council's Maternal and Child Health Service. Design work for Hub A continues to progress, with funding from the Australian Government of \$5 million contributing toward the arts and cultural space. Construction is scheduled to commence in 2024.

Council's advocacy work with the Victorian and Australian Governments continued to seek funding opportunities for a range of significant projects to benefit the Maroondah community. Commitments during 2022/23 include: Victorian Government funding of \$6.6 million for major traffic safety improvements at Canterbury Road, Waterloo Street and Great Ryrie Street in Heathmont and \$500,000 for sports field lighting improvements at East Ringwood Reserve. The Victorian Government also committed \$1 billion for a new Maroondah Hospital. Council is advocating to the Victorian Government to ensure improved outcomes are realised from the project delivery.

Council also continues to work with the Level Crossing Removal Authority to ensure excellent outcomes as a result of the removal of the crossings at Dublin Road, Bedford Road and Coolstore Road and from the construction of new stations at Croydon and East Ringwood.

During 2022/23, Council:

- Continued to manage and implement a coordinated relief and recovery framework in response to the ongoing impacts of the coronavirus (COVID-19) pandemic

**FORMAL CONSIDERATION OF ANNUAL REPORT 2022/23
Cont'd**

ITEM 5

- Undertaken a review of General Amenity Local Law 11 that addresses public safety and amenity
- Opened a new fully fenced Parkwood Dog Park for community use (in September 2022)
- Continued to implement the Maroondah Liveability, Wellbeing and Resilience Strategy 2021-2031, including the delivery of mental health and wellbeing initiatives; developed the Maroondah Play Strategy; implemented the Gender Equality Action Plan; and developed activities to celebrate and recognise local Indigenous culture.
- Completed a range of improvements to sporting and multipurpose facilities, including Proclamation Park, Ainslie Park, Cheong Park, JW Manson Reserve and Dorset Recreation Reserve
- Opened Maroondah Edge, a \$4.1m indoor cricket training centre at Jubilee Park
- Worked in partnership with Knox and Yarra Ranges Councils to implement the Bayswater Business Precinct Transformation Strategy (adopted by Council in December 2022)
- Continued to implement the Small Business Friendly Charter (SBFC) to support small business owners
- Continued to implement the Arts and Cultural Development Strategy, with key projects including the delivery of multiple public art commissions in Croydon, Ringwood, and Ringwood North
- Undertook a range of initiatives as part of the Waste, Litter and Resource Recovery Strategy 2020-2030, including rollout of the new Food Organics and Garden Organics (FOGO) service
- Participated as one of 51 Councils in the Victorian Energy Collaboration (VECO), switching to renewable energy, which enables Councils to source clean renewable energy generated from Victorian wind farms
- Delivered a \$4.1 million drainage improvement program and drainage flood mitigation program
- Adopted a new Maroondah Heritage Action Plan to ensure local heritage has greater protections into the future
- Adopted the Maroondah Disability Action Plan 2022-2026 which outlines Council's commitment to reduce barriers for people with disability and support a more accessible and socially inclusive community
- Implemented a community awareness campaign about elder abuse
- Established a new Reconciliation Partnership Group to guide the development of the next Maroondah Reconciliation Plan

**FORMAL CONSIDERATION OF ANNUAL REPORT 2022/23
Cont'd**

ITEM 5

- Worked in partnership to deliver the 16 Steps to Respect project to raise awareness and foster a greater understanding and respect of gender-based violence
- Continued to implement the new Child Safe Standards
- Engaged the Maroondah community on a wide range of initiatives, including enhancement plans, infrastructure projects, and strategy and policy development.

A broad range of other achievements during the financial year can be found in the attached *Annual Report 2022/23*.

FINANCIAL / ECONOMIC ISSUES

Council's 2022/23 Budget and LTFS was based on sound financial management, as well as an understanding of the rising cost of living facing ratepayers, along with consideration of the significant financial impacts of the pandemic.

The LTFS outlines Council's projected financial position for the next 10 years, providing guidance Council and ultimately the community, about the future directions and operations of Council. The LTFS demonstrates Council's long-term financial sustainability and ensures we continue to invest in community facilities and services, while operating within the rate cap environment (as set out in The Local Government (Fair Go Rates) Act 2015).

Maroondah City Council complied with the Victorian Government's 2022/23 rate cap.

ENVIRONMENTAL / AMENITY ISSUES

As noted in the *Maroondah Annual Report 2022/23*.

SOCIAL / COMMUNITY ISSUES

As noted in the *Maroondah Annual Report 2022/23*.

COMMUNITY CONSULTATION

Council will make the *Maroondah Annual Report 2022/23* available to the Maroondah community through its website and at its customer service centres.

A summary report on achievements during the 2022/23 financial year will also be produced and made available to the community.

CONCLUSION

The *Annual Report 2022/23* outlines and confirms that Council has made significant advances towards achieving the community aspirations outlined in the Maroondah 2040 Community Vision. This relates to community service delivery, environmental enhancements, economic development, infrastructure development and civic administration and leadership, in addition to its statutory requirements under Section 98 of *the Act 2020*.

ATTACHMENTS

1.  Maroondah City Council Annual Report 2022-2023

CHIEF FINANCIAL OFFICER – TONY ROCCA

**FORMAL CONSIDERATION OF ANNUAL REPORT 2022/23
Cont'd**

ITEM 5

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL

- 1. FORMALLY ENDORSES THE MAROONDAH CITY COUNCIL ANNUAL REPORT 2022/23**
- 2. NOTES THAT THE RELEVANT STATUTORY REQUIREMENTS HAVE BEEN MET**

PROPOSED LEASE - TELECOMMUNICATION FACILITY AT DORSET RECREATION RESERVE **ITEM 6**

PURPOSE

This report seeks Council's authority to commence the statutory procedures in accordance with section 115 of the Local Government Act 2020 (**Act**) to enter into a new lease agreement with Amplitel (a division of Telstra Ltd), for the occupation of Council land at Dorset Recreation Reserve, for the purpose of construction, operation, and maintenance of a telecommunication facility.

STRATEGIC / POLICY ISSUES

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

Outcome Area: A well governed and empowered community

Our Vision: In 2040, Maroondah will be an empowered community actively engaged in local decision making, led by an innovative community inspired Council that collaborates regionally and proactively champions local needs

Key Directions 2021 – 2025:

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

Priority Action 2023-2024:

Not Applicable

BACKGROUND

Council was approached in 2019 by Service Stream Mobile Communications Pty Ltd (Service Stream) on behalf of Amplitel Pty Ltd, advising that the existing telecommunications facility at the corner of Dorset Road and Barclay Avenue Croydon, was not feasible for upgrade to support new technology.

This matter was on hold during 2020-2021 and was rejuvenated upon further communication received from Service Stream in 2022.

Several locations within the Dorset Recreation Reserve were highlighted as potential sites for the new facility. Refer *Schedule 1 - Site location*.

Based on Service Stream's preliminary inspections, a new monopole and shelter could be located within the reserve without impacting Council and local clubs' use of the reserve.

**PROPOSED LEASE - TELECOMMUNICATION FACILITY AT
DORSET RECREATION RESERVE Cont'd**

ITEM 6

ISSUE / DISCUSSION

Internal Process

An internal consultation with the relevant service areas and a follow up site inspection with Council officers and Service Stream representatives were conducted in October 2022. The following matters were discussed:

- The logistics of the construction of the facility
- Easement considerations
- Maintenance of the area
- Impact to parking
- Safety measures implemented for the general public utilizing the park area

A second site meeting was held in January 2023 and conditions were finalised including:

Site selection	All service areas agreed to the site selection
Tower construction	Construction cannot commence until Lease is in place. Works will take approximately 4-5 weeks
Trenching	Any trenching from Jenkins Lane not to be through Council's lower car park and all underground services to be taken into account
Drainage	Site location should not pose any issues for the Melbourne Metropolitan Board of Works (MMBW) retarding basin given its set back from the MMBW land. The planning permit process will allow for the feedback from MMBW, so no additional contact need to be made.
Power	Power source not to be made available from the new pavilion but is more suitable from the transformer at the southwest corner of the new soccer complex
Access	Access will be through the newly constructed car park. The site area has been cleared since the site inspections and the embankment has been removed.
Permits	Planning Permit - Land owners' consent required prior to this being applied for, including Council's 'In principle' support for a Lease and construction of works. Construction Zone and Asset Protection Permits - to be applied for prior to the commencement of works, as a mechanism to monitor the construction works and to ensure Council's assets are protected and restored to their original state.

PROPOSED LEASE - TELECOMMUNICATION FACILITY AT DORSET RECREATION RESERVE Cont'd **ITEM 6**

Specifications of Facility

Service Stream provided design plans of the telecommunications tower - Refer *Schedule 2 - Design Plans*

- 35m high monopole with 6 antennas attached to a triangular headframe at the top of the monopole
- An equipment shelter adjacent to the monopole on a 10m x 10m slab with security fence surrounding
- The proposed facility will comprise a range of natural, muted non-reflective colours and finishes
- The siting of the facility is approximately 250m to the closest dwelling to the north of the site. It is located adjacent to an existing carpark within the reserve on a grassed area.
- The site abuts the Dorset Golf Course to the east, the Dorset Gardens Hotel to the north-west and has a buffer of approximately 250m minimum to surrounding residential properties.

In Principle Support

Council's Corporate Management Team provided '*In Principle*' support at its meeting on 5 June 2023, to proceed with the proposal to lease part of Dorset Recreation Reserve for the purpose of a telecommunication facility, subject to the required permits being granted and the necessary statutory requirements being undertaken.

Planning Application

Service Stream applied for a Planning permit for the proposal to construction a telecommunications facility.

The proposal was advertised by way of sending notices to adjoining property owners and occupiers - total of 81 notices sent.

One objection was received. Service Stream was able to display that the proposal meets the legislative standards for telecommunications facilities and the required health and safety standards.

A Planning Permit was issued on 25 August 2023.

User groups of the reserve were also notified of the proposal by Council's Leisure and Recreation Manager. No objections were received.

Terms of Lease

- 20-year lease
- Annual rent \$30,000 + GST - based on current rental valuation obtained
- 3% yearly increase

PROPOSED LEASE - TELECOMMUNICATION FACILITY AT DORSET RECREATION RESERVE Cont'd **ITEM 6**

Timelines of process

The timelines for engagement and implementation are detailed below.

23 October 2023	Council to resolve to commence community engagement
1-30 November 2023	Submission period If no submissions are received during this period, Council will instruct solicitors to commence drafting lease document as per Council's recommendation
To be determined	Council to hear submissions on the proposed lease followed by Council meeting to resolve whether to grant the lease (after considering the submissions)
February 2024	New lease to commence and the construction of facility

FINANCIAL / ECONOMIC ISSUES

A rental market determination was sought from Westlink Consultants for the lease of 100m2 of land for the purpose of a telecommunications facility, who determined an annual rental of \$30,000 + GST was appropriate.

If the proposal is approved, Amplitel will pay all costs associated with the planning, construction, and installation of the telecommunication facility.

Amplitel Pty Ltd will be required to pay any legal costs for the lease document preparation, negotiation, and execution.

The costs associated with Council's administration in dealing with Property matters is contained within the current budget.

ENVIRONMENTAL / AMENITY ISSUES

There are no factors in this report which impact upon environmental sustainability considerations.

SOCIAL / COMMUNITY ISSUES

There are no factors in this report which impact upon social and community considerations

COMMUNITY CONSULTATION

Council is obliged to comply with section 115 of the Act which requires a community engagement process be undertaken in accordance with Council's Community Engagement Policy in respect to a lease proposal before entering into a lease agreement.

A Public Notice will be displayed on Council's website and be made available at service centres at Ringwood and Croydon, outlining its intention to the proposed lease. This will provide the community with an opportunity to provide feedback on the proposal.

PROPOSED LEASE - TELECOMMUNICATION FACILITY AT DORSET RECREATION RESERVE Cont'd **ITEM 6**



Submissions will be received between Wednesday 25 October 2023 to 21 November 2023. Any submissions received will be reviewed in accordance with Council's Community Engagement Policy and recorded in a further report to be presented to Council to determine whether or not to proceed with the lease proposal.

CONCLUSION

It is proposed that Council commence the statutory procedures pursuant to section 115 of the Act to lease part of the land at Dorset Recreation Reserve for the purpose of a telecommunications facility, subject to satisfactory completion of those procedures.

Officers recognise the importance of telecommunication network facilities in the Maroondah community in order to continue to provide the required telecommunication services.

ATTACHMENTS

1.  Proposed Lease - Dorset Recreation Reserve - Schedule 1 - Site Location
2.  Proposed Lease - Dorset Recreation Reserve - Schedule 2 - Design Plans

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL

1. **COMMENCES THE STATUTORY PROCEDURES UNDER SECTION 115 OF THE LOCAL GOVERNMENT ACT 2020 (ACT), TO ENTER INTO A NEW LEASE WITH AMPLITEL PTY LTD FOR THE OCCUPATION OF PART OF DORSET RECREATION RESERVE AT 25 JENKINS LANE CROYDON FOR THE PURPOSE OF A TELECOMMUNICATIONS FACILITY ON THE FOLLOWING TERMS**
 - i. **20 YEAR LEASE**
 - ii. **COMMENCING ANNUAL RENT \$30,000 + GST**
 - iii. **ANNUAL INCREASE OF 3%**
2. **AUTHORISES THE CHIEF EXECUTIVE OFFICER OR ANY DELEGATED OFFICER TO UNDERTAKE THE ADMINISTRATIVE PROCEDURES NECESSARY TO ENABLE COUNCIL TO CARRY OUT ITS FUNCTION UNDER SECTION 115 OF THE ACT IN RELATION TO THE LEASE PROPOSAL AND IN ACCORDANCE WITH COUNCIL'S COMMUNITY ENGAGEMENT POLICY**

PROPOSED LEASE - TELECOMMUNICATION FACILITY AT DORSET RECREATION RESERVE Cont'd **ITEM 6**

- 3. COMMENCES A COMMUNITY ENGAGEMENT PROCESS IN ACCORDANCE WITH SECTION 115(4) OF THE ACT**
 - i. PLACE A PUBLIC NOTICE OF THE PROPOSED LEASE ON COUNCIL'S WEBSITE OUTLINING THE TERMS OF THE LEASE PROPOSAL**
 - ii. MAKE AVAILABLE THE PUBLIC NOTICE TO ANY PERSONS REQUESTING A COPY AT COUNCIL'S SERVICE CENTRES AT RINGWOOD AND CROYDON**
- 4. HAVING COMPLIED WITH SECTION 115 (4) OF THE ACT AND COUNCIL'S ENGAGEMENT POLICY, AND IN THE ABSENCE OF ANY SUBMISSIONS ON THE PROPOSED LEASE, RESOLVES TO PROCEED TO GRANT A NEW LEASE TO AMPLITEL PTY LTD**

PURPOSE

This report seeks Council's authority to commence the statutory procedures pursuant to section 114 of the Local Government Act 2020 (**Act**) to consider selling the land contained in certificate of titles volume 11137 folio 604, volume 11137 folio 605, volume 11137 folio 606, and volume 11195 folio 132, as highlighted on *Schedule 1 - Plan of Proposal*, located at 111A Heathmont Road Heathmont (**Land**)

STRATEGIC / POLICY ISSUES

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

Outcome Area: A well governed and empowered community.

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Key Directions 2021 – 2025:

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

Priority Action 2023-2024:

Not Applicable

BACKGROUND

Council is the registered proprietor of the Land and shown as Lots 1 - 3 on TP 943580F and Lot 1 on TP 945225R on the title plans, attached as *Schedule 2 - Title Plans*.

The Land abuts 3 residential properties at 103, 109 and 111 Heathmont Road, and VicTrack land, shown highlighted on *Schedule 3 - Locality Plan*. The proposal is to transfer the Land as follows:

- Land coloured blue to the owner of 103 Heathmont Road
- Land coloured red to the owner of 109 Heathmont Road
- Land coloured green to the owner of 111 Heathmont Road

History

The Land has been enclosed within the properties of 103, 109, and 111 Heathmont Road Heathmont for more than 20 years.

**SALE OF LAND - 111A HEATHMONT ROAD HEATHMONT
Cont'd**

ITEM 7

Previously, the road on LP 11701, ran between the properties of 103 and 105 Heathmont Road to the rear of properties from 105 to 111 Heathmont Road.

This was discontinued by City of Ringwood and published in the Government Gazette on 22 January 1986, as highlighted pink on *Schedule 4 - LP 11701*.

The road parcel adjacent to 111 Heathmont Road was discontinued and published in the Government Gazette on 5 November 2009, as highlighted blue on *Schedule 4 - LP 11701*.

The owner of 111 Heathmont Road requested to purchase the land adjacent to his property, being Lot 2 and part Lot 3 on TP 943580, and Lot 1 on TP 945225. The owner of 109 Heathmont Road also indicated his interest in purchasing the land at the rear of his property being part Lot 3 TP 943580.

Both property owners have signed a 'Cost Agreement' acknowledging consent for Council to proceed with the required statutory procedures to purchase that part of land respectively adjoining their properties.

Lot 1 on TP 943580 as shown marked blue on *Schedule 3 - Locality Plan*, is currently included within the confines of the property of 103 Heathmont Road. This small parcel of land, being 5 sqm, should be sold to the owners of 103 Heathmont Road for a nominal consideration which effectively will remove Council's administrative responsibilities and any potential future liabilities.

ISSUE / DISCUSSION

The Land is no longer reasonably required for public use as it is considered insignificant in terms of useful recreational land and is not required for municipal use.

Council's practice is to offer all adjoining property owners the option to purchase any land sale proposal.

As the Land borders VicTrack property, contact was made to ascertain whether this land would be of benefit to VicTrack for any future use. VicTrack provided feedback that they were not interested in acquiring the Land.

Internal consultation

Council's relevant internal service areas have been consulted and there were no objections to the proposed sale of Council land.

Easements

There are no easements noted within the Land.

Valuation

Westlink Consultants provided the following current market valuations:

- 111 Heathmont Road - \$120,000 plus GST for 184 sqm of land
- 109 Heathmont Road - \$18,000 plus GST for 46 sqm of land

**SALE OF LAND - 111A HEATHMONT ROAD HEATHMONT
Cont'd**

ITEM 7

Both owners have agreed to valuation amounts and to pay all legal and disbursement costs associated with the sale process.

Consolidation

As a condition of the sale proposal, Council will require both owners to consolidate the title of the land they would acquire with the title of their property, at a time agreed by Council.

FINANCIAL / ECONOMIC ISSUES

The legal and disbursement costs associated with the sale of the Land would be funded by the purchasers in line with Council policy, estimated at \$15,000 plus GST for each property owner.

The costs associated with Council's administration in dealing with property matters is contained within the current budget.

ENVIRONMENTAL / AMENITY ISSUES

As the Land has been enclosed within the property boundaries of 103, 109, and 111 Heathmont Road and maintained by the owners for many years, it is considered that there will be minimal environmental impact (if any) arising from the proposed sales.

SOCIAL / COMMUNITY ISSUES

As the Land has been enclosed within the property boundaries of 103, 109, and 111 Heathmont Road and maintained by the owners for many years, it is considered that there will be minimal social impact (if any) arising from the proposed sales.

COMMUNITY CONSULTATION

Prior to proceeding with the proposed sale of the Land, Council in accordance with section 114 of the Act must:

- Place a public notice of its intention to the proposed sales on Council's website
- Undertake a community engagement process in line with Council's Community Engagement Policy and publish the public notice as follows:
 - Being made available for viewing at Realm and Croydon Customer Service centres
 - Being made available to any persons requesting a copy, to be emailed or mailed to them via Council's Customer Service team
 - Sending a copy of the notice with an accompanying letter to all abutting property owners directly affected by the sale of the Land

Any interested person will be given the opportunity to make a submission opening on Wednesday 25th October 2023 to 21 November 2023.

**SALE OF LAND - 111A HEATHMONT ROAD HEATHMONT
Cont'd**

ITEM 7

Any submissions received will be reviewed in accordance with Council's Community Engagement Policy and recorded in a further report to be presented to Council to determine whether or not to proceed with the sales of the Land.





CONCLUSION

It is proposed that Council commence the statutory procedures pursuant to section 114 of the Act:

- To sell the Land to the owners of 109 and 111 Heathmont Road as per the conditions outlined in this report
- To transfer Lot 1 TP 943580 to the owner of 103 Heathmont Road for a nominal consideration thereby removing any future administrative liability,

subject to the satisfactory completion of those procedures and given that the Land is no longer required for public use.

ATTACHMENTS

1.  Sale of Land - 111A Heathmont Road Heathmont - Schedule 1 - Plan of Proposal
2.  Sale of Land - 111A Heathmont Road Heathmont - Schedule 2 - Title Plans
3.  Sale of Land - 111A Heathmont Road Heathmont - Schedule 3 - Locality Plan
4.  Sale of Land - 111A Heathmont Road Heathmont - Schedule 4 - LP 11701

CONFIDENTIALITY

Not Applicable

**SALE OF LAND - 111A HEATHMONT ROAD HEATHMONT
Cont'd**

ITEM 7

RECOMMENDATION

THAT COUNCIL ACTING UNDER SECTION 114 OF THE LOCAL GOVERNMENT ACT 2020 (ACT)

- 1. RESOLVES THAT THE REQUIRED STATUTORY PROCEDURES BE COMMENCED TO CONSIDER SELLING THE LAND CONTAINED IN CERTIFICATE OF TITLE VOLUME 11137 FOLIO 604, VOLUME 11137 FOLIO 605, VOLUME 11137 FOLIO 606, AND VOLUME 11192 FOLIO 392, SHOWN HIGHLIGHTED ON THE ATTACHED PLAN ON SCHEDULE 1 TO THIS REPORT**
- 2. DIRECTS THAT IN ACCORDANCE WITH SECTION 114 OF THE ACT, COUNCIL**
 - i. PLACE A PUBLIC NOTICE OF THE PROPOSED SALE ON COUNCIL'S WEBSITE**
 - ii. IN ACCORDANCE WITH COUNCIL'S COMMUNITY ENGAGEMENT PROCESS**
 - PROVIDE A COPY OF THE PUBLIC NOTICE TO ANY PERSONS DIRECTLY AFFECTED BY THE SALE OF LAND**
 - MAKE A COPY OF THE PUBLIC NOTICE AVAILABLE FOR VIEWING AT COUNCIL'S CUSTOMER SERVICE CENTRES IN RINGWOOD AND CROYDON**
 - iii. OBTAIN A VALUATION OF THE LAND**
- 3. RESOLVES THAT THE PUBLIC NOTICE BE GIVEN AS PART OF COUNCIL'S COMMUNITY ENGAGEMENT PROCESS SHOULD STATE THAT COUNCIL PROPOSES**
 - i. TO SELL THE LAND TO THE OWNERS OF 109 HEATHMONT ROAD AND 111 HEATHMONT ROAD FOR NO LESS THAN \$18,000 AND \$120,000 PLUS GST RESPECTIVELY**
 - ii. TO TRANSFER LOT 1 ON TITLE PLAN TP 943580 TO THE OWNER AT 103 HEATHMONT ROAD FOR A NOMINAL CONSIDERATION, AND**
 - iii. THAT SUBMISSIONS IN RELATION TO THE PROPOSED SALES OF THE LAND BE ADDRESSED TO THE CHIEF EXECUTIVE OFFICER, MAROONDAH CITY COUNCIL**
- 4. AUTHORISES THE CHIEF EXECUTIVE OFFICER OR ANY OFFICER WITH DELEGATED AUTHORITY TO UNDERTAKE THE ADMINISTRATIVE PROCEDURES NECESSARY TO ENABLE COUNCIL TO CARRY OUT ITS FUNCTIONS UNDER THE ACT IN RELATION TO THIS MATTER**
- 5. NOTES THAT ONCE ALL PUBLIC SUBMISSIONS HAVE BEEN CONSIDERED, A FURTHER REPORT WILL BE PRESENTED TO COUNCIL TO DECIDE WHETHER OR NOT TO PROCEED WITH THE PROPOSED SALES**