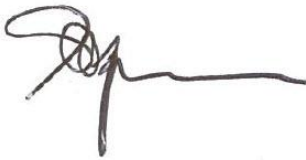


Councillor
(as addressed)

The next Council Meeting will be held in the Council Chamber, Realm, on Monday 27 May 2024, commencing at 7:30 PM 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>

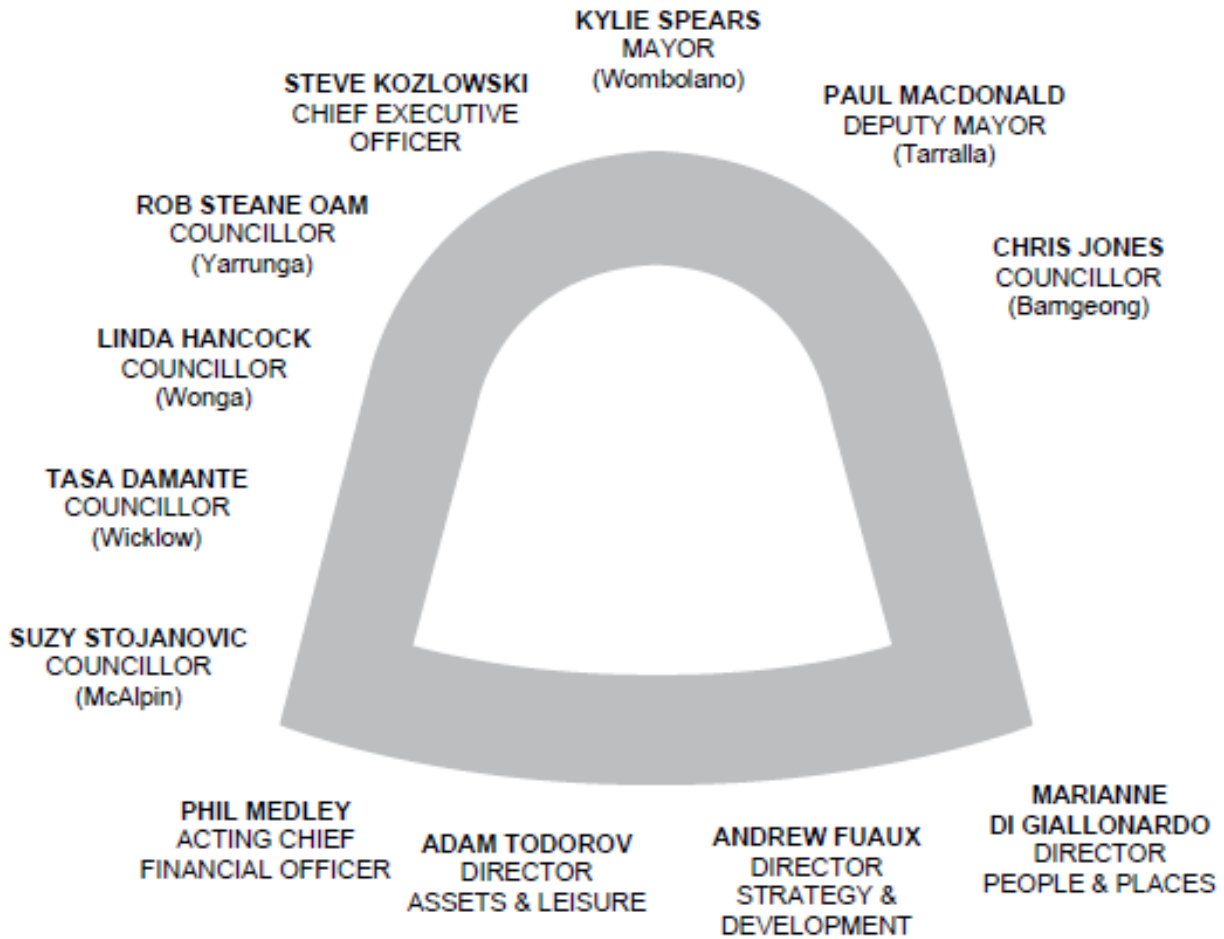


COUNCIL CHAMBER
IS FITTED WITH A HEARING AID
INDUCTION LOOP

**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
TONY DIB OAM JP COUNCILLOR (Bungalook)

LEAVE OF ABSENCE
MIKE SYMON COUNCILLOR (Jubilee)

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 22 April 2024.
6. Public Questions
7. Officers' Reports
 - Acting Chief Financial Officer
 1. Attendance Report 4
 2. Reports of Councillor Briefings 6
 3. Councillor Representation Reports 8
 4. Councillor Induction Program - Cr Chris Jones, Barngeong Ward 10
 5. Proposed Road Discontinuance and Sale of Land - Rear West Court Kilsyth 14
 6. Council Plan 2021-2025 (Year 3: 2023/24) Priority Action Progress Report - Quarter 3, 2023/24 20
 7. Local Government Performance Reporting Framework - Service Performance Indicator Report - Quarter 3, 2023/24 23
 8. Report of Audit and Risk Committee Meeting - 16 May 2024 26
 - Director Assets & Leisure
 1. Melbourne East Region Fair Access Policy 29
 2. Capital Works Report: Third Quarter 2023/24 Financial Year 32
 3. Resident Petition - St Ives Court, Croydon Hills 38
8. Documents for Sealing
9. Motions to Review
10. Late Items
11. Requests for Leave of Absence
12. In Camera
 - Chief Executive Officer
 1. Chief Executive Officer Annual Report and Review 2024
 - Director Assets & Leisure
 1. Tender Evaluation Report - Contract 21063 - Cleaning Services for Operations Centre, Public Toilets and Barbeques

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 22 April 2024 in their role as Councillors and forthcoming ward activities.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

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

ATTENDANCE REPORT Cont'd

ITEM 1

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES THE REPORTS AS PRESENTED BY COUNCILLORS

REPORTS OF COUNCILLOR BRIEFINGS

ITEM 2

PURPOSE

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

STRATEGIC / POLICY ISSUES

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

Outcome Area: A well governed and empowered community

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

Key Directions 2021 – 2025:

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

BACKGROUND

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

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

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

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

Examples of a Councillor Briefings may include:

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

REPORTS OF COUNCILLOR BRIEFINGS Cont'd

ITEM 2

ISSUE / DISCUSSION

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

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

The 'Public Record' of the Councillor Briefings held on the 22 April 2024, 13 May 2024 and 20 May 2024 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.  2024 April 22 - Councillor Briefing Public Record
2.  2024 May 13 - Councillor Briefing Public Record
3.  2024 May 20 - Councillor Briefing Public Record

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES THE PUBLIC RECORD OF THE COUNCILLOR BRIEFINGS HELD ON 22 APRIL 2024, 13 MAY 2024 AND 20 MAY 2024

PURPOSE

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

- Eastern Transport Coalition held on 21 March 2024 and 18 April 2024
- Maroondah Business Advisory Committee held on 27 March 2024
- Maroondah Environment Advisory Committee held on 2 April 2024

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 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.

COUNCILLOR REPRESENTATION REPORTS Cont'd

ITEM 3

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

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.

Crs Jones, Macdonald and Stojanovic are Council's Representatives on the Maroondah Environment 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.  2024 March 21 - Eastern Transport Coalition meeting papers
2.  2024 April 18 - Eastern Transport Coalition meeting papers
3.  2024 March 27 - Maroondah Business Advisory Committee Meeting Minutes
4.  2024 April 02 - Maroondah Environment Advisory Committee Meeting Minutes

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES MINUTES OF THE FOLLOWING BODIES

1. **EASTERN TRANSPORT COALITION HELD ON 21 MARCH 2024 AND 18 APRIL 2024**
2. **MAROONDH BUSINESS ADVISORY COMMITTEE HELD ON 27 MARCH 2024**
3. **MAROONDH ENVIRONMENT ADVISORY COMMITTEE HELD ON 2 APRIL 2024**

**COUNCILLOR INDUCTION PROGRAM - CR CHRIS JONES,
BARNGEONG WARD**

ITEM 4

PURPOSE

To note the completion of the Councillor Induction Program for Councillor Chris Jones in accordance with section 32 of the *Local Government Act 2020* (the Act).

STRATEGIC / POLICY ISSUES

The following directions contained in *Maroondah 2040: Our Future Together* and the *Council Plan 2017-2021* (Year 4: 2020-2021) provide the strategic framework that underpins the purpose of this report.

Outcome Area: A well governed and empowered community.

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

Key Directions 2021 – 2025:

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

BACKGROUND

The Act, which received Royal Assent on 24 March 2020, requires Council to adopt and complete a Councillor Induction Program which meets the prescribed requirements of the Act and meets the *Local Government (Governance & Integrity) Regulations 2020 (the Regulations)*.

The Regulations state:

- 1) *For the purposes of section 32(5) of the Act, the prescribed manner for conducting Councillor induction training is:*
 - a) *in person; or*
 - b) *by electronic means.*

- 2) *For the purposes of section 32(5) of the Act, the prescribed matters to be addressed in Councillor induction training are the following:*
 - a) *the role of a Councillor, a Mayor and a Deputy Mayor;*
 - b) *the role of a Chief Executive Officer;*
 - c) *any practices, protocols or policies in relation to the interaction between members of Council staff and Councillors;*
 - d) *the overarching governance principles and the supporting principles;*

**COUNCILLOR INDUCTION PROGRAM - CR CHRIS JONES,
BARNGEONG WARD Cont'd**

ITEM 4

- e) *the standards of conduct;*
- f) *misconduct, serious misconduct and gross misconduct;*
- g) *the internal arbitration process and the Councillor Conduct Panel process under Divisions 5 and 7 of Part 6 of the Act;*
- h) *engagement and reconciliation with the traditional owners of land in the municipal district of the Council;*
- i) *giving effect to gender equality, diversity and inclusiveness;*
- j) *any other matters relating to governance and integrity which the Chief Executive Officer has determined should be addressed.*

ISSUE / DISCUSSION

To enable Councillors to meet the prescribed obligations under the Act and the Regulations, a Councillor Induction Program was developed and adopted at the November 30, 2020 Council Meeting. The program was made up of four (4) activities, to be undertaken either electronically or in person:

1. Legal Essentials which covers:
 - the role of a Councillor, a mayor and a deputy mayor;
 - the role of the chief executive officer;
 - any practices, protocols or policies in relation to the interaction between council staff and Councillors;
 - the overarching governance principles and the supporting principles;
 - the standards of conduct;
 - misconduct, serious misconduct and gross misconduct; and
 - the internal arbitration process and the Councillor conduct process.
2. Working together to deliver programs which covers:
 - Putting the Code of Conduct in to practice
3. Strategic Planning and Financial Management principles covering the:
 - Development of the Council Plan
 - 10-year capital works program and
 - Long Term Financial Strategy

**COUNCILLOR INDUCTION PROGRAM - CR CHRIS JONES,
BARNGEONG WARD Cont'd**

ITEM 4

4. Diversity and Inclusion program covering:
- engagement and reconciliation with the Traditional Land Owners and
 - giving effect to gender equality, diversity and inclusiveness

The Councillor Induction Program aligned with Victorian Government legislation, was benchmarked with the sector through Local Government Victoria and met the prescribed requirements of the Act and the Regulations.

The Induction Program must be completed in accordance with S32 (1) - within 6 months after the day the Councillor takes the Oath or Affirmation of Office.

Following a by-election for the Bargeong Ward, the Affirmation of Office was taken by Councillor Chris Jones on December 12, 2023. As such, Councillor Chris Jones is required to complete the Councillor Induction Program by June 12, 2024. This was completed within the prescribed timeframes.

FINANCIAL / ECONOMIC ISSUES

This program was met within Council's current budget.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

This item ensures Council maintains its exemplary leadership, integrity and governance standards ensuring the highest levels of transparency to the Maroondah community.

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

The Councillor Induction Program has been completed by Councillor Jones within the Victorian Government legislated timeframe requirements and Councillor Jones has made a written declaration as per Section 32 (3).

ATTACHMENTS

1.  Completion of Councillor Induction Training - Cr Chris Jones

CONFIDENTIALITY

Not Applicable

**COUNCILLOR INDUCTION PROGRAM - CR CHRIS JONES, ITEM 4
BARNGEONG WARD Cont'd**

RECOMMENDATION

THAT COUNCIL NOTES THE UNDERTAKING AND COMPLETION OF THE COUNCILLOR INDUCTION PROGRAM FOR CR CHRIS JONES AS OUTLINED WITHIN THIS REPORT PURSUANT TO SECTION 32 OF THE LOCAL GOVERNMENT ACT 2020 AND THE LOCAL GOVERNMENT (GOVERNANCE & INTEGRITY) REGULATIONS 2020, TO MEET THE PRESCRIBED TIMEFRAME

**PROPOSED ROAD DISCONTINUANCE AND SALE OF LAND
- REAR WEST COURT KILSYTH**

ITEM 5

PURPOSE

This report seeks Council's authority to:

- Consider removing from its Register of Public Roads, pursuant to section 17(4) of the Road Management Act 2004 (Vic) (**RMA**), the roads comprising the whole of the land contained in the certificate of title volume 8967 folio 125 and volume 7600 folio 062, being R2 and R4 on Lodged Plan 21014 (**Road**):
- Commence the statutory procedures pursuant to clause 3 of Schedule 10 and section 223 of the Local Government Act 1989 (**ACT**) to consider discontinuing the Road and transferring the discontinued Road to the adjoining owner for market value.

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.
- 8.2 Ensure responsible and sustainable management of Maroondah resources, assets, infrastructure, and natural environment.

Priority Action 2023-2024:

Not applicable

BACKGROUND

The owner of 2 West Court Kilsyth (**Owner**) contacted Council expressing interest in acquiring the land at the rear of their property.

The Owner also advised of their interest in purchasing the entire length of the Road, should the adjoining property owners not be in favour of acquiring any portion of the Road, shown highlighted blue on the site plan attached as Schedule 1 (**Site Plan**)

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

**PROPOSED ROAD DISCONTINUANCE AND SALE OF LAND ITEM 5
- REAR WEST COURT KILSYTH Cont'd**

ISSUE / DISCUSSION

Road Status

The Road is registered to Maroondah City Council and is comprised of the whole of the land contained in:

- Certificate of title volume 8967 folio 125 and volume 7600 folio 062, being R2 and R4 on LP n21014 shown on the title plan attached as Schedule 2 (**Title Plan**)

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

Council has the statutory power to consider discontinuing the Road pursuant to clause 3 of Schedule 10 of the Act.

It is considered that the Road is no longer reasonably required for general public use as the Road:

- Is not being used by the general public as a thoroughfare for pedestrian or vehicular traffic.
- Is not constructed as a road.
- Is not required for public purposes and is not expected to be required for public purpose in the future.

If the Road is discontinued, the Road will vest in Council pursuant to section 207B of the Act.

Both the Road and the property of 2 West Court Kilsyth are zoned Neighbourhood Residential Zone 6.

Internal Consultation

Council's service areas provided their comments on the impact of the proposed discontinuance:

- The Road was once the main driveway to a farm back in 1951 and the road status was never removed through subsequent subdivisions that occurred over the following years.
- The Road does not provide any logical shortcut from the Melbourne Water pipe track land situated to the north of the Road, as the walking trail is accessible from the Jarvis Avenue or Churchill Way ends.
- Melbourne Water has sufficient maintenance access from either ends at Jarvis Avenue and Churchill Way.
- Council's stormwater drain exists within the Road which can be covered by an easement, should the Road be discontinued, and the land sold.

**PROPOSED ROAD DISCONTINUANCE AND SALE OF LAND
- REAR WEST COURT KILSYTH Cont'd**

ITEM 5

Site Inspection

A site inspection noted the following:

- The Road is unconstructed as a road.
- There is no visible evidence of the Road being used as a pedestrian thoroughfare or vehicular access by any of the adjoining property owners.
- Churchill Way being approximately 100 metres from the Road, provides adequate pedestrian access from the pipe track to Mt Dandenong Road, as shown on Schedule 3 (**Locality Plan**)
- The Road abuts the following properties, as shown highlighted red, yellow, and green on the Site Plan - Schedule 1
 - 2 West Court Kilsyth
 - 1/425 Mt Dandenong Road Croydon
 - 2/425 Mt Dandenong Road Croydon
 - 419-423 Mt Dandenong Road Croydon

Public/Statutory Authorities

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

- Yarra Valley Water
- Ausnet
- Multinet Gas
- Telstra
- Melbourne Water

All authorities advised that they have no objection to the proposed discontinuance of the Road.

Yarra Valley Water advised that there is a sewer asset in the Road and require an easement to be created in their favour.

Council proposes to retain all current easements as required by Yarra Valley Water including Council's existing drainage infrastructure in the Road.

**PROPOSED ROAD DISCONTINUANCE AND SALE OF LAND ITEM 5
- REAR WEST COURT KILSYTH Cont'd**

Expression of Interest

Correspondence was forwarded to the adjoining property owners advising of Council's proposal to discontinue the Road and to seek expression of interest in purchasing a portion of the Road:

- 2 West Court Kilsyth - interest to purchase to entire length of Road.
- 1/425 Mt Dandenong Road Croydon - no responses received after several notifications sent.
- 2/425 Mt Dandenong Road Croydon - declined Council's offer to purchase.
- 419-423 Mt Dandenong Road Croydon - no responses received after several notifications sent.
- Melbourne Water advised they had no issues with Council's proposal to discontinue the Road.

Valuation

Council's valuing consultants provided a current market valuation for the Road. The Road is approximately 711 square metres and valued at \$400,000 excluding GST.

The Owner has signed a Cost Agreement/Acknowledgement letter to purchase the Road conditional on Council successfully completing the statutory process to discontinue the Road.

FINANCIAL / ECONOMIC ISSUES

The legal and disbursement costs associated with the discontinuance and sale of the land would be funded by the Owner.

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

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

The Road presently provides no benefit to Council or the community in its current condition or strategically as a future road link and consequently is considered to be a risk and liability to Council.

COMMUNITY CONSULTATION

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

**PROPOSED ROAD DISCONTINUANCE AND SALE OF LAND ITEM 5
- REAR WEST COURT KILSYTH Cont'd**

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




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

CONCLUSION

It is proposed that Council considers:

- Commencing the statutory procedures pursuant to clause 3 of schedule 10 and section 223 of the Act, to consider discontinuing and selling the Road.
- Once completed, removing the Road from Council's Register of Public Roads on the basis that the Road is no longer reasonably required for general public use for the reasons set out in the report.

ATTACHMENTS

1.  Proposed Road Discontinuance Rear West Court Kilsyth - Schedule 1 - Site Plan
2.  Proposed Road Discontinuance Rear West Court Kilsyth - Schedule 2 - Title Plan
3.  Proposed Road Discontinuance Rear West Court Kilsyth - Schedule 3 - Locality Plan

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL ACTING UNDER

1. **SECTION 17(4) OF THE ROAD MANAGEMENT ACT 2004 (VIC), RESOLVES THAT THE ROAD COMPRISING THE WHOLE OF THE LAND IN CERTIFICATE OF TITLE VOLUME 8967 FOLIO 125 AND VOLUME 7600 FOLIO 062 (ROAD), BE REMOVED FROM COUNCIL'S REGISTER OF PUBLIC ROADS ON THE BASIS THAT THE ROAD IS NO LONGER REASONABLY REQUIRED FOR GENERAL PUBLIC USE FOR THE REASONS OUTLINED IN THE REPORT; AND**
2. **CLAUSE 3 OF SCHEDULE 10 OF THE LOCAL GOVERNMENT ACT 1989 (ACT):**
 - i. **RESOLVES THAT STATUTORY PROCEDURES BE COMMENCED TO DISCONTINUE THE ROAD**
 - ii. **DIRECTS THAT UNDER SECTIONS 207A AND 223 OF THE ACT, PUBLIC NOTICE OF THE PROPOSED DISCONTINUANCE AND SALE BE GIVEN IN THE AGE NEWSPAPER**

**PROPOSED ROAD DISCONTINUANCE AND SALE OF LAND ITEM 5
- REAR WEST COURT KILSYTH Cont'd**

- iii. **RESOLVES THAT THE PUBLIC NOTICE REQUIRED TO BE GIVEN UNDER SECTIONS 207A AND 223 OF THE ACT SHOULD STATE THAT IF THE ROAD IS DISCONTINUED, COUNCIL PROPOSES TO SELL THE ROAD TO THE ADJOINING OWNER AT 2 WEST COURT KILSYTH FOR CURRENT MARKET VALUE**

- iv. **A COMMITTEE OF THE COUNCILLORS TASA DAMANTE, TONY DIB, AND CHRIS JONES BE APPOINTED TO HEAR ANY PERSONS WISHING TO BE HEARD IN SUPPORT OF THEIR SUBMISSION, ON A DATE TO BE DETERMINED; AND**

- v. **AUTHORISES THE CHIEF EXECUTIVE OFFICER OR DELEGATE BE AUTHORISED TO UNDERTAKE THE ADMINISTRATIVE PROCEDURES NECESSARY TO ENABLE COUNCIL TO CARRY OUT ITS FUNCTIONS UNDER SECTION 223 OF THE ACT IN RELATION TO THIS MATTER**

**COUNCIL PLAN 2021-2025 (YEAR 3: 2023/24) PRIORITY
ACTION PROGRESS REPORT - QUARTER 3, 2023/24**

ITEM 6

PURPOSE

To provide an update on progress made towards implementation of Year 3 priority actions identified in the Council Plan 2021-2025, as at 31 March 2024.

STRATEGIC / POLICY ISSUES

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

Outcome Area: A well governed and empowered community

Our Vision: In 2040, Maroondah will be a vibrant and diverse city with a healthy and active community, living in green leafy neighbourhoods which are connected to thriving and accessible activity centres contributing to a prosperous economy within a safe, inclusive and sustainable environment.

Key Directions 2023 – 2024:

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

Priority Action 2023-2024:

Not Applicable

BACKGROUND

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

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

The Council Plan is implemented through service delivery activities and initiatives across Council, and outcomes are measured and reported regularly.

**COUNCIL PLAN 2021-2025 (YEAR 3: 2023/24) PRIORITY
ACTION PROGRESS REPORT - QUARTER 3, 2023/24 Cont'd**

ITEM 6

ISSUE / DISCUSSION

Within the Council Plan, there are a range of priority actions identified that work towards delivery of the Maroondah 2040 Community Vision. These actions are updated annually to ensure the Plan continues to be aligned with *Maroondah 2040: Our future together*, the community's long-term vision, and is responsive to community needs and expectations.

The Council Plan is divided into eight future community outcome areas, each with a set of four-year key directions (strategies), four-year priority actions, strategic indicators and supporting strategies and plans. The priority actions identified work towards the achievement of the key directions, and ultimately toward the outcomes and visions outlined in *Maroondah 2040: Our future together*.

The attached report identifies the progress made by Council in delivering Council Plan priority actions for the 2023/24 financial year. Several priority actions are multi-year initiatives scheduled to be completed in future financial years.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

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

CONCLUSION

Council has made excellent progress during the past nine (9) months (1 July 2023 to 31 March 2024) towards the implementation of a broad range of Council Plan Priority Actions for the 2023/24 financial year.

ATTACHMENTS

1. Council Plan 2021-2025 (Year 3: 2023/24) Priority Action Progress Report - Quarter 3, 2023/24

CONFIDENTIALITY

Not Applicable

ACTING CHIEF FINANCIAL OFFICER – PHIL MEDLEY

**COUNCIL PLAN 2021-2025 (YEAR 3: 2023/24) PRIORITY
ACTION PROGRESS REPORT - QUARTER 3, 2023/24 Cont'd**

ITEM 6

RECOMMENDATION

**THAT COUNCIL NOTES THE PROGRESS MADE TOWARDS THE DELIVERY OF 2023/24
PRIORITY ACTIONS IDENTIFIED IN THE COUNCIL PLAN 2021-2025 AS AT 31 MARCH
2024**

**LOCAL GOVERNMENT PERFORMANCE REPORTING
FRAMEWORK - SERVICE PERFORMANCE INDICATOR
REPORT - QUARTER 3, 2023/24**

ITEM 7

PURPOSE

To provide a Council with reporting on indicators of service performance, as measured by the Local Government Performance Reporting Framework (LGPRF), as at the end of quarter 3 of the 2023/24 financial year (31 March 2024).

STRATEGIC / POLICY ISSUES

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

Outcome Area: A well governed and empowered community

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

Key Directions 2021 – 2025:

- 8.1 Provide community inspired governance that is transparent, accessible, inclusive and accountable.
- 8.2 Ensure responsible and sustainable management of Maroondah's resources, assets, infrastructure and natural environment.
- 8.4 Work in partnership to deliver innovative, accessible and evidence informed services that are people focused, proactive, integrated and responsive.

BACKGROUND

The LGPRF was introduced in 2014 and is a mandatory reporting process developed by Local Government Victoria to ensure all Victorian Councils are measuring and reporting on their performance, in a consistent way.

The LGPRF is a Victorian Government initiative aimed at ensuring transparency and accountability of the local government sector performance, to ratepayers and the community.

The Framework consists of:

- service performance
- financial performance
- a governance and management checklist.

Together these components illustrate a comprehensive picture of local government performance.

**LOCAL GOVERNMENT PERFORMANCE REPORTING
FRAMEWORK - SERVICE PERFORMANCE INDICATOR
REPORT - QUARTER 3, 2023/24 Cont'd**

ITEM 7

LGPRF outcomes are reported in Council's Annual Report (in the Report of Operations and Performance Statement sections) as required by the *Local Government (Planning and Reporting) Regulations 2020* as well as relevant sections of the *Local Government Act 2020*.

The end of financial year results is also publicly released by the Victorian Government to enable benchmarking of relative LGPRF indicator performance of Councils.

ISSUE / DISCUSSION

Council monitors LGPRF results on a quarterly basis regarding service performance indicators, as well as annually for financial performance and sustainable capacity.

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

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

FINANCIAL / ECONOMIC ISSUES

Identified within the Report.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

The end of financial year results for 2023/24 will be publicly released and made available in Council's Annual Report 2023/24. The results will also be submitted to the Victorian Government.

CONCLUSION

LGPRF service performance results for the third quarter of the 2023/24 financial year (as at 31 March 2024) are presented in the attached Report.

ATTACHMENTS

1.  LGPRF Service Indicator Performance Report - Quarter 3, 2023/24

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

ACTING CHIEF FINANCIAL OFFICER – PHIL MEDLEY

**LOCAL GOVERNMENT PERFORMANCE REPORTING
FRAMEWORK - SERVICE PERFORMANCE INDICATOR
REPORT - QUARTER 3, 2023/24 Cont'd**

ITEM 7

**THAT COUNCIL NOTES THE LOCAL GOVERNMENT PERFORMANCE REPORTING
FRAMEWORK SERVICE PERFORMANCE INDICATOR RESULTS FOR THE 2023/24
FINANCIAL YEAR AS AT 31 MARCH 2024**

**REPORT OF AUDIT AND RISK COMMITTEE MEETING - 16
MAY 2024**

ITEM 8

PURPOSE

To report to Council on the outcomes of the Audit and Risk Committee Meeting held on 16 May 2024.

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.
- 8.2 Ensure responsible and sustainable management of Maroondah’s resources, assets, infrastructure and natural environment.
- 8.3 Nurture a continuous improvement council culture of being collaborative, strategic, sustainable and employing best practice, that positions Maroondah as a leader in local government.

BACKGROUND

The *Local Government Act 2020* prescribes that Council must establish an Audit & Risk Committee and that such Committee will be advisory in nature. The Audit & Risk Committee provides a mechanism for Council to strategically examine various aspects of the Council operations to ensure risk management, legal compliance, financial control, and governance measures are in place.

Council’s Audit and Risk Committee consists of both Council and external representatives. Mayor Cr Kylie Spears, and Cr Mike Symon, are the nominated Councillors on the Committee. The external independent members are Dr John Watson (chair), Mr Bruce Potgieter and Mr Michael Ulbrick.

The Audit and Risk Committee Charter requires that this Committee report to Council on the findings and recommendations from its meetings. This report provides a summary of matters under consideration by the Committee of the meeting held on Thursday 16 May 2024.

Many items on the agenda are regular reports such as the Chief Executive Officer’s Report, Council’s Internal Audit Progress Report, quarterly Finance Report, Risk and Insurance Report, Internal Audits Actions Register Report and sector related agencies reports.

**REPORT OF AUDIT AND RISK COMMITTEE MEETING - 16
MAY 2024 Cont'd**

ITEM 8

ISSUE / DISCUSSION

Details associated with some of the regular reports as well as other specific items considered by the Audit and Risk Committee are noted below:

- A VAGO Audit Strategy Memorandum for year ending 30 June 2024 was tabled providing an overview of the planned approach to the annual audit of the financial report and performance statement of Council.
- The Finance Report for the third quarter of the 2023/24 financial year ending 31 March 2024 was discussed.
- A Risk and Insurance Report for the third quarter of the 2023/24 financial year ending 31 March 2024 was tabled. The report provided details on Council's strategic risk outlook, organisational risk profile, organisational risk trends and priorities, key risk controls and mitigation activities, and recent insurance and claims matters.
- Internal Audit Reports on Community Grants and Environmental Management were presented to the Committee. Several findings and recommended actions arising from these audits were highlighted.
- Internal Auditors HLB Mann Judd provided an update of the Internal Audit Program including current audits underway and forthcoming audits planned. An issues paper was also tabled by the Internal Auditors that outlined general sector guidance and trends.
- The Internal Audit Actions Register for the third quarter of the 2023/24 financial year ending 31 March 2024 was discussed. The Committee endorsed progress made by Council regarding implementation of internal audit recommendations.
- A report from the Acting Chief Executive Officer highlighted sector updates of interest related to local government integrity and risk management.

FINANCIAL / ECONOMIC ISSUES

Council's current budget provides for the operation of the Audit and Risk Committee, the completion of an Internal Audit Program and associated duties and responsibilities to ensure the organisation is actively and effectively managing its risks.

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

**REPORT OF AUDIT AND RISK COMMITTEE MEETING - 16
MAY 2024 Cont'd**

ITEM 8

CONCLUSION

This Report provides a summary of the outcomes of the Audit and Risk Committee meeting held on 16 May 2024 in accordance with transparency and accountability principles. The report illustrates that Council has a strong level of maturity in managing and mitigating its risks and financial sustainability.

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL RECEIVES AND NOTES THE REPORT FROM THE AUDIT & RISK
COMMITTEE MEETING HELD ON 16 MAY 2024**

PURPOSE

To seek endorsement of the Melbourne East Region Sport and Recreation (MERSR) Fair Access Policy

STRATEGIC / POLICY ISSUES

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

Outcome Area: A safe, healthy and active community

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

Key Directions 2021 – 2025:

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

BACKGROUND

The Melbourne East Regional Sport and Recreation Strategy (MERSRS) which was endorsed in December 2022 was developed collaboratively by the six (6) eastern region Councils, including Knox, Manningham, Maroondah, Monash, Whitehorse and Yarra Ranges. Given the ongoing relationship created by the strategy, the six (6) local government authorities have collaborated further to develop an overarching Melbourne East Region Sport and Recreation Fair Access Policy (the Policy) to ensure a consistent regional approach to fair access and allocation of community sport and recreation infrastructure. The Policy is also intended to help identify and eliminate systemic causes of gender inequality in programming, policies and strategies and to increase the participation of all genders.

This approach responds to the State Government’s Roadmap, mandating formation of a policy that demonstrates gender equitable access to community sports infrastructure for all Victorian Councils by 30 June 2024. An endorsed policy is required for local government authorities to remain eligible for infrastructure funding from the State Government.

ISSUE / DISCUSSION

Sport is a highly visible and valued feature of the Melbourne East Region’s culture and identity. The sport and active recreation sector provide opportunities for enriching our communities through the promotion of respect and fair-mindedness for all people while also supporting the physical and mental wellbeing of all Victorians. The Melbourne East Region is well positioned to design and implement place-based gender equality in community sport and recreation.

MELBOURNE EAST REGION FAIR ACCESS POLICY Cont'd**ITEM 1**

Gender inequity continues to be a major barrier to the realisation of rights and access to sporting facilities and opportunities for girls and women in the state. Recent participation trends highlight a significant increase in girls and women participation across sport and recreation activities, including improved development pathways and competition structures however feedback has shown that women and girls in traditionally male dominated sports are often denied access to the premium sporting infrastructure or are afforded access at times which are inconvenient and do not support their participation.

The MERSR Fair Access Policy acknowledges:

- The disadvantaged position some individuals have had in the sport and recreation sector because of their gender.
- Achieving gender equality will require diverse approaches for women and girls, men and boys, transgender, and gender-diverse people to achieve similar outcomes for people of all genders and will require partnership with State Sporting Associations, local sports associations and leagues and local sport and active recreation clubs.

FINANCIAL / ECONOMIC ISSUES

The Fair Access Policy and subsequent implementation plan will support Maroondah City Council to apply for external funding for programs and capital renewal and upgrades and in particular meet eligibility criteria for application to the Victorian Government's Community Sporting Infrastructure Fund.

SOCIAL / COMMUNITY ISSUES

The Regional Policy contains six principles which align with the State Government's Fair Access Roadmap guiding principles.

PRINCIPLE	PRINCIPLE AIM
Infrastructure	Community sports and active recreation infrastructure are genuinely welcoming, safe and inclusive.
Roles in sport	Women and girls, transgender and gender diverse people are encouraged to participate in all aspects of community sport and active recreation including as a player, coach, administrator, official, volunteer and spectator.
Allocation and scheduling	Women and girls, transgender and gender diverse people have fair access to and use of community sport infrastructure which is of the highest quality, at the most convenient location and times and includes new opportunities and sports.
Leadership	Women and girls, transgender and gender diverse people are equitably represented in leadership and governance roles.
Culture and environment	All user groups who access community sport and active recreation infrastructure are encouraged and supported to understand, adopt and implement gender equitable access and use practices that are genuinely welcoming, safe and inclusive.
Reward, celebrate and prioritise	Access, use and support is prioritised for user groups who demonstrate ongoing commitment to gender equitable access and use of allocated infrastructure.

COMMUNITY CONSULTATION


The development of the MERSR Fair Access Policy was guided by the State Government's Fair Access Policy Roadmap in consultation with MERSRS representatives, the Office for Women in Sport and Recreation (OWSR) and Sport and Recreation Victoria (SRV). The initial *Fair Access Policy* development was introduced to the 2024 summer seasonal clubs' forum and subsequently the developed principles were presented at the Maroondah winter seasonal clubs forum. Discussions have also been scheduled with the sporting leagues and peak bodies associated with Eastern Region sporting clubs. Maroondah clubs will continue to be updated on the Policy and associated actions at forthcoming annual forums and regional club information sessions that are scheduled for mid 2024.

Each council will implement the Policy principles into relevant sports and recreation infrastructure policies (new and updated), programs, frameworks and communications and relevant engagement will occur on each occasion. Additionally, a Gender Impact Assessment has been undertaken as part of this policy development due to its direct impact on the Maroondah Community.

CONCLUSION

Six (6) of the Melbourne East Councils, which collaborated to develop the Melbourne East Region Sport & Recreation Strategy (MERSRS), have collaborated further to develop a *Melbourne East Region Sport and Recreation (MERSR) Fair Access Policy* that will foster a consistent regional approach to implementing the principles of the State Government's Fair Access Policy Roadmap. The four (4) year Policy will support gender equitable access to sporting and recreation facilities in Maroondah, address known participation barriers experienced by women and girls, transgender, and gender diverse people, and support a culture of gender equality in our communities.

ATTACHMENTS

1. Final - Draft Melbourne East Region Sport and Recreation Fair Access Policy 2024 -  2024-05-10.pdf

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL ENDORSES THE *MELBOURNE EAST REGION SPORT AND RECREATION (MERSR) FAIR ACCESS POLICY*

PURPOSE

To present the financial and operational status of Council's Capital Works program for the third quarter of the 2023/2024 financial year.

STRATEGIC / POLICY ISSUES

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

Outcome Area: A well governed and empowered community

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

Key Directions 2021 – 2025:

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

BACKGROUND

Council, as part of its Adopted Budget 2023/24, allocated \$65.77M to Capital Works projects, including significant external funding for the Ringwood Activity Centre Carpark project. Council also carried forward \$2.72M from the 2022/23 capital works budget. The total adjusted forecast budget for 2023/24, taking account of external funding received and various forecast adjustments relating to the timing of specific projects (including a significant adjustment of \$24.2M based on the timing for the Ringwood Activity Centre Carpark construction), is \$39.73M as of 31 March 2024.

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

Provided in this report is an overview of Capital Expenditure on Council's major program areas for the period 1 July 2023 to 31 March 2024.

DIRECTOR ASSETS & LEISURE – ADAM TODOROV

CAPITAL WORKS REPORT: THIRD QUARTER 2023/24 FINANCIAL YEAR Cont'd

ITEM 2

ISSUE / DISCUSSION

The following is a summary of the status of Council's major program areas as of 31 March 2024.

CAPITAL PERFORMANCE – THREE MONTHS ENDING 31 MARCH 2024

Classification	YTD Forecast Budget \$'000	YTD Actual * \$'000	YTD Variance \$'000	Forecast Budget ** \$'000	Carried Forward Amount \$'000	Adopted Budget \$'000
Buildings	3,746	4,691	(945)	10,929	(1,613)	12,838
Roads	2,846	2,912	(66)	5,213	(41)	3,652
Footpaths and Cycleways	2,170	2,170	0	2,615	24	3,200
Carparks	1,436	1,436	(0)	4,152	101	29,023
Drainage	3,984	4,040	(57)	6,699	1,701	4,925
Waste Management	5	5	0	50	0	50
Other Capital Roads and Drainage	140	160	(20)	461	256	1,055
Recreational Leisure and Community Facilities	387	1,131	(744)	1,297	(1,210)	1,901
Parks and Open Space	1,321	1,435	(115)	2,661	534	1,931
Commercial Centres	162	162	0	292	217	50
Fixtures, Fittings and Furniture	52	43	8	131	0	120
Plant, Machinery and Equipment	2,531	2,842	(311)	3,337	1,005	2,906
Computers and Telecommunications	306	328	(23)	621	1,691	371
Building Renewal	914	923	(9)	1,268	52	3,751
Total capital works	19,999	22,293	(2,294)	39,725	2,718	65,773

* YTD Actual expenditure includes Carried Forwards

** Forecast Budget expenditure includes Carried Forwards

Explanation of variations between forecast budget and adopted budget:

- **Buildings** – Variation between adopted \$12.84M and forecast \$10.93M budgets is due primarily to:
 - \$1.61M in negative funds carried forward from 2022/23, relating to the timing of some major community facility projects, which were completed in previous years. These projects include Dorset Multipurpose Pavilion redevelopment, JW Manson Pavilion redevelopment, and Maroondah Edge;
 - \$3.3M forecast adjustment (moved to 24/25) for the Croydon Community Wellbeing Precinct Hub A redevelopment, to reflect the revised project timeframes; and
 - \$1.09M forecast adjustment from the Building Renewal area for the Karralyka foyer extension project

- **Roads** – Variation between adopted \$3.65M and forecast \$5.21M budgets is due partly to:
 - \$500K grant funding from the Federal Government Local Roads and Community Infrastructure (LRCI) Phase 4 program, for the Norwood carpark improvement project; and
 - \$250K forecast adjustment from the Drainage area, for the Emerald Street Road improvement project
- **Footpaths & Cycleways** – Variation between adopted \$3.20M and forecast \$2.62M budgets is due partly to:
 - \$100K forecast adjustment to the Ringwood Activities Area drainage project, to complement the drainage works
- **Carparks** – Variation between adopted \$29.02M and forecast \$4.15M budget is due primarily to:
 - \$24.2M forecast adjustment for the Ringwood Activity Centre Carpark (external funding), to reflect the project timeframes; and
 - \$298K forecast adjustment to the Jubilee Park Carpark project (within the roads area)
- **Drainage** – Variation between adopted \$4.93M and forecast \$6.70M budgets is due primarily to:
 - \$1M in funds carried forward from 2022/23 for the Ringwood Activities Area drainage project; and
 - \$335K in funds carried forward from 2022/23 for the Jumping Creek Corridor Rehabilitation project
- **Other Capital Roads and Drainage** – Variation between adopted \$1.06M and forecast \$461K is due primarily to:
 - \$258K in funds carried forward from 2022/23; and
 - \$480K forecast adjustment (moved to 24/25) for the Ringwood Metro Activity Centre project to reflect revised project timeframes
- **Recreational Leisure and Community Facilities** – Variation between adopted \$1.90M and forecast \$1.30M budgets due primarily to:
 - \$1.27M in negative funds carried forward from 2022/23, relating to the timing of some major sportsfield improvement projects (Dorset Recreation Reserve sportsfields), which were completed in previous years (representing an accelerated completion and spend).

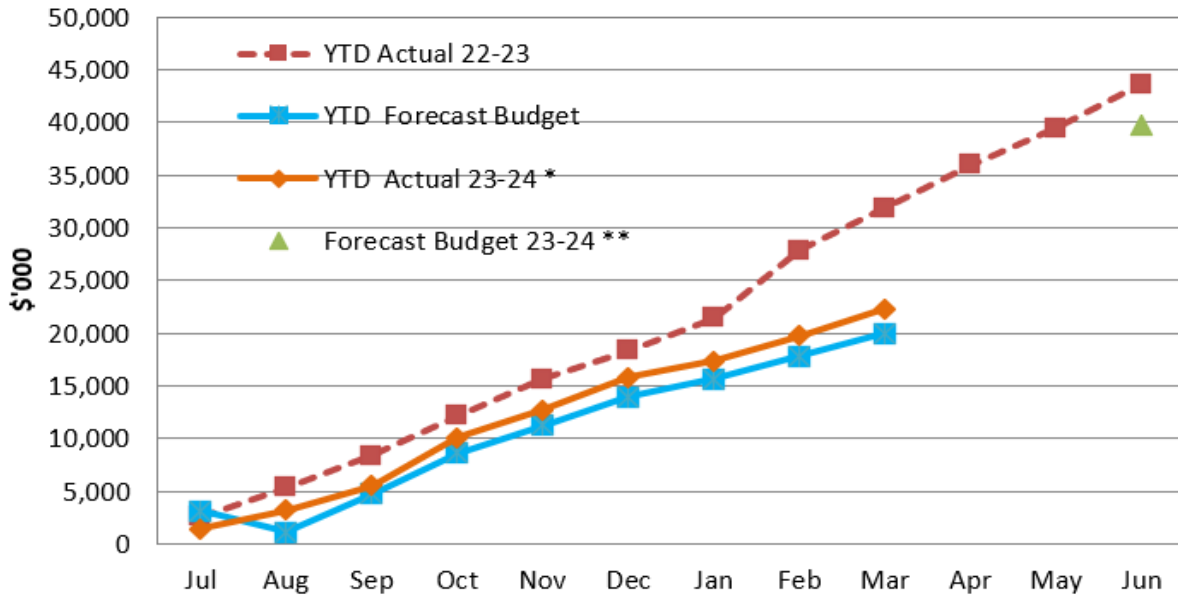
- **Parks and Open Space** - Variation between adopted \$1.93M and forecast \$2.66M budgets is due primarily to:
 - \$534K in funds carried forward from 2022/23, relating to the Danielle Reserve playspace project, Longview Reserve playspace project, and the Laura Court playspace project
- **Plant Machinery and Equipment** – Variation between adopted \$2.91M and forecast \$3.34M budgets is due to:
 - \$1.01M in funds carried forward from 2022/23, relating to a range of vehicle and plant orders that have incurred significant delivery delays
- **Computers and Telecommunication** – Variation between adopted \$371K and forecast \$621K budgets is primarily due to:
 - \$1.69M in carried forwards from 2022/23, relating to proposed major software upgrades; and
 - \$900K forecast adjustment relating to the timing of Council's hybrid Enterprise Resource Planning (ERP) system implementation
- **Building Renewal** – Variation between adopted \$3.75M and forecast \$1.27M budgets is primarily due to:
 - \$1.09M forecast adjustment to the Karralyka foyer extension project (in the buildings area); and
 - \$250K forecast adjustment to the Yarrunga Community Centre Function Room Improvement (in the buildings area)

FINANCIAL / ECONOMIC ISSUES

CARRIED FORWARDS FROM 2022/2023

Council carried forward an amount of \$2.72M into the 2023/24 financial year, which primarily related to major projects that were underway at the end of the 2022/23 financial year.

CAPITAL WORKS YTD – EXPENDITURE (CUMULATIVE)



*YTD Actual expenditure includes Carried Forwards
 **Forecast Budget expenditure includes Carried Forwards

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

Council has a total Capital Works forecast budget for 2023/24 of \$39.73M, including \$2.72M carried forward from 2022/23 and significant grant funding from State and Federal Governments. Key variations between adopted and forecast program budgets for the period 1 July 2023 to 31 March 2024 are noted within this report.

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

**THAT COUNCIL RECEIVES AND NOTES THE REPORT ON THE STATUS OF THE
CAPITAL WORKS PROGRAM FOR THE PERIOD 1 JULY 2023 TO 31 MARCH 2024**

PURPOSE

The purpose of this report is to present to Council a petition that requests the removal and replacement of fifteen (15) large street trees situated in St Ives Court, Croydon Hills and to outline the proposed way forward.

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 clean, green and sustainable community

Our Vision: In 2040, Maroondah will be a resilient community committed to sustainable living, enhancing our natural environment, and providing leadership in responding to climate change.

Key Directions 2021 – 2025:

- 4.1 Create and foster a culture within our community that is committed to protecting and enhancing the unique features of Maroondah’s landscape, including our ridgelines, waterways, canopy vegetation, green open space and bushland reserves.
- 4.5 Preserve and enhance Maroondah’s parklands, bushlands, gardens, canopy vegetation and open spaces.

Priority Action 2023-2024:

Implement a streetscape enhancement program, including a significant increase in tree planting.

BACKGROUND

A petition has been received for the removal for fifteen (15) large street trees in St. Ives Court, Croydon Hills. The petition also states the trees should be replaced with a more appropriate species.

Reasons stated for the proposed removal of the trees include:

- Impacts to underground infrastructure such as causing water pipes to burst and blocking sewer drains. Also, roots are lifting the footpath and cracking kerb in one location.
- A previous branch failure brought down the power service connection to the lead petitioner's house.
- Constant fall of leaves, sap, fruit and small dead branches.
- The trees prevent grass growing on the nature strip.
- General concerns for the safety of residents and pedestrians, including children walking to nearby schools, from potential tree or branch failure.

**RESIDENT PETITION - ST IVES COURT, CROYDON HILLS
Cont'd**

ITEM 3

The subject trees are situated on the eastern side of the court and comprise mature, native eucalypt species typical of the era of street tree planting and the surrounding streets. The species, size and other data relating to the trees is listed in the following table:

No.	Common name	Species	Height	Width	Trunk diameter	Health	Structure	Useful Life Expectancy (ULE)
1	Willow Peppermint	<i>E. nichollii</i>	15	12	55	Good	Fair	20 to 29
2	Red Ironbark	<i>E. sideroxylon</i>	16	12	52	Fair	Fair	10 to 19
3	Willow Peppermint	<i>E. nichollii</i>	13	8	45	Fair	Fair	10 to 19
4	Willow Peppermint	<i>E. nichollii</i>	16	13	70	Good	Fair	20 to 29
5	Willow Peppermint	<i>E. nichollii</i>	17	16	81	Fair	Fair	10 to 19
6	Red Ironbark	<i>E. sideroxylon</i>	8	8	45	Good	Good	20 to 29
7	Red Ironbark	<i>E. sideroxylon</i>	18	12	75	Good	Fair	10 to 19
8	Willow Peppermint	<i>E. nichollii</i>	13	10	52	Fair	Fair	10 to 19
9	Willow Peppermint	<i>E. nichollii</i>	14	9	66	Fair	Fair	10 to 19
10	Red Ironbark	<i>E. sideroxylon</i>	16	14	70	Good	Fair	20 to 29
11	Red Ironbark	<i>E. sideroxylon</i>	14	15	57	Fair	Fair	10 to 19
12	Willow Peppermint	<i>E. nichollii</i>	17	12	63	Good	Fair	20 to 29
13	Willow Peppermint	<i>E. nichollii</i>	17	12	75	Good	Fair	20 to 29
14	Yellow Gum	<i>E. leucoxylon</i>	9	10	45	Good	Good	20 to 29
15	Red Ironbark	<i>E. sideroxylon</i>	10	12	72	Fair	Fair	10 to 19

ISSUE / DISCUSSION

Following receipt of the petition, Council officers undertook an assessment of the street trees and found that:

- The subject trees are large significant canopy trees comprised of two native Eucalypt species.
- They all have fair to good health and structure.
- Eight (8) of the trees have Useful Life Expectancies (ULE) of 10-19 years, with the remaining seven (7) having ULE's of 20-29 years. The ULE calculation is based on species, health and condition and the situation the tree is growing in. The value can change from one inspection to another and is typically conservative given the pressures on urban trees.

**RESIDENT PETITION - ST IVES COURT, CROYDON HILLS
Cont'd**

ITEM 3

- The trees have been subject to regular 2 yearly proactive arborist inspections with remedial works being limited to dead-wood removal and clearance pruning.
- Impacts from major storms over recent years has been minimal.
- Disturbance to the footpath has been relatively minor and can be managed in line with our Assets and Operations teams' normal maintenance regimes.

The location is subject to a Significant Landscape Overlay (SLO 4) and therefore a planning permit would be required for the removal of the subject trees as they do not fall into the exemption of "dead, dying or dangerous" based on their health, condition ULE and recent arborist inspections.

The location has been assessed to ascertain if it's a suitable candidate for Council's Capital Works Street Tree Renewal Program, however it does not currently align with the objectives of the program as the existing trees are:

- significant canopy specimens,
- situated on the non-powerline side of the street,
- have medium to long ULEs

FINANCIAL / ECONOMIC ISSUES

The costs associated with the maintenance and management of street trees is typically funded from Council's annual operational budget. The costs of footpath and kerb and channel maintenance are also funded from Council's annual operational budget. Tree removal and replanting as part of the street tree renewal program is funded under Council's capital works budget.

ENVIRONMENTAL / AMENITY ISSUES

In accordance with the Maroondah Planning Scheme, St Ives Court is subject to a Significant Landscape Overlay (SLO 4) requiring a permit for the removal of any tree over 5.0m in height unless deemed to be "dead, dying or dangerous" by a suitably qualified person. The trees in question have been regularly inspected by qualified arborists as part of Council's proactive inspection program and would not fall into the above exemption.

The subject trees are large native canopy specimens which make a significant contribution to the character of the streetscape.

SOCIAL / COMMUNITY ISSUES

The petition was signed by 32 members of the local community.

COMMUNITY CONSULTATION

Council officers have met with the lead petitioner to discuss their concerns regarding the trees prior to the submission of the petition.

**RESIDENT PETITION - ST IVES COURT, CROYDON HILLS
Cont'd**

ITEM 3

CONCLUSION

The resident petition calls for the removal of fifteen (15) street trees which would require a planning permit based on the Significant Landscape Overlay (SLO 4) which applies to the location.

The subject trees are mature canopy specimens in fair to good overall health and condition with medium to long useful life expectancies (ULE).

The street does not currently align to be part of our Street Tree Renewal Program.

Issues of infrastructure maintenance, tree debris and the risk of tree failure are all well within normal maintenance regimes for the shared nature strip space where trees and other assets coexist.

ATTACHMENTS

Not Applicable

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL

- 1. RECEIVES AND NOTES THE PETITION CONTAINING 32 SIGNATURES REQUESTING THE REMOVAL OF STREET TREES AT ST IVES COURT, CROYDON HILLS**
- 2. ADVISES THE LEAD PETITIONER THAT THE TREES WILL BE RETAINED AND SUBJECTED TO A DETAILED ARBORIST INSPECTION. ANY IDENTIFIED TREE AND OR INFRASTRUCTURE MAINTENANCE WILL THEN BE ADDRESSED AS PART OF COUNCIL'S MAINTENANCE PROGRAMS**