

## **COUNCIL MEETING**

**Tuesday 16 May, 2023  
6.30pm**

**Community Hall  
Braybrook Community Hub  
107–139 Churchill Avenue  
Braybrook**

## **AGENDA**

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**12. Urgent Business**

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**14. Meeting Closure**

**Agenda Item 6**

**CONFIRMATION OF THE MINUTES OF THE PREVIOUS COUNCIL MEETING - 18 APRIL 2023**

**Director:** Lisa King  
Director Corporate Services

**Author:** Phil McQue  
Manager Governance and Commercial Services

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**PURPOSE**

To present for confirmation, the minutes of the Council Meeting held on 18 April 2023.

**ISSUES SUMMARY**

- The Maribyrnong City Council Governance Rules requires Council to keep minutes of each Council meeting, and for minutes to be submitted to the next appropriate meeting for confirmation.

**ATTACHMENTS**

1. Unconfirmed Minutes of the Council Meeting held on Tuesday 18 April, 2023

**OFFICER RECOMMENDATION**

**That Council confirms the minutes of the Council Meeting, 18 April 2023.**

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**Agenda Item 6****BACKGROUND**

The minutes of meetings remain unconfirmed until the next appropriate meeting of Council.

**DISCUSSION/KEY ISSUES****1. Key Issues**

Council's Governance Rules requires Council to confirm its minutes at the next appropriate meeting.

**2. Council Policy/Legislation****Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Ethical leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration to support economic growth during the ongoing challenges of the pandemic and beyond.

**Legislation**

*Local Government Act 2020.*

**Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

**Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

**3. Engagement**

Nil.

**4. Resources**

Nil.

**5. Environment**

Nil.

**CONCLUSION**

The unconfirmed minutes of the Council Meeting held on 18 April 2023 are presented for confirmation.

# U N C O N F I R M E D   M I N U T E S



**Maribyrnong City Council**

## **COUNCIL MEETING MINUTES**

**Tuesday 18 April, 2023  
6.30pm**

**Community Hall  
Braybrook Community Hub  
107–139 Churchill Avenue  
Braybrook**

### **MEMBERSHIP**

Councillor Sarah Carter (Chair)  
Councillor Michael Clarke  
Councillor Simon Crawford  
Councillor Jorge Jorquera  
Councillor Cuc Lam  
Councillor Bernadette Thomas  
Councillor Anthony Tran

To be confirmed at the Ordinary Council Meeting  
to be held on 16 May, 2023

# U N C O N F I R M E D   M I N U T E S

## 1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.33pm.

The Chair, Cr Sarah Carter made the following acknowledgement statement:

*“We acknowledge that we are on the traditional lands of the Kulin Nation. We offer our respect to the Elders of these traditional lands, and through them to all Aboriginal and Torres Strait Islander peoples, past and present”.*

## PRESENT

Councillor Sarah Carter (Chair)  
Councillor Michael Clarke  
Councillor Simon Crawford  
Councillor Jorge Jorquera  
Councillor Cuc Lam  
Councillor Bernadette Thomas  
Councillor Anthony Tran

## IN ATTENDANCE

Chief Executive Officer, Celia Haddock  
Director Community Services, Lucas Gosling  
Director Infrastructure Services, Patrick Jess  
Director Corporate Services, Lisa King  
Director Planning and Environment, Laura Jo Mellan  
Manager Finance, Mark Connor  
Manager Customer Engagement, Lauren McKenzie  
Manager Governance and Commercial Services, Phil McQue  
Coordinator Governance, Christopher Southavong  
Governance Officer, Michelle McCulloch

## 2. APOLOGIES

Nil.

## 3. LEAVE OF ABSENCE

Nil.

## 4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

# U N C O N F I R M E D   M I N U T E S

## CHANGE TO ORDER OF BUSINESS

As provided for under Clause 19 and Clause 22.8 of Council's Governance Rules, The Chair, Cr Sarah Carter sought the consent of the meeting to amend the order of business to move the two Notice of Motions at Item 10 forward to be considered before Item 9 – Officer Reports.

The Council consented to this amendment to the Order of Business.

## 5. PUBLIC QUESTION TIME

Public Question Time commenced at 6.37pm and Council received 18 questions.

### Anne Craig

1. Even though I am a member of FOMR (Friends of McIvor Reserve), I understand the basketball community are desperate for access to more indoor courts and have been for a number of years. Regardless of where a new stadium is built it will still be several years before these courts are ready for use. What short term strategies has Council investigated to provide more access to the existing indoor courts within the municipality? Is it possible that finding short term solutions could allow more kids to play basketball now and give council time to find a more suitable site for an indoor stadium, one that doesn't requiring building on parkland?
2. On Council's Facebook page, a member of the basketball community commented that one barrier to court access is not being able to use school courts on the weekend. I know that the department of education has been working with a special development school in Frankston to provide independent access to that school's stadium so community groups can use it on weekends. Has council considered working with the education department to address this barrier?
3. A member of FOMR spoke to administration staff at Caroline Chisolm College, who confirmed that they have indoor courts available, but council won't allow Westgate basketball association to hire them due to limited parking in the area. Can Council confirm if this is this case? And if so, what is council doing to address this barrier?

# U N C O N F I R M E D   M I N U T E S

## **Response**

*The Director Infrastructure Services answered the first question by advising that Council engages with a number of facility owners to maximise public access to indoor courts. The fact remains that provision of recreation facilities and more specifically indoor sports facilities is a core responsibility of Council and a service area that is currently under supplied.*

*The Director Infrastructure Services answered the second question by advising that Council has engaged with the education sector on shared use of facilities. Even with access to education owned courts there remains a shortage of courts. Additionally many of the education owned courts are not suitable for competition use due to reasons such as non-compliant sizing, only single court availability and lack of amenity for competition generally.*

*The Director Infrastructure Services answered the third question by noting that Council has not restricted Westgate Basketball Association to access this site and in fact encourages public use of education facilities.*

## **Sean Thor**

1. Council addressed the absence of Cr Simon Crawford at the last meeting, thoroughly explaining why Cr Simon Crawford wasn't to be either physically or virtually attending the last meeting. Can Council confirm that acceptance of the motion to rescind the vote on the proposed works at Mclvor Reserve will not set a dangerous precedent, and that all Council decisions can now be reviewed without sufficient further evidence?
2. The Crimes Act 1958 considers it to be fraud to gain a person's signature by any false pretence or false representation. Subsequently, will the council be following up with Victoria Police in relation to the fraudulent information circulated by a particular propaganda group that is against the construction of the stadium for our community and children, which knowingly obtained signatures under false pretences?
3. A large number of irresponsible dog owners consistently leave their beloved pets excrement all over the oval on which our children play sports. With such a large off-lead dog park to remain at Mclvor reserve, Can the council commit to introducing fines to off-lead dog owners using the oval sections of Mclvor reserve?

## **Response**

*The Chief Executive Officer answered the first question by noting that Rescission Motions are governed by Division 6 of Council's Governance Rules, which must be adhered to.*

*The Chief Executive Officer answered the second question by advising that Council manages petitions in accordance with clause 54 of Council's Governance Rules. No comment can be made on the Crimes Act 1958.*



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*The Director Planning and Environment Services answered the third question by advising that Council officers regularly patrol and issue fines for breaches under the Domestic Animals Act. Dog owners are required to carry poo bags whether their dogs are on or off lead in Maribyrnong.*

### **Scarlett Griffith**

1. If Councillors are voting against the stadium at Mclvor Reserve, where will a new six court stadium be built? I'm 16 years old and I haven't seen one new court built by Council in my lifetime.
2. Because of Council's delays getting a new stadium approved, what do Councillors have to say to kids who can't get on a netball team, a basketball team or an indoor soccer team because Council doesn't do anything about the shortage of indoor courts? Do Councillors know that clubs like mine have long waiting lists so kids are missing out?
3. I live near Mclvor Reserve and I know where Council wants to build a new stadium, that place is never busy and usually nobody is ever there. Why do some Councillors want to protect this area when thousands of kids for generation after generation would love to play in a new stadium? I went to Kingsville Primary and I know me and my class mates would have loved to play in a new stadium just a few minutes away from the school.

### **Response**

*The Chair advised that the first question pre-empts Councils consideration of Agenda Item 10.2 Item Mclvor Reserve Draft Master Plan – Notice of Rescission, and is therefore unable to be responded to.*

*The Chair responded to the second question by noting that the point is taken that there is a shortage of indoor courts, not just for basketball, hence why Council is looking at the optimisation of existing sites and where new sites can be created. This was demonstrated in Councils Indoor Sports Stadium Strategy.*

*The Chair responded to the third question by noting the statement made.*

### **Pat Baber**

1. I accessed the Mclvor Final Project Report on 29/3 and was astounded to find that included in the report was mention of an assessment to locate a basketball stadium at the southern end of the Reserve. It is very disappointing that at no stage was this option noted in any discussions/plans displayed in "Your City/Your Voice" as being an alternate option considering that it had less impact on green space and the reduction of parking area in Hawkhurst St carpark and possibly could still be an option but maybe with only 4 courts. Can you please explain why was this information not clearly made available during the consultation process?

## U N C O N F I R M E D   M I N U T E S

2. In the Mclvor Final Proposal you indicate a total of 43 car parking spots in the Hawkhurst St carpark, currently there are 66 and 4 disabled a total of 70 all up, which are highly used by bowlers and club visitors. This is a large reduction of carpark spaces with the suggestion that any overflow of cars can park across the road in Gent Street thereby having to cross busy Francis Street. How do you consider that it is acceptable for bowlers and visitors to have to walk up to the lights at Roberts St, cross over and then walk back down Francis St to gain access to their club while other younger sports players have direct access to their venue?

### **Response**

*The Director Infrastructure Services answered the first question by advising that a draft Master Plan identifying a potential indoor sports facility at the northern end of Mclvor Reserve was shared with the community in November 2022, along with the Mclvor Reserve draft Master Plan Project Report, where both the northern and southern options were discussed. This report was also available on Your City Your Voice. The southern option was also highlighted and answered as one of the frequently asked questions on the digital engagement portal in November 2022.*

*The Director Infrastructure Services answered the second question by advising that as part of the detailed design process, the accessibility of facilities for individuals with mobility issues will be addressed and incorporated into any design solution. The Master Plan proposes more carparks that what is currently present. There is no suggestion that access will be via Gent Street, in fact access would be via the new Mclvor Road.*

### **Robin Panousieris**

1. As Sunshine is a national economic cluster ie. Regional centre, why couldn't the councils of Maribyrnong and Brimbank work together and extend the Sunshine Leisure Centre to put in courts as recommended in a youth codesign report?
2. The draft document from 19.7.2018 titled "Maribyrnong Indoor Sports Courts Feasibility Project" provided no recommendations chapter but 3 sites were rated as more appropriate for the indoor basketball stadium. The ratings were out of 100. The Maribyrnong Aquatic Centre, VIC track and Whitten Oval all rated significantly higher as a preferred site compared to Mclvor reserve. Why didn't the council energetically pursue funding for one of these preferred sites?
3. Why hasn't the Council insisted that significant open space be provided by the Bradmill site developers?

# U N C O N F I R M E D   M I N U T E S

## **Response**

*The Director Infrastructure Services answered the first question by advising that Council is in regular contact with surrounding council's regarding their sport planning. Council's and other government bodies planning suggest that multiple courts are required to address current and growing population needs.*

*The Director Infrastructure Services answered the second question by advising that the Whitten Oval and VicTrack land have subsequently been ruled out after discussions with the respective land owners. Robert Barratt Reserve is an existing option in the north of the municipality but does not replace the need for a facility in the south.*

*The Director Planning and Environment Services answered the third question by advising that the Bradmill Site includes passive open space within the site to address the resident's needs. However it does not contain active recreation space such as ovals and sports courts.*

## **Mark Baulch**

1. At the last Council meeting I asked Cr. Clarke about what was promised early last year in regard to upgrades at the McIvor Reserve dog park which included lighting, double gates, and extra bag dispensers, he asked Mr. Jess what was happening with them. Mr. Jess said that he would review where things were at and get back with the answer, I am just wondering when they will be done.
2. At the last Council meeting I asked about the counters on the gates at the McIvor Reserve dog park gates and questioned if there were counters anywhere else, Mr. Jess said that a couple of the places that they are where the Yarraville oval and Quarry Park. I went to Yarraville Oval and knowing Yarraville Oval quite well I couldn't possibly see how they could capture all the entries due to the large openings; I also went to the Oval and saw that they weren't at all the entries so I am wondering what the purpose of them is being there?

## **Response**

*The Director Infrastructure Services answered the first question by advising that a dispenser is now in place at the south west corner of the dog off leash area, so there are now three dog poo bag dispensers in place at that site. All other upgrades are subject to the Draft Masterplan moving forward. Cr Michael Clarke further responded to the question by noting that all on and off lead dog park facilities will continue to be the subject of ongoing Council upgrades that occur as a matter of course.*

*The Director Infrastructure Services answered the second question by advising that the Yarraville oval has been subject to significant vandalism on a regular basis with the sensors put in place to monitor pedestrian traffic movement on the reserve at key locations to support Councils response to the vandalism.*

# U N C O N F I R M E D   M I N U T E S

## **EXTENSION OF PUBLIC QUESTION TIME**

That Council extend Public Question Time for a further 15 minutes.

Moved Cr Anthony Tran

Seconded Cr Cuc Lam

**CARRIED**

Public Question Time was extended at 6.51pm

## **Narelle Browne**

1. Is anything being done, or will anything be done about the motorcyclists doing wheelies on the footpath and tearing up the grass in McIvor Reserve?

### **Response**

*The Director Planning and Environment Services answered the question by advising that Council has notified Police of the damage and seeks where possible to place physical barriers to prevent unwanted access and increase activation of the reserve, without restricting access for users with prams or wheelchairs.*

*It is noted however that this is a Police matter and an issue of community safety. Incidents of this nature should be reported through 000 at the time they are witnessed for Police to attend as Council has no statutory authority to enforce these offences.*

## **Chaedy Ritherdon**

1. The Watswool Woolshed is currently for sale. It had been in the market for some time without any buyers. The site has a heritage-listed building that could get gutted and converted into a stadium, has space for a carpark, and is close to two train stations as well as a main arterial road (Sunshine Road). Have the council approached the owner of this building to see if they would be willing to enter a partnership with the City Council to refurbish this building into a sports stadium? If not, can the council please do this?
2. Why hasn't the Council considered the site identified by Councillor Thomas at the last meeting?

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## **Response**

*The Director Infrastructure Services answered the questions by advising that Council has not approached the building owner. The endorsed direction for Council officers is to proceed with the development of an indoor facility at Mclvor Reserve.*

That Chair, Cr Sarah Carter, declared Public Question Time closed at 6.56pm.

## **6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

### **6. Confirmation of the Minutes of the Previous Council Meetings - 21 March 2023 and 29 March 2023**

The purpose of this report was to present for confirmation, the minutes of the Council Meetings held on 21 March 2023 and 29 March 2023.

### **Council Resolution**

**That Council confirms the minutes of the Council Meetings held on 21 March 2023 and 29 March 2023.**

Moved: Cr Anthony Tran  
Seconded: Cr Bernadette Thomas

**CARRIED**

## **7. REPORTS FROM COMMITTEES**

Nil

## **8. PETITIONS**

Nil

# **U N C O N F I R M E D   M I N U T E S**

## **10. NOTICES OF MOTION**

### **10.1. Notice of Motion 2023/1: Mandatory Cashless Gambling**

#### **Council Resolution**

#### **That Council:**

- 1. Confirms its support for the campaign to introduce mandatory cashless gambling in Victoria, in its role as a Leadership Council, with the Alliance for Gambling Reform.**
- 2. Writes to Katie Hall, Member for Footscray and all Western Metropolitan MLC's seeking their support for the introduction of mandatory cashless gambling in line with the proposal from the Alliance for Gambling Reform, to help protect the Maribyrnong community from gambling harm.**
- 3. Communicates this advocacy position to the Maribyrnong community via social and print media.**

Moved: Cr Bernadette Thomas

Seconded: Cr Jorge Jorquera

**CARRIED**

# U N C O N F I R M E D   M I N U T E S

## 10.2. Notice of Motion 2023/2: Mclvor Reserve Draft Master Plan - Notice of Rescission

### Motion

That the following resolution of the Special Council Meeting dated 29 March 2023:

1. *Note the feedback received from a range of sources on the Draft Mclvor Reserve Master Plan.*
2. *Adopts the Mclvor Reserve Master Plan 2023 and authorises the commencement of;*
  - a. *Schematic design and necessary site planning and due diligence to enable upgrades to the Reserve including the provision of an Indoor Sports Facility*
  - b. *Advocate for State and Federal funding to support implementation of the Master Plan*

be rescinded.

Moved: Cr Bernadette Thomas  
Seconded: Cr Jorge Jorquera

**MOTION LOST**

Cr Bernadette Thomas called for a **DIVISION**.

Councillors Simon Crawford, Jorge Jorquera and Bernadette Thomas voted **FOR** the motion.

The Chair, Sarah Carter and Councillors Michael Clarke, Cuc Lam and Anthony Tran voted **AGAINST** the motion.

**LOST**

### SUSPENSION OF STANDING ORDERS

**That Council suspend standing orders to receive an ANZAC wreath made for Council by the Friends of Cruickshank Park.**

Moved Cr Anthony Tran  
Seconded Cr Cuc Lam

**CARRIED**

*Standing orders suspended at 7:30pm*

# U N C O N F I R M E D   M I N U T E S

## RESUMPTION OF STANDING ORDERS

**That Council resume standing orders.**

Moved Cr Bernadette Thomas  
Seconded Cr Anthony Tran

**CARRIED**

*Standing orders resumed at 7:34pm*

## **9. OFFICER REPORTS**

### **9.1. Consideration of the Proposed Budget 2023/2024**

The purpose of this report was to consider the Budget (Proposed Budget) and to seek Council approval to release the Proposed Budget for public exhibition.



# U N C O N F I R M E D   M I N U T E S

## Council Resolution

That Council:

1. Approve in principle the Proposed Budget 2023/2024.
2. Exhibits the Proposed Budget 2023/2024, invites feedback on the Proposed Budget and hears any person who has requested to be heard in support of their formal feedback on the Proposed Budget, at a meeting to be held on 30 May 2023, at the Community Hall, Braybrook Community Hub, 107–139 Churchill Avenue, Braybrook.
3. Note that the Proposed Budget 2023/2024 includes:
  - a) Passing through a rate increase of 2.98% which is lower than the rate cap of 3.5% set by the Victorian Government.
  - b) A Municipal Charge of \$20.00 for each rateable property for the rating period.
  - c) An increase in waste service charges which have been significantly impacted by the Victorian Government's landfill levy, increased recycling and processing costs and increased contract costs.
  - d) An increase to the Pensioner rate rebate of 3%.
  - e) Borrowing of \$7 million through the Community Infrastructure Loans Scheme (CILS) for the Civic Precinct and Community Hub Capital Project.
  - f) Draw down of \$4.48 million from the Open Space Reserve for Open Space improvements.
  - g) New Capital Works investment of \$44.65 million to maintain, redevelop and improve services and assets.
4. Note a report on public submissions and recommendations to adopt the Proposed Budget will be considered at the Council Meeting on 20 June 2023.

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Moved:	Cr Michael Clarke
Seconded:	Cr Cuc Lam

**CARRIED**

# U N C O N F I R M E D   M I N U T E S

## **9.1. Disability Action Plan (DAP) 2022-2026**

The purpose of this report was to Council to note the key findings of the second phase of community engagement undertaken to finalise the draft Disability Action Plan (DAP) 2022-2026 following a community engagement process and to present the final DAP (Attachment 1) for adoption.

### **Council Resolution**

#### **That Council:**

- 1. Endorse the final Disability Action Plan 2022-2026, shown at Attachment 1;**
- 2. Notes the implementation of the Disability Action Plan will be reported to Council annually.**

Moved: Cr Michael Clarke  
Seconded: Cr Bernadette Thomas

**CARRIED**

## **9.2. Draft Library Plan 2023-25**

The purpose of this report was to provide Council with the Draft Maribyrnong Libraries Plan 2023 – 2025, and outline next steps to gain community feedback prior to finalisation of the Plan.

### **Council Resolution**

#### **That Council:**

- 1. Notes development of the Draft Maribyrnong Libraries Plan 2023-25.**
- 2. Endorses the release of the Draft Maribyrnong Libraries Plan 2023-25 for community and stakeholder engagement via Your City Your Voice.**

Moved: Cr Cuc Lam  
Seconded: Cr Anthony Tran

**CARRIED**

*Cr Clarke left the meeting at 7:57 pm.*

*Cr Clarke returned to the meeting at 7:59 pm.*

# U N C O N F I R M E D   M I N U T E S

## **9.3. Review of Geographic Naming Policy**

The purpose of this report was to present the draft Geographic Naming Policy for Council consideration and endorsement of community engagement.

### **Council Resolution**

**That Council:**

- 1. Notes the updates to the draft Geographic Naming Policy (the draft Policy) shown in Table 1 of this report;**
- 2. Endorses the commencement of community engagement;**
- 3. Notes that once community engagement is complete, a further report will be presented to Council noting the outcome of community engagement and recommending next steps.**

Moved: Cr Bernadette Thomas

Seconded: Cr Anthony Tran

**CARRIED**

## **9.4. Review of Lease and Licence Policy**

The purpose of this report was to present the draft Lease and Licence Policy for Council to consider and endorse the commencement of community engagement.

### **Council Resolution**

**That Council:**

- 1. Notes that the key updates to the draft Lease and Licence Policy (the draft Policy) are shown in Table 1 of this Report;**
- 2. Endorses the commencement of community engagement; and**
- 3. Notes that once community engagement is complete, a further report will be presented to Council noting the outcome of community engagement and recommending next steps.**

Moved: Cr Michael Clarke

Seconded: Cr Anthony Tran

**CARRIED**

*Cr Crawford left the meeting at 8:10 pm.*

*Cr Jorquera left the meeting at 8:10 pm.*

# U N C O N F I R M E D   M I N U T E S

## **9.5. Review of Property Sale, Transfer and Acquisition Policy**

The purpose of this report was to present the draft Property Sale, Transfer and Acquisition policy for Council to consider and endorse the commencement of community engagement.

### **Council Resolution**

**That Council:**

- 1. Notes that the key updates to the draft Property Sale, Transfer and Acquisition Policy (the draft Policy) as shown in Table 1 of this Report;**
- 2. Endorses the commencement of community engagement; and**
- 3. Notes that once community engagement is complete, a further report will be presented to Council noting the outcome of community engagement and recommending next steps.**

Moved: Cr Bernadette Thomas  
Seconded: Cr Cuc Lam

**CARRIED**

*Cr Crawford returned to the meeting at 8:11 pm.*

## **9.6. Councillor Appointment - Community Recovery Committee**

The purpose of this report was to report considers a Councillor appointment to the Community Recovery Committee.

### **Council Resolution**

**That Council appoints Councillor Sarah Carter to the Community Recovery Committee, and Councillor Anthony Tran as substitute, effective 19 April 2023 to November 2023.**

Moved: Cr Anthony Tran  
Seconded: Cr Michael Clarke

**CARRIED**

*Cr Jorquera returned to the meeting at 08:15 pm.*

# U N C O N F I R M E D   M I N U T E S

## **9.7. Governance Report - March 2023**

The purpose of this report was to receive and note the record of informal meetings of Councillors and Councillor delegates' for the March 2023 period, as well as other statutory compliance and governance matters as they arise.

### **Council Resolution**

**That Council notes the Governance Report containing the record of informal meetings of Councillors and Councillor Delegates' Reports for March 2023, which will be made available on Council's website for the term of the current Council.**

Moved:                      Cr Cuc Lam  
Seconded:                Cr Michael Clarke

**CARRIED**

## **11. COUNCILLOR QUESTION TIME**

Nil.

## **12. URGENT BUSINESS**

Nil.

## **13. CONFIDENTIAL BUSINESS**

Nil

## **14. MEETING CLOSURE**

The Chair, Cr Sarah Carter, declared the meeting closed at 8.18pm.

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To be confirmed at the Ordinary Council Meeting  
to be held on 16 May, 2023.

Chair, Cr Sarah Carter

**Agenda Item 7.1**

**NOTING OF THE CONFIRMED MINUTES OF THE AUDIT AND RISK COMMITTEE -  
14 FEBRUARY 2023**

**Director:** Lisa King  
Director Corporate Services

**Author:** Phil McQue  
Manager Governance and Commercial Services

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**PURPOSE**

To present for noting the confirmed minutes of the Audit and Risk Committee meeting, held 14 February 2023.

**ISSUES SUMMARY**

- The Audit and Risk Committee Charter requires Council to note the confirmed minutes at the next appropriate meeting

**ATTACHMENTS**

1. Confirmed Minutes of the Audit and Risk Committee Meeting - 14 February 2023 [↓](#)  


**OFFICER RECOMMENDATION**

**That Council notes the confirmed minutes of the Audit and Risk Committee, 14 February 2023.**

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**Agenda Item 7.1****BACKGROUND**

In accordance with section 53 of the Local Government Act 2020, Council has established an Audit and Risk Committee. As part of the Terms of Reference for the Committee, the confirmed minutes are presented to Council for noting.

**DISCUSSION/KEY ISSUES****1 Key Issues**

The Audit and Risk Committee Terms of Reference and Council's Governance Rules requires Council to confirm its minutes at the next appropriate meeting

**2 Council Policy/Legislation****Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Ethical leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration to support economic growth during the ongoing challenges of the pandemic and beyond.

**Legislation**

*Local Government Act 2020.*

**Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

**Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

**3. Engagement**

Nil.

**4. Resources**

Nil.

**5. Environment**

Nil.

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**Agenda Item 7.1**

**CONCLUSION**

The confirmed minutes of the Audit and Risk Committee meeting held on 14 February 2023 are presented to Council for noting.



**Agenda Item 7.1 - Attachment 1**



**Maribyrnong City Council**

**MEETING OF AUDIT AND RISK COMMITTEE MINUTES**

**Tuesday 14 February, 2023**

**Braybrook Community Hub  
107–139 Churchill Avenue  
Braybrook**

**MEMBERSHIP**

Independent Member Marilyn Kearney (Chair)  
Independent Member Lisa Tripodi  
Independent Member Jeff Rigby  
Councillor Michael Clarke  
Councillor Cuc Lam  
Councillor Sarah Carter (ex-officio)

To be confirmed at the Audit and Risk Committee Meeting  
to be held on 11 April, 2023

## Agenda Item 7.1 - Attachment 1

### 1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 4.32pm.

#### PRESENT

Independent Member Marilyn Kearney (Chair)  
Independent Member Lisa Tripodi  
Independent Member Jeff Rigby  
Councillor Michael Clarke  
Councillor Cuc Lam  
Councillor Sarah Carter (ex-officio)

#### IN ATTENDANCE

Chief Executive Officer, Celia Haddock  
Director Corporate Services, Lisa King  
Director Community Services, Lucas Gosling  
Director Infrastructure Services, Patrick Jess  
Director Planning and Environment, Laura-Jo Mellan  
Manager Governance and Commercial Services, Phil McQue  
Manager Financial Services, Mark Connor

Internal Auditor, Pat Scanlon - NTT  
External Auditor, Cassandra Gravenall - Crowe

### 2. APOLOGIES

Nil.

### 3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

### 4. AUDIT COMMITTEE CHAIR QUESTIONS

4.1 The Chairperson asked the Chief Executive Officer and Internal Auditor if there are "any matters such as breaches of legislation or practices that need to be brought to the attention of the Committee?"

*The Chief Executive Officer and Internal Auditor both responded that no such breaches had been noted.*

4.2 The Chairperson asked the Internal Auditors if the work of the Internal Auditor had been obstructed in anyway?

*The Internal Auditor advised that there had been no obstructions in any way.*

## Agenda Item 7.1 - Attachment 1

### 5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

#### 5. Confirmation of the Minutes of the Previous Audit and Risk Committee Meeting - 15 November 2022

The purpose of this report was to present the minutes of the Audit and Risk Committee Meeting held on 15 November 2022 for confirmation.

#### Committee Resolution

*That the Audit and Risk Committee confirms the minutes of the Audit and Risk Committee Meeting held on 15 November 2022.*

Moved: Cr Michael Clarke  
Seconded: Cr Cuc Lam

**CARRIED**

### 6. BUSINESS ARISING FROM PREVIOUS MEETING

#### 6.1. Actions Arising from Previous Audits

The purpose of this report was to provide a summary to the Audit and Risk Committee on the status of Internal Audit Actions.

#### Committee Resolution

*That the Audit and Risk Committee note the Actions Arising from Previous Audits Report, February 2023.*

Moved: Cr Cuc Lam  
Seconded: Cr Michael Clarke

**CARRIED**

## Agenda Item 7.1 - Attachment 1

### 6.2. Schedule of Recurring Reports and the Responsibility Matrix

The purpose of this report was to provide the Audit and Risk Committee with the Schedule of Recurring Reports and the Responsibility Matrix.

With Council recruiting two new members to the Audit and Risk Committee and appointing a new Chairperson in November 2022, it was considered opportune to review the objective and functionality of the Schedule of Recurring Reports and Responsibility Matrix, to ensure that the Committee is provided with best practice compliance reporting.

#### Committee Resolution

*That the Audit and Risk Committee note:*

- 1. The Schedule of Recurring Reports;*
- 2. The Responsibility Matrix; and*
- 3. That a review of the Schedule of Recurring Reports and Responsibility Matrix is being undertaken with a view to ensuring best practice compliance reporting.*

Moved: Cr Cuc Lam  
Seconded: Cr Michael Clarke

**CARRIED**

### 6.3. Review of Footscray Park Play Space Incidents Report

The purpose of this report was to present the Audit and Risk Committee with an update on the review of Footscray Park Play Space Incidents.

#### Committee Resolution

*That the Audit and Risk Committee note the Review of the Footscray Park Play Space Incidents Report and the progress made to date.*

Moved: Cr Cuc Lam  
Seconded: Cr Michael Clarke

**CARRIED**

## Agenda Item 7.1 - Attachment 1

### 7. REPORTS

#### 7.1. Internal Audit Report - February 2023

The purpose of this report was to provide the Audit and Risk Committee with a summary of completed internal audit activities, and to provide an update on the status of the implementation of the 2022/23 Strategic Internal Audit Plan.

#### Committee Resolution

*That the Audit and Risk Committee:*

- 1. Endorse the NTT Internal Audit – Councillor Expenses Review; and*
- 2. Note the NTT Internal Audit Status Report, as of 1 February 2023.*

Moved: Independent Member Lisa Tripodi

Seconded: Independent Member Jeff Rigby

**CARRIED**

#### 7.2. Draft External Audit Strategy

The purpose of this report was for the External Auditor, Crowe to table the draft External Audit Strategy for the Audit and Risk Committee's.

#### Committee Resolution

*That the Audit and Risk Committee note the draft External Audit Strategy tabled and presented at the 14 February 2023 meeting by Council's External Auditors.*

Moved: Independent Member Lisa Tripodi

Seconded: Independent Member Jeff Rigby

**CARRIED**

## Agenda Item 7.1 - Attachment 1

### 7.3. Road Management Plan - February 2023 Compliance Report

The purpose of this report was to update the Audit and Risk Committee on Council's compliance with the Road Management Plan 2021.

#### Committee Resolution

*That the Audit and Risk Committee note the Road Management Plan - February 2023 Compliance Report.*

Moved: Independent Member Lisa Tripodi

Seconded: Independent Member Jeff Rigby

**CARRIED**

### 7.4. Risk Management Update

The purpose of this report was to update the Audit and Risk Committee on the status of the Risk Registers and the actions undertaken by the Integrity and Risk Management Group.

#### Committee Resolution

*That the Audit and Risk Committee:*

- 1. Note the Risk Management Update, January 2023;*
- 2. Note the outcome of the September 2022 Risk Registers Reviews*
- 3. Note the establishment of the Integrity and Risk Management Group, with revised Terms of Reference, November 2022; and*
- 4. Note the Minutes of the Integrity and Risk Management Group, 4 November 2022 and 8 December 2022.*

Moved: Independent Member Lisa Tripodi

Seconded: Independent Member Jeff Rigby

**CARRIED**

### 7.5. Rates Debtors Update

The purpose of this is to provide the Audit and Risk Committee with an update of the Rate Debtors collection as at 31 December 2022.

#### Committee Resolution

*That the Audit and Risk Committee note the status of Rates Debtors Collection*

Moved: Independent Member Lisa Tripodi

Seconded: Independent Member Jeff Rigby

**CARRIED**

## Agenda Item 7.1 - Attachment 1

### 7.6. Sundry Debtors Update

The purpose of this report was to provide the Audit and Risk Committee with an update of the sundry debtors as at 31 December 2022.

#### Committee Resolution

*That the Audit and Risk Committee note the status of Sundry Debtors.*

Moved: Independent Member Lisa Tripodi  
Seconded: Independent Member Jeff Rigby

**CARRIED**

### 8. MEETING CLOSURE

The Chair declared the meeting closed at 6.03pm.

\_\_\_\_\_  
To be confirmed at the Audit and Risk Committee Meeting  
to be held on 11 April, 2023.

Chair, Independent Member, Marilyn Kearney

**Agenda Item 9.1****FOOTSCRAY PARK - WESTERN LAWN UPGRADE - CONTRACT VARIATION**

**Director:** Patrick Jess  
Director Infrastructure Services

**Author:** Paul Jane  
Manager Recreation and Open Space, Recreation and Open Space

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**PURPOSE**

To seek Council approval for a contract variation to expend additional funds on the Western Lawn Resurfacing project contract No 1205-23 to address site contamination issues.

**ISSUES SUMMARY**

- At the 6 December 2022 Council meeting, Council resolved to :
  - Note that the project remains subject to permit approvals being received from Melbourne Water as the responsible authority.
  - Subject to required approvals being received, awards Contract No 1205-23 Provision of Western Lawn Resurfacing and Services Upgrade to Joslyn Group Pty Ltd for the total contract sum of \$4,740,758.50 (excluding GST)
  - Authorises the Chief Executive Officer to execute Contract No 1205-23 Provision of Western Lawn Resurfacing and Services Upgrade to Joslyn Group Pty Ltd, subject to required approvals being received.
- Council received conditional approval from Melbourne Water in line with the resolution on 23 December 2022.
- A Geotechnical Report was completed in June 2022 to determine the levels of soil contamination. The testing included 21 bore hole locations across Footscray Park nominated by qualified geotechnical engineers and environmental scientists.
- The soil testing identified waste in some locations at a depth beyond the proposed excavation. Based on this finding, the project contingency was identified for any removal of contaminated soil with the intent to retain the remaining soil onsite.
- The contractor established on site and commenced additional soil testing as a requirement of Council's Soil Contamination Management Plan and as a result of the floods in October 2022.
- The soil contamination testing indicated higher levels of contamination than was found in the earlier report. Council engaged an independent soil contamination expert as part of its due diligence to peer review this report and further testing was undertaken.
- The soil contamination is attributed to two distinct site issues being historical contamination and contamination attributed to the October 2022 flood event.



## **Agenda Item 9.1**

- The soil contamination identified has no risk to human health.
- The impact of the additional identified contamination has a significant financial impact on the project cost.
- In order to deliver the project in a cost effective and timely manner, Council undertook a value management process.
- This report recommends a revised scope and associated cost impact and seeks approval to proceed with a contract variation.

### **ATTACHMENTS**

Nil.

### **OFFICER RECOMMENDATION**

**That Council authorise a variation to Contract No 1205-23 Provision of Western Lawn Resurfacing Works and Services Upgrade, to allow for the total contract sum to be increased from \$4,740,758.50 (ex GST) up to \$8,100,000.00 (ex GST).**

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**Agenda Item 9.1****BACKGROUND**

- The Footscray Park Masterplan has identified the Western Lawn as an “active use precinct” since 2011. It is an important large and open community recreation space within limited municipal open space assets.
- The Western Lawn surface has become increasingly degraded over time due to saline soils, poor drainage and slow recovering turf such that large areas are unusable by the community for a significant portion of the year.
- As part of the project scoping due diligence, Council commissioned a Geotechnical Report in 2022 to determine the levels of soil contamination. The testing included 21 borehole locations across Footscray Park nominated by qualified geotechnical engineers and environmental scientists.
- The soil testing identified waste in some locations at a depth beyond the proposed excavation. Based on this finding, the project contingency was identified for any removal of contaminated soil with the intent to retain the remaining soil onsite.
- The contract for the Western Lawn Resurfacing and Services Upgrade was awarded to the contractor at the ordinary Council meeting of the 6 December 2022.
- The contractor established on site and commenced additional soil testing as a requirement of Council’s Soil Contamination Management Plan as a result of the floods in October 2022.
- The soil contamination testing indicated higher levels of contamination than was found in the earlier report, Council engaged an independent soil contamination expert as part of its due diligence to peer review this report and further testing was undertaken.
- The soil contamination is attributed to two distinct site issues being historical contamination and contamination attributed to the October 2022 flood event.
- The impact of the additional identified contamination has a significant financial impact on the project with the requirement to dispose of the contaminated materials off site which required officers to undertake a value management process to consider the project scope and any opportunities to reduce cost whilst not compromising the project’s outcomes.
- This value management process has seen a minor reduction in the scale of the turfed areas to avoid off-site disposal costs.

**DISCUSSION/KEY ISSUES****1. Key Issues****Soil contamination**

Extensive soil testing has been completed and the need for additional soil removal has been the catalyst for the contract variation. The project was tendered on 8 October 2022 prior to the 14 October flood event. This event, whilst not entirely responsible for the site contamination, has contributed to the project cost.

**Agenda Item 9.1****High quality community outcome**

The Western Lawn within the Footscray Park Precinct is a key activity node and requires a surface with the capability of hosting a range of recreational activities. These include active and passive recreation pursuits and major events. The current limiting factor for its activation is the ground surface.

The revised project scope will reduce the premium turf surface by 4000m<sup>2</sup> however is consistent with the area noted in the 2011 Footscray Park masterplan delivering a high quality surface that can adapt to a range of uses.

**Project delays**

The construction program has been delayed due to the additional soil testing however it still indicates that turf installation will occur in September ensuring it can establish during the warmer months. Any further delays in starting the project will impact turf establishment and completion by December.

**2. Council Policy/Legislation****Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will partner with its community to provide and advocate for integrated built and natural environments with access to open spaces that are well maintained, engaging, accessible and respectful of the community and neighbourhoods.

**Legislation**

- *Local Government Act 2020*
- *Water Act 1989*
- *Environment Protection Act 2017*

**Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

**Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

**Agenda Item 9.1****3. Engagement**

The project is consistent with the 2011 Footscray Park Masterplan. Council has advised the community of project delays via social media and a dedicated webpage will be developed for future project updates.

**4. Resources**

Funding sources to be identified and included as part of the 23/24 budget adoption.

**5. Environment**

Melbourne Water approval was received for the works.

**CONCLUSION**

The contract variation will enable this important community project to progress and is in line with the endorsed Footscray Park Masterplan 2011.

Continuing with the project with the high-quality outcome proposed will ensure more open space is available for community use with the capacity to withstand intensive activity.

**Agenda Item 9.2****2023-2024 COMMUNITY GRANTS PROGRAM INITIATION REPORT AND ASSESSMENT PROCESS**

**Director:** Lucas Gosling  
Director Community Services

**Author:** Craig Rogers  
Acting Manager Community Development Positive Ageing  
and Inclusion

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**PURPOSE**

To inform Council of the initiation of the 2023-2024 Community Grant Program and seek endorsement for:

- the 2023-2024 Community Grant Program Guidelines and;
- the establishment an Independent Review Panel (IRP) and the Terms of Reference for the IRP.



**ISSUES SUMMARY**

- The annual Community Grant Program aligns with the Council Plan 2021-2025 and encourages applications that enable community to lead on initiatives that create opportunities to improve community life.
- The current budget for the 2023-2024 Community Grant Program is \$255,000.
- The 2023-24 Community Grants Program is scheduled to open for applications on Tuesday 11 July and close on Monday 14 August 2023.
- A comprehensive communications plan will be designed to promote the Program and engage community and applicants.
- The 2023- 2024 Community Grant Program Guidelines outlining key dates and application guidelines will be available on the Council website and promoted as part of the communications planning.
- Community grant program information sessions will be held.
- Applications will be completed via the online grants management system, SmartyGrants.
- Eligible applications are assessed against the selection criteria identified in the 2023-2024 Community Grant Program Guidelines.
- It is proposed for the 2023-2024 community grant program to establish an Independent Review Panel (IRP) and undertake a two staged assessment. Stage one of assessment will be undertaken by an internal panel comprising Council Officers representing a mix of disciplines who will assess all medium and large grants.
- At stage two of the assessment process the IRP will review all assessments against the selection criteria and confirm the recommendations to Council for endorsement.
- The IRP will comprise three community representatives who will appointed through a public Expression of Interest (EOI) process.
- The Panel will be guided in their role by the (draft) IRP Terms of Reference (ToR).

## Agenda Item 9.2

- Assessment staff and Panel members will be required to participate in induction training.

### ATTACHMENTS

1. Community Grants Program Guidelines 2023\_DRAFT [↓](#) 
2. Terms of Reference - Community Grants Program Independent Review Panel - DRAFT [↓](#) 

### OFFICER RECOMMENDATION

#### That Council:

1. **Note the update regarding delivery of the annual 2023-2024 Community Grants Program;**
  2. **Endorse the Community Grants Program Guidelines 2023-2024;**
  3. **Endorse the establishment an Independent Review Panel (IRP); and**
  4. **Endorse the Community Grants Independent Review Panel Terms of Reference.**
-

**Agenda Item 9.2****BACKGROUND**

The Maribyrnong City Council Community Grants Program was established in 1996 and aims to fund projects that will be of benefit to the communities of Maribyrnong. The delivery of the Program is an identified action of the Council Plan 2021-2025

3.1.1 Implement the community grants program and extend training and support to all applicants, including First Nations and Cultural Group applicants.

In 2022-2023 the grant pool totalled \$255,000 and 33 projects were recommended with a total value of \$276,205 (representing an over spend of \$21,205). Key themes of funded projects in the 2022-2023 round included:

1. Removing barriers to participation for people living with disability
2. Creating and strengthening social connections in community including at risk community members
3. Reconciliation.

The annual community grants programming cycle follows the steps outlined below:

Program Development	Application Process	Assessment Process	Grant Management	Review
<ul style="list-style-type: none"> <li>• review grant program</li> <li>• update and draft grants guidelines</li> <li>• design and implement communications plan</li> </ul>	<ul style="list-style-type: none"> <li>• promote program</li> <li>• conduct information sessions</li> <li>• program opens</li> </ul>	<ul style="list-style-type: none"> <li>• eligibility checks</li> <li>• assessments</li> <li>• independent review panel</li> <li>• finalise recommendations</li> <li>• present Council report</li> </ul>	<ul style="list-style-type: none"> <li>• notifications</li> <li>• funding agreements</li> <li>• finalise payments</li> <li>• relationship management</li> </ul>	<ul style="list-style-type: none"> <li>• monitor grant projects</li> <li>• manage acquittals</li> <li>• annual program reflection</li> </ul>

**DISCUSSION/KEY ISSUES****1. Key Issues**

The Maribyrnong City Council Community Grants Program is conducted in line with sector best practice maximising transparency and minimising risk.

**Community Grant Program Project Focus**

Focus areas for the 2023-2024 Community Grants Program are projects and initiatives that:

- Encourage and remove barriers to participation in community and civic life
- Build community and/or organisational capacity and strengthen networks
- Support and enable community connectedness and wellbeing
- Increase intergenerational and/or intercultural participation, understanding and opportunities

**Agenda Item 9.2****The following communities and projects will be prioritised:**

- First Nations led projects
- Projects from or developed in partnership with CALD communities, LGBTIQ+ people, young people, older people and/or people living with disability

**Budget**

The 2023-2024 budget for the community grant program will be \$255,000. Any changes to the overall budget available for the program could be considered through Council's budget process.

Applications to the Community Grants Program are accepted in three categories:

- Small (Up to \$1000)
- Medium (\$1001 - \$15,000)
- Large (\$15,001 - \$25,000)

**Eligibility & Selection Criteria**

Applicants must meet the following conditions in order to be eligible:

- Address at least one of the key focus areas
- Be a not-for profit community group, community organisation, agency or certified social enterprise
- Deliver the project within the City of Maribyrnong
- Have an Australian Business Number (ABN)
- Have Public Liability Insurance cover of \$20 million
- The majority of project participants live, work, study or volunteer in the City of Maribyrnong

**The following are not eligible/excluded from funding:**

- Projects that do not align with Council policies and values
- Projects already funded by Council
- Projects that are the primary responsibility of other levels of Government
- Organisations with outstanding grant acquittals or debt owing to Council
- Festivals
- Projects that duplicate existing services/projects
- Core business
- Artists seeking funding for their own creative/professional practice



**Agenda Item 9.2**

- Fundraisers & awards
- Capital works and facilities maintenance
- Projects with a religious or political focus
- Educational institutions unless in partnership with an eligible organisation

**Selection Criteria**

Applications will be assessed against the following selection criteria:

- How the project proposal addresses the nominated focus area
- Evidence of collaboration with the identified priority community(ies) in the planning and design and execution of the project proposal
- Benefit to Maribyrnong community
- Evidence of local community need
- The change the project is hoping to achieve and how that change will be made
- Capacity to deliver the project
- The project plan and budget is detailed, realistic and achievable

**Monitoring and Reporting**

All successful applicants are required to complete a project acquittal which includes a financial declaration. Recipients of large and medium grants participate in processes that monitor progress, which may include the provision of outcome reports and service metrics, in order to assess the impact of the grants provided.

**Community Grant Program - Key Dates**

<b>Community Grant Program Milestone Activity</b>	<b>Date Range</b>
<b>Community Grant Program opens</b>	11 July 2023
<b>Community grant promotion and engagement commences</b>	July through August 2023
<b>Community Grant Information Sessions x 2</b>	Dates TBC
<b>Community Grant Program closes</b>	14 August 2023
<b>Eligibility &amp; Assessment</b>	August – October 2023
<b>Council Report</b>	November 2023
<b>Notifications &amp; Promotion</b>	December 2023

**Agenda Item 9.2****Community Grants Assessment – Independent Review Panel**

Assessment is a critical aspect of the grantmaking process. To strengthen the integrity and the transparency of the community grant assessment process it is proposed that, in addition to the current assessment process, an Independent Review Panel (IRP) be established to provide independent review of community grant assessments. With assistance from Council officers the Panel will provide the final advice and recommendations to Council on the grants to be funded for consideration. It is proposed that the Panel should commence for the upcoming 2023-2024 grant round.

The Panel will comprise three experienced community development professionals with an understanding of the community sector, current trends and grantmaking. The independent Panel members will be recruited through an EOI process.

The adoption of the IRP process will provide an additional level of scrutiny and transparency to ensure that decisions are made impartially and with independent oversight.

The Panel will scrutinise and review all medium and large assessments against the selection criteria and confirm the recommendations to Council.

The following table is a summary of the purpose and membership requirements for the IRP outlined in the draft Terms of Reference (TOR) (attached).

<b>Community Grants Independent Review Panel</b>	
<b>Purpose</b>	Provide support to Council in relation to the Community Grants Program.
<b>Responsibilities</b>	<p>The IRP will:</p> <ul style="list-style-type: none"> <li>• Provide independent review of assessments</li> <li>• Participate in formal panel meeting(s)</li> <li>• Ensure that applications have been assessed consistently and fairly against the selection criteria and guidelines</li> </ul>
<b>Panel support</b>	<p>Panellists will be paid a fee (Honorarium). Up to \$1500 per panel member</p> <p>Panellists will undertake an induction prior to the IRP convening</p>
<b>Number of panel members</b>	3 community representatives
<b>Reading &amp; reports</b>	Agenda and all relevant reading materials will be delivered by email to the IRP seven (7) days prior to the panel meeting.
<b>Period of appointment</b>	The period of appointment will be aligned with the life of the Council

**Agenda Item 9.2**

Plan (2023/2024 and 2024/2025 grant rounds)

<b>Facilitation</b>	The Panel discussion will be Chaired by the Director Community Services or Manager Positive Aging and Inclusion.
<b>Finalising recommendations</b>	The Panel shall follow the consensus principle when determining recommendations.
<b>Quorum</b>	Three (3) members are required to form a quorum. In the event a quorum cannot be formed the meeting would be rescheduled. Panel members are requested to advise Council at least 48 hours before the scheduled Panel meeting if they are unable to attend. If a replacement is required Council Officers would seek a suitable delegate from the EOs or another reference group of Council.
<b>Staff Participation</b>	Staff will provide all relevant reading to the IRP. Council Officers may attend the panel discussion to provide advice, expertise and document panel discussion.
<b>Number of panel meetings per annual grant round</b>	A minimum of one panel meeting.
<b>Other information</b>	The panel has no budgetary responsibilities, decision-making powers or delegated authority but serves to make recommendations for Council's consideration.
<b>Review</b>	A review of the IRP will be undertaken prior to the adoption of the new Council Plan or earlier depending on requirements.

**Recruitment Process**

Subject to Council approval, an Expression of Interest (EOI) process inviting applications from community representatives will open on Tuesday 6 June and close on Thursday 29 June 2023. The opportunity will be promoted via Council's website, social media and relevant networks. Applications will be accepted via the online grants management platform Smartygrants.

**Process for Selection of Panel Members**

Following the closure of the EOI process, a selection panel made up of up to three (3) Council Officers will be convened to decide on the selection of the IRP based on the selection criteria:

- Live, work or be able to demonstrate another affiliation with Maribyrnong
- Have relevant and proven experience, skills and qualifications in either community development, health promotion, and / or community services.
- Have an understanding and experience of community grantmaking programs and processes.
- Be familiar and have an understanding of the issues that priority communities may experience.

**Agenda Item 9.2**

Applicants will be notified of the outcome of the selection process in mid-July. Panel members will be required to complete an induction.

**Community Grant Program Assessment Process and Stages**

Eligibility	Assessment Stage 1	Assessment Stage 2	Panel Review	Decision
<ul style="list-style-type: none"> <li>• Applications are reviewed to ensure they meet eligibility requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Internal assessors assess applications against selection criteria</li> <li>• assessments summaries are collated</li> </ul>	<ul style="list-style-type: none"> <li>• Panel review all assessments against guidelines and selection criteria</li> </ul>	<ul style="list-style-type: none"> <li>• Panel convened to discuss assessments.</li> <li>• Finalise the recommendations to Council.</li> </ul>	<ul style="list-style-type: none"> <li>• Recommendations Report presented to Council for endorsement</li> </ul>

The proposed two staged assessment process will ensure that all due diligence is applied. Noting that the community grant program is highly competitive and not all applications that meet the selection criteria can be funded. Priority is given to applications that are from or show evidence of strong collaboration with the identified priority communities in the planning, design and anticipated execution of the project proposal.

**2. Council Policy/Legislation****Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will provide well-planned neighbourhoods and a strong local economy, delivering services that are inclusive and accessible to the whole community, and that support wellbeing, healthy and safe living, connection to the community, and cultural interaction.

**Legislation**

*Local Government Act 2020.*

**Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

**Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

**Agenda Item 9.2****3. Engagement**

The Community Grant Program is a highly visible mechanism that engages community members, community groups and organisations. Community grants are an effective method of building partnerships and nurturing project ambitions that can have a deep and enduring impact on the City of Maribyrnong. Engagement at the application point is an entry point to build Council's intelligence about local communities and through the course of project delivery build community capacity and connections.

**4. Resources**

Resource requirements for training and development and the honorarium fees for Panel members will be met within the Annual Budget 2023/2024. These new resource requirements and impacts on staff resources will be considered as part of future budget bids.

**5. Environment**

Nil.

**CONCLUSION**

The Maribyrnong City Council Community Grants Program is conducted annually and is designed in line with sector best practice to ensure transparency and fairness. The community grant program is highly regarded by community members and community organisations, and the financial contribution of grant funding enables the community to deliver projects that respond to issues they have identified. The community grant program can be a powerful way to build skills, capacity and develop local connections. The introduction of an independent review mechanism to support impartial grant assessment will strengthen the scrutiny of applications and ensure outcomes are fair and transparent.

## Agenda Item 9.2 - Attachment 1

We acknowledge the Traditional Owners of the land, the Wurundjeri Woi Wurrung and Boon Wurrung Bunurong Peoples of the Kulin Nation and pay our respect to their Elders, past, present, and emerging.

## Community Grants Program Guidelines 2023

**The Maribyrnong City Council Community Grant Program provides funding to support projects and initiatives that will benefit the Maribyrnong community.**

The focus for the 2023-24 Community Grant Program is to support projects and initiatives that:

- Encourage and remove barriers to participation in community and civic life.
- Build community and/or organisational capacity and strengthen networks.
- Support and enable community connectedness and wellbeing.
- Increase intergenerational and/or intercultural participation, understanding and opportunities.

## COMMUNITY GRANTS AND THE COUNCIL PLAN

The delivery of the Community Grants Program is an identified action in the [Council Plan 2021-2025](#) and applicants should identify which Council Plan objective their project aligns with when applying.

## FUNDING

A total of \$255,000 is available across three categories:

Category	Funding
Small Grants	Up to \$1,000
Medium Grants	Up to \$15,000
Large Grants	Up to \$25,000

## Agenda Item 9.2 - Attachment 1

### ELIGIBILITY

In order to be eligible applicants must meet **all** of the following criteria:

- Project addresses one of the identified focus areas.
- Be a not-for-profit community group, community organisation, agency, or certified social enterprise.
- Be delivering the project within the City of Maribyrnong.
- Have an Australian Business Number (ABN).
- Have Public Liability Insurance cover of \$20 million.
- The majority of project participants live, work, study, or volunteer in the City of Maribyrnong.

\* *If you do not have not-for profit status, ABN number or insurance you may still be eligible to apply via an auspice organisation.*

\* *Social enterprises must provide evidence of current certification by [Social Traders](#).*

\* *First Nations focused projects should be First Nations led.*

#### The following will be prioritised:

- First Nations led projects.
- Projects from or developed in partnership with CALD communities, LGBTIQ+ people, young people, older people and/or people living with disability.

#### Not eligible for funding:

- Projects that do not align with Council policies and values
- Projects already funded by Council
- Projects that are the primary responsibility of other levels of Government
- Organisations with outstanding grant acquittals or debt owing to Council
- Festivals
- Projects that duplicate existing services/projects
- Core business
- Artists seeking funding for their own creative/professional practice
- Fundraisers & Awards
- Capital works and facilities maintenance
- Projects with a religious or political focus.
- Educational Institutions unless working in partnership with an eligible organisation

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### ASSESSMENT AND SELECTION CRITERIA

Eligible applications will be assessed by a panel who will consider:

- How the project addresses the nominated focus area
- Evidence of community need
- Evidence of collaboration with the identified priority community in the planning design and execution of the project

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- The change the project is hoping to achieve and how will that change be made
- Capacity to deliver the project
- Benefit to the Maribyrnong community.
- Project plan and budget are detailed, realistic, and achievable

### Successful applicants will be required to:

- Sign and return Funding Agreement.
- Provide EFT details and an invoice.
- Meet requirements of any relevant permits and permissions.
- Meet monitoring requirements and submit a grant acquittal that includes comprehensive data about participation and outputs and a financial declaration.
- Complete the project during the 2024 calendar year.

### Monitoring requirements for successful applicants:

Requirement	Small	Medium	Large
Attend Successful Applicant Meeting	Optional	Yes	Yes
Attend Project Update Meeting	No	No	Yes
Submit Acquittal (including Financial Declaration)	Yes	Yes	Yes

## HOW TO APPLY

Applications are submitted online via <http://maribyrnong.smartygrants.com.au>

For technical support see [SmartyGrants Help Guide](#) or [SmartyGrants FAQ](#).

## KEY DATES

**Tuesday 11 July 2023**

Applications open

**July and August 2023**

[Grant Writing Workshop and Community Information Sessions](#)

**4pm, Monday 14 August 2023**

Applications close

**November 2023**

Grant outcomes announced

**2024**

Projects delivered



## Agenda Item 9.2 - Attachment 1

### QUERIES

**Community Grants Officer**  
03 9688 0223  
[grants@maribyrnong.vic.gov.au](mailto:grants@maribyrnong.vic.gov.au)

DRAFT

## Agenda Item 9.2 - Attachment 2

### Maribyrnong City Council

### Community Grants Program Independent Review Panel (IRP)

#### Terms of Reference

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#### 1. Purpose

The purpose of the IRP is to provide an independent review of community grant assessments and to finalise recommendations to Council for projects to receive funding through Council's annual Community Grants Program.

#### 2. Definitions

- **Chairperson** means the representative from Council's Executive Management Team or delegate.
- **IRP** means the Independent Review Panel
- **Community Representative** is a member of the IRP who is not a member of Council staff.
- **Council** means Maribyrnong City Council

#### 3. Meetings of the IRP

- 3.1** The IRP is an annual process with a minimum of one (1) meeting for the purposes of making recommendations
- 3.2** Additional meetings may occur to either induct Panel members on process and responsibilities, and/or in the case where further information/clarity on applications may need to be sought in order to reach final decisions.
- 3.3** Timing of the IRP shall be set by Council and Panellists notified at least two weeks prior except in the case of a rescheduled meeting.
- 3.4** The dates and times of the meeting will be set by the Chair, in consultation with Panel members.
- 3.5** Meetings shall be held at Council Offices at Central West or an appropriate alternative location (including virtually if in person meetings are not possible).

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### 4. Membership of the IRP

#### 4.1 Membership of the IRP

The IRP will be convened by Council and shall comprise:

- a) A Council Director or Manager who will be the Panel's Chairperson (non-voting).
- b) Three (3) community representatives

#### 4.2 Method of Appointment

- 4.2.1 Council shall undertake an open Expression of Interest (EOI) calling for applications.
- 4.2.2 Appointments to the IRP will be undertaken by a selection panel made up of up to three (3) Council Officers.
- 4.2.3 Selection will be based on the following selection criteria:
  - 4.2.3.1 Have relevant proven experience, skills and qualifications in community development, health promotion, and/or community services.
  - 4.2.3.2 Have an understanding and experience of community grant making processes.
  - 4.2.3.3 Be familiar and have an understanding of the issues that priority communities may experience.
  - 4.2.3.4 Live, work or be able to demonstrate another affiliation with Maribyrnong.
  - 4.2.3.5 Where possible, panel members will reflect the diversity of the City of Maribyrnong.
- 4.2.4 If a vacancy occurs during the term, an EOI will be sought through the process identified in 4.2.1 to fill the vacant position for the remainder of the current term.

#### 4.3 Term of Appointment

Community Representatives of the IRP shall be appointed for the life of the Council Plan (the grant rounds of 2023-2024 and 2024-2025.)

### 5. Panel Member Responsibilities

In order to fulfil the Panel's objectives, members are expected to:

- a) All members should participate in meetings in a respectful manner, with the best interests of the community as a focus;
- b) Consider all assessments against the selection criteria;
- c) Prepare for and actively participate in the IRP. Community Representatives will be provided with all materials required to review and comment on the assessments.
- d) The role of the Chairperson is to chair proceedings. The Chairperson will not participate in the voting process.

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- e) Not make public comment on behalf of the group nor seek to advocate on behalf of applicants outside of the assessment process.
- f) Provide a valid Tax Invoice to Council for payment of honorarium.

### **6. Attendance**

Panel members are requested to advise Council at least 48 hours before the scheduled IRP if they are unable to attend.

### **7. Resignation from the Panel**

A member of the Panel may resign from the Committee by advising the Chairperson in writing.

### **8. Conflict of Interest**

**8.1** Panel members must disclose a Conflict of Interest in accordance with the Local Government Act 2020.

**8.2** In the event of a Conflict of Interest arising the Committee Member:

- a) Must disclose the interest and clearly state the nature of the interest at the meeting before the matter is considered.
- b) Must leave the meeting not participate in any discussion and/or decision.
- c) The disclosure must be recorded in the meeting minutes.

### **9. Quorum**

**9.1** Three (3) members are required to form a quorum but does not include either the Chairperson or delegate.

**9.2** In the event a quorum cannot be formed the meeting would be rescheduled.

**9.3** If a replacement Panel member is required Council Officers would seek a suitable delegate from the EOIs or another reference group of Council.

### **10. Chairperson**

**10.1** Meetings will be chaired by the either the nominated Director or Manager or delegate.

### **11. Operations**

**11.1** The IRP has no budgetary responsibilities, decision-making powers (other than providing recommendations) or delegated authority.

**11.2** The IRP shall follow the general consensus principle, when determining its preferred position on matters under discussion.

**11.3** IRP members will not publicly comment on behalf of the group. Neither will it seek to advocate on the needs of individual organisations or applications.

**11.4** IRP members must not permit any person who is not a member of the IRP to view, read, and photocopy or make notes of or in any way record confidential information unless authorised by the Chairperson.

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**11.5** A Senior Officer of Council will act as delegate to the Chairperson and assist in the IRP when required.

**11.6** A Council Officer will provide administrative support for the IRP.

**11.7** The Council will provide the necessary support to assist the IRP to function effectively including:

- a) Providing induction training as required.
- b) Maintaining contacts details of members.
- c) Preparing and distributing agendas and prior reading materials at least one week prior to the Panel meeting.
- d) Relevant Council Officers may attend the Panel discussion to provide advice, expertise and document the panel discussion.
- e) Preparing and distributing meeting minutes.
- f) Preparation of a summary of record as required to report recommendations to Council.
- g) Pay an honorarium of up to \$1500 per community representative.

## **12. Review**

**12.1** A review of the role, function, membership and productivity of the Terms of Reference will be conducted once every four years or as required to ensure currency, effectiveness and stakeholder engagement.

**12.2** Council retains the right to:

- a) Review, amend or alter the operations and membership of this Committee as it deems appropriate and necessary.
- b) Revoke these Terms of Reference at any time.

**Agenda Item 9.3****DRAFT FRAUD AND CORRUPTION FRAMEWORK**

**Director:** Lisa King  
Director Corporate Services

**Author:** Phil McQue  
Manager Governance and Commercial Services

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**PURPOSE**

This report presents the draft Fraud and Corruption Framework for consideration and endorsement by Council.

**ISSUES SUMMARY**

- A draft Fraud and Corruption Framework has been prepared and is proposed to replace Council's existing Fraud and Corruption Policy and Fraud and Corruption Procedure, both currently due for review.
- The proposed Fraud and Corruption Framework represents a best practice approach to controlling fraud, dishonesty and corruption at a strategic and operational level.
- The Audit and Risk Committee in April 2023 considered and recommended the draft Fraud and Risk Corruption Framework for adoption by Council, noting that it was a comprehensive framework.

**ATTACHMENTS**

1. Fraud and Corruption Framework [!\[\]\(c580b67c7cd5c9e9e19f04ff6d5093e0\_img.jpg\) !\[\]\(81f7c93ea32d9f7160f5d63859611838\_img.jpg\)](#)

**OFFICER RECOMMENDATION**

**That Council endorse the Fraud and Corruption Framework, May 2023.**

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**Agenda Item 9.3****BACKGROUND**

Council's Fraud and Corruption Policy and accompanying Fraud and Corruption Procedure were endorsed by Council in 2020 and is the subject of this review, given significant legislative and compliance amendments in recent years.

The review concluded that the existing Council's existing Fraud and Corruption Policy and Fraud and Corruption Procedure be replaced with a holistic Fraud and Corruption Framework, ensuring a best practice approach to controlling fraud, dishonesty and corruption at a strategic and operational level.

**DISCUSSION/KEY ISSUES****1. Key Issues**

The draft Fraud and Corruption Framework has been developed to ensure Council has best practice fraud and corruption controls in place.

The review incorporated the following:

- Updates to reflect provisions of the *Local Government Act 2020*;
- Assessing the framework against a range of metropolitan councils fraud and control frameworks;
- Consider and assess recent VAGO reports dealing with local government fraud control systems, and Council's compliance with any associated recommendations;
- Update and ensuring Council's compliance with the relevant provisions of the Better Practice Fraud and Corruption Control Guide AS 8001:2021;
- Reference the emerging Cyber Fraud Risk, as referenced in the Better Practice Fraud and Corruption Control Guide AS 8001:2021;
- Ensure better alignment with Council's Employee Code of Conduct, Councillor Code of Conduct, Risk Management Framework, Procurement Policy, Disciplinary Policy and Procedure, Selection for Excellence Policy and Protected Disclosure Procedures.

Clause 6.2 of the Audit and Risk Committee Charter provides that the Committee will review the process of developing and implementing the Council's fraud control framework to assist Council in ensuring it has appropriate processes and systems in place to detect, capture and effectively respond to fraud and improper conduct.

The Audit and Risk Committee in April 2023 reviewed the Framework and resolved to recommend it for adoption by Council, noting that it was a comprehensive framework.

**2. Council Policy/Legislation****Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives

**Agenda Item 9.3**

- Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

**Legislation**

*Local Government Act 2020 (Vic)*  
*Protected Disclosure Act 2012 (Vic)*  
*Crimes Act 1958 (Vic)*  
*Independent Broad-based Anti-Corruption Commission Act 2011*  
*Ombudsman Act 1973*  
*Privacy and Data Protection Act 2014 (Vic)*  
*Charter of Human Rights and Responsibilities Act 2006 (Vic)*  
*Audit Act 1994*

**Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

**Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

**3. Engagement**

Nil.

**4. Resources**

Nil.

**5. Environment**

Nil.

**CONCLUSION**

Maribyrnong City Council is the custodian of significant public funds, resources and assets and a structured framework is required to ensure adequate protection from fraud and corruption.

The draft Fraud and Corruption Control Framework comprehensively documents Council's structured approach to controlling fraud and corruption, through prevention, detection, monitoring and reporting.



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## Fraud and Corruption Control Framework

<b>Policy number:</b>	3792	<b>Endorsed by:</b>	Council
<b>Date endorsed:</b>		<b>Policy Author:</b>	Manager Governance and Commercial Services
<b>Policy owner:</b>	Manager Governance and Commercial Services	<b>Review date:</b>	3 years
<b>Policy Status:</b>	Under Review	<b>Policy type:</b>	Council

### REVIEW RECORD

Date	Version	Revision Description
7/2013	1	Fraud and Corruption Control and Whistle Blowers Policy and Procedures 2011 – separated into two policies – Fraud and Corruption Control Policy and Public Interest Disclosures Procedure
09/2015	2	Revision endorsed by Council
09/2018	3	Revision endorsed by Council
02/2020	4	Updated in line with changes to <i>Public Interest Disclosure Act 2012</i> .
05/2023	5	Fraud and Corruption Policy and Procedure amalgamated into Fraud and Corruption Framework. Updated to reflect <i>Local Government Act 2020</i> , changes recommended by the Victorian Auditor General's Office and changes to revised Australian Standard (AS8001:2021).

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### 1 Statement

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Maribyrnong City Council's Fraud and Corruption Framework has been developed with a zero tolerance approach to fraud, dishonesty and corruption.

Maribyrnong City Council is committed to creating a strong culture of integrity and ethics, with a robust governance framework in place, where all are encouraged to report incidents of suspected fraud, corruption and dishonest conduct.

Maribyrnong City Council has developed a structured comprehensive framework for the purpose of fraud and corruption prevention, detection, monitoring and reporting.

### 2 Purpose

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Maribyrnong City Council is the custodian of significant public assets, resources and funds and it is integral that its community has the assurance that it is protected from fraud, corruption and dishonest conduct.

The purpose of the Fraud and Corruption Control Framework is to reduce and eliminate risks of fraudulent and corrupt behaviour and to protect Council from fraudulent behaviour.

The Fraud and Corruption Control Framework forms part of Maribyrnong City Council's risk management framework and outlines fraudulent and corrupt behaviour and clearly defines legal obligations of all members to whom the framework applies.

Maribyrnong City Council will report suspected instances of fraud and corruption to the appropriate authorities. Any failure by staff to comply with the Fraud and Corruption Control Framework may result in disciplinary action in accordance with Council's Disciplinary Procedure.

### 3 Scope

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The Fraud and Corruption Control Framework applies to all Councillors, Council staff, contractors, sub-contractors, temporary staff, agency staff and volunteers of Maribyrnong City Council.

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### 4 Definitions

Term	Definition
<b>Conflict of Interest</b>	A conflict (actual, potential or perceived) between the public duty and personal interests of a Councillors, Council staff, Council volunteer and Council contractor that may be or be perceived to improperly influence the performance of their duties.
<b>Corruption</b>	<p>Dishonest activity in which a person to whom this Framework applies acts contrary to the interests of Council and abuses their position of trust in order to achieve some personal gain or advantage for themselves or for another person or entity or to disadvantage Council.</p> <p>This can also involve corrupt conduct by the organisation, or a person purporting to act on behalf of and in the interests of the organisation, in order to secure some form of improper advantage for the organisation either directly or indirectly.<sup>1</sup></p> <p>Corrupt conduct includes asking for, or receiving a benefit of any kind, the acceptance of a bribe, in any form, which is punishable under law by the Victorian common law offence of 'Bribery of a Public Official' and offences under the <i>Local Government Act 2020</i>.</p>
<b>Disclosure</b>	Disclosure is a report about improper conduct or detrimental action of Maribyrnong City Council or its Councillors or officers, made by an individual or group. The conduct may have occurred in the past, is currently occurring or may happen in the future. It is not a disclosure if the complaint or allegation is already in the public domain.
<b>Fraud</b>	<p>AS 8001-2021 defines fraud and corruption as:</p> <p>Dishonest activity causing actual or potential gain or loss to the Council (including theft of money or other property) and where deception is used at the time, immediately before or following the activity.</p> <p>This includes the deliberate falsification, concealment, destruction or use of (or intention to use) falsified documentation and the improper use of information or position for personal financial benefit.</p>

<sup>1</sup> Australian Standards AS8001-2021: Fraud and Corruption Control

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The theft of property belonging to an entity by a person or persons internal to the entity but where deception is not used is also considered 'fraud' for the purposes of this definition.

Fraud can also involve misuse of confidential information, misuse of Council facilities, resources, and employment conditions, personal use of Council's intellectual property, redirection of goods or services for personal use and inappropriate arrangements with contractors and other third parties.

Offences of fraud may be prosecuted under a number of different Victorian laws. The offences are covered under *the Crimes Act 1958* (Vic).

Examples of fraud, for the purpose of this Framework include, but are not limited to:

- Theft and/or misappropriation of Council revenue in the form of cash, cheques, money order, electronic funds transfer or other negotiable instrument;
  - Theft of plant, equipment, inventory, intellectual property or confidential information;
  - Unauthorised use or misuse of MCC property, plant or equipment, including vehicles, computers, telephones, credit cards and fuel purchase cards;
  - Irregularity in the handling or reporting of monetary transactions;
  - Taking any form of paid or unpaid leave without prior approval, and taking paid leave and failing to complete the required Forms. Deliberate over-ordering of materials or services to allow a proportion to be used for personal purposes;
  - Submission of falsified taxation arrangements for an employee or contractor to circumvent the Council's procedures for engagement of employees and contractors;
  - Submission of fraudulent applications for reimbursement;
  - Payment of fictitious employees or suppliers;
  - Falsification of time records;
  - Forgery, falsification or alteration of documents for the purpose of material gain;
  - Failure to disclose a conflict of interest in the performance of duties as a Councillor, employee or contractor of Council;
  - Any computer related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purposes or misappropriation of Council owned software; and
  - Misrepresentation of qualifications or previous positions held in order to secure a position of employment.
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<b>IBAC</b>	Independent Broad-based Anti-corruption Commission.
<b>Improper Conduct</b>	Improper conduct at its lowest threshold level, is either criminal or serious enough to result in a person's dismissal. It may include taking or offering bribes, dishonestly using influence, committing fraud, theft, misusing information or material acquired at work, conspiring or attempting to engage in corrupt activity.
<b>Investigation</b>	A search for evidence connecting or tending to connect a person (either a natural person or a body corporate) with conduct that infringes criminal law or the policies and standards set by Council.

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### 5 Framework

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#### 5.1 Our Commitment

Maribyrnong City Council is committed to protecting its assets, resources and funds from any attempt by members of the public, contractors, agents, intermediaries, volunteers, Councillors or its employees to gain financial or other benefits by deceit, bias or dishonest conduct.

Maribyrnong City Council's commitment to implement preventative controls will be managed by ensuring a 'zero tolerance' approach to fraudulent or corrupt activity.

This is managed through *Australian Standard 8001-2021 (Fraud and Corruption Control)* and is prevented, detected and responded through the measures outlined below:

- Conflicts of Interest are avoided where possible, declared and managed, to ensure open and transparent decision making;
- Risks associated with fraud and corruption are managed as a high priority activity within Council's risk management programs; and
- Auditing systems are in place to deter and/or identify corrupt activities.

In accepting its responsibility of good governance, Maribyrnong City Council will set the example for transparency and integrity in the management of the Council organisation.

Councillors and employees are advised that where fraudulent or corrupt behaviour is detected, Council will consider the suspension or dismissal of employees and reporting internal and / or external fraudulent or corrupt activity to the relevant authorities and agencies. All reports received will be fully investigated and appropriate action taken.

#### 5.2 Australian Standard for Fraud and Corruption Control (AS8001-2021)

A revised Australian Standards AS2001:2021 Fraud and Corruption Control was released in 2021, and sets the benchmark on how organisations manage and mitigate fraud and corruption risks.

AS2001:2021 recognises and responds to an increase in cyber-attack and technology enabled fraud and provides upgraded guidance on the accountabilities of Council and senior management in controlling organisational fraud and corruption risk. Maribyrnong City Council acknowledges the emergence of cyber fraud as a significant fraud risk in the updated AS2001:2021.

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### 5.3 Fraud Control Resourcing

The Manager Governance and Commercial Services with the assistance of the Manager People and Capability has the overall responsibility for implementing and overseeing the fraud and corruption control program.

Where specialised skills are required, such as forensic accounting, computer forensic analysis, data analytics, and/or complete investigations, an external party may be engaged to assist. Costs associated with engaging external service providers are borne by the Directorate where the work is undertaken.

### 5.4 Fraud and Corruption Detection Program

Maribyrnong City Council's detection program includes the annual internal audit program, annual financial statements, external audit, Audit and Risk Committee oversight, review of risk strategies and various compliance related avenues. Other detection programs may also include:

- Post transactional reviews - a review of transactions after they have been processed. This option may identify or uncover altered documents or missing documentation, falsified or altered authorisations or inadequate documentary support.
- Data mining - the application of sophisticated software applications and techniques where a series of suspect transactions can be identified and then investigated which can identify anomalies at an early stage.
- Analysis of management accounting reports - using relatively straight forward techniques in analysing management accounting reports, trends can be examined and investigated which may be indicative of fraudulent or corrupt conduct.

### 5.5 External Audit

As required under the *Audit Act 1994* and the *Local Government Act 2020*, the Victorian Auditor-General's Office (VAGO) is local government's external auditor. VAGO is required to consider the risk of material misstatement in Council's financial statements, due to fraud when performing their audit (via appointed agent). The Audit and Risk Committee take an active role in considering VAGO's Closing Report and Management Letter.

### 5.6 Internal Audit

The primary responsibility for the identification of fraud and corruption rests with Management, however, Council's Internal Audit activity is designed to complement and be an effective part of the control environment to identify fraud and corruption.

The Internal Audit program is a key independent governance tool that oversees and conducts a series of reviews, which incorporates the detection and prevention of fraud and corruption throughout the organisation.

Internal Audit is designed to consider potential fraud risks to Council and the adequacy of Council's fraud risk controls. If the Internal Auditor locates a fraud or identifies a potential fraud risk, this will be reported to the Chief Executive Officer and the Audit and Risk Committee.



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If deemed necessary, Council will utilise the role of the Internal Auditor in the investigation and reporting of any suspected fraud or corrupt activity.

### **5.7 Internal Controls**

The implementation of effective systems of internal control is an integral part of Council's fraud and corruption framework, particularly for activities assessed as having a high predisposition to the risk of fraud and corruption.

Well planned and documented internal controls will be a major defence for avoiding fraud and corruption. When undertaking projects or reviewing existing practices into the future, consideration will be given to appropriate fraud and corruption controls in the development of outcomes.

Internal controls will be:

- Appropriately documented
- Accessible
- Reviewed and amended regularly
- Communicated effectively
- Subject to review of adherence
- Reported to Council's Audit and Risk Committee

### **5.8 Procedures for the investigation of detected or suspected incidents by the Integrity Panel**

Maribyrnong City Council has procedures in place for investigation of detected or suspected incidents. Where information is received by the Chief Executive Officer and considered to warrant further investigation, arrangements will be made for the relevant Integrity Panel (Director Corporate Services, Manager Governance and Commercial Services, Manager People and Capability) to assess and investigate (if necessary), ensuring the matter is dealt with comprehensively and procedurally fairly for all involved. This may involve external assistance, such as legal advice and forensic investigators.

The procedure will take the following into account:

- Appropriate measures for the comprehensive investigation of such matters based on the principles of independence, objectivity and fair due process (rules of natural justice);
- Systems for internal reporting of all detected incidents;
- Process for reporting the matters of suspected fraud and corruption to the appropriate agency.

#### **5.9.1 Internal Reporting**

The Manager Governance and Commercial Services is the custodial owner of the Incident and Near Miss Register and will ensure all incidents or near misses are recorded in the register. Incident and Near Miss Summary Reports for high or above rated fraud and corruption related incidents will be tabled at an Executive Leadership Team meeting.

All identified fraud and corruption risk are to be recorded in the Fraud Risk Register.

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### 5.10 External Reporting

The Fraud and Corruption Framework provides direction in regard to reporting any suspected fraudulent or corrupt conduct to any external enforcement agencies including:

- Independent Broad-based Anti-Corruption Commission (IBAC) 1300 735 135
- Victoria Police 000
- Local Government Inspectorate

For the purposes of compliance with the relevant provisions of the *Independent Broad-Based Anti-Corruption Commission Act 2011*, Council's Chief Executive Officer is a "Relevant Principal Officer".

The Relevant Principal Officer must notify IBAC of any matter which the person suspects on reasonable grounds involves corrupt conduct occurring or having occurred.

Maribyrnong City Council is committed to ensuring that all allegations, breaches of the Code of Conduct or this Framework, which are considered to be prima facie cases, supported by evidence of fraudulent or corrupt conduct, are notified to the appropriate law enforcement or regulatory agency for investigation.

### 5.11 Internal Control Review Following Discovery of Fraud

Where fraud or corruption is detected, the Director and relevant Manager will be responsible for assessing the adequacy of the relevant internal control environment and provide a report to the Executive Leadership Team on any recommended improvements identified.

Directors will also be responsible for ensuring that recommendations arising out of the assessment are to be clearly allocated in the report with an associated time frame.

The Chief Executive Officer may appoint external subject matters experts to assist with the above.

### 5.12 Employees

This Framework is aligned with and to be read in conjunction with the Employee Code of Conduct.

Employees are responsible for reporting any suspicions of fraudulent or corrupt conduct to their Manager and/or Coordinator. Where an employee does not feel comfortable doing so, they should report such matters to the relevant Director.

The awareness of Council's risk of fraud and corruption controls will be made available through the following:

- Copy of the Employee Code of Conduct and Fraud and Corruption Control Framework will be included in induction packs for all new staff;
- A dedicated page will be established and maintained on the Council intranet in regards to fraud and corruption, including links to all relevant documents and the process for reporting allegations;
- Fraud and Corruption awareness training will be conducted regularly;
- Any substantive changes in the framework or procedure will be communicated to all employees, and if necessary involve further training and development.

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### 5.13 Protected Disclosures

Maribyrnong City Council is committed to encouraging staff, customers and community to report suspicious activity at the first available opportunity, to an appropriate reporting point within the Council or where necessary to an outside authority.

The *Protected Disclosure Act 2012* protects persons who report improper conduct by public officers against reprisals. To support this process, Council has adopted Protected Disclosure Procedures.

Anyone wishing to make a Protected Disclosure should make that disclosure to Council's Protected Disclosure Coordinator. Contact details of the Coordinator are available on Council's website and intranet.

### 5.14 Disciplinary Policy

Council's disciplinary policy outlines the potential disciplinary outcomes that apply in regards to the application of this Framework.

### 5.15 Recovery of Losses

Council will pursue recovery of any losses due to fraud or corruption where there is clear evidence of fraud and corruption and where the likely benefits of such recovery will exceed the funds and resources required to be invested in the recovery action.

### 5.16 Commercial Crime insurance and other insurance related policies dealing with fraudulent or improper conduct

Council will maintain a Commercial Crime Insurance Policy that insures the risk of loss arising from internal fraudulent conduct. The level of the policy will be determined as part of Council's annual insurance renewal program. This will be reported annually to the Integrity and Risk Management Group, alongside Council's other insurance policies.

Insurance for external fraud and corruption, in particular theft of Council property, will also be maintained and reviewed annually by staff in conjunction with the normal annual reassessment of insurance policy cover and limits.

## 6 Responsibilities

All Councillors, Council staff, Delegated Committee members, volunteers, agency staff and contractors are responsible for exercising due diligence and control to prevent and detect fraud and corruption.

Employees responsible for the supervision of staff should endeavour to create a culture of integrity and good governance, reflective of this Framework.

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The accountability and responsibilities for this Framework are outlined below.

Roles	Accountability and Responsibilities
Councillors	<ul style="list-style-type: none"> <li>• Duty to ensure that Council complies with requirements of the <i>Local Government Act 2020</i>.</li> <li>• Comply with requirements of the Framework.</li> </ul>
Chief Executive Officer	<ul style="list-style-type: none"> <li>• Comply with requirements outlined by the Framework.</li> <li>• Responsibility for accountability, resourcing and performance monitoring of the Framework.</li> <li>• Mandatorily notify cases of suspected fraud or corruption to the Independent Broad based Anti-corruption Commission (IBAC), the police and other authorities as required under S 57 of the <i>IBAC Act</i>.</li> <li>• Report incidents to the Audit and Risk Committee.</li> <li>• Responsibility that Council will ensure breaches of this Policy or procedure will result in the appropriate disciplinary action and/or summary dismissal in line with the Maribyrnong City Council Disciplinary Procedures.</li> </ul>
Executive Leadership Team	<ul style="list-style-type: none"> <li>• Comply with requirements of the Framework.</li> <li>• Effective implementation of procedures and processes to support the Framework.</li> <li>• Responsibility to generate a 'zero tolerance' environment for fraudulent and corrupt behaviour.</li> <li>• Ensuring appropriate internal fraud controls and preventative measures are in place and monitoring effectiveness and organisational compliance.</li> <li>• Provide resources and instructions relative to responsibilities and fraud and corrupt conduct reporting requirements.</li> <li>• Report suspected incidents of fraud or corruption to the Chief Executive Officer.</li> </ul>
Managers and Coordinators	<ul style="list-style-type: none"> <li>• Comply with requirements outlined by the Framework.</li> <li>• Identify risk exposures and undertake regular risk assessments to minimise corrupt and fraudulent activities.</li> <li>• Provide guidance and instruction relative to responsibilities and fraud and corrupt conduct reporting requirements.</li> <li>• Ensure all Council staff, contractors and volunteers understand their personal obligations under this Framework.</li> <li>• Maintain effective auditing and reporting on key financial systems.</li> <li>• Undertake a risk assessment, where fraud and/or corrupt conduct occurs.</li> </ul>

### Agenda Item 9.3 - Attachment 1

	<ul style="list-style-type: none"> <li>• Monitor and actively manage excessive outstanding leave of staff in risk exposure areas.</li> <li>• Report suspected incidents of fraud or corruption to the appropriate Director.</li> </ul>
Governance and Commercial Services	<ul style="list-style-type: none"> <li>• Comply with requirements outlined by the Framework and any procedures developed to complement this Framework.</li> <li>• Review and manage the Framework ensuring it reflects best practice controls, standards and initiatives.</li> <li>• Investigate fraud and corruption reports and incidents and provide a report to the Chief Executive Officer.</li> <li>• Maintain the Fraud and Corruption Incident Register.</li> <li>• Coordinate and provide fraud and corruption training and awareness for the organisation.</li> <li>• Coordinate Council's Internal Audit program.</li> <li>• Collaborate with the Integrity and Risk Management Group (IRMG).</li> </ul>
Audit and Risk Committee	<ul style="list-style-type: none"> <li>• Provide independent advice and guidance to Council on risk management, fraud prevention, corrupt activities and internal audit activities.</li> <li>• Report any irregularities identified during the external audit of Council in accordance with relevant legislation and accounting standards.</li> <li>• Receive reports and make recommendations on specific projects and investigations.</li> <li>• Receive reports on the implementation of the Framework.</li> </ul>
Council Staff/Contractors/Volunteers	<ul style="list-style-type: none"> <li>• Responsibility to understand obligations under the Framework and report any risks, exposures or suspected fraudulent or corrupt activity to the responsible Manager.</li> </ul>
Integrity and Risk Management Group (IRMG)	<ul style="list-style-type: none"> <li>• Responsibility to monitor, report and guide the implementation of this Framework, to minimise fraud and corruption within the organisation.</li> </ul>
Integrity Panel	<ul style="list-style-type: none"> <li>• Comprises the Director Corporate Services, Manager Governance and Commercial Services and Manager People and Capability.</li> <li>• To assess and investigate where necessary complaints received in accordance with the Framework.</li> </ul>

## Agenda Item 9.3 - Attachment 1

### 7 Related Legislation & Documents

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*Local Government Act 2020*

*Protected Disclosure Act 2012 (Vic)*

*Crimes Act 1958 (Vic)*

*Independent Broad-based Anti-Corruption Commission Act 2011*

*Ombudsman Act 1973*

*Privacy and Data Protection Act 2014 (Vic)*

*Charter of Human Rights and Responsibilities Act 2006 (Vic)*

*Audit Act 1994*

*Employee Code of Conduct*

*Councillor Code of Conduct*

*Procurement Policy*

*Risk Management Policy*

*Gifts and Hospitality Policy*

*Public Interest Disclosure Procedures*

*Recruitment and Selection Guidelines and Policy Check Policy*

*Register of Interests Policy*

*Audit and Risk Committee Charter*

*Integrity and Risk Management Group Terms of Reference*

*Risk Management Principles and Guidelines AS/NZS ISO 31000-2009*

*Australian Standard on Fraud Control and Corruption Control (AS8001:2021)\**

*Revised Standard AS8001:2001 was released in June 2021, in particular recognises, and responds to an increase in cyber-attack and technology enabled fraud and provide guidance on the accountabilities of Council and senior management in controlling organisational fraud and corruption risk.*

### 8 Review of Framework

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This Framework will be reviewed in three years from the date of endorsement, or as legislation required, or Council determines a need has arisen.

**Agenda Item 9.4****REVIEW OF ENTERPRISE MARIBYRNONG DELEGATED COMMITTEE**

**Director:** Laura Jo Mellan  
Director Planning and Environment Services

**Author:** Francesca O'Brien  
Manager City Futures

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**PURPOSE**

The purpose of this report is to outline a review Council's Enterprise Maribyrnong Delegated Committee (EMDC), with a recommendation on a more effective mechanism to facilitate the same objectives and outcomes, without the requirement for a Delegated Committee.

**ISSUES SUMMARY**

- Council resolved in 2015 to establish the Enterprise Maribyrnong Special Committee for the purpose of allocating business grants in the Footscray and Yarraville business districts and promoting economic development within Maribyrnong.
- Over the ensuing 5 years the 'Business Improvement District Grant (BID Grant)' program evolved and was opened up for other business precincts such as Seddon and West Footscray.
- In August 2020, the Enterprise Maribyrnong Delegated Committee (EMDC) was created to replace the previous committee with the objective of assisting Council to achieve its vision of Maribyrnong as a leader in urban economic transition and renewal, and to create vibrant and successful urban places with excellent business opportunities and meaningful employment.
- The EMDC was established by Council pursuant to section 63 of the *Local Government Act 2020*, and is regulated by prescribed requirements of the *Local Government Act 2020* and Councils' Governance Rules.
- The EMDC is independently chaired and comprises 11 representatives from key business sectors and Councillor representation, with prescribed powers and functions as per the adopted Instrument of Delegation.
- A core function of the EMDC is to assess and allocate economic and business grant funding.
- A review of the BID Grant Program in 2021 saw changes introduced which have negated the need for a delegated Council committee to make decisions on the allocation of economic grants.
- Council was advised in December 2022 that a review of the EMDC was being undertaken with a report to be presented to Council for consideration in 2023.
- The review found that the current format of EMDC, being a formal committee of Council, is too formalised and provides little opportunity for discussion and provide feedback to help guide Council's economic program.
- The review also found that the EMDC role of overseeing the BID Grant program is no longer required due to changes in the way the grant funding is administered.

**Agenda Item 9.4**

- The impacts of the Covid-19 pandemic and the economic recovery work that Maribyrnong City Council is undertaking requires a more agile way of engaging with experts in business, economic development and innovation.
- A review of the EMDC has found that a more appropriate mechanism for the provision of strategic business and economic strategy advice is in the form of an advisory panel.

**ATTACHMENTS**

1. EMDC Terms-of-Reference [!\[\]\(448bd415caa8b52d2aeb4d58499267b2\_img.jpg\)](#) 
2. Maribyrnong Business, Economic Development & Innovation Advisory [!\[\]\(5dc449795a3a9c8d29c257423584cf78\_img.jpg\)](#) 

**OFFICER RECOMMENDATION**

**That Council:**

1. **Note the review of the Enterprise Maribyrnong Delegated Committee;**
  2. **Note the achievements and contribution of the Enterprise Maribyrnong Delegated Committee to the economic development and regeneration of Maribyrnong;**
  3. **Resolve to disband the Enterprise Maribyrnong Delegated Committee and revoke the Instrument of Delegation, effective 17 May 2023;**
  4. **Thank the Enterprise Maribyrnong Delegated Committee members for their participation and contribution;**
  5. **Establish the Maribyrnong Business, Economic Development and Innovation Advisory Panel to provide strategic advice to Council on the implementation of economic initiatives and provide opportunities for Council to proactively seek expert advice from representatives who are key to real and sustained economic growth in our municipality;**
  6. **Note that an Expression of Interest process will be undertaken to call for members of the Maribyrnong Business, Economic Development and Innovation Advisory Panel and a further report will be presented to Council to advise of the selection of members; and**
  7. **Note the draft Terms of Reference for the Maribyrnong Business, Economic Development and Innovation Advisory Panel, shown at Attachment 2.**
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**Agenda Item 9.4****BACKGROUND**

The business community is an important part of the City of Maribyrnong that creates local employment, adds vibrancy to our community and plays a critical role in issues such as environmental sustainability.

The Council Plan 2021 – 2025 places strong emphasis on supporting our local business community. It is most notable in these two ‘Strategic Objectives’:

**A Place For All:**

Council will provide well-planned neighbourhoods and a strong local economy, delivering services that are inclusive and accessible to the whole community, and that support wellbeing, healthy and safe living, connection to the community, and cultural interaction.

**Future Focussed**

Council will plan and advocate for new infrastructure and safe, sustainable and effective transport networks and a smart innovative city that encourages and supports new generations to thrive.

**Economic Snapshot**

The City of Maribyrnong is home to nearly 8,500 registered businesses, employing 44,242 people. With a total number of 47,058 employed residents (as per 2021 census) this represents a Jobs to Workers Ratio of 0.94. That is, for every employed resident there is nearly one local job available.

As our population is expected to continue to grow, there is a need to continue to grow our economy and availability of local jobs in order to keep this ratio closer to 1 which is regarded as ideal to ensure future economic prosperity for the local population.

The top employment sectors within the City of Maribyrnong as at the 2021 Census are:

<b>Sector</b>	<b>Jobs</b>	<b>% of total</b>	<b>Change between 2015/16 – 2020/21</b>
Health Care & Social Assistance	7,619	17.2%	+373
Retail Trade	7,051	15.9%	+356
Education & Training	4,328	9.8%	-369
Transport Postal & Warehousing	3,740	7.9%	+749
Manufacturing	3,512	7.9%	-264
Construction	2,687	6.1%	+133
Accommodation & Food Services	2,627	5.9%	-246
Wholesale Trade	2,364	5.3%	+797
Other Services	2,015	4.6%	-81
Public Administration and Safety	1,965	4.4%	-11
Professional, Scientific and Technical Services	1,862	4.2%	+108
Arts and Recreation Services	984	2.2%	+105

**Agenda Item 9.4****DISCUSSION/KEY ISSUES****1. Key Issues****Enterprise Maribyrnong Delegated Committee**

The Enterprise Maribyrnong Delegated Committee (EMDC) was established by Council in August 2020, pursuant to section 63 of the *Local Government Act 2020* and operates under Council's Governance Rules with the same prescribed meeting requirements as Maribyrnong Council meetings.

The Instrument of Delegation prescribes the following specified functions and powers:

To exercise Council's functions and powers to perform Council's duties in relation to the management of the City Development Delegated Committee, and for those purposes:

1. determining the allocation of business grants for proposals to improve enterprise in the City's business districts in line with Council Plan priorities;
2. advising Council on economic development issues which have an impact on Maribyrnong City Council where appropriate or requested;

and for those purposes to do all things necessary or convenient to be done for or in connection with the performance of those functions, duties or powers.

The EMDC Terms of Reference, shown at attachment 1, outlines the following responsibilities:

- Provision of strategic advice on the delivery of Council Plan goals and actions; Economic Development initiatives, programs and priorities; emerging economic development issues for the City; and the impact of State and Commonwealth economic development policy.
- Receive reports and provide comment and advice on relevant Council policies, strategies and activities as they relate to economic development.
- Promote and contribute to improving networks and connections with peak bodies; regional organisations; and key community and stakeholder groups relevant to the Economic Development policy area.
- Assist Council to identify and develop effective partnerships with other levels of Government, business organisations and peak organisations to ensure a coordinated and collaborative approach to critical economic development issues in Maribyrnong.
- Assist in identifying opportunities for business expansion to both local and new businesses.
- Proactively promote Maribyrnong's business credentials.
- Provide input on individual projects where directed by Council.
- Provide advice based on expertise on granting of business improvement district grants for Footscray and Yarraville Business Centres on proposals to improve enterprise in the local areas.

**Agenda Item 9.4**

The EMDC Terms of Reference require the EMDC to meet five times per year. During 2021 and 2022, the EMDC met three to four times annually, with the meetings primarily being presentations from Council officers to update the Committee on various economic development programs and to seek advice on key pieces of work including:

- Business Elevate Program,
- Love Your Local Campaign
- Smart City Strategic Framework
- Spendmapp
- Outdoor Dining Policy
- Business Needs Survey
- Victoria University Project Updates.

Despite the wide-ranging Terms of Reference, a review has found that the EMDC is not fulfilling the original objectives prescribed by Council and it is not exercising its functions and powers, other than some oversight of the business grant processes. This is largely due to the format of the meetings which are highly structured and formal with very little time for discussion and workshoping of ideas.

A review of the Business Improvement District (BID) Grant program was undertaken in 2021 and the program has evolved to a more streamlined process for distributing funds. Trader groups are now allocated funds based on a set of criteria and the provision of a 12 month action plan, so there are no competitive grant applications to review. As such, this has negated the need for the EMDC to assess and approve funding for the BID program. It has also removed the risk of any potential conflicts of interest for EMDC members in allocating funding.

In 2020, Council resolved to introduce a program of micro-grants to support businesses most affected by the Covid-19 pandemic. The grants were in the form of \$1500 cash grants provided to business who met the eligibility criteria. The grants were successful in providing much needed immediate support for businesses in 2020 and 2021, but were not designed to be an ongoing program.

In early 2022, the Business Elevate Program was introduced where a panel of local business suppliers was established via an Expression of Interest process, and then other local businesses are able to apply for \$2000 vouchers that can be used with one of the panel businesses. This business-to-business grant was designed in response to direct feedback Council received from the business community to replace the micro-grants introduced in 2020 in response to the Covid-19 pandemic.

This revised grant program has removed the need for the EMDC to make decisions regarding specific business grant allocations, and these grants are administered under delegation by the Director Planning and Environment.

Current members of the EMDC have all exceeded their 24 month terms, and a review of the Committee is appropriate given the need for a more agile and responsive approach to seeking strategic advice and input into Council's economic programs.

**Agenda Item 9.4****Establishment of an advisory panel**

It is proposed that a Business, Economic Development and Innovation Advisory Panel be established.

The purpose of the change from a delegated committee to an advisory panel is threefold:

- To enable a more agile and responsive advisory role in key strategic areas of business, economic development and innovation.
- To expand the scope of strategic advice that a panel can provide to Council – particularly in the areas of innovation and broader economic development issues that may also require advocacy to State and Federal Governments.
- To remove the requirement for the operation of such a panel to be encumbered by governance rules of a delegated committee of Council.

The primary role of this Panel is to provide high-level independent expert advice to Council on:

- Economic development activities and advocacy required to support the recovery of Maribyrnong's businesses and economy affected by the Covid-19 pandemic, including the retail and hospitality sectors and emerging sectors such as tech start-ups and commercial creative industries.
- The support of our night time economy consistent with the objectives of our Festivals and Activation Framework adopted by Council in October 2022.
- Strategies for Council to support a range of economic areas such as trade and investment attraction, talent attraction, the innovation economy, green economy, sustainable finance, equitable economy and the visitor economy.
- The development and implementation of strategic initiatives and future economic strategies to set the pathway for Maribyrnong's contribution over the medium to long term of our local economy, particularly the Footscray Activity Centre and areas undergoing significant transition including Tottenham, West Footscray, Maidstone and Braybrook in a post Covid-19 environment.

Collaborative effort and partnerships between public and private sectors are central to recovery and achieving economic resilience and will be an important mechanism for delivery of Maribyrnong City Council's economic development program. This requires engagement from:

- small to medium enterprises which have been disproportionately impacted by the pandemic, particularly in hospitality, culture, retail and tourism which are central to thriving visitor and night-time economies
- large anchor institutions such as government, universities and big business who will play an important role in economic recovery, both through their own productivity and collectively through their local purchasing power
- the innovation economy, who will play a critical role in productivity rise, growth of knowledge-based jobs, active research and commercialisation, accelerating emerging growth sectors, particularly in the green economy and attracting investment and talent.

The membership of the Business, Economic Development and Innovation Advisory Panel will include a broad range of members who are highly recognised in relevant professional fields and who have demonstrated experience and local knowledge.

**Agenda Item 9.4**

This panel will provide an opportunity for Council to proactively seek expert advice from representatives of groups who are key to real and sustained economic recovery.

It is proposed that membership will consist of up to 13 members including the Mayor (or delegate) and one Councillor.

Council recognises the significance of Victoria University, GPT Group (Highpoint Shopping Centre), Western Health (Footscray Hospital) and Footscray Arts Centre as key stakeholders in the local economy and one position on the Advisory Panel will be allocated to each organisation via nomination.

For the remaining seven positions on the Panel, it is recommended that the following industries/business sectors be targeted:

- Retail (High street/small format)
- Creative industries
- Manufacturing/logistics/construction
- Night time economy: hospitality/entertainment
- Employment and training services
- Professional services
- Technology and start-ups
- First Nations businesses
- Migrant businesses
- Home-based business

Eligibility requirements for members of the Advisory Panel are set out in the draft Terms of Reference as shown at Attachment 2, specifically:

- a requirement for representatives to live, work or study in the City of Maribyrnong
- a statement of purpose by the representative, that is, the reason for applying
- a list of the skills, knowledge and/or experience which will be brought to the Advisory Panel.

It is recommended that an Expression of Interest process be undertaken to call for members to self-nominate to be part of the Panel and demonstrate their skills and experience.

It is recommended that the Advisory Panel be appointed for a three (3) year term.

**2. Council Policy/Legislation****Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

**Agenda Item 9.4****Legislation**

Section 63 of the *Local Government Act 2020* prescribes the requirements of the establishment and operation of a Delegated Committee.

*Delegated Committees*

(1) *A delegated committee established by a Council—*

*(a) must include at least 2 Councillors; and*

*(b) may include any other persons appointed to the delegated committee by the Council who are entitled to vote.*

(2) *A meeting of a delegated committee established by a Council must be chaired by—*

*(a) a Councillor appointed by the Council or the Mayor to chair meetings of the delegated committee; or*

*(b) if the Councillor appointed by the Council or the Mayor to chair meetings of the delegated committee is not present at the meeting, a Councillor who is present at the meeting and is appointed by the members of the delegated committee who are present at the meeting.*

By replacing the current delegated committee structure with an advisory panel, the provisions of the *Local Government Act 2020* will not apply to its operation and management.

**Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

**Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

**3. Engagement**

An Expression of Interest process will be undertaken in order to call for and select members of the Maribyrnong Business, Economic Development and Innovation Advisory Panel.

The Expression of Interest will be advertised on all relevant Council-communication channels and existing members of the Enterprise Maribyrnong Delegated Committee will be invited to apply.

Eligibility requirements for members of the Advisory Panel are set out in the draft Terms of Reference as shown at Attachment 2.

Following the Expression of Interest process, Council staff will assess all applications and the Chief Executive Officer will prepare a report for Council endorsement of the recommended members of the Advisory Panel.

**Agenda Item 9.4****4. Resources**

The operation of the Maribyrnong Business, Economic Development and Innovation Advisory Panel will be managed using existing Council resources. The secretariat of the advisory panel will be managed by Council's City Futures department with the support of the Governance team.

**5. Environment**

The Maribyrnong Business, Economic Development and Innovation Advisory Panel presents an opportunity to harness the expertise of our business community to further the objectives of our Climate Emergency Strategy and Action Plan. Business is a key player in the implementation of environmentally sustainable projects.

The operation of the advisory panel and the recommendations made to Council as a consequence of their deliberations will include relevant consideration for environmentally sustainable practices and outcomes.

**CONCLUSION**

The Enterprise Maribyrnong Delegated Committee has assisted Council over the past three years in approving critical grant funding to help support businesses at the height of the Covid-19 pandemic. As we enter the key recovery phase from the pandemic and look to sustained economic growth and prosperity for our local economy it is timely to review the Committee and make recommendations about its future. The proposed replacement of the Committee with the Maribyrnong Business, Economic Development and Innovation Advisory Panel will bring it into line with similar advisory panels providing expert advice to Council on our key strategic pillars. An Advisory Panel will provide a more agile and responsive way to seek expert advice and apply it to the implementation of various programs and inform future work.



## Agenda Item 9.4 - Attachment 1

### Terms of Reference

## Enterprise Maribyrnong Committee

### Objective

The Enterprise Maribyrnong Special Committee ('the Committee') assists Council to achieve its vision of Maribyrnong as a leader in urban economic transition and renewal, and to create vibrant and successful urban places with excellent business opportunities and meaningful employment.

### Responsibilities

The responsibilities of the Committee include:

- Provision of strategic advice on the delivery of Council Plan goals and actions; Economic Development initiatives, programs and priorities; emerging economic development issues for the City; and the impact of State and Commonwealth economic development policy.
- Receive reports and provide comment and advice on relevant Council policies, strategies and activities as they relate to economic development.
- Promote and contribute to improving networks and connections with peak bodies; regional organisations; and key community and stakeholder groups relevant to the Economic Development policy area.
- Assist Council to identify and develop effective partnerships with other levels of Government, business organisations and peak organisations to ensure a coordinated and collaborative approach to critical economic development issues in Maribyrnong.
- Assist in identifying opportunities for business expansion to both local and new businesses.
- Proactively promote Maribyrnong's business credentials.
- Provide input on individual projects where directed by Council.
- Provide advice based on expertise on granting of business improvement district grants for Footscray and Yarraville Business Centres on proposals to improve enterprise the local areas.

### Delegated Authority

The Committee is established as a Special Committee pursuant to Section 86 of the Local Government Act 1989 ('the Act'). The Committee provides advice based on expertise on granting of the business improvement district grants for Footscray & Yarraville Business Centres in line with grants criteria.

### Membership

The Committee comprises representatives from Maribyrnong's key business sectors such as manufacturing, education, retail, and creative industries and Councillor representation. It is anticipated members will bring business experience and skills, relevant network connections, innovative thinking, enthusiasm and passion for Maribyrnong's future prosperity.

The Committee comprises a maximum of eleven (11) members including an independent Chair, the Mayor and two (2) additional Councillor representatives.



All members must have a business, property or community interest within the City of Maribyrnong or be a member/employee of an organisation with such interest. Where membership is limited to a single sector, organisation members will be invited. An Expression of Interest process will be undertaken for sectors with multiple organisations. Representatives will include:

Members	Business Sector	Membership Process
1	Independent Chair	EOI to be undertaken
1	Education, Training and Footscray University Town	Single sector Representation – VU.
1	Retail Regional	Single sector Representation – Highpoint.
2	Retail Local (with registered trader organisations – Footscray and Yarraville)	EOI to be undertaken
3	Manufacturing, Transport and Logistics, Creative Industries, and Finance	EOI to be undertaken

Ex-officio members may be appointed to assist with nominated projects during the life of the committee.

The Committee will be supported by the City Business unit.

### **Tenure**

The Mayor and Councillors are appointed for a term of twelve (12) months.

All other members of the Committee are appointed for a term of twenty four (24) months.

### **Review**

The Terms of Reference will be reviewed every two (2) years.

### **Meetings**

Conduct of all meetings must comply with the Act, Council's Governance Local Law and Meeting Procedure and any Council resolutions.

Five (5) meetings will be held per annum (March, May, July, September and November) and generally be of two hours duration. No meetings will be held during a caretaker period before an election.

Members must commit to attending all meetings. The office of any member may be deemed vacant if they are absent for three (3) or more meetings per annum.

All members, including the Chair, present at a meeting, will have one vote on each matter.

The quorum of any meeting will be a majority of members of the Committee. A question before the Committee must be determined by majority vote of members present, following the procedures set out in section 90 of the Act.

All meetings of the Committee are open to the public unless the Committee resolves that the meeting is closed as per section 89(2) of the Act.

### **Conflicts of interest**

## **Agenda Item 9.4 - Attachment 1**

All members of the Committee must comply with conflict of interest rules as set out in the Act by disclosing a conflict of interest and removing him/herself from the decision making process.

All members must complete and submit:

- a) A primary return within 30 days of becoming a member; and
- b) An ordinary return twice a year thereafter

Members of the public may apply to inspect the return of any committee member.

### **Confidential information**

Committee members must not disclose confidential information. *Confidential information* means information which is:

- provided to the committee in relation to a matter considered at a closed meeting;
- designated as 'confidential' by resolution of the committee; or
- designated as confidential by the CEO and the Council/committee has not resolved the information is not confidential

### **Evaluation and reporting**

Minutes of meetings must be kept as per the requirements set out in section 93 of the Act.

The committee must report to Council:

- a) Annually on the outcomes of its activities and priorities identified for the following year; and
- b) At any other time as required by Council.



### **(Draft) Terms of Reference**

Name: Maribyrnong Business Economic Development and Innovation  
Advisory Panel

Approved by: Council

Date Approved:

Last reviewed:

#### **1. PURPOSE**

The business community is an important part of the City of Maribyrnong that creates local employment, adds vibrancy to our community and plays a critical role in issues such as environmental sustainability.

The Council Plan 2021 – 2025 places strong emphasis on supporting our local business community.

The primary role of this Panel is to provide high-level expert advice to Council on:

- Economic development activities and advocacy required to support the recovery of Maribyrnong's businesses and economy affected by the Covid-19 pandemic, including the retail and hospitality sectors and emerging sectors such as tech start-ups and commercial creative industries.
- The support of our night time economy consistent with the objectives of our Festivals and Activation Framework adopted by Council in October 2022.
- Strategies for Council to support a range of economic areas such as trade and investment attraction, talent attraction, the innovation economy, green economy, sustainable finance, equitable economy and the visitor economy.
- The development and implementation of strategic initiatives and future economic strategies to set the pathway for Maribyrnong's contribution over the medium to long term of our local economy, particularly the Footscray Activity Centre and areas undergoing significant transition including Tottenham, West Footscray, Maidstone and Braybrook in a post Covid-19 environment.

This panel will provide an opportunity for Maribyrnong City Council to proactively seek expert advice from representatives of these groups who are so key to real and sustained economic recovery.

The Panel's advice must be in alignment with Maribyrnong City Council's policies, strategies and operational plans.

## 2. RESPONSIBILITIES

### Agenda Item 9.4 - Attachment 2

The Maribyrnong Business, Economic Development and Innovation Advisory Panel will:

- Provide strategic advice and feedback on the delivery of Council Plan goals and actions; Economic Development initiatives, programs and priorities; emerging economic development issues for the City of Maribyrnong; and the impact of State and Commonwealth economic development policy.
- Receive reports and provide comment and advice on relevant Council policies, strategies and activities as they relate to economic development.
- Promote and contribute to improving networks and connections with peak bodies; regional organisations; and key community and stakeholder groups relevant to the Economic Development policy area.
- Assist Council to identify and develop effective partnerships with other levels of Government, business organisations and peak organisations to ensure a coordinated and collaborative approach to critical economic development issues in Maribyrnong.
- Assist in identifying opportunities for business expansion to both local and new businesses.
- Proactively promote Maribyrnong's business credentials.
- Provide input on individual projects where directed by Council.
- Raise advocacy issues for Council to consider on behalf of business and industry.
- Appoint a Deputy Chairperson from the panel members.

Council will:

- Provide secretarial support to the Panel.
- Provide an induction and orientation package for Panel members, and provide any additional support required to on-board new members and support them in their role.

## 3. COMPOSITION

Name	No. of positions	Type of Appointment	Term
<b>Panel Members</b>			
Business and Industry Members	7	Appointed	3 years
Representative from Victoria University (Higher Education)	1	Nominated	3 years
Representative from GPT Group / Highpoint (Large format retail)	1	Nominated	3 years
Western Health / Footscray Hospital	1	Nominated	3 years
Footscray Arts Centre	1	Nominated	3 years
Mayor (or Delegate)	1	Nominated	1 year
Nominated Councillor	1	Nominated	1 year
<b>Total Panel Members</b>	<b>13</b>		

### 3.1. Member appointments

In addition to Councillor appointments, the Panel comprises representatives from Maribyrnong's key business sectors. It is anticipated members will bring business experience and skills, relevant network connections, innovative thinking, enthusiasm and passion for Maribyrnong's future prosperity.

Council recognises the significance of Victoria University (Footscray Campus), Footscray Shopping Centre, Western Health (Footscray Hospital) and Footscray Arts Centre as key stakeholders in the local economy and one position on the Advisory Panel is allocated to each organisation via nomination.

Industries / business sectors to be targeted for the 7 available Business and Industry member positions include:

- Retail (high street/small format)
- Creative Industries
- Manufacturing / logistics / construction
- Evening economy: hospitality / entertainment
- Employment & training services
- Professional services
- Technology and start-ups
- First Nations businesses
- Migrant businesses
- Home-based businesses

All appointed members must have a business that is located in or operates extensively in the City of Maribyrnong, or be a member/employee of an organisation with such interest.

### 3.2. Panel selection process and method of appointment

A public Expression of Interest (EOI) process will be undertaken for the 7 Business and Industry Member positions, and an assessment of applications by Council staff based on the criteria to ensure a diversity of industries are represented on the Advisory Panel. Individual skills and attributes of the applicants will also be taken into account.

Applications for membership to the Advisory Panel will be assessed according to the following selection criteria:

- a requirement for representatives to live, work or study in the City of Maribyrnong
- a statement of purpose by the representative, that is, the reason for applying
- a list of the skills, knowledge and/or experience which will be brought to the Advisory Panel.

Following the call for representatives, applications for the Advisory Panel will be assessed against the selection criteria by a panel comprising City of Maribyrnong officers.

The Chief Executive Officer will make the decision on representative appointments.

Applicants will be advised in writing of the outcome of their nomination.

Other members will be nominated by their respective agency.

### 3.3. Responsibilities of members

Members are required to:

- Declare any interest, pecuniary interest or conflict of interest.
- Keep informed of current developments, issues and concerns in the local community.
- Prepare for and actively participate in meetings.

- Act in a courteous manner, respecting others views and opinions. All members should respect the decision of the consensus views and opinions by the State.
- Treat information with sensitivity.
- Promote principals of accessibility and inclusion.
- Review, complete and sign the Code of Conduct.

## Agenda Item 9.4 - Attachment 2

### 3.4. Chair

The chairperson is responsible for presiding over the meeting.

- The Chairperson is the Mayor or nominated Councillor from Maribyrnong City Council.
- In the Chairperson's absence, the other Councillor representative will take on the Chairperson duties. If both Councillors are unavailable the Deputy Chair or another member of the Advisory Panel can be nominated to act as interim Chair for the meeting.
- Decisions made at Advisory Panel meetings will only be valid if a quorum of members is met.

### 3.5. Deputy-Chair

The Deputy-Chair is elected from the Business and Industry members in the first meeting of the Advisory Panel.

- The Deputy-Chair is appointed for a 3 year term, though may elect to step down during that term.
- If the Deputy-Chair elects to step down, a replacement will be elected at the next Advisory Panel meeting.
- *NOTE: There is no remuneration for the Deputy Chair role*

### 3.6. Meeting administration and protocol

The Advisory Panel will meet approximately four times a year, or as need requires, on dates to be set out in advance for each year. Each meeting will be approximately 1.5 hours duration.

Maribyrnong City Council will provide secretariat services, including the preparation of meeting papers and minutes. Advisory Panel comments will be recorded in the meeting minutes, prepared by Council staff and agreed to by Advisory Panel members.

This Advisory Panel is specifically an opportunity for input and engagement. It is not constituted as a committee of Council under the Local Government Act 2020. It does not take on any statutory roles. All members of the advisory panel are required to comply with all obligations under the Maribyrnong City Council Code of Conduct when participating in any activities associated with the advisory panel.

The Advisory Panel is not an executive panel and is not authorised to undertake work on behalf of Maribyrnong City Council or any other organisation represented at the advisory panel.

Advisory Panel members are not authorised to represent Maribyrnong City Council in any communication with the public.

#### 4. OPERATING PROCEDURES

### Agenda Item 9.4 - Attachment 2

#### 4.1. Quorum

A quorum for the Advisory Panel will require attendance of a minimum of seven (7) members (or half the total number of members, plus one, in the event that the Panel has reduced membership).

#### 4.2. Term

The Advisory Panel will be convened for a three-year period. Members will be appointed for a term up to three years. Members may be eligible for re-appointment for a further three-year term.

A position will be deemed vacant if a member fails to attend for three consecutive meetings.

Leave may be negotiated and granted to a member in the event that a member needs to arrange a temporary absence.

#### 4.3. Remuneration

There is no financial remuneration for Advisory Panel members.

#### 4.4. Evaluation and Review

The Terms of Reference and membership will be reviewed and evaluated every three years.

**Agenda Item 9.5 - Attachment 1**

**QUARTERLY PERFORMANCE AND FINANCIAL REPORT - PERIOD ENDING 31 MARCH 2023**

**Director:** Lisa King  
Director Corporate Services

**Author:** Mark Connor  
Manager Finance

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**PURPOSE**

The purpose of this report is to present the Quarterly Performance and Financial Report for the period ending 31 March 2022.

**ISSUES SUMMARY**

- At the end of this reporting period, variances have been identified across some revenue and expenditure categories, improving the underlying operating result at an aggregate level for the full 2022/2023 financial year by \$1.876 million. This is predominantly due to savings in employee cost, more than expected statutory charges due to increase in licences and parking permits at Footscray hospital and magistrate court payments from convictions and other income.
- Of the 60 Council Plan actions at Q3, 14 (23%) have been completed and 34 (57%) were progressing to target and 12 (20%) of the actions are progressing but are delayed.
- Forecast to budget variations are addressed in the Operating and Capital sections of the attached report. The variances shown in the year-to-date section of the attached report are the result of timing differences. Any ongoing impacts has been recorded in the forecast figures.
- The Third quarter forecast is an operating and initiative favourable variance of \$1.876 million to the budget and provides Council with the most up to date estimate of the year end result.
- Transfer to reserves - Major Projects \$7.775 million; Plant reserve \$300k; Footscray Cemetery reserve \$500k; Unfunded Super reserve \$50k; Laneway reserve \$80k.
- Total year-to-date expenditure of Capital and Assets Improvement Program as at March 2023 is \$24.38 million, taking into account project commitments a further \$20.48 million giving a total actual + commitments of \$44.86 million for the third quarter. This amounts to 91% of the forecasted capital works of 2022-2023. The forecast for Capital and Improvement expenditure is \$49.43 million.
- In addition to current year project commitment of \$20.48 million, \$44.74m has also been raised for 2023/2024, in line with cash flow schedule of major construction contracts.
- 58 projects are carried forward to next year worth \$28.31 million (Note 12) as project completion has extended to 2023/2024.
- 25 projects are deferred to future year due to longer project lifecycle. Total project costs \$6.36 million of which \$2.5 million funded from rates revenue (Note 13). This



### **Agenda Item 9.5 - Attachment 1**

will be transferred to reserve and these projects will be funded from the same reserve in near future year.

- Transfer to Openspace Reserve is \$3.4 million and transfer to DCP Reserve is \$0.180 million.

### **ATTACHMENTS**

1. Quarterly Performance and Financial Report - 31 March 2023 [!\[\]\(b1b781be830eb908d845c527ab08d5f8\_img.jpg\)](#) 

### **OFFICER RECOMMENDATION**

**That Council notes the 2022/2023 Third Quarter Performance and Financial Report.**

## **Agenda Item 9.5 - Attachment 1**

### **BACKGROUND**

The Performance and Financial Report is a regular and ongoing mechanism for Council to be accountable to its community. Reports are provided to Council in accordance with section 97 of the *Local Government Act 2020*.

The report provides an overview of Council's financial results while also providing a forecast outlook for the 2022/2023 financial year. This is compared against the full year budget in order to identify the expected variations, which are recorded as forecast changes from Council's adopted annual budget.

### **DISCUSSION/KEY ISSUES**

#### **1. Key Issues**

##### **Annual Council Plan Actions**

Progress of the 60 actions of the 2022/23 Annual Council Action Plan is as follows:

- 23% (14 of 60) are completed.
- 20% (12 of 60) have commenced, but experienced some delay.
- 57% (34 of 60) progressing to target.

##### **Financial Operations**

At the end of each quarter, a forecast is prepared which compares the 2022/23 year to date results against the full year budget in order to identify the expected variations from Council's original annual expectations. Based on the review conducted, variances have been identified across some revenue and expenditure categories, improving the underlying operating result at an aggregate level for the full 2022/23 financial year by \$1.876 million. This is predominantly due to savings in employee costs, more than expected statutory charges due to increases in licences and parking permits and magistrate court payments from convictions and other income.

The Finance and Performance Report for the period ending March 2023 provides Council with the most up to date estimate of the year end result. All significant operating variances are identified with variances shown in the year-to-date section as a result of timing differences.

##### **Capital works and Improvement Program**

Throughout the year, Council's capital program is influenced by a number of factors which were unforeseen at the time of budget development. For example, factors impacting upon Council's ability to deliver the capital program as planned include external factors such as delays in third party approvals, delays of materials arising from COVID-19 impacts and project planning delays.

Section 5 of Attachment 1 highlights variances to the original adopted budget. Fifty Eight (58) projects (\$28.3 million) are proposed to be carried forward to next year and Twenty Five (25) are deferred to future year.

## ment 1

2021-2025 by considering:

- Strategic Objective:
  - Ethical leadership - Council will proactively lead changing City using strategic foresight, innovation, transparent decision making & well-planned & effective collaboration & community engagement to support community & economic growth.

### Legislation

Quarterly Budget Reports are provided to Council in accordance with section 97 of the *Local Government Act 2020*.

### Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

### Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

### 3. Engagement

The 2022/2023 Annual Budget was developed in consultation with the community.

### 4. Resources

Resource implications are addressed in Attachment 1 to this report.

### 5. Environment

Nil.

### CONCLUSION

Quarterly Performance and Financial Report  
Quarter 3 for the Period Ending 31 March 2023

Council's financial position reflects an overall positive picture up of a number of variances, both favourable and unfavourable, in operational services. These variances will continue to be monitored throughout the financial year. The Capital Works adjusted budget increase of \$1.597 million at 31 March 2023 will be funded from Council's retained earnings/operating surplus. There is ongoing review of project progress, project savings and project delivery which will inform the June quarterly report.

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For the period ending 31 March 2023

## 1. Introduction

The Performance and Financial Report is a regular and ongoing mechanism for Council to be accountable to the community.

The report provides an update on progress of Council Plan Actions, budget commentary, including a comparison of the actual and budgeted results to date and an explanation of any material variations. A summary of the implementation of the annual Capital Works and Improvement Program is also included.

## 2. Key Issues This Quarter

### Flood event

Over 200 homes were evacuated on the morning of Friday 14 October 2022 as the Maribyrnong River burst its banks. Council supported the initial response to the emergency with the establishment of a relief centre at the Maribyrnong Community Centre.

The flooding event has caused significant financial hardship for a number of residents and community groups and Council is providing financial assistance to those impacted at the time. Properties in fourteen streets were impacted by flooding.

Currently, any affected ratepayers are eligible to enter into a minimum payment arrangement for Municipal Rates and Charges to suit individual circumstances. Interest will not be charged on these arrangements. Legal action for the collection of rates and charges on any impacted property has also been suspended. Further Rates, Fees and Charges relief was provided in special council meeting on 8th Nov 2022 to the affected ratepayers and community organisation. The Council resolves to continue to provide financial relief to identified residents by offering a rebate of 50% on the 2022/2023 Quarter Two, Three and Four Instalments of the Rates and Municipal Charges, upon application. The financial impact for this relief for the financial year ended 30 June 2023 is anticipated to be approximately \$412,000.

The Victorian Government has allocated an amount of \$1 million under the Council Flood Support funds for immediate clean-up activities on council owned and managed public land and restoration of community services that are ineligible under the Disaster Recovery Funding Arrangements (DRFA). We have also received a confirmation of day labour being accepted as a claim under DRFA and extension of time for repair and restoration works. Emergency Recovery Victoria also confirmed Council is eligible to receive 1 FTE for flood recovery. KPMG has also assisted with pro-bono flood relief work, which was initiated by Department of Jobs Precinct and Regions (DJPR) for claims processing, grants management and establishing framework for acquittal process.

For the period ending 31 March 2023

**Progress to date**

- Based on the review conducted, variances have been identified across some revenue and expenditure categories, improving the underlying operating result at an aggregate level for the full 2022/2023 financial year by \$1.876 million. This is predominantly due to savings in employee cost, more than expected statutory charges due to increase in licences and parking permits at Footscray hospital and magistrate court payments from convictions and other income.
- Of the 60 Council Plan actions at Q3, 14 (23%) have been completed and 34 (57%) were progressing to target and 12 (20%) of the actions are progressing but are delayed.
- Forecast to budget variations are addressed in the Operating and Capital sections of the attached quarterly report. The variances shown in the year-to-date section of the attached report are the result of timing differences. Any ongoing impacts has been recorded in the forecast figures.
- The Third quarter forecast is an operating and initiative favourable variance of \$1.876 million to the budget and provides Council with the most up to date estimate of the year end result.
- Transfer to reserves - Major Projects \$7.775 million; Plant reserve \$300k; Footscray Cemetery reserve \$500k; Unfunded Super reserve \$50k; Laneway reserve \$80k.
- Total year-to-date expenditure of Capital and Assets Improvement Program as at March 2023 is \$24.38 million, taking into account project commitments a further \$20.48 million giving a total actual + commitments of \$44.86 million for the third quarter. This amounts to 91% of the forecasted capital works of 2022-2023. The forecast for Capital and Improvement expenditure is \$49.43 million.
- In addition to current year project commitment of \$20.48 million, \$44.74m has also been raised for 2023/2024, in line with cash flow schedule of major construction contracts.
- 58 projects are carried forward to next year worth \$28.31 million (Note 12) as project completion extended to 2023/2024.
- 25 projects are deferred to future year due to longer project lifecycle. Total project costs \$6.36 million of which \$2.5 million funded from rates revenue (Note 13). This will be transferred to reserve and these projects will be funded from the same reserve in near future year.
- Transfer to Openspace Reserve is \$3.4 million and transfer to DCP Reserve is \$0.180 million.

For the period ending 31 March 2023

### 3. Annual Council Plan Action 2022/2023

#### Background

Council adopted the Council Plan 2021-2025 and integrated Municipal Public Health and Wellbeing Plan on 15 June 2021.

The Council Plan guides the planning, development, resourcing and provision of services to the community over a four-year period.

Five strategic objectives underpin a framework that drives operational performance, and supports the achievement of community and organisational outcomes. These strategic objectives are:

1. Safe climate and healthy environment
2. Liveable neighbourhoods
3. A place for all
4. Future focussed
5. Ethical leadership

To support the delivery of the Council Plan, a four-year implementation plan was developed. For the second year of the current Council Plan, 60 actions have been established. Actions are funded through the operational and capital works budget.

The 60 Annual Council Action Plan are comprised of:

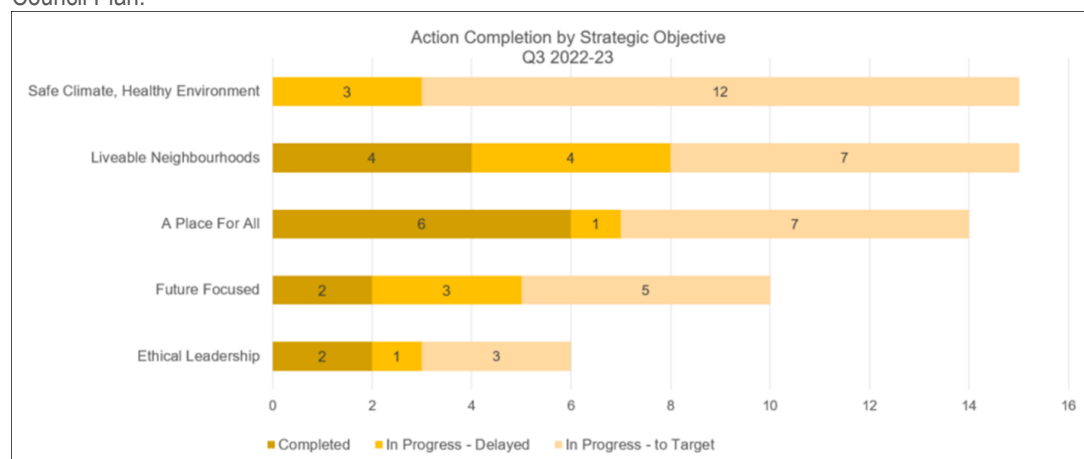
- 9 Major Initiatives and 51 non Major Initiatives.
- 57 out of 60 are Municipal Public Health and Wellbeing actions (marked by a blue HW in the Strategy section).

#### Status this quarter

The status of the annual Council Plan action as at 31 March 2023 are as follows:

- 23% (14 of 60) are completed.
- 20% (12 of 60) have commenced, but experienced some delay.
- 57% (34 of 60) progressing to target.

The table below indicates the progress of the actions according to the five strategic objectives of the Council Plan.



Appendix 1 provides the status of each Council Plan actions.

Quarterly Performance and Financial Report

For the period ending 31 March 2023

**Agenda Item 9.5 - Attachment 1**

**Delayed actions**

At the end of March 2023 there were 12 of 60 actions having been delayed and thus incomplete at 31 March 2023. They are all progressing and completion is expected in the 2022-23 financial year. The following table identifies the delayed annual priority actions.

There are the 11 delayed non-Major Initiatives Council Plan actions and 1 Major Initiative Council Plan action shaded in blue:

Each quarter, the progress of these actions is reported to Council as shown in the Council Plan action progress report.

In Progress Priority Annual Actions	Service's Progress Comment
1.1.3 Support our community to understand and take action on climate emergency with a goal of zero community emissions by 2030	Community education initiatives continue to be supported and promoted by Council.
1.2.5 Develop and implement single use plastics Policy and Action Plan to support current programme	The Single Use Plastics Policy and Action Plan continues to be implemented across Council.
1.3.2 Develop and implement the Biodiversity Plan and Action Plan	Work has commenced on defining the scope for a Biodiversity Plan.
2.2.2 Implement the Healthy and Active Framework 2021-2025	Project has been re scoped to include a review of Active Maribyrnong. Memorandum of Understanding (MOU) with VicHealth has been executed to provide advice and support.
2.2.3 Develop and implement the Aquatic Strategy 2021-2025	Aquatic Strategy report is being presented to Council prior to the end of the 2022/2023 financial year.
2.2.5 Implement the Outdoor Sport and Recreation Facilities Future Directions Plan 2021-2025	Project has been rescoped to ensure a comprehensive analysis of outdoor provision and future trends. Anticipated completion Sep 2023.
2.2.7 Develop and consult on a Walking Strategy (within the Active Transport Framework)	Consultation occurred regarding the vision for the draft Walking Strategy as part of the Autumn 2023 Messenger. The results of this consultation are informing the draft Walking Strategy, which will be presented to Council in Jun/Jul 2023.
3.2.3 Implement the Intercultural Maribyrnong Strategy and Action Plan	This document is still at the draft stage.
4.1.1 Protect, retain and enhance items of heritage significance in our community through statutory planning controls	An issues and opportunities paper was presented to Council at Briefing in Mar 2023. The issues and opportunities paper will inform the preparation of a draft Heritage Plan, which will be presented to Council later in 2023.
4.2.2 Secure funding for Creative West (formerly NeXT project) and commence design and build	Project scope and development options to be reviewed through a new Business Case assessment. Allocation



Quarterly Performance and Financial Report

For the period ending 31 March 2023

**Agenda Item 9.5 - Attachment 1**

In Progress Priority Annual Actions	Service's Progress Comment
	of funding for detailed design will occur once the business case is complete and schematic designs prepared for the endorsed development option.
4.2.4 Deliver Maribyrnong Reserve Project	A Feasibility Study report on development options for a community hub at Maribyrnong Reserve will be delivered by Jun 2023. The Feasibility Study will inform a Master Plan for the Reserve, to be delivered by September 2024.
5.4.2 Implement Workforce Plan in line with statutory obligations	Progress against Year 1 actions have been reviewed by Manager P&C. Consultation regarding actions for subsequent years of the workforce plan is yet to occur.

For the period ending 31 March 2023

#### 4. Financial Operations

This section provides a comparison of the actual and budgeted results to date and an explanation of any material variations. It also provides a forecast of the financial position anticipated at the end of the financial year.

The quarter forecast is an operating and initiative favourable variance of \$1.876 million to the budget and provides Council with the most up to date estimate of the year-end result. Any significant operating variances are listed under Resource group table. The variances shown in the year-to-date section are the result of timing differences for example grants being received prior to the cost of the service delivery being incurred, planned activity did not occur when expected.

The report indicates that Council has a favourable operating (including Initiative) variance to Budget of \$1.876 million.

##### Budget to Forecast Variance Overview

Maribyrnong City Council Budget to Forecast Overview Summary 2022/2023		Amounts \$(000)
Operating	\$7.775 million transfer to Major Projects Reserve, \$300k transfer to Plant Reserve, \$50k Unfunded Super, and \$500k transfer to Footscray Cemetery Trust.	1,883
Initiatives	Current Budget to Forecast Initiative Variance unfavourable	(7)
Capital	Current Budget to Forecast Capital Variance unfavourable	(1,597)
Overall		279

Quarterly Performance and Financial Report  
for the period ending 31 March 2023

**Agenda Item 9.5 - Attachment 1**

Operating/Service Summary by Functions

Service/Functions	YTD Actual \$(000)	YTD Budget \$(000)	YTD Variance \$(000)	Annual Adopted Budget \$(000)	Carried Fwd. from 2021/2022 \$(000)	Annual Forecast \$(000)	Budget to Forecast Variance \$(000)
Operating Income							
Community Services	4,031	3,221	811	4,434	-	4,541	107
Corporate Services	120,982	117,354	3,628	120,429	-1,744	121,475	2,791
Infrastructure Services	7,271	6,618	653	9,139	-	9,358	219
Planning and Environment Services	14,851	12,726	2,124	18,880	-	21,852	2,972
Operating Income Total	147,135	139,919	7,216	152,882	-1,744	157,226	6,089
Operating Expenses							
Community Services	13,568	14,844	1,276	19,602	-	18,869	733
Corporate Services	16,114	16,877	763	28,930	-	30,910	(1,982)
Infrastructure Services	34,082	36,641	2,558	48,553	-	49,948	(1,394)
Planning and Environment Services	19,685	20,032	347	26,533	-	28,096	(1,563)
Operating Expenses Total	83,449	88,394	4,944	123,618	-	127,823	-4,206
Grand Total	-63,686	-51,525	12,160	-29,264	-1,744	-29,403	1,883

Quarterly Performance and Financial Report

For the period ending 31 March 2023

**Agenda Item 9.5 - Attachment 1**

Operating/Service Summary by Functions

Service/Functions	Current Budget to Forecast Variance \$(000)
Community Services	840
Corporate Services	809
Infrastructure Services	(1,175)
Planning and Environment Services	1,409
MCC Q3 - Budget to Forecast Variance Total	1,883

Quarterly Performance and Financial Report

For the period ending 31 March 2023

**Agenda Item 9.5 - Attachment 1**

Operating/Service Summary by Resource Group

Resource Groups	Notes	YTD Actual \$(000)	YTD Budget \$(000)	YTD Variance \$(000)	Annual Adopted Budget \$(000)	Carried Fwd. from 2021/2022 \$(000)	Annual Forecast \$(000)	Budget to Forecast Variance \$(000)
Revenue								
Contributions-cash	1	37	-	37	62	-	38	(24)
Grants—Operating (non-recurrent)	2	2,824	405	2,419	925	-	3,281	2,356
Grants—Operating (recurrent)	3	3,468	2,592	876	5,958	-1,744	4,306	91
Internal Income		1,947	1,874	73	2,499	-	2,499	-
Investment Income	4	2,970	513	2,457	684	-	3,137	2,454
Other Revenues	5	1,628	959	669	1,290	-	2,105	814
Rates	6	116,356	116,120	236	116,230	-	116,290	61
Sale Proceeds		104	-	104	80	-	80	-
Statutory Charges	7	8,852	9,575	(723)	12,934	-	13,164	230
User Charges	8	8,949	7,881	1,068	12,220	-	12,327	107
Operating Income Total		147,135	139,919	7,215	152,882	-1,744	157,226	6,088
Expenditure								
Bad and doubtful debts		1,932	2,250	318	3,000	-	3,000	-
Borrowing Costs		-	-	-	14	-	14	-
Employee Costs	9	41,950	46,913	4,963	61,534	-	58,576	2,957
Internal Expenses	10	1,941	1,852	(89)	8,781	-	11,235	(2,454)
Materials and services (Inc. Contract)	11	37,257	36,995	(262)	49,765	-	54,482	(4,717)
Other Expenses		369	384	14	524	-	516	8
Operating Expenses Total		83,449	88,394	4,944	123,618	0	127,823	(4,206)
Grand Total		-63,686	-51,525	12,159	-29,264	-1,744	-29,403	1,883

Quarterly Performance and Financial Report  
for the period ending 31 March 2023

## Agenda Item 9.5 - Attachment 1

### Operating Summary by Resource Group - Comments

Note	Comments
Note 1 Contributions – Cash (\$24k) unfavourable forecast	<p>Comprised of (\$37k) loss of income related to co-contributions from other Councils for Midsumma festival and EatDrink Westside programs, plus (\$4k) loss external contribution for the New Year Eve event. This has resulted in savings under contract and services as per note 11.</p> <p>(\$41k) unfavourable under this resource group is offset by \$15k favourable income contribution from Victoria University for Deck Out West Student run pop up program, plus \$2k additional income from Thinxtra towards the additional electricity cost for hosting network equipment's at council buildings.</p>
Note 2 Grants - Operating (non- recurrent) \$2.356 million favourable forecast	<p>Mainly related to \$1 million Council Flood Support funds for immediate flood clean-up activities. Other additional non-recurrent grants received that were not budgeted and as listed below.</p> <p>\$622k is the funding from Department of Jobs, Precincts and Regions supporting Local Councils for COVID safe for works services and promotion of outdoor activation; \$225k High-risk Waste Sites Local Government Capacity Building Project (DELWP); \$220k Music and Night Time Economy Kick Starter, \$159k one off funding from Victoria Building Authority (VBA) services regarding cladding investigation; \$171k Westgate Tunnel project, \$80k Maribyrnong Economic Study Project; \$78k Local Govt. Business Concierge &amp; Hospitality Support; \$19k Local Councils Outdoor Eating and Entertainment Package; \$16k Surge funding &amp; Clinical Placement grant, \$14k Adolescent vaccination grants; \$21k Community Learning &amp; Libraries</p> <p>Offset by some of the grants we were anticipating to receive - (\$200k) Saltwater Sculpture Biennial project, and (\$70k) Fogo funding.</p>
Note 3 Grants – Operating (recurrent) \$91k favourable forecast	<p>Council has received more than anticipated recurrent grants - \$60k increased funding in School Crossings; \$22k in Community Learning &amp; Libraries grant; \$81k in Service Development &amp; Engagement; \$8k Environmental Health funding related to Tobacco 2023 grant; \$7k Freeza program, \$6k in Best Start program; \$4k in Food services; \$4k in Maribyrnong Supported Playgroup; \$4k in Victoria Grants Commission (VGC) for General Purpose funding, and \$3k in Safer Community L2P program.</p> <p>Following unspent funding received last financial year but recognised as income in the current year: \$73k for home maintenance to older people support; \$40k for older people center based respite care, \$2k CPI increased related to Older People sector support and development funding.</p> <p>These additional grants are offset by some of the grants we were anticipating to receive - (\$74k) Maternal Clinical Services due to reduce number of births, (\$50k) due to funding ceased from Melbourne Water related to Water Sensitive Urban Design (WSUD) position, (\$37k) reduction funding in Assistance with care and housing funding, (\$28k) in Enhanced Home Visiting Services, (\$24k) in Senior Citizens Centres/Older Person Activities program and (\$10k) HACC supporting funding program for Community Centres (Maribyrnong &amp; Maidstone Community Centre).</p>

Quarterly Performance and Financial Report

**Agenda Item 9.5 - Attachment 1**

For the period ending 31 March 2023

Note	Comments
Note 4 Investment Income \$2.454 million favourable forecast	Favourable due to higher interest rates and increased amount of investment. This will be transferred to reserve as per Note 10.
Note 5 Other Revenues \$814k favourable forecast	Favourable forecast comprised of \$59k discount on early payment for Work Cover premium, \$150k in long term facility hire for the new lease agreement for Billy Button childcare and \$32k for Yarraville Footscray Bowling Club. \$12k favourable from commission from investments, \$323k recover work cover and \$262k from prior year's fire service levy admin cost recovery from State Revenue Office (SRO). \$10k favourable for delivery of parent information sessions for sleep & settling program, \$23k reimbursement of half share landscape work at Van Ness Avenue offset increased cost in contract services, \$12k utilities reimbursement for the share cost usages at Maribyrnong Community Centre, \$5k recover costs related to children's centres sanitary and hygiene service for nappy and sanitary bins, \$5k recover costs related to children's centres sanitary and hygiene service for nappy and sanitary bins, \$3k additional revenue from steel waste sales, \$39k additional long term facility hire income for Maribyrnong River canter, and Gowrie Clare Court.  These favourable variances are offset by loss of income in long-term facility hire and recover cost due to termination of the lease (\$46k). Additional (\$57k) loss of rental income due to Cafe at MAC has ended the lease agreement; (\$3k) reduction in rental revenue due to Mum-Matter has terminated the lease agreement, (\$15k) unfavourable income related to cancellation of One Night in Footscray event.
Note 6 Rates (\$61k) favourable forecast	Mainly related to relief provided to the affected ratepayer due to floods support (\$284k) plus a further (\$100k) support for the 3rd & 4th quarterly rate instalment, (\$293k) reduced number of waste service users charge, (\$140k) in rates legal costs recovered and (\$40k) abandoned rates.  These unfavourable variances are offset by \$596k supplementary rates, \$209k rates interest penalty on unpaid/overdue rates, \$50k residential vacant land rebate, \$52k in additional recycling/garbage bins, and \$11k in municipal charge income.
Note 7 Statutory Charges \$230k favourable forecast	Predominately related to \$125k Magistrates Court payment from convictions, \$60k favourable in Working Within Road Reserve revenue, \$6k favourable in Council election voting compulsory infringement related to prior year, \$143k in licenses & permits issued to businesses at Footscray hospital, \$215k favourable income related to building services, such as Building over easement, VBA levy, land liable to flooding, sitting dispensations, and initial registration for swimming pool or spa, \$94k town planning application fees.  This is offset by (\$265k) unfavourable in Local Law (EPA) infringement income, (\$70k) waive for all out door dinning permits, (\$58k) reduction in Town Planning infringement, (\$20k) loss income in land information certificates.

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Note	Comments
Note 8 User Charges \$107k favourable forecast	<p>Comprised of \$432k favourable in building permits to occupy street permit, \$85k increased income in merchandise sales at Maribyrnong Aquatic Centre (MAC), \$141k MAC health club casual and membership fees, \$50k increased in foods registration application fees, \$60k increased income relate to parking permit for filming &amp; food trucks, \$46k additional income related to sale of abandoned vehicles, \$19k favourable in tree service charges, \$17k increased in development fee, \$10k cardboard recycling charges, \$6k increased income at call waste collection, \$4k favourable in Amplify event ticket sales, \$5k locker commission at MAC, \$4k photocopier charges at library services and \$2k festival event permit, \$54k plant hire staff deduction, \$8k casual hire charges at library room hire, \$30k new animal registrations and release fees paid through Lost Dogs Home.</p> <p>These are offset by (\$184k) unfavourable in drainage plan approval income due to reduce number of applications, (\$278k) unfavourable in MAC leisure centre fees such as school lessons/private swim lessons/birthday parties, (\$140k) loss of product sales to State Revenue Office (SRO), (\$46k) net loss income in home care services, (\$46k) loss income related to fast track of applications fees, (\$43k) loss income related to local law application fees, (\$31k) loss hire charges income related to Braybrook main hall, as the hall is being occupied internally due to Civic Precinct redevelopment, (\$10k) loss income related to laneway fees, (\$5k) loss income related to discarded book sale at library, (\$6k) reduced product sales related to thermometer &amp; swabs revenue, (\$17k) reduced income in occasional child care at Maribyrnong Aquatic Centre (\$60k), parking permits for general public including work zone permit.</p>
Note 9 Employee Costs \$2.957 million favourable forecast	<p>\$3.09 million favourable in employee costs across the organisation due to a number of vacancies, this is partially offset by increase in agency staff (temporary workers of \$1.344 million under note 11 below), \$82k favourable in training, seminars &amp; conference costs.</p> <p>This is offset by (\$215k) unfavourable due to increase in WorkCover insurance premium.</p>
Note 10 Internal Expenses (\$2.454) million unfavourable forecast	<p>Increase in investment interest income, transfer to major project reserve.</p>
Note 11 Materials and services (Incl. Contracts) (\$4.717) million unfavourable forecast	<p>The unfavourable in Materials and Services is mainly related to additional expenditure of number of externally non-recurrent grants as mentioned in Note 2 above (\$3.230 million) (Operating Non-recurrent grants).</p> <p>Additional unfavourable variance comprised of (\$1.122) million agency temp offset favourable in employee cost at note 9 above, (\$59k) cleaning services, (\$87k) in general insurance/excess, (\$30k) increased vehicle premium insurance, (\$28k) additional community grants to sporting clubs which are affected by floods as part of flood relief package.</p>



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Note	Comments
	<p>(\$161k) New Year Eve event due to change in location to western lawn, (\$45k) mainly related to delayed submission of club utilities reimbursement as part of the last year COVID 19 relief package.</p> <p>(\$33k) in Flood insurance, (\$12k) investment management expenses, (\$330k) Parks &amp; Open Space horticultural maintenance due to new sites added to the program, (\$159k) cleansing maintenance price increased due to new contract, (\$488k) contract services for facility Maintenance for scheduled and unscheduled which included MAC, (\$130k) Parks &amp; Open Space Sport Grounds Maintenance program, (\$24k) minor asset purchases, (\$3k) postage charges, (\$80k) maintenance graffiti removal of council assets, (\$161k) increase expenditure for tipplings &amp; refuse disposal, (\$29k) parks furniture maintenance, (\$154k) contract services for Property Maintenance funded from favourable in salary and grant, (\$61k) service review for aged &amp; diversity management, (\$24k) landfill Buffer Mapping project, (\$50k) Lost Dog fees, (\$95k) software licenses, (\$99k) overall consultant advisory, (\$46k) minor asset purchases, (\$19k) office supplies.</p> <p>The above unfavourable variances are offset by favourable forecast variances of \$200k Saltwater Sculpture Biennial due to cancellation of project (funded from mon-recurrent grant). Further, savings have been identified and related to \$150k Northern Maribyrnong (DSM) planning investigations, \$115k Contributions Planning - Investigate and prepare Development Contribution Plans, \$105k contractor backfilled for school crossing supervisors, \$76k in store supplies across the organisation. \$91k reduced debt recovery costs, \$125k reduced leasing fleet/equipment, \$47k overall external printing, \$22k in programs general, \$21k promotion/marketing, \$29k in advertising &amp; gazetting, \$14k in fuel, \$130k tipping &amp; refuse collection for disposal of park bins, \$98k in Food Organics Garden Organics (FOGO) program, \$62k biodiversity strategy program, \$190k solar PV batteries, \$40k Data &amp; Communications Costs, \$26k bank fees and charges, \$81k cash collection services fees, \$145k contract services for maintenance and services of new building including Little Saigon, \$60k in telephone, \$55k in security.</p>

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## 5. Capital Works and Improvement Program

Council's Capital Works and Improvement Program consists of various projects including roads, footpaths, drainage works, transportation, parks and recreation, information technology and major redevelopment building projects.

This section provides an update on the delivery of the Program, identifies, and explains any variances to the adopted budget.

For 2022/2023, a budget of \$75.46 million was allocated to deliver new works, with projects carried forward from 2021/2022 of \$9.89 million giving a total of \$85.35 million (\$75.46 million + \$9.89 million). The adopted Capital and Asset Improvement Program for 2022/2023 had new works of \$75.46 million and comprised of 190 projects/programs. The funding for the Capital and Asset Improvement Program comprised \$11.1 million from grants, \$10 million from loans, \$30.324 million from reserves, sale of assets \$0.35 million and \$29.264 million from rate revenue.

As Council's infrastructure assets continue to age and deteriorate, the challenge of managing and sustaining them becomes even greater. The Capital and Asset Improvement Program for 2022/2023 consists of 287 projects. Officers undertake a detailed monthly review of all capital projects including financials, timelines, deliverables, risks and value management opportunities. This information is utilised in the compilation of this report.

Throughout the year, Council's capital program is influenced by a number of factors that were unforeseen at the time of budget development. For example, factors impacting upon Council's ability to deliver the capital program as planned include external factors such as delays in third party approvals, slower than expected responses to tenders and procurement, delays of materials arising from COVID-19 impacts and project planning delays.

The total current budget of the below projects is \$52.5 million. Key project highlights as at end of Quarter 3 in 2022/2023 FY are:

- Civic Precinct Redevelopment (Town Hall) YTD actual \$1.516 million plus commitments \$34.953 million, annual forecast \$3.500 million, reduced from annual budget \$12.75 million to be in line with cash flow schedule of construction contract. Project delivery will continue in 2023/2024.
- Civic Precinct Redevelopment (Civic Park) YTD actual \$0.141 million plus commitments \$3.574 million, annual forecast \$0.350 million, increased from annual budget \$0.325 million to be in line with cash flow schedule of construction contract. Project delivery will continue in 2023/2024.
- Waterslide and splash park YTD actual \$1.013 million plus commitments \$9.605 million, annual forecast \$4.00 million, reduced from annual budget \$6.967 million to be in line with cash flow schedule of construction contract. Project delivery will continue in 2023/2024.
- Henry Turner South Pavilion construction YTD actual \$3.703 million plus commitments \$0.290 million, annual forecast \$5.60 million, annual budget \$5.60 million. The project is near practical completion.
- Footscray Park West Lawn YTD actual \$0.01 million plus commitments \$4.767 million, annual forecast \$3.00 million, annual budget \$4.30 million. Project delivery will continue in 2023/2024
- Hansen Reserve - Sports Playing Field and Lighting YTD actual \$0.082 million plus commitments \$0.059 million, annual forecast \$0.40 million, reduced from annual budget \$3.703 million. Design is being completed, the implementation will continue in 2023/2024.
- Quarry Park Landscape Upgrade and Capping YTD actual \$0.024 million, annual forecast \$0.100 million, reduced from annual budget \$1.762 million. Master planning and further soil remediation currently being carried out to optimise delivery.

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- Cowper Street Design & Construction YTD actual \$0.157 million plus commitments \$0.061 million, annual forecast \$0.219 million, reduced from annual budget \$2.829 million. Design amendments near completion however construction will commence in 2023/2024 and complete in 2024/2025.
- Roads renewal program YTD actual \$1.595 million plus commitments \$1.969 million, annual forecast \$5.441 million, reduced from annual budget \$8.397 million as construction of Summerhill Road - West Footscray being rescheduled to 2023/2024.
- Footpath renewal program YTD actual \$0.104 million plus commitments \$0.211 million, annual forecast \$0.640 million, reduced from annual budget \$0.764 million. Footpath rehabilitation package has been awarded and the construction is commencing soon.
- Bicycle Network upgrade program YTD actual \$0.605 million plus commitments \$0.238 million, annual forecast \$0.807 million, reduced from annual budget \$5.091 million as Sunshine Transport Precinct Activation continues to consider community feedback and options of implementation.

**Capital Current Budget to Forecast Variance Summary**

Capital Forecast Vs Budget Variance Summary - Mar 2023	Amount \$(000)	Amount \$(000)
Net Capital Budget 2022/2023	29,264	
Carry Forward from 2021/2022 (CF)	8,471	37,735
Net Forecast 2022/2023		23,148
Capital Improvement - Budget to Forecast Net surplus/ (Deficit)		14,587
Projects carried forward to 2023/2024 from Rates (Note 12)		(10,077)
Projects deferred and transfer to reserve (Note 13)		(2,527)
Transfer to Openspace reserve		(3,400)
Transfer to DCP reserve		(180)
Transfer from Reserve		(1,597)

**Adjusted Capital Variance**

Reconciliation to Adjusted Capital Variance	Amount \$(000)
Project Not proceeding (Note 14)	51
Projects under/over (Note 15)	(1,648)
Transfer from Reserve	(1,597)

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Carried Forward Projects

Carried Forward to 2023/2024 (Note 12)	Council Funds \$(000)	Major Projects and other Reserve \$(000)	Grants and Loans and borrowings \$(000)
Quarry Park Landscape Upgrade and Capping	\$622	\$1,040	
Town Hall Precinct		\$2,250	\$7,000
Pipemakers Park - Visitor Centre and Machine Shop	\$174		
Maribyrnong Childcare Centre Playground Upgrade	\$190		
MAC - HVAC	\$829		
MAC - Waterslide and splashpark (Y1 - detail design & part construction)		\$50	\$1,950
Yarraville/Norfolk Street Children's Centre - Building Blocks Planning Grant (DET)	\$6	\$50	\$150
Operations Centre Masterplan Implementation	\$266		
FCAC Warehouse and 47 Moreland St - HVAC Detailed Design	\$93		
Maribyrnong Community Centre - Expansion Supporting Works	\$302		
Mclvor Reserve Soccer Pavilion - Design	\$14		\$1,184
Johnson Reserve Pavilion - Detail Design	\$80		
Seddon Village Public Toilet	\$179		
Mclvor Reserve Hockey Pavillion - Social Room	\$20		
Church Street Children Centre - New Entrance Canopy	\$80		
Drainage and Bridge valuation	\$331		
Footpath Program - Tottenham Parade	\$9		
Footpath Program - Shelley Street	\$1		
Footpath Program - Ryan Street	\$1		
Footpath Program - Hoadley Court	\$3		
Footpath Program - Cuming Street	\$2		
Footpath Program - Ballarat Road	\$101		
Footscray Park - Rock walls and Shelter	\$15		
Hansen Reserve - Sports Playing Field and Lighting		\$1,000	
Footscray Park West Lawn		\$1,300	
Mclvor Reserve - Fencing at Hockey and Soccer Club	\$285		
Road Renewal - Thompson Street: Gamon to Dead End	\$300		
Cowper Street Design & Construction	\$355	\$2,255	
Road Renewal - Alice Street: Fehon St to Dead End	\$237		
Road Renewal - Swan Street: Essex to Dead End	\$626		
Road Renewal - Gwelo Street: Aliwal to Bizana	\$313		
Road Renewal - Dudley Street: Leigh to Barkly	\$385		
Road Renewal - Naismith St - Gordon Street to end - Footscray	\$106		
Road Renewal - Summerhill Road - West Footscray (Ballarat to Essex)	\$1,729		
Road Renewal - Sims Street – Braybrook (Windsor to Ruby)	\$73		
Road Renewal - Myalla Street:Darnley to Duke	\$82		
Road Renewal - Newell Street: Nicholson to Moore	\$793		
Road Resurfacing - Adelaide Street	\$50		

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Carried Forward to 2023/2024 (Note 12)	Council Funds \$(000)	Major Projects and other Reserve \$(000)	Grants and Loans and borrowings \$(000)
Road Resurfacing - Adrian Court	\$16		
Road Resurfacing - Breen Street	\$7		
Road Resurfacing - Dodd Street	\$11		
Road Resurfacing - Errol Street	\$17		
Road Resurfacing - Exhibition Street	\$10		
Road Resurfacing - Fabian Court	\$7		
Road Resurfacing - Owen Street	\$25		
Road Resurfacing - Richelieu Street	\$28		
Road Resurfacing - Williamstown Road	\$34		
Road Resurfacing - Williamstown Road	\$34		
Road Resurfacing - River Street	\$69		
Road Resurfacing - River Street	\$74		
Road Resurfacing - Muriel Reidy Street	\$18		
Road Resurfacing - Middleton Street	\$29		
Road Resurfacing - Lisa Court	\$10		
Road Resurfacing - Jade Court	\$12		
Road Resurfacing - Leunig Place	\$11		
Road Resurfacing - Leigh Street	\$13		
Road Resurfacing - Summervill Road	\$1,000		
<b>Total Carry-forward to 2023/2024</b>	<b>\$10,077</b>	<b>\$7,945</b>	<b>\$10,284</b>

Deferred Projects

Deferred to Future Year (Note 13)	Amount \$(000)
Cruikshank Park Footbridge	\$6
Footscray Library Community and Cultural Hub (NeXT) – Renamed “Creative West”	\$0
*Showing zero as current year funding draws from reserve	
47 Moreland Street Creative Hub Upgrade	\$37
Public Toilet Strategy - Yarraville Garden Toilet	\$0
Public Toilet Strategy - Maribyrnong Street Toilet	\$378
Pennell Reserve Pavilion - concepts/elevations	\$1
Footscray Early Years Facilities - Feasibility Study	\$206
Flood Modelling	\$153
Footpath Program - Bunbury Street	\$79
Footscray Central Activity Area - Bunbury St Walk	\$0
Sunshine Transport Precinct Activation - Walking & Cycling Network	\$68
Elphinstone Lane upgrade and addition of priority crossings	\$90
Saltriver PI - New Park	-\$0
*Showing zero as current year funding draws from reserve	
Angliss Reserve - Masterplan	\$20
Dobson Reserve - Masterplan	\$51
Hyde Street Reserve - Masterplan	\$41

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Deferred to Future Year (Note 13)	Amount \$(000)
Yarraville Oval Master Plan and Cricket Net Redevelopment	\$166
Mountain Bike Track Feasibility & Design	\$754
Yarraville Gardens - Masterplan	\$103
Hanmer Reserve - Cricket Nets Upgrade	\$140
Mclvor Reserve - Playing Surface Infrastructure Lighting	\$103
Henry Turner North Reserve - Cricket Net Redevelopment	\$31
Hansen Reserve - Multipurpose Cricket Nets and Netball Court	\$0
Yarraville Masterplan Refresh	\$100
Transfer to Reserve	\$2,527

The following projects will not proceed and transfer to reserve \$0.05 million

Project Cancelled - Not proceeding (Note 14)	Amount \$(000)
Quarry Park Master Plan Review	\$51
Total budget saving due to projects not proceeding	\$51

Adjust existing projects - \$1.648 million.

Capital and Asset Improvement Project Overrun is forecasted due to scope adjustments, design modifications, market price fluctuation and payment schedule changes. Some projects are also proposed for an underspend adjustment due to milestone revisions caused by COVID-19 induced supply chain disruptions, project efficiency and saving, funds for these projects will be lower than budget this year to complete the works.

Project Description - Under or Over (Note 15)	Amount \$(000)
Traffic Management Works Program (LATM)	\$527
Civil Infrastructure Advanced Design	\$247
Joseph Road Public Real Works Detailed Design	\$185
Road Renewal - Dudley Street: Leigh to Barkly	-\$770
Road Renewal - Alice Street: Fehon St to Dead End	-\$107
Road Renewal - Dalmahoy St Kerb Realignment & Streetscaping Improvement	\$150
Road Renewal - Barrett St, Maidstone	-\$107
Road Renewal - Holland Court, Maidstone	-\$225
Road Renewal - Avoca St: Woods St to end, Yarraville	\$275
Road Renewal - Fyans Street: Powell St to end, Yarraville	\$315
Road Renewal - Thompson Street: Gamon to Dead End	-\$300
Emergency Works - Civil	\$387
Speed Limit Reduction Program	\$200
Road Resurfacing - River Street	-\$152
Road Resurfacing - River Street	-\$161
Road Resurfacing - Summervill Road	-\$1,500
Road Resurfacing - Distributor Roads	-\$884
Road Renewal - Newell Street: Nicholson to Moore	-\$793
Street tree planting & urban forest strategies	-\$122
Improving recreational access to the Maribyrnong River	-\$120
New Public Art	\$118
Local Parks Program - Pocket Parks - Birmingham Street Park	-\$285
Mclvor Reserve Yarraville Glory Lighting	-\$197

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Project Description - Under or Over (Note 15)	Amount \$(000)
Climate Emergency Works	\$448
Green Streetlights - LED Program	\$179
CAMMS Project Management - Design & Implementation	-\$169
Footpath Program - Ballarat Road	-\$101
Hughes St Yarraville - Temporary Pump Installation	-\$113
Single view of Customer	-\$488
SCV - Provision of additional online services	\$700
IT Network - Infrastructure Renewals	\$623
IT - End User Device Renewals	\$381
Contamination Remediation Works	-\$259
DDA Access To Council Buildings	\$103
Building demolitions	\$178
RecWest Footscray detail design	-\$258
Maribyrnong Reserve Community Facilities Optimisation	\$101
Clare Court Childcare Centre Playground Upgrade	\$159
Building PMO Design and Contingency	-\$208
Norfolk St Children's Centre priority works	-\$123
Drill Hall External Doors and Windows	\$137
Building Compliance - Switchboard Upgrades	\$207
Phoenix Youth Centre - Stage 2	\$161
Angliss Children's Centre - Internal Building Works	\$212
Seddon Village Public Toilet	\$101
Church Street Children Centre - New Entrance Canopy	-\$214
Minor Variations of less than \$100k (170 projects)	-\$86
<b>Total project under/over budget</b>	<b>-\$1,648</b>

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**6. Financial Statements**

Comprehensive Income Statement Q3 2022/2023 Financial Statements			
	2022/2023 Q3 Actuals \$'000	2022/2023 Annual Budget \$'000	2021/2022 Annual Actuals \$'000
Income			
Rates and charges	116,356	116,229	109,726
Statutory fees and fines	8,852	12,934	11,289
User fees	8,951	12,220	7,245
Grants - operating	6,636	6,524	9,149
Grants - capital	8,298	11,100	5,956
Contributions - monetary	3,443	7,402	4,214
Contributions - non monetary	-	-	10,453
Net gain on disposal of property, infrastructure, plant and equipment	-	-	-
Other income	4,717	2,396	2,275
<b>Total income</b>	<b>157,253</b>	<b>168,805</b>	<b>160,307</b>
Expenses			
Employee costs	42,072	61,533	53,285
Materials and services	42,478	61,230	56,913
Depreciation and amortisation	14,322	19,155	18,625
Amortisation - right of use assets	990	758	869
Bad and doubtful debts	1,932	3,000	2,570
Borrowing costs	-	14	-
Finance costs - leases	133	109	130
Net loss on disposal of property, infrastructure, plant and equipment	150	1,570	1,332
Other expenses	382	525	488
<b>Total expenses</b>	<b>102,459</b>	<b>147,894</b>	<b>134,212</b>
<b>Surplus/(deficit) for the year</b>	<b>54,794</b>	<b>20,911</b>	<b>26,095</b>
Other comprehensive income	-	-	-
Net asset revaluation increment/(decrement)	-	-	130,123
<b>Total comprehensive result</b>	<b>54,794</b>	<b>20,911</b>	<b>156,218</b>



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Balance Sheet			
Q3 2022/2023 Financial Statements			
	2022/2023	2022/2023	2021/2022
	Q3 Actuals	Annual	Annual
	\$'000	Budget	Actuals
		\$'000	\$'000
<b>Assets</b>			
Current assets			
Cash and cash equivalents	12,309	28,790	37,725
Other financial assets	125,100	62,000	89,000
Trade and other receivables	44,974	22,295	15,220
Inventories	7	8	7
Non-current assets classified as "held for sale"	2,250	-	2,250
Other assets	2,013	2,247	2,316
<b>Total current assets</b>	<b>186,653</b>	<b>115,340</b>	<b>146,518</b>
Non-current assets			
Trade and other receivables	-	454	270
Property, infrastructure, plant and equipment	1,363,644	1,279,261	1,360,068
Right-of-use assets	4,385	2,908	3,666
<b>Total non-current assets</b>	<b>1,368,029</b>	<b>1,282,623</b>	<b>1,364,004</b>
<b>Total assets</b>	<b>1,554,682</b>	<b>1,397,963</b>	<b>1,510,522</b>
<b>Liabilities</b>			
Current liabilities			
Trade and other payables	6,125	11,494	6,913
Trust funds and deposits	4,541	6,544	6,118
Unearned income	670	-	9,914
Provisions	15,094	17,804	14,946
Accrued interest	-	14	-
Interest-bearing liabilities	-	1,000	-
Lease liabilities	1,728	698	736
<b>Total current liabilities</b>	<b>28,158</b>	<b>37,554</b>	<b>38,627</b>
Non-current liabilities			
Provisions	785	1,174	785
Interest-bearing liabilities	-	9,000	-
Lease liabilities	2,841	2,308	3,006
<b>Total non-current liabilities</b>	<b>3,626</b>	<b>12,482</b>	<b>3,791</b>
<b>Total liabilities</b>	<b>31,784</b>	<b>50,036</b>	<b>42,418</b>
<b>Net assets</b>	<b>1,522,898</b>	<b>1,347,927</b>	<b>1,468,104</b>
<b>Equity</b>			
Accumulated surplus	477,752	455,754	422,958
Reserves	1,045,146	892,173	1,045,146
<b>Total Equity</b>	<b>1,522,898</b>	<b>1,347,927</b>	<b>1,468,104</b>

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Statement of Changes in Equity Q3 2022/2023 Financial Statements				
	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
Annual 2022/2023				
Balance at beginning of the financial year	1,468,104	422,958	950,255	94,891
Surplus for the year	54,794	54,794	-	-
Net asset revaluation increment	-	-	-	-
Transfers to other reserves	-	-	-	-
Transfers from other reserves	-	-	-	-
Balance at end of Q1	1,522,898	477,752	950,255	94,891

	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
Annual 2021/2022				
Balance at beginning of the financial year	1,311,886	400,544	820,132	91,210
Surplus for the year	26,095	26,095	-	-
Net asset revaluation (decrement)	130,123	-	130,123	-
Transfers to other reserves	-	(20,185)	-	20,185
Transfers from other reserves	-	16,504	-	(16,504)
Balance at end of the financial year	1,468,104	422,958	950,255	94,891

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Statement of Cash Flows Q3 2022/2023 Financial Statements			
	2022/2023 Q3 Actuals \$'000 Inflows/ (Outflows)	2022/2023 Annual Budget \$'000 Inflows/ (Outflows)	2021/2022 Annual Actuals \$'000 Inflows/ (Outflows)
Cash flows from operating activities			
Rates and charges	84,369	120,943	110,048
Statutory fees and fines	8,504	8,750	8,904
User fees	8,167	11,805	7,954
Grants - operating	5,415	6,524	10,222
Grants - capital	1,712	6,173	3,506
Contributions - monetary	3,446	7,402	4,239
Interest received	2,970	684	513
Trust funds and deposits taken	9,968	2,602	12,867
Other receipts	1,204	1,712	931
Net GST refund	5,142	4,929	7,436
Employee costs	(42,013)	(59,563)	(53,685)
Materials and services	(46,774)	(69,994)	(60,953)
Short-term, low value and variable lease payments	(392)	-	(240)
Trust funds and deposits repaid	(11,545)	(2,602)	(13,293)
Other payments	(426)	(525)	(3,260)
Net cash provided by/(used in) operating activities	29,747	38,840	35,189
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment	(18,358)	(69,754)	(31,118)
Proceeds from sale of property, infrastructure, plant and equipment	310	430	442
Payments for investments	(121,100)	(16,000)	(96,000)
Proceeds from sale of investments	85,000	14,000	77,000
Net cash provided by/(used in) investing activities	(54,148)	(71,324)	(49,676)
Cash flows from financing activities			
Proceeds from borrowings		10,000	
Interest paid - lease liability	(133)	(109)	(130)
Repayment of lease liabilities	(882)	(736)	(816)
Net cash provided (used in) financing activities	(1,015)	9,155	(946)
Net increase (decrease) in cash and cash equivalents	(25,416)	(23,329)	(15,433)
Cash and cash equivalents at the beginning of the financial year	37,725	52,119	53,158
Cash and cash equivalents at the end of the financial year	12,309	28,790	37,725

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For the period ending 31 March 2023

Statement of Capital & Improvement Works Q3 2022/2023 Financial Statements			
	2022/2023 Q3 Actuals \$'000	2022/2023 Annual Budget \$'000	2021/2022 Annual Actuals \$'000
Property			
Land	-	-	28
Land improvements	-	1,762	-
Work in progress	24	--	-
<b>Total land</b>	<b>24</b>	<b>1,762</b>	<b>28</b>
Buildings	392	32,694	8,921
Work in progress Works in progress	8,895	-	-
<b>Total buildings</b>	<b>9,287</b>	<b>32,694</b>	<b>8,921</b>
<b>Total property</b>	<b>9,311</b>	<b>34,456</b>	<b>8,949</b>
Plant and equipment			
Plant, machinery and equipment	534	1,800	1,178
Computers and telecommunications	-	2,446	1,828
Library books	-	920	579
Work in progress Works in progress	1,564	-	-
<b>Total plant and equipment</b>	<b>2,098</b>	<b>5,166</b>	<b>3,585</b>
Infrastructure			
Roads	1,489	12,650	4,557
Bridges	-	256	24
Footpaths and cycle ways	99	6,768	1,558
Drainage	-	1,209	978
Recreational, leisure and community facilities	-	200	2,056
Waste management	-	250	864
Parks, open space and streetscapes	215	12,063	6,894
Off street car parks	-	-	87
Other infrastructure	-	-	1,566
Work in progress Works in progress	5,146	-	-
<b>Total infrastructure</b>	<b>6,949</b>	<b>33,396</b>	<b>18,584</b>
<b>Total capital works expenditure</b>	<b>18,358</b>	<b>73,018</b>	<b>31,118</b>
New	568	14,333	12,778
Renewal	1,769	17,575	10,492
Expansion	392	6,968	471
Upgrade	-	34,142	7,377
Work in progress Works in progress	15,629	-	-
<b>Total capital works expenditure</b>	<b>18,358</b>	<b>73,018</b>	<b>31,118</b>

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Financial Summary

Branch	YTD Actuals	YTD Budget	YTD Variance	Annual Adopted Budget	Annual Forecast Budget	Carried Forward	Budget plus CFwd to Forecast Variance
Operating Expenditure							
Community Services	13,568	14,844	1,276	19,602	18,869	-	733
Corporate Services	16,114	16,877	762	28,929	30,911	-	(1,982)
Infrastructure Services	34,082	36,641	2,559	48,553	49,947	-	(1,393)
Planning and Environment Services	19,197	20,032	835	26,533	28,096	-	(1,562)
Capital Expenditure Total	82,962	88,393	5,432	123,618	127,823	-	(4,206)
Initiatives Expenditure							
Community Services	244	-	(244)	-	289	-	(289)
Corporate Services	7	-	(7)	-	7	-	(7)
Infrastructure Services	15	-	(15)	-	14	-	(14)
Initiatives Expenditure Total	266	-	(266)	-	310	-	(310)
Capital Expenditure							
Community Services	712	938	226	1,294	1,046	283	531
Corporate Services	966	1,506	540	2,205	1,161	326	1,370
Infrastructure Services	21,951	34,856	12,905	57,012	43,350	8,364	22,026
Planning and Environment Services	758	3,492	2,733	4,945	874	922	4,994
Operating Expenditure Total	24,388	40,792	16,404	65,456	46,431	9,895	28,921
Expenditure Total	107,616	129,186	21,569	189,074	174,564	9,895	24,405
Operating Income							
Community Services	4,031	3,221	811	4,434	4,541	-	107
Corporate Services	120,982	117,355	3,630	120,429	121,476	-1,744	2,791
Infrastructure Services	7,271	6,618	653	9,139	9,358	-	219

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Branch	YTD Actuals	YTD Budget	YTD Variance	Annual Adopted Budget	Annual Forecast Budget	Carried Forward	Budget plus CFwd to Forecast Variance
Planning and Environment Services	14,851	12,726	2,124	18,880	21,852	-	2,972
Capital Income Total	147,135	139,919	7,218	152,882	157,226	-1,744	6,088
Initiative Income							
Community Services	329	-	329	-	289	-	288
Infrastructure Services	14	-	14	-	14	-	14
Initiative Income Total	344	-	343	-	303	-	303
Capital Income							
Community Services	100	119	(19)	200	119	200	(281)
Corporate Services	-	194	(194)	200	326	326	(200)
Infrastructure Services	10,467	8,539	1,928	31,319	22,283	898	(9,934)
Planning and Environment Services	1,461	2,527	(1,066)	4,473	555	-	(3,918)
Operating Income Total	12,029	11,379	649	36,192	23,283	1,424	(14,333)
Revenue Total	159,508	151,298	8,210	189,074	180,812	-320	(7,942)
Projects Transferred to Reserve/Carry forward							
Total	-51,893	-22,112	29,780	-	-6,248	10,215	16,462
<b>Summary</b>							
Council Operation - Budget to Forecast Net surplus/ (Deficit)							1,883
Strategic Initiative - Budget to Forecast Net surplus/ (Deficit)							(7)
Capital Improvement - Budget to Forecast Net surplus/ (Deficit)							14,587
Net adjusted Annual Budget to Forecast Variance Fav/(Unfav)							16,462

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### **7. Additional Information**

The following information is to demonstrate the following:

Appendix 1 - Council Action Plan 2022/2023 Progress Status Report Q3.

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### 8. Appendix 1 - Council Action Plan 2022/2023 Progress Status Report Q3

Blue shade indicates Major Initiative

HW indicates Health and Wellbeing Strategy/Actions

Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
1.1 Delivery the climate emergency strategy outcomes HW	City Futures	1.1.1 Develop and implement Climate Emergency Action Plan (Years 1 – 4), noting zero emissions by 2030	Annual progress report to Council	30 June 2023	Actions identified in the Climate Emergency Action Plan continue to be implemented.	In Progress – to Target
		1.1.2 Develop and implement a Climate Emergency Adaptation Framework	Annual progress report to Council	30 June 2023	A Request for Quote (RFQ) is being developed for the appointment of a consultant to prepare the Adaptation Framework.	In Progress – to Target
		1.1.3 Support our community to understand and take action on climate emergency with a goal of zero community emissions by 2030	Annual progress report to Council	31 March 2023	Community education initiatives continue to be supported and promoted by Council.	In Progress - Delayed
		1.1.4 Investigate renewable energy options and projects for Council and the community	Annual progress report to Council	30 June 2023	An options paper on renewable energy projects was presented in Nov 2022 for Council's consideration. Further investigation of preferred options will continue.	In Progress – to Target



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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
1.2 Reduce waste production, increase diversion from landfill and improve recycling services <a href="#">HW</a>	Assets & Capital	1.2.1 Deliver actions under the Towards Zero Waste Strategy 2019-2030, including diverting 45% of waste from landfill by 2025, and 60% by 2030	Annual progress report to Council	30 June 2023	A report is being prepared and will be presented to Council in Q4.	In Progress – to Target
		1.2.3 Investigate options for glass recycling service provision	Report presented to Council	30 June 2023	This action is dependent on the mechanics of the container deposit scheme which was recently announced by the State Government. A report is being prepared and will be presented to Council in due course.	In Progress – to Target
		1.2.4 Use recycled and low carbon materials in construction, infrastructure, renovation and maintenance projects.	Annual report to Council including quantity of recycled materials used in Council projects	30 April 2023	The Project Office has been working with Victoria University on several sustainability projects. In particular adopting the construction of road infrastructures using recycled materials. This includes evaluating ongoing performances and benchmarking against similar conventional roads.  Recommendations on future applications of recycled materials in infrastructure projects will be shared with Council in 2023.	In Progress – to Target

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
	City Futures	1.2.5 Develop and implement single use plastics Policy and Action Plan to support current programme	Annual progress report to Council	31 December 2022	The Single Use Plastics Policy and Action Plan continues to be implemented across Council.	In Progress - Delayed
1.3 Enhance the natural and urban environment, by planting more trees and protecting water ways <a href="#">HW</a>	City Futures	1.3.1 Develop and implement the Integrated Water Management Strategy and Action Plan	Annual progress report to Council	30 June 2023	A draft Integrated Water Management Strategy will be finalised for the consideration of Council in mid-2023.	In Progress – to Target
		1.3.2 Develop and implement the Biodiversity Plan and Action Plan	Annual progress report to Council	30 June 2023	Work has commenced on defining the scope for a Biodiversity Plan.	In Progress - Delayed
	Operations and Maintenance	1.3.3 Update the Urban Forest Strategy and Action Plan	Annual progress report to Council	30 June 2023	The Urban Forest Strategy was adopted by Council in Dec 2018. The Action Plan is currently underway to meet the strategic objectives and predicted canopy cover targets. As estimate of 12000 climate suitable trees have been planted across the municipality through the delivery of this Action Plan. The Urban Forest Strategy is due for review in Dec 2028. The annual progress report will be provided to Council Jun 2023.	In Progress – to Target
	Recreation & Open Space	1.3.4 Implement Stony Creek Future Directions Plan 2020	Annual progress report to Council	31 May 2023	Completed new public toilets, picnic shelter, playground and barbeque at McNish Reserve.	In Progress – to Target

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
					Frog Bog and Rain Garden at Court St completed. Installation of new irrigation system, planting, and furniture replacement in Cruickshank Park completed.  Hyde Street Reserve landscaping upgrade to include bike parking area and disc golf course completed. Annual progress report to Council to be presented 2023 in alignment with Melbourne Waters Update.	
		1.3.5 Include the "Stony Creek stormwater treatment and harvesting – Design Flow Report – May 2019" with the implementation of the Stony Creek Future Directions Plan	Annual progress report to Council	31 May 2023	Rain Garden at Court St Yarraville completed. Construction of Rain Garden at Bishop St, Yarraville delayed due to soil contamination mitigation measures.	In Progress – to Target
1.4 Creating additional and accessible open space <a href="#">HW</a>	Recreation & Open Space	1.4.1 Implement the Open Space Strategy 2014-2032	Make annual improvements to Reserves as outlined in the Open Space Strategy	28 February 2023	A program of upgrades to parks and reserves: paths, landscaping, lighting furniture and fittings, irrigation works completed.	In Progress – to Target
			Annual progress report to Council	30 June 2023	There has been no land purchases. State Government has been advised of Open Space deficiencies with key	

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
					locations sought to be included in the State wide plan lead by Department of Energy, Environment and Climate Action (DEECA).	
		1.4.2 Implement the Hansen Reserve Masterplan	Annual progress report to Council	30 June 2023	New regional play space completed, new sheltered barbeque and picnic area near play space completed. New drinking fountains installed near play space. Pavilion schematics developed and proceeding to detailed design. Council briefed on progress Mar 2023.	In Progress – to Target
2.1 Promote and design, low carbon, green, safe, aesthetic and connected neighbourhoods <i>HW</i>	Libraries Arts and Culture	2.1.1 Implement the Public Art Strategy 2019-2029	Annual progress report to Council	31 May 2023	In Q3, major public artworks 'Maribyrnong' and 'Architecture of the Sole' at the Henry Turner South Pavilion will be finalised and installed. StreetWORKS murals at Donald St and Footscray High will be installed, including a skills development program with the high school.  Smaller public art projects such as planters in West Footscray, wrapping public toilets with local art have commenced, as has the Footscray Art Prize (in	Completed

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
					partnership with FCA, Vic Uni and Rotary) with Council supporting the Local Artist Acquisition.	
	City Places	2.1.4 Develop medium density guidelines, which will include vegetation protection principles, to guide development for built form across the City	Annual progress report to Council	31 May 2023	The Medium Density Design Guidelines will be presented to Council at the April CDDC meeting for final adoption.  The guidelines will then be used to inform decisions regarding planning permit applications.	In Progress – to Target
2.2 Provide accessible opportunities for all our community to achieve physical, mental and social wellbeing <i>HW</i>	Community Services & Social Infrastructure Planning	2.2.1 Implement 0-25 Strategy for children, young people and their families 2030	Annual progress report to Council	31 December 2022	Council provided with a copy of Annual Report Card outlining actions to support strategy in Nov 2022, and Report has been added to the Council website and circulated to relevant stakeholders.	Completed
	Recreation & Open Space	2.2.2 Implement the Healthy and Active Framework 2021-2025	Annual progress report to Council	31 December 2022	Project has been re scoped to include a review of Active Maribyrnong. Memorandum of Understanding (MOU) with VicHealth has been executed to provide advice and support.	In Progress – Delayed

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
	Recreation & Open Space	2.2.3 Develop and implement the Aquatic Strategy 2021-2025	Annual progress report to Council	31 December 2022	Aquatic Strategy report is being presented to Council prior to the end of the 2022/2023 financial year.	In Progress – Delayed
		2.2.4 Implement the Indoor Stadium Strategy 2019	Annual progress report to Council	30 June 2023	Two sites identified in the indoor strategy are currently subject to Master Planning –Mclvor Reserve and Robert Barrett Reserve. Mclvor reserve was endorsed on 29 <sup>th</sup> Mar 2023.	In Progress – to Target
		2.2.5 Implement the Outdoor Sport and Recreation Facilities Future Directions Plan 2021-2025	Annual progress report to Council	31 December 2022	Project has been rescoped to ensure a comprehensive analysis of outdoor provision and future trends. Anticipated completion Sep 2023.	In Progress – Delayed
	City Places	2.2.7 Develop and consult on a Walking Strategy (within the Active Transport Framework)	Strategy adopted by Council	31 October 2022	Consultation occurred regarding the vision for the draft Walking Strategy as part of the Autumn 2023 Messenger. The results of this consultation are informing the draft Walking Strategy, which will be presented to Council in Jun/Jul 2023.	In Progress – Delayed
2.3 Promote and partner with	City Futures		Implement Action Plan	30 June 2023	The Maribyrnong Festivals and Activation Framework was	In Progress – to Target

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
community to build resilient tourism, circular and local economies <a href="#">HW</a>		2.3.1 Continue to deliver objectives of the Maribyrnong Tourism and Visitation Strategy and Action Plan			adopted by Council in Oct 2022. It continues to provide support and funding for visitation initiatives.	
			Annual progress report to Council	30 June 2023		
		2.3.2 Investigate options to enhance and support night time tourism opportunities in local activity centres	Annual progress report to Council	31 May 2023	The Maribyrnong Festivals and Activation Framework was adopted by Council in Oct 2022. It continues to provide support and funding for visitation initiatives that have a focus on the night time economy via a dedicated grant funding stream.	In Progress – to Target

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
		2.3.3 Support the business community and actively promote the City for business	Annual progress report to Council	30 June 2023	<p>The annual 'City of Maribyrnong Business Networking Breakfast' was held on 31st March with a record attendance of over 200 guests. Council supported the delivery of the "She's the Boss - International Women's Day Business Luncheon" which was a sold out event delivered on 9th March with 70 guests.</p> <p>The Business Elevate Program has been in full swing with voucher recipients working with their designated local suppliers to access business support services. Final acquittal of the program is on scheduled for completion in Q4.</p> <p>The business concierge service handled 113 business permit queries in Q3 at an average of 9.2 new queries per week.</p>	In Progress – to Target



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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
		2.3.4 Review and update Festivals City Program and implement new, emerging and accessible festivals	Implement updated Festivals City Program	30 April 2023	The Maribyrnong Festivals and Activation Framework was adopted by Council in Oct 2022.	In Progress – to Target
2.4 Reduce traffic and trucks on our local roads, to improve safety, air quality and health outcomes <a href="#">HW</a>	City Futures	2.4.1 Develop and implement the Air Quality Improvement Plan and Action Plan	Annual progress report to Council	31 August 2022	The Air Quality Improvement Plan and Action Plan was endorsed by Council in Aug 2022.	Completed
2.5 Improve active and green transport across the municipality <a href="#">HW</a>	City Places	2.5.1 Implement Maribyrnong Bicycle Strategy	Annual progress report to Council	31 August 2022	A briefing update was presented to Council on 10th May 2022, with additional Active Transport updates provided at Briefing on 20th Sep 2022.	Completed
	Engineering and Transport	2.5.2 Advocate for improved low emission public transport solutions	Progress report in the bi-annual Advocacy Report	31 December 2022 30 June 2023	Department of Transport and Planning (DTP) has plans to undertake a three-year trial of zero emission bus technology as part of the State' transition to a sustainable bus fleet. From 2025, all new buses in Victoria will be zero emissions. Council will continue to advocate to DTP for early implementation	In Progress – to Target

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
					and improved services in Maribyrnong. Council also provided a submission to Infrastructure Victoria's (IV) Making the most of Melbourne's buses – discussion paper on bus network reform in February. A final report will be published by IV in late 2023.	
3.1 Build upon our community strengths and assets, to enable community led activities <a href="#">HW</a>	Community Development and Positive Ageing & Inclusion	3.1.1 Implement the community grants program and extend training and support to all applicants, including First Nations and diverse Cultural Group applicants	Annual progress report to Council which includes a demographic breakdown of all applicants and successful applications	30 June 2023	Annual report was presented to Council in the Nov 2022 meeting cycle. Council received 58 and 33 were recommended for funding. Council is in the process of finalising payments and Agreements with all applicants.	Completed
3.2 Strengthen inclusion and cohesion by removing barriers to participation in all aspects of community life HW	Community Development and Positive Ageing & Inclusion	3.2.1 Develop and implement the LGBTIQA+ Strategy and Action Plan	LGBTIQA+ Strategy and Action Plan adopted by Council	31 October 2022	The LGBTIQA+ Strategy and Action Plan was presented to Council and adopted in the October meeting cycle.	Completed
		3.2.2 Develop and implement the Disability Action Plan (DAP)	Annual progress report to Council	30 June 2023	The (draft) DAP is being presented to Council Apr 2023 for adoption.	In Progress – to Target

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
		3.2.3 Implement the Intercultural Maribyrnong Strategy and Action Plan	Intercultural Maribyrnong Strategy and Action Plan adopted by Council	30 September 2022	A report has been drafted and is expected to be presented to Council in June 2023.	In Progress - Delayed
		3.2.4 Implement People and Participation Strategy 2021 and beyond, and Action Plan	People and Participation Strategy 2021 and beyond, and Action Plan adopted by Council	30 September 2022	The Maribyrnong People & Participation Strategy (MPPS) was adopted by Council Jun 2022.	Completed
			Annual progress report to Council	30 June 2023	The annual reporting connects with key priorities in the MPPS action plan	In Progress – to Target
	Libraries Arts and Culture	3.2.5 Develop and implement Maribyrnong Libraries Plan 2023-2025 and Action Plan	Maribyrnong Libraries Plan 2023-2025 and Action Plan adopted by Council	30 June 2023	Draft completed and going to April Council meeting.	In Progress – to Target
	City Futures	3.2.7 Implement the Footscray University Town (FUT) Plan 2020-25	Annual progress report to Council	30 June 2023	Footscray University Town initiatives continue to be jointly supported by Council and Victoria University. A recent initiative was the Deck Out West pop-up live music activation held over 6 weeks between Feb and	In Progress – to Target

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
					Mar 2023 on the banks of the Maribyrnong River.	
3.3 Advocate for improved social and affordable housing outcomes HW	Community Services & Social Infrastructure Planning	3.3.1 Promote and facilitate partnerships to improve the quality, options and volume of social and housing affordability	Progress report submitted to Council as part of the bi-annual Advocacy Plan	31 December 2022	Cost of Living Profile including information on social and affordable housing, and homelessness presented to Councillor Weekend in February.	In Progress – to Target
	City Futures /Community Services & Social Infrastructure Planning	3.3.2 Explore partnership options to promote social and housing affordability	Annual report to Council on social and affordable housing sector trends	30 June 2023		
				31 August 2022	Cost of Living Profile containing information on housing sector trends presented to Councillor Weekend in Feb 2023.	Completed
3.4 Build capacity for our diverse communities to thrive economically and culturally HW	Libraries Arts and Culture	3.4.1 Implement the Arts and Culture Strategy 2018-2023	Evaluate Strategy	31 March 2023 (note: Evaluation will occur Oct 2023)	In 2022/23, we deliver the final year of the current strategy and evaluate its impact before developing the next A&C Strategy in 2024. In Q3, the arts team have presented the HIDDEN Footscray exhibition, Amplify events (including for IWD) and Supported Seasons at the Bluestone Church Arts Space, and Artist Residencies in Artsbox.	Completed
			Annual progress report to Council	31 March 2023		

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
					We opened the next round of Triennial Arts Partner funding, providing workshops in Strategic Plan Writing and the First Nations Creators and Western Artists Mentorship Programs. We continue to service manage 7 local arts facilities, and offer low cost venue hire to the community at the Bluestone Church Art Space.	
	Community Development and Positive Ageing & Inclusion	3.4.3 Develop and implement the 'Leading and Participation' program and framework	Annual progress report to Council	31 May 2023	The People and Participation Strategy was adopted by Council in June 2022.	Completed
3.5 Provide opportunities for lifelong learning <i>HW</i>	Libraries Arts and Culture	3.5.1 Deliver quality programming at Libraries and Community Centres	Annual progress report to Council	31 May 2023	Quality programming continue cross the three Community Centres. Program numbers continue to grow post-COVID. Toddler time successfully added to Library programs in T1 2023.	In Progress – to Target
	Community Services & Social	3.5.2 Advocate for social and community infrastructure investments	Annual progress and advocacy report to Council	31 May 2023	Draft Community Infrastructure Strategy to be presented to Council in May and released for	In Progress – to Target

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
	Infrastructure Planning				community and stakeholder engagement	
3.6 Take action to reduce family violence, respond to the needs of victims and promote gender equality <a href="#">HW</a>	Community Services & Social Infrastructure Planning	3.6.1 Implement strategies to respond to family violence and promote gender equality through the Towards Gender Equity Strategy 2030	Annual progress report against indicators in the Towards Gender Equity 2030 Strategy delivered to Council	31 October 2022	Annual report card on progress under Towards Gender Equity 2030 delivered in October. Key activities in this quarter include hosting a campaign of activities across City of Maribyrnong for International Women's Day and Implementing Year 1 Actions from Council's workplace Gender Equality Action Plan.	Completed
			Gender impact assessments phased in for major policies and strategies	31 October 2022	Gender Impact Assessments (GIAs) program implemented across Council's policies, programs and services. 23 GIAs undertaken this year.	Completed
4.1 Foster pride and identity by acknowledging our rich cultural heritage, and our First Nations People's history <a href="#">HW</a>	City Places	4.1.1 Protect, retain and enhance items of heritage significance in our community through statutory planning controls	Annual progress report to Council	30 June 2023	An issues and opportunities paper was presented to Council at Briefing in Mar 2023. The issues and opportunities paper will inform the preparation of a draft Heritage Plan, which will be presented to Council later in 2023.	In Progress – Delayed

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
4.2 Advocate and deliver projects that support a growing community now and into the future <i>HW</i>	City Futures	4.2.1 Develop and implement a Smart Cities Framework to make the best use of technologies for our community	Annual progress report to Council	30 June 2023	The "Smart City for Smart Communities" annual implementation plan is being delivered.  Most actions are on track for completion, with some additional projects being added by the Project Working Group in response to opportunities and needs.	In Progress – to Target
	Community Services & Social Infrastructure Planning	4.2.2 Secure funding for Creative West (formerly NeXT project) and commence design and build	Funds secured for detailed design and construction	31 August 2022	Project scope and development options to be reviewed though a new Business Case assessment. Allocation of funding for detailed design will occur once the business case is complete and schematic designs prepared for the endorsed development option.	In Progress – Delayed
		4.2.3 Implement Early Years Infrastructure Plan 2041	Annual progress report to Council	31 March 2023	Annual report provided to Council via Council Bulletin in Mar 2023.	Completed
		4.2.4 Deliver Maribyrnong Reserve Project	Detailed design adopted by Council	31 May 2023	A Feasibility Study report on development options for a community hub at Maribyrnong Reserve will be delivered by September 2023. The Feasibility	In Progress – Delayed

Quarterly Performance and Financial Report

For the period ending 31 March 2023

**Agenda Item 9.5 - Attachment 1**

Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
	Planning & Environment	4.2.5 Develop and implement Advocacy Plan 2021 and engage third party funders to encourage their support of advocacy priorities	Bi-annual Advocacy Plan delivered to Council		Study will inform a Master Plan for the Reserve, to be delivered by Jun 2024.	
				30 September 2022	A progress update including plan was presented to Council in Feb 2023. The plan is currently being updated to incorporate this feedback and an update plan will be presented to Council by Jun 2023. See action below.	In Progress – to Target
			Review and update Plan Bi-annually	31 March 2023		
				31 December 2022	A progress update including plan was presented to Council in Feb 2023. The plan is currently being updated to incorporate this feedback and an updated plan will be presented to Council by Jun 2023. See action above.	In Progress – to Target
			Bi-annual progress report to Council, including successful grant applications, delivery of projects identified as advocacy priorities, and outcomes of third party meetings	30 June 2023		
				31 December 2022	Regional advocacy progress update was reported was to Council at 9 <sup>th</sup> Sep 2022 briefing. A further update was provide in Feb 2023.	Completed
				30 June 2023		



Quarterly Performance and Financial Report

For the period ending 31 March 2023

**Agenda Item 9.5 - Attachment 1**

Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
	Information Technology Services	4.2.6 Single Customer View experience enabling digital delivery of services to our customers	Annual progress report to Council	31 August 2022	Single Customer View experience branded as MyMaribyrnong Portal has been implemented with a Go Live date of 9 <sup>th</sup> Nov 2022.	Completed
	Major Projects and Strategic Relationships	4.2.7 Undertake and complete the detailed design phase of the Footscray Civic and Community Hub project	Annual progress report to Council as per project milestones	30 June 2023	Construction Contract for the Civic Precinct and Community Hub Project awarded to Ireland Brown Construction at the meeting of Council on 13th Sep 2022. Demolition of the Civic Office buildings is complete, with bulk earth works and in ground services now underway. Refurbishment of the Heritage listed Town Hall has commenced.	In Progress – to Target
		4.2.8 Advocate for redevelopment of old Footscray Hospital and Maribyrnong Defence site	Update included in the bi-annual Advocacy Plan and delivered to Council	31 December 2022 30 June 2023	As appropriate advocate for Planning, Design and Infrastructure outcomes to achieve Council's strategic objectives	In Progress – to Target
	Assets and Capital	4.2.9 Develop and deliver 4-Year Capital Works Program	Annual progress report to Council as per projects milestones	30 June 2023	Currently finalising the draft capital works program for the annual budget document. Proposed budget will then be distributed for public hearing and	In Progress – to Target

Quarterly Performance and Financial Report  
For the period ending 31 March 2023

**Agenda Item 9.5 - Attachment 1**

Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
					the final capital works program will be considered for council adoption.	
5.1 Uphold our obligations to promote and protect Human Rights by demonstrating strong social responsibility across Council's operations <a href="#">HW</a>	Community Development and Positive Ageing & Inclusion	5.1.1 Implement the Reconciliation Action Plan (RAP)	Annual progress report to Council	31 August 2022	Action Plan update has been provided to Council.	Completed
	Community Services & Social Infrastructure Planning	5.1.2 Report to Council on meeting statutory objectives and achievements for the community	Annually report to Council on the range of social policy and practice across Council	30 June 2023	Hosted International Women's Day events and activities including Cracking the Code: Diversity in Leadership through Crisis panel discussion and co-hosted event with Western Bulldogs and Victoria University. The Power of Embracing Equity, Implementing Food Inequality Action Plan 2022-2024. Implementing Reducing Harm from Gambling Policy Action Plan 2022-2030. Draft Human Rights and Social Justice Statement under development.	In Progress – to Target
5.2 Enhance breadth and depth of community engagement and encourage active	Customer Engagement	5.2.1 Implement the Engagement Policy 2021, including the use of tools and methods to support enhanced	Annual progress report to Council	31 August 2022	Increased community participation has continued using a variety of engagement tools, both face-to-face and online via Your City Your Voice. Internal	Completed

Quarterly Performance and Financial Report

For the period ending 31 March 2023

**Agenda Item 9.5 - Attachment 1**

Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
civic participation <i>HW</i>		engagement with hard to reach communities			support and promotion of engagement tools continues.	
5.4 Ensure Council sustainability, transparency and accountability	Finance	5.4.1 Budget, Financial Plan, Revenue and Rating Plan, and the Asset Plan adopted in line with statutory obligations	Audit Report	31 October 2022	Victorian Auditor General Office (VAGO) audit report completed on 4 <sup>th</sup> Oct 2022 and included in Annual report which is presented on 18 <sup>th</sup> Oct 2022.	Completed
			Annual Budget adopted by Council	30 June 2023	The proposed Budget has been developed and approved in principle by Council on 18 <sup>th</sup> Apr 2023. The proposed budget will be placed on public exhibition and submissions will be invited and considered prior to Council adopting its proposed Budget.	In Progress – to Target
	People & Capability	5.4.2 Implement Workforce Plan in line with statutory obligations	Annual progress report to Council	31 December 2022	Of the 9 actions in year 1, 2 have been carried over to Year 2. Actions in relation to the GEAP are in progress.	In Progress – Delayed
	Finance	5.4.4 Manage performance and finances in line with income and regulation	Quarterly reporting to Council on performance and financial report and to the Audit and Risk Committee	30 June 2023	Quarterly reporting to Council on performance and financial report and to the Audit and Risk Committee is ongoing and occurs quarterly.	In Progress – to Target

Quarterly Performance and Financial Report

For the period ending 31 March 2023

**Agenda Item 9.5 - Attachment 1**

Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
					<ul style="list-style-type: none"> <li>Q4 FINYR 2021-22 report was presented to Council on 13<sup>th</sup> Sep 2022.</li> <li>Q1 FINYR 2022-23 report was presented to Council on 15<sup>th</sup> Nov 2022.</li> <li>Q2 FINYR 2022-23 report was presented to Council in 21<sup>st</sup> Feb 2023.</li> <li>Q3 FINYR 2022-23 report will be presented to Council on 16<sup>th</sup> May 2023.</li> </ul>	



**Agenda Item 9.6**

**COUNCILLOR SUPPORT AND EXPENSES JANUARY 2023 TO MARCH 2023**

**Director:** Celia Haddock  
Chief Executive Officer

**Author:** Elle Schreiber  
Executive Officer to Chief Executive Officer

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**PURPOSE**

To present the Councillor Support and Expense for the January 2023 to March 2023 period.

**ISSUES SUMMARY**

- Council's Council Support, Expenses and Reimbursement Policy 2020, requires details of Councillors' support and expenses to be reported to a Council Meeting, and to be made available on Council's website for the term of the Council.
- This reporting period is for the period January 2023 to March 2023.

**ATTACHMENTS**

1. Councillor Support and Expenses - January to March 2023 [↓](#) 

**OFFICER RECOMMENDATION**

**That Council notes the Councillor Support and Expenses Report for the period January 2023 to March 2023, to be made available via Council's website for the term of the current Council.**

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**Agenda Item 9.6****BACKGROUND**

As part of Council's commitment to open and transparent governance, Council's Support, Expenses and Reimbursement Policy 2020 requires details of Councillors' expenses to be reported to an Ordinary Council Meeting.

**DISCUSSION/KEY ISSUES****1. Key Issues**

Under the *Local Government Act 2020*, Councillors are entitled to resources and facilities support and reimbursements of expenses, related to their duties as a Councillor.

In carrying out civic and statutory functions, Councillors are required to attend both statutory committee and sector-based meetings, attend seminars, functions and other information meetings, in order to be kept informed of issues facing the municipality, wards, and local government in general.

Details of Councillor Support and expenses in relation to the following support items are reported to Council on a quarterly basis:

- Councillor Development/Training
- Conferences/Seminars
- Events
- Memberships
- Child/Family Care
- Photocopy use
- Mobile/Data
- Travel

**2. Council Policy/Legislation****Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

**Legislation**

This report is presented in accordance with the requirements of the Local Government Act 2020, the Councillor Support, Expenses and Reimbursement Policy 2020 and the Council Plan 2021-2025.

## **Agenda Item 9.6**

### **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

### **Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

### **3. Engagement**

Nil.

### **4. Resources**

All Council Support and expenses are within existing budgetary allocations.

### **5. Environment**

Nil.

### **CONCLUSION**

The Councillor Support and Expenses from the period January 2023 to March 2023 are presented for noting.



Councillor Expenses Report 2023				
	Jan	Feb	Mar	Grand Total (excl GST)
Cr Anthony Tran				
Information and Communications	\$54.99	\$54.99	\$55.29	\$165.27
Travel and Car Mileage		\$56.70	\$49.41	\$106.11
Cr Anthony Tran Total	\$54.99	\$111.69	\$104.70	\$271.38
Cr Bernadette Thomas				
Conferences and Training		\$649.00		\$649.00
Information and Communications	\$54.99	\$54.99	\$54.99	\$164.97
Cr Bernadette Thomas Total	\$54.99	\$703.99	\$54.99	\$813.97
Cr Cuc Lam				
Events		\$676.50		\$676.50
Information and Communications	\$54.99	\$54.99	\$54.99	\$164.97
Travel and Car Mileage		\$257.22		\$257.22
Cr Cuc Lam Total	\$54.99	\$988.71	\$54.99	\$1,098.69
Cr Jorge Jorquera				
	\$0.00	\$0.00	\$0.00	\$0.00
Cr Jorge Jorquera Total	\$0.00	\$0.00	\$0.00	\$0.00
Cr Michael Clarke				
Conferences and Training			\$616.00	\$616.00
Information and Communications	\$45.00	\$45.00	\$45.00	\$135.00
Cr Michael Clarke Total	\$45.00	\$45.00	\$661.00	\$751.00
Cr Sarah Carter				
Events		\$27.50		\$27.50
Information and Communications	\$154.98	\$165.00	\$54.99	\$374.97
Cr Sarah Carter Total	\$154.98	\$192.50	\$54.99	\$402.47
Cr Simon Crawford				
Information and Communications	\$54.99	\$54.99	\$54.99	\$164.97
Cr Simon Crawford Total	\$54.99	\$54.99	\$54.99	\$164.97
Grand Total (excl GST)	\$419.94	\$2,096.88	\$985.66	\$3,502.48

**Agenda Item 9.7****GOVERNANCE REPORT - APRIL 2023**

**Director:** Lisa King  
Director Corporate Services

**Author:** Phil McQue  
Manager Governance and Commercial Services

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**PURPOSE**

To receive and note the record of informal meetings of Councillors and Councillor delegates' for April 2023 as well as other statutory compliance and governance matters.

**ISSUES SUMMARY**

Details of informal meetings Councillors and Councillor Delegates' Reports are presented to a Council Meeting on a monthly basis. The reports will be made available on Council's website for the term of the current Council.

**ATTACHMENTS**

1. Governance Report - April 2023 [!\[\]\(b6d55d0b173caf9b2505126db01e6158\_img.jpg\)](#) 

**OFFICER RECOMMENDATION**

**That Council notes the Governance Report containing the record of informal meetings of Councillors and Councillor Delegates' Reports for April 2023, which will be made available on Council's website for the term of the current Council.**

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**Agenda Item 9.7****BACKGROUND**

It is considered good governance that written records of informal meetings of Councillors are, as soon as practicable, reported at a Council Meeting and incorporated in the minutes of that Council meeting. The Councillor delegates' reports demonstrate Council's commitment to open and transparent governance. Details of Councillor Delegates Reports are presented to a Council Meeting on a monthly basis, and made available on Council's website.

**DISCUSSION/KEY ISSUES****1. Key Issues****Informal Meetings of Councillors**

Chapter 6 of Council's Governance Rules state that if there is a meeting of Councillors that:

- 1.1 is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- 1.2 is attended by at least one member of Council staff; and
- 1.3 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are tabled at the next convenient Council meeting.

These do not include:

- A meeting of the Council
- A Delegated Committee
- An Audit and Risk Committee
- A club, association, peak body, political party or other organisation.

The attached record is reported to Council in accordance with this requirement.

**Councillor Delegates' Reports**

As part of their governance and representation obligations, individual Councillors represent Council on a range of committees. The committees operate outside of the section 63 and 64 (of the *Local Government Act 2020*) Committees established by Council.

Councillor participation in peak associations, local and regional forums and specific issues committees is an important part of effective governance and representation.

Attached are the Councillor delegates' reports for the period.

**2. Council Policy/Legislation****Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

**Agenda Item 9.7**

- Ethical leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration to support economic growth during the ongoing challenges of the pandemic and beyond.

**Legislation**

This report is presented in accordance with the requirements of the *Local Government Act 2020*.

**Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

**Human Rights Consideration**

This report complies with the rights listed in the Victorian Charter of Human Rights and Responsibilities Act 2006.

**3. Engagement**

Nil.

**4. Resources**

Nil.

**5. Environment**

Nil.

**CONCLUSION**

The reporting of the Governance Report demonstrates Council's commitment to open and transparent governance.

## Governance Report – April 2023

### Details of Informal Meetings of Councillors and Delegate Reports

Meeting and Date	Councillor Attendees	Council Staff Attendees	Matters Considered	Conflict of Interest Disclosures
Maribyrnong Active Transport Advisory Committee 3 April 2023	Cr Anthony Tran	Ashley Minniti (Manager City Places) Peter White (Manager Engineering and Transport) Aditya Andley (Co-ordinator City Design) Alistair McDonald (Active Transport Project Officer)	<ul style="list-style-type: none"> <li>Confirmation of Minutes</li> <li>River Ward Vacancies</li> <li>Victoria Police Safety Data</li> <li>Summerhill Road and Rosamond Road</li> <li>Woolworths Proposal on Barkly Street</li> <li>Feasibility of Studley Street closure at Ballarat Road</li> <li>Yarraville Ward issues</li> <li>Bike West Topic</li> <li>Council Update</li> <li>General Business</li> </ul>	Nil
Councillor Strategic Briefing Session 4 April 2023	Cr Sarah Carter Cr Michael Clarke Cr Cuc Lam Cr Bernadette Thomas Cr Anthony Tran	Celia Haddock (Chief Executive Officer) Lisa King (Director Corporate Services) Laura-Jo Mellan (Director Planning and Environment Services) Patrick Jess (Director Infrastructure Services) Lucas Gosling (Director Community Services) Steve Tierney (Manager Capital and Assets) Alix Massina (Manager Libraries, Arts and Culture) Phil McQue (Manager Governance and Commercial Services) Catherine Dwyer (Senior Coordinator Access and Participation) George Ioannou (Coordinator Property Management) Lillian Santoro-Woolmer (Access and Participation Lead)	<ul style="list-style-type: none"> <li>Draft Capital Works Update 2023/2024 and Waste</li> <li>Disability Action Plan (DAP) 2022-2026</li> <li>Draft Library Plan 2023-25</li> <li>Review of Geographic Naming Policy</li> <li>Review of Lease and Licence Policy</li> <li>Review of Property Sale, Transfer and Acquisition Policy</li> <li>Governance Report - March 2023</li> <li>Confirmation of Council Minutes - 21 March 2023</li> </ul>	Nil.

## Governance Report – April 2023

### Details of Informal Meetings of Councillors and Delegate Reports

Councillor Strategic Briefing Session 11 April 2023	Cr Sarah Carter Cr Michael Clarke Cr Jorge Jorquera Cr Cuc Lam Cr Bernadette Thomas Cr Anthony Tran	Celia Haddock (Chief Executive Officer) Lisa King (Director Corporate Services) Laura-Jo Mellan (Director Planning and Environment Services) Paul Jane (A/Director Infrastructure Services) Lucas Gosling (Director Community Services) Ashley Minniti (Manager City Places) Mark Connor (Manager Finance) Amit Sharma (Coordinator Management Accounting)	<ul style="list-style-type: none"> <li>Homes Victoria Presentation</li> <li>Woolworths West Footscray</li> <li>Consideration of the Proposed Budget 2023/2024</li> <li>West Footscray Inter-War and Post-War Heritage Precinct Study – Planning Scheme Amendment C172</li> <li>Melon Street Bicycle Facility</li> <li>Maribyrnong Medium Density Design Guidelines</li> <li>Application to Amend Planning Permit TP578/202(1) at REAR 220 Barkly Street (also known as 120 Donald Street) Footscray</li> <li>Councillor Appointment – Community Recovery Committee</li> <li>Update on Flood Submission</li> <li>Confirmation of City Development Minutes – 28 March 2023</li> </ul>	Nil.
Heritage Advisory Committee 18 April 2023	Cr Michael Clarke	Virginia Howe (Coordinator Strategic Planning) Aleksandra Lobaza (Strategic Planner) Alix Massina (Manager Libraries Art and Culture) Paul Shae (Coordinator Festivals and Visitation)	<ul style="list-style-type: none"> <li>Confirmation of Minutes February 2023</li> <li>Matters arising from the Meeting 2022</li> <li>Updates from member organisations</li> <li>Update from Council's Libraries, Arts and Culture team</li> <li>Footscray on Friday night's exhibition</li> <li>Review of Maribyrnong Heritage Plan</li> </ul>	Nil
Maribyrnong Youth Advisory Committee 19 April 2023	Cr Anthony Tran	Caitlyn Mesiti (Youth Worker) Julius (Youth Worker) Vicki Cooper (Coordinator Youth Services and Partnerships)	<ul style="list-style-type: none"> <li>Welcome Luke Stack</li> <li>Councillor Update</li> <li>Project Items</li> </ul>	Nil

## Governance Report – April 2023

### Details of Informal Meetings of Councillors and Delegate Reports

CEO Employment Matters Advisory Committee 26 April 2023	Cr Sarah Carter Cr Michael Clarke Cr Simon Crawford Cr Cuc Lam	Philip Shanahan (Independent Consultant)	<ul style="list-style-type: none"><li>Confidential – pertaining to employment of the Chief Executive Officer</li></ul>	Nil
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**Agenda Item 10.1****NOTICE OF MOTION 2023/03 : HEALTH CRISIS****Notice of Motion No: 2023/03****Councillor: Cr Bernadette Thomas**

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**BACKGROUND**

Heavy truck use of Maribyrnong's residential streets has created a major health crisis. As has been widely reported by The Age over a number of years and more recently (see below), rates of illness and hospitalisation due to air pollution in Maribyrnong considerably exceed the Australian average. The exhaust from heavy trucks contains particulate matter, which is being blown directly into the homes of residents across Maribyrnong day in day out from morning to night.

The World Health Organisation is clear that there is no safe level of exposure to these particulates<sup>1</sup>. This exhaust pollution is particularly dangerous for children. Respiratory illness expert Dr Louis Irving has recently explained to The Age that children who are exposed to air pollutants at the rates we see in Footscray are at risk of diminished lung capacity as adults (The Age, 29 January 2023). Children across Maribyrnong and the inner west of Melbourne are wearing air monitors to school to measure how damaging this pollution is to their health.

In 2015, a heavy truck curfew was introduced to protect Footscray residents after many years of community campaigning, but a lack of monitoring and enforcement by government agencies has undermined the curfew. Local residents report that at least as many heavy trucks are using residential streets now as they did before the curfew was introduced.

In 2021, the Department of Transport provided authorisation for Road Trains carrying concrete casings for the construction of the West Gate Tunnel Project to use Footscray's residential streets, undermining the curfew and posing further health risks to the local community. This was in direct contrast to a promise made by the State Government to our community in 2018 to transport these materials by rail link.

As recently as this week, Marion Terrill, Transport and Cities program Director at Grattan Institute, spelled out the alarming health impacts of old trucks running through the streets of Maribyrnong.

The Age coverage since 2020:

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<sup>1</sup> World Health Organization Air Quality Guidelines, C40 Knowledge Hub:  
[https://www.c40knowledgehub.org/s/article/WHO-Air-Quality-Guidelines?language=en\\_US#:~:text=By%20reducing%20air%20pollution%20levels,3%20%2D%204%20days%20per%20year](https://www.c40knowledgehub.org/s/article/WHO-Air-Quality-Guidelines?language=en_US#:~:text=By%20reducing%20air%20pollution%20levels,3%20%2D%204%20days%20per%20year)



**Agenda Item 10.1**

[Trucks in Maribyrnong, Yarraville, Brooklyn cause air pollution, illness in children \(theage.com.au\)](#) (May 2, 2023)

[Pollution-sensing backpacks to be worn by students in Melbourne's inner west \(theage.com.au\)](#) (March 7, 2023)

[The breathtaking state of truck pollution in Melbourne's western suburbs \(theage.com.au\)](#) (January 29, 2023)

[Pollution crisis in Melbourne's inner west drives up hospitalisations \(theage.com.au\)](#) (October 27, 2022)

[Pollution double acceptable rate outside planned childcare centre \(theage.com.au\)](#) (June 24, 2021)

[Pollution crisis in Melbourne's inner west drives up hospitalisations \(theage.com.au\)](#) (September 7, 2020)

**ATTACHMENTS**

Nil.

**MOTION**

**That Council:**

- 1. Declares a health emergency due to the health impacts of air and noise pollution from heavy trucks using the City's streets;**
- 2. Writes to the Minister for Roads and Road Safety, the Honourable Melissa Horne, requesting that the State Government:**
  - a. Take proactive steps to reduce the number of heavy trucks using the City of Maribyrnong's residential streets immediately by monitoring and enforcing the current curfews and their conditions.**
  - b. Immediately take steps to begin monitoring the health effects on the City of Maribyrnong's residents caused by these heavy truck movements; and**
- 3. Invites researchers from Deakin University to provide a briefing for Councillors on the results of their *Breathe Melbourne* 'back pack' study into air quality in the inner west.**

**Agenda Item 10.2****NOTICE OF MOTION 2023/04: BETTER BUSES CAMPAIGN****Notice of Motion No: 2023/04****Councillor: Cr Sarah Carter**

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**BACKGROUND**

Friends of the Earth Melbourne through their Sustainable Cities initiative have launched the Better Buses in the West Campaign.

The Better Buses for the West campaign is calling on community members to email their local MPs to call for public transport that is fast, frequent and connected to ensure that communities are connected to vital services that they rely on.

The campaign highlights the need for fast, frequent and connected buses to support people to get to and from healthcare, jobs, education and other essential services. Better Buses is aiming to reduce car traffic, increase air quality and improve community livelihoods.

The campaign highlights that Melbourne's western suburbs have been left behind when it comes to public transport access and infrastructure, which has a direct impact on the cost of living for many families. Friends of the Earth are asking for big and bold change and propose Better Buses as an easy and cheap way to improve transport access in Melbourne's west.

The campaign webpage contains a pre-filled email that calls for state government action for better buses in Melbourne's west. This email highlights that hard-working local communities have been forgotten and that a broken bus network and over-crowded trains mean that people living in the west find it more difficult to get their kids to school, travel to work and reach vital services. The ongoing lack of investment also impacts travel time and air quality. The email calls for MP support and funding for buses to ensure they can be faster, more frequent and clean.

The objectives of this campaign align with Councils advocacy priorities including better public transport access, improving air quality, cleaner public transport and reducing car dependency.

This Notice of Motion proposes Maribyrnong City Council endorses and supports the Better Buses campaign by promoting it and encouraging our local community to engage with local MPs.

Link: [Tell your local MP that we want better buses! \(melbournefoe.org.au\)](https://melbournefoe.org.au)

**Agenda Item 10.2**

**ATTACHMENTS**

Nil.

**MOTION**

**That Council:**

- 1. Endorses the Better Buses in the West campaign developed by Friends of the Earth Melbourne (FoeM);**
- 2. Support and promote the Better Buses in the West campaign through the actions of:**
  - a. Promotion through Maribyrnong City Council's engagement channels including social media and community newsletters;**
  - b. Encourage the City of Maribyrnong community to send pre-written emails to local MP's advocating for support for better buses in Melbourne's west; and**
- 3. Support Friends of the Earth Melbourne's advocacy positioning for fast, frequent and connected public transport, to reduce car traffic, improve air quality and community livelihoods.**