

Council Meeting Agenda

Tuesday 28 July 2026
Commencing at 7.00 PM

Council Chamber, Hobsons Bay Civic Centre
115 Civic Parade, Altona



OUR MISSION

We will listen, engage and work with our community to plan, deliver and advocate for Hobsons Bay to secure a happy, healthy, fair and sustainable future for all.

OUR VALUES

Respectful

Community driven and focused

Trusted and reliable

Efficient and responsible

Bold and innovative

Accountable and transparent

Recognised

Council acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners of these municipal lands and waterways, and pay our respects to Elders past and present.

CONDUCT OF COUNCIL MEETINGS

Meetings of Hobsons Bay City Council are to be conducted in accordance with Council's Governance Rules, which can be viewed at:

<https://www.hobsonsbay.vic.gov.au/Council/About-Council/Governance/Governance-Rules>

Members of the public attending Council meetings must abide by the standards of behaviour set out in section 15 of the Governance Rules. Any person engaging in disruptive or disorderly behaviour may be required by the Chairperson to leave the meeting in accordance with the Governance Rules.

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1 Welcome and Acknowledgement of Traditional Owners

The Chair will welcome members of the gallery and acknowledge that Council is gathered on the traditional land of the Bunurong People of the Kulin Nation and offers its respect to elders past and present.

2 Apologies

The Chair will call for apologies received from Councillors who are unable to attend this meeting.

3 Disclosure of Conflicts of Interest

In accordance with sections 127 and 128 of the *Local Government Act 2020* Councillors and staff are required to disclose a general or material conflict of interest. A conflict of interest must be disclosed in accordance with rule 18.1 of the Hobsons Bay Governance Rules.

Disclosure must occur immediately before the matter is considered or discussed.

4 Confirmation of Minutes

Confirmation of the minutes of the Council Meeting of Hobsons Bay City Council held on 29 June 2026.

UNCONFIRMED MINUTES

scheduled to be confirmed at the
28 July 2026 Council Meeting

Council Meeting Minutes

Monday 29 June 2026
Commencing at 7.00pm

Council Chamber, Hobsons Bay Civic Centre
115 Civic Parade, Altona



**HOBSONS
BAY CITY
COUNCIL**



Minutes of the Council Meeting held on Monday 29 June 2026 at 7.00pm.

Present

Chairperson

Cr Diana Grima (Mayor) Altona Meadows Ward

Councillors

Cr Daria Kellander	Altona Ward
Cr Rayane Hawli	Altona North Ward
Cr Paddy Keys-Macpherson	Laverton Ward
Cr Kristin Bishop	Spotswood Ward
Cr Lisa Bentley (Deputy Mayor)	Williamstown Ward
Cr Michael Disbury	Williamstown North Ward

Officers

Phu Nguyen	Chief Executive Officer
Olivia Barry	Director Corporate Services
Hector Gaston	Director Sustainable Communities
Jake Trevaskis	Acting Director Infrastructure and City Services
Marlo Emmitt	Interim Manager Corporate Integrity
Ilker Destan	Coordinator Governance
Howard Niklas	Governance and Business Support Officer

Other

John Tanner AM Municipal Monitor

Apologies

Other

Rebecca McKenzie Municipal Monitor

1 Council Welcome and Acknowledgement of Traditional Owners

The Chair declared the meeting open at 7.00pm.

The Chair welcomed members of the public and acknowledged the Bunurong People of the Kulin Nation as the Traditional Owners of these municipal lands and waterways.

2 Apologies and Leaves of Absence

The Chair advised that no apologies had been received.

3 Disclosures of Conflicts of Interest

No conflicts of interest were disclosed.

4 Confirmation of Minutes

Motion

That Council confirms the open and confidential minutes of the Council meeting of Hobsons Bay City Council held on Tuesday 26 May 2026.

Moved: Cr Bentley

Seconded: Cr Kellander

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander, and Cr Keys-Macpherson

5 Public Question Time

The Chair advised that Council had received 12 questions from members of the public.

Questions regarding the removal of vegetation between Maddox and Ross Road

Amelia

Q When were council officers briefed by LXR on the proposed shared user path between Maddox and Ross Road that included the complete removal of all vegetation in the wildlife corridor?

A The Level Crossing Removal Project is a State Government Project. Council's briefing was limited to aspects of the proposed shared user path between Maddox Road and Ross Road, including the need to lower a section of drainage infrastructure. Council officers were not briefed by LXR on the removal of vegetation within the rail corridor.

Council understands the community's concern with the loss of vegetation in this area. When councillors and officers first became aware of the project, officers raised these concerns with LXR and sought to have the vegetation retained where possible. LXR subsequently advised that the vegetation removal was required due to project constraints, including drainage requirements and limited available space within the rail corridor.

Council also communicated with nearby residents to explain the reasons provided for the vegetation removal and also to acknowledge the concerns raised by the community.

Q When did Hobsons Bay City Council officers brief councillors about the SUP and mass removal of vegetation?

A The Mayor, Deputy Mayor and Ward Councillor became aware of the proposed tree removals following a resident email sent on Monday 11 May, which was also sent to Council's customer service inbox. The matter was noted at a high level during the Councillor Briefing Session on Tuesday 12 May, with officers confirming they would engage with LXR to better understand the need for the removals and seek to minimise impacts where possible.

LXR later advised that, due to flooding risks and site constraints within the rail corridor, the trees at the ends of Lloyd, Sydney and Port Streets needed to be removed to enable construction of the shared user path. Council understands the community's concern about the loss of these trees and continues to engage with LXR and nearby residents on replacement planting and landscaping for the area.

LXR has advised that replacement planting and landscaping will form part of the project. Council and some nearby residents are actively engaging with them on this matter.

Questions regarding BayFit Leisure Centre

Brendan Murphy

- Q** Thank you to Hobson Bay City Council and our community leaders for providing BayFit. BayFit was a place where Aunty Lil taught me how to swim. BayFit truly saved my life in my time of need.

To honour Hobson Bay City Council and the community would you please accept BHV Olive Tree as a gesture of Hope, Peace and Fruitful relationship/ partnership between us?

- A** On behalf of Hobsons Bay City Council, thank you for your very thoughtful and generous gift.

We are honoured to accept this olive tree as a symbol of hope, peace and a fruitful partnership between Council and our community. We will work closely with you to identify an appropriate location for the tree to be planted, where it can serve as a lasting reminder of the positive impact that community facilities and meaningful connections can have on people's lives.

- Q** Would Hobson Bay City Council and the community value “Aunty Lil’s Gym and Pool Hub”?

- A** Council engages industry specialist BlueFit to manage the day-to-day operations of both the Laverton Swim and Fitness Centre and BayFit Leisure Centre. This includes programming opportunities which meet the needs of the community. Council officers are happy to assist in facilitating meetings with BlueFit management to discuss the merits of introducing new programs, including the suitability of an Aunty Lil’s Pool and Gym Hub program.

Questions regarding the Sports and Recreation Allocations Fees and Charges Policy

Combined questions from Kathleen Englefield (KE), Anmaree Iaccarino (AI) and David Jamieson (DJ)

- Q** KE: Is the major reason the council is proposing to increase sporting and recreation club fees by overall 130% because other councils in the region charge more than Hobsons Bay City Council? Why is this a good reason to increase Hobsons Bay club fees?
- Q** AI: If the proposed new Sports and Recreation Allocations Fees and Charges Policy is not simply about revenue raising why not introduce the new policy but leave the fees the same?
- Q** AI: Was the “WHAT WE HEARD” report assessing feedback on the Sports and Recreation Allocations Fees and Charges Policy prepared by the same officers

who have written the policy or was it assessed by an independent person. If it was not prepared by an independent person how do we know it is accurate?

Q DJ: Same issue obviously, in the report “WHAT WE HEARD” it is stated that almost half of the respondents thought the fee structure was “Very Fair” or “Fair”. This means the majority did not support the fee increase of the 130% yet this was basically dismissed. Why? Is this a biased assessment?

Q DJ: The council report regarding the Sports and Recreation Allocations Fees and Charges Policy states that it is proposing a “modest” increase in fees. It refers to changing the total cost of maintenance from 97% to 93% of the cost to council. However, the fees to be charged to clubs represents an overall increase of 130%. This is not “modest”. Nowhere in the report is this highlighted or discussed. Is this a deception and misleading?

Consolidated response

A. Benchmarking against neighbouring councils has informed the review, but it is not the primary driver for the proposed changes. Council’s current fees and charges framework has not been comprehensively reviewed for many years and no longer provides a consistent, equitable or transparent basis for allocating fees across sporting facilities.

The proposed policy aims to establish a fairer and more consistent approach by aligning fees with factors such as facility type and quality, Council’s level of investment, and ongoing maintenance costs. Benchmarking serves only as a reference point to understand relative subsidy levels, which remain among the highest in the region.

Council currently recovers approximately \$88,500 annually in club fees while spending over \$3 million on maintenance, alongside more than \$75 million in capital upgrades since 2018. Even under the proposed changes, Council will continue to subsidise around 93% of costs, representing a very high level of support for community sport.

The policy is not simply about increasing fees, but addressing long-standing inconsistencies where clubs pay differing amounts for comparable access. It seeks to improve equity, transparency and long-term financial sustainability while continuing to support participation outcomes.

Extensive engagement has informed the draft policy, including workshops with the Sports Advisory Group and consultation with all sporting clubs. Feedback has been incorporated into the revised draft, with outcomes summarised in the “What We Heard” report.

The report does not advocate for a particular outcome but presents consultation findings to inform Council’s decision-making. When asked how supportive clubs were of the proposed policy, 45% answered neutral, 35% strongly support or support the policy and 20% do not support or strongly oppose it.

The description of a “modest” change reflects a reduction in Council’s subsidy from 97% to 93%. From a club perspective, this equates to an increase in contributions from 3% to 7% across the board (approximately 130%). Both figures are accurate, representing different ways of expressing the same change. While the recovery across the board may increase by approximately 130%, each club’s allocation fee will be set depending on the category of facility they utilise and their requested hours of use.

Ultimately, the proposed policy seeks to balance maintaining a high level of subsidy with achieving a more equitable, consistent and sustainable framework for sporting facility fees.

Questions regarding the Williamstown Swimming and Life Saving Club redevelopment

Josephine Cafagna

Q Can Council confirm that it is reconsidering its unilateral decision to hand over up to 23 public car parking spaces to the Lifesaving club for its controversial redevelopment proposal?

A The proposed allocation of parking associated with the Williamstown Swimming and Life Saving Club redevelopment has not been determined by Council. The proposal, including the potential impact on public parking, forms part of the traffic and parking assessment currently being considered through the independent planning process being undertaken by the Department of Transport and Planning.

Council acknowledges community concerns regarding parking within the foreshore precinct. Should the redevelopment proceed, Council will consider the findings of the planning process, together with the broader management of parking and access in the area, before making any decisions regarding public parking arrangements.

Paul Austin

Q This is the Budget meeting of Council, so I have a question relating to the Budget for the proposed redevelopment of the Williamstown lifesaving club.

Council officers told the November 2025 Council meeting that the current budget allocation for the lifesaving club redevelopment was \$14.5 million. But Council officers told the September meeting that the current estimated cost of the proposed redevelopment was \$16.6 million – so there was a funding shortfall of more than \$2 million.

Can Council please update the public on the current budget allocation for the lifesaving club redevelopment, and the current estimated cost of the project – and can Council guarantee it will not use any further ratepayer funds to plug that funding shortfall?

- A The total current budget allocation for the Williamstown Swimming and Life Saving Club redevelopment is \$14.529 million, which spans multiple financial years. This includes an \$11.349 million Victorian Government grant, a \$3 million Council contribution and a \$180,000 contribution from the Williamstown Swimming and Life Saving Club.

The current estimated cost of the redevelopment is \$16.6 million. If the proposed design is approved and progresses, this estimate may be further refined through detailed design and ultimately through a public tender process. The final project cost will not be known until procurement has been completed.

To support delivery within the available budget, the design and quantity surveyor estimate includes a range of project options that can be considered as the project progresses.

Any variation to the capital budget allocation would require a decision from Council.

- Q. The original funding agreement for redevelopment of the Williamstown lifesaving club stated that the public money was to redevelop BOTH the clubrooms and the pool. Council has since changed the funding agreement, so the money no longer goes to the pool.**

My question is, why did Council decide to spend this public money on a members-only gym, an entertainment venue, and a big new bar and balcony which has nothing to do with lifesaving – instead of spending some of the money on the pool and therefore on swim-safety and learn-to-swim facilities for the Hobsons Bay community?

- A The Williamstown Swimming and Life Saving Club redevelopment has been designed to support the club's lifesaving, training, education, administration and member activities, consistent with Life Saving Victoria's Facility of the Future guidelines. This includes spaces that support member fitness and training, which are important to maintaining readiness for emergency response, as well as areas for club operations and community-based lifesaving education.

The project scope is guided by the funding agreement between the Victorian Government and Council and is supported by Life Saving Victoria. The existing swimming pool will remain in operation and will continue to support swim safety and learn-to-swim operations for the Hobsons Bay community.

6 Petitions and Joint Letters

6.1 Petitions and Joint Letters Received

6.1.1 Petition: Techno Park Drive Street Numbering

Purpose

To receive a written petition containing 26 signatories requesting that Council immediately suspend their proposed readdressing of Techno Park Drive Street Numbering

Motion

That Council:

- 1. Receives and notes the petition in relation to Techno Park Drive Street Numbering.**
- 2. Receives a further report on this matter at a future Council meeting.**

Moved: Cr Disbury

Seconded: Cr Kellander

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander,
Cr Keys-Macpherson

Motion

That Council suspend standing orders to permit Mr Brendan Murphy to read his public questions and to formally receive, on behalf of Council and the Hobsons Bay community, the gift of an olive tree from Mr Brendan Murphy.

Moved: Cr Keys-Macpherson

Seconded: Cr Kellander

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander,
Cr Keys-Macpherson

Standing orders were suspended at 7:24pm.

Brendan Murphy was invited to read his public questions in person and present his gift of an olive tree as a symbol of hope, peace and a fruitful partnership between Council and our community.

Motion

That Council resumes standing orders.

Moved: Cr Keys-Macpherson

Seconded: Cr Kellander

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander,
Cr Keys-Macpherson

Standing orders resumed at 7:29pm.

7 Officer Reports

7.1 Statutory Planning

7.1.1 Planning Permit Application PA250343 – 55 Wren Street, Altona

Purpose

To decide planning permit application PA250343 which has met one of the delegation thresholds requiring the application to be referred to Council for a decision. In this case, the application meets the threshold of 15 or more individual objections received.

Motion

That Council:

- 1. Notes that a Planning Information evening and a Hearing of Submissions Committee as held for this matter.**
- 2. Issues a Notice of Decision to Grant a Planning Permit to Planning Application PA250343 at 55 Wren St Altona for the construction of seven three-storey dwellings and the alteration (removal) of access to a road in a Transport Zone 2 subject to the conditions contained in the Draft Notice of Decision in Attachment 3.**
- 3. Delegates the authority to settle any matter before the Victorian Civil and Administrative Tribunal (VCAT) which may arise to the Council's Manager Planning, Building and Health Services and Coordinator Urban Planning.**

Moved: Cr Keys-Macpherson

Seconded: Cr Hawli

Outcome: Carried

For: Cr Bishop, Cr Grima, Cr Hawli, Cr Keys-Macpherson

Against: Cr Bentley, Cr Disbury, Cr Kellander

7.2 Matters for Decision

7.2.1 Recognition of Hobsons Bay Residents Awarded King's Birthday Honours 2026

Purpose

To formally recognise and acknowledge Hobsons Bay residents Michael John Crosbie OAM, Elizabeth Fiona Sampson PSM and Jason Heffernan AFSM, for receiving 2026 King's Birthday Honours.

Motion

That Council acknowledges and congratulates Michael John Crosbie OAM, Elizabeth Fiona Sampson PSM and Jason Heffernan AFSM for receiving 2026 King's Birthday Honours.

Moved: Cr Bentley

Seconded: Cr Hawli

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander, Cr Keys-Macpherson

7.2.2 Stage 2 Broader Annual Budget Community Consultation and Engagement

Purpose

To formally receive the Stage 2 Broader Annual Budget Community Consultation and Engagement report following the exhibition process for the Draft Annual Budget 2026-27 Summary.

Motion

That Council, having given public notice of the preparation of the Draft Annual Budget 2026-27 Summary in accordance with Council's Community Engagement Policy 2023:

- 1. Receives the Stage 2 Broader Annual Budget Community Consultation and Engagement report following the public exhibition period for the Draft Annual Budget 2026-27 Summary.**
- 2. Notes that the feedback received was considered in finalising the Annual Budget 2026-27.**

Moved: Cr Kellander

Seconded: Cr Bentley

Point of Order

Cr Hawli raised a point of order in accordance with Council's Governance Rules, on the grounds that Cr Bentley was not speaking to the motion. Cr Bentley accepted this and concluded her remarks.

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander,
Cr Keys-Macpherson

7.2.3 Adoption of Annual Budget 2026-27

Purpose

To adopt the Annual Budget 2026-27 (Attachment 1) and declare rates and charges for the year ending 30 June 2027.

Motion

That Council, having given public notice of the preparation of the Draft Annual Budget 2026-27 Summary in accordance with Council's Community Engagement Policy 2023:

1. Adopts the Annual Budget 2026-27 annexed to this report as Attachment 1 in accordance with section 94 of the *Local Government Act 2020*.
2. Authorises the Chief Executive Officer to give public notice of the decision to adopt the Annual Budget 2026-27.
3. Declares Rates and Service Charges totalling \$152.351 million (refer to section 4.1.1 of the Annual Budget 2026-27) for the year ending 30 June 2027 in accordance with section 158(1) of the *Local Government Act 1989* as follows:
 - 3.1. Declares general rates in respect of the 2026-27 financial year, raised by the application of differential rates as follows:
 - i. A general rate of 0.208174 cents in the dollar on capital improved value (CIV) of all rateable residential properties
 - ii. A general rate of 0.353895 cents in the dollar on CIV of all rateable vacant residential properties
 - iii. A general rate of 0.478800 cents in the dollar on CIV of all rateable commercial properties
 - iv. A general rate of 0.707791 cents in the dollar on CIV of all rateable industrial properties
 - v. A general rate of 0.832696 cents in the dollar on CIV of all rateable petrochemical properties
 - vi. A rating concession of 0.093678 cents in the dollar on CIV of all rateable recreational properties
 - 3.2. Under section 171(1)(a) of the *Local Government Act 1989*, provides a waiver of \$100 for all residential properties occupied by a ratepayer who holds an approved pension card based on the same criteria as the State Government funded concession.

- 3.3. Declares an annual service charge on properties in accordance with section 158(1) of the *Local Government Act 1989* for the collection, disposal and processing of garbage, recycling, food organics and garden organics (FOGO) and hard waste for the year ending 30 June 2027 to be raised as follows:

\$375.12	Standard (base waste service charge for four bins: 120L garbage, 120L FOGO, 120L glass, 240L mixed recycling)
\$318.10	Shared (replaces standard base charge for properties in multi-unit dwellings/apartments/villages with shared bins)
\$148.53	U1 – Upsize to 240L garbage bin
\$49.53	U2 – Upsize to 240L FOGO bin
\$0.00	UF1 – Free upsize to 240L garbage bin
\$0.00	UF2 – Free upsize to 240L garbage bin for medical reasons
\$379.63	A1 – Additional 240L garbage bin
\$231.07	A2 – Additional 120L garbage bin
\$148.53	A3 – Additional 240L recycling bin
\$231.07	A4 – Additional 240L FOGO bin
\$181.56	A5 – Additional 120L FOGO bin
\$99.04	A6 – Additional 120L glass bin
\$337.61	BRF – Business Reduce Service with FOGO bin
\$337.61	BRG – Business Reduce Service with Glass bin
\$337.61	BRS – Business Reduce Service
\$331.50	BSH – Business Shared

4. In accordance with section 158(4) of the *Local Government Act 1989*, requires that general rates and annual service charge must be paid by four instalments made on or before the following dates:

Instalment 1	30 September 2026
Instalment 2	30 November 2026
Instalment 3	28 February 2027
Instalment 4	31 May 2027

5. In accordance with section 172 of the *Local Government Act 1989*, requires persons to pay interest on any general rate or annual service charge, which that person is liable to pay and which has not been paid by the date specified for payment.
6. Authorises the Coordinator Rates of Council to levy and recover the general rates, annual service charges and interest where applicable in accordance with the *Local Government Act 1989*.

Moved: Cr Bishop

Seconded: Cr Disbury

Outcome: Carried

For: Cr Bentley, Cr Bishop, Cr Grima, Cr Hawli, Cr Kellander, Cr Keys-Macpherson

Against: Cr Disbury

MINUTES FOR CONFIRMATION

7.2.4 Adoption of Annual Action Plan 2026-27

Purpose

To present the Annual Action Plan 2026-27 to Council for adoption, following a period of public consultation.

Motion

That Council adopts the Annual Action Plan 2026-27 (Attachment 1).

Moved: Cr Bishop

Seconded: Cr Keys-Macpherson

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander,
Cr Keys-Macpherson

MINUTES FOR CONFIRMATION

7.2.5 Adoption of Financial Plan and Asset Plan 2025-36 (Year 1 Updates)

Purpose

To adopt the Financial Plan 2025-36 Year 1 Update and the Asset Plan 2025-36 Year 1 Update.

Motion

That Council:

- 1. Adopts the Financial Plan 2025-36 Year 1 Update (attachment 1) in accordance with section 91 of the *Local Government Act 2020*.**
- 2. Adopts the Asset Plan 2025-36 Year 1 Update (attachment 2) in accordance with section 92 of the *Local Government Act 2020*.**

Moved: Cr Bishop

Seconded: Cr Hawli

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander,
Cr Keys-Macpherson

7.2.6 Amendment C144hbay – Protecting Native Grasslands through an ESO Planning Control

Purpose

To brief Councillors on draft Planning Scheme Amendment C144hbay, which proposes to strengthen the protection of Plains Grasslands in the Hobsons Bay Planning Scheme, and to outline the intended recommendation to seek Ministerial authorisation to exhibit the amendment.

Motion

That Council:

- 1. Endorses the report: Hobsons Bay Industrial Areas Native Grasslands Assessment (Attachment 1).**
- 2. Endorses draft Amendment C144 to become Amendment C144hbay to the Hobsons Bay Planning Scheme (Attachments 2-5).**
- 3. Requests the Minister for Planning grant Authorisation to prepare and exhibit Amendment C144hbay, in accordance with section 16F of the Planning and Environment Act 1987.**
- 4. Notes the delegation of the Chief Executive Officer to make minor changes in seeking authorisation to prepare and exhibit Amendment C144hbay, if necessary.**
- 5. Notes that Amendment C144hbay will go on public exhibition, allowing community members to make a submission and subsequently be heard at any future planning panel, if required.**
- 6. Notes that submissions received during public exhibition of Amendment C144hbay will be presented to a future Council meeting prior to proceeding to an independent planning panel, if required, in accordance with section 22 of the *Planning and Environment Act 1987*.**

Moved: Cr Disbury

Seconded: Cr Kellander

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander, Cr Keys-Macpherson

7.2.7 Adoption of the Sport and Recreation Allocations, Fees and Charges Policy

Purpose

To seek Council endorsement of the Sport and Recreation Allocations, Fees and Charges Policy.

Motion

That Council endorses the Sport and Recreation Allocations, Fees and Charges Policy (Attachment 1).

Moved: Cr Bentley

Seconded: Cr Hawli

Outcome: Carried

For: Cr Bentley, Cr Bishop, Cr Grima, Cr Hawli, Cr Kellander, Cr Keys-Macpherson

Against: Cr Disbury

MINUTES FOR CONFIRMATION

7.2.8 Contract 2025.78 Mary Street Reserve Construction

Purpose

To award contract 2025.78 for Mary Street Reserve Construction to Evergreen Civil Pty Ltd for the contract period of 10 months

Motion

That Council:

1. **Awards Contract 2025.78 for Mary Street Reserve Construction to Evergreen Civil Pty Ltd at final lump sum cost of \$1,999,269.95 inclusive of GST. This value includes provisional items (\$77,000.00 including GST) and Tender Option T4 (\$11,684.11 including GST) only, for the contract period of 10 months with a one-year defects liability period after practical completion of the project.**
2. **Delegates authority to the Chief Executive Officer to execute the formal agreement for Contract 2025.78.**
3. **Delegates authority to the Director Infrastructure and City Services to approve the variation limit for Contract 2025.78 up to the value listed in section 3.4 of Confidential Attachment 1.**

Moved: Cr Bishop

Seconded: Cr Hawli

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander,
Cr Keys-Macpherson

7.2.9 Draft Heritage Strategy for public consultation

Purpose

To seek Council's endorsement of the Draft Heritage Strategy for public consultation.

Motion

That Council endorses the Draft Heritage Strategy in Attachment 1 for public consultation.

Moved: Cr Bentley

Seconded: Cr Keys-Macpherson

Outcome: Carried

For: Cr Bentley, Cr Bishop, Cr Grima, Cr Hawli, Cr Kellander, Cr Keys-Macpherson

Abstained: Cr Disbury

MINUTES FOR CONFIRMATION

7.2.10 Draft Local Heritage Policy and Guidelines for public consultation

Purpose

To seek Council's endorsement of the Draft Local Heritage Policy and Draft Hobsons Bay Heritage Design Guidelines to Council for public consultation.

Motion

That Council endorses the Draft Local Heritage Policy in Attachment 1 and Draft Heritage Design Guidelines in Attachment 2 for public consultation.

Moved: Cr Keys-Macpherson

Seconded: Cr Hawli

Outcome: Carried

For: Cr Bentley, Cr Bishop, Cr Grima, Cr Hawli, Cr Kellander, Cr Keys-Macpherson

Against: Cr Disbury

MINUTES FOR CONFIRMATION

7.2.11 Mail Services

Purpose

To award contract 2026.MAV.03 for Mail Services across two categories, being addressed mail services and unaddressed mail services.

Motion

That Council:

1. Approves the decision to partake in the MAV Mailing Services collaborative agreement under its schedule of rates, to issue works up to a maximum cumulative spend of up to \$1,800,000 inclusive GST (\$200,000 inclusive GST per year) for the initial contract period of three years, with two 36-month option to extend to vendors under the two panel categories.
2. Delegates authority to the Chief Executive Officer to execute the formal agreements for panel members under the MAV Deed of Standing Offer.
3. Delegates authority to the Chief Executive Officer to uptake any extension options under the formal agreements.

Moved: Cr Bishop

Seconded: Cr Hawli

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander,
Cr Keys-Macpherson

7.2.12 Council Expenses and Support Policy

Purpose

To present the Council Expenses and Support Policy to Council for adoption.

Motion

That Council defer this item to the next Council meeting to be held on 28 July 2026.

Moved: Cr Bishop

Seconded: Cr Hawli

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander,
Cr Keys-Macpherson

MINUTES FOR CONFIRMATION

7.2.13 Public Transparency Policy Review

Purpose

To seek Council endorsement to release the revised Public Transparency Policy for community consultation for a period of four (4) weeks.

Motion

That Council:

1. **Endorses the release of the revised Public Transparency Policy (Attachment 1) for community consultation for a period of four (4) weeks.**
2. **Notes that a report will be presented to a future Council meeting to adopt the policy.**

Moved: Cr Bishop

Seconded: Cr Bentley

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander,
Cr Keys-Macpherson

7.3 Matters for Noting

There were no matters for noting.

8 Other Reports

8.1 Committee Reports

8.1.1 Audit and Risk Committee minutes – 11 June 2026

Purpose

To inform Council of the matters considered at the Audit and Risk Committee meeting held on 11 June 2026.

Motion

That Council receives the minutes of the Audit and Risk Committee meeting held on 11 June 2026.

Moved: Cr Bishop

Seconded: Cr Disbury

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander,
Cr Keys-Macpherson

8.1.2 Audit and Risk Committee Biannual Report – 1 November 2025 to 30 April 2026

Purpose

To present to Council the Audit and Risk Committee's Biannual Report for the period from 1 November 2025 to 30 April 2026.

Motion

That Council resolves to accept the Audit and Risk Committee Biannual Report for the period 1 November 2025 to 30 November 2026 as required by section 54(5) of the *Local Government Act 2020*, as at Attachment 1.

Moved: Cr Bishop

Seconded: Cr Disbury

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander,
Cr Keys-Macpherson

8.2 Delegate Reports

Purpose

To consider reports by Councillors who have been appointed as delegates to Council and community committees.

Motion

That Council receives and notes the recent delegate reports:

1.1 Western Melbourne Tourism Board Meeting – 4 April 2026.

Moved: Cr Bentley

Seconded: Cr Keys-Macpherson

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander,
Cr Keys-Macpherson

MINUTES FOR CONFIRMATION

9 Reports of Informal Meetings of Councillors

Purpose

The purpose of this item is to receive records of informal meetings of Councillors.

Motion

That Council receives the following reports of informal meetings of Councillors:

- 1.1 Record of Assembly of Councillors Pre Council Meeting Briefing 26 May 2026
- 1.2 Record of Assembly of Councillors Councillor Briefing 2 June 2026
- 1.3 Record of Assembly of Councillors Councillor Briefing 9 June 2026.

Moved: Cr Keys-Macpherson

Seconded: Cr Bishop

Outcome: Carried unanimously

Present: Cr Bentley, Cr Bishop, Cr Disbury, Cr Grima, Cr Hawli, Cr Kellander,
Cr Keys-Macpherson

10 Councillor Questions

Question about cost incurred in sending three councillors to Canberra

Cr Disbury

- Q Would you please detail how much ratepayers money has been spent on sending three councillors to Canberra last week?**

Further, would you be able to confirm that there will be a written report on their findings and how it has benefited Hobsons Bay ratepayers?

- A** Council's current Council Support and Expenses Policy provides authorisation for the Mayor and up to three Councillors to attend the Annual National General Assembly of the Australian Local Government Association (ALGA).

The cost to date for the Mayor and two councillors totals \$9,244.54 – that is made up of:

Accommodation: \$4,306.29

Flights: \$1,451.25

Conference fees: \$3,487.00

Please note that Councillors are yet to submit reimbursement for any other requests for additional costs incurred while in Canberra.

While there is no requirement under the current Policy for Councillors attending the ALGA conference to provide a report, the Mayor has undertaken to provide a report for the July 2026 Council Meeting.

- Q Would you please explain why Techno Park residents are now required to have their addresses changed? I am aware that Council has written to residents using their old address, which obviously works, I am unsure how a previously commercial rated property would now need a new address now that it is rated residential especially given that emergency service know where Techno Park is as well Australia Post, Uber Eats and Google Maps.**

- A** Readdressing any Council area requires due consideration and sound reasons. In the instance of Techno Park, the previous addressing was not compliant in meeting the requirements of AS/NZS 4819:20011 Australian/New Zealand Standards for rural and urban addressing.

The Original Council addressing for all the 84 assessments in the area was under a "unit" number all at 217 Kororoit Creek Road, Williamstown.

However, that did not match the addresses that residents themselves had self-determined using Techno Park Drive.

The inconsistency with Council records highlighted a very significant risk for the residents in relation to emergency services and Australia post accurately accessing properties, as the common mapping system for Council, emergency services and Australia Post is the Vic Mapping System which Council updates.

The new numbering now reflects an appropriate and compliant numbering system at Techno Park Drive, with Council working with residents and making some concessions such as odd and even numbering, to make the change as seamless as possible.

Following Council issuing a certificate of compliance deeming Techno Park suitable for residential use, property owners in Techno Park were advised of the intent to change their address in early April 2026 and received confirmation that the change had occurred in mid-June 2026.

Many of the residents have been asking for the changes to happen and have been very grateful for the change.

To date we have had 23 residents to submit a request for their rating differential to be changed from commercial to residential, in many instances, significantly reducing the rates and charges that these residents are required to pay, and in many instances, this has meant that they are eligible to receive the pension rebate on their rates notices as well.

If there are others in the complex who are using the property for residential purposes and wish to apply to have their rates notice reflect residential use, all they need to contact the Rates Team, who will assist them through that process.

11 Urgent Business

There was no urgent business.

12 Close of Meeting

The Chair declared the meeting closed to the public at 9.11pm.

Chair: _____

Signed and certified as having been confirmed

Date: _____

MINUTES FOR CONFIRMATION

**HOBSONS
BAY CITY
COUNCIL**

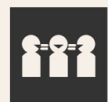


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**HOBSONS BAY
LANGUAGE LINE**

9932 1212

INTERPRETER SERVICE FOR ALL LANGUAGES

Your Council in your language

Telephone interpreting service

Arabic	خدمة الترجمة الهاتفية
Burmese	တယ်လီဖုန်းဖြင့် စကားပြန် ဝန်ဆောင်မှု
Cantonese	电话口译服务
Croatian	Telefonska služba tumača
Greek	Τηλεφωνική Υπηρεσία Διερμηνέων
Italian	Servizio telefonico interpreti
Karen	လီတဲစီ တၢ်ကတိၤကျိးတၢ် တၢ်မၤ
Macedonian	Телефонска преведувачка служба
Maltese	Servizz ta' Interpretar bit-Telefon
Mandarin	电话口译服务
Vietnamese	Dịch vụ Thông dịch qua Điện thoại

5 Public Question Time

Public Question Time provides an opportunity for the public to ask questions related to items on the agenda of the Council Meeting or any other matter within Council's responsibility.

Questions must be put in writing and received by 12pm on the day before the Council Meeting. Submitters may read out their own questions at the meeting or may request the Chair to read the question out on their behalf.

6 Petitions and Joint Letters

6.1 Petitions and Joint Letters Received

No petitions or joint letters had been received at the time of printing the agenda.

6.2 Responses to Petitions and Joint Letters

6.2.1 Response to Joint Letter: Watson Street South Kingsville Parklands

Directorate: Infrastructure and City Services
Responsible Officer: Director Infrastructure and City Services
Attachments: Nil

Purpose

To provide an update on open space enhancement works at Watson Street, South Kingsville in response to the joint letter received from the Watson Street community.

Recommendation

1. **That Council notes the update report on the Watson Street, South Kingsville open space enhancement works addressing the community requests.**

Executive Summary

1. This report outlines the Watson Street and South Kingsville community requests as detailed in the joint letter received at the 28 April 2026 Council meeting, and presents the proposed Watson Street open space enhancement works that are intended to address those community priorities.

Background

Overview

2. At the 28 April 2026 Council Meeting, Council received and noted a joint letter from Watson Street residents and the local South Kingsville community, and resolved to receive a further report on the matter at a future meeting.
3. In the letter, residents expressed concerns that their community has been neglected by Council and described the impacts of eight years of disruption caused by the West Gate Tunnel Project (WGTP), including noise, pollution, and significant parking pressures that have forced some residents to relocate. They also voiced frustration that previously indicated commitments, such as underground powerlines have not been delivered, and that a community garden has not been reinstated.
4. At the 28 April 2026 Council Meeting, Council made several resolutions regarding the works at The Avenue Reserve and Watson Street which addressed the requests and concerns expressed in the joint letter.

Watson Street community requests

5. The joint resident letter highlights ongoing impacts from the WGTP, including project delays affecting the Watson Street open space and surrounding infrastructure works. Listed impacts include:
 - 5.1. Environmental and safety issues: Eight years of continuous noise, dust, heavy traffic, contaminated soil, hooning activity and increasing crime levels.
 - 5.2. Parking and displacement: Loss of residential parking due to more than 100 worker vehicles occupying local streets, forcing some residents to relocate at their own expense.
 - 5.3. Infrastructure and health impacts: Disturbed sleep caused by tunnel-related announcements between 2am and 4am following project opening, in an area already experiencing the lowest levels of tree canopy and open space in Hobsons Bay.
 - 5.4. Reduced greenery: Delays to parkland delivery, with current outcomes resulting in approximately 50% less tree canopy than existed prior to the project.
 - 5.5. Overhead powerlines: A total of 28 powerlines remain above ground despite prior commitments to underground them.
 - 5.6. Community garden: Residents relocated the garden at the request of the WGTP, however, it has not been reinstated as promised by the responsible authorities.
6. The joint letter calls for immediate action from Council, including improvements to open space outcomes in the Watson Street area. These requests include:
 - 6.1. Use of compensation funds: Establish a 30-metre forest buffer to reduce noise and pollution, expand parkland closer to residential areas, and reinstate a community garden. Proponents' emphasis the need for environmental improvements and greater equity for the neighbourhood following eight years of disruption and its proximity to industrial pollution sources.
 - 6.2. Enforce original commitments: Ensure Council rejects inadequate compensation offers or decisions made without appropriate due process.
 - 6.3. Disclose and allocate funds: Provide transparency regarding the WGTP/Joint Venture compensation package and commit to allocating these funds to Watson Street.
 - 6.4. Prioritise residents over sports grounds: Ensure recovery efforts focus on impacted residents who endured the eight-year disruption, rather than prioritising works such as turfing Edwards Reserve oval.
 - 6.5. Form community partnerships: Work collaboratively with residents, Better West, and the Precinct 15 developer to secure fairer outcomes for South Kingsville and Spotswood.

Council resolutions

7. At the 28 April 2026 Council Meeting, Council considered Agenda Item 7.2.6 The Avenue Powerline Commitment Update – April 2026. At that meeting, Council resolved:

That Council:

- 7.1. Notes the outcomes from the community consultation completed by Victorian Infrastructure Delivery Authority (VIDA) and Transurban.
- 7.2. Accepts that CPB–John Holland joint venture (JV) will deliver their original open space enhancement proposal and the new mitigation proposal including significant planting within The Avenue Reserve, for the non-delivery of their earlier commitment.
- 7.3. Accepts the \$1 million financial compensation offered by the JV for the creation of an easement at The Avenue Reserve and resulting impact on local amenity.
- 7.4. Accepts the \$320,000 financial contribution offered by VIDA towards Council's delivery of open space enhancement works along Watson Street.
- 7.5. Commits to utilising the funding offered to deliver a community garden, landscaping and improved pathway connections works along Watson Street consistent with initial community input.
- 7.6. Engages with the community as the design of these open space enhancement works along Watson Street is further developed.
- 7.7. Requests that officers initiate the formal statutory process for the permanent closure of Watson Street to all vehicular traffic.
- 7.8. Commits any remaining funding following completion of the Watson Street works to future local open space enhancement works through the annual budget process and engages with the community as those works are further developed.

Discussion

8. The resolutions above and contents of the associated report address the requests and concerns raised within the joint letter. Council officers will continue to engage with residents on the design of this space as it progresses.

Watson Street enhancement works

9. The proposed works at Watson Street include:
- 9.1. Closure of Watson Street to through traffic (with access maintained for properties fronting the road reserve)
 - 9.2. A new community garden
 - 9.3. A shared pathway connecting Precinct 15 and Edwards Reserve
 - 9.4. General landscaping along the Watson Street reserve to enhance passive open space outcomes.

10. These works have been assessed by Council officers and generally align with key Council strategies. Council's Open Space Strategy identifies a need to increase open space provision in Spotswood, South Kingsville and Altona North. The proposed works are consistent with this direction.
11. Watson Street currently provides limited benefit as a through road, with surrounding streets adequately fulfilling this function. The road can therefore be closed to through traffic while maintaining local access to properties that front the street. The inclusion of a shared cycling pathway would also improve transport connectivity and recreational opportunities within the precinct.
12. To facilitate the proposed works, the formal closure of Watson Street to through traffic is required. This would involve a statutory process, including a period of community consultation and consideration by Council.
13. Taking these factors into account, delivery of the proposed works will be managed by Council. This approach enables Council to undertake the necessary statutory processes including consideration of the road closure, as well as the design and delivery of the open space enhancement works within the road reserve.

Overarching Governance Principles

14. This report has been prepared with consideration of the overarching governance principle set out in section 9(2) of the *Local Government Act 2020*.
15. The table below outlines how this report aligns with the principles.

Overarching governance principle	Actions supporting the principle
(a) Council decisions are to be made, and actions taken in accordance with the relevant law	The proposed approach aligns with relevant legislation.
(b) priority is to be given to achieving the best outcomes for the municipal community, including future generations	The proposed open space enhancements provide many community benefits including pathway connections to playgrounds, reserves, landscaped areas, improved health and wellbeing, social connection and safety, environmental resilience through urban cooling, biodiversity etc. These new areas provide benefits for current and future populations and residences.

(c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted	The proposed open space landscaping and infrastructure improvements drive sustainability by acting as natural capital that boosts property values and lowers infrastructure costs, while serving as social hubs that enhance community health and connectivity. Environmentally, these spaces provide ecological resilience by cooling urban areas, protecting biodiversity, and naturally managing water and air quality.
(d) the municipal community is to be engaged in strategic planning and strategic decision making	On the 25 February 2026, VIDA Roads commenced community engagement seeking feedback on open space enhancements as outlined in this report.
(f) collaboration with other councils and governments and statutory bodies is to be sought	VIDA Roads (state government agency) leading the community engagement along with Transurban and the JV have been in ongoing discussions with Council and its officers regarding the process and outcomes. Council has been advocating better outcomes in this precinct that benefit the community.
(g) the ongoing financial viability of the Council is to be ensured	As presented in this report, there a several financial contributions being made by the JV, Transurban, VIDA Roads. An ongoing allocation for lifecycle maintenance of the open space area and assets will need to be considered.
(h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making	These open space enhancements align with the WGTP open space base design for the area which includes a playground, path connections and landscaping in alignment with Council's open space strategy.
(i) the transparency of Council decisions, actions and information is to be ensured	Several reports have been presented to Council in 2025 and 2026 providing updates with council resolutions to provide transparency to the community.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

Hobsons Bay 2040 Community Vision

Priority 6: Better and more accessible transport options

Council Plan 2025-29

Theme 3: Liveable City

Goal 3.3: Deliver and advocate for a safe and accessible transport network

Policies and Related Council Documents

16. This report follows on from the report approved at the 28 April 2026 Council Meeting. The resolutions above address the requests and concerns of the Watson Street community.
17. Officers have also referred to several Council policies, strategies and plans to inform Council's response and feedback on the Project. These include:
 - 17.1. Open Space Strategy 2018-28
 - 17.2. Universal Design Policy 2017
 - 17.3. Integrated Transport Strategy
 - 17.4. HBCC Integrated Transport Plan 2017
 - 17.5. Local Area Movement Plan – West 2020
 - 17.6. Hobsons Bay Strategic Bicycle Plan 2012
 - 17.7. Integrated Transport Cycling Corridors Plan 2019

Legal and Statutory Obligations

General legal and statutory obligations

18. The relocation of the powerlines was not covered in the Project EES considerations, and a specific Project contractual or environmental requirement does not exist for the JV to relocate the Jemena assets to support Council's original requirements.
19. At the 9 October 2018 Council meeting, Council resolved to approve in principle the use of The Avenue Reserve, South Kingsville by the JV for cable head poles and wires on a temporary basis only until a permanent more appropriate location can be established prior to September 2022, subject to a detailed agreement between Council and the JV, which defines the creation of easements and compensation to Council.
20. Council also resolved to approve the proposed temporary overhead relocated 66KV power lines within the SP AusNet easement between the Newport rail line and the Brooklyn Terminal Station on the condition that it is placed underground by the JV prior to September 2022.
21. Currently, the 2018 Council resolution serves as the sole existing agreement between Council and the JV regarding these matters.

Climate Change and Circular Economy

22. Open space landscaping and green infrastructure serve as critical tools for both climate change mitigation (reducing greenhouse gases) and adaptation (adjusting to current and future climate impacts).
23. The integration of vegetation and sustainable design into public spaces provides several direct environmental and social advantages:
 - 23.1. Urban cooling: Trees and vegetation reduce the Urban Heat Island effect through shading.
 - 23.2. Flood resilience: Permeable surfaces act as natural buffers by absorbing rainfall and reducing stormwater runoff, which mitigates flood risks during extreme weather events.
 - 23.3. Carbon sequestration: Plants and mature trees naturally absorb and store carbon dioxide.
 - 23.4. Improved air quality: Vegetation acts as a natural filter, scrubbing pollutants and smog from the air while producing oxygen.
 - 23.5. Biodiversity support: Landscaping creates critical habitats and "wildlife corridors" for native species, helping to maintain ecological balance in urban environments.
 - 23.6. Community health: Access to green spaces is linked to improved mental health outcomes, such as lower levels of stress and anxiety.

Gender Equity Impact Statement

24. This report has been prepared having regard to the requirements of the *Gender Equality Act 2020*.
25. Officers have assessed the gender equity implications of this matter and determined that the proposal is expected to have positive outcomes for gender equity.
26. The proposed open space design ensures the new playground, paths and landscaping provide an inclusive environment for all community members. By prioritising safety, accessibility and diverse usage patterns, the design directly addresses the requirements of the Gender Equality Act, which mandates that public infrastructure actively promotes gender equality and removes barriers to participation.

Risk

27. If open space enhancements, playground connections and landscaped areas are not implemented, urban areas face a "downward spiral" of environmental degradation, social decline and financial strain. Neglect often leads to spaces that are perceived as unsafe or unusable, further discouraging community use and investment. The table below presents further detail on these risks which support the need to implement the proposed open space enhancements.

Identified Risk	Mitigation
Poor relationships	Stakeholder engagement has been initiated through VIDA Roads' community engagement process (flyer distribution, pop-up information sessions, and receipt of email submissions), with Council officers also in ongoing discussions with the JV, Transurban and VIDA Roads. Feedback received is being incorporated into the consolidated plan and ongoing communications are being maintained with the community and key stakeholders as the design is further developed.
Assets and Infrastructure	Council officers have assessed the proposed works for alignment with Council strategies and delivery requirements, and lifecycle maintenance implications have been identified for consideration through future budget processes to ensure assets can be maintained to agreed service levels.

Financial and Resource Implications

28. Council has accepted the \$1 million financial compensation offered by the joint venture (JV) for the creation of an easement at The Avenue Reserve and the resulting impact on local amenity.
29. Council has also accepted the \$320,000 financial contribution offered by the VIDA towards the delivery of open space enhancement works along Watson Street and has committed that any remaining funds following completion of the Watson Street works will be allocated to future local open space enhancement projects through the annual budget process.

Environmental, Social and Economic Impacts

30. The proposal put forward from WGTP, Transurban and the JV will deliver increased environmental and social benefits for the communities of Altona North, Spotswood and South Kingsville. Provision of enhanced open space offering in these communities is a core strategy pursuit of Council, and this proposal delivers on this.

Environmental impacts

31. Enhanced open spaces work like nature's air filters, they cool down streets, soak up stormwater to prevent local flooding, and clean the air community breathe. These areas also boost biodiversity by creating urban habitats for local wildlife.

Social impacts

32. Enhancements improve public health by encouraging exercise and reducing stress. Better pathways and playgrounds foster community connection, child development, and safer, more inclusive public social hubs.

Economic impacts

33. Quality green space raises property values and drives foot traffic to local businesses. In the long term, they save money by reducing healthcare costs and providing natural alternatives to expensive drainage infrastructure.

Consultation and Communication

34. The author of the joint letter has been contacted about the content of the letter and has been advised of the proposed Watson Street Open Space Enhancement Works.
35. Community engagement will continue as Council develops the design for the Watson Street open space enhancement works and any additional works funded from the compensation funds.

Conflict of Interest

36. Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.
37. Council staff involved in the preparation of this report have no conflict of interest in this matter.

7 Officer Reports

7.1 Statutory Planning

7.1.1 Data Centre Proposal at Francis Street, Brooklyn

Directorate: Sustainable Communities

Responsible Officer: Manager Planning Building and Health Services

Attachments:

1. Council Officer Response DTP Application [7.1.1.1 - 5 pages]
2. DTP Application Data Centre Architectural plans [7.1.1.2 - 13 pages]
3. Mayor Letter - 413 Francis Street Data Centre Application [7.1.1.3 - 3 pages]

Purpose

To present an officer position to Councillors on the proposed use and development of a data centre at 413 Francis Street, Brooklyn.

Recommendation

1. **That Council submits a letter to the Department of Transport and Planning (DTP) from the Mayor providing comments on the process and the proposed development in accordance with Attachment 3.**

Executive Summary

1. Council received notification from the Department of Transport and Planning (DTP) for a proposed use and development of land at 413 Francis Street, Brooklyn for a staged two-storey data centre and associated works.
2. The proposal is being processed through the Development Facilitation Program (DFP), a program that provides an accelerated planning pathway for projects that contribute to the Victorian economy.
3. This report outlines the key planning considerations relevant to Council's review of the application.
4. The proposal is seeking approval under Clause 53.22 of the Hobsons Bay Planning Scheme as a Significant Economic Development project and includes demolition of existing warehouse buildings, bulk earthworks, construction of the data centre buildings, associated plant and fuel storage, access changes, landscaping and supporting infrastructure. The proposed development is worth just under \$1 billion.
5. Council officers have significant concerns with the proposal and the DFP process. This is outlined in the letter sent with Officer level comments to DTP at Attachment 1.

6. Key matters identified include concerns with built form, landscaping, presentation to the street frontages, management of traffic, access, stormwater, environmental and sustainability impacts, and the amenity impacts for the Brooklyn community.

Background

Site context

7. The applications relate to land at 413 Francis Street, Brooklyn, being the northern part of the broader site, with an area of approximately 110,473 square metres and frontages of about 251.12 metres to Francis Street and 40.08 metres to Export Drive. The site is currently developed with older industrial and warehouse buildings associated with the Brooklyn Distribution Centre.
8. For the purposes of this report, it is noted that there is a valid planning permit (Council approval Ref: PA230986) for a different use, being the development of warehouses with associated offices and a café.

It is understood that this planning permit is not currently being acted upon, as the developer's preferred outcome is the use and development of the land for a data centre.

Pre-application meeting

9. In December 2025, Council officers attended a pre-application meeting with the permit applicant (proUrban) and joint venture partner (Stockland). The premise of the meeting was to inform officers of the application pathway they had chosen. Limited supporting material was provided at the time. Council officers advised the development should comply with Council's Industrial Development Design Guidelines 2008.
10. In January 2026, Council officers responded to a request from DTP for pre-application comments relating to this proposal.
11. The key concerns raised in the pre-application response are summarised as follows:
 - 11.1. The submitted traffic impact assessment related to a different property and was not relevant to the proposal. Council requested an updated traffic report addressing the correct site, appropriate car parking provision, guard house arrangement and safe access design, including crossover widths and separation.
 - 11.2. No Sustainability Management Plan was submitted. Council requested a broader sustainability response addressing energy, water and environmental impacts in addition to stormwater management.
 - 11.3. Council raised amenity concerns associated with substations, generators, fuel storage and fire equipment, particularly given existing air quality issues in Brooklyn and the proximity to residential land west of Millers Road. Further justification and mitigation measures were requested to demonstrate that unreasonable impacts would not arise.

- 11.4. The layout and streetscape presentation were criticised, with requests to relocate services, tanks, fire equipment and breakout areas away from the front setbacks and to improve passive surveillance and active frontages to Francis Street and Export Drive by reorienting administration areas.
- 11.5. Council requested that generators and other mechanical equipment be appropriately screened, perimeter fencing be upgraded to metal picket fencing rather than chain mesh, mature trees be retained where possible, and all services be located underground to support landscaping outcomes.
- 11.6. Further detail and improvement were sought in relation to building elevations, materials and colour palette, with Council indicating that a lighter and more varied palette was needed to improve visual interest and streetscape character.
- 11.7. Public realm improvements were requested along Francis Street, including kerb and channel works, removal of redundant crossovers and reinstatement of the footpath and road interface, generally consistent with the requirements of the previous permit.
- 11.8. Council also noted the need for the proposal to comply with the agreement on title and to deliver substantial landscaping, particularly along Export Drive.

Approval pathway

12. The data centre proposal is being pursued through the Significant Economic Development pathway under Clause 53.22 of the Hobsons Bay Planning Scheme, with the Minister for Planning as the responsible authority via DTP. The applicant relies on Category 1 eligibility on the basis that the proposed data centre has an estimated development cost of \$930 million, which exceeds the \$20 million threshold for metropolitan Melbourne, and written advice has been obtained from Invest Victoria supporting the likely financial feasibility of the proposal.
13. The proposal requires a permit:
 - 13.1. for the use of the land (data centre) in an Industrial 1 Zone (IN1Z).
 - 13.2. to construct a building or construct or carry out works in an Industrial 1 Zone (IN1Z).
 - 13.3. to construct a building or construct or carry out works in a Special Building Overlay (SBO). Specifically, the land is liable to inundation by overland flows from the urban drainage system.
 - 13.4. To create or alter access to a road in a Transport Zone 2 (TRZ2). Francis Street is a state-owned road (TRZ2).

Discussion

Development Facilitation Program (DFP)

14. Council officers hold significant concerns regarding both the proposal itself and the operation of the Development Facilitation Program (DFP) process as it relates to Council's ability to meaningfully assess and respond to the application.
15. Council officers consider that the 14-day notice period does not provide sufficient time to undertake a comprehensive and coordinated assessment with input from the relevant internal departments. Having regard to the scale and complexity of the proposal, an effective evaluation of the application cannot reasonably be completed within the timeframe provided.
16. Council should be concerned that the referral process has the effect of reducing Council's and the community's involvement to a procedural exercise, rather than as a meaningful mechanism through which advice from Council or input from the community can be properly considered and the concerns adequately addressed.
17. Consultation requirements similar to those of Clause 52.20 of the Hobsons Bay Planning Scheme are a better example of provisions whereby Council Officers are able to undertake a more detailed review of the application, particularly for development of such economic significance, rather than the ordinary Section 52 notice provisions of the *Planning and Environment Act 1987*.

Review of application

18. Having regard to the limited timeframe provided, Council officers have only been able to undertake a high-level review of the submitted documentation. Despite this, officers note that several concerns previously raised through the pre-application process remain unresolved.
19. A copy of the architectural plans submitted for review are provided at Attachment 2.
20. A complete copy of the application and all the submitted documents can be found [here](#).
21. A summary of the concerns is included below:
 - 21.1. **Proposed State-led rezoning of the land:** The State-led Amendment GC276 (Inner West Employment Zoning), seeks to rezone land east of Millers Road from Industrial 1 Zone (IN1Z) to Industrial 3 Zone (IN3Z). If approved, the site would be within a lower-impact industrial zone that places greater emphasis on amenity and the protection of nearby sensitive interfaces.

There are other areas within Hobsons Bay which have recently been rezoned and present greater opportunities for major employment-generating and technology-related investment in locations that are more separated from sensitive residential uses and better suited to accommodating large-scale infrastructure without compromising local amenity.

- 21.2. **Amenity Impacts:** Officers also continue to hold concerns regarding potential amenity impacts associated with the operation of the development and the 24-hour operation, including noise, light spill, traffic and air quality.

Given the scale of the proposal, the number of generators, the proximity of sensitive residential receptors and the existing industrial air quality context in Brooklyn, Council considers that reliance on modelling and general management measures alone is insufficient.

- 21.3. **Built form – passive surveillance and active street frontages:** Council officers remain concerned that the built form does not achieve an appropriate level of streetscape integration or passive surveillance to Francis Street and Export Drive. The current siting, presentation and material treatment are considered to reinforce the industrial character of the site rather than contribute positively to the public realm.

- 21.4. **Landscaping:** The landscaping response is not considered commensurate with the scale and site coverage of the proposed development. Additional canopy planting is necessary across the site, including within breakout areas, and the proposal must also demonstrate compliance with the agreement on title requiring substantial landscaping for lots fronting Export Drive. Officers also maintain that all services should be located underground to maximise opportunities for tree retention and new canopy planting.

Council considers that any approval should require a substantially revised landscape plan that provides deeper and more continuous planting zones, canopy tree opportunities, improved screening to large built form and service areas, and a more generous interface with Francis Street and Export Drive.

- 21.5. **Access and car parking:** Council officers also identify several unresolved matters relating to access and car parking. These include the continued lack of justification for two egress points to Francis Street, uncertainty regarding pedestrian safety, how on-site parking will accommodate employees and the stated visitor numbers, inconsistency between the submitted drawings and the public realm interface, and the need for improved consideration of pedestrian safety within the site.

- 21.6. **Environmentally Sustainable Design and Stormwater:** Finally, officers consider that the application has not yet adequately demonstrated alignment with Council's sustainability objectives. It is acknowledged and noted that this development and future data centre will not use water for cooling of the data halls. However, Council's Sustainability officers require additional information and consider that post-occupancy performance checks should be a mandatory component of the sustainability response. Standard conditions are recommended to be added to any issued planning permit to address any outstanding stormwater matters.

Overarching Governance Principles

22. This report has been prepared with consideration of the overarching governance principles set out in section 9(2) of the *Local Government Act 2020*.

23. The table below outlines how this report aligns with the principles.

Overarching governance principle	Actions supporting the principle
(a) Council decisions are to be made, and actions taken in accordance with the relevant law	This matter is being considered under the <i>Planning and Environment Act 1987</i> and the Hobsons Bay Planning Scheme.
(b) priority is to be given to achieving the best outcomes for the municipal community, including future generations	Several concerns previously raised through the pre-application process remain unresolved.
(c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted	The application has not adequately demonstrated alignment with Council's sustainability objectives.
(d) the municipal community is to be engaged in strategic planning and strategic decision making	The proposed development will be assessed by DTP, with the community encouraged to lodge a submission to DTP. Council will make a submission to DTP following the Council Meeting.
(e) innovation and continuous improvement is to be pursued	Council officers advocate for design and planning control changes aligned with best practice planning principles.
(f) collaboration with other councils and governments and statutory bodies is to be sought	Council officers continue to engage with DTP and the proponent to ensure an appropriate outcome.
(g) the ongoing financial viability of the Council is to be ensured	The proposed development is not expected to impact the ongoing financial viability of Council.
(h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making	If the State-led Amendment GC276 (Inner West Employment Zoning) is approved and the land rezoned, this places greater emphasis on amenity and the protection of nearby sensitive interfaces. The proposed data centre does not demonstrate how the amenity of the community is protected.

(i) the transparency of Council decisions, actions and information is to be ensured	Council's position on the proposed development has been communicated openly, to maintain full transparency.
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Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

24. Hobsons Bay 2040 Community Vision

Priority 1: Sustainable, safe and accessible urban planning

Priority 3: Increased access to local jobs and education

25. Council Plan 2025-29

Theme 2: Sustainable Environment

Goal 2.2: Support the community to respond to climate change

Theme 3: Liveable City

Goal 3.1: Provide equitable and inclusive community infrastructure

Goal 3.2: Increase access to jobs, education and housing

Theme 4: Accountable Council

Goal 4.1: Strengthen governance practices and systems

Policies and Related Council Documents

26. Policies and documents relevant to this report:

26.1. Hobsons Bay Planning Scheme

26.2. Industrial Land Management Strategy 2008

26.3. Industrial Development Design Guidelines 2008

26.4. Urban Forest Strategy 2020

26.5. Hobsons Bay Response to Climate Change Action Plan 2030

26.6. Draft Industrial Land Management Strategy 2023-38

26.7. Draft Industrial Design Guidelines 2023-38

26.8. Subdivision Act 1988

Legal and Statutory Obligations

General legal and statutory obligations

27. Pursuant to section 52 of the *Planning and Environment Act 1987*, DTP on behalf of the Minister of Planning have given Hobsons Bay City Council notice of the application in accordance with the requirements of the Act and the Hobsons Bay Planning Scheme.
28. The timeframe in which Council should respond to the notice is within 14 days of the notice. DTP can make a decision on the application any time from 9 June 2026.

Climate Change and Circular Economy

29. It is acknowledged and noted that this development and future data centre will not use water for cooling of the data halls. However, the application has not adequately demonstrated alignment with Council's sustainability objectives.

Gender Equity Impact Statement

30. This report has been prepared having regard to the requirements of the *Gender Equality Act 2020*.
31. Officers have assessed the gender equity implications of this matter and determined that the proposal is administrative or operational in nature and is not expected to have a differential impact on any gender. A Gender Impact Assessment is not required.

Risk

Identified Risk	Mitigation
Poor relationship with State Government if council does not provide a response to its request for feedback.	Council to provide a prompt response to the proposal to facilitate the progression of the proposal.

Financial and Resource Implications

32. The proposed data centre development application results in financial and resource implications for Council as follows:
- 32.1. As the application has been submitted through DFP approval pathway, Council does not receive any application fees for the time to undertake an assessment of this notice.
- 32.2. The expectation from DTP that Council officers undertake a full assessment and provide draft conditions within a 14-day period is unreasonable and resource-intensive.

- 32.3. If this type of application were to be lodged with Council, planning officers would be afforded the 60-day statutory timeframe to undertake a full review and assessment of the data centre proposal.

Environmental, Social and Economic Impacts

Environmental impacts

33. The submitted Sustainability Management Plan (SMP) report suggests that the project will continue to adapt to the risk of climate change and the development will address any extreme and high risks through modified design and/or operational responses, when necessary.
34. Council has set a target for the municipality to achieve net zero greenhouse gas emissions by 2030 and has committed to achieving an increase in water use sourced from alternative sources by 20 per cent. The proposal does not demonstrate how it aligns these targets in operations, including details on renewable energy and storage.
35. Further, the plume and air quality assessment does not provide consideration of the back-up generators which require regular testing in order to guarantee operation in the event of a power outage or emergency scenario.
36. The proposed landscaping and lack of canopy tree cover fails to meet the urban canopy cover sought by Council's Urban Forest Strategy 2020.

Social impacts

37. The proposed development lacks adequate articulation and material variation. The Francis Street facade is largely blank, cold and visually impermeable. Together with the environmental impacts outlined above, this fails to meet the intent of Clause 15.01-2L-03 (Industrial building design), which seeks to lift amenity, design quality, safety and environmental performance in industrial areas through better built form, materials, siting and landscaping.
38. The proposal does not sufficiently enhance streetscape character, reduce energy use, or optimise natural ventilation, daylight and solar access. As such, will not achieve the objective to "improve the amenity, design, safety and environmental performance of industrial areas".

Economic impacts

39. It is noted that there will be increased jobs during the construction of the data centre, but in the long term the overall number of employees is not expected to exceed 50 employees during the day with 13-25 employees during the evenings.

Consultation and Communication

40. DTP can undertake public consultation under section 52 of the *Planning and Environment Act 1987* for this proposal. In this case, they have afforded Council and the community the opportunity to provide comment or lodge a submission.
41. However, Clause 53.22-4 of the Hobsons Bay Planning Scheme stipulates that:
 - 41.1. *An application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act.*
42. This means, even if Council or any member of the community makes a submission and is dissatisfied with the decision, Council or the community do not have any appeal or review rights.

Conflict of Interest

43. Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.
44. Council staff involved in the preparation of this report have no conflict of interest in this matter.



11 June 2026

Senior Planner, Development Assessment
Department of Transport and Planning
By email: [REDACTED]

Ask for: [REDACTED]
Phone: [REDACTED]
Email: [REDACTED]
Our Ref: GE260391

Dear [REDACTED],

Council Officer Referral Response
DTP Planning Permit Application PA2604419
Use and Development of a Data Centre at 413 Francis Street, Brooklyn

Hobsons Bay City Council acknowledges receipt of the above planning permit application, referred by the Department of Transport and Planning (DTP) for comment.

We wish to advise that **Council Officers object to the proposal.**

We note that the Development Facilitation Program (DFP) is intended to provide an accelerated pathway for projects that contribute to the Victorian economy. However, in this instance, we hold significant concerns regarding the proposal and believe the DFP pathway in this instance lacks an effective process and engagement.

Council was provided with only 14 days to respond to the referral for a **proposal worth \$1 Billion** that will create significant amenity impacts, has no regard for the community in the area and is focused on delivering an outcome which entrenches inactive uses in this area of Brooklyn. Council formally requested an extension of time, noting that Council officers do not hold delegation to determine Ministerial applications of this nature and that the matter must be referred to a Council Meeting for consideration.

In response, DTP has advised that it cannot guarantee that a determination will be deferred to accommodate this process and advised that it would appreciate any officer level comments or conditions in response to the referral.

The request for officer-level comments within this constrained timeframe is not practical nor does it demonstrate meaningful engagement with Local Government or the municipal Council. For an application of this scale and complexity, the timeframe is insufficient to undertake a comprehensive and coordinated assessment with input from the relevant internal departments. An effective evaluation of a proposal of this nature cannot reasonably be completed within the 14-day period provided.

The proposal was subject to preliminary engagement with Council Officers, including a singular pre-application meeting in December 2025, followed by a formal pre-application referral issued by DTP in January 2026. Council Officers provided further information requirements and preliminary feedback at that time, with the expectation that the identified issues would be meaningfully addressed prior to the lodgement of a formal application. Despite this early engagement, we find that the substantive concerns which were raised have not been adequately addressed or resolved.

The above raises serious concerns regarding the effectiveness of the DFP process reducing Council referral to a procedural exercise, rather than a meaningful mechanism for incorporating Council's advice and addressing our concerns.

Considering the limited timeframe provided, only a high-level review of the submitted documentation has been undertaken. The comments below are **Council Officer comments only**. They do not represent the views of Council. The following concerns already raised in the pre-application meeting and the formal pre-application referral from DTP remain. The below is in addition to those.

Alignment with state-led Amendment GC276 (Inner West Employment Zoning)

- Whilst the use is consistent with the current industrial zoning, there are concerns with the proposed change of zone.
- Following the opening of the Westgate Tunnel, DTP have proposed to rezone Industrial 1 Zone land east of Millers Road to an Industrial 3 Zone via Amendment GC276. If this amendment is approved, the subject site will be rezoned to Industrial 3 Zone. An Industrial 3 Zone (IN3Z) is a lower-impact, buffer-type industrial zone.
- It places stronger emphasis on amenity and protecting nearby sensitive areas, such as residential interfaces, from offsite impacts. Given the known amenity impacts associated with the operation of a data centre, there is concern as to how the proposal will align with the new rezoning which has higher regard for the amenity of nearby more sensitive uses.

Amenity impacts

- Council Officers are aware of complaints and enquiries which have been received by Council relating to the ongoing operation of data centres namely the concerns relate to the large substations they require, this has also included the use of generators.
- The use will operate 24/7 and is within proximity to residentially zoned land and dwellings in Brooklyn, which are substantially impacted by existing industrial uses. Existing amenity should be protected and not further diminished. Measures could include noise mitigation measures for mechanical plant operation in accordance with Environmental Protection Regulations 2021 and the relevant Noise Protocol, management of light spill, and ensuring traffic noise and volumes are reduced during sensitive hours.
- It is noted that an acoustic report has been provided as part of the application material. This should be reviewed by an appropriate technical expert and any impacts on surrounding residential areas mitigated. The report notes that power supply to the site is from the future substation and as such has not been included in the assessment. Additionally, the acoustics assessment did not consider noise from generators which has been an ongoing concern from residents regarding the other data centres operating in the area.
- The suburb of Brooklyn is one of the inner west communities which have been exposed to high levels of air pollution over many years and has recently seen two other data centres built near this site. The enquiry into the future operations of the Westgate Tunnel looked at improving the quality of the amenity of Brooklyn. It is noted that an air quality and plume risk assessment has been provided as part of the application material. This should be reviewed by an appropriate technical expert and any impacts on surrounding residential areas mitigated.
- The Brooklyn Community Representative Group (BCRG) was set up as a reference group to bring together parties who have an interest in the air quality issues emanating from the Brooklyn Industrial Precinct. Hobsons Bay is one of several councils that participate in the Brooklyn Community Representative Group and actively supports its continued operation. This application is likely to be of interest and should be referred to the BCRG by DTP.

Built form – passive surveillance and active street frontages

- The proposed development does not demonstrate positive streetscape integration. Clause 15.01-2L-03 Industrial Building Design of the Hobsons Bay Planning Scheme includes strategies to design developments (including through materiality, mass, site orientation and landscaping) to enhance the character and visual amenity of the area, reduce energy use and optimise natural ventilation, daylight and solar access.
- The current arrangement turns its back to Francis Street and Export Drive and reinforces the industrial nature and harshness of the street. Council's Draft Industrial Design Guidelines seeks to facilitate an office component forward of a warehousing component, this design outcome could be considered on the Francis Street frontage with the Building 1 admin area.
- The location of generators and fuel storage on the side boundaries of the development are visually dominating.
- The generators should be appropriately screened from Francis Street with a maximum of 25 per cent transparency to minimise views of this equipment and improve the streetscape character in line with the requirements of the IN1Z (and incoming IN3Z).
- The proposed development does not incorporate appropriate articulation or material variation. The materials on the Francis Street facade lack articulation, presenting a cold and visually impermeable facade.

Fencing

- The proposed development does not demonstrate fencing treatments which contribute to an 'open' streetscape or passive surveillance. Fencing treatment should be reconsidered, particularly along the Francis Street frontage.

Landscaping

- The proposal does not provide a level of landscaping appropriate to the amount of site coverage proposed and massing of the building. The development proposes to remove 99 trees from the site. New large trees are limited to the Francis Street frontage with predominantly screening shrubs proposed for the remainder of the site.
- A greater number of canopy trees must be provided to offset the removal of existing trees. A ratio of 2 new trees for each lost tree should be provided. There is ample opportunity to provide additional canopy trees within the breakout areas.
- There is an agreement on the Title Volume 11883 Folio 707 PC 373205M. The agreement prioritises quality development and substantial landscaping for all lots fronting Export Drive. The proposal must comply with this agreement. The proposal does not provide meaningful landscaping on the Export Drive entrance. Although this accessway facilitates vehicle circulation, it does not positively contribute to streetscape amenity.
- Additional canopy trees must be provided in the lot fronting Export Drive.
- Further to the above, all services, including water, electricity, gas, sewerage and telephone must be installed underground and located to the satisfaction of the Responsible Authority in order to maximise the opportunity to retain existing trees and plant new canopy trees.

Access and car parking

- Justification for two egress points into Francis has still not been provided within the TIA. One entry and one exit point should be provided at appropriate industrial standards.
- It is unclear how parking for the assumed daily visitors of 20-100 persons will be accommodated considering the 50 employees and supply of 110 on-site parking spaces. Clarification is required regarding the nature of these visitors and whether they require long or short-term parking. There is no street parking on Francis Street, all parking must be accommodated on site.

- The 3D site views (Drawing No. A950 Rev B) show car parking spaces within the existing public realm to Francis Street. This is not reflected on the plans.
- Pedestrian safety within the site needs further consideration, particularly where large numbers of parking spaces are proposed. Pedestrian priority areas, crossing points, and associated signage and line marking should be clearly identified. Where parking bays are located adjacent to pedestrian paths, it should be demonstrated that vehicle overhang will not obstruct pedestrian access. Wheel stops or alternative treatments may be required where vehicles could overhang onto pedestrian areas.
- Additional plans detailing car parking and access arrangement, including:
 1. Detailed car parking layout plan showing the dimensions of all parking bays, aisle widths, accessible parking bays, bicycle parking spaces, pedestrian paths.
 2. Signage and line marking plan showing all regulatory signs, directional signage, pedestrian crossings, accessible parking signage, wayfinding signage, pavement markings, and any proposed vehicle overhang controls.
 3. Confirmation whether the 19-metre design vehicle shown in the swept path assessment represents the largest vehicle expected to access the site. If larger vehicles are anticipated, further swept path assessments may be required.

Sustainability

- Council has set a target for the municipality to achieve net zero greenhouse gas emissions by 2030 and has committed to achieving an increase in water use sourced from alternative sources by 20 per cent. The proposal does not demonstrate how it aligns these targets in operations, including details on renewable energy and storage.
- In addition, the following needs to be considered and incorporated into the ESD Report:
 1. Post-occupancy checks should be a mandatory requirement rather than treated as an optional opportunity. This will ensure building systems are operating as designed and allow early identification of performance gaps.
 2. The Power Usage Effectiveness (PUE) should be less than 1.25.
 3. Provide details of the generators (fuel type, testing regime etc) and refrigerants with initiatives to demonstrate that Scope 1 emissions are minimised or eliminated.
 4. Provide an indicative breakdown of how the building's energy demand will be met, including contributions from one-site renewable generation, power purchase agreements and other mechanisms.
 5. Provide an estimate of the development's annual operational greenhouse gas emissions, calculated in accordance with the Greenhouse Gas Protocol developed by the World Resources Institute (WRI) and the World Business Council for Sustainable Development (WBCSD) or equivalent method, including:
 - Scope 1 emissions, including consideration of back-up generators and refrigerants
 - Scope 2 and 3 emissions as assigned by grid electricity
 - Details of any onsite or offsite renewable energy generation/procurement and the proportion of the development's energy consumption that this will supply
 6. Provide a Water Usage Effectiveness (WUE) commitment for the Data Halls to demonstrate best practice water efficiency.
 7. Provide an estimate of the annual potable water consumption for the development.
 8. Rooftop solar PV systems should be integrated into the design to achieve renewable energy targets.

Drainage

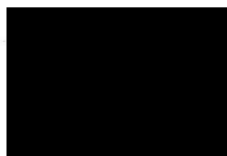
- Council's Drainage and Development Team advised the following should be incorporated:
 1. The site must be connected to a legal point of drainage discharge to the satisfaction of the Responsible Authority.
 2. Prior to commencement of the development, detailed engineering plans are to be submitted to Hobsons Bay City Council incorporating the following;
 - i. The volume of water discharging from the development in a 10% AEP storm shall not exceed the peak flow experienced in a 10% AEP storm prior to development. The peak flow shall be controlled using retardation basins or approved retardation systems located on the subject site to the requirements and satisfaction of the Responsible Authority. The storage system shall have a storage capacity of a 5% AEP. Unless otherwise agreed by Melbourne Water.
 - ii. The flow paths of a 1% AEP storm need to be determined and the development designed such that no private property is inundated by this storm. These flow paths must be indicated on the plans.
 - iii. Incorporation of the council endorsed Water Sensitive Urban Design
 3. All existing conditions affected by the development works must be reinstated at no cost and to the satisfaction of the Responsible Authority.
 4. Prior to occupancy of the development the works are to be completed to the satisfaction of Council's Drainage and Development Team.
 5. Please contact council's Drainage and Development Engineer to arrange an inspection of the completed works. A fee will apply relating to the "Onsite Detention Inspection and WSUD" as per application in accordance with the certified plans.
 6. If the stormwater pit is within the proposed driveway it will need to be a heavy-duty grated junction pit. However, if the pit is within 1m from the proposed crossover then the pit lid for the side entry pit will need to be heavy duty.
 7. The quality of water discharged is to be in accordance with the Hobsons Bay Planning Scheme Clause 53.18-5, Standard W2.

In summary, the proposed application lacks critical information, is poorly constructed, lacks detail and ignores the fundamentals of planning in Victoria. On that basis, Council officers object to the proposal and will be submitting a report to Council advising as such. A formal reply will be sent to DTP once that Council resolution has been passed.

The above advice and Council's disappointment in this proposal and process should be provided to the applicant.

If you wish to discuss any of the above further, please contact [REDACTED] on [REDACTED] or via email at [REDACTED].

Yours sincerely,



Manager Planning, Building and Health Services

413 FRANCIS STREET, BROOKLYN

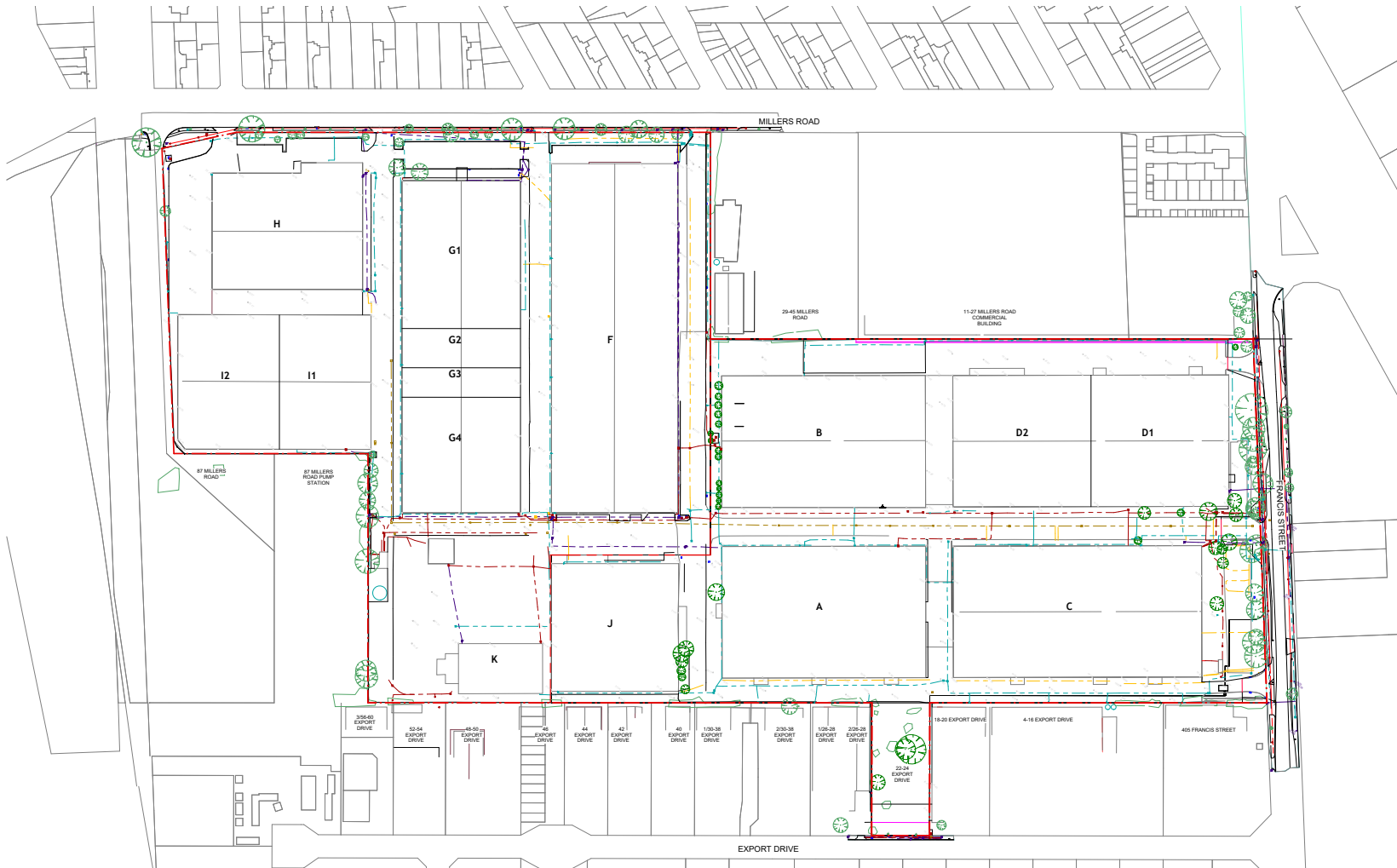
PRE_APPLICATION SUBMISSION

ARCHITECTURAL DRAWING SHEET INDEX	
	Sheet Name
A001	LOCATION PLAN
A100	SITE PLAN - EXISTING
A102	SITE PLAN - PROJECT SCOPE
A103	SITE PLAN - DEMOLITION
A104	SITE PLAN - MASTERPLAN
A105	SITE PLAN - LANDSCAPE
A107	SITE PLAN - MASTERPLAN COORDINATION
A120	OVERALL GROUND FLOOR PLAN
A121	OVERALL FIRST FLOOR PLAN
A122	OVERALL ROOF PLAN
A200	OVERALL BUILDING SECTIONS
A300	OVERALL BUILDING ELEVATIONS
A901	AERIAL PERSPECTIVE
A902	AERIAL PERSPECTIVE
Grand total: 14	



1 LOCATION PLAN
1:2000

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NO.	DESCRIPTION	DATE							
1	ISSUED FOR PRE-APPLICATION	08/01/2024							
CLIENT Stockland									
DESIGNER Jacobs									
PROJECT BROOKLYN DATA CENTRE									
SITE 413 FRANCIS STREET BROOKLYN									
LOCATION PLAN									
PRE-APPLICATION									
DATE AK	DATE NB	DATE TS	DATE AD						
SCALE 1:2000	SCALE AD	SCALE AD	SCALE AD						
PROJECT NO. A001									



1 SITE PLAN EXISTING
1:1000

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STOCKLAND

JACOBS

BROOKLYN DATA CENTRE

413 FRANCIS STREET

BROOKLYN

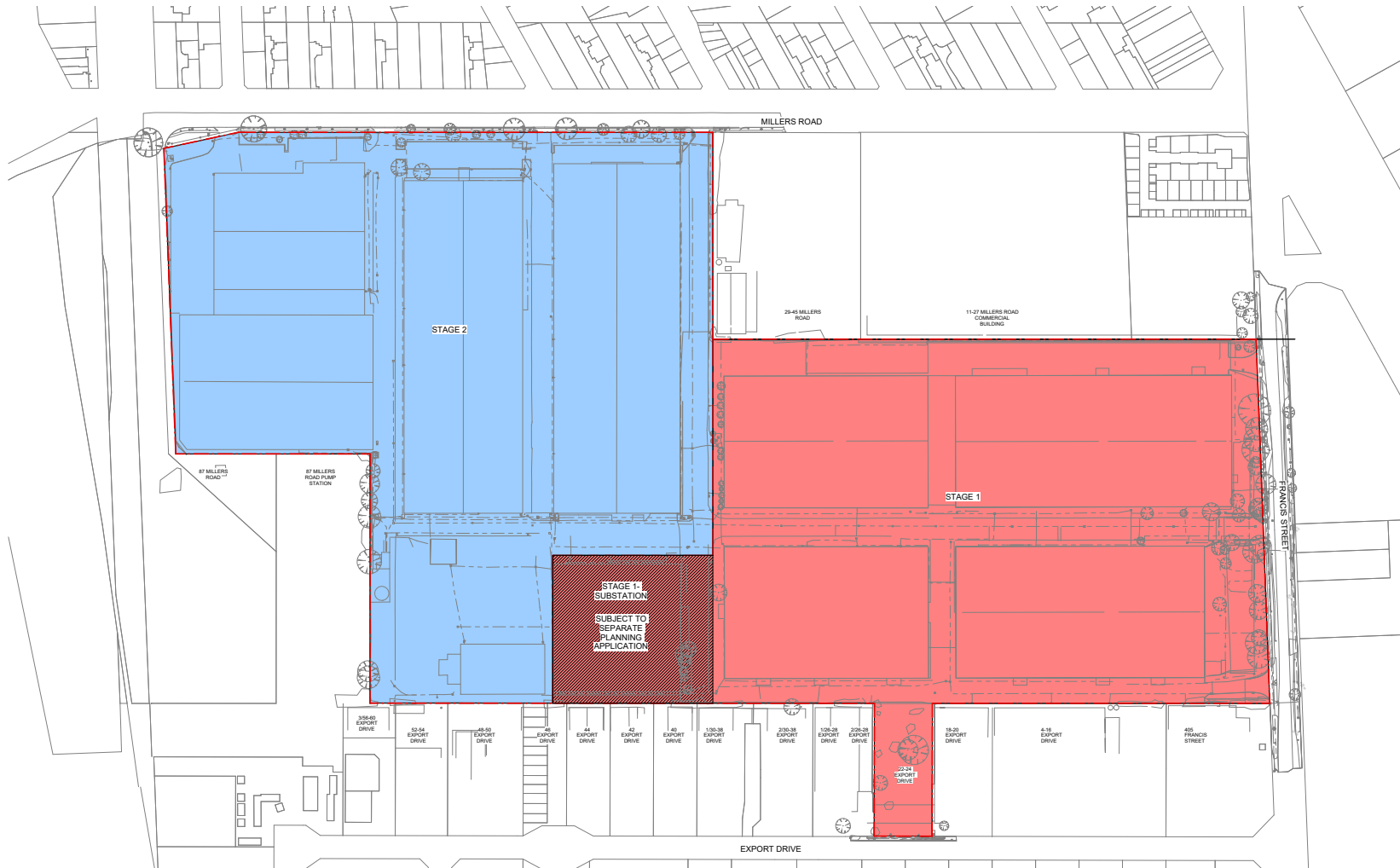
SITE PLAN - EXISTING

PRE-APPLICATION

NAME	DESIGNER	DATE	REVISION
AK	NB	11/03/2024	1
KB	TS	11/03/2024	2
As indicated	AD	11/03/2024	3

A100

Page 65



1 SITE PLAN - STAGING
A200 1:1000

DRAWINGS TO BE PRINTED IN COLOUR

LEGEND

- SITE BOUNDARY
- STAGE 1
- STAGE 2

NOTES

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REVISIONS

NO.	DATE	DESCRIPTION
1	08/01/2024	ISSUED FOR PERMIT

STAMP

STOCKLAND

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BROOKLYN DATA CENTRE
413 FRANCIS STREET
BROOKLYN

SITE PLAN - PROJECT SCOPE

PRE-APPLICATION

NAME	DESIGNER	DATE	APPROVED
AK	NB	08/01/2024	
KB	TS	08/01/2024	
As indicated	AD	08/01/2024	A355900

A102



1 SITE PLAN - DEMOLITION
1:1000

DRAWING TO BE PRINTED IN COLOUR

LEGEND

- SITE BOUNDARY
- TO BE DEMOLISHED
- EXISTING FENCE TO BE REMOVED
- EXISTING FENCE TO REMAIN
- EXISTING PLANTS TO BE REMOVED
- SITE PREPARATION DEMOLITION AREA
- TREES TO BE REMOVED
- TREES TO BE RETAINED

GENERAL NOTE:

DEMOLITION TO INCLUDE:
- DEMOLITION OF EXISTING BUILDING, HARD STAND AND ALL ASSOCIATED SERVICES ABOVE, GROUND AND BELOW GROUND
- DEMOLITION WORKS TO BE UNDERTAKEN WITH APPROPRIATE APPROVED ENVIRONMENTAL CONTROLS
- DEMOLITION OF EXISTING TREES SHALL BE IN CONJUNCTION WITH THE ARBORIST REPORT

REVISIONS

NO.	DATE	DESCRIPTION
1	10/01/2024	ISSUED FOR TENDERS

APPENDIX

CLIENT

Stockland

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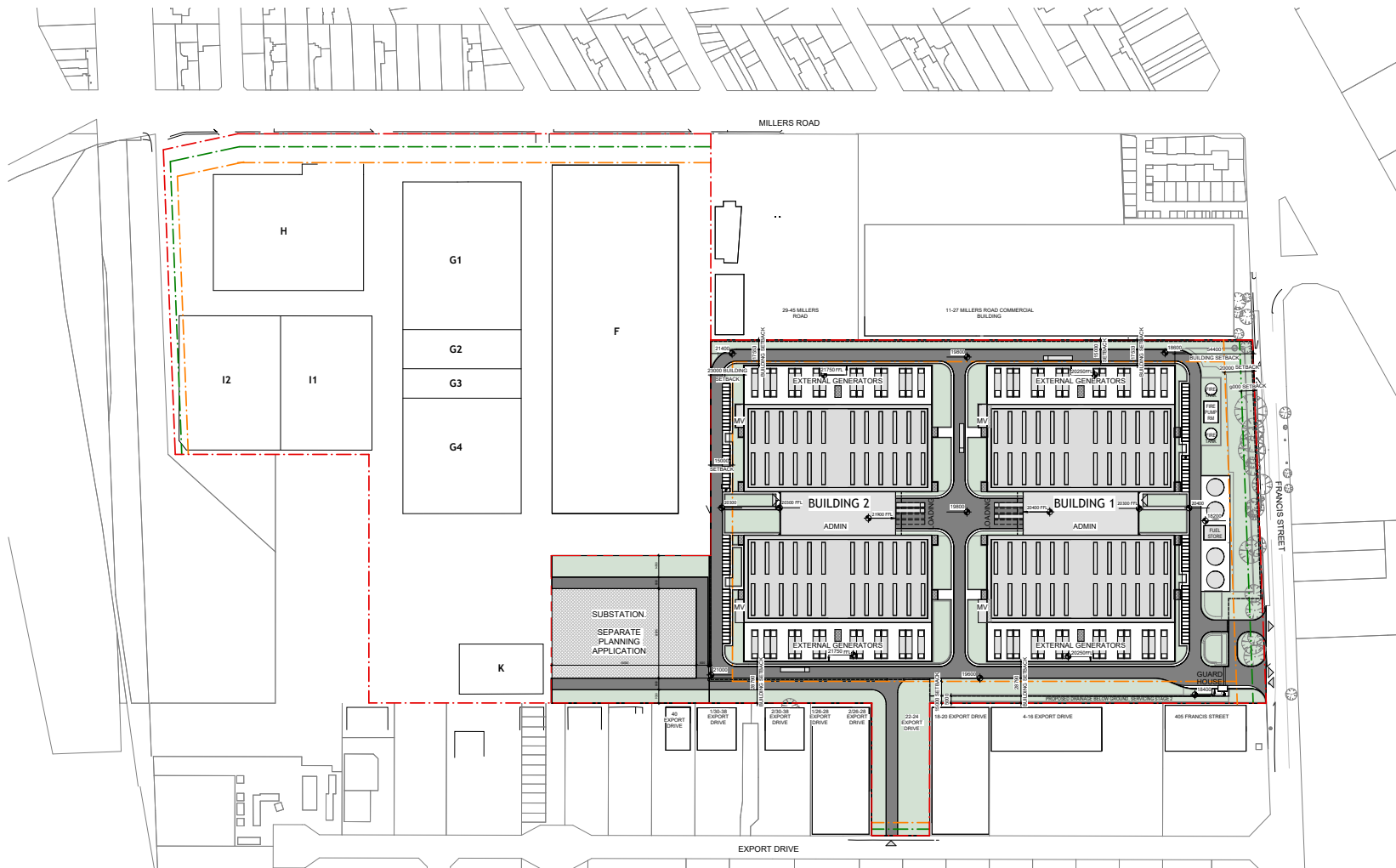
413 FRANCIS STREET
BROOKLYN
VIC 3143

SITE PLAN - DEMOLITION

PRE-APPLICATION

NAME	DESIGNER	DATE	STATUS
AK	NB	10/01/2024	ISSUED
KB	TS	10/01/2024	ISSUED
As indicated	AD	10/01/2024	ISSUED

A103



1 SITE PLAN - MASTERPLAN
1:1000

DRAWING TO BE PRINTED IN COLOUR

LEGEND

- SITE BOUNDARY
- FENCE (2.4M HIGH SECURITY FENCE)
- BUILT FORM SETBACK
- LANDSCAPE SETBACK
- VEHICLE ACCESS WAYS
- EXISTING TREES (RETAINED)
- GENERAL PLANTING AREA / TREES
- ENTRY / EXIT POINTS
- PEDESTRIAN PATHWAYS
- SUBSTATION AREA

NOTES

1. All dimensions are in millimetres unless otherwise stated.
2. All dimensions are to the face of the building unless otherwise stated.
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REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PRELIMINARY REVIEW	08/01/2024

STOCKLAND

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BROOKLYN DATA CENTRE

413 FRANCIS STREET
BROOKLYN
NSW

SITE PLAN - MASTERPLAN

PRE-APPLICATION

NAME	DESIGNER	DATE	STATUS
AK	NB	08/01/2024	ISSUED
KB	TS	08/01/2024	ISSUED
As indicated	AD	08/01/2024	ISSUED

A104 100 A

TREE PLANTING PALETTE EXAMPLES



MELALEUCA LINEARIFOLIA



TRISTANOPSIS LAURINA LUSCIOUS

SHRUB PLANTING PALETTE EXAMPLES



CALLISTEMON CITRINUS



DANIELLA CAERULEA

LOW GROUND COVER PALETTE EXAMPLES



LOMANDRA VERDOY



DANIELLA CAERULEA



WESTRINGIA LOW HORIZON



MYOPORUM PARVIFOLIUM



KEY LANDSCAPE MOVES:

- CREATE A BUFFER TO PLANTING EDGES FOR VISUAL INTEREST
- IMPROVE STREET INTERFACES WITH FRANCIS STREET
- MAXIMISE LANDSCAPING AREAS

LEGEND:

- 1 CREATE BREAKOUT OPPORTUNITIES FOR WORKERS AND VISITORS, AND ESTABLISH A DEFINED, DYNAMIC ENTRY EXPERIENCE FOR THE FACILITY.
- 2 INTRODUCE PERIMETER LANDSCAPE ZONES TO SOFTEN THE EDGES OF BOUNDARY INTERFACES AND ENHANCE VISUAL APPEAL.
- 3 PROVIDE A CONTINUOUS GREEN BAND ALONG BUILDING EDGES TO OFFER SOFTENING AND ATTRACTIVENESS WHILE MAINTAINING CRITICAL OPERATIONAL REQUIREMENTS. INCORPORATE A LOW-MAINTENANCE PLANTING PALETTE OF SHRUBS, AND LOW GROUNDCOVERS AROUND BUILDING PERIMETERS.
- 4 RETAIN THE EXISTING TREES AS PART OF FRANCIS STREET INTERFACE TO PRESERVE EXISTING SITE VALUES.
- 5 VISUAL BUFFER - PLANTING OF SMALL TREES AND SHRUBS TO CREATE A VISUAL SCREEN ALONG CHERRY LANE, REDUCING THE FACILITY'S VISUAL IMPACT.
- 6 SECURITY BUFFER - 5M ZONE OF LOW GROUNDCOVER SPECIES INSIDE THE SECURITY FENCE LINE TO ENSURE CLEAR SIGHTLINES FOR SURVEILLANCE AND COMPLIANCE WITH SECURITY REQUIREMENTS.
- 7 TURF - TO AREAS ASSOCIATED WITH THE SUBSTATION AND OUTSIDE THE SECURITY FENCE AREA OF THE CENTRE.

DRAWING TO BE PRINTED IN COLOUR

LEGEND

- SITE BOUNDARY
- FENCE (4-6M HIGH SECURITY FENCE)
- BUILT FORM SETBACK
- LANDSCAPE SETBACK
- VEHICLE ACCESS WAYS
- EXISTING TREES (UNTHINNED)
- GENERAL PLANTING AREA / TREES
- BUFFER PLANTING
- BREAKOUT OPPORTUNITIES
- ENTRY / EXIT POINTS
- PEDESTRIAN PATHWAYS
- SUBSTATION AREA
- GRAVEL SURFACES

NOTES

1. All landscaping shall be in accordance with the approved landscape plan and the following notes.
2. All landscaping shall be in accordance with the approved landscape plan and the following notes.
3. All landscaping shall be in accordance with the approved landscape plan and the following notes.
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7. All landscaping shall be in accordance with the approved landscape plan and the following notes.

REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PRELIMINARY REVIEW	11/01/2024

APPENDIX

APPENDIX A

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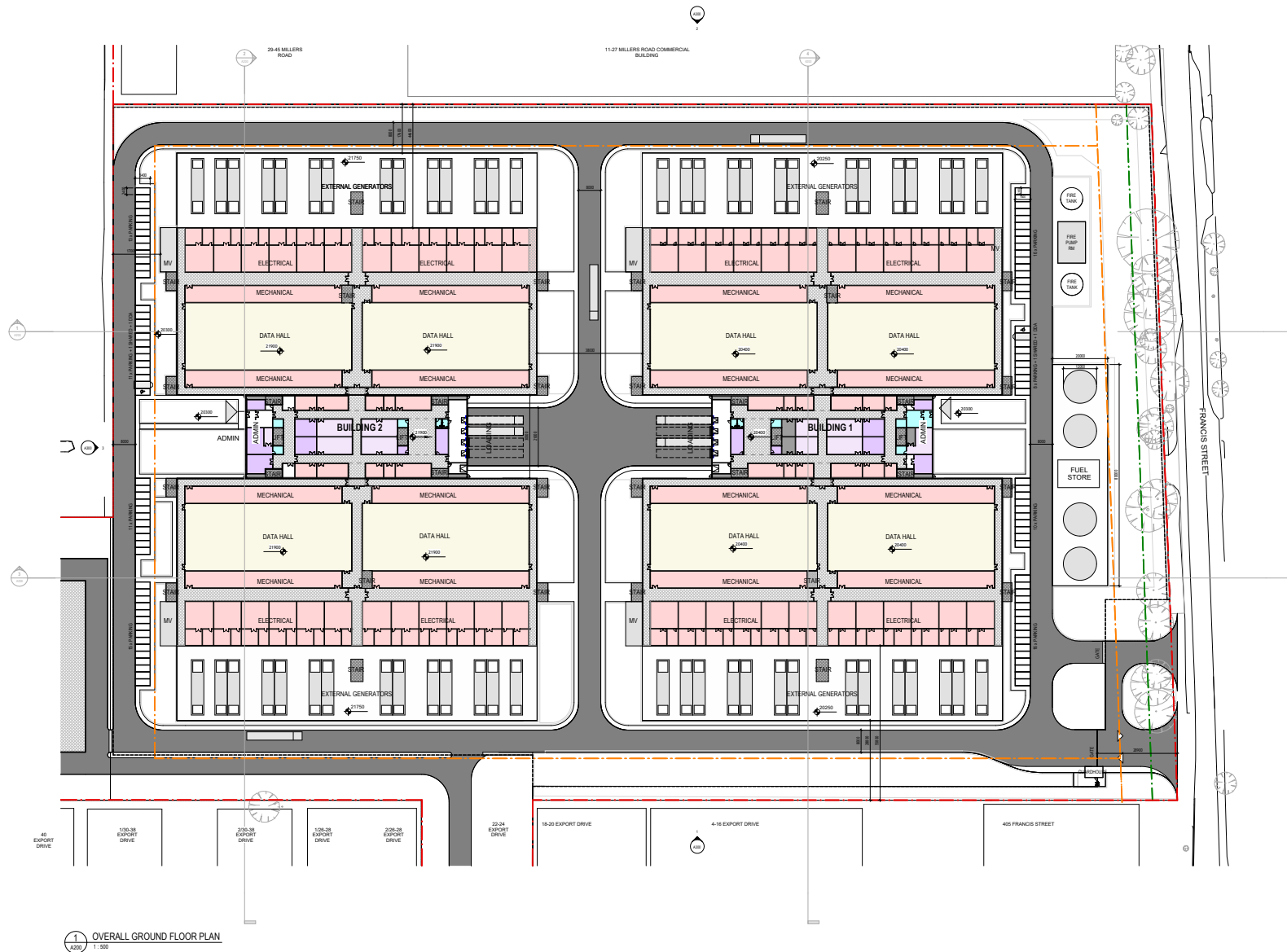
APPENDIX BP

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DRAWING TO BE PRINTED IN COLOUR

LEGEND

- SITE BOUNDARY
- BUILT FORM SET BACK
- LANDSCAPE SETBACK
- FENCE (2.4M HIGH SECURITY FENCE)
- ROADS
- EXISTING TREES
- NEW PLANTS
- TREES AND PLANTS
- ENTRY / EXIT POINTS
- SERVICE AREAS
- VERTICAL TRANSPORT & STAFF AMENITIES CORE
- CORRIDORS
- SERVICE AREAS
- IT SPACE
- STAFF AMENITIES
- ADMIN AREAS
- STORAGE AREAS

NOTES

1. All dimensions are in millimetres unless otherwise stated.
2. All dimensions are to the centreline of the building unless otherwise stated.
3. All dimensions are to the finished floor level unless otherwise stated.
4. All dimensions are to the finished floor level unless otherwise stated.
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REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	11/01/2024

STOCKLAND

JACOBS

BROOKLYN DATA CENTRE
413 FRANCIS STREET
BROOKLYN

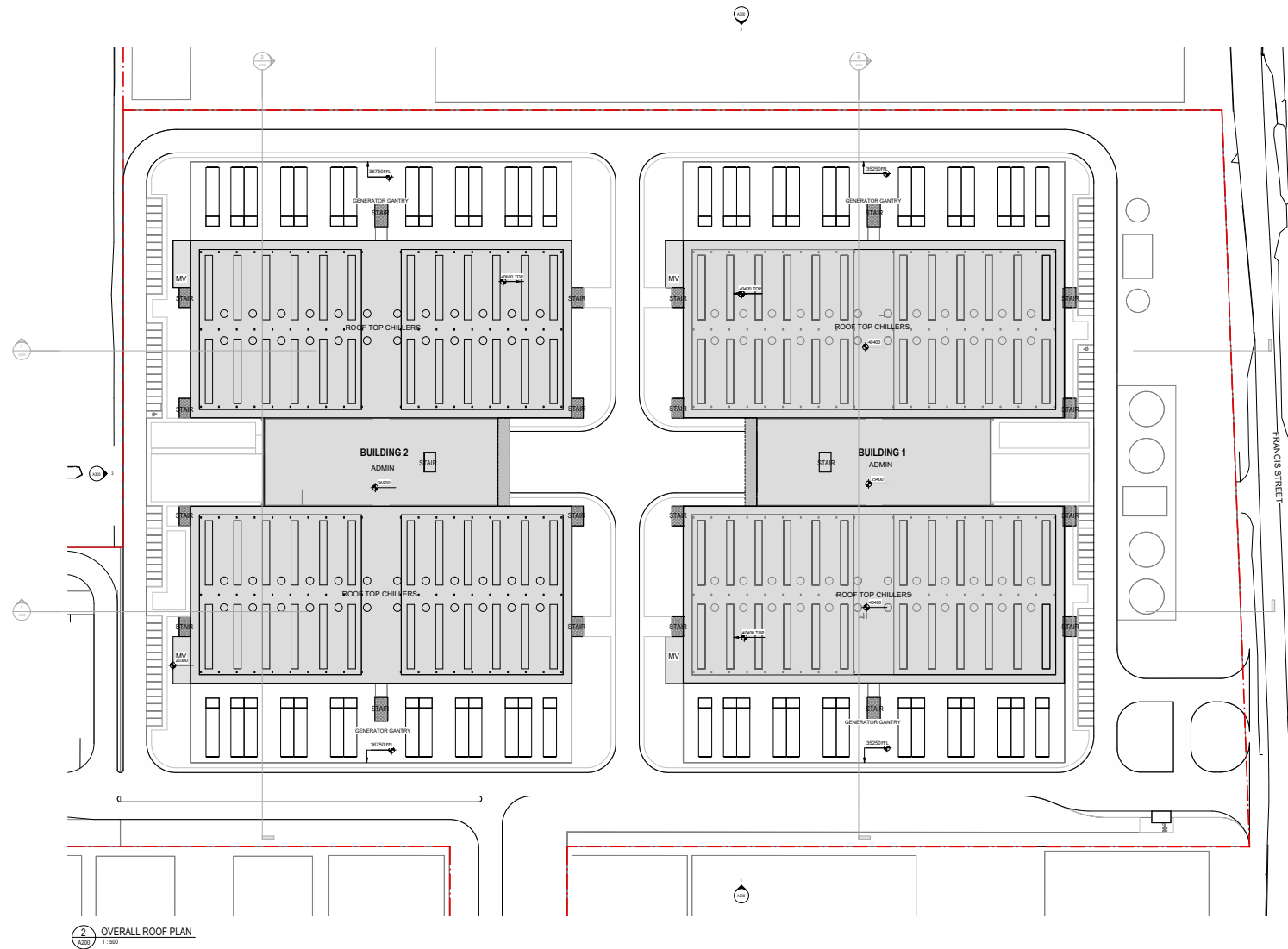
OVERALL GROUND FLOOR PLAN

PRE-APPLICATION

NAME	DESIGNER	DATE	PROJECT
AK	NB	11/01/2024	BROOKLYN DATA CENTRE
KB	TS	11/01/2024	BROOKLYN DATA CENTRE
As indicated	AD	11/01/2024	BROOKLYN DATA CENTRE

A120

[illegible]



DRAWING TO BE PRINTED IN COLOUR

REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PRELIMINARY APPROVAL	08/01/2024
2	ISSUED FOR PRELIMINARY APPROVAL	08/01/2024
3	ISSUED FOR PRELIMINARY APPROVAL	08/01/2024
4	ISSUED FOR PRELIMINARY APPROVAL	08/01/2024
5	ISSUED FOR PRELIMINARY APPROVAL	08/01/2024
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7	ISSUED FOR PRELIMINARY APPROVAL	08/01/2024
8	ISSUED FOR PRELIMINARY APPROVAL	08/01/2024
9	ISSUED FOR PRELIMINARY APPROVAL	08/01/2024
10	ISSUED FOR PRELIMINARY APPROVAL	08/01/2024

PROJECT

BROOKLYN DATA CENTRE

413 FRANCIS STREET

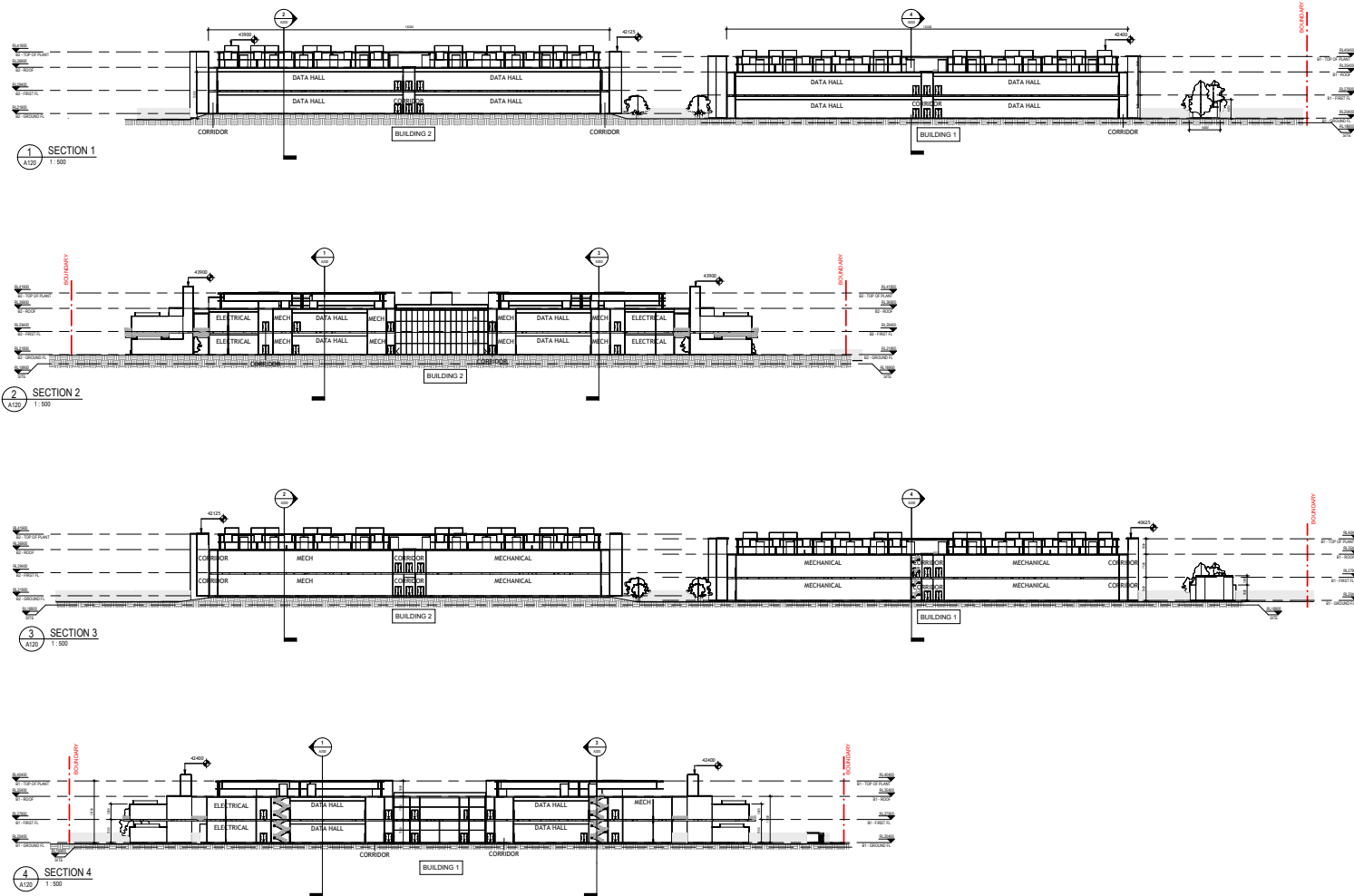
BROOKLYN

OVERALL ROOF PLAN

PRE-APPLICATION

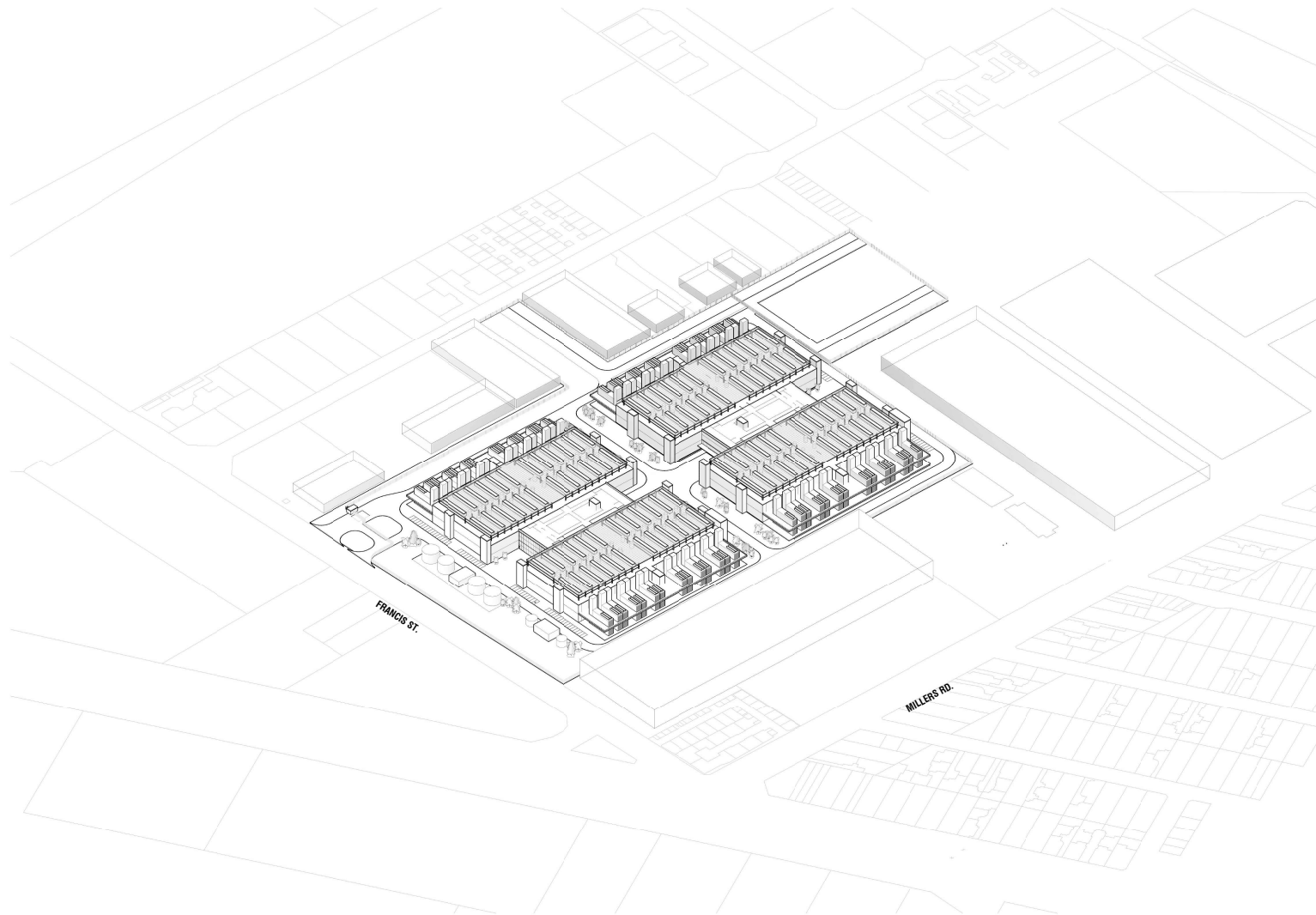
NO.	DESCRIPTION	DATE
AK	NB	08/01/2024
KB	TS	08/01/2024
1	AD	08/01/2024

A122



DRAWING TO BE PRINTED IN COLOUR			
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1 AERIAL PERSPECTIVE - VIEW FROM WEST

DRAWING TO BE PRINTED IN COLOUR

NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
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REVISIONS

NO.	DATE	DESCRIPTION
1	08/01/2024	ISSUED FOR COMMENT

SCALE 1:100

STOCKLAND

JACOBS

BROOKLYN DATA CENTRE

413 FRANCIS STREET

BROOKLYN

AERIAL PERSPECTIVE

PRE-APPLICATION

NO.	DATE	DESCRIPTION	BY	CHKD
AK	NB	ISSUED FOR COMMENT		
KB	TS	ISSUED FOR COMMENT		
AD	AD	ISSUED FOR COMMENT		

A902

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Office of the Mayor

**HOBSONS
BAY CITY
COUNCIL**



00 Month 2026

The Hon. Sonya Kilkenny MP
Minister for Planning
GPO Box 4356
Melbourne VIC 3001

Sent via post and email sonya.kilkenny@parliament.vic.gov.au

Dear Hon. Sonya Kilkenny MP,

Ministerial Planning Permit Application: Data Centre at 413 Francis Street, Brooklyn

I write on behalf of Hobsons Bay City Council regarding the proposed redevelopment of land at 413 Francis Street, Brooklyn for a data centre. Council acknowledges that the application is being considered through the approval pathway available under Clause 53.22 of the Hobsons Bay Planning Scheme.

Council welcomes investment that can make a significant economic contribution to the State and to Hobsons Bay, including the substantial investment proposed for this site. Council is also committed to engaging constructively on projects of this scale. However, Council holds serious concerns that the proposal, in its current form, has not adequately demonstrated that its local planning, amenity, design and environmental impacts can be appropriately managed.

Council requests that these concerns be given substantial weight in the Minister's consideration of the application and that the application not be supported unless the matters outlined below are comprehensively resolved.

Council's position

Location

The site is located within a sensitive industrial interface in Brooklyn, close to established residential areas and within a community that has experienced longstanding amenity impacts associated with industrial activity. In this context, Council considers that a proposal of this scale and operational intensity requires close scrutiny of potential noise, air quality, traffic, visual, lighting and operational impacts.

Council is particularly concerned that the proposed use would be located approximately 200 metres from residential properties. This separation distance is limited for a 24-hour facility of this scale, particularly given the potential for cumulative impacts from plant noise, cooling infrastructure, back-up power generation, vehicle movements, lighting and security activity. Council is also mindful that there are already two data centres in close proximity, which heightens the need to carefully assess cumulative impacts on the surrounding community.

Council also considers that the application has not adequately justified why this particular site is necessary or appropriate, given Hobsons Bay contains a substantial supply of industrial land, including land recognised as state or regionally significant. Recent changes to the planning framework for Special Use Zone land in Altona and Altona North were intended to unlock industrial land for new forms of development and broader economic benefit. These areas may present more suitable opportunities for major employment-generating and technology-related investment in locations that are more separated from sensitive residential uses and better able to accommodate large-scale infrastructure without compromising local amenity.

Development Facilitation Program (DFP) Process – Clause 53.22

While Council recognises the purpose of the Development Facilitation Program in supporting strategic investment, this application raises significant unresolved planning, amenity and process concerns. Council's position is that the proposal should not proceed in its current form unless these matters are addressed through a transparent, robust and properly informed assessment process.

Council's key concerns relate to the accelerated assessment timeframe, the proposal's compatibility with the existing and anticipated planning context, potential impacts on nearby residential amenity, streetscape and landscaping outcomes, access and parking arrangements, and the limited information provided to demonstrate strong environmental sustainability performance.

Council is particularly concerned that the DFP process under Clause 53.22 has not provided sufficient time for meaningful assessment of a proposal of this scale and complexity. The limited notice period has constrained Council's ability to undertake a coordinated technical review and provide detailed draft conditions, as requested by the assessing planning officer. For a major development with potential local impacts, Council considers that a more comprehensive engagement and review process is required to support confidence in the assessment outcome.

By comparison, other planning pathways, such as Clause 52.20 for government-funded housing development, provide clearer opportunities for meaningful engagement and for Council to contribute local knowledge and technical advice. Council considers that the current process falls short of community and Council expectations for a proposal with this level of complexity and potential local impact.

Council also notes that issues raised during earlier engagement have not been adequately resolved. This limits confidence that the proposal has sufficiently responded to the local planning context, the sensitivity of the industrial-residential interface and the amenity expectations of the Brooklyn community before proceeding to formal assessment.

Design and Application Response

Council is further concerned that the proposed built form, site layout and landscaping response do not yet demonstrate an acceptable outcome for Francis Street, Export Drive or the broader public realm. A development of this scale should contribute positively to streetscape character, urban greening and passive surveillance, rather than reinforce a hard industrial edge.

The landscaping response requires significant improvement. Council acknowledges that the operational requirements of a data centre may place constraints on site layout, security, servicing and plant areas. However, these requirements should not result in a poor public realm outcome or minimal landscape treatment. The current proposal appears to provide limited meaningful open space or landscaped relief within the site, increasing concerns about visual bulk, urban heat, hard surface dominance and the overall presentation of the development to surrounding streets and nearby sensitive uses.

Council considers that any approval should require a substantially revised landscape plan that provides deeper and more continuous planting zones, canopy tree opportunities, improved screening of large built form and service areas, and a more generous interface with Francis Street and Export Drive. Landscaping should be treated as an essential design response, not a residual element, and should contribute meaningfully to amenity, urban cooling, visual screening and the softening of the industrial character of the site.

Access, circulation and parking arrangements also require further clarification. The proposal must clearly demonstrate safe and practical outcomes for vehicles, pedestrians and visitors, with all activity appropriately managed within the site and without adverse impacts on the surrounding road network or public realm.

Council also considers that the proposal should include a clear and enforceable air quality monitoring framework for both the construction phase and the ongoing operation of the facility. The supporting air quality assessment identifies nuisance dust as the primary construction air quality risk, and exhaust emissions from the testing and use of emergency back-up diesel generators as the key operational air quality risk. Given the scale of the proposal, the number of generators, the proximity of sensitive residential receptors and the existing industrial air quality context in Brooklyn, Council considers that reliance on modelling and general management measures alone is insufficient.

Any approval should therefore require the applicant to prepare and implement a project-specific air quality monitoring program, including baseline monitoring before works commence, real-time or regular monitoring during bulk earthworks and construction, and ongoing monitoring associated with routine generator testing, maintenance and any emergency operation. This should include clear trigger levels, reporting obligations, investigation requirements and corrective actions where exceedances or complaints occur.

Monitoring results should be made available to Council and relevant regulators to provide transparency and confidence that construction and operational impacts are being actively measured, managed and minimised over the life of the use.

Finally, Council expects major industrial development to support the municipality's environmental objectives. The information provided to date does not give Council sufficient confidence that the proposal will deliver best practice outcomes for energy use, emissions, water efficiency, urban heat mitigation and long-term operational sustainability.

Request to the Minister

On behalf of Council, I request that the Minister not support the application in its current form and ensure that Council's concerns are fully considered before any decision is made. At a minimum, the assessment should require a more comprehensive response to the proposal's local impacts, its relationship to the anticipated Industrial 3 Zone context, its cumulative amenity implications and its consequences for the Brooklyn community. Council's officer assessment, attached to this letter, provides further detail on these concerns.

Council would welcome further engagement with the Department of Transport and Planning to ensure the proposal is assessed in a way that properly reflects local planning objectives, community amenity, environmental performance expectations and Council's strategic priorities.

Yours sincerely,

Mayor, Cr Diana Grima
Hobsons Bay City Council

7.2 Matters for Decision

7.2.1 Waste and Recycling Strategy – Release for Community Consultation

Directorate: Sustainable Communities

Responsible Officer: Manager Strategy, Economy and Sustainability

Attachments: 1. Draft Waste and Recycling Strategy for community consultation [7.2.1.1 - 17 pages]

Purpose

To seek Council's approval for the Draft Waste and Recycling Strategy to be presented for community consultation.

Recommendation

That Council:

1. **Places the draft Waste and Recycling Strategy on public exhibition for four weeks from 29 July 2026.**
2. **Receives a further Report at a future Council Meeting to consider community feedback received and the endorsement of the new Waste and Recycling Strategy.**

Executive Summary

1. The draft Waste and Recycling Strategy has been developed to replace the existing Waste and Litter Strategy 2025. It will guide the delivery of kerbside collection and public realm services for the next five years.
2. Community consultation on the draft plan is proposed to begin on 29 July 2026 and run for four weeks.
3. Following the consultation, a further report outlining community feedback together with a finalised Strategy will be brought to Council for consideration.

Background

4. Waste and recycling is a significant service provided to the Hobsons Bay community. It includes the provision of kerbside collection to over 40,000 properties and services in the public realm such as public litter bins, litter collection and dumped rubbish.
5. The current Waste and Litter Management Strategy 2025 was developed in 2019 and has now expired.

6. The kerbside service has undergone a number of changes since 2019 including the rollout of a universal four-bin system and compliance with new Victorian Government legislation.
7. Public realm services are under increased pressure from illegal dumping and the associated impacts on public amenity and budget.
8. Council has also considered how to best manage its own waste and recycling generated by council operations.
9. Councillors have had four briefings in 2025 and 2026 about the approach to developing the strategy and proposed actions for inclusion.
10. The first round of community consultation was delivered in August 2025. Over 1,600 community members and organisations participated through online and paper surveys, in-person pop-up events and focus groups. The full report of the engagement is publicly available on Council's website.

Discussion

11. The draft Waste and Recycling Strategy (Attachment 1) outlines Council's current levels of service delivery and includes 30 proposed actions to improve the service.
12. The draft Strategy balances four key Objectives. In some instances, trade-offs have had to be made as these Objectives aren't always aligned.
 - 12.1. Meet legislative and regulatory requirements
 - 12.2. Meet the needs of the community
 - 12.3. Improve environmental outcomes
 - 12.4. Deliver a cost effective and efficient service
13. The selection of draft Actions has been informed by community engagement, research and technical knowledge.
14. The draft Actions do not propose major changes to the existing waste and recycling services and only involve a modest increase in investment. They are intended to improve the existing services to better achieve the Objectives.
15. Proposed changes include:
 - 15.1. Reviewing the number and location of public litter bins across the municipality including a trial of Container Deposit Scheme (CDS) units
 - 15.2. Expanding the Hard Waste collection service so that all households and apartment buildings can access unlimited paid collections.
 - 15.3. Expanding drop-off days and permanent locations for hard-to-recycle items.
 - 15.4. Trialling CCTV as a deterrent for illegal rubbish dumping.

- 15.5. Trialling communal bins for glass and food and garden waste in areas with dense housing.
- 15.6. A commitment to advocacy to the Victorian and Australian governments.
- 15.7. Options for smaller and larger bin sizes to help improve accessibility and manage space constraints for apartment buildings and businesses.
- 15.8. Expanding the education program to include ongoing bin stickering programs.
- 15.9. Exploring Waste to Energy as the best way to reduce landfill in the future

Approach to illegal dumping

- 16. The strategy takes an approach to illegal dumping which is broader and more impactful than that which officers alone could achieve. This approach includes:
 - 16.1. community education
 - 16.2. using data on illegally dumped items to expand recycling options where possible, such as accepting additional types of materials on drop-off days
 - 16.3. strengthening monitoring, deterrence and clean-up programs for illegal dumping
 - 16.4. advocating for increased state government funding and greater accountability from private businesses.
- 17. Officers already engage directly with local businesses when illegal dumping is reported near business precincts.
- 18. Therefore, this strategy does not explore the trialling of a dedicated patrol team to proactively prevent illegal dumping, such as those offered by other councils in the metro area, as it was deemed that the above prevention methods suffice.

Overarching Governance Principles

- 19. This report has been prepared with consideration of the overarching governance principles set out in section 9(2) of the *Local Government Act 2020*.
- 20. The table below outlines how this report aligns with each principle.

Overarching governance principle	Actions supporting the principle
(a) Council decisions are to be made, and actions taken in accordance with the relevant law	An Objective of the draft Strategy is to meet legislative and regulatory requirements. (Refer to the Legal and Statutory Obligations section of this report.)
(b) priority is to be given to achieving the best outcomes for the municipal community, including future generations	An Objective of the draft Strategy is to meet the needs of the community.

(c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted	An Objective of the draft Strategy is to improve environmental outcomes.
(d) the municipal community is to be engaged in strategic planning and strategic decision making	More than 1,600 community members participated in the first round of community consultation. Releasing the draft Strategy for the second round of consultation will provide another opportunity for them to be engaged in the strategic planning of waste and recycling services.
(e) innovation and continuous improvement is to be pursued	The draft Strategy includes 30 Actions designed to improve waste and recycling services.
(f) collaboration with other councils and governments and statutory bodies is to be sought	The draft Strategy includes an Action with an explicit commitment to “collaborate with other councils through shared contracts and resources to deliver cost effective and efficient waste and recycling services [...]”
(g) the ongoing financial viability of the Council is to be ensured	An Objective of the draft Strategy is to deliver a cost effective and efficient service. The proposed Actions have only a modest investment commitment which can be managed within Council's resources.
(h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making	The draft Strategy is aligned with Victorian Government strategies and plans including: • <i>Service Standard</i> (in draft since 2024) • <i>Ministerial Good Practice Guidelines (2026)</i> (not compulsory)
(i) the transparency of Council decisions, actions and information is to be ensured	The draft Strategy includes details about Council's current performance. It is intended that the community will continue to be kept informed via Council's website and the Annual Report.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

21. Hobsons Bay 2040 Community Vision

Priority 5: Maintain and expand sustainable practices

22. Council Plan 2025-29

Theme 2: Sustainable Environment

Goal 2.3: Promote and deliver recycling and waste management services that divert waste from landfill

Policies and Related Council Documents

23. Policies and documents relevant to this report:

- 23.1. The Waste Charge and Reserve Policy (2022) outlines how Council sets the Waste Service Charge and how the revenue is used to deliver the kerbside collection service. The Policy will be reviewed later in 2026 to ensure it aligns with this new Strategy.

Legal and Statutory Obligations

General legal and statutory obligations

- 24. The draft Strategy includes an Objective “to meet legislative and regulatory requirements”. Relevant legislation includes:
 - 24.1. Local Government Act 1989
 - 24.2. Local Government Act 2020
 - 24.3. Environment Protection Act 2017
 - 24.4. Road Management Act 2024
 - 24.5. Circular Economy (Waste Reduction and Recycling Act) 2021

Climate Change and Circular Economy

- 25. The draft Strategy has been developed by the Environment and Sustainability team with a key objective to “improve environmental outcomes”. The draft Strategy will also be Council’s key document for improving Circular Economy outcomes for the community and Council’s own operations.

Gender Equity Impact Statement

26. This report has been prepared having regard to the requirements of the *Gender Equality Act 2020*.
27. Officers have assessed the gender equity implications of this matter and undertaken a Gender Impact Assessment in accordance with the *Gender Equality Act 2020*.
28. Over 65% of participants in the online survey community consultation identified as women or non-binary which demonstrates that waste and recycling is important to this group.
29. There are many households where women take on the majority of food preparation and child rearing responsibilities and are therefore more impacted by any changes to waste and recycling services.
30. The findings of the assessment have been incorporated into the development of the proposal, including:
 - 30.1. Maintaining the weekly collection of rubbish so that disposing of disposable nappies and sanitary products can be managed in a timely way
 - 30.2. Providing smaller bin size options to assist community members that can't physically handle heavy bins.

Risk

31. There are minimal risks to releasing the draft Strategy for community consultation. The actual delivery of waste and recycling services comes with a number of risks as with any complex service.
32. The Strategy identifies a number of challenges that align with Council's Strategic Risks with the proposed 30 Actions developed to minimise these risks as outlined in the table below.

Identified Risk	Mitigation
Financial sustainability	The draft strategy only proposes modest increases to expenditure.
Statutory Regulation	The draft Strategy Actions all meet current legislation and regulation.
Procurement and Contract Management	There are limited contractors in the market. The strategy includes an action to "collaborate with other councils through shared contracts and resources to deliver cost effective and efficient waste and recycling services".

Financial and Resource Implications

33. The kerbside collection of waste and recycling is funded by the Waste Service Charge which is paid by all property owners in stand-alone houses. Property Owners in apartment buildings or non-residential properties can choose to “opt in” to receive the service and pay the Waste Service Charge. The proposed Actions in the draft Strategy include an estimated additional spending of \$90,000 which is approximately 0.8% more than the 2026-27 budget of \$14,500,000.
34. The waste and recycling services in the public realm are funded by rates revenue. The proposed Actions in the draft Strategy include an estimated additional spending of are estimated to \$120,000 which is a 6 per cent increase compared to this year’s budget of \$2,000,000. However, this additional spending responds to the community’s concerns about dumped rubbish and litter.
35. Following the finalisation of the Strategy, Council will be considering an update to the Waste Charge and Reserve Policy (2022) to align with the new Strategy. The review will also consider the impacts of the latest version of the *Ministerial Guidelines for Good Practice* and may result in future changes to the mix of Waste Service Charge-funded and rates-funded activities.

Environmental, Social and Economic Impacts

Environmental impacts

36. One of the four Objectives of the draft Strategy is to “improve environmental outcomes”. The Actions include service improvements and educational programs to reduce waste to landfill and to encourage an overall reduction in waste.

Social impacts

37. The draft strategy acknowledges that accessing waste and recycling services can pose challenges for some members of the community. There is a specific Action to “Provide accessible waste and recycling services, including smaller bin size options, to support residents with additional needs”. In addition, the Action “Expand waste and recycling education programs to include targeted bin inspections and tailored activities for different groups and neighbourhoods in the community” will include targeted education for participants from different language groups and socio-economic backgrounds.

Consultation and Communication

38. This Report seeks to release the draft Strategy for a second round of community consultation.
39. The first round in August 2025 included online and paper surveys, pop-up events and focus groups. More than 1,600 community members participated, providing insights that have guided the development of the draft.

Conflict of Interest

40. Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.
41. Council staff involved in the preparation of this report have no conflict of interest in this matter.

Draft Waste and Recycling Strategy (2026)

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Acknowledgement of Country

Council acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners of these municipal lands and waterways, and pay our respects to Elders past, present and emerging

1

Hobsons Bay City Council
Draft Waste and Recycling Strategy (2026)

Purpose

This Strategy confirms Council's commitment to improving waste and recycling services to the community and to managing its own waste responsibly.

It supersedes and replaces the old *Waste and Litter Strategy 2025*.

The Strategy outlines the current waste and recycling services and commits to 30 Actions to improve the service over the next five years.

Background

Waste and recycling is the most significant service provided to the Hobsons Bay community. It impacts all residents and businesses as well as visitors to our municipality and has an annual combined budget that, as of 2026, is approximately \$18 million.

A challenging eight years

Over the last eight years, Council has had to manage considerable challenges that have increased costs, increased complexity and reduced community trust in recycling.

The decision by China in 2018 to reject exported contaminated recycling led to stockpiling by recycling companies. This resulted in the 'Recycling Crisis' following dangerous fires and the collapse of a major recycling company in 2019.

Community trust in the recycling system reduced and then the COVID-19 pandemic further changed community attitudes. Dumping rubbish in public spaces increased dramatically and some community members became less conscientious about using their kerbside recycling bins.

Innovative service delivery and increased investment

In response to the challenges, Hobsons Bay City Council became the first in Victoria to provide four streams of kerbside collection in 2020. The service was then changed in 2021 in response to community feedback about the frequency of collection of different types of bins.

Council also expanded the types of public litter bins provided and increased spending on cleaning up dumped rubbish.

Strategy Objectives

This Strategy aims to balance four key Objectives to provide the best possible waste and recycling service for our community.

Objective 1 – Meet legislative and regulatory requirements

Council is obliged to deliver waste and recycling services within a regulatory framework including:

Local Government Act (1989 & 2020)

Environment Protection Act (2017)

Road Management Act (2024)

Circular Economy (Waste Reduction and Recycling Act) (2021)

Service Standard (in draft since 2024)

Ministerial Good Practice Guidelines (2026) (not compulsory)

Objective 2 – Meet the needs of the community

Within the legislative and regulatory requirements listed above, Council can choose options to best meet the needs of the community. This includes:

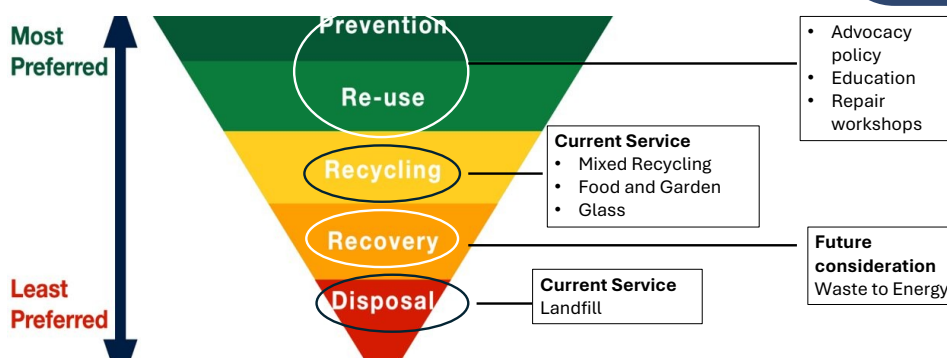
- How frequently bins are collected
- The size options of kerbside bins
- Public litter bin types and locations
- Which contractors can provide the best service
- What type of service to provide to businesses and community organisations
- How much education to provide to the community
- Extent of education and campaigns
- Whether to offer additional services

This Strategy has taken into account feedback from the community through a range of sources. However, the Hobsons Bay community has a variety of different needs and opinions about waste and recycling so it is challenging to provide a service that suits everyone.

Objective 3 – Improve environmental outcomes

The best environmental outcome is for waste not to be produced at all. As shown in the diagram below, preventing waste and reusing existing items is preferred. However, the reality is that Council and Hobsons Bay community generates thousands of tonnes each year of waste and recycling that needs to be managed. Disposing of waste to landfill is considered the worst environmental outcome. Using waste to generate energy is the better than landfill but not as good as recycling.

Environmental Impacts



Objective 4 – Deliver a cost effective and efficient service

Waste and recycling services are expensive. Council carefully budgets each year to minimise the cost to the community who are paying for their services through their annual rates and the Waste Service Charge.

Waste and recycling is provided as a 'universal service' to increase efficiency. This means that essentially everyone gets the same service. This simplicity helps reduce costs and reduces the risk of mistakes or delays.

Achieving the Objectives is a balancing act

Difficult decisions have had to be made as the Objectives are sometimes in competition with each other. For example, the cheapest or most environmentally friendly options are not always the ones that best meet the needs of the community. Council has used the results of community engagement, research and technical knowledge to help make these difficult decisions.

Community engagement

Council asked the community for feedback about current waste and recycling services including the kerbside collection service, public litter bins and dumped rubbish in August 2025. Over 1,600 community members and organisations participated through online and paper surveys, in-person pop-up events and focus groups. The full report of the engagement is publicly available on Council's website.

Environmental sustainability emerged as the top priority in this engagement as shown in the graph below.



Other insights from the engagement include:

- Strong support for increased education including using bin stickers for residents that are not using their bins correctly.
- Strong support for increased 'drop off' locations
- Some confusion about public litter bins and a desire for more bins
- Support for repair/reuse initiatives
- Major concern about littering and dumped rubbish
- Interest in more flexible services for businesses and apartment buildings
- Acceptance that waste-to-energy needs to be explored as an alternative to landfill but strong concerns about the impacts on communities that live near planned facilities.

Council also undertakes an annual Community Satisfaction survey. Unlike other engagements, participants are chosen at random so aren't necessarily very interested in waste and recycling. The survey results for kerbside collection over the last few years shows a dip in satisfaction when the four-bin system was introduced in 2020. This then improved when the frequency of collection was changed and has continued to improve each year after that.

(Insert graph here)

Data and current performance

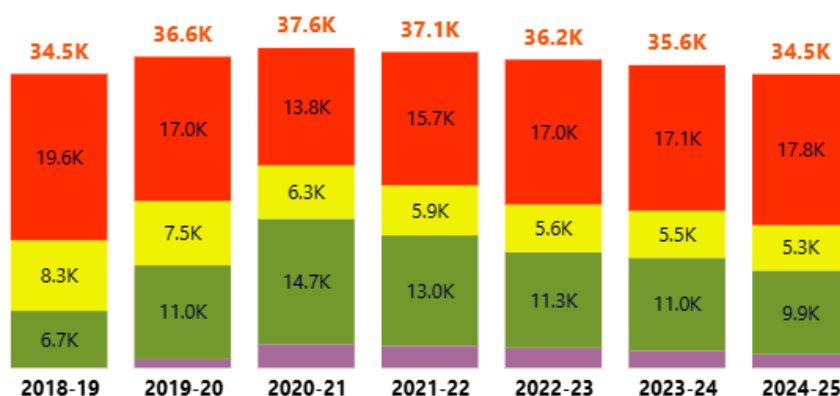
Council monitors kerbside collection data closely and provides regular updates on its website.

As shown in the graph below, in 2024-25 the Hobsons Bay community put 49% of their waste into the red lidded bin which goes to landfill. When additional rubbish is removed from the other bins, this totals 51% to landfill.

In 2020-21 Council had the lowest rate of landfill in Victoria with 35% in the red lidded bin plus contamination resulting in 40% to landfill.

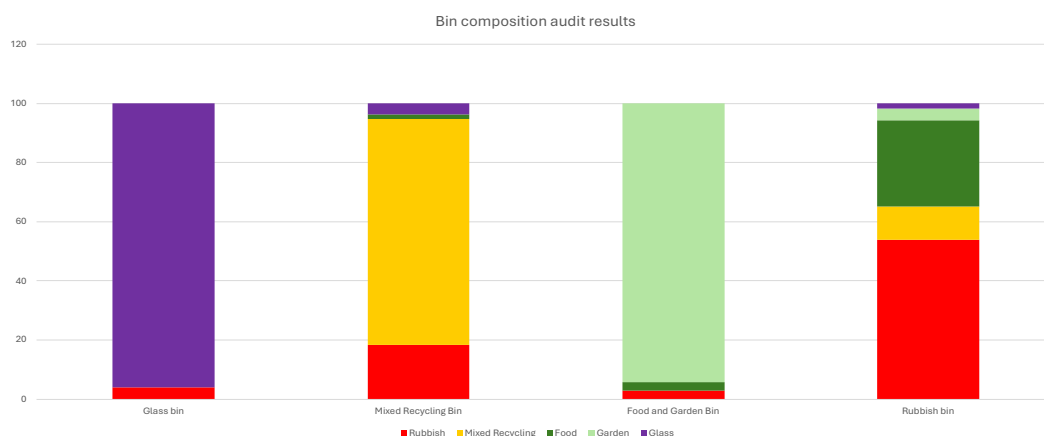
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Hobsons Bay City Council
Draft Waste and Recycling Strategy (2026)

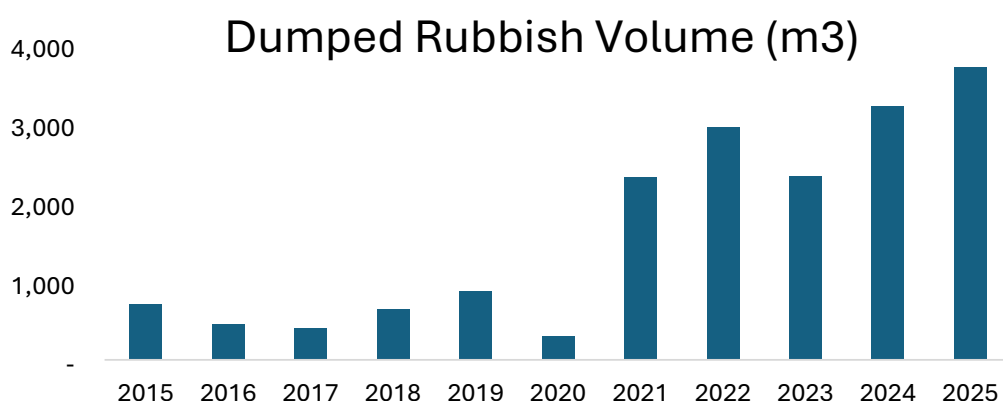


When we look more closely at what is currently going into each bin, we can see how the Hobsons Bay community is using their bins.

- The community is very good at using the purple lidded glass bin. Only about three percent of the contents are rubbish.
- The yellow lidded mixed recycling bin still has around 20% rubbish. This is mainly plastic items that can't be recycled
- The green lidded food and garden bin is mostly garden waste. The community as a whole are not putting food in their green lidded bins.
- The red lidded rubbish bin has around 30% food waste and 15% recyclables that could be put into other bins and be diverted from landfill.



Dumped rubbish is a key concern in the community and this graph shows just how much it has increased since the COVID-19 pandemic. During that time the cost of landfill has also increased dramatically which has motivated some businesses and households to dump their rubbish rather than pay to dispose of it.



Implementation, monitoring, evaluation and reporting

This Strategy will be delivered from 2026-2031 with regular reviews to ensure that Council responds to new opportunities, challenges and technologies over the life of the Strategy.

Council is committed to using evidence and data to measure the success or otherwise of the Strategy Actions and to keeping the community informed. Data will continue to be collected via audits and contractor reporting and will be shared with the community on Council's website and in the Annual Report.

Over time, it may become clear that some Actions are not delivering the Strategy Objectives or are impacted by external factors such as new regulations, societal changes or waste and recycling industry developments.

Council will adjust its approach as needed and keep the community informed of any changes.

Service Area 1 – Kerbside collection of waste and recycling

“Provide an effective service that reduces waste and increases recycling”

Background and current service delivery

Hobsons Bay City Council was the first council in Victoria to deliver a four-bin kerbside collection service in February 2020. The service was revised in November 2021 following community feedback about how frequently different types of bins are collected.

The service is provided to over 40,000 properties and is delivered via seven large contracts with waste and recycling companies that collect the bins and process the contents.

The service is funded by a Waste Service Charge that is paid by all residential ratepayers that live in stand-alone houses. It is designed to meet the needs of households. However, businesses and apartment buildings can opt-in to pay the Charge if the waste and recycling

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materials that they generate can be managed by the Service.

The setting and management of the Waste Service Charge is outlined in Council's Waste Service Charge and Reserve Policy (2022). (The Policy is due to be updated in late 2026 so that it can reflect this new Waste and Recycling Strategy) The Victorian Government also provides guidance about calculating the Charge in the *Ministerial Guidelines for Best Practice (2026)*.

The standard service consists of:

- 120L red-lidded rubbish bin collected weekly
- 240L yellow-lidded mixed recycling bin collected fortnightly
- 120L green-lidded food and garden bin collected fortnightly
- 120L purple-lidded glass bin collected monthly

Flexibility is provided for households or businesses that can choose to order extra bins and larger rubbish or mixed recycling bins for an additional cost. Businesses can also choose to reduce their bins if there are issues with storage space.

Challenges and opportunities

Landfill is running out in Victoria and disposal costs are getting more expensive.

- The Victorian Government will not approve any new landfill sites and each year sets a Waste Levy that is paid on every tonne that goes to landfill to encourage everyone to reduce their waste.
- The cost of the Waste Levy has increased dramatically in recent years.
- This has increased the cost of disposing of the rubbish from the red-lidded bins. It has also increased the cost of managing the other bins as many of them have some rubbish in them as well.

New technology to convert waste to energy will be available in Victoria in coming years.

- Extracting energy from waste has a better environmental outcome than landfill but is not as good as recycling or composting.
- There are a handful of waste to energy facilities being planned in Victoria.
- As landfill keeps increasing in price, these facilities could provide options that are also more cost effective.
- There are community concerns about the management of these facilities and the impact they might have on air quality.
- If Council decides to use a waste to energy facility it will require high standards of environmental monitoring in its contractual arrangements.

The Container Deposit Scheme (CDS) has changed the way we manage small drink bottles and cans.

- The amount of material in all bins has reduced as the community are taking their bottles and cans to CDS drop off points for a 10-cent refund.

- However, reducing bottles and cans in the mixed recycling and glass bins results in a change in contamination reporting. That is, if there are less recyclables in the bins the proportion of rubbish is actually larger.
- Some people are rummaging through bins that have been put out on the nature strip for collection which can cause a nuisance.

Electronic waste and gas cannisters including appliances, batteries, vapes and nitrous-oxide cannisters are becoming more common in kerbside bins.

- It is illegal to send electronic waste items to landfill and expensive to recycle them.
- There is an increased fire risk in bins and trucks which is dangerous for truck drivers, recycling facilities and the general community.
- Vapes are illegal to sell but are still commonly used and are ending up in the kerbside bins.

There are only a few waste and recycling companies in Victoria.

- When Council goes out to the market to tender for waste and recycling contractors, there is limited choice.
- Over time this can mean that prices go up and quality goes down as the existing companies don't have much competition.
- Hobsons Bay can partner with other councils to try to get better prices and service from the existing contractors through combined, larger contracts.

Community members have different ideas about what kind of service they would like to receive.

- It is challenging to provide a service that suits everyone.
- There has been disagreement in the Hobsons Bay community about how frequently bins should be collected.

There are limits to how much Council can achieve with education programs.

- Education has been effective in helping the Hobsons Bay community understand their four different bins but challenges remain.
- The community has told us that it is important to deliver education programs including bin inspections and stickers.
- There are varied reasons why people put the wrong thing in their bins. Some people need more information and support but others don't trust the recycling system or don't believe in the benefits of recycling.

The demographics of Hobsons Bay is changing with an increase in apartment buildings and townhouse developments.

- Many apartment buildings aren't able to use Council's waste and recycling service because they don't always have enough space to store four bins or space to put the bins out on collection day. These buildings use services provided by private companies that can collect larger skip bins and provide more frequent collections.

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- New developments sometimes have narrow streets with parked cars which make it difficult for the collection trucks to navigate safely.
- The apartment buildings that do use Council's waste and recycling service tend to have more rubbish in their recycling bins than stand-alone houses.

The Victorian Government's *Service Standard* has been in draft for two years which makes it difficult to plan for changes to the kerbside collection service.

- The *Service Standard* will confirm a list of what should go in each bin so that there is consistency across Victoria.
- Council can't deliver new initiatives such as compostable bags for food waste until the *Service Standard* is confirmed.
- The draft *Service Standard* doesn't clearly confirm the minimum service requirements for apartment buildings.

Council can make decisions and deliver programs that help the community to manage their waste and recycling but has very limited influence on the top of the waste hierarchy (see diagram on page 3).

- The best option is to avoid waste and to reuse items rather than put them into a kerbside bin
- The products that we buy have more packaging and wear out more quickly than in the past
- Community lifestyles have changed and we order more take away and delivered items that come in containers that can only be used once.

Council doesn't operate a landfill or transfer station

- We rely on private companies and our neighbouring councils to provide these services to our community.
- Council provides options for "drop-off" days for bulky items or hard to recycle items that are then transported to other locations
- Council also provides a bookable hard waste collection service

Actions

Council will deliver the following Actions to improve the existing kerbside collection service.

1. Provide options for larger bins at an additional cost for apartment buildings and businesses that need more capacity to manage their volumes of waste and recycling.
2. Provide accessible waste and recycling services, including smaller bin size options, to support residents with additional needs.
3. Support apartment buildings, townhouse developments and non-residential properties with tailored waste and recycling advice and additional bin size options to help them manage space constraints and waste and recycling volumes.
4. Expand waste and recycling education programs to include targeted bin inspections

- and tailored activities for different groups and neighbourhoods in the community.
5. Explore cost-effective and environmentally responsible options for managing rubbish from the red-lidded bin, including waste to energy, ensuring that community wellbeing is protected.
 6. Trial public communal drop off bins for glass and food and garden waste in selected locations for residents that can't easily access the kerbside collection service.
 7. Collaborate with other councils through shared contracts and resources to deliver cost effective and efficient waste and recycling services. This includes considering services for high density housing estates.
 8. Expand safe and convenient options for the community to dispose of e-waste, chemicals and hard-to-recycle items., including:
 - increasing community drop-off days
 - increasing permanent drop-off locations such as the "Recycling Made Easy" program
 - partnering with large apartment buildings.
 9. Seek a food and garden processing arrangement that allows for the use of compostable plastic bags in the green-lidded bins. ****If new Victorian Standard allows.**
 10. Partner with credible charities and community initiatives that encourage repair, reuse and donation to reduce waste.
 11. Advocate to the Victorian and Australian governments for stronger regulation, funding and policy to improve waste and recycling outcomes, including:
 - Finalising the Victorian Waste and Recycling Standard
 - Requiring minimum standards that reduce packaging
 - Expanding Product Stewardship programs (requiring manufacturers and retailers to fund recycling and disposal of their products)
 - Funding programs to manage the recycling of problematic and dangerous items such as chemicals and vapes
 - Supporting new companies and new technologies for recycling

Service Area 2 – Public realm services

"Keeping public spaces clean and reducing waste to landfill"

Background and current service delivery

Hobsons Bay residents, visitors and businesses expect clean and pleasant public spaces. We are proud of our parks, wetlands and foreshore areas which attract visitors from neighbouring municipalities and beyond.

Council manages a range of public spaces including streets and squares that service residential neighbourhoods, retail activity centres and large industry.

Council directly provides waste and recycling services in these public spaces including:

- more than 1,000 public litter bins across 220 locations
- litter collection at 174 selected locations
- street sweeping and beach cleaning services
- clean up of illegal dumping

We also work with partners such as the Victorian Government and private industry to support them to manage the cleanliness of properties that are outside of Council's direct control.

All properties that pay the 'Waste Service Charge' are eligible for an annual Hard Waste Collection at no extra cost. This includes all stand-alone houses as well as some apartment buildings and some businesses.

Challenges and opportunities

Disposing of waste into landfill is getting more expensive.

- Some people and businesses dump rubbish including building rubble, tyres and household items in public places rather than using the Council provided services or paying for disposal. This is unpleasant for the community and costly for Council to clean up.
- Disposing of rubbish from public bins, litter and street sweeping is also costing Council more each year.

New technology to convert waste to energy will be available in Victoria in coming years.

- Council can consider whether there are better ways to manage waste that is currently going to landfill.
- Extracting energy from waste has a better environmental outcome than landfill but is not as good as recycling or composting.
- There are a handful of waste to energy facilities being planned in Victoria.
- As landfill keeps increasing in price, these facilities could provide options that are also more cost effective.
- There are community concerns about the management of these facilities and the impact they might have on air quality.
- If Council decides to use a waste to energy facility it will require high standards of environmental monitoring in its contractual arrangements.

The Container Deposit Scheme (CDS) has changed the way we manage small drink bottles and cans.

- The amount of litter has reduced as community members are collecting bottles and cans for the 10-cent payment.
- Some people are rummaging through public bins to look for bottles and cans. This can cause damage and mess.

Electronic waste and gas cannisters including appliances, batteries, vapes and nitrous-oxide cannisters are becoming more common and are difficult to manage as

waste in public spaces.

- It is illegal to send electronic waste to landfill and expensive to recycle them.
- There is an increased fire risk in bins and trucks which is dangerous for council workers and the general community.
- Vapes are illegal to sell but are still commonly used. Council programs to encourage people to dispose of them safely are consistently vandalised.

Hobsons Bay attracts visitors from outside the local area which can create waste challenges.

- Significant amounts of waste and recycling are generated in peak times during summer and weekends.
- Not all visitors understand Hobsons Bay's three waste and recycling categories for public bins.
- Visitors may be less motivated than locals to keep public places clean and pleasant.

Changing community demographics and long-standing resident attitudes are influencing household dumping behaviour.

- It can be difficult for residents to manage large items of rubbish when they live in small homes or renting for a short period.
- Many residents are familiar with the practice of placing large items of furniture on the nature strip and are unaware that it is illegal.
- Council coming to clean up dumped furniture and household items promptly can send a signal that this is a convenient way to dispose of these items.

Managing and enforcing illegal dumping of other waste types such as building rubble and tyres is complicated by Council's limited powers.

- The Environment Protection Agency (EPA) manages enforcement.
- Council can't clean up dumping or storing of waste on private property.
- Commercial dumping is motivated by cost savings which are higher than current fine consequences.

Actions

Council will deliver the following actions to improve the management of waste and recycling in public spaces.

1. Review the number and location of public litter bins across the municipality
2. Review the design of public litter bins to make them easier to use correctly
3. Provide recycling bin options that meet current community needs including trialling options to support the Container Deposit Scheme (CDS)
4. Explore new cost-effective and environmentally responsible options for managing litter, seaweed, street sweeping and public litter bins contents that can't be recycled. This includes new options for composting and waste-to-energy that ensure that community wellbeing is protected.
5. Support community clean-up activities that encourage pride in our local public spaces.

6. Expand Council's Hard Waste service so that:
 - the existing free service can be accessed by a new resident to a property that has already used their allocation
 - all households and apartment buildings can access unlimited collections for a fee if they have a suitable collection location
 - businesses that opt into Council's service and can access unlimited collections for a fee
7. Expand convenient options for the community to dispose of large or hard-to-recycle items, including:
 - increasing community drop-off days
 - increasing permanent drop-off locations such as the "Recycling Made Easy" program
 - partnering with large apartment buildings
8. Deliver an ongoing education campaign that targets the motivations behind both household and commercial dumping and promotes safe and legal options.
9. Strengthen the monitoring, deterrence and clean-up program for illegal dumping, including:
 - trialling CCTV technology at known hot spots where appropriate
 - collaborating with other councils to develop strategies for emerging dumping issues such as nitrous-oxide cannisters
 - collaborating with EPA and other relevant bodies
10. Advocate for increased funding and action by the Victorian Government and private businesses to address illegal dumping and litter

Service Area 3 – Council operations

"Leading by example through our own waste and recycling practices"

Background and current operations

Hobsons Bay City Council delivers more than 100 services to residents, visitors and businesses.

Council also manages parks and reserves along with over 200 buildings, 440km of roads and 756 kms of footpaths and shared trails.

The different sites are used in many different ways. They may be used by Council staff, open to the public, leased to community groups or provided as spaces for community and commercial events.

Each of Council's services and sites generate waste that needs to be managed responsibly.

In addition, Council delivers a program of construction, renovation and maintenance works to ensure that buildings and public spaces meet high standards of safety and can function well for the community.

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Hobsons Bay City Council
Draft Waste and Recycling Strategy (2026)

This means that Council is managing a wide variety of waste across a spectrum from small amounts of food waste in staff lunchrooms to big events with catering and decorations to large amounts of building rubble.

Council has a role to play to support improved recycling and to demonstrate good practice to the wider community by;

- not only recycling well but reducing how much waste is created in the first place. This includes prioritising reuse and repair of items rather than buying new.
- purchasing items and materials made of recycled content to support the market for recycling

Challenges and opportunities

Disposing of waste into landfill is getting more expensive.

- Waste from Council's own building projects and operations is costing more to take to landfill.
- It is financially responsible to divert Council's waste to recycling, where possible, but this can be more labour intensive and time consuming.

Council's buildings, public spaces and venues are used by thousands of residents, community organisations and visitors each year. Not all event holders or building tenants have the skills or resources to manage waste and recycling.

- Council can provide education and support to building users and event holders as well as ensuring that they are provided with the best combination of bin types.
- Council can include expectations of good waste management in building leases and event permits.

Council has a responsibility to get good value for money for all purchases. Sometimes though, the cheapest products don't last long and ultimately end up in landfill. There is also a perception that materials made from recycled content are more expensive. This isn't always the case.

- Council can consider the total cost of a purchased item over its useful life. This might mean paying a higher price at the beginning, but over time it will be the most cost-effective.
- Council can support the market for recycled products by specifying recycled materials in building projects.

Council uses contractors for construction and maintenance works. It is not always easy to determine how much waste is being generated by companies acting on behalf of Council.

- Council can ensure that reporting and measurement of waste is included in contracts and increase expectations of contractors to manage waste responsibly.

The Container Deposit Scheme (CDS) has changed the way we manage small drink bottles and cans.

- The types of bins provided at Council buildings and at community events may no longer be the right combination.

- Community groups that lease Council buildings or run community events can benefit from CDS income.

Actions

Council will improve the way it manages its own waste and recycling by delivering the following Actions

1. Review the number and location of waste and recycling bins across all of Council's buildings to meet the needs of each site and encourage landfill diversion.
2. Review lease and licence requirements as they are due for renewal to support waste reduction and recycling by Council's tenants
3. Review event and room booking terms and conditions to increase expectations of event holders to reduce waste and recycle effectively.
4. Educate and support building tenants and event holders to improve their waste management practices.
5. Develop new Procurement Guidelines to support Council staff who purchase individual items to:
 - consider reuse or hire options
 - avoid purchasing single use items
 - compare the upfront cost of an item with its expected useful life
 - prioritise recycled content products
6. Embed waste and recycling considerations across the lifecycle of Council construction projects and maintenance contracts.
7. Require construction and maintenance contractors to reduce and report on waste sent to landfill
8. Seek opportunities to reuse materials from building sites and operations and to purchase recycled-content materials
9. Deliver targeted education and training to support staff, including:
 - how to use the provided waste and recycling bins
 - reuse and waste avoidance
 - selecting recycled content
 - specific training for Project Sponsors and Project Managers

Document control and version history

Policy name	Waste and Recycling Strategy
Responsible directorate	Sustainable Communities
Policy owner	Manager Strategy, Economy and Sustainability
Policy type	Council policy
Date adopted by	
Review date	

Version number	Date	Authorised by
001	TBC	Council

7.2.2 CCTV Policy and Public Lighting Policy – Adoption of Policies

Directorate: Infrastructure and City Services

Responsible Officer: Acting Manager City Operations

Attachments:

1. Draft CCTV Policy 2026 [7.2.2.1 - 10 pages]
2. Draft Public Lighting Policy 2026 [7.2.2.2 - 7 pages]

Purpose

To seek Council's endorsement of the Closed Circuit Television Policy and the Public Lighting Policy.

Recommendation

That Council:

1. **Adopts the Closed Circuit Television (CCTV) Policy.**
2. **Adopts the Public Lighting Policy.**

Executive Summary

1. This report presents two policy positions that provide a clearer and more consistent framework for Council decision-making in relation to CCTV and public lighting. Both policies recognise Council's role in supporting safe, accessible and well-managed public places, while making clear that these interventions should be applied carefully, proportionately and only where there is a demonstrated need.
2. The CCTV Policy establishes when and how CCTV may be used in Council facilities and for illegal dumping monitoring and prevention, with strong safeguards around privacy, data protection, access to footage and governance. It also makes clear that CCTV is not intended for general monitoring of public spaces or the wider community.
3. The Public Lighting Policy provides guidance on the provision, upgrade, removal or reduction of lighting across Council-managed public spaces. It supports lighting where there is a clear safety, amenity or strategic benefit, while ensuring environmental impacts, biodiversity, place character, energy efficiency and long-term community need are properly considered.
4. Together, the policies help ensure Council investments in CCTV and lighting are aligned with community safety, public wellbeing, environmental responsibility and good governance.

Background

5. Council has a CCTV Policy Statement that was adopted in November 2014. The statement supports the use of CCTV to address property related issues such as graffiti, vandalism and rubbish dumping in targeted locations where the cost is minimal or neutral.
6. This Policy Statement noted that Victoria Police has primary responsibility for law enforcement, crime prevention and response. Council supports community safety through its role in planning, designing, maintaining and activating public spaces, and through its broader public health and wellbeing responsibilities. This includes creating safe, inclusive and well-managed environments that help reduce opportunities for antisocial behaviour and support community wellbeing.
7. Council has previously resolved to progress the development of a CCTV Policy and a Public Lighting Policy. These policies are intended to strengthen consistency and accountability in decision-making, clarify governance and responsibilities, and provide an evidence-based framework for when investment in public lighting and/or CCTV is appropriate as part of Council's broader approach to community safety, amenity and place management.
8. A CCTV benchmarking exercise has been completed across metropolitan Melbourne councils and stakeholder engagement has occurred with Council staff, the Public Safety Committee and trader association presidents.

Discussion

CCTV Policy

9. The CCTV benchmarking exercise has indicated that metropolitan Melbourne councils generally adopt one of three approaches: a council-run public-space network, a council-facilities-only model, or a position of not operating public-space CCTV.
10. Council's CCTV policy recommends a **facilities-only model** that extends to limited public area monitoring where illegal waste dumping is occurring.
11. The policy establishes Council's approach to the installation, use and management of CCTV in Council-owned or controlled facilities, and for illegal dumping monitoring and prevention. It makes clear that CCTV will only be used for legitimate safety, security, asset protection and illegal dumping purposes, and will not be used for general monitoring of public spaces or the wider community.
12. The policy sets mandatory criteria for new installations, including a documented risk-based justification, consideration of non-surveillance options, funding confirmation and senior approval. It also sets out requirements for privacy, data protection, access to footage, authorised officers, training, audit and review to ensure CCTV is used lawfully, proportionately and transparently.

Public Lighting Policy

13. The Public Lighting Policy applies to all public spaces guided by principles (including safety/CPTED alignment, equity and environmental stewardship) that help prioritise works and support consistent decision-making.
14. The policy establishes Council's approach to the planning, provision and management of public lighting across Council-managed roads, paths, parks, reserves, community facilities and civic precincts. It makes clear that lighting will only be provided where there is a demonstrated long-term community need, safety or amenity benefit, and will not be used as a default response to all public space concerns.
15. The policy sets criteria for new lighting, upgrades, removal or reduction, including safety, compliance, environmental impact, night-time use, place character and strategic value. It also sets out requirements for sustainable and energy-efficient lighting, consideration of biodiversity and light spill impacts, investment planning, reporting and review to ensure public lighting decisions are consistent, evidence-based and context-sensitive.

Overarching Governance Principles

16. This report has been prepared with consideration of the overarching governance principles set out in section 9(2) of the *Local Government Act 2020*.
17. The table below outlines how this report aligns with the principles.

Overarching governance principle	Actions supporting the principle
(a) Council decisions are to be made, and actions taken in accordance with the relevant law	The policies have been developed in accordance with relevant legislation: CCTV • Surveillance Devices Act 1999 (Vic) • Privacy and Data Protection Act 2014 (Vic) • Public Records Act 1973 (Vic) Public Lighting • Road Management Act 2004 (Vic) • Environment Protection Act 2017 and Environment Protection Regulations 2021 (Vic) • Occupational Health and Safety Act 2004 (Vic)
(b) priority is to be given to achieving the best outcomes for the municipal community, including future generations	These policies will support consistent decisions that improve safety and amenity over time.

(c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted	The approach promotes efficient lighting, safety and biodiversity management. CCTV will support deterring, prevention and reporting of illegal dumping.
(d) the municipal community is to be engaged in strategic planning and strategic decision making	The policies are technical documents. Community engagement will occur on select projects in the implementation stage.
(e) innovation and continuous improvement is to be pursued	Officers assigned to implement the policies will regularly review improved CCTV and public lighting options for implementation.
(f) collaboration with other councils and governments and statutory bodies is to be sought	The policy development work draws on work completed by other councils in Victoria and state-based agencies.
(g) the ongoing financial viability of the Council is to be ensured	Budget impacts vary by the size and scope of CCTV and/or lighting installations. Costs will be considered with the design and implementation of future projects.
(h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making	Relevant Victorian guidance and applicable standards will inform the draft policies.
(i) the transparency of Council decisions, actions and information is to be ensured	Clear criteria and open communication will support transparent decisions and governance.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

18. Hobsons Bay 2040 Community Vision

Priority 1: Sustainable, safe and accessible urban planning

19. Council Plan 2025-29

Theme 1: Healthy Community

Goal 1.2: Reduce harm and build a safer community

Theme 3: Liveable City

Goal 3.1: Provide equitable and inclusive community infrastructure

Theme 4: Accountable Council

Goal 4.1: Strengthen governance practices and systems

20. Open Space Strategy 2018-28

- 3.7 Service standards as part of the Open Space Contributions Framework note: Lighting (may need to be addressed in an additional strategy due to cost and potential amenity impacts).

21. Biodiversity Strategy 2024-34

- 1.9 Action of the Biodiversity Strategy notes “Ensure National Light Pollution Guidelines for Wildlife are considered for all developments adjacent to significant biodiversity areas and incorporated into Council Policy”.

Policies and Related Council Documents

22. Policies and documents relevant to this report:

- 22.1. A Public Lighting Evaluation and Implementation Manual has been developed to support officers implementing the policy.
- 22.2. A CCTV Implementation Manual has been developed to support officers implementing the policy.

Legal and Statutory Obligations

General legal and statutory obligations

23. The below legislation is applicable:

- 23.1. Surveillance Devices Act 1999 (Vic)
- 23.2. Privacy and Data Protection Act 2014 (Vic)
- 23.3. Public Records Act 1973 (Vic)
- 23.4. Charter of Human Rights and Responsibilities Act 2006 (Vic)
- 23.5. Freedom of Information Act 1982 (Vic)
- 23.6. Local Government Act 2020 (Vic)
- 23.7. Road Management Act 2004 (Vic)
- 23.8. Environment Protection Act 2017 and Environment Protection Regulations 2021 (Vic)
- 23.9. Occupational Health and Safety Act 2004 (Vic)

Climate Change and Circular Economy

24. Lighting installed in public places, open spaces and reserves not attached to buildings under the public lighting policy will prioritise off-grid solar battery LED lights.
25. Lights will typically only be activated as needed for limited periods of time.
26. Procurement will prioritise energy efficient products.

Gender Equity Impact Statement

27. This report has been prepared having regard to the requirements of the *Gender Equality Act 2020*.
28. Officers have assessed the gender equity implications of this matter and determined that the proposal is expected to have positive outcomes for gender equity. These include:
 - 28.1. Improved safety and transit through open spaces at night.
 - 28.2. Improved perceptions of safety in public spaces, particularly for women and gender-diverse people.
 - 28.3. Enhanced actual safety through increased lighting and CCTV coverage in key areas.
 - 28.4. Increased confidence and willingness to access public spaces during evening and low-light periods.
 - 28.5. More equitable access to public places regardless of time of day.

Risk

Identified Risk	Mitigation
Financial Sustainability	Before implementing future projects resulting from these policies, a key assessment criterion is funding available in the capital works program.
Cyber Security	Council's IT staff have reviewed the policies and will review any CCTV software before implementing.
Ineffective Governance	Clear governance responsibilities have been assigned within the policies. Governance have reviewed the policy.

Financial and Resource Implications

29. There is a new Public Lighting funding program in the FY26-27 capital works program. Implementation will be funded from this program for both policies.

Environmental, Social and Economic Impacts

Environmental impacts

30. A key consideration of the public lighting policy is to assess any new lighting installations against:
 - 30.1. National Light Pollution Guidelines for Wildlife
 - 30.2. AS/NZS 1158 and AS 4282
 - 30.3. Environment Protection Act 2017 and Environment Protection Regulations 2021 (Vic)

Social impacts

31. The policies require all decisions and future installations to address and consider Crime Prevention Through Environmental Design (CPTED) principles.

Economic impacts

32. Council currently has contracts in place for security provision. Once installed under the capital works program continued operational costs will be minimal.

Consultation and Communication

33. These policies capture Council's positions and requirements. Installation of lighting within public spaces will undergo Council's normal consultation and engagement process at the project level.

Conflict of Interest

34. Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.
35. Council staff involved in the preparation of this report have no conflict of interest in this matter.



DRAFT CCTV Policy

Hobsons Bay City Council - 2026

Acknowledgment of Country

Council acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners of these municipal lands and waterways, and pay our respects to Elders past, present and emerging.

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1. Introduction

1.1. Purpose

This policy sets out Hobsons Bay City Council's approach to the installation, use, and management of Closed-Circuit Television (CCTV) and other visual surveillance devices within Council-owned or controlled facilities and for the purposes of illegal dumping monitoring and prevention.

It ensures that all surveillance activities:

- Are used for legitimate purposes such as staff, contractor, and visitor safety, asset protection and facility security,
- Are used for the purpose of monitoring and prevention of illegal dumping of waste within road reserves and public spaces
- Are managed in accordance with applicable legislation, privacy principles, and Council's ethical and governance standards.
- Do not extend to general monitoring of public spaces or the wider community environment.

1.2. Scope

This policy applies to all fixed or mobile CCTV and visual surveillance systems that:

- Are owned, leased, or operated by Council, and
- Are installed within or immediately adjacent to Council facilities, buildings, depots, and operational assets for security and safety purposes.
- CCTV used in road reserves and public spaces for the purposes prevention and monitoring of illegal dumping of waste

This policy does not apply to:

- Public-space CCTV networks or community-safety camera programs operated by external agencies (e.g., Victoria Police or traders' associations).
- Use of personal devices or cameras by staff for incidental recording.
- Temporary event-specific cameras, which require separate approval under the Event Management or Risk Management Framework.
- CCTV used for the purpose of general monitoring of road reserves and public spaces
- Dashboard cameras used on fleet vehicles.

2. Policy Context

Council is responsible for providing safe, accessible and well-managed public spaces for the community. In some locations, persistent safety risks, antisocial behaviour, property damage and public safety incidents place pressure on Council to adopt measures that support prevention, monitoring and response.

CCTV systems are one tool that may assist in deterring criminal behaviour, supporting investigations, and improving incident response when used appropriately. However, CCTV also

raises important considerations relating to privacy, data protection, proportionality, transparency and community trust.

Legislative requirements relating to privacy, surveillance devices, public records and information security place obligations on Council regarding the collection, use, storage and disclosure of CCTV footage. Inconsistent or ad-hoc use of CCTV can expose Council to legal, financial and reputational risk.

A clear policy is required to define the circumstances in which CCTV may be installed and operated in public places, ensure compliance with legislative and ethical requirements, and balance public safety objectives with individual privacy rights.

3. Definitions

For the purposes of this policy:

CCTV	Closed-Circuit Television
HBCC	Hobsons bay City Council
CPTED	Crime Prevention Through Environmental Design
AI	Artificial Intelligence

4. Policy Statement

Hobsons Bay City Council supports the responsible and proportionate use of CCTV and surveillance devices to:

- Protect staff, contractors, and visitors from harm.
- Safeguard Council buildings, plant, vehicles, equipment, and materials.
- Deter and investigate damage, theft, vandalism, or unauthorised access.
- Support emergency response and incident review processes.
- Prevent and monitoring of illegal dumping of waste

Council will not use CCTV or surveillance devices to monitor employee performance or general work activity.

Council will ensure that:

- Every camera installation is supported by a clear documented purpose and risk-based justification.
- Devices are installed and operated in compliance with relevant legislation and privacy obligations.
- Recorded information is securely stored, retained only as long as necessary, and accessed only by authorised personnel.
- Requests for access to footage are managed through defined, auditable processes.
- Signage is displayed wherever CCTV is in operation, informing individuals that they may be recorded.

5. Policy Development

5.1. Applicable Legislation and Policies

This policy operates under and must comply with:

- Surveillance Devices Act 1999 (Vic)
- Privacy and Data Protection Act 2014 (Vic)
- Public Records Act 1973 (Vic)
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Freedom of Information Act 1982 (Vic)
- Relevant Australian Standards for electronic security systems
- Council's Information Privacy Policy and Records Management Policy
- Councils' Artificial Intelligence (AI) Policy

6. Governance and Responsibilities

Role	Responsibility
CEO / Executive Leadership Team	Approve this policy and significant CCTV installations; ensure resources and compliance.
Director Infrastructure & City Services	Strategic oversight of CCTV operations within the organisation.
Manager City Operations	Custodian of this policy; maintains the master register of CCTV devices; ensures maintenance, signage, and staff training.
IT and Information Security	Manage digital storage, data protection, and secure network connections.
Coordinator Governance	Provide privacy impact assessments, compliance advice, and respond to FOI or data-access requests.
Facility Maintenance Unit	Identify facility risks; request CCTV installations; ensure local staff understand use and limitations.
All Employees and Contractors	Comply with this policy and report any misuse or breach.

7. Mandatory Criteria for Installation

Each new CCTV installation must be supported by a Risk Assessment and Business Case that demonstrates:

- 1) One of the below:
 - a) A documented safety or security issue at the facility (e.g., repeated vandalism, theft, unauthorised entry, or staff safety concern).
 - Or a
 - b) A documented incident of illegal dumping of waste
- 2) That CPTED (Crime Prevention Through Environmental Design) or non-surveillance measures (lighting, access control, alarms) have been considered.
- 3) That the proposed camera location, field of view, and recording parameters are proportionate to the purpose and do not unnecessarily capture public areas.
- 4) That funding for installation, maintenance, and data storage has been identified in the Facilities Renewal or IT Budget.
- 5) Approval has been granted by the Director Infrastructure & City Services following review by the Manager City Operations.

7.1. Investment

Council's future investment into CCTV will be informed by:

- Priorities identified in the Council Plan
- Available funding in Council's annual budget.

8. CCTV Operation

- CCTV systems will normally record only. Live feeds are accessible by approved staff only. CCTV system and alarms work intermittently of each other
- Recorded footage will be retained for 31 days, unless required for an incident investigation or legal proceeding.
- Access to live or recorded footage is limited to authorised officers for security, safety, or legal purposes.
- The security contractor responsible for providing the CCTV camera installation and software will have access to specific time periods only when requested by an approved officer for an applicable purposed under this policy
- Requests for access from external parties (e.g., Victoria Police, insurers, external legal representatives) must be made in writing and receive dual approval from Manager City Operations and Director Infrastructure and City Services, with a record kept of each release.
- Requests for access made under Freedom of Information are to comply with and be assessed under the Freedom Of Information policy
- Data will be stored in secure Council servers or approved cloud storage with encryption and access logs.

8.1. Authorised Officers

The below roles are authorised officers under this policy

Approval Officers

- Chief Executive Officer
- Director Infrastructure and City Services

Operational Access

- Manager City Operations
- Coordinator Facilities

Oversight and IT Access

- Director Corporate Services
- Manager Corporate Integrity
- Manager Digital Services
- Chief People Officer

For the purposes of implementing this policy the authorised officers may delegate responsibility. Authorised officers may only access footage where reasonably necessary and proportionate to their role. Delegation must be done in writing stipulating the parameters under delegation is provided.

8.2. Privacy and Data Protection

Council acknowledges that CCTV involves collection of personal information under the *Privacy and Data Protection Act 2014 (Vic)*.

Council will:

- Collect only information necessary for its stated security purposes.
- Limit viewing and disclosure to authorised persons.
- Securely destroy or overwrite recordings after the retention period.
- Display signage at each entry point where cameras operate, providing contact details for enquiries.
- Maintain a CCTV Register listing each device's location, purpose, responsible officer, and retention period.

8.3. Training

All staff who operate, review, or maintain CCTV equipment must complete induction training covering:

- Purpose and limitations of Council CCTV;
- Privacy obligations;
- Procedure for access and disclosure;
- Reporting of faults or suspected misuse.

8.4. Artificial Intelligence

All use of Artificial Intelligence will comply with Council's AI policy

9. Audit and Review

- The Coordinator Facility Services will conduct an annual audit of all CCTV devices to confirm operation, signage, data security, and compliance.
- Findings from this audit will be reported to the Executive Leadership Team.

- This policy will be reviewed every three years, or sooner if required by legislative or technological change.
- Any device or material found to be non-compliant will result in decommissioning of the device.

10. Complaints and Enquiries

Any person who believes their privacy has been compromised by Council's CCTV operation may lodge a complaint in writing to Council's Privacy Officer. If unresolved, they may refer the matter to the Office of the Victorian Information Commissioner (OVIC).

11. References / Related Documents

- Office of the Victorian Information Commissioner – Guiding Principles for Surveillance in the Public Sector (2021)
- Glen Eira City Council CCTV Policy (2020)
- Knox City Council Visual Surveillance Devices Policy (2019)
- Banyule City Council Surveillance in Public Places Policy (2022)
- Merri-bek City Council CCTV Surveillance Policy (2021)
- Boroondara City Council Code of Practice for Security Camera Management (2022)
- Darebin City Council Surveillance Systems Policy (2020)

12. Monitoring, Compliance, Reporting and Review

1. The digital services team will support facilities with the implementation of this policy by providing training to authorised officers
2. The Corporate Integrity team will be notified receive reports about the application of this policy.
3. This policy will be reviewed by the City Operations team or in response to legislative changes, council direction or operational needs.

13. Document Control and Version History

Policy Name:	CCTV Policy
Responsible Directorate	Infrastructure and City Services
Policy Owner	Manager City Operations
Policy Type	Council Policy
Date Adopted by	TBC
Review Date	July 2030

Version Number	Date	Approved by
0001	TBC	Council

DRAFT



DRAFT Public Lighting Policy

Hobsons Bay City Council - 2026

Acknowledgment of Country

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1. Introduction

1.1. Purpose

This Policy outlines Council's commitment to providing effective, sustainable, and context-sensitive public lighting across the municipality. The aim is to guide decision-making regarding where, why, and how lighting is provided in public spaces, with a focus on community safety, amenity, environmental protection, and operational efficiency. Lighting is not a default response to all public space concerns and must be implemented deliberately, based on long-term community need and strategic value.

1.2. Scope

This Policy applies to all public assets and spaces managed by Council, including but not limited to roads, paths, parks, reserves, community facilities, and civic precincts. It covers new lighting requests, upgrades to existing lighting, and lighting removal or reduction.

2. Policy Statement

Council is committed to:

- Enhancing community safety and perceptions of safety through appropriate lighting.
- Supporting compliance with relevant Australian Standards.
- Considering environmental and biodiversity impacts when planning or upgrading lighting.
- Reflecting place-based priorities such as heritage character, aesthetics, and nighttime economy needs.
- Prioritising energy-efficient and smart lighting solutions.
- Applying lighting selectively, only where clearly justified, with a strong emphasis on long-term need, rather than short-term behavioural trends or isolated incidents.

2.1. Guiding Principles

- **Safety First:** Lighting will be prioritised in areas with sustained after-dark use and where safety risks are persistent and well-documented.
- **Compliance and Standards:** Lighting installations will align with AS/NZS 1158 and AS 4282.
- **CPTED-aligned:** Decisions will integrate Crime Prevention Through Environmental Design (CPTED) principles.
- **Environmental Stewardship:** Lighting will be designed to minimise spill, energy use, and impacts on wildlife.
- **Equity and Place Responsiveness:** Lighting will reflect the needs of specific users and place characteristics.
- **Disciplined Investment:** Lighting will not be used as a reactive tool. Decisions will weigh the longevity of the issue, whether the space is intended for night-time use, and the strategic importance of the site.

- **National Light Pollution Guidelines for Wildlife**

3. Policy Development

3.1. Lighting Implementation Criteria

Lighting will be considered in locations where one or more of the following are met:

- Documented and ongoing late-night use (e.g. car parks near civic buildings, theatres, public transport stops).
- Identified safety concerns or incidents that are sustained and not likely to be transient.
- Locations with poor passive surveillance or visibility.
- High pedestrian or cycling volumes after dark.
- Compliance or statutory obligations.

Lighting will generally not be considered where:

- The area is environmentally sensitive and of biodiversity significance (e.g. habitat corridors) unless low-impact solutions are available.
- There is no demonstrated or anticipated after-dark use.
- The issue prompting the lighting request is short-term, seasonal, or related to transient behaviour (e.g. temporary antisocial gatherings).
- The space is not intended or designed for night-time use (e.g. playgrounds).
- Lighting would not meaningfully improve safety or amenity outcomes.
- Lighting will not be considered in laneways/accessways
- Roads and Lights are managed by another authority, such as Department of Transport

3.2. Implementation

This Policy is supported by the Public Lighting Strategy and Evaluation Framework, which outlines how decisions are operationalised, assessed, and reviewed.

3.3. Legislation

This policy operates under and must comply with:

- Local Government Act 2020 (Vic)
- Road Management Act 2004 (Vic)
- Environment Protection Act 2017 (Vic) and Environment Protection Regulations 2021
- Occupational Health and Safety Act 2004 (Vic)
- Electricity and Public Lighting Regulatory Framework

3.4. Related Council and other documents

- Public Lighting Evaluation Framework

- AS/NZS 1158 Road Lighting Standards
 - This is the standard stipulates the lighting lux level by space type
 - Therefore, if the evaluation criteria supports the installation of future lighting, then AS1158.3 is applied to determine the lighting level and lux.
- AS 4282 Control of the Obtrusive Effects of Outdoor Lighting (which encompasses the control of spill and glare on residential boundaries)
- Safer Design Guidelines for Victoria
- CPTED Victoria Police Guidance
- Council Plan and Asset Management Strategy
- Marine and Coastal Act
- Biodiversity Strategy 2024-2034
- National Light Pollution Guidelines for Wildlife 2023

3.5. Investment

Council's future investment into public lighting will be informed by:

- Priorities identified in the Council Plan
- Available funding in Council's annual budget

4. Monitoring, Compliance, Reporting and Review

1. The Infrastructure and City Services department will support with the implementation of this policy by providing communication and training about the use of the policy and information on an as needs basis
2. The Infrastructure and City Services will receive reports about the application of this policy.
3. This policy will be reviewed by Infrastructure and City Services or in response to legislative changes, council direction or operational needs.
4. This policy will be reviewed every four years or sooner if triggered by regulatory changes or community needs

5. Document Control and Version History

Policy Name:	Public Lighting Policy
Responsible Directorate	Infrastructure and City Services
Policy Owner	Manager City Operations
Policy Type	Council Policy
Date Adopted by	TBC
Review Date	July 2030

Version Number	Date	Approved by
0001	TBC	Council

7.2.3 Council Improvement Action Plan Update – 2025-26 Quarter 4

Directorate: Office of the Chief Executive

Responsible Officer: Senior Project Manager (Integrated Action Plan)

Attachments: 1. Q4 Council Improvement Action Plan [7.2.3.1 - 3 pages]

Purpose

To provide Council with a progress update on the Council Improvement Action Plan.

Recommendation

1. That Council notes the status update of the Council Improvement Action Plan.

Executive Summary

1. The Council Improvement Action Plan (CIAP) consolidates multiple continuous improvement initiatives into a single integrated tracking and reporting framework. The Plan was formally endorsed by Council on 28 April 2026 and is supported by a robust governance and reporting structure to ensure transparency and accountability.
2. Overall progress against the CIAP remains strong. To date, 32 of 82 actions have been completed, with a further 38 now in progress and 14 commenced ahead of schedule. Key governance policies have been reviewed and endorsed, including the Risk Management Framework, Policy Governance Framework, Media Policy (incorporating Social Media), and Procurement Policy.
3. Notable milestones include completion of the Acting Arrangement Review (IAP-12), now transitioned to business-as-usual operations, and strong delivery momentum, with nine “on track” actions reaching at least 50% completion. Governance oversight has been strengthened through the establishment of the CIAP Steering Committee, which has met twice.
4. Delivery remains largely on track, with 9 actions yet to commence, most scheduled for July 2026. While one action has experienced a delayed start, it remains on track for completion by September 2026 as planned. Three actions are marginally behind schedule and expected to be completed by mid-end July 2026. A further action has been granted a one-month extension to enable the matter to be considered at a Council Meeting.
5. Looking ahead, 24 actions are due for completion by the end of the calendar year, with nearly all actions in CIAP expected to be underway by July 2026 (excluding one audit-related action). Reporting to internal and external stakeholders is proceeding as planned.

Background

6. Council has established the Council Improvement Action Plan (CIAP) as a comprehensive and coordinated program, consolidating actions from multiple sources into a single transparent framework to strengthen oversight, accountability and reporting. Following refinement and consolidation, the Plan comprises 82 individual actions and was formally endorsed and published by Council on 28 April 2026.
7. The CIAP outlines a structured program of improvement actions, each supported by defined timelines, source documentation and clear deliverables. For actions scheduled through to December 2026, scoping documents have been developed to guide implementation, including purpose, milestones, timeframes and success measures. Scoping for remaining actions will be progressively completed to ensure alignment with evolving organisational priorities.
8. The CIAP is governed by a dedicated Steering Committee comprising senior executives, three Councillor representatives and Municipal Monitors. The program is structured around five key focus areas aimed at strengthening leadership, governance, culture and ways of working. Delivery is primarily led by Corporate Services and People and Culture, with resourcing allocated in the 2026–27 budget.

Discussion

Overview

9. CIAP action leads across Council continue to progress their respective actions, with overall delivery remaining strong.
10. Key achievements (accurate as of 30 June 2026) include:
11. 32 of 82 actions have been completed to date.
 - 11.1. 14 actions have commenced ahead of schedule.
 - 11.2. Several key policies linked to CIAP actions have been reviewed and endorsed by Council, including:
 - 11.2.1. The Risk Management Framework (part of action IAP-37) and Policy Governance Framework (part of action CIAP-E), both were endorsed at the Council Meeting on 26 May 2026.
 - 11.2.2. The Media Policy, endorsed on 24 March 2026, incorporating the Social Media Policy (action CIAP-41).
 - 11.2.3. The Procurement Policy, endorsed on 24 February 2026, supporting action LGI-1.5 (Procurement threshold definition).
 - 11.2.4. Action IAP-12 (Acting Arrangement Review) has been completed and transitioned to business-as-usual operations within People Experience and Talent Acquisition.

12. Delivery momentum remains strong, with 9 “on track” actions already reaching a minimum of 50% completion.
13. Governance has been strengthened through the establishment of the CIAP Steering Committee, which has met twice to provide oversight and guidance. The internal Project Control Group has met once on the alternative month to the Steering Committee.
14. Regular internal and external reporting is progressing as planned, supporting transparency and accountability.

Current Action Status

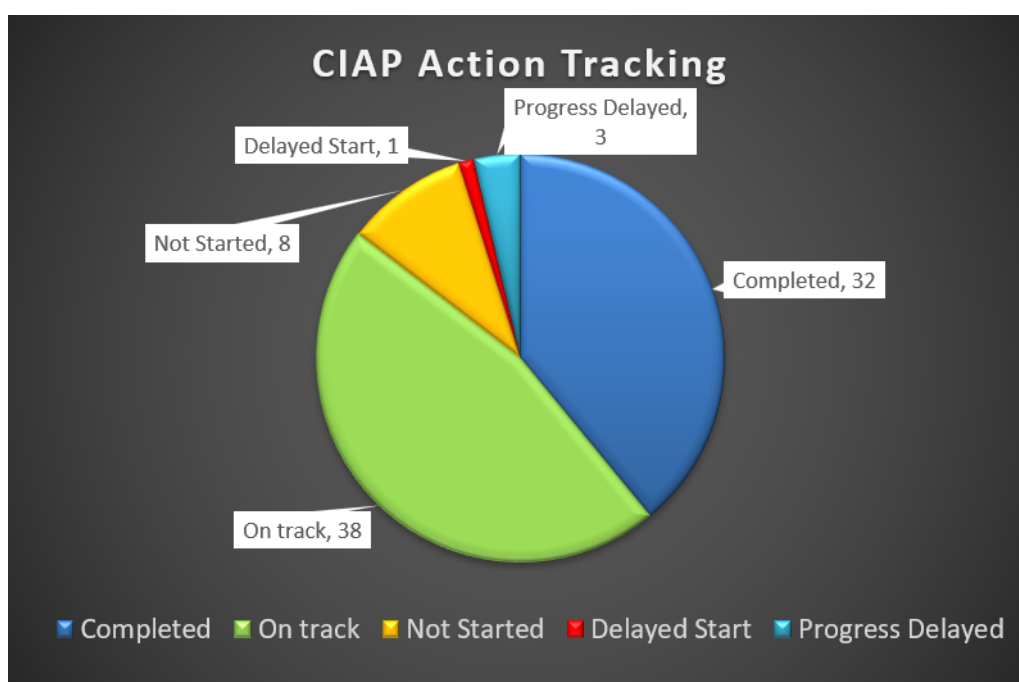


Figure 1: CIAP action tracking as of 30 June 2026

15. To date:
 - 15.1. 32 actions have been completed
 - 15.2. 38 actions are in progress
 - 15.3. Nine actions are yet to commence, with eight scheduled to begin in July 2026
 - 15.4. One action (LGI-6.2) experienced a delayed commencement but remains on track for completion by September 2026, in line with the original schedule
 - 15.5. Three actions are currently marked as “progress delayed”. In each case, the delay is attributable to the timing of the relevant formal endorsement forum rather than a lack of progress on delivery. Future planning and tracking will more explicitly account for endorsement timeframes to minimise similar delays.

- 15.5.1. LGI-1.6 – This action is expected to be completed by mid-July 2026, representing a minor delay of approximately two weeks due to the timing of the final report.
- 15.5.2. CIAP-35 – This action is due to be endorsed by ELT in the second week of July 2026
- 15.5.3. CIAP-30 – This action is due to be endorsed by ELT in the first week of July 2026 and will then be shared with Councillors at the 14 July 2026 Council Briefing
- 15.6. Action CIAP-3280 was granted a one-month extension, moving its deadline from June 2026 to July 2026, following consideration by the CIAP Steering Committee. This extension will enable the action to be brought before Council.
- 16. 24 actions are due for completion by the end of the calendar year, with all actions except one audit-related action expected to have commenced by July 2026.

Reporting and Governance

- 17. Governance and oversight of the CIAP are well established. Every second month meetings alternate between the CIAP Steering Committee and the CEO PCG, which includes staff from across the organisation and at different levels.
- 18. Governance forums provide structured oversight and guidance to support effective delivery of the CIAP. Since endorsement of the Plan, two Steering Committee meetings and one CEO PCG session have been held to monitor progress, provide feedback and guide implementation of key actions.
- 19. Regular internal and external reporting arrangements support transparency and accountability, ensuring stakeholders are informed of progress and emerging risks. Most recently, an update was provided to the Audit and Risk Committee on 11 June 2026, reinforcing ongoing oversight of the program.

Overarching Governance Principles

- 20. This report has been prepared with consideration of the overarching governance principles set out in section 9(2) of the *Local Government Act 2020*.
- 21. The table below outlines how this report aligns with the principles.

Overarching governance principle	Actions supporting the principle
(a) Council decisions are to be made, and actions taken in accordance with the relevant law	The Council Improvement Action Plan detailed in this report supports the good governance of council including the decision-making process.

(b) priority is to be given to achieving the best outcomes for the municipal community, including future generations	The improvements to the governance framework through the actions as detailed in the Council Improvement Action Plan will provide long term outcomes of good governance to the organisation and positive outcomes for the community.
(e) innovation and continuous improvement is to be pursued	The Council Improvement Action Plan is underpinned by a commitment to continuous improvement regarding the good governance of the organisation.
(g) the ongoing financial viability of the Council is to be ensured	The Council Improvement Action Plan was developed in the context of Council's broader commitment to ongoing financial sustainability.
(i) the transparency of Council decisions, actions and information is to be ensured	Transparency is critical to the delivery of the Council Improvement Action Plan and progress reports are being presented on a quarterly basis.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

22. Hobsons Bay 2040 Community Vision

Priority 3: Increased access to local jobs and education

23. Council Plan 2025-29

Theme 4: Accountable Council

Goal 4.1: Strengthen governance practices and systems

Goal 4.2: Increase staff satisfaction and safety

24. The CIAP aligns with the Council Plan 2025-29, particularly the Accountable Council theme and its objectives of transparent decision-making, effective governance and community confidence. The integrated reporting framework directly supports Council's strategic commitment to rebuild trust through demonstrated progress on improvement actions.

Policies and Related Council Documents

25. Policies and documents relevant to this report:
- 25.1. Integrated Action Plan (Rebuilding Culture and Governance Plan)
 - 25.2. Local Government Inspectorate Governance Review Recommendations
 - 25.3. Municipal Monitor Terms of Reference
 - 25.4. Respective policies related to the individual action items

Legal and Statutory Obligations

General legal and statutory obligations

26. This report is consistent with the specific requirements of the *Local Government Act 2020*.

Climate Change and Circular Economy

27. Not applicable

Gender Equity Impact Statement

28. This report has been prepared having regard to the requirements of the *Gender Equality Act 2020*.
29. Officers have assessed the gender equity implications of this matter and determined that the proposal is administrative or operational in nature and is not expected to have a differential impact on any gender. A Gender Impact Assessment is not required.

Risk

Identified Risk	Mitigation
Implementation fatigue	The breadth of actions required may strain organisational capacity. The integrated framework enables prioritisation and resource allocation.
Inconsistent progress	Without integrated monitoring, some actions may fall behind while others progress. Quarterly reporting enables early identification of delays. Monthly monitoring of action progress will allow mitigations to be developed if delayed.
Stakeholder expectations	Multiple oversight bodies have different reporting requirements. The integrated framework ensures consistent messaging.

Reputational risk	Failure to demonstrate meaningful progress could further erode community confidence. Transparent reporting demonstrates accountability.
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Financial and Resource Implications

30. The improvement program represents a significant ongoing investment for Council. Consolidating reporting arrangements will create efficiencies in monitoring and reporting effort. The Chief People Officer will be responsible for coordinating the integrated reporting framework, supported by action owners across the organisation. Implementation of individual improvement actions may have budget implications that will be addressed through existing budget processes or brought to Council for consideration as required.

Environmental, Social and Economic Impacts

Environmental impacts

31. Not applicable

Social impacts

32. The Council Improvement Action Plan is delivering positive social outcomes by strengthening community trust and confidence in the organisation.

Economic impacts

33. An integrated action plan strengthens governance by improving transparency and fostering collaboration across Council. It also streamlines processes, leading to more efficient decision-making and resource management across teams and departments.

Consultation and Communication

34. The development of the integrated framework has involved leadership at multiple levels, ensuring strong oversight and alignment across the organisation. Ongoing communication with staff will continue through established internal channels to support awareness, engagement, and participation in the program of works.

Conflict of Interest

35. Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.
36. Council staff involved in the preparation of this report have no conflict of interest in this matter.

Council Improvement Action Plan 2026-2029 - Public

Hobsons Bay City Council -30 June 2026

Legend: Source Documents: MTOR = Monitors Terms of Reference, IAP = Integrated Action Plan, LGI = Local Government Inspectorate Recommendations

Ref combined	Overarching Action	Description	Theme	Source	Priority	Start	End	% Done	Tracking
CEO & Executive Leadership									
CIAP-10	Values based leadership culture	Embed values based leadership culture	CEO & Executive Leadership	MTOR	High	Jul 2026	Sep 2027	0%	Not Started
CIAP-5	CEO Employment and Remuneratoin Policy review	Review CEO Employment and Remuneration Policy	CEO & Executive Leadership	MTOR	High	Feb 2026	Jun 2026	100%	Completed
CIAP-6	CEO performance review process	Establish clear criteria and process for CEO performance review	CEO & Executive Leadership	MTOR	High	Feb 2026	Jun 2026	100%	Completed
CIAP-7	CEO induction framework	Implement a structured induction and communication framework between Council and CEO	CEO & Executive Leadership	MTOR	High	Feb 2026	Jun 2026	100%	Completed
CIAP-12	Internal communications program	Establish an internal communications program	CEO & Executive Leadership	MTOR	Medium	Jul 2026	Dec 2026	70%	On Track
CIAP-11	Reporting frameworks	Develop appropriate reporting and accountability frameworks and dashboards	CEO & Executive Leadership	MTOR	Medium	Jul 2026	Dec 2026	0%	Not Started
Councillor Conduct & Relationships									
CIAP-41	Social Media Policy	Establish a Social Media Policy	Councillor Conduct & Relationships	MTOR	Medium	Mar 2026	Jun 2026	100%	Completed
CIAP-30	Councillor-staff escalation	Establish clear and transparent escalation and dispute resolution processes <i>(for issues between staff and councillors)</i>	Councillor Conduct & Relationships	MTOR	High	Mar 2026	Jun 2026	80%	Progress Delayed
CIAP-28	Key governance documents review	Review and clarify key governance documents (Governance Rules, Councillor Code of Conduct, Councillor/Staff Protocol, Councillor Complaints Policy)	Councillor Conduct & Relationships	MTOR	High	Feb 2026	Jul 2026	80%	On Track
CIAP-M	Councillor Dispute Resolution and Respectful Relationships	Implement dispute resolution processes, as well as mediation and coaching options and reinforce behavioural expectations.	Councillor Conduct & Relationships	MTOR	High	Mar 2026	Dec 2026	50%	On Track
CIAP-B	Councillor Professional Development	Strengthen councillor effectiveness and organisational culture by reinforcing behavioural expectations, enhancing governance capability, and providing structured dispute resolution, coaching and professional development.	Councillor Conduct & Relationships	MTOR & IAP	High	Jan 2026	Dec 2026	40%	On Track
Governance									
IAP-2	People & Culture team capability review	Review organisational capabilities and capacity within the People & Culture team. Establish Chief People Officer (CPO) position	Governance	IAP	High	Sep 2025	Nov 2025	100%	Completed
IAP-34	Communications plan for Integrated Action Plan	Develop a communications plan to communicate, consult and engage the organisation on the implementation of the IAP	Governance	IAP	High	Nov 2025	Dec 2025	100%	Completed
CIAP-H	Document Management and Information Security	Improve organisational effectiveness, information security and regulatory compliance through a comprehensive review and uplift of document and knowledge management practices.	Governance	IAP & LGI	Medium	Jul 2026	Sep 2027	5%	On Track
LGI-6.2	Independent action register maintenance	Appoint an independent individual to maintain and update the management action register with secondary review	Governance	LGI	High	Mar 2026	Sep 2026	0%	Delayed start
IAP-37	Risk management framework	Develop and implement a strategic and operational risk management framework	Governance	IAP	High	Jul 2026	Sep 2027	50%	On Track
LGI-3.2	Regular risk portfolio reviews	Implement regular risk portfolio reviews including evaluation of accuracy and completeness	Governance	LGI	High	Mar 2026	Mar 2027	50%	On Track
CIAP-D	Management of the Audit and Risk Committee	Enhance the effectiveness of the Audit and Risk Committee by clarifying reporting and approval requirements, strengthening action tracking and accountability, and building governance, risk and audit capability across the Committee, Senior Leadership Team and management.	Governance	MTOR & LGI	High	Feb 2026	Sep 2026	80%	On Track
CIAP-35	Delegations review	Delegations review	Governance	MTOR	High	Feb 2026	Jun 2026	90%	Progress Delayed
CIAP-E	Policy Governance Framework and Library (Policy review and statutory compliance)	Establish a coordinated and systematic approach to policy governance by centralising oversight and maintenance, implementing a structured policy review program, and ensuring all Council policies, procedures and governance documents are current, complete and compliant with statutory obligations.	Governance	IAP & LGI	Medium	Nov 2025	Dec 2028	50%	On Track
IAP-28	Integrated Action Plan independent audit	Complete an independent audit of the Integrated Action Plan for acquittal and impact	Governance	IAP	High	Jun 2028	Sep 2028	0%	Not Started
CIAP-1	Council Improvement Action Plan	Creation and ongoing monitoring of the Council Improvement Action Plan	Governance	MTOR	Medium	Jun 2025	Jun 2029	25%	On Track
IAP-4	Organisational structure review	Confirm organisational structure following CEO appointment	Governance	IAP	High	Jul 2026	Sep 2027	5%	On Track
LGI-FR6	Delegated committees governance	Review of governance support of delegated committees	Governance	LGI	Medium	Jul 2026	Dec 2026	100%	Completed

IAP-26	Internal complaints pathways	Develop and promote internal complaints pathways and guidelines	Governance	IAP	High	Nov 2025	Sep 2026	100%	Completed
IAP-10	Leadership team role clarification	Clarify the role of Executive Leadership Team, Senior Leadership Team and coordinators as collective teams	Governance	IAP	Medium	Jul 2026	Sep 2027	10%	On Track
IAP-38	Business case and project management framework	Review Council's business case development and project management framework	Governance	IAP	Medium	Jan 2026	Sep 2027	30%	On Track
IAP-23	External complaint and support service	Establish an external complaint and support service for employees experiencing workplace issues	Governance	IAP	Critical	Jan 2026	Sep 2026	100%	Completed
IAP-24	External whistleblower service	Establish an external confidential whistleblower reporting service	Governance	IAP	Critical	Jan 2026	Sep 2026	100%	Completed
IAP-27	Behavioural framework	Co-design and implement a behavioural framework that supports the Council Vision. Including review of Code of Conduct	Governance	IAP	High	Jul 2026	Sep 2027	5%	On Track
CIAP-I	Procurement Exemption review	Strengthen procurement governance by improving awareness, oversight and assurance of procurement exemption processes.	Governance	LGI	High	Feb 2026	Dec 2026	65%	On Track
LGI-1.4	Cumulative spend monitoring	Implement annual cumulative procurement spend reporting with defined review and escalation pathways	Governance	LGI	High	Feb 2026	Dec 2026	25%	On Track
LGI-1.5	Procurement threshold definition	Define thresholds for all procurement methods including quotations and expressions of interest in Procurement Policy	Governance	LGI	High	Feb 2026	Jun 2026	100%	completed
CIAP-J	Credit Card Review	Strengthen financial governance and accountability by formalising credit card management arrangements and tightening eligibility and usage controls.	Governance	LGI	High	Feb 2026	Dec 2026	20%	On Track
IAP-1	CEO and Directors recruitment with governance emphasis	Ensure the CEO and Directors recruitment process places an emphasis on governance and integrity	Governance	IAP	Critical	Sep 2025	Dec 2025	100%	Completed
IAP-22	Mayor and CEO joint statement	Joint statement from Mayor and CEO reinforcing commitment to supporting the reform	Governance	IAP	High	Sep 2025	Dec 2025	100%	Completed
IAP-25	Employee complaints panel	Establish a panel to deal with employee complaints of inappropriate behaviour and conduct	Governance	IAP	Critical	Jan 2026	Sep 2026	100%	Completed
IAP-29	Develop Integrated Action Plan	Develop an Integrated Action Plan considering the recommendations in the Listening and Support Process Report	Governance	IAP	Critical	Sep 2025	Dec 2025	100%	Completed
IAP-41	Change management review	Review how Council manages and evaluates change	Governance	IAP	Medium	Jul 2026	Sep 2027	30%	On Track
IAP-35	Foundation program governance training	Conduct training and awareness-raising information sessions across the organisation on the governance foundation program	Governance	IAP	High	Oct 2025	Sep 2026	100%	Completed
IAP-39	Governance framework development	Develop a governance framework that establishes the foundation for transparent decision-making	Governance	IAP	High	Oct 2025	Sep 2027	25%	On Track
IAP-36	Subject matter expert advice processes	Develop governance processes that ensures decision makers consider specialist advice from subject matter experts	Governance	IAP	Medium	Jul 2026	Sep 2027	10%	On Track
CIAP-2	Audit & Risk Committee Charter review and update	Review and update the Audit & Risk Committee Charter, clarify functions, reporting structure and membership	Governance	MTOR	High	Feb 2026	Jun 2026	100%	Completed
IAP-30	CEO project control group	Establish clear and transparent escalation and dispute resolution processes	Governance	IAP	High	Jan 2026	Sep 2026	100%	Completed
IAP-42	Integrated Action Plan progress report card	Develop a report card to report progressively on implementation of this plan	Governance	IAP	High	Oct 2025	Sep 2027	100%	Completed
IAP-33	Workforce plan 2026-2029	Develop a workforce plan 2026-2029	Governance	IAP	High	Jan 2026	Sep 2026	100%	Completed
IAP-11	Organisational planning function	Establish an organisational planning function responsible for driving implementation of the Council Plan	Governance	IAP	Medium	Jul 2026	Sep 2027	0%	Not Started
Staff Leadership & Culture									
IAP-13	External clinical psychology service	Establish an external clinical psychology service to support employees with complex mental health presentations	Staff Leadership & Culture	IAP	Critical	Jul 2025	Sep 2025	100%	Completed
IAP-14	Interim pay increase	Apply an interim pay increase for eligible employees in advance of negotiating the next enterprise agreement	Staff Leadership & Culture	IAP	High	Oct 2025	Dec 2025	100%	Completed
IAP-19	Mental health first aiders structure and Contact Officer Program	Create a formal, supportive structure that enables mental health first aiders and contact officers	Staff Leadership & Culture	IAP	Medium	Nov 2025	Sep 2027	20%	On Track
LGI-FR11	Hiring and employee management	Review of hiring and employee management processes	Staff Leadership & Culture	LGI	High	Feb 2026	Sep 2026	10%	On Track
CIAP-8	Staff management policies review	Review staff management policies (recruitment, performance, onboarding)	Staff Leadership & Culture	MTOR	High	Mar 2026	Sep 2026	10%	On Track
LGI-FR5	Standard position descriptions	Development and application of standard position descriptions	Staff Leadership & Culture	LGI	Medium	Jul 2026	Dec 2026	5%	On Track
CIAP-29	Staff Code of Conduct reinforcement	Reinforce Staff Code of Conduct	Staff Leadership & Culture	MTOR	High	Feb 2026	Jun 2026	100%	completed
IAP-12	Acting arrangements review	Review all acting arrangements of 12 months or greater	Staff Leadership & Culture	IAP	Medium	Jan 2026	Jun 2026	100%	Completed

CIAP-C	Culture reset program and cross functional teams	Develop and implement a whole of organisation culture reset program to strengthen collaboration, trust and shared accountability, supported by the establishment of cross functional, multi level teams to lead and deliver organisational priority projects.	Staff Leadership & Culture	IAP	Medium	Jul 2026	Sep 2027		5%	On Track
IAP-18	Council chambers safety protocols	Develop safety protocols with employees and councillors that ensures the council chambers function as a safe workplace	Staff Leadership & Culture	IAP	High	Jul 2026	Sep 2027		25%	On Track
IAP-3	REACH program review	Targeted review of the REACH program to better align with this plan	Staff Leadership & Culture	IAP	Medium	Jun 2025	Sep 2025		100%	Completed
IAP-20	Succession planning approach	Develop an approach to succession planning for key roles	Staff Leadership & Culture	IAP	Medium	Jul 2026	Sep 2027		0%	Not Started
IAP-7	Leadership capability framework	Develop a leadership capability framework that defines, supports and assesses the performance of people leaders	Staff Leadership & Culture	IAP	High	Jul 2026	Sep 2027		0%	Not Started
CIAP-K	Leadership development	Build consistent, effective leadership capability across the organisation through targeted investment in leadership development and the design and delivery of a structured leadership program.	Staff Leadership & Culture	MTOR & IAP	High	Jul 2026	Sep 2027		0%	Not Started
IAP-15	Workplace behaviour awareness training	Develop and implement awareness raising and training on acceptable and unacceptable workplace behaviours	Staff Leadership & Culture	IAP	High	Nov 2025	Sep 2026		40%	On Track
LGI-FR4	Education and training processes	Review of education and training processes organisationally, particularly for new employees	Staff Leadership & Culture	LGI	Medium	Jul 2026	Dec 2026		20%	On Track
IAP-9	Targeted learning opportunities	Develop, provide and maintain targeted, on-demand learning opportunities	Staff Leadership & Culture	IAP	Medium	Jan 2026	Sep 2027		15%	On Track
IAP-6	Respectful Leaders program review	Review Respectful Leaders program for incorporation into the leadership program	Staff Leadership & Culture	IAP	Medium	Jan 2026	Sep 2027		10%	On Track
CIAP-L	Employee listening strategy	Develop and implement a structured and consistent approach to understanding and monitoring employee engagement and sentiment over time.	Staff Leadership & Culture	MTOR & IAP	High	Jul 2026	Sep 2027		5%	On Track
IAP-17	Occupational Health and Safety framework development	Develop and implement a strategic and operational occupational health and safety framework	Staff Leadership & Culture	IAP	Medium	Jul 2026	Sep 2027		15%	On Track
Ways of Working										
LGI-FR1	IT system (H2O) effectiveness	Assessment of effectiveness and ongoing requirement of Council's IT system	Ways of Working	LGI	Medium	Jul 2026	Dec 2026		0%	Not Started
LGI-FR2	Enforcement and regulation consistency	Review of enforcement and regulation inconsistencies across the organisation, including roles and responsibilities for enforcement.	Ways of Working	LGI	Medium	Jul 2026	Jun 2027		5%	On Track
LGI-FR8	Fraud management processes	Review of fraud management processes, particularly strategy, roles and responsibilities	Ways of Working	LGI	High	Jul 2026	Dec 2026		80%	On Track
CIAP-F	Risk management	Enhance the maturity and effectiveness of Council's risk management framework through specialist expertise and targeted capability building.	Ways of Working	LGI	High	Mar 2026	Dec 2026		25%	On Track
CIAP-G	Work Health and Safety Review	Strengthen organisational consistency and compliance by reviewing and aligning Work Health and Safety policies and procedures alongside related people management practices, including equal opportunity, grievance handling, dispute resolution and professional development.	Ways of Working	MTOR	High	Mar 2026	Dec 2026		10%	On Track
IAP-5	Internal and external service reviews	Identify and conduct service reviews of key priority areas to enhance overall efficiency and outcomes	Ways of Working	IAP	High	Jan 2026	Sep 2027		25%	On Track
LGI-FR3	Budget consultation processes	Review of Councillor and community consultation during budget development process	Ways of Working	LGI	Medium	Jan 2026	Jun 2026		100%	Completed
LGI-FR10	Contractor payment review	Review of ongoing payments to individual contractors without public tender assessment	Ways of Working	LGI	High	Mar 2026	Dec 2026		25%	On Track
LGI-1.6	Procurement specialist engagement	Engage Internal Auditors or a procurement specialist to oversee development of Council's procurement practices	Ways of Working	LGI	Medium	Mar 2026	Jun 2026		90%	Progress Delayed
CIAP-A	Council Pre and Post Meeting Processes and Attendance	Enhance the quality of decision making and governance through improved processes, debriefs and feedback mechanisms	Ways of Working	MTOR	Medium	Mar 2026	Jun 2026		100%	Completed
LGI-2.3	Audit and Risk Committee meeting frequency review	Consider increasing the meeting frequency of the Audit and Risk Committee	Ways of Working	LGI	Medium	Feb 2026	Jun 2026		100%	Completed
LGI-FR7	Council Governance Rules review	Review of Council Governance Rules	Ways of Working	LGI	High	Feb 2026	Jun 2026		100%	Completed
CIAP-15	Governance Rules review	Review, update and implement Governance Rules. Provide training on new Governance Rules	Ways of Working	MTOR	High	Feb 2026	Jun 2026		100%	Completed
CIAP-16	Meeting procedures review	Review, update and implement meeting procedures and decision making processes	Ways of Working	MTOR	High	Mar 2026	Jun 2026		100%	Completed
CIAP-36	Council Plan involvement	Involvement in the development of the Council Plan	Ways of Working	MTOR	High	Jan 2025	Dec 2025		100%	Completed

7.2.4 Fraud and Corruption Control Framework

Directorate: Corporate Services

Responsible Officer: Interim Manager Corporate Integrity

Attachments: 1. DRAFT Fraud and Corruption Control Framework
[7.2.4.1 - 32 pages]

Purpose

To present the Fraud and Corruption Control Framework for adoption.

Recommendation

1. That Council adopts the Fraud and Corruption Control Framework.

Executive Summary

1. Council has a Fraud and Corruption Control Policy which was adopted by the Executive Leadership Team in March 2023.
2. Officers have benchmarked Council's fraud and corruption control documents against other councils and the Australian Standards.
3. A draft Fraud and Corruption Control Framework has been prepared and reviewed by the Audit and Risk Committee. The Framework will replace the Fraud and Corruption Policy and is presented to Council for consideration.

Background

4. The proposed Fraud and Corruption Control Framework (FCCF) establishes Council's commitment, principles and procedures with respect to control and management of fraud and control matters.
5. The FCCF is guided by the *Local Government Act 2020* and the Australian Standards ISO 8001:2021 Fraud and Corruption Control.
 - 5.1. The Framework is one of the foundational key good governance policies which demonstrates its commitment to promoting a culture of acting with integrity in the way the organisation operates.

Discussion

6. The FCCF is integrally linked to other council policy documents including the Risk Management Framework, Procurement Policy and Codes of Conduct.

7. The FCCF makes provision for fraud and corruption risk assessments to be conducted every two years or following any significant changes to systems, operations and procedures.
8. The Framework:
 - 8.1. commits to the preparation of a Councillor Interaction with Developers Policy
 - 8.2. includes useful practical tools to support implementation including a fraud investigation checklist and fraud risk assessment questionnaire.
9. As part of the implementation of the Framework, Council will review its approach to staff engagement and awareness about fraud and corruption. Council's online and in-person training will be reviewed. Officers designated as points of contact will receive specific training about their role and responsibilities.

Overarching Governance Principles

10. This report has been prepared with consideration of the overarching governance principles set out in section 9(2) of the *Local Government Act 2020*.
11. The table below outlines how this report aligns with each principle.

Overarching governance principle	Actions supporting the principle
(a) Council decisions are to be made, and actions taken in accordance with the relevant law	The FCCF promotes compliance with relevant laws including the <i>Local Government Act 2020</i> , <i>Public Interest Disclosures Act 2012</i> and the <i>Independent Broad-based Anti-Corruption Commission Act 2011</i> .
(b) priority is to be given to achieving the best outcomes for the municipal community, including future generations	The FCCF provides a focus to good governance which underpins Council's approach to achieving the best outcomes for the community.
(g) the ongoing financial viability of the Council is to be ensured	To support its commitment to ongoing financial viability, the FCCF supports the good governance of the organisation including ensuring that there is a culture based on integrity and ethical actions.
(h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making	The FCCF meets the requirements of the applicable Australian Standard.
(i) the transparency of Council decisions, actions and information is to be ensured	The FCCF sets out Council's approach and requirements regarding fraud and corruption.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

12. Hobsons Bay 2040 Community Vision

This report does not relate to a specific priority of the Hobsons Bay 2040 Community Vision.

13. Council Plan 2025-29

Theme 4: Accountable Council

Goal 4.1: Strengthen governance practices and systems

Policies and Related Council Documents

14. Policies and documents relevant to this report:

- 14.1. Risk Management Framework
- 14.2. Councillor Code of Conduct
- 14.3. Staff Code of Conduct
- 14.4. Public Interest Disclosure Policy
- 14.5. Procurement Policy
- 14.6. Councillor Gift, Benefits and Hospitality Policy

Legal and Statutory Obligations

General legal and statutory obligations

- 15. As FCCF is consistent with the *Local Government Act 2020* and specifies how its legal obligations under other legislation such as the *Public Interest Disclosure Act 2012* will be operationalised in terms of fraud and corruption across the prevention, detection, responding and reporting stages.

Climate Change and Circular Economy

- 16. Not applicable

Gender Equity Impact Statement

- 17. This report has been prepared having regard to the requirements of the *Gender Equality Act 2020*.
- 18. Officers have assessed the gender equity implications of this matter and determined that the proposal is administrative or operational in nature and is not expected to have a differential impact on any gender. A Gender Impact Assessment is not required.

Risk

Identified Risk	Mitigation
Ineffective governance	The FCCF is part of Council's good governance framework to support sound decision making and a culture grounded in practices which demonstrate integrity and ethical behaviour.
People and Culture	The FCCF commits Council to a workplace culture with a zero-tolerance approach to fraud and corruption.

Financial and Resource Implications

19. The implementation of the FCCF will occur within existing Council budget including for training and development.

Environmental, Social and Economic Impacts

20. Nil

Consultation and Communication

21. The Audit and Risk Committee has reviewed the FCCF.

Conflict of Interest

22. Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.
23. Council staff involved in the preparation of this report have no conflict of interest in this matter.



Fraud and Corruption Control Framework

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Part 1: Introduction

1.1 Statement of Commitment

Hobsons Bay City Council (**Council**) has zero tolerance for corrupt conduct or fraudulent activities. Council is committed to preventing, deterring, and detecting fraudulent and corrupt behaviour in the performance of Council activities.

1.2 Purpose

This Fraud and Corruption Control Framework (**Framework**) details Council's approach to controlling fraud and corruption at strategic and operational levels and is to be read in conjunction with Council's Risk Management Framework and other relevant documentation and legislation.

This Framework:

1. Underpins Council's commitment to the minimisation and elimination of actual or perceived fraudulent and corrupt behaviours and acts throughout Council operations; and
2. Sets out Council's approach to the implementation and review of fraud and corruption prevention, detection, monitoring and reporting.

1.3 Scope

This Framework applies to Councillors, employees, contractors, sub-contractors, consultants, temporary employees, persons employed through a third-party agency, and volunteers of Council (**Relevant Persons**).

1.4 Objectives and Outcomes

The primary objective of Council's Fraud and Corruption Control Framework is the elimination of fraud and corruption throughout Council operations internally and externally.

Outcomes of this Framework include:

- The community and Council's stakeholders will have confidence in the integrity and governance of Council's decision-making and processes.
- Relevant Persons may face disciplinary action under the Disciplinary Policy and restitution of money or property lost through fraudulent activity will be pursued through legislative means.
- Council may pursue the prosecution of people identified as committing fraud or undertaking corrupt behaviour.

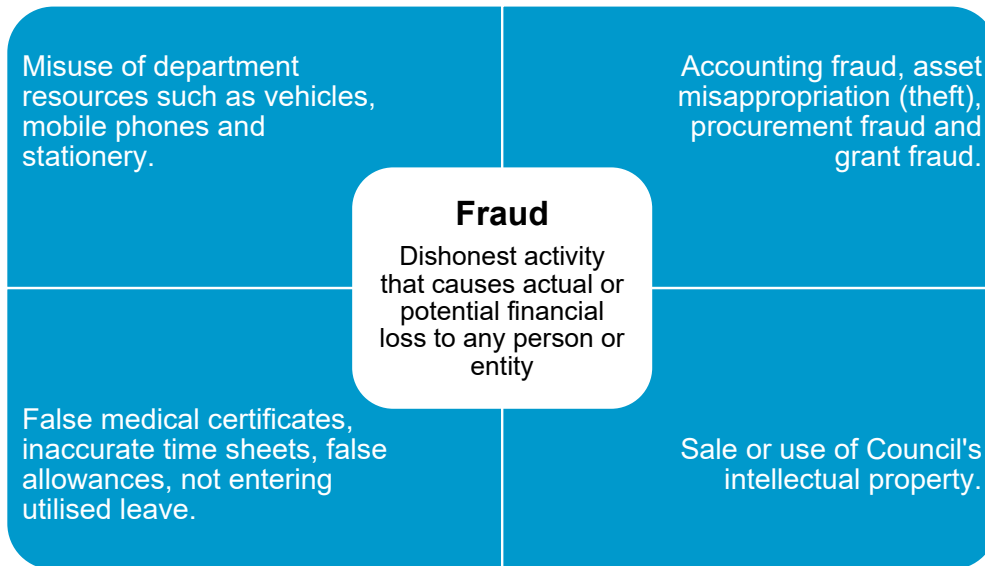
1.5 Supporting Documents

- Employee Code of Conduct
- Model Councillor Code of Conduct
- Councillor Gift, Benefits and Hospitality Policy
- Risk Management Framework
- Procurement Policy
- Disciplinary Policy
- Reward and Recognition Policy
- Public Interest Disclosure Policy
- Audit and Risk Committee Charter
- Australian Standard AS 8001-2021 Fraud and Corruption Control
- AS/NZ ISO 31000:2009 Risk Management Principles and Guidelines
- Employment screening (AS 4811-2006; HB 323-2007)
- Fraud Control in Australian Government Entities Better Practice Guide (Australian National Audit Office)
- Related Victorian legislation, including:
 - *Local Government Act 2020*
 - *Public Interest Disclosures Act 2012*
 - *Public Interest Disclosure Regulations 2019*
 - *Independent Broad-based Anti-Corruption Commission Act 2011*
 - *Charter of Human Rights and Responsibilities Act 2006*
 - *Crimes Act 1958*
 - *Ombudsman Act 1973*
 - *Audit Act 1994*
 - *Privacy and Data Protection Act 2014.*

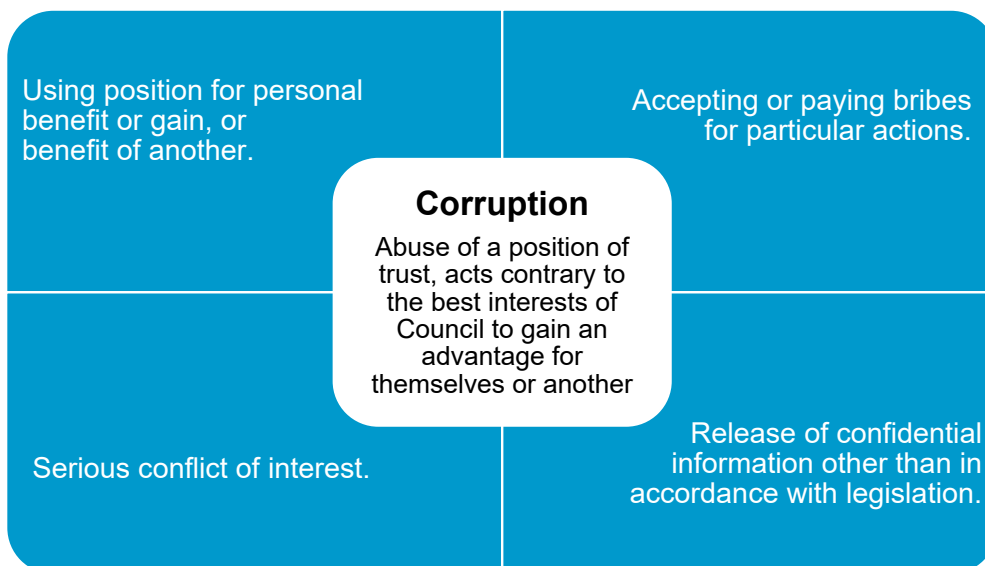
1.6 Definitions and Terminology

Australian Standard Fraud and Corruption Control (AS 8001-2021) provides the following definitions:

Fraud: is dishonest activity causing actual or potential 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. This also 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.



Corruption - is dishonest activity in which a person to whom the framework applies acts contrary to the interests of Council and abuses their position of trust to achieve some personal gain or advantage for themselves or for another person or entity or to disadvantage Council.



Conflict of Interest - a conflict between the public duty and personal interests of a Councillor, Council employee, council volunteer or council contractor that may, or be perceived to, improperly influence the performance of their duties. A conflict can be actual, potential, or perceived.

Disclosure – is a report, made by an individual or group, about improper conduct or detrimental action of Relevant Persons. The conduct may have occurred in the past, is currently occurring or may happen in future. It is not a disclosure if the complaint or allegation is already in the public domain.

Fraud and Corruption Control Framework – the process of planning, organising leading and controlling activity, to direct and control the organisation regarding the implementation of anti-fraud and anti-corruption strategies.

Improper Conduct – is 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 the above corrupt activity. It can also arise from the inaction of an individual or group.

Relevant Persons - Councillors, employees, contractors, sub-contractors, consultants, temporary employees, persons employed through a third-party agency, and volunteers of Council.

1.7 Examples of Fraud and Corruption

Examples of fraud include:

- Theft of money or property, regardless of value.
- Falsely claiming to hold qualifications.
- False invoicing for goods or services not delivered or inflating the value of goods and services.
- Theft or unauthorised passing on of intellectual property or confidential information.
- Falsifying an entity's financial statements to obtain an improper or financial benefit.
- Misuse of position to gain financial advantage.

Examples of corruption include:

- Blackmail, payment, or receipt of bribes.
- A material conflict of interest that is not managed and may influence a decision.
- Nepotism (where a person is appointed to a role because of their existing relationships, rather than merit).
- Manipulation of procurement processes to favour one tenderer over others.
- Gifts or entertainment intended to achieve a specific (intended or unintended) outcome in breach of Council policies.

Further examples of fraud and corruption in a Local Government context are in Appendix A.

Part 2: Framework and Resourcing

Council is the custodian of significant public funds and assets. It is important that the community has assurance that these are adequately protected from fraud and corruption.

Council has developed a structured framework and approach to the implementation and review of fraud and corruption prevention, detection, monitoring and reporting. This Framework is based on the Australian Standard for Fraud and Corruption Control (AS8001-2021) and has been endorsed by the Executive Leadership Team and the Audit and Risk Committee and approved by Council.

Fraud and corruption control is a key risk that forms part of Council's Risk Management Framework. It is a risk that Council actively seeks to identify and limit its exposure to, by reducing the potential opportunity and consequence of fraud and corruption to occur.

2.1 Commitment to Standards of Behaviour

Adherence to the values and standards of behaviour upon which Council's reputation has been built and will continue to be based is fundamental to further building on the partnership, trust and community pride between our Council and the community.

The Employee Code of Conduct, along with relevant legislation, prescribe that employees conduct themselves in accordance with clear principles. The *Local Government Act 2020*, *Local Government (Governance and Integrity) Regulations 2020*, and the Model Councillor Code of Conduct provide the basis for expectations of conduct by Councillors. This includes the requirement that Councillors must:

- Comply with good governance measures.
- Not discredit or mislead Council or public.

2.2 Foundations for Fraud and Corruption Control

This Framework operates within an existing legislative and strategic framework. The diagram below shows the interdependency of a framework with complementary culture, programs, and processes.



2.3 Roles and Accountabilities

Council operates under a distributed assurance model. This model provides that the following groups are involved in effective risk management.

The accountabilities and responsibilities for this Framework are below:



Role	Accountabilities and Responsibilities
Audit and Risk Committee	• Monitor the implementation of this Framework. • Direct and guide the internal audit function and approve, monitor, and manage the annual internal audit plan. • Ensure appropriate internal audit coverage is given to fraud control issues. • Liaise closely with internal and external auditors and ensure issues and recommendations are appropriately actioned.
Chief Executive Officer	• Principal responsibility for fraud and corruption control within Council, ensuring compliance with established policies and procedures and that appropriate governance structures are in place and are effective. • Promote a genuine commitment to fraud and corruption control within Council. • Expeditiously reporting to IBAC, relevant agencies and the Audit and Risk Committee in accordance with this Framework.
Executive Leadership Team	• Promote and implement this Framework across Council. • Establish and maintain an effective internal control environment.

Role	Accountabilities and Responsibilities
	• Provide appropriate organisational focus and effort to ensure proper implementation of this Framework, including the establishment of a fraud awareness program. • Maintain awareness of fraud and corruption risks.
Manager Corporate Integrity	• Review this Framework and related procedures. • Coordinate external investigations with the Chief Financial Officer and make recommendations to the Chief Executive Officer. • Coordinate and provide fraud and corruption training and awareness across the organisation. • Coordinate Council's internal audit program. • Ensure Council maintains appropriate insurance cover.
Chief Financial Officer	• Ensure financial procedures (including payroll) adequately address fraud and corruption risk. • Coordinate access to financial information to audit authorities. • Ensure procurement procedures adequately address fraud and corruption risk. • Coordinate and provide procurement training and awareness that includes fraud and corruption risk in the context of procurement processes. •
Managers and People Leaders	• Establish and maintain effective management practices, systems, procedures and controls within their teams' functions and responsibilities. • Ensure that all Relevant Persons understand their responsibilities through adequate supervision, written procedures, and awareness training. • Be aware of key fraud indicators and symptoms. • Respond positively to matters raised by Internal and External Audit. • Act upon all reports of fraud/corruption in accordance with this Framework.
Relevant Persons* <i>*NB: includes Councillors</i>	• Maintain awareness of fraud and corruption risks and Council's control framework. • Report suspected instances of fraud/corruption or misuse of Council assets and resources. • Comply with the Employee Code of Conduct and all Council policies and procedures.

Part 3: Fraud and Corruption Prevention

3.1 Promoting a robust integrity framework

All management and employees are responsible for the development and maintenance of an ethical culture. To be successful in this goal, Councillors need to demonstrate their support for management's actions in this area, and role-model an ethical culture in the way they go about their roles. The Councillor and Employee Codes of Conduct detail the ethical values and principles that are expected of Councillors and employees respectively.

The Executive Leadership Team will not be complacent and will treat fraud and corruption risks as a serious threat to the organisation. Managers shall set the example regarding exercising and demonstrating high levels of integrity in the execution of their roles and functions, as well as regularly reminding employees of the importance of complying with Council's Employee Code of Conduct, Risk Management Framework, Procurement Policy, and this Framework.

Clear behavioural expectations, and clear consequences for fraudulent or corrupt behaviour, will be communicated at commencement of employment or engagement with Council.

Councillors' responsibilities are prescribed in the *Local Government Act 2020* and the Councillors' Model Code of Conduct. Conduct and behaviour that consistently reflects the legislated responsibilities of Councillors reinforces their respect for their role and that of officers and can further reinforce good governance principles and a commitment to fraud and corruption controls.

3.2 Awareness Raising of Fraud and Corruption Risk

It is important that fraud and corruption is identified and reported at an early stage and that Relevant Persons understand, and have confidence in, the system.

Fraud Awareness Training is an integral part of Council's Induction Program and is Council's initial method for ensuring that all Relevant Persons are aware of their responsibilities for fraud control and of the expectations for ethical behaviour in the workplace.

Managers and People Leaders will receive Fraud Awareness Training designed to inform them of their specific role and additional responsibility as a Manager regarding fraud control. All employees will receive refresher training every two years or as deemed necessary.

A copy of this Framework will be made available to all Relevant Persons. The awareness of Council's risk of fraud and corruption controls will be made available through the following means:

- Access to the Employee Code of Conduct and this Framework will be in onboarding information provided to all new employees with a requirement that they formally acknowledge receipt and reading of the information.
- A dedicated page will be maintained on the Council intranet regarding fraud and corruption. This will include links to all relevant documents in particular the process for reporting allegations.
- Fraud and corruption awareness training is available via Council's e-learning tool. This learning will be a compulsory training module upon commencement with the organisation.
- Fraud and corruption awareness training will be conducted with Councillors at the beginning of their term with a refresher annually.
- Any substantive changes in this Framework will be communicated to all Relevant Persons.

3.3 Internal Audit Activity

Internal audit supports fraud prevention by ensuring employees conform to internal controls, and by deterring potential perpetrators with the increased prospect of being caught. It has a key role in detection of fraud and provides necessary inputs into Council's responses to fraud.

The Manager Corporate Integrity will ensure that internal audit schedules or plans adequately address Council's fraud risk exposures and adequately test Council's fraud risk controls. If deemed necessary, Council may utilise the role of the internal auditor in the investigation and reporting of any suspected fraud or corrupt activity.

3.4 External Environment Scan

Council receives regular updates from integrity agencies about fraud and corruption matters, including investigations into Local Government and other public agencies. The Manager Corporate Integrity will review these reports for relevance to Council and ensure the Senior Leadership Team reflects on recommendations and learnings that are relevant to the operations of Council.

3.5 Fraud and Corruption Risk Management

The Executive Leadership Team is responsible for Council's overall management of risk and comprises the Chief Executive Officer, Chief People Officer and Directors. The Manager, Corporate Integrity will attend meetings where fraud and corruption matters are on the agenda.

The Executive Leadership Team will discuss fraud and corruption control on a frequent basis to continually identify, review, and manage Council's risk exposure.

To ensure all aspects of fraud and corruption risk exposure are clearly understood and to effectively implement control measures, the Executive Leadership Team will make recommendations on further treatments that can be implemented to control the risk of fraud.

A Fraud and Corruption Control Committee will be established to report to the Executive Leadership Team on a quarterly basis prior to each Audit and Risk Committee. The Committee will be chaired by the Manager Corporate Integrity. Other members of the Committee will be the Manager Digital Services, Chief Financial Officer, Manager People Experience and other Managers as the Committee determines to be required.

A fraud and corruption risk assessment will be conducted every two years or following any significant changes to systems, operations, or procedures, to identify:

- a) fraud and corruption risks, whether their sources are internal or external to Council or from the collaboration of internal and external parties;
- b) controls in place to prevent or detect fraud and/or corruption;
- c) the severity of fraud and corruption risks; and
- d) additional controls that are required to reduce fraud and corruption risks to tolerable levels.

A fraud and corruption risk assessment will be conducted of any new, or significantly revised, Council system deployed. To assist in the undertaking of fraud and corruption risk assessments, an assessment questionnaire has been prepared and appended to this Framework (Appendix E).

The Manager Corporate Integrity is responsible for coordination of fraud and corruption risk assessments; however, each Manager is responsible for the identification of potential exposure of fraud

and corruption in their work areas and the development, implementation and monitoring of internal controls (systems, processes, and procedures) to minimise risks. The risks, treatments and controls identified through the risk assessment process will be recorded and reported through the Risk Register.

As a minimum, the following risks will be assessed:

- Theft of cash
- Theft/misuse of assets
- Misuse of confidential corporate information
- Conflict of Interest (including nepotism)
- Accounts payable
- Payroll practices
- Procurement
- Grant fraud
- Technology and information security, including cyber fraud
- Recruitment
- Misuse of credit cards.

3.6 Councillor Interaction with Developers Policy

A Councillor Interaction with Developers Policy will ensure the interactions of Councillors with developers, submitters and lobbyists are open, transparent and accountable. The policy will assist to avoid actual or perceived conflicts of interest and mitigate lobbying-related risk to minimise opportunities for misconduct or corrupt behaviour.

The policy will apply to all contact between Councillors, developers, submitters and lobbyists in Hobsons Bay City Council with regard to planning matters outside of a Council Briefing, a Council Meeting or a Hearing of Submissions meeting.

3.7 Managing Conflicts of Interest

Managing conflicts of interest is about transparency of relationships between people/issues and decision-makers and underpins the integrity of Council's decision-making processes. It is vital that the private interests of Councillors and employees do not affect decision-making at Council.

Section 126 of the *Local Government Act 2020* defines conflicts of interest as being either 'general' or 'material' in nature:

- Relevant Persons may have a **general conflict of interest** in a matter if an impartial, fair-minded person would consider that their private interests could result in them acting in a manner that is contrary to their public duty.
- Relevant Persons may have a **material conflict of interest** in a matter if it could result in a benefit of loss for the individual or people with specific relationships to the individual.

To mitigate the risk of fraud and corruption, Relevant Persons are required to disclose any conflict of interest and exclude themselves from the decision-making process. This includes when employees or volunteers exercise a power of delegation or a statutory power, duty, or function, including actions taken as an authorised officer.

Relevant Persons are provided training and guidance with respect to managing conflicts of interest.

3.8 Managing risks connected to gifts, hospitality, donations and similar benefits

Relevant Persons should not accept any gift, hospitality, donation, and/or similar benefit if it is likely to be perceived by a 'reasonable person' as intended to influence them in the fair, impartial and efficient discharge of their duties as Relevant Persons.

Council has adopted a Gifts, Benefits and Hospitality Policy for Councillors and Staff that applies to Councillors, employees and any individuals or groups undertaking activity for, or on behalf of, Council.

Relevant Persons are provided training and guidance with respect to managing gifts, hospitality, donations, and similar benefits. Under circumstances, where a gift, hospitality, or token benefit is accepted, declarations are recorded.

A register of disclosed gifts, benefits and hospitality is maintained by the Manager Corporate Integrity and records sufficient information to effectively monitor, assess and report on matters. This register is reported to the Executive Leadership Team and the Audit and Risk Committee at a frequency appropriate to manage any risks. A public register is also published to the Council website to give the public confidence that the offering of gifts, benefits and hospitality is appropriately managed to avoid influence in decision making and prevent fraud and corruption occurring.

3.9 Employment screening

Employment screening will be undertaken for all new employees. This screening process will reduce the risk of a potential security breach and will provide a high level of assurance as to the integrity, identity, and credentials of prospective employees.

The following screening shall be undertaken with the express consent of the individual concerned for prospective employees:

- Verification of identity requiring at least two forms of identity (passport, birth certificate, drivers' licence, rate certificate, at least one must include photo identification).
- Police criminal history check for all positions.
- Working with Children Check for identified positions.
- Reference checks with two most recent employers.
- Consideration of any gaps on employment history and the reasons for the gaps.
- Verification of formal qualifications claimed, where required for the position.

3.10 Job rotation and excess annual leave

Where possible, individual business teams and units will regularly consider job rotation for positions where there are multiple officers undertaking the same or similar functions and the position is deemed a high risk from a fraud or corruption perspective, e.g., local law enforcement, parking enforcement, planning officers, contract management, cash handling or others as determined.

Excess leave will be monitored by the Executive Leadership Team on a quarterly basis to ensure excess leave is proactively managed.

3.11 Supplier vetting

Council will undertake supplier vetting for new and ongoing suppliers in accordance with existing practices.

Financial and/or performance assessments are to be undertaken where the contract poses a key financial risk to Council or where it is a new contractor that has never been used by Council before and the risk of poor performance or financial collapse is likely to adversely affect Council.

Financial and performance assessment checks may also be undertaken where Council wishes to understand the financial and previous contract performance of the contractor or if no security is in place.

3.12 Volunteer management

Volunteers of Council perform similar functions to employees and have similar responsibilities with respect to Council's financial and physical assets. Accordingly, the controls aimed at prevention covered throughout this framework are equally applicable to Council volunteers, who are expected to adhere to the standards of behaviour and ethics outlined by this Framework as they would if they were a Council employee.

3.13 Preventing 'Technology-Enabled' fraud

Council acknowledges the emergence of cyber fraud as a significant fraud risk and particularly phishing campaigns. Phishing campaigns infiltrate corporate networks by sending authentic-looking fraudulent emails to users in an organisation and tricking them into performing actions such as downloading attachments or clicking on links. Council uses Microsoft advanced threat technologies to detect and filter out malicious emails and phishing.

Part 4: Fraud and Corruption Detection

Council's detection program includes internal financial controls, annual internal audit plan, annual financial statement external audit, Audit and Risk Committee oversight, review of risk strategies and various reporting avenues.

4.1 Detecting Fraud

All Council systems and processes are to incorporate audit trails, transaction reporting and analysis functionality that will enable fraudulent transactions or acts to be identified, reviewed, and referred to an appropriate authority for investigation. Records shall be retained by Council for a minimum of seven (7) years.

The Executive Leadership Team and Managers shall ensure that controls are implemented within systems and work practices for the prevention and detection of fraud.

4.2 Empowering Employees to Identify Early Warnings

All employees should be aware of their responsibilities and are required to remain vigilant to identify and report any suspected fraudulent activity.

Employees will be provided fraud prevention training that includes learnings from case studies and how to detect early warning signs to enable them to detect potential fraud or corruption. This will include

encouraging employees to 'question the unquestionable' and create appropriate pathways to do that. Information will be presented in everyday language that is relevant to their work environment, ensuring it is localised and meaningful.

Employees will be encouraged to identify early warning signs that can include:

4.2.1 Transactional Red Flags

- Transactions occurring at an unusual time.
- Frequency of transaction is unusual.
- Place of transaction is unusual.
- Amount of transaction is unusual.
- Relationship between persons is unusual (e.g., related parties).
- Level of responsibility is unusual (e.g., management performing clerical).

4.2.2 Behavioural Red Flags

- Employee lifestyle changes.
- Significant personal debt problems.
- Creditors or collectors appearing at the workplace.
- Refusing vacations, sick leave, or promotions.
- A strong desire to 'beat the system'.
- Persistent or unnecessary control of records.
- Lack of strong code of personal ethics.
- Insistence on working unusual or non-standard hours when not required.
- Avoidance or delay in provision of documentation or evidence e.g., to audit.

4.3 Data Analytics

The application of sophisticated (and sometimes unsophisticated) software applications and techniques where a series of suspect transactions can be identified and then investigated which can identify anomalies at an early stage.

4.4 External Auditor's Role in the Detection of Fraud

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 takes an active role in considering VAGO's Closing Report and Management Letter. VAGO ultimately issues its findings in an Independent Auditor's Report, published in Council's Annual Report.

4.5 Reporting by Internal Parties

Council takes fraud and corruption very seriously and does not accept fraudulent or corrupt behaviour in any form or to any degree. It encourages all employees to maintain awareness and vigilance regarding fraud and corruption.

All Councillors and employees are encouraged to assist Council to prevent fraud and corruption by:

- identifying suspected or potential fraudulent and corrupt activities; and
- reporting any such activities in order that those activities are investigated.

Council will ensure that people have multiple channels for reporting any suspicions of real or potential fraud and corruption. Internal reporting avenues include notifying:

- the Chief Executive Officer (for reporting by Relevant Persons or community members); or
- People Leaders or Managers or Executive Leadership Team (for employee reporting only); or
- Public Interest Disclosure Officer (Manager Corporate Integrity) (for reporting by Relevant Persons or community members).

All reports involving corrupt conduct reported to a Manager, People Leader, or employee must be forwarded to the Chief Executive Officer.

Any report regarding the Chief Executive Officer should be reported directly to an external party and not disclosed to any Councillor or employee of Council. External reporting avenues include notifying:

- the Local Government Inspectorate on 1800 469 359, or
- the Independent Broad-based Anti-Corruption Commission (IBAC) on 1300 735 135, or
- the Victorian Ombudsman on (03) 9613 6222.

Other reporting avenues include notifying:

- the Internal Auditor; or
- the Audit and Risk Committee Chair.

The internal Auditor or Audit and Risk Committee Chair will refer the notification to an authorised external body and/or notify the Chief Executive Officer provided always that any request for non-identification of the discloser will be maintained.

Alleged criminal conduct will be reported to Victoria Police as appropriate, and serious improper conduct to IBAC, as required by law.

4.6 Reporting by External Parties

From time-to-time employees of external parties such as suppliers may become aware, or suspicious, that Council employees are engaging in fraudulent or corrupt behaviour. Encouraging and enabling reporting of this behaviour is an important part of a fraud and corruption control program.

The Chief Financial Officer should ensure that procurement procedures include:

- making new suppliers aware of Council's fraud and corruption control procedure;
- encouraging them to report fraudulent or corrupt behaviour, or suspected behaviour; and
- providing them with the contact details of the Manager Governance.

4.7 Exit Interviews

Council will, by agreement with departing employees, undertake exit interviews with the objective, amongst other things, of eliciting relevant information about fraudulent or corruption events that the employee may have been involved in, aware of or have suspicions about. Any information received about these matters will be reported to the Manager Corporate Integrity for action in accordance with Part 5 of this Framework.

4.8 Public Interest Disclosure

Under the *Public Interest Disclosures Act 2012*, persons can make disclosures to Council and/or IBAC about improper conduct and detrimental action in relation to the activities and functions of Council. This is encouraged where any person wishes to access the protections afforded by the *Public Interest Disclosures Act 2012*. Council's Public Interest Disclosure Policy will be available on the Council website.

Disclosures about improper conduct or detrimental action by Councillors should be made to the IBAC or to the Ombudsman. If Council receives a misdirected disclosure about a Councillor, such disclosures will be assessed by the Chief Executive Officer and managed in accordance with Council's Public Interest Disclosure Policy.

A public interest disclosure can be made to:

- Council's Public Interest Disclosure Officer (Manager Corporate Integrity).
- IBAC

Level 1, North Tower

459 Collins Street

Melbourne Vic 3000

Postal address: GPO Box 24234, Melbourne VIC 3001

Telephone: 1300 735 135

Website: www.ibac.vic.gov.au

Part 5: Responding to Fraud and Corruption Incidents

This part provides direction about procedures for dealing with suspected or detected fraud and corruption.

5.1 Mandatory Reporting

The Chief Executive Officer must notify IBAC of any matter they suspect on reasonable grounds to involve corrupt conduct occurring or having occurred, and suspected corrupt conduct occurring in other organisations where it relates to the Chief Executive Officer's duties, functions, and exercise of powers. This obligation cannot be delegated and exists regardless of the scale of the matter or people involved.

Where another person is acting as the Chief Executive Officer, the obligation applies to that person.

The notifications must be made as soon as practicable after the Chief Executive Officer has formed a reasonable suspicion that corrupt conduct may have occurred or may be occurring. An assessment as to whether a matter must be notified to IBAC should be made based on the material available to the Chief Executive Officer.

For all matters subject to Mandatory Reporting to IBAC, no action will be taken until IBAC has assessed the matter and informed the Chief Executive Officer of its decision. Exceptions apply where the action is:

- necessary to lessen or prevent a serious threat to the life, health, safety, or welfare of an individual or to public health or safety; or
- taken to comply with another legal obligation, such as a duty to report the matter under other legislation; or
- reporting the matter to Victoria Police.

5.2 Investigations

All reported fraudulent or corrupt behaviour, or suspected behaviour, that is referred to Council by IBAC will be investigated by Council, an external investigator appointed by Council, or Victoria Police. The purpose of an investigation is to:

- Determine if in fact fraudulent or corrupt behaviour has been committed.
- Identify the person(s) responsible for the fraudulent or corrupt behaviour.
- Discover the extent of the fraudulent or corrupt behaviour and determine the action to be taken.
- Provide the basis of any insurance claim.
- Identify how long the fraudulent or corrupt behaviour has been occurring and thereby the extent of the breakdown of internal controls.
- Identify any gaps or weaknesses in the controls and systems associated with the activity that is subject to the investigation.

Upon advice that a report of fraudulent or corrupt behaviour, or suspected behaviour, will not be investigated by IBAC, the Manager Corporate Integrity, will as soon as practicable ensure that an investigation is conducted into the alleged misconduct.

The Chief Executive Officer will be consulted and decide whether the police or any external assistance will be employed. The Chief Executive Officer is responsible for the selection of the employees to be involved in the Investigation team, in consultation with the Manager Corporate Integrity. This may include referring the investigation to Council's Internal Auditor for action.

Where Council determines that the matter should be investigated by Council, or an external investigator appointed by Council, it will:

1. Conduct an investigation into the matter; and
2. Determine a course of action once the findings of the investigation are available.

The Chief Executive Officer will remain impartial to any investigation and not be a member of any Investigation Team.

1.1.1. External Investigation

The Chief Executive Officer may decide that the investigation should be conducted by an external party, or the matter referred directly to Victoria Police.

Victoria Police

The trigger for direct referral to Victoria police being clear evidence of criminal activity or a suspicion of criminal activity based on reasonable grounds. Any referral direct to Victoria Police will be coordinated by the Manager Corporate Integrity.

External Party (auditor) engaged by Council

The trigger for external investigation will be any matter that cannot be adequately resourced internally either by way of complexity or drain on internal resources.

Further, an external investigation will be conducted where the matter potentially involves employees ordinarily in the key chain of internal investigation including the Chief Executive Officer, a Director, Manager Corporate Integrity, Manager People and Culture, Chief Financial Officer, or where it is suspected to be a systemic issue.

The Manager Corporate Integrity will consider the report from the external investigation and make recommendations to the Chief Executive Officer as to the most appropriate course of action as soon as practicable.

1.1.2. Internal Investigation

The investigation should be conducted as quickly as practicable, including but not limited to the following steps:

1. Develop the terms of reference, identifying:
 - 1.1. Confirming who should conduct the investigation.
 - 1.2. Who should be interviewed.
 - 1.3. What records should be examined.
 - 1.4. Who should be kept informed, on a 'need to know' basis.
2. Conduct the investigation (see checklist):
 - 2.1. Collect witness statements.
 - 2.2. Examine records.
 - 2.3. Conduct the interviews based on the presumption of innocence.
 - 2.4. Persons against whom allegations are made should be made aware of the nature of the allegations and given an opportunity to respond within a reasonable timeframe.
 - 2.5. They should be allowed a support person in the interviews, but that person may not represent them or provide comment.
 - 2.6. All parties to maintain confidentiality and propriety at all times.
3. Compile a report.
 - 3.1. Conclusions as to the likely truth or otherwise of the allegations.
 - 3.2. Comment on the breadth and seriousness of the misconduct.
 - 3.3. Report on any detected gaps or weaknesses in the controls and systems associated with the alleged activity.

4. Register the report in Council's record management system using a highly restricted security classification.

The Manager Corporate Integrity will consider the report and make recommendations to the Chief Executive Officer as to the most appropriate course of action as soon as practicable.

5.3 Responses to Investigation

The Chief Executive Officer, upon receipt of recommendations from the external or internal investigation, should decide on the most appropriate course of action, and act or delegate actions accordingly, as soon as practicable. Council's responses to investigations may include disciplinary action, reporting to Victoria Police, and/or civil action to recover losses.

Disciplinary action

The Manager People and Culture will coordinate disciplinary action in accordance with Council's Disciplinary Policy.

Reporting to Victoria Police

The Manager Corporate Integrity will coordinate the reporting of the investigation outcome to Victoria Police.

Civil action to recover losses

Council may 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.

The Manager Corporate Integrity will coordinate any civil action taken by Council to recover losses incurred as a result of the fraud or corruption.

5.4 Confidential Record Keeping

The Manager Corporate Integrity will maintain a confidential register to record reports of fraudulent and corrupt behaviour, or suspected behaviour, and investigation outcomes.

All investigative documentation will comply with relevant legislative provisions, will remain strictly confidential and will be retained in accordance with the Council's Privacy and Data Protection Policy and Council's record management system controls.

5.5 Disciplinary Procedures

Any employee who has had fraud or corruption allegations substantiated will be subject to disciplinary action in accordance with Council's disciplinary procedures established and documented by the People and Culture Department.

Consequences for employees found to have committed, or attempted to commit, fraud and/or corruption may include, but are not limited to:

- dismissal
- warnings

- repayment of misappropriated funds and associated costs
- referral to the IBAC or other integrity agencies.

Actions of fraud and corruption may result in criminal prosecution.

The Chief Executive Officer will have ultimate discretion in this respect having regard to the specific circumstances of each individual case.

5.6 Internal Reporting and Escalation

The Manager Corporate Integrity is the custodial owner of the Allegation Register and ensures all incidents or near misses are recorded in the register. Allegation Reports for high or above rated fraud and corruption related incidents will be tabled at an Executive Leadership Team meeting.

Pursuant to its Charter, the Audit and Risk Committee will receive reports regarding actual or suspected instances of fraud or corruption, serious misconduct, or breaches of ethical standards, including:

- Analysis of action taken to address such matters.
- Actions taken to report such matters to the appropriate integrity bodies.
- Any findings and examinations by regulatory or external agencies, and internal or external audit.

Reporting to the Audit and Risk Committee occurs through the Chief Executive Officer's report in the Committee's agenda, or directly and/or out-of-session if warranted.

Council receives copies of the Audit and Risk Committee's agenda and minutes which provides transparency of reported issues to Councillors, and the Audit and Risk Committee may make specific recommendations to Council if it deems this to be appropriate.

5.7 External Reporting

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.

Such law enforcement or regulatory agencies may include:

- Independent Broad-based Anti-Corruption Commission (IBAC) on 1300 735 135, or
- Local Government Inspectorate on 1800 469 359, or
- Victorian Ombudsman on (03) 9613 6222; or
- Victoria Police – 131 444 (Police Assistance Line for non-urgent crimes or events).

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 the IBAC of any matter which the person suspects on reasonable grounds involves corrupt conduct occurring or having occurred (Section 57).

5.8 Recovery of Stolen Funds or Property

Council may 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.

5.9 Insuring Against Fraud Events

Council will maintain a fidelity guarantee 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 by the Coordinator Risk and Insurance alongside Council's other insurance policies.

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

5.10 Assessing Internal Controls, Systems and Processes

Where fraud or corruption is detected, the relevant service Manager, in consultation with the Manager Corporate Integrity and/or the Coordinator Risk and Insurance, will review the findings and assess the adequacy of the relevant internal control environment and provide a report to the Executive Leadership Team on any recommended improvements identified.

Where internal controls may be practicably improved, the Relevant Responsible Officer will ensure as soon as practicable that those improvements are developed, documented, and implemented, and understood by those who have roles and responsibilities in them.

Document control and Version History

Policy Name	Fraud and Corruption Control Framework
Responsible Directorate	Corporate Services
Policy Owner	Manager Corporate Integrity
Policy Type	Council Policy
Date Adopted by	TBC
Review Date	June 2030

Version Number	Date	Authorised by
001	TBC	Council

Appendix A: Examples of Fraud and Corruption

Examples of Fraud

General

Theft of funds, assets, plant, equipment, or information

- Unauthorised use of Council equipment or materials for personal benefit.
- Causing a loss or avoiding creating a liability by deception.
- False invoicing (involving an employee member creating a fictitious invoice claiming payment for goods or services not delivered or exaggerating the value of goods delivered or services provided).
- Accounts receivable fraud (misappropriation or misdirection of remittances received from a debtor).
- Credit card fraud involving the unauthorized use of a credit card or credit card number issued to another person, including use of purchasing card to buy goods or services for personal use.
- Providing false or misleading information.
- Making false or misleading financial reports.
- Release or use of misleading or inaccurate information for the purposes of deceiving or misleading, or to hide wrongdoing.
- Misuse of position to gain some form of financial advantage.
- Theft of intellectual property or other confidential information.
- Bribery or kickbacks.

Payroll/Timesheet Fraud

- Time in lieu claimed but not worked.
- Overtime claimed but not worked.
- Not recording leave taken on timesheet.
- Forgery of manager's signature.
- Fraudulent medical certificates.

Unauthorised Use of Council Assets

- Unauthorised private use of Council vehicles.
- Taking supplies for private use.
- Taking equipment for private use.

False Claims for Reimbursement

- Claiming for non-work related costs.
- Claiming for costs not actually incurred.

Recruitment Fraud

- Fake qualifications.
- Fictitious former employers or roles.
- Fake references.

Examples of Corruption

Corruption includes Relevant Persons:

- Being targeted by external parties seeking to gain an improper benefit.
- Targeting external parties or other internal parties in seeking to gain an improper benefit.
- Payment or receipt of secret commissions (bribes), which may be paid in money or in some other form of value to the receiver (e.g., building projects completed at an employee's private residence).
- Release of confidential information for other than a proper business purpose in exchange for some form of non-financial benefit or advantage accruing to the employee releasing the information.
- Solicitation of donations (of any value) for an improper political or private purpose.
- Senior employees acting in their own self-interest rather than the interests of Council (e.g., failing to declare a conflict of interest in a decision).
- Nepotism and cronyism where the appointee is inadequately qualified to perform the role to which he or she has been appointed.
- Manipulation of the procurement process by favouring one tenderer over others or selectively providing information to some tenderers. This may involve allowing tenderers to resubmit a 'non-complying' tender after being provided with the details of other bids.
- Gifts or entertainment intended to achieve a specific or generic commercial outcome in the short or long-term – in breach of Council's Gifts, Benefits and Hospitality Policy.
- Blackmail of staff to achieve improper benefit.

Appendix B: Fraud Investigation Checklist

Fraud investigations should be designed to be relevant and responsive to the circumstances. The following is provided as guidance to officers involved in investigations:

- ☐ A complete description of the allegations or suspected events
- ☐ The name and position of any public official/s alleged to be involved
- ☐ The name/s of the person/s who made the allegation/s
- ☐ The names and role of any other person/s relevant to the matter
- ☐ The dates and/or time frames in which the alleged conduct occurred
- ☐ A brief analysis of why the events in question may be corrupt conduct
- ☐ A brief analysis of the basis for forming a reasonable suspicion about the events in question
- ☐ An indication as to whether the conduct appears to be a 'one-off- event or part of a wider pattern or scheme
- ☐ The date the allegation was made or the date you became aware of the conduct
- ☐ How you became aware of the conduct
- ☐ What has been done about the suspected conduct, including notification to any other agency (e.g., Police or Victorian Ombudsman)
- ☐ What further action you propose
- ☐ The approximate amount of money or value of resources (if any) involved
- ☐ Any other indicators of seriousness
- ☐ Any other information deemed relevant to the matter
- ☐ Copies of any relevant documents
- ☐ The name of the relevant contact officer

Appendix C: Points of Contact for Reporting

Reporting by employees of fraud and corruption is one of the main avenues through which fraud and/or corruption is uncovered. To assist with this, the following Fraud and Corruption Control Employee Guide has been developed to provide employees with a broad understanding of what constitutes fraud or corruption and what 'red flags' to look out for.

Activity involving ...	Report to
A fellow employee, contractor, or volunteer	Departmental Manager
	Manager Corporate Integrity
	Chief Executive Officer
Manager	Chief Executive Officer
Director	Chief Executive Officer
Chief Executive Officer	Mayor
	Independent Broad-based Anti-Corruption Commission (IBAC)
	Local Government Inspectorate
Mayor or Councillor	Chief Executive Officer
	Independent Chair of the Audit and Risk Committee
	Independent Broad-based Anti-Corruption Commission (IBAC)
Non-staff member	Departmental Manager
	Manager Corporate Integrity
	Chief Executive Officer

Appendix D: Frequently Asked Questions

Can I remain anonymous?	• Yes
Who will see my report (if made to Council)?	• The person you made the report to. • Department Managers (as applicable). • Manager Corporate Integrity • Chief Executive Officer. • IBAC (depending on seriousness). • Victoria Police (depending on seriousness).
What happens to my internal report?	• The Manager Corporate Integrity will assess and advise the Chief Executive Officer about the veracity of the report. • The Chief Executive Officer will report to IBAC as per mandatory reporting obligations.
What happens to my external (non-Council) report?	• Your report may be sent to IBAC or another integrity agency for investigation. • IBAC may refer the matter back to Council. If that is the case, the Chief Executive Officer will decide if the matter should be investigated internally, externally or referred to Victoria Police.
I know about 'Whistleblowers', but I don't see it anywhere?	• 'Whistleblowers' has been replaced by 'Public Interest Disclosures' in Victoria. • These types of disclosure ensures that people who report improper conduct and corruption in the Victorian public sector can do so with the knowledge that they will be protected.

Appendix E: Fraud Risk Assessment Questionnaire

Fraud Risk Assessment Questionnaire

Department..... Manager's Name.....

Question	Response	Comments/Actions
1. What is the location of your Directorate or Team?		
2. How many employees are employed in your area (full-time, part-time, and casual).	Full-time: Part-time: Casual:	
3. Does your Directorate require Police Checks to be undertaken prior to employing new employees?	YES/NO	
4. Does your Directorate undertake background checks prior to employing new employees?	YES/NO	
5. What is the total of your Directorate's annual operational budget? <i>i.e.</i> , total income, total expenditure.		
6. Does your Directorate utilise a range of Council assets, and if so what are they? <i>e.g.</i> , vehicles, plant, equipment, computers.		
7. Provide a brief summary of the services provided by your Directorate, including identifying your customer base (both internal and external, where applicable).		
8. Does your Directorate use the services of external contractors or consultants? If so, provide details of type, value, frequency, and context of same.		
9. Has your Directorate ever been subject to internal audit reviews? If so, when and in what areas?		
10. Does your Directorate have documented policies and procedures for operations?	YES/NO	
11. Does your Directorate handle cash or any other means of financial instruments for transactions? <i>e.g.</i> , cheques, credit cards etc. If so what levels of income are derived p.a.?		

Question	Response	Comments/Actions
12. Does the Directorate utilise or control accessible assets that could be easily stolen or misused? If so, please detail, e.g., computers, minor transportable equipment.		
13. Does your Directorate possess intellectual property which could be commercially traded or has a cash value? e.g., specific technical or business expertise. If so, please detail.		
14. Does your Directorate provide or have information that could be commercially traded or has a cash value? e.g., data base information. If so, please detail.		
15. Is there scope for Directorate employees to misuse facilities (e.g., private work in Council time; abuse of cars, telephones, computers, copying facilities etc)?		
16. Does the Directorate, or do employees within the Directorate, have public, client or business relationships which could potentially lead to offers of inducement for preferred treatment/service etc?		
17. Are there any legislative or statutory restrictions that affect the way your Directorate delivers services? If so, briefly explain.		
18. Does the Directorate operate under stringent deadlines, productivity pressures or economic variances which can materially impact on service provision?		
19. Is there continuity in personnel involved in the Directorate's control systems?	YES/NO	
20. Are the Directorate's physical asset security measures adequate?	YES/NO	
21. Is the Directorate involved in material levels of purchasing? e.g., greater than \$10,000 p.a.	YES/NO	
22. Is the Directorate involved in the allocation of funding to clients?	YES/NO	
23. Is the Directorate involved in billing clients?	YES/NO	
24. Does your Directorate use a Corporate Credit Card for payment of goods or services?	YES/NO	

Question	Response	Comments/Actions
25. Are the Directorate's management or employees involved in recording variable working hours for payroll purposes?	YES/NO	
26. Is the Directorate involved in collecting debts?	YES/NO	
27. Does your Directorate procure the services of contractors either by purchase order or Contract? If so, please advise how many.	YES/NO	
28. Does the Directorate have procedures for recording acquisitions, disposal and maintenance of assets?	YES/NO	
29. Do any of the Directorate's information technology systems present opportunities for fraudulent behaviour by employees or misuse by the public?		
30. Do you believe the accountability/control systems in your Directorate are adequate, and if not, what areas could be improved?		
31. Does the Directorate have any unique characteristics that could adversely affect fraud control?		
32. Do you believe your Directorate could in any way be perceived as an easy target for fraud? If so, please elaborate.		
33. Has your Directorate experienced in the last 5 years any issues of fraud or corrupt activity? If so, please elaborate and specify what was the function being performed.		

7.2.5 Planning Delegations Review

Directorate: Sustainable Communities

Responsible Officer: Manager Planning, Building and Health Services

Attachments:

1. Statutory Planning Delegation Guidelines DRAFT 230726 [7.2.5.1 - 6 pages]
2. S6 Instrument of Delegation to Members of Council Staff (updated Planning Delegations) [7.2.5.2 - 107 pages]
3. S6 Instrument of Delegation to Members of Council Staff (mark-up) [7.2.5.3 - 108 pages]

Purpose

To provide the review of the statutory planning delegation thresholds adopted by Council in September 2025 and to update Statutory Planning delegations.

Recommendation

That Council:

1. **Adopts the Statutory Planning Delegation Guidelines at Attachment 1.**
2. **In the exercise of the powers conferred by the legislation referred to in the Instrument of Delegation at Attachment 2, resolves that:**
 - 2.1. **There be delegated to members of Council staff holding or acting in the positions referred to in the Instrument of Delegation to members of Council staff (Attachment 2), the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that instrument.**
 - 2.2. **The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and Mayor.**
 - 2.3. **On the coming into force of the instrument the previous S6 Instrument of Delegation to members of Council staff (other than the Chief Executive Officer) as adopted on 28 April 2026 is revoked.**
 - 2.4. **The duties and functions set out in the instrument must be performed and the powers set out in the instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

Executive Summary

1. In September 2025, Council revoked the Delegated Planning Committee and adopted revised statutory planning delegation thresholds for when planning permit applications are referred to Council. Council also resolved to receive a further report within six months reviewing the amended delegations and their effectiveness. This report provides that review.

2. The review found that the current thresholds are not operating as intended. Since September 2025, three applications have been referred to Council. These applications were modest in scale and were referred because of objection numbers, rather than because of strategic significance. All three exceeded statutory decision timeframes, and one resulted in a VCAT failure-to-decide appeal.
3. It is proposed to update the delegations for statutory planning matters in accordance with the Draft Statutory Planning Delegation Guidelines at Attachment 1. The Guidelines provide clearer criteria for when an application should be determined by Council. They retain Council decision-making for strategically significant applications, or applications of broad community interest, while allowing routine applications to be determined by officers under delegation.

Background

4. At the Council Meeting on 23 September 2025, Council resolved that planning permit decisions would be referred to Council where certain thresholds were met. These included where applications received 15 or more individual objections, development proposals exceeded \$10 million in value, applications exceeding preferred height controls, Ministerial applications, Council projects over \$10 million, and applications that may significantly affect community amenity or raise matters of strategic sensitivity.
5. The September 2025 report noted that over the previous five years, most applications considered by the former Delegated Planning Committee had met the objection threshold but were not strategically significant or transformative. It also noted that an objection-based threshold can result in applications being referred to Council based on the volume of submissions received rather than the planning merit, strategic significance or broader community impact of the proposal.
6. Council requested a review of the amended thresholds within six months. This report responds to that resolution and considers whether the thresholds are achieving the intended balance between Council oversight, efficient decision-making and good governance.

Discussion

Review of current delegation thresholds

7. Since the amended delegations were adopted, three planning permit applications have been referred to Council for decision. These applications were referred because they met the objection threshold. They were not strategically significant applications and did not generate broad community interest beyond the immediately adjoining properties.
8. The applications referred to Council have been modest in scale and have not raised the type of broad municipal or strategic issues that would generally require a Council decision.

9. Two of the three applications were residential townhouse proposals assessed under codified, deemed-to-comply provisions. For these applications, Council's discretion is limited. If an application meets the relevant planning requirements, Council may have little or no lawful basis to refuse it, even where objections are received.
10. All three applications exceeded statutory decision timeframes. These delays were caused by the additional time required to prepare Council reports, meet agenda deadlines and accommodate Council meeting dates. This creates uncertainty for applicants and objectors and increases exposure to VCAT failure-to-decide appeals.
11. The current framework therefore does not provide the right balance between Council oversight and efficient statutory decision-making. It elevates some routine applications to Council while adding delay and risk to the planning process.

State planning reform and integrity context

12. The planning system has changed significantly since the former Delegated Planning Committee was removed and delegation thresholds updated. State-led reforms have introduced faster and more codified planning assessment pathways. These changes reduce Council's discretion for some applications and place greater emphasis on timely and consistent decision-making.
13. State Government guidance also supports a delegation-by-exception approach for local government planning decisions. This means most planning permit applications should be determined by appropriately qualified Council officers, with only clearly defined significant matters referred to Council. This approach supports timely decision-making and allows Councillors to focus on strategic planning direction and matters of broad community interest instead of routine planning permit applications.
14. Recent IBAC reports also support a clearer and more transparent decision-making framework for planning matters. The Operation Sandon investigation into Casey City Council identified corruption vulnerabilities in planning decision-making and supported reforms to reduce integrity risks, including limiting councillor involvement in statutory planning decision-making. Operation Leo, which examined allegations of bribery and misconduct by councillors at Moonee Valley City Council, further highlighted risks where councillors bypass proper processes, seek to influence decisions outside formal channels or fail to manage conflicts of interest.
15. A clear delegation framework helps manage these risks by setting transparent criteria for when Council will make a statutory planning decision.

Proposed Statutory Planning Delegations Guidelines

16. It is proposed to update Council's statutory planning delegations in accordance with the Draft Statutory Planning Delegation Guidelines at Attachment 1.
17. The proposed Statutory Planning Delegation Guidelines are intended to provide a clearer and more efficient decision-making pathway. They allow routine planning permit applications to be decided by officers under delegation, while retaining Council

decision-making for applications that are of genuine strategic importance or of broad community interest.

18. The Guidelines adopt a delegation-by-exception model in line with State guidance and IBAC recommendations. Under this model, an advertised application would be referred to Council where the estimated development cost exceeds \$20 million, the application receives 50 or more submissions, and is not a VicSmart application, deemed-to-comply or otherwise subject to codified assessment.
19. The Guidelines also provide for Council to consider significant Council projects over \$10 million, Ministerial applications where timeframes allow, and applications that officers consider to be of strategic or broad community significance.
20. A formal Councillor call-up process is also proposed to be introduced. A Councillor may request that an application be referred to Council for decision if the request is made in writing, includes reasons, and is supported by at least one other Councillor. This preserves Councillor oversight while ensuring applications are only called up for clear planning reasons.
21. Community participation in the planning process will continue in accordance with the Hobsons Bay Planning Scheme and the *Planning and Environment Act 1987*. The Guidelines also seek to formalise Planning Information Forums and the Hearing of Submissions Committee for applications that generate significant community interest, providing structured opportunities for submitters to be heard before a decision is made.
22. The proposed approach better reflects the current planning system. It keeps Council decision-making for significant matters, improves timeliness for routine applications, reduces VCAT and governance risk, and maintains community participation through the statutory planning process.

S6 Instrument of Delegation – Members of Council staff

23. The S6 Instrument of Delegation delegates certain powers, duties and functions within various Acts and Regulations (or specific part of those Acts and Regulations), directly to Council staff.
24. The Instrument was adopted on 28 April 2026. The Instrument includes the conditions and limitations in relation to sections 61(1), 73 and 74 of the *Planning and Environment Act 1987* which deals with the power to determine permit applications, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application or amendment to a permit.
25. The conditions and limitations have been amended with the recommended changes to the planning delegations as included in this report – at Attachment 2 and Attachment 3 (Mark-up). No further changes are proposed to this Instrument as part of the making of this new Instrument.

Overarching Governance Principles

26. This report has been prepared with consideration of the overarching governance principles set out in section 9(2) of the *Local Government Act 2020*.

27. The table below outlines how this report aligns with each principle.

Overarching governance principle	Actions supporting the principle
(a) Council decisions are to be made, and actions taken in accordance with the relevant law	The Guidelines support decision-making under the <i>Planning and Environment Act 1987</i> and the Hobsons Bay Planning Scheme, in accordance with Council's Instrument of Delegation.
(b) priority is to be given to achieving the best outcomes for the municipal community, including future generations	The proposal supports timely and consistent planning decisions for the community.
(c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted	Efficient planning decisions support investment, housing delivery and sustainable development.
(d) the municipal community is to be engaged in strategic planning and strategic decision making	Community consultation will occur in accordance with the requirements of the Planning and Environment Act. Strategic planning and policy matters will continue to be subject to separate engagement processes.
(e) innovation and continuous improvement is to be pursued	The Guidelines improve clarity, consistency and timeliness in decision-making, and respond to recent and on-going state-led planning reform.
(f) collaboration with other councils and governments and statutory bodies is to be sought	The proposal responds to State Government planning reform, Department of Transport and Planning guidance and IBAC integrity findings.
(g) the ongoing financial viability of the Council is to be ensured	The proposal can be implemented within existing resources.
(h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making	The report considers Victorian planning reforms and guidance on local government planning decisions.

(i) the transparency of Council decisions, actions and information is to be ensured	The Guidelines set clear criteria for when applications will be referred to Council and require reasons to be recorded for Councillor call-up requests.
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Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

28. Hobsons Bay 2040 Community Vision

Priority 1: Sustainable, safe and accessible urban planning

29. Council Plan 2025-29

Theme 4: Accountable Council

Goal 4.1: Strengthen governance practices and systems

Policies and Related Council Documents

30. This report relates to the following Council documents:

30.1. S6 Instrument of Delegation from Council to CEO – 28 April 2026.

30.2. Hearing of Submissions Committee Terms of Reference – 16 December 2025

Legal and Statutory Obligations

General legal and statutory obligations

31. Determining planning permit applications is a statutory function of Council under the *Planning and Environment Act 1987*. Planning decisions must be made in accordance with that Act, the Hobsons Bay Planning Scheme and Council's Instrument of Delegation. The Guidelines do not replace those statutory requirements. They provide guidance on when planning applications will be referred to Council for decision and when they will be determined by officers under delegation.

Climate Change and Circular Economy

32. There are no direct climate change or circular economy impacts arising from the adoption of the Guidelines. Individual planning applications will continue to be assessed against the relevant planning scheme requirements, including environmental and sustainability considerations where applicable.

Gender Equity Impact Statement

33. This report has been prepared having regard to the requirements of the *Gender Equality Act 2020*.
34. Officers have assessed the gender equity implications of this matter and determined that the proposal is administrative or operational in nature and is not expected to have a differential impact on any gender. A Gender Impact Assessment is not required.

Risk

Identified Risk	Mitigation
Delay in planning decisions and increased VCAT failure-to-decide appeals.	Adopt clear thresholds so most routine applications can be decided within statutory timeframes.
Legal and governance risk if codified or deemed-to-comply applications are referred to Council for decisions on broader strategic grounds.	Ensure applications subject to codified or deemed-to-comply pathways are generally decided by officers in accordance with the relevant statutory assessment requirements.
Reputational risk from delayed or inconsistent decision-making	Provide clear criteria for when applications are referred to Council, with most applications determined by officers under delegation.
Governance and integrity risk if routine statutory decisions are escalated without clear reasons.	Use a delegation-by-exception model with transparent criteria and recorded reasons for Councillor call-up requests.
Community concern that fewer applications will be decided at Council meetings.	Retain community participation through public notice, submissions, Planning Information Forums and the Hearing of Submissions Committee where appropriate.

Financial and Resource Implications

35. The Guidelines can be implemented within existing operational resources. No additional budget allocation is required. Reducing unnecessary referrals to Council is expected to reduce officer time spent preparing reports for routine planning applications.

Environmental, Social and Economic Impacts

Environmental impacts

36. Environmental impacts, where relevant, will continue to be considered at the time each planning permit application is assessed.

Social impacts

37. Social impacts, where relevant, will continue to be considered at the time each planning permit application is assessed.

Economic impacts

38. More timely decision-making is expected to provide greater certainty for applicants, objectors and the broader community. It may also reduce unnecessary delays for investment and housing delivery.

Consultation and Communication

39. Internal consultation has occurred with relevant Council officers. Public consultation occurs on each planning permit application where required by the Hobsons Bay Planning Scheme and the *Planning and Environment Act 1987*.
40. Public participation in the planning permit process will continue in accordance with the requirements through public notice, Planning Information Forums and Council or Committee meetings where applicable.

Conflict of Interest

41. Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.
42. Council staff involved in the preparation of this report have no conflict of interest in this matter.

Hobsons Bay City Council Statutory Planning Delegation Guidelines

1. Purpose

The purpose of these Guidelines is to provide clear guidance on how delegated planning powers, duties and functions are exercised for planning permit matters under the *Planning and Environment Act 1987*.

These Guidelines explain how Hobsons Bay City Council makes decisions on planning permit applications, including when an application is determined by Council rather than under officer delegation.

They also outline how community members can participate in the planning process, including through Planning Information Forums and the Hearing of Submissions Committee.

2. Objectives

The objectives of these Guidelines are to:

- **Clearly define when planning applications are referred to Council** for determination, and when an application can be determined by an officer under delegated authority.
- **Improve consistency and decision-making integrity** by delegating the majority of planning permit decisions to Council officers, while enabling Councillors to focus on strategic decisions and direction for the municipality.
- **Reduce delays in the planning process**, by using delegation to facilitate efficient, consistent and transparent decision-making.
- **Promote community participation** in the planning permit process, in accordance with the requirements of the *Planning and Environment Act 1987*

3. How Planning Decisions Are Made

Council uses a delegation framework to ensure planning applications are decided efficiently, in accordance with planning policy and legislation, and with a level of consideration proportionate to the scale and impact of the proposal.

In line with best-practice governance, Council applies a delegation-by-exception approach, where planning permit decisions are made under officer delegation unless

clearly defined criteria for Council determination are met. Decisions will only be referred to Council in certain circumstances, as outlined below.

4. Applications Determined by Council

A planning permit application will be referred to Council for a decision where one or more of the following applies.

For the purposes of these Guidelines, multiple substantially identical submissions and petitions will be counted as a single submission.

4.1 Significant Planning Applications

An advertised planning permit application with a development cost exceeding **\$20 million** will be referred to Council for a decision if **50 or more** submissions are received.

This does not apply to –

- VicSmart applications, deemed-to-comply applications, or applications otherwise subject to a codified assessment process.
- A refusal of any application

4.2 Applications where Council is the Applicant

Applications will be referred to Council where:

- Council is the applicant; and
- The estimated development cost exceeds **\$10 million**.

4.3 Applications involving the Minister for Planning

Where the Minister for Planning is the Responsible Authority:

- The matter will be referred to Council to endorse a formal position where timeframes allow
- Where timeframes do not allow, officer comments will be provided and noted at the next available Council meeting.

4.4 Applications of Strategic or Community Significance

An application may be referred to Council where Council officers determine that it is of strategic or broad community significance, having regard to matters such as:

- Significant local, regional or State policy issues
- Broader municipal significance beyond the immediate locality.
- Major infrastructure or service implications.

4.5 Councillor Call up

A Councillor may request that a planning permit application be referred to Council for a decision, rather than being determined by officers under delegation.

The request must be made in writing, co-signed by a minimum of one additional Councillor, and include the reasons justifying:

1. Why the application is of significance or of broad community interest; and
2. Why officer delegation should not be exercised.

The call up request must be made to the Manager Planning, Building and Health Services and Director Sustainable Communities, and copied to the full Councillor group, CEO and Executive.

A call up request can be made at any time prior to the decision being made but should be made as soon as is practicable after notice of the application is given.

Any Councillor call up request, including the reasons why it was called in and why the matter should not be decided under delegation, will be recorded in the Council meeting agenda.

Councillors cannot call up the following applications:

- VicSmart applications, deemed-to-comply applications, or applications otherwise subject to a codified assessment process.
- Applications that are exempt from public notice requirements
- Advertised applications that have not received objections.
- Applications for secondary consent or extensions of time.
- Matters under review by the Victorian Civil and Administrative Tribunal.
- Matters where the Councillor calling up the matter has a conflict of interest.

Council Decisions

Where Council determines an application differently from the officer recommendation, the reasons for the decision will be recorded in the Council meeting minutes.

5. Applications Decided by Officers

All other planning applications will be determined by Council officers under delegated authority in accordance with the Instrument of Delegation.

This includes applications subject to codified or deemed-to-comply assessment pathways where Council's discretion is limited.

5.1 Matters at Victorian Civil and Administrative Tribunal (VCAT)

To facilitate the VCAT review process, Council officers will be delegated the power to, or to instruct a representative to:

- Negotiate and settle with all parties when attending a compulsory conference
- Form a position on any amended plans or proposal filed with VCAT
- Prepare, file and serve amended grounds having regard to amended plans.

This applies irrespective of whether the initial decision was made by Council or via delegation.

6. Community Participation

Council supports community involvement in the planning process in line with the requirements of the *Planning and Environment Act 1987*.

Community members may:

- View and comment on advertised planning applications
- Make written submissions (objections or support)
- Participate in forums and hearings where applicable

Community participation occurs within the framework of the planning system and does not alter the legislative requirements for decision-making.

7. Planning Information Forums

Purpose

A Planning Information Forum provides a structured opportunity for community members, Council officers and permit applicants to engage on a planning proposal prior to a decision being made.

The forum is intended to:

- Improve understanding of the application, applicable planning controls, and assessment process
- Provide submitters with an opportunity to ask questions and seek clarification
- Identify key planning issues raised through submissions

- Explore whether concerns can be addressed through design changes, permit conditions, or further information
- Improve efficiency and certainty by resolving issues before formal decision-making.

Planning Information Forums support more informed and efficient decision-making by helping to resolve issues before the full assessment is completed.

Key Features

The key features of Planning Information Forums are:

- Forums are **not decision-making forums** and do not form part of the formal determination of an application
- Forums are chaired by Council officers
- Discussions focus on relevant planning matters.

When a Forum May be Held

A Planning Information Forum may be arranged for any planning permit application. However, forums will typically be held where:

- An application has generated significant community interest (generally 100 or more submissions), or
- Council officers determine that direct engagement is likely to assist in clarifying issues or resolving matters raised in submissions.

When Forums Will Not Be Held

A forum will generally not be held where:

- The matter is being considered by VCAT
- Council officers determine that a forum is unlikely to result in productive or meaningful discussion.

8. Hearing of Submissions Committee

Purpose

Applications that are required to be determined by Council may be referred to a Hearing of Submissions Committee before the matter is considered at a council meeting.

The Committee provides a formal opportunity for applicants, submitters and other stakeholders to present their views to Councillors before a decision is made.

Role and Function

The Hearing of Submissions Committee:

- Is advisory only and has **no decision-making powers**
- Operates in accordance with its Terms of Reference and the *Governance Rules 2025*.
- Enables Councillors to hear directly from affected parties in a structured and transparent setting.
- Informs, but does not determine, the final Council decision

The Committee does not determine the application or replace the officer assessment.

When a Hearing is Held

A Hearing of Submissions Committee must be held for planning matters where:

- The application exceeds the thresholds set under Section 4.1 and is required to be determined by Council.

9. Application of these Guidelines

These Guidelines support Council's Instrument of Delegation and outline how statutory planning powers are generally exercised in practice.

The Guidelines apply to all planning permit applications where Hobsons Bay City Council is the Responsible Authority under the *Planning and Environment Act 1987*.

The Guidelines operate in conjunction with Council's Instrument of Delegation. In the event of any inconsistency, the Instrument of Delegation prevails.

10. Ongoing Review

These Guidelines will be reviewed within 12 months of adoption, and periodically thereafter, to ensure they remain aligned with:

- Legislative requirements
- State planning reforms
- Council's operational and governance needs

Minor updates may be made as required to improve clarity and effectiveness.

HOBSONS
BAY CITY
COUNCIL



S6 Instrument of Delegation
to
Members of Council Staff

Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:

Title	Position
CCDP	Coordinator Civil Design and Projects
CCSC	Coordinator Community Safety and Compliance
CCW	Coordinator Capital Works
CEH	Coordinator Environmental Health
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CMP	Coordinator Major Projects
CPMO	Coordinator Projects Management Office
CPO	Coordinator Planning Operations
CCM	Coordinator Civil Maintenance
CSAM	Coordinator Strategic Asset Management
CSSP	Coordinator Strategic Planning Coordinator City Planning and Development
CUP	Coordinator Urban Planning
CPLI	Coordinator Planning Investigations
CTED	Coordinator Transport and Engineering Developments
DCS	Director Corporate Services
DICS	Director Infrastructure and CityServices
DSC	Director Sustainable Communities
EHO	Environmental Health Officer

GLA	Greenlight Administrator
HPO	Head of Property Operations
MBS	Municipal Building Surveyor
MCI	Manager Corporate Integrity
MCO	Manager City Operations
MES	Manager Engineering Services
MPBHS	Manager Planning, Building and Health Services
MPI	Manager Projects and Infrastructure
MSES	Manager Strategy, Economy and Sustainability
PAO	Planning Administration Officer Administration Officer
PHAO	Public Health Administration Officer
PIO	Planning Investigations Officer
PPIO	Principal Planning Investigations Officer
PUP	Principal Urban Planner
PSP	Principal Strategic Planner
SP	Strategic Planner
SSP	Senior Strategic Planner
SUP	Senior Urban Planner Senior Planner - Subdivisions
TLCS	Team Leader Community Safety and Compliance
TLGAM	Team Leader Animal Management
TLEH	Team Leader Environmental Health
TLSP	Team Leader Strategic Planning
TLUP	Team Leader Urban Planning
TTE	Traffic and Transport Engineer
UP	Urban Planner

3. declares that:
 - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 28 July 2026; and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately after the Chief Executive Officer executes this Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council;
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

.....

Signed by Phu Nguyen, Chief Executive Officer of Council in the presence of

.....
Name

.....
Witness

Date:

.....

Signed by the Mayor Cr Diana Grima in the presence of

.....
Name

.....
Witness

Date:

SCHEDULE

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DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s 41A(1)	Power to declare a dog to be a menacing dog	CCSC, DCS, MCI	Council may delegate this power to a Council authorised officer

Planning delegation

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	CEH, DSC, EHO, MPBHS, TLEH	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	CEH, DSC, EHO, MPBHS, TLEH	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CEH, DSC, EHO, MPBHS, TLEH	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, (ia) displayed at any point of sale, (ib) be published on the food business's Internet site and (ii) inform the public by notice in a published newspaper, on the Internet site or otherwise	CEH, DSC, MPBHS	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	CEH, DSC, EHO, MPBHS, TLEH	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	CEH, DSC, EHO, MPBHS, TLEH	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority

S6 Instrument of Delegation to Members of Council Staff (January 2026 – Planning Delegation Update)

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	CEH, DSC, EHO, MPBHS, TLEH	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution Only in relation to temporary food premises or mobile food premises
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19FA(1)	Power to direct a proprietor of a food premises to revise the food safety program for the premises or comply with any requirements specified in the food safety program	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority Subject to s 19FA(2), which requires a time limit for compliance to be specified

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19FA(3)(a)	Power to refuse to approve an application for registration or renewal of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 19FA(3)(b)	Power to revoke a registration granted in respect of premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19FA(3)(c)	Power to suspend the registration of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	CEH, DSC, MPBHS	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	DSC, MPBHS	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CEH, DSC, EHO, MPBHS, TLEH	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
---	Power to register or renew the registration of a food premises	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	CEH, EHO, MPBHS, TLEH	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	CEH, MPBHS, TLEH	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	DSC, MPBHS	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority

S6 Instrument of Delegation to Members of Council Staff (January 2026 – Planning Delegation Update)

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	CEH, DSC, MPBHS, TLEH	Where Council is the registration authority; not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	CEH, DSC, MPBHS, TLEH	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	CEH, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 39A	Power to register, or renew the registration of a food premises despite minor defects	CEH, DSC, MPBHS, TLEH, EHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	CEH, DSC, MPBHS,	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	CEH, DSC, MPBHS	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	CEH, DSC, MPBHS, TLEH, EHO	Where Council is the registration authority

S6 Instrument of Delegation to Members of Council Staff (January 2026 – Planning Delegation Update)

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40D(1)	Power to suspend or revoke the registration of food premises	CEH, DSC, MPBHS,	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	CEH, DSC, MPBHS,	
s 40F	Power to cancel registration of food premises	CEH, DSC, MPBHS	Where Council is the registration authority
s 43	Duty to maintain records of registration	CEH, DSC, EHO, MPBHS, PHAO, TLEH	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 45AC	Power to bring proceedings	CEH, DSC, MPBHS	

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	CEH, DSC, MPBHS,	Where Council is the registration authority

HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO ¹	

¹ The only member of staff who can be a delegate in Column 3 is the CEO.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	DSC, MSES	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DSC, MSES	
s 4H	Duty to make amendment to Victorian Planning Provisions available in accordance with public availability requirements	CSSP, DSC, MPBHS, MSES, PSP, TLSP, SP	
s 4I(2)	Duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 12B(1)	Duty to review planning scheme	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 12B(2)	Duty to review planning scheme at direction of Minister	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES, PIO, CPLI, PPIO, PSP, PUP, SP, SUP, TLSP, TLUP, UP, GLA, PAO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 16B	Duty (upon receiving a request to prepare an amendment to the planning scheme) to decide: - to apply to the Minister for authorisation to prepare the amendment, with or without changes, under section 16F, or - to refuse the request. Note: see also sections 16A, 16D, 16E and 16K.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	
s 16C(1)	Duty to give written notice of its decision under section 16B to the person who made the request within 10 business days of making the decision. Note: The notice must contain prescribed information, and reasons if it is a refusal.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	
s 16C(4)	Duty to give a copy of the request and the notice under subsection 16C(1) to the Minister.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	
s 16F	Power to apply to the Minister for authorisation to prepare an amendment to the State standard provisions or the local provisions of a planning scheme in force in the municipal district. Note: see also sections 16G and 16K.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	
s 16F	Power to prepare an amendment to the planning scheme where the Minister has authorised Council to do so under section 16F	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	

S6 Instrument of Delegation to Members of Council Staff (January 2026 – Planning Delegation Update)

s 16H	Power to prepare an amendment specified in an application without the Minister's authorisation if no response received after 10 business days Note: see also section 16K.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	
s 16I	Power to apply to the Minister for authorisation to prepare an amendment to any part of the State standard provisions and local provisions of a planning scheme applying to an area adjoining its municipal district.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	
s 16I	Power to prepare amendment to the planning scheme applying to an area adjoining Council's municipal district where the Minister has authorised Council to do so under section 16I. Note: see also sections 16D, 16G and 16J.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	
s 17(1)	Duty of giving copy amendment to the planning scheme	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 17(2)	Duty of giving copy s 173 agreement	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	Until the proposed amendment is approved or lapsed
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	

S6 Instrument of Delegation to Members of Council Staff (January 2026 – Planning Delegation Update)

s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	DSC	Where Council is a planning authority

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 21(2)	Duty to make submissions available in accordance with public availability requirements	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 23A(2)	Power to: - change the amendment in the manner requested; - not change the amendment in the manner requested; or - abandon the amendment or part of the amendment.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	Where Council is the planning authority. After considering a submission which requests a change to a 'low-impact' amendment (as described in section 16N).

S6 Instrument of Delegation to Members of Council Staff (January 2026 – Planning Delegation Update)

s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
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Planning delegation

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	CSSP, DSC, MPBHS, MSES,	
s 28(1) (amended)	Duty to notify the Minister if abandoning an amendment, with a copy of any submission considered, and a statement of reasons for the decision	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 28C	Duty to comply with directions of the Minister after abandoning the amendment with respect to: - providing relevant documentation; and - providing assistance with steps to be taken for the amendment.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	

s 30(4)(a)	Duty to say if amendment has lapsed	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
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Planning delegation

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 30(4)(b)	Duty to provide information in writing upon request	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 32(2)	Duty to give more notice if required	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 33(1)	Duty to give more notice of changes to an amendment	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 36(2)	Duty to give notice of approval of amendment	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 38(5)	Duty to give notice of revocation of an amendment	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	
s 40(1)	Function of lodging copy of approved amendment	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	DSC, MPBHS, MSES,	Where Council is a responsible public entity and is a planning authority
s 46AW	Function of being consulted by the Minister	DSC, MPBHS, MSES	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	DSC, MPBHS, MSES	Where Council is a responsible public entity

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	DSC, MPBHS, MSES	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	DSC, MPBHS, MSES	Where Council is a responsible public entity
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	DSC, MPBHS, MSES	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	DSC, MPBHS, MSES	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 46GP	Function of receiving a notice under s 46GO	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	DSC, MPBHS, MSES	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	DSC, MPBHS, MSES	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	DSC, MPBHS, MSES	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	DSC, MPBHS, MSES	
s 46GU	Duty not to adopt an amendment under s 29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	DSC, MPBHS, MSES	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	DSC, MPBHS, MSES	Where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GV(3)(b)	Power to enter into an agreement with the applicant	DSC, MPBHS, MSES	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DSC, MPBHS, MSES	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DSC, MPBHS, MSES	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	DSC, MPBHS, MSES	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	DSC, MPBHS, MSES	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	DSC, MPBHS, MSES	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	DSC, MPBHS, MSES	Where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GY(1)	Duty to keep proper and separate accounts and records	DSC, MPBHS, MSES	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	DSC, MPBHS, MSES	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	DSC, MPBHS, MSES	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(2)(b)	Function of receiving the monetary component	DSC, MPBHS, MSES	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	DSC, MPBHS, MSES	Where Council is the development agency specified in the approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	DSC, MPBHS, MSES	If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s 46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	DSC, MPBHS, MSES	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZA(1)	Duty to keep proper and separate accounts and records	DSC, MPBHS, MSES	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	DSC, MPBHS, MSES	Where Council is a development agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	DSC, MPBHS, MSES	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	DSC, MPBHS, MSES	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	DSC, MPBHS, MSES	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	DSC, MPBHS, MSES	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	DSC, MPBHS, MSES	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)	DSC, MPBHS, MSES	Where Council is the development agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZF(3)	Function of receiving proceeds of sale	DSC, MPBHS, MSES	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	DSC, MPBHS, MSES	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	DSC, MPBHS, MSES	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	DSC, MPBHS, MSES	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	DSC, MPBHS, MSES	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DSC, MPBHS, MSES	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	DSC, MPBHS, MSES	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	DSC, MPBHS, MSES	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	DSC, MPBHS, MSES	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	DSC, MPBHS, MSES	
s 46Q(1)	Duty to keep proper accounts of levies paid	DSC, MPBHS, MSES	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	DSC, MPBHS, MSES	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	DSC, MPBHS, MSES	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	DSC, MPBHS, MSES	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	DSC, MPBHS, MSES	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	DSC, MPBHS, MSES	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	DSC, MPBHS, MSES	
s 46QD	Duty to prepare report and give a report to the Minister	DSC, MPBHS, MSES	Where Council is a collecting agency or development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	DSC, MPBHS, MSES	
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	DSC, MPBHS, MSES,	
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	DSC, MPBHS, MSES,	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	DSC, MPBHS, MSES,	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 47	Power to decide that an application for a planning permit does not comply with that Act	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PIO, CPLI, PPIO, PSP, PUP, SSP, SP, SUP, TLSP, TLUP, UP	
s 48A	Power to notify an applicant that the application is incomplete Note: The notice must set out any required fees or information, the date for payment or production, and the effect of non-compliance set out in section 48B(1).	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PSP, PUP, SSP, SP, SUP, TLSP, TLUP, UP	Where Council is the responsible authority
s 48C	Power to refund a fee paid for an application which is void and of no effect under section 48B(1)	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES, TLUP	Where Council is the responsible authority

s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	GLA, CUP, CSSP, DSC, MPBHS, MSES, PAO, PIO, , CPLI, PPIO, PSP, PUP, SSP, SP, SUP, TLSP, TLUP, UP	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	GLA, CUP, CSSP, DSC, MPBHS, MSES, PAO, PIO, , CPLI, PPIO, PSP, PUP, SSP, SP, SUP, TLSP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50(4)	Duty to amend application	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 50(5)	Power to refuse to amend application	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 50(6)	Duty to make note of amendment to application in register	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 50A(1)	Power to make amendment to application	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 50A(4)	Duty to note amendment to application in register	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

S6 Instrument of Delegation to Members of Council Staff (January 2026 – Planning Delegation Update)

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally affected	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 52(3)	Power to give any further notice of an application where appropriate	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 54(1)	Power to require the applicant to provide more information	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 54(1B)	Duty to specify the lapse date for an application	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 57A(5)	Power to refuse to amend application	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 57A(6)	Duty to note amendments to application in register	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57B(1)	Duty to determine whether and to whom notice should be given	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 57C(1)	Duty to give copy of amended application to referral authority	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 58	Duty to consider every application for a permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 58A	Power to request advice from the Planning Application Committee	CMP, CPO, CUP, DSC, MPBHS, MSES	
s 60	Duty to consider certain matters	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 60(1A)	Duty to consider certain matters	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i> Must be exercised in a manner that is consistent with the adopted Statutory Planning Delegation Guidelines.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 62(2)	Power to include other conditions	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a), (b) and (c)	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64(3)	Duty not to issue a permit until after the specified period	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP, GLA, PAO	This provision applies also to a decision to grant an amendment to a permit – see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant, and a copy of any notice given under s 64 or 65	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 69(1)	Function of receiving application for extension of time of permit	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	
s 69(1A)	Function of receiving application for extension of time to complete development	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	
s 69(2)	Power to extend time	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 70	Duty to make copy permit available in accordance with public availability requirements	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	
s 71(1)	Power to correct certain mistakes	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 71(2)	Duty to note corrections in register	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	
s 73	Power to decide to grant amendment subject to conditions	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	Must be exercised in a manner that is consistent with the adopted Statutory Planning Delegation Guidelines.
s 74	Duty to issue amended permit to applicant if no objectors	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	Must be exercised in a manner that is consistent with the adopted Statutory Planning Delegation Guidelines.
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP, GLA, PAO	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP, GLA, PAO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP, GLA, PAO,	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP, GLA, PAO	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant, and a copy of any notice given under s 64 or 76	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP, GLA, PAO	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PSP, PUP, SP, SSP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 83	Function of being respondent to an appeal	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 83B	Duty to give or publish notice of application for review	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 84AB	Power to agree to confining a review by the Tribunal	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES,	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 91(2)	Duty to comply with the directions of VCAT	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 93(2)	Duty to give notice of VCAT order to stop development	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES, PIO, CPLI, PPIO, PSP, PUP, SP, SUP, TLSP, TLUP, UP	
s 95(3)	Function of referring certain applications to the Minister	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 95(4)	Duty to comply with an order or direction	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	DSC, MPBHS, MSES	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CMP, CPO, CUP, DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96A(2) amended	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	The request to prepare the amendment must be made under section 16A. Delegate must not agree to consider the application for the permit concurrently with the preparation of the proposed amendment unless it has made a decision under section 16B(a) to apply to the Minister for authorisation to prepare the amendment, with or without changes, under section 16F.
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	CSSP, DSC, MPBHS, MSES, SP, PSP, TLSP	
s 96F	Duty to consider the panel's report under s 96E	DSC, MPBHS, MSES	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 96H(3)	Power to give notice in compliance with Minister's direction	DSC, MSES, MPBHS	
s 96J	Duty to issue permit as directed by the Minister	DSC, MSES, MPBHS	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	

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s 96Z (amended)	Duty to keep levy certificates and levy exemption certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	
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Planning delegation

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97C	Power to request Minister to decide the application	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP, GLA, PAO	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with public availability requirements	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PUP, PSP, SP, SSP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97L	Duty to include Ministerial decisions in a register kept under s 49	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	DSC, MPBHS, MSES	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 97Q(4)	Duty to comply with directions of VCAT	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PUP, PSP, SP, SSP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	CMP, CPO, CUP, DSC, MPBHS, MSES	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	CMP, CPO, CUP, DSC, MPBHS, MSES	
s 101	Function of receiving claim for expenses in conjunction with claim	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	
s 103	Power to reject a claim for compensation in certain circumstances	DSC	
s 107(1)	Function of receiving claim for compensation	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	
s 107(3)	Power to agree to extend time for making claim	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	
s 114(1)	Power to apply to the VCAT for an enforcement order	CMP, CPO, CUP, DSC, MPBHS, MSES, PIO, CPLI, PPIO	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CMP, CPO, CUP, DSC, MPBHS, MSES, , PIO, CPLI, PPIO	
s 123(1)	Power to carry out work required by enforcement order and recover costs	DSC, MPBHS, MSES	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DSC	Except Crown Land

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 129	Function of recovering penalties	CMP, CPO, CUP, DSC, MPBHS, MSES, PIO, PP	
s 130(5)	Power to allow person served with an infringement notice further time	CMP, CPO, CUP, DSC, MPBHS, MSES, PIO, CPLI, PPIO	
s 149A(1)	Power to refer a matter to the VCAT for determination	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 149B	Power to apply to the Tribunal for a declaration.	DSC, MPBHS, MSES,	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	Where Council is the relevant planning authority
S 158F	Power to make submissions in response to a directions panel	CSSP, DSC, MPBHS, SES, PSP, SP, SP, TLSP	
s 171(2)(f)	Power to carry out studies and commission reports	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	
s 171(2)(g)	Power to grant and reserve easements	DSC, MPBHS, MSES	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	DSC, MPBHS, MSES	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	DSC, MPBHS, MSES	Where Council is a collecting agency specified in an approved infrastructure contributions plan

s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	DSC, MPBHS, MSES	Where Council is the development agency specified in an approved infrastructure contributions plan
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Planning delegation

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 173(1)	Power to enter into agreement covering matters set out in s 174	DSC, MBS, MPBHS, MSES	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	DSC, MPBHS, MSES	Where Council is the relevant responsible authority
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DSC, MPBHS, MSES	
s 178	Power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178A(1)	Function of receiving application to amend or end an agreement	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP,	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 178A(5)	Power to propose to amend or end an agreement	DSC, MPBHS, MSES	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	DSC, MPBHS, MSES	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	DSC, MPBHS, MSES	
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DSC, MPBHS, MSES	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DSC, MPBHS, MSES	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	DSC, MPBHS, MSES	If no objections are made under s 178D Must consider matters in s 178B

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	DSC, MPBHS, MSES	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DSC, MPBHS, MSES	After considering objections, submissions and matters in s 178B
s 178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	DSC, MPBHS, MSES	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	DSC, MPBHS, MSES	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP, GLA, PAO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	DSC, MPBHS, MSES	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	DSC, MPBHS, MSES	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 179(2)	Duty to make a copy of each agreement available in accordance with the public availability requirements	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PA, PUP, SUP, TLUP, UP, SO	
s 181	Duty to apply to the Registrar of Titles to record the agreement	CMP, CPO, CUP, CSSP, DSC, MBS, MPBHS, MSES, PSP, PUP, SSP, SP, SUP, TLUP, TLSP, UP	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CMP, CPO, CUP, CSSP, DSC, MBS, , MPBHS, MSES, PSP, PUP, SP, SSP, SUP, TLUP, TLSP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CMP, CPO, CUP, CSSP, DSC, MBS, MPBHS, MSES, PSP, PUP, SP, SSP, SUP, TLUP, TLSP, UP,	
s 182	Power to enforce an agreement	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES, PIO, CPLI, PPIO	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP SUP, TLUP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 184G(2)	Duty to comply with a direction of the Tribunal	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 184G(3)	Duty to give notice as directed by the Tribunal	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PA, PUP, SUP, TLUP, UP,	
s 198(1)	Function to receive application for planning certificate	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PA, PUP, SUP, TLUP, UP	
s 199(1)	Duty to give planning certificate to applicant	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	
s 201(1)	Function of receiving application for declaration of underlying zoning	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	
s 201(3)	Duty to make declaration	CMP, CPO, CUP, DSC, MPBHS, MSES	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
-	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	
	Power to decide, in relation to any planning scheme or permit, that a specified thing may be altered or modified with Council's consent	DCS, MSES, MPBHS	
	Power to decide, in relation to any planning scheme or permit, that a specified thing may be done subject to Council's prior consent or must not be done without Council's prior consent	DCS, MSES, MPBHS	
	Power to decide, in relation to any planning scheme or permit, that a specified thing is required to be approved and or endorsed by Council	DCS, MSES, MPBHS	
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	

	Power to approve and or endorse any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	
-	Power to give written authorisation in accordance with a provision of a planning scheme	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	DSC, MPBHS, MSES	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	DSC, MPBHS, MSES	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CEH, DSC, EHO, MPBHS, TLEH	
s 522(1)	Power to give a compliance notice to a person	CEH, DSC, EHO, MPBHS, TLEH	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	DSC, MPBHS	
s 525(4)	Duty to issue identity card to authorised officers	DSC, MPBHS,	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	CEH, DSC, EHO, MPBHS, TLEH	
s 526A(3)	Function of receiving report of inspection	CEH, DSC, EHO, MPBHS, TLEH	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEH, DSC, EHO, MPBHS, TLEH	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CSAM, DICS, MPI	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	HPO, DCS, MCI	
s 11(9)(b)	Duty to advise Registrar	HPO, DCS, MCI	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	HPO, DCS, DICS, MCI, MES	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	HPO, DCS, DICS, CSAM, MES, MCI	Where Council is the coordinating road authority
S 12(2)(b)	Function of providing consent to the Head, Transport for Victoria for the discontinuance of a road or part of a road	DICS, MES,	
s 12(10)	Duty to notify of decision made	CTED, DICS, MCI, MES	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	HPO, DCS, MCI	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	CSAM, DICS, MPI	

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	DICS	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	DICS	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DICS	
s 15(2)	Duty to include details of arrangement in public roads register	CSAM, DICS, MES	
s 16(7)	Power to enter into an arrangement under s 15	DICS	
s 16(8)	Duty to enter details of determination in public roads register	CSAM, DICS, MES	
s 17(2)	Duty to register public road in public roads register	CSAM, DICS, MES	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	DICS, MES	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	CSAM, DICS, MES	Where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	DICS	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	CSAM, DICS, MES	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	DICS	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	CSAM, DICS, MES	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	CSAM, DICS, MPI	
s 19(4)	Duty to specify details of discontinuance in public roads register	CSAM, DICS, MPI	
s 19(5)	Duty to ensure public roads register is available for public inspection	CSAM, DICS, MPI	
s 21	Function of replying to request for information or advice	DICS, MES, MPI	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	DICS, MES, MPI	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report	DICS, MES, MPI	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 22(5)	Duty to give effect to a direction under s 22	DICS, MES, MPI	
s 40(1)	Duty to inspect, maintain and repair a public road	CCM, DICS, MES, CSAM	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CCM, DICS, MPI, MCO CSAM, MES	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DICS, MES, MPI,	
s 42(1)	Power to declare a public road as a controlled access road	DICS, MES, MPI	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	DICS, MES, MPI	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	DICS, MES, MPI	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	DICS, MES, MPI	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	DICS, MES	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	DICS, MES	
s 49	Power to develop and publish a road management plan	DICS, MPI	
s 51	Power to determine standards by incorporating the standards in a road management plan	DICS, MPI	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DICS, MPI	
s 54(2)	Duty to give notice of proposal to make a road management plan	DICS, MPI	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	DICS, MPI	
s 54(6)	Power to amend road management plan	DICS, MPI	
s 54(7)	Duty to incorporate the amendments into the road management plan	DICS, MPI	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	DICS, CSAM, MPI	
s 63(1)	Power to consent to conduct of works on road	CCM, DICS, MES	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	CCM, DICS, MES, MCO	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	CCM, DICS	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	DICS, MES	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	DICS, MES	Where Council is the coordinating road authority
s 67(3)	Power to request information	DICS, MES	Where Council is the coordinating road authority
s 68(2)	Power to request information	DICS, MES	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO	
s 72	Duty to issue an identity card to each authorised officer	DICS, MES	
s 85	Function of receiving report from authorised officer	DICS, MES	
s 86	Duty to keep register re s 85 matters	DICS, MES	

S6 Instrument of Delegation to Members of Council Staff (January 2026 – Planning Delegation Update)

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 87(1)	Function of receiving complaints	DICS, MES	
s 87(2)	Duty to investigate complaint and provide report	DICS, MES	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	DCS	
s 112(2)	Power to recover damages in court	DICS, MES	
s 116	Power to cause or carry out inspection	CCM, CSAM, DICS, MCO MES, MPI	
s 119(2)	Function of consulting with the Head, Transport for Victoria	DICS, MES	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	DICS	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	DICS	
s 121(1)	Power to enter into an agreement in respect of works	DICS	
s 122(1)	Power to charge and recover fees	DICS, MES,	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 123(1)	Power to charge for any service	DICS, MCWMES,	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	DICS, MES	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	DICS, MES	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	DICS, MES	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	DICS, MES	
sch 2 cl 5	Duty to publish notice of declaration	DICS, MES	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	DICS, MES,	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	DICS, MES,	Where Council is the infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DICS, MES,	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	DICS, MES,	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DICS, MES,	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	DICS, MES,	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CCM, DICS, MES	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	CCW, CCDP, CCM, DICS, MES	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	CFO, DICS, MES,	Where Council is the coordinating road authority

S6 Instrument of Delegation to Members of Council Staff (January 2026 – Planning Delegation Update)

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	DICS, MES	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	DICS, MES	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	DICS, MES,	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	CCM, DICS, MES	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	CCW, CCDP, CPMO, CCM, DICS, MES,	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	CCM, DICS, MES	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	CCM, DICS, MES,	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	CCM, DICS, MES,	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	CCM, DICS, MES,	Where Council is the coordinating road authority

S6 Instrument of Delegation to Members of Council Staff (January 2026 – Planning Delegation Update)

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 18(1)	Power to enter into an agreement	DICS, MES	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	CCW, CCDP, CPMO, CCM, DICS, MES, MCO	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DICS, MES,	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DICS, MES,	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause streetlights to be installed on roads	CTED, DICS, MES	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	CTED, DICS, MES	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	CTED, DICS, MES	Where Council is the responsible road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with cls 3(2) and 4	CTED, DICS, MES	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	Where Council is not the planning authority, and the amendment affects land within its municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r 21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PA, PUP, SUP, TLUP, UP	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) in accordance with the public availability requirements	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	Where Council is the responsible authority
r 25(b)	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	Where Council is not the responsible authority, but the relevant land is within Council's municipal district
r 42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PSP,	Where Council is not the planning authority, and the amendment affects land within Council's municipal district; or

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	application for an amendment to a planning scheme and notice of a permit application	PUP, SP, SSP, SUP, TLUP, UP	Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
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Planning delegation

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	CSSP, DSC, MPBHS, MSES	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r19 or 20	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2024			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 7	Power to enter into a written agreement with a caravan park owner	CEH, DSC, EHO, MPBHS, TLEH,	
r 10	Function of receiving application for registration	CEH, DSC, EHO, MPBHS, TLEH,	
r 11	Function of receiving application for renewal of registration	CEH, DSC, EHO, MPBHS, TLEH,	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEH, DSC, EHO, MPBHS, TLEH,	
r 12(1)	Power to refuse to grant the registration if not satisfied that the caravan park complies with these regulations	CEH, DSC, EHO, MPBHS, TLEH,	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEH, DSC, EHO, MPBHS, TLEH,	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEH, DSC, EHO, MPBHS, TLEH,	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2024			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	CEH, DSC, EHO, MPBHS, TLEH,	
r 12(4) & (5)	Duty to issue certificate of registration	CEH, DSC, EHO, MPBHS, TLEH,	
r 14(1)	Function of receiving notice of transfer of ownership	CEH, DSC, EHO, MPBHS, TLEH,	
r 14(3)	Power to determine where notice of transfer is displayed	CEH, DSC, EHO, MPBHS, TLEH,	
r 15(1)	Duty to transfer registration to new caravan park owner	CEH, DSC, EHO, MPBHS, TLEH,	
r 15(2)	Duty to issue a certificate of transfer of registration	CEH, DSC, EHO, MPBHS, TLEH,	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	CEH, DSC, EHO, MPBHS, TLEH,	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2024			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CEH, DSC, MPBHS, TLEH	
r 17	Duty to keep register of caravan parks	CEH, DSC, MPBHS, TLEH	
r 21(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	CEH, DSC, EHO, MPBHS, TLEH,	
r 21(2)	Duty to consult with relevant emergency services agencies	CEH, DSC, EHO, MPBHS, TLEH,	
r 22	Power to determine places in which caravan park owner must display a copy of emergency procedures	CEH, DSC, EHO, MPBHS, TLEH,	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	CEH, DSC, EHO, MPBHS, TLEH,	
r 24(2)	Power to consult with relevant floodplain management authority	CEH, DSC, EHO, MPBHS, TLEH,	
r 26(b)(i)	Power to approve system for the discharge of sewage and wastewater from a movable dwelling	CEH, DSC, EHO, MPBHS, TLEH,	

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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2024			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 38	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	CEH, DSC, EHO, MPBHS, TLEH,	
r 38(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CEH, DSC, EHO, MPBHS, TLEH,	
r 39(3)	Function of receiving installation certificate	CEH, DSC, EHO, MPBHS, TLEH,	
r 45(3)	Power to determine places in which caravan park owner must display name and telephone number of an emergency contact person	CEH, DSC, EHO, MPBHS, TLEH,	
r 45(5)	Power to determine places in which caravan park owner must display the certificate of registration or certificate of renewal of registration, the plan of the caravan park and a copy of the caravan park rules	CEH, DSC, EHO, MPBHS, TLEH,	
Sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	CEH, DSC, MPBHS, TLEH	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 8(1)	Duty to conduct reviews of road management plan	DICS, MPI	
r 9(2)	Duty to produce written report of review of road management plan and make report available	CSAM, DICS, MPI	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	CSAM, DICS, MPI	Where Council is the coordinating road authority
r 10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	DICS, MPI	
r 13(1)	Duty to publish notice of amendments to road management plan	CSAM, DICS, MPI	Where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	CSAM, DICS, MPI	
r 16(3)	Power to issue permit	DICS	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	CCW, CCDP, CPMO, MES	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	CCW, CCDP, CPMO, MES	Where Council is the coordinating road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	CCW, CCDP, CPMO, MES	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CCSC, DCS, DICS, MCI, MCO, TLCSC, TLGAM	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	CCSC, DCS, DICS, MCI, TLCSC, MCO, TLGAM	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	CCSC, DCS, DICS, MCI, MCO, TLCSC, TLGAM	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	DICS, MES	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	DICS, MES	Where Council is the coordinating road authority

HOBSONS
BAY CITY
COUNCIL



S6 Instrument of Delegation
to
Members of Council Staff

Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:

Title	Position
CCDP	Coordinator Civil Design and Projects
CCSC	Coordinator Community Safety and Compliance
CCW	Coordinator Capital Works
CEH	Coordinator Environmental Health
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CMP	Coordinator Major Projects
CPMO	Coordinator Projects Management Office
CPO	Coordinator Planning Operations
CCM	Coordinator Civil Maintenance
CSAM	Coordinator Strategic Asset Management
CSSP	Coordinator Strategic Planning Coordinator City Planning and Development
CUP	Coordinator Urban Planning
CPLI	Coordinator Planning Investigations
CTED	Coordinator Transport and Engineering Developments
DCS	Director Corporate Services
DICS	Director Infrastructure and CityServices
DSC	Director Sustainable Communities
EHO	Environmental Health Officer

GLA	Greenlight Administrator
HPO	Head of Property Operations
MBS	Municipal Building Surveyor
MCI	Manager Corporate Integrity
MCO	Manager City Operations
MES	Manager Engineering Services
MPBHS	Manager Planning, Building and Health Services
MPI	Manager Projects and Infrastructure
MSES	Manager Strategy, Economy and Sustainability
PAO	Planning Administration Officer Administration Officer
PHAO	Public Health Administration Officer
PIO	Planning Investigations Officer
PPIO	Principal Planning Investigations Officer
PUP	Principal Urban Planner
PSP	Principal Strategic Planner
SP	Strategic Planner
SSP	Senior Strategic Planner
SUP	Senior Urban Planner Senior Planner - Subdivisions
TLCS	Team Leader Community Safety and Compliance
TLGAM	Team Leader Animal Management
TLEH	Team Leader Environmental Health
TLSP	Team Leader Strategic Planning
TLUP	Team Leader Urban Planning
TTE	Traffic and Transport Engineer
UP	Urban Planner

3. declares that:
 - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 28 July 2026; and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately after the Chief Executive Officer executes this Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council;
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

.....

Signed by Phu Nguyen, Chief Executive Officer of Council in the presence of

.....

Name

.....

Witness

Date:

.....

Signed by the Mayor Cr Diana Grima in the presence of

.....

Name

.....

Witness

Date:

SCHEDULE

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DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s 41A(1)	Power to declare a dog to be a menacing dog	CCSC, DCS, MCI	Council may delegate this power to a Council authorised officer

Planning delegation

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	CEH, DSC, EHO, MPBHS, TLEH	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	CEH, DSC, EHO, MPBHS, TLEH	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CEH, DSC, EHO, MPBHS, TLEH	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, (ia) displayed at any point of sale, (ib) be published on the food business's Internet site and (ii) inform the public by notice in a published newspaper, on the Internet site or otherwise	CEH, DSC, MPBHS	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	CEH, DSC, EHO, MPBHS, TLEH	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	CEH, DSC, EHO, MPBHS, TLEH	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	CEH, DSC, EHO, MPBHS, TLEH	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution Only in relation to temporary food premises or mobile food premises
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19FA(1)	Power to direct a proprietor of a food premises to revise the food safety program for the premises or comply with any requirements specified in the food safety program	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority Subject to s 19FA(2), which requires a time limit for compliance to be specified

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19FA(3)(a)	Power to refuse to approve an application for registration or renewal of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 19FA(3)(b)	Power to revoke a registration granted in respect of premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19FA(3)(c)	Power to suspend the registration of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	CEH, DSC, MPBHS	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	DSC, MPBHS	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CEH, DSC, EHO, MPBHS, TLEH	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
---	Power to register or renew the registration of a food premises	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	CEH, EHO, MPBHS, TLEH	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	CEH, MPBHS, TLEH	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	DSC, MPBHS	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority

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FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	CEH, DSC, MPBHS, TLEH	Where Council is the registration authority; not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	CEH, DSC, MPBHS, TLEH	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	CEH, EHO, MPBHS, TLEH	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 39A	Power to register, or renew the registration of a food premises despite minor defects	CEH, DSC, MPBHS, TLEH, EHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	CEH, DSC, MPBHS,	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	CEH, DSC, MPBHS	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	CEH, DSC, MPBHS, TLEH, EHO	Where Council is the registration authority

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FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40D(1)	Power to suspend or revoke the registration of food premises	CEH, DSC, MPBHS,	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	CEH, DSC, MPBHS,	
s 40F	Power to cancel registration of food premises	CEH, DSC, MPBHS	Where Council is the registration authority
s 43	Duty to maintain records of registration	CEH, DSC, EHO, MPBHS, PHAO, TLEH	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	CEH, DSC, EHO, MPBHS, TLEH	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 45AC	Power to bring proceedings	CEH, DSC, MPBHS	

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	CEH, DSC, MPBHS,	Where Council is the registration authority

HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO ¹	

¹ The only member of staff who can be a delegate in Column 3 is the CEO.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	DSC, MSES	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DSC, MSES	
s 4H	Duty to make amendment to Victorian Planning Provisions available in accordance with public availability requirements	CSSP, DSC, MPBHS, MSES, PSP, TLSP, SP	
s 4I(2)	Duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 12B(1)	Duty to review planning scheme	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 12B(2)	Duty to review planning scheme at direction of Minister	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES, PIO, CPLI, PPIO, PSP, PUP, SP, SUP, TLSP, TLUP, UP, GLA, PAO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 16B	Duty (upon receiving a request to prepare an amendment to the planning scheme) to decide: - to apply to the Minister for authorisation to prepare the amendment, with or without changes, under section 16F, or - to refuse the request. Note: see also sections 16A, 16D, 16E and 16K.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	
s 16C(1)	Duty to give written notice of its decision under section 16B to the person who made the request within 10 business days of making the decision. Note: The notice must contain prescribed information, and reasons if it is a refusal.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	
s 16C(4)	Duty to give a copy of the request and the notice under subsection 16C(1) to the Minister.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	
s 16F	Power to apply to the Minister for authorisation to prepare an amendment to the State standard provisions or the local provisions of a planning scheme in force in the municipal district. Note: see also sections 16G and 16K.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	
s 16F	Power to prepare an amendment to the planning scheme where the Minister has authorised Council to do so under section 16F	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	

S6 Instrument of Delegation to Members of Council Staff (January 2026 – Planning Delegation Update)

s 16H	Power to prepare an amendment specified in an application without the Minister's authorisation if no response received after 10 business days Note: see also section 16K.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	
s 16I	Power to apply to the Minister for authorisation to prepare an amendment to any part of the State standard provisions and local provisions of a planning scheme applying to an area adjoining its municipal district.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	
s 16I	Power to prepare amendment to the planning scheme applying to an area adjoining Council's municipal district where the Minister has authorised Council to do so under section 16I. Note: see also sections 16D, 16G and 16J.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	
s 17(1)	Duty of giving copy amendment to the planning scheme	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 17(2)	Duty of giving copy s 173 agreement	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	Until the proposed amendment is approved or lapsed
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	

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s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	DSC	Where Council is a planning authority

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 21(2)	Duty to make submissions available in accordance with public availability requirements	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 23A(2)	Power to: - change the amendment in the manner requested; - not change the amendment in the manner requested; or - abandon the amendment or part of the amendment.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	Where Council is the planning authority. After considering a submission which requests a change to a 'low-impact' amendment (as described in section 16N).

S6 Instrument of Delegation to Members of Council Staff (January 2026 – Planning Delegation Update)

s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
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Planning delegation

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	CSSP, DSC, MPBHS, MSES,	
s 28(1) (amended)	Duty to notify the Minister if abandoning an amendment, with a copy of any submission considered, and a statement of reasons for the decision	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 28C	Duty to comply with directions of the Minister after abandoning the amendment with respect to: - providing relevant documentation; and - providing assistance with steps to be taken for the amendment.	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	

s 30(4)(a)	Duty to say if amendment has lapsed	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
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Planning delegation

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 30(4)(b)	Duty to provide information in writing upon request	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 32(2)	Duty to give more notice if required	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 33(1)	Duty to give more notice of changes to an amendment	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 36(2)	Duty to give notice of approval of amendment	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 38(5)	Duty to give notice of revocation of an amendment	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	
s 40(1)	Function of lodging copy of approved amendment	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	DSC, MPBHS, MSES,	Where Council is a responsible public entity and is a planning authority
s 46AW	Function of being consulted by the Minister	DSC, MPBHS, MSES	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	DSC, MPBHS, MSES	Where Council is a responsible public entity

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	DSC, MPBHS, MSES	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	DSC, MPBHS, MSES	Where Council is a responsible public entity
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	DSC, MPBHS, MSES	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	DSC, MPBHS, MSES	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 46GP	Function of receiving a notice under s 46GO	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	DSC, MPBHS, MSES	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	DSC, MPBHS, MSES	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	DSC, MPBHS, MSES	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	DSC, MPBHS, MSES	
s 46GU	Duty not to adopt an amendment under s 29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	DSC, MPBHS, MSES	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	DSC, MPBHS, MSES	Where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GV(3)(b)	Power to enter into an agreement with the applicant	DSC, MPBHS, MSES	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DSC, MPBHS, MSES	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DSC, MPBHS, MSES	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	DSC, MPBHS, MSES	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	DSC, MPBHS, MSES	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	DSC, MPBHS, MSES	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	DSC, MPBHS, MSES	Where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GY(1)	Duty to keep proper and separate accounts and records	DSC, MPBHS, MSES	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	DSC, MPBHS, MSES	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	DSC, MPBHS, MSES	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(2)(b)	Function of receiving the monetary component	DSC, MPBHS, MSES	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	DSC, MPBHS, MSES	Where Council is the development agency specified in the approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	DSC, MPBHS, MSES	If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s 46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	DSC, MPBHS, MSES	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZA(1)	Duty to keep proper and separate accounts and records	DSC, MPBHS, MSES	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	DSC, MPBHS, MSES	Where Council is a development agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	DSC, MPBHS, MSES	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	DSC, MPBHS, MSES	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	DSC, MPBHS, MSES	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	DSC, MPBHS, MSES	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	DSC, MPBHS, MSES	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)	DSC, MPBHS, MSES	Where Council is the development agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZF(3)	Function of receiving proceeds of sale	DSC, MPBHS, MSES	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	DSC, MPBHS, MSES	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	DSC, MPBHS, MSES	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	DSC, MPBHS, MSES	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	DSC, MPBHS, MSES	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	DSC, MPBHS, MSES	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DSC, MPBHS, MSES	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	DSC, MPBHS, MSES	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	DSC, MPBHS, MSES	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	DSC, MPBHS, MSES	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	DSC, MPBHS, MSES	
s 46Q(1)	Duty to keep proper accounts of levies paid	DSC, MPBHS, MSES	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	DSC, MPBHS, MSES	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	DSC, MPBHS, MSES	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	DSC, MPBHS, MSES	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	DSC, MPBHS, MSES	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	DSC, MPBHS, MSES	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	DSC, MPBHS, MSES	
s 46QD	Duty to prepare report and give a report to the Minister	DSC, MPBHS, MSES	Where Council is a collecting agency or development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	DSC, MPBHS, MSES	
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	DSC, MPBHS, MSES,	
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	DSC, MPBHS, MSES,	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	DSC, MPBHS, MSES,	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 47	Power to decide that an application for a planning permit does not comply with that Act	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PIO, CPLI, PPIO, PSP, PUP, SSP, SP, SUP, TLSP, TLUP, UP	
s 48A	Power to notify an applicant that the application is incomplete Note: The notice must set out any required fees or information, the date for payment or production, and the effect of non-compliance set out in section 48B(1).	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PSP, PUP, SSP, SP, SUP, TLSP, TLUP, UP	Where Council is the responsible authority
s 48C	Power to refund a fee paid for an application which is void and of no effect under section 48B(1)	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES, TLUP	Where Council is the responsible authority

s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	GLA, CUP, CSSP, DSC, MPBHS, MSES, PAO, PIO, , CPLI, PPIO, PSP, PUP, SSP, SP, SUP, TLSP, TLUP, UP	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	GLA, CUP, CSSP, DSC, MPBHS, MSES, PAO, PIO, , CPLI, PPIO, PSP, PUP, SSP, SP, SUP, TLSP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50(4)	Duty to amend application	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 50(5)	Power to refuse to amend application	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 50(6)	Duty to make note of amendment to application in register	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 50A(1)	Power to make amendment to application	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 50A(4)	Duty to note amendment to application in register	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally affected	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 52(3)	Power to give any further notice of an application where appropriate	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 54(1)	Power to require the applicant to provide more information	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 54(1B)	Duty to specify the lapse date for an application	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 57A(5)	Power to refuse to amend application	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 57A(6)	Duty to note amendments to application in register	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57B(1)	Duty to determine whether and to whom notice should be given	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 57C(1)	Duty to give copy of amended application to referral authority	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 58	Duty to consider every application for a permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 58A	Power to request advice from the Planning Application Committee	CMP, CPO, CUP, DSC, MPBHS, MSES	
s 60	Duty to consider certain matters	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 60(1A)	Duty to consider certain matters	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i> <u>Must be exercised in a manner that is consistent with the adopted Statutory Planning Delegation Guidelines.</u> Decisions to be referred to Council for decision where one of the following situations apply:- a) 15 or more individual objections are received (multiple objections that are identical copies of each other (proformas) and petitions will only be counted as one objection). b) Any application where the value exceeds \$10-million. c) Any application exceeding the preferred height within the applicable zone or overlay. d) The application is a Ministerial application related to land use or development proposals. e) Applications that may significantly affect community amenity, raise matters of high strategic

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			sensitivity or set a precedent influencing future development.
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 62(2)	Power to include other conditions	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a), (b) and (c)	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64(3)	Duty not to issue a permit until after the specified period	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP, GLA, PAO	This provision applies also to a decision to grant an amendment to a permit – see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant, and a copy of any notice given under s 64 or 65	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 69(1)	Function of receiving application for extension of time of permit	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	
s 69(1A)	Function of receiving application for extension of time to complete development	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	
s 69(2)	Power to extend time	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 70	Duty to make copy permit available in accordance with public availability requirements	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	
s 71(1)	Power to correct certain mistakes	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 71(2)	Duty to note corrections in register	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	
s 73	Power to decide to grant amendment subject to conditions	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	<u>Must be exercised in a manner that is consistent with the adopted Statutory Planning Delegation Guidelines.</u>
s 74	Duty to issue amended permit to applicant if no objectors	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	<u>Must be exercised in a manner that is consistent with the adopted Statutory Planning Delegation Guidelines.</u>
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP, GLA, PAO	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP, GLA, PAO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP, GLA, PAO,	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP, GLA, PAO	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant, and a copy of any notice given under s 64 or 76	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP, GLA, PAO	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PSP, PUP, SP, SSP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 83	Function of being respondent to an appeal	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 83B	Duty to give or publish notice of application for review	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	GLA, CMP, CPO, CUP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 84AB	Power to agree to confining a review by the Tribunal	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES,	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 91(2)	Duty to comply with the directions of VCAT	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 93(2)	Duty to give notice of VCAT order to stop development	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES, PIO, CPLI, PPIO, PSP, PUP, SP, SUP, TLSP, TLUP, UP	
s 95(3)	Function of referring certain applications to the Minister	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 95(4)	Duty to comply with an order or direction	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	DSC, MPBHS, MSES	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CMP, CPO, CUP, DSC, MPBHS, MSES	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96A(2) amended	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CSSP, DSC, MPBHS, MSES, PSP, SP, SSP, TLSP	The request to prepare the amendment must be made under section 16A. Delegate must not agree to consider the application for the permit concurrently with the preparation of the proposed amendment unless it has made a decision under section 16B(a) to apply to the Minister for authorisation to prepare the amendment, with or without changes, under section 16F.
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	CSSP, DSC, MPBHS, MSES, SP, PSP, TLSP	
s 96F	Duty to consider the panel's report under s 96E	DSC, MPBHS, MSES	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES, PSP, SP, TLSP	
s 96H(3)	Power to give notice in compliance with Minister's direction	DSC, MSES, MPBHS	
s 96J	Duty to issue permit as directed by the Minister	DSC, MSES, MPBHS	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	

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s 96Z (amended)	Duty to keep levy certificates and levy exemption certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	
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Planning delegation

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97C	Power to request Minister to decide the application	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP, GLA, PAO	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with public availability requirements	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PUP, PSP, SP, SSP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97L	Duty to include Ministerial decisions in a register kept under s 49	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	DSC, MPBHS, MSES	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 97Q(4)	Duty to comply with directions of VCAT	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PUP, PSP, SP, SSP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	CMP, CPO, CUP, DSC, MPBHS, MSES	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	CMP, CPO, CUP, DSC, MPBHS, MSES	
s 101	Function of receiving claim for expenses in conjunction with claim	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	
s 103	Power to reject a claim for compensation in certain circumstances	DSC	
s 107(1)	Function of receiving claim for compensation	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	
s 107(3)	Power to agree to extend time for making claim	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	
s 114(1)	Power to apply to the VCAT for an enforcement order	CMP, CPO, CUP, DSC, MPBHS, MSES, PIO, CPLI, PPIO	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CMP, CPO, CUP, DSC, MPBHS, MSES, , PIO, CPLI, PPIO	
s 123(1)	Power to carry out work required by enforcement order and recover costs	DSC, MPBHS, MSES	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DSC	Except Crown Land

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 129	Function of recovering penalties	CMP, CPO, CUP, DSC, MPBHS, MSES, PIO, PP	
s 130(5)	Power to allow person served with an infringement notice further time	CMP, CPO, CUP, DSC, MPBHS, MSES, PIO, CPLI, PPIO	
s 149A(1)	Power to refer a matter to the VCAT for determination	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, PSP, SP, SSP, SUP, TLUP, UP	
s 149B	Power to apply to the Tribunal for a declaration.	DSC, MPBHS, MSES,	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	Where Council is the relevant planning authority
S 158F	Power to make submissions in response to a directions panel	CSSP, DSC, MPBHS, SES, PSP, SP, SP, TLSP	
s 171(2)(f)	Power to carry out studies and commission reports	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES	
s 171(2)(g)	Power to grant and reserve easements	DSC, MPBHS, MSES	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	DSC, MPBHS, MSES	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	DSC, MPBHS, MSES	Where Council is a collecting agency specified in an approved infrastructure contributions plan

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s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	DSC, MPBHS, MSES	Where Council is the development agency specified in an approved infrastructure contributions plan
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Planning delegation

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 173(1)	Power to enter into agreement covering matters set out in s 174	DSC, MBS, MPBHS, MSES	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	DSC, MPBHS, MSES	Where Council is the relevant responsible authority
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DSC, MPBHS, MSES	
s 178	Power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178A(1)	Function of receiving application to amend or end an agreement	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP,	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 178A(5)	Power to propose to amend or end an agreement	DSC, MPBHS, MSES	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	DSC, MPBHS, MSES	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	DSC, MPBHS, MSES	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	DSC, MPBHS, MSES	
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DSC, MPBHS, MSES	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DSC, MPBHS, MSES	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	DSC, MPBHS, MSES	If no objections are made under s 178D Must consider matters in s 178B

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	DSC, MPBHS, MSES	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DSC, MPBHS, MSES	After considering objections, submissions and matters in s 178B
s 178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	DSC, MPBHS, MSES	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	DSC, MPBHS, MSES	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP, GLA, PAO	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	DSC, MPBHS, MSES	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	DSC, MPBHS, MSES	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 179(2)	Duty to make a copy of each agreement available in accordance with the public availability requirements	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PA, PUP, SUP, TLUP, UP, SO	
s 181	Duty to apply to the Registrar of Titles to record the agreement	CMP, CPO, CUP, CSSP, DSC, MBS, MPBHS, MSES, PSP, PUP, SSP, SP, SUP, TLUP, TLSP, UP	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CMP, CPO, CUP, CSSP, DSC, MBS, , MPBHS, MSES, PSP, PUP, SP, SSP, SUP, TLUP, TLSP, UP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CMP, CPO, CUP, CSSP, DSC, MBS, MPBHS, MSES, PSP, PUP, SP, SSP, SUP, TLUP, TLSP, UP,	
s 182	Power to enforce an agreement	CMP, CPO, CSSP, CUP, DSC, MPBHS, MSES, PIO, CPLI, PPIO	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP SUP, TLUP	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 184G(2)	Duty to comply with a direction of the Tribunal	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	
s 184G(3)	Duty to give notice as directed by the Tribunal	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PA, PUP, SUP, TLUP, UP,	
s 198(1)	Function to receive application for planning certificate	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PA, PUP, SUP, TLUP, UP	
s 199(1)	Duty to give planning certificate to applicant	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	
s 201(1)	Function of receiving application for declaration of underlying zoning	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	
s 201(3)	Duty to make declaration	CMP, CPO, CUP, DSC, MPBHS, MSES	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
-	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	
	Power to decide, in relation to any planning scheme or permit, that a specified thing may be altered or modified with Council's consent	DCS, MSES, MPBHS	
	Power to decide, in relation to any planning scheme or permit, that a specified thing may be done subject to Council's prior consent or must not be done without Council's prior consent	DCS, MSES, MPBHS	
	Power to decide, in relation to any planning scheme or permit, that a specified thing is required to be approved and or endorsed by Council	DCS, MSES, MPBHS	
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	

	Power to approve and or endorse any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	
-	Power to give written authorisation in accordance with a provision of a planning scheme	CMP, CPO, CUP, DSC, MPBHS, MSES, PUP, SUP, TLUP, UP,	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	DSC, MPBHS, MSES	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	DSC, MPBHS, MSES	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CEH, DSC, EHO, MPBHS, TLEH	
s 522(1)	Power to give a compliance notice to a person	CEH, DSC, EHO, MPBHS, TLEH	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	DSC, MPBHS	
s 525(4)	Duty to issue identity card to authorised officers	DSC, MPBHS,	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	CEH, DSC, EHO, MPBHS, TLEH	
s 526A(3)	Function of receiving report of inspection	CEH, DSC, EHO, MPBHS, TLEH	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEH, DSC, EHO, MPBHS, TLEH	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CSAM, DICS, MPI	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	HPO, DCS, MCI	
s 11(9)(b)	Duty to advise Registrar	HPO, DCS, MCI	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	HPO, DCS, DICS, MCI, MES	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	HPO, DCS, DICS, CSAM, MES, MCI	Where Council is the coordinating road authority
S 12(2)(b)	Function of providing consent to the Head, Transport for Victoria for the discontinuance of a road or part of a road	DICS, MES,	
s 12(10)	Duty to notify of decision made	CTED, DICS, MCI, MES	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	HPO, DCS, MCI	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	CSAM, DICS, MPI	

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	DICS	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	DICS	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DICS	
s 15(2)	Duty to include details of arrangement in public roads register	CSAM, DICS, MES	
s 16(7)	Power to enter into an arrangement under s 15	DICS	
s 16(8)	Duty to enter details of determination in public roads register	CSAM, DICS, MES	
s 17(2)	Duty to register public road in public roads register	CSAM, DICS, MES	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	DICS, MES	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	CSAM, DICS, MES	Where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	DICS	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	CSAM, DICS, MES	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	DICS	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	CSAM, DICS, MES	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	CSAM, DICS, MPI	
s 19(4)	Duty to specify details of discontinuance in public roads register	CSAM, DICS, MPI	
s 19(5)	Duty to ensure public roads register is available for public inspection	CSAM, DICS, MPI	
s 21	Function of replying to request for information or advice	DICS, MES, MPI	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	DICS, MES, MPI	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report	DICS, MES, MPI	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 22(5)	Duty to give effect to a direction under s 22	DICS, MES, MPI	
s 40(1)	Duty to inspect, maintain and repair a public road	CCM, DICS, MES, CSAM	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CCM, DICS, MPI, MCO CSAM, MES	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DICS, MES, MPI,	
s 42(1)	Power to declare a public road as a controlled access road	DICS, MES, MPI	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	DICS, MES, MPI	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	DICS, MES, MPI	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	DICS, MES, MPI	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	DICS, MES	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	DICS, MES	
s 49	Power to develop and publish a road management plan	DICS, MPI	
s 51	Power to determine standards by incorporating the standards in a road management plan	DICS, MPI	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DICS, MPI	
s 54(2)	Duty to give notice of proposal to make a road management plan	DICS, MPI	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	DICS, MPI	
s 54(6)	Power to amend road management plan	DICS, MPI	
s 54(7)	Duty to incorporate the amendments into the road management plan	DICS, MPI	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	DICS, CSAM, MPI	
s 63(1)	Power to consent to conduct of works on road	CCM, DICS, MES	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	CCM, DICS, MES, MCO	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	CCM, DICS	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	DICS, MES	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	DICS, MES	Where Council is the coordinating road authority
s 67(3)	Power to request information	DICS, MES	Where Council is the coordinating road authority
s 68(2)	Power to request information	DICS, MES	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO	
s 72	Duty to issue an identity card to each authorised officer	DICS, MES	
s 85	Function of receiving report from authorised officer	DICS, MES	
s 86	Duty to keep register re s 85 matters	DICS, MES	

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 87(1)	Function of receiving complaints	DICS, MES	
s 87(2)	Duty to investigate complaint and provide report	DICS, MES	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	DCS	
s 112(2)	Power to recover damages in court	DICS, MES	
s 116	Power to cause or carry out inspection	CCM, CSAM, DICS, MCO MES, MPI	
s 119(2)	Function of consulting with the Head, Transport for Victoria	DICS, MES	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	DICS	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	DICS	
s 121(1)	Power to enter into an agreement in respect of works	DICS	
s 122(1)	Power to charge and recover fees	DICS, MES,	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 123(1)	Power to charge for any service	DICS, MCWMES,	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	DICS, MES	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	DICS, MES	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	DICS, MES	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	DICS, MES	
sch 2 cl 5	Duty to publish notice of declaration	DICS, MES	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	DICS, MES,	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	DICS, MES,	Where Council is the infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DICS, MES,	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	DICS, MES,	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DICS, MES,	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	DICS, MES,	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CCM, DICS, MES	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	CCW, CCDP, , CCM, DICS, MES	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	CFO, DICS, MES,	Where Council is the coordinating road authority

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	DICS, MES	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	DICS, MES	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	DICS, MES,	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	CCM, DICS, MES	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	CCW, CCDP, CPMO, CCM, DICS, MES,	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	CCM, DICS, MES	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	CCM, DICS, MES,	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	CCM, DICS, MES,	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	CCM, DICS, MES,	Where Council is the coordinating road authority

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 18(1)	Power to enter into an agreement	DICS, MES	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	CCW, CCDP, CPMO, CCM, DICS, MES, MCO	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DICS, MES,	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DICS, MES,	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause streetlights to be installed on roads	CTED, DICS, MES	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	CTED, DICS, MES	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	CTED, DICS, MES	Where Council is the responsible road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with cls 3(2) and 4	CTED, DICS, MES	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CSSP, DSC, MPBHS, MSES, PSP, SP, TLSP	Where Council is not the planning authority, and the amendment affects land within its municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r 21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PA, PUP, SUP, TLUP, UP	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) in accordance with the public availability requirements	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	Where Council is the responsible authority
r 25(b)	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	Where Council is not the responsible authority, but the relevant land is within Council's municipal district
r 42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PSP,	Where Council is not the planning authority, and the amendment affects land within Council's municipal district; or

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	application for an amendment to a planning scheme and notice of a permit application	PUP, SP, SSP, SUP, TLUP, UP	Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
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Planning delegation

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	CSSP, DSC, MPBHS, MSES	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r19 or 20	GLA, CMP, CPO, CUP, CSSP, DSC, MPBHS, MSES, PAO, PUP, SUP, TLUP, UP	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2024			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 7	Power to enter into a written agreement with a caravan park owner	CEH, DSC, EHO, MPBHS, TLEH,	
r 10	Function of receiving application for registration	CEH, DSC, EHO, MPBHS, TLEH,	
r 11	Function of receiving application for renewal of registration	CEH, DSC, EHO, MPBHS, TLEH,	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEH, DSC, EHO, MPBHS, TLEH,	
r 12(1)	Power to refuse to grant the registration if not satisfied that the caravan park complies with these regulations	CEH, DSC, EHO, MPBHS, TLEH,	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEH, DSC, EHO, MPBHS, TLEH,	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEH, DSC, EHO, MPBHS, TLEH,	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2024			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	CEH, DSC, EHO, MPBHS, TLEH,	
r 12(4) & (5)	Duty to issue certificate of registration	CEH, DSC, EHO, MPBHS, TLEH,	
r 14(1)	Function of receiving notice of transfer of ownership	CEH, DSC, EHO, MPBHS, TLEH,	
r 14(3)	Power to determine where notice of transfer is displayed	CEH, DSC, EHO, MPBHS, TLEH,	
r 15(1)	Duty to transfer registration to new caravan park owner	CEH, DSC, EHO, MPBHS, TLEH,	
r 15(2)	Duty to issue a certificate of transfer of registration	CEH, DSC, EHO, MPBHS, TLEH,	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	CEH, DSC, EHO, MPBHS, TLEH,	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2024			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CEH, DSC, MPBHS, TLEH	
r 17	Duty to keep register of caravan parks	CEH, DSC, MPBHS, TLEH	
r 21(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	CEH, DSC, EHO, MPBHS, TLEH,	
r 21(2)	Duty to consult with relevant emergency services agencies	CEH, DSC, EHO, MPBHS, TLEH,	
r 22	Power to determine places in which caravan park owner must display a copy of emergency procedures	CEH, DSC, EHO, MPBHS, TLEH,	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	CEH, DSC, EHO, MPBHS, TLEH,	
r 24(2)	Power to consult with relevant floodplain management authority	CEH, DSC, EHO, MPBHS, TLEH,	
r 26(b)(i)	Power to approve system for the discharge of sewage and wastewater from a movable dwelling	CEH, DSC, EHO, MPBHS, TLEH,	

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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2024			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 38	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	CEH, DSC, EHO, MPBHS, TLEH,	
r 38(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CEH, DSC, EHO, MPBHS, TLEH,	
r 39(3)	Function of receiving installation certificate	CEH, DSC, EHO, MPBHS, TLEH,	
r 45(3)	Power to determine places in which caravan park owner must display name and telephone number of an emergency contact person	CEH, DSC, EHO, MPBHS, TLEH,	
r 45(5)	Power to determine places in which caravan park owner must display the certificate of registration or certificate of renewal of registration, the plan of the caravan park and a copy of the caravan park rules	CEH, DSC, EHO, MPBHS, TLEH,	
Sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	CEH, DSC, MPBHS, TLEH	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 8(1)	Duty to conduct reviews of road management plan	DICS, MPI	
r 9(2)	Duty to produce written report of review of road management plan and make report available	CSAM, DICS, MPI	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	CSAM, DICS, MPI	Where Council is the coordinating road authority
r 10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	DICS, MPI	
r 13(1)	Duty to publish notice of amendments to road management plan	CSAM, DICS, MPI	Where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	CSAM, DICS, MPI	
r 16(3)	Power to issue permit	DICS	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	CCW, CCDP, CPMO, MES	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	CCW, CCDP, CPMO, MES	Where Council is the coordinating road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	CCW, CCDP, CPMO, MES	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CCSC, DCS, DICS, MCI, MCO, TLCSC, TLGAM	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	CCSC, DCS, DICS, MCI, TLCSC, MCO, TLGAM	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	CCSC, DCS, DICS, MCI, MCO, TLCSC, TLGAM	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	DICS, MES	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	DICS, MES	Where Council is the coordinating road authority

7.2.6 Municipal Association of Victoria State Council Motions – October 2026

Directorate: Office of the Chief Executive

Responsible Officer: Manager Communications, Engagement and Advocacy

Attachments: Nil

Purpose

To consider the motions to be put to the Municipal Association of Victoria (MAV) for the State Council Meeting in October 2026.

Recommendation

1. **That Council resolves to put the motions listed in this report to the Municipal Association of Victoria's State Council Meeting being held in October 2026.**

Executive Summary

1. The October 2026 MAV State Council Meeting provides an opportunity for Council to seek broader local government support for advocacy priorities that have significance across Victoria.
2. The proposed motions focus on two areas where councils continue to experience challenges: the need for a more coordinated approach to air quality management and the need for greater clarity and consistency in contaminated land assessment processes. These issues have implications for community health, environmental outcomes, planning efficiency, housing delivery and local government decision-making.
3. The motions have been developed to address matters affecting not only Hobsons Bay but many Victorian councils. Through MAV, Council can support collective advocacy to improve government policy, strengthen interagency coordination and achieve more consistent outcomes across the local government sector.

Background

4. Council regularly advocates on issues that affect the wellbeing of local communities and the effective delivery of council responsibilities. MAV State Council motions provide a mechanism for councils to elevate matters of local significance to the broader local government sector and seek coordinated advocacy to the Victorian Government.

5. The two motions proposed for submission respond to ongoing challenges that extend beyond individual municipalities. The first seeks a more coordinated and transparent framework for managing air quality, particularly in Melbourne's inner west where communities experience the cumulative impacts of freight, industry and transport activity. The second seeks improvements to contaminated land assessment processes to provide greater certainty for councils, developers and communities navigating planning and development decisions.
6. If supported by MAV, these motions will contribute to sector-wide advocacy aimed at improving environmental health outcomes, strengthening planning processes and supporting more effective collaboration between local and state government.

Discussion

7. The following motions have been developed for Council to consider for submission to the MAV State Council Meeting in October 2026.

Motion 1: Melbourne's Air Quality Management Framework Motion

8. **The following motion has been developed for submission to the MAV State Council Meeting to strengthen the Victorian Government's long-term approach to improving air quality and reducing the cumulative impacts of pollution on communities in Melbourne and recognising the inner west as a priority area.**
9. That the Municipal Association of Victoria (MAV) advocate to the Victorian Government to:
 1. Establish a coordinated, long-term Air Quality Management Framework that addresses the cumulative air pollution impacts of transport, freight and industrial emissions on community health, with an initial focus on Melbourne's inner west.
 2. Provide clear governance arrangements across relevant State Government agencies, with defined responsibilities, improved coordination and transparent and consistent public reporting on air quality outcomes and actions.
 3. Provide ongoing investment in permanent air quality monitoring, public reporting and evidence-based initiatives that reduce air pollution and improve community health outcomes in Melbourne's inner west.
 4. Ensure air quality, public health and cumulative impact considerations are embedded in the planning, assessment and delivery of major transport, freight and industrial infrastructure projects affecting Melbourne's inner west.
 5. Develop a consistent methodology for assessing cumulative air pollution impacts when planning major transport, freight and industrial developments affecting Melbourne's inner west.
 6. Nominate a lead agency responsible for coordinating implementation of the Framework, reporting publicly on progress and coordinating action across relevant State Government agencies.

Overview

10. Communities across Melbourne's inner west continue to experience some of the highest levels of air pollution in Victoria due to the cumulative impacts of freight activity, major road networks, industrial operations and ongoing infrastructure development. While significant work has been undertaken by State Government agencies, councils and community groups in recent years, residents continue to express concern about the long-term health impacts of poor air quality and the need for stronger coordination across government.
11. Hobsons Bay City Council, together with neighbouring councils, has played a leading role in advocating for improved air quality outcomes. Council has delivered community forums, engaged with residents and government agencies, supported regional advocacy initiatives and established dedicated information resources to improve community awareness and understanding of air quality issues.
12. These efforts have contributed to important initiatives including the Victorian Air Quality Strategy, targeted air quality improvement projects and expanded monitoring. However, responsibility for managing air quality remains fragmented across multiple government agencies, limiting coordination, creating uncertainty around accountability and making it difficult for communities to understand how progress is being measured and improvement delivered.
13. As Melbourne continues to grow and major transport, freight and industrial infrastructure projects are delivered across the state, there is an opportunity for the Victorian Government to strengthen its long-term approach to air quality management. While air pollution affects communities across Victoria in different ways, Melbourne's inner west experiences a unique concentration of cumulative impacts and should be recognised as a priority area for coordinated action.
14. A dedicated Air Quality Management Framework would provide a clear and transparent structure for cross-government collaboration, establish accountability for outcomes, support evidence-based decisions making and better integrate environmental, planning and public health objectives. It would also help ensure that communities experiencing the greatest cumulative impacts are prioritised for investment, monitoring and mitigation measures.
15. This motion seeks MAV's support in advocating for a coordinated statewide approach to air quality management, with an initial focus on Melbourne's inner west, that delivers measurable improvements in air quality, strengthens government accountability and protects the health and wellbeing of current and future generations.

Motion 2: Improving Clarity and Consistency in Contaminated Land Assessment Processes Motion

16. **The following motion has been developed for submission to the MAV State Council meeting to address ongoing challenges faced by councils in assessing and managing contaminated land through planning and development application processes.**
17. That the Municipal Association of Victoria (MAV) advocate to the Victorian Government to:
 1. Provide clearer and more consistent guidance on the assessment of contaminated and potentially contaminated land through planning and development application processes, including when environmental audits or site investigations are required, particularly where land is identified as potentially contaminated due to historic use, to support proportionate and risk-based decision making.
 2. Clarify the respective roles, responsibilities and liabilities of councils, EPA Victoria, landowners and other relevant parties in contaminated land assessment and decision-making, including the level and type of information required to inform statutory decisions.
 3. Improve the timeliness, capacity and accessibility of contaminated land assessment and environmental audit processes, including addressing delays that impact planning approvals, development timeframes and housing delivery.
 4. Support councils with practical tools, advice and training to enable consistent, confident and proportionate assessment of contaminated land across the sector.

Overview

18. Councils across Victoria routinely assess planning permit applications, rezonings and development proposals involving contaminated or potentially contaminated land. However, current guidance and processes are often unclear, inconsistent and resource-intensive, creating uncertainty for councils, applicants and communities.
19. Recent changes to planning system settings and statutory processes have reduced clarity around when statutory planning officers can request site investigations or environmental audits, even where historic land use indicates a potential contamination risk. This has created inconsistencies in practice across municipalities and reduced confidence in decision-making.
20. Councils are increasingly required to assess complex contamination issues as part of statutory planning processes, often without clear guidance regarding liability, appropriate reliance on expert advice, or the respective roles of state agencies in managing contamination risks.
21. Improved clarity and consistency would support more efficient and transparent planning processes, reduce delays and uncertainty for applicants and councils, strengthen public confidence in decision-making and help ensure potential contamination risks are appropriately identified and managed to protect human health and the environment.

Overarching Governance Principles

24. This report has been prepared with consideration of the overarching governance principles set out in section 9(2) of the *Local Government Act 2020*.
25. The table below outlines how this report aligns with the principles.

Overarching governance principle	Actions supporting the principle
(a) Council decisions are to be made, and actions taken in accordance with the relevant law	Submission of motions through MAV is consistent with Council's role under the <i>Local Government Act 2020</i> to represent and advocate for the interests of the Hobsons Bay community.
(b) priority is to be given to achieving the best outcomes for the municipal community, including future generations	The motions seek improved environmental, public health and planning outcomes for current and future generations.
(c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted	The motions support improved environmental management, effective planning processes and sustainable community outcomes.
(d) the municipal community is to be engaged in strategic planning and strategic decision making	The issues raised reflect ongoing community concerns regarding air quality, health impacts and appropriate land use planning.
(e) innovation and continuous improvement is to be pursued	The motions advocate for improved frameworks, guidance and evidence-based approaches across government.
(f) collaboration with other councils and governments and statutory bodies is to be sought	Submission through MAV supports coordinated sector-wide advocacy and partnership with State Government agencies.
(g) the ongoing financial viability of the Council is to be ensured	Improved policy clarity and decision-making frameworks can reduce uncertainty, delays and resource pressures on councils.
(h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making	The motions respond to existing Victorian Government planning, environmental and public health policy settings.
(i) the transparency of Council decisions, actions and information is to be ensured	The motions are being considered through a formal Council report and resolution process.

Strategic Alignment

This report specifically addresses priorities from the following strategic documents:

26. Hobsons Bay 2040 Community Vision

Priority 1: Sustainable, safe and accessible urban planning

Priority 4: Continuous improvement and conservation of the natural environment

Priority 5: Maintain and expand sustainable practices

27. Council Plan 2025-29

Theme 1: Healthy Community

Goal 1.2: Reduce harm and build a safer community

Goal 1.3: Promote physical and mental wellbeing

Theme 2: Sustainable Environment

Goal 2.4: Promote the conservation and enhancement of our unique natural environments

Policies and Related Council Documents

28. All relevant Council policies have been considered in preparing the proposed motions outlined within this report.

Legal and Statutory Obligations

General legal and statutory obligations

29. The requirements of the *Charter of Human Rights and Responsibilities Act 2006* have been considered when writing this report.

Climate Change and Circular Economy

30. The proposed motions support improved environmental and public health outcomes through advocacy for stronger air quality management and more effective contaminated land assessment processes, with no direct climate change risks or impacts on Council operations arising from this decision.

Gender Equity Impact Statement

31. This report has been prepared having regard to the requirements of the *Gender Equality Act 2020*.
32. Officers have assessed the gender equity implications of this matter and determined that the proposal is administrative or operational in nature and is not expected to have a differential impact on any gender. A Gender Impact Assessment is not required.

Risk

Identified Risk	Mitigation
Environmental and public health impacts associated with poor air quality continue without coordinated government action.	Advocacy through MAV for a statewide framework, improved monitoring and stronger governance arrangements.
Ongoing uncertainty regarding contaminated land assessment creates delays, increased costs and inconsistent planning outcomes.	Advocacy for clearer guidance, improved processes and greater support for councils.
Poor relationships between local and state government may arise where operational impacts are not adequately considered.	Continued engagement through MAV and direct collaboration with relevant government agencies.
Strategic advocacy opportunities are not pursued.	Participation in MAV State Council processes to advance local and sector-wide priorities.

Financial and Resource Implications

33. There are no direct financial implications arising from the submission of these motions. Ongoing advocacy activities can be accommodated within existing budgets and resources.

Environmental, Social and Economic Impacts

Environmental impacts

34. The proposed motions support improved environmental outcomes through advocacy for enhanced air quality management and more effective assessment of contaminated land.

Social impacts

35. The proposed motions seek to improve community health, safety and wellbeing by supporting better management of air quality and potential contamination risks.

Economic impacts

36. The proposed motions seek greater policy clarity and more efficient regulatory processes, which may help reduce delays, uncertainty and costs for councils, applicants and communities.

Consultation and Communication

37. Relevant Council officers have been consulted in the development of the proposed motions. The motions reflect established advocacy priorities and operational issues experienced by councils across Victoria.

Conflict of Interest

38. Section 130 of the *Local Government Act 2020* requires members of Council staff to disclose any general or material conflict of interest in matters to be considered at a Council meeting.
39. Council staff involved in the preparation of this report have no conflict of interest in this matter.

7.3 Matters for Noting

There are no reports to be noted.

8 Other Reports

8.1 Committee Reports

There are no reports from committees in this agenda.

8.2 Delegate Reports

Purpose

To consider reports by Councillors who have been appointed as delegates to Council and community committees.

Recommendation

1. That Council receives and notes the recent delegate reports:
 - 1.1 Metropolitan Transport Forum – March to June 2026
 - 1.2 Association of Bayside Municipalities – 8 July 2026
 - 1.3 National General Assembly of Local Government 2026

Metropolitan Transport Forum – March to June 2026

Directorate: Infrastructure and City Services

Responsible Officer: Cr Paddy Keys-Macpherson

Date: 11 March, 1 April, 13 May and 3 June 2026

The Metropolitan Transport Forum (MTF) is a monthly gathering that allows councils to collaborate and discuss ways to improve the transport system by sharing knowledge and focusing on integrated transport. The forum is attended by 26 councils in Melbourne, as well as individuals from other transport-related organisations and advocacy groups such as the Department of Transport and Planning (DTP), the Public Transport Users Association and Victoria Walks. This report covers a summary of the meetings from the last quarter.

Presentations

11 March 2026

1. The March meeting included an advocacy workshop focused on identifying transport priorities ahead of the 2026 Victorian State Election. Members participated in breakout sessions covering walking, cycling and public transport, alongside representatives from PTUA, Victoria Walks, Better Buses and Bicycle Network. Key themes included improving pedestrian safety, delivering Strategic Cycling Corridors, expanding bus service frequency and coverage, and ensuring transport infrastructure keeps pace with housing growth and urban development. Members agreed on the importance of collaborative advocacy across councils and transport organisations to maximise influence ahead of the election.

1 April 2026

2. Delegates received a presentation from Professor Simon Kingham, Professor of Geography at the University of Canterbury and former Chief Science Advisor to New Zealand's Ministry of Transport, on the theme "*Streets for People or Roads for Cars: How Low-Cost Changes Can Reap Big Benefits.*" Professor Kingham highlighted international research demonstrating how lower traffic volumes and people-focused street design contribute to stronger social connections, increased active transport and improved community wellbeing. He presented evidence supporting low-traffic neighbourhoods, cycling infrastructure, public space improvements and effective community consultation processes. The presentation also emphasised the economic and social benefits associated with active transport investment and the value of trial projects when implementing transport reforms.

13 May 2026

3. The May meeting focused on strategic advocacy planning. Members discussed the draft bus research report prepared by Movement and Place, which seeks to identify opportunities for bus network improvements across metropolitan Melbourne.
4. The discussion noted that recent State Budget initiatives addressed only a limited number of the report's recommendations, while recognising the report provides a comprehensive framework for future bus service improvements. Members were invited to provide feedback on the report ahead of its finalisation.

3 June 2026

5. Delegates received a presentation from Mr Harry Barber of Urban Transit Solutions on road and parking pricing strategies. The presentation explored various approaches to road user and parking charges used internationally, including congestion pricing schemes in Stockholm, Manhattan, London and Singapore. The discussion highlighted how pricing mechanisms can be used to optimise network performance, manage travel demand, reduce congestion and improve environmental outcomes. Examples were provided demonstrating how revenue generated through pricing systems can be reinvested into transport infrastructure and public transport improvements. The presentation also emphasised the importance of clearly defining objectives, measuring outcomes and limiting exemptions to ensure policy effectiveness.

Strategic Advocacy

6. During the March meeting, members considered potential transport priorities for inclusion in election advocacy campaigns. Common priorities identified across councils included support for 30 km/h residential speed limits, improved pedestrian infrastructure, delivery of Strategic Cycling Corridors, bus network reform, increased service frequencies, improved weekend public transport services and better transport connectivity in growth areas.

7. At the April meeting, members received an update on the Movement and Place bus research program and associated workshops. Planning also progressed for a series of metropolitan transport town hall forums to be held across Melbourne during the lead-up to the State Election.
8. At the May meeting, members reviewed the draft Movement and Place bus research report and discussed opportunities for regional advocacy collaborations. Shared priorities included bus reform, implementation of Northern Bus Review recommendations, strategic cycling projects, improved transport links to activity centres and growth areas, rail service enhancements and support for Western Rail Plan initiatives.
9. At the June meeting, members received an update on preparations for the 2026 State Election Town Hall Forums, with six forums planned across metropolitan Melbourne including Manningham, Casey, Maribyrnong, Melton and Port Phillip. Members were advised that dates were being finalised and would be announced shortly. Members were also advised that the recently completed Movement and Place Bus Service Research Report is now available as a key advocacy resource for councils and partner organisations.

Council Information Sharing

10. At the April meeting, Wyndham City Council provided an overview of its active transport program, including updates to its Active Transport Strategy, delivery of more than 63 kilometres of shared paths, installation of electric vehicle charging infrastructure and advocacy for major transport projects including Wyndham Vale rail electrification and the Outer Metropolitan Transport Corridor. Boroondara City Council also shared advocacy motions seeking stronger state leadership for implementation of Strategic Cycling Corridors and progress on bus network reform in Melbourne's north-eastern suburbs.
11. At the May meeting, Banyule City Council presented updates on major transport projects including the North East Link and M80 Ring Road, alongside new active transport initiatives such as bicycle policy implementation, walking circuit maps and a car-share policy. Manningham Council provided updates on public consultation for its draft Active Transport Strategy and Better Bus Services program, including advocacy for improved bus routes and investigation of a high-frequency busway along the Doncaster Road corridor.
12. At the June meeting, Bayside City Council shared updates on its Integrated Transport Strategy, including electric vehicle charging initiatives, road safety improvements and progress on the Bay Trail duplication project.
13. Casey City Council provided updates on LED streetlight upgrades, speed reduction projects, advocacy for the Clyde Rail extension and bus service improvements and advised that a review of its Integrated Transport Strategy is underway.

Association of Bayside Municipalities – 8 July 2026

Directorate: Infrastructure and City Services

Responsible Officer: Cr Kristin Bishop

Date: 8 July 2026

1. The Association of Bayside Municipalities (ABM) held an in-person member meeting and workshop at MAV to review governance matters, share coastal management updates, and identify priorities for future collaboration.
2. Members received updates on the Implementation Plan for the Strategic Plan, annual reporting, financial management, Executive Committee activities, the ABM-MAV Memorandum of Understanding, Charter review, membership arrangements and invoicing processes.
3. The Program Advisor reported progress across advocacy, knowledge sharing and partnership development, including Victoria's Coastal Commitment campaign and stronger engagement with government agencies and sector partners.
4. Member councils shared updates on significant coastal adaptation, asset management, erosion, access, and resilience projects underway across Port Phillip Bay.
5. Members also received information on recent works completed at the Laverton Creek sand spit, which was highlighted as a positive example of collaboration between Hobsons Bay City Council and DEECA to deliver practical coastal management outcomes on site.
6. Workshops focused on funding opportunities, Traditional Owner engagement and ecosystem health. Key outcomes included continued advocacy for greater coastal funding, strengthening relationships with Bunurong and Wadawurrung Traditional Owner groups, improving access to coastal monitoring data, exploring blue carbon initiatives and developing collaborative approaches to shared challenges such as vegetation vandalism. Members agreed on a range of actions to support future advocacy, knowledge sharing and regional collaboration.

National General Assembly of Local Government 2026

Directorate: Corporate Services
Responsible Officer: Acting Manager Corporate Integrity
Date: 23 to 25 June 2026

Purpose

1. To report on Council's attendance at the Australian Local Government Association (ALGA) National General Assembly (NGA) held in Canberra from 23 to 25 June 2026.

Background

2. Councillors play a vital role in representing their communities, and strong connections with fellow councillors are essential to effective local governance.
3. The ALGA NGA is the largest annual gathering of local government leaders in Australia. Building relationships across the national local government sector encourages collaboration, the sharing of ideas and experiences, and a deeper understanding of diverse community perspectives. By connecting with one another, councillors can work more constructively to address challenges, make informed decisions and achieve better outcomes for the communities they serve.
4. Council's delegation to the 2026 ALGA NGA comprised the Mayor Cr Diana Grima, Deputy Mayor Cr Lisa Bentley and Cr Rayane Hawli. In addition to representing Council, Cr Hawli attended as a Council delegate to the Taskforce Supporting People Seeking Asylum and Refugees through the Back Your Neighbour campaign and as the Deputy Chair of LeadWest. Their delegate reports are at attachments 1 and 2 to this report.

Discussion

5. The NGA was held under the theme Stronger Together: Resilient. Productive. United.
6. The Assembly and the inaugural Urban Forum program included ministerial panels, sector presentations and debate on motions submitted by councils.
7. Council submitted a motion for consideration by the ALGA NGA relating to aged care reform and the sustainability of local government service delivery. The motion called on the Federal Government to provide greater funding certainty, reduce administrative burden and ensure councils can continue delivering community aged care services. The motion was carried by the Assembly, representing a positive advocacy outcome for Council and supporting broader sector concerns regarding aged care reform.

Report from Mayor and Deputy Mayor – 2026 National General Assembly of Local Government (Canberra, 23–25 June 2026)

1. PURPOSE

To report on the Mayor, Cr Diana Grima, Deputy Mayor Cr Lisa Bentley attendance at the Australian Local Government Association (ALGA) National General Assembly (NGA) held in Canberra from 23 to 25 June 2026.

2. REPORT

The ALGA NGA is the largest annual gathering of local government representatives in Australia. It provides an opportunity to consider major issues affecting communities nationwide, contribute to national advocacy and engage with Federal Government representatives.

The NGA and inaugural Urban Forum enabled delegates to engage with fellow local government representatives from across Australia on matters of shared importance. This included valuable time to examine the challenges and opportunities which specifically face urban councils and explore emerging issues affecting our communities. Such opportunities to connect has provided insights about how to further address challenges, make informed decisions, and achieve better outcomes for our communities.

3. PROGRAM OVERVIEW

During the NGA program the delegates heard from ministerial panels, sector presentations and debate on motions submitted by councils.

Her Excellency the Hon. Ms Sam Mostyn AC, Governor-General of Australia, formally opened the Assembly. Federal, territory and parliamentary leaders also addressed the Assembly, including the Hon.Catherine King MP, the Hon.Kristy McBain MP, the Hon.Claire O'Neil MP, the Hon.Julian Hill MP, Mr Jamie Chaffey MP, Senator Andrew Bragg, Senator the Hon.Matt Cavavan, and ACT Chief Minister Andrew Barr MLA.

Over the three days, delegates participated in NGA sessions and the Urban Forum discussions which focused on key issues impacting metropolitan councils, including:

- State of cities and population growth
- Urban development and infrastructure
- Climate adaptation and sustainability
- Emergency management
- Community cohesion and inclusion.

During the program the Mayor participated in a Back Your Neighbour event which was hosted by the Mayoral and Councillor Taskforce Supporting People Seeking Asylum.

4. KEY INSIGHTS

4.1 Financial Sustainability

A key topic of discussion given that Councils continue to face increasing pressure to deliver services and maintain infrastructure within constrained funding environments.

Untied federal funding was reinforced as essential to continue to deliver services and infrastructure for communities. Grant programs and other funding opportunities such as private sector partnership were points of discussion.

4.2 Climate Adaptation

Climate impacts and the increasing expectation on councils to respond on matters such as coastal erosion, flooding and infrastructure resilience were priority discussions.

4.3 Emergency Management

The continued recognition of the critical roles and responsibilities Councils have in supporting communities during and after disasters and the cumulative financial impact that such emergencies can have on councils.

4.4 Disability and Inclusion

The wide range of important activities and services delivered by local government to promote inclusion and accessibility for people with disabilities.

4.5 Social cohesion

The critical role local government plays in fostering social cohesion including by developing strong community connections as ways to combat division and racism.

5. IMPLICATIONS FOR HOBSONS BAY

The issues discussed at the NGA have direct relevance to Hobsons Bay, including:

- Financial sustainability pressures
- Ongoing uncertainty in aged care service delivery
- Climate impacts including sea level rise and coastal and wetlands management
- Opportunities to strengthen advocacy relationships

6. ADVOCACY

Council submitted a motion relating to aged care reform and the sustainability of local government service delivery which called on the Federal Government to provide greater funding certainty, reduce administrative burden and ensure councils can continue delivering community aged care services.

The motion was carried by the Assembly, representing a positive advocacy outcome for Council and supporting broader sector concerns regarding aged care reform.

Meetings for the purpose of advocacy were held with:

- the Hon. Catherine King MP about the importance of the Commonwealth Government partnering with local government to provide much needed infrastructure to support the wellbeing and livability of local communities. Infrastructure such as sustainable transport and active formal and informal recreation opportunities such as aquatic facilities and walking and cycling paths for people of all ages.
- the Hon. Tim Watts MP, Member for Gellibrand, to discuss Council's advocacy priorities including funding towards the delivery of Stage 2 of the Hobsons Bay Wetlands Centre and upgrades to critical infrastructure including BayFit Leisure Centre in Altona North.

7. CONCLUSION

Attendance at the NGA and the Urban Forum provided valuable insights into the challenges and opportunities facing local government and supported Council's advocacy priorities at a national level.

Councillor Delegate Report

Australian Local Government Association – National General Assembly (NGA) 2026

Presented by: Cr Rayane Hawli

1. Purpose of Report

This report provides the Council with a detailed account of my attendance and representation at the **Australian Local Government Association (ALGA) National General Assembly (NGA) 2026**, held in Canberra. It outlines meetings with Federal representatives, achievements from the conference, and the benefits gained through sector collaboration and engagement.

I attended as a representative of Hobsons Bay City Council in my capacity as a Councillor representing the Hobsons Bay community, as a delegate of the **Taskforce Supporting People Seeking Asylum and Refugees** through the **Back Your Neighbour (BYN)** campaign and as the Deputy Chair of **LeadWest**.

2. Background

The NGA is Australia's peak annual event for local government, drawing over 1,100 delegates from the 537 councils nationwide. It serves as an essential platform for influencing Commonwealth policy, securing insights on emerging federal initiatives, and fostering collaboration across all levels of government.

My participation as a delegate of Hobsons Bay was strategically focused on:

- Implementation of Commonwealth Government policy on Housing, Homelessness and Aged Care.
- Advancing Hobsons Bay's leadership role in social inclusion and refugee support through the Back Your Neighbour campaign.
- Strengthening relationships with federal decision-makers, diplomats, and sector peers.
- Promoting youth participation in politics and reinforcing Hobsons Bay's commitment to diversity and inclusion.
- Championing social cohesion and multicultural and interfaith understanding in Australia.
- Advocating for investment in Melbourne's west through the regional priorities of LeadWest as Deputy Chair.

3. Key Engagements and Meetings

3.1 Meeting with the Deputy Prime Minister, The Hon. Richard Marles MP - Minister for Defence

Key discussion points included:

- Introduced the Hobsons Bay, outlined the municipality's key demographic, economic and community characteristics, as well as its current priorities, successes and emerging challenges.
- Discussed the role of the Commonwealth in supporting local government.
- Raised the importance of promoting social cohesion and community harmony in an increasingly diverse community, particularly in the context of global events and their local impacts.
- Highlighted the important role of local government in fostering inclusive communities and supporting civic participation across culturally diverse communities.
- Shared my perspective as a young, elected representative from a migrant background, discussing the importance of youth representation and building trust between communities and government.

Value to Council and our Community:

This meeting elevated Hobsons Bay's profile at the federal level and provided an opportunity to advocate on behalf of the city directly to the Deputy Prime Minister of Australia, the opportunities for partnerships and collaboration to advance the council's objectives.

3.2 Meeting with the Hon. Minister Sam Rae MP - Minister for Aged Care & Seniors

Key discussion points included:

- The long-term sustainability of aged care services delivered by local government.
- The need for increased Commonwealth investment to support the sector.
- Hobsons Bay's initiatives to support older residents and promote healthy ageing.
- Opportunities to strengthen collaboration between the Commonwealth and local government to improve service delivery and ensure long-term financial sustainability.

Australian Local Government Association – National General Assembly (NGA) 2026

Cr Rayane Hawli, Delegate Report

Value to Council and our Community:

This meeting provided an opportunity to advocate directly to the Minister for greater Commonwealth support for Hobsons Bay Aged Care service delivery, highlighting our council's initiatives for senior residents, and strengthening relationships that support more sustainable and collaborative service delivery for our municipality.

3.3 Meeting with the Hon. Josh Burns MP - Special Envoy for Social Housing and Homelessness

Key discussion points included:

- The increasing demand for social and affordable housing across Hobsons Bay.
- Innovative initiatives and long-term strategies to reduce homelessness, including early intervention and support services.
- The need for increased Commonwealth investment to expand housing supply and strengthen homelessness responses.
- How Councils can partner with the Federal government to provide community-based support services.
- Discussed the work of the Taskforce Supporting People Seeking Asylum through BYN and opportunities for greater Commonwealth collaboration to support people seeking asylum, refugees and other vulnerable communities through coordinated policy and service responses.

Value to Council and our Community:

The meeting ensured Hobsons Bay's housing and homelessness priorities were represented at the Federal level while strengthening opportunities for future collaboration on initiatives that support vulnerable residents and improve housing outcomes.

3.4 Other Federal Engagements

The Hon. Assistant Minister Julian Hill MP (Assistant Minister for Citizenship and Multicultural Affairs), **the Hon. Minister Anne Aly** (Minister for Small Business, International Development and Multicultural Affairs), and **the Hon. Basem Abdo MP**.

Also met with Her Excellency the Hon. Sam Mostyn, the Governor-General of the Commonwealth of Australia.

Key discussion points included:

- Opportunities to strengthen partnerships between the Commonwealth and local government to deliver better outcomes for local communities.

Australian Local Government Association – National General Assembly (NGA) 2026

Cr Rayane Hawli, Delegate Report

- Key challenges and successes facing Hobsons Bay.
- Promoting greater youth participation in politics and civic leadership, while reinforcing Hobsons Bay's commitment to diversity, inclusion and representative decision-making.
- Promoting social cohesion through multicultural inclusion, diversity and community participation.

Value to Council and our Community:

The meetings strengthened Hobsons Bay's relationship with the Commonwealth, creating opportunities for greater collaboration and support on local priorities. It also reinforced Hobsons Bay's voice at the Federal level on multicultural affairs, youth engagement and initiatives that promote a more inclusive, connected and resilient community.

3.5 Engagement with Lebanese Ambassador

I organised and attended a formal meeting with **Her Excellency Ms Mirna Khawly, Ambassador of Lebanon to Australia and New Zealand**, at the Lebanese Embassy, alongside other Lebanese Councillors across NSW and Victoria.

Topics covered:

- Challenges facing the Lebanese diaspora, including access to community resources and engagement with government programs.
- Opportunities for councils to partner with diplomatic representatives to strengthen cultural initiatives.
- Strategies to celebrate Lebanese heritage through civic events and festivals, reinforcing inclusion in our communities.
- Identifying opportunities to support young people from multicultural backgrounds to pursue leadership roles.
- Exploring collaborative opportunities to better support multicultural communities across Australia.

4. Back Your Neighbour Campaign – National Leadership

As an Executive Member of the Mayoral and Councillor Taskforce Supporting People Seeking Asylum, as a delegate for Hobsons Bay City Council I played a leading role in promoting and expanding the Back Your Neighbour (BYN) campaign during the NGA:

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Cr Rayane Hawli, Delegate Report

- **Exhibition Presence:** Staffed the campaign's exhibition stall, actively engaging councillors from across Australia to discuss the Taskforce's mission and encourage council memberships.
- **Morning Tea & Networking:** Hosted an informal BYN networking session, creating opportunities for new councils to learn more about the campaign and its national objectives - one of the largest turnouts of the morning tea event since the Taskforce's attendance at ALGA.
- Meeting with **Tim Watts MP, Julia-Ann Campbell MP** and the office of **Dan Mulino KC MP:** Secured Federal-level engagement to advance the campaign's advocacy priorities, including humanitarian pathways and financial support measures.
- **Membership Growth:** Direct engagement during NGA resulted in a number of new supporters, with several councils indicating they will move formal motions of support in coming months.

5. LeadWest

As Hobsons Bay City Council's LeadWest delegate, and Deputy Chair, I played an essential role in advancing LeadWest's regional advocacy priorities:

- **Meeting with the Hon Clare O'Neil MP,** Minister for Housing, Minister for Homelessness and Minister for Cities, and the **Office of the Hon Tony Burke MP,** Minister for the Arts, Minister for Home Affairs, Minister for Cyber Security and Minister for Immigration and Citizenship: Promoted LeadWest's regional advocacy priorities and discussed opportunities for greater Commonwealth investment in Melbourne's west.
- **Regional Advocacy:** Promoted LeadWest's strategic priorities, including improved public transport connectivity, increased investment in housing, homelessness responses, mental health services, road infrastructure, arts and culture, and economic development across Melbourne's west.
- **Intergovernmental Engagement:** Worked collaboratively with Federal Members of Parliament, government representatives and regional stakeholders to strengthen support for LeadWest's advocacy priorities and secure greater Commonwealth investment in Melbourne's west.
- **Regional Representation:** Represented Hobsons Bay as part of the LeadWest delegation, ensuring the municipality's priorities contributed to a coordinated regional advocacy approach on behalf of Melbourne's western metropolitan councils.

6. Panel Learnings

The Assembly featured presentations and panel discussions from a range of Parliamentary leaders, including the Hon. Catherine King MP, the Hon. Kristy McBain MP, the Hon. Clare O'Neil MP, the Hon. Julian Hill MP, Mr Jamie Chaffey MP, Senator Andrew Bragg, Senator the Hon. Matt Canavan, and ACT Chief Minister Andrew Barr MLA.

Held under the theme "Stronger Together: Resilient. Productive. United.", the Assembly reinforced the importance of collaboration between all levels of government to deliver stronger outcomes for local communities.

A key highlight was the inaugural Urban Forum, which examined the growing challenges facing Australia's cities, including population growth, housing supply, transport, productivity, liveability and the provision of community infrastructure. Throughout the Assembly, delegates explored the major issues impacting local government, including financial sustainability, roads and enabling infrastructure, emergency management, workforce capability, climate resilience, disability inclusion and community cohesion.

Councils from across Australia shared practical case studies demonstrating innovative approaches to service delivery and community-led solutions, providing valuable insights into initiatives that could be adapted across municipalities. Jason Clarke's *Listen and Action* workshop offered practical strategies for turning ideas into action, with a focus on building consensus, strengthening community engagement and delivering meaningful outcomes.

The Assembly concluded with practical sessions on emerging issues affecting councils, including grant funding opportunities, financial sustainability, asbestos management, respectful online engagement and effective rate payment practices.

To provide councils with valuable tools to support infrastructure planning, workforce development, advocacy and inclusive service delivery, three new national resources were also launched during the Assembly:

1. The **2026 National State of the Assets Report**;
2. The **2025 Australian Local Government Workforce Skills and Capability Survey**; and
3. The **Disability Inclusion Guide for Councils**.

7. Conclusion

I represented Hobsons Bay throughout the week, delivering value to our community by advocating directly to Federal Ministers, Members of Parliament and key stakeholders on issues affecting our municipality, including housing and homelessness, aged care, multicultural inclusion, social cohesion, transport, youth representation and regional investment in Melbourne's west. Planning for these meetings commenced many weeks in advance to maximise every opportunity to advocate effectively for our community. I ensured Hobsons Bay had a seat at the table in national conversations, positioning our municipality to advocate for local priorities, build strategic partnerships and pursue future funding opportunities.

I also fulfilled my responsibilities as Hobsons Bay's Deputy Chair and delegate to LeadWest, and as Council's delegate to the Taskforce Supporting People Seeking Asylum and Refugees through the Back Your Neighbour campaign, advocating for the interests of our community and the broader western region.

The relationships established and strengthened throughout the week provide a strong foundation for continued advocacy, collaboration and future opportunities to secure better outcomes for our community.

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Cr Rayane Hawli, Delegate Report

8. Meeting Summary Table

Meeting / Event	Key Contact(s)	Discussion Points
Richard Marles MP	Deputy Prime Minister	Local priorities, federal advocacy alignment, diaspora representation
Sam Rae MP	Federal Minister	Aged care advocacy, local priorities, federal advocacy alignment
Josh Burns MP	Federal MP	Homelessness advocacy and council housing opportunities, local priorities
Her Excellency Ms. Mirna Khawly	Ambassador	Ambassador of Lebanon to Australia - diaspora engagement, cultural partnerships
Anne Aly MP	Federal Minister	Local priorities, federal advocacy alignment, diaspora representation
Basem Abdo MP	Federal MP	Local priorities, federal advocacy alignment, diaspora representation
Julian Hill MP	Federal Minister	Local priorities, federal advocacy alignment, diaspora representation
The office of Daniel Mulino MP	Federal Minister	Taskforce BYN Advocacy
The office of Tony Burke MP	Federal Minister	LeadWest Advocacy
Tim Watts MP	Federal MP	Taskforce BYN Advocacy
Julie-Ann Campbell MP	Federal MP	Taskforce BYN Advocacy
Clare O’Niel MP	Federal Minister	LeadWest Advocacy

9 Reports of Informal Meetings of Councillors

An internal process has been carried out and Council is required to table reports of informal meetings of Councillors.

Reports of informal meetings are provided as a final attachment in any agenda.

Council officers recommend that Council formally receive the relevant reports, as this is regarded as good governance practice.

Recommendation

- 1. That Council receives the following reports of informal meetings of Councillors:**
 - 1.1 Hearing of Submissions Committee – 20 May 2026**
 - 1.2 Hearing of Submissions Committee – 16 June 2026**
 - 1.3 Councillor Briefing – 7 July 2026**
 - 1.4 Councillor Briefing – 14 July 2026**

Record of Assembly of Councillors – Hearing of Submissions Meeting 20 May 2026



Start Time: 6:02pm

End 6:32pm

Attendance

Councillors	Present	Time	Left meeting
Cr Daria Kellander, Altona ward	Online	6:02pm	6:32pm
Cr Diana Grima, Altona Meadows ward	Online	6:02pm	6:32pm
Cr Kristin Bishop, Spotswood ward	Online	6:02pm	6:32pm
Cr Lisa Bentley, Williamstown ward	Online	6:12pm	6:32pm
Cr Michael Disbury, Williamstown North ward	Online	6:02pm	6:32pm
Cr Paddy Keys-Macpherson, Laverton ward	Online	6:02pm	6:32pm
Cr Rayane Hawli, Altona North ward	Apology		

Council Officers	Present	Time	Left meeting
Phu Nguyen, Chief Executive Officer	Online	6:02pm	6:32pm
Olivia Barry, Director Corporate Services	Online	6:02pm	6:32pm
Marlo Emmitt, Interim Manager Corporate Integrity	Online	6:02pm	6:32pm
Jake Trevaskis Acting Director Infrastructure and City Services	Online	6:02pm	6:32pm
Hector Gaston, Director Sustainable Communities	Online	6:02pm	6:32pm
Arthur Vatzakis, Manager Planning, Building and Health Services	Online	6:02pm	6:32pm

Council Meeting Agenda

1	Welcome and Acknowledgement of Traditional Owners
2	Apologies and Leave of Absence
3	Disclosure of Conflict of Interest
4	Hearing of Submissions – Planning Permit Application PA241610 – 193 – 195 Douglas Parade Newport

Record of Assembly of Councillors – Hearing of Submissions Meeting 16 June 2020



Start Time: 6:02pm

End 6:15pm

Attendance

Councillors	Present	Time	Left meeting
Cr Daria Kellander, Altona ward	Online	6:02pm	6:15pm
Cr Diana Grima, Altona Meadows ward	Online	6:02pm	6:15pm
Cr Kristin Bishop, Spotswood ward	Online	6:02pm	6:15pm
Cr Lisa Bentley, Williamstown ward	Online	6:02pm	6:15pm
Cr Michael Disbury, Williamstown North ward	Online	6:02pm	6:15pm
Cr Paddy Keys-Macpherson, Laverton ward	Online	6:02pm	6:15pm
Cr Rayane Hawli, Altona North ward	Online	6:02pm	6:15pm

Council Officers	Present	Time	Left meeting
Phu Nguyen, Chief Executive Officer	Online	6:02pm	6:15pm
Olivia Barry, Director Corporate Services	Online	6:02pm	6:15pm
Marlo Emmitt, Interim Manager Corporate Integrity	Online	6:02pm	6:15pm
Jake Trevaskis Acting Director Infrastructure and City Services	Online	6:02pm	6:15pm
Hector Gaston, Director Sustainable Communities	Online	6:02pm	6:15pm
Arthur Vatzakis, Manager Planning, Building and Health Services	Online	6:02pm	6:15pm

Council Meeting Agenda

1	Welcome and Acknowledgement of Traditional Owners
2	Apologies and Leave of Absence
3	Disclosure of Conflict of Interest
4	Hearing of Submissions – Planning Permit Application PA250343 – 55 Wren Street, Altona

Record of Assembly of Councillors – Councillor Briefing 07 July 2026



Start Time: 6:00 PM

End 8:05 PM

Attendance

Councillors	Present	Time	Left meeting
Cr Daria Kellander, Altona ward	Online	6:00PM	8:05PM
Cr Diana Grima, Altona Meadows ward	Yes	6:00PM	8:05PM
Cr Kristin Bishop, Spotswood ward	Yes	6:00PM	8:05PM
Cr Lisa Bentley, Williamstown ward	Yes	6:00PM	8:05PM
Cr Michael Disbury, Williamstown North ward	Yes	6:00PM	8:05PM
Cr Paddy Keys-Macpherson, Laverton ward	Yes	6:00PM	8:05PM
Cr Rayane Hawli, Altona North ward	Apology	-	

Council Officers	Present	Time	Left meeting
Phu Nguyen, Chief Executive Officer	Yes	6:00PM	8:05PM
Olivia Barry, Director Corporate Services	Yes	6:00PM	7:45PM
Celia Robinson, Acting Manager Corporate Integrity	Yes	6:00PM	7:45PM
Jake Trevaskis, Director Infrastructure and City Services	Yes	6:00PM	7:45PM
Hector Gaston, Director Sustainable Communities	Yes	6:00PM	7:45PM
Arthur Vatzakis, Manager Planning, Building and Health Services	Yes	6:35PM	7:17PM
Ben Gross, Manager Recreation and Leisure	Yes	7:17PM	7:35PM
Lauren Dick, Coordinator Sport & Recreation	Yes	7:17PM	7:35PM
Richard Birks, Klein Research	Yes	6:00PM	6:35PM
Alexandra Rio, Coordinator Urban Planning	Yes	6:35PM	7:17PM

Meeting Agenda

1	Strategic briefing presentations and reports
1.1	2026 Local Government Victoria Community Satisfaction Survey (CSS) Results
1.2	Data Centre Proposal at 413 Francis Street Brooklyn
1.3	BlueFit Occupancy Execution
1.4	Workshop: Determining Councillor Professional Development Modules for remainder of 2026
2	Discussion time
2.1	CEO and Councillor Time

Interest Disclosures

Councillors - Nil

Officers - Nil

Meeting Movements - Nil

Record of Assembly of Councillors – Councillor Briefing 14 July 2026



Start Time: 6:00pm

End 8:40pm

Attendance

Councillors	Present	Time	Left meeting
Cr Daria Kellander, Altona ward	Apology	-	-
Cr Diana Grima, Altona Meadows ward	Yes	6:00pm	8:40pm
Cr Kristin Bishop, Spotswood ward	Yes	6:00pm	8:40pm
Cr Lisa Bentley, Williamstown ward	Yes	6:00pm	8:40pm
Cr Michael Disbury, Williamstown North ward	Yes	6:00pm	8:40pm
Cr Paddy Keys-Macpherson, Laverton ward	Yes	6:00pm	8:40pm
Cr Rayane Hawli, Altona North ward	Yes	6:00pm	8:40pm

Council Officers	Present	Time	Left meeting
Phu Nguyen, Chief Executive Officer	Yes	6:00pm	8:40pm
Olivia Barry, Director Corporate Services	Yes	6:00pm	8:17pm
Celia Robinson, Acting Manager Corporate Integrity	Yes	6:00pm	8:17pm
Jake Trevaskis, Director Infrastructure and City Services	Yes	6:00pm	8:17pm
Hector Gaston, Director Sustainable Communities	Yes	6:00pm	8:17pm
Arthur Vatzakis, Manager Planning, Building and Health Services	Yes	6:00pm	7:50pm
David De Thomasis, Coordinator Urban Planning	Yes	6:40pm	7:50pm
Ben Gross, Manager Recreation and Leisure	Yes	6:00pm	7:02pm
David Power, Manager Strategy, Economy and Sustainability	Yes	6:00pm	7:02pm
Dean Lenehan, Acting Manager City Operations	Yes	6:00pm	6:37pm
Clare Hogart-Angus, Manager Communications, Engagement and Advocacy	Yes	6:00pm	7:02pm
Caroline James, Coordinator Advocacy	Yes	6:00pm	7:02pm
Paris Zenonos, Strategic Projects Specialist	Yes	6:00pm	6:03pm

Meeting Agenda

1	Council Meeting Draft Agenda
1.1	28 July 2026 Council Meeting Agenda – Stage 1 Review
2	Strategic Briefing Presentation and Reports
2.1	Planning Delegations Review
2.2	Councillor Staff Interaction Protocol
2.3	Gloucester Reserve
3	Discussion time
3.1	CEO and Councillor Time

Interest Disclosures

Councillors - Nil

Officers - Nil

Meeting Movements - Nil

10 Notices of Motion

10.1 Notice of Motion No 1283: Blackshaws Road Safety Infrastructure

Cr Hawli has given notice of the following motion:

That Council:

1. Notes that:

- 1.1. Blackshaws Road is a key arterial state-owned road serving a rapidly growing residential community and provides important connections to schools, parks, community facilities, public transport and local businesses.**
- 1.2. Council's planning controls for Precincts 15 and 16 provide for the delivery of the following road safety and pedestrian infrastructure along Blackshaws Road ("identified projects"):**
 - 1.2.1. a new signalised intersection and pedestrian crossings at The Broadway**
 - 1.2.2. a new signalised intersection at Fabric Drive**
 - 1.2.3. pedestrian crossing improvements at Sutton Street**
 - 1.2.4. road safety improvements at the New Street/Hansen Street intersection**
 - 1.2.5. upgrades to the Kyle Road/Blackshaws Road signalised intersection.**
- 1.3. Delivery of the identified projects is currently linked to the progression and staging of development within Precincts 15 and 16, with no confirmed or indicative timeframe for delivery.**
- 1.4. Council is the relevant authority for delivery of the identified projects, despite this being a state-owned road, because they are requirements of planning permits under Council's authority.**
- 1.5. Residents have consistently raised concerns regarding the difficulty of safely crossing Blackshaws Road, with many families having to drive short distances rather than walk or cycle due to safety concerns.**
- 1.6. While the planning framework links delivery of this infrastructure to future development, substantial residential growth has already occurred within Precincts 15 and 16, creating an increasingly urgent need to review opportunities to bring forward these planned road safety improvements.**

- 1.7. The existing unsignalised pedestrian crossing on Blackshaws Road is the subject of ongoing community concern, with residents and local businesses reporting that motorists frequently fail to give way to pedestrians, making the crossing difficult to use safely.
2. Requests a report to Council on options to accelerate the delivery of the identified projects, including but not limited to:
 - 2.1. options to fast-track delivery of any of the identified projects including Council direct delivery, mechanisms for Council to recover costs through existing developer contributions, reimbursement arrangements or other funding mechanisms
 - 2.2. consideration of the project or projects that present the greatest opportunity for early delivery, and the reasons for that assessment
 - 2.3. any statutory, legal, financial, engineering or approval requirements that may affect Council's ability to bring forward the delivery of the identified projects, including any requirements of the Department of Transport and Planning, and whether Council has the ability to undertake the identified projects in advance of the current developer-led delivery model or, if not, what approvals or agreements would be required
 - 2.4. any risks, barriers or constraints associated with accelerating delivery of the identified projects and options to mitigate those risks
 - 2.5. indicative costs, funding options and delivery timeframes for each identified project; and
 - 2.6. recommendations on the most appropriate pathway to expedite delivery of the identified projects.
 - 2.7. If officers consider that any alternative site or designs would be of greater benefit to the community in terms of traffic flow, vehicle safety, pedestrian and cyclist amenity and safety and those alternatives could be considered in light of contractual arrangements and permit requirements, these should be included in the report.
3. Further requests that, having regard to the concerns identified in Part 1.6, the report also consider opportunities to upgrade the existing unsignalised pedestrian crossing on Blackshaws Road to a signalised pedestrian crossing, including:
 - 3.1. Clarification of the responsible authority for the crossing and the role of Council in facilitating any upgrade
 - 3.2. any engineering, statutory, or approval requirements
 - 3.3. where Part 3.1 identifies Council as the responsible authority, indicative costs, funding options and potential delivery timeframes
 - 3.4. recommendations on the most appropriate pathway to deliver the upgrade.

10.2 Notice of Motion No 1284: Review of Data Centre Developments in Hobsons Bay

Cr Bishop has given notice of the following motion:

- 1. That Council requests officers prepare a report to a future Council meeting that:**
 - 1.1. Examines the increasing number of data centre developments proposed across Melbourne's western region and the implications for Hobsons Bay.**
 - 1.2. Provides an overview of the Victorian Government's Development Facilitation Program as it applies to data centre developments, including Council's role in the assessment process and opportunities for meaningful community engagement.**
 - 1.3. Assesses the potential impacts of data centres located adjacent to, or in close proximity to, residential areas, including impacts on neighbourhood amenity, noise, traffic, visual bulk, energy and water demand, and community confidence in the planning process.**
 - 1.4. Identifies industrial land within Hobsons Bay that may be strategically suited to future data centre developments, including brownfield or contaminated land, having regard to separation from residential areas, access to key infrastructure and strategic planning objectives.**
 - 1.5. Advises whether Council should adopt a policy and advocacy position that:**
 - 1.5.1. supports appropriately located data centre investment within Hobsons Bay**
 - 1.5.2. advocates for data centres to be located in areas that minimise impacts on residential communities**
 - 1.5.3. advocates for genuine consultation with local communities and Council as part of the planning approval process**
 - 1.5.4. identifies any further advocacy opportunities to the Victorian Government to improve planning outcomes for future data centre developments.**

11 Councillor Questions

Councillors will have the opportunity to ask questions of Council officers.

12 Urgent Business

Councillors are given the opportunity to raise urgent items of business that have arisen since the agenda was published.

13 Confidential Business

Recommendation

That Council considers the confidential report listed below in a meeting closed to the public in accordance with section 66(2)(a) of the *Local Government Act 2020* as it relates to private commercial information:

13.1 BlueFit Occupancy Execution

This matter is confidential information for the purposes of section 3(1) of the *Local Government Act 2020* and Council is satisfied that it is necessary to close the meeting to the public in accordance with sections 66(1) and 66(2)(a) of the Act.

14 Close of Meeting

HOBSONS
BAY CITY
COUNCIL



**HOBSONS
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COUNCIL**

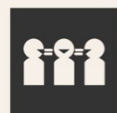


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**HOBSONS BAY
LANGUAGE LINE**

9932 1212

INTERPRETER SERVICE FOR ALL LANGUAGES

Your Council in your language

Telephone interpreting service

Arabic	خدمة الترجمة الهاتفية
Burmese	တယ်လီဖုန်းဖြင့် စကားပြန် ဝန်ဆောင်မှု
Cantonese	电话口译服务
Croatian	Telefonska služba tumača
Greek	Τηλεφωνική Υπηρεσία Διερμηνέων
Italian	Servizio telefonico interpreti
Karen	လီတမ် တၢ်ကတိၤကျိးတၢ် တၢ်မၤ
Macedonian	Телефонска преведувачка служба
Maltese	Servizz ta' Interpretar bit-Telefon
Mandarin	电话口译服务
Vietnamese	Dịch vụ Thông dịch qua Điện thoại