

MANNINGHAM

COUNCIL MEETING MINUTES

Date:	Tuesday, 22 July 2025
Time:	7:00pm
Location:	Council Chamber, Civic Centre 699 Doncaster Road, Doncaster

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**MANNINGHAM CITY COUNCIL
MINUTES OF THE COUNCIL MEETING
HELD ON 22 JULY 2025 AT 7:00PM
IN COUNCIL CHAMBER, CIVIC CENTRE
699 DONCASTER ROAD, DONCASTER**

The meeting commenced at 7:00pm.

PRESENT: Councillor Deirdre Diamante (Mayor)
Councillor Peter Bain
Councillor Anna Chen
Councillor Isabella Eltaha
Councillor Geoff Gough
Councillor Jim Grivas
Councillor Carli Lange
Councillor Laura Mayne

OFFICERS PRESENT: Chief Executive Officer, Mr Andrew Day
Director City Planning & Liveability, Mr Andrew McMaster
Director Experience and Capability, Ms Kerry Paterson
Director Connected Communities, Ms Lee Robson
Acting Director City Services, Ms Andrea Szymanski
Manager Integrity, Ms Carrie Bruce

1 WELCOME

The Mayor read an opening prayer and statements of acknowledgement.

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

An apology was received from Councillor Andrew Conlon.

3 PRIOR NOTIFICATION OF CONFLICT OF INTEREST

The Mayor noted there were two written disclosures of conflict of interest made from:

- Cr Isabella Eltaha – she declared a general conflict of interest for item 11.1 *Aquarena Outdoor Redevelopment Update* as her husband is employed by one of the companies tendering for the works.
- Chief Executive Officer – he declared a material conflict of interest for item 13.4 – *Chief Executive Officer Employment and Remuneration Policy* as the Policy directly relates to his employment and remuneration.

The Chair asked if there were any further disclosures of conflict of interest in any item listed on the Council Agenda. No further disclosures were made.

4 CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

MOVED: CR CARLI LANGE
SECONDED: CR JIM GRIVAS

That the Minutes of the Council Meeting held on 30 June 2025 be confirmed.

CARRIED UNANIMOUSLY

5 PRESENTATIONS

5.1 Motion of Condolence – Passing of Miralde Crankshaw

The Mayor expressed deep sadness at the recent passing of Miralde Crankshaw, a former staff member who dedicated over 35 years of service to the community. Miralde served for many years as Maternal and Child Health Coordinator and was widely respected for her leadership, advocacy, and unwavering commitment to supporting families in Manningham.

COUNCIL RESOLUTION

MOVED: CR PETER BAIN
SECONDED: CR GEOFF GOUGH

That Council:

- 1. place on record its sadness at the recent passing of Miralde Crankshaw;**
- 2. record its appreciation for the contribution by Miralde Crankshaw to Manningham Council and the broader community; and**
- 3. extend its sympathy and condolences to Miralde Crankshaw's family during this difficult time.**

CARRIED UNANIMOUSLY

6 PETITIONS

6.1 Installation of Public Toilets at Park Orchards Village

COUNCIL RESOLUTION

MOVED: CR CARLI LANGE
SECONDED: CR LAURA MAYNE

That the Petition with 161 signatories requesting installation of Public Toilets at Park Orchards Village, be tabled and referred to the relevant officer for response.

CARRIED UNANIMOUSLY

The Mayor noted in accordance with sub rule 58.9 of the Governance Rules, the written response to the petition tabled at the 30 June 2025 which is attached on the following page.

Petition Name	Homelessness in Warrandyte
Council Meeting Date	30 June 2025
Council Meeting Item Number	Item 6.2
Response Date	16 July 2025 via email (attached below)



Return Address:
PO Box 1
DONCASTER
VIC 3108

16 July 2025



Dear [REDACTED]

Re: Petition to Manningham Council regarding homelessness in Warrandyte

We acknowledge receipt of the petition from [REDACTED]
[REDACTED] 16 people regarding homelessness in Warrandyte.

In accordance with our Homelessness Protocol, we work closely with a range of service providers, such as the Salvation Army, to enable people experiencing homelessness, sleeping rough or needing crisis accommodation, to find a safe place to rest.

Despite these efforts, there are situations in which people experiencing homelessness chose not to take up services offered.

In relation to the particular situation in Warrandyte, Manningham Council also continues to work closely with Warrandyte Police. In the absence of criminal behaviour and without an individual's willingness to connect with services, there are limited avenues for further action.

As the venue owner, we have been proactive in ensuring the facility remains safe for all. We have increased security patrols, installed external lighting and door locking system improvements, and explored a range of support pathways and deterrent measures. We are also maintaining regular communication with the tenants [REDACTED]
[REDACTED]

Should you require further information, please contact [REDACTED]
[REDACTED]

Yours sincerely,

Lee Robson
Director Connected Communities

025/54608



Interpreter service
9840 9355

普通话 | 廣東話 | Ελληνικά
Italiano | عربي | فارسی

Manningham Council
899 Doncaster Road (PO Box 1), Doncaster, Victoria 3108
p 03 9640 9333 f 03 9648 3110
e manningham@manningham.vic.gov.au
ABN 61 408 471 081 manningham.vic.gov.au

7 PUBLIC QUESTION TIME

7.1 S Kinsman, Bulleen

- Q1 Could the council please confirm that the enforcement of the recently instigated parking restrictions in Golden Way, St Andrews Crescent and Rocklea Road will be policed of an evening specifically after 7pm?

Mr Andrew McMaster, Director City Planning and Liveability thanked the resident and responded that Council Officers have been actively patrolling newly restricted parking areas around the NELP compound site over the past month and reports indicate a reduction in worker parking in Bulleen Streets which is positive.

Officers are working in shifts to provide some after-hours coverage of restricted areas; however, resources are somewhat limited and must be distributed across a broad geographic area.

- Q2 With the recent 2 hr restrictions in place for Golden Way, St Andrews Crescent and Rocklea Road we have seen some reduction in contractor parking however it is apparent that administration staff from NELP/SPARK are continuing to occupy street parking and simply rotating their cars. Would the council consider changing zones with proximity to the work site to permit only parking and what is the process for this?

Mr Andrew McMaster responded that a 2 hour parking limit was selected by the majority of residents surveyed during Council's community consultation earlier this year. It was agreed that this timeframe was considered sufficient for Manningham residents to accommodate guests or tradespeople visiting residents who may not have access to a parking permit.

Unfortunately, this arrangement may also allow for car rotation, as observed. Council continues to monitor the effectiveness of the current parking controls and welcomes ongoing feedback through to our parking team. Residents are encouraged to report parking issues both to the Project team directly and to Council, as this data helps inform any necessary changes based on the volume and nature of complaints received.

7.2 C Vimpani, Doncaster East

- Q1 Can Councillors identify any further innovative ways REAL (Rights Employment Accommodation Leisure) and Council can work together to ensure this well-established relationship supporting adults with intellectual disability to be part of their local community, continues into the future?

Ms Lee Robson, Director Connected Communities thanked the resident for her question and acknowledged the presence of REAL members in the gallery, expressing appreciation for their support.

In response to the question, Ms Robson noted that REAL has been supported by Manningham Council over many years and more recently through a four-year partnership grant, which concludes at the end of this year, along with other grants provided at various times.

Council's partnership program with REAL operates on a rolling 4 year program of grants. Later this year, Council will invite submissions for the next round of the program, and REAL will be invited to apply.

Council's funding programs offer a range of opportunities designed to support local organisations like REAL in developing and delivering innovative initiatives that enhance community health and wellbeing. This includes efforts to support adults with intellectual disabilities to participate fully in community life. REAL is encouraged to continue seeking these funding opportunities and to maintain regular contact with Council Officers.

Ms Robson also acknowledged Carolyn's valuable contribution as a member of Council's Disability Advisory Committee and expressed gratitude for the insights she brings to the group.

She noted that tonight's agenda includes Council's endorsement of the revised Community Grants Policy. Council is committed to improving how it supports community groups in applying for funding that makes a meaningful impact in our community.

Additionally, Council is currently developing a Disability Action Plan aimed at promoting access and inclusion across Manningham and reducing barriers that prevent people with disabilities from fully participating in community life. This initiative is a key focus of the Disability Advisory Committee. Council also prioritises strong partnerships with community groups such as REAL, that share a commitment to disability inclusion.

Ms Robson concluded by sincerely thanking Carolyn for her contributions and dedication to the community. The strong turnout of supporters this evening is a testament to the important work REAL does in making our community more inclusive and supportive for all.

7.3 P Hales, Doncaster

Q1+ Q2 Can Council consider creating a fenced-off dog area within Timber Ridge Reserve, ideally near the corner of Anthony and Maryann Streets, where it would be away from the main oval and the sporting activities? Can some basic amenities be included, such as

- A water tap for dogs,
- A bin with dog waste bags, and
- Shade and simple seating.

Mr Andrew McMaster, Director City Planning and Liveability thanked the resident and responded that it is pleasing to hear from our community about how they are enjoying our open spaces. As part of the review of our Open Space Strategy commencing later this year, Council will be undertaking a strategic review of where new dog parks should be located within Manningham.

Suitable sites typically require a minimum area of 3,000m² but preferably 5000m², and should be:

- Adjacent to compatible land uses,
- Located away from ecologically sensitive areas, and
- Ideally include off-street parking.

Council Officers are also considering a masterplan for Timber Reserve which will be open for community consultation later this year. This will be promoted through a mail out to local residents, signs on site and information on YourSay Manningham. You will have another opportunity to share your suggestions for the park during this consultation.

Regarding congestion during training and game times, Council acknowledges the competing demands on public open space across Manningham. Sporting clubs have priority access to the oval and clubrooms during scheduled times under a formal licence agreement with Council. This arrangement requires other groups and community members to use the oval outside of formal club bookings. This approach is consistent with Council's Outdoor Sports Infrastructure and Allocations Policy.

Mr McMaster encouraged community members to keep an eye out and participate in the upcoming consultations, particularly the Open Space Strategy and the Timber Reserve Masterplan.

7.4 G Wallace, Doncaster East

- Q1 The August edition of Manningham Matters states that \$7 million is to be spent on Open Space, parks and streetscapes and yet only \$3.9 million is defined. Can Council assure me that both the remaining \$3.1 and the \$3.9 is all for the physical work to be done and does not include administration or supervisory staff wages?

Mr Andrew McMaster, Director City Planning and Liveability thanked the resident and acknowledged the reference to the recent Manningham Matters article, which highlights a \$7 million investment by Council in public open space for the coming year.

Under our \$7 million headline are our key projects and initiatives, it does not detail all components of the budget. You are correct in noting that the listed projects total approximately \$3.9 million, with smaller or less significant projects not included in the article.

Mr McMaster encouraged community members to refer to Council's Budget document for a comprehensive breakdown of expenditure under the public open space budget. It was noted that only direct capital delivery costs are attributed to this budget.

- Q2 Has Council considered mass tree planting to the Pocket Parks that have not had play structures added to the site

Mr McMaster acknowledged that there are many pocket parks across Manningham, of which some are sparsely vegetated. Not all are public open spaces for recreational use with some serving as drainage reserves etc.

Council welcomes suggestions from the community regarding opportunities for additional vegetation in local pocket parks. Mr McMaster noted Council maintains a regular program of street tree planting and reserve planting, recognising the importance of keeping Manningham green and liveable. The Director reaffirmed Council's commitment to increasing tree coverage on public land and expressed interest in receiving feedback from residents.

7.5 C Pilli, Doncaster East

- Q1+ Will Council take urgent steps to ensure that canopy tree cover exists on all properties in the municipality – protected under the planning scheme or under a local law?
- Q2 Should new or existing regulation/codes prevent such action, will Council enlist the advocacy of the community to engage Victoria Government and Minister Clare O’Neil to ensure that regulations of the Government, build in a requirement to protect canopy trees in Manningham and other municipalities too?

The Chief Executive Officer, Mr Andrew Day thanked the resident for her questions and acknowledged that the potential loss of tree canopy in Manningham, particularly on privately owned spaces, is a significant concern for both Council and officers. This issue is heightened by the rapidly evolving environment from a planning perspective.

Council has been actively engaging with advocacy bodies, including the Municipal Association of Victoria (MAV), to provide feedback through various forums and opportunities offered by the State Government. These efforts aim to highlight concerns such as these, which are particularly relevant in the Manningham context, where a large proportion of tree canopy exists on private land.

Council will continue to explore options for advising on actions to protect tree canopy and will keep the community informed of any developments. At the same time, Council remains committed to engaging with the community on the broader implications of recent planning changes introduced by the State Government, which affect not only tree canopy but also other aspects of amenity and liveability across the municipality.

Mr Day acknowledged that Council is still working through the full impact of these changes and reaffirmed its commitment to ongoing community engagement. Residents are encouraged to raise concerns and work collaboratively with Council to address the challenges posed by these rapid planning reforms.

7.6 A Ducrou, Doncaster East

- Q1 In recognition of the need to promote community interest and community knowledge of the essential part that canopy trees play in the community and environment, will Council follow up with a series of Ward or Council public forums, inviting speakers with expert knowledge to speak on climate change and the role of canopy trees in cooling the environment and invite other experts, including experts on housing, renovation and building with a view to protecting and preserving canopy tree cover while managing housing and planning objectives?
- Q2 Acknowledging that ward meetings are at the discretion of each Ward Councillor, will Council, in recognition of the necessity and urgency of these matters, direct funding and promote innovative strategies for Manningham-wide education and public forums and advice and support to preserve backyard canopy trees and help slow climate warming?

The Chief Executive Officer, Mr Andrew Day thanked the resident for her questions and acknowledged its relevance, noting that Council has already made significant investments in community education and continues to do so.

A key example is the Council's Inspired Living Series, which has been running successfully since 2024 and continues through 2025 (noting another session is being held this Thursday evening). These sessions, funded and supported by Council, cover a range of sustainability topics including sustainable housing, sustainable living, and the importance of tree canopy. One notable session featured Dr Greg Moore, an expert in tree canopy, who provided compelling data and insights on the urban heat island effect and the critical role of trees in mitigating its impact.

Council will continue to promote opportunities for community engagement and education, including events such as National Tree Day, to raise awareness of the importance of maintaining tree canopy - to deal with the urban heat island effect particularly on private land.

Mr Day reaffirmed Council's commitment to supporting sustainability initiatives and engaging the community on the value of tree canopy in enhancing liveability across Manningham.

8 ADMISSION OF URGENT BUSINESS

There were no items of Urgent Business.

9 PLANNING PERMIT APPLICATIONS

9.1 Planning Application PLN22/0537 at 2 Brendan Avenue, Doncaster for the construction of four, three-storey dwellings and construction of a front fence.

File Number:	IN25/475
Responsible Director:	Director City Planning and Liveability
Applicant:	Chinh Mai
Planning Controls:	Residential Growth Zone – Schedule 2 (RGZ2), Design and Development Overlay – Schedule 8-1 (DDO8-1)
Ward:	Tullamore Ward
Attachments:	<ol style="list-style-type: none">1 Decision Plans ↓2 Legislative Requirements ↓3 Objector Map (confidential)

PURPOSE OF REPORT

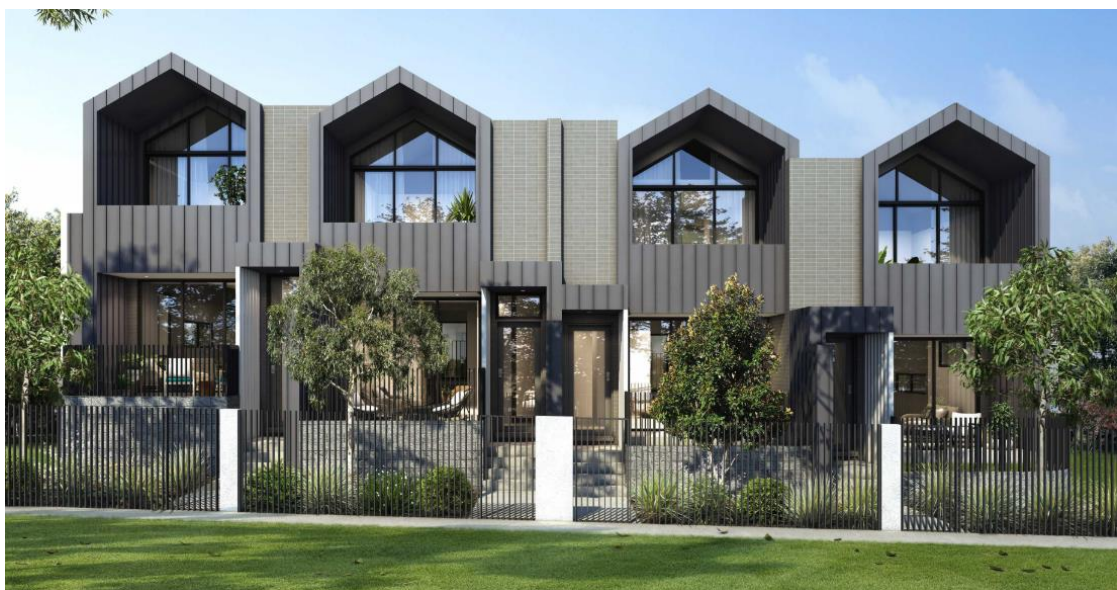
This report provides Council with an assessment of the above planning permit application. This report recommends approval of the submitted proposal, subject to changes by way of permit conditions.

The application is being reported to Council for consideration in accordance with the Instrument of Delegation to Members of Council Staff – *due to significant community interest*.

EXECUTIVE SUMMARY

Proposal

- 1.1 The application seeks approval for the construction of four, three storey dwellings and construction of a front fence.



Manningham Road Frontage**Rear presentation – Viewed from Brendan Avenue****Rear presentation – Viewed from south west**

- 1.2 The proposal is located on the corner of Manningham Road and Brendan Avenue. The total site area is 756 sqm with a site frontage of approximately 25.91 metres and a maximum depth of 30.16 metres.



- 1.3 The development proposes to modify the existing crossover on Brendan Avenue with a common driveway located along the southern boundary.
- 1.4 Each dwelling is provided with 2 car spaces in the form of garages, pursuant to Clause 52.06-5 of the Manningham Planning Scheme.
- 1.5 Visitor car parking is not required to be provided. The subject site is located within the Principal Public Transport Network (PPTN) area and therefore there is no requirement in the Manningham Planning Scheme for the provision of visitor car parking spaces. The PPTN was introduced by the State Government in July 2018 and essentially reduces car parking requirements for land that is within 400 metres of public transport on the Principal Public Transport Network.
- 1.6 Council waste collection from the kerb is proposed.
- 1.7 One large tree (tree 10 – River Red Gum) within the front setback of the site is proposed to be retained and three large trees along the eastern boundary are proposed to be removed. No street trees are required to be removed.

Notification

- 1.8 Notice of the application was initially given over a two week period, which concluded on 10 July 2024.
- 1.9 The application was amended pursuant to Section 57A of the *Planning and Environment Act 1987* on 28 February 2025. Notice of the amended application was given over a two week period, which concluded on 19 March 2025.
- 1.10 To date, 6 objections have been received to the proposal, including one petition with 28 signatories. Several objectors also lodged additional submissions to the proposal. These grounds have been included in the objection summary.

- 1.11 The objection concerns primarily relate to the loss of privacy and overlooking, structural impacts to neighbouring properties (brick walls and fences), construction noise and impacts, potential flooding issues, traffic issues and lack of visitor parking, safety issues as a result of the accessway on Brendan Avenue, impact to the amenity of the immediate area, neighbourhood character / overdevelopment, strain on existing infrastructure, inaccuracies with the plans and site features, environmental impacts as a result of loss of vegetation, loss of property values and overshadowing and impact to rooftop solar infrastructure.

Key issues in considering the application

- 1.12 The key issues for Council in considering the proposal relate to:

- Planning Policy Framework.
- Design and Built form.
- Car parking and traffic.
- Objector concerns.

Assessment summary

- 1.13 The development of the land for the construction of four, three-storey dwellings is consistent with the Planning Policy Frameworks, Zone, Overlay and relevant Particular Provisions of the Manningham Planning Scheme.
- 1.14 Subject to the recommended conditions, the proposal generally complies with the objectives of Clause 55 (Two or more dwellings on a lot and residential buildings - ResCode), the design requirements of Schedule 8 to the Design and Development Overlay (DDO8), the purpose and decision guidelines of the Residential Growth Zone, and is an appropriate response to its physical site context as well as its strategic policy context.
- 1.15 The proposed car parking arrangement is consistent with the requirements of Clause 52.06 (Car parking) of the Scheme.

Conclusion

- 1.16 The proposal is considered satisfactory and positively responds to the objectives of the Manningham Planning Scheme and compliance with the Clause 55 requirements. Minor changes are recommended through permit conditions which will further improve the development.
- 1.17 It is recommended that the application be supported subject to conditions.

COUNCIL RESOLUTION

MOVED: CR DEIRDRE DIAMANTE
SECONDED: CR GEOFF GOUGH

That Council:

- A. Having considered all objections, issue a Notice of Decision to Grant a Permit in relation to Planning Application PLN22/0537 at 2 Brendan Avenue for the:**

Construction of four, three-storey dwellings and a front fence

Amended Plans

- 1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the decision plans (prepared by Planning & Design, revision F, dated 15 October 2024), but modified to show:**
 - a) The second floor eastern wall of Dwelling 1 finished in a light render or an agreed alternative to the satisfaction of the Responsible Authority.**
 - b) The parapet height of Dwelling 3's second floor northern wall of the ensuite reduced, so it is lower than the adjacent parapet of Dwelling 2 to the satisfaction of the Responsible Authority.**
 - c) The framing feature 'PC' on the eastern wall of Dwelling 1's second floor façade deleted.**
 - d) Dwelling 4's west facing meals and kitchen windows screened to comply with Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme;**
 - e) A screen detail to a scale of 1:50 detailing the design of the external screens in accordance with Standard B22;**
 - f) Sectional diagrams to demonstrate that the second floor south-facing windows are in compliance with Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme.**
 - g) G1 note removed from the first floor western elevation;**
 - h) The southern boundary fence is at least 1.8 metres above the finished surface level of the driveway.**
 - i) Solar protection measures to all north facing habitable room windows.**
 - j) Sensor lights above the garage openings and front entries.**
 - k) Safety bollards at the western end of the driveway to the satisfaction of the Responsible Authority.**
 - l) The notation '0.78m stone retaining wall' within the easement adjacent to the western boundary deleted.**
 - m) Correct locations of Tree 4 and the existing brick fence on the ground floor plan.**
 - n) Tree 4 retained.**
 - o) Dwelling 1's terrace converted to a deck with a root sensitive footing system where the deck encroaches within the Tree Protection Zone (TPZ) of Tree 4 to the satisfaction of the Responsible Authority. Details including a cross section showing the locations of screw piles/piers and the beam above natural ground level is required.**

- p) A notation to indicate tree protection must be undertaken in accordance with the Tree Protection and Management Plan approved as part of this permit and to the satisfaction of the Responsible Authority.
- q) All water tanks, shed, and services located outside the TPZ of any tree to be retained, unless otherwise agreed to by the Responsible Authority.

Endorsed Plans

- 2. The approved development must always accord with the endorsed plans unless modified with the prior written consent of the Responsible Authority.

Landscape Plan

- 3. Concurrent with the submission of development plans for endorsement under condition 1 of this permit, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be generally in accordance with the submitted landscape plan (prepared by Planning & Design dated 21/04/2023), but modified to show:
 - a. Consistency with any relevant changes to the development layout as shown on the development plans endorsed under Condition 1 of this permit.
 - b. Existing trees to be retained and/or removed as shown on the development plans endorsed under Condition 1 of this permit.
 - c. The location and extent of retaining walls and fencing as shown on the development plans endorsed under Condition 1 of this permit.
 - d. A minimum of three (3) screening trees planted along the northern boundary within the front setback of Dwelling 2, 3 and 4. The screening trees are capable of reaching 6m tall at maturity and be of fastigate/upright form.
 - e. A minimum of one (1) canopy tree capable of reaching a minimum mature height of 12.0m must be planted within the front setback of Dwellings 2 and 3.
 - f. A minimum of one (1) small tree capable of reaching a minimum mature height of 5.0m must be planted within the front setback of Dwellings 1 and 4.
 - g. Screening plants planted along the southern and western boundaries that are capable of growing to a minimum of 3m at maturity.

Management Plans

- 4. The Sustainable Design Assessment / Stormwater Management Report (Prepared by Planning & Design, dated 5 February 2024) must be approved to form part of this permit, unless with the further written approval of the Responsible Authority.
- 5. Concurrent with the review of plans to be endorsed under Condition 1, a Tree Protection and Management Plan (TPMP) prepared by a suitable qualified Arborist, setting out how the trees to be retained will be protected during construction and which generally follows the layout of Section 5 of AS4970 'Protection of trees on development sites', must be submitted to the Responsible Authority. When approved the TPMP will be endorsed and form part of the permit. The TPMP must include:
 - a. A map of the ground floor development plan showing the TPZ and SRZ for all trees to be retained along with the location of protective fencing and/or areas where ground protection systems will be used.

- b. Details of any proposed work within a TPZ and construction controls required to reduce the impacts to retained trees.
 - c. A statement advising any removal or pruning of Council owned trees must be undertaken by Council approved contractor.
 - d. An inspection timeframe (minimum frequency of every 3 months), with a compliance check list to be signed and dated by the developer's project arborist and project manager/foreperson.
6. Before the development starts, including demolition, a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority using Manningham's CMP template. When approved the CMP will be endorsed and will then form part of the permit.

The Construction Management Plan must address the following:

- Elements referenced in Council's Construction Management Plan template guidelines:
 - Element A1: Public Safety, Amenity and Site Security;
 - Element A2: Operating Hours, Noise and Vibration Controls;
 - Element A3: Air Quality and Dust Management;
 - Element A4: Stormwater and Sediment Control and Tree Protection;
 - Element A5: Waste Minimisation and Litter Prevention;
 - Element A6: Traffic and Parking Management and
- Consideration of the impact of other construction sites in the vicinity of the site, seeking to ensure the combined traffic impact on the surrounding road network can be adequately managed.
 - Limitation on site delivery hours during school drop off and pick up to the satisfaction of Responsible Authority.
 - Limitation on worker parking in Brendan Avenue, encouraging worker parking on site if/where practicable.
7. The development and any measures to be implemented must always accord and comply with the management plans and reports endorsed under this permit, unless modified with the prior written consent of the Responsible Authority.

Vegetation

8. Except for vegetation shown on the endorsed plans to be removed, no vegetation may be removed, destroyed or lopped, unless with the written consent of the Responsible Authority.
9. All tree and/or vegetation protection fencing must be maintained in good condition until the completion of the construction works on the subject land to the satisfaction of the Responsible Authority.
10. All contractors/tradespersons (including demolition workers) who install services or work near trees to be retained must be made aware of any tree protection measures required under this permit.

Reticulated Gas Service Mandatory Condition

11. Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

Completion

12. The approved dwellings must not be occupied unless the development and all landscaping is completed generally in accordance with the endorsed plans to the satisfaction of the Responsible Authority.
13. The approved dwellings must not be occupied unless all screening measures are constructed, installed and maintained permanently in accordance with the endorsed plans and to the satisfaction of the Responsible Authority. Any non-permanent screening measures (such as obscure film or spray) must not be used in lieu of any required fixed and permanent screening measures.

On-Site Stormwater Detention System

14. Before the development starts, an engineering plan for an on-site stormwater detention (OSD) system to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The plan must depict an on-site storm water detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks) that is designed in accordance with Council's [On-Site Stormwater Detention Guidelines \(March 2021\)](#) to the satisfaction of the Responsible Authority.
15. The approved dwelling/s must not be occupied unless the OSD system is installed and maintained in accordance with the engineering plan endorsed under this permit to the satisfaction of the Responsible Authority.

Drainage

16. Stormwater must not be discharged from the subject land other than to the legal point of discharge or other approved means to the satisfaction of the Responsible Authority. Before any connection is made to a Council maintained asset, a Connection to Council Drain Permit must be approved by the Responsible Authority.
17. The whole of the subject land, including landscaped and paved areas must be graded and drained to prevent ponding and to minimise overland flows onto adjoining properties to the satisfaction of the Responsible Authority.

Services

18. All services associated with the approved development, including water, electricity, gas, sewerage and telephone, must be installed underground, unless with the written consent of the Responsible Authority.

19. All pipes must be concealed, with the exception of roofing downpipes and external pipes associated with water tanks, which (where exposed) must be finished in a colour complementing the wall surface to the satisfaction of the Responsible Authority.

20. The common areas must be lit to the satisfaction of the Responsible Authority and all lighting must be located, directed, shielded and be of limited intensity so that no nuisance or loss of amenity is caused by any person within or beyond the subject land, so the satisfaction of the Responsible Authority.

Maintenance

21. All buildings, paved areas, drainage and landscaping must be maintained to the satisfaction of the Responsible Authority.

Car Parking and Access

22. Before the occupation of the approved development, all new vehicular crossing(s) must be constructed as depicted on the endorsed plans and any redundant existing vehicular crossing(s) must be removed and the kerb, channel, footpath and nature strip (as relevant) must be reinstated at the full cost of the owner and to the satisfaction of the Responsible Authority.

Permit Expiry

23. This permit will expire if one of the following circumstances applies:

- a) The development is not started within two (2) years of the date of this permit.
- b) The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the *Planning and Environment Act 1987*.

CARRIED UNANIMOUSLY

2. BACKGROUND

2.1 An application for a planning permit (PLN22/0537) was lodged with Council on 1 December 2022.

2.2 Further information was requested by Council on 23 December 2022. The letter raised concerns with a number of aspects with the proposal, including the layout, built form, internal amenity, design detail, landscaping, car parking and access, services and trees.

2.3 An application to amend the proposal under Section 50 of the *Planning and Environment Act 1987* was submitted on 2 May 2023. The application was amended to seek approval for alteration of access to a road in a Transport Zone 2.

- 2.4 Following the Section 50 amendment, a second request for further information was sent on 31 May 2023. The letter raised similar concerns to the original letter.
- 2.5 A second Section 50 Amendment was submitted on 10 November 2023. It included a number of design changes including, but not limited to the alteration to the access and driveway arrangements.
- 2.6 Following the Section 50 amendment, a third request for further information was sent on 20 November 2023. The letter continued to raise similar concerns as the revised plans had not satisfactorily addressed the previous issues.
- 2.7 A third Section 50 Amendment was submitted on 13 February 2024. It included a number of design changes including, but not limited to deletion of sheer walls and reduction to building heights.
- 2.8 Following the Section 50 amendment, a fourth request for further information was sent on 6 March 2024.
- 2.9 Notice of the application was given over a two week period, which concluded on 10 July 2024.
- 2.10 The application was further amended pursuant to Section 57A of the Act in an attempt to address objectors concerns, modifying the proposal to retain Tree 10 and the access arrangements.
- 2.11 Notice of the amended application was given over a two week period, which concluded on 19 March 2025.
- 2.12 A consultation meeting was held on 26 May 2025, attended by Councillors, Council Officers, the applicant and objectors.
- 2.13 The statutory time for considering a planning application is 60 days, which fell on 13 February 2025.
- 2.14 The land title is not affected by any covenants or Section 173 Agreements.

3. THE SITE AND SURROUNDS

The site

- 3.1 The site is situated on the southern side of Manningham Road and western side of Brendan Avenue. The site is approximately 220 metres from the intersection of Manningham Road and Williamsons Road and approximately 730 metres to the intersection of Manningham Road and High Street.

3.2 A summary of the site features is included in the table below.

Site Summary	
Use	Residential (Dwelling)
Total Lot Size	756sqm.
Topography	The site generally slopes down from north-east to south-west with approximately 4.75 metres of fall across the site.
Fencing	The site has a high solid brick fence.
Vegetation	One large canopy tree is located within the front setback of the site along the Manningham Road frontage and 3 large trees are located along the eastern boundary on Brendan Avenue. Mature vegetation is located along the southern boundary.
Easements	The site is encumbered by a 1.83 metre wide easement, situated along the western boundary. A 2.44 metre wide easement is situated along the southern boundary.
Footpath assets / access	There is a footpath adjacent to the eastern boundary (Brendan Avenue) and northern boundary (Manningham Road). One street tree is located on Brendan Avenue and two street trees on Manningham Road. There is one crossover to Brendan Avenue.

The Surrounds

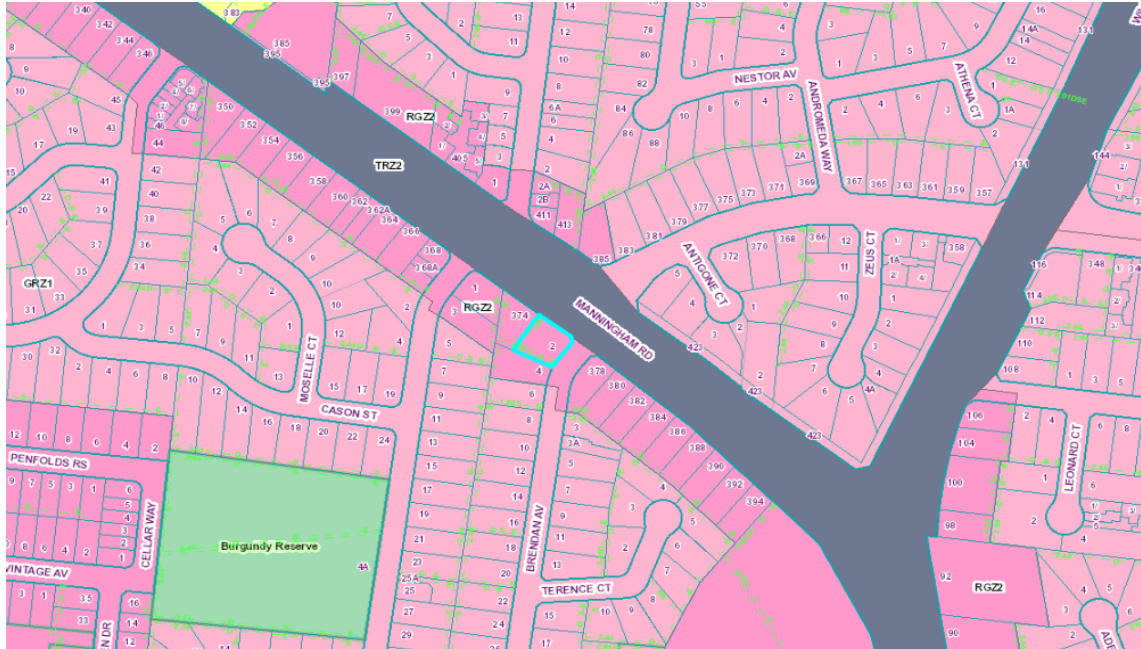
3.3 The site is within close proximity to a range of activity centres, including the Doncaster Hill Activity Centre, primary and secondary schools and open space areas. Bus services are provided on Manningham Road which include routes 281, 305 and 903.

3.4 The site has direct abutments with the following properties:

Direction	Address	Description
South	4 Brendan Avenue	This lot comprises a double storey brown brick dwelling with a tiled pitched roof. The dwelling is setback 9.5 metres from Brendan Avenue and 2.6 metres from the common boundary (northern boundary). The primary secluded private open space is located towards the rear (west) of the dwelling.
West	374 Manningham Road	This lot comprises a single storey white rendered dwelling with a flat roof. The dwelling is setback 7.2 metres from Manningham Road and 3 metres from the common boundary (eastern boundary). The primary secluded primary open space is located west of the dwelling.

- 3.5 The zoning of the immediate area comprises of Residential Growth Zone for all lots abutting Manningham Road. The site also abuts the General Residential Zone - Schedule 1, to the south as demonstrated in the image below.

Figure: Zoning Map



- 3.6 The property to the east, 378 & 380 Manningham Road, comprises a single and double storey dwelling. A recent VCAT decision granted approval for the construction of nine, two-storey dwellings over the two lots.
- 3.7 The broader area generally comprises both single and double storey dwellings of various architectural styles. There are also three and four storey residential buildings further east of the site.
- 3.8 St Gregory the Great Primary School is located south east of the subject site. Access to the Primary school is provided along Manningham Road.

4. THE PROPOSAL

- 4.1 The proposal is outlined on the following plans (prepared by Planning & Design, revision F, dated 15 October 2024), Attachment 1. These plans form the decision plans to be relied upon in this assessment.
- 4.2 The following supporting documents were submitted with the proposal:
- Arborist Report prepared by Bluegum Consultancy, dated 6/11/2024;
 - Swept Paths prepared by TTM Consulting dated 1/10/2024;
 - Landscape Plan prepared by Planning & Design dated 21/04/2023;
 - Sustainable Design Assessment by Planning & Design dated 5/02/2024;
 - Planning Report prepared by Planning & Design dated 1/05/2023;
 - Traffic Report prepared by TTM Consulting dated 1/10/2024;

PROPOSAL SUMMARY	
Building details	Site area: 756m ² Site coverage: 45.3% Permeability: 35.8%
Proposed use	Dwellings (no permit required for the use)
Storeys	Four, 3 storey dwellings
Maximum building height	9.1 metres
Minimum front setback	6 metres to Manningham Road (not including balconies)
Minimum side setbacks	Min 2.6 metres+ to the western boundary and 2 metres+ to Brendan Avenue
Minimum rear setback (South)	4.27 metres+
Bedrooms	Two 3 bedroom dwellings One 4 bedroom dwelling One 5 bedroom dwelling
Car parking	2 car spaces for each dwelling 8 car spaces in total
Proposed access	The existing crossover on Brendan Avenue modified to service all dwellings
Building materials	Brick is utilised for the ground floor of each dwelling. A combination of render and metal cladding is applied to the first and second floors.
Easements	The easements along the southern and western boundaries are retained
Trees and any removal	Three significant trees are proposed to be removed along the eastern boundary of the property. The large tree located in the north-western corner of the site (Tree 10) and all street trees are all proposed to be retained.

5. LEGISLATIVE REQUIREMENTS

- 5.1 Refer to Attachment 2 (Planning & Environment Act 1987, Manningham Planning Scheme, other relevant legislation policy)
- 5.2 A permit is required under the following Clauses of the Manningham Planning Scheme;
- Clause 32.07-6 (Residential Growth Zone): Construct two or more dwellings on a lot
 - Clause 32.07-6 (Residential Growth Zone): Construct or extend a front fence within 3 metres of a street
 - Clause 43.02 (Design and Development Overlay): Construct a building or construct or carry out works
 - Clause 43.02 (Design and Development Overlay): Construct or extend a front fence within 3 metres of a street
- 5.3 Planning Scheme Amendment VC267 was approved on 6 March 2025, introducing the Townhouse and Low-Rise Code and making various changes to Clause 55 of the Scheme.
- 5.4 As per the transitional provision under Clause 32.07-6 of the Scheme, this application is assessed under Clause 55 (ResCode) as applicable before the approval of Planning Scheme Amendment VC267, as the application was received prior to 6 March 2025 and has not been amended.

6. REFERRALS

External

Department of Transport

- 6.1 The application initially sought approval to create and alter access to a road in a Transport Zone 2 (Manningham Road). Accordingly, pursuant to Clause 52.29 and 66.03 of the Manningham Planning Scheme, the Department of Transport and Planning was a *determining* referral authority.
- 6.2 As discussed above, the application was amended pursuant to Section 57A of the *Planning and Environment Act 1987* by deleting the proposed access to Manningham Road. The application is no longer required to be referred to the Department of Transport and Planning and they are no longer a referral authority.

Internal

Infrastructure and Sustainable Operations Unit

- 6.3 Engineering advice was received on 23 December 2022, 29 July 2024 and 12 February 2025. Requirements will be included via permit conditions and footnotes as relevant.

Statutory Planning Arborist

- 6.4 Arboricultural advice was received on 7 December 2022, 7 June 2023, 2 August 2024, 4 February 2025 and 26 June 2025. The requirements will be included via permit conditions and footnotes as relevant.
- 6.5 Tree 10 is proposed to be retained as part of the development. This tree is a mature indigenous *Eucalyptus camaldulensis* (River Red Gum) of moderate arboricultural value. The retention of this tree is considered a positive response to the landscape objectives of Clause 15.01-5-01L and Clause 55.03-8.
- 6.6 Trees 4 and 5 are mature Australian native species of moderate arboricultural value on the eastern boundary.
- 6.7 Given the location of Tree 4 on the north-east corner of the site, it is considered that this tree can easily be retained with a reduction of the encroachment of Dwelling 1 into its Tree Protection Zone. A **condition of the permit** will require the terrace of this dwelling to be replaced with a deck, to limit the impact to soil volume and space for its root mass. This can be achieved without any significant design changes or internal amenity impacts to future residents and result in a favourable landscape outcome for the site.
- 6.8 The remaining trees within the site are of low arboricultural value.

7. CONSULTATION / NOTIFICATION

- 7.1 Notice of the application was initially given over a two-week period, which concluded on 10 July 2024. The application was amended pursuant to Section 57A of the Act and further notice of the amended application was given over a two-week period, which concluded on 19 March 2025.
- 7.2 Notification was carried out by sending letters to the owners and occupiers of adjacent and nearby properties and by displaying 2 signs on the site frontages for a 2-week period.
- 7.3 To date, 6 objections including one petition with 28 signatories have been received. The location of submitter/objector properties is demonstrated on the map included in Confidential Attachment 3.
- 7.4 Several objectors also lodged additional submissions to the proposal. These grounds have been included in the objection summary below. Issues raised primarily related to:
- Environmental impacts as a result of loss of vegetation
 - Overlooking and loss of privacy
 - Structural impacts to neighbouring properties (brick walls and fences)
 - Traffic issues and lack of visitor parking
 - Neighbourhood character / overdevelopment
 - Strain on existing infrastructure

- Construction impacts
- Loss of property values
- Potential flooding issues
- Inaccuracies with the plans and site features
- Inaccurate costings, request for evidence of sufficient funds to complete development and request for a timeline for construction.
- Impacts to the existing easement along the western boundary
- Residential noise

7.5 A consultation meeting was held on 26 May 2025, attended by Councillors, Council Officers, the applicant and objectors.

7.6 The grounds of objection are considered within the assessment section and further responded to in Section 8 of this report.

8. ASSESSMENT

8.1 The site is located within the Residential Growth Zone – Schedule 2 and is subject to the Design and Development Overlay – Schedule 8-1.

8.2 The proposal has been assessed against the relevant state and local planning policies, the zone and overlay, and the relevant particular provisions and general provisions of the Manningham Planning Scheme.

8.3 The assessment is made under the following headings:

- Planning Policy Frameworks;
- Design and Built Form;
- Two or more dwellings on a lot and residential buildings (ResCode);
- Car parking, access and traffic;
- Objector concerns.

Planning Policy Frameworks

8.4 At both the state and local levels, relevant planning policy identifies the need for a greater mix of housing in Manningham, including medium and higher density residential developments. Policy also seeks to ensure that these developments are well designed and focus on locating higher density housing in close proximity to activity centres and along main roads and public transport routes.

8.5 Clause 16.01-1S (Housing supply), encourages higher density housing development on sites that are well located in relation to jobs, services and public transport.

8.6 Clause 16.01-R includes a number of strategies that encourage high density housing development on sites that are well located in relation to jobs, services and public transport as well as seeking to supply housing in areas for residential growth.

- 8.7 Clause 15.01-5L-02 of the Manningham Planning Scheme separates Manningham's residential land into four residential character precincts.
- 8.8 The subject site is located within Precinct 2: Residential Areas surrounding Activity Centres and Main Roads.
- 8.9 The objective of this precinct is "to promote substantial change that is high quality, contemporary and designed to provide a transition between sub-precincts in Precinct 2".
- 8.10 A substantial level of change is anticipated in Precinct 2. This is distinct from the other residential character Precincts 1, 3 and 4 which anticipate either incremental or minimal change only.
- 8.11 The strategies of Precinct 2 are as follows:
- Provide for contemporary architecture.
 - Encourage use of varied and durable building materials in building facades that provide visual interest.
 - Provide a graduated building scale and form from side and rear boundaries.
 - Incorporate a landscape treatment that enhances the overall appearance of the development and any adjacent main road.
 - Integrate car parking into the design of buildings and landform.
 - Encourage the built form fronting Doncaster Road at the former Eastern Golf Course (Tullamore) to be of a scale that provides an appropriate transition to Doncaster Hill Major Activity Centre.
- 8.12 Precinct 2 areas are also covered by the Design and Development Overlay, Schedule 8 (DDO8), which outlines specific built form, car parking, landscape and fencing outcomes. These outcomes are intended to regulate the design of new developments in Precinct 2, to define what constitutes substantial change in the Manningham context and to achieve a preferred neighbourhood character.
- 8.13 Precinct 2 areas are further delineated into three sub-precincts. These sub-precincts dictate a tiered approach to the strategic policy intentions for substantial change, to ensure that the highest intensity development is appropriately located, and that appropriate transitions to incremental/minimal change areas are achieved by the larger built form.
- 8.14 The subject site is within the DDO8-1 Sub-precinct (Main Road). This sub-precinct supports apartment style development along main roads and on larger consolidated lots.
- 8.15 In addition to being affected by planning policy that encourages a substantial level of change, the site's location demonstrates that it is appropriate for a higher form of density than what currently exists, provided that an appropriate design outcome is achieved. This site is located within close proximity to the Doncaster Hill Activity Centre and adjoins a main arterial road which is serviced by bus routes.

- 8.16 The development of the land with an increased residential density is therefore appropriate when considering the strategic context of the site, in accordance with the Planning Policy Frameworks. The proposed density of one dwelling per 189m² is considered to achieve the substantial level of change that is intended by the policies, and the maximum site coverage and recommended number of storeys is not exceeded.
- 8.17 Despite meeting the high-level strategic policies, the proposal must still meet the specific design objectives of the DDO8 and other relevant provisions of the Scheme. These provisions have all been assessed and detailed in the following paragraphs.

Design and Built Form

- 8.18 The proposal is consistent with the maximum height requirement of 13.5 metres in the Residential Growth Zone.
- 8.19 The DDO8 outlines specific built form, car parking, landscape and fencing outcomes that should be achieved by a proposal, to meet its overall design objectives.
- 8.20 The following assessment is made against the specific built form, car parking, landscape and fencing requirements of the DDO8:

Design Element	Compliance
Building Height and Setbacks (Sub-Precinct Main Road DDO8-1)	
<ul style="list-style-type: none"> Discretionary height of 11 metres if the minimum land size condition is met (1800sqm). If the condition is not met, the maximum height is 9 metres unless the slope of the natural ground level at any cross section wider than eight metres of the site of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres 	<p>Satisfied</p> <p>The DDO8-1 has a discretionary building height of 10m for a site less than 1800sqm. The development has a maximum overall building height of 9.1 metres, which complies with the requirement.</p>
<ul style="list-style-type: none"> Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser. 	<p>Satisfied</p> <p>A 6m front setback is achieved.</p> <p>Sufficient space remains within the street setback for landscaping, despite the encroachment of the terraces within the front setback.</p> <p>The terraces and balconies encroach within the required street setback by a maximum of 2 metres, which remains compliant with the DDO8 setback requirements.</p>

Form	
<ul style="list-style-type: none"> Ensure that the site area covered by buildings does not exceed 60 percent. 	<p>Satisfied The development has a site coverage of 45.3%.</p>
<ul style="list-style-type: none"> Provide visual interest through articulation, glazing and variation in materials and textures. 	<p>Satisfied subject to conditions The development incorporates a variety of colours and materials to provide visual interest.</p> <p>Materials include grey brick, white and light grey render and dark grey metal cladding. These materials and colours provide different tones and textures for visual interest, whilst also complementing one another and the existing streetscape.</p> <p>A condition on the permit will require changes to the colours and materials of the second floor eastern wall of Dwelling 1 so as to provide variation to the first floor below.</p>
<ul style="list-style-type: none"> Minimise buildings on boundaries to create spacing between developments. 	<p>Satisfied Building on boundaries has been completely avoided in order to provide spacing between adjoining properties.</p>
<ul style="list-style-type: none"> Where appropriate ensure that buildings are stepped down at the rear of sites to provide a transition to the scale of the adjoining residential area. 	<p>Satisfied Both adjoining properties to the west and south are located within the same zone and overlay. The proposal provides adequate setbacks for a transition to adjoining dwellings.</p>
<ul style="list-style-type: none"> Where appropriate, ensure that buildings are designed to step with the slope of the land. 	<p>Satisfied The levels and heights of the proposed dwellings step down in accordance with the slope of the land.</p> <p>A condition on the permit will require the parapet height of Dwelling 3's second floor northern wall to the ensuite reduced to provide stepping in the built form as it presents to the streetscape.</p>
<ul style="list-style-type: none"> Avoid reliance on below ground light courts for any habitable rooms. 	<p>Satisfied No below ground light courts are proposed or required.</p>
<ul style="list-style-type: none"> Ensure the upper level of a two storey building provides adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Satisfied Continuous sheer walls have generally been avoided for all dwellings.</p> <p>Material variation and fenestration are utilised to provide articulation between levels, especially where the second floor is minimally recessed from the first floor below. The upper level is also adequately set back from external boundaries to reduce the appearance of visual bulk.</p>

<ul style="list-style-type: none">• Ensure that the upper level of a three storey building does not exceed 75% of the lower levels, unless it can be demonstrated that there is sufficient architectural interest to reduce the appearance of visual bulk and minimise continuous sheer wall presentation.	<p>Considered satisfied</p> <p>An assessment against the percentage of the upper levels of all three storey dwellings has been included in the table below.</p> <table><tr><td>Dwelling 1 – 78%</td></tr><tr><td>Dwelling 2 – 74%</td></tr><tr><td>Dwelling 3 – 74%</td></tr><tr><td>Dwelling 4 – 83%</td></tr></table> <p>As outlined above, the second floor of some of the dwellings exceed 75% of the respective first floors. However, it is considered that the development has a high level of architectural interest in order to reduce visual bulk and provide visual interest to the streetscape and surrounding properties through material variation and design features. Further to that, the upper levels are adequately setback from site boundaries to reduce the appearance of visual bulk.</p> <p>The retention of two mature trees within the front setback will also soften the built form and reduce the visual dominance of the development.</p> <p>A condition on the permit will require the deletion of the framing feature on the eastern wall of Dwelling 1’s second floor in order to further reduced the sense of visual bulk to the Brendan Avenue facade.</p>	Dwelling 1 – 78%	Dwelling 2 – 74%	Dwelling 3 – 74%	Dwelling 4 – 83%
Dwelling 1 – 78%					
Dwelling 2 – 74%					
Dwelling 3 – 74%					
Dwelling 4 – 83%					
<ul style="list-style-type: none">• Integrate porticos and other design features with the overall design of the building and not include imposing design features such as double storey porticos.	<p>Satisfied subject to conditions</p> <p>The porticos are appropriately integrated with the overall design of the development. As discussed above, the framing feature on the eastern wall of Dwelling 1 is considered an imposing design feature that does not integrate with the overall design of the development. A condition on the permit will require the deletion of this framing feature.</p>				
<ul style="list-style-type: none">• Be designed and sited to address slope constraints, including minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation.	<p>Satisfied</p> <p>The levels and heights of the dwellings are suitably stepped in accordance with the slope of the land.</p>				
<ul style="list-style-type: none">• Be designed to minimise overlooking and avoid the excessive application of screen devices.	<p>Satisfied subject to conditions</p> <p>Subject to conditions discussed in the assessment of Clause 55.04-6 (Overlooking) of the Scheme, overlooking impacts will be suitably minimised without excessive</p>				

	screening.
<ul style="list-style-type: none"> Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all mobilities. 	<p>Satisfied</p> <p>The dwelling entries can be accessed via minimal steps.</p>
<ul style="list-style-type: none"> Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties. 	<p>Not applicable</p> <p>No basement is proposed.</p>
<ul style="list-style-type: none"> Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site. 	<p>Satisfied</p> <p>Parking is provided at ground level. Garage openings do not face the street.</p>
<ul style="list-style-type: none"> Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open car park and half basement parking. 	<p>Satisfied</p> <p>Car parking has been appropriately integrated into the design of the buildings.</p>
<ul style="list-style-type: none"> Ensure the setback of the basement or undercroft car park is consistent with the front building setback and is setback a minimum of 4.0m from the rear boundary to enable effective landscaping to be established. 	<p>Satisfied</p> <p>Parking is provided at ground level. There are sufficient opportunities for landscaping within the rear setback for effective landscaping.</p>
<ul style="list-style-type: none"> Ensure that building walls, including basements, are sited a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees, in larger spaces. 	<p>Satisfied</p> <p>Sufficient setbacks for screen planting and canopy trees are provided.</p> <p>Sufficient space remains in the front of each dwelling fronting Manningham Road for the planting and establishment of canopy trees.</p>
<ul style="list-style-type: none"> Ensure that service equipment, building services, lift over-runs and roof-mounted equipment, including screening devices is integrated into the built form or otherwise screened to minimise the aesthetic impacts on the streetscape and avoids unreasonable amenity impacts on surrounding properties and open spaces. 	<p>Not applicable</p> <p>No lifts or roof-mounted services are proposed.</p>
Car Parking and Access	
<ul style="list-style-type: none"> Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, 	<p>Satisfied</p> <p>Only the existing crossover will be used, which will ensure that there is no impact to the availability of street parking.</p> <p>No street trees are required to be removed.</p>

retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback.	
<ul style="list-style-type: none"> Ensure that when the basement car park extends beyond the built form of the ground level of the building in the front and rear setback, any visible extension is utilised for paved open space or is appropriately screened, as is necessary. 	Not applicable
<ul style="list-style-type: none"> Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling. 	<p>Not applicable</p> <p>There are no garages located in the street elevation.</p>
<ul style="list-style-type: none"> Ensure that access gradients of basement car parks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements. 	<p>Not applicable</p> <p>Car parking is provided at ground level.</p> <p>Nonetheless, gradients are required to be assessed in accordance with Clause 52.06-9 (Car parking) of the Scheme.</p>
Landscaping	
<ul style="list-style-type: none"> On sites where a three storey development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity. 	<p>Satisfied</p> <p>Two canopy trees that have a spreading crown and are capable of growing to at least 8 metres at maturity are proposed within the Manningham Road frontage. Two existing canopy trees in excess of 8 metres in height will also be retained within the front setback of the site.</p>
<ul style="list-style-type: none"> Provide opportunities for planting alongside boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form. 	<p>Satisfied subject to conditions</p> <p>Standard conditions will require screen planting to be at least 0.5 metres in height at the time of planting, and capable of reaching at least 3 metres high at maturity.</p>
Fencing	
<ul style="list-style-type: none"> A front fence must be at least 50 per cent transparent. On sites that front Doncaster, Tram, Elgar, Manningham, Thompsons, Blackburn and Mitcham Roads, a fence must: <ul style="list-style-type: none"> not exceed a maximum height of 1.8m be setback a minimum 	<p>Satisfied</p> <p>The front fence has a maximum height of 1.5 metres.</p> <p>The front fence is a steel picket fence, which is at least 50% transparent, It is setback 1 metre from the title boundary along Manningham Road to enable a continuous landscape treatment in front of the proposed fence.</p>

<p>of 1.0m from the front title boundary</p> <p>and a continuous landscaping treatment within the 1.0m setback must be provided.</p>	
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Two or more dwellings on a lot and residential buildings

8.21 Clause 55 (Two or more dwellings on a lot and residential buildings) of the Scheme is commonly referred to as 'ResCode', and sets out various objectives and standards that a proposal must and should meet (respectively).

8.22 An assessment against Clause 55 is provided in the table below:

Objective	Compliance
<p>55.02-1 – Neighbourhood Character</p> <ul style="list-style-type: none"> To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that development responds to the features of the surrounding area. 	<p>Standard Met</p> <ul style="list-style-type: none"> As identified by the relevant planning policy, a substantial level of change is anticipated for this site. The preferred neighbourhood character as set out by the DDO8 is for highly articulated contemporary forms, with a range of visually interesting materials and facades. The proposed design is considered to respond positively to the preferred neighbourhood character. The development offers an appropriate design response to the street and surrounding properties. There is sufficient space for landscaping along the side and rear boundaries and within the front setback. The use of a mix of building materials including brickwork, render and cladding will ensure the development is complementary to the character of the area. The combination of both flat and pitched roofs are reflective of the roof form of both recently constructed dwellings and established dwellings in the immediate area.
<p>55.02-2 Residential policy</p> <ul style="list-style-type: none"> To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, 	<p>Standard Met</p> <ul style="list-style-type: none"> The proposal responds to the relevant local planning policy including the preferred outcomes for Precinct 2 and the Sub-Precinct Main Road as discussed in an earlier section of this assessment.

<p>including the Municipal Strategic Statement and local planning policies.</p> <ul style="list-style-type: none"> To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	
<p>55.02-3 Dwelling Diversity</p> <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	Not applicable
<p>55.02-4 Infrastructure</p> <ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	<p>Standard Met subject to conditions</p> <ul style="list-style-type: none"> No concerns have been raised by Council's Infrastructure and Sustainable Operations Unit relating to the capacity of the existing infrastructure to support the proposed development. The development has access to all reticulated services, including sewerage, drainage and electricity. The development will not unreasonably exceed the capacity of utility services and infrastructure. A permit condition will require the provision of an on-site storm water detention system to limit permissible discharge and alleviate capacity concerns for existing drainage.
<p>55.02-5 Integration with street</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. 	<p>Standard Met</p> <ul style="list-style-type: none"> All dwellings provide adequate pedestrian and vehicle links to Manningham Road.
<p>55.03-1 Street setback</p> <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	<p>Standard Met</p> <ul style="list-style-type: none"> A 6m front setback is achieved in accordance with the Schedule 8 to the Design and Development Overlay. The terraces of each respective dwellings encroach within the required street setback by a maximum of 2 metres, which remains compliant with the DDO8 setback provision of the Scheme. Sufficient space remains within the street setback for landscaping, despite the encroachment of the terraces within the front setback.
<p>55.03-2 Building Height</p> <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	<p>Standard Met</p> <ul style="list-style-type: none"> The proposed maximum building height of 9.1 metres does not exceed the maximum building height of 13.5m as required by the Residential Growth Zone. The proposal also does not exceed the DDO8-1 discretionary building height requirement of 10 metres.

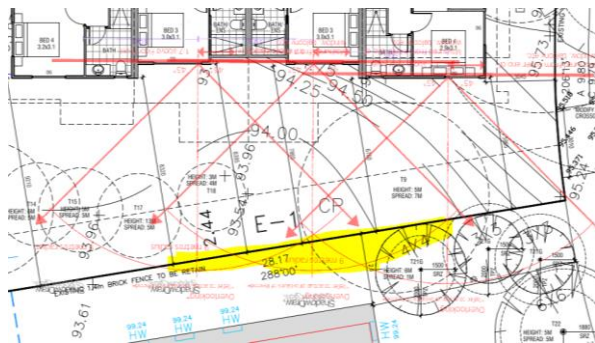
<p>55.03-3 Site coverage</p> <ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	<p>Standard Met</p> <ul style="list-style-type: none"> The site coverage of 45.3% is below the 60% maximum.
<p>55.03-4 Permeability and stormwater management</p> <ul style="list-style-type: none"> To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration. To encourage stormwater management that maximises the retention and reuse of stormwater. 	<p>Standard Met</p> <ul style="list-style-type: none"> The proposed site permeability of 35.8% exceeds the 20% minimum amount required. As outlined above, an on-site detention system will be required via conditions. The proposal achieves a 100% STORM score through the provision of 4 water tanks each with a volume of 3000L.
<p>55.03-5 Energy efficiency</p> <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings and residential buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	<p>Satisfied subject to conditions</p> <ul style="list-style-type: none"> All dwellings have been oriented to have north facing living rooms and private open space areas. There does not appear to be any solar protection devices to the ground floor, first floor and second floor north facing windows to all dwellings. Accordingly, a condition on the permit will require solar protection measures to be provided above the north facing windows of all dwellings. A standard condition will require all relevant notations to be added to plans in accordance with the submitted sustainable design assessment.
<p>55.03-6 Open space</p> <ul style="list-style-type: none"> To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	<p>Not applicable</p> <ul style="list-style-type: none"> No communal open space areas are provided for this development.
<p>55.03-7 Safety</p> <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property 	<p>Standard Met subject to conditions</p> <ul style="list-style-type: none"> There are no apparent safety or security issues with the proposed development. Dwelling entries are visible and easily identifiable from Manningham Road. Bollard lighting has been provided along the common driveway / southern boundary. A condition on the permit will require sensor lights to be provided above the garage openings and front entries.
<p>55.03-8 Landscaping</p> <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat 	<p>Standard Met</p> <ul style="list-style-type: none"> There are adequate setbacks and soil volumes for the provision of meaningful landscaping including screen planting and canopy trees. A condition on the permit will require the submission of a revised

<p>for plants and animals in locations of habitat importance.</p> <ul style="list-style-type: none"> To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. 	<p>landscape plan. Additionally, standard tree protection measures will be required to be implemented for existing trees on adjoining properties to minimise construction impacts.</p>
<p>55.03-9 Access</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>Standard Met</p> <ul style="list-style-type: none"> The width of the Brendan Avenue frontage exceeds 20m and therefore the accessways must not exceed 33% of the street frontage. The proposed width of the accessway is 3m (14% of the street frontage) and therefore complies with the standard.
<p>55.03-10 Parking location</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. To protect residents from vehicular noise within developments. 	<p>Satisfied subject to conditions</p> <ul style="list-style-type: none"> Each dwelling is provided with 2 car spaces. The dwellings are provided with ground level garages with internal access to the respective dwellings. Pursuant to Clause 52.06-5, only developments of 5 or more dwellings may be required to provide visitor car parking spaces in accordance with the table. Only 4 dwellings are proposed therefore the requirements of the table to the clause are not applicable. In addition, the subject site is also located within the Principal Public Transport Network (PPTN) area. There is <u>no requirement</u> in the Manningham Planning Scheme for the provision of visitor car parking spaces irrespective of the number of dwellings provided for this site.
<p>55.04-1 Side and rear setbacks</p> <ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Standard Met</p> <p>Overall the development complies with all setbacks to side and rear boundaries.</p>
<p>55.04-2 Walls on boundaries</p> <ul style="list-style-type: none"> To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Not applicable</p> <ul style="list-style-type: none"> There are no walls proposed on any boundaries.
<p>55.04-3 Daylight to existing windows</p> <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows 	<p>Standard Met.</p> <ul style="list-style-type: none"> The development is well setback from all shared boundaries. All existing habitable room windows on adjoining lots are provided with a light court

	<p>of a minimum dimension of 1 metre clear to the sky and a minimum area of 3 square metres to comply with the standard.</p>
<p>55.04-4 North facing windows</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	<p>Standard Met</p> <ul style="list-style-type: none"> The dwellings are sufficiently setback from the adjoining property to the south which has north facing windows within 3 metres of the common boundary.
<p>55.04-5 Overshadowing open space</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	<p>Standard Met</p> <ul style="list-style-type: none"> The shadow diagrams submitted indicate that there will be additional overshadowing to the secluded private open space areas of two adjoining properties by shadows cast beyond the boundary fence at 9am and 10am. <div data-bbox="802 730 1414 1263" data-label="Image"> <p>This diagram, titled 'MANNINGHAM PLANNING SCHEME' and 'ADVERTISED PLANS', shows a site plan for 'MANNINGHAM ROAD' and 'AVENUE'. It includes a red-outlined building footprint and a yellow-shaded area representing the '9am Additional Shadow'. The diagram also shows a '374' lot number and a '3.06' area. A disclaimer at the top states: 'Planning Application Number: PLN22/0637 Date: 10 of 32. This document is made available for the purpose of providing information and is not intended to be used for any other purpose which may breach copyright.' Below the diagram is the caption '(9am Additional Shadow – yellow highlight)'. </p></div> <div data-bbox="802 1330 1307 1816" data-label="Image"> <p>This diagram, titled 'MANNINGHAM PLANNING SCHEME' and 'ADVERTISED PLANS', shows a site plan for 'MANNINGHAM ROAD' and 'AVENUE'. It includes a red-outlined building footprint and a yellow-shaded area representing the '10am Additional Shadow'. The diagram also shows a '374' lot number and a '3.06' area. A disclaimer at the top states: 'Planning Application Number: PLN22/0637 Date: 10 of 32. This document is made available for the purpose of providing information and is not intended to be used for any other purpose which may breach copyright.' Below the diagram is the caption '(10am Additional Shadow – yellow highlight)'. </p></div> <ul style="list-style-type: none"> However, these shadows only impact a small portion of the existing secluded private open space areas and the development complies with the standard.
55.04-6 Overlooking	Satisfied subject to conditions

- To limit views into existing secluded private open space and habitable room windows.

- All first floor south facing habitable room windows that are within 9 metres of adjoining secluded private open space areas or habitable rooms have been provided with either fixed screens or a sill height of 1.7m in accordance with the standard.
- The second floor south facing habitable room windows of all dwellings have not been screened. These windows are not within 9 metres of the habitable room windows of 4 Brendan Avenue as demonstrated in the image below.



- It is considered that the southern boundary fence appropriately limits overlooking. A permit condition will require sectional diagrams to clearly demonstrate that the second floor south-facing windows are in compliance with Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme.
- Furthermore, a condition on the permit will also require a boundary fence with a minimum of 1.8 metres on the southern boundary to provide appropriate screening from the driveway.
- The first floor west facing living, meals and kitchen windows of Dwelling 4 are within 9 metres of the secluded private open space area and habitable rooms of 374 Manningham Road. The living room window has a sill height of 1.7 metres however the kitchen and meals windows have not been screened in accordance with Standard B22 of the Manningham Planning Scheme. Accordingly, a condition on the permit will require these windows to be screened to comply with Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme.
- The second floor west facing windows of Dwelling 4 have been provided with either fixed screens or a sill height of 1.7m in

	<p>accordance with the standard.</p> <ul style="list-style-type: none"> A condition of the permit will also require screen detail to a scale of 1:50 detailing the design of the external screens in accordance with Standard B22 and to ensure compliance with the standard.
<p>55.04-7 Internal views</p> <ul style="list-style-type: none"> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	<p>Standard Met</p> <ul style="list-style-type: none"> Internal views between dwellings within the development are limited in accordance with the standard.
<p>55.04-8 Noise impacts</p> <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise. 	<p>Standard Met</p> <ul style="list-style-type: none"> There are no unusual mechanical plant or noise sources proposed. Any heating & cooling and hot water systems installed for the proposed dwellings will be typical to residential areas and will not unreasonably impact the amenity of adjoining dwellings.
<p>55.05-1 Accessibility</p> <ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in the design of developments. 	<p>Standard Met</p> <ul style="list-style-type: none"> The entries to the dwellings are at ground level and would generally provide convenient access to those with limited mobility.
<p>55.05-2 Dwelling entry</p> <ul style="list-style-type: none"> To provide each dwelling or residential building with its own sense of identity. 	<p>Standard Met</p> <ul style="list-style-type: none"> The primary entries of all dwellings face Manningham Road and are visible and easily identifiable from the street.
<p>55.05-3 Daylight to new windows</p> <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	<p>Standard Met</p> <ul style="list-style-type: none"> All new windows within the development will receive adequate access to daylight in accordance with the standard.
<p>55.05-4 Private open space</p> <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	<p>Standard Met</p> <ul style="list-style-type: none"> Each dwelling is provided with a north facing terrace with convenient access from the respective living rooms. The terraces are 12-14sqm in size which exceed the 8sqm requirement for a balcony. The terraces are considered to be similar to a balcony, particular given they are enclosed by solid walls and partially raised above the natural ground level.
<p>55.05-5 Solar access to open space</p> <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings 	<p>Standard Met</p> <ul style="list-style-type: none"> The development has been designed with north-facing private open space areas to all dwellings.
<p>55.05-6 Storage</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling 	<p>Standard Met</p> <ul style="list-style-type: none"> 6 cubic metres of externally accessible storage is provided to all dwellings, either as cupboards adjacent to the garages or designated storage rooms.

<p>55.06-1 Design detail</p> <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character 	<p>Standard Met</p> <ul style="list-style-type: none"> The use of bricks, render finish and selected cladding is reflective of current architectural trends. Appropriately sized windows will ensure the development has a well-articulated facade and presents appropriately to Manningham Road. The first and second floor of all dwellings are appropriately stepped to provide articulation to adjoining properties. The framing feature along the eastern side of Dwelling 1's first floor results in excessive visual bulk, accordingly a condition on the permit will require the deletion of this framing feature.
<p>55.06-2 Front fences</p> <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	<p>Standard Met subject to conditions</p> <ul style="list-style-type: none"> The front fence is generally 1.5 metres in height and will be at least 50% transparent. The fence is setback one metre from the Manningham Road frontage to enable a continuous landscape treatment.
<p>55.06-3 Common property</p> <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. 	<p>Standard Met subject to conditions</p> <ul style="list-style-type: none"> The common property is easily identifiable and will be practical to maintain and manage. A condition on the permit will require a bollard to the western end of the driveway to ensure the safety of residents at 374 Manningham Road.
<p>55.06-4 Site services</p> <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive 	<p>Standard Met subject to conditions</p> <ul style="list-style-type: none"> There is sufficient room for facilities and services to be installed and maintained efficiently and economically. Rainwater tanks are located underneath the driveways and within service areas.

Car parking and traffic

- 8.23 Each dwelling is provided with 2 car spaces in the form of garages, pursuant to Clause 52.06-5 of the Manningham Planning Scheme.
- 8.24 The subject site is located within the Principal Public Transport Network area and consists of only 4 dwellings. There is no requirement in the Manningham Planning Scheme for the provision of visitor car parking spaces.
- 8.25 The use of the existing crossover along Brendan Avenue will result in no loss to on-street car parking.
- 8.26 The car parking arrangement and designs comply with all Design Standards of Clause 52.06-9 of the Manningham Planning Scheme.

9. OBJECTOR ISSUES / CONCERNS

- 9.1 A response to the grounds of objection is provided below under the relevant category headings.

Neighbourhood character / overdevelopment

- 9.2 As outlined in the assessments within this report, the proposal is considered to respond appropriately to the preferred neighbourhood character that anticipates a substantial level of change and for highly articulated contemporary form.
- 9.3 The increased residential density is in accordance with the substantial level of change anticipated by policy and the purpose of the Residential Growth Zone. The style and layout of the development is respectful of the existing development pattern and character of Manningham Road and is generally reflective of built form that is emerging along the Manningham Road corridor on properties that are within the RGZ and DDO8.
- 9.4 The attached and centralised built form avoids excessive width and massing to the street and surrounding properties. The scale and design is also reflective of other townhouses in the immediate area.
- 9.5 The three storey built form is not dissimilar in scale with the surrounding properties and the maximum height complies with the relevant requirements.
- 9.6 Sufficient space is provided for the provision of meaningful landscaping including screen planting and canopy trees, which will respond to the character of the area. In addition, the retention of Tree 4 will further contribute to the landscaping of the development.
- 9.7 The mix of building materials including brickwork, render and cladding will ensure the development is complementary to the character of the area and reflective of a style that is emerging within the area.

Traffic, access and car parking

- 9.8 The proposal provides the required number of car parking spaces for residents in accordance with Clause 52.06 (Car Parking) of the Scheme.
- 9.9 Visitor spaces are not required under Clause 52.06 given the site is within the Principal Public Transport Network (PPTN) buffer area and only 4 dwellings are proposed.
- 9.10 Council's Infrastructure and Sustainable Operations Unit have not raised any concerns with increased traffic or impact to on-street car parking. The increased traffic movement associated with additional dwellings on the site can be readily accommodated in the surrounding street network.
- 9.11 Council's Infrastructure and Sustainable Operations Unit have reviewed the swept path diagrams and confirmed that they are acceptable. The access arrangement is considered acceptable as future residents will become familiar with any required corrective manoeuvres to access garages.
- 9.12 The use of the existing crossover for access will not impact on street parking. The layout of the development ensures vehicles will enter and exit the site in a forward direction to minimise any safety impacts.

- 9.13 Existing traffic and parking issues in the area cannot be addressed through the current application, nor should the burden of relieving these existing problems be imposed on the developer of the subject site.
- 9.14 Further, pursuant to the Manningham parking permit policy 2019, owners and occupiers of dwellings for this development will not be eligible to obtain residential parking permits in restricted parking areas if or when this is applied in future.

Overshadowing and loss of daylight

- 9.15 Potential overshadowing impacts as a result of the proposal have been assessed in detailed in an earlier section of this report.
- 9.16 As discussed, there will be additional overshadowing to the secluded private open space areas of the adjoining properties to the south and west at 9am and 10am as a result of the development.
- 9.17 The development will not result in excessive overshadowing of the adjoining properties as the shadows only impact a small portion of the existing secluded private open space areas. Compliance with the relevant standard is achieved.

Overlooking and loss of privacy

- 9.18 Potential overlooking impacts as a result of the proposal have been assessed in detail in an earlier section of this report. As discussed, permit conditions will require compliance with the relevant standard.
- 9.19 A visual barrier of at least 1.8 metres in height is required along the southern boundary in order to appropriately limit overlooking from the proposed development, to be required by a **condition on the permit**.

Loss of vegetation and environmental impacts

- 9.20 The land is zoned for residential purposes and there are no specific vegetation protection overlays applicable to the site. It is reasonable to assume some vegetation removal is required to enable the construction of the dwellings on the land. A condition on the planning permit will require a revised landscape plan to be submitted and endorsed as part of the planning permit.
- 9.21 The application was amended pursuant to Section 57A of the *Planning and Environment Act 1987* to retain the large tree towards the north-western corner of the site. This is considered to be a positive design outcome.
- 9.22 It is considered that Tree 4 can also be retained through some variations to the design of the terrace as discussed earlier in this report. **Conditions on the permit** will be included accordingly to ensure that Tree 4 is retained.

Infrastructure and services

- 9.23 Council's Infrastructure and Sustainable Operations Unit have raised no concerns relating to the capacity of existing services and utilities.

- 9.24 A condition on the permit will require an on-site detention system, which limits the rate of discharge from a site to the legal point of discharge. In limiting the discharge, it maintains the capacity in the existing Council drainage network to reduce flooding during extreme rainfall events.
- 9.25 The development will be required to be connected to various utility services, subject to the requirements of the relevant authorities.

Potential flooding issues

- 9.26 Council's Infrastructure and Sustainable Operations Unit have not raised any concerns with drainage subject to runoff being directed to the legal point of discharge and the installation of an on-site storm water detention system. These will be required by a permit condition.
- 9.27 The subject site is not within any flooding overlays or identified to be subject to overland flows.

Potential soil contamination and asbestos

- 9.28 The subject site is not within an Environmental Audit Overlay or other registers that suggest the land may be contaminated.
- 9.29 The demolition of the existing building and asbestos removal is not a planning matter. It will be addressed by the relevant building surveyor as part of the demolition process.

Impacts and damage to neighbouring properties and fencing

- 9.30 The development proposes to retain the 1.4 metre high brick wall which is located adjacent to the southern boundary. Based on the survey plan submitted with the application, it appears this wall is located on the southern boundary and therefore forms part of the fence between properties.
- 9.31 Any potential damage to neighbouring properties from construction is not a planning matter that can be considered as part of this application. It is a matter that would need to be addressed by the relevant building surveyor through the building permit process.
- 9.32 Boundary fencing is also a civil matter that would need to be addressed by the property owners and is be considered as part of this application.
- 9.33 Council will expect that the development (including fencing to the heights indicated on the plans) will be constructed in accordance with the endorsed plans.

Impacts to the existing easement along the western boundary

- 9.34 The building is setback approximately 800mm from the easement along the western boundary. Council's Infrastructure and Sustainable Operations Unit have not raised any concerns with the building within proximity of the easement. Given the setback of the building to the easement, there will be no impact on this easement as a result of the development.

- 9.35 The driveway is proposed to be constructed over the easement adjacent to the southern boundary. The permit holder will need to apply for approval to build over the easement, which will be assessed by Council's Infrastructure and Sustainable Operations Unit. It is not unusual for driveways of developments to be constructed over or partly over an easement subject to approval from Council.

Construction impacts

- 9.36 A **permit condition** will require a Construction Management Plan (CMP) be prepared and submitted for assessment by Council prior to construction commencing on the site. The CMP will include a list of obligations that the construction process must adhere to, including the parking of trades vehicles and logistics for delivery trucks and machinery. Any breaches of the CMP during the construction process may result in enforcement action by Council.
- 9.37 Some noise and other off-site impacts are inevitable when any construction occurs. The developer will be required to meet relevant Local Law and EPA regulations to ensure that any impacts are mitigated, and compliance with Council's Works Code of Practice (June 2017) will also be required at all times.

Residential noise

- 9.38 Concerns have been raised regarding the potential noise generated from the dwellings after occupancy. The consideration of this planning application is confined only to the development of the dwellings, the residential use of the dwellings does not require a planning permit.
- 9.39 Residential noise associated with a dwelling is considered normal and reasonable in an urban setting. Any future issues of amenity, if they arise should be pursued as a civil matter.

Inaccurate costings, insufficient funds to complete the development and lack of a timeline for construction and completion

- 9.40 The applicant is required to provide the estimated cost of the development as part of the application.
- 9.41 Otherwise, the cost and financing of a development is not a planning matter and cannot be considered as part of the assessment of this application.
- 9.42 **Conditions on the permit** will include an expiry date of the permit if the development is not commenced within 2 years or completed within 4 years of the issue date of the permit. There is no requirement on when the development must be undertaken as long as the permit remains valid.

Loss of property values

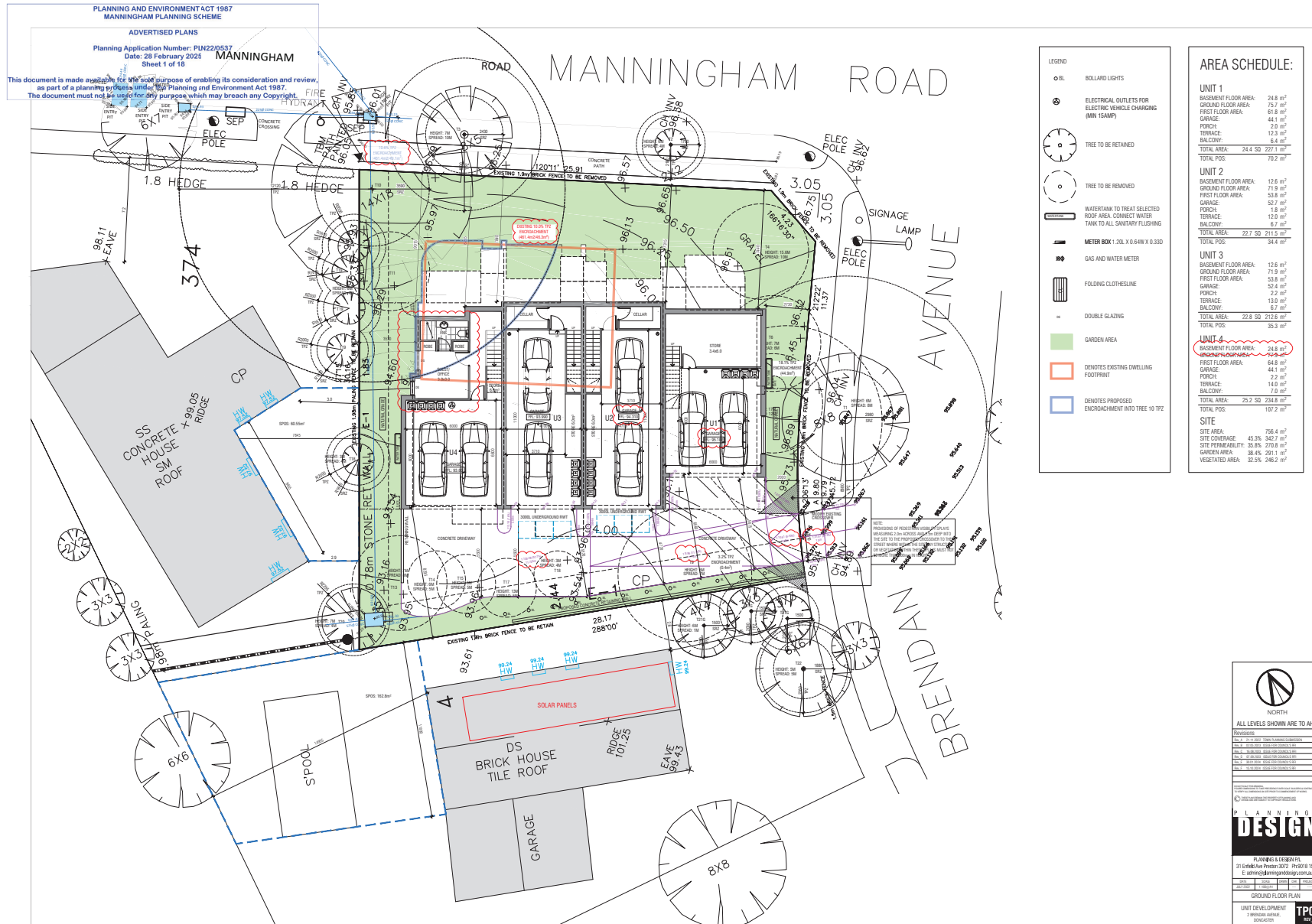
- 9.43 Subjective claims that a proposal will reduce property values is not a planning matter and cannot form part of the assessment of this application.

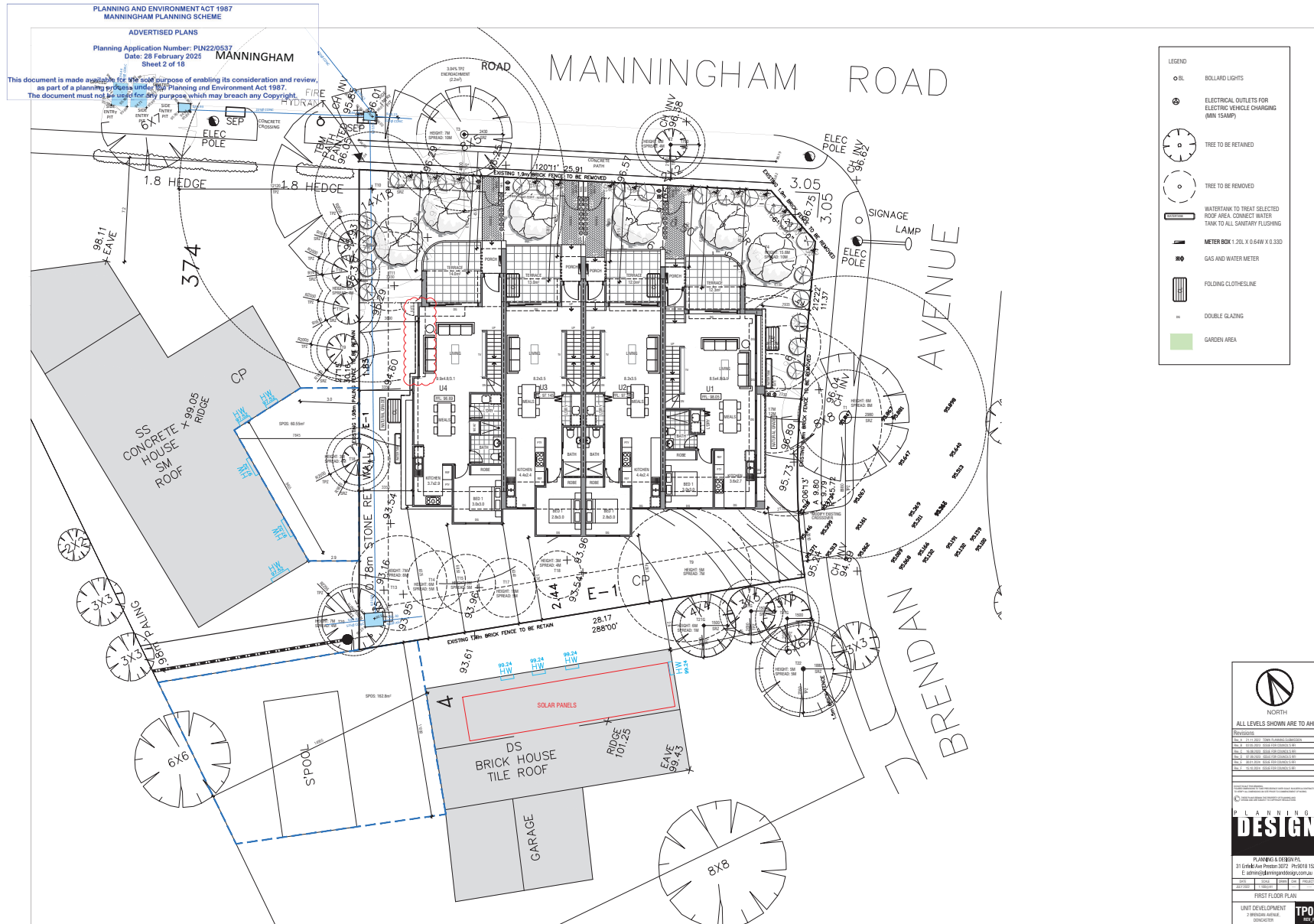
10. CONCLUSION

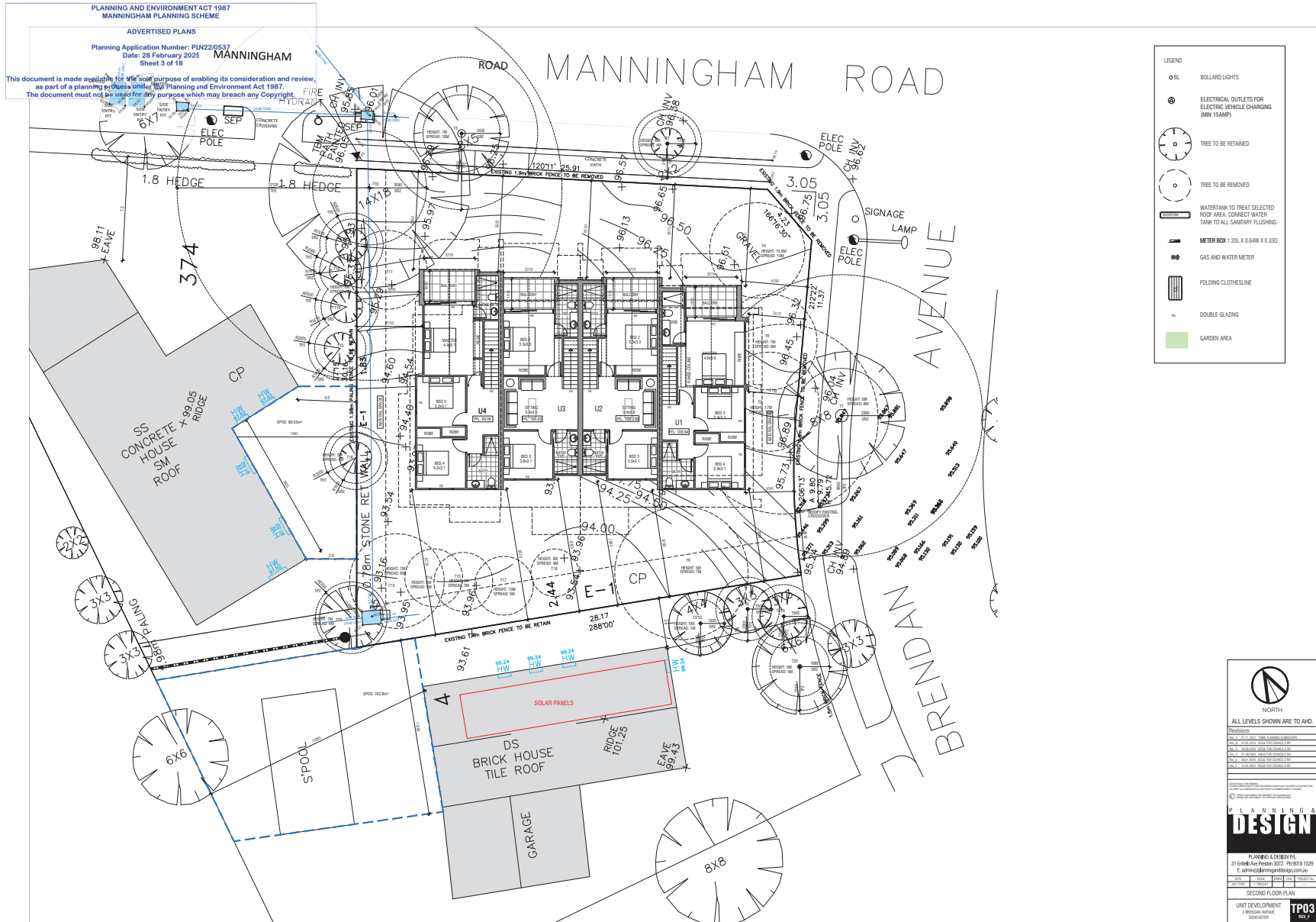
- 10.1 The proposal is considered satisfactory and positively responds to the objectives of the Manningham Planning Scheme with a high degree of compliance particularly with respect to urban design, height, massing, car parking and traffic. Minor changes are recommended through permit conditions which will result in a fully compliant outcome.
- 10.2 For the reasons above, it is recommended the application be approved subject to conditions.

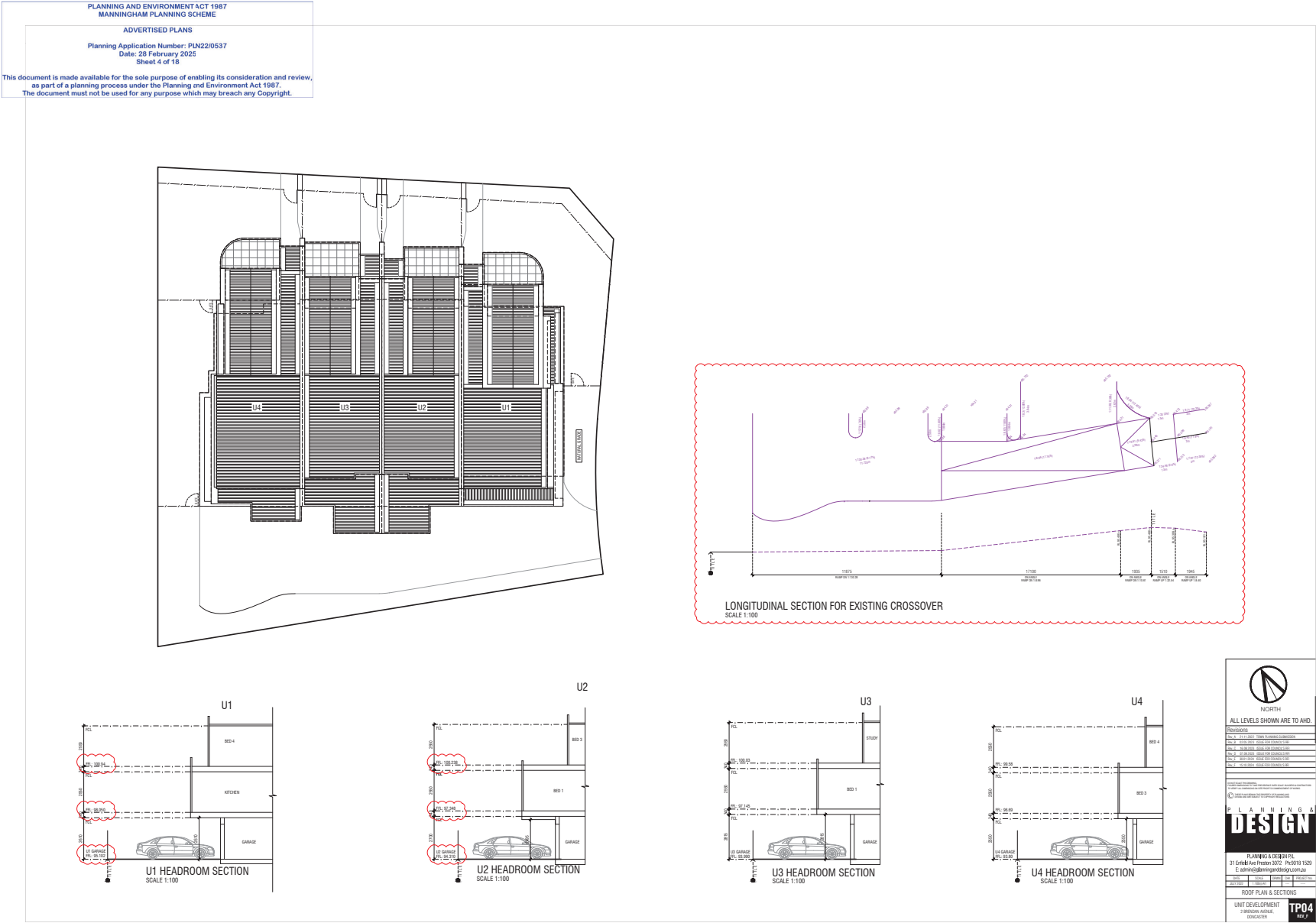
11. DECLARATION OF CONFLICT OF INTEREST

- 11.1 No officers involved in the preparation of this report have any general or material conflict of interest in this matter.







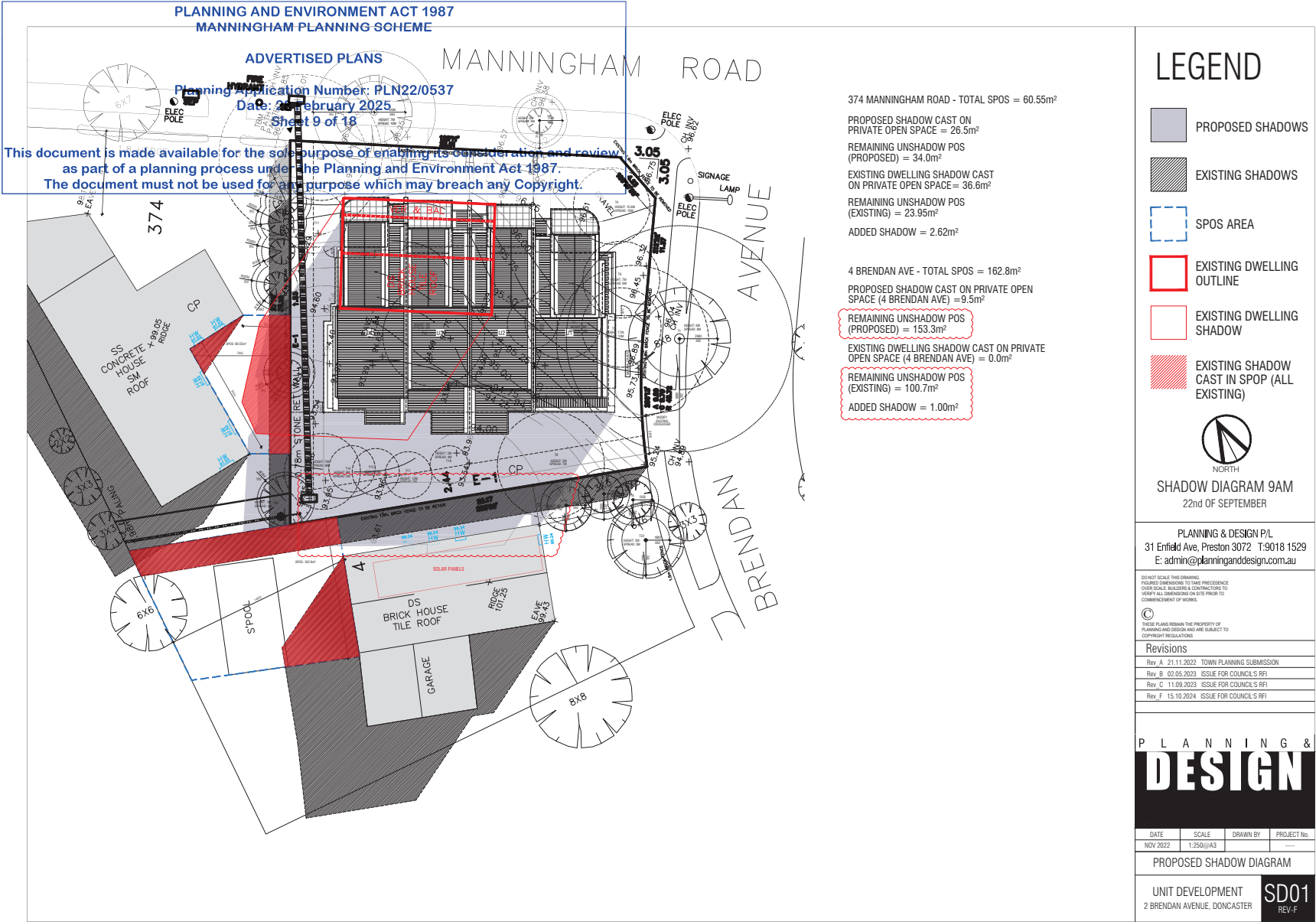


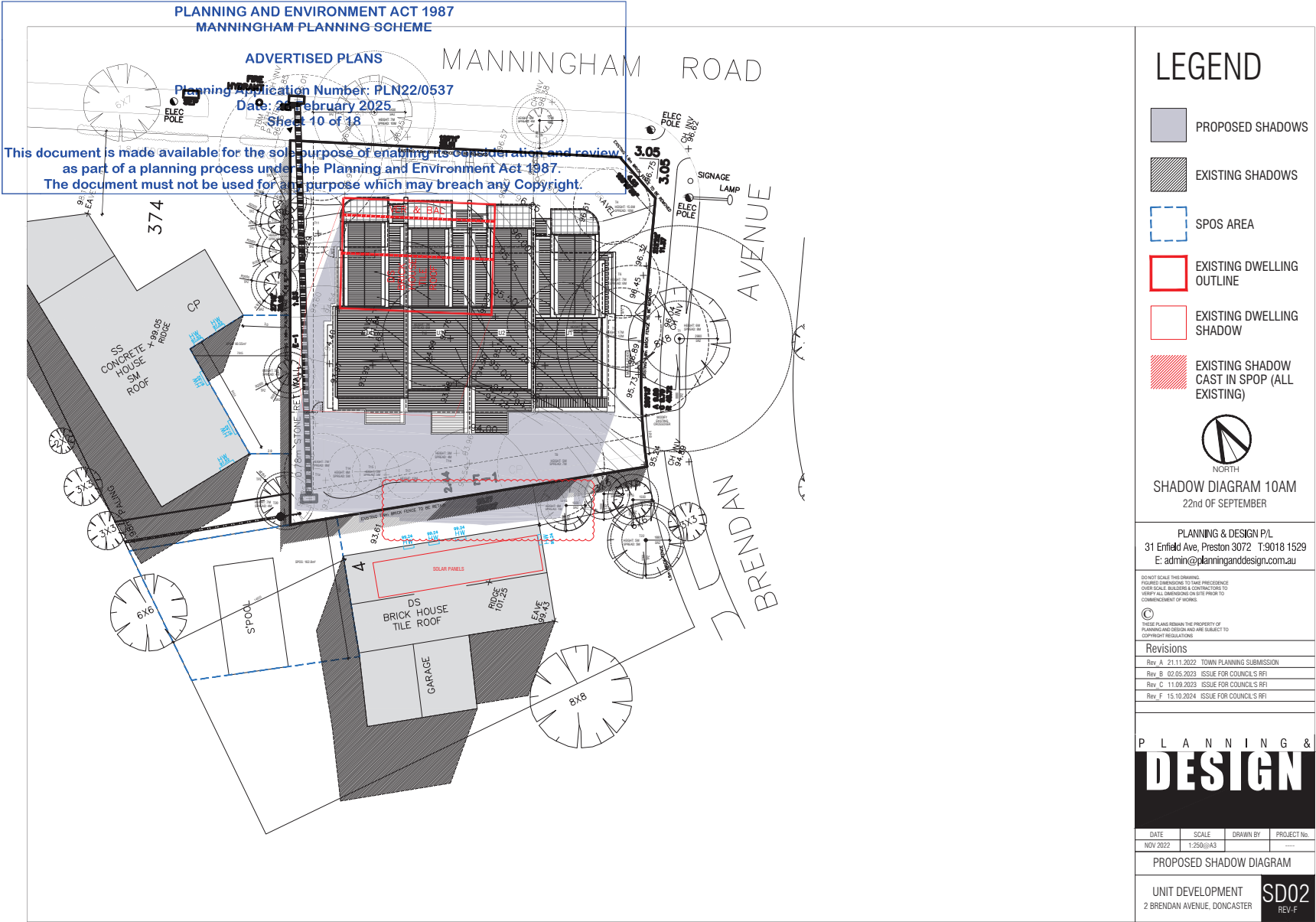


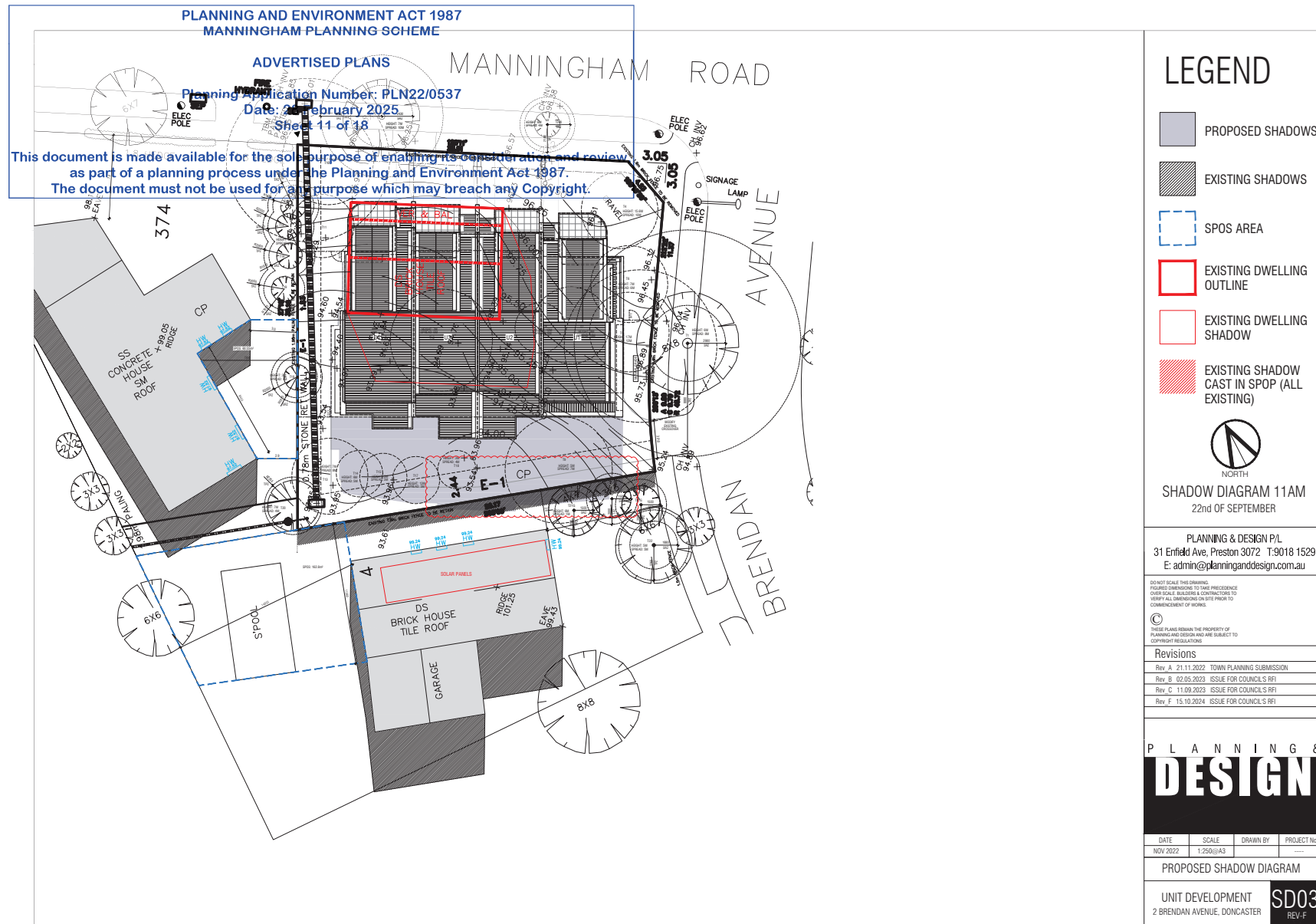
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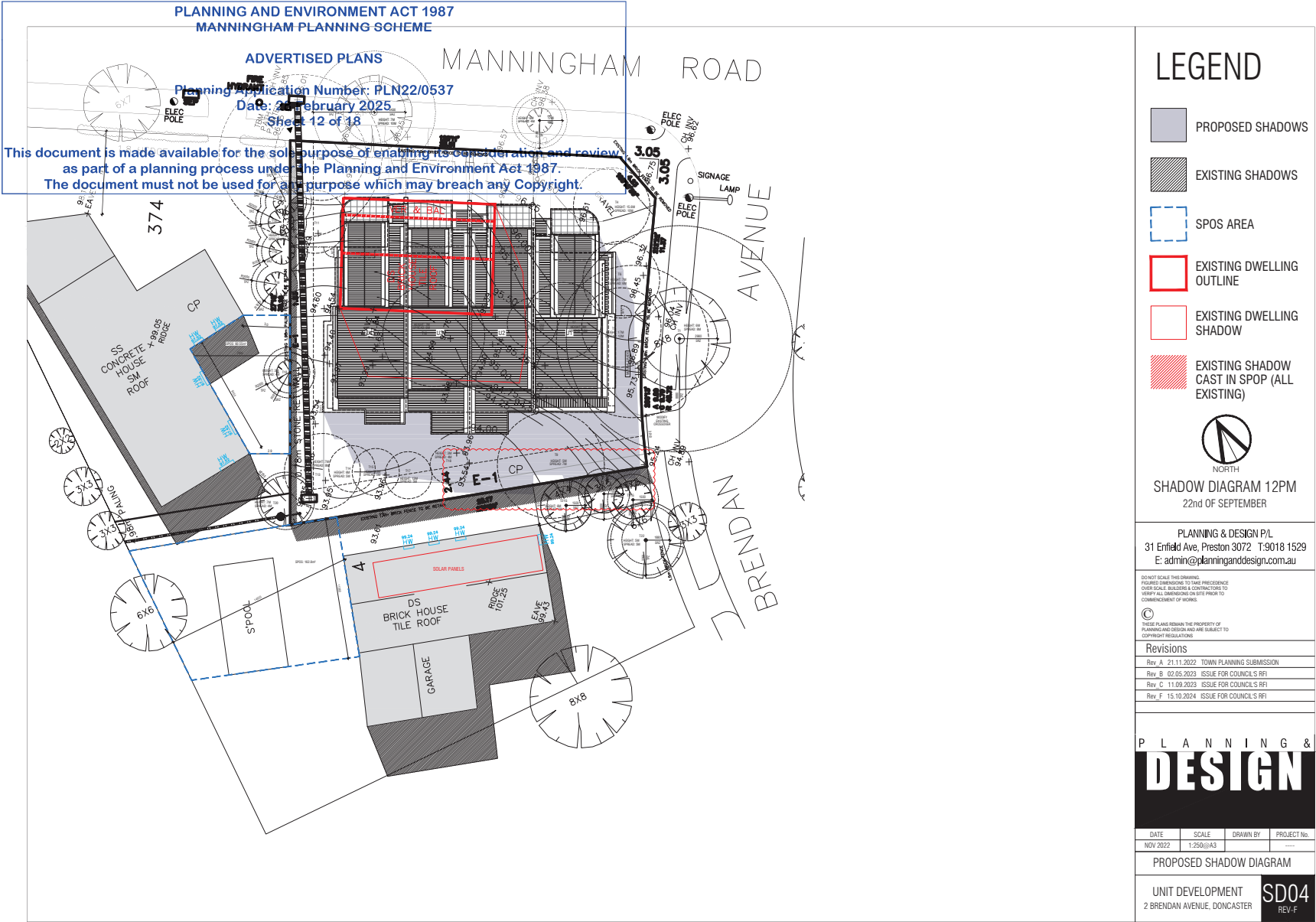


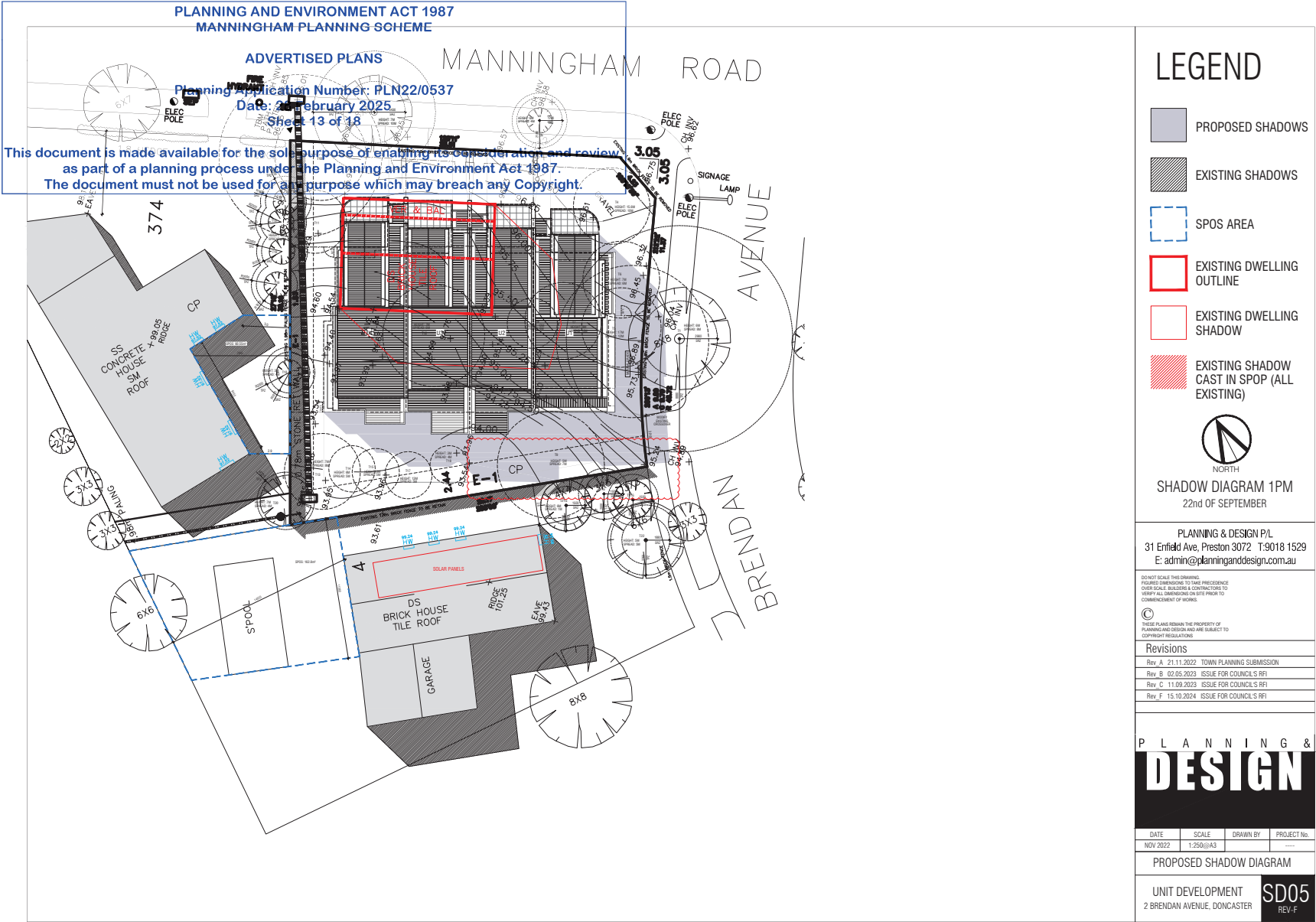


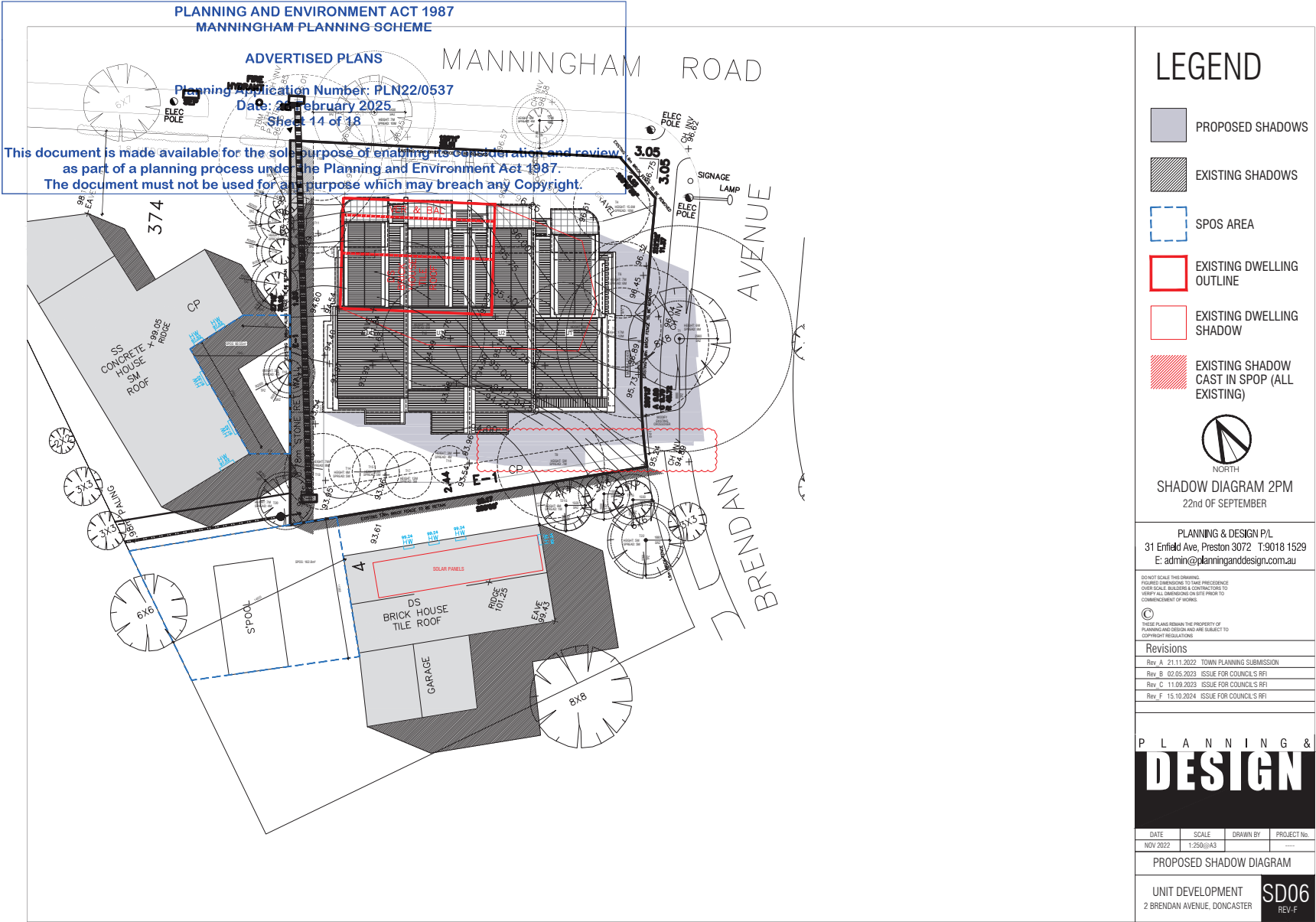


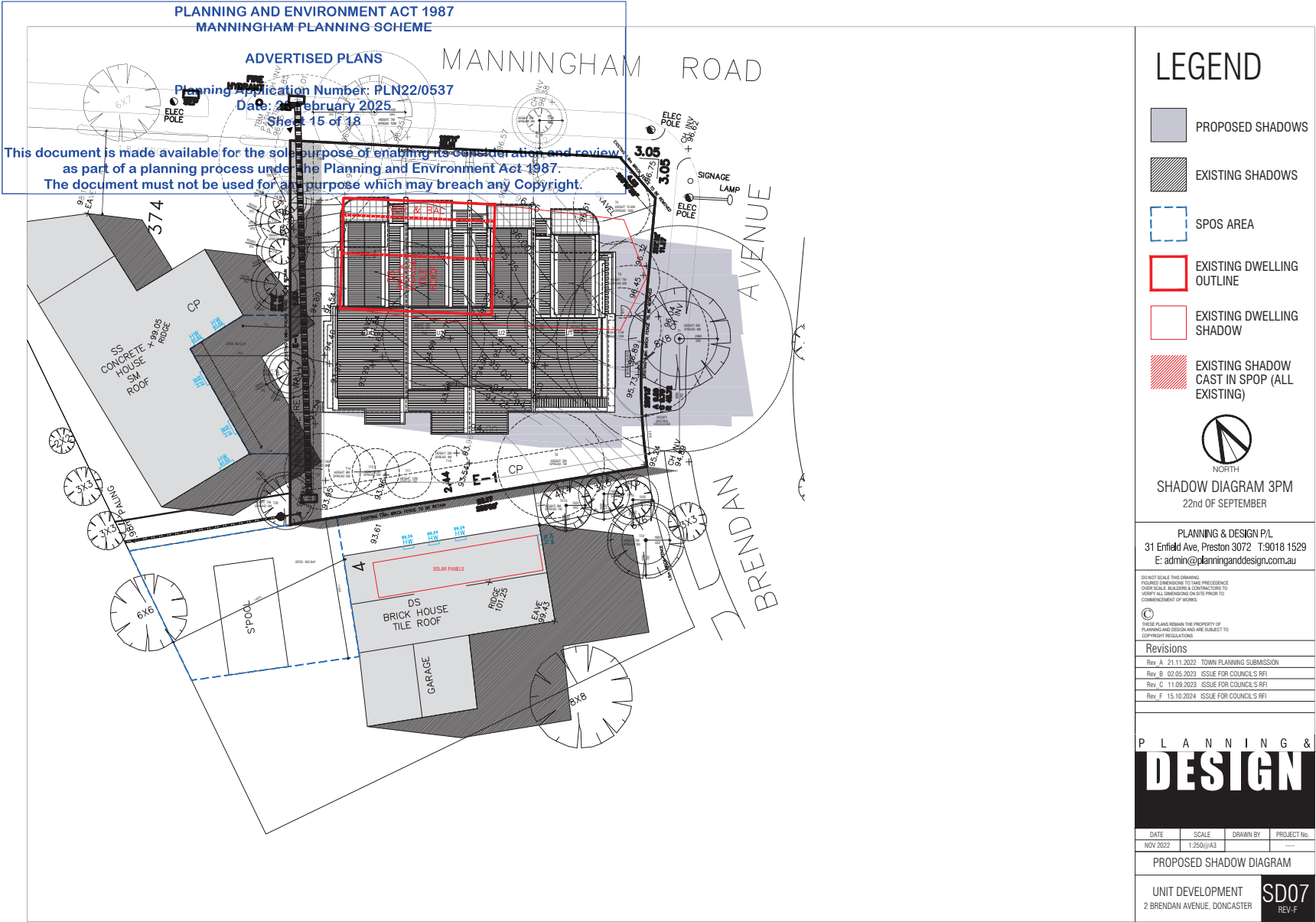


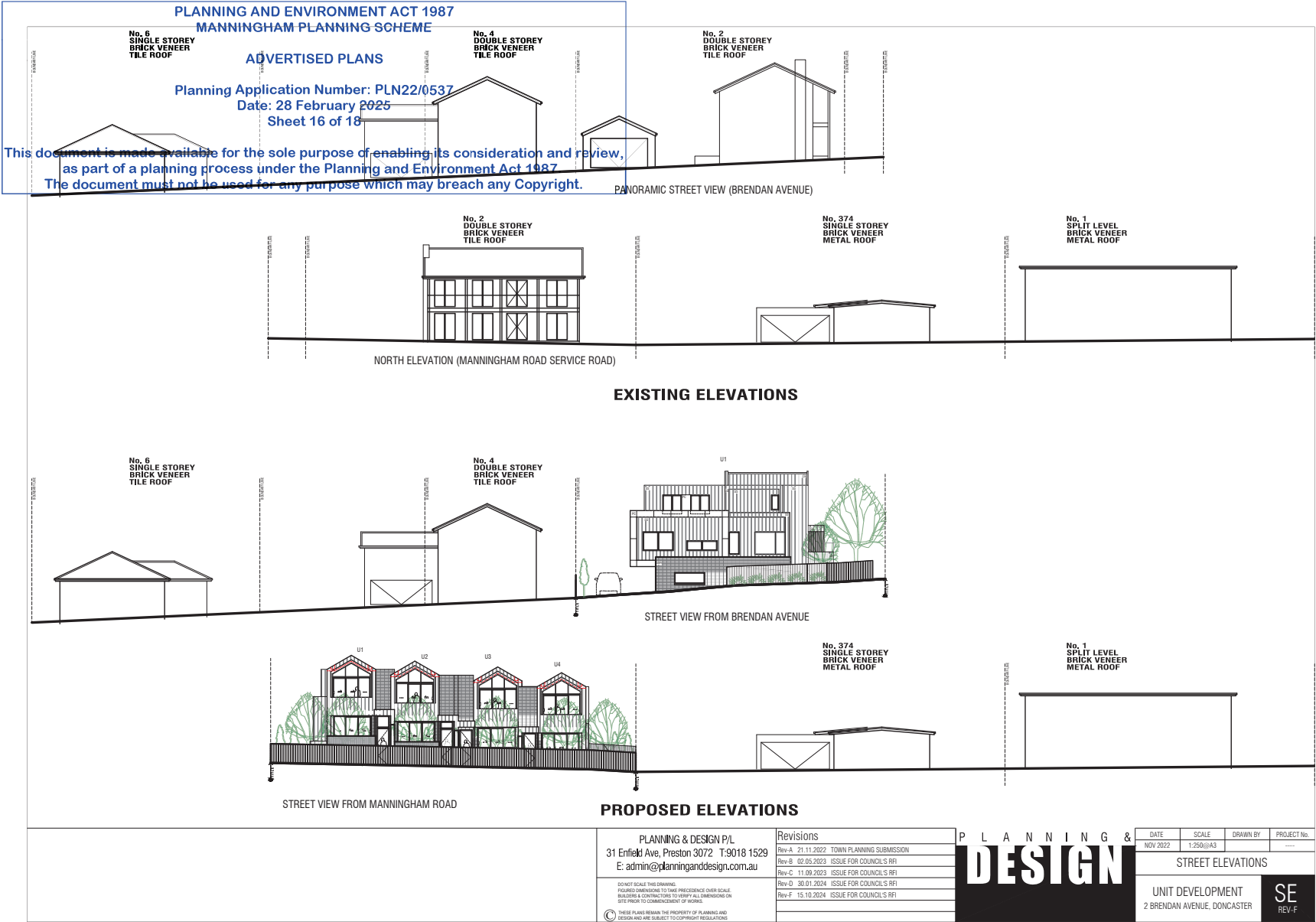














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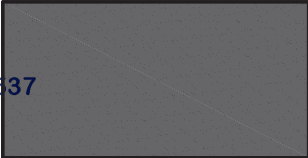
PLANNING AND ENVIRONMENT ACT 1987
MANNINGHAM PLANNING SCHEME



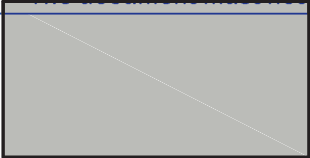
STACKED BRICKWORK: (SSBR)




SMOOTH RENDER: (SR1)



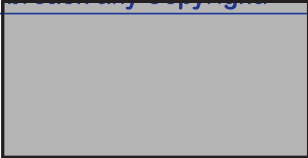
SMOOTH RENDER: (SR2)



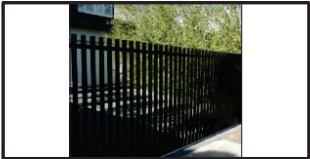
POSTS (PORCH): (P1)
LIGHT GREY OR SIMILAR




STANDING SEAM: (SS)
DARK GREY OR SIMILAR



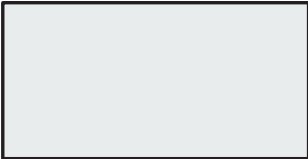
PANEL CLADDING: (PC)
DARK GREY OR SIMILAR



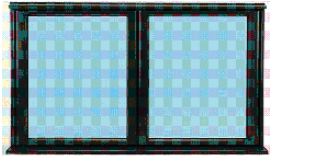
BALUSTRADE: (SB)
BLACK OR SIMILAR




FEATURE STONE: (FS)
MEDIUM GREY OR SIMILAR




GARAGE DOOR: (GD)
WHITE OR SIMILAR




WINDOWS:
ALUMINIUM: DARK GREY FRAME
WITH CLEAR GLASS OR SIMILAR



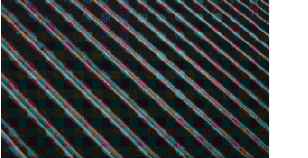
TIMBER PALING (TP):
1.8m HIGH TIMBER PALING FENCE



LOUVER SCREEN (LS):
ALUMINIUM: DARK GREY OR
SIMILAR




FASCIA:
ALUMINIUM: DARK GREY GUTTER
& DOWNPIPES OR SIMILAR



ROOF:
COLORBOND ROOF: DARK GREY

PLANNING & DESIGN P/L
31 Enfield Ave Preston 3072 T:9018 1529
E: chinh@planninganddesign.com.au

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P L A N N I N G &
DESIGN

DATE	SCALE	DRWN	CHK	PROJECT No.
APRIL 2023	A4		---	----

COLOUR SCHEDULE

UNIT DEVELOPMENT
2 BRENDAN AVENUE,
DONCASTER

CS

REV_F

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Item 9.1

Attachment 1

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LEGISLATIVE REQUIREMENTS

PLANNING AND ENVIRONMENT ACT 1987 (THE ACT)

The *Planning and Environment Act 1987* is the relevant legislation governing planning in Victoria. The Act identifies subordinate legislation in the form of Planning Schemes to guide future land use and development.

Section 60 of The *Planning and Environment Act*, requires the Responsible Authority to consider the following before deciding on an application:

- *The relevant planning scheme;*
- *The objectives of planning in Victoria;*
- *All objections and other submissions which it has received;*
- *Any decision and comments of a referral authority which it has received; and*
- *Any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.*

Section 61(4) of the Act makes specific reference to covenants. Under Section 61(4) of the *Planning & Environment Act 1987* the Responsible Authority must not issue a planning permit that would result in a breach of a registered restrictive covenant.

MANNINGHAM PLANNING SCHEME

Clauses of the Manningham Planning Scheme the Responsible Authority must consider:

- Planning Policy Framework
- Clause 32.07 Residential Growth Zone, Schedule 2
- Clause 43.02 Design and Development Overlay, Schedule 8
- Clause 52.06 Car Parking
- Clause 65 Decision Guidelines

Zones

Clause 32.07 Residential Growth Zone, Schedule 2

The purpose of the General Residential Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide housing at increased densities in buildings up to and including four storey buildings.*
- *To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.*
- *To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.*
- *To ensure residential development achieves design objectives specified in a schedule to this zone.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

A Planning Permit is required to construct two or more dwellings on a lot and to construct a front fence within 3 metres of a street.

A building must not be constructed for use as a dwelling or a residential building that exceeds the maximum building height specified in a schedule to this zone.

Schedule 2 to the Residential Growth Zone does not specify a maximum building height requirement for a dwelling or residential building.

If no maximum building height is specified in a schedule to this zone, the building height should not exceed 13.5 metres.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

Overlays

Clause 43.02 Schedule 8 to the Design and Development Overlay

The design objectives are as follows:

- *To increase residential densities and provide a range of housing types around activity centres and along main roads.*
- *To encourage development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and façade treatments.*
- *To support three storey, 'apartment style', developments within the Main Road sub-precinct and in sub-precinct A, where the minimum land size can be achieved.*
- *To support two storey townhouse style dwellings with a higher yield within sub-precinct B and sub-precinct A, where the minimum land size cannot be achieved.*
- *To ensure new development is well articulated and upper storey elements are not unduly bulky or visually intrusive, taking into account the preferred neighbourhood character.*
- *To encourage spacing between developments to minimise a continuous building line when viewed from a street.*
- *To ensure the design and siting of dwellings have regard to the future development opportunities and future amenity of adjoining properties.*
- *To ensure developments of two or more storeys are sufficiently stepped down at the perimeter of the Main Road sub-precinct to provide an appropriate and attractive interface to sub-precinct A or B, or other adjoining zone.*
- *Higher developments on the perimeter of sub-precinct A must be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct B or other adjoining zone.*
- *To ensure overlooking into adjoining properties is minimised.*
- *To ensure the design of carports and garages complement the design of the building.*

- To ensure the design of basement and undercroft car parks complement the design of the building, eliminates unsightly projections of basement walls above natural ground level and are sited to allow for effective screen planting.
- To create a boulevard effect along Doncaster Road and Manningham Road by planting trees within the front setback that are consistent with the street trees.
- To encourage landscaping around buildings to enhance separation between buildings and soften built form

Permit Requirement

- A permit is required to construct or carry out works.
- A permit is required to construct or extend a front fence within 3 metres of a street, if the fence is associated with 2 or more dwellings on a lot or a residential building.

Building Height & Setbacks

- Any building or works must comply with the requirements set out in Table 1 and 2 of this Schedule.
- For the purposes of this Schedule, the Maximum Building Height does not include building services, lift over-runs and roof mounted equipment, including screening devices.
- For the purposes of this Schedule, balconies, terraces, and verandahs may encroach within the Street Setback by a maximum of 2.0m, but must not extend along the width of the building.

Table 1

Sub-Precinct	Maximum Building Height	Condition regarding minimum land size	Street setback
DDO8-1 (Main Road) Sub-precinct	11 metres provided the condition regarding minimum land size is met. If the condition is not met, the maximum height is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the site of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres.	1,800 square metres must be all in the same sub-precinct. Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage	For two or more dwellings on a lot or a residential building: <ul style="list-style-type: none"> • Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser • Minimum side street setback is the distance specified in Clause 55.03-1
DDO8-2 (Sub-precinct A)	11 metres provided the condition regarding minimum land size is met. If the condition is not met, the maximum height	1,800 square metres must be all in the same sub-precinct. Where the land comprises more than one lot, the lots must	For two or more dwellings on a lot or a residential building:

	is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the site of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres.	be consecutive lots which are side by side and have a shared frontage.	<ul style="list-style-type: none"> • Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser • Minimum side street setback is the distance specified in Clause 55.03-1
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Planning Policy Framework

The relevant sections of the Planning Policy Framework are as follows:

Clause 15.01-1L (Safer neighbourhoods - Manningham) seeks to facilitate buildings, subdivisions, street layout, car parks and public open space that are safe.

Strategies towards achieving this are identified as follows:

- *Design buildings to provide informal surveillance of adjacent open space.*
- *Create private and public open space areas that are accessible, functional and safe.*
- *Locate playgrounds in areas that are clearly visible to guardians and residents and avoid locating playgrounds behind buildings or in secluded areas.*
- *Design landscaping of public spaces to provide clear and unobstructed views.*
- *Utilise landscaping with low shrubs or ground covers to increase effectiveness of natural surveillance.*
- *Avoid the planting of trees and shrubs with dense foliage near pathways.*
- *Avoid rear lane ways and pedestrian tunnels unless adequate surveillance opportunities for these areas can be incorporated into the design.*
- *Locate automatic teller machines where there are clear sightlines in the public realm.*
- *Design and locate buildings, including car parks, to promote public safety by:*
 - *Maximising visibility and sightlines to and from public and communal spaces.*
 - *Avoiding hidden car spaces, blind corners and areas of potential entrapment.*
- *Design pedestrian entrances to be clearly visible from streets and public areas, to provide shelter and to provide a transitional space between the public and private realm.*
- *Ensure development and landscaping surrounding open car parks provide casual surveillance opportunities.*
- *Provide clear directional signage within car parks and at entry and exit points.*
- *Encourage open and transparent fences along street frontages and public areas to allow surveillance and visibility.*
- *Design buildings to discourage external roof access.*
- *Encourage the use measures to manage graffiti and vandalism.*
- *Avoid enclosing public spaces that adjoin private property.*
- *Ensure streetscapes:*
 - *Are attractive.*
 - *Clearly define areas for pedestrian and vehicle movement.*

- *Provide natural surveillance and visibility for pedestrians, drivers and occupants of adjacent land*

Clause 15.01-2S (Building Design) seeks to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

Strategies towards achieving this are identified as follows:

- *Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.*
- *Ensure development responds and contributes to the strategic and cultural context of its location.*
- *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
- *Improve the energy performance of buildings through siting and design measures that encourage:*
 - *Passive design responses that minimise the need for heating, cooling and lighting.*
 - *On-site renewable energy generation and storage technology.*
 - *Use of low embodied energy materials.*
- *Ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste.*
- *Encourage use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.*
- *Encourage water efficiency and the use of rainwater, stormwater and recycled water.*
- *Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.*
- *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
- *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
- *Ensure development is designed to protect and enhance valued landmarks, views and vistas.*
- *Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.*
- *Encourage development to retain existing vegetation.*
- *Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.*

Clause 15.01-2L (Environmentally Sustainable development – Manningsham) seeks to achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

Strategies

- *Facilitate development that minimises environmental impacts.*
- *Encourage environmentally sustainable development that:*
 - *Is consistent with the type and scale of the development.*
 - *Responds to site opportunities and constraints.*

- *Adopts best practice through a combination of methods, processes and locally available technology that demonstrably minimise environmental impacts.*

Energy performance

- *Reduce both energy use and energy peak demand through design measures such as:*
 - *Building orientation.*
 - *Shading to glazed surfaces.*
 - *Optimising glazing to exposed surfaces.*
 - *Inclusion of or space allocation for renewable technologies.*

Integrated water management

- *Reduce total operating potable water use through appropriate design measures such as water efficient fixtures, appliances, equipment, irrigation and landscaping.*
- *Encourage the appropriate use of alternative water (including greywater, rainwater and stormwater).*
- *Incorporate best practice water sensitive urban design to improve the quality of stormwater runoff and reduce impacts on water systems and water bodies.*

Indoor environment quality

- *Achieve a healthy indoor environment quality, including thermal comfort and access to fresh air and daylight, prioritising passive design over mechanical heating, ventilation, cooling and lighting.*
- *Reduce indoor air pollutants by encouraging use of low-toxicity materials.*
- *Minimise noise levels and noise transfer within and between buildings and associated external areas.*

Transport

- *Design development to promote the use of walking, cycling and public transport, in that order; and minimise car*
- *dependency.*
- *Promote the use of low emissions vehicle technologies and supporting infrastructure.*

Waste management

- *Promote waste avoidance, reuse and recycling during the design, construction and operation stages of development.*
- *Encourage use of durable and reusable building materials.*
- *Ensure sufficient space is allocated for future change in waste management needs, including (where possible) composting and green waste facilities.*

Urban ecology

- *Protect and enhance biodiversity by incorporating natural habitats and planting indigenous vegetation.*
- *Reduce urban heat island effects through building design, landscape design, water sensitive urban design and the*
- *retention and provision of canopy and significant trees.*
- *Encourage the provision of space for productive gardens, particularly in larger residential developments.*

Clause 15.01-4S (Healthy neighbourhoods) policy objective seeks to create neighbourhoods that foster healthy and active living and community wellbeing.

Strategies towards achieving this are identified as follows:

- *Design neighbourhoods that foster community interaction and make it easy for people of all ages and abilities to live healthy lifestyles and engage in regular physical activity by providing:*
 - *Connected, safe, pleasant and attractive walking and cycling networks that enable and promote walking and cycling as a part of daily life.*
 - *Streets with direct, safe and convenient access to destinations.*
 - *Conveniently located public spaces for active recreation and leisure.*
 - *Accessibly located public transport stops.*
 - *Amenities and protection to support physical activity in all weather conditions.*

Clause 15.01-5S (Neighbourhood character) policy objective is to recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Strategies towards achieving this are identified as follows:

- *Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.*
- *Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.*
- *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:*
 - *Pattern of local urban structure and subdivision.*
 - *Underlying natural landscape character and significant vegetation.*
 - *Neighbourhood character values and built form that reflect community identity.*

Clause 15.01-5-01L (Landscaping Manningham) policy strategies are as follows;

- *Provide landscaping to soften built form and the appearance of large areas of car parking, accessways and development.*
- *Incorporate indigenous planting and canopy trees.*
- *Provide setbacks to enable the retention of canopy trees and landscape treatments along road frontages roadside boundaries and interfaces with adjoining sites to complement the boulevard theme and character of the area.*
- *Retain existing vegetation and canopy trees along road frontages.*
- *Retain native vegetation where possible or, incorporate new native vegetation into landscaping.*
- *Support landscaping that provides visual interest to commercial uses and carparking areas to the surrounding area*

Clause 15.01-5L-02 (Neighbourhood character)

This policy outlines the division of Manningham into four Residential Character Precincts. The precincts seek to channel increased housing densities around activity centres and main roads where facilities and services are available. In areas which are removed from these facilities a lower intensity of development is encouraged. A low residential density is also encouraged in areas that have identified environmental or landscape features.

The site is within Precinct 2 – Residential Areas Surrounding Activity Centres and Along Main Roads.

This precinct applies to the areas surrounding activity centers and along main roads

The Precinct 2 objective is to promote substantial change that is high quality, contemporary and designed to provide a transition between sub precincts in Precinct 2.

Precinct 2 strategies are as follows;

- *Provide for contemporary architecture.*
- *Encourage use of varied and durable building materials in building facades that provide visual interest.*
- *Provide a graduated building scale and form from side and rear boundaries.*
- *Incorporate a landscape treatment that enhances the overall appearance of the development and any adjacent main road.*
- *Integrate car parking into the design of buildings and landform.*
- *Encourage the built form fronting Doncaster Road at the former Eastern Golf Course (Tullamore) to be of a scale that provides an appropriate transition to Doncaster Hill Major Activity Centre.*
- *Support development as follows:*
 - *Apartment-style developments along main roads and on larger, consolidated lots in DDO8-1 - Sub-Precinct Main Road.*
 - *Apartment-style development of two-storeys, or three-storeys on larger consolidated lots, in DDO8-2 - Sub-Precinct A.*
 - *Low-rise development of one and two-storeys in DDO8-3 - Sub-Precinct B.*

The site is located within the **Main Road Sub-Precinct**.

Clause 16.01-1S (Housing Supply) policy objective is to facilitate well-located, integrated and diverse housing that meets community needs.

Strategies towards achieving this are identified as follows:

- *Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.*
- *Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.*
- *Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.*
- *Identify opportunities for increased residential densities to help consolidate urban areas.*
- *Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.*
- *Encourage the development of well-designed housing that:*
 - *Provides a high level of internal and external amenity.*
 - *Incorporates universal design and adaptable internal dwelling design.*
- *Support opportunities for a range of income groups to choose housing in well-served locations.*
- *Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres*

Clause 19.03-3L (Wastewater, drainage and stormwater management – Manningham) policy objective is to provide safe and efficient wastewater, drainage and stormwater management systems.

Strategies towards achieving this are identified as follows:

- *Ensure that any land use or development that may increase water runoff from a site either:*
 - *Detains stormwater on site.*
 - *Undertakes or assists with off-site works to maintain or increase drainage capacity.*
- *Promote the on-site detention, absorption of stormwater through*
 - *The use of permeable paving, pebble paths, lawns and gardens.*
 - *Capture and reuse functions within detention systems.*
- *Encourage natural biological filtration systems in areas of high sediment or nutrient runoff, including roadside developments and subdivisions.*
- *Support the use of pollutant traps to prevent garbage entering the waterways.*
- *Ensure development connects to mains water.*
- *Encourage connection to sewer where available and within reasonable proximity.*

Particular Provisions

Clause 52.06 Car Parking

Pursuant to Clause 52.06-5, car parking is required to be provided at the following rates:

- *1 space for 1 and 2 bedroom dwellings.*
- *2 spaces for 3 or more bedroom dwellings.*

No residential visitor car parking spaces are required for any part of the land identified as being within the Principal Public Transport Network Area.

Clause 52.06-9 outlines various design standards for parking areas that should be achieved.

General Provisions

Clause 65 Decision Guidelines

This clause outlines that before deciding on an application, the responsible authority must consider, as appropriate:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*

10 CITY PLANNING AND LIVEABILITY

There were no City Planning and Liveability reports.

11 CONNECTED COMMUNITIES

11.1 Aquarena Outdoor Redevelopment Update

File Number:	IN25/496
Responsible Director:	Director Connected Communities
Attachments:	<ol style="list-style-type: none">1 Aquarena Outdoor Redevelopment Layout Plan and Tender Options (confidential)2 Aquarena Outdoor Redevelopment - 3D images ↓

PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of the final design for the Aquarena outdoor redevelopment, and to seek support to proceed to the tender phase of the procurement process.

EXECUTIVE SUMMARY

The contract documentation for the Aquarena Outdoor Redevelopment has recently been completed, which signifies the conclusion of the design process for the project.

The contract documentation process involved further development and refinement of the design in accordance with the approved concept plan and detailed design. This documentation is consistent with the Aquarena Outdoor Master Plan (August 2023) and Aquarena Outdoor Concept Plan that was presented to Council at the 23 July 2024 Council Meeting.

A two-stage procurement process is being undertaken for the project. The first stage consisted of an Expression of Interest process, which concluded in December 2024. The second stage is the tender process, which will be carried out in the second half of 2025.

Council's Annual Budget includes a \$30m allocation of funding across 2025/26, 2026/27, 2027/28 and 2028/29. Officers are actively seeking external funding support for the project and have recently been notified of a successful application to the Victorian Government's Local Sports Infrastructure Fund, securing \$250,000.

The tender process will proceed once Council endorses the design package outlined in this report.

Disclosure of Conflict of Interest

Cr Isabella Eltaha stated: "Councillors, I wish to disclose that I have a general conflict of interest as my husband works for one of the companies that is tendering for this work. I will be leaving the chamber for the duration of this item."

Cr Eltaha left the meeting at 7:50pm.

COUNCIL RESOLUTION

MOVED: CR JIM GRIVAS
SECONDED: CR CARLI LANGE

That Council:

- A. Endorse the final design package for the Aquarena Outdoor Redevelopment as shown at Attachment 1.**
- B. Endorse proceeding to the tender stage of the procurement process.**

CARRIED UNANIMOUSLY

Cr Eltaha took no part in the discussion or voting on this item and returned to the meeting at 7:57pm after the matter had been resolved.

2. BACKGROUND

- 2.1 The Aquarena Outdoor Master Plan was endorsed at the August 2023 Council Meeting. The central theme for the master plan is 'Your Backyard' with a focus of being welcoming, fun, accessible and safe for all facility users.
- 2.2 Since February 2024, officers have worked closely with the project architects through the concept design, detailed design and contract documentation phases of the design process.
- 2.3 The concept design, cost plan and procurement plan were presented at the Council Meeting on 23 July 2024, where the following recommendations were endorsed:
 - A. *That Council notes the proposed Aquarena Outdoor Redevelopment Concept Plan shown at Attachment 1 and that the final design will be presented to Council for formal endorsement in 2025.*
 - B. *That Council notes the detailed cost estimates for the Concept Plan as outlined in confidential Attachment 2 and the associated budget implications.*
 - C. *That Council authorises officers to proceed with a two-stage procurement strategy for the Aquarena Outdoor Redevelopment, commencing with an Expression of Interest process, to start in August 2024.*

- 2.4 The first stage of the procurement process consisted of an Expression of Interest process, which concluded in December 2024 and resulted in a short list of selected contractors. Detailed designs and the contract documentation phase have since been completed.

3. DISCUSSION / ISSUE

- 3.1 The contract documentation process involved further development and refinement of the design in accordance with the approved concept plan and detailed design.
- 3.2 The layout plan (attachment 1) and 3D images (attachment 2) detail the core outcomes being achieved through the project, including the following core facilities:
- New 8 lane 50m outdoor pool with ramp entry and swim wall (depth 1.1m to 1.8m)
 - Formalised / tiered spectator seating area
 - Café with indoor and outdoor seating and wet lounge
 - Large family zone with zero-depth water play and toddlers pool (depth 40cm)
 - New amenities block
 - Electric pool plant with heat pump technology.
- 3.3 Minor changes have been made to the previously endorsed concept plans, specifically, amending the outdoor group change space to a gender specific change space.

Potential Business Impact / Service Variation

- 3.4 Negotiations are continuing to determine the potential financial / operational impact of the outdoor pool closure over the duration of the contract period - years 3 (2025/26), year 4 (2026/27) and year 5 (2027/28). The following impact is anticipated based on proposed project timelines:
- Minimal impact in 2025/26 (3 months of construction / closure).
 - Majority of impact in 2026/27 (12 months of construction / closure).
 - Minimal impact in 2027/28 (2 months of construction, 10 months of operation with new facilities).

4. COUNCIL PLAN / STRATEGY

- 4.1 This report responds to the following objectives and actions within the Council Plan 2025-29:

Theme – Safe and Healthy Community

Strategic Objective 2 – Our community is active and healthy with improved wellbeing:

- Major Initiative 2.2 – Facilitate opportunities for people of all life stages and abilities to participate in active living, recreation and sport.
 - Action – Work with clubs and volunteers to improve the range of recreational programs, activities and services for the community.

- Action – Continue to drive participation growth and community wellbeing through the Active Manningham partnership and across the leisure centre network.

Theme: Liveable Places and Spaces

Strategic Objective 4 – Our infrastructure is fit for purpose and well maintained, and its utilisation is maximised:

- Major Initiative 4.1 – Provide high quality, fit for purpose community facilities that maximise use and public value.
- Major Initiative 4.2 – Enhance the diversity, use and development of sport and recreation facilities throughout Manningham.
 - Action – Redevelop the outdoor area at Aquarena, in line with the approved Master Plan, to cater for people of all ages and abilities.

Strategic Objective 6 – Our environmental stewardship is at the heart of our programs and practices

- Major Initiative 6.1 – Demonstrate stewardship in initiatives to support a climate resilient community and work towards our council 2028 and community 2035 net zero emissions target.
 - Action – Lead a program to ensure our building, plant, fleet and equipment are environmentally sustainable options and deliver on our 2028 net zero target in a financially responsible way.

4.2 This project meets the following priority areas within Council's Active for Life Recreation Strategy 2010-25 (2019 Review):

- Priority Area 1 – Provide flexible, multi-use and durable spaces for recreation to meet the needs of a growing community.
- Priority Area 2 – Foster an environment of inclusion.

5. IMPACTS AND IMPLICATIONS

- 5.1 Council's 2025/26 Annual Budget includes an allocation of \$30,000,000 for the project over the course of financial years 2025/26, 2026/27, 2027/28 and 2028/29.
- 5.2 A range of tender options are excluded from the project cost. A decision on the tender options is proposed to be made following the tender process (at the time of contract award).
- 5.3 Limited options for value management remain for the core project scope (excluding tender options), without detracting from the design / master plan and community expectations. However, a range of potential staging options could be considered, if required.
- 5.4 External funding opportunities have been actively sought to assist with the delivery of the project. A successful application to the Victorian Government's Local Sports Infrastructure Fund has secured funding of \$250,000 towards the project.

6. IMPLEMENTATION**6.1 Communication and Engagement**

Is engagement required?	Yes
Stakeholder Groups	1. Aquarena members and patrons 2. Aquarena stakeholder groups (swim clubs, schools) 3. Residents / general community 4. Industry stakeholders (e.g. Life Saving Victoria)
Where does it sit on the IAP2 spectrum?	Inform (Detailed consultation occurred during the master planning process and early stage of the design process)
Approach	Communication material (website, email, social media posts, signs, flyers, etc.) Information displays Stakeholder meetings

6.2. Timelines

6.2.1 The tender process will be carried out in the second half of 2025.

6.2.3 The scheduled date for the commencement of construction is March 2026.

7. DECLARATIONS OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

ISSUE | REVISION A

DATE | 12.06.2025

Aquarena Aquatic & Leisure Centre Redevelopment

Design Summary

MELBOURNE
L6.54 Wellington Street
Collingwood VIC 3066
Australia

CO.OP

co-opstudio.com.au

SYDNEY
406.46 Kippax Street
Surrey Hills NSW 2010
Australia

Overview

External View



CO.OP Aquarena Aquatic & Leisure Centre Redevelopment

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Overview

External View



CO.OP Aquarena Aquatic & Leisure Centre Redevelopment

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4

Overview

External View



CO.OP Aquarena Aquatic & Leisure Centre Redevelopment

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Overview

External View



CO.OP Aquarena Aquatic & Leisure Centre Redevelopment

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6

Proposed Internal Finishes

Interior Finishes - Cafe & Servery



CO.OP Aquarena Aquatic & Leisure Centre Redevelopment

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Proposed Internal Finishes

Interior Finishes - Cafe & Servery



CO.OP Aquarena Aquatic & Leisure Centre Redevelopment

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Proposed Internal Finishes

Interior Finishes - Wet Lounge



CO.OP Aquarena Aquatic & Leisure Centre Redevelopment

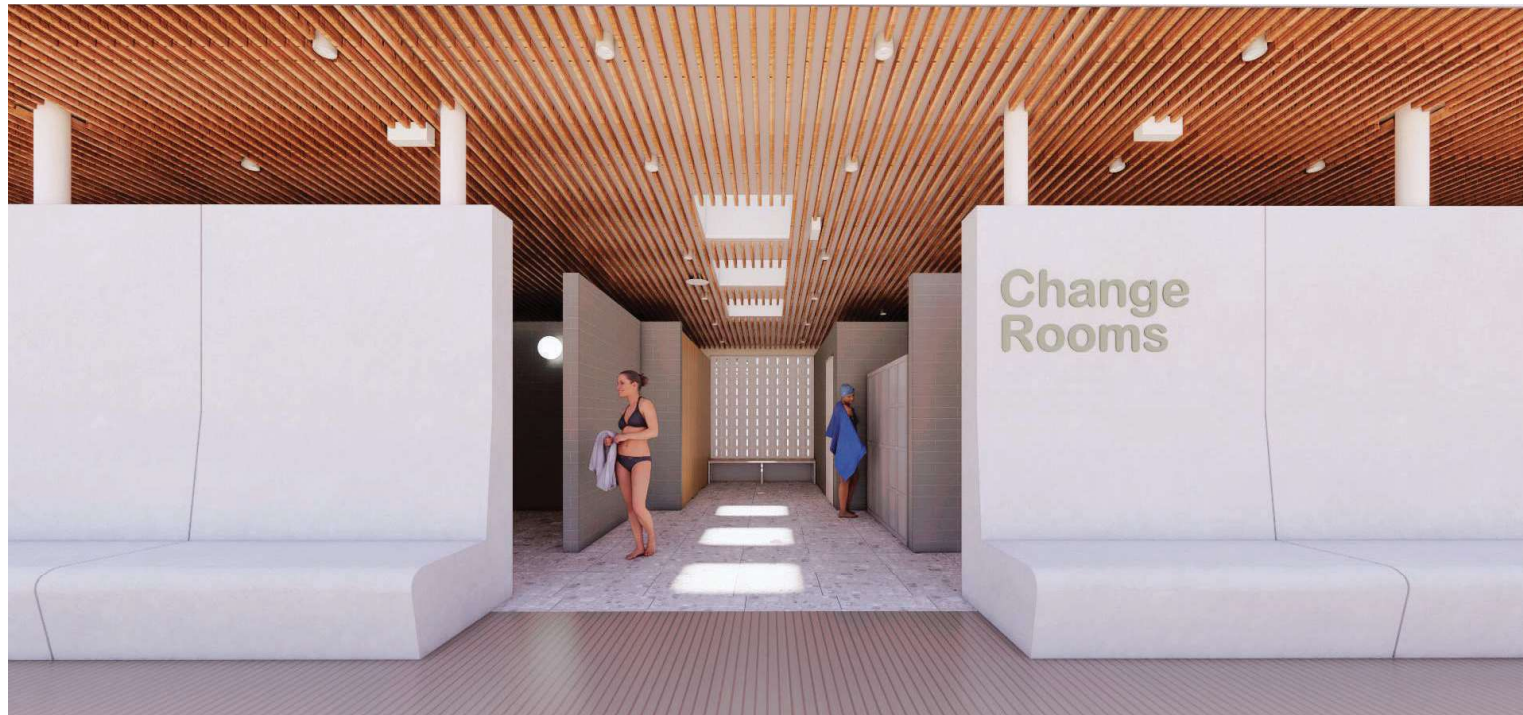
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Proposed Internal Finishes

Interior Finishes - Male & Female Change Block



CO.OP Aquarena Aquatic & Leisure Centre Redevelopment

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Waterplay

Splashpad waterplay - Playrope



CO.OP Aquarena Aquatic & Leisure Centre Redevelopment

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Waterplay

Splashpad waterplay - Playrope



CO.OP Aquarena Aquatic & Leisure Centre Redevelopment

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11.2 Community Grants Policy and Sponsorship Policy Review

File Number: IN25/491
Responsible Director: Director Connected Communities
Attachments: 1 Draft Community Grants Policy 2025-29 [↓](#)

PURPOSE OF REPORT

This report provides Council with an overview of the revised Community Grants Policy, which expires in July 2025. It also recommends that the expired Sponsorship Policy 2020–24 be retired and superseded by the Community Grant Policy 2025–29.

EXECUTIVE SUMMARY

This report outlines proposed updates to the Community Grants Policy 2021-25, (“the Policy”), which is due for review in July 2025. The policy provides the strategic and operational framework for Manningham Council’s Community Grants Program, including provisions for delegation and authority.

The proposed updates respond to internal audit findings, evolving community needs, and opportunities for operational improvement. Officers also recommend formally retiring the Sponsorship Policy 2020–24 and integrating its relevant functions into the revised grant policy framework.

Key changes to the Policy include:

- The introduction of streams within the Community Partnership Grant category, including community development, minor events, and major events. This change responds to community demand and supports larger events previously funded under the Sponsorship Policy.*
- The alignment of the Healthy Ageing grant category with the Annual Community Grant Program streams.*
- Updates made in response to recent internal audit recommended improvements relating to risk management and transparency.*

The revised Policy is intended to provide a high-level framework, with operational details transitioned to the individual category Grant Guidelines. These guidelines will support implementation and compliance by providing clear direction on program delivery.

COUNCIL RESOLUTION

MOVED: CR CARLI LANGE
SECONDED: CR LAURA MAYNE

That Council:

- A. endorse the draft Community Grants Policy 2025-29 (Attachment 1).**
- B. retire the Sponsorship Policy 2020-24, noting that the Community Grants Policy 2025-29 will support activities previously considered as sponsorship opportunities.**

CARRIED UNANIMOUSLY

2. BACKGROUND

2.1 Community Grants Policy 2021-25

Manningham Council's Community Grants Program provides funding to not-for-profit community groups and organisations to deliver activities that strengthen and support communities who live, work, study and recreate in Manningham. The program currently comprises six categories:

#	Category	Streams	Frequency
1.	Community Partnership Grants	N/A	4-Yearly
2.	Neighbourhood Houses Grants	N/A	4-Yearly
3.	Annual Community Grants	1. Community Development 2. Arts 3. Festivals and Events	Yearly
4.	Small Grants	1. Community Strengthening 2. Equipment Purchases	Yearly
5.	Senior Club Support Grants	N/A	Yearly
6.	Healthy Ageing Grants	N/A	Yearly

2.2 These categories and the associated program are currently governed by the Community Grants Policy 2021-25, which was endorsed by Council in 2021.

2.3 Since 2021, there have been two updates to the current Policy:

- 1. 2022: Introduction of the Neighbourhood Houses Grants category, along with updates to strengthen the Policy in response to the Victorian Auditor-General's Office (VAGO) audit findings.
- 2. 2023: Introduced two new funding streams to support Healthy Ageing in Manningham.

2.4 In 2024, an internal audit of our Community Grant Program was conducted by Crowe Australasia. The audit focused on the Annual Community Grant category and provided a series of recommendations to further strengthen the Policy, which were intended to be actioned as part of the next review.

2.5 Officers have assessed its content and propose updates to strengthen and streamline the framework.

2.6 Sponsorship Policy 2020-24

The Sponsorship Policy was adopted in August 2020 to provide a framework for Manningham Council to enter into sponsorship arrangements that support initiatives, events or activities within the municipality. Its intent was to complement the Community Grants Policy by enabling sponsorship-based partnerships and reciprocal arrangements. There is no ongoing funding source or operational budget attached to the Sponsorship Policy.

2.7 Since adoption, the Policy has only been utilised once – to support the Manningham Asian Cultural Festival delivered by the Asian Business Association of Whitehorse in 2025. No other sponsorship agreements have been facilitated under this Policy in its four-year term.

2.8 As the Policy has now expired, officers have reviewed its relevance and recommend that it be formally retired.

2.9 The revised draft Community Grants Policy 2025-29 now has new streams to facilitate activities that were formerly considered under the Sponsorship Policy.

3. DISCUSSION / ISSUE

3.1 Community Grants Policy 2025-29

The draft Community Grants Policy 2025-29, (Attachment 1), replaces the existing Policy and provides an updated strategic framework for delivery of community funding across Manningham. Key proposed changes are highlighted in yellow in Attachment 1.

3.2 Key elements of the new policy include:

- Improved policy structure.
- Clearer articulation of our funding principles and objectives.
- Improved alignment of grant categories to support program delivery and operational efficiency.
- A comprehensive overview of the program delivery from start to finish.

3.3 Key changes to the policy include:

3.3.1 Three new Community Partnership Grant streams will be established to support:

1. Community Development
2. Minor Community Events
3. Major Community Events

These new streams will provide longer-term funding opportunities for community groups that have outgrown the Annual Community Grant category and cover events previously supported through the Sponsorship Policy.

Funding up to \$50,000 per year over four years will be available to support community development initiatives. Additionally, up to \$60,000 per year over four years will be available for major events, while minor events can receive up to \$30,000 per year over four years. This will be managed within the existing operational budget allocation.

This proposed change also supports the following planned actions in the 2025-29 Council Plan:

- 1.1.6: Continue to help our community run events and activities where people, including newly arrived communities, can feel connected and celebrate their culture, such as supporting groups to apply for our Festival and Events Grants, to celebrating cultural days of significance like Lunar New Year or Diwali.
- 1.1.7: Continue reviewing and updating our Community Grant Program to ensure we fund projects that meet current community needs, support inclusion, and bring people together.

3.3.2 The Healthy Ageing Annual Grants category will be transitioned into the Annual Community Grants category as a standalone stream. This category will now include four streams:

1. Community Development
2. Arts
3. Festivals and Events
4. Healthy Ageing

3.3.3 Procedural updates to the Policy have been actioned, which were informed by the 2024 internal audit conducted by Crowe Australasia.

The audit recommended that the Policy included guidance to manage the acquittal process, including:

- Follow-up process and consequences of non-acquittal.
- Escalation mechanism for reporting and monitoring of outstanding acquittals.

These recommendations have been addressed in Attachment 1, under Reporting and Financial Acquittal on Page 12 of the Policy.

- 3.4 Considering the above changes, the revised Community Grants Program will now comprise of the following five categories:

#	Category	Streams	Frequency
1.	Community Partnership Grants	1. Community Development 2. Minor Community Events 3. Major Community Events	4-Yearly
2.	Neighbourhood Houses Grants	N/A	4-Yearly
3.	Annual Community Grants	1. Community Development 2. Arts 3. Festivals and Events 4. Healthy Ageing	Yearly
4.	Small Grants	1. Community Strengthening 2. Equipment Purchases	Yearly
5.	Senior Club Support Grants	N/A	Yearly

- 3.5 This structure reflects recent realignments, including the repositioning of the Healthy Ageing category, and aims to deliver a more cohesive, accessible, and strategically aligned program.
- 3.6 The new Policy will guide the development of the individual category Grant Guidelines, which will detail funding priorities, eligibility criteria, and assessment processes. This approach ensures operational flexibility while maintaining a streamlined and strategic Policy framework.
- 3.7 Implementation of the new Policy will require:
- Updates to all related documentation, processes, and communication materials.
 - Transitional arrangements to manage existing multi-year funding agreements.
 - Clear messaging and capacity building support for community groups to ensure a smooth transition.

3.8 Sponsorship Policy 2020-24

The limited use of the Sponsorship Policy over its four-year term has highlighted its lack of practical application and relevance. Officers have found that existing grant mechanisms, particularly under the Community Grant Policy, already offer sufficient flexibility to support community-led events and initiatives. In practice, community groups seeking our support have consistently accessed funding through established grant categories rather than via sponsorship arrangements.

- 3.9 The absence of a dedicated funding stream, coupled with limited uptake, has further reduced the Policy's effectiveness and value to the organisation.
- 3.10 With the introduction of Community Partnership Grant streams in the updated Policy, the intent and function of the Sponsorship Policy are now more appropriately addressed within a streamlined and transparent grants framework.
- 3.11 For these reasons, officers recommend that the Sponsorship Policy 2020–24 be formally retired, with no replacement required.

- 3.12 In addition, officers acknowledge the absence of a formal process to support incoming sponsorship opportunities. To address this, we will continue to explore options for securing sponsorship for internal initiatives, including potential naming rights for Council-run events.

4. COUNCIL PLAN / STRATEGY

4.1 Council Plan 2021-25

Goal 1:1: A healthy, resilient and safe community

Goal 1.2: Connected and inclusive community

Goal 2.1: Inviting places and spaces

Goal 4.1: Grow our local business, tourism and economy

5. IMPACTS AND IMPLICATIONS

5.1 Finance / Resource Implications

The proposed changes to the Policy do not have any financial or resource implications.

The additional proposed streams in the Community Partnership Grant category will be managed within the existing operational budget allocation.

6. IMPLEMENTATION

6.1 Communication and Engagement

A targeted communication and engagement approach will be developed to inform community groups about the Policy changes and updated grant categories. This will include clear messaging and capacity-building support to assist applicants during the transition.

Is engagement required?	Yes
Stakeholder Groups	1. All current grant recipients 2. Community
Approach	All current grant recipients will be notified following Council endorsement of the revised Policy. A community announcement will also be published on Council's website to inform the broader community of the changes.

6.2 Timelines

Once endorsed, the revised Community Grants Policy will be published on our website, and communication will be issued to all current grant recipients. Updated Grant Guidelines will also be released to support implementation ahead of the next grant round.

The Sponsorship Policy 2020–24 will be formally retired and removed from Manningham Council's Policy Register and website.

7. DECLARATIONS OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

Policy Register

Community Grants Policy 2025-29

Policy Classification	- Connected Communities
Policy N°	- POL/547 (D22/75617)
Policy Status	- Pending Council Endorsement
Responsible Service Unit	- Economic and Cultural Activation
Authorised by	- Council
Date Adopted	- TBC July 2025
Next Review Date	- July 2029

This policy is part of a suite of policies adopted by Council or the Executive Management Team (EMT).

New or replacement policies can be created and developed within Service Units but can only be added to Council's Policy Register by Governance Services following the approval of the policy by Council or the EMT.

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Policy Register
Community Grants Policy 2025-29



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Policy Register

Community Grants Policy 2025-29



PURPOSE

The Community Grants Policy 2025-29 (the Policy) confirms principles for the management of the Manningham Community Grant Program, including alignment with Manningham Council's strategic objectives, overarching funding and governance requirements, and key processes and practices to deliver a robust and well-governed funding program.

POLICY STATEMENT

The Manningham Community Grant Program provides financial support for local not-for-profit community organisations to develop activities, programs and services that benefit and respond to current and emerging needs and interests of the Manningham community.

The Policy is consistent with the key action areas included in the current Manningham Council Plan.

GOVERNANCE

Related Legislation and Policy

This Policy is strategically aligned with the following legislation and guiding documents:

- Local Government Act 2020
- Privacy and Data Protection Act 2014
- Victorian Equal Opportunity Act 2010
- Associations Incorporation Reform Act 2012
- Gender Equity Act 2020
- Manningham Council Plan (active years)
- Conflict of Interest Policy (POL/566)
- Community Grants Assessment Panel Terms of Reference 2025-26

Policy Register Community Grants Policy 2025-29



Principles

The management of this Policy is guided by the following principles:

- **Transparency:** Ensuring all processes and practices supporting the program are clearly defined, well documented, and consistently applied across Manningham Council and the community, with accessible information provided to all.
- **Equity:** All applicants will have equal access to information, advice, and support, and will undergo a consistent assessment and evaluation process. We are committed to removing barriers for our diverse community by ensuring the grants program is accessible, including to non-English speaking communities.
- **Accountability:** A rigorous process will be maintained to uphold good governance, guided by appropriate policies and procedures, and ensuring conflicts of interest are managed at all stages of the grants process.
- **Efficiency:** The program will be administered using thorough application processes, effective and timely assessments, and robust program management systems to ensure resources are used responsibly.

Conflict of Interest

All members involved in the Community Grants program and Councillors have an obligation in relation to conflict of interest and confidentiality.

Conflicts of interest must be avoided when carrying out duties and any potential conflicts of interest must be declared.

- Officers will be required to complete a Conflict of Interest Declaration upon receipt of the applications and act in accordance with the Conflict of Interest Policy (POL/566).
- Panel will be required to complete a Conflict of Interest Declaration prior to assessment.
- Councillors are required to declare any conflicts of interest prior to endorsing any grants.

Policy Register Community Grants Policy 2025-29



OBJECTIVES

The Manningham Community Grant Program is underpinned by the principles of community and cultural development, which are reflected in the grant objectives below. Applicants are required to address these grant objectives in their applications.

Collaboration	Foster and develop partnerships between Manningham Council, groups and not-for-profit organisations for the delivery of shared outcomes.
Services and Activities	Provide a range of services and activities that respond to the needs of our diverse community that align with our plans and strategies.
Connection and Inclusion	Foster community involvement and participation with a focus on groups and individuals that experience barriers to participating in community life.
Capacity Building	Build community capacity and empower communities to further develop or gain new skills to enhance their quality of life.
Innovation	Pilot activities that provide an innovative response to local priorities and ensure ongoing environmental, economic and social sustainability.
Public Value	Provide measurable, cost-effective and efficient means to deliver community outcomes in a transparent and accountable manner.

SCOPE OF POLICY

The Policy includes the five categories within the suite of the Manningham Community Grant Program, comprising of:

#	Category	Streams	Frequency
1.	Community Partnerships Grants	1. Community Development 2. Minor Community Events 3. Major Community Events	4-Yearly
2.	Neighbourhood Houses Grants	N/A	4-Yearly
3.	Annual Community Grants	1. Community Development 2. Arts 3. Festivals and Events 4. Healthy Ageing	Yearly
4.	Small Grants	1. Community Strengthening 2. Equipment Purchases	Yearly
5.	Senior Club Support Grants	N/A	Yearly

Policy Register

Community Grants Policy 2025-29



Funding Framework

Applicants may apply for one stream in each grant category per financial year. Each application must be for a different program or activity.

Grant Category	Purpose & Streams	Funding Allocations	Assessment Timing
Community Partnership Grants	<p>Available to not-for-profit or community organisations operating in Manningham to achieve longer term community development outcomes. The category has three streams:</p> <ol style="list-style-type: none"> Community Development: Supporting development of key community services, program and other initiatives that respond to the needs of Manningham's diverse community. Minor Community Events: Supporting the activation of key locations and the attraction of people to Manningham. Major Community Events: Supporting the activation of key locations, attracting and engaging a minimum of 8,000 people to the event. 	<p>Community Development: Allocations of \$20,001 to \$50,000 per year with a maximum of \$200,000 over four years.</p> <p>Minor Community Events: Allocations of \$10,001 to \$30,000 per year with a maximum of \$120,000 over four years.</p> <p>Major Community Events: Allocations of \$30,001 up to \$60,000 per year with a maximum of \$240,000 over four years.</p>	Four-year funding round.
Neighbourhood Houses Grants	<p>Support for Manningham's Neighbourhood Houses to deliver community development initiatives to benefit the health and wellbeing of the Manningham community.</p> <p>This is an invitation only grant category, designed to support the following neighborhood houses:</p> <ol style="list-style-type: none"> Ajani Neighbourhood House 	<p>Allocations of up to \$60,000 per year with a maximum of \$240,000 over four years.</p> <p>Breakdown of annual funding:</p> <ul style="list-style-type: none"> \$50,000 per house for site-specific initiatives \$10,000 per house for collaborative initiatives across all five Neighbourhood Houses 	Four-year funding round.

Policy Register

Community Grants Policy 2025-29



	<ul style="list-style-type: none"> 2. Park Orchards Community House and Learning Centre 3. Pines Learning 4. Warrandyte Neighbourhood House 5. Wonga Park Community Cottage 		
Annual Community Grants	<p>Support diverse range of community-led initiatives through four streams:</p> <ul style="list-style-type: none"> 1. Community Development: Supporting the needs of Manningham's diverse community. 2. Arts: Supporting activities that enable participation in the cultural life of Manningham. 3. Festivals and Events: Supporting the activation of key locations and the attraction of visitors to Manningham. 4. Healthy Ageing: Support not-for-profit organisations to deliver short to medium term healthy ageing initiatives to reach a wide range of Manningham's older community. 	\$3,001 - \$20,000 per application.	Annual funding round.
Small Grants	<p>Support community strengthening initiatives to enhance the quality of life of Manningham residents through two streams:</p> <ul style="list-style-type: none"> 1. Community Development 2. Equipment Purchases 	<p>Community Development: Up to \$3,000.</p> <p>Equipment Purchases: 50% contribution of the total cost up to \$1,500.</p>	Applications open all year.
Senior's Club Support Grants	The grant allows seniors clubs to achieve short term community development outcomes.	Up to \$8,000 per application.	Annual funding round.

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ROLES AND RESPONSIBILITIES

Key Roles

The following roles support the effective delivery and governance of the Community Grant Program:

Coordinator Community Grants and Events	Program lead and Assessment Panel Chair.
Community Grants Officers	Oversee the administration of the Community Grants Program. Conduct eligibility across the program and assessment for the Small Grants and Senior's Club Support Grants categories.
Subject Matter Experts (SME) – Council Officers	Assessment of applications and provide advice to Panel.
Assessment Panel	Review applications and provide recommendations to Council for formal endorsement.
Director Connected Communities	Endorse Panel recommendations under delegation for the Small Grants and Senior's Club Support Grants categories.
Council	Endorse Panel recommendations under delegation for the Community Partnership Grants, Neighbourhood House Grants and Annual Community Grants categories.

ELIGIBILITY REQUIREMENTS

To be eligible for funding through the Community Grant Program, applicants must be either:

- Not-for-profit constituted body such as an Incorporated Association; or
- Company Limited by Guarantee
- An entity auspiced by an incorporated not-for-profit organisation that accepts legal and financial responsibility for the funded activity. An 'Auspice Agreement', which is provided by Manningham Council, must be submitted as part of any grant application that involves an auspice arrangement.

The following are not eligible for funding:

- Individuals
- Unincorporated organisations
- For-profit or commercial organisations

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In addition, funding cannot be provided for initiatives that:

- Are delivered by organisations with outstanding debts to Manningham Council
- Are not delivered within the Manningham municipality
- Do not primarily benefit Manningham residents

What activities cannot be funded?

The following activities are not eligible for funding under the Manningham Community Grant Program:

- Activities that are inconsistent with the current Council Plan or the objectives of the Community Grant Program
- Initiatives that are the responsibility of other levels of government (e.g. State or Federal)
- Activities that do not promote:
 - Inclusion practices that ensure equal access and participation for all targeted groups
 - Health and wellbeing outcomes
 - Harm minimisation, specifically discouraging behaviours that may cause harm or risk to individuals and communities. In line with this principle, grant funding cannot be used for the purchase or service of alcohol at funded activities or events.

PROGRAM DELIVERY

The delivery of the program varies by grant category. Each category has its own tailored Grant Guidelines to support effective and transparent administration.

Grant Guidelines

Each grant category has its own guidelines that sets out:

- Objectives of the program
- Timelines
- Eligibility
- What will not be funded
- How to apply
- Assessment criteria
- Assessment process
- Reporting and financial acquittal requirements

Policy Register Community Grants Policy 2025-29



Grant Guidelines will be reviewed and updated prior to each funding round to ensure alignment with our strategic priorities and to clearly communicate the outcomes sought for that round.

Application Process

Grant rounds will be advertised through a range of avenues to promote the programs across the municipality to encourage eligible organisations to apply.

Grant applications are administered via the SmartyGrants online grants administration system.

Assessment Criteria

Priority outcomes for all grants must align with the key action areas outlined in the current Council Plan. Applications will be assessed against the following criteria:

- Alignment of the application with Manningham Council's strategic priorities
- Anticipated community benefit of the proposed program or initiative
- The applicant's capacity to successfully deliver the proposed outcomes
- Public value including reach, inclusivity, and cost-effectiveness

Assessments will be based solely on the information provided in the application. Officers may seek clarification on submitted information; however, applications cannot be rewritten or resubmitted after the closing date.

While community benefit remains central to the assessment process, the accuracy, completeness, and relevance of the application content will also be taken into account during evaluation.

Assessment of Applications

Grant applications will be assessed by a panel to ensure transparency, accountability, and alignment with Council priorities. Two types of panels will be used, depending on the grant category and scale.

1. Internal Panel:
 - Two (2) Senior Manningham Council Officers (Manager level)
 - One (1) Coordinator
2. External Panel
 - Two (2) Senior Manningham Council Officers (Director and/or Manager level)
 - Three (3) independent community members

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All members of the panel, including senior officers, will have voting rights.

Appointment and management of the external panel is governed by the Community Grants Assessment Panel Terms of Reference.

Independent community members will be selected through an annual Expression of Interest (EOI) process and will receive an honorarium for their participation.

Nominations will be presented to Council for endorsement, with the option to extend panel membership for an additional year.

Panel Support and Process

Each assessment panel will be chaired by the Coordinator Community Grants and Events, supported by two (2) Community Grants Officers, to ensure good governance and answer any questions from the panel. All support officers will not have voting rights.

Before convening the external assessment panel, officers with subject matter expertise will review applications to assess alignment with the active Council Plan. This alignment assessment will be presented to the panel as part of each application's documentation.

The internal and external assessment panels are allocated as per below:

Panel	Community Partnership Grants	Neighbourhood Houses Grants	Annual Grants	Small Grants	Senior's Club Support Grants
Internal				✓	✓
External	✓	✓	✓		

Assessment Process

The assessment process is structured to reflect the scale and complexity of each grant category. The following table outlines the process steps for each stream of the Community Grants Program:

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Action	Community Partnership Grants	Neighbourhood Houses Grants	Annual Grants	Small Grants	Senior's Club Support Grants
Application assessed by Community Grant Officers for compliance with the eligibility criteria.	✓	✓	✓	✓	✓
Officers with subject matter expertise (SME) to assess applications. Evaluations referred to the assessment panel for consideration.	✓	✓	✓	✓	✓
Panel members individually review applications and SME evaluations, pre-scoring each application prior to the panel meeting.	✓	✓	✓	✓	✓
Panel convenes to discuss scoring and finalise funding recommendations.	✓	✓	✓	✓	✓
Panel recommendations presented to the Director Connected Communities for approval under delegation.				✓	✓
Panel recommendations presented to Council for formal endorsement under delegation.	✓	✓	✓		

Any questions raised by the delegated authority, (either Council or the Director Connected Communities), in relation to a specific application will be referred back to the Assessment Panel for consideration. The Panel will review and investigate the matter, and the outcome will be reported to the relevant authority.

Unsuccessful Applications

All applicants will be notified in writing of the outcome of their submission. While the funding decisions are final, Community Grants Officers are available to provide feedback that will support applicants in strengthening future submissions. Applicants are encouraged to re-apply in future funding rounds.

Policy Register Community Grants Policy 2025-29



Reporting and Financial Acquittals

Reporting Requirements

Manningham Council's standard Funding and Service Agreements (FASA) outline the specific reporting requirements for each grant category. Any additional conditions or deliverables for a particular funding agreement will be detailed in the FASA.

Activity Completion Report

Grant recipients must submit an Activity Completion Report, including financial acquittals, via our SmartyGrants portal. This report confirms that the funded activity was completed in accordance with the terms of the FASA.

Audit Access

Officers may request access to the applicant's records and accounts (relevant to the grant activity) for audit purposes. Failure to comply may result in ineligibility for future funding.

Support for Reporting

If an applicant requires assistance with the reporting process, they are encouraged to contact the Community Grants Team before the due date of the activity to ensure they receive the support they require.

Consequences of Late or Missing Reports

If an applicant fails to submit the completed Activity Completion Report on time, they will not be eligible to apply for future funding until the current activity is finalised.

If an applicant fails to submit the completed Activity Completion Report for more than two grants, they will be ineligible for any future grants.

Performance and Grant Variations

Over the course of a grant, changes to the timeframe, budget, or scope may occur. These changes are managed through a formal grant variation process via SmartyGrants, with the Community Grants Team facilitating this process.

Once a Grant Variation Form is submitted, officers will seek the necessary approvals before any changes can be confirmed.

If a funded program cannot be delivered as outlined in the FASA, or if there are unspent funds remaining at the conclusion of the project, the remaining funds must be returned to Manningham Council within an agreed timeframe.

Policy Register Community Grants Policy 2025-29



DOCUMENT HISTORY

Policy Title:	Community Grants Policy 2025-29
Responsible Officer:	Vanessa Bove
Resp. Officer Position:	Manager Economic and Cultural Activation
Next Review Date:	July 2029
To be included on website?	Yes

Last Updated	Meeting type? - Council or EMT	Meeting Date	Item N°
July 2025	Council	22 July 2025	

12 CITY SERVICES

There were no City Services reports.

13 EXPERIENCE AND CAPABILITY

13.1 Audit and Risk Committee Chair's Biannual Report

File Number: IN25/516
Responsible Director: Director Experience and Capability
Attachments: 1 ARC Chair Report to Council Summary committee meetings Dec 24, May & Mar 25 [↓](#)

PURPOSE OF REPORT

To report to Council on the activities of the Audit and Risk Committee for the period December 2024 to May 2025.

EXECUTIVE SUMMARY

The Audit and Risk Committee (the Committee) is a committee established in accordance with Section 53 and 54 of the Local Government Act 2020 (the Act). Pursuant to the Act, the Committee is to 'prepare a biannual audit and risk report that describes the activities of the Audit and Risk Committee and include its findings and recommendations', and 'provide a copy of the biannual audit and risk report to the Chief Financial Officer for tabling at the next Council meeting'. This report covers the six-month period from December 2024 to June 2025 which include three Committee meetings.

COUNCIL RESOLUTION

MOVED: CR CARLI LANGE
SECONDED: CR DEIRDRE DIAMANTE

That Council note the Audit and Risk Committee Chair's Biannual Report for the period December 2024 to May 2025, in accordance with the provisions of the Local Government Act 2020.

CARRIED UNANIMOUSLY

2. BACKGROUND

- 2.1 The Audit and Risk Committee continued to undertake its role in providing independent advice to Council and management throughout the period covered in this report.
- 2.2 The Committee is an advisory committee of Council, established to assist the Council discharge its responsibilities under the Act to:
- Monitor the compliance of Council's policies and procedures with the overarching governance principles, the Act, regulations and any Ministerial directions;
 - Monitor Council financial and performance reporting;
 - Monitor and provide advice on risk management and fraud prevention systems and controls; and
 - Oversee external audit and internal audit functions.

- 2.3 The Committee undertakes this function by assurance monitoring, receiving attestations of compliance and material matters from auditors and officers, analysing, questioning management, endorsing and advising on matters as set out in the Audit and Risk Committee Charter.
- 2.4 The Committee is an advisory committee to the Council and does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility. The Committee is independent of management.
- 2.5 The Committee comprises five members, three independent members (including the Chairperson) and two Councillors.
- 2.6 A quorum was achieved for all meetings, being three members comprising at least two independent members and one Councillor member. The following table outlines the attendance record of all Committee members.

Member		Meetings Attended (Dec & May)	Meetings Eligible (Dec & May)
Andrew Dix	Independent member and Chairperson	3	3
Sharon Copeland-Smith	Independent member	2	3
Jonathan Kyvelidis	Independent member	3	3
Cr Deirdre Diamante	Councillor committee member	3	3
Cr Carli Lange	(Mayor) Councillor committee member	3	3

- 2.7 Council's external and internal auditors attended all meetings required of them by the workplan. Regular management attendance was represented by the CEO, CFO, Manager Integrity and the Risk and Assurance Lead, or their delegate.
- 2.8 The minutes of the meetings are distributed to all Councillors to keep them fully informed of meeting content and outcomes. At any point, Councillors can initiate direct contact with the Committee Chair for further clarity or confidential discussions.

3. DISCUSSION / ISSUE

- 3.1 The Committee's Charter and annual workplan directs the agenda content across the cycle of five Committee meetings per annum. Within this program are five key categories of report types, namely:
- CEO Overview
 - Monitor policies and procedures (Section 54(2)(a))
 - Monitor Council's financial and performance reporting (Section 54(2)(b))
 - Monitor risk management and fraud (Section 54(2)(c))
 - Oversee internal audit function (Section 54(2)(d))

- 3.2 The attached Appendix summarises the activity of the Audit and Risk Committee together with the Committee's findings and resolutions for the three meetings on 6 December 2024, 21 March and 23 May 2025.

4. COUNCIL PLAN / STRATEGY

- 4.1 This report demonstrates the Council Plan Theme of a 'Well Governed and Innovative Council', through the provision of a compliant report pursuant to Section 54(5) of the *Local Government Act 2020* and transparency in documenting the activities, findings and recommendations of the independent Audit and Risk Committee.

5. IMPACTS AND IMPLICATIONS

- 5.1 Finance / Resource Implications

Nil

6. IMPLEMENTATION

- 6.1 Communication and Engagement

Stakeholder Groups	The Public
Is engagement required?	No. This report is provided as part of the Audit and Risk Committee's governance obligations.
Where does it sit on the IAP2 spectrum?	Inform
Approach	This report is presented by the Audit and Risk Committee Chair to the Councillors at a briefing session and provides an opportunity for any questions, ahead of the public Council meeting. A copy of the report is available on Council's website under Council Meetings.

- 6.2 Timelines

Nil

7. DECLARATIONS OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

Audit and Risk Committee Meeting Summary for the period December 2024 to May 2025

Item No.	Report Title	Findings	Resolutions
Audit and Risk Committee meeting 6 December 2024			
1. Attendance & Apologies	N/A	N/A	N/A
2. Conflict of Interest Disclosure	N/A	Conflict of interests are to be declared and if warranted, the member or officer is to vacate the room for the duration of the item. Nil declarations were made.	N/A
3. In Camera Meeting of Audit and Risk Committee	N/A	This is a standing item on the agenda. The Minister had corresponded with Councillors about mandatory training.	Management to provide a copy of Councillor's declaration of completion of mandatory induction training to the Committee.
4. In Camera Meeting Audit and Risk Committee and Management	N/A	This is a standing item on the agenda. Nil items.	N/A
5. Minutes of the Previous Meeting	Audit and Risk Committee Minutes	N/A	The Audit and Risk Committee adopted the minutes of the 6 Sep 2024 meeting.
6. CEO Overview	6.1 CEO Overview	This is a standing item on the agenda. The CEO informed the Committee of high level matters and provided an overview of the items in the agenda. Actions arising included the CFO to provide data on rates in arrears and a copy of the MAV Parliamentary Inquiry into Loc Gov Sustainability to the Committee.	That the Audit and Risk Committee noted the report.
7. Standard Questions	7. Standard Questions	This is a standing item on the agenda. The Chair asked the list of standard questions of the CEO and the auditors and their answers were negative.	The Audit and Risk Committee noted the responses to the standard questions were negative.
8. Matters Arising from Meetings	8. Matters Arising from Meetings	This is a standing report that updated the Committee on matters raised at previous meetings and provided follow up information on queries raised by the Committee members.	The Audit and Risk Committee noted the Matters Arising actions register be noted.
9. Management Register – Internal Audit Outstanding Actions	9. Management Register – Internal Audit Outstanding Audit Actions	This is a standing report that updated the Committee on implementation status of high rated and overdue medium rated internal audit actions. The Committee observed a number of actions coming due for completion at the end of the month.	The Audit and Risk Committee noted the Internal Audit actions items management register status.
10. Financial Reporting	10.1 Review the Performance of the External Auditors 2023/24	The Committee noted Management complete a general questionnaire on VAGO's portal on the performance of their external audit contractor. Management to transition to VAGO's industry	The Audit and Risk Committee endorse the performance of the external auditors, HLB Mann Judd (VAGO appointment)

Audit and Risk Committee Meeting Summary for the period December 2024 to May 2025

Item No.	Report Title	Findings	Resolutions
		valuation model of fair value with a report due in May 2024. A copy of the completed VAGO questionnaire to be provided in 2025.	
11. Internal Audit Matters	<p>11.1 Internal Audit Status Report</p> <p>11.2 Internal Audit - OHS Employees Final Report</p> <p>11.3 Internal Audit – Contract Management Final Report</p> <p>11.4 Internal Audit – Climate Change Adaptation Final Report.</p> <p>11.5 Internal Audit – Draft Depot Operations MAP (scope)</p>	<p>The Committee took the report as read.</p> <p>The auditor noted that the results of the audit were a good outcome for Council with only a few low risks. The Committee discussed psychosocial and physical safety of staff offsite and processes in place for these risks. A future report on controls and processes in place for both field staff and internal staff interaction to be scheduled.</p> <p>The audit did a deep dive into two contracts to assess their contract management processes. One high risk was identified. The Committee discussed the ongoing review and monitoring contract performance, its documentation and the systems used to record the information. Large contracts are likely to have higher risk with sub-contractors.</p> <p>The auditor noted the commencement of risk assessment by a skilled consultant, observing that it is a challenging space as we are all unsure of what is to come and how much to invest in our actions. The Committee clarified that the risk assessment is a collaborative process and not just a desk top exercise.</p> <p>The Committee discussed the scope of the next audit with management and the internal auditor in regard to staff culture, safety and the upcoming fraud and corruption internal audit. A new objective 'protecting our people working in our community' was added.</p>	<p>The Audit and Risk Committee note the report.</p> <p>The Audit and Risk Committee endorsed the report.</p> <p>The Audit and Risk Committee endorsed the report.</p> <p>The Audit and Risk Committee endorsed the Depot Operations MAP (scope)</p>
12. Risk Management & Compliance	12.1 Risk Register Report	The Committee considered Management's Risk Register report and promoted the labelling of material risks and the importance of new Councillor risk management mandatory training to assist in strategic decision making. Review of the current strategic risk register and training, will proceed with a Councillor	The Audit and Risk Committee: noted the report.

Audit and Risk Committee Meeting Summary for the period December 2024 to May 2025

Item No.	Report Title	Findings	Resolutions
	12.1 Gender Equality Act Progress Report 2023 Compliance Assessment	workshop in Feb 2025. Independent Committee members will be invited to attend. The Committee noted the good work achieved with this new legislation and the pleasing results of the assessment with some further actions to implement. Management was encouraged to collaborate with other councils for comparative context.	That the Audit and Risk Committee noted the report.
13. Internal Control	13.1 Annual Safety and Wellbeing Report 2023-2024	Management presented their report of work health and safety performance for 2023/24. The Committee acknowledged the downward trend in WorkCover claims, despite the increase in premium, and the inclusion of third party contract, Aligned Leisure's incident data. The Committee requested management to review the effectiveness of existing contractor incident reporting in regard to child safety notification and advise the Committee of the outcomes.	The Audit and Risk Committee noted the report.
	13.2 Cyber Security Roadmap Update	Held over to the Mar 2025 meeting due to time constraints.	N/A
	13.3 Investment Policy Review 2024	Held over to the Mar 2025 meeting due to time constraints.	N/A
14. Other Audits	Nil		
15. Reporting Responsibilities	Nil	N/A	N/A
16. Forward Agenda	Cyber Security Roadmap Investment Policy Review	N/A	N/A
17. Any Other Business	17.1 Election of Chair	Mr Andrew Dix was reappointed as Chair for a period of 12 months.	N/A
	17.2 Confidential Update by CEO	Future Committee meetings to commence with the CEO & the Committee only.	N/A
18. Items for Noting	18.1 CrowdStrike Post Incident Review	The Committee took the report as read	The Committee noted the report
	18.2 Executive Risk Committee Meeting Minutes 30 Oct 2024	The Committee took the report as read	The Committee noted the report

Audit and Risk Committee Meeting Summary for the period December 2024 to May 2025

Item No.	Report Title	Findings	Resolutions
	18.3 Audit and Risk Committee Workplan	The Committee took the report as read	The Committee noted the Workplan.
	18.4 Fraud and Awareness Internal Audit Draft Map	The Committee had provided offline feedback to the previous version of the internal audit scope.	The Committee endorsed the Fraud and Awareness Internal Audit Map.
	18.5 Community Health & Wellbeing Internal Audit Draft Map	The Committee had provided offline feedback to the previous version of the internal audit scope.	The Committee endorsed the Community Health & Wellbeing Internal Audit Map.
	18.6 Service and Asset Management Planning Steering Committee Meeting Minutes and Capital Works Steering Committee Minutes	The Committee took the report as read.	The Committee noted the report.
	18.7 Manningham Quarterly Report, Q1 Jul-Sep 2024/25	The Committee took the report as read.	The Committee noted the report.
	18.8 Audit and Risk Committee Chair's Biannual Report	The Committee took the report as read.	The Committee noted the report.
Audit and Risk Committee meeting 21 March 2025			
1.Attendance & Apologies	N/A	Ms Sharon Copeland-Smith was an apology.	N/A
2.Conflict of Interest Disclosure	N/A	Conflict of interests are to be declared and if warranted, the member or officer is to vacate the room for the duration of the item. Cr Diamante declared that she is a Board Member of Bendigo Community Bank which did not warrant any action.	Nil Action required
3.Minutes of the Previous Meeting	Audit and Risk Committee Minutes	N/A	The Audit and Risk Committee adopted the minutes of the meeting held on 6 December 2024.
4. In Camera Meeting of Audit and Risk Committee	4.1 Committee Only	This is a standing item on the agenda. A Committee only discussion was not required.	N/A
	4.2 Committee and CEO only	The CEO provided an update to the Committee on the L2P program and Council's child safe practices. The Committee requested that a future report on	

Audit and Risk Committee Meeting Summary for the period December 2024 to May 2025

Item No.	Report Title	Findings	Resolutions
		Council's child safe practices come to the Committee; management to provide internal auditor review reports and add a scorecard on internal audit performance (quantitative and qualitative) to accompany each internal audit report.	
5. CEO Overview	CEO Overview	This is a standing item on the agenda. The CEO informed the Committee of high level matters and provided an overview of the items in the agenda.	The Audit and Risk Committee noted the update.
6. Audit and Risk Committee Standard Questions	6. Audit and Risk Committee Standard Questions	This is a standing item on the agenda. The Chair asked the list of standard questions of the CEO and the auditors and their answers were negative.	The Audit and Risk Committee noted the responses to the standard questions were negative.
7. Matters Arising From Previous Meetings	7. Matters Arising from Previous Meetings	This is a standing report that updated the Committee on matters raised at previous meetings and provided follow up information on queries raised by the Committee members. An administrative change was requested to the order of the minutes in the agenda.	The Audit and Risk Committee noted the report.
8. Management Register – Outstanding Actions Internal Audit	8. Management Register – Outstanding Actions Internal Audit	This is a standing report that updated the Committee on implementation status of high rated and overdue medium rated internal audit actions.	The Audit and Risk Committee noted the Internal Audit actions items management register status.
9. Financial Reporting	9.1 VAGO Audit Strategy Memorandum for Financial Year ending 30 June 2025	HLB Mann Judd (VAGO contractor) presented the draft strategy. Management commented that the sector is still awaiting guidance. A report will come to the May meeting re Asset Revaluation process and land valuation.	The Audit and Risk Committee noted the report.
10. Internal Audit Matters	10.1 Cybersecurity Roadmap Update	Management updated the Committee on their progress with 20 out of 29 actions completed and the upcoming IT penetration test. The Committee requested that a high level cyber security briefing be provided to Councillors and information on systems of control involving user behaviour and culture be included in the next reporting cycle.	The Audit and Risk Committee noted the report.
	10.2 Internal Auditors Status Report March 2024	The Committee took the report as read and asked the internal auditor to provide a copy of their quarterly 'Curious Eye's publication and Management's comments on an ongoing basis.	The Audit and Risk Committee noted the report.
	10.3 Depot Operations Internal Audit Final Report	The internal auditor presented the report noting one high risk along with other control improvements. Management and the Committee considered that	The Audit and Risk Committee noted the draft report and await issue of the

Audit and Risk Committee Meeting Summary for the period December 2024 to May 2025

Item No.	Report Title	Findings	Resolutions
		further information can be included on the positive workplace culture and requested that an amendment be made to the report attesting to cultural attributes, wellbeing and safety improvements in place at the Depot.	amended final report prior at the May 2025 meeting.
11. Risk Management and Compliance	11.1 Councillor Strategic Risk Register Review Feb 2025	Management presented the in-draft new 8 strategic risks developed by the Councillors at the facilitated workshop in Feb 2025. The revised risks align with the future Council Plan. The Committee endorsed retaining climate change in the strategic risk register. Management to complete completion of the risk assessments and revise the list of material risks.	The Audit and Risk Committee noted the report.
	11.2 Summary Staff Survey Results – Risk Management Questions	Management presented the initial results of the mini survey noting the three improvement themes. A further report on the analysis of the results to be provided to the Committee.	The Audit and Risk Committee noted the report
12. Internal Control	12.1 Investment Policy Review 2025	The Committee considered the revised policy, particularly in light of the recent substantial income received from NEL following acquisition of Council land.	The Audit and Risk Committee noted the report.
13. Other Audits	Nil	N/A	N/A
14. Reporting Responsibilities	Nil	N/A	N/A
15. Forward Agenda	Nil	N/A	N/A
16. Any Other Business	16.1 New Ministerial Guidelines for Service Rates and Charges	The Committee discussed the new guidelines and the future implications for Council and the importance of transparency. However, the Committee noted that this is a Council decision. The Committee's role is to monitor key risks following Council's endorsement of the budget.	
17. Items for Noting	17.1 2024/254 Financial Reporting Timetable	The Committee took the report as read.	The Audit and Risk Committee noted the report.
	17.2 Local Government Performance Indicators 2024-25 (mid-year results)	The Committee took the report as read.	The Audit and Risk Committee noted the report.
	17.3 Internal Audit Scope – Procurement Under Tender Threshold	The Committee had provided offline feedback to the previous version of the internal audit scope.	The Audit and Risk Committee endorsed the internal audit scope.

Audit and Risk Committee Meeting Summary for the period December 2024 to May 2025

Item No.	Report Title	Findings	Resolutions
	17.4 Executive Risk Committee Minutes 26.2.2025 Draft	The Committee took the report as read.	The Audit and Risk Committee noted the report.
	17.5 Service & Asset Management Planning and Capital Works Steering Committees – meeting minutes	The Committee took the report as read.	The Audit and Risk Committee noted the report.
	17.6 Audit and Risk Committee Workplan March 2024	The Committee took the Workplan as read.	The Audit and Risk Committee noted the report.
Audit and Risk Committee meeting 23 May 2025			
1. Attendance & Apologies	N/A	N/A	N/A
2. Conflict of Interest Disclosure	N/A	Conflict of interests are to be declared and if warranted, the member or officer is to vacate the room for the duration of the item. Nil declarations were made.	N/A
3. Minutes of the Previous Meeting	Audit and Risk Committee Minutes	N/A/	The Audit and Risk Committee adopted the minutes of the 21 March 2025 meeting.
4. In Camera Meeting of Audit and Risk Committee	4.1 Committee Only 4.2 Committee & CEO Only	This is a standing item on the agenda and the Committee Only meeting was not required. The Committee had an in-camera meeting with the CEO only and requested an in-camera meeting with the internal auditor at the next meeting..	N/A
5. CEO Overview	5.1 CEO Overview	This is a standing item on the agenda. The CEO informed the Committee of high level matters and provided an overview of the items in the agenda. The CEO to share the recruitment policy and include an update on succession planning as part of the annual people and culture report.	That the Audit and Risk Committee noted the report.
6. Standard Questions	6. Standard Questions	This is a standing item on the agenda. The Chair asked the list of standard questions of the CEO and the auditors and their answers were negative.	The Audit and Risk Committee noted the responses to the standard questions were negative.
7. Matters Arising from Meetings	7. Matters Arising from Meetings	This is a standing report that updated the Committee on matters raised at previous meetings and provided follow up information on queries raised by the Committee members.	The Audit and Risk Committee noted the Matters Arising actions register be noted.

Audit and Risk Committee Meeting Summary for the period December 2024 to May 2025

Item No.	Report Title	Findings	Resolutions
8. Management Register – Internal Audit Outstanding Actions	8. Management Register – Internal Audit Outstanding Audit Actions	This is a standing report that updated the Committee on implementation status of high rated and overdue medium rated internal audit actions.	The Audit and Risk Committee noted the Internal Audit actions items management register status.
9. Financial Reporting	<p>10.1 External Audit Interim Management Letter – year ending 30 June 2025</p> <p>9.2 2024/25 Draft Financial Report “Shell Accounts” and Accounting Policy and Accounting Standards Update</p> <p>9.3 Asset Valuations</p>	<p>The External Auditors completed their interim audit and presented the findings reporting that this year VAGO have sought management comment to four new local government sector findings. The Committee noted an initial valuation uplift of approximately \$400M as a consequence of changing the valuation method to fair value.</p> <p>The Committee noted the progress of the draft 2024/25 Financial Report; changes to the Local Government Model Financial report and the accounting policy and accounting standards update.</p> <p>The Committee noted that 2024/25 is the year for full valuations on major property and infrastructure assets. A contractor is undertaking building and land under roads valuations. CFO to check whether the change in the accounting policy was prospective or retrospective.</p>	<p>The Audit and Risk Committee note the Interim Management Letter 2024/25</p> <p>That the Committee note the progress of the development of the Manningham 2024/25 draft Financial Report; changes to the Local Government Model Financial Report and the accounting policy and accounting standards update.</p> <p>That the Audit and Risk Committee note the preparation for the 2024/25 year end asset valuations.</p>
10. Internal Audit Matters	<p>10.1 Internal Audit Status Report</p> <p>10.2 Internal Audit – Depot Operations Report Amended Final Report</p> <p>10.3 Community Wellbeing Final Report</p>	<p>The Committee took the report as read.</p> <p>The auditor presented the updated Final Internal Audit Report to include the positive cultural elements at the Depot and confirmed that the internal audit team did not identify any cultural issues akin to the Commission of Inquiry Moira Shire Council review.</p> <p>The auditor noted an opportunity to strengthen contract management practices. The Committee noted Management had commenced implementation of the recommendations and requested a list of all major service contracts that interface with the community be provided to Council and an update on the upcoming contract management training to staff.</p>	<p>The Audit and Risk Committee noted the report.</p> <p>The Audit and Risk Committee noted the report.</p> <p>The Audit and Risk Committee endorsed the report.</p>

Audit and Risk Committee Meeting Summary for the period December 2024 to May 2025

Item No.	Report Title	Findings	Resolutions
	10.4 Internal Audit – Draft Internal Audit Plan 2025-2026	<p>The Committee discussed in detail the proposed audit plan for 2025-2026 with the internal auditor and management. Having considered additional assurance activity and direct reporting cycles to the Committee on high risks, the following list of six audits was approved.</p> <ul style="list-style-type: none"> • Fleet Management • Immunisation Management • IT-Disaster Recovery (with BCP) • Maintenance Operations • Service Planning • Long Term Financial Planning <p>The internal auditor will continue work on the years 2 and 3 of the three year rolling plan. Management to provide an updated Assurance Map to accompany the plan. Additional reporting on information management culture and controls and drainage management to come to the Committee.</p>	The Audit and Risk Committee noted the report.
11. Risk Management & Compliance	12.1 Revised Draft Strategic Risk Register Report	The Committee considered the now fully populated new Strategic Risk Register, noting the comprehensive involvement by Councillors and Management to fully develop the assessments and treatment plans. The Committee requested edits to risk no 140 to replace some of the systems of control with direct service delivery activities and to reinstate the cycle of risk owners (directors) to present their risks to the Committee in detail.	The Audit and Risk Committee: noted the report.
12. Internal Control	Nil	N/A	N/A
13. Other Audits	Nil	N/A	N/A
14. Reporting Responsibilities	Nil	N/A	N/A
15. Forward Agenda	Nil	N/A	N/A
16. Any Other Business	Nil	N/A	N/A
17. Items for Noting	17.1 Mandatory Councillor Induction	The Committee took the report as read.	The Committee noted the report.
	17.2 Draft minutes of the Executive Risk Committee	The Committee took the report as read.	The Committee noted the report.

Audit and Risk Committee Meeting Summary for the period December 2024 to May 2025

Item No.	Report Title	Findings	Resolutions
	17.3 Minutes of the Capital Works Steering Committee	The Committee took the report as read.	The Committee noted the report.
	17.4 Publications for Noting	The Committee took the report as read.	The Committee noted the report.
	17.5 Audit and Risk Committee Workplan	The Committee took the report as read.	The Committee noted the report.

13.2 2025 Federal Election Advocacy Priorities Wrap-up

File Number: IN25/492
Responsible Director: Director Experience and Capability
Attachments: 1 Manningham Council Overview 2025 [↓](#)
2 Federal Advocacy Priorities Social Media Campaign - Analytics [↓](#)

PURPOSE OF REPORT

This report provides an update on the advocacy priorities and campaigns we undertook leading up to the 2025 Federal Government Election. This information will be presented to Council in July for noting.

EXECUTIVE SUMMARY

In February 2025, Council endorsed ten advocacy priorities to focus on in the lead up to the Federal election.

We maximised the opportunity for community to support these priorities through various actions to raise awareness of these key priorities.

Several pre-election commitments were made by candidates in Manningham electorates in the lead up to the election. These are outlined in section 3.3 of this report.

COUNCIL RESOLUTION

MOVED: CR DEIRDRE DIAMANTE
SECONDED: CR GEOFF GOUGH

That Council note the 2025 Federal election advocacy priorities wrap up.

PROCEDURAL MOTION

MOVED: CR CARLI LANGE
SECONDED: CR LAURA MAYNE

That Councillor Gough be permitted an extension of time to speak in accordance with sub rule 34.6 of the Governance Rules.

CARRIED UNANIMOUSLY

THE SUBSTANTIVE MOTION WAS PUT AND CARRIED UNANIMOUSLY

2. BACKGROUND

- 2.1 At the 25 February 2025 Council meeting, Council formally endorsed the following Federal advocacy priorities:

Title	Request of Government
Transport	
High Frequency Busway	To fund \$3 million to undertake a feasibility study to inform the high frequency busway implementation along the Doncaster Road Corridor between Mitcham Station and Doncaster Park and Ride.
Title	Request of Government
North East Link Project	<p>As a co-funder of the North East Link Project, advocate to the state government:</p> <ul style="list-style-type: none"> to deliver a Transit Oriented Development when Doncaster Park and Ride is redeveloped. for improved access and transparency on the EPA air quality data reports. for the installation of filters within the Southern Portal Ventilation Stack, or transparency on the trigger for when filters would be required to be installed to be communicated to Council and the community.
Environment	
Open Space Parks Upgrades	<p>Federal funding of \$7.5 million for open space in Manningham, included but not limited to:</p> <ul style="list-style-type: none"> Wombat Bend and Finns Reserve upgrade, Templestowe Lower Anderson Park, Doncaster East Warrandyte Skate Park, Warrandyte Boulevard playspace, Ruffey Lake Park.
\$500K or lower – LED Floodlight Conversion Projects	Ongoing funding from the Federal Government for various LED Floodlight conversion projects.
Safety	
5 Ways Intersection	\$5 million in federal funding for 5-ways intersection safety improvements.
Wellbeing	
Aquarena Outdoor Redevelopment	\$15 million in federal funding to assist in the delivery of this project.
Park Orchards	\$2.5 million in federal funding as a contribution to a new

Community House and Learning Centre	building cost.
Community Legal Services	\$350,000 per annum in federal funding to establish community legal services in Manningham.
\$500K or lower – Sport and Infrastructure Projects	Federal funding for various sport and community infrastructure projects.
\$500K or lower – Road and footpaths requiring upgrades	Federal funding for various road and footpath upgrade projects.

2.2 Council also formally endorsed the Eastern Regional Group (ERG) of Councils Federal Advocacy Priorities which included:

- Addressing financial sustainability
- Supporting housing growth
- Building climate resilience
- Transforming movement in the east.

3. DISCUSSION / ISSUE

3.1 The opportunity for our community to get involved or become aware of our advocacy priorities was maximised through the following actions:

- Preparing an overview of Manningham to provide information on who we are, our services and the various challenges impacting our community (Attachment 1).
- Preparing individual advocacy packs and factsheets for meetings with candidates.
- Updating Council's Advocacy page on our website with detailed information about our key priorities:
<https://www.manningham.vic.gov.au/advocacy>
- Engaging with key stakeholders / potential supporters of each priority via letter and inviting them to be part of our advocacy campaigns.
- Circulating media releases encouraging the community to visit our advocacy page to learn more about each project.
- Developing content for Manningham Matters and e-news publications.
- Promotion via Mayoral radio opportunities.
- Social media posts highlighting different advocacy issues.
- Individual meetings between candidates and the Mayor and CEO.

- 3.2 In addition, we ran tailored community campaigns for the Aquarena Outdoor Redevelopment and 5 Ways Intersection advocacy priorities. A full report on the engagement levels reached from these two campaigns has been included at Attachment 2.

3.3 Pre-election commitments

There was a total of over \$60M announced as pre-election commitments for the Federal electorates within Manningham. These commitments are outlined below.

Candidate	Announcement	Date
Gabriel Ng Menzies Labor	\$187,500 to support key repairs to the Old Warrandyte Fire House	28 April
Gabriel Ng Menzies Labor	\$3.5 million to upgrade key indoor facilities at Bulleen-Templestowe Basketball Club	27 April
Gabriel Ng Menzies Labor	\$50,000 to Asian Business Association of Whitehorse (ABAW) - Asian Cultural Festival (Jacksons Court)	9 April
Michael Sukkar Deakin Liberal	\$530,000 for Domeney Reserve towards new sports field lighting, redeveloping the cricket nets, installing public fitness equipment, and getting planning underway for public netball courts	3 April
Keith Wolahan Menzies Liberal	\$220,000 for public safety lighting across five key Manningham locations, selected by Council	3 April
Keith Wolahan Menzies Liberal	\$10 million for upgrades to Aquarena	2 April
Keith Wolahan Menzies Liberal	\$25 million investment in an expert-led, fully costed study to deliver real public transport solutions for Melbourne's east including Doncaster	1 April
Gabriel Ng Menzies Labor	\$25 million to fix The Five Ways intersection	1 April
Keith Wolahan Menzies Liberal	\$187,000 to save Old Warrandyte Fire House	29 March
Keith Wolahan Menzies Liberal	\$5 million for Five Ways to improve safety and congestion	5 March

3.4 Election Results

The elected representatives following the Federal election are as follows:

- Casey – Aaron Violi MP, Liberal Party
- Deakin – Matt Gregg, Labor Party
- Menzies – Gabriel Ng, Labor Party

3.5 Council highly values its engagement and partnership with all local members. Following the outcome of the Federal election, the following actions were undertaken:

- A letter of congratulations was sent to incoming Members-elect.
- The results of the election were formally acknowledged at the 27 May 2025 Council Meeting.

4. COUNCIL PLAN / STRATEGY

4.1 Goal 5.1 A financially sustainable Council that manages resources effectively and efficiently.

4.2 Goal 5.2 A Council that values customers and community in all that we do.

5. IMPACTS AND IMPLICATIONS

5.1 Finance / Resource Implications

Nil.

6. IMPLEMENTATION

6.1 Communication and Engagement

Is engagement required?	No
Stakeholder Groups	N/A
Where does it sit on the IAP2 spectrum?	Inform
Approach	Report to SBS and Council for noting

7. DECLARATIONS OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

Manningham Council overview

Message from our Mayor and CEO

Manningham is admired for its unique blend of natural beauty, rich history and vibrant community spirit – making it a great place to live, work and play.

By understanding and responding to our community's diverse needs, aspirations and challenges, we're working to build a healthy, happy and more resilient Manningham for all.

Like many others, our community is facing complex challenges, such as rising costs of living and housing affordability, as well as social issues including domestic violence and mental health concerns.

As our population grows, we're also facing a range of emerging challenges. These include ensuring access to good quality community infrastructure and providing reliable and efficient public transport. Our community also needs access to low-cost essential services, including community legal services.

We're committed to collaborative action, working with our community to address these challenges and support a future of wellbeing and prosperity.



Deirdre Diamante

Cr Deirdre Diamante
Manningham Mayor

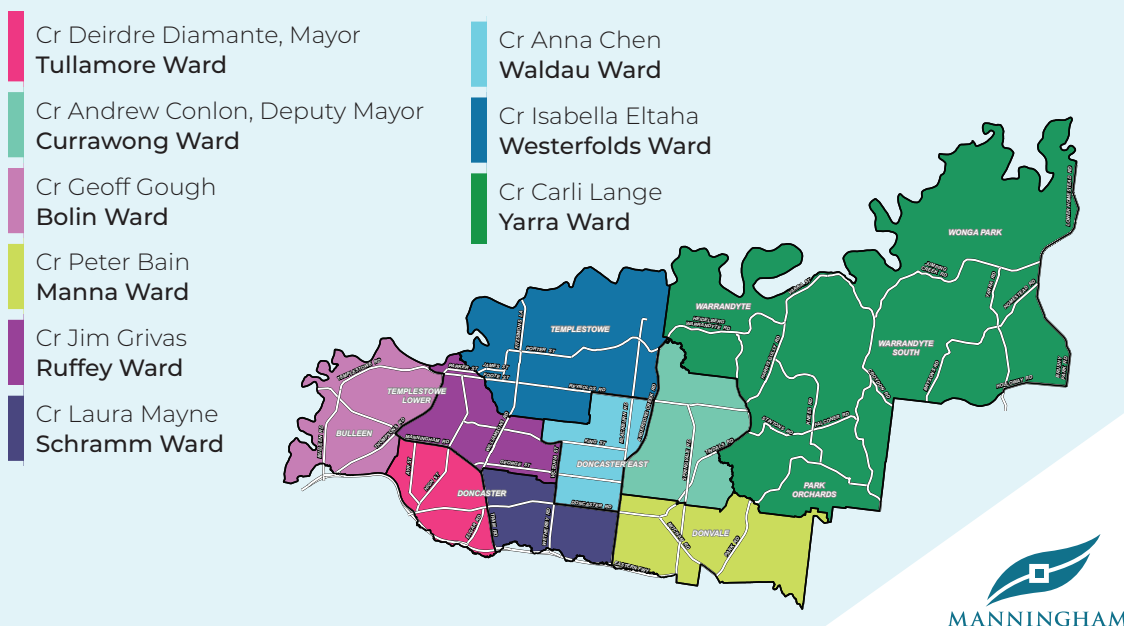


Andrew Day

Andrew Day
Chief Executive Officer

Where we are

Manningham is located in Melbourne's eastern suburbs, entirely within Wurundjeri Woi-wurrung country. It spans from Bulleen (12km from Melbourne's city centre), to Wonga Park (32km from the city centre). Manningham is divided into nine wards, with one councillor representing each ward.

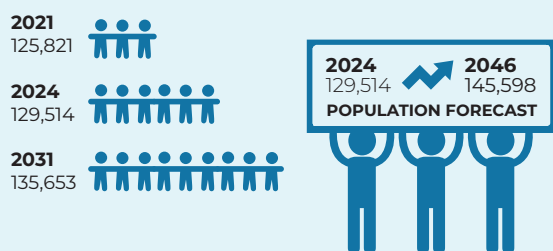


Who we are

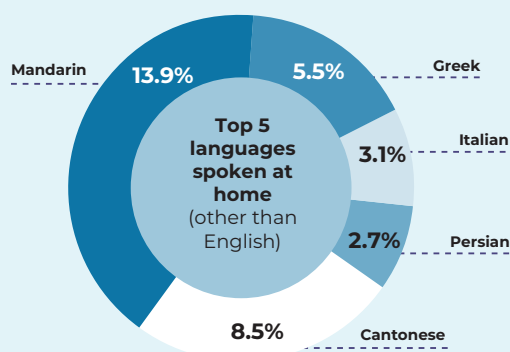
Home to almost 130,000 people, our vibrant community is proudly diverse. It represents a rich tapestry of ages, abilities and cultural backgrounds.

We have a growing population

Population growth

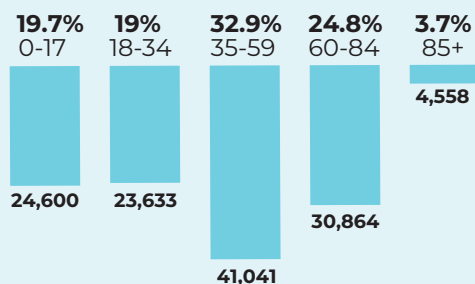


44% of Manningham residents were born overseas



We have an ageing community

Age structure



Challenges ahead for

Cost of living

The incomes of those who work within Manningham tend to be lower than other areas, which is leading to young professionals travelling outside of the municipality for work.

Local services are reporting that more people are needing to make a choice between eating, heating or paying the rent. As a result, **the number of people entering homelessness is increasing for the first time.**

Less than 1% of rental properties in Manningham were considered affordable in March 2024. This is significantly lower than the Metropolitan Melbourne average (6%) and the state average (12%).

Affordable lettings by LGA (DFFH), 2024.

Mental health and wellbeing

With mental health issues becoming more prominent, our community will need access to more support services and opportunities for participation and connection.

25% of females and 8% of males in Manningham reported having depression or anxiety.

Victorian Population Health Survey (VPHS) BY DHHS, 2017.

Mental health issues are becoming more common. Support services will be needed to address this, as will opportunities for community participation and connection.

r Manningham

We're actively working to address several challenges impacting our community.

Health and wellbeing

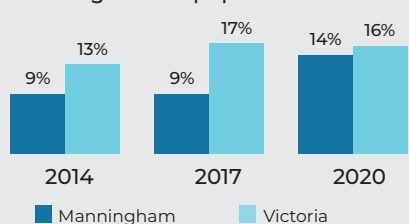
While Manningham generally shows better than average measures for health and wellbeing, data suggests a range of issues where wellbeing is declining or could be at risk if ignored.

Tobacco, alcohol and other drugs

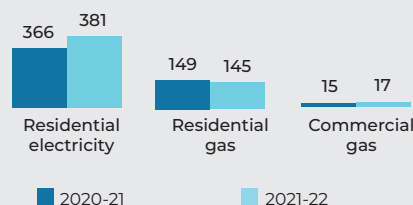
Most recent data shows an increase in the incidence of smoking.

Victorian Population Health Survey (VPHS) BY DHHS, 2014, 2017 & 2020.

Percentage of the population who smoke



'000 tonnes CO2



Tackling climate change and health

Tonnes of CO2 released by residents in Manningham is increasing.

Snapshot Climate, 2021.

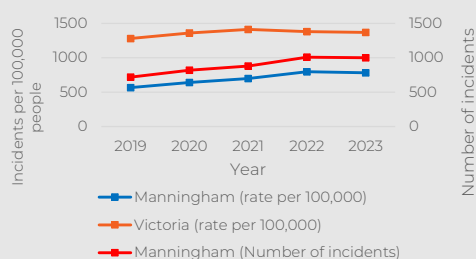
Family violence

Although the crime rate in Manningham is significantly lower than average, we're still seeing a concerning upward trend that mirrors state-wide patterns.

Manningham family violence incidents have shown an increasing number of 0-17 year-olds being affected.

From 2019-2023 the number has nearly tripled.

Family Violence Incidents

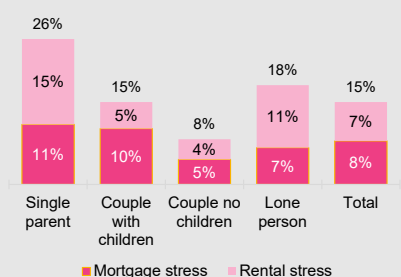


Victorian Crime Statistics Agency (Crimestats), 2024.

Housing affordability

A higher than average proportion of houses in Manningham are owned outright (42%, compared to 29% Greater Melbourne average). However, we have a higher proportion of very low income households (25%) than the Greater Melbourne average (19%).

Proportion of Manningham households under housing stress (more than 30% of income on rent/mortgage) by household type



Australian Bureau of Statistics (ABS) Census, 2021.


Many households are experiencing housing stress, **spending more than 30% of income on mortgage or rental payments.**

The State of the City report contains further data and information about the Manningham community.

Our services

We provide more than 100 services to our local community.


Here's a snapshot of our work in 2023/24:

75.5% 
of waste diverted from landfill


1,352,921 
loans including
physical loans,
e-books and renewals


936 
births supported by
Maternal and Child
Health centres

94,656 
calls received
by the contact
centre

2430 
trees planted


\$7.9 million 
to improve parks and
open spaces

17,810 
participants in arts and culture
programs and projects


90% 
of planning applications decided
within statutory time frames


7864 
immunisations provided

1377 
residents became
Australian Citizens

\$1.14 million 
provided in community grants

1167 
building permits processed

12,591 
cats and dogs
registered

\$50 million 
in capital works projects delivered

19.2km 
roads resurfaced

2.9km 
of new and
renewed footpaths

Further reading

State of the City Report

 manningham.vic.gov.au/view-our-demographics

Advocacy

 manningham.vic.gov.au/advocacy

Manningham Matters

 manningham.vic.gov.au/manningham-matters

Annual Report

 manningham.vic.gov.au/annual-report

Contact us

 9840 9333

 manningham@manningham.vic.gov.au

 manningham.vic.gov.au



Interpreter service **9840 9355**
普通话 廣東話 Ελληνικά Italiano العربية فارسي

2025 Federal Advocacy Priorities – Social Media Campaign Analytics

Aquarena Redevelopment

Posts

Facebook: [Reel](#) Posted 16 April 2025

Instagram: [Reel](#) Posted 16 April 2025

LinkedIn: [Video Post](#) Posted 16 April 2025

Summary

Facebook received the highest views and reach, but engagement was relatively low. Average watch time was 6 seconds which is typical for our channels and since the key message was delivered immediately via text overlay, the watch time may not indicate poor performance.

Instagram had higher engagement despite lower reach, while LinkedIn, though the smallest audience, saw the highest engagement and longest watch time indicating strong engagement from our more professional audience.

Instagram provides an age and gender breakdown of the audience, with women 35 to 44, and 44 to 54 making up the greatest share of our Instagram audience, which is typical of our channels.

86% of total views came from paid promotion.

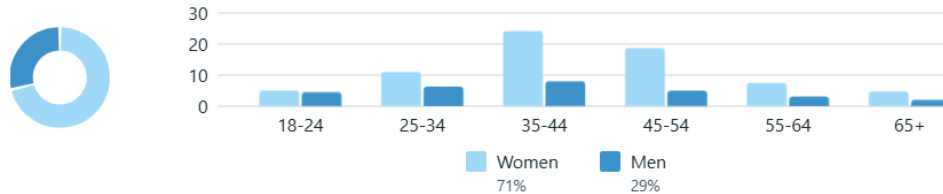
Analytics

Metric	Facebook	Instagram	LinkedIn
Views	13,963	1,095	469
Reach	9,913	816	1,260
Interactions	26	35	74
Link Clicks	369	—	61
Average Watch Time	6 seconds	—	14 seconds

2025 Federal Advocacy Priorities – Social Media Campaign Analytics

Instagram age and gender breakdown

Age & gender ①



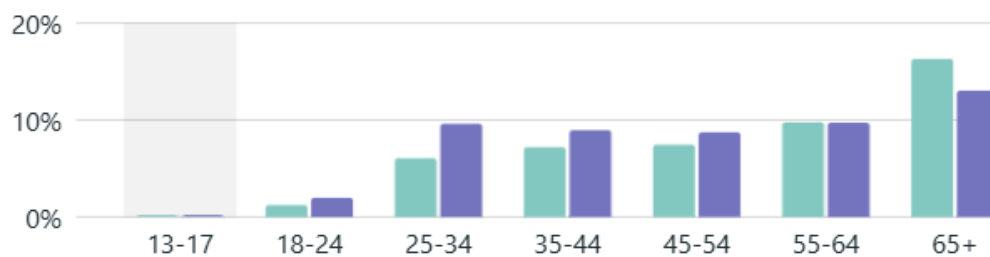
Paid Advertising

Across Meta (Facebook and Instagram), A\$249.89 was spent over 5 days, generating 376 link clicks, 13,257 views, and reaching 9,031 people.

86% of total views came from paid promotion.

Notably, the largest share of the audience reached by the ad was aged 65+, as shown in the following graph.

Ad audience by age:



2025 Federal Advocacy Priorities – Social Media Campaign Analytics

5-ways

Posts

Facebook: [Post](#) posted 23 April 2025

Instagram: [Post](#) posted 23 April 2025

Summary

Facebook had the highest number of views and reach, along with more interactions and link clicks. This post was not boosted with ad spend, unlike the Aquarena post.

Instagram saw fewer views and reach but still recorded a comparable number of interactions.

While average watch time wasn't available, the available data suggests Facebook content performed better overall in terms of reach and engagement.

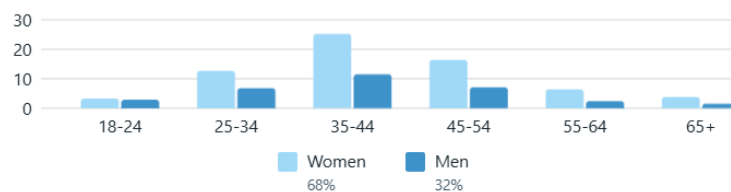
Again, the largest share of the audience reached on Instagram were women aged 35 to 44 and 45 to 54, typical for our channel.

Analytics

Metric	Facebook Overall	Instagram Overall
Views	5,662	1,699
Reach	3,145	1,256
Interactions	54	32
Link Clicks	42	—
Average Watch Time	N/A	N/A

Instagram age and gender breakdown

Age & gender



2025 Federal Advocacy Priorities – Social Media Campaign Analytics

Overall advocacy posts

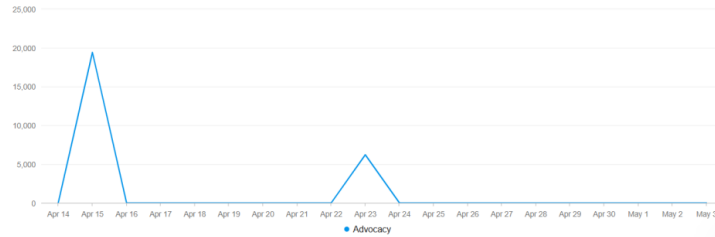
Across both posts, the campaign achieved a total of 25.6k impressions, 1.46k engagements, and 1.29k link clicks. The analytics show two distinct peaks of reach and engagement surrounding the date the post was posted.

Impressions

25.6k

↑ 1630%

Compared to previous period

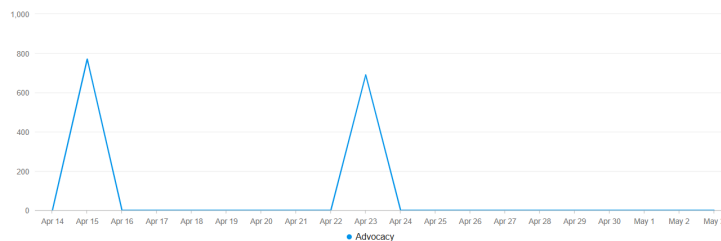


Engagements

1.46k

↑ 645%

Compared to previous period



Clicks

1.29k

↑ 997%

Compared to previous period



13.3 Revised Instrument of Delegation from Council to Staff (S6) and Instrument of Sub-Delegation under the Environment Protection Act 2017 (S18)

File Number: IN25/527

Responsible Director: Director Experience and Capability

Attachments:

- 1 Draft S6 Instrument of Delegation - Council to Members of Council Staff - CM 22 July 2025 [↓](#)
- 2 Draft S18 - Instrument of Sub-delegation under the EPA 2017 - CM 22 July 2025 [↓](#)

PURPOSE OF REPORT

The purpose of this report is to present a revised Instrument of Delegation from Council to Members of Council Staff (S6) and Instrument of Sub-Delegation under the Environment Protection Act 2017 (S18) for Council's consideration and endorsement.

EXECUTIVE SUMMARY

The Local Government Act 2020 (the Act) empowers a Council to delegate any of its powers, duties or functions under the Act or any other Act with some exemptions. It is widely accepted that delegations are necessary to facilitate the efficient and effective functioning of councils as they enable day-to-day decisions to be made in relation to routine administrative and operational matters.

In accordance with section 11(7) of the Act, a Council must review, within a period of 12 months after a general election, all delegations which have been made under section 11 and which are still in force. Council commenced this review process with the Instrument of Delegation from Council to the CEO at the 27 May 2025 Council meeting.

This report presents a revised S6 Instrument of Delegation from Council to Members of Council Staff and S18 Instrument of Sub-Delegation under the Environment Protection Act 2017 for consideration by Council.

Council subscribes to a service through Maddocks lawyers, which provides advice regarding the powers, duties and functions that may be delegated by Council. Periodic updates are received to reflect legislative amendments, and template instruments are provided, which are tailored to meet our needs.

Having reviewed the latest advice from Maddocks Lawyers and discussed the operation of the current Instruments with relevant Officers, minor changes are proposed to the Instruments.

COUNCIL RESOLUTION

MOVED: CR ANNA CHEN
SECONDED: CR ISABELLA ELTAHA

That Manningham City Council (Council):

A. In exercise of the powers conferred by the legislation referred to in the attached Instrument of delegation from Council to members of Council staff (S6), resolves that:

- i) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument.**
- ii) The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor.**
- iii) On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.**
- iv) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

B. In exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* (the Act) and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, resolves that:

- i) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Sub-delegation to members of Council staff (S18), the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.**
- ii) The instrument comes into force immediately the common seal of Council is affixed to the instrument.**
- iii) 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.**

CARRIED UNANIMOUSLY

2. BACKGROUND

- 2.1 It is widely accepted that delegations are necessary to facilitate effective functioning of councils as they enable day-to-day decisions to be made in relation to routine administrative and operational matters.
- 2.2 The S6 Instrument of Delegation is used by Council to delegate powers contained in various legislation to members of its staff holding, acting in or performing the duties of the offices or positions specified in the Instrument, subject to any conditions and limitations specified in the Instrument.
- 2.3 The S18 Instrument of Sub-delegation is used by Council to sub-delegate to staff powers contained in the Instrument of Delegation of the Environment Protection Authority under the *Environment Protection Act 2017* dated 4 June 2021.
- 2.4 This report presents revised draft S6 and S18 Instruments of Delegation with minor amendments.

3. DISCUSSION / ISSUE

S6 Instrument of Delegation from Council to Members of Council Staff

- 3.1 The S6 Instrument of Delegation from Council to Members of Council staff is scheduled for review in accordance with the Act.
- 3.2 There have been some legislative amendments and the realignment of roles and responsibilities across the organisation that require the S6 Instrument of Delegation to be updated. Attachment 1 details the delegations that are proposed. Amendments to the revised Instrument broadly relate to:
 - 3.2.1 Insertion of Section 149B of the *Planning and Environment Act 1987*.
 - 3.2.2 Removal of sections 12(2) and 12(4)-(7) of the *Road Management Act 2004*.
 - 3.2.3 Deletion of the *Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020* which are revoked pursuant to regulation 4(a) of the *Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024*, which are now included.
 - 3.2.4 Various amendments to *the Food Act 1984* pursuant to the *Regulatory Legislation Amendment Reforms (Reform) Act 2024*.
 - 3.2.5 Insertion of section 12(2)(b) in *the Road Management Act 2004*.
 - 3.2.6 Removal of the limitation for the powers in sections 19FA(1) and 19FA(3)(a)-(c) of *the Food Act 1984*.
 - 3.2.7 Prosecution and Infringement Review Lead added as a delegate under certain provisions of *Planning and Environment Act 1987* and *Road Management Act 2004*.

S18 Instrument of Sub-Delegation under the *Environment Protection Act 2017*

- 3.3 The S18 Instrument of Sub-delegation from Council includes delegation of the duties and functions to members of Council staff in exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021
- 3.4 The S18 Instrument of Sub-Delegation is being reviewed in accordance with the provisions of the Act.
- 3.5 There have been no amendments to the Act since September 2021 that require amendment to this Instrument, however, officers are proposing the following refinements: (Attachment 2)
- 3.5.1 Updates to job titles as per current organisation structure.
- 3.5.2 Domestic Wastewater Management Project Officer is added as a delegate for the powers under sections 271, 272 and 279.
- 3.6 Council subscribes to services through Maddocks lawyers which provides advice regarding legislative amendments and template instruments which are tailored to meet our needs. The revised instruments have been prepared based on this advice.
- 3.7 Councillors were briefed on the proposed changes at a briefing session held on 15 July 2025. It is submitted that this Instrument will facilitate the efficient operation of Council's functions, whilst continuing to meet community expectations regarding timely service delivery.

4. COUNCIL PLAN / STRATEGY

- 4.1 Delegations support Council's delivery of services and activities efficiently and effectively. They also support timely decision-making to meet the needs of the community, ensuring Council is well governed.

5. IMPACTS AND IMPLICATIONS**5.1 Finance / Resource Implications**

There are no finance or resource implications regarding the preparation of this report.

6. IMPLEMENTATION

6.1 Communication and Engagement

Is engagement required?	Yes
Stakeholder Groups	Council Staff EMT Councillors
Where does it sit on the IAP2 spectrum?	Inform Consult
Approach	The revised S6 and S18 Instrument of Delegation will take effect from the day it is signed/sealed. The signed instrument will be published on the Council's website for transparency.

7. DECLARATIONS OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

S6. Instrument of Delegation – Members of Staff

Manningham City Council

Instrument of Delegation

to

Members of Council Staff

S6 Instrument of Delegation – Members of Staff

July 2025

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:

AOSP	Administrative Officer Statutory Planning
CAE	Coordinator Sustainable Maintenance
CSAM	Coordinator Strategic Asset Management
CC	Corporate Counsel
CCC	Coordinator City Compliance
CCP	Coordinator City Planning
CCPR	Coordinator Civil Projects
CEH	Coordinator Environmental Health
CP	Coordinator Statutory Planning
CSE	Coordinator Sustainable Engineering
CTD	Coordinator Traffic & Development
CIS	Coordinator Integrated Stormwater
DCC	Director Connected Communities
DCPL	Director City Planning & Liveability
DEC	Director Experience and Capability
DCS	Director City Services
EHO	Environmental Health Officer
GO	Governance Officer
GL	Governance Lead
MCA	Manager City Assets
MCP	Manager City Projects
MCS	Manager City Safety
MI	Manager Integrity
MIP	Manager Integrated Planning
MISO	Manager Infrastructure and Sustainable Operations
MSF	Manager Sustainable Futures
MSP	Manager Statutory Planning
PES	Project Engineering Specialist
PCO	Planning Compliance Officer
PIRL	Prosecution and Infringement Review Lead
PP	Principal Planner
SO	Subdivisions Officer
SP	Statutory Planner
SPAA	Statutory Planning Appeals Advisor
SPCO	Senior Planning Compliance Officer
SPCS	Statutory Planning Customer Service Officer
SSP	Senior Strategic Planner
SSTP	Senior Statutory Planner

TLAM	Team Leader Asset Maintenance
TLDS	Team Leader Development and Subdivision
TLEH	Team Leader Environmental Health
TLLL	Team Leader Local Laws
TLPC	Team Leader Planning Compliance
TLSPA	Team Leader Statutory Planning Administration

3. declares that:
- 3.1 this Instrument of Delegation is authorised by a **resolution** of Council passed on 22 July 2025; and
- 3.2 the delegation
- 3.2.1 comes into force immediately, the Chief Executive Officer and Mayor 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 if 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 the **Mayor** of Manningham City Council

Signed by the **Chief Executive Officer** of
Manningham City Council

Date:

S6 Instrument of Delegation – Members of Staff

July 2025

SCHEDULE

INDEX

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FOOD ACT 19842

HERITAGE ACT 201710

LOCAL GOVERNMENT ACT 198911

PLANNING AND ENVIRONMENT ACT 198712

RESIDENTIAL TENANCIES ACT 199752

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AND STANDARDS) REGULATIONS 202466

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016.....69

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015.....71

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	TLLL, CCC, MCS, DCPL	Council may delegate this power to a Council authorised officer

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	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	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).	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
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	EHO, TLEH, CEH, MCS, DCPL	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

S6. Instrument of Delegation – Members of Staff

July 2025
page 2

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority Subject to s 19FA(2), which requires a time limit for compliance to be specified
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)	EHO, TLEH, CEH, MCS, DCPL	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)	EHO, TLEH, CEH, MCS, DCPL	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)	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority

S6. Instrument of Delegation – Members of Staff

July 2025
page 3

s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
S 19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19NA(1)	Power to request food safety audit reports	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
---	Power to register, or renew the registration of a food premises	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority Refusal to grant/renew/transfer registration 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	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	TLEH, CEH, MCS, DCPL	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 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	EHO, TLEH, CEH, MCS, DCPL	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)	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	EHO, TLEH, CEH, MCS, DCPL	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 38E(2)	Power to register the food premises on a conditional basis	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
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	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
s 39A	Power to register, or renew the registration of a food premises despite minor defects	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	EHO, TLEH, CEH, MCS, DCPL	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 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>	EHO, TLEH, CEH, MCS, DCPL	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	EHO, TLEH, CEH, MCS, DCPL	
s 40F	Power to cancel registration of food premises	EHO, TLEH, CEH, MCS, DCPL	Where Council is the registration authority
s 43	Duty to maintain records of registration	EHO, TLEH, CEH, MCS, DCPL	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, transferring or renewing registration of a component of a food business	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	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	EHO, TLEH, CEH, MCS, DCPL	

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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	EHO, TLEH, CEH, MCS, DCPL	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	MIP, MSP, DCPL	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.

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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	SSP, CCP, MIP, DCPL	if authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	SSP, CCP, MIP, DCPL	
s 4H	Duty to make amendment to Victorian Planning Provisions available in accordance with public availability requirements	SSP, CCP, MIP, DCPL	
s 4I(2)	Duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	SSP, CCP, MIP, DCPL	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	MIP, DCPL	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	MIP, DCPL	
s 8A(5)	Function of receiving notice of the Minister's decision	MIP, DCPL	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	MIP, DCPL	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	SSP, CCP, MIP, DCPL	

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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	SSP, CCP, MIP, DCPL	
s 12B(1)	Duty to review planning scheme	SSP, CCP, MIP, DCPL	
s 12B(2)	Duty to review planning scheme at direction of Minister	SSP, CCP, MIP, DCPL	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	SSP, CCP, MIP, DCPL	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	SSP, CCP, MIP, DCPL	
s 17(1)	Duty of giving copy amendment to the planning scheme	SSP, CCP, MIP, DCPL	
s 17(2)	Duty of giving copy s 173 agreement	SSP, CP, CCP, MSP, MIP, MCS, DCPL, MISO, DCS	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	SSP, CCP, MSP, MIP, MCS, DCPL	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	SSP, CCP, MIP, DCPL	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	MIP, DCPL	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	MIP, DCPL	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	SSP, CCP, MIP, DCPL	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	SSP, CCP, MIP, DCPL	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	SSP, CCP, MIP, DCPL	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	SSP, CCP, MIP, DCPL	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	SSP, CCP, MIP, DCPL	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	SSP, CCP, MIP, DCPL	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	SSP, CCP, MIP, DCPL	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	SSP, CCP, MIP, DCPL	

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	SSP, CCP, MIP, DCPL	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	SSP, CCP, MIP, DCPL	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	SSP, CCP, MIP, DCPL	
s 28(1)	Duty to notify the Minister if abandoning an amendment	DCPL	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	SSP, CCP, MIP, DCPL	Does this need to be delegated down further?
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	SSP, CCP, MIP, DCPL	Does this need to be delegated down further?
s 30(4)(a)	Duty to say if amendment has lapsed	SSP, CCP, MIP, DCPL	
s 30(4)(b)	Duty to provide information in writing upon request	SSP, CCP, MIP, DCPL	
s 32(2)	Duty to give more notice if required	SSP, CCP, MIP, DCPL	
s 33(1)	Duty to give more notice of changes to an amendment	SSP, CCP, MIP, DCPL	
s 36(2)	Duty to give notice of approval of amendment	SSP, CCP, MIP, DCPL	
s 38(5)	Duty to give notice of revocation of an amendment	SSP, CCP, MIP, DCPL	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	SSP, CCP, MIP, DCPL	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40(1)	Function of lodging copy of approved amendment	SSP, CCP, MIP, DCPL	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	SSP, CCP, MIP, DCPL	
s 42(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	SSP, CCP, MIP, DCPL	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	SSP, CCP, MIP, DCPL	
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	MIP, DCPL	Where Council is a responsible public entity and is a planning authority
s 46AW	Function of being consulted by the Minister	MIP, DCPL	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	MIP, DCPL	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	MIP, DCPL	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	MIP, DCPL	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	MIP, DCPL	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	MIP, DCPL	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	MIP, DCPL	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	MIP, DCPL	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	MIP, DCPL	
s 46GP	Function of receiving a notice under s 46GO	MIP, DCPL	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 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	MIP, DCPL	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	MIP, DCPL	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	MIP, DCPL	
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	MIP, DCPL	
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	MIP, DCPL	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	MIP, DCPL	
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	MIP, DCPL	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	MIP, DCPL	
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	MIP, DCPL	
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	MIP, DCPL	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	MIP, DCPL	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)	MIP, DCPL	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)	MIP, DCPL	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	MIP, MSP, DCPL	
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	MIP, MSP, DCPL	Where Council is the collecting agency

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	MIP, MSP, DCPL	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	MIP, MSP, DCPL	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	MIP, MSP, DCPL	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>	MIP, MSP, DCPL	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	MIP, MSP, DCPL	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	MIP, MSP, DCPL	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	MIP, MSP, DCPL	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	MIP, MSP, DCPL	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)	MIP, MSP, DCPL	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	MIP, MSP, DCPL	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	MIP, MSP, DCPL	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	MIP, MSP, DCPL	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	MIP, MSP, DCPL	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	MIP, DCPL	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	MIP, DCPL	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>	MIP, DCPL	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	MIP, DCPL	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	MIP, DCPL	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

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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)	MIP, DCPL	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)	MIP, DCPL	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)	MIP, DCPL	Where Council is the collecting agency under an approved infrastructure contributions plan
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	MIP, DCPL	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	MIP, DCPL	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)	MIP, DCPL	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	MIP, DCPL	Where Council is the development agency under an approved infrastructure contributions plan

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)	MIP, DCPL	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	MIP, DCPL	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)	MIP, DCPL	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)	MIP, DCPL	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	MIP, DCPL	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	MIP, DCPL	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	MIP, DCPL	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)	MIP, DCPL	

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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	PP, CP, CCP, MSP, MIP, DCPL	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CCP, MSP, MIP, DCPL	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CCP, MSP, MIP, DCPL	
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	CCP, MSP, MIP, DCPL	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	CCP, MSP, MIP, DCPL	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CCP, MSP, MIP, DCPL	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CCP, MSP, MIP, DCPL	
s 46Q(1)	Duty to keep proper accounts of levies paid	CCP, MSP, MIP, DCPL	
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	CCP, MSP, MIP, DCPL	
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	CCP, MSP, MIP, DCPL	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	CCP, MSP, MIP, DCPL	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)	MIP, DCPL	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	MIP, DCPL	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	MIP, DCPL	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	MIP, DCPL	
s 46QD	Duty to prepare report and give a report to the Minister	CP, CCP, MSP, MIP, DCPL	Where Council is a collecting agency or development agency
s 47	Power to decide that an application for a planning permit does not comply with that Act	CP, PP, SPAA, MSP, DCPL	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 50(4)	Duty to amend application	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 50(5)	Power to refuse to amend application	PP, SPAA, CP, MSP, DCPL	
s 50(6)	Duty to make note of amendment to application in register	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 50A(1)	Power to make amendment to application	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 50A(4)	Duty to note amendment to application in register	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
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	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	

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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)(b)	Duty to give notice of the application to other municipal council where appropriate	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
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	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
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	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 52(3)	Power to give any further notice of an application where appropriate	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 54(1)	Power to require the applicant to provide more information	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	

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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)	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 54(1B)	Duty to specify the lapse date for an application	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	MSP, DCPL	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 57A(5)	Power to refuse to amend application	CP, MSP, DCPL	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57A(6)	Duty to note amendments to application in register	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 57B(1)	Duty to determine whether and to whom notice should be given	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 57C(1)	Duty to give copy of amended application to referral authority	SP, SSTP, SO, PP, SPAA, CP, MSP DCPL	
s 58	Duty to consider every application for a permit	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 58A	Power to request advice from the Planning Application Committee	MSP, DCPL	
s 60	Duty to consider certain matters	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 60(1A)	Duty to consider certain matters	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	SO, PP, SPAA, CP, MSP, DCPL	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i></p> <p>Permit applications that meet one or more of the following criteria must be referred to Council for determination:</p> <ul style="list-style-type: none"> Any land demarcated Activity Centre Zone (ACZ) pursuant to the provisions of the Manningham Planning Scheme where more than 25 dwellings are proposed OR the cost of works is greater than \$15 million; Any land outside the demarcated Activity Centre Zone (ACZ) pursuant to the provisions of the Manningham Planning Scheme where more than 20 dwellings are proposed OR the cost of works is greater than \$10 million; Applications of significant community interest. <p>Notwithstanding the above, an officer recommendation for the refusal of a permit application irrespective of the zoning, number of dwellings, cost of works or significant community interest is exempt from the requirement to be referred to Council for determination.</p> <p>The SO may only exercise these powers in respect of an approval of a subdivision where the subdivision application is following an approved development permit.</p>

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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	PP, SPAA, CP, MSP, DCPL	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	PP, SPAA, CP, MSP, DCPL	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	PP, SPAA, CP, MSP, DCPL	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 62(2)	Power to include other conditions	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a), (b) and (c)	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
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 a 173 agreement	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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)	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
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)	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	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	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	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	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	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	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	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	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	

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	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	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	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	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	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	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
s 69(1)	Function of receiving application for extension of time of permit	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 69(1A)	Function of receiving application for extension of time to complete development	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 69(2)	Power to extend time	PP, SPAA, CP, MSP, DCPL	
s 70	Duty to make copy permit available in accordance with public availability requirements	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 71(1)	Power to correct certain mistakes	SO, PP, SPAA, CP, MSP, DCPL	
s 71(2)	Duty to note corrections in register	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 73	Power to decide to grant amendment subject to conditions	SO, PP, SPAA, CP, MSP, DCPL	
s 74	Duty to issue amended permit to applicant if no objectors	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	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

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	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	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	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	CP, MSP, DCPL	
s 83	Function of being respondent to an appeal	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 83B	Duty to give or publish notice of application for review	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	PP, SPAA, CP, MSP, DCPL	<p>Permit applications that meet one or more of the following criteria must be referred to Council for determination:</p> <ul style="list-style-type: none"> Any land demarcated Activity Centre Zone (ACZ) pursuant to the provisions of the Manningham Planning Scheme where more than 25 dwellings are proposed OR the cost of works is greater than \$15 million; Any land outside the demarcated Activity Centre Zone (ACZ) pursuant to the provisions of the Manningham Planning Scheme where more than 20 dwellings are proposed OR the cost of works is greater than \$10 million; Applications of significant community interest. <p>Notwithstanding the above, an officer recommendation for the refusal of a permit application irrespective of the zoning, number of dwellings, cost of works or significant community interest is exempt from the requirement to be referred to Council for determination.</p>
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	PP, SPAA, CP, MSP, DCPL	
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	PP, SPAA, CP, MSP, DCPL	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	SO, PP, SPAA, CP, MSP, DCPL	
s 84AB	Power to agree to confining a review by the Tribunal	PP, SPAA, CP, MSP, DCPL	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	SO, PP, SPAA, CP, MSP, DCPL	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	TLPC, CCC, MSP, MCS, DCPL	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	PCO, SPCO, TLPC, CCC, SP, SSTP, SO, PP, SPAA, CP, MSP, MCS, DCPL	
s 91(2)	Duty to comply with the directions of VCAT	PCO, SPCO, TLPC, CCC, SP, SSTP, SO, PP, SPAA, CP, MSP, MCS, DCPL	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	PP, SPAA, CP, MSP, DCPL	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	PP, SPAA, CP, MSP, DCPL	
s 93(2)	Duty to give notice of VCAT order to stop development	PCO, SPCO, TLPC, CCC, MCS, PP, SPAA, CP, MSP, DCPL	
s 95(3)	Function of referring certain applications to the Minister	MSP, DCPL	
s 95(4)	Duty to comply with an order or direction	MSP, DCPL	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CP, MSP, DCPL	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	MSP, MIP, DCPL	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	MSP, MIP, DCPL	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	MSP, MIP, DCPL	
s 96F	Duty to consider the panel's report under s 96E	MSP, MIP, DCPL	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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>)	MSP, MIP, DCPL	<p>Permit applications that meet one or more of the following criteria must be referred to Council for determination:</p> <ul style="list-style-type: none"> Any land demarcated Activity Centre Zone (ACZ) pursuant to the provisions of the Manningham Planning Scheme where more than 25 dwellings are proposed OR the cost of works is greater than \$15 million; Any land outside the demarcated Activity Centre Zone (ACZ) pursuant to the provisions of the Manningham Planning Scheme where more than 20 dwellings are proposed OR the cost of works is greater than \$10 million; Applications of significant community interest. <p>Notwithstanding the above, an officer recommendation for the refusal of a permit application irrespective of the zoning, number of dwellings, cost of works or significant community interest is exempt from the requirement to be referred to Council for determination.</p>
s 96H(3)	Power to give notice in compliance with Minister's direction	MSP, MIP, DCPL	
s 96J	Duty to issue permit as directed by the Minister	PP, SPAA, CP, MSP, MIP, DCPL	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	MSP, MIP, DCPL	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	MSP, MIP, DCPL	
s 97C	Power to request Minister to decide the application	MSP, DCPL	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	MSP, DCPL	
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	MSP, DCPL	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with public availability requirements	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	MSP, DCPL	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	MSP, DCPL	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CP, MSP, DCPL	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	PCO, SPCO, TLPC, CCC, MCS, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 97Q(4)	Duty to comply with directions of VCAT	PCO, SPCO, TLPC, CCC, MCS, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DCPL	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DCPL	
s 101	Function of receiving claim for expenses in conjunction with claim	DCPL	
s 103	Power to reject a claim for compensation in certain circumstances	DCPL	
s 107(1)	Function of receiving claim for compensation	DCPL	
s 107(3)	Power to agree to extend time for making claim	DCPL	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	DCPL	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 114(1)	Power to apply to the VCAT for an enforcement order	PCO, SPCO, TLPC, CCC, MCS, SPAA, CP, MSP, DCPL, PIRL	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	PCO, SPCO, TLPC, CCC, MCS, SPAA, CP, MSP, DCPL, PIRL	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	PCO, SPCO, TLPC, CCC, MCS, SPAA, CP, MSP, DCPL, PIRL	
s 123(1)	Power to carry out work required by enforcement order and recover costs	TLPC, CCC, MCS, MSP, DCPL	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DCPL	Except Crown Land
s 129	Function of recovering penalties	PCO, SPCO, TLPC, CCC, MCS, SPAA, CP, MSP, DCPL	
s 130(5)	Power to allow person served with an infringement notice further time	PCO, SPCO, IROCC, TLCCA, TLPC, CCC, MCS, SPAA, CP, MSP, DCPL, PIRL	
s 149A(1)	Power to refer a matter to the VCAT for determination	TLPC, CCC, MCS, SPAA, CP, MSP, DCPL	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	TLPC, CCC, MCS, SPAA, CP, MSP, DCPL	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 149B	Power to apply to the Tribunal for a declaration	MSP, DCPL, CEO	
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)	MSP, MIP, DCPL	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	TLPC, CCC, MCS, SPAA, CP, MSP, DCPL	
s 171(2)(g)	Power to grant and reserve easements	MIP, MSP, DCPL	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	MCP, DCS	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)	MCP, DCS	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)	MCP, DCS	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	CP, CCP, CIS, MIP, MSP, MISO, DCPL, DCS	CDTS can only exercise this power following consultation with MISO

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	CP, CCP, MIP, MSP, DCPL	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	PP, SPAA, CP, CCP, CIS, MIP, MSP, MISO, DCPL, DCS	CDTS can only exercise this power following consultation with MISO
---	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	PP, SPAA, CP, CCP, CIS, MIP, MSP, MISO, DCPL, DCS	CDTS can only exercise this power following consultation with MISO
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	MIP, MSP1, MISO, DCPL, DCS	
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	MIP, MSP, MISO, DCPL, DCS	
s 178A(1)	Function of receiving application to amend or end an agreement	PP, SPAA, CP, CCP, CIS, MIP, MSP, MISO, DCPL, DCS	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	PP, SPAA, CP, CCP, CIS, MIP, MSP, MISO, DCPL, DCS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	PP, SPAA, CP, CCP, CIS, MIP, MSP, MISO, DCPL, DCS	
s 178A(5)	Power to propose to amend or end an agreement	CP, CCP, CIS, MIP, MSP, MISO, DCPL, DCS	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	SP, SSTP, SO, PP, SPAA, CP, MSP, CCP, MIP, CIS, MISO, DCPL, DCS	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	SP, SSTP, SO, PP, SPAA, CP, MSP, CCP, MIP, CIS, MISO, DCPL, DCS	
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	SP, SSTP, SO, PP, SPAA, CP, MSP, CCP, MIP, CIS, MISO, DCPL, DCS	
s 178C(4)	Function of determining how to give notice under s 178C(2)	SP, SSTP, SO, PP, SPAA, CP, MSP, CCP, MIP, CIS, MISO, DCPL, DCS	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	SP, SSTP, SO, PP, SPAA, CP, MSP, CCP, MIP, CIS, MISO, DCPL, DCS	

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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(2)(a)	Power to amend or end the agreement in accordance with the proposal	MSP, MIP, MISO, DCPL, DCS	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	MSP, MIP, MISO, DCPL, DCS	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	MSP, MIP, MISO, DCPL, DCS	If no objections are made under s 178D Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	MSP, MIP, MISO, DCPL, DCS	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	MSP, MIP, MISO, DCPL, DCS	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	MSP, MIP, MISO, DCPL, DCS	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	MSP, MIP, MISO, DCPL, DCS	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)	MSP, MIP, MISO, DCPL, DCS	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	MSP, MIP, MISO, DCPL, DCS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	MSP, MIP, MISO, DCPL, DCS	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	MSP, MIP, MISO, DCPL, DCS	
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	MSP, MIP, MISO, DCPL, DCS	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	MSP, MIP, MISO, DCPL, DCS	
s 179(2)	Duty to make a copy of each agreement available in accordance with the public availability requirements	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, CCP, MIP, MISO, CIS, DCPL, DCS	
s 181	Duty to apply to the Registrar of Titles to record the agreement	CCP, CP, MSP, MIP, MISO, CIS, , DCPL, DCS	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CCP, CP, MSP, MIP, MISO, CIS, , DCPL, DCS	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CCP, CP, MSP, MIP, MISO, CIS, DCPL, DCS	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 182	Power to enforce an agreement	CCP, CP, MSP, MIP, MISO, CIS, , DCPL, DCS, PCO, SPCO, TLPC, CCC, MCS	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CCP, CP, MSP, MIP, MISO, CIS, , DCPL, DCS	
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	CCP, CP, MSP, MIP, MISO, CIS, , DCPL, DCS	
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	CCP, CP, MSP, MIP, MISO, CIS, DCPL, DCS	
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	CCP, CP, MSP, MIP, MISO, CIS, , DCPL, DCS	
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	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, CCP, MSP, MIP, MISO, CIS, DCPL, DCS	
s 184G(2)	Duty to comply with a direction of the Tribunal	SP, SSTP, SO, PP, SPAA, CP, MSP, CCP, MIP, MISO, CIS, DCPL, DCS	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 184G(3)	Duty to give notice as directed by the Tribunal	SP, SSTP, SO, PP, SPAA, CP, MSP, MIP, CCP, MISO, CIS, DCPL, DCS	
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	SP, SSTP, SO, PP, SPAA, CP, MSP, CCP, MIP, DCPL	
s 198(1)	Function to receive application for planning certificate	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL, CCP, MIP	
s 199(1)	Duty to give planning certificate to applicant	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL, CCP, MIP	
s 201(1)	Function of receiving application for declaration of underlying zoning	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL, CCP, MIP	
s 201(3)	Duty to make declaration	MIP, MSP1, DCPL	
-	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	PP, SPAA, CP, MSP, DCPL, CCP, MIP, TLDS, CTD, CDTs, MISO, DCS, TLPC, CCC, MCS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	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	PP, SPAA, CP, MSP, DCPL, CCP, MIP, TLDS, CTD, CDTS, MISO, DCS, TLPC, CCC, MCS	
	Power to approve 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	PP, SPAA, CP, MSP, DCPL, CCP, MIP, TLDS, CTD, CDTS, MISO, DCS,	
-	Power to give written authorisation in accordance with a provision of a planning scheme	SPAA, PP, CP, CCP, MIP, MSP, , DCPL, CDTS, CTD, MISO, DCS	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CP, CCP, MIP, MSP, DCPL	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CP, CCP, MIP, MSP, DCPL	

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	EHO, TLEH, CEH, MCS, DCPL	
s 522(1)	Power to give a compliance notice to a person	EHO, TLEH, CEH, MCS, DCPL	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	EHO, TLEH, CEH, MCS, DCPL	
s 525(4)	Duty to issue identity card to authorised officers	MI, GO, GL, MI, DEC	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	EHO, TLEH, CEH, MCS, DCPL	
s 526A(3)	Function of receiving report of inspection	EHO, TLEH, CEH, MCS, DCPL	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO	

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	GL, , MI, CTD, CSAM, MISO, DCS, DEC	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	GL, , MI, CTD, CSAM, MISO, DCS, DEC	
s 11(9)(b)	Duty to advise Registrar	GL, , MI, CTD, CSAM, MISO, DCS, DEC	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	GL, , MI, CTD, CSAM, MISO, DCS, DEC	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	GL, , MI, CTD, CSAM, MISO, DCS, DEC	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	GL, MI, CTD, CSAM, MISO, DCS, DEC	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(10)	Duty to notify of decision made	, GL MI, MISO, DCS, DEC	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	MISO, DCS	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	MISO, DCS	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	DCS	
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	MISO, DCS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	MISO, DCS	
s 15(2)	Duty to include details of arrangement in public roads register	MISO, DCS	
s 16(7)	Power to enter into an arrangement under s 15	DCS	
s 16(8)	Duty to enter details of determination in public roads register	CSE, CTD, CSAM, MISO, DCS	
s 17(2)	Duty to register public road in public roads register	CSE, CTD, CSAM, MISO, DCS	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	MISO, DCS	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	CSE, CTD, CSAM, MISO, DCS	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	MISO, DCS	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	CSE, CTD, CSAM, MISO, DCS	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	MISO, DCS	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 18(3)	Duty to record designation in public roads register	CSE, CTD, CSAM, MISO, DCS	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	CSE, CTD, CSAM, MISO, DCS	
s 19(4)	Duty to specify details of discontinuance in public roads register	CSE, CTD CSAM, MISO, DCS	
s 19(5)	Duty to ensure public roads register is available for public inspection	CSE, CTD, CSAM, MISO, DCS	
s 21	Function of replying to request for information or advice	CSE, CTD, CSAM, MISO, DCS	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	MISO, DCS	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	MC, MISO, DCS	
s 22(5)	Duty to give effect to a direction under s 22	MISO, DCS	
s 40(1)	Duty to inspect, maintain and repair a public road.	CSE, MISO, DCS	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CSE, MISO, DCS	

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CSE, CTD, MISO, DCS	
s 42(1)	Power to declare a public road as a controlled access road	MISO, DCS	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	MISO, DCS	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	MISO, DCS	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	DCS	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
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)	Not Delegated	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	CTD, MISO, DCS	
s 49	Power to develop and publish a road management plan	CSAM, MISO, DCS	
s 51	Power to determine standards by incorporating the standards in a road management plan	PES, CSAM, MISO, DCS	

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CSAM, MISO, DCS	
s 54(2)	Duty to give notice of proposal to make a road management plan	CSAM, MISO, DCS	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CSAM, MISO, DCS	
s 54(6)	Power to amend road management plan	CSAM, MISO, DCS	
s 54(7)	Duty to incorporate the amendments into the road management plan	CSAM, MISO, DCS	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CSAM, MISO, DCS	
s 63(1)	Power to consent to conduct of works on road	TLAM, CSE, MISO, DCS	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	TLAM, CSE, MISO, DCS	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	DCS	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	DCS	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 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	PCO, SPCO, TLPC, LLO, TLLL, CCC, MCS, DCPL, PIRL	Where Council is the coordinating road authority
s 67(3)	Power to request information	PCO, SPCO, TLPC, LLO, TLLL, CCC, MCS, DCPL, PIRL	Where Council is the coordinating road authority
s 68(2)	Power to request information	PCO, SPCO, TLPC, LLO, TLLL, CCC, MCS, DCPL, PIRL	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	GO, GL, MI, DEC	
s 85	Function of receiving report from authorised officer	MISO, DCS	
s 86	Duty to keep register re s 85 matters	CSE, CSAM, MISO, DCS	
s 87(1)	Function of receiving complaints	MISO, DCS	
s 87(2)	Duty to investigate complaint and provide report	MISO, DCS	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	CEO	
s 112(2)	Power to recover damages in court	MISO, DCS	

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116	Power to cause or carry out inspection	CSE, CSAM, MISO, DCS	
s 119(2)	Function of consulting with the Head, Transport for Victoria	MISO, DCS	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	MISO, DCS	
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)	MISO, DCS	
s 121(1)	Power to enter into an agreement in respect of works	MISO, DCS	
s 122(1)	Power to charge and recover fees	MISO, DCS	
s 123(1)	Power to charge for any service	MISO, DCS	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	MISO, DCS	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	MISO, DCS	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	MISO, DCS	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	MISO, DCS	
sch 2 cl 5	Duty to publish notice of declaration	MISO, DCS	

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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 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	MISO, DCS	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	MISO, DCS	Where Council is the infrastructure manager or works manager
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	MISO, DCS	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	MISO, DCS	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	MISO, DCS	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	MISO, DCS	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	MISO, DCS	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 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	MISO, DCS	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	MISO, DCS	Where Council is the coordinating road authority
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)	MISO, DCS	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	MISO, DCS	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)	MISO, DCS	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	MISO, DCS	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	MISO, DCS	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	MISO, DCS	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	MISO, DCS	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	MISO, DCS	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
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	MISO, DCS	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	MISO, DCS	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	MISO, DCS	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	MISO, DCS	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	MISO, DCS	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	MISO, DCS	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	MISO, DCS	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	MISO, DCS	Where Council is the responsible road authority
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	MISO, DCS	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	PP, SPAA, CP, CCP, MIP, MSP, DCPL	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	PP, SPAA, CP, MSP, DCPL	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) available in accordance with the public availability requirements	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	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 for inspection free of charge	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL	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 application for an amendment to a planning scheme and notice of a permit application	AOSP, SPCS, TLSPA, SP, SSTP, SO, PP, SPAA, CP, MSP, DCPL, CCP, MIP	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.

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	MIP, MSP, DCPL	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	MIP, MSP, DCPL	
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	MIP, MSP, DCPL	

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	EHO, TLEH, CEH, MCS, DCPL	
r 10	Function of receiving application for registration	EHO, TLEH, CEH, MCS, DCPL	
r 11	Function of receiving application for renewal of registration	EHO, TLEH, CEH, MCS, DCPL	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	EHO, TLEH, CEH, MCS, DCPL	
r 12(1)	Power to refuse to grant the registration if not satisfied that the caravan park complies with these regulations	EHO, TLEH, CEH, MCS, DCPL	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	EHO, TLEH, CEH, MCS, DCPL	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO, TLEH, CEH, MCS, DCPL	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	EHO, TLEH, CEH, MCS, DCPL	
r 12(4) & (5)	Duty to issue certificate of registration	EHO, TLEH, CEH, MCS, DCPL	

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 14(1)	Function of receiving notice of transfer of ownership	EHO, TLEH, CEH, MCS, DCPL	
r 14(3)	Power to determine where notice of transfer is displayed	EHO, TLEH, CEH, MCS, DCPL	
r 15(1)	Duty to transfer registration to new caravan park owner	EHO, TLEH, CEH, MCS, DCPL	
r 15(2)	Duty to issue a certificate of transfer of registration	EHO, TLEH, CEH, MCS, DCPL	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	EHO, TLEH, CEH, MCS, DCPL	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CEH, MCS, DCPL	
r 17	Duty to keep register of caravan parks	CEH, MCS, DCPL	
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	EHO, TLEH, CEH, MCS, DCPL	
r 21(2)	Duty to consult with relevant emergency services agencies	EHO, TLEH, CEH, MCS, DCPL	

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 22	Power to determine places in which caravan park owner must display a copy of emergency procedures	EHO, TLEH, CEH, MCS, DCPL	
r 23	Power to determine places in which caravan park owner must display copy of public emergency warnings	EHO, TLEH, CEH, MCS, DCPL	
r 24(2)	Power to consult with relevant floodplain management authority	EHO, TLEH, CEH, MCS, DCPL	
r 26(b)(i)	Power to approve system for the discharge of sewage and wastewater from a movable dwelling	EHO, TLEH, CEH, MCS, DCPL	
r 38	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	EHO, TLEH, CEH, MCS, DCPL	
r 38(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	EHO, TLEH, CEH, MCS, DCPL	
r 39(3)	Function of receiving installation certificate	EHO, TLEH, CEH, MCS, DCPL	
r 45(3)	Power to determine places in which caravan park owner must display name and telephone number of an emergency contact person	EHO, TLEH, CEH, MCS, DCPL	
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	EHO, TLEH, CEH, MCS, DCPL	

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	CSAM, MISO, DCS	
r 9(2)	Duty to produce written report of review of road management plan and make report available	CSAM, MISO, DCS	
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, MISO, DCS	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	CSAM, MISO, DCS	
r 13(1)	Duty to publish notice of amendments to road management plan	CSAM, MISO, DCS	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, MISO, DCS	
r 16(3)	Power to issue permit	TLAM, CAE, CSE, CTD, MISO, DCS	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	TLAM, CAE, CSE, CTD, MISO, DCS	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	MISO, DCS	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	CAE, CSE, CTD, MISO, DCS	Where Council is the coordinating road authority

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ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CAE, CSE, MISO, DCS	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))	CAE, CSE, MISO, DCS	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	CSAM, CAE, CSE, CTD, MISO, DCS	

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	MISO, DCS	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	MISO, DCS	Where Council is the coordinating road authority

***S18 Instrument of Sub-Delegation
under the Environment Protection Act 2017***

Manningham City Council

Instrument of Sub-Delegation

to

Members of Council staff

S18 Instrument of Sub-delegation to members of Council staff (*Environment Protection Act 2017*)

July 2025

Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, 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 in column 3 of the Schedule;
2. record that references in the Schedule are as follows:

CCA	means City Compliance Administration
CCC	means Coordinator City Compliance
CEH	means Coordinator Environmental Health
CWRR	means Coordinator Waste and Resource Recovery
DCPL	means Director City Planning and Liveability
DCS	means Director City Services
DWMPO	means Domestic Wastewater Management Project Officer
EHO	means Environmental Health Officer
LLO	means Local Laws Officer
MCS	means Manager City Safety
SLLO	means Senior Local Laws Officer
SPCO	means Senior Planning Compliance Officer
TLCCA	means Team Leader City Compliance Administration
TLEH	means Team Leader Environmental Health
TLLL	means Team Leader Local Laws
TLPC	means Team Leader Planning Compliance
3. this Instrument of Sub-Delegation is authorised by **a resolution of Council** passed on **22 July 2025** pursuant to a power of sub-delegation conferred by the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021;
4. the delegation:
 - 4.1 comes into force immediately the common seal of Council is affixed to this Instrument of Sub-Delegation;
 - 4.2 remains in force until varied or revoked;
 - 4.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and
 - 4.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
5. this Instrument of Sub-Delegation is subject to the following limitations:
 - 5.1 the powers, duties and functions described in column and summarised in column 2 of the Schedule are only delegated for the purpose of regulating:
 - 5.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and
 - 5.1.2 noise from the construction, demolition or removal of residential premises;
6. the delegate must not determine the issue, take the action or do the act or thing:

- 6.1 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;
- 6.2 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) strategy
- adopted by Council;
- 6.3 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
- 6.4 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.

THE COMMON SEAL of)
MANNINGHAM CITY COUNCIL)
was hereunto affixed in the presence of:)

|
.....
Mayor/Councillor

.....
Chief Executive Officer

Dated

SCHEDULE

S18 Instrument of Sub-delegation to members of Council staff (*Environment Protection Act 2017*)

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ENVIRONMENT PROTECTION ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 271	Power to issue improvement notice	CCC, LLO, SLLO, SPCO, TLLL, TLPC, EHO, TLEH, CEH, DCPL, DWMPO	
s 272	Power to issue prohibition notice	CCC, LLO, SLLO, SPCO, TLLL, TLPC, EHO, TLEH, CEH, DCPL, DWMPO	
s 279	Power to amend a notice	CCC, LLO, SLLO, SPCO, TLLL, TLPC, EHO, TLEH, CEH, DCPL, DWMPO	
s 358	Functions of the Environment Protection Authority	CCC, LLO, SLLO, SPCO, TLLL, TLPC, EHO, TLEH, CEH, DCPL, DCS, MCS, CWRR	
s 359(1)(b)	Power to do all things that are necessary or convenient to be done for or in connection with the performance of the Environment Protection Authority's functions and duties and to enable the Authority to achieve its objective.	CCC, LLO, SLLO, SPCO, TLLL, TLPC, EHO, TLEH, CEH, DCPL, DCS, MCS, CWRR	
s 359(2)	Power to give advice to persons with duties or obligations	CCC, LLO, SLLO, SPCO, TLLL, TLPC, EHO, TLEH, CEH, DCPL, DCS, MCS, CWRR	

13.4 Chief Executive Officer Employment and Remuneration Policy

File Number: IN25/517
Responsible Director: Director Experience and Capability
Attachments: 1 CEO Employment and Remuneration Policy Draft [↓](#)

PURPOSE OF REPORT

The purpose of this report is to seek endorsement of the updated Chief Executive Officer Employment and Remuneration Policy.

EXECUTIVE SUMMARY

Manningham Council is required to have a Chief Executive Officer Employment and Remuneration Policy under section 45 of the Local Government Act 2020. The first policy was adopted by Council in November 2021.

The policy has been reviewed based on feedback from the Chief Executive Officer Employment and Remuneration Committee, learnings from across the sector and to provide further clarity.

Disclosure of Conflict of Interest

The Chief Executive Officer, Mr Andrew Day stated: "Councillors, I wish to disclose that I have a material conflict of interest in this item as the Policy directly relates to my employment and remuneration. I will be leaving the chamber for the duration of this item."

Mr Day left the meeting at 8:26pm.

COUNCIL RESOLUTION

MOVED: CR PETER BAIN
SECONDED: CR CARLI LANGE

That Council approve the Chief Executive Employment and Remuneration Policy included as attachment one of the report.

CARRIED UNANIMOUSLY

Mr Day took no part in the discussion on this item and returned to the meeting at 8:30pm after the matter had been resolved.

2. BACKGROUND

- 2.1 Manningham Council is required to have in place a Chief Executive Officer Employment and Remuneration Policy (the Policy) under section 45 of the *Local Government Act 2020* (the Act). The Act requires:

- The policy to provide for the recruitment and appointment process, provisions to be included in the contract of employment, performance monitoring, an annual review, and any matters prescribed by regulation.
- The policy to provide for Council to obtain independent professional advice in relation to the matters dealt with in the policy.
- A Council to have regard for any statement of policy issued by the Government of Victoria which is in force with respect to its wages policy (or equivalent) or any determination that is in effect under section 21 of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019* in relation to remuneration bands for executives employed in public service bodies.

2.2 Council adopted its first Chief Executive Officer Employment and Remuneration Policy in November 2021. Since this time, the Policy has supported and guided Council and the Chief Executive Officer (CEO) Employment and Remuneration Committee (the Committee) with CEO employment related matters.

3. DISCUSSION / ISSUE

3.1 Feedback on the Policy was sought from the Committee in February 2025. The feedback included:

- Strengthening the clause on CEO recruitment to enable the Council to determine the steps to be taken in a recruitment process and the key decisions that will be made by resolution of Council.
- Revise the period in which reappointment of the CEO can occur to provide greater flexibility, particularly when the decision falls in a Council election year.
- Adding an additional clause to clarify the process for approving “Special Leave” where this is provided for in the Contract of Employment.

3.2 In addition, the following changes to the policy are proposed based on learnings from across the local government sector and to provide further clarity to the policy position:

- Adding a definition of public sector wages determination.
- Strengthening the clause on the CEO Employment and Remuneration Committee to include a minimum quorum and clarify how the Committee is supported by a secretariate.
- Clarifying the role of the Committee and key requirements in the event Council needs to appoint an Acting CEO.
- Specifying the requirements for approval and reporting where the CEO holds a corporate credit card.
- Clarifying and strengthening the requirements around the appointment of an Independent Advisor.

- Clarifying that provisions for the Council, Committee, and/or Mayor to obtain the assistance of staff in administering the processes outlined in the Policy.
- Clarifying the minimum policy review requirements.

3.3 A copy of the revised policy is attached for Council consideration.

4. COUNCIL PLAN / STRATEGY

4.1 The review of the Policy is consistent with our Council Plan theme of a Well Governed and Innovative Council.

5. IMPACTS AND IMPLICATIONS

5.1 Finance / Resource Implications

There are no financial implications associated with the proposed changes to the Policy.

6. IMPLEMENTATION

6.1 Communication and Engagement

Is engagement required?	Community consultation on this policy is not required. Consultation has occurred with the CEO Employment and Remuneration Committee Under the proposed policy, consultation with the CEO will be required on changes that impact their Contract of Employment. The Mayor has consulted with the CEO on the proposed changes.
Stakeholder Groups	1. CEO Employment and Remuneration Committee 2. CEO
Where does it sit on the IAP2 spectrum?	Consult
Approach	In person conversations

6.2 Timelines

The Policy will take effect immediately following Council endorsement.

7. DECLARATIONS OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

Chief Executive Officer Employment and Remuneration Policy



TRIM FILE NUMBER:	POL/565
VERSION NO:	2
RESPONSIBLE OFFICER:	Director Experience and Capability
APPROVED BY:	[to be inserted]
NEXT SCHEDULED REVIEW DATE:	2029
RELATED DOCUMENTS:	Advisory Committee Policy Procurement Policy Employee Code of Conduct
RELATED LEGISLATION:	Local Government Act 2020

1. PURPOSE

The purpose of the Chief Executive Officer Employment and Remuneration Policy (the Policy) is to outline the requirements for:

- the recruitment and appointment of the Chief Executive Officer;
- approving the Contract of Employment entered into between Council and the Chief Executive Officer;
- the appointment of an Acting Chief Executive Officer;
- the provision of independent professional advice in relation to the matters dealt with in the Policy;
- the monitoring of the Chief Executive Officer's performance;
- an annual review of the Chief Executive Officer's performance; and
- determining the Chief Executive Officer's remuneration.

The Policy is made in accordance with section 45 of the *Local Government Act 2020* (the Act).

2. APPLICATION

This Policy applies to the employment and remuneration of the Chief Executive Officer (CEO). This Policy applies subject to any inconsistent obligations in the Act or relevant regulations.

The Policy does not apply to the employment of any other worker, including an employee, Councillor, third party worker, or consultant.



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Chief Executive Officer Employment and Remuneration Policy



3. DEFINITIONS

For the purpose of the Policy the following definitions apply.

Contract of Employment means the contract of employment between Council and the CEO, including any schedules.

Executive Search Consultant means a consultant with specialist expertise in sourcing and evaluating candidates for senior executive roles.

Independent Advisor means a consultant appointed by Council from time to time to provide independent advice on matters dealt with in this Policy, as provided under section 45(2)(a) of the Act.

KPIs means the key performance indicators or performance criteria of the CEO, however described.

Public Sector Wages Determination means any Determination that is currently in effect under section 21 of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019* in relation to remuneration bands for executives employed in public service bodies.

Remuneration Package means the total gross remuneration packaged paid to the CEO pursuant to the Contract of Employment.

4. CEO EMPLOYMENT AND REMUNERATION COMMITTEE

The CEO Employment and Remuneration Committee (the Committee) is an advisory committee established by Council in accordance with the *Advisory Committee Policy*.

The purpose of the Committee is to consider, and make recommendations to Council with respect to, the:

- recruitment and appointment of a CEO, if required
- appointment of an Acting CEO, if required;
- provisions to be included in the Contract of Employment from time to time;
- selection and appointment of the Independent Advisor;
- independent advice received from time to time from the Independent Advisor;
- performance monitoring of the CEO, including with respect to achievement of the KPI's;
- annual review of the CEO's performance, including against the KPIs;
- CEO's remuneration; and
- implementation of this Policy

The Committee will comprise of all nine Councillors. The Committee is to be chaired by the Mayor. If the Mayor is absent, the meeting will be chaired by the Deputy Mayor, or a member of the Committee who is present, and appointed by the members of the



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Chief Executive Officer Employment and Remuneration Policy



Committee who are also present. A quorum of five members are required to hold a Committee meeting.

The Committee will meet at least once per year and may convene as often is necessary to:

- prepare documentation relative to the CEO's employment and remuneration, including Council reports and contractual documents, for the approval of Council;
- conduct and maintain appropriate records regarding performance reviews of the CEO; and
- review the Remuneration Package and conditions of employment of the CEO.

The Committee will be supported by a secretariate who will assist the Chair with the scheduling of meetings, preparing agendas and minutes, and any other required tasks. The Committee will nominate an officer to act as the secretariate in line with the Administrative Support Clause (Clause 9) of this Policy.

5. RECRUITMENT AND APPOINTMENT

5.1. Recruitment

The Committee will establish and manage the process to recruit the CEO. The process will be designed to ensure that Council can select the best available candidate from a short list of preferred candidates.

When considering the recruitment of the position of CEO, the Committee must ensure that:

- the recruitment decision is based on merit;
- recruitment processes support transparency and the public advertising of the position, subject to Council's discretion to offer re-appointment in accordance with section 5.3; and
- regard is had to gender equity, diversity and inclusiveness.

An Executive Search Consultant will be engaged to run the recruitment process, in accordance with the *Procurement Policy*.

The Executive Search Consultant will be appointed on the terms agreed by Council. This will include a requirement for the Executive Search Consultant to prepare and provide Council with a schedule that includes the required steps in the recruitment process and the dates for key decisions to be made by Council resolution. At a minimum, the recruitment process must include:

- panel interviews;
- reference checks; and
- pre-employment screening.

The Committee must provide a report and recommendation to Council so that all key decisions identified in the Executive Search Consultant's schedule can be made by resolution of Council.



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Chief Executive Officer Employment and Remuneration Policy



5.2. Appointment

At the conclusion of the Committee's role in the recruitment process, a report will be provided to Council, and Council will proceed to decide on a preferred candidate. The report will make recommendation to Council on the provisions to be contained in the proposed Contract of Employment and the process to negotiate and finalise the Contract of Employment.

The appointment of the CEO must be made by a resolution of Council.

5.3. Reappointment of the CEO

Within twelve months, but not less than six months, prior to the expiry of the current CEO's Contract of Employment, the Committee will provide a recommendation to Council on:

- whether the CEO should be reappointed under a new Contract of Employment; and
- if the recommendation is to reappoint the CEO, the proposed provisions of the further Contract of Employment.

Any reappointment of the current CEO must be made by a resolution of Council.

5.4. Acting CEO

Council must appoint an Acting CEO when there is a vacancy in the office of the CEO or the CEO is unable to perform their duties under the Contract of Employment for a period exceeding 28 days.

The appointment of the Acting CEO must be made by a resolution of Council unless the Acting CEO is appointed for a period not exceeding 28 days, in which case the CEO may appoint an Acting CEO under delegation from Council pursuant to section 11(3) of the Act. Nothing in this Policy applies to the CEO's appointment of an Acting CEO under delegation.

For appointments of an Acting CEO in excess of 28 days, the Committee may advise Council on:

- the selection and appointment of an Acting CEO including whether it is appropriate to:
 - recruit an external candidate who is not currently employed by Council; or
 - appoint an internal candidate who is a current employee of Council;
- the terms of the Acting CEO's contract of employment (to the extent that the terms set out in clause 6.1 of this Policy are inappropriate for an Acting appointment); and
- performance monitoring and review processes, if applicable, which are to be determined by reference to the length of the Acting CEO's term of appointment.



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6. CEO EMPLOYMENT CONTRACT AND REMUNERATION

6.1. Contract of Employment

The Contract of Employment is to be read in conjunction with this Policy (but the terms of the Policy are not incorporated into the Contract of Employment).

The Contract of Employment will, at minimum, outline the following:

- the employment term, which must not exceed five years in accordance with section 44(2) of the Act;
- the responsibilities and duties of the position, including compliance with the Act and the *Employee Code of Conduct*;
- the conflict of interest management requirements;
- the CEO's Remuneration Package and other entitlements;
- any legislative and contractual obligations, including those during and continuing after appointment;
- the CEO's leave entitlements;
- dispute resolution procedures;
- processes for managing unsatisfactory performance;
- process for early termination, including notice of termination provisions with notice of termination by Council being restricted to a maximum of six months; and
- any other matters required to be contained in the Contract of Employment by regulation.

The Contract of Employment may only be varied by a resolution of Council and accepted by CEO, recorded in a deed of variation.

6.2. Remuneration and Expenses

The Remuneration Package provided to the CEO will form part of the Committee's annual review, having regard to (in accordance with section 45(3) of the Act):

- any statement of policy issued by the Government of Victoria which is in force with respect to its wages policy (or equivalent); and
- any Public Wages Determination.

The Remuneration Package will be reviewed on an annual basis, in accordance with the CEO's Performance Plan and contractual requirements.

Council will meet expenses incurred by the CEO as outlined in the Contract of Employment or in relation to:

- membership and subscription fees payable to professional associations which are reasonably necessary in order to carry out duties;
- reasonable costs incurred where attending conferences, seminars or other networking functions; and
- reasonable costs incurred in performance of required duties.

Council may provide the CEO with a corporate credit card to use in transactions related to the role of CEO. All corporate credit card expenditure will be reviewed and



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approved by the Mayor. The Audit & Risk Committee will receive reports on all CEO corporate credit card transactions at least twice per year.

6.3. Special Leave

Where the Contract of Employment contains a provision for Special Leave, the Mayor must notify all Councillors of the request and consult with them, prior to approving the leave.

7. MONITORING AND REVIEW

7.1. Performance Monitoring

Council will adopt an annual performance plan for the CEO, which will include KPIs. The performance plan must be developed collaboratively between the CEO and the Committee.

The CEO is to provide progress reports against the performance plan to the Committee on an annual basis.

The Committee may meet with the CEO following each progress report to discuss the matters contained in the progress report and any feedback from Council.

Nothing in this Policy prevents the Committee and/or Council from monitoring the CEO's performance on an ongoing basis or the CEO providing more frequent updates to the Mayor, Committee and/or Council.

7.2. Annual review

In preparation for Council's review, the Committee is required to submit an annual review report to Council which includes recommendations on the following:

- whether, and to what extent, the CEO has met the KPI's under the performance plan;
- whether any KPIs or other criteria ought to be varied under the performance plan;
- whether, and to what extent, the Remuneration Package ought to be varied; and
- any other necessary matters.

The Committee will submit the annual review report to Council only after meeting with the CEO to discuss the Committee's proposed recommendations.

Council shall, after receipt of the annual review report, review the recommendations, resolve upon the matters described in this clause, and advise the CEO of the terms or effect of the resolution. Any changes that require an amendment to the Contract of Employment will be in line with Clause 6.1 of this Policy and executed via a deed of variation.



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8. INDEPENDENT ADVICE

An Independent Advisor is responsible for providing independent professional advice in relation to the matters dealt with under this Policy in accordance with section 45(2)(a) of the Act.

An Independent Advisor will be appointed on the recommendation of the Committee following a process to seek experienced and suitably qualified persons but must not be the Executive Search Consultant appointed to assist in the recruitment process. The process for procuring the services of an Independent Advisor will be inline with the *Procurement Policy*.

The appointment of an Independent Advisor will be made by a Council resolution, which will include the:

- term of the appointment of the Independent Advisor; and
- remuneration of the Independent Advisor.

Council, or the Committee with the approval of a Council resolution, can, on an as needed basis, obtain additional independent professional advice in relation to the matters dealt with under this Policy.

Council will require that it is a term of an Independent Advisor's engagement that the Independent Advisor keep confidential all information which the Independent Advisor acquires by virtue of the engagement.

9. ADMINISTRATIVE SUPPORT

Council acknowledges that, in implementing this Policy, the Council, Committee and/or the Independent Advisor will from time to time require the assistance of members of staff, including assistance in relation to governance, human resources, procurement and contract management.

Council, the Committee and/or the Mayor may from time to time request a member of staff provide assistance in implementing this Policy, recognising that the position of the member of staff is made difficult because they are accountable to the CEO (or a person acting as CEO) and therefore requests for assistance need to be limited to no more than those where are reasonably necessary.

For the purpose of this clause, and without limiting its generality, the Director Experience and Capability, or their nominee, will provide support to the Committee by:

- assisting in the coordination of Committee meetings
- preparing relevant documentation for Committee meetings, including reports to Council and contractual documents;
- maintaining appropriate records regarding the CEO's annual review;
- providing support with procurement of an Executive Search Consultant and Independent Advisor, in line with the *Procurement Policy*; and



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- providing advice in connection with the proper governance of the Committee's role and proceedings.

10. DELEGATIONS

Council must not delegate the power to appoint the CEO, whether on a permanent or acting basis, however, it may delegate to the CEO the power to appoint an Acting CEO for a period not exceeding 28 days (sections 11(2)(d) and 11(3) of the Act).

Council must not delegate the power to make any decision in relation to the employment, dismissal or removal of the CEO (section 11(2)(e) of the Act).

11. CONFIDENTIALITY

Council is not required to disclose any personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

12. POLICY REVIEW

This Policy will be reviewed within 12 months of each Council election. Council will consult with the CEO prior to making any changes to the Policy which require Council to vary corresponding provisions in the Contract of Employment.

From time to time, circumstances may change leading to the need for minor administrative changes to this Policy. Where an update does not materially alter this Policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Manningham Council departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this Policy, it must be considered by Council.

13. DOCUMENT HISTORY

Policy Title:	Chief Executive Officer Employment and Remuneration Policy
Resp. Officer Position:	Director Experience and Capability
Next Review Date:	2029
To be included on website?	Yes



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Last Updated	Meeting type? - Council or EMT	Meeting Date	Item N°
July 2025	Council	22 July 2025	
November 2021	Council	23 November 2021	



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13.5 Appointment of Authorised Officers - Planning and Environment Act 1987

File Number: IN25/510

Responsible Director: Director Experience and Capability

Attachments: 1 S11A Instrument of Appointment and Authorisation - Syed Haider - July 2025 [↓](#)

2 S11A Instrument of Appointment and Authorisation - Shahid Munir - July 2025 [↓](#)

PURPOSE OF REPORT

The purpose of this report is to appoint Council officers as an Authorised Officer under the Planning and Environment Act 1987 (the Act).

EXECUTIVE SUMMARY

In accordance with the Act, Council is required to authorise officers for the purpose of enforcing the provisions of the Act. It is proposed to appoint the Council officer detailed below as an Authorised Officer pursuant to Section 147(4) of the Act.

The Local Government Act 1989 also empowers Council to appoint a person, other than a Councillor, to be an authorised officer for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.

A person who is appointed to a position has the powers of that position under the legislation which they have been appointed. Authorisations are necessary to facilitate the efficient and effective function of councils as they enable authorised officers to carry out compliance or enforcement under legislation related to their functions and powers of the Council.

Authorised officers will continue to be appointed under s224 of the Local Government Act 1989, as there are no provisions for appointing authorised officers under the Local Government Act 2020.

COUNCIL RESOLUTION

MOVED: CR JIM GRIVAS
SECONDED: CR LAURA MAYNE

In the exercise of the powers conferred by section 224 of the *Local Government Act 1989* and the other legislation referred to in the attached instrument of appointment and authorisation, Council resolves that:

- A. the following Council Officers be appointed as an authorised officer:**
- Syed Haider
 - Shahid Munir
- B. the instrument will come into force immediately upon execution and will remain in force until Council determines to vary or revoke the Instrument or the officer ceases their employment with Council; and**
- C. the Instrument be signed and sealed.**

CARRIED UNANIMOUSLY

2. BACKGROUND

- 2.1 The *Planning and Environment Act 1987* (the Act) regulates enforcement of the Act and is reliant on authorised officers acting on behalf of the Responsible Authority which is Council.
- 2.2 The Act, unlike the *Local Government Act 1989*, does not permit appointments to be made by the Chief Executive Officer and therefore in order for the officer to legally undertake the duties of their position under the Act, it is necessary for Council to make appointments by formal resolution.
- 2.3 The Instrument of Appointment and Authorisation has been prepared based on template from Maddocks Lawyers and empowers the relevant officer to exercise those powers granted in the Instrument.
- 2.4 The appointment will come into force immediately upon its execution under the Seal of Council and will remain in force until varied or revoked by Council or the officer ceases employment with Council.
- 2.5 In addition to the appointment under the Act, Council pursuant to Section 224 of the *Local Government Act 1989*, may appoint any person other than a Councillor to be an authorised officer for the purposes of the administration and enforcement of most other Acts, Regulations or Local Laws which relate to the functions and powers of Council. This broader Instrument of Appointment and Authorisation has already been carried out, in respect to the designated officers, under the delegated authority of the Chief Executive Officer as the first part of a dual appointment process.
- 2.6 The appointment will be recorded in the Authorised Officers Register that is required to be kept by Council and is available for public inspection.

3. IMPLEMENTATION

3.1 Communication and Engagement

Stakeholder Groups	Nominated Council officers
Is engagement required?	No. Council is required to make these administrative appointments.
Where does it sit on the IAP2 spectrum?	N/A
Approach	N/A

4. DECLARATIONS OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

**Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987*)**

In this instrument "**officer**" means -

Syed Haider

By this instrument of appointment and authorisation Manningham City Council -

- 1. under section 147(4) of the *Planning and Environment Act 1987* - authorises the officer to carry out the duties or functions and to exercise the powers of an authorised officer under the *Planning and Environment Act 1987*; and
- 2. under section 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument comes into force immediately upon its execution and remains in force until varied or revoked.

This instrument is authorised by a resolution of the Manningham City Council on 22 July 2025.

The Common Seal of)
Manningham City Council)
was hereunto affixed)
in the presence of:)

Mayor

Chief Executive Officer

Date:

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Shahid Munir

By this instrument of appointment and authorisation Manningham City Council -

- 1. under section 147(4) of the *Planning and Environment Act 1987* - authorises the officer to carry out the duties or functions and to exercise the powers of an authorised officer under the *Planning and Environment Act 1987*; and
- 2. under section 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument comes into force immediately upon its execution and remains in force until varied or revoked.

This instrument is authorised by a resolution of the Manningham City Council on 22 July 2025.

The Common Seal of)
Manningham City Council)
was hereunto affixed)
in the presence of:)

Mayor

Chief Executive Officer

Date:

13.6 Informal Meetings of Councillors

File Number:	IN25/511
Responsible Director:	Director Experience and Capability
Attachments:	<ol style="list-style-type: none">1 Manningham Municipal Emergency Management Planning - 2 August 2024 ↓2 Manningham Municipal Emergency Management Planning - 7 February 2025 ↓3 Manningham Municipal Emergency Management Planning - 2 May 2025 ↓4 Councillor and CEO Only Time - 30 June 2025 ↓5 Strategic Briefing Session - 1 July 2025 ↓6 Councillor and CEO Only Time - 8 July 2025 ↓7 Strategic Briefing Session - 8 July 2025 ↓

PURPOSE OF REPORT

The purpose of this report is to promote transparency in Council's business by providing a record of informal meetings attended by Councillors.

EXECUTIVE SUMMARY

Chapter 6, sub rule 1 of Manningham's Governance Rules requires a record of each meeting that constitutes an Informal Meeting of Councillors to be reported to Council and those records to be incorporated into the minutes of the Council Meeting.

COUNCIL RESOLUTION

MOVED: CR JIM GRIVAS
SECONDED: CR ISABELLA ELTAHA

That Council note the Informal Meetings of Councillors for the following meetings:

- Manningham Municipal Emergency Management Planning Committee – 2 August 2024
- Manningham Municipal Emergency Management Planning Committee – 7 February 2025
- Manningham Municipal Emergency Management Planning Committee – 2 May 2025
- Councillor and CEO Only Time – 30 June 2025
- Strategic Briefing Session – 1 July 2025
- Councillor and CEO Only Time – 8 July 2025
- Strategic Briefing Session – 8 July 2025

CARRIED UNANIMOUSLY

2. BACKGROUND

- 2.1 Section 60 of the *Local Government Act 2020*, requires a Council to develop, adopt and keep in force Governance Rules (the Rules).

2.2 Chapter 6, sub rule 1 of Manningham's Governance Rules requires the Chief Executive Officer to ensure a summary of matters discussed at an informal meeting is tabled at the next convenient Council meeting and recorded in the minutes of that meeting.

2.3 An Informal Meeting of Councillors is a meeting that:

- is a scheduled or planned meeting of all Councillors (irrespective of how many Councillors attend) with the Chief Executive Officer for the purpose of discussing the business of Council or briefing Councillors; or
- is a scheduled or planned meeting of all Councillors (irrespective of how many Councillors attend) with the Executive Management Team for the purpose of discussing the business of Council or briefing Councillors; or
- is a scheduled or planned advisory committee meeting attended by at least one Councillor and one member of Council staff; and
- is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting.

3. DISCUSSION / ISSUE

Summaries of the following informal meetings are attached to this report:

- Manningham Municipal Emergency Management Planning Committee – 2 August 2024
- Manningham Municipal Emergency Management Planning Committee – 7 February 2025
- Manningham Municipal Emergency Management Planning Committee – 2 May 2025
- Councillor and CEO Only Time – 30 June 2025
- Strategic Briefing Session – 1 July 2025
- Councillor and CEO Only Time – 8 July 2025
- Strategic Briefing Session – 8 July 2025

4. STRATEGIC BRIEFING SESSION – 8 JULY 2025IMPLEMENTATION

4.1 Communication and Engagement

Stakeholder Groups	Councillors, Officers and members of Manningham's Advisory Committees
Is engagement required?	No. This information is provided in the interests of public transparency.
Where does it sit on the IAP2 spectrum?	N/A
Approach	N/A

5. DECLARATIONS OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

Informal Meeting of Councillors

Chapter 6, Sub rule 1 of the Governance Rules 2020



MEETING DETAILS			
Meeting Name:	Manningham Municipal Emergency Management Planning Committee (MEMPC)		
Date:	Friday, 2 August 2024	Time Opened:	9:30am
		Time Closed:	12:30pm
Location:	Council Chambers		
Councillors Present:	Cr Carli Lange		
Officers Present:	Amber Thorgersen, Georgia Ryan, Pamela Dewhurst, Travis Fitch, Ben Middleton		
Apologies:	Rachelle Quattrocchi, Helen Napier, Vanessa Bove, Michelle Zemancheff, Michael Tregonning, John O'Brien		
Items discussed:	<ul style="list-style-type: none">• Guest Speakers / Incident Overview• Risk & Resilience Grant Update – Capacity Building in the Green Wedge• Water Rescue Tabletop Exercise• Council Access to edit Road Incident Database (RID)• Regional Emergency Management Planning Committee (REMPC) Update• Reminder of New Contact Number for Manningham Council MEMO / MRM• Eastern Metro Municipal Recovery Plan• Exercise East Update – Manningham & Yarra Ranges• Update from Mayor Carli Lange – FRV Fire Ops 101 Experience• Templestowe Soccer Facility / Powerful Owl Park – Site specific Flood Response Plan• Staff Changes & Membership Updates for All Organisations• All Community Engagement Update• Agency updates• Grants & Projects Update• Training and Exercise Update• Notable Incidents• Items without notice• Exercise Without Notice		
CONFLICT OF INTEREST DISCLOSURES			
Were there any conflict of interest disclosures by Councillors?		No	

Informal Meeting of Councillors

Chapter 6, Sub rule 1 of the Governance Rules 2020



MEETING DETAILS			
Meeting Name:	Manningham Municipal Emergency Management Planning Committee (MEMPC)		
Date:	Friday, 7 February 2025	Time Opened:	10:00am
		Time Closed:	12:00pm
Location:	Council Chambers		
Councillors Present:	Cr Carli Lange		
Officers Present:	Amber Thorgersen, Georgia Ryan, Emma Michie, Nuru Johnston, Travis Fitch, Ben Middleton, Rachelle Quattrocchi, Helen Napier, Julia Jenvey, Michelle Zemancheff		
Apologies:	Vanessa Bove, Michael Tregonning, John O’Brien, Pamela Dewhurst, Kurt Pitts		
Items discussed:	<ul style="list-style-type: none">• Engagement Update• Neighbourhood Safer Places (NSP) / Bushfire Place of Last Resort (BPLR)• Seasonal Update from agencies• Manningham PSA (Police Support Area) – Neighbourhood Policing Forum – 5th March 2025• Observations gathered from Public Holiday Weekend (26/27 Jan) by the Yarra River in Warrandyte – Extreme Fire Danger Day• MEMPC SOP #1 - Pound Bend – Extreme / Catastrophic Fire Weather Traffic Management – See Paper 9• Regional Emergency Management Planning Committee (REMPC) Update• Eastern Metro Municipal Recovery Plan• Exercise East Update – Manningham & Yarra Ranges• Manningham Municipal Emergency Management Plan (MEMPC) Update• Staff Changes & Membership Updates for All Organisations• All Community Engagement Update• Training and Exercise Update• Notable Incidents & Events• Ruffey Lake Park – Lake Concerns• Items without notice• Sub-committee reports		
CONFLICT OF INTEREST DISCLOSURES			
Were there any conflict of interest disclosures by Councillors?	No		

Informal Meeting of Councillors

Chapter 6, Sub rule 1 of the Governance Rules 2020



MEETING DETAILS			
Meeting Name:	Manningham Municipal Emergency Management Planning Committee (MEMPC)		
Date:	Friday, 2 May 2025	Time Opened:	10:00am
		Time Closed:	12:00pm
Location:	Council Chambers		
Councillors Present:	Cr Carli Lange		
Officers Present:	Amber Thorgersen, Georgia Ryan, Emma Michie, Nuru Johnston, Travis Fitch, Ben Middleton, Rachelle Quattrocchi, Helen Napier, Julia Jenvey, Michelle Zemancheff, John O’Brien, Pamela Dewhurst, Kurt Pitts, Vanessa Bove		
Apologies:	Nil		
Items discussed:	<ul style="list-style-type: none">• Eastern Metro Municipal Recovery Plan• Community Water Safety Plan – Governance arrangements• Agency Seasonal Updates• Items without notice• Sub-committee reports• Regional Emergency Management Planning Committee (REMPC) Update• Flood Modelling Community Reference Group update• Manningham Municipal Emergency Management Plan (MEMPC) Update• MEMPC terms of reference update• Municipal Hot Spots Tour report back• Contributions to the Mobile Blackspots Program• Council Surge Capacity Recruitment• Electrical Line Clearance legislation changes• Staff Changes & Membership Updates for All Organisations• All Community Engagement Update• Grants & Projects Update• Training and Exercise Update• Notable Incidents & Events• Items without notice• Sub Committee Reports		
CONFLICT OF INTEREST DISCLOSURES			
Were there any conflict of interest disclosures by Councillors?	No		

Informal Meeting of Councillors

Chapter 6, Sub rule 1 of the Governance Rules 2020



MEETING DETAILS			
Meeting Name:	Councillor and CEO Only Time		
Date:	Monday, 30 June 2025	Time Opened:	5:45pm
		Time Closed:	6:30pm
Location:	Councillor Lounge, Civic Centre		
Councillors Present:	Cr Deirdre Diamante (Mayor), Cr Andrew Conlon (Deputy Mayor), Cr Peter Bain, Cr Anna Chen, Cr Isabella Eltaha, Cr Geoff Gough, Cr Jim Grivas and Cr Laura Mayne, Cr Carli Lange (via telephone).		
Officers Present:	Andrew Day (CEO)		
Apologies:	Nil		
Items discussed:	<ul style="list-style-type: none">• Council Agenda review• National General Assembly debrief• Meeting with State Parliamentarians and ERG		
CONFLICT OF INTEREST DISCLOSURES			
Were there any conflict of interest disclosures by Councillors?		Yes, in relation to the upcoming agenda item related to community grants and subsequently recorded in the chamber.	

Informal Meeting of Councillors

Chapter 6, Sub rule 1 of the Governance Rules 2020



MEETING DETAILS			
Meeting Name:	Strategic Briefing Session		
Date:	Tuesday, 1 July 2025	Time Opened:	6:30pm
		Time Closed:	8:19pm
Location:	Council Chambers, Civic Centre		
Councillors Present:	Cr Deirdre Diamante (Mayor), Cr Andrew Conlon (Deputy Mayor), Cr Peter Bain, Cr Anna Chen, Cr Jim Grivas, and Cr Laura Mayne		
Officers Present:	<p>Executive Officers Present</p> <p>Andrew Day, Chief Executive Officer</p> <p>Andrew McMaster, Director City Planning & Liveability</p> <p>Kerryn Paterson, Director Experience and Capability</p> <p>Andrea Szymanski, Acting Director City Services</p> <p>Lee Robson, Director Connected Communities</p> <p>Other Officers in Attendance</p> <p>Kim Tran, Governance Officer</p> <p>Vanessa Bove, Manager of Economic and Cultural Activation</p> <p>Rachel Drill, Coordinator Community Grants and Events</p> <p>Emma Michie, Manager Community Participation</p> <p>Krishen Soobrayen, Manager City Projects</p> <p>Julia Jenvey, Manager Integrated Planning</p>		
Apologies:	Cr Geoff Gough, Cr Isabella Eltaha and Cr Carli Lange		
Items discussed:	<ol style="list-style-type: none">1. Community Grants Policy and Sponsorship Policy Review2. Bulleen Park (North East Link Project)3. Aquarena Outdoor Redevelopment update (Confidential)4. 2025 Federal Advocacy Priorities Wrap-up		
CONFLICT OF INTEREST DISCLOSURES			
Were there any conflict of interest disclosures by Councillors?		No	

Informal Meeting of Councillors

Chapter 6, Sub rule 1 of the Governance Rules 2020



MEETING DETAILS			
Meeting Name:	Councillor and CEO Only Time		
Date:	Tuesday, 8 July 2025	Time Opened:	5:45pm
		Time Closed:	6:20pm
Location:	Councillor Lounge, Civic Centre		
Councillors Present:	Cr Deirdre Diamante (Mayor), Cr Andrew Conlon (Deputy Mayor), Cr Peter Bain, Cr Anna Chen, Cr Isabella Eltaha, Cr Geoff Gough, Cr Jim Grivas, Cr Laura Mayne and Cr Carli Lange		
Officers Present:	Andrew Day (CEO)		
Apologies:	Nil		
Items discussed:	<ul style="list-style-type: none">• Council catering• Upcoming policy review• CEO Performance & Remuneration Committee• All Abilities Disco attendance		
CONFLICT OF INTEREST DISCLOSURES			
Were there any conflict of interest disclosures by Councillors?		No	

Informal Meeting of Councillors

Chapter 6, Sub rule 1 of the Governance Rules 2020



MEETING DETAILS			
Meeting Name:	Strategic Briefing Session		
Date:	Tuesday, 8 July 2025	Time Opened:	6:39pm
		Time Closed:	8:19pm
Location:	Council Chambers, Civic Centre		
Councillors Present:	Cr Deirdre Diamante (Mayor), Cr Andrew Conlon (Deputy Mayor), Cr Peter Bain, Cr Anna Chen, Cr Isabella Eltaha, Cr Geoff Gough, Cr Jim Grivas, Cr Carli Lange and Cr Laura Mayne		
Officers Present:	<p>Executive Officers Present</p> <p>Andrew Day, Chief Executive Officer</p> <p>Andrew McMaster, Director City Planning & Liveability</p> <p>Andrea Szymanski, Acting Director City Services</p> <p>Kerryn Paterson, Director Experience and Capability</p> <p>Lee Robson, Director Connected Communities</p> <p>Externals in Attendance</p> <p>Andrew Dix, Chair Audit and Risk Committee (for item 6.1)</p> <p>Other Officers in Attendance</p> <p>Carrie Bruce, Manager Integrity (for item 6.1)</p> <p>Vicki Miller, Risk and Assurance Lead (for item 6.1)</p> <p>Rachna Gupta Singh, Governance Lead</p>		
Apologies:	Nil		
Items discussed:	<div>1. Audit and Risk Committee Chair's Biannual Report</div> <div>2. Draft Chief Executive Officer Employment and Remuneration Policy</div> <div>3. Update on Library Service Future Directions</div>		
CONFLICT OF INTEREST DISCLOSURES			
Were there any conflict of interest disclosures by Councillors?		Yes	
CEO disclosed a conflict of interest in Item 6.2 - Draft Chief Executive Officer Employment and Remuneration Policy.			

13.7 Documents for Sealing

File Number: IN25/512
Responsible Director: Director Experience and Capability
Attachments: Nil

PURPOSE OF REPORT

The purpose of this report is to seek Council's authority to sign and seal the documents outlined in the recommendation.

EXECUTIVE SUMMARY

The following documents are submitted for signing and sealing by Council.

COUNCIL RESOLUTION

MOVED: CR ANNA CHEN
SECONDED: CR ISABELLA ELTAHA

That the following documents be signed and sealed:

Deed of Variation of Lease
Council and Boroondara Aged Services Society
Property: Part 895-901 Doncaster Road, Doncaster East

CARRIED UNANIMOUSLY

2. BACKGROUND

The Council's common seal must only be used on the authority of the Council or the Chief Executive Officer under delegation from the Council. An authorising Council resolution is required in relation to the documents listed in the recommendation section of this report.

3. IMPLEMENTATION

3.1 Communication and Engagement

Stakeholder Groups	The other parties to the agreements
Is engagement required?	No. This information is provided in the interests of public transparency.
Where does it sit on the IAP2 spectrum?	N/A
Approach	N/A

4. DECLARATIONS OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

14 CHIEF EXECUTIVE OFFICER

There were no Chief Executive Officer reports.

15 URGENT BUSINESS

There were no items of Urgent Business.

16 COUNCILLOR REPORTS AND QUESTION TIME

16.1 Councillor Reports

Cr Anna Chen recently attended the Doncaster Templestowe Historical Society's 58th Annual General Meeting (AGM), which was held at Schramm's Cottage. Cr Chen reported that the new Visitors Centre is near completion, so this may be the Society's last AGM at Schramm's Cottage, a place with a long history dating back to the 1800s. Cr Chen mentioned that if she recalled correctly, the cottage had been dismantled and rebuilt at its current location back in 1975. Cr Chen noted that a group photo was taken after the AGM to mark the special occasion.

Cr Isabella Eltaha provided an update on the Templestowe Roadworks Project and acknowledged that the works had been a challenging time for residents, particularly those on Wood Street, as well as local Traders. Cr Eltaha noted that construction had progressed well despite winter conditions.

The road closure on Anderson Street, between Wood Street and James Street, was reported to be re-opening within the next few weeks and would be two weeks ahead of schedule, weather permitting. Cr Eltaha stated that while works in the area would continue over the coming months, it was a relief that the most disruptive phase was coming to an end.

Cr Eltaha thanked the community for their patience and acknowledged the efforts of Council Officers throughout the project. Cr Eltaha reiterated that the road upgrade would deliver improved safety measures and a higher quality road surface, helping to support both the liveability of the area and the future of Templestowe Village.

Cr Eltaha reminded community members that they could subscribe to regular project updates via the Your Say Manningham website. Cr Eltaha advised residents who were experiencing any ongoing impacts to contact the Council so that their concerns could be addressed promptly.

Cr Carli Lange highlighted the success of the recently completed recreational trail along Jumping Creek Road. Cr Lange thanked Council officers, praising their engagement, design and construction efforts.

Cr Lange then shared a moment when teenage boys were pleased to have a smooth and safe cycling experience all the way from Wonga Park to Warrandyte using the new trail. Cr Lange commented on what was once a disconnected and challenging journey had become a smooth, social ride. Cr Lange enthused that shared paths can bring joy and community connection between communities like Wonga Park and Warrandyte.

Cr Jim Grivas asked fellow Councillors, Council officers and the public gallery, "Who's going to win?" with reference to the 2025 Monster Community Raffle, which recently celebrated 20 years of supporting the Manningham community and was due to be drawn the following day.

Cr Grivas reminded everyone that the raffle had been a long-standing initiative helping local groups raise funds to support programs and services delivering positive outcomes for people of all ages in the Manningham community.

Cr Grivas extended gratitude to the Templestowe Bowling Club for their continued support of the raffle.

Mayor, Cr Dierdre Diamante reported that recently six work experience students from Years 10 and 11 received placements at Council, which was a really lovely experience. The Mayor met and spent time with some of the students during their placement and one of the students, Eamon, spent a full day with the Mayor, which was particularly enjoyable.

Mayor Diamante expressed that she had been impressed with each of the students and commented that the future is in good hands. Mayor Diamante shared an article that Eamon had contributed for the newsletter, after his day learning about government and democracy. Eamon also attended a morning tea and sat in on an advocacy request for an enclosed dog park at a local oval. Mayor requested Eamon to write a speech for use at a Council meeting. Mayor Diamante thanked Eamon for his contribution to the newsletter and for the speech, which she intends to use. She also encouraged other young people to consider doing work experience or seeking employment at Council, noting that their insights and talents are very much needed.

Cr Laura Mayne brought awareness to an upcoming event, the annual community National Tree Planting Day, which will take place at the Mullum Mullum Reserve on 27 July 2025. Cr Mayne encouraged residents to bring along family and friends to help enhance the habitat corridor along the creek and surrounding area.

Cr Mayne stated that the goal would be to plant over 3,000 indigenous young plants. Tools will be provided on-site and attendees just needed to bring their own water bottles and refreshments. Cr Mayne advised residents that entry to the event was via Reynolds Road in Doncaster, with parking available at the Mullum Mullum Sports Precinct.

Cr Mayne looked forward to a fantastic opportunity for the community to come together and contribute to improving the tree canopy in Manningham.

16.2 Councillor Questions

Cr Anna Chen raised a question regarding street sweeping, stating that there had been a lot of community interest lately. Cr Chen mentioned that street sweeping has a positive impact on cleanliness, environmental health and public safety. Street sweeping also worked best when the community helped by making sure the sweepers had access to the curb.

Cr Chen asked if Officers could advise on Council's current street-sweeping practices and if there were any opportunities that had been identified to improve efficiency and effectiveness?

Ms Andrea Syzmanski, Acting Director City Services, thanked Cr Chen for her question and responded that she was thankful for Cr Chen highlighting the community's interest in street sweeping. It's an important service that Council provides, which contributes to the overall streetscape cleanliness and amenity across Manningham.

Council remains committed to continuous improvement and this includes street sweeping. In fact, this commitment is reflected in the recently endorsed Council Plan Action Plan 2025-2029, where a specific action (Item 4.3.6) focuses on improving how Council engages with the community and how Council deliver street sweeping services.

Currently, Council's Street sweeping program operates on a regular schedule, and will increase the frequency during seasons when there is more leaf litter on the roads. However, Council recognises that there is an opportunity to improve both the visibility of our operations and the accessibility of information for residents.

Council's teams are currently actively exploring ways to improve how they communicate street sweeping schedules. This includes the development of clearer maps and more targeted timeframes for specific areas and acknowledging the local environment. By providing this information in a timelier and more accessible format, Council aims to better inform residents when street sweepers will be operating in their neighbourhoods, allowing for greater community participation and improved streetscape outcomes.

Cr Carli Lange asked when can Council expect the completion of a safe recreational trail connection between the existing Jumping Creek Road trail and the Yarra Trail near the Stonehouse Café?

Mr Andrew McMaster, Director City Planning and Liveability thanked Cr Lange for her question and responded that the Jumping Creek Road to Stonehouse Café connection is a route shown in the 2013 Bicycle Strategy, going via Nelson Drive, Warrandyte State Park and Tills Drive. As the Bicycle Strategy is being updated and incorporated into the Active Transport Strategy, it would be appropriate to review this route will be assessed and consideration can be given to investigate if there are other options. It is highly unlikely to be a shared path due to very limited space on any route option. There is currently no timetable for this work to be delivered.

Public consultation on a draft version of Manningham's new Active Transport Strategy is planned to commence the week of 13 October later this year. Consultation will run for 6 weeks, during which time the community will have the opportunity to review and provide comment on the draft strategy. Interested residents can register on the Your Say Manningham site to receive project updates.

Cr Lange then asked a second question regarding when Council Officers would provide advice on the purpose and need for the proposed shared path between Pound Bend and Tarroona Avenue, and clarify why it is proposed as a shared path?

Mr Andrew McMaster, Director City Planning and Liveability responded that on the Main Yarra Trail, Pound Road to Tarroona Avenue connection there has been many strategic plans endorsed over more than 20 years that have recommended the extension of the Main Yarra Trail to the Warrandyte township that include Park Victoria's Linking People and Spaces (2002), Manningham Bicycle Strategy (2013), Eastern Regional Trails Strategy (2018) and the Eastern Transport Coalition trails advocacy document 2024.

The reason it needs to be a shared user path standard is to accommodate both cyclists and pedestrians. It is important to allow bike riders of all levels of experience including children a safe route to Warrandyte High School, Warrandyte and Goldfields Shopping Centres and the recreational facilities in Warrandyte as well as provide a safe connection to the wider metropolitan trail network.

Riding on the Heidelberg – Warrandyte Road is not considered suitable except for the most experienced and confident bike rider. The preferred option that has been selected on the south side of the road is designed to offer both pedestrians and cyclists a safe and reasonably accessible route whilst minimising the environmental impact.

Current trail counts on the Mullum Mullum Trail near Beasleys Nursery show the mix to be about 54% pedestrians, 46% cyclists with 160,000 users per year. It is expected that a similar mix of users would be on the completed Main Yarra Trail to Warrandyte.

Mayor Cr Deirdre Diamante commented on the recent funding cut in relation to Council's Maternal Child Health Nurse group sessions, specifically around sleep and settling, which the Mayor had believed was a key part of what Council Maternal Health Centres provide assistance with. Mayor Diamante asked Council Officers how would the funding cut affect how Council would be able to deliver services in that really important space?

Ms Lee Robson, Director Connected Communities thanked the Mayor for her question and responded that the cessation of this funding by the Victorian Government represents a significant policy shift regarding provision of early years services to the community.

Local Government has a long-standing partnership with the State Government in the delivery of Maternal and Child Health services. This partnership is built on shared responsibility, trust, and a mutual commitment to supporting the wellbeing of Victorian families.

The State Government did not engage in any consultation or communication with any Council prior to this announcement. The sudden withdrawal of this funding, with only six weeks' notice, places undue pressure on our Maternal and Child Health workforce and service delivery to the community.

The sleep and settling education program has been particularly well attended for the newborn baby session. The funding for sleep and settling supported three days per week worth of services. The cut has drastically reduced the flexibility of our sleep and settling position, and the flexibility of services we can now offer families.

Council staff will continue to look for ways to integrate sleep information and support into our parenting groups and regular sessions, however the loss of this funding is disappointing to Council staff and to local families.

17 CONFIDENTIAL REPORTS

There were no Confidential reports.

The meeting concluded at 8:49pm.

Chairperson
CONFIRMED THIS 26 AUGUST 2025