

## **COUNCIL MEETING**

**Tuesday 21 March, 2023  
6.30pm**

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

## **AGENDA**

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**Agenda Item 6**

**CONFIRMATION OF THE MINUTES OF THE PREVIOUS COUNCIL MEETING - 21 FEBRUARY 2023**

**Director:** Lisa King  
Director Corporate Services

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

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**PURPOSE**

To present for confirmation, the minutes of the Council Meeting held on 21 February 2023.

**ISSUES SUMMARY**

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

**ATTACHMENTS**

1. Unconfirmed Minutes of the Council Meeting held on Tuesday 21 February, 2023

**OFFICER RECOMMENDATION**

**That Council confirms the minutes of the Council Meeting held on 21 February 2023.**

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

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

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

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

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

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

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

**Legislation**

*Local Government Act 2020.*

**Conflicts of Interest**

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

**Human Rights Consideration**

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

**3. Engagement**

Nil.

**4. Resources**

Nil.

**5. Environment**

Nil.

**CONCLUSION**

The unconfirmed minutes of the Council Meeting held on 21 February 2023 are presented for confirmation.

# UNCONFIRMED MINUTES



**Maribyrnong City Council**

**COUNCIL MEETING MINUTES**

**Tuesday 21 February, 2023**

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

## **MEMBERSHIP**

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

To be confirmed at the Ordinary Council Meeting  
to be held on 21 March, 2023

# UNCONFIRMED MINUTES

## 1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.33pm.

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

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

## PRESENT

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

## IN ATTENDANCE

Chief Executive Officer, Celia Haddock  
Director Community Services, Lucas Gosling  
Director Infrastructure Services, Patrick Jess  
Director Corporate Services, Lisa King  
Director Planning and Environment, Laura Jo Mellan  
Manager Governance and Commercial Services, Phil McQue  
Governance Co-ordinator, Christopher Southavong  
Governance Officer, Jessica Abela

## 2. APOLOGIES

Nil.

## 3. LEAVE OF ABSENCE

Nil.

## 4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

# UNCONFIRMED MINUTES

## 5. PUBLIC QUESTION TIME

Public Question Time commenced at 6.34pm.

**Magdalena Howell** asked the following question:

We have an issue with a resident moving out of the area and dumping their car outside my property. The car is covered in leaves, cobwebs, bird dropping and looks awful. It has been unmoved since July 2022. Council advised that if a car is registered it can remain on the street. Given the lack of street parking in the area & Council rules which require residents to maintain their front yards & verges to keep the amenity of the streets looking attractive - why is Council not imposing rules similar to City of Melbourne, that cars left on the street for 2 months are deemed abandoned & removed.

*Response – Councillor Sarah Carter, Mayor*

*If a vehicle is registered and is parked legally in a public place, then Council nor police have the authority to remove it or demand the owner move it. Under the Local Government Act 2020, Council has the authority to impound unregistered vehicles or a vehicle that is deemed abandoned if it remains at a location for more than two months.*

**John Chadderton** asked the following question:

At the 6 December 2022 Council Meeting, Council passed Resolution 9.1 indicating that it would "Continue to hold Citizenship Ceremonies on January 26, in line with the requirement from the Commonwealth, ..." and also Points 6 a) & b), which seek Council freedom to choose the date of ceremonies and changing the date of Australia's national day. In light of the recent changes to Commonwealth requirements, which now allow Councils to hold ceremonies within three days either side of January 26, will Council now confirm they will no longer hold Citizenship Ceremonies on January 26 from 2024 onwards?

*Response – Lucas Gosling, Director Community Services*

*Council did advocate to the Commonwealth to enable all Australian Councils to have the freedom to choose whether to continue to hold Citizenship Ceremonies on dates other than 26th Jan, and this change to the rules is welcome.*

*Council also resolved to ask the Commonwealth to consider changing the date of Australia's National Day and to include more First Nations history in citizenship tests. The resolution does not compel Council to discontinue the holding of Citizenship Ceremonies on that date, and this will need to be the subject of a future Council decision.*

*The matter will be referred to Council's First Nations advisory group once it commences and Council will be provided with a further report and recommendation for consideration. We expect that officers will bring a report to Council for consideration in the next few months.*

# UNCONFIRMED MINUTES

**David Jones** asked the following question:

1. What has happened in relation to the setting up of a process to review and update the MCC Nature Strip Landscape Policy and Guidelines which was requested via a motion passed at the March 15 Council Meeting in 2022?
2. What has happened as regards a report for Council endorsement detailing the scope of the review referred to in question one, prior to commencing the community engagement process in relation to this review? This report was also requested via the motion referred to in question one and passed at the Council meeting on March 15, 2022.
3. What processes does MCC have for ensuring that actions arising from motions passed at Council Meetings are followed up in a timely manner? For example, the motion about reviewing the Nature Strip Policy called for a report for Council endorsement to be presented by July 2022 and as yet, to my knowledge, this has not yet been acted upon.

**Response - Patrick Jess, Director Infrastructure Services**

1. *The review of the landscape policy has commenced this week and Council is seeking community input through its website on Your City Your Voice. The community will also be notified via the Maribyrnong Messenger, and existing permit holders will receive individual letters. The results of that engagement will inform the review that will be presented back to Council later this year for consideration.*
2. *Council received a briefing on the scope of the review in late 2022 that has informed the engagement that will commence this week.*
3. *Council has a Council Resolution Register in place to manage all Council resolutions and ensure oversight by the Executive Leadership Team and the responsible Director.*

**Jadranka Cubela** asked the following question:

I am seeing multiple examples where people are buying older properties, demolishing the house and then leaving the block of land empty for years. This wouldn't be an issue if it wasn't for the overgrown grass and unkempt nature of the vacant land. I am also finding that people are using the blocks of land as dumping sites. What can be done about this? Also fences on either side of the property are damaged and it is difficult to get a response from the owner to get repairs done. Should a timeline be placed on these owners to build something on the land?

**Response - Laura-Jo Mellan, Director Planning and Environment Services**

*Where structures, either commercial or residential have been demolished, the vacant land remaining must be maintained to an acceptable standard of tidiness.*

*Councils Local Laws Officers periodically inspect vacant land and issue notices (under Councils General Purposes Local Laws 2015) on their owners if the land is untidy and detrimental to the amenity. Penalties applying if they fail to clean the property and maintain it to an acceptable standard.*

# UNCONFIRMED MINUTES

*Side fences separating properties owned privately is another area that Council have no authority over. As they are on private land, the responsibility is on abutting property owners to maintain. Any repairs or disputes about fencing must be undertaken by property owners through civil action.*

**Kylie Michel** asked the following questions:

1. When will the results of engagement undertaken last year regarding Mclvor Reserve be shared with the community given this is key to any decisions made about the reserve next month:
  - a) The online engagement survey for Mclvor Reserve that sought views by 18 December 2022?
  - b) The results of the face to face focus group sessions for Mclvor Reserve?
2. What level of involvement has the councils environmental team had in the drafting and review of the Mclvor Masterplan?
3. When will Council adopt a range of measures that ensure we place a real value on green open space?

*Response – Patrick Jess, Director Infrastructure Services*

1. *A summary of the community engagement and findings will be shared along with the proposed masterplan, expected for the March 2023 meeting of Council.*
2. *Council has sought external environmental consultants to provide advice and supported this with a range of cross organisational working groups.*
3. *Council has an endorsed Open Space Strategy and Urban Forest Strategy that seek to enhance the Cities Open Spaces.*

## EXTENSION OF PUBLIC QUESTION TIME

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

Moved Cr Tran

Seconded Cr Clarke

**CARRIED**

**Vas Banschikov** asked the following questions:

1. Regarding amendment c172, what preparation and familiarisation have council officers and councillors completed, upon receipt of the panel report last week?
2. Are we able to bring the meeting and decision of c172, forward, i.e. earlier than the April timeframe that was proposed? And will the meeting be interactive, i.e. will attendees be able to discuss with councillors, or will it be 1-way only, with questions having to be submitted before the meeting and only Councillors responding

# UNCONFIRMED MINUTES

3. Apart from electronic forms of communication and information dissemination, why Councillors are not open to having a round - table (prior to a council meeting) with concerned residents to discuss the issues affecting us as a result of c172. Councillors can still remain impartial and neutral. Emails do not do justice and do not convey the emotion and critical nature of the amendment's effects on residents.

## Response – Laura-Jo Mellan, Director Planning and Environment Services

1. *Council officers have received the Panel Report and are working through the recommendations. The Panel report has been loaded onto Council's website with Councillors provided a copy of the report via email.*
2. *The April timeline is the earliest meeting at which a thoroughly measured report could be presented to Councillors for their consideration. The way in which the community may participate in the City Development Delegated Committee meetings is outlined in Maribyrnong City Council Governance Rules 2021.*

*The rules state that members of the public will be afforded the opportunity to present their views on items listed on an agenda for consideration at Delegated Committee meetings. A maximum of three minutes per speaker will be allocated prior to the Committee's consideration of items. Where more than 10 requests to present to Special Committees are received, a spokesperson will be appointed by the group, and allocated a maximum of five minutes. Councillors are permitted to ask questions of those addressing the Committee.*

3. *The independent Planning Panel is the opportunity for both Council and submitters to have their say on the amendment, with the Panel considering all submissions before making their recommendation to Council. Councillors have many duties and functions, including representing the needs of both existing and future communities in the City of Maribyrnong.*

*In this instance Councillors will be acting as the Planning Authority under the Planning and Environment Act 1987. Until Councillors are presented with all available information, including the Panel Report and recommendations from Council officers, it would not be appropriate for individual Councillors to discuss the merits of the amendment. Councillors also have a responsibilities under the Local Government Act 2020 to remain impartial and neutral on matters until they come to the Council chamber for a decision”.*

## Response by Councillor Sarah Carter, Mayor

*Councillors follow due process and when it comes to planning it is very prescriptive and very black and white. Councillors have many duties and functions and represent the needs of both existing and future communities in the city of Maribyrnong. Councillors will be acting as the planning authority under the Planning Environment Act 1987.*

# UNCONFIRMED MINUTES

*It is not appropriate for individual Councillors to discuss the merits of the amendment until Councillors are presented with all the available information, including the panel report recommendations.*

*Councillors have the responsibilities under the Local Government Act 2020 to remain impartial and neutral on matters until they come to Council for a resolution.*

**Laken Willis** asked the following questions:

1. Will Council provide individuals in the community with the opportunity to speak to the Councillors at next month's Council meeting, prior to the vote on the Mclvor Reserve Masterplan?
2. What were the results of the feedback Council sought relative to the Draft Mclvor Reserve Masterplan and when will that be made available to the Councillors and to the Community?
3. What changes have been made to the Mclvor Reserve Draft Masterplan in response to the community feedback provided since its release last year, and when will we be able to see the new version and provide Council with feedback about it?

*Response - Councillor Sarah Carter, Mayor*

*We are awaiting the summary report and recommendations from the Planning department with regards to the consultation ahead of our March 21 Council Meeting. The recommendations including a summary will be made available Friday 17 March. Public Question Time submissions can be made ahead of this meeting to speak on behalf of this matter.*

**Shari Liby** asked the following questions:

1. I have reviewed the Post-it note feedback on the Your City Your Voice page for Mclvor Reserve, much of which is quite critical of the draft masterplan. What changes have been made in response to this feedback and when will the new draft be released to the community for comment?
2. The Engagement Summary on the Your City Your Voice page for Mclvor only addresses the feedback collected before the draft masterplan was released. Further in-person and online feedback was collected thereafter. When will the results of that subsequent feedback be released to the community and what are Council's takeaways relative to the community's appetite for an indoor stadium at Mclvor?
3. Does Council maintain data on the value of its assets, including its parkland? If so, what is the value Council has attributed to the land at Mclvor Reserve on a square metre basis? Where can this be found on Council's website?

# UNCONFIRMED MINUTES

## Response - Patrick Jess, Director Infrastructure Services

1. *This question has previously been asked and answered this evening.*
2. *This question has previously been asked and answered this evening.*
3. *Yes Council maintains data of the Value of its Assets. General parkland is generally specialised land, the Valuation of Land Act 1960 which sets the parameters to which any land is to be valued for statutory purposes, please refer to page 186 of the Annual Report on Councils Website.*

## **Miles Gilbert submitted three questions:**

*The Chair, Councillor Sarah Carter advised the meeting that Council had received three questions from Mr Gilbert of Yarraville. As Chair, I have determined to rule and disallow questions 1 and 2 in accordance with Council's Governance Rules 52.8.2 and 52.8.4 on the grounds that these two questions are considered objectionable in language and substance, and also aimed at embarrassing a member of Council staff.*

1. The CEO has kindly agreed to meet with the Friends of Mclvor Reserve spokesperson on March 2nd to discuss our concerns regarding the Mclvor Reserve Masterplan. Following months of public feedback we expect there will be significant changes from the draft. Will the Council reveal the updated masterplan before March 2nd so we may have an informed discussion at that time?

## Response by Celia Haddock, Chief Executive Officer

*I can confirm that as Chief Executive Officer, there is a scheduled meeting on 2 March 2023 with myself and the spokesperson from Friends of Mclvor Reserve.*

*In accordance with Council's Governance Rules, it is intended that 21 March 2023 Council Agenda, inclusive of the Mclvor Reserve Master Plan, will be published on Council's website on Friday 17 March 2023.*

## **Lorraine Gray** asked the following question:

Has Council taken into consideration dog owners with disabilities who need the dog park? I have a number of health issues and my dog is more important to my wellbeing than I can really even put into words. We travel from Truganina to the Mclvor dog park 3 or 4 times a week because of its accessibility for dog owners with disabilities. We take a lunch, enjoy nature and chat with others we meet. I know of others with disabilities who also drive a long way to use that park because it is actually one of the most accessible parks around. The planned changes to Mclvor will destroy that for us. If this goes ahead, what will people like myself do?

## Response - Patrick Jess, Director Infrastructure Services

*Council designs and develops new facilities in line with current universal access principles, and any recommended improvements to Mclvor Reserve will reflect these principles.*

# UNCONFIRMED MINUTES

## EXTENSION OF PUBLIC QUESTION TIME

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

Moved Cr Tran

Seconded Cr Clarke

**CARRIED**

**Amanda Barron** asked the following question:

1. Will Council release the results of the community engagement held last year?
2. Will councillors confirm they will vote on the masterplan according to the wishes of local residents who have voted for them to represent our views to Council?
3. Does Council acknowledge that Mclvor Reserve has value to the community above it being a recreation precinct only for organised sport?

*Response by Patrick Jess, Director Infrastructure Services*

1. *This question has been previously asked and answered this evening.*
2. *This question is considered to be pre-empting a future decision of the Council and is unable to be responded to this evening*
3. *This question is also considered to be pre-empting a future decision of the Council and is unable to be responded to this evening*

**Estelle Lepetit** asked the following questions

1. Has Council not released the updated Masterplan or the community feedback because they don't want us to know that the Masterplan still shows a stadium and car parks on it, while the community feedback shows a lack of support for a stadium at the Reserve?
2. How is the data from all of the online post-it notes with thumbs up and thumbs down, the actual post-it notes made at the community sessions at the hockey club and the online feedback forms submitted in November and December being compiled? What is it showing about community sentiment towards an indoor stadium on parkland and more generally about all of the possible changes at Mclvor Reserve?
3. Why is the Open Space Strategy not included in the Document Library of the Your City Your Voice page for Mclvor Reserve? It sets out specific plans for Mclvor Reserve which includes the development of unstructured recreational space. Isn't that quite relevant to development of the Mclvor Reserve Masterplan?

*Response - Celia Haddock, Chief Executive Officer.*

1. *This question has been previously asked and answered this evening.*
2. *This question has been previously asked and answered this evening.*
3. *The Chief Executive Officer acknowledged that the Open Space Strategy has not been included on Council's document library on the Your City, Your Voice page for Mclvor Reserve. This will be added onto Council's document library.*

# UNCONFIRMED MINUTES

## Statements by two residents

*The Chair, Councillor Sarah Carter advised that Council had received duplicate public questions in the form of statements today. Whilst Council's Governance Rules allow for the provision of public questions, it does not provide for statements to be made. I acknowledge the duplicate statements, however wish to advise that they will not be read out at the meeting.*

The Chair declared Public Question Time closed at 7.12pm.

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

The purpose of this report was to present for confirmation, the minutes of the Council Meeting held on 6 December 2022 and the Council Meeting held on 7 February 2023.

### **Council Resolution**

*That Council:*

- 1. Confirms the minutes of the Council Meeting held on 6 December 2022;*
- 2. Confirms the confidential minutes of the Council Meeting held on 6 December 2022, circulated under separate cover; and*
- 3. Confirms the minutes of the Council Meeting held on 7 February 2023.*

Moved: Cr Cuc Lam  
Seconded: Cr Anthony Tran

**CARRIED**

## **7. REPORTS FROM COMMITTEES**

Nil.

## **8. PETITIONS**

### **8.1. Petition: Save Mclvor Reserve - Say "NO" to an Indoor Stadium and Car Park on Public Parkland**

The purpose of this report was to table a petition received in relation to a request to "Petition: Save Mclvor Reserve - Say "NO" to an Indoor Stadium and Car Park on Public Parkland".

# UNCONFIRMED MINUTES

## Council Resolution

*That Council:*

1. *Receives and notes the Petition: Save McIvor Reserve - Say "NO" to an Indoor Stadium and Car Park on Public Parkland; and*
2. ***Requests the Chief Executive Officer to consider the petition and determine the appropriate response.***

Moved: Cr Michael Clarke  
Seconded: Cr Simon Crawford

**CARRIED**

## 9. OFFICER REPORTS

### 9.1. Initiation of 2023 - 2026 Triennial Arts Partner Funding

The purpose of this report was to seek Council approval to initiate the next three years of Triennial Arts Partner funding (1 July 2023 - 30 June 2026) which supports the operations of local not-for-profit arts, cultural and heritage organisations in Maribyrnong, and to endorse the draft Funding Guidelines, prior to them being disseminated to the community.

This is the second iteration of the successful Triennial Arts Partner program, which provides a transparent, equitable, and best practice arts funding initiative as recommended in the endorsed *Arts and Culture Strategy 2018 – 2023*.

## Council Resolution

*That Council:*

1. *Approve the Guidelines, shown as Attachment 1, and the next funding round of the 2023-2026 Triennial Arts Partner Funding for local key arts organisations, and*
2. *Requests the Chief Executive Officer to commence the process of promoting the grants and seeking applications from the creative sector.*

Moved: Cr Bernadette Thomas  
Seconded: Cr Simon Crawford

**CARRIED**

# UNCONFIRMED MINUTES

## 9.2. Awarding of Contract No 1204-23 Provision of Maribyrnong Community Centre Extension and Refurbishment

The purpose of this report was to seek Council approval to award Contract No 1204-23 Provision of Maribyrnong Community Centre Extension and Refurbishment to Kinetic Constructions Pty Ltd.

### Council Resolution

*That Council:*

1. *Awards Contract No 1204-23 Provision of Maribyrnong Community Centre Extension and Refurbishment to Kinetic Construction Pty Ltd for the total contract sum of \$2,047,533.00 (excluding GST); and*
2. *Authorises the Chief Executive Officer to execute Contract No 1204-23 Provision of Maribyrnong Community Centre Extension and Refurbishment to Kinetic Construction Pty Ltd.*

Moved: Cr Michael Clarke  
Seconded: Cr Anthony Tran

**CARRIED**

# UNCONFIRMED MINUTES

## 9.3. Quarterly Performance and Financial Report - Period ending 31 December 2022

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

### Council Resolution

*That Council:*

- 1. Notes the 2022/2023 Second Quarter Performance and Financial Report and that a revised budget pursuant to section 97 (3) of the Local Government Act 2020 is not required; and*
- 2. Notes the continuing impact of the October 2022 flooding event and subsequent financial hardship to affected residents of the Maribyrnong community and resolves to continue to provide financial relief to identified residents by offering a rebate of 50% on the 2022/2023 Quarter Three and Quarter Four Instalments of the Rates and Municipal Charges, upon application (noting this rebate does not apply for the State Government Fire Service Levy).*

Moved: Cr Anthony Tran  
Seconded: Cr Cuc Lam

**CARRIED**

## 9.4. Councillor Support and Expenses October 2022 to December 2022

The purpose of this report was to present the Councillor Support and expenses for the period October 2022 to December 2022.

### Council Resolution

***That Council notes the Councillor Support and Expenses Report for the period October 2022 to December 2022, to be made available via Council's website for the term of the current Council.***

Moved: Cr Bernadette Thomas  
Seconded: Cr Simon Crawford

**CARRIED**

# UNCONFIRMED MINUTES

## 9.5. Governance Report - December 2022

The purpose of this report was to report considers a range of Governance matters, including a proposed amendment to the 2023 Council meeting schedule, the appointment of relevant Council Officers as Authorised Officers pursuant to Section 147(4) of the *Planning and Environment Act 1987*, a status update on an August 2022 petition to Council, and the Councillors and Councillor Delegates Report for December 2022.

### Council Resolution

*That Council:*

1. *That Council amend the June 2023 Council meeting date, from 6.30pm Tuesday 13 June 2023 to 6.30pm Tuesday 20 June 2023;*
2. *Formally appoint the officers referred to in the Instrument of Appointment and Authorisation, provided as Attachment 1 to the report as an Authorised Officer, pursuant to Section 147(4) of the Planning and Environment Act 1987 and Section 313 of the Local Government Act 2020; and*
  - a) *Request that the Instrument of Appointment and Authorisation, as outlined in this recommendation, be signed and sealed by the Chief Executive Officer.*
  - b) *Note that the Instrument will come into force immediately when Common Seal of Council is affixed to the Instrument and remain in force until Council determines to vary or revoke it;*
3. *Note the update on the August 2022 petition relating to the removal of an 'accessible parking' space at 1 White Street Footscray; and*
4. *Notes the record of informal meetings of Councillors and Councillor Delegates' Reports for December 2022, which will be made available on Council's website for the term of the current Council.*

Moved: Cr Michael Clarke  
Seconded: Cr Cuc Lam

**CARRIED**

## 10. NOTICES OF MOTION

Nil.

## 11. COUNCILLOR QUESTION TIME

Nil.

# **UNCONFIRMED MINUTES**

## **12. URGENT BUSINESS**

Nil.

## **13. CONFIDENTIAL BUSINESS**

Nil.

## **14. MEETING CLOSURE**

The Chair declared the meeting closed at 7.33pm.

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To be confirmed at the Ordinary Council Meeting  
To be held on 21 March, 2023.

Chair, Cr Sarah Carter

**Agenda Item 6**

**NOTING OF CONFIRMED MINUTES OF THE AUDIT AND RISK COMMITTEE - 15 NOVEMBER 2022**

**Director:** Lisa King  
Director Corporate Services

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

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**PURPOSE**

To present for noting the confirmed minutes of the Council's Audit and Risk Committee, established under section 53 of the Local Government Act 2020.

**ISSUES SUMMARY**

- The Audit and Risk Committee confirmed its 15 November 2022 Minutes at its 14 February 2023 Meeting.
- The Audit and Risk Committee Charter requires Council to confirm its confirmed minutes at the next appropriate meeting.

**ATTACHMENTS**

1. Confirmed Audit and Risk Committee Minutes 151122

**OFFICER RECOMMENDATION**

**That Council notes the confirmed minutes of the Audit and Risk Committee Meeting, 15 November 2022.**

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

Council has an Audit and Risk Committee to provide independent advice, assurance and recommendations to Council on matters relevant to its Charter and section 53 of the Local Government Act 2020.

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

The Audit and Risk Committee confirmed the 15 November 2022 minutes at its 14 February 2023 meeting.

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

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

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

**Legislation**

*Local Government Act 2020.*

**Conflicts of Interest**

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

**Human Rights Consideration**

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

**3. Engagement**

Nil.

**4. Resources**

Nil.

**5. Environment**

Nil.

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**Agenda Item 6**

**CONCLUSION**

The confirmed minutes of the Audit and Risk Committee held on 15 November 2022 are presented to Council for noting.

**Agenda Item 6 - Attachment 1**



**Minutes of the Audit and Risk Committee**

**Tuesday 15 November, 2022**

**4.30pm**

**Community Hall**

**Braybrook Community Hub**

**107–139 Churchill Avenue**

**Braybrook**

**Agenda Item 6 - Attachment 1**

**1. COMMENCEMENT OF MEETING AND WELCOME**

The meeting commenced at 4.37pm.

**PRESENT**

**Councillors:**

Cr. Sarah Carter (Mayor)

Cr. Michael Clarke

**Independent Members:**

Mark Anderson, Chairperson

Chris Eddy

Marilyn Kearney

**Staff:**

Celia Haddock, CEO

Lisa King, Director Corporate Services

Lucas Gosling, Director Community Services

Pat Jess, Director Infrastructure

Laura-Jo Mellan, Director Planning Services

Mark Connor, Finance Manager

Amit Sharma, Coordinator Management Accounting

Phil McQue, Manager Governance & Commercial Services

**Internal Auditors NTT:**

Pat Scanlon

**2. APOLOGIES**

Cr. Cuc Lam

**3. DISCLOSURES OF CONFLICTS OF INTEREST**

NA

**4. AUDIT COMMITTEE CHAIR QUESTIONS**

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

– Nothing to Report.

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

– Their work had not been obstructed.

**5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

The Committee confirmed the minutes of the Audit and Risk Committee Meeting held on 13 September, 2022.

**Agenda Item 6 - Attachment 1**

**6. BUSINESS ARISING FROM PREVIOUS MEETING**

- 6.1.** Schedule of Recurring Reports and Charter Responsibility Matrix
- Report Noted

**7. AUDIT REPORTS**

- 7.1.** NTT Internal Audit Status Report - November 2022
- Report Noted
- 7.2.** NTT Report on Findings from Integrity Agencies - July to October 2022
- Report Noted
- 7.3.** NTT Corporate Cards - Internal Audit Report - Final 2022
- Management comments on the internal audit recommendations to be revised and updated for next Audit and Risk Committee meeting via the actions arising from previous audits. Management to decide the deadline for coding credit card transactions.
  - Report Noted
- 7.4.** NTT Contaminated Land Management - Internal Audit Report - Final 2022
- Management comments on the internal audit recommendations to be revised and updated for next Audit and Risk Committee meeting via the actions arising from previous audits. Comments to be more specific and to include target dates.
  - Report Noted

**8. GENERAL BUSINESS**

- 8.1.** Review of Footscray Park Play Space Incidents Report
- Director Infrastructure Services provided an update to the Committee.
  - Report Noted
- 8.2.** Occupational Health & Safety Statistics Report (OH&S)
- Report Noted
- 8.3.** Policy Register Review
- Management to provide status update at the end of March 2023 to the April 2023 Audit and Risk Committee meeting.
  - Report Noted
- 8.4.** Overdue/Excess Annual Leave.
- Report Noted
- 8.5.** Quarterly Performance and Financial Report - Period Ending 30 September 2022
- Report Noted

**Agenda Item 6 - Attachment 1**

- 8.6.** Investment Policy 2022
  - Report Noted
- 8.7.** Proposed Financial Relief for Flood Impacted Residents and Community Groups
  - Director Planning Services provided a verbal update on the works and resources involved in flood recovery.
  - Management to provide an update at the next Audit and Risk Committee.
  - Report Noted
- 8.8.** Sundry Debtors Update
  - Management to review commentary for future Audit and Risk Committee meetings.
  - Report Noted
- 8.9.** Rates Debtors Update
  - Report Noted
- 8.10.** Actions Arising from Previous Audit's
  - Management to review dates, status and commentary for the next Audit and Risk Committee meeting.
  - Report Noted
- 8.11.** Emerging Industry Issues (Verbal Update)
  - State Elections
  - The Mayor thanked Chris Eddy and Mark Anderson for their service and diligence and acknowledged the value, rigour and integrity of the outgoing retired independent Audit and Risk Committee members.
- 9. NEXT MEETING TUESDAY - 21 FEBRUARY 2023**
  - 11 April 2023
  - 27 June 2023
  - 22 August 2023
  - 12 September 2023
  - 14 November 2023

**10. MEETING CLOSURE**

The Chair, Mr Mark Anderson, declared the meeting closed at 6.10pm.

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Confirmed at the Audit and Risk Committee Meeting 14 February 2023

**Agenda Item 9.1****ANNUAL COMMUNITY SURVEY 2022**

**Director:** Lisa King  
Director Corporate Services

**Author:** Lauren McKenzie  
Manager Customer Engagement

---

**PURPOSE**

To provide an update on the findings from the Maribyrnong City Council 2022 Annual Community Survey.

**RESULTS SUMMARY**

- Satisfaction with Council's overall performance was 6.76. It is a 10.6% increase in the level of satisfaction with Council's overall performance recorded since 2004, and well above the previous low of 6.11 in 2014.
- The 2022 score is also higher than both the western region (6.46) and metropolitan Melbourne (6.60) average, as recorded in the 2022 Governing Melbourne research.
- Significantly, the number of respondents who are dissatisfied with Council's overall performance has fallen to 7.6%, which is also the lowest on record.
- Of note is the increase in satisfaction in relation to satisfaction with the appearance and quality of new developments (6.78). This is the second highest rating since 2010, fully reversing the decline recorded in 2021, and is also notably above the long-term average satisfaction (6.39).
- Average satisfaction with the 39 services and facilities surveyed has increased very marginally to 7.35 remaining on average "very good".
- Eight services and facilities received a score measurably higher than the average including: library services (8.59), fortnightly recycling (8.53), weekly garbage collection (8.43), fortnightly green waste collection (8.33), annual hard rubbish collection (8.22 notably up from 7.59), Maribyrnong Aquatic Centre (7.94), provision and maintenance of playgrounds (7.79), and community centres/ neighbourhood houses (7.94).
- With the exception of perception of safety in and around Footscray CBD at night, all other areas increased by a statistically significant degree to historical highs in 2022.
- Consistent with previous years, traffic management, road maintenance and repairs, and car parking are the three key issues "at the moment" the community wants Council to address.
- Significantly, in response to a new question in this year's survey around funding priorities, 58.4% support increased spending for "roads, parking, and traffic management". 54.2% also supporting increased funding for "sustainability and the environment".
- Flooding was highlighted as an issue for the first time by a small number of respondents (3.5%), mostly young adults aged 18-24, likely reflecting the timing of the survey coinciding with the October flood event.

**Agenda Item 9.1**

- A sense check on how the community is faring three years on from the pandemic revealed no major issues now with financial, mental and physical health and wellbeing. Community events and activities remain the key support respondents are continuing to seek from Council to support reconnection and rebuilding post COVID.
- The 2022 survey was undertaken in October through December with a return to face-to-face for the first time in two years since COVID forced a shift to a phone survey. The response rate of 32.9% is somewhat better than the 31.6% achieved in 2021, but still below the 41% achieved in 2019, prior to the pandemic.

**ATTACHMENTS**

1. Maribyrnong City Council - 2022 Annual Community Survey

**OFFICER RECOMMENDATION**

**That Council note the key findings of the Maribyrnong City Council 2022 Annual Community Survey.**

---

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

This is the nineteenth Annual Community Survey, conducted by Metropolis Research Pty Ltd on behalf of Council, with the first survey conducted in 2004.

The research aims to measure community satisfaction with a broad range of Council services and facilities, aspects of governance and leadership, planning and development, customer service, and the overall performance of Council.

It specifically measures the importance to the community of 39 individual services and facilities, and measures community sentiment across issues of concern in the municipality, as well as the perception of safety in public areas, priority of selected advocacy issues, and mayoral recognition.

By providing importance and satisfaction ratings for major Council services and facilities, as well as satisfaction scores for Council overall, the survey meets legislative requirements.

Key questions remain the same each year to allow comparative data, though a portion of the survey is able to be modified to investigate emerging issues or areas of interest.

Questions relating to the impact of COVID were repeated to provide an understanding of community recovery, and a new section was also included this year around community funding priorities for services and facilities.

This year, we also returned to a face-to-face methodology for the 2022 survey which was again conducted from October to December. During COVID it was necessary to conduct the survey by telephone.

Satisfaction categories are as follows:

Excellent	7.75 +	Solid	6.0 - 6.5
Very good	7.25 - 7.75	Poor	5.5 - 6.0
Good	6.50 - 7.25	Very Poor	5.0 - 5.5

A full copy of the report can be found at Attachment 1.

**DISCUSSION/KEY ISSUES****1. Key Issues****OVERALL SATISFACTION WITH COUNCIL'S PERFORMANCE**

Overall satisfaction with Maribyrnong City Council's performance is 6.76. While a small decline on the historically high scores recorded over the period 2019 to 2021, it is still 10.6% more than the 6.11 recorded in 2004 when surveying began, and 3.2% above the long-term average satisfaction (6.55).

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The 2022 result is almost identical to the IMAP councils' average of 6.78, marginally higher than metropolitan Melbourne (6.60), and measurably higher than the western region councils' average as recorded in the *2022 Governing Melbourne* research.

There was some notable variations in satisfaction with performance in this survey:

- **More satisfied than average** – includes young adults (aged 19 - 34 years), multi-lingual households, renters, new and newer residents (less than five years in the City of Maribyrnong), two-parent families with the youngest child under 12, group households and residents of Braybrook.
- **Less satisfied than average** – includes middle-aged adults (aged 45 to 59 years), English speaking households, long-term residents (10 years or more in the City of Maribyrnong), sole person households, and residents of Footscray and West Footscray.

**SATISFACTION WITH COUNCIL SERVICES AND FACILITIES**

Average satisfaction with the 39 included Council services and facilities increased marginally, up by less than one percent to 7.35, remaining on average at a “very good” level consistent with previous years. This is marginally above the long-term average 7.17 or “good” and marginally but not measurably lower than the 2022 metropolitan Melbourne councils' average.

Satisfaction with these 39 Council services and facilities can best be summarised as follows:

- **Excellent** – for library services, fortnightly recycling, weekly garbage collection, fortnightly green waste collection, annual hard rubbish collection, Maribyrnong Aquatic Centre, provision and maintenance of playgrounds, community centres/neighbourhood houses, services for children, additional paid hard rubbish collection and sports facilities.
- **Very Good** – for Council's festivals and events, provision and maintenance of street lighting, provision and maintenance of parks and gardens, services for young people, on and off-road walking paths, provision of public art, and services to older people.
- **Good** – for animal management, maintenance and cleaning of shopping strips, on and off road bike paths, provision and maintenance of street trees, Council's use of social media and website, litter collection in public areas, street sweeping, Council's online consultation tool, Council responsibilities towards the environment, activities promoting local economic development, illegally dumped rubbish, customer request management system, services for people with disability, local traffic management, footpath maintenance and repairs, Maribyrnong Messenger, maintenance and cleaning of Footscray CBD, maintenance and repair of sealed local roads and public toilets.

**Agenda Item 9.1**

Again in 2022, none of the 39 included services and facilities were ranked “poor”, “very poor” or “extremely poor”.

**COMMUNITY ISSUES**Safety

With the exception of perception of safety in and around Footscray CBD at night, all other areas increased by a statistically significant degree to historical highs in 2022.

Results are now similar to metropolitan Melbourne averages, somewhat higher than western region councils’ average, but lower than IMAP, but not measurably.

Sense of Community

While on average respondents continued to “strongly agree” with each of the five statements, none have attained the same highs recorded when this section was first included in 2018.

In 2022, the only one to show an increase was “I feel welcome and included when accessing Council services, facilities and activities”.

Active transport

Approximately three quarters of respondents, or members of their household, regularly walk or cycle to local destinations like shops, schools or parks. A large number, however, did not provide a response to this question.

The largest percentage of cycling households come from Seddon, followed closely by Kingsville, and the lowest from Maidstone and Footscray West.

COVID-19 pandemic

Emerging from the third year of the pandemic, on average, households generally felt they were now coping financially, physically and mentally compared with the previous year.

Of the small proportion (6.2%) who are not coping well at all, single older persons were struggling most financially and younger single persons with both physical and health and wellbeing.

Consistent with results from the last two surveys, the main area respondents felt Council could continue to provide assistance to help the community rebuild and reconnect focused on community activities such as fetes, concerts and BBQ’s.

The decreased appetite for support for small business was further reinforced in this survey.

**Agenda Item 9.1****SERVICE AND FACILITY PRIORITIES**

A new question was included in this year's survey asking respondents if they believed services and programs across 14 categories should receive more, the same, or less funding. This aligns with ongoing conversations being had during engaging on the Financial Plan, Asset Plan and Budget.

On average, respondents believed all 14 should receive more funding with approximately half or more supporting more or much more funding especially for roads, parking and traffic management (58.4%).

This is significant in the context of the three key issues "at the moment" for Council to address, which remain traffic management (14.9% up from 13.3%), road maintenance and repairs (11.6% up from 8.1%), and car parking (8.5% up from 7.9%), which is consistent with the top three issues identified in previous years.

Of note, traffic management, the most nominated issue is indicating a return to dissatisfaction levels closer to pre-COVID levels (16.8% in 2019 and 18% in 2018).

**AREAS FOR COUNCIL TO ADDRESS**

The three top "at this moment" issues nominated by respondents continue to be traffic management (14.9% up from 13.3%), road maintenance and repairs (11.6% up from 8.1%) and car parking (8.5% up from 7.8%). Traffic management, (14.9%), the most nominated issue to address, is marginally lower now than pre-COVID levels (16.8% recorded in 2019 and 18% in 2018), when lockdowns and restrictions impacted on traffic flows. As we return to a new normal, we are seeing traffic management again increasing as an issue.

Parks, gardens and open space (8.5% up from 7.3% up from 5.5%) along with building, planning, housing and development including around new developments (7.8%), cycling and walking tracks (7.6% up from 5.5%) and rubbish and waste issues including garbage collection (6.1% up from 4.5%) were the other key issues.

Flooding (3.5% up from 0.0%) was also highlighted as an issue by a small percentage of respondents, mostly young adults aged 18-24, likely reflecting the October flood event occurring during the survey period.

A number of respondents also nominated safety, policing and crime issues which have increased marginally (4.5% up from 3.0%), though still significantly below the 7.4% in 2019 prior to COVID.

There is still a small group (5.8%) who remain dissatisfied with Council rates and charges.

No respondents nominated COVID as an issue, compared to seven in 2020 and one in 2021.

**Agenda Item 9.1****1. Council Plan 2021-2025**

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

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

**Legislation**

*Local Government Act 2020.*

**Conflicts of Interest**

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

**Human Rights Consideration**

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

**3. Engagement**

For the first time in three years, the 2022 survey was once again able to be conducted face-to-face with 87.8% of surveys completed as door to door interviews with 12.2% by telephone. In the previous two years, because of COVID, the survey has been undertaken by phone in its entirety.

The 800 randomly selected residents were surveyed from October through December, with the timing coinciding with the recent flood event. This may have resulted in 3.5%, mostly young adults 18-35, nominating flooding as a top three issue "at the moment".

The response rate this year of 32.9% is slightly better than the 31.6% achieved in 2021, but still below the 41% achieved in 2019, prior to the pandemic.

The survey has remained shortened, with questions around the impact of COVID retained for the last time this year. New questions were included to further understand community sentiment around funding priorities across 14 services and programs.

**4. Resources**

Metropolis Research Pty Ltd conducts the Annual Community Survey under contract and within existing budget.

**Agenda Item 9.1****5. Environment**

Nil.

**CONCLUSION**

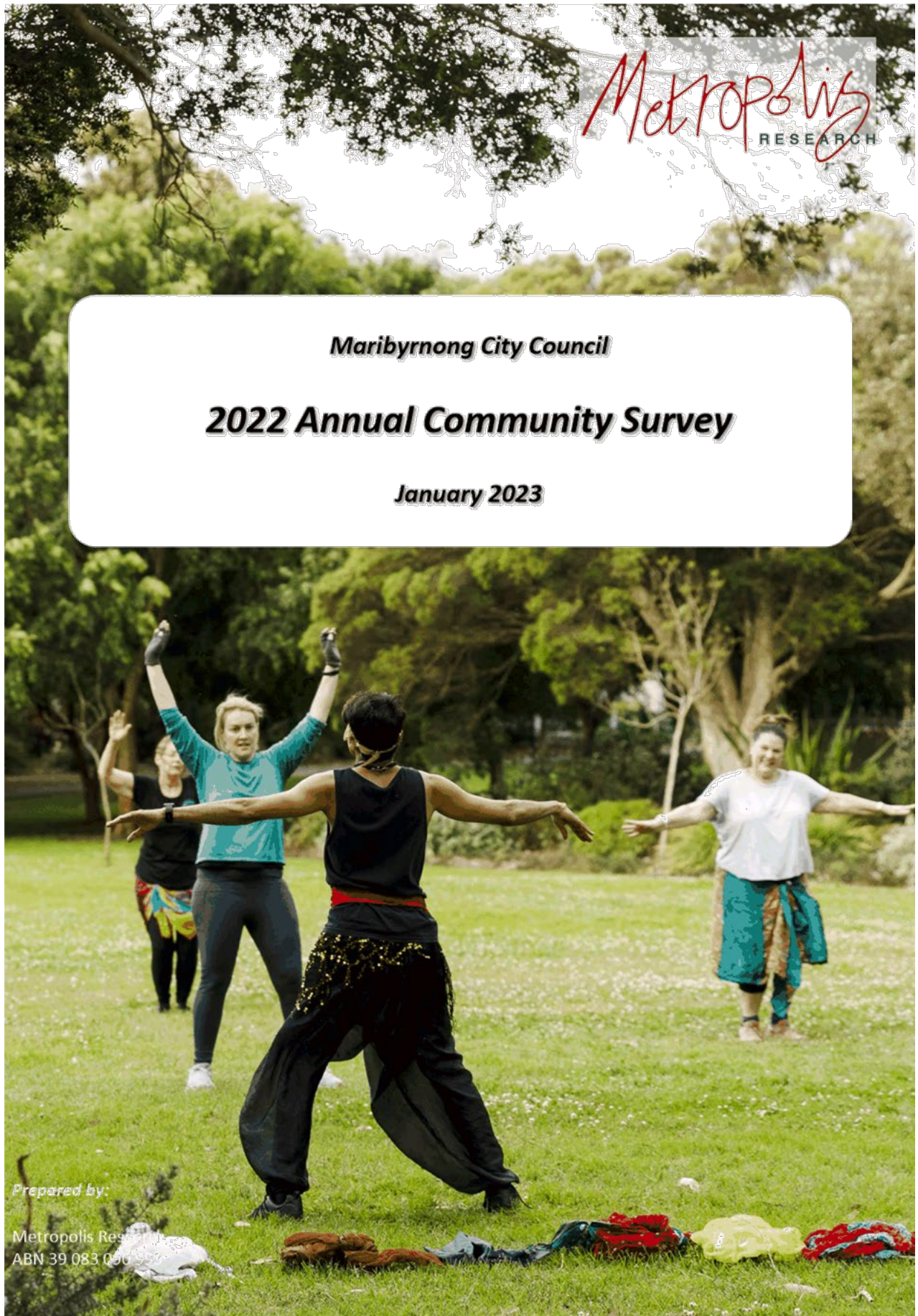
Council has maintained a “good” to “very good” level of performance during 2022 at 6.76. The 2022 result is almost identical to the IMAP councils’ average of 6.78, marginally higher than metropolitan Melbourne (6.60), and measurably higher than the western region councils’ average.

Twice as many respondents considered Council’s overall performance had improved in the last 12 months compared to those who felt it had deteriorated. Of note is the further decline in the proportion of respondents “dissatisfied” with Council’s overall performance which is now the lowest on record.

Average satisfaction with the 39 services and facilities surveyed increased very marginally to 7.30, remaining on average “very good”. The metropolitan Melbourne councils’ average is 7.53.

Consistent with previous years, traffic management, road maintenance and repairs and car parking were identified as the three key issues “at the moment”, and along with planning and development concerns are the issues exerting an adverse influence on overall satisfaction.

A new question included this year around funding priorities, confirms support from 58.4% for additional spending in the area of “roads, parking, and traffic management”, and 54.2% for “sustainability and the environment”.



## Agenda Item 9.1 - Attachment 1

### Maribyrnong City Council – 2022 Annual Community Survey

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Maribyrnong City Council – 2022 Annual Community Survey

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Maribyrnong City Council – 2022 Annual Community Survey

## Executive summary

### *Survey aims and methodology*

Metropolis Research conducted Council's 19<sup>th</sup> *Annual Community Satisfaction Survey* primarily as a door-to-door interview survey of 800 respondents in October through December 2022. The survey obtained an overall response rate of 32.9%, including 38.1% for the 702 surveys conducted via the door-to-door methodology and 16.5% for the 98 surveys conducted by telephone.

The aim of the research was to measure community satisfaction with the broad range of Council services and facilities, aspects of governance and leadership, planning and development, customer service, and the overall performance of Council.

The survey also measured the importance to the community of 39 individual services and facilities, explored the top issues the community feel needs to be addressed in the municipality "at the moment", as well as measuring the perception of safety in Maribyrnong's public areas, Mayoral recognition, aspects of the sense of community, a question on the preferred funding of selected Council services, facilities, and programs, a question on walking and cycling in the local area, and several questions around the impact of COVID-19 and how Council can best assist the community to rebuild and reconnect.

### *Key findings*

The key finding from the survey this year is that satisfaction with the performance of Council "across all areas of responsibility" or overall performance, declined marginally from the record levels recorded over the last three years, down 2.5% to 6.76.

Despite the small decline recorded, satisfaction with Council's overall performance has still increased 10.1% since the most recent low point back in 2014. Since the program commenced back in 2004, satisfaction has risen from 6.11 to 6.76, an increase of 10.6%.

Twice as many respondents considered that Council's overall performance had improved (16.1%) than deteriorated (8.1%) over the last 12 months.

Satisfaction with aspects of governance and leadership remained essentially stable this year, as did the average satisfaction with services and facilities, customer service, and planning and housing development. These reflect a consistent level of satisfaction at relatively high levels historically for the City of Maribyrnong.

Whilst it cannot be discounted that the COVID-19 pandemic may have influenced community sentiment across a range of services and issues over the preceding three years, the results outlined in this report clearly represent a good to very good level of community satisfaction with the performance of Council across the full range of services and facilities, as well as the governance and leadership performance of the Maribyrnong City Council.



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### Maribyrnong City Council – 2022 Annual Community Survey

The key issues in the municipality remain traffic management, road maintenance and repairs, car parking, and parks, gardens, and open spaces. Both traffic management and road maintenance and repairs have increased again this year as issues, returning to close to pre-COVID levels.

Council rates remained consistent this year, with 5.8% identifying this as a top three issue, after the unusually large proportion nominating it as an issue in 2020. It does remain marginally above the metropolitan Melbourne average of 2.5%.

The issues that are most likely to be exerting a measurably negative influence on community satisfaction with the performance of Council (for the respondents raising the issues) include street trees, parks and gardens, footpath maintenance and repairs, and Council rates.

#### ***Satisfaction with the performance of Council***

Satisfaction with the [overall performance](#) of Maribyrnong City Council declined somewhat this year to 6.76 out of a potential 10 (down from 6.93), which was not a statistically significant decline.

This result was almost identical to the IMAP council's average of 6.78, marginally higher than the metropolitan Melbourne (6.60) average, and measurably higher than the western region councils' (6.46) average, as recorded in the 2022 *Governing Melbourne* research conducted independently by Metropolis Research using the telephone methodology in January 2022.

Metropolis Research notes that it cannot be discounted that the significant external factor of the COVID-19 pandemic may well have impacted on community mindset and outlook and may have had an impact on their satisfaction with the performance of government broadly, including the City of Maribyrnong, particularly over the course of 2020 and 2021. This significant external event does appear to have diminished somewhat over the course of 2022.

A little less than one-sixth (16.1% down from 21.1%) considered that Council's overall performance had improved in the last 12 months, whilst 8.1% (stable with 2021) considered that performance had deteriorated.

A little less than one-third (30.7% down from 40.7%) of respondents were "very satisfied" with Council's overall performance (rating satisfaction at eight or more out of 10), whilst 7.6% (down from 8.4%) were dissatisfied (rating zero to four).

There was some variation in satisfaction with Council's overall performance observed this year, as follows:

- ***Notably higher than average satisfaction*** – includes young adults (aged 18 to 34 years), multilingual households, rental households, new and newer residents (less than five years in the City of Maribyrnong), two-parent families with youngest child aged 0 to 12 years), and group households.



## Agenda Item 9.1 - Attachment 1

### Maribyrnong City Council – 2022 Annual Community Survey

- **Notably lower than average satisfaction** – includes middle-aged adults (aged 45 to 59 years), English speaking households, long-term residents (10 years or more in the City of Maribyrnong), and sole person households.

The most common reasons why dissatisfied respondents were dissatisfied with Council's overall performance were focused on communication, consultation, and the provision of information, customer service and responsiveness, and a range of comments related to specific services and facilities.

Consistent with the good level of overall satisfaction with Council, satisfaction with the six aspects of [governance and leadership](#) remained stable this year, at 6.81 or a "good" level of satisfaction.

Satisfaction with all five aspects of governance and leadership included in both the City of Maribyrnong survey as well as *Governing Melbourne* was higher in the City of Maribyrnong than the 2022 metropolitan Melbourne, western region councils', and IMAP councils' results.

These results confirm that most respondents were satisfied with Council's performance in promoting gender respect and equity (7.62), representation, lobbying and advocacy (6.81), Council's community consultation and engagement (6.78), the responsiveness of Council to local community needs (6.65), maintaining community trust and confidence (6.65), making decisions in the interests of the community (6.62).

The new aspect of governance and leadership included last year, focusing on Council's performance mitigating the causes of and addressing the impacts of climate change, remained essentially stable this year at 6.54, marginally lower than satisfaction with the other aspects, but still "good". This included 32.9% "very satisfied", and 13.9% "dissatisfied".

Satisfaction with Council's [customer service](#) delivery remained at a "good" level, with the average satisfaction with the nine included aspects of customer service down less than one percent to 7.19 (from 7.23). Of the nine aspects, satisfaction with staff understanding language needs (of multilingual households) was rated as "excellent", whilst the aspect with the lowest satisfaction score was speed of service, that remained at a "good" level of 6.54.

The average satisfaction with the 39 Council provided [services and facilities](#) included in the survey increased very marginally this year, up by less than one percent 7.35, and it remains on average at a "very good" level.

The services with the highest levels of satisfaction include the library services (8.59 up from 8.17), fortnightly recycling (8.53 up from 8.17), weekly garbage collection (8.43 up from 8.35), fortnightly green waste collection (8.33 up from 8.04), the annual hard rubbish collection (8.22 notably up from 7.59), The Maribyrnong Aquatic Centre (7.94 up measurably from 7.49), the provision and maintenance of playgrounds (7.94 up from 7.78), and Community Centres / Neighbourhood Houses (7.94 up notably from 7.43).

Satisfaction with all these services was measurably higher than the average satisfaction with all 39 services and facilities of 7.35.



## Agenda Item 9.1 - Attachment 1

### Maribyrnong City Council – 2022 Annual Community Survey

Many of these services and facilities with the highest levels of satisfaction were also those with higher-than-average importance. This shows that many of the services and facilities of most importance to the community were those with which the community was most satisfied.

Satisfaction with all but six services and facilities recorded satisfaction scores higher than the overall satisfaction with Council this year, suggesting most services and facilities are a positive influence on satisfaction with Council's overall performance.

The eight services and facilities to record satisfaction scores lower than overall satisfaction include parking enforcement (6.48), public toilets (6.57), the maintenance and repair of sealed local roads (6.63), the cleaning and maintenance of the Footscray CBD (6.64), the *Maribyrnong Messenger* (6.69 down measurably from 7.24), and footpath maintenance and repairs (6.72).

It is important to bear in mind that satisfaction with five of these six services (excluding parking enforcement which was "solid") were recorded at "good" levels. There were no services and facilities included in the survey this year that received satisfaction scores rated as "poor" or lower levels of satisfaction.

Satisfaction with the [planning and development outcomes](#), "the design of public spaces" (7.28 up from 7.17) and the "protection of local heritage" (6.78 down marginally from 6.94) both remained relatively stable this year, whilst satisfaction with the "appearance and quality of new developments" (6.30) increased notably this year, up a statistically significant 7.6% to 6.78 or "good", which reversed the unusually low result of 6.30 recorded last year. It is noted that 10.5% (down from 19.5%) of respondents were "dissatisfied" with the appearance and quality of new developments, whilst 36.3% (up from 33.5%) were "very satisfied".

Cognisant of the fact that just 15 respondents participated in the planning approvals process as applicants and 10 as objectors, satisfaction with the four included aspects of the [planning approvals process](#) all sharply increased this year, reversing the declines recorded last year. This includes access to information (6.76 up from 4.02 or "good"), Council's communication during the process (5.58 up from 4.02 or "very poor"), the timeliness of planning decisions (4.83 up from 3.87 or "extremely poor"), and the effectiveness of community consultation and involvement (4.62 up from 3.79 or "extremely poor").

#### ***Issues to address for the City of Maribyrnong***

The main [issues to address in the City of Maribyrnong](#) remain traffic management (14.9% up from 13.3%), road maintenance and repairs (11.6% up from 8.1%), car parking (8.5 up from 7.8%), parks, gardens, and open spaces (8.55 up from 7.3%), building, housing, planning, and development (7.8% up from 5.6%), cycling and walking tracks (7.6% up from 5.5%), and rubbish and waste issues including garbage collection (6.1% up from 4.5%).

The issues that are most likely to be exerting the largest negative influence on community satisfaction with the performance of Council includes street trees, parks and gardens, footpath maintenance and repairs, and Council rates and charges.



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### Maribyrnong City Council – 2022 Annual Community Survey

#### ***Mayoral recognition***

In 2021, 8.0% (down from 12.6%) of respondents were able to correctly identify the [current Mayor of the City of Maribyrnong](#), continuing the trend of declining Mayoral awareness over an extended period of time.

#### ***Perception of safety in the public areas of the City of Maribyrnong***

The [perception of safety in the public areas of the City of Maribyrnong](#) in all seven locations and circumstances strongly increased this year, despite a small uptick in the proportion of respondents nominating safety, policing, and crime issues as one of the top three issues to address for the City of Maribyrnong.

Particular attention is drawn to the perception of safety in the public areas of the City of Maribyrnong at night, which increased measurably this year, up 12.6% to 7.05, following on from the 10.3% decline recorded in 2020.

A little more than one-tenth (11.3% down from 20.5%) of respondents felt unsafe in the public areas at night, with female respondents feeling an average of 5.6% less safe than male respondents (down from a 17.8% difference in 2020).

#### ***Sense of community***

Respondents were again in 2022 asked to rate their agreement with [five statements about the Maribyrnong community and Council](#). The majority of respondents “strongly agreed” (i.e., rated agreement at eight or more out of 10) that:

- They feel welcome and included when accessing Council services, facilities, and activities (7.88).
- The Maribyrnong community is welcoming and supportive of people from diverse cultures and backgrounds (7.83)
- Maribyrnong Council promotes connections between different cultural groups (7.57)
- Maribyrnong Council respects, reflects, and is inclusive of indigenous peoples (7.43)
- Maribyrnong is accessible and inclusive for people with disability (7.26).

Less than eight percent of respondents disagreed with any of these five statements.

#### ***Walking / cycling to local destinations***

Approximately three-quarters (75.5% down from 76.5%) of respondents reported that they or members of their household regularly walk or cycle to local destinations like shops, schools, or parks.



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### Maribyrnong City Council – 2022 Annual Community Survey

#### **COVID-19 pandemic**

Respondents were asked questions around COVID-19, including how well they and their household were coping (financial wellbeing, physical and mental health, and wellbeing), and how they feel Council can assist the community through the pandemic and then to rebuild and reconnect once we approach a new COVID-normal.

On average, they rated [how well their household was coping](#) in terms of their financial wellbeing (7.58 up from 7.48), physical health and wellbeing (7.41 down from 7.01), and their mental health and emotional wellbeing (7.07 up from 6.72) at relatively solid levels.

It is noted that respondents felt they were coping with the mental health and emotional wellbeing impacts of COVID-19 measurably better in 2022 than in either 2020 or 2021.

It is important to note that a small but notable proportion of respondents reported that they were not coping well in terms of their financial wellbeing (6.9% down from 8.2%), their physical health and wellbeing (6.2% down from 9.3%), and their mental health and emotional wellbeing (9.7% down from 12.4%). These results do imply that there remains a small cohort in the municipality for whom the impacts of COVID-19 are still evident.

The main reasons why respondents were not coping well with COVID-19 related to financial issues (21.4% of comments), mental health impacts (14.3%), and social isolation / separation from family (12.9%).

The main ways by which respondents feel that [Council could assist](#) the community to rebuild and reconnect post pandemic were community activities such as fetes, concerts, and BBQs (10.1%), and communication, education, information, and awareness campaigns (1.9%).

#### **Preferred funding of Council services and facilities**

A new question was included in the survey this year, asking respondents if they believed that 14 Council services and programs should receive more, the same, or less funding.

On average, respondents believed that all 14 services and programs should receive more funding, with average scores out of 10 of between 7.43 for sustainability and the environment and 6.03 for business and industry development.

It is noted that approximately half or more of respondents believed that roads, parking, traffic management (58.4%), sustainability and the environment (54.2%), City amenity and safety (49.8%), open space (48.0%), and cycling and pedestrian infrastructure (48.0%) should receive more or much more funding.

The areas that respondents were the least likely to believe should receive more or much more funding were business and industry development (31.7%) and City planning and compliance (28.3%).



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### Maribyrnong City Council – 2022 Annual Community Survey

## Key findings

The following section of the report provides a summary of the findings from the *Maribyrnong City Council – 2022 Annual Community Survey*.

### Overall satisfaction

- ⊗ Satisfaction with Council's overall performance declined marginally, but not measurably this year, down 2.5% from 6.93 to 6.76, but remains up 10.6% over the life of the survey program.
- ⊗ This level of satisfaction remains categorised as "good", the same categorisation for each year since 2015.
- ⊗ This result was marginally, but not measurably higher than the metropolitan Melbourne average (6.60) from the 2022 *Governing Melbourne*.
- ⊗ Respondents from Braybrook (7.50) were measurably and significantly more satisfied, whilst respondents from Footscray (6.48) and Footscray West (6.40) were somewhat less satisfied than the municipal average.
- ⊗ There was measurable variation in satisfaction by respondent profile:
  - **Notably more satisfied than average** – younger respondents (aged 18 to 34 years), respondents from multi-lingual households, rental household respondents, new and newer residents (less than five years in the City of Maribyrnong), two-parent families with youngest child aged 0 to 12 years, and group households.
  - **Notably less satisfied than average** – middle-aged adults (aged 45 to 59 years), English speaking households, long-term residents (10 years or more in the City of Maribyrnong), and sole person households.
- ⊗ In 2022, 16.1% (down from 21.1%) of respondents considered that Council's overall performance had improved in the last twelve months, whilst 8.1% (remains stable) considered that performance had deteriorated.

### Governance and leadership

- ⊗ Average satisfaction with the seven included aspects of governance and leadership was 6.81 out of 10, which was identical to the 2021 average.
- ⊗ This level of satisfaction remains categorised as "good".
- ⊗ Satisfaction with the seven aspects being as follows:
  - Promoting gender equity and respect (7.62 up from 7.53)
  - Representation, lobbying, and advocacy (6.81 dn from 6.82)
  - Community consultation and engagement (6.78 up from 6.72)
  - Responsiveness of Council to local com. needs (6.65 dn from 6.75)
  - Maintaining community trust and confidence (6.65 up from 6.64)
  - Making decisions in interests of community (6.62 dn from 6.65)
  - Mitigating causes / addressing the impacts of climate change (6.54 dn from 6.55).

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### Maribyrnong City Council – 2022 Annual Community Survey

- ⊗ When compared to the metropolitan Melbourne average (excluding gender respect and equity and mitigating the causes of and addressing the impacts of climate change), satisfaction with the remaining five aspects of governance and leadership was 6.70, measurably higher than the metropolitan Melbourne average of 6.33, somewhat higher than the western region councils (6.31), and marginally higher than the IMAO councils (6.49).

### Customer service

- ⊗ In 2022, 37.9% (down from 45.0%) of respondents had contacted Council in the last 12 months, somewhat lower than the long-term average since 2004 of 45.9%.
- ⊗ The main forms of contacting Council remain telephone during office hours (51.2%, down from 60.4%), via email (28.4% up from 19.7%), and website (14.0% up from 12.1%).
- ⊗ The average satisfaction with nine aspects of customer service was 7.19 out of 10, down less than one percent on the 2021 average of 7.23 but remains at a “good” level of satisfaction.
- ⊗ The average satisfaction with seven aspects of customer service for the City of Maribyrnong (7.09) was measurably higher than the 2022 metropolitan Melbourne average (6.76) from *Governing Melbourne*.
- ⊗ Satisfaction with the nine included aspects of customer service can best be summarised as follows:
  - Staff understanding language needs (multilingual only) (7.90 down from 8.04)
  - Opening hours (7.64 down from 7.69)
  - The online payments system (7.45 down from 7.93)
  - General reception (7.20 up from 6.90)
  - Courtesy of service (7.16 down from 7.33)
  - Provision of information on Council and services (7.00 down from 7.02)
  - Access to relevant officer / area (6.93 up from 6.86)
  - Care and attention to enquiry (6.89 up from 6.79)
  - Speed of service (6.54 up from 6.50).

### Planning and housing development

- ⊗ In 2022, all respondents were asked to rate their satisfaction with three aspects of planning and housing development outcomes, as follows:
  - The design of public spaces (7.28 up from 7.17)
  - The protection of local heritage (6.78 down from 6.94)
  - The appearance and quality of new developments (6.78 up from 6.30).
- ⊗ Satisfaction with these three planning and development outcome related aspects was similar in the City of Maribyrnong than each of the three comparison results. Satisfaction with the design of public spaces was somewhat higher than the metropolitan Melbourne and western region councils’ averages, and satisfaction with the appearance and quality of new developments was somewhat higher than the metropolitan Melbourne or IMAO councils’ averages.



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### Maribyrnong City Council – 2022 Annual Community Survey

- ⊗ Respondents that had been personally involved in the planning approvals process in the last 12 months were asked to rate their satisfaction with four aspects of the planning approvals process. It is noted that these results are based on small sample sizes of 15 applicants and 10 objectors, as follows:

○ Access to information (applicants)	(6.91 up from 4.02)
○ Access to information (objectors)	(6.60 up from 3.71)
○ Communication during the process (applicants)	(6.14 up from 3.94)
○ Communication during the process (objectors)	(4.74 up from 3.68)
○ Timeliness of planning decisions (applicants)	(5.39 up from 3.70)
○ Timeliness of planning decisions (objectors)	(4.02 up from 3.52)
○ Effectiveness of community consultation (applicants)	(5.28 up from 3.71)
○ Effectiveness of community consultation (objectors)	(3.01 down from 3.47).

- ⊗ Respondents were asked their level of satisfaction with “planning for population growth by all levels of government”. Satisfaction with this aspect increased somewhat this year, up 6.4% to 6.53, which is a “good”, up from a “solid” level of satisfaction. This result was measurably higher than the 2022 metropolitan Melbourne average (5.99), IMAP average (6.02), and western region councils’ average (6.28).

### Council services and facilities

- ⊗ **Importance** - The average importance of the 39 included Council services and facilities was 8.54 out of ten in 2022, down a little on the 8.91 recorded in 2021.

- ⊗ The top 14 services and facilities were measurably more important than the average:

○ Fortnightly recycling	(9.39 up from 9.27)
○ Fortnightly green waste collection	(9.21 up from 9.11)
○ Weekly garbage collection	(9.20 down from 9.35)
○ Services for people with disability	(9.13 down from 9.17)
○ Annual hard rubbish collection	(9.00 down from 9.05)
○ Services for children	(9.00 down from 9.05)
○ Services for older people	(8.97 down from 9.10)
○ Public toilets	(8.90 down from 9.04)
○ Library services	(8.86 down from 9.03)
○ On and off-road walking paths	(8.84 down from 9.18)
○ Provision and maintenance of playgrounds	(8.81 down from 9.12)
○ Services for young people	(8.79 down from 8.97)
○ Council responsibilities on environment	(8.79 down from 9.09)
○ Provision and maintenance of street lighting	(8.77 down from 9.14).

- ⊗ The bottom nine services and facilities were measurably less important than the average:

○ Promoting local economic development	(8.24 down from 8.86)
○ Animal management	(8.21 down from 8.78)
○ Street sweeping	(8.20 down from 8.70)
○ Customer Request Management System	(8.05 down from 8.65)
○ Provision of public art	(7.90 down from 8.68)
○ Council’s online consultation tool	(7.70 down from 8.39)
○ Parking enforcement	(7.38 down from 8.27)
○ Maribyrnong Messenger	(7.28 down from 8.21)
○ Council’s use of social media	(7.27 down from 8.07).

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### Maribyrnong City Council – 2022 Annual Community Survey

- ⊗ **Satisfaction** - The average satisfaction with the 39 included Council services and facilities was 7.30 in 2021, down 1.3% on the 7.40 recorded in 2020, but remains at a “very good” level.
- ⊗ Satisfaction with the top eight services and facilities was measurably higher than the average satisfaction:
  - Library services (8.59 up from 8.17)
  - Fortnightly recycling (8.53 up from 8.17)
  - Weekly garbage collection (8.43 up from 8.35)
  - Fortnightly green waste collection (8.33 up from 8.04)
  - Annual hard rubbish collection (8.22 up from 7.59)
  - Maribyrnong Aquatic Centre (7.94 up from 7.49)
  - Provision and maintenance of playgrounds (7.94 up from 7.78)
  - Community Centres / Neighbourhood Houses (7.90 up from 7.43).
- ⊗ Satisfaction with the bottom seven services and facilities was measurably lower than the average satisfaction:
  - Local traffic management (6.79 down from 6.91)
  - Footpath maintenance and repairs (6.72 up from 6.63)
  - Maribyrnong Messenger (6.69 down from 7.24)
  - Maintenance and cleaning of Footscray CBD (6.64 down from 6.83)
  - Maintenance and repair of sealed local roads (6.63 up from 6.54)
  - Public toilets (6.57, stable)
  - Parking enforcement (6.48 down from 6.53).

### Issues for Council to address “at the moment”

- ⊗ A total of 614 respondents representing 76.7% of the total sample identified at least one issue for Council to address in the coming 12 months, with the top five issues being as follows:
  - Traffic management (14.9% up from 13.3%)
  - Road maintenance and repairs (11.6% up from 8.1%)
  - Car parking (8.5% up from 7.8%)
  - Parks, gardens, and open space (8.5% up from 7.3%)
  - Building, planning, housing, and development (7.8% up from 5.6%).

### Mayoral recognition

- ⊗ In 2022, 4.9% of respondents were able to correctly identify the current Mayor of the City of Maribyrnong (Cr. Sarah Carter). This is a sharp decline on the 12.6% who correctly identified the mayor in 2021 and continues a trend of declining awareness when compared to the long-term average since 2005 of 18.2%.

### Perception of safety in public areas of Maribyrnong

- ⊗ The perception of safety in all seven situations and locations increased this year, with all but the increase in the perception of safety in and around Footscray CBD at night increasing by a statistically significant degree.



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### Maribyrnong City Council – 2022 Annual Community Survey

- ⊗ The survey measured respondents' perception of safety within the public areas of the City of Maribyrnong across seven locations and circumstances, as follows:

○ In public areas of Maribyrnong during the day	(8.60 up from 8.24)
○ In and around Highpoint Shopping Centre	(8.36 up from 8.00)
○ Travelling on / waiting for public transport	(7.77 up from 7.19)
○ In and around Braybrook shops	(7.76 up from 7.51)
○ In and around Footscray CBD during the day	(7.70 up from 7.43)
○ In public areas of Maribyrnong at night	(7.05 up from 6.26)
○ In and around Footscray CBD at night	(5.97 up from 5.85).

- ⊗ The most common reasons why respondents felt unsafe in the public areas of the City of Maribyrnong in 2022 were issues with "drug and alcohol related issues" (21.2%), "problems with specific areas" (14.6%), and "gangs, youth, suspicious people" (14.6%).

### ***Sense of community***

- ⊗ Respondents were again in 2022, asked to rate their level of agreement with five statements about the local sense of community and Council's role in fostering a sense of community and inclusion. This set of questions were last included in the survey program back in 2019.

- ⊗ These results do show that the Maribyrnong community overall exhibits a relatively strong sense of community, with agreement with the five aspects as follows:

○ I feel welcome when accessing Council services and facilities	(7.88 up from 7.79)
○ The community is welcoming people from diverse cultures	(7.83 dn from 7.89)
○ Council promotes connection between cultural groups	(7.57 dn from 7.64)
○ Council respects, reflects and is inclusive of indigenous people	(7.43 dn from 7.65)
○ Maribyrnong is accessible / inclusive for people with disability	(7.26 dn from 7.35).

### ***Walking / cycling to local destinations***

- ⊗ Of the 682 respondents who were able or willing to provide a response to this question, three-quarters (75.5%, down from 76.5%) reported that they or members of their household regularly walk or cycle to local destinations like shops, schools, or parks.

### ***COVID19 pandemic***

- ⊗ Respondents were asked to rate how well they and their household were coping with the impacts of COVID-19 in three aspects. The results show that respondents were coping better with the impacts of COVID-19 this year than in either 2020 or 2021, as follows:

○ Financial wellbeing	(7.58 up from 7.48)
○ Physical health and wellbeing	(7.41 up from 7.01)
○ Mental health and emotional wellbeing	(7.07 up from 6.72).

- ⊗ The most common reasons why respondent households were not coping well with the impacts of COVID-19 were financial issues (21.4%), mental health impacts (14.3%), and social isolation / separation from family (12.9%).



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### Maribyrnong City Council – 2022 Annual Community Survey

- ⊗ The top three ways that respondents believe Council can assist the community to rebuild and reconnect post pandemic were:

- |  |                      |
|--|----------------------|
| ○ Community activities, fete, concert, BBQ         | (10.1% up from 9.8%) |
| ○ Communication, education, information, awareness | (1.9% up from 1.3%)  |
| ○ Financial support                                | (1.8% up from 0.1%). |

### ***Preferred funding of Council services and programs***

- ⊗ A new question was included in the survey this year, asking respondents if they believed that 14 Council services and programs should receive more, the same, or less funding.
- ⊗ On average, respondents believed that all 14 services and programs should receive more funding, with average scores out of 10 of between a high of 7.43 for sustainability and the environment and a low of 6.03 for business and industry development.
- ⊗ Approximately half or more of respondents believed that roads, parking, traffic management (58.4%), sustainability and the environment (54.2%), City amenity and safety (49.8%), open space (48.0%), and cycling and pedestrian infrastructure (48.0%) should receive more or much more funding.

### **Methodology, response rate and statistical significance**

The *Annual Community Survey* has traditionally been conducted as a door-to-door, interview style survey.

Due to the continued impact of the COVID-19 pandemic on labour and staff availability, the survey was conducted this year using mostly (702 or 87.8%) door-to-door interviews and 98 telephone interviews (12.2%).

The surveying was all completed in October through December 2022.

Telephone surveys were conducted from 11am till 7pm weekdays, and 11am till 5pm on Saturdays and Sunday, and the door-to-door surveys all completed on Saturdays and Sundays from 11am till 5pm.

Several (up to approximately four) attempts were made to contact each randomly selected telephone number, to give the household multiple opportunities to participate in the research.

The sample was pre-weighted by precinct population, to ensure that each precinct contributed proportionally to the overall municipal results.

The final sample of surveys were then weighted by age and gender, to ensure that each age / gender group contributed proportionally to the overall municipal result.

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**Maribyrnong City Council – 2022 Annual Community Survey**

A total of 6,493 residents were approached with a view to inviting them to participate in the research.

Of these:

- No answer - 3,929
- Refused - 1,634
- Call back another time - 130
- Completed - 800

This provides a response rate of 32.9%, including 38.1% for the door-to-door and 16.5% for the telephone surveys, reflecting the proportion of individuals who were invited to participate in the research, who ultimately participated.

This is up somewhat on the 31.6% response rate achieved in 2021 which was conducted by telephone.

Metropolis Research notes that the door-to-door response rate of 38.1% is towards the higher-end of expectations and reflects a solid return to the door-to-door methodology after the two years of the COVID-19 pandemic impacting on the survey implementation.

The 95% confidence interval (margin of error) of these results is plus or minus 3.4% at the fifty percent level. In other words, if a yes / no question obtains a result of fifty percent yes, it is 95% certain that the true value of this result is within the range of 46.6% and 53.4%.

This is based on a total sample size of 800 respondents, and an underlying population of the City of Maribyrnong of 97,453.

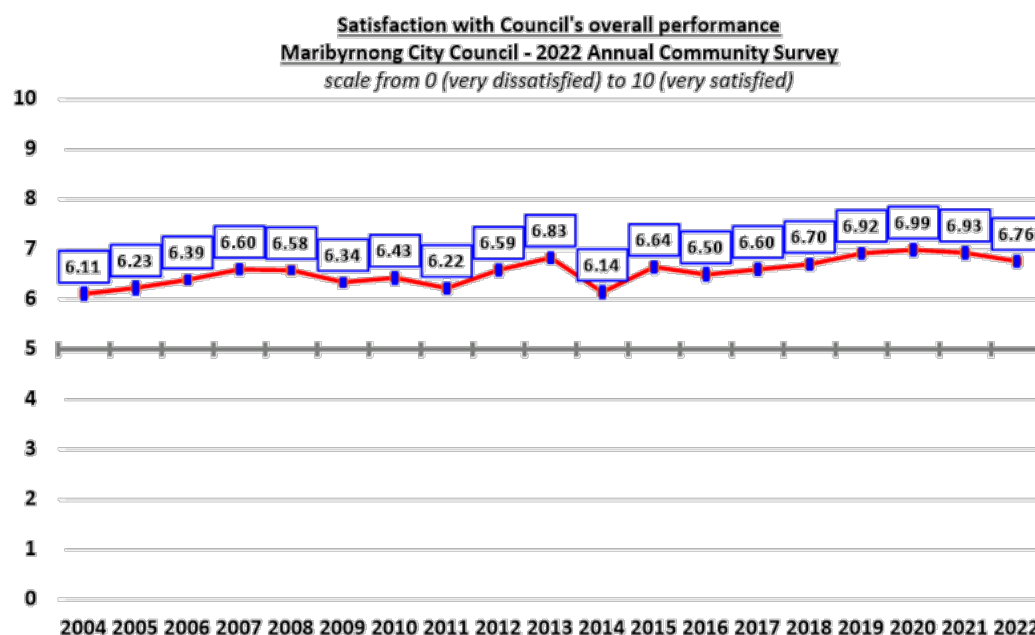
Maribyrnong City Council – 2022 Annual Community Survey

## Council's overall performance

Respondents were asked:

*"On a scale of 0 (lowest) to 10 (highest), can you please rate the performance of Council across all areas of responsibility?"*

Satisfaction with the performance of Council across all areas of responsibility (overall performance) declined marginally, but not measurably this year, down 2.5% to 6.76, although it remains at a "good" level of satisfaction.



This result, whilst a small decline on the historically high scores recorded over the period 2019 to 2021, remains 3.2% above the long-term average satisfaction since 2004 of 6.55.

By way of comparison, the City of Maribyrnong result was marginally, but not measurably higher than the metropolitan Melbourne average of 6.60, as recorded in the 2022 *Governing Melbourne* research conducted independently by Metropolis Research in January 2021.

Metropolis Research notes that overall satisfaction with the City of Maribyrnong was 4.6% higher than the western region councils' average of 6.46, as recorded in the 2022 *Governing Melbourne* research, although this was not statistically significant.

Metropolis Research notes that the variation in methodology between the door-to-door interview predominantly used for the City of Maribyrnong survey compared to the telephone methodology employed for *Governing Melbourne*, as well as the difference in timing may well have been a factor underpinning some of the variation in results. Metropolis Research suggests that satisfaction with local government may well have improved somewhat over the course of 2022, moving further away from the impacts of COVID-19.

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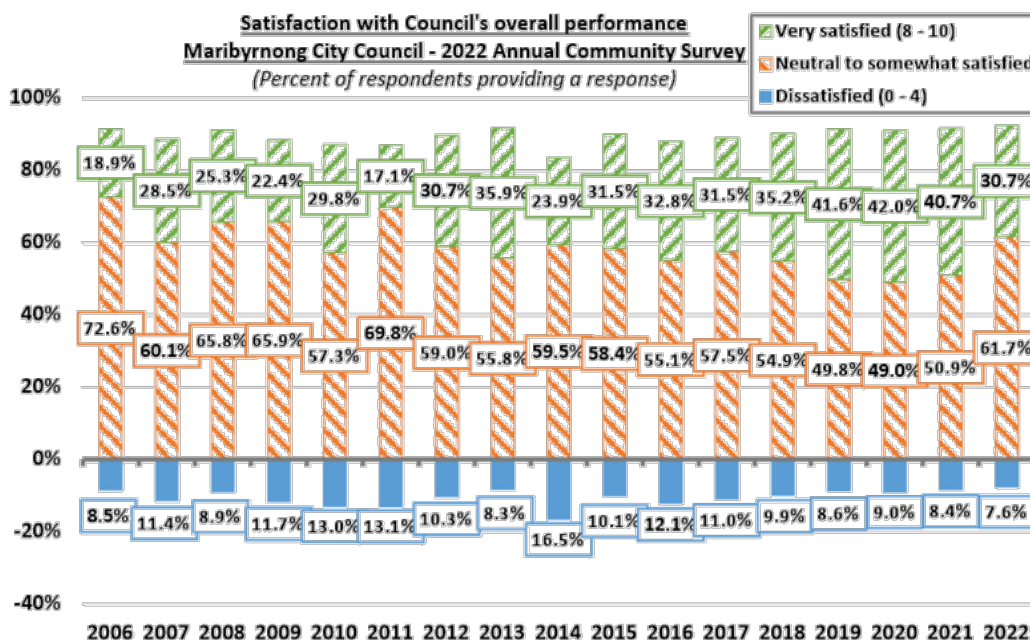
### Maribyrnong City Council – 2022 Annual Community Survey

The following graph provides a breakdown of satisfaction with Council's overall performance into the proportion of respondents who were "very satisfied" (i.e., rated satisfaction at eight or more), those who were "neutral to somewhat satisfied" (i.e., rated satisfaction between five and seven), and those who were "dissatisfied" (i.e., rated satisfaction at less than five).

It is noted that much of the small decline in overall satisfaction was the result of a decline in the proportion of respondents who were "very satisfied", down from 40.7% in 2021 to 30.7% this year. This is the lowest proportion of "very satisfied" respondents recorded since 2014.

It is important, however, to note that the proportion of respondents who were "dissatisfied" with Council's overall performance also declined again this year, down marginally from 8.4% to 7.6%.

This is the lowest proportion of respondents "dissatisfied" with the overall performance of the City of Maribyrnong by Metropolis Research.

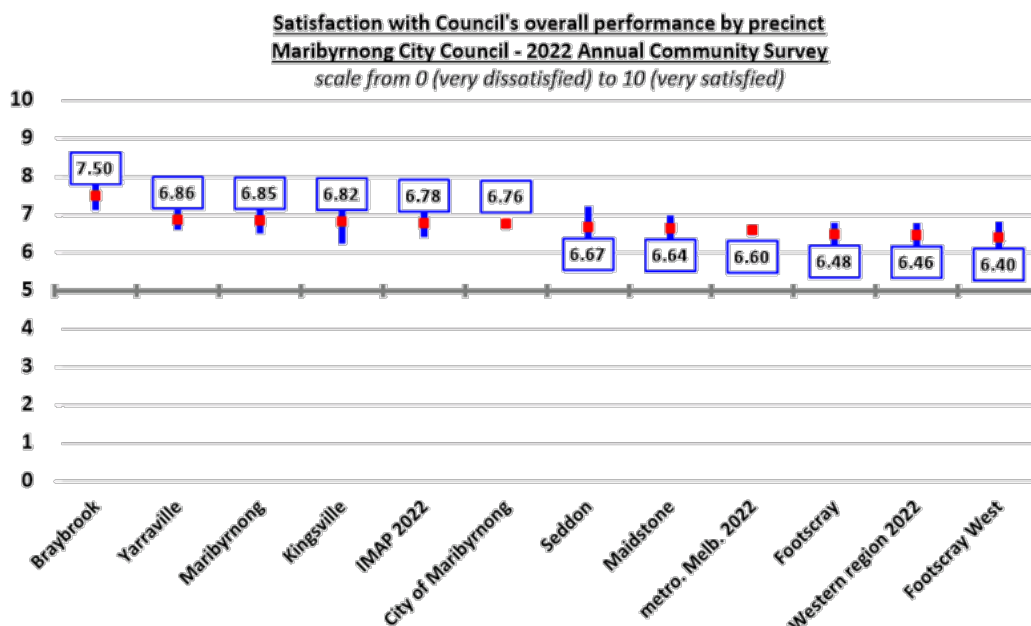


There was some measurable variation in satisfaction with Council's overall performance observed across the municipality, as follows:

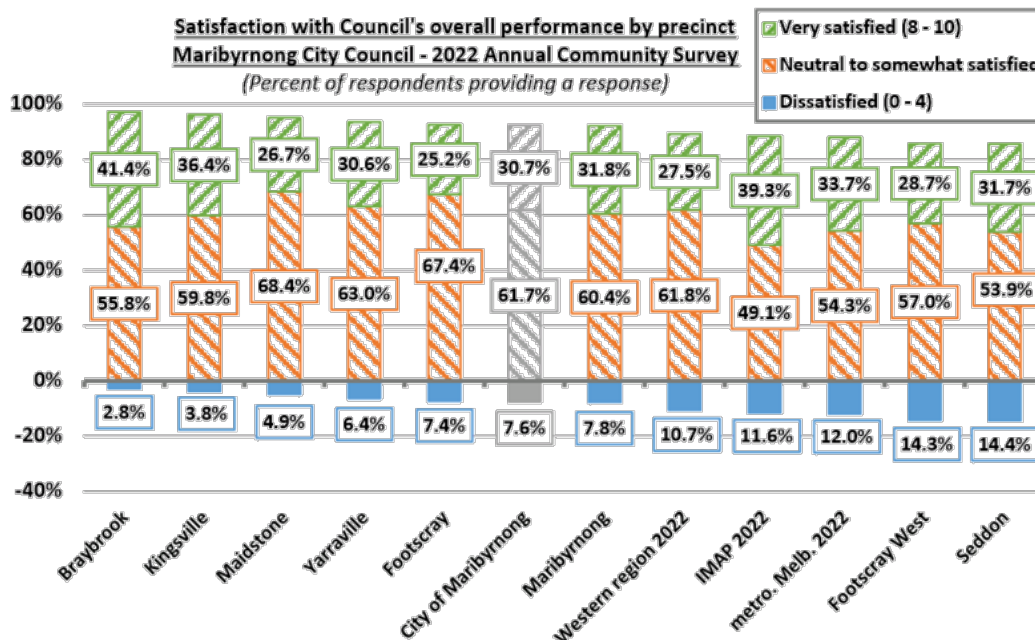
- **Braybrook** – respondents were measurably and significantly more satisfied than average and at a "very good" level of satisfaction.
- **Footscray and Footscray West** – respondents were somewhat less satisfied than average and at "solid" rather than "good" levels of satisfaction.

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Maribyrnong City Council – 2022 Annual Community Survey



It is noted that more than four in ten (41.4%) respondents from Braybrook were “very satisfied”, whilst just 2.8% were “dissatisfied”. By comparison, one-quarter (25.2% of respondents from Footscray were “very satisfied”, and more than ten percent from Footscray West (14.3%) and Seddon (14.4%) were “dissatisfied”.



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### Maribyrnong City Council – 2022 Annual Community Survey

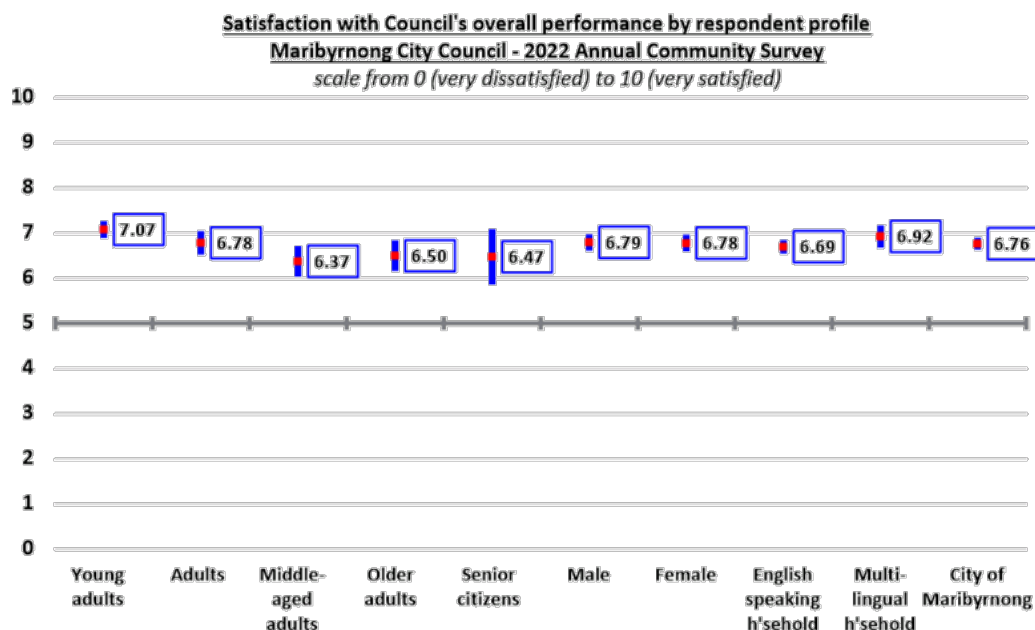
#### Overall performance by respondent profile

The following section provides a comparison of satisfaction with Council's overall performance by respondent profile.

This includes age structure, gender, language spoken at home, household disability status, housing situation, period of residence in the City of Maribyrnong, and household structure.

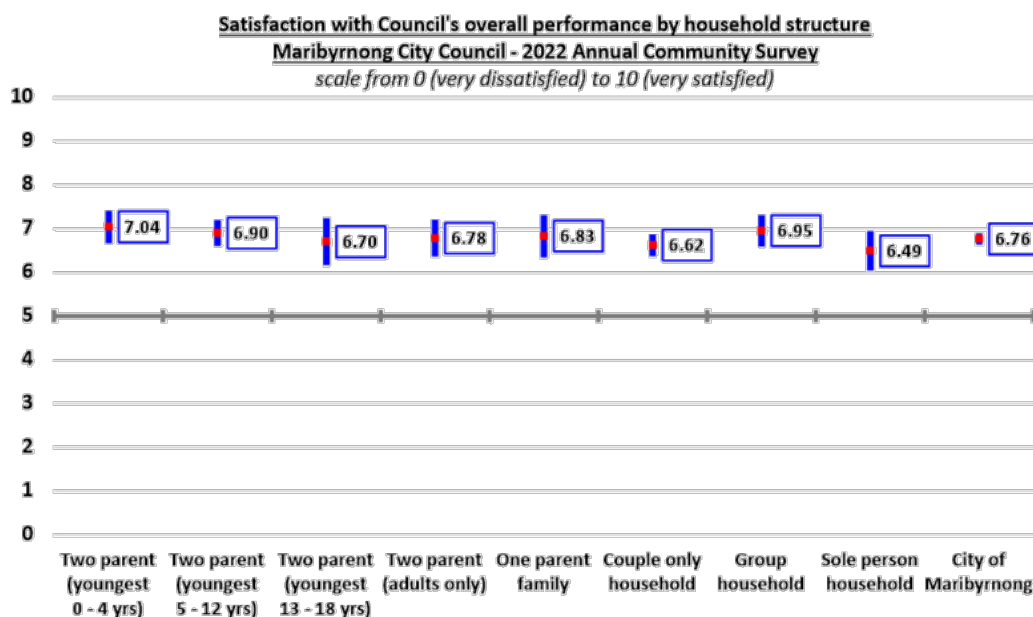
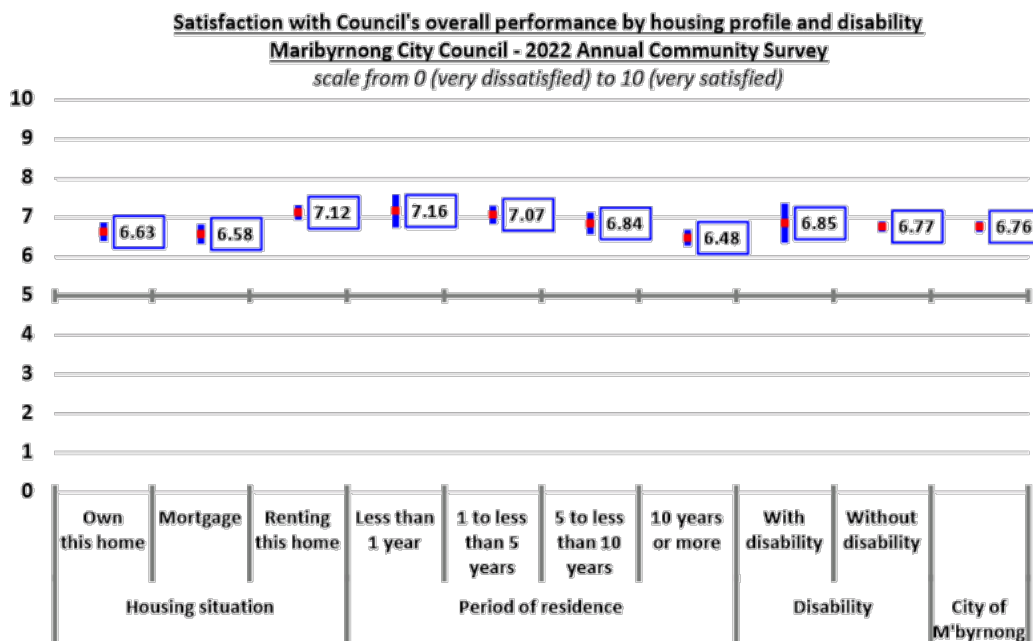
There was measurable and significant variation in satisfaction with Council's overall performance observed by respondent profile, as follows:

- **Notably higher than average satisfaction** – includes young adults (aged 19 to 34 years), multilingual households, rental households, new and newer residents (less than five years in the City of Maribyrnong), two-parent families with youngest child aged 0 to 12 years), and group households.
- **Notably lower than average satisfaction** – includes middle-aged adults (aged 45 to 59 years), English speaking households, long-term residents (10 years or more in the City of Maribyrnong), and sole person households.



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### Maribyrnong City Council – 2022 Annual Community Survey



### Relationship between issues and overall satisfaction

The following graph shows a comparison of satisfaction with Council's overall performance for respondents nominating each of the 13 most nominated issues to address for the City of Maribyrnong, the average satisfaction of respondents who did not nominate any issues for Council to address, as well as the average overall satisfaction of all respondents.

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Attention is drawn firstly to the fact that respondents who did not nominate any issues to address for the City of Maribyrnong were measurably and significantly more satisfied with Council's overall performance than the municipal average, with a score of 7.41 or "very good", compared to the municipal average of 6.76.

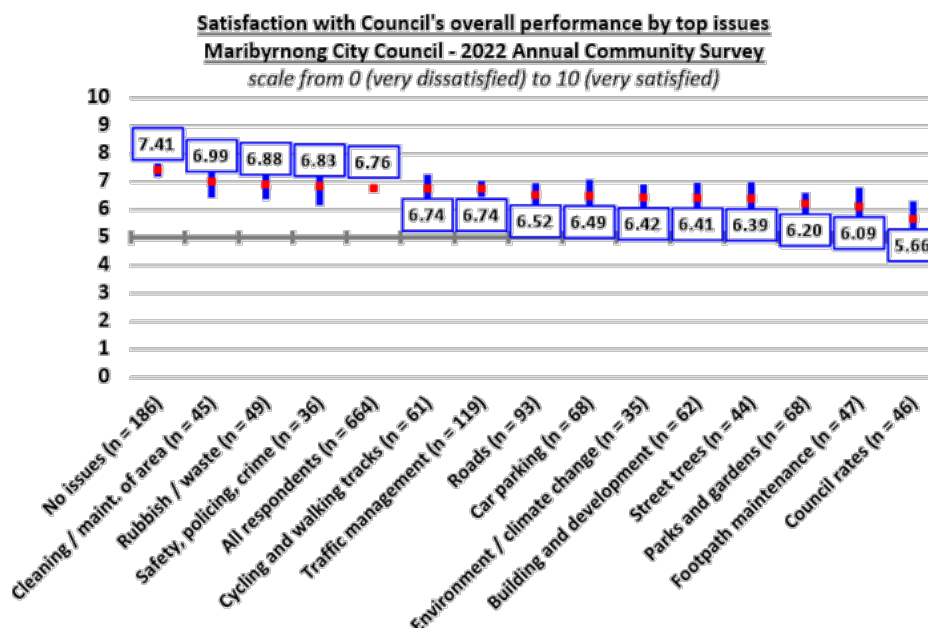
This result reflects the fact that respondents who did not believe there were significant issues to be addressed in their local community were overwhelmingly more satisfied with the performance of Council than other respondents.

Of the 13 issues included in the graph, five appear not to exert a substantial negative influence on respondents' satisfaction with Council including the cleaning and maintenance of the local area; rubbish and waste issues; safety, policing, and crime issues; cycling and walking tracks; and traffic management. The respondents who nominated these issues, on average, rated satisfaction at a similar level to the municipal average.

The issues that do appear to exert a significant negative influence on satisfaction with Council's overall performance include road maintenance and repairs, car parking, environment / climate change, planning and development, street trees, parks and gardens, footpath maintenance, and most notably, Council rates and charges.

The respondents who nominated each of these issues were, on average, notably, or in the case of Council rates and charges, measurably, less satisfied with Council's overall performance than the municipal average.

This does imply that these issues may well have been exerting a substantial negative influence on these respondents' satisfaction with the overall performance of Council. It is important to note, however, that these results do not prove a causal link between these issues and overall satisfaction, although it does imply a relationship.



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### Maribyrnong City Council – 2022 Annual Community Survey

The following table provides an alternative exploration of the relationship between overall satisfaction and issues to address for the City of Maribyrnong.

The table provides details as to the proportion of respondents “dissatisfied” with Council’s overall performance who nominated each of the top issues for the City of Maribyrnong at the moment, compared to the proportion of all respondents who nominated each issue.

These results clearly indicate that respondents who were “dissatisfied” with Council’s overall performance were many times more likely than average to nominate each of Council rates and charges, car parking, footpath maintenance and repairs, parks and gardens, and to a lesser extent, communication and the provision of information.

Metropolis Research notes that these results reinforce the key findings from the previous graph, highlighting the influence of Council rates and charges, car parking, footpaths, parks and gardens, street trees, and planning and development as substantial issues that appear to negatively influence community satisfaction with the overall performance of the City of Maribyrnong.

#### **Top three issues for the City of Maribyrnong of respondents' dissatisfied with overall performance**

##### **Maribyrnong City Council - 2022 Annual Community Survey**

*(Number and percent of total respondents who dissatisfied with overall performance)*

Issue	Dissatisfied respondents		All respondents
	Number	Percent	
Council rates	11	21.6%	5.8%
Car parking	8	15.7%	8.5%
Footpath repairs and maintenance	8	15.7%	5.9%
Parks, gardens and open spaces	7	13.7%	8.5%
Road maintenance and repairs	6	11.8%	11.6%
Traffic management	6	11.8%	14.9%
Communication and provision of information	5	9.8%	2.4%
Building, planning, housing and development	5	9.8%	7.8%
Cycling and walking tracks	5	9.8%	7.6%
Provision and maintenance of street trees	4	7.8%	5.5%
Cleanliness and maintenance of area	3	5.9%	5.6%
Rubbish and waste issues including garbage	3	5.9%	6.1%
Childcare	2	3.9%	0.9%
Footscray CBD issues	2	3.9%	3.6%
Environment, conservation, climate change	2	3.9%	4.4%
All other issues (32 separately identified issues)	26	51.0%	52.4%
<b>Total responses</b>	<b>103</b>		<b>1,218</b>
<i>Respondents identifying at least one issue (percent of total respondents)</i>	<i>45 (88.1%)</i>		<i>614 (76.7%)</i>

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### Maribyrnong City Council – 2022 Annual Community Survey

#### ***Overall performance of respondents dissatisfied with Council services and facilities***

The following graph displays the average satisfaction with Council's overall performance of respondents dissatisfied with each of the individual services and facilities included in the survey.

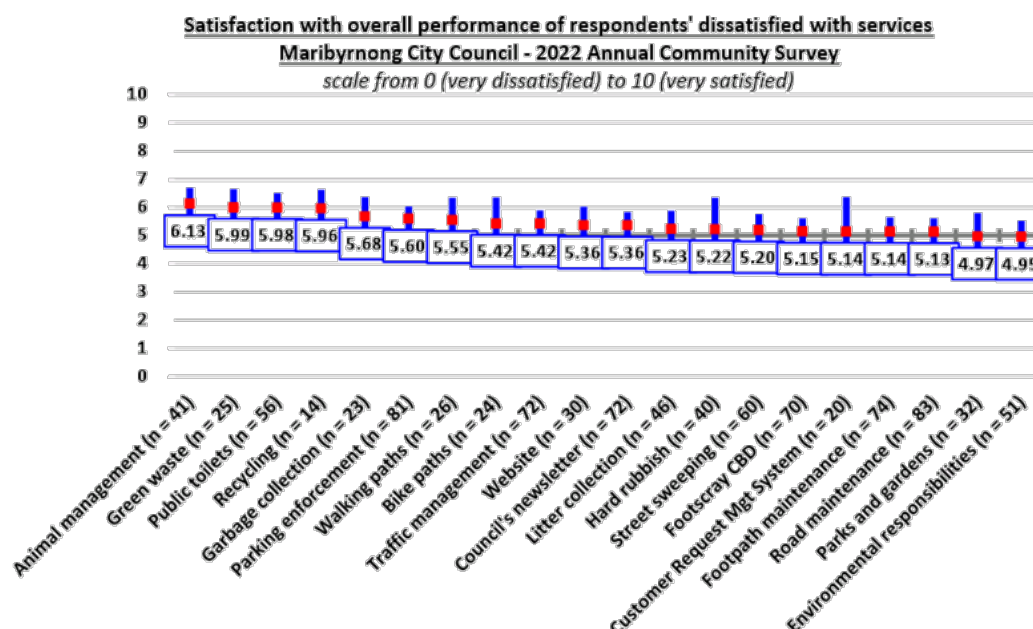
Services and facilities with a total sample of less than 10 "dissatisfied" respondents have been excluded from this graph.

The results from this graph highlight the fact that respondents "dissatisfied" with services and facilities tend, on average, to be less satisfied with Council's overall performance.

These results do show that there was a small group of respondents (approximately 45 of 800 or 5.6%), who were "dissatisfied" with many Council services and facilities, and who were also very dissatisfied with Council's overall performance.

The opposite is also true, in that respondents who were "very satisfied" with Council services and facilities tended to be more satisfied with Council's overall performance.

There was no measurable variation in these results observed, although it is noted that the services and facilities of most note were parks and gardens, and Council meeting its environmental responsibilities. The respondents who were "dissatisfied" with these two services and facilities, on average, rated satisfaction with Council's overall performance at "extremely poor" levels of less than five out of 10.



Maribyrnong City Council – 2022 Annual Community Survey

***Reasons for level of satisfaction with Council's overall performance***

Respondents were asked:

*"Thinking about your satisfaction with Council's overall performance, why do you say that?"*

There was a total of 477 (up from 427) comments received from respondents about the reasons why they rated their satisfaction with Council's overall performance at the level they did. The verbatim comments underpinning this summary table are outlined as an appendix to this report.

The following table provides a breakdown of these comments by the broad issues raised by the respondents, and then they are further broken down into positive and negative comments. For example, there were 165 general statements received from respondents, of which 98 were generally positive and 67 were generally negative in nature.

These comments were split by satisfaction with Council's overall performance, which shows that of the 477 general comments received, 342 (71.7%) were from respondents who were satisfied with Council's overall performance (rated satisfaction from six to 10) and 60 (12.6%) were from respondents who were dissatisfied with Council's overall performance.

The four most common issues raised by respondents in relation to satisfaction with Council's overall performance were general comments that did not raise a specific issue (34.6%), services and facilities related issues (13.6%), issues around communication, consultation, and the provision of information (9.2%), and issues around customer service and responsiveness (8.4%).

Metropolis Research notes that the proportion of comments received this year that focused on governance, accountability, and reputation (4.6%) continued to decline as a proportion of all comments, down from 6.3% in 2021, 8.3% in 2020, and only a third the 14.5% from 2019.

It is also noted that the proportion of comments related to rates and financial management decreased a little this year, down from 12.3% in 2020 and 8.9% in 2021 to 4.6% this year. This result of 4.6% raising these issues is consistent with the 5.8% of respondents who nominated Council rates, fees, and charges as one of the top three issues to address for the municipality.

The other issues raised by a small proportion of respondents this year included roads, traffic, transport, and footpaths (5.0% with all negative), building, planning, housing, and development (4.0% with 3.8% negative), and environment, parks, gardens, open space, and trees (4.0% with 3.6% negative).

Metropolis Research notes that planning and development, roads and traffic, and parking were all identified as issues exerting a negative influence on satisfaction with Council's overall performance for the respondents raising these as issues to address in the city of Maribyrnong, and that finding is further strengthened by these results.



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Maribyrnong City Council – 2022 Annual Community Survey

**Reasons for rating of satisfaction with Council's overall performance**  
**Maribyrnong City Council - 2022 Annual Community Survey**  
(Number and percent of total respondents)

Reason for rating of satisfaction	Number	Total Percent	Satisfied (6 to 10)	Neutral (5)	Dissatisfied (0 to 4)
<b>General statements</b>	<b>165</b>	<b>34.6%</b>	<b>42.1%</b>	<b>18.7%</b>	<b>11.7%</b>
positive	98	20.5%	28.7%	0.0%	0.0%
negative	67	14.0%	13.5%	18.7%	11.7%
<b>Communication, consultation, information</b>	<b>44</b>	<b>9.2%</b>	<b>7.0%</b>	<b>13.3%</b>	<b>16.7%</b>
positive	3	0.6%	0.9%	0.0%	0.0%
negative	41	8.6%	6.1%	13.3%	16.7%
<b>Services and facilities</b>	<b>65</b>	<b>13.6%</b>	<b>14.0%</b>	<b>14.7%</b>	<b>10.0%</b>
positive	26	5.5%	6.7%	4.0%	0.0%
negative	39	8.2%	7.3%	10.7%	10.0%
<b>Rates and financial management</b>	<b>22</b>	<b>4.6%</b>	<b>2.3%</b>	<b>9.3%</b>	<b>11.7%</b>
positive	2	0.4%	0.6%	0.0%	0.0%
negative	20	4.2%	1.8%	9.3%	11.7%
<b>Governance, accountability and reputation</b>	<b>22</b>	<b>4.6%</b>	<b>2.3%</b>	<b>10.7%</b>	<b>10.0%</b>
positive	1	0.2%	0.3%	0.0%	0.0%
negative	21	4.4%	2.0%	10.7%	10.0%
<b>Customer service and responsiveness</b>	<b>40</b>	<b>8.4%</b>	<b>8.2%</b>	<b>6.7%</b>	<b>11.7%</b>
positive	14	2.9%	4.1%	0.0%	0.0%
negative	26	5.5%	4.1%	6.7%	11.7%
<b>Environment, parks, open space and trees</b>	<b>19</b>	<b>4.0%</b>	<b>3.5%</b>	<b>8.0%</b>	<b>1.7%</b>
positive	2	0.4%	0.6%	0.0%	0.0%
negative	17	3.6%	2.9%	8.0%	1.7%
<b>Building, planning, housing and development</b>	<b>19</b>	<b>4.0%</b>	<b>3.8%</b>	<b>5.3%</b>	<b>3.3%</b>
positive	1	0.2%	0.3%	0.0%	0.0%
negative	18	3.8%	3.5%	5.3%	3.3%
<b>Roads, traffic, transport and footpaths</b>	<b>24</b>	<b>5.0%</b>	<b>3.8%</b>	<b>2.7%</b>	<b>15.0%</b>
positive	0	0.0%	0.0%	0.0%	0.0%
negative	24	5.0%	3.8%	2.7%	15.0%
<b>Parking</b>	<b>9</b>	<b>1.9%</b>	<b>1.8%</b>	<b>1.3%</b>	<b>3.3%</b>
positive	0	0.0%	0.0%	0.0%	0.0%
negative	9	1.9%	1.8%	1.3%	3.3%
<b>Safety, policing and crime</b>	<b>10</b>	<b>2.1%</b>	<b>1.8%</b>	<b>5.3%</b>	<b>0.0%</b>
positive	3	0.6%	0.9%	0.0%	0.0%
negative	7	1.5%	0.9%	5.3%	0.0%
<b>Support for business</b>	<b>1</b>	<b>0.2%</b>	<b>0.3%</b>	<b>0.0%</b>	<b>0.0%</b>
positive	0	0.0%	0.0%	0.0%	0.0%
negative	1	0.2%	0.3%	0.0%	0.0%
<b>Other reasons</b>	<b>37</b>	<b>7.8%</b>	<b>9.1%</b>	<b>4%</b>	<b>0%</b>
<b>Total</b>	<b>477</b>	<b>100%</b>	<b>342</b>	<b>75</b>	<b>60</b>

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### Maribyrnong City Council – 2022 Annual Community Survey

#### ***Change in Council's overall performance***

Respondents were asked:

*"Over the past twelve months, do you think Maribyrnong City Council's overall performance has improved, stayed the same or deteriorated?"*

Respondents were again in 2022, asked whether they believed that Council's overall performance had improved, stayed the same, or deteriorated in the last 12 months.

The proportion of respondents who considered that Council's overall performance had improved declined this year from the 21.1% recorded in 2021 to 16.1% this year, although it remains similar to the long-term average since 2004 of 17.2%.

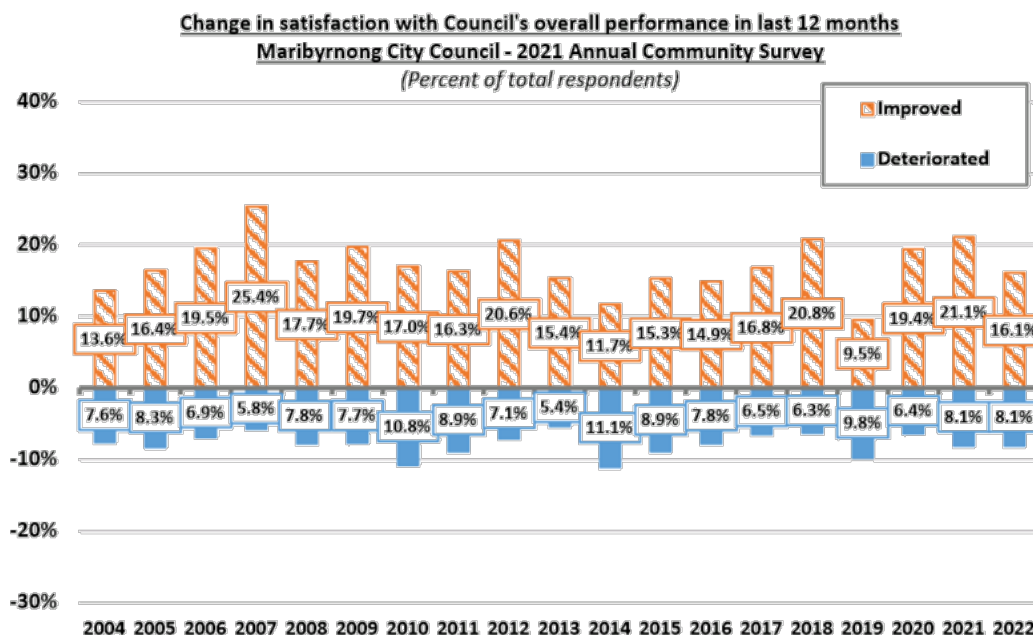
Importantly, there was no decline in the proportion of respondents who considered that Council's overall performance had deteriorated over the last 12 months, stable at 8.1%. This result has remained relatively stable over time at around the long-term average since 2004 of 7.9%.

**Change in overall performance**  
**Maribyrnong City Council - 2022 Annual Community Survey**  
*(Number and percent of total respondents)*

Change	2022		2021	2020	2019	2018	2017
	Number	Percent					
Improved	129	16.1%	21.1%	19.4%	9.5%	20.8%	16.8%
Stayed the same	381	47.6%	46.5%	52.9%	53.3%	49.5%	51.8%
Deteriorated	65	8.1%	8.1%	6.4%	9.8%	6.3%	6.5%
Can't say	225	28.1%	24.3%	21.4%	27.5%	23.5%	25.0%
<b>Total</b>	<b>800</b>	<b>100%</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>

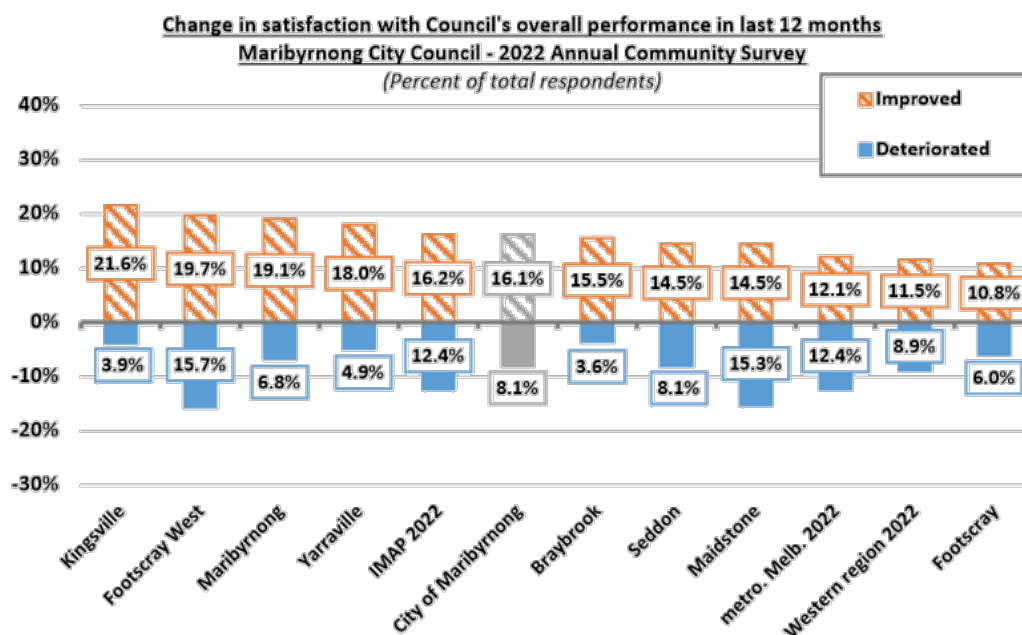
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### Maribyrnong City Council – 2022 Annual Community Survey



There was some variation in these results observed across the municipality, as outlined in the following graph.

- **Kingsville** – respondents were notably more likely than average to consider that Council's overall performance had improved over the last 12 months.
- **Footscray West and Maidstone** – respondents were measurably more likely than average to consider than Council's overall performance had deteriorated over the last 12 months.



Maribyrnong City Council – 2022 Annual Community Survey

## Governance and leadership

Respondents were asked:

*“On a scale of 0 (lowest) to 10 (highest), can you please rate your satisfaction with the following?”*

Respondents were again in 2022, asked to rate their satisfaction with seven aspects of Council’s governance and leadership performance, as outlined in the following graph.

The average satisfaction with these seven aspects of governance and leadership was 6.81 out of 10, or a “good” level of satisfaction, which was identical to the 2021 average.

Satisfaction with these seven aspects of governance and leadership can best be summarised as follows:

- **Very Good** – for Council performance promoting gender respect and equity, with 58.1% “very satisfied” and 3.5% (down from 6.1%) “dissatisfied”.
- **Good** – for Council’s representation, lobbying and advocacy; community consultation and engagement; responsiveness to local community needs, performance maintaining community trust and confidence, making decisions in the interests of the community, and mitigating the causes of and addressing the impacts of climate change. Approximately one-third or a little more of respondents were “very satisfied” with these aspects, whilst approximately 10% or a little more of respondents were “dissatisfied”.

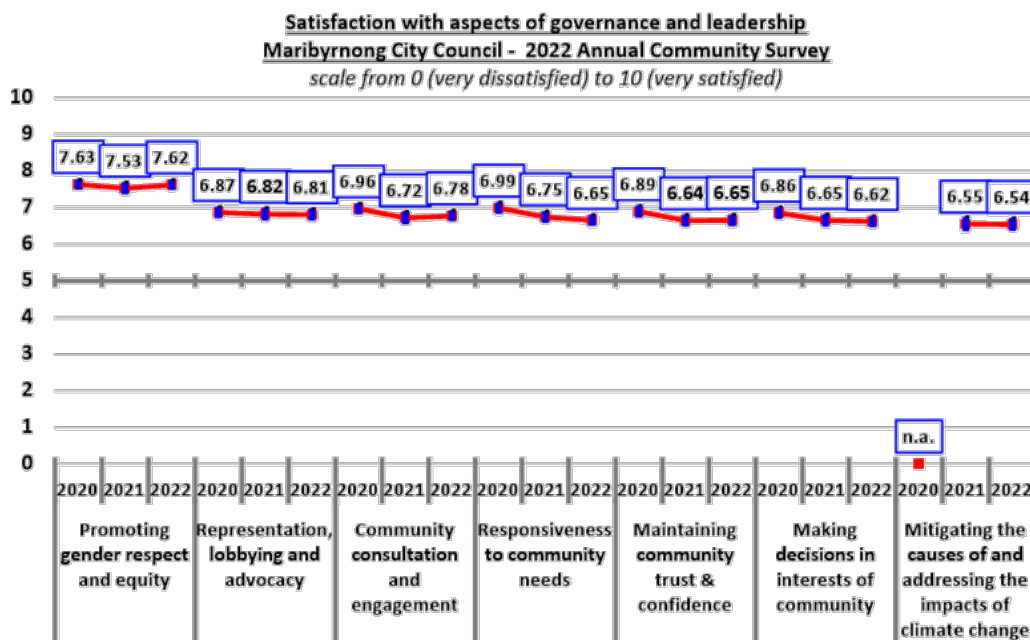
Metropolis Research notes that satisfaction with Council’s performance mitigating the causes and addressing the impacts of climate change remains the lowest of the seven aspects.

This does reflect the issues to address results, that showed that respondents who nominated environment, sustainability, and climate change related issues as one of the top three issues to address for the City of Maribyrnong “at the moment”, were, on average, notably less satisfied with Council’s overall performance than the municipal average.

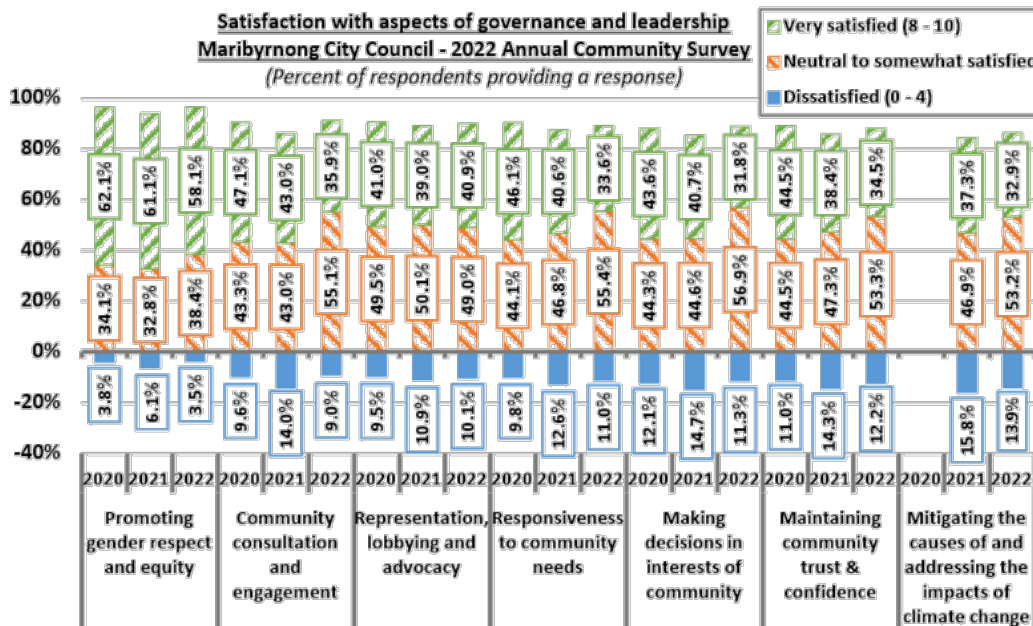
This does imply that there is a small group within the City of Maribyrnong community (approximately four percent) who believe that environmental issues are important issues to address in the local community, and who may not feel that Council has or is adequately addressing these issues.

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It is noted that, consistent with the satisfaction with overall performance results, there was a small decline in the proportion of respondents who were “very satisfied” with each of these seven aspects, but also a very small decline in the proportion who were “dissatisfied”.



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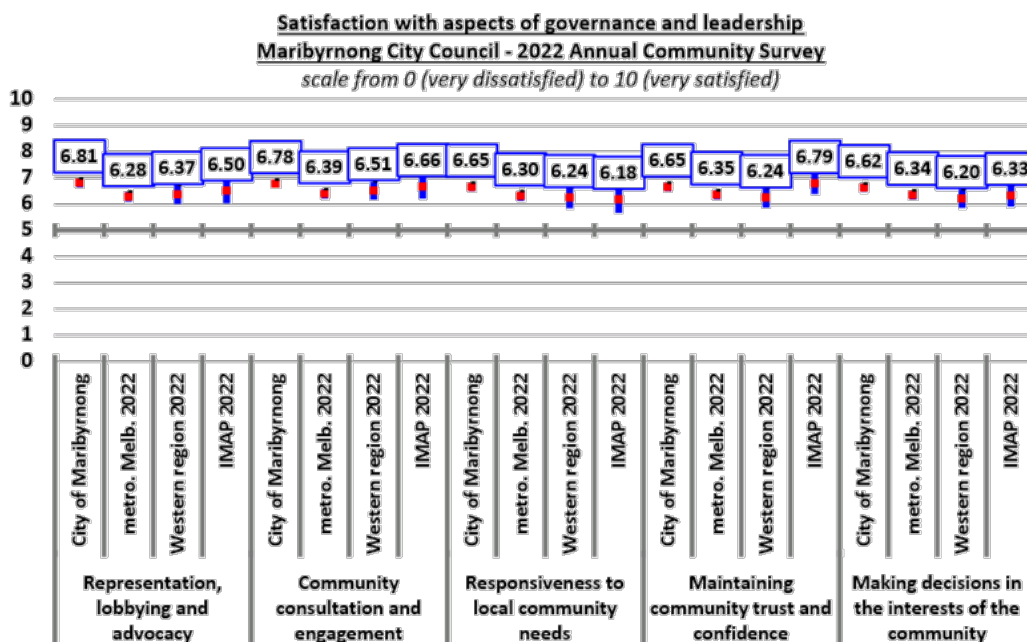
The following graph provides a comparison of these satisfaction with aspects of governance and leadership results against the metropolitan Melbourne, western region councils', and IMAP councils' averages, as recorded in the 2022 *Governing Melbourne* research conducted independently by Metropolis Research in January 2022, using the telephone methodology.

The 2022 *Governing Melbourne* research included five of the seven aspects of governance and leadership.

The City of Maribyrnong average satisfaction with these five aspects was 6.70, measurably higher than the metropolitan Melbourne average of 6.33, somewhat higher than the western region councils (6.31), and marginally higher than the IMAP councils (6.49).

Metropolis Research notes that the variation in methodology between the door-to-door interview predominantly used for the City of Maribyrnong survey compared to the telephone methodology employed for *Governing Melbourne*, as well as the difference in timing may well have been a factor underpinning some of the variation in results.

Metropolis Research suggests that satisfaction with local government may well have improved somewhat over the course of 2022, moving further away from the impacts of COVID-19.



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### Maribyrnong City Council – 2022 Annual Community Survey

#### Customer service

##### *Contact with Council in the last two years*

Respondents were asked:

*"Have you contacted Maribyrnong City Council in the last two years?"*

In 2022, 37.9% of respondents reported that they had contacted Council in the last two years, somewhat lower than the long-term average since 2004 of 45.9%.

**Contacted Council in the last two years**  
**Maribyrnong City Council - 2022 Annual Community Survey**  
(Number and percent of respondents providing a response)

Response	2022		2021	2020	2019	2018	2017
	Number	Percent					
Yes	302	37.9%	45.0%	41.3%	34.6%	46.9%	50.4%
No	494	62.1%	55.0%	58.7%	65.4%	53.1%	49.6%
Can't say	4		0	5	5	3	11
<b>Total</b>	<b>800</b>	<b>100%</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>

##### *Forms of contact*

Respondents who had contacted Council were asked:

*"When you last contacted the Council, was it?"*

Consistent with the results observed over many years, the most common method by which respondents reported that they had contacted Council was via telephone during office hours, with 51.2% (down from 60.4%) contacting Council via this method.

There was a substantial increase in 2022, in the proportion of respondents who reported that they had last contacted Council by email, up from 19.7% in 2021 to 28.4% this year. This result is significantly higher than the long-term average result of 14.8% recorded since 2013, reflecting a trend of increasing contact via this method over time.

The proportion of respondents who reported that their last contact with Council was via the website also increased again this year, up from 12.1% to 14.0%, and up substantially on the long-term average since 2013 of 6.1%.

Metropolis Research draws attention to the fact that just 5.4% of respondents reported that they last contacted Council by visiting in person, down marginally again this year from 6.7% in 2021 and 8.2% in 2020, and from the pre-COVID-19 result of 17.6% in 2019.

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### Maribyrnong City Council – 2022 Annual Community Survey

Whilst it is still too early to make a strong statement about longer term trends, it does appear at this stage that there may have been a substantial change in the methods by which the community contacts the City of Maribyrnong.

There has been a dramatic decline in visits in person due to the impact of COVID-19, which does not appear to have recovered as yet, and a substantial increase in the interactions by email and the website over time.

**Form of contact with Maribyrnong City Council**  
**Maribyrnong City Council - 2022 Annual Community Survey**  
(Number and percent of respondents who contacted Council)

Response	2022		2021	2020	2019	2018	2017
	Number	Percent					
Telephone (during office hours)	153	51.2%	60.4%	60.4%	54.6%	49.1%	51.4%
E-mail	85	28.4%	19.7%	21.3%	18.7%	10.2%	11.4%
Website	42	14.0%	12.1%	7.6%	4.8%	6.2%	4.3%
Visit in person	16	5.4%	6.7%	8.2%	17.6%	15.8%	18.7%
Telephone (after hours service)	2	0.7%	0.3%	0.6%	0.4%	0.3%	0.8%
Mail	1	0.3%	0.8%	1.8%	4.0%	0.5%	1.3%
Multiple	0	0.0%	0.0%	0.0%	0.0%	18.0%	12.2%
Not stated	3	1.0%	4	0	2	1	3
<b>Total</b>	<b>302</b>	<b>101%</b>	<b>360</b>	<b>328</b>	<b>275</b>	<b>374</b>	<b>398</b>

### Satisfaction with aspects of customer contact

Respondents who had contacted Council were asked:

*“On a scale of 0 (lowest) to 10 (highest), how satisfied were you with the following aspects of service when you last contacted the Maribyrnong City Council?”*

Respondents who had contacted Council in the last 12 months were again in 2022, asked to rate their satisfaction with nine aspects of customer service.

The average satisfaction with these nine aspects of customer service was 7.19 out of 10, down less than one percent on the 2021 average of 7.23 but remains at a “good” level of satisfaction.

It is noted, however, that the average satisfaction with customer service has declined 5.4% since the high point of 7.60 or “very good” recorded immediately prior to COVID-19 in 2019.

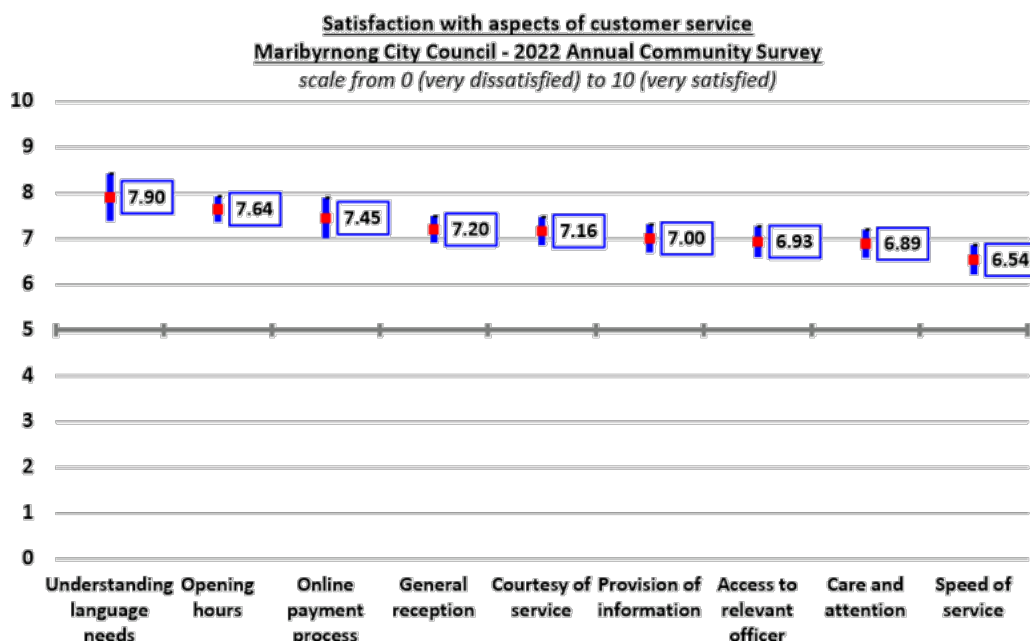
Satisfaction with the nine aspects of customer service was best summarised as follows:

- **Excellent** - for staff understanding the respondents’ language needs (multilingual households only).

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### Maribyrnong City Council – 2022 Annual Community Survey

- **Very Good** – for opening hours and the online payment process.
- **Good** – for general reception, courtesy of service, the provision of information on the Council and its services, access to relevant officer, care and attention to enquiry, and speed of service.



Metropolis Research notes that satisfaction with customer service declined somewhat in several municipalities across metropolitan Melbourne during the pandemic, although the decline was somewhat variable.

The variability appears to be related to the ability of different councils to transition to good quality customer service off-site, as well as the degree to which different communities already engaged with their local council. Municipalities where the community was more likely to visit Council in person tended to decline more than municipalities where the community were more likely to engage with Council via other methods.

The following graph provides a breakdown of satisfaction into the proportion of respondents who were “very satisfied” (i.e., rated satisfaction at eight or more), those who were “neutral to somewhat satisfied” (i.e., rated satisfaction between five and seven), and those who were “dissatisfied” (i.e., rated satisfaction at less than five).

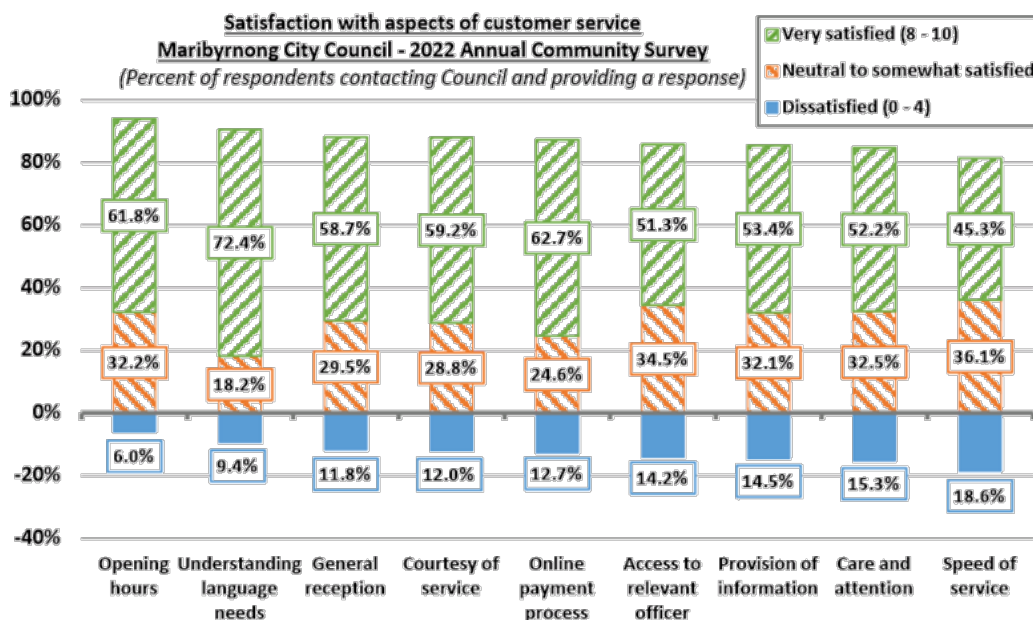
It is noted that, except for the speed of service, more than half of the respondents who had contacted Council in the last 12 months were “very satisfied” with each of the nine aspects of customer service.

Attention is again in 2022, drawn to the fact that more than approximately one-sixth of respondents were “dissatisfied” with access to relevant officer, the provision of information, care and attention to enquiry, and the speed of service.

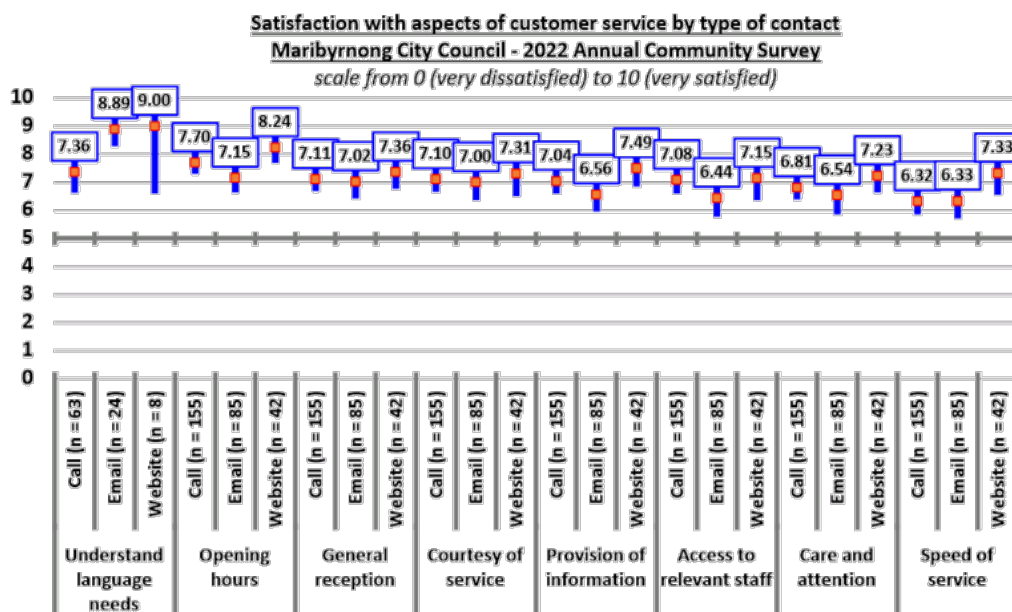
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It is important to note, however, that the proportion of respondents “dissatisfied” with each of these four aspects of customer service declined sharply this year, particularly the speed of service, which declined from 23.9% “dissatisfied” respondents in 2021 to 18.6% this year.



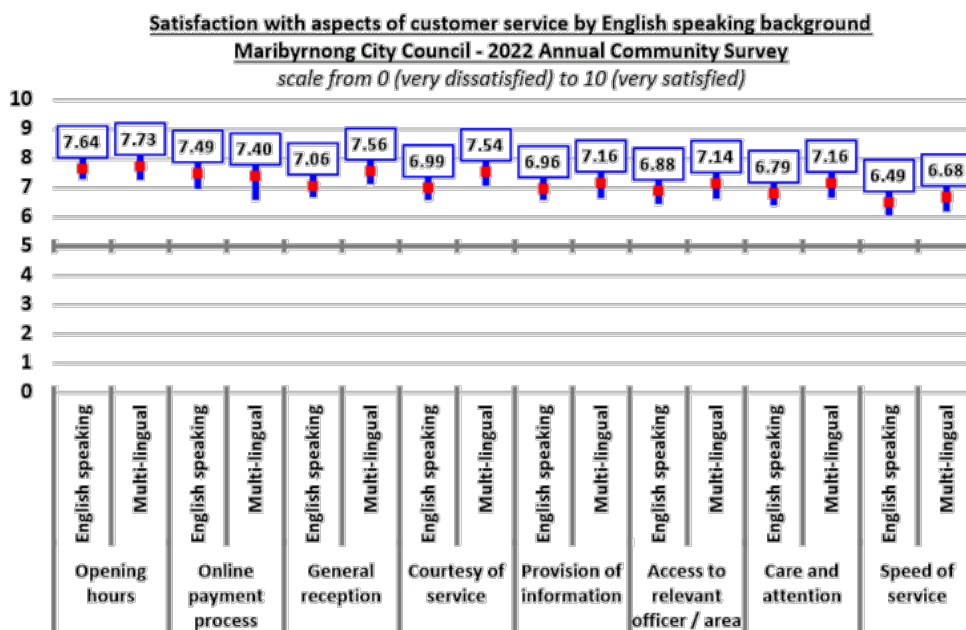
The following graph provides a comparison of satisfaction with eight of the nine aspects of customer service (excluding online payments process) by the method of contacting Council. Whilst there was no statistically significant variation, due in part to the relatively small sample sizes, it is noted that respondents who visited the Council website were somewhat more satisfied with all eight aspects of customer service.



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### Maribyrnong City Council – 2022 Annual Community Survey

There was no statistically significant variation in satisfaction with the nine aspects of customer service observed between respondents from multilingual and English-speaking households, although it is noted that multilingual households tended to be somewhat more satisfied.



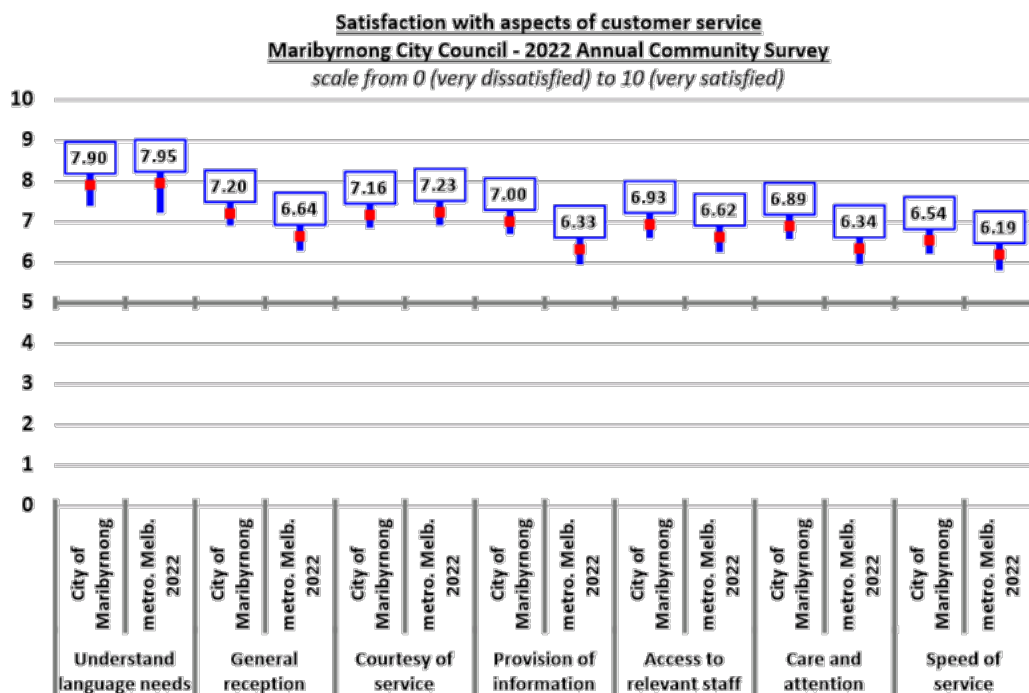
The following graph provides a comparison of satisfaction with seven of the nine aspects of customer service, between the City of Maribyrnong and the metropolitan Melbourne average satisfaction as recorded in the *Governing Melbourne* research conducted independently by Metropolis Research in January 2022, using the telephone methodology.

It is noted that respondents in the City of Maribyrnong were somewhat more satisfied with five of the seven aspects, although this variation was not statistically significant.

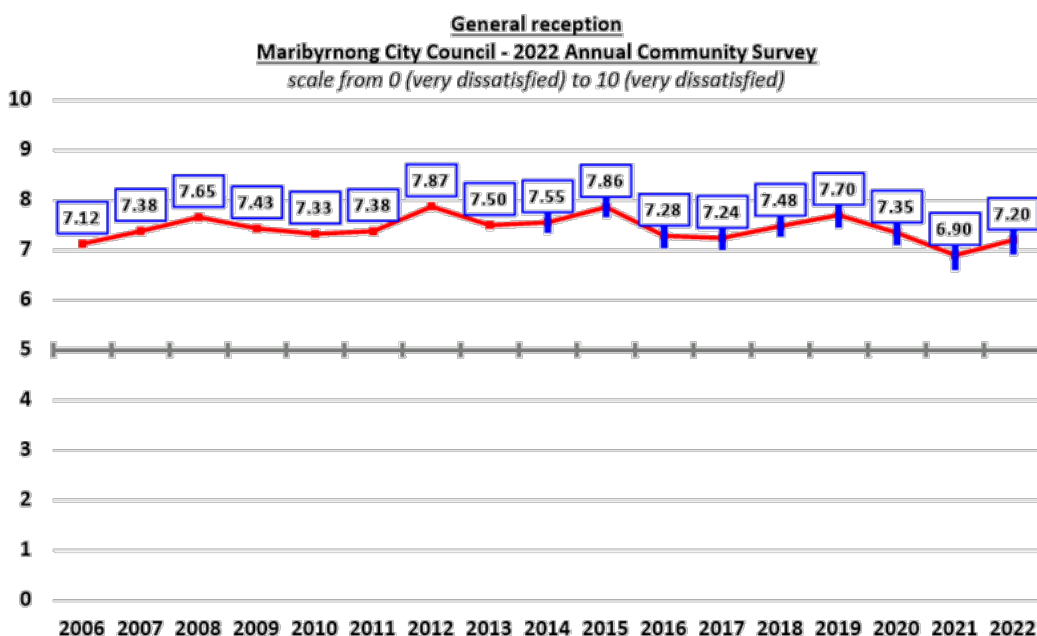
Satisfaction with staff understanding language needs and the courtesy of service were almost identical to the metropolitan Melbourne average.

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Maribyrnong City Council – 2022 Annual Community Survey



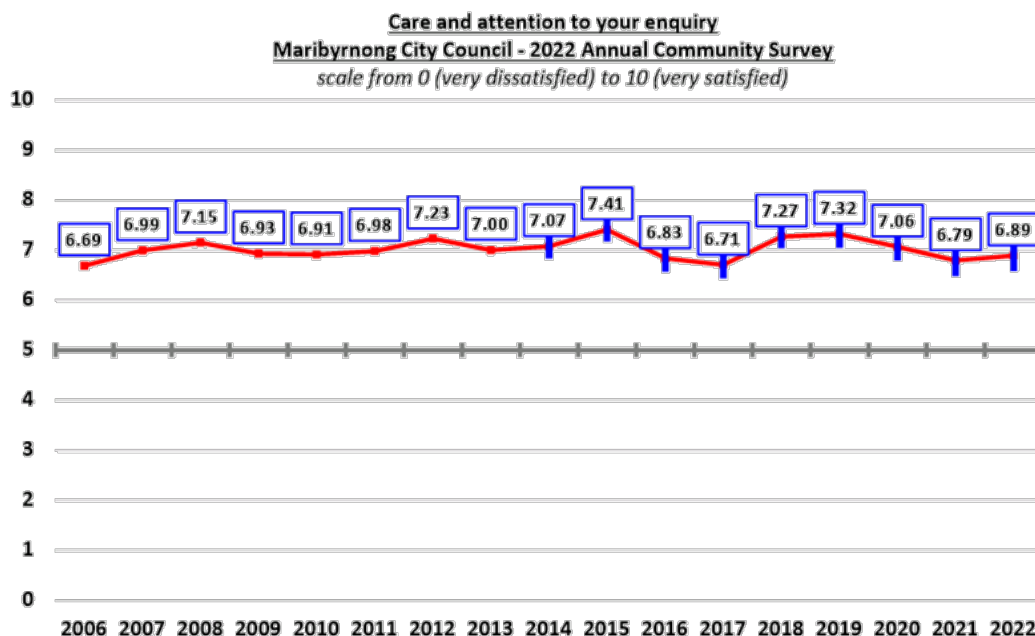
Satisfaction with general reception improved marginally, but not measurably this year, up 4.3% to 7.20, although it remains “good”. Despite the increase in satisfaction this year, this remains somewhat below the long-term average since 2006 of 7.42.



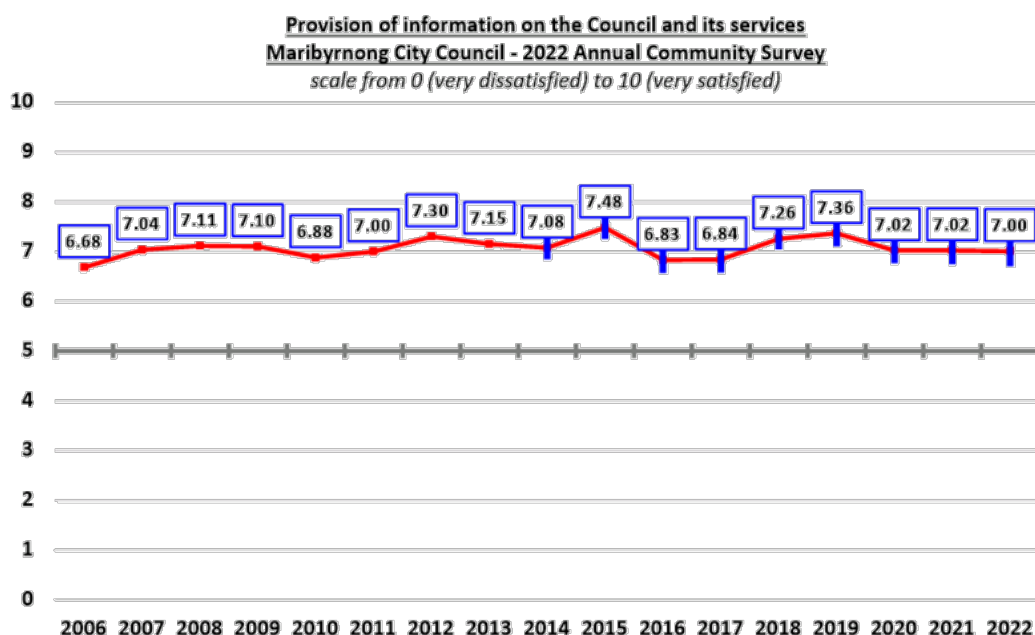
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Maribyrnong City Council – 2022 Annual Community Survey

Satisfaction with the care and attention to the respondents' enquiry improved marginally but not measurably this year, up 1.4% to 6.89, although it remains "good". Satisfaction with this aspect of customer service has remained relatively stable over time, around the long-term average since 2006 of 7.01.



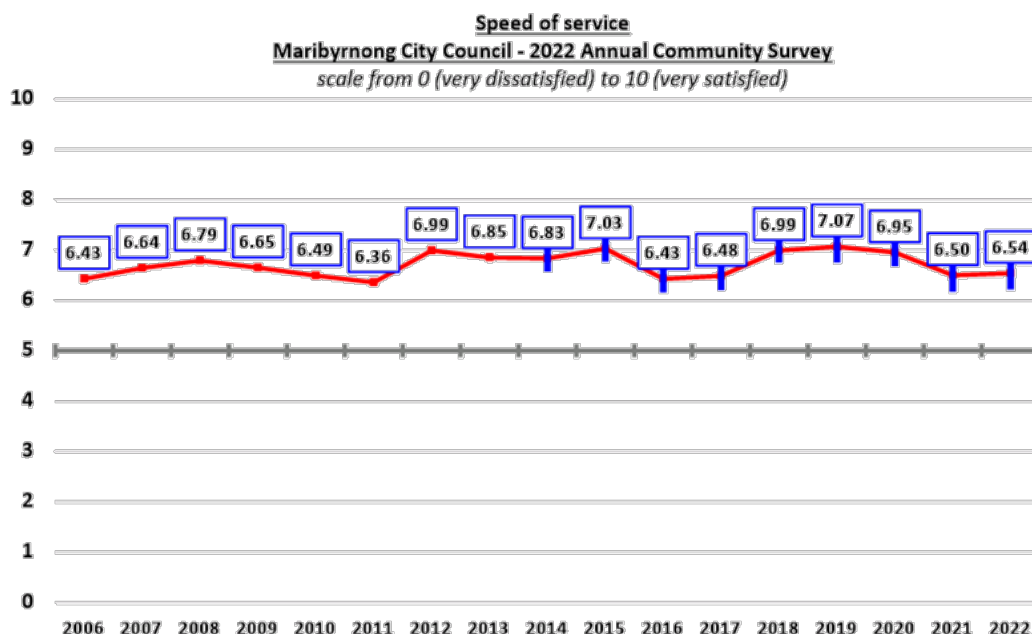
Satisfaction with the provision of information on the Council and its services remained essentially stable again in 2022 at 7.0, or a "good" level of satisfaction. This result remains similar to the long-term average satisfaction since 2006 of 7.07.



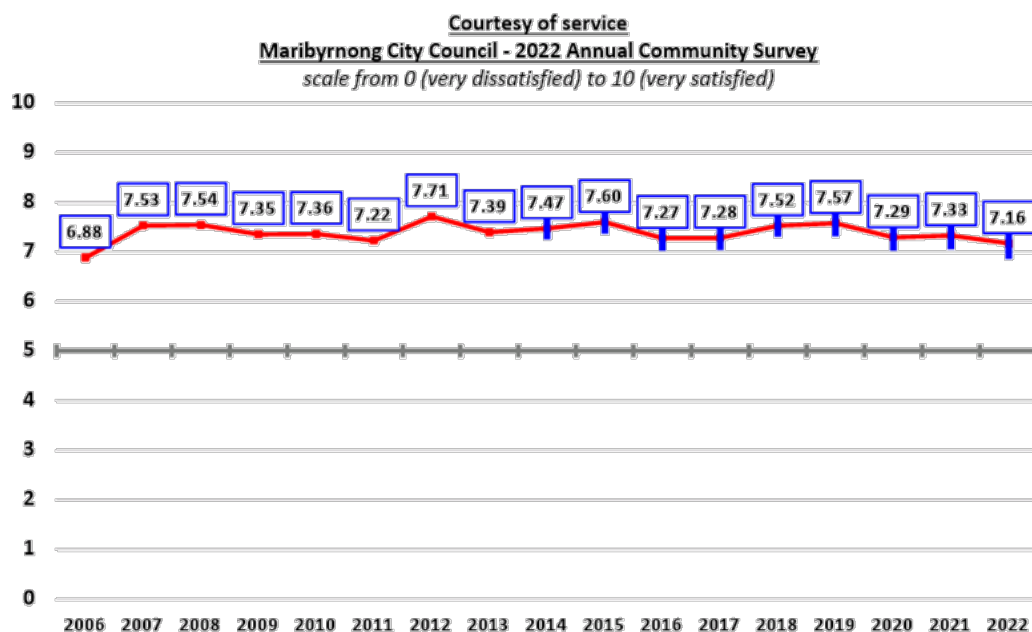
## Agenda Item 9.1 - Attachment 1

### Maribyrnong City Council – 2022 Annual Community Survey

Satisfaction with the speed of service increased very marginally, but not measurably this year, up less than one percent to 6.54, which remains a “good” level. This result remains, however, notably below the long-term average satisfaction since 2006 of 6.71.



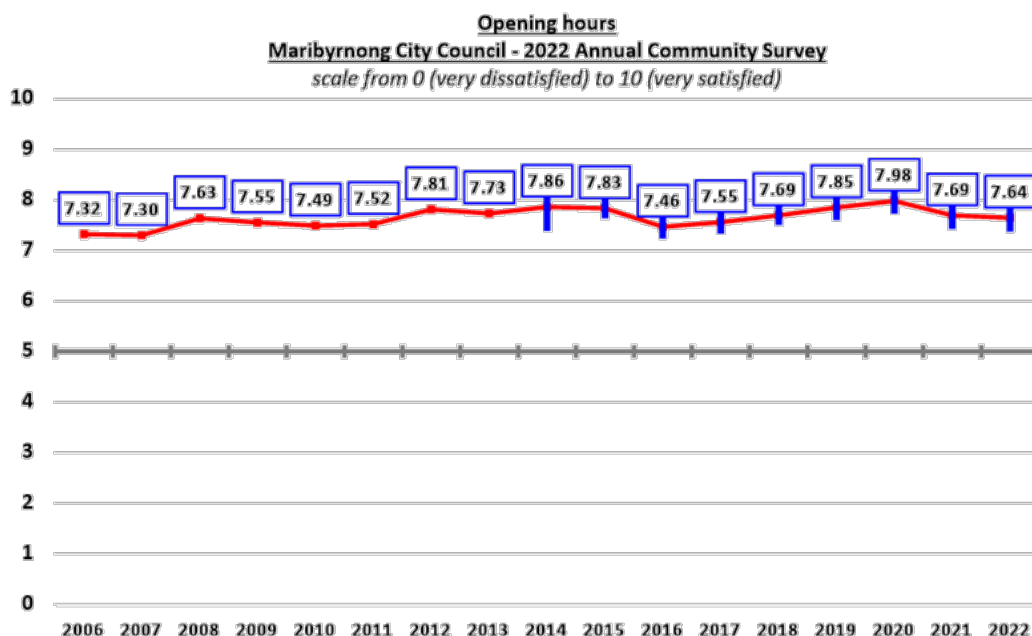
Satisfaction with the courtesy of service declined marginally, but not measurably this year, down 2.3% to 7.16, which is a “good”, down from a “very good” level of satisfaction. This result remains notably below the long-term average satisfaction since 2006 of 7.38, and is the lowest result recorded since 2006.



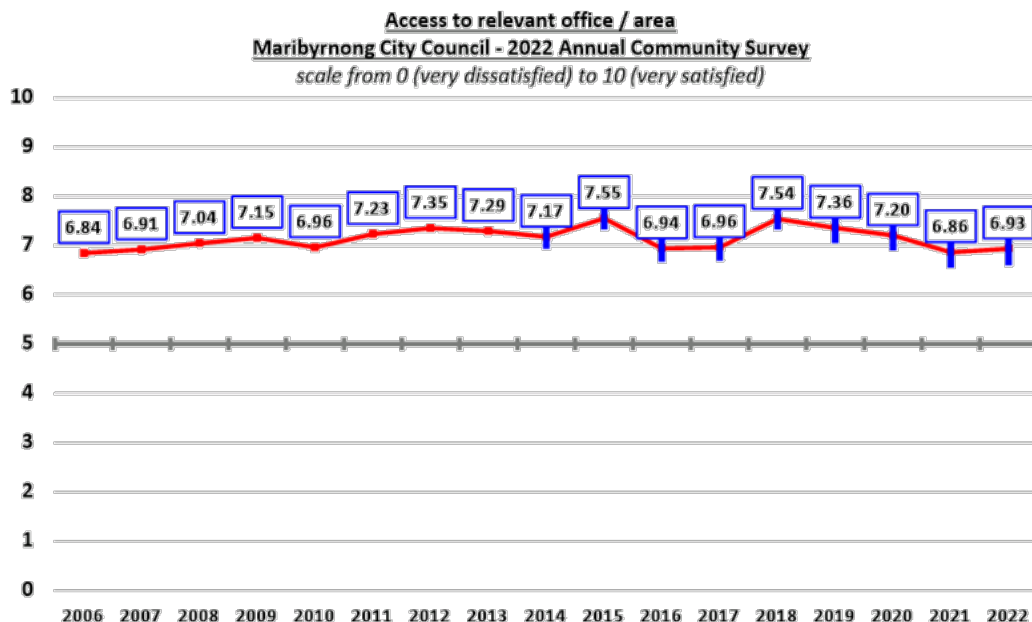
## Agenda Item 9.1 - Attachment 1

### Maribyrnong City Council – 2022 Annual Community Survey

Satisfaction with the opening hours of Council remained essentially stable this year, down less than one percent to 7.64, and remains at a “very good” level. This result has remained remarkably stable around the long-term average satisfaction since 2006 of 7.64.



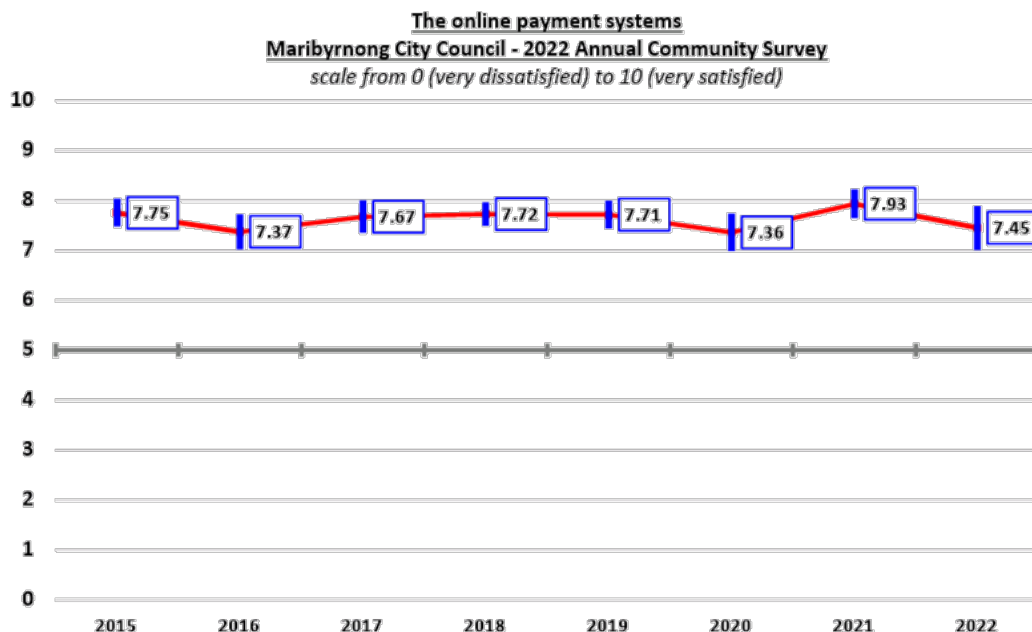
Satisfaction with the access to relevant officer / area increased very marginally, but not measurably this year, up less than one percent to 6.93, which remains a “good” level of satisfaction. This result remains, however, below the long-term average since 2006 of 7.13.



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### Maribyrnong City Council – 2022 Annual Community Survey

Cognisant of the small sample size of 143 respondents, satisfaction with the online payments system declined somewhat, but not measurably this year, down 6.1% to 7.45, which is a “very good”, down from an “excellent” level. Despite the smaller sample size, satisfaction with the online payments system has remained relatively stable around the long-term average since 2015 of 7.62.



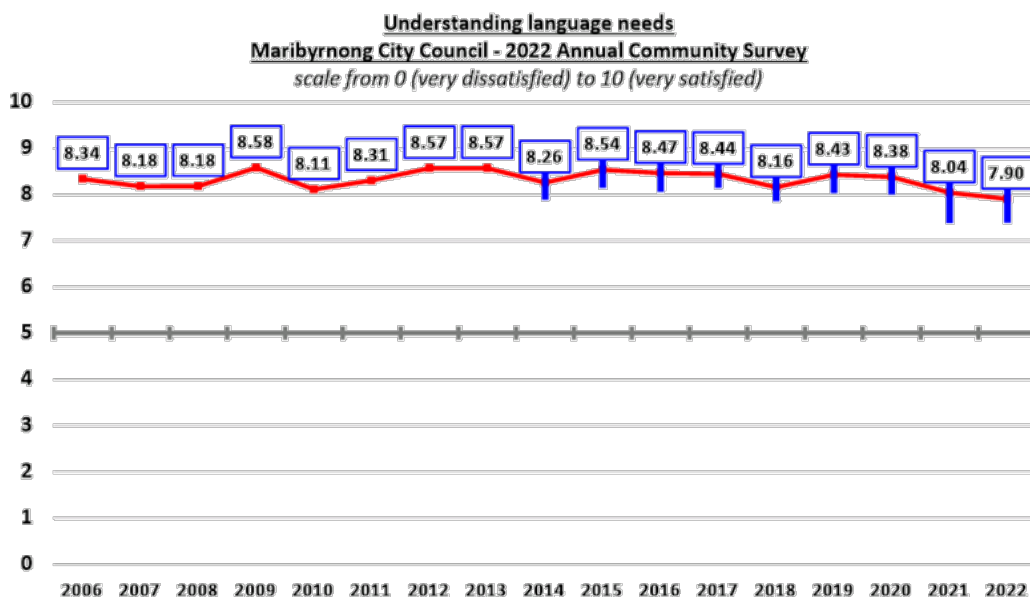
Satisfaction with staff understanding language needs (of respondents from multilingual households only) declined marginally, but not measurably this year, down 1.7% to 7.90, although it remains at an “excellent” level.

Metropolis Research notes that satisfaction with staff understanding the respondents’ language needs has remained at an “excellent” level in each year in which the question was included in the survey from 2006.

It is noted, however, that satisfaction with this aspect has been lower in 2021 and 2022 than the long-term average satisfaction since 2006 of 8.32.

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### Maribyrnong City Council – 2022 Annual Community Survey



### Planning and housing development

There were two separate sets of questions included in the survey relating to satisfaction with planning and housing development. The first set of three questions were asked of all respondents and related to three planning and development outcomes in the municipality.

Following this first set of questions, a screening question was asked about involvement in the planning approvals process in the last 12 months, and for those respondents participating as applicants or objectors, respondents were asked to rate their satisfaction with four aspects of the planning approvals process.

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### Maribyrnong City Council – 2022 Annual Community Survey

#### Planning and housing development outcomes

Respondents were asked:

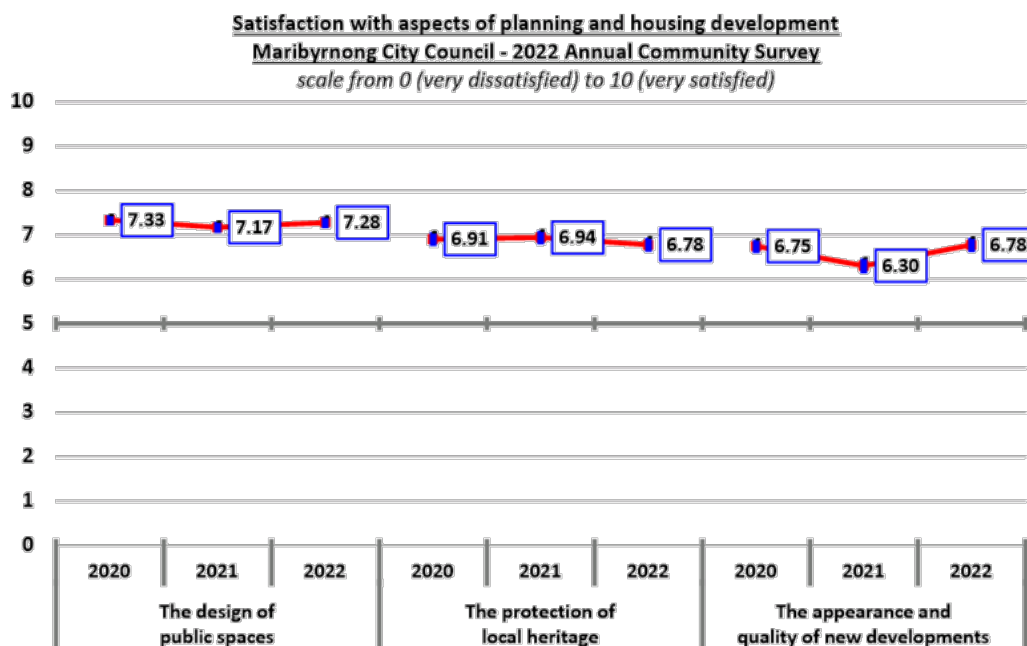
*“On a scale of 0 (lowest) to 10 (highest), please rate your satisfaction with the following aspects of planning and housing development in your local area.”*

All respondents were asked to rate their satisfaction with the three planning and development outcome related aspects, as outlined in the following graph.

Satisfaction with the design of public spaces increased marginally to a “very good” level, and satisfaction with the appearance and quality of new developments increased measurably, up 7.6% to 6.78, which is a “good” up from a “solid” level.

Satisfaction with the protection of local heritage and sites of significance declined marginally but remained at a “good” level of satisfaction.

Metropolis Research draws attention to the fact that the increase in satisfaction with the appearance and quality of new developments fully reversed the decline in satisfaction with this aspect that was recorded in 2021.



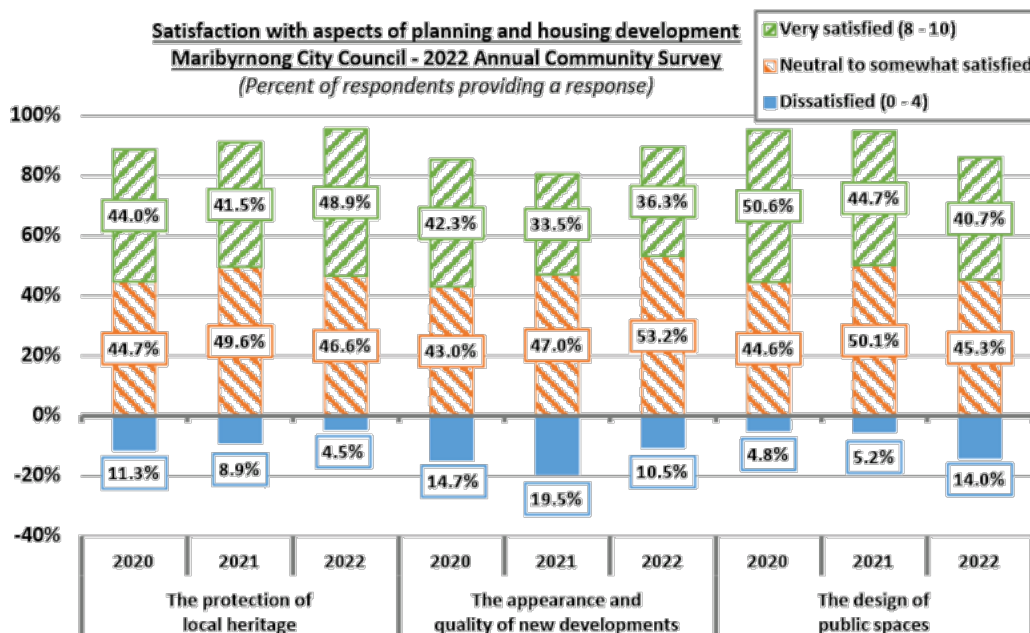
The following graph provides a breakdown of satisfaction into the proportion of respondents who were “very satisfied” (i.e., rated satisfaction at eight or more), those who were “neutral to somewhat satisfied” (i.e., rated satisfaction between five and seven), and those who were “dissatisfied” (i.e., rated satisfaction at less than five).

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### Maribyrnong City Council – 2022 Annual Community Survey

Attention is drawn to the fact that significantly more respondents were “very satisfied” with each of these three aspects than were “dissatisfied”.

It is noted, however that 14.0% of respondents were “dissatisfied” with the design of public spaces this year, almost three times the proportion who were “dissatisfied” in 2020 and 2021. This does appear an unusual result against the trend, and at odds with the increase in satisfaction with this aspect.



The following graph provides a comparison of satisfaction with these three planning and development outcomes against the metropolitan Melbourne, western region councils, and IMAP councils, as recorded in the 2022 *Governing Melbourne* research conducted independently by Metropolis Research in January 2022 using the telephone methodology.

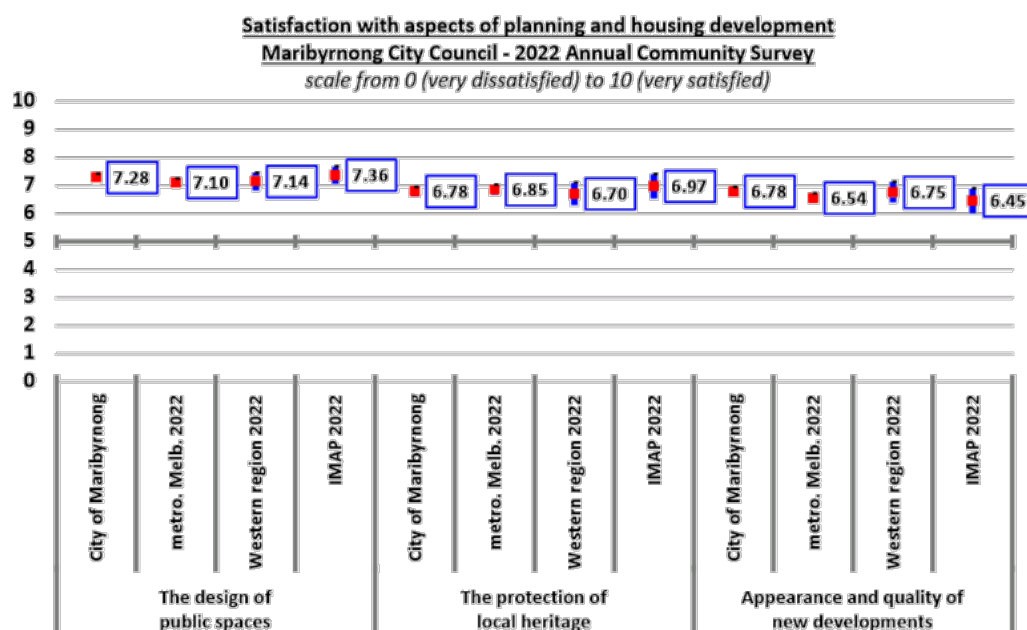
It is noted that satisfaction with these three planning and development outcome related aspects was similar in the City of Maribyrnong than each of the three comparison results.

Satisfaction with the design of public spaces was somewhat higher than the metropolitan Melbourne and western region councils' averages, and satisfaction with the appearance and quality of new developments was somewhat higher than the metropolitan Melbourne or IMAP councils' averages.

Metropolis Research notes that the increase in satisfaction with the appearance and quality of new developments in the City of Maribyrnong this year, which reversed the unusually low result recorded in 2021, has resulted in a higher average satisfaction in the City of Maribyrnong than the comparison areas for this importance core measure of community satisfaction with the nature of new housing development occurring in the municipality. This is very much a return to trend for this result.

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### Maribyrnong City Council – 2022 Annual Community Survey



### Planning approvals process

#### Involvement in planning approvals process

Respondents were asked:

*"Have you or members of this household been personally involved in a planning application or development in the last 12 months?"*

Consistent with the results observed over many years, only a small proportion of respondents had participated in the planning approvals process in the last 12 months, with 3.9% involved either as applicants (2.1%) or objectors (1.4%).

**Involvement in planning approvals process**  
**Maribyrnong City Council - 2022 Annual Community Survey**  
*(Number and percent of respondents providing a response)*

Response	2022		2021	2020	2019	2018	2017
	Number	Percent					
Yes - Applicant	15	2.1%	2.7%	2.4%	1.9%	3.5%	5.1%
Yes - Objector	10	1.4%	1.4%	1.7%	1.1%	1.6%	3.1%
Yes - Other	3	0.4%	0.3%	0.1%	0.6%	0.5%	0.8%
No involvement	684	96.1%	95.7%	95.8%	96.3%	94.3%	91.0%
Not stated	88		17	17	8	8	19
<b>Total</b>	<b>800</b>	<b>100%</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>

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### Maribyrnong City Council – 2022 Annual Community Survey

#### Satisfaction with aspects of the planning approvals process

Respondents involved in planning in the last 12 months were asked:

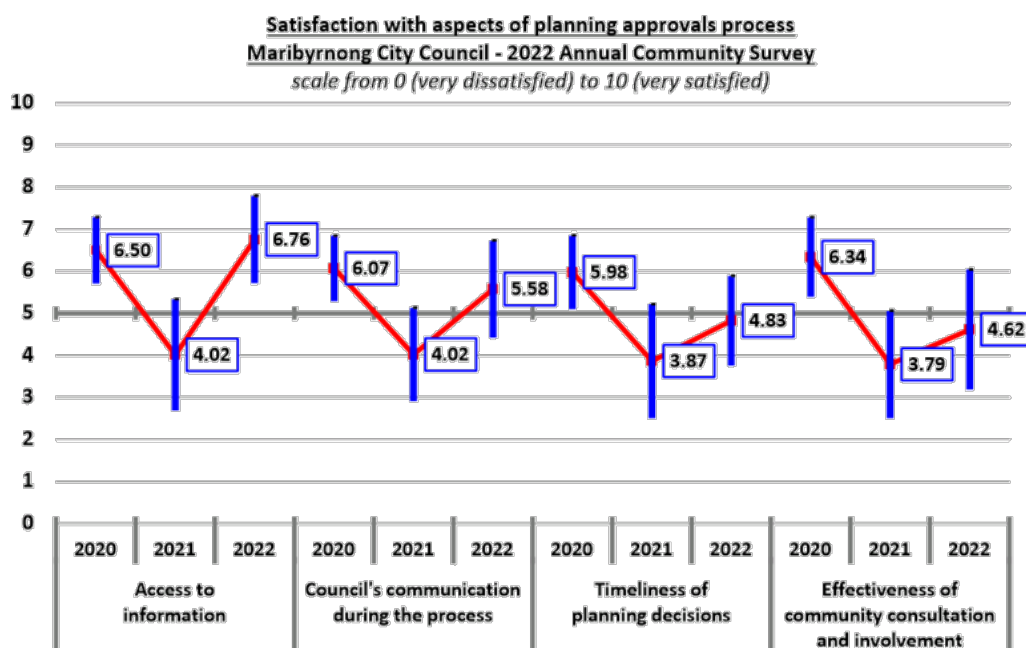
*“On a scale of 0 (lowest) to 10 (highest), how satisfied were you with the following aspects of the planning approvals process?”*

The 28 respondents who had participated in the planning approvals process were asked to rate their satisfaction with four aspects of the planning approvals process, as outlined in the following graphs.

It is important to bear in mind the small sample of just 28 respondents, reflected in the extremely large 95% confidence range around the average scores, as reflected in the vertical blue bars.

Cognisant of the small sample sizes, it is noted that satisfaction with all four aspects increased somewhat in 2022, reversing the declines reported last year.

This was particularly the case in relation to the increase in satisfaction with access to information, that returned to a “good”, up from an “extremely poor” level of satisfaction, and Council’s communication during the process, which improved from an “extremely poor” to a “poor” level.



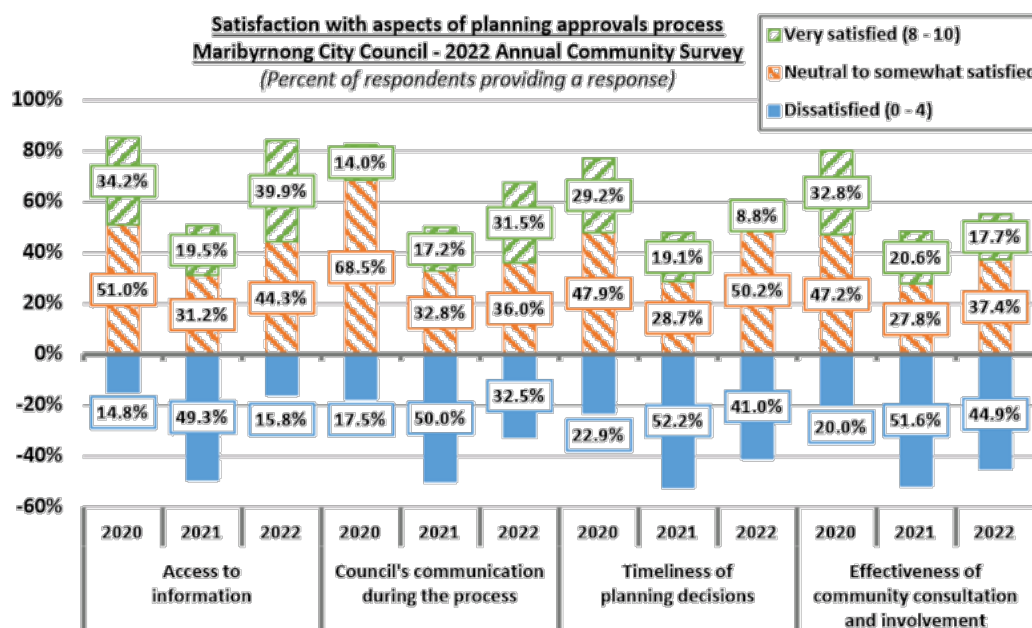
The following graph provides a breakdown of satisfaction into the proportion of respondents who were “very satisfied” (i.e., rated satisfaction at eight or more), those who were “neutral to somewhat satisfied” (i.e., rated satisfaction between five and seven), and those who were “dissatisfied” (i.e., rated satisfaction at less than five).

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### Maribyrnong City Council – 2022 Annual Community Survey

Metropolis Research notes that whilst cognisant of the small sample size, it remains the case that a significant proportion of respondents are “dissatisfied” with both the timeliness of planning decisions (41.0% down from 52.2%), and the effectiveness of community consultation and involvement (44.9% down from 51.6%).

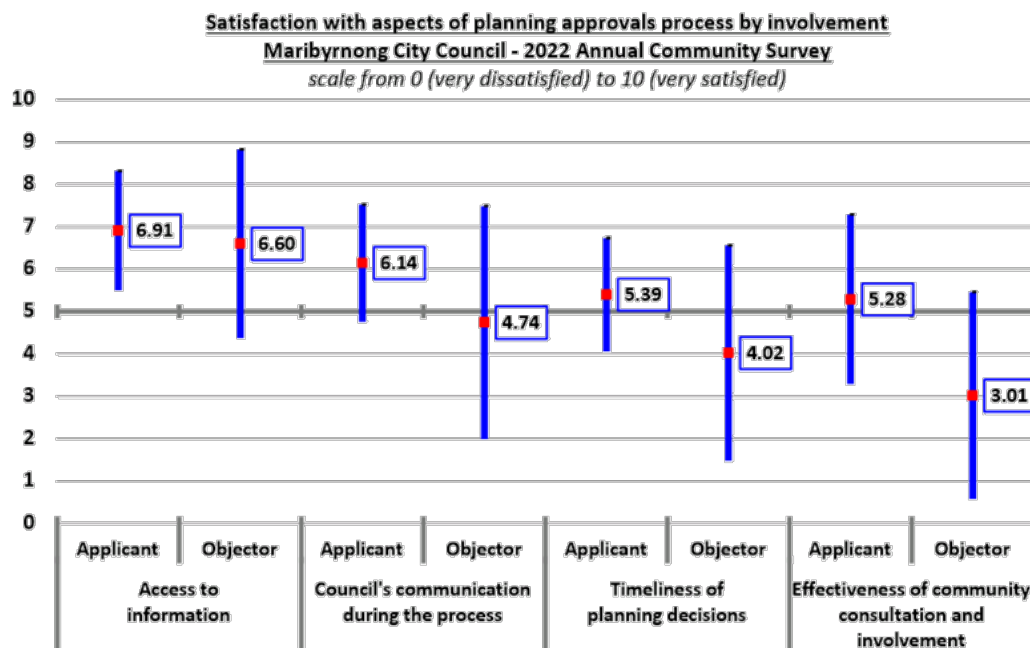
These results, whilst variable from year to year due to the sample size, do highlight the two areas in which those in the community who are involved in the planning approvals process are consistently dissatisfied. These two areas are firstly how long the process takes, and secondly, the perception that consultation was insufficient as evidenced by the outcome.



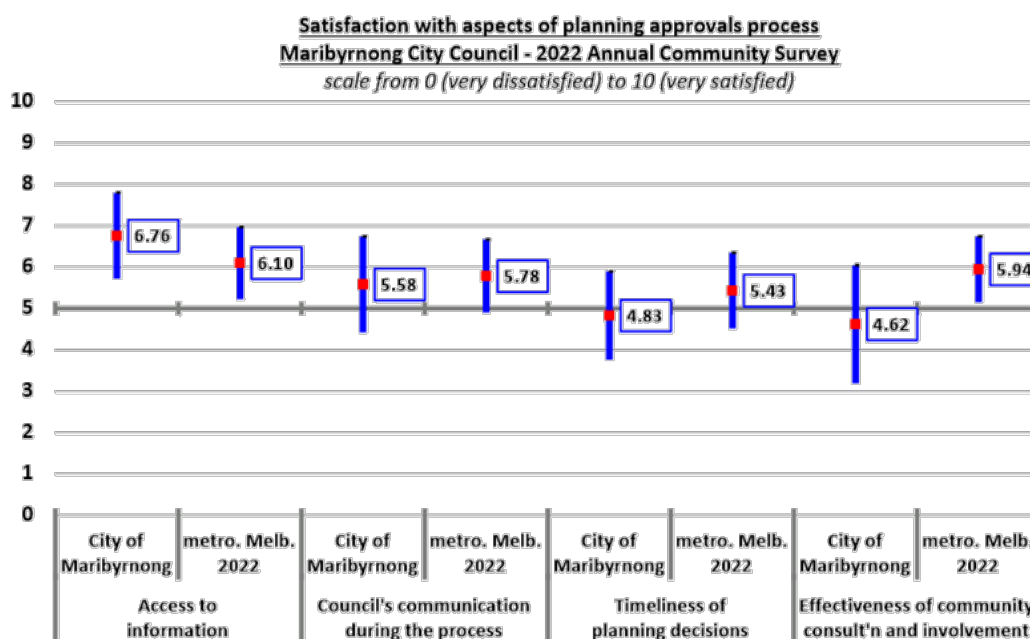
The following graph provides a comparison of satisfaction with these aspects between applicants and objectors. Cognisant of the extremely small sample size of 15 applicants and 10 objectors, it is noted that objectors were less satisfied with all four aspects than were applicants. This often reflects a greater dissatisfaction by objectors given the outcome of the granting of the planning approvals.

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Maribyrnong City Council – 2022 Annual Community Survey



The following graph provides a comparison of satisfaction with these four aspects of the planning approvals process between the City of Maribyrnong and the metropolitan Melbourne average, as recorded in the 2022 *Governing Melbourne* research conducted independently by Metropolis Research in January 2022 using the telephone survey methodology. Whilst noting the small sample sizes, it is noted that satisfaction with access to information was marginally higher in the City of Maribyrnong, whilst satisfaction with satisfaction with the timeliness of planning decisions and the effectiveness of community consultation and involvement was somewhat lower in the City of Maribyrnong.



Maribyrnong City Council – 2022 Annual Community Survey

## Importance of and satisfaction with Council services

Respondents were asked:

*“On a scale of 0 (lowest) to 10 (highest), please rate the importance to the community, and your personal level of satisfaction with each of the following?”*

Respondents were asked to rate the importance to the community of a total of 39 Council provided services and facilities.

Respondents were then asked to rate their personal level of satisfaction with 17 core Council services and facilities, and their personal level of satisfaction with any of the other 22 services and facilities that they or members of their household had used in the last 12 months.

### ***Importance of Council services and facilities to the community***

The average importance of the 39 included Council provided services and facilities was 8.54 out of a potential 10, down a little on the average of 8.91 recorded in 2021.

This result was very similar to the 2022 metropolitan Melbourne average importance with the 33 services and facilities included in the *Governing Melbourne* research conducted independently by Metropolis Research in January 2022, using the telephone methodology.

As outlined at the right-hand side of the following table, there were 14 services and facilities that were, on average, measurably more important to respondents than the average of all 39 services and facilities.

These included the fortnightly recycling, the fortnightly green waste collection, the weekly garbage collection, services for people with a disability, the annual hard rubbish collection, services for children, services for older people, public toilets, library services, on and off-road walking paths, the provision and maintenance of playgrounds, services for young people, Council responsibilities towards the environment, and the provision and maintenance of street lighting.

It is noted that these services included all four kerbside collection services, all four community services, libraries, the environment, and a range of infrastructure related services.

Conversely, there were nine services and facilities that were, on average, measurably less important than the average of all 39 services and facilities. These included Council activities promoting local economic development, animal management, street sweeping, Council’s customer request management system, the provision of public art, Council’s online consultation tool, parking enforcement, the *Maribyrnong Messenger*, and Council’s use of social media.

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### Maribyrnong City Council – 2022 Annual Community Survey

It is noted that these services included all the communication, consultation, and arts and cultural services and facilities of Council, as well as economic development and parking enforcement. These are always rated as less important than average to respondents, both in the City of Maribyrnong, as well as more broadly across metropolitan Melbourne.

Of the 39 included services and facilities, the average importance of just two increased in 2022 and the average importance of 37 declined somewhat, with attention drawn to the following:

- **Marginally more important in 2022** – the only two services and facilities to record an increase in importance this year were the fortnightly recycling service (up 1.3%) and the fortnightly green waste collection (up 1.1%).
- **Notably less important in 2021** – includes the *Maribyrnong Messenger* (down 11.3%), parking enforcement (down 10.8%), Council's use of social media (down 9.9%), the provision of public art (down 9.0%), Council's online consultation tool (down 8.3%), Council activities promoting local economic development (down 7.0%), council's customer request management system (down 6.9%), animal management (down 6.5%), street sweeping (down 5.7%), the maintenance and cleaning of shopping strips (down 5.4%), Council's festivals and events (down 5.4%), additional paid hard rubbish collection (down 5.2%), and on and off-road bike paths (down 5.1%).

These statistically significant declines in importance appear to reflect a return to more typical importance scores for many services and facilities after the COVID-19 years, at which time the average importance of services and facilities tended to be higher than pre- and post-COVID-19.

When compared to the metropolitan Melbourne average importance of services and facilities, of the 33 services and facilities included in both surveys in a comparable way, 13 were important in the City of Maribyrnong and 20 were less important.

Of these, only the fortnightly green waste collection was measurably more important in the City of Maribyrnong, whilst only parking enforcement was measurably less important.

The following is, however, noted:

- **Notably more important in the City of Maribyrnong than metropolitan Melbourne** – includes fortnightly green waste collection (5.0% more important), library services (2.4% more important), public toilets (2.4% more important), and community centres / neighbourhood houses (2.2% more important), and annual hard rubbish collection (2.1% more important).
- **Notably less important in the City of Maribyrnong than metropolitan Melbourne** – includes parking enforcement (5.3% less important), street sweeping (2.6% less important), and Council activities promoting local economic development (2.0% less important).

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Maribyrnong City Council – 2022 Annual Community Survey

**Importance of selected Council services and facilities**  
**Maribyrnong City Council – 2022 Annual Community Survey**  
(Number and index score scale 0 – 10)

	Service/facility	Number	2022			2021	2020	2019	2022 Metro.*
			Lower	Mean	Upper				
Higher than average	Fortnightly recycling	734	9.32	9.39	9.46	9.27	9.20	9.04	9.26
	Fortnightly green waste collection	693	9.11	9.21	9.30	9.11	9.13	8.90	8.77
	Weekly garbage collection	788	9.11	9.20	9.28	9.35	9.15	9.22	9.28
	Services for people with disability	525	9.02	9.13	9.23	9.17	9.10	8.87	9.05
	Annual hard rubbish collection	641	8.90	9.00	9.11	9.14	9.01	8.92	8.82
	Services for children	522	8.89	9.00	9.11	9.05	9.01	8.74	8.87
	Services for older people	512	8.85	8.97	9.08	9.10	9.06	8.90	8.93
	Public toilets	643	8.80	8.90	8.99	9.04	8.88	8.57	8.69
	Library services	626	8.74	8.86	8.98	9.03	9.06	8.83	8.65
	On and off-road walking paths	681	8.74	8.84	8.94	9.18	9.00	8.78	n.a.
	Provision and maintenance of playgrounds	624	8.70	8.81	8.91	9.12	8.98	8.72	8.85
	Services for young people	516	8.67	8.79	8.91	8.97	8.92	8.56	8.76
	Council responsibilities on environment	654	8.68	8.79	8.89	9.09	8.91	8.84	8.74
	Provision and maintenance of street lighting	777	8.68	8.77	8.86	9.14	9.02	8.94	8.78
Average importance	Sports facilities	664	8.64	8.75	8.86	9.05	8.92	8.74	8.81
	Provision and maint. of parks and gardens	755	8.65	8.74	8.84	9.12	8.98	8.93	8.90
	Litter collection in public areas	742	8.63	8.73	8.82	9.04	8.93	8.97	8.90
	Footpath maintenance and repairs	786	8.61	8.71	8.80	9.02	9.00	8.96	8.86
	Maintenance and repair of sealed local roads	787	8.59	8.69	8.79	9.07	9.03	8.96	8.85
	Illegally dumped rubbish	710	8.57	8.67	8.78	8.98	8.91	8.90	8.80
	Maintenance and cleaning of Footscray CBD	693	8.56	8.66	8.76	9.06	8.81	8.90	n.a.
	Community Centres / Neighbourhood Houses	602	8.52	8.64	8.75	8.95	8.85	8.57	8.45
	Maribyrnong Aquatic Centre	564	8.45	8.57	8.69	8.91	8.83	8.53	8.68
	Local traffic management	744	8.45	8.56	8.66	8.96	8.90	8.94	8.70
	Provision and maintenance of street trees	771	8.45	8.55	8.65	8.92	8.94	8.83	8.62
	On and off-road bike paths	651	8.40	8.53	8.66	8.99	9.00	8.78	8.64
	Maintenance and cleaning of shopping strips	733	8.37	8.47	8.56	8.95	8.86	8.74	8.63
	Council's website	606	8.33	8.46	8.59	8.69	8.83	8.41	8.42
	Council's festivals and events	595	8.21	8.33	8.45	8.81	8.79	8.48	8.25
Lower than average	Additional, paid hard waste collection	448	8.06	8.25	8.43	8.70	8.70	8.32	n.a.
	Promoting local economic development	627	8.11	8.24	8.37	8.86	8.84	8.55	8.41
	Animal management	659	8.07	8.21	8.34	8.78	8.78	8.66	8.36
	Street sweeping	766	8.08	8.20	8.32	8.70	8.79	8.78	8.42
	Customer Request Management System	433	7.89	8.05	8.22	8.65	8.72	8.11	n.a.
	Provision of public art	525	7.73	7.90	8.07	8.68	8.68	8.20	7.93
	Council's online consultation tool	334	7.48	7.70	7.91	8.39	8.58	7.87	n.a.
	Parking enforcement	729	7.20	7.38	7.55	8.27	8.49	8.46	7.79
	Maribyrnong Messenger (Council's newsletter)	606	7.09	7.28	7.48	8.21	8.41	8.06	7.42
	Council's use of social media	430	7.05	7.27	7.49	8.07	8.42	7.88	n.a.
Average importance			8.42	8.54	8.66	8.91	8.88	8.67	8.65

(\*) 2022 metropolitan Melbourne average from Governing Melbourne

Maribyrnong City Council – 2022 Annual Community Survey

***Satisfaction with Council services and facilities***

The average satisfaction with the 39 included Council provided services and facilities remained essentially stable this year at 7.35, which is a “very good” level of satisfaction.

Recognising that the exact list of services and facilities included in the survey has changed marginally over time, it is noted that the basic list of services has remained essentially stable.

Over the course of the last 12 years, the long-term average satisfaction with the services and facilities included in the survey was 7.17 or a “good” level of satisfaction. This 2022 result was marginally, but not measurably higher than this long-term average.

This average satisfaction of 7.35 was almost identical to the metropolitan Melbourne average satisfaction with the 33 services and facilities included in *Governing Melbourne*, conducted independently by Metropolis Research using the telephone methodology in January 2022, including a sample from all 31 metropolitan Melbourne municipalities.

As outlined at the right-hand side of the following table, there were eight services and facilities that received a satisfaction score measurably higher than the average of all 39 services and facilities (7.35). This includes library services, fortnightly recycling, weekly garbage collection, fortnightly green waste collection, annual hard rubbish collection, Maribyrnong Aquatic Centre, the provision and maintenance of playgrounds, and community centres / neighbourhood houses.

Conversely, there were seven services and facilities that received a satisfaction score measurably lower than the average of all 39 services and facilities. This includes parking enforcement, public toilets, the maintenance and repair of sealed local roads, the maintenance and cleaning of the Footscray CBD, the *Maribyrnong Messenger*, footpath maintenance and repairs, and local traffic management. Six of these eight lower than average satisfaction services and facilities also recorded measurably lower than average satisfaction scores last year.

Satisfaction with the 39 services and facilities can best be summarised as follows:

- **Excellent** – for library services, fortnightly recycling, weekly garbage collection, fortnightly green waste collection, annual hard rubbish collection, Maribyrnong Aquatic Centre, provision and maintenance of playgrounds, community centres / neighbourhood houses, services for children, additional paid hard rubbish collection, and sports facilities.
- **Very Good** – for Council’s festivals and events, the provision and maintenance of street lighting, the provision and maintenance of parks and gardens, services for young people, on and off-road walking paths, the provision of public art, and services for older people.
- **Good** – for animal management, the maintenance and cleaning of shopping strips, on and off-road bike paths, the provision and maintenance of street trees, Council’s use of social media, Council’s website, litter collection in public areas, street sweeping, Council’s online consultation tool, Council responsibilities towards the environment, Council activities promoting local economic development, illegally dumped rubbish, customer request management system, services for people with disability, local traffic management, footpath maintenance and repairs, Maribyrnong Messenger, maintenance and cleaning of Footscray CBD, maintenance and repair of sealed local roads, and public toilets.



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### Maribyrnong City Council – 2022 Annual Community Survey

- **Solid** – for parking enforcement.

It is noted that again in 2022, none of the 39 included services and facilities recorded satisfaction scores categorised as “poor”, “very poor”, or “extremely poor”.

**Satisfaction with selected Council services and facilities**  
**Maribyrnong City Council – 2022 Annual Community Survey**  
(Number and index score scale 0 - 10)

	Service/facility	Number	2022			2021	2020	2019	2022 Metro.*
			Lower	Mean	Upper				
Higher than average	Library services	335	8.45	8.59	8.73	8.17	8.47	8.56	8.49
	Fortnightly recycling	690	8.41	8.53	8.65	8.17	8.21	8.27	8.35
	Weekly garbage collection	787	8.31	8.43	8.56	8.35	8.29	8.33	8.41
	Fortnightly green waste collection	604	8.17	8.33	8.48	8.04	8.20	8.29	8.16
	Annual hard rubbish collection	440	8.06	8.22	8.39	7.59	7.64	7.74	7.99
	Maribyrnong Aquatic Centre	261	7.76	7.94	8.12	7.49	7.65	7.78	7.97
	Provision and maintenance of playgrounds	363	7.78	7.94	8.09	7.78	7.94	7.92	8.04
	Community Centres / Neighbourhood Houses	200	7.71	7.90	8.08	7.43	7.80	7.95	7.87
Average satisfaction	Services for children	141	7.56	7.86	8.16	7.53	7.87	8.26	8.14
	Additional, paid hard waste collection	112	7.43	7.84	8.24	7.41	6.99	7.43	n.a.
	Sports facilities	399	7.64	7.78	7.91	7.58	7.50	7.60	7.99
	Council's festivals and events	339	7.51	7.67	7.84	7.51	7.76	7.79	7.76
	Provision and maintenance of street lighting	763	7.54	7.66	7.78	7.76	7.59	7.21	7.72
	Provision and maint. of parks and gardens	742	7.45	7.58	7.71	7.79	7.84	7.49	7.75
	Services for young people	77	7.14	7.54	7.94	7.26	7.58	7.69	7.30
	On and off-road walking paths	555	7.38	7.52	7.67	7.53	7.29	7.23	n.a.
	Provision of public art	219	7.14	7.38	7.62	7.36	7.14	7.33	6.92
	Services for older people	56	6.57	7.26	7.95	7.15	7.90	7.37	7.51
	Animal management	637	7.07	7.22	7.38	7.89	7.64	7.41	7.60
	Maintenance and cleaning of shopping strips	726	7.07	7.19	7.31	7.28	7.29	7.17	7.40
	On and off-road bike paths	370	6.97	7.17	7.36	7.10	7.29	7.23	7.40
	Provision and maintenance of street trees	773	7.02	7.16	7.31	7.21	7.48	7.16	7.12
	Council's use of social media	102	6.75	7.16	7.57	6.62	7.19	6.66	n.a.
	Council's website	386	6.91	7.11	7.30	7.02	7.39	7.15	7.28
	Litter collection in public areas	728	6.97	7.10	7.23	7.04	7.14	7.17	7.26
	Street sweeping	744	6.90	7.05	7.20	6.96	7.12	7.18	7.45
	Council's online consultation tool	73	6.46	6.95	7.44	6.99	6.81	6.18	n.a.
	Council responsibilities on environment	601	6.74	6.89	7.04	7.25	7.18	6.93	7.04
	Promoting local economic development	591	6.71	6.85	7.00	7.28	7.20	6.94	6.82
	Illegally dumped rubbish	681	6.70	6.85	7.00	6.95	6.83	6.83	6.94
	Customer Request Management System	148	6.45	6.85	7.25	6.82	7.20	6.58	n.a.
	Services for people with disability	52	5.95	6.79	7.64	6.99	6.80	7.18	6.67
Lower than average	Local traffic management	729	6.64	6.79	6.93	6.91	7.00	6.75	6.80
	Footpath maintenance and repairs	778	6.57	6.72	6.87	6.63	6.77	6.98	6.74
	Maribyrnong Messenger (Council's newsletter)	559	6.50	6.69	6.88	7.24	7.32	6.85	6.70
	Maintenance and cleaning of Footscray CBD	672	6.49	6.64	6.79	6.83	6.89	6.85	n.a.
	Maintenance and repair of sealed local roads	784	6.48	6.63	6.78	6.54	6.97	7.10	6.66
	Public toilets	373	6.36	6.57	6.79	6.57	6.43	6.61	6.33
	Parking enforcement	696	6.31	6.48	6.65	6.53	6.76	6.57	6.54
Average satisfaction			7.13	7.35	7.58	7.30	7.40	7.33	7.40

(\*) 2022 metropolitan Melbourne average from Governing Melbourne

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### Maribyrnong City Council – 2022 Annual Community Survey

#### Change in satisfaction from 2021 to 2022

The average satisfaction with 24 of the 39 included Council provided services and facilities increased in 2022, whilst satisfaction with 15 declined.

Most of these variations were not statistically significant, although attention is drawn to the following notable variations:

- **Notably increased satisfaction in 2022** – includes annual hard rubbish collection (up 8.4%), Council's use of social media (up 8.2%), community centres / neighbourhood houses (up 6.3%), Maribyrnong Aquatic Centre (up 6.1%), additional paid hard rubbish collection (up 5.8%), library services (up 5.1%), fortnightly recycling (up 4.5%), and services for children (up 4.4%).
- **Notably decreased satisfaction in 2022** – includes animal management (down 8.5%), the *Maribyrnong Messenger* (down 7.6%), Council activities promoting local economic development (down 5.8%), and Council meeting its environmental responsibilities (down 5.0%).

#### Variation from metropolitan Melbourne satisfaction

Of the 39 services and facilities included in the survey, 33 were also included in *Governing Melbourne* in a comparable format. *Governing Melbourne* was conducted independently by Metropolis Research in January 2022 using the telephone survey methodology.

Of these 12 recorded a higher satisfaction score in the City of Maribyrnong than the metropolitan Melbourne average, and 21 recorded a lower satisfaction score, with attention drawn to the following:

- **Notably higher satisfaction in the City of Maribyrnong than metropolitan Melbourne** – includes the provision of public art (6.7% higher in the City of Maribyrnong), public toilets (3.9% higher), and services for young people (3.3% higher).
- **Notably lower satisfaction in the City of Maribyrnong than metropolitan Melbourne** – includes street sweeping (5.4% lower in the City of Maribyrnong), animal management (4.9% lower), services for children (3.4% lower), services for older people (3.3% lower), and on and off-road bike paths (3.2% lower).

#### Average satisfaction with Council services and facilities

As discussed earlier in the report, the average satisfaction with these 39 services and facilities was 7.35 out of 10, only very marginally lower than the metropolitan Melbourne average of 7.40, as recorded in *Governing Melbourne*.

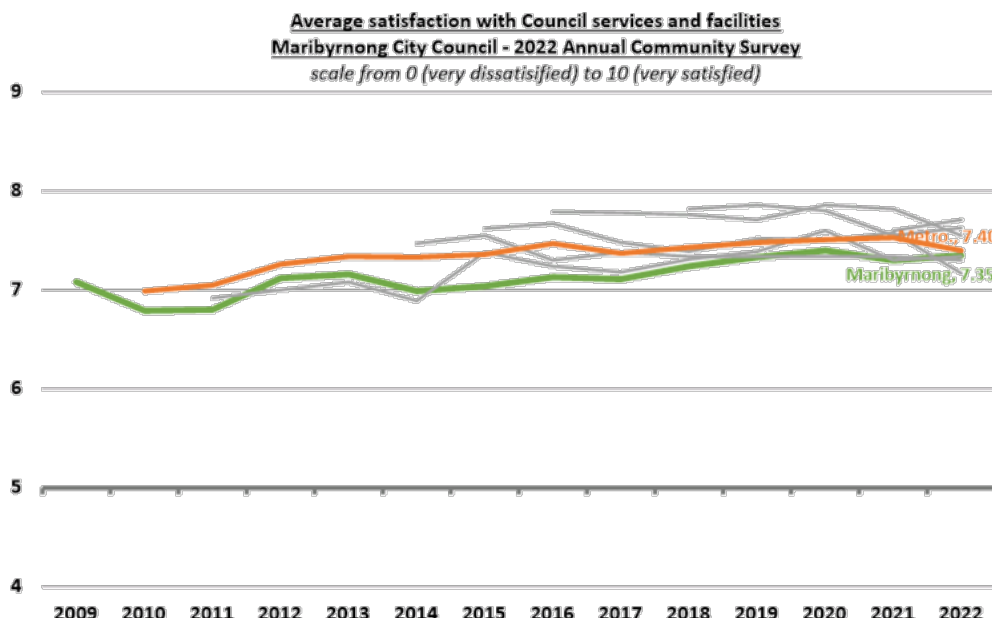
It is clear in this graph, that the variation between satisfaction with services and facilities in the City of Maribyrnong and the metropolitan Melbourne average has diminished over time somewhat.



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### Maribyrnong City Council – 2022 Annual Community Survey

When compared to a range of other councils for which Metropolis Research conducts similar work, which are outlined in the grey trend lines, it is noted that satisfaction with services and facilities has tended to be marginally lower in the City of Maribyrnong than some other municipalities, although this has reduced in recent years.



### Breakdown of percentage satisfaction scores

The following table provides a breakdown of satisfaction into the proportion of respondents who were “very satisfied” (i.e., rated satisfaction at eight or more), those who were “neutral to somewhat satisfied” (i.e., rated satisfaction between five and seven), and those who were “dissatisfied” (i.e., rated satisfaction at less than five).

Of the 39 included services and facilities, it is noted that approximately half or more of the respondents providing a satisfaction score for each service and facilities were “very satisfied” with each of 26 of the 39 services and facilities, including most prominently:

- Library (86.4% of 336 respondents were “very satisfied”)
- Fortnightly recycling (81.9% of 689 respondents)
- Fortnightly green waste collection (78.6% of 604 respondents)
- Weekly garbage collection (77.4% of 787 respondents)
- Annual hard rubbish collection (75.1% of 438 respondents).

There were 12 services and facilities with which more than 10% of respondents providing a satisfaction score were “dissatisfied” with the service or facility, including most prominently:

- Services for people with disability (22.4% of 52 respondents were “dissatisfied”)
- Customer request management system (17.6% of 148 respondents)

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### Maribyrnong City Council – 2022 Annual Community Survey

- Services for older people (16.4% of 56 respondents)
- Parking enforcement (14.7% of 696 respondents)
- Public toilets (14.5% of 372 respondents).

**Satisfaction with selected Council services and facilities**  
**Maribyrnong City Council - 2022 Annual Community Survey**  
(Number and percent of respondents providing a response)

Service/facility	Dissatisfied	Neutral to somewhat satisfied	Very satisfied	Can't say	Total
Library services	0.8%	12.8%	86.4%	4	340
Fortnightly recycling	2.9%	15.2%	81.9%	12	701
Fortnightly green waste collection	4.4%	17.0%	78.6%	16	620
Weekly garbage collection	4.1%	18.5%	77.4%	13	800
Annual hard rubbish collection	4.0%	20.9%	75.1%	6	446
Maribyrnong Aquatic Centre	2.7%	26.5%	70.8%	8	269
Provision and maintenance of playgrounds	2.2%	28.5%	69.3%	10	373
Services for children	5.0%	27.8%	67.2%	8	149
Additional, paid hard waste collection	7.5%	25.6%	66.9%	8	120
Sports facilities	1.7%	34.3%	64.0%	6	406
Community Centres / Neighbourhood Houses	1.0%	37.1%	61.9%	13	213
Provision and maintenance of street lighting	4.7%	35.5%	59.8%	37	800
Services for older people	16.4%	24.3%	59.3%	11	67
Provision and maint. of parks and gardens	5.2%	35.7%	59.1%	58	800
Council's festivals and events	3.2%	38.3%	58.5%	10	348
On and off-road walking paths	6.1%	35.6%	58.3%	12	567
Services for young people	3.7%	38.9%	57.4%	7	84
Services for people with disability	22.4%	25.0%	52.6%	6	58
Customer Request Management System	17.6%	31.0%	51.4%	8	156
Council's use of social media	8.5%	40.1%	51.4%	4	107
Provision and maintenance of street trees	9.0%	39.8%	51.2%	27	800
Provision of public art	6.1%	42.7%	51.2%	10	229
Council's website	9.6%	40.5%	49.9%	11	397
Animal management	8.7%	41.5%	49.8%	163	800
Street sweeping	10.3%	40.8%	48.9%	56	800
On and off-road bike paths	7.9%	43.7%	48.4%	7	377
Council's online consultation tool	9.4%	43.7%	46.9%	4	77
Maintenance and cleaning of shopping strips	6.5%	47.0%	46.5%	74	800
Litter collection in public areas	8.2%	47.1%	44.7%	72	800
Local traffic management	12.0%	46.7%	41.3%	71	800
Illegally dumped rubbish	10.3%	49.0%	40.7%	119	800
Maribyrnong Messenger (Council's newsletter)	13.8%	46.0%	40.2%	241	800
Maintenance and repair of sealed local roads	13.8%	46.6%	39.6%	16	800
Footpath maintenance and repairs	12.3%	48.3%	39.4%	22	800
Council responsibilities on environment	9.5%	51.1%	39.4%	199	800
Promoting local economic development	8.6%	53.4%	38.0%	209	800
Parking enforcement	14.7%	49.6%	35.7%	104	800
Maintenance and cleaning of Footscray CBD	12.0%	54.4%	33.6%	128	800
Public toilets	14.5%	52.3%	33.2%	4	376

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### Maribyrnong City Council – 2022 Annual Community Survey

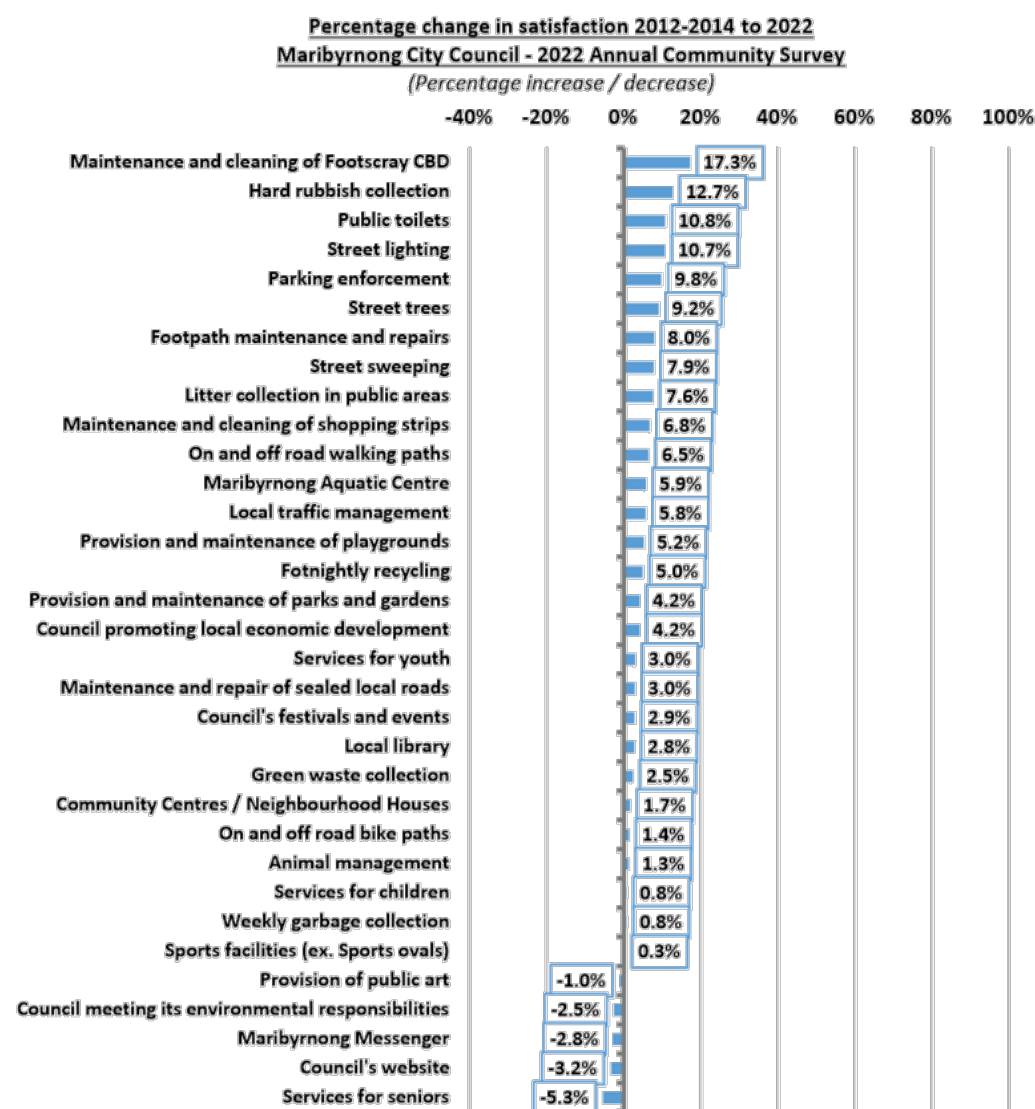
#### Change in satisfaction over the last 10 years

The following graph provides a comparison of satisfaction with the 33 services and facilities that have been included in the survey for at least 11 years.

The graph provides the difference in average satisfaction between an average of satisfaction from 2012 to 2014 and the average satisfaction in 2022. The aim of this graph is to provide some guidance as to change over time in satisfaction with services and facilities.

It is noted that satisfaction with 28 of the 33 services and facilities has increased over the last decade, with the maintenance and cleaning of Footscray CBD, the hard rubbish collection, public toilets, and street lighting all increasing by at least 10%.

There were no services or facilities to record a statistically significant decline over the last decade.



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### Maribyrnong City Council – 2022 Annual Community Survey

#### ***Importance and satisfaction cross tabulation***

The following graph provides a cross-tabulation of the average importance of each of the 39 included Council services and facilities against the average satisfaction with each.

The grey crosshairs represent the metropolitan Melbourne average importance and satisfaction with Council services and facilities as recorded in the 2022 *Governing Melbourne* research conducted independently by Metropolis Research.

Services and facilities located in the top right-hand quadrant are therefore more important than average and have obtained higher than average satisfaction. The services in the lower right-hand quadrant are those that are more important than average, but with which respondents are less satisfied than average. This quadrant represents the services and facilities of most concern.

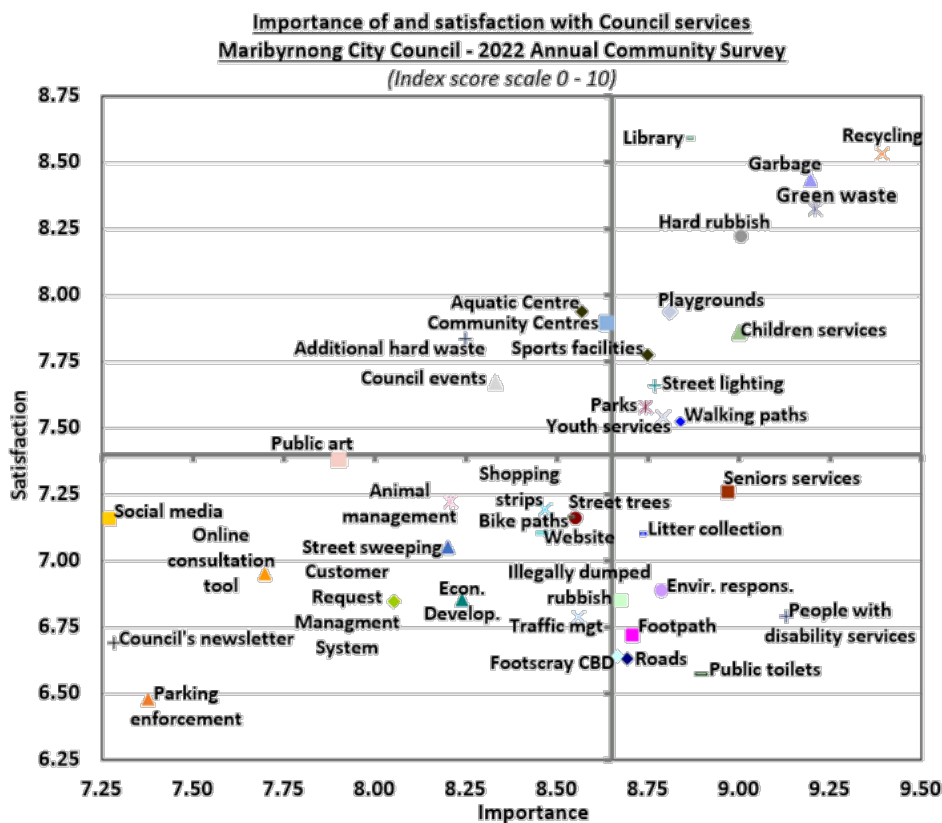
Attention is drawn to the following key findings:

- ***Waste and recycling*** – the three, core kerbside collection services were all higher-than-average importance and were three of the top four services in terms of satisfaction.
- ***Library services*** – the library service remains of higher-than-average importance and ranked first in terms of satisfaction this year.
- ***Health and human services*** – all four services (for children, youth, older persons, and persons with disability) were all average or higher than average importance. In 2022, satisfaction with two of the four services were average or higher-than-average satisfaction, although services for seniors and in particular services for persons with disability recorded notably lower than average satisfaction again in 2022.
- ***Communication services*** – consistent with the results recorded in previous years, all the communication services and facilities were of lower-than-average importance, and all received lower than average satisfaction scores.
- ***Sports and recreation facilities*** – the aquatic centre and sports facilities were both of approximately average importance and received higher-than average satisfaction scores.
- ***Playgrounds and parks and gardens*** - were both of higher-than-average importance and received higher-than-average satisfaction scores.
- ***Parking enforcement*** – remains of measurably and significantly lower than average importance and received a measurably and significantly lower than average satisfaction score. The lower importance score reflects the large number of respondents dissatisfied with parking enforcement who believe Council should be doing less enforcement.
- ***Services and facilities of concern*** – the services of most concern remain public toilets, maintenance and repair of sealed local roads, footpath maintenance and repairs, and services for people with disability. All were of higher-than-average importance but received notably lower than average satisfaction scores.



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### Maribyrnong City Council – 2022 Annual Community Survey



### Satisfaction by broad service areas

The breakdown of services and facilities into these broad service areas is as follows:

- **Infrastructure** – includes provision and maintenance of street trees, provision and maintenance of street lighting, and public toilets.
- **Waste and recycling services** – includes weekly garbage collection, fortnightly recycling, fortnightly green waste collection, annual hard rubbish collection and additional, paid hard waste collection.
- **Recreation and culture services** – includes library services, sports facilities, Maribyrnong Aquatic Centre, provision and maintenance of playgrounds, provision of public art, and Council's festivals and events.
- **Community services** – includes Community Centres / Neighbourhood Houses, services for children, services for young people, services for older people, and services for people with disability.
- **Enforcement** – includes parking enforcement, and animal management.

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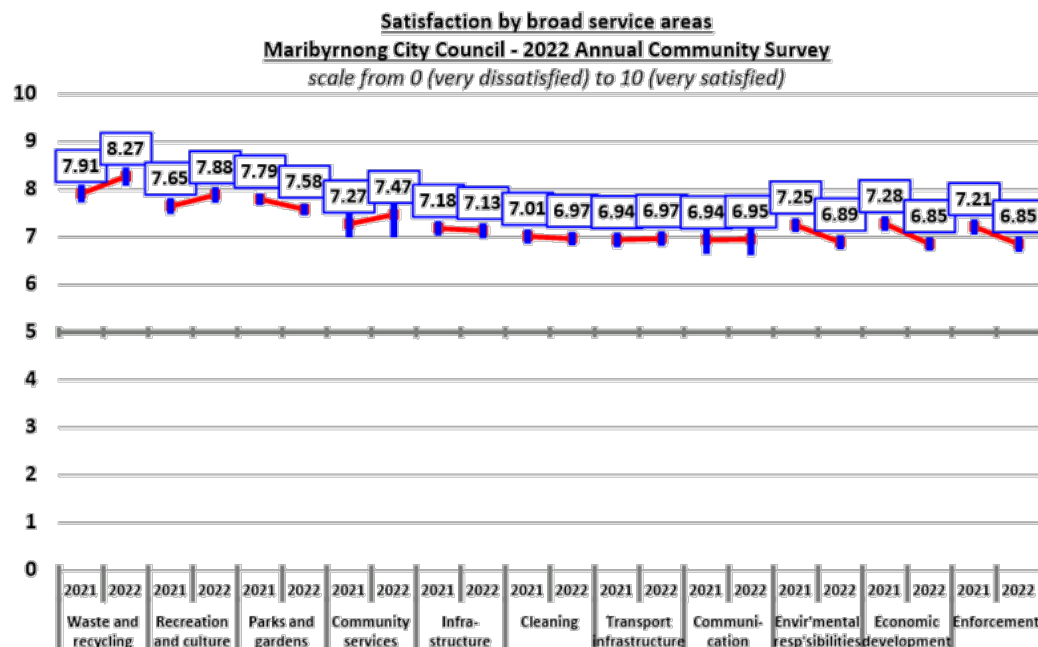
### Maribyrnong City Council – 2022 Annual Community Survey

- **Communication** – includes Maribyrnong Messenger (*Council's newsletter*), the Council's website, Customer Request Management System, Council's use of social media, and Council's online consultation tool.
- **Cleaning** – includes street sweeping, litter collection in public areas, maintenance and cleaning of shopping strips, maintenance and cleaning of Footscray CBD, and illegal dumped rubbish.
- **Transport infrastructure** – includes the maintenance and repair of sealed local roads, footpath maintenance and repairs, local traffic management, on and off-road bike paths, and on and off-road walking paths.
- **Parks and gardens** – include the provision and maintenance of parks and gardens.
- **Business development** – includes Council activities promoting local business development.
- **Environmental responsibilities** – includes Council meeting its responsibilities towards the environment.

Satisfaction with five of the 11 broad service areas increased somewhat in 2022 and satisfaction with six declined.

It is noted that satisfaction with waste and recycling increased notably (up 3.8%), as did satisfaction with recreation and culture (up 3.0%).

Declines were recorded for economic development (down 5.9%), Council meeting environmental responsibilities (down 5.0%), and enforcement (down 5.0%).

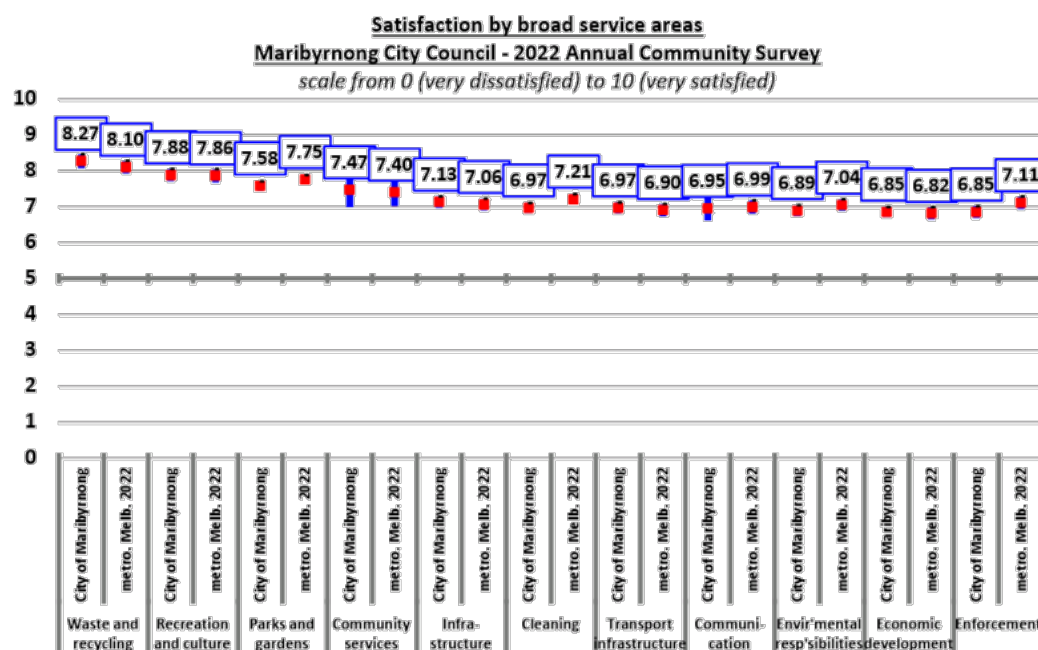


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### Maribyrnong City Council – 2022 Annual Community Survey

When compared to the metropolitan Melbourne average satisfaction, as recorded in the 2022 Governing Melbourne research conducted independently by Metropolis Research in January 2022 using the telephone methodology, it is noted that satisfaction with six of the 11 broad service areas was marginally higher in the City of Maribyrnong, whilst satisfaction with five was marginally lower.

None of these variations were statistically significant, although it is noted that satisfaction with cleaning was 3.3% lower and satisfaction with parks and gardens was 2.2% lower in the City of Maribyrnong.

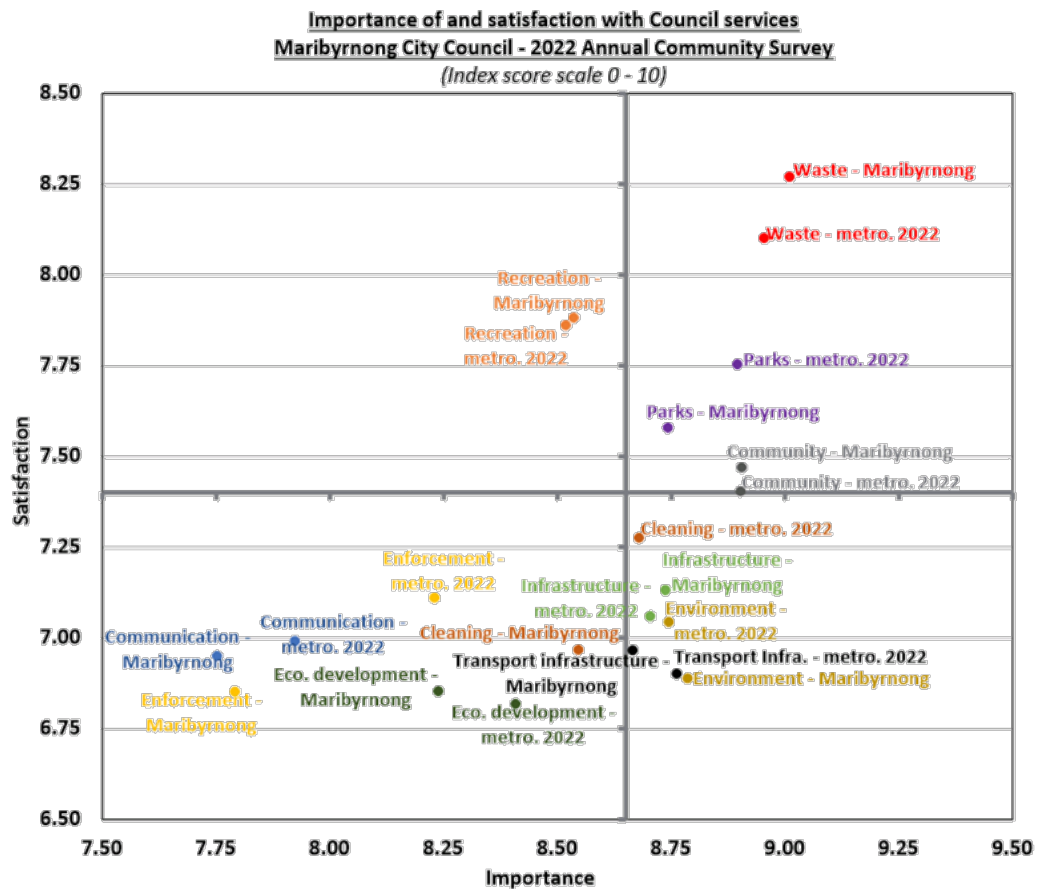


The following graph provides a crosstabulation of the average importance and average satisfaction with the 11 broad service areas between the City of Maribyrnong and the metropolitan Melbourne average.

The City of Maribyrnong appears to be performing better than the metropolitan Melbourne average in relation to waste and recycling and recreation services and facilities, but slightly worse in relation to cleaning, parks and gardens, and enforcement.

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Maribyrnong City Council – 2022 Annual Community Survey



Maribyrnong City Council – 2022 Annual Community Survey

## Issues for the City of Maribyrnong “at the moment”

Respondents were asked:

*“Can you please list what you consider to be the top three issues for the City of Maribyrnong at the moment?”*

Respondents were asked to nominate what they considered to be the top three issues for the City of Maribyrnong “at the moment”.

A little less than two-thirds (76.7% up from 61.4%) of respondents nominated at least one issue, returning this result to the proportion who nominated at least one issue prior to COVID-19. The return to the door-to-door survey methodology may also have been a factor in this increase in the proportion of respondents nominating at least one issue.

The decline in response over the course of COVID-19 may well have reflected, at least in part, the change in methodology from face-to-face interaction to a telephone survey, as telephone surveys tend to obtain marginally less buy-in on open-ended questions.

It is also possible, however, that COVID-19 had impacted on the range of issues of importance to respondents, particularly given that some important issues such as traffic management and car parking remained lower during COVID-19 than they were pre-COVID-19.

It is important to bear in mind that the responses to this question are not to be read only as a list of complaints about the performance of Council, nor do they reflect only services, facilities, and issues within the remit of Maribyrnong City Council. Many of the issues raised by respondents were suggestions for future actions rather than complaints about past actions, and many are issues that are principally the responsibility of the state government.

Metropolis Research notes that most of the issues raised this year remain largely consistent with those recorded last year and in previous years, despite declines in 2020 and 2021 for some issues compared to the results from pre-COVID-19.

The most nominated issue in 2022 remains traffic management, with 14.9% (up from 13.3%) of respondents nominating this issue.

This result was only marginally lower than the 16.8% recorded in 2019 and the 18% recorded in 2018. It would appear that the COVID-19 lockdown and social distancing requirements would have had some impact on the volume of traffic, particularly for commuting traffic, and this is likely to be a factor underpinning these lower results, but clearly these impacts have diminished over time and traffic management is again increasing as an issue.

It is also noted that traffic management was identified by approximately the same proportion of respondents in the City of Maribyrnong as the metropolitan Melbourne average as recorded in the 2022 *Governing Melbourne* research.



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### Maribyrnong City Council – 2022 Annual Community Survey

Metropolis Research notes that no respondents nominated COVID-19 as one of the top three issues for the City of Maribyrnong “at the moment”, compared to seven in 2020 and just one in 2021.

There was relatively little variation in the results between 2022 and 2022 noted, although the following is noted:

- **Marginal increase in the City of Maribyrnong in 2022** – includes traffic management (14.9% up from 13.3%), cycling and walking tracks (7.6% up from 5.5%), cleanliness of the area (5.6% up from 3.0%), animal management (3.8% up from 0.6%), and flooding (3.5% up from 0.0%).
- **Marginal decrease in the City of Maribyrnong in 2022** – includes communication and the provision of information (2.4% down from 3.0%), hard rubbish collection (2.0% down from 2.9%), and Council customer service / responsiveness (1.9% down from 3.4%).

The proportion of respondents who nominated safety, policing, and crime issues increased just marginally this year (4.5% up from 3.0%). This result remains significantly below the 7.4% recorded back in 2019 prior to COVID-19. These issues appear to have been diminishing in importance in the City of Maribyrnong in recent years prior to COVID-19 and appear to have remained low through COVID-19 as well.

When compared to the results from the 2022 *Governing Melbourne* research conducted independently by Metropolis Research including a sample drawn from across all 31 metropolitan Melbourne municipalities, there was some variation from the City of Maribyrnong results observed, as follows:

- **Marginally and somewhat more prominent in the City of Maribyrnong** – includes cycling and walking tracks (7.6% compared to 2.6%), Council rates (5.8% compared to 2.5%), environment, conservation, and climate change (4.4% compared to 2.6%), animal management (3.8% compared to 1.5%), flooding issues (3.5% compared to 0.4%), services and facilities for the elderly (1.8% compared to 0.1%), cost of living (1.3% compared to 0.0%), and drugs, alcohol, and tobacco issues (1.3% compared to 0.0%).
- **Somewhat less prominent in the City of Maribyrnong** – includes parks, gardens, and open space issues (8.5% compared to 12.8%) and the provision and maintenance of street trees (5.5% compared to 8.4%),

As discussed in the [relationship between issues and overall satisfaction](#) section of this report, the issues that were most negatively related to overall satisfaction for the respondents raising the issues include road maintenance and repairs, car parking, environment and climate change, planning and development, street trees, parks and gardens, footpath maintenance, and most notably, Council rates and charges.

On average, the respondents nominating these issues were measurably or at least notably less satisfied with Council’s overall performance than the average of all respondents (6.76) and measurably lower than the average of the 186 respondents who did not nominate any issues to address for the City of Maribyrnong at the moment.



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Maribyrnong City Council – 2022 Annual Community Survey

**Top three issues for the City of Maribyrnong at the moment**  
**Maribyrnong City Council - 2022 Annual Community Survey**  
(Number and percent of total respondents)

Issue	2022		2021	2020	2019	2018	2022 Metro.*
	Number	Percent					
Traffic management	119	14.9%	13.3%	8.3%	16.8%	18.0%	15.3%
Road maintenance and repairs	93	11.6%	8.1%	6.6%	10.1%	5.5%	13.1%
Car parking	68	8.5%	7.8%	10.1%	13.9%	16.5%	8.0%
Parks, gardens and open space	68	8.5%	7.3%	7.0%	5.8%	7.9%	12.8%
Building, planning, housing and development	62	7.8%	5.6%	5.0%	6.1%	6.3%	6.4%
Cycling and walking tracks	61	7.6%	5.5%	2.9%	1.8%	4.3%	2.6%
Rubbish and waste issues including garbage	49	6.1%	4.5%	3.3%	3.5%	3.8%	5.0%
Footpath maintenance and repairs	47	5.9%	4.1%	4.4%	4.6%	6.0%	6.6%
Council rates	46	5.8%	5.1%	8.3%	3.5%	5.9%	2.5%
Cleanliness and maintenance of area	45	5.6%	3.0%	6.1%	6.5%	6.9%	4.6%
Provision and maintenance of street trees	44	5.5%	5.1%	2.3%	5.3%	5.3%	8.4%
Safety, policing and crime	36	4.5%	3.0%	2.9%	7.4%	9.4%	4.5%
Environment, conservation, climate change	35	4.4%	2.4%	3.4%	4.9%	1.8%	2.6%
Animal management	30	3.8%	0.6%	1.4%	0.4%	0.6%	1.5%
Flooding issues	28	3.5%	0.0%	0.0%	0.1%	0.0%	0.4%
Lighting	23	2.9%	1.9%	1.9%	5.1%	9.5%	2.4%
Communication and provision of information	19	2.4%	3.0%	1.1%	1.4%	0.9%	1.8%
Green waste collection	19	2.4%	2.1%	1.5%	1.3%	1.1%	1.3%
Community activities, arts and culture	18	2.3%	0.8%	2.0%	1.5%	0.6%	1.8%
Hard rubbish collection	16	2.0%	2.9%	3.4%	1.8%	3.8%	1.9%
Council customer service / responsiveness	15	1.9%	3.4%	1.6%	0.8%	0.5%	1.3%
Graffiti and vandalism	15	1.9%	0.6%	1.5%	0.8%	1.0%	1.1%
Street cleaning and maintenance	15	1.9%	1.6%	1.3%	3.3%	4.0%	2.9%
Dumped rubbish	14	1.8%	1.4%	0.8%	n.a.	n.a.	2.4%
Public transport	14	1.8%	2.4%	1.1%	1.8%	2.6%	2.1%
Services and facilities for the elderly	14	1.8%	1.1%	0.4%	0.8%	1.0%	0.1%
Public toilets	13	1.6%	2.5%	2.0%	1.5%	2.3%	2.1%
Recycling services and facilities	11	1.4%	2.5%	2.1%	8.1%	2.4%	2.3%
Activities and facilities for children	10	1.3%	1.1%	0.5%	1.4%	0.6%	2.3%
Cost of living	10	1.3%	0.1%	0.0%	0.0%	0.1%	0.0%
Drugs, alcohol and cigarette issues	10	1.3%	0.6%	0.9%	1.3%	2.1%	0.0%
Sports and recreation facilities	10	1.3%	1.1%	1.0%	0.6%	1.3%	1.9%
Drains maintenance and repairs	9	1.1%	0.1%	0.1%	0.5%	1.0%	2.1%
Education and schools	9	1.1%	0.5%	0.6%	0.6%	1.3%	0.4%
Provision & maintenance of commu. facilities	9	1.1%	0.1%	0.6%	0.9%	0.1%	0.5%
Footscray CBD issues	8	1.0%	3.6%	0.1%	0.1%	3.1%	n.a.
Homelessness and beggars	8	1.0%	0.3%	0.3%	0.6%	0.5%	0.9%
Shops, restaurants and entertainment venues	8	1.0%	0.9%	0.4%	1.1%	0.4%	1.0%
All other issues (30 separately identified issues)	90	11.3%	11.6%	12.6%	12.4%	9.1%	19.0%
<b>Total responses</b>	<b>1,218</b>		<b>973</b>	<b>876</b>	<b>1,120</b>	<b>1,187</b>	<b>1,167</b>
<i>Respondents identifying at least one issue</i>	614 (76.7%)		491 (61.4%)	479 (59.9%)	534 (66.7%)	605 (75.6%)	555 (69.4%)

(\*) 2022 metropolitan Melbourne average from Governing Melbourne

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### Maribyrnong City Council – 2022 Annual Community Survey

#### Respondent profile

The following section provides the demographic profile of the respondents surveyed for the *Maribyrnong City Council – 2022 Annual Community Survey*.

Metropolis Research draws attention to the fact that the *Annual Community Survey* program has obtained a very consistent sample of respondents across a broad range of demographic and household characteristics over a long period of time.

This stability in the profile of the sample is an important component which underlies the *Annual Community Survey* results as a reliable and informative tool with which to explore community sentiment.

#### Age structure

The sample of respondents was weighted by age and gender to reflect the 2021 Census age and gender breakdowns.

**Age structure**  
**Maribyrnong City Council - 2022 Annual Community Survey**  
(Number and percent of respondents providing a response)

Age group	2022 (unweighted)		2022 (weighted)	2021	2020	2019	2018
	Number	Percent					
Young adults (18 - 34 years)	181	22.7%	40.8%	40.8%	40.8%	31.0%	36.3%
Adults (35 - 44 years)	214	26.9%	20.5%	20.5%	20.5%	27.9%	21.6%
Middle-aged adults (45 - 54 years)	180	22.6%	14.4%	14.4%	14.4%	17.8%	19.7%
Older adults (55 - 74 years)	198	24.8%	16.4%	16.4%	16.4%	19.0%	18.8%
Senior citizens (75 years and over)	24	3.0%	7.9%	7.9%	7.9%	4.3%	3.5%
Not stated	3		3	0	0	2	4
<b>Total</b>	<b>800</b>	<b>100%</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>

#### Gender

**Gender**  
**Maribyrnong City Council - 2022 Annual Community Survey**  
(Number and percent of respondents providing a response)

Gender	2022		2021	2020	2019	2018	2017
	Number	Percent					
Male	395	49.7%	49.9%	50.0%	54.3%	54.2%	47.3%
Female	394	49.6%	49.7%	50.0%	45.7%	45.6%	52.3%
Other	5	0.6%	0.4%	0.0%	0.0%	0.1%	0.4%
Not stated	6		1	0	8	7	9
<b>Total</b>	<b>800</b>	<b>100%</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>

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### Maribyrnong City Council – 2022 Annual Community Survey

#### Language spoken at home

Consistent with historical results, one-third (34.4%) of respondents were from households that spoke a language other than English at home.

**Language**  
**Maribyrnong City Council - 2022 Annual Community Survey**  
(Number and percent of respondents providing a response)

Language	2022		2021	2020	2019	2018	2017
	Number	Percent					
English	518	65.6%	62.5%	55.1%	63.8%	58.7%	57.1%
Vietnamese	58	7.3%	10.6%	8.3%	8.1%	10.5%	7.1%
Italian	27	3.4%	0.9%	3.1%	1.5%	1.8%	2.3%
Greek	21	2.7%	1.1%	1.9%	1.6%	1.3%	3.9%
Mandarin	19	2.4%	1.9%	3.3%	2.5%	1.8%	2.1%
Spanish	18	2.3%	0.6%	0.8%	1.5%	2.1%	2.1%
Tagalog (Filipino)	13	1.6%	1.5%	0.9%	1.9%	1.0%	0.6%
Hindi	11	1.4%	1.1%	4.6%	1.4%	1.5%	2.0%
Cantonese	10	1.3%	1.9%	1.7%	2.0%	1.0%	0.9%
French	10	1.3%	0.1%	1.0%	0.8%	0.8%	0.5%
Chinese (not further defined)	9	1.1%	0.8%	0.5%	1.5%	1.9%	0.1%
Urdu	5	0.6%	0.4%	1.3%	0.9%	1.0%	0.4%
Sinhalese	5	0.6%	0.0%	0.1%	0.3%	0.4%	0.6%
Korean	5	0.6%	0.1%	0.4%	0.3%	0.0%	0.3%
Polish	4	0.5%	0.8%	0.4%	0.6%	0.1%	0.1%
Indonesian	3	0.4%	0.1%	0.4%	0.6%	0.4%	0.1%
Macedonian	3	0.4%	1.0%	0.6%	0.8%	0.3%	1.0%
Turkish	3	0.4%	0.1%	0.5%	0.4%	0.1%	0.4%
Afrikaans	2	0.3%	0.0%	0.1%	0.0%	0.0%	0.0%
Arabic	2	0.3%	1.6%	1.9%	0.5%	1.3%	0.9%
Burmese	2	0.3%	0.1%	0.1%	0.0%	0.0%	0.0%
Dutch	2	0.3%	0.3%	0.1%	0.2%	0.0%	0.0%
Malayalam	2	0.3%	0.1%	0.1%	0.1%	0.2%	0.0%
Nepali	2	0.3%	0.5%	1.4%	0.1%	0.5%	0.5%
Portuguese	2	0.3%	0.1%	0.5%	0.3%	0.5%	0.5%
Tamil	2	0.3%	0.4%	0.1%	0.4%	0.3%	0.4%
Albanian	1	0.1%	0.3%	0.5%	0.2%	0.0%	0.0%
Croatian	1	0.1%	0.3%	1.0%	1.1%	0.5%	0.5%
German	1	0.1%	0.8%	0.1%	0.3%	0.5%	0.6%
Gujarati	1	0.1%	0.5%	1.0%	0.0%	0.3%	0.1%
Irish	1	0.1%	0.0%	0.1%	0.0%	0.2%	0.0%
Japanese	1	0.1%	0.0%	0.1%	0.4%	0.3%	0.1%
Russian	1	0.1%	0.4%	0.1%	0.1%	0.0%	0.0%
Serbian	1	0.1%	0.6%	0.4%	0.3%	0.3%	0.3%
Somali	1	0.1%	0.3%	0.4%	0.4%	0.1%	0.5%
Telugu	1	0.1%	1.4%	2.2%	0.9%	0.6%	1.4%
Tigrinya	1	0.1%	0.3%	0.3%	0.0%	0.1%	0.3%
All other languages	15	1.9%	3.2%	3.3%	3.1%	4.6%	6.3%
Multiple	6	0.8%	0.8%	0.4%	0.6%	4.2%	5.4%
Not stated	10		10	13	6	8	7
<b>Total</b>	<b>800</b>	<b>100%</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>

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### Maribyrnong City Council – 2022 Annual Community Survey

#### Household structure

The household structure results are consistent with historical results.

**Household structure**  
**Maribyrnong City Council - 2022 Annual Community Survey**  
(Number and percent of respondents providing a response)

Structure	2022		2021	2020	2019	2018	2017
	Number	Percent					
<b>Two parent family total</b>	<b>315</b>	<b>40.1%</b>	<b>42.3%</b>	<b>41.8%</b>	<b>42.9%</b>	<b>44.4%</b>	<b>39.7%</b>
youngest child 0 - 4 years	77	9.8%	7.3%	13.1%	10.3%	13.2%	14.1%
youngest child 5 - 12 years	116	14.8%	16.2%	13.5%	15.1%	15.2%	11.5%
youngest child 13 - 18 years	53	6.8%	6.4%	6.1%	5.8%	5.7%	5.8%
adult children only	69	8.8%	12.4%	9.0%	11.7%	10.3%	8.3%
<b>One parent family total</b>	<b>37</b>	<b>4.7%</b>	<b>8.1%</b>	<b>6.3%</b>	<b>4.7%</b>	<b>5.2%</b>	<b>7.6%</b>
youngest child 0 - 4 years	2	0.3%	1.3%	0.8%	1.1%	0.4%	0.9%
youngest child 5 - 12 years	9	1.1%	1.3%	1.2%	1.3%	1.5%	1.3%
youngest child 13 - 18 years	8	1.0%	0.8%	1.4%	0.9%	0.6%	1.4%
adult children only	18	2.3%	4.7%	3.0%	1.4%	2.6%	4.0%
Couple only household	217	27.6%	18.6%	21.9%	23.9%	25.8%	22.5%
Group household	99	12.6%	14.7%	15.9%	16.4%	16.7%	16.0%
Sole person household	105	13.4%	14.9%	13.4%	11.4%	7.2%	13.2%
Other	12	1.5%	1.4%	0.8%	0.8%	0.8%	1.0%
Not stated	15		6	24	12	2	2
<b>Total</b>	<b>800</b>	<b>100%</b>	<b>803</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>

#### Household member with disability

In 2022, 10.6% of respondents were from households with a member with disability, consistent with historical results.

**Household member with a disability**  
**Maribyrnong City Council - 2022 Annual Community Survey**  
(Number and percent of respondents providing a response)

Response	2022		2021	2020	2019	2018	2017
	Number	Percent					
Yes	83	10.6%	11.5%	10.0%	7.7%	8.1%	9.9%
No	702	89.4%	88.5%	90.0%	92.3%	91.9%	90.1%
Not stated	15		17	20	38	7	9
<b>Total</b>	<b>800</b>	<b>100%</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>

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Maribyrnong City Council – 2022 Annual Community Survey

***Housing situation***

The housing situation results are consistent with historical results, with more rental households included this year than last.

**Housing situation**  
**Maribyrnong City Council - 2022 Annual Community Survey**  
(Number and percent of respondents providing a response)

Situation	2022		2021	2019	2018	2017	2016
	Number	Percent					
Own this home	283	36.1%	41.7%	46.6%	42.8%	37.6%	37.7%
Mortgage ( <i>paying-off this home</i> )	173	22.1%	28.4%	15.2%	19.4%	24.2%	31.5%
Renting this home	295	37.6%	27.7%	35.8%	35.5%	36.5%	30.2%
Other arrangement	33	4.2%	2.2%	2.4%	2.3%	1.8%	0.6%
Not stated	16		16	17	6	2	5
<b>Total</b>	<b>800</b>	<b>100%</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>803</b>

***Period of residence***

Attention is drawn to the significant increase in the proportion of new residents (who had lived in the municipality for less than one year).

This increase reflects the diminishing impact of COVID-19 lockdowns and the subsequent decline in the number of individuals moving home.

**Period of residence in Maribyrnong**  
**Maribyrnong City Council - 2022 Annual Community Survey**  
(Number and percent of respondents providing a response)

Period	2022		2021	2020	2019	2018	2017
	Number	Percent					
Less than 1 year	86	11.0%	0.9%	1.3%	8.6%	13.2%	9.3%
1 to less than 5 years	197	25.1%	8.8%	12.3%	21.8%	22.9%	25.4%
5 to less than 10 years	149	19.0%	23.8%	23.9%	23.2%	19.4%	20.2%
10 years or more	352	44.9%	66.5%	62.5%	46.4%	44.5%	45.1%
Not stated	16		23	21	11	5	6
<b>Total</b>	<b>800</b>	<b>100%</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>	<b>800</b>

The most common previous suburbs of residence for newer residents (less than five years in the City of Maribyrnong) were interstate suburbs, the City of Melbourne (postcode 3000), and international locations.



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Maribyrnong City Council – 2022 Annual Community Survey

Previous municipality of residence  
**Maribyrnong City Council - 2022 Annual Community Survey**  
(Number and percent of respondents in Maribyrnong less than five yrs)

Location	2022		2021	2020	2019	2018	2017
	Number	Percent					
Interstate	27	14.6%	12.4%	18.3%	13.3%	10.5%	10.7%
Melbourne	24	13.0%	14.4%	8.3%	20.7%	7.0%	10.2%
International	15	8.1%	16.5%	5.0%	3.7%	18.9%	22.5%
Yarra	15	8.1%	0.0%	0.0%	3.2%	8.4%	5.9%
Moonee Valley	13	7.0%	6.2%	1.7%	11.7%	4.2%	3.7%
Darebin	12	6.5%	6.2%	6.7%	6.4%	4.2%	2.7%
Brimbank	11	5.9%	6.2%	13.3%	9.6%	7.7%	8.0%
Stonnington	11	5.9%	0.0%	3.3%	2.1%	6.3%	2.1%
Hobsons Bay	9	4.9%	0.0%	0.0%	4.8%	3.5%	5.9%
Moreland	7	3.8%	0.0%	0.0%	0.0%	0.0%	0.0%
Glen Eira	5	2.7%	0.0%	8.3%	0.5%	0.7%	0.5%
Greater Geelong	5	2.7%	0.0%	1.7%	1.1%	1.4%	1.1%
Port Phillip	4	2.2%	0.0%	1.7%	3.7%	7.0%	5.9%
Whittlesea	4	2.2%	0.0%	0.0%	0.5%	0.7%	0.5%
Yarra Ranges	4	2.2%	0.0%	0.0%	0.0%	0.0%	0.0%
Wyndham	3	1.6%	4.1%	6.7%	1.6%	1.4%	4.3%
Hume	3	1.6%	0.0%	0.0%	0.0%	0.0%	0.0%
Banyule	2	1.1%	0.0%	0.0%	1.4%	1.4%	0.0%
Bayside	2	1.1%	0.0%	3.3%	1.1%	0.0%	0.5%
Casey	2	1.1%	0.0%	5.0%	0.7%	0.7%	0.0%
Monash	2	1.1%	0.0%	0.0%	1.6%	0.7%	1.6%
Whitehorse	2	1.1%	0.0%	0.0%	1.6%	1.4%	0.0%
Macedon Ranges	1	0.5%	0.0%	0.0%	0.5%	0.0%	0.0%
Manningham	1	0.5%	0.0%	0.0%	0.0%	0.0%	0.0%
Melton	1	0.5%	6.2%	3.3%	1.1%	0.0%	1.1%
Not stated	98		26	46	52	144	89
<b>Total</b>	<b>283</b>	<b>100%</b>	<b>75</b>	<b>107</b>	<b>240</b>	<b>287</b>	<b>276</b>

**Agenda Item 9.2**

**2023 NATIONAL GENERAL ASSOCIATION OF LOCAL GOVERNMENT - CALL FOR MOTIONS**

**Director:** Lisa King  
Director Corporate Services

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

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**PURPOSE**

To present motions for Council to consider submitting to Australian Local Government Association (ALGA) 2023 National General Assembly (NGA) being held in June 2023.

**ISSUES SUMMARY**

- The ALGA NGA is held annually to consider matters of national significance impacting the local government sector.
- Motions are submitted by member councils for consideration by ALGA.
- The theme for the 2023 ALGA NGA is *'Our Communities, Our Future'*.

**ATTACHMENTS**

Not applicable

**OFFICER RECOMMENDATION**

That Council approves the motions for submission to the 2023 Australian Local Government Association National General Assembly, as shown in Table 1 of this report.

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

ALGA is a federation of member state and territory local government associations with a mission to champion and strengthen Australian councils by representing the agreed position of ALGA members, the seven local government associations.

ALGA's NGA's purpose is to build the profile of local government on the national stage and demonstrate to the Australian Government the strength and value of working with local government nationally.

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

The theme for the 2023 ALGA NGA is Our Communities, Our Future. Motions for the 2023 NGA are required to:

- Focus on practical and deliverable programs and policies that the Australian Government can support and work directly with the local government sector to build our communities; or
- Be a new program ideas that would help the local government sector to deliver national objectives.
- Be to be relevant to the work of local government nationally and complement or build on the policy objectives of ALGA and your state or territory local government association.
- Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.

The following motions have been identified as potential issues of national significance.

**Table 1: Proposed ALGA National General Assembly of Local Government motions**

TITLE	MOTION	RATIONALE
Action on Air Pollution	This National General Assembly of Local Government calls on the Australian Government to work with state and local governments to support the transition of industry, freight and motor vehicles to low or no emission methods of operation.	<p>Victoria's Air Quality Strategy (2022) states that without continued action, exposure to air pollution will deteriorate, costing Victoria more than \$1 billion per year (2021 prices).</p> <p>Air pollution is taking a significant toll on Victorians, particularly those who live in Melbourne's inner west. Every year, 27,519 healthy years of life are lost by Australians from exposure to air pollution. A number of studies estimate that between 2,616 to 4,884 people in Australia die from air pollution exposure every year.</p> <p>Research by the Grattan Institute (2022) revealed that key contributors to poor air quality include industry and freight, particularly older and inefficient trucks. 14 percent of trucks on Australian roads were manufactured before 1996 and another 12 percent before 2002. This means that more than a quarter of the Australian freight fleet has not been required to satisfy minimum pollution standards.</p>

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TITLE	MOTION	RATIONALE
Flood Recovery	<p>Including:</p> <ul style="list-style-type: none"> <li>• Implementing low-emission zones in freight and industry heavy areas, near residential and other sensitive uses.</li> <li>• Providing grant programs and funding to support business transition to zero emission methods of operation.</li> <li>• Undertaking initiatives to greater separate trucks from where people live and learn.</li> <li>• Initiating a heavy vehicle buy-back scheme to incentivise more fuel efficient heavy vehicles.</li> <li>• Greater investment in air quality monitoring stations.</li> <li>• Greater investment in active and public transport projects</li> <li>• Low emission standards for heavy vehicles</li> </ul> <p>This National General Assembly of Local Government calls on the Australian Government to work with the Victorian Government to release a flood recovery roadmap outlining next steps, future engagement and potential policy changes in relation to flood recovery.</p>	<p>Australians have been subjected to many severe flooding events in 2021 and 2022 in Queensland, New South Wales and Victoria.</p> <p>Many Victorians were directly impacted by the floods that occurred from October 2022. Many of those impacted are now seeking intervention from all levels of government to mitigate the risk of any future flood events.</p> <p>It is important after this difficult time that the affected communities remain informed and engaged about any upcoming changes.</p>

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TITLE	MOTION	RATIONALE
Immigration and Skills Shortage in Local Government	This National General Assembly of Local Government calls on the Australian Government to review entry visa requirements for immigrants seeking to work in the local government sector.	Local government is facing unprecedented issues in attracting and retaining quality staff, with significant staffing shortages in skilled and qualified professional positions being of considerable concern. It is requested that the Australian Government review visa entry requirements, to incentivise, attract and facilitate skilled workers in the local government sector.
First Nations	This National General Assembly of Local Government calls on the Australian Government to better acknowledge First Nation People's experience of January 26, including considering changing the date of Australia's National Day and better inclusion of First Nations history in Citizenship tests.	<p>For some people January 26 is a time to celebrate all that it means to be Australian. However, for many First Nations People this day signifies the beginning of dispossession, destruction of culture and the separation from families.</p> <p>Consideration should be given to implementing actions that are more inclusive and respectful of all people's experience of Australia's National Day.</p>

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

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

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

**Legislation**

Nil.

**Conflicts of Interest**

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

## **Agenda Item 9.2**

### **Human Rights Consideration**

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

#### **3. Engagement**

Nil.

#### **4. Resources**

Nil.

#### **5. Environment**

Nil.

### **CONCLUSION**

The motions endorsed at the ALGA NGA enables issues of national significance and strategic importance for the local government sector to be acted upon.

**Agenda Item 9.3**

**MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL - CALL FOR MOTIONS**

**Director:** Lisa King  
Director Corporate Services

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

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**PURPOSE**

To present motions to Council to consider for submission to the Municipal Association of Victoria (MAV) State Council Meeting being held in May 2023.

**ISSUES SUMMARY**

- The MAV State Council will convene in May 2023 to consider matters of state-wide significance.
- Motions are encouraged by member councils for consideration by the MAV State Council.
- The proposed motions have broad relevance across the local government sector, and are also relevant to current issues within Maribyrnong City Council.

**ATTACHMENTS**

Nil.

**OFFICER RECOMMENDATION**

**That Council approves the motions for submission to the May 2023 Municipal Association of Victoria's State Council Meeting, as shown in Table 1 of this report.**

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

The MAV Rules 2022 require motions submitted by member Councils to be of strategic relevance to the MAV or of such significance to local government that they ought to be considered at the State Council meeting.

As decisions of State Council constitute policy directions of the MAV and remain active until the issue is resolved, motions of strategic relevance should relate to the MAV Strategy 2021-2025 which identifies the following six MAV Strategic Outcomes:

- Economically sound councils
- Healthy, diverse and thriving communities
- Well-planned, connected and resilient built environment
- Changing climate and a circular economy
- Sector capability and good governance
- Effective and responsive MAV

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

The proposed motions below are considered to be of significance to both Maribyrnong City Council and the broader local government sector in Victoria.

**Table 1 – Proposed Motions for MAV State Council**

TITLE	MOTION	RATIONALE
Flood Recovery	That the MAV work with the Victorian State Government to release a flood recovery roadmap outlining next steps, future engagement and potential policy changes in relation to flood recovery.	Many Victorians were directly impacted by the floods that occurred from October 2022. Many of those impacted are now seeking intervention from all levels of government to mitigate the risk of any future flood events.
Active Transport	That the MAV call on the Victorian State Government to invest in improving the safety of active transport infrastructure.  This includes: <ul style="list-style-type: none"> <li>• Implementation of the strategic cycling corridors.</li> <li>• Separate trucks, pedestrians and bicycle riders.</li> <li>• Greater provision of separated and safe bicycle infrastructure.</li> </ul>	<p>It is important after this difficult time that the affected communities remain informed and engaged about any upcoming changes.</p> <p>Towards Zero aims to reduce lives lost to zero.</p> <p>Melbourne's west lacks an interconnected safe and separated bicycle network. This means that bicycle riders are often required to share the road with heavy vehicles, including trucks.</p> <p>Action and investment must be undertaken to prevent additional lives being lost in the future, as trucks and bicycles and pedestrians are not compatible nor safe.</p> <p>Deputy State Coroner Caitlin English in October 2020 revealed that between 2000 and 2018, eight out of nine deaths involved a truck, with "failure to see" being the prominent reason provided.</p>

**Agenda Item 9.3**

TITLE	MOTION	RATIONALE
Public Transport Improvements	<ul style="list-style-type: none"> <li>Improvement of walking networks and intersection level of service for pedestrians.</li> </ul> <p>That the MAV call on the Victorian State Government to invest greater public transport services including:</p> <ul style="list-style-type: none"> <li>Increasing non-peak train frequencies.</li> <li>Implementing bus reform that provides high-capacity, high frequency and direct routes, particularly in Melbourne's inner west.</li> </ul>	<p>Investment in safer active transport infrastructure is needed to prevent road user conflict, including the provision of the safe and separated strategic cycling corridors.</p> <p>As the 2025 Metro Tunnel project approaches and the Victorian Government commences discussion around bus reform, it is important that the MAV guides and influences the future conversation around service provision and integrated transport planning.</p> <p>Footscray is the busiest non-CBD railway station on Melbourne's train network and Sunshine railway station is flagged as a state-significant super hub.</p> <p>Despite this, metropolitan train services operating to Melbourne's north-west outside of peak-hour are considered inadequate with an average train service occurring approximately every 30 minutes on weeknights after 8.00pm.</p>
Action on Air Pollution	<p>That the MAV call on the Victorian State Government to work with local government to support the transition of industry and freight to low or no emission methods of operation. This includes:</p> <ul style="list-style-type: none"> <li>Implementing low-emission zones in freight and industry heavy areas, near residential and other sensitive uses.</li> <li>Providing grant programs and funding to support business transition to zero emission methods of operation.</li> <li>Undertaking initiatives to greater separate trucks from where people live and learn.</li> <li>Initiating a heavy vehicle buy-back scheme to incentivise more fuel efficient heavy vehicles.</li> <li>Greater investment in air quality monitoring stations.</li> <li>Greater investment in active and public transport projects.</li> </ul>	<p>Victoria's Air Quality Strategy (2022) states that without continued action, exposure to air pollution will get poorer, costing Victoria more than \$1 billion per year (2021 prices).</p> <p>Air pollution is taking a significant toll on Victorians, particularly those who live in Melbourne's inner west. Every year, 27,519 healthy years of life are lost by Australians from exposure to air pollution. A number of studies estimate that between 2,616 to 4,884 people in Australia die from air pollution exposure every year.</p> <p>Maribyrnong City Council has adolescent asthma rates 50 per cent higher than the state average, with hospital admission 171 percent higher than the Australian average for people aged 3 to 19.</p> <p>Research by the Grattan Institute (2022) revealed that key contributors to poor air quality include industry and freight, particularly older and inefficient trucks. 14 percent of trucks on Australian roads were manufactured before 1996 and another 12 percent before 2002. This means that more than a quarter of the Australian freight fleet has not been required to satisfy minimum pollution standards.</p>

## Agenda Item 9.3

TITLE	MOTION	RATIONALE
Local Government Staff Attraction and Retention Issues	That the MAV coordinate a media and advocacy campaign to attract skilled resourcing to the local government sector.	<p>The local government sector is experiencing unprecedented staff attraction and retention issues, particularly with positions requiring qualifications.</p> <p>Whilst local governments are competing for the same qualified competent employees, it is considered that the sector overall could benefit from a media and advocacy campaign that markets the local government sector as an attractive and rewarding sector to work.</p>
Reducing Harm from Electronic Gaming Machines in Victoria	<p>That the MAV advocate to the Victorian State Government to undertake the following reforms for electronic gaming machines (EGMs):</p> <ul style="list-style-type: none"> <li>• Introduce a mandatory pre-commitment cashless gaming scheme for all EGM venues in Victoria, in line with the system being introduced in Tasmania. This should include default limits of \$100 a day, \$500 per month and \$5000 per year.</li> <li>• Change the definition of what is classified as community benefit, under the <i>Gambling Regulation Act 2003</i>, to genuine philanthropic organisations or charities as defined by tax deductible status or grass roots activities.</li> <li>• Introduce a State Government fund to support gaming venues that wish to transition away from EGMs.</li> <li>• Introduce a mandatory 2.00am to 6.00am shutdown for all gaming venues in Victoria.</li> </ul>	<p>Electronic Gaming Machine gambling is legal in Victoria. However, they can cause significant harm to individuals, families and their communities.</p> <p>These impacts include family violence, physical and mental health impacts, financial hardship, social isolation, and drug and alcohol.</p> <p>Local Government plays an important role in minimising harm from gambling in local communities across Victoria. This includes advocating for changes to the regulation and management of EGMs.</p>
Critical Community Infrastructure	That the MAV call on the Victorian State Government to implement an ongoing funding stream and prioritisation framework to support the delivery of critical higher order community infrastructure for local government such as public libraries, cultural and community centres, aquatic	<p>The Victorian population is estimated to reach 6.829 million by the end of June of 2023. During the past ten years, Victoria's growth rate has consistently ranged from 0.35% to 2.55%, adding around 20,000 to 150,000 people each year.</p> <p>This sustained population growth requires the provision of accompanying community infrastructure by state and local government, to provide high-quality outcomes for growing communities and ensuring that community facilities and services can meet the needs of existing and future communities.</p>

**Agenda Item 9.3**

TITLE	MOTION	RATIONALE
	centres, bicycle infrastructure, and significant recreation facilities to ensure that collectively we can support Victoria's growing population and ensure every Victorian has equitable access to services.	

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

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

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

**Legislation**

Nil.

**Conflicts of Interest**

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

**Human Rights Consideration**

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

**3. Engagement**

Nil.

**4. Resources**

Nil.

**Agenda Item 9.3**

**5. Environment**

Nil.

**CONCLUSION**

The motions endorsed at the MAV State Council Meeting enables issues of state-wide significance and strategic importance for the local government sector to be acted upon with the support of this peak organisation.

**Agenda Item 9.4****HERITAGE VICTORIA NOMINATION WILLIAM COOPER HOUSE - 73  
SOUTHAMPTON STREET, FOOTSCRAY - COUNCIL SUBMISSION**

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

**Author:** Ashley Minniti  
Manager City Places

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**PURPOSE**

To seek endorsement of a submission to Heritage Council of Victoria on William Cooper's former residence (73 Southampton Street, Footscray) nomination to the Victorian Heritage Register.

**SUMMARY**

- Heritage Victoria advised Council on 16 January 2023 of their recommendation that William Cooper's former home, at 73 Southampton Street, Footscray, be included on the Victorian Heritage Register (VHR).
- William Cooper was a respected and notable Indigenous Australian and social justice campaigner. During 1930s he resided at several properties in Footscray where he established a political group known as the Australian Aborigines' League (AAL). AAL was the first organisation demanding justice for Aboriginal people in their own voice and on their own terms.
- 73 Southampton Street, Footscray is considered to be of cultural heritage significance to the State of Victoria due to its clear association with early 20<sup>th</sup> Century Aboriginal activism. The site is considered rare as there are few surviving places and objects in Victoria related to this social movement.
- Notice of Heritage Victoria's recommendation was published in The Age on 20 January 2023, and submissions can be made until 21 March 2023.
- The Heritage Council of Victoria is an independent statutory body and will consider all submissions and make the final determination. If the Heritage Council supports the sites inclusion to the register, then a Planning Scheme Amendment will be required to apply a Heritage Overlay under the Maribyrnong Planning Scheme, initiated by the Minister for Planning.
- Inclusion on the register provides legal protection for a heritage place and requires a permit from Heritage Victoria as the Responsible Authority. This does not prevent a place from being altered or in some circumstances demolished, nor does it prevent it from being sold.
- William Cooper and his association with 73 Southampton Street is significant to our local community and Victorian's Aboriginal communities. He was a prominent activist for Aboriginal citizenship rights and Honorary Secretary of the AAL.
- It is recommended that a submission in support be made to the Heritage Council of Victoria.

**Agenda Item 9.4**

**ATTACHMENTS**

1. Heritage Victoria report and recommendation on William Cooper's former residence (73 Southampton Street, Footscray)
2. Council submission on 73 Southampton Street recommendation to VHR

**OFFICER RECOMMENDATION**

**That Council:**

1. **Notes the nomination of Heritage Victoria that William Cooper's former residence of 73 Southampton Street, Footscray be included on the Victorian Heritage Register as a place of State-level cultural heritage significance (Attachment 1).**
  2. **Endorse the submission to Heritage Council of Victoria in support of the site's nomination to the Victorian Heritage Register, and suggests a minor change for greater detail to be provided on the physical features that should be conserved in order to interpret the important associations of the place in the Heritage Victoria's recommendation (Attachment 2).**
-

**Agenda Item 9.4****BACKGROUND****William Cooper and the Australian Aborigines' League**

Yorta Yorta man William Cooper (1860-1941) was a mobilising force in the fight for Aboriginal rights and a pivotal figure in twentieth-century Australian history. In 1933 Cooper and wife Sarah moved to the working-class suburb of Footscray where he became a prominent figure among Melbourne's Aboriginal community. During this time Cooper began to organise a political group known as the Australian Aborigines' League (AAL). Cooper was Honorary Secretary of the AAL and ran the organisation from his home. It was the first organisation demanding justice for Aboriginal people in their own voice and on their own terms.

**73 Southampton Street, Footscray - site overview and history**

The site (73 Southampton Street) is located in a residential street and contains a dwelling. It is located to the east of Gordon Street, between Barkly and Essex Streets (figure 1).

The site includes a modest single-storey double-fronted Edwardian-era weatherboard house, with a low front fence and several outbuildings to the rear (figure 2). The site is privately owned.



Figure 1: 73 Southampton Street, Footscray



Figure 2: Southampton Street frontage

William Cooper lived at the property from January 1938 to November 1940. The following key political events occurred during this time:

- **26 January 1938:** The AAL staged the 'Day of Mourning' with the New South Wales Aborigines Progressive Association, to coincide with the sesquicentenary (150th) anniversary celebrations of the arrival of the British.
- **31 January 1938:** Members of the AAL (not including Cooper) led a delegation to Prime Minister Joseph Lyons to call for federal control of Aboriginal affairs and presented a proposed national policy for Aboriginal people.
- **6 December 1938:** Cooper led an AAL delegation from 73 Southampton Street to the German Consulate at 425 Collins Street to deliver a letter that condemned the Nazi government's treatment of Jewish people.
- **4 February 1939:** Cummeraganja Walk-off. The AAL provided advice and support for Aboriginal people involved in this event.

**Agenda Item 9.4**

While living at Southampton Street, William Cooper conducted the business of the AAL from the northwest bedroom writing letters, planning activities and holding meetings with AAL members.

**DISCUSSION/KEY ISSUES****1. Key Issues****Nomination to the Victorian Heritage Register**

Heritage Victoria received a public nomination in 2022 to include the site on the Victorian Heritage Register (VHR). Heritage Victoria, who forms part of the Department of Transport and Planning (DTP), process all nominations. The Executive Director of Heritage Victoria may recommend a place or object be included on the register, however the Heritage Council of Victoria, an independent statutory body, makes the final decision.

Inclusion on the VHR provides legal protection for a heritage place, in recognition of its significance to history and development of Victoria. Any works would require a permit from Heritage Victoria as the Responsible Authority. This does not prevent a place from being altered or in some circumstances demolished. Nor does it prevent a change of use or prevent it from being sold.

Heritage Victoria are recommending that the site be included on the register as a place of cultural historical significance, including the land, house and all outbuildings (exterior and interiors, works and fixtures) and all soft and hard landscaping features (including plantings). Their assessment against the tests set out in *The Victorian Heritage Register Criteria and Thresholds Guidelines (2014)*. In their assessment, the site is deemed to be of state heritage significance, in regards to the following criteria:

- Importance to the course, or pattern, of Victoria's cultural history (Criteria A)
- Possession of uncommon, rare or endangered aspects of Victoria's cultural history (Criteria B)
- Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons (Criteria G)
- Special association with the life or works of a person, or group of persons, of importance in Victoria's history (Criteria H).

The site is historically significant as an important example that allows the clear association with early 20<sup>th</sup> century Aboriginal activism to be understood better than most other places or objects in Victoria. 73 Southampton Street was the last house in which Cooper lived and worked in Melbourne (1938-1940) and saw the culmination of his political activities with the Australian Aborigines' League. The place is rare as there are few surviving places and objects in Victoria related to this social movement.

The site is also of social significance to Victoria's Aboriginal communities. It has become strongly identified with the 1938 Australian Aborigines' League deputation led by Cooper from the site to the German Consulate. In 2012 and 2018 re-enactments of this event took place involving the Jewish community.

**Agenda Item 9.4**

Heritage Victoria's recommendation includes a number of permit exemptions for works and activities (such as repairs and maintenance to outbuildings at the rear, demolition and works to patio and internal repairs and maintenance to the house). These exemptions will assist in reducing the number of permits required for works that would not impact the significance of the place.

The Executive Director, Heritage Victoria also served an Interim Protection Order on 73 Southampton Street on 18 January 2023 to allow protection under the *Heritage Act 2017* while the recommendation is considered. The interim protection will remain in place for four months, or until there is a determination by the Heritage Council.

**Officer review and response**

The site's nomination to be included on the VHR is supported. William Cooper and his association with 73 Southampton Street, Footscray is significant to our local community and Victorian's Aboriginal communities. The Maribyrnong Aboriginal Heritage Study (1999) identified the site as a place of significance due to its association with William Cooper. Several of Cooper's projects continue to inspire and inform First Nations political activism today. These include the 'Day of Mourning' event of 26 January 1938 and his 'Petition to the King' seeking Aboriginal representation in Federal Parliament.

Further, community feedback received in 2022, on the initial consultation on the review of Maribyrnong Heritage Plan (2002) Review, highlighted an emerging theme and overall support for recognising, protecting and interpreting more places associated with significant Aboriginal cultural heritage. The inclusion of 73 Southampton Street on the VHR aligns with this community response.

Council officers and Council's Heritage Advisor have reviewed the nomination and agree that the place is of State-level historical and social significance. A minor change is suggested to Heritage Victoria's recommendation (attachment 1) to ensure that the key physical features associated with the heritage significance of the place are clear. This will assist when determining future planning permit applications for the site.

It is recommended that Council endorses the submission (Attachment 2) in support and include a minor suggested change for greater detail to be provided on the physical features that should be conserved in order to interpret the important associations of the place in the Heritage Victoria's recommendation Report.

**Next steps**

Notice of Heritage Victoria's recommendation was published on 20 January 2023 (advertised in The Age newspaper), and public submissions can be made until 21 March 2023.

The Heritage Council of Victoria is an independent statutory body, who will consider all submissions, nomination and make a determination. It may do so at one of its two-monthly meetings or hold a public hearing (if submissions are received).

If Heritage Council support the recommendation, then a Planning Scheme Amendment will be required to apply a Heritage Overlay under the Maribyrnong Planning Scheme, initiated by Minister for Planning.

**Agenda Item 9.4****2. Council Policy/Legislation****Council Plan 2021-2025**

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

- Strategic Objectives
  - Council will partner with its community to provide and advocate for integrated built and natural environments with access to open spaces that are well maintained, engaging, accessible and respectful of the community and neighbourhoods.
  - Council will provide well-planned neighbourhoods and a strong local economy, delivering services that are inclusive and accessible to the whole community, and that support wellbeing, healthy and safe living, connection to the community, and cultural interaction.
  - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

**Reconciliation Action Plan 2020 – 2022**

This report aligns with Council's Reconciliation Action Plan action 14:

- Support the protection and recognition of Aboriginal cultural heritage

**Legislation*****Heritage Act 2017.***

The *Heritage Act 2017* outlines processes and enforcement tools to ensure Victoria's significant heritage places and objects are appropriately protected. Section 27 and 34 of the Act sets out nomination and notice requirements for all places and objects recommended for inclusion on register. Heritage Victoria process all nominations, and the Executive Director may recommend a place or object be included on the registered. The Heritage Council of Victoria, an independent statutory body, makes the final decision.

Inclusion on the Victorian Heritage Register provides legal protection for a heritage place, in recognition of its significance to history and development of Victoria. Any works would require a permit from Heritage Victoria as the Responsible Authority.

If Heritage Council support the sites inclusion to the register, then a Planning Scheme Amendment will be required to apply a Heritage Overlay under the Maribyrnong Planning Scheme, initiated by the Minister for Planning. Inclusion on the Victorian Heritage Register does not remove the need for other approvals (relating to construction works, demolition, subdivision or other activities) under the *Planning and Environment Act 1987* and/or the *Building Act 1993*.

**Agenda Item 9.4****Conflicts of Interest**

Council's Heritage Advisor declared that they are an alternate member of the Heritage Council of Victoria. Comments provided in this report are based on their capacity as Council's Heritage Advisor. If the matter comes up at a Heritage Council meeting they will recuse themselves from any conversations regarding the nomination for 73 Southampton Street, Footscray.

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

**Human Rights Consideration**

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

**3. Engagement**

Notice of Heritage Victoria's recommendation was published on 20 January 2023 in The Age, and public submissions can be made until 21 March 2023.

Heritage Victoria notified the following in the nomination and assessment process:

- Members of William Cooper's family contributed their knowledge and information to the assessment process.
- Owners of 73 Southampton Street.
- Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation, Yorta Nation Aboriginal Corporation, Victorian Aboriginal Heritage Council and First Nations – State Relations.

**4. Resources**

No resource implications are expected from this process.

**5. Environment**

The inclusion of 73 Southampton Street, Footscray on the VHR will have a positive influence on the environment as it will conserve and protect the character of a significant place to the City of Maribyrnong.

**CONCLUSION**

Heritage Victoria are recommending that William Cooper's former home of 73 Southampton Street, Footscray is included on the Victorian Heritage Register (VHR) as a place of cultural heritage significance to the State of Victoria.

The nomination is support as 73 Southampton Street is significant due to its clear association with early 20<sup>th</sup>-Century Aboriginal activism. The site hold historical and social significance to the Victorian community.

## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

**Name:** William Cooper Residence,  
Southampton Street  
**Address:** 73 Southampton Street, Footscray  
**Local Government Authority:** Maribyrnong City  
**Provisional VHR No:** VHR PROV H2436

Aboriginal and Torres Strait Islander readers are warned that the following report contains images of deceased persons. It also contains language that was common in the past but may be offensive to readers in the present day.



William Cooper Residence, Southampton Street (December 2022)

### Executive Director recommendation

Under Part 3, Division 3 of the *Heritage Act 2017* ('the Act') I recommend to the Heritage Council of Victoria that the William Cooper Residence, Southampton Street should be included in the Victorian Heritage Register (VHR) in the category of registered place.



**STEVEN AVERY**  
Executive Director, Heritage Victoria  
DATE OF RECOMMENDATION: 16 January 2023



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### Executive Director recommendation to the Heritage Council of Victoria

The Executive Director, Heritage Victoria ("Executive Director"), recommends that the Heritage Council include the William Cooper Residence, Southampton Street in the VHR in accordance with section 49 of the Act by determining:

- That the William Cooper Residence, Southampton Street is of State-level cultural heritage significance and should be included in the VHR in the category of registered place in accordance with section 49(1)(a) of the Act.
- That the proposed categories of works or activities which may be carried out in relation to the William Cooper Residence, Southampton Street for which a permit under the Act is not required will not harm the cultural heritage significance of the place under section 49(3) of the Act.



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### Background

#### Executive Director's Recommendation (2014) William Cooper Residence, 120 Ballarat Road

In 2014 the William Cooper Residence at 120 Ballarat Road was nominated for inclusion in the VHR. The Executive Director recommended that it not be included and in 2015 the Heritage Council determined that it not be included.

#### Executive Director's Recommendation (2023) William Cooper Residence, 73 Southampton Street

In 2023, it is the view of the Executive Director, contained in this recommendation report, that 73 Southampton Street meets Criterion A, B, G and H at the State level.

The reasons are summarised here:

- **Criterion A:** 73 Southampton Street allows the clear association with early twentieth-century Aboriginal activism to be understood better than most other places or objects in Victoria with substantially the same association, including 120 Ballarat Road. Key events in the movement's history in Victoria occurred while Cooper resided at 73 Southampton Street which allows this better understanding.
- **Criterion B:** The place is rare as a place which demonstrates early twentieth-century Aboriginal activism. There are few surviving places and objects in Victoria related to this social movement. The capacity of the 73 Southampton Street to demonstrate this history is greater than 120 Ballarat Road as the former was the departure point for the 1938 deputation to the German Consulate to deliver a letter condemning the persecution of Jewish people.
- **Criterion G:** The William Cooper Residence, Southampton Street is of social significance to Victoria's Aboriginal communities. It has become strongly identified with the 1938 Australian Aborigines' League deputation led by William Cooper from 73 Southampton Street to the German Consulate. Re-enactments of this event involving the Aboriginal and Jewish community in 2012 and 2018 have increased its significance. An event of this level of significance did not occur while Cooper resided at 120 Ballarat Road. The residence at 120 Ballarat Road is not the site of any contemporary re-enactments.
- **Criterion H:** Southampton Street was the last house in which William Cooper lived and worked in Melbourne from January 1938 to November 1940 and saw the culmination of his political activities in Melbourne with the Australian Aborigines' League. It was the site of organising and staging of some key events in the history of early twentieth-century Aboriginal activism.

### Interior Photos

#### 73 Southampton Street (2022)

This report contains interior photos from April 2022 from realestate.com which are publicly available. A confidential document containing interior photos from November 2022 will be provided to the Heritage Council for the purposes of decision making. The Executive Director thanks the current owners for allowing interior photography.



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### The process from here

#### 1. The Heritage Council publishes the Executive Director's recommendation (section 41)

The Heritage Council will publish the Executive Director's recommendation on its website for a period of 60 days.

#### 2. Making a submission to the Heritage Council (sections 44 and 45)

Within the 60 day publication period, any person or body with a real and substantial interest in the place or object can make a submission to the Heritage Council. This submission can support the recommendation, or object to the recommendation and a hearing can be requested in relation to the submission. Information about making a submission and submission forms are available on the Heritage Council's website:

<https://heritagecouncil.vic.gov.au/registrations-reviews/executive-director-recommendations/>

#### 3. Heritage Council determination (sections 46 and 49)

The Heritage Council is an independent statutory body. It is responsible for making the final determination to include or not include the place or object in the VHR, or amend a place or object already in the VHR.

If no submissions are received the Heritage Council must make a determination within 40 days of the publication closing date.

If submissions are received, the Heritage Council may decide to hold a hearing in relation to the submission. If a hearing does take place, the Heritage Council must make a determination within 90 days after the completion of the hearing.

#### 4. Obligations of owners of places and objects (sections 42 and 43)

The owner of a place or object which is the subject of a recommendation to the Heritage Council has certain obligations under the Act. These relate to advising the Executive Director in writing of any works or activities that are being carried out, proposed or planned for the place or object.

The owner also has an obligation to provide a copy of this statement of recommendation to any potential purchasers of the place or object before entering into a contract.

#### 5. Further information

The relevant sections of the Act are provided at Appendix 1.

## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### Description

The following is a description of the William Cooper Residence, Southampton Street at the time of the site inspection by Heritage Victoria in November 2022.

The William Cooper Residence, Southampton Street is a modest single-storey double-fronted Edwardian-era weatherboard house. It has a corrugated iron gable roof with a row of modern solar panels fixed below the front roof ridgeline. There is a bullnose verandah with cast iron lacework and timber decking. The house faces west northwest towards Southampton Street. In front of the house there is a low picket fence with a central gate and a short path to the verandah steps. The small front yard consists of low plantings on either side of the path. The front door has a transom window with coloured glass and there are two large front bedroom windows with side panels either side.

The front door opens onto a corridor which extends through the house, opening onto all six rooms. In the Edwardian-era front part of the house there are four rooms: bedroom 1, bedroom 2, dining room, living room, the latter two have been opened up to form a single open plan space. The interior finishes in these rooms are modern (c.2020s). An addition was built onto the rear of the front four rooms in 2001, which includes the kitchen and bathroom. All fixtures and fittings in these rooms are modern (<2001).

At the rear of the house, a modern back verandah has been added. Other structures on the land include a brick garage (1969) and carport along the northern boundary line. There is a modern paved area between the rear of the house, a c.1980s detached studio near the eastern boundary line (back fence) and a water tank on the southern side. The carport and garage are located at the end of a sealed driveway and there is no fence or gate at the front of the driveway. There is a small backyard space south of the garage which is covered in AstroTurf.



December 2022, Front of 73 Southampton Street

## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



December 2022, View of 73 Southampton Street showing northern elevation of house



April 2022, Floorplan which remains the same.

Source: Hocking Stuart

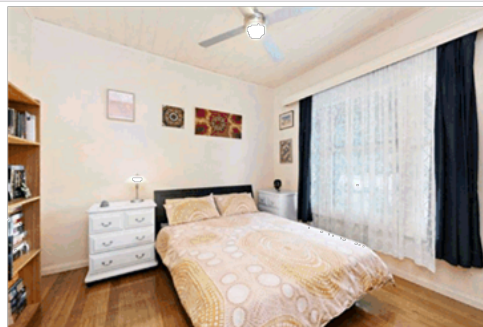
## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### Interior Photos

These photos date from April 2022 and were taken from realestate.com. Since then, there have been some alterations to some interior fixtures, fittings and finishes. A confidential document containing interior photos from November 2022 will be provided to the Heritage Council of Victoria for the purposes of decision making.



April 2022, Bedroom 1 [realestate.com]



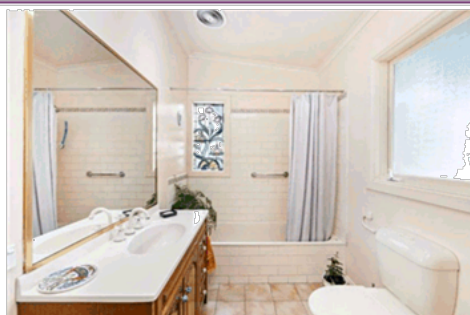
April 2022, Bedroom 2 [realestate.com]



April 2022, Living Room [realestate.com]



April 2022, Dining Room [realestate.com]



2022, Bathroom [realestate.com]



2022, Kitchen [realestate.com]

## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



April 2022, Back yard, house patio, detached studio  
[realstate.com]



April 2022, Interior detached studio [realstate.com]

### History

*This history was written collaboratively by Uncle Boydie (Alfred Turner) and David Jago (William Cooper family members) and Heritage Victoria staff. The Executive Director thanks Uncle Boydie and David Jago for their generosity in sharing their family's history and drawing attention to a range of archival and oral sources to assist in this process.*

#### William Cooper and the Australian Aborigines' League (AAL)

Yorta Yorta man William Cooper (1860-1941) was a mobilising force in the fight for Aboriginal rights and a pivotal figure in twentieth-century Australian history. Many regard him as a founder of the Aboriginal civil rights movement. He was born in the vicinity of the Moira Lakes, a large wetland surrounded by river redgum forests near the junction of the Murray and Goulburn rivers, only a few decades after the first colonists had arrived in the region. Decimated by imported diseases, and no longer able to live their traditional lifestyle and practice culture due to dispossession of their ancestral lands, the Yorta Yorta people were living in makeshift camps on the fringes of pastoral stations and nearby towns such as Echuca. For those such as Cooper's mother, who became known by the English name of Kitty Lewis, daily life was a struggle for survival.

By 1860 the land surrounding the lakes formed part of Moira Station, a large pastoral leasehold owned at that time by prominent Victorian politician and businessman Sir John O'Shanassy. As an eight-year-old boy Cooper was taken to Melbourne by O'Shanassy, and worked as a stable hand at a city hotel owned by O'Shanassy while living at the family mansion in Camberwell. At age eleven he was returned to the Moira area and began earning money by labouring on nearby stations such as Moira and Ulupna.

In 1874 Maloga Aboriginal Mission was founded by missionaries Daniel and Janet Matthews on the NSW side of the Murray River near present-day Moama. That same year Cooper, together with his mother Kitty, several siblings and other Yorta Yorta kinfolk, moved to Maloga from the surrounding camps. Offering food, shelter and basic education to the Aboriginal residents, Maloga had a profound influence on Cooper and his family. It was also where Cooper first learned basic literacy and converted to Christianity.

Possessing labouring skills that were in demand across the colonies, Cooper often sought employment off the mission and spent the next decade shearing, droving and labouring in central and western Victoria and New South Wales. Cooper joined the Australian Workers' Union, for which he became a spokesperson for Aboriginal shearers.

Shortly after his return to Maloga in 1884 he married Annie Murri and started a family, with his first child Emma Cooper (later known as Emily) born in 1885. Along with the other Maloga residents, around 1888 Cooper and his



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

young family moved to the nearby Cummeragunja Mission, which had been newly established by the NSW Aborigines Protection Board on land adjacent to Maloga. Cooper first became active in agitating for government grants of land to the Aboriginal residents at Maloga and Cummeragunja, utilising petitions to influence government agencies and by writing letters to local newspapers.

An outbreak of typhoid at Cummeragunja caused Cooper to suffer the loss of his second child Bartlett Cooper, only six months old, and shortly thereafter his first wife Annie, early in 1889. Cooper remained at Cummeragunja and married his second wife, Agnes Hamilton of Coranderrk Station near Healesville, in 1893. While also working away from the mission from time to time, Cooper farmed one of the modest twenty-acre pieces of land that had been granted to the Aboriginal families residing there as a result of their lobbying efforts. When those grants of land were later revoked and instead allocated to white farmers, and with conditions on the mission becoming increasingly harsh, Cooper departed Cummeragunja around 1906 with his second wife Agnes and five of his children - Jessie Cooper, Daniel Cooper, Gillison Cooper, Amy Cooper and Lynch Cooper.

After building a makeshift house for his family on the Victorian side of the Murray a few miles upstream from Cummeragunja, in the Barmah Forest adjacent to the lakes, Cooper supported his family by catching fish for local sale. After the birth of his daughter Moira Sarah Cooper (later known as Sally Cooper) in 1907, Cooper tragically lost his second wife Agnes to tuberculosis in 1909. Around 1912 he took his children to live at Yarrawonga where he and his sons continued fishing, for a time operating a fish shop in Yarrawonga's main street. He returned to Barmah in 1923, again building a makeshift house on the banks of the Murray River, this time directly across from Cummeragunja. He married his third wife, Sarah Nelson (nee McRae), in 1928. Cooper maintained strong family and community links with the residents still living at Cummeragunja during the decades following his departure. Witnessing the increasingly poor conditions and oppressive treatment being inflicted on the mission residents helped to shape his later political activity.

In 1933, at the age of 72, Cooper and wife Sarah left Barmah and moved to the working-class suburb of Footscray where he became a prominent figure among Melbourne's Aboriginal community. From 1933 Cooper began to organise a political group which by 1935 was known as the Australian Aborigines' League (AAL), formalising a network of people from Cummeragunja who had been working together for several years. The AAL acquired a slogan: 'A fair deal for the dark race' which appeared on their letterhead.

The AAL has been described as one of the most important Aboriginal political organisations in Australia. Notably, full membership rights were available only to those of Aboriginal descent. Being Aboriginal controlled meant that, unlike other groups seeking to improve conditions for Aboriginal people during that era, the AAL was the first organisation demanding justice for Aboriginal people in their own voice and on their own terms.

Although based in Melbourne, it was a national organisation which lobbied state and federal governments for improved rights and conditions for Aboriginal people around Australia, including in Central Australia and the Northern Territory. The group was less active after Cooper's death but revived after the Second World War by Douglas Nicholls, Eric Onus and Bill Onus. In the 1960s it became the Victorian branch of the Aborigines Advancement League, also known as the 'AAL'.<sup>1</sup> In this report the acronym AAL refers to the Australian Aborigines' League founded by William Cooper in the 1930s, unless otherwise stated.

Cooper demonstrated remarkable political acumen through his activities as the leader of the AAL. He was supported by other AAL members including Douglas Nicholls, Margaret Tucker, Shadrach James, Hyllus Briggs, brothers Bill and Eric Onus, Anna and Caleb Morgan, Martha Nevin, Ebenezer Lovett, Annie Lovett, Cooper's son Lynch and his third wife Sarah, and non-Aboriginal allies including Helen Baillie and Arthur Burdeu.<sup>2</sup> Cooper was a prolific letter writer to government officials and newspapers, lobbying politicians and raising public awareness about issues affecting Aboriginal people.<sup>3</sup> He spoke publicly about Aboriginal rights at Speakers Corner (VHR H1363) on the Yarra River, a significant place in the history of progressive political thought and activism in Victoria.

<sup>1</sup> See Richard Broome's history of the Aboriginal Advancement League, *Victims or Victors? The story of the Victorian Aborigines Advancement League*, Hyland House, Melbourne, 1985.

<sup>2</sup> Bain Attwood, *William Cooper*, p. 203.

<sup>3</sup> See collected letters in Bain Attwood and Andrew Markus, *Thinking Black*.



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Several of Cooper's projects continue to inspire and inform First Nations political activism today. These include the 'Day of Mourning' event of 26 January 1938, held in conjunction with fellow Aboriginal activists William Ferguson and Jack Patten of the NSW-based Aborigines' Progressive Association, an event widely understood to be the forerunner to the present-day NAIDOC week celebrations. Arguably Cooper's most cherished project, and the one to which he devoted most of his time and energy, was his 'Petition to the King' seeking Aboriginal representation in Federal Parliament. The Uluru Statement from the Heart, and the desire to establish an indigenous 'Voice to Parliament', demonstrate that this issue remains firmly on the agenda for indigenous Australians.

In addition to their significant social justice activism on behalf of Aboriginal people, the deputation to the German consulate to protest the persecution of Jews following the events of Kristallnacht is an event for which Cooper and the AAL are widely celebrated.

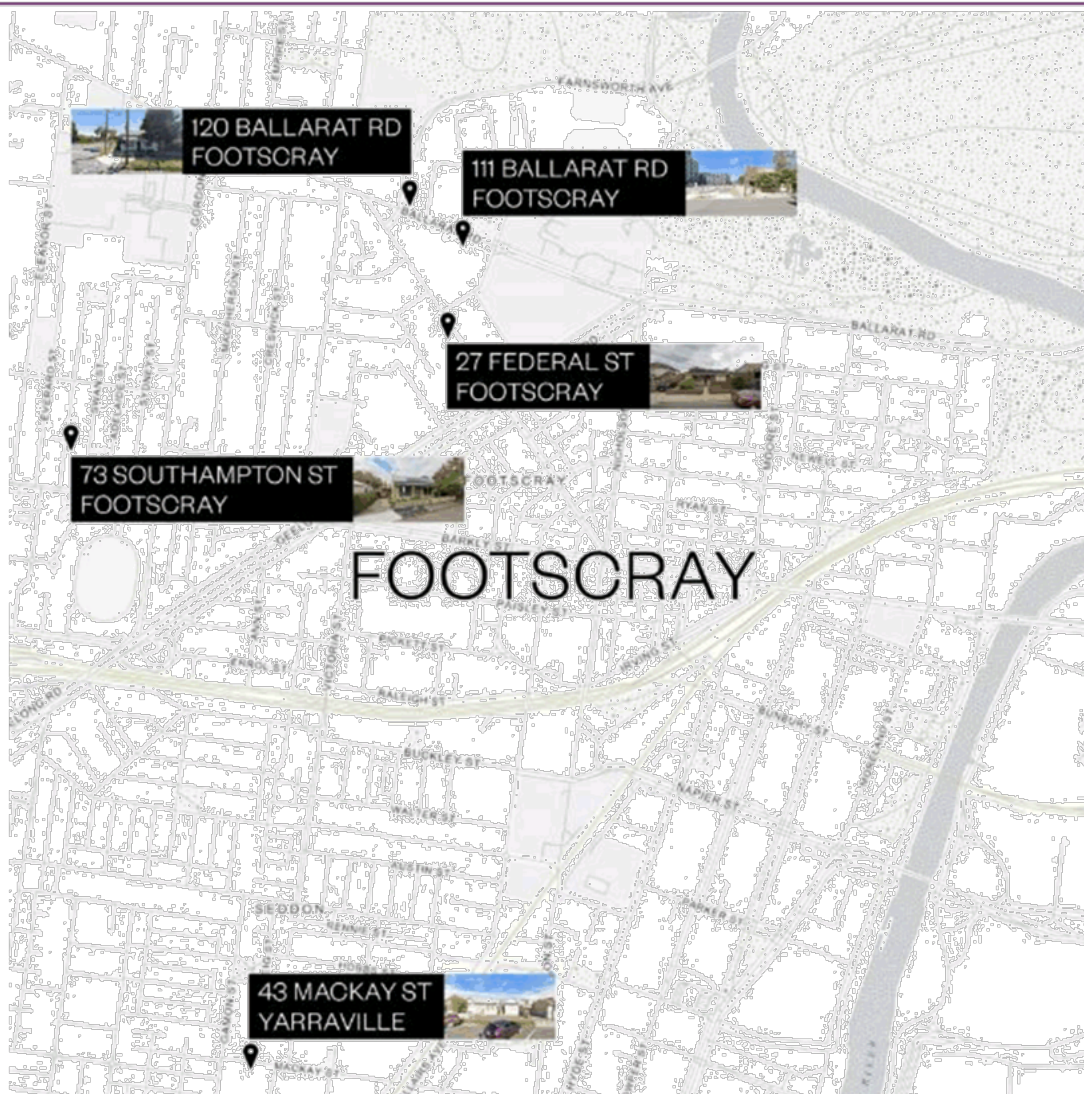
### Cooper and the AAL in Footscray

William Cooper was Honorary Secretary of the AAL and ran the organisation from his home. This was located in a series of rental houses in the Footscray area during the 1930s located in Ballarat Road, Federal Street, Mackay Street and Southampton Street. Letters from Cooper to government agencies held at the National Archives of Australia (NAA) and Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), as well as research conducted by Monash University scholars, allow us to link specific political activities with particular addresses in Footscray.<sup>4</sup> Some of this information has not been easily accessible until recent years. Surviving oral history within the Cooper family supplements this documentary historic evidence.

It should be noted that the existence and/or location of any surviving AAL archives is unclear. The whereabouts of Cooper's Petition to the King (1937) and his letter to the German Consul, Dr Drechsler (1938) is also unknown. The Executive Director welcomes the provision of information about these materials.

<sup>4</sup> See: NAA F126.12; NAA A659; 1940/1/858; NAA A432, 1937/1191; NAA A431, 1949/1591, and the [William Cooper and the Australian Aborigines' League](#) website particularly [Cooper's Political Work](#), Monash University, compiled by Bain Attwood.



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



Map showing the location of the William Cooper Residence, Southampton Street and his other residences in the area. Source: William Cooper and the Australian Aborigines' League website, Cooper's Political Work, Monash University

Agenda Item 9.4 - Attachment 1

## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Start date	End date	Cooper's address and political events	Photo of house at address
Early 1932		William Cooper, with his third wife Sarah, moved to Melbourne and stayed at <b>111 Ballarat Road, Footscray</b> , Auntie Sally Russell Cooper's home.	Demolished 2019-20
16 July 1933	~Nov 1934 or March 1935	<b>120 Ballarat Road, Footscray</b> September 1933: Cooper starts gathering signatures for a Petition to the King. Begins work to seek Aboriginal parliamentary representation, enfranchisement and land rights. <sup>5</sup> 23 February 1935: Cooper led the first Aboriginal deputation to a Commonwealth minister. <sup>6</sup>	
March 1935	May 1937	<b>24 Federal Street, Footscray</b>	Demolished c.1970s
May 1937	June 1937	<b>111 Ballarat Road, Footscray</b> (Auntie Sally Russell Cooper's home)	Demolished 2019-20
16 June 1937	Jan 1938	<b>43 Mackay Street, Seddon (now Yarraville)</b> (house on the left) August 1937: Cooper sent the Petition to the King (see above) to Prime Minister Joseph Lyons in the hope that he would forward it to King George VI. <sup>7</sup> 12 November 1937: William Cooper called a meeting of leading Aboriginal activists to plan the 'Day of Mourning' on 26 January 1938, in association with the New South Wales Aborigines Progressive Association. <sup>8</sup>	
19 Jan 1938	Nov 1940	<b>73 Southampton Street, Footscray</b> 26 January 1938: The AAL staged the 'Day of Mourning' with the New South Wales Aborigines Progressive Association, to coincide with the sesquicentenary (150th) anniversary celebrations of the arrival of the British. <sup>9</sup> 31 January 1938: Members of the AAL (not including Cooper) led a delegation to Prime Minister Joseph Lyons to call for federal control of Aboriginal affairs and presented a proposed national policy for Aboriginal people. <sup>10</sup> 6 December 1938: Cooper led an AAL delegation from 73 Southampton Street to the German Consulate at 425 Collins Street (VHR H0421) to deliver a letter that condemned the Nazi government's treatment of Jewish people. 4 February 1939: Cummeraganja Walk-off. The AAL provided advice and support for Aboriginal people involved in this event.	
Nov 1940		Cooper returned to live at Mooroopna, Yorta Yorta country, with wife Sarah	
29 Mar 1941		Cooper died and was buried at Cummeraganja	

<sup>5</sup> In February 1938 the Commonwealth formally refused to forward the petition to King George VI but Cooper was never informed. In August 1940, in the last letter he ever wrote as the AAL secretary, Cooper begged Prime Minister Robert Menzies to attend to the petition's principal demand, see ['William Cooper and the Australian Aborigines' League'](#), Monash University.

<sup>6</sup> See ['William Cooper'](#), Australian Dictionary of Biography [accessed 26 October 2022].

<sup>7</sup> See [The 1938 Day of Mourning](#), AIATSIS [accessed 26 October 2022].

<sup>8</sup> See [The 1938 Day of Mourning](#), AIATSIS [accessed 26 October 2022].

<sup>9</sup> See [The 1938 Day of Mourning](#), AIATSIS [accessed 26 October 2022].

<sup>10</sup> See [William Cooper Protests](#), National Museum of Australia [accessed 26 October 2022].



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### Activities at Southampton Street

Southampton Street was the last house in which William Cooper lived and worked in Melbourne from January 1938 to November 1940. It was the site of organising of some important events and saw the culmination of his political activities in Melbourne with the AAL.

On 26 January 1938 the AAL staged the 'Day of Mourning' with the New South Wales Aborigines Progressive Association, to coincide with the sesquicentenary (150th) anniversary celebrations of the arrival of the British.<sup>11</sup> On 31 January 1938 members of the AAL (not including Cooper) led a delegation to Prime Minister Joseph Lyons to call for federal control of Aboriginal affairs and presented a proposed national policy for Aboriginal people.<sup>12</sup> Also from Southampton Street, Cooper and the AAL provided advice and support for Aboriginal people involved in the Cummeragunja Walk Off which occurred on 4 February 1939.

One of the most important events in Cooper's political life started its journey at Southampton Street. On 6 December 1938 Cooper led a deputation of AAL members to the German Consulate at 425 Collins Street in the centre of Melbourne. This was in response to the violence perpetrated against Jewish people by Nazi supporters on *Kristallnacht* of 9-10 November. The AAL deputation walked from 73 Southampton Street and Cooper attempted to deliver a letter to the German Consul, Dr Drechsler, condemning the 'cruel persecution of the Jewish people by the Nazi government of Germany'.<sup>13</sup> The Consul refused to accept the letter, it was given to an unknown representative at the building, and its current location is unknown.<sup>14</sup> Cooper's protest was likely inspired by similar actions of left-wing and pacifist groups seeking to draw public attention to increasing persecution of Jewish people and other minorities by the Nazi regime.<sup>15</sup> In addition to voicing concern about the poor treatment of Jewish people, which Cooper and his colleagues would undoubtedly have found appalling, the AAL protest was also a way to draw attention to the plight of Aboriginal people and the hypocrisy of those Australians voicing concern about the treatment of Jewish people in Europe given the continuing oppression and racial segregation of Australia's original occupants.

While living at Southampton Street, William Cooper conducted the business of the AAL from the northern bedroom (Bedroom 1) writing letters, planning activities and holding meetings with AAL members.<sup>16</sup> Uncle Boydie recalls opening the door to AAL members and meetings being held in 'grandfather's room' by candlelight.<sup>17</sup>

Aboriginal activists of the early twentieth century did not have the resources to purchase their own headquarters. This was also the situation for other socially and economically marginalised activist groups. Unable to vote, subject to a range of legislative controls, discrimination in employment and racism on a daily basis, it was cheaper and easier for AAL members to meet at Cooper's home. Tenants like Cooper had little stability in their housing and were subject to uncertain tenure and rental regulations which forbade them to permanently alter the fabric of the house.

While undertaking his political work, Cooper and his wife Sarah cared for a number of their grandchildren at Southampton Street for various reasons. These included Alfred Turner (Uncle Boydie), the three siblings - Cyril, Esmay and Bruce Mann, and twins Edward (Ted) and William (Bill) Cooper. The Southampton Street house was a modest four-roomed rented home that served as Cooper's residence as well as being a hub for political activism and a sphere for family caregiving.

### William Cooper's Legacy

Today, William Cooper is strongly identified with the 1938 deputation from Southampton Street to the German Consulate. Cooper's solidarity with European Jewish people is particularly striking as an act of international anti-racism by an Aboriginal leader, himself working to gain rights for Australia's first nation's people. Cooper's

<sup>11</sup> See [The 1938 Day of Mourning](#), AIATSIS [accessed 26 October 2022].

<sup>12</sup> See [William Cooper Protests](#), National Museum of Australia [accessed 26 October 2022].

<sup>13</sup> 'Aboriginal elder William Cooper's anti-Nazi protest remembered on Kristallnacht's 80th anniversary', ABC News, 10 November 2018 [accessed 26 October 2022]

<sup>14</sup> 'Deputation not Admitted', *Argus*, 7 December 1938, p.3.

<sup>15</sup> See 'Treatment of Jews Protest Left for Consul', *Argus*, 18 Nov 1938, Page 11; 'Letter to Consul', *Argus*, 22 September 1938, p.13.

<sup>16</sup> Interview with Uncle Alf Turner (known as Uncle Boydie), Shepparton, 5 October 2022.

<sup>17</sup> Interview with Uncle Alf Turner (known as Uncle Boydie), Shepparton, 5 October 2022. Similar accounts can be found at [William Cooper and the Australian Aborigines' League](#), Monash University.



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

insistence on handing over the protest letter was an important act of international solidarity against racism. It is a significant aspect of Cooper's great political legacy.

Knowledge of William Cooper's activism is increasing in Victoria, in part due to re-enactments of the 1938 deputation. On 6 December 2012, Cooper's grandson Uncle 'Boydie' Turner, with family members, Aboriginal community members, Jewish people, Christians, Germans and other supporters, re-enacted the 1938 deputation from Southampton Street. Uncle Boydie presented a replica of his grandfather's letter to the German Consul, and it was accepted. This was widely publicised and built on a similar re-enactment in 2010 by Cooper's great-grandson, Kevin Russell. A re-enactment also took place in December 2018 on the 80th anniversary of the event.

Described as a man ahead of his time, William Cooper inspired and mentored a new generation of Aboriginal leaders, including Douglas Nicholls, Bill Onus, Eric Onus and Margaret Tucker. In the last fifteen years William Cooper has become better known in Australia as he has been honoured in various forms:

- The installation of a plaque at the Jewish Holocaust Museum and Research Centre, Melbourne (2002)
- The planting of seventy Australian trees in Israel to honour William Cooper's deputation (2008)
- The opening of the William Cooper Justice Centre in William Street, Melbourne (2010)
- The opening of the William Cooper pedestrian bridge at Footscray Railway Station (2010)
- The establishment of a memorial garden to William Cooper at the Yad Vashem Holocaust Museum (2010)
- The creation of the William Cooper Chair of Resistance Studies by the Yad Vashem Holocaust Museum in Israel (2010)
- The induction of William Cooper into the Victorian Aboriginal Roll of Honour (2011)
- The completion of a mural in Shepparton depicting William Cooper and Douglas Nicholls (2017)
- The unveiling of a William Cooper Memorial Statue in Shepparton (2018)
- The renaming the Federal Seat of Batman to the Federal Seat of Cooper by the Australian Electoral Commission (2018).

### Additions to the residence

The four-roomed residence was built between c.1900 and 1917. Planning documents from the City of Maribyrnong show that the Garage was built in 1969, the detached studio was constructed during the 1980s, and the house size was substantially increased in 2001 when an addition was built onto the rear (containing a new kitchen and bathroom).

## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### Images

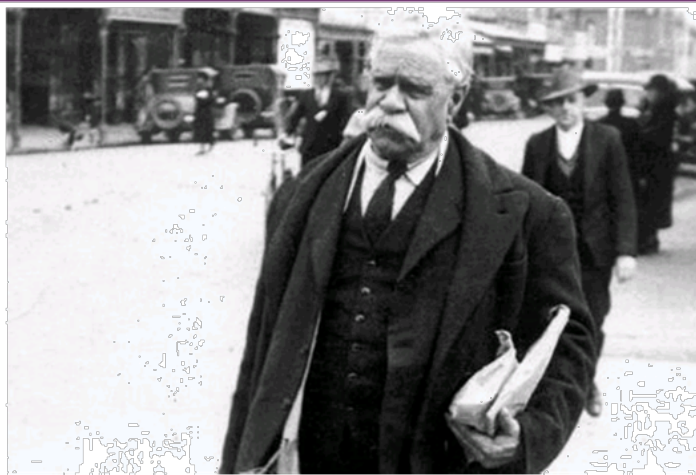


Undated photograph c.1930s of William Cooper and AAL members

Source: Boydie Turner Collection, Monash University

This photograph was taken by one of the city's leading commercial photographers, Edwin G. Adamson, and was almost certainly taken in Melbourne in the late 1930s.

The photograph mostly comprises members of the AAL: Margaret Tucker stands on the far left; the woman next to her might be Hyllus Briggs; and on the right are Norman Clarke, William Cooper, his wife Sarah, and two other Aboriginal people, one of whom might be Mary Clarke. The man to the left wearing glasses is Arthur Burdeu. The white woman in the centre wearing a patterned top is Helen Baillie. The identity of the man shaking Cooper's hand is unconfirmed, but is thought to be Bill Ferguson, an Aboriginal activist from NSW.



William Cooper in Nicholson Street, Footscray, in the 1930s.

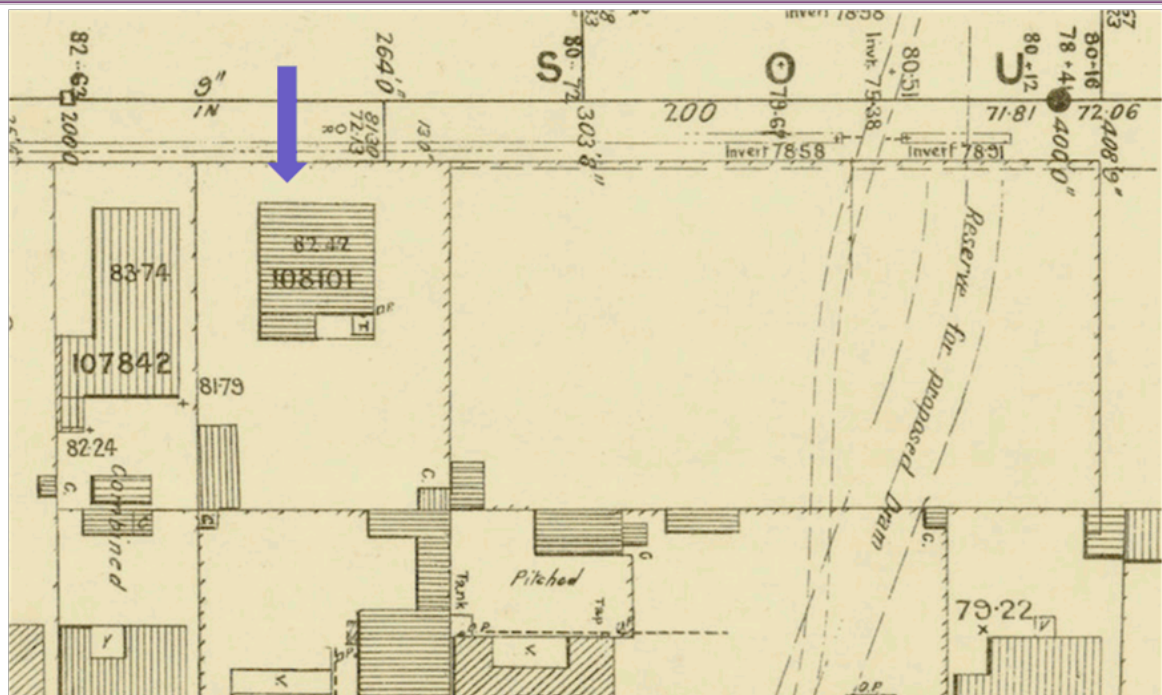
Esmay Mann Collection Source: Inside Story

## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



Photo of the commencement of the 2012 re-enactment of the 1938 deputation at 73 Southampton Street with Cooper's great-grandson, Kevin Russell, (holding a book).

'Forebear's protest letter finally delivered', Age, 7 December 2012

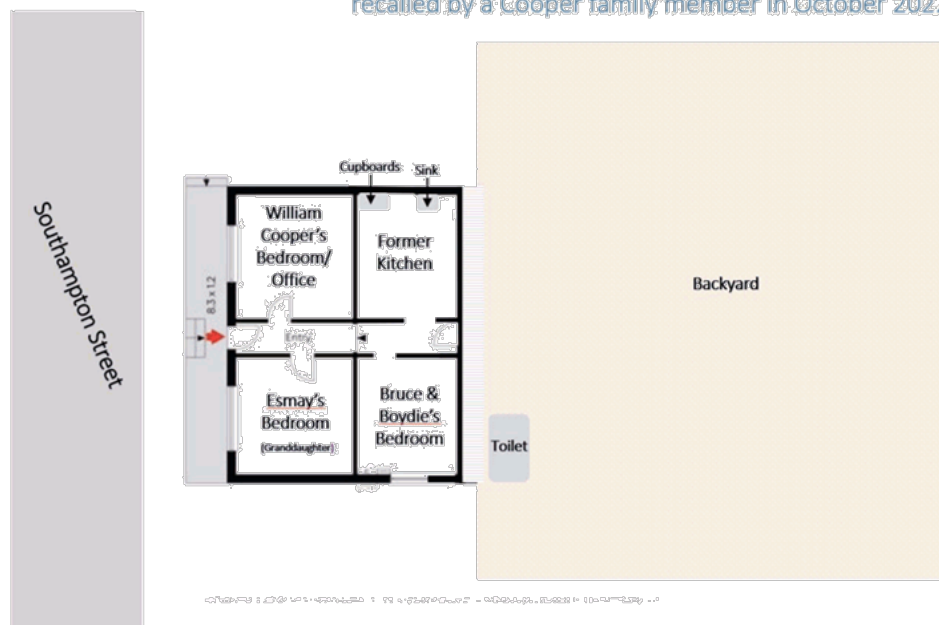


Melbourne and Metropolitan Board of Works, Detail Plan, No. 275, Municipality of Footscray, 1917.

Also see Legends to MMBW Plans Source: State Library of Victoria

## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

Indicative floorplan of 73 Southampton Street c.1938 as  
recalled by a Cooper family member in October 2022



A plan of William Cooper's Residence at 73 Southampton Street (1938). This layout was recollected by Uncle Boydie Turner who lived there as a child with his grandfather, William Cooper, in 1938. The plan was drawn by a Heritage Victoria staff member under instruction from Uncle Boydie [October 2022]



Mural painted by Adnate in Shepparton depicting Douglas Nicholls and William Cooper (completed 2017)



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### Selected bibliography

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Broome, Richard *Aboriginal Australians*, Allen & Unwin, 1982 (2019).  
Broome, Richard *Aboriginal Victorians: A History Since 1800*, Allen & Unwin, 2005.  
Eidelson, Meyer *Melbourne Dreaming: A Guide to Important Places of the Past and Present*, Aboriginal Studies Press, 1997.  
William Cooper and the Australian Aborigines' League website Monash University

### Family contacts

The Executive Director thanks the following people for contributing their knowledge and information to the assessment process:

- Uncle Alf Turner, Cooper's grandson (known as Uncle Boydie), in person meeting 5 October 2022.
- Leonie Drummond, William Cooper's great-granddaughter, 5 October 2022
- David Jago, William Cooper's great-great-grandson, 5 October 2022, and subsequent discussions and email exchanges into December 2022.

On 1 November 2022 Mr Jago, Uncle Boydie, and Ms Drummond received a full draft of the Recommendation Report. On 11 November 2022 they provided comments and additional information which were integrated. Further refinements were made on 16 November 2022.

Thanks is also extended to the owners of 73 Southampton Street for their cooperation in arranging site visits and allowing access and interior photography.

### Community contacts

On 11 November 2022 Executive Director emailed the following organisations about the nomination:


- Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation
- Yorta Yorta Nation Aboriginal Corporation (YYNAC)
- Victorian Aboriginal Heritage Council
- First Nations – State Relations.

The email sought feedback about the nomination, as well as the view of the organisation and/or people within it about whether they supported any VHR registration.

On 16 November 2022 the Wurundjeri Heritage Unit Elders indicated their support and commented that 'any statements about the significance of this place should come from his [Cooper's] family'.

On 11 January 2023 the Victorian Aboriginal Heritage Council sent a letter to the Executive Director indicating its support for the inclusion of this place in the VHR, and made the following comments:

*Council members acknowledge the importance of the structure and believes the inclusion of the residence on the VHR will fulfill a vital role in acknowledging and preserving such an important part of Victoria's Aboriginal history, specifically the origins of the Aboriginal Advancement League. Council cites Mr. William Cooper as one of their peoples' esteemed, iconic, leading figures from history. The protection that will be afforded the residence once it is listed on the VHR, can only further benefit Victoria's Traditional Owners and the wider community as a whole.*



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### Further information

<b>Relevant Authority</b>	Maribyrnong City
<b>Heritage Overlay</b>	NA
<b>Other Overlays</b>	Special Building Overlay (SBO) Development Contributions Plan Overlay (DCPO)
<b>Other Listings</b>	NA
<b>Date of construction</b>	c.1900-18 Edwardian era
<b>Architect/Builder</b>	Unknown

#### Traditional Owner Information

The William Cooper Residence, Southampton Street is located on the traditional land of the Wurundjeri Woi Wurrung people represented by the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation who are the Registered Aboriginal Party under the *Aboriginal Heritage Act 2006* for the area.

#### Victorian Aboriginal Heritage Register

The William Cooper Residence, Southampton Street is not included in the Victorian Aboriginal Heritage Register, nor included in an area of cultural sensitivity.

#### Integrity

The integrity of the place is very good. The cultural heritage values of the place can be read in the extant fabric. (August 2022).

#### Intactness

The intactness of the place is good however additions to the rear of the house have been built likely after 1945.

The Edwardian-era front part of the house retains four rooms: bedroom 1, bedroom 2, dining room and living room, but the latter two have been opened up to form a single open plan space. Two rooms were added to the rear of the front four rooms at a subsequent date: the kitchen and bathroom. Other later structures on the land include c.1960s brick garage and carport along the northern boundary line. There is a modern paved area between the rear of the house, a c.1980s detached studio near the eastern boundary line (back fence). (August 2022).

#### Condition

The place is in good condition and well maintained. (August 2022).

Note: The condition of a place or object does not influence the assessment of its cultural heritage significance. A place/object/object integral may be in very poor condition and still be of very high cultural heritage significance, or a place/object/object integral may be in excellent condition but be of low cultural heritage significance.

## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### Statutory requirements under section 40

#### Terms of the recommendation (section 40 (3)(a))

The Executive Director recommends that the William Cooper Residence, Southampton Street is included in the VHR in the category of Registered Place

#### Information to identify the place or object (section 40(3)(b))

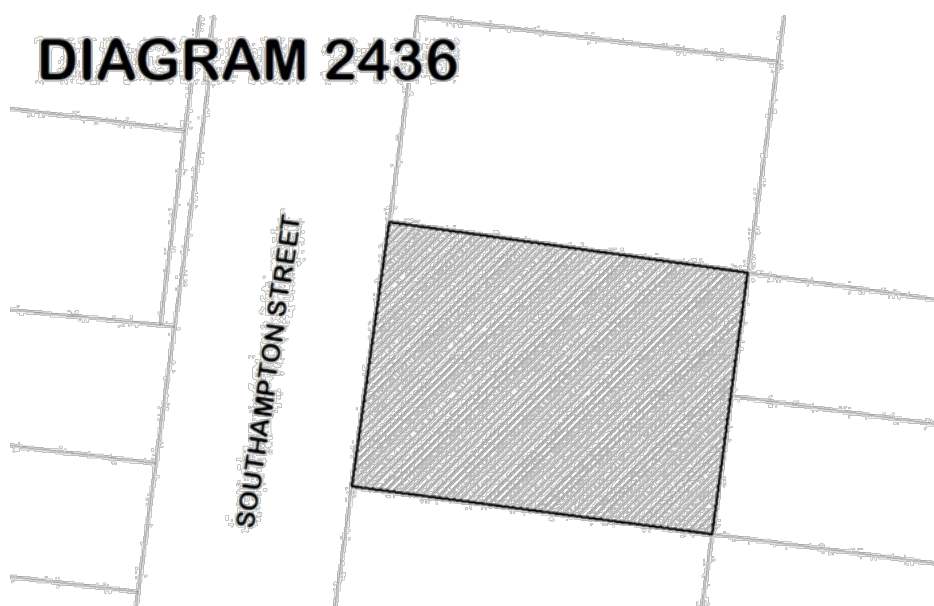
**Name:** William Cooper Residence, Southampton Street

**Address:**

#### Proposed extent of registration

The Executive Director recommends that the extent of registration for the William Cooper Residence, Southampton Street be gazetted as:

All of the place shown hatched on Diagram 2436 encompassing all of Lot 1 on Title Plan 697428.



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria



**Aerial Photo of the Place Showing Proposed extent of registration**

Note: This aerial view provides a visual representation of the place. It is not a precise representation of the recommended extent of registration. Due to distortions associated with aerial photography some elements of the place may appear as though they are outside the extent of registration.

### **Rationale for the extent of registration**

The recommended extent of registration includes the whole place including the house, outbuildings and the suburban block of land on which they are located. The recommended extent of the registration is the same as the nominated extent of registration.

It should be noted that everything included in the proposed extent of registration including all the land, all soft and hard landscape features, plantings, all buildings (interior and exterior structures, works and fixtures), is proposed for inclusion in the VHR. A permit or permit exemption from Heritage Victoria is required for any works within the proposed extent of registration.

Categories of works or activities exempt from the requirement for a permit from Heritage Victoria are set out later in this recommendation.

## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### Reasons for the recommendation, including an assessment of the State-level cultural heritage significance of place/object/object integral (section 40(3)(c))

Following is the Executive Director's assessment of the William Cooper Residence, Southampton Street against the tests set out in *The Victorian Heritage Register Criteria and Thresholds Guidelines*.

#### CRITERION A: Importance to the course, or pattern, of Victoria's cultural history.

##### Step 1 Test for Criterion A

No.	Test	Y/N	Reason
A1)	Does the place/object have a clear association with an event, phase, period, process, function, movement, custom or way of life in Victoria's cultural history?	Yes	The place has a clear association with the following historical phases which are of importance in Victoria's cultural history: a) Edwardian/Federation era houses. b) the history of working-class life c) early twentieth-century Aboriginal political activism.
A2)	Is the event, phase, etc of historical importance, having made a strong or influential contribution to Victoria?	Yes	Phases a) b) and c) are of historical importance and have made a strong and influential contribution to Victoria.
A3)	Is there evidence of the association to the event, phase etc in Victoria's cultural history?	Yes	There is oral testimony and documentary evidence of the association between the place and historical phases a) b) and c).

#### If A1, A2 AND A3 are satisfied then Criterion A is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	Yes	Criterion A is likely to be relevant.
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##### Step 2 State-level test for Criterion A

No.	Test	Y/N	Reason
SA1)	Does the place/object allow the clear association with the event, phase, period, process, etc of historical importance to be understood better than most other places or objects in Victoria with substantially the same association?	Yes	a) The place does not allow the association with Edwardian/Federation era house design or construction to be better understood than most other similar houses, of which there are thousands in Victoria. b) The place does not allow the history of working-class life to be better understood than most other similar places, of which there are thousands in Victoria c) The place <u>does</u> allow the clear association with early twentieth-century Aboriginal activism to be understood better than most other places or objects in Victoria with substantially the same association. i) There are few remaining places and objects in Victoria which demonstrate early twentieth-century Aboriginal activism. ii) Organisations like the AAL and activists like William Cooper did not own property nor have the resources to build headquarters. iii) Southampton Street was the last house in which William Cooper lived and worked in Melbourne from January 1938 to November 1940 and saw the culmination of his political activities in Melbourne with the AAL. iv) In comparison to the other extant Cooper residences in Footscray, it was the site of organising and staging of some key events in the history of early twentieth-century Aboriginal activism (see History section). v) It is unclear if the archives of the AAL are still extant.

#### If SA1 is satisfied, then Criterion A is likely to be relevant at the State level

Executive Director's Response:	Yes	Criterion A is likely to be relevant at the State level.
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## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### CRITERION B: Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

#### Step 1 Test for Criterion B

No.	Test	Y/N	Reason
B1)	Does the place/object have a clear association with an event, phase, period, process, function, movement, custom or way of life of importance in Victoria's cultural history?	Yes	The place has a clear association with the following historical phases which are of importance in Victoria's cultural history: a) Edwardian/Federation era houses; b) the history of working-class life; c) early twentieth-century Aboriginal political activism.
B2)	Is there evidence of the association to the event, phase, period, process etc at B1)?	Yes	There is oral testimony and documentary evidence of the association between the place and the historical phases at B1).
B3)	Is there evidence that the place/object is rare or uncommon, or has rare or uncommon features? <u>See definition of 'rare' on p.6 of the guidelines.</u>	Yes	There is <u>no evidence</u> that the place is rare or uncommon or has rare or uncommon features for these historical phases: a) Edwardian/Federation era houses; b) the history of working-class life. There is <u>is evidence</u> that the place is rare or uncommon (but does not have rare or uncommon features) for the historical phase: early twentieth-century Aboriginal political activism. There are few remaining places and objects in Victoria which demonstrate early twentieth-century Aboriginal activism. Organisations like the AAL and activists like William Cooper did not own property nor have the resources to build headquarters. It is also unclear if the archives of the AAL are still extant. In this context, the place is rare.

**If B1, B2 AND B3 are satisfied then Criterion B is likely to be relevant (but not necessarily at the State level)**

Executive Director's Response: Yes Criterion B is likely to be relevant.

#### Step 2 State-level test for Criterion B

No.	Test	Y/N	Reason
Is there evidence that:			
SB1)	Is the place/object rare or uncommon, being one of a small number of places/objects remaining that demonstrates event, phase, period, process etc at B1)?	Yes	The place is rare in Victoria being one of a small number of places/objects remaining that demonstrates early twentieth-century Aboriginal activism. See Step 1 above.
SB2)	Is the place/object rare or uncommon, containing unusual features, and these features are of note and these features were not widely replicated in Victoria?	No	No. There is no evidence that the place is rare or uncommon because it contains features in its fabric compared are of note and these features were not widely replicated in Victoria.
SB3)	Is the existence of the class of place/object that demonstrates the event, phase, period, process etc at B1) endangered to the point of rarity due to threats and pressures on such places/objects in Victoria?	Yes	Places of Aboriginal activism in Melbourne prior to the later twentieth-century have tended to be in residences or other places in the former working-class inner suburbs (such as Footscray and Fitzroy) which are not architecturally notable. These are potentially endangered because of the gentrification of these suburbs.

**If any one of SB1, SB2 OR SB3 is satisfied, then criterion B is likely to be relevant at the State level.**

Executive Director's Response: Yes Criterion B is likely to be relevant at the State level.

Agenda Item 9.4 - Attachment 1

## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### CRITERION C: Potential to yield information that will contribute to an understanding of Victoria's cultural history

#### Step 1 Test for Criterion C

No.	Test	Y/N	Reason
C1)	Does physical fabric and/or documentary evidence and/or associated oral history or cultural narratives relating to the place/object indicate a likelihood that the place/object contains evidence of cultural heritage significance that is not currently visible and/or well understood or available from other sources?	No	The physical fabric of the place and documentary/oral evidence does not indicate a likelihood that the place contains evidence of cultural heritage significance that is not currently visible and/or well understood or available from other sources (such as archaeology or hidden wallpaper). Any potential archaeology would not yield information that is not well understood or available from other sources.
C2)	From what we know of the place/object is the physical evidence likely to be of an integrity and/or condition that it could yield information through detailed investigation? <u>See definition of 'integrity' on p.6 of the guidelines.</u>	NA	The integrity and/or condition may be good, but it is unlikely to yield information through investigation that is not currently visible and/or well understood or available from other sources (see C1).
<b>If C1 and C2 are satisfied then Criterion C is likely to be relevant (but not necessarily at the State level)</b>			
Executive Director's Response:		No	Criterion C is not likely to be relevant.

Agenda Item 9.4 - Attachment 1

## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

**CRITERION D: Importance in demonstrating the principal characteristics of a class of cultural places and objects.**

**Step 1 Test for Criterion D**

No.	Test	Y/N	Reason
D1)	Is the place/object one of a class of places/objects that has a clear association with an event, phase, period, process, function, movement, custom or way of life in Victoria's history? <u>See definition of 'class' on p.6 of the guidelines.</u>	Yes	The place is one of the class 'Edwardian/Federation era houses'. This has an association with the process of providing homes for Victorians.
D2)	Is the event, phase, period, process, function, movement, custom or way of life of historical importance, having made a strong or influential contribution to Victoria?	Yes	Providing homes for Victorians is a historical process which has made a strong and influential contribution to Victoria.
D3)	Are the principal characteristics of the class are evident in the physical fabric of the place/object?	Yes	Some of the principal characteristics of the class 'Edwardian/Federation era houses' are evident at the place.

**If D1, D2 AND D3 are satisfied then Criterion D is likely to be relevant (but not necessarily at the State level)**

Executive Director's Response:	Yes	Criterion D is likely to be relevant.
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**Step 2 State-level test for Criterion D**

No.	Test	Y/N	Reason
SD1)	Is the place/object a notable (fine, influential or pivotal) example of the class in Victoria? <u>See definition of 'notable' see Reference Tool D on p.14 of the guidelines.</u>	No	The place is not a notable example of an Edwardian/Federation-era house. It demonstrates some characteristics of an altered Edwardian-era house with later twentieth century additions. It is architecturally unremarkable and does not exhibit any fine, influential or pivotal features. It has much in common with hundreds of similar houses in Footscray built for local families.

**If SD1 is satisfied, then Criterion D is likely to be relevant at the State level**

Executive Director's Response:	No	Criterion D is not likely to be relevant at the State level.
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Agenda Item 9.4 - Attachment 1

## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### CRITERION E: Importance in exhibiting particular aesthetic characteristics

#### Step 1 Test for Criterion E

No.	Test	Y/N	Reason
E1)	Does the physical fabric of the place/object exhibit particular aesthetic characteristics? <u>See definition of 'aesthetic' on p.5 of the guidelines.</u>	Yes	The physical fabric of the place exhibits some aesthetic characteristics particular to Edwardian/Federation era houses.

#### If E1 is satisfied then Criterion E is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	Yes	Criterion E is likely to be relevant.
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#### Step 2 State-level test for Criterion E

No.	Test	Y/N	Reason
SE1)	The aesthetic characteristics are 'beyond the ordinary' or are outstanding as demonstrated by: <ul style="list-style-type: none"> <li>Evidence from within the relevant discipline (architecture, art, design or equivalent); and/or</li> <li>Critical recognition of the aesthetic characteristics of the place/object within a relevant art, design, architectural or related discipline within Victoria; and/or</li> <li>Wide public acknowledgement of exceptional aesthetic qualities of the place/object in Victoria expressed in publications, print or digital media, painting, sculpture, songs, poetry, literature, or other media.</li> </ul>	No	There is no evidence from any sources that the aesthetic characteristics at the place are 'beyond the ordinary' or are outstanding. The house is a typical modest working-class residence constructed in the Edwardian/Federation era.

#### If SE1 is satisfied, then Criterion E is likely to be relevant at the State level

Executive Director's Response:	No	Criterion E is not likely to be relevant at the State level.
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### CRITERION F: Importance in demonstrating a high degree of creative or technical achievement at a particular period

#### Step 1 Test for Criterion F

No.	Test	Y/N	Reason
F1)	Does the place/object contain physical evidence that clearly demonstrates creative or technical achievement for the time in which it was created?	No	There is no physical evidence that the place demonstrates creative or technical achievement for the time in which it was created. The house is a typical modest working-class residence constructed in the Edwardian/Federation era.
F2)	Does the physical evidence demonstrate a high degree of integrity?	NA	

#### If F1 and F2 are satisfied then Criterion F is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	No	Criterion F is not likely to be relevant.
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Agenda Item 9.4 - Attachment 1

## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### CRITERION G: Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons

#### Step 1 Test for Criterion G

No.	Test	Y/N	Reason
G1)	Does the place/object demonstrate social value to a community or cultural group in the present day in the context of its cultural heritage significance? Evidence must be provided for all three facets of social value listed here: <u>See definition of 'social value' and Criterion G terms in the guidelines.</u>		
	(i) existence of a community or cultural group; and	Yes	There is evidence that the place has social value in the present day to Victoria's Aboriginal and Jewish communities.
	(ii) existence of a strong attachment of a community or cultural group to the place or object; and	Yes	There is evidence of a strong attachment of Victoria's Aboriginal community to this place. There is evidence of an interest in this place by Victoria's Jewish community as well as a respect and support for the actions of William Cooper in 1938 and his descendants. It is unlikely that this constitutes a strong attachment, such as that the Jewish community has with the East Melbourne Synagogue (1877) (VHR H0495) which as a high spiritual/religious and cultural significance and a deep time depth.
	(iii) existence of a time depth to that attachment.	Yes	There is evidence of the attachment dating to 2012 (10 years ago) when Victoria's Aboriginal and Jewish communities joined together in a re-enactment of the 1938 deputation to the German Consulate. Prior to this there was a deeper time depth to the attachment within a smaller circle: the Cooper family and people related to AAL and their descendants and some historians.

#### If G1 is satisfied then Criterion G is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	Yes	Criterion A is likely to be relevant.
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#### Step 2 State-level test for Criterion G

No.	Test	Y/N	Reason
SG1)	Is there evidence that the social value resonates across the broader Victorian community as part of a story that contributes to Victoria's identity?	Yes	The social value of 73 Southampton Street to Victoria's Aboriginal community resonates across the broader Victorian community, and this has increased since the re-enactments of 2012 and 2018. The history of William Cooper is now strongly identified with the 1938 deputation in the public mind and is part of a powerful story of Aboriginal activism which contributes to Victoria's identity.

#### If SG1 is satisfied, then Criterion G is likely to be relevant at the State level

Executive Director's Response:	Yes	Criterion G is likely to be relevant at the State level.
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## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### CRITERION H: Special association with the life or works of a person, or group of persons, of importance in Victoria's history

#### Step 1 Test for Criterion H

No.	Test	Y/N	Reason
H1)	Does the place/object have a direct association with a person, or group of persons?	Yes	There is a direct association between the place and William Cooper and the AAL. It was Cooper's residence and the AAL headquarters from 19 Jan 1938 to Nov 1940
a)	Has the person, or group of persons, made a strong or influential contribution in their field of endeavour?	Yes	Both William Cooper and the AAL made a strong and influential contribution to Aboriginal activism in Victoria.
H2)	b) Is there evidence of the association between the place/object and the person(s)?	Yes	There is documentary evidence and oral testimony which confirms the association between the place and William Cooper and the AAL.
H3)	Does the association:		
a)	relate directly to achievements of the person(s)?	Yes	This house was the place from which William Cooper conducted his political activities. It was also the headquarters of the AAL from January 1938 to November 1940. Many of the achievements of Cooper and the AAL occurred during their tenancy at this place.
b)	relate to an enduring and/or close interaction between the person(s) and the place/object?	Yes	Cooper and the AAL had a close interaction with the house. It was Cooper's family residence as well as his office and the headquarters of the AAL.

If H1, H2 AND H3 are all satisfied then Criterion H is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:

Yes Criterion H is likely to be relevant.

#### Step 2 State-level test for Criterion H

No.	Test	Y/N	Reason
SH1)	Are the life or works of the person/persons important to Victoria's history?	Yes	The life and works of William Cooper and the works of the AAL are important to Victoria's history. Cooper was a pivotal figure in early twentieth-century Aboriginal activism. He influenced generations of subsequent Aboriginal leaders and political figures. The AAL was one of the most important Aboriginal organisations in the history of Aboriginal activism in the twentieth century. Established in the 1930s, it dealt with issues relating to Aboriginal people around Australia, making representation to the Commonwealth government including the Prime Minister.
SH2)	Does this place/object allow the association between the person or group of persons and their importance in Victoria's history to be readily appreciated better than most other places or objects in Victoria?	Yes	The place <u>does</u> allow the clear association with William Cooper and the AAL to be readily appreciated more than most other places or objects in Victoria. There are few remaining places and objects in Victoria with an association with William Cooper and the AAL. Organisations like the AAL and activists like William Cooper did not own property nor have the resources to build headquarters. Southampton Street was the last house in which William Cooper lived and worked in Melbourne from January 1938 to November 1940 and saw the culmination of his political activities in Melbourne with the AAL. In comparison to the other extant Cooper residences/AAL headquarters in Footscray, it was the site of organising and staging of some key events in the history of early twentieth-century activism.

If SH1 and SH2 are satisfied, then Criterion H is likely to be relevant at the State level

Executive Director's Response:

Yes Criterion H is likely to be relevant at the State level.

## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### Comparisons

The William Cooper Residence, Southampton Street is usefully compared with the following categories in the VHR:

- 1) Places and objects associated with people and groups of importance
- 2) Places and objects related to the history of political activism
- 3) Places and objects of social significance to Aboriginal people.

**VHR places and objects associated with people and groups of importance in Victoria's history**

#### **Loveridge Lookout and Volunteer Air Observers Corps (VAOC) Objects Harvey Street, Anglesea, Surf Coast Shire (VHR H2403)**

The Loveridge Lookout is of historical significance to Victoria. Constructed in 1937-38 it was repurposed as Volunteer Air Observers Corps (VAOC) observation post, which was established here in June 1942. It is historically significant and rare as one of two remaining VAOC posts in Victoria established to defend Australia during WW II. It is significant for its association with the VAOC which made a strong contribution to the course of Victoria's history through the work of its volunteers, mainly women, in supporting the defence of the coastline and inland sites from enemy attack.



#### **Ellen Kelly Homestead Site, Greta Road, Glenrowan West, Benalla Rural City (VHR H2410)**

The Ellen Kelly Homestead Site is of historical and archaeological significance to Victoria. It is historically significant for its association with the 'Fitzpatrick incident', which is widely regarded as the trigger event for the Kelly Outbreak which culminated the siege of Glenrowan in 1880. The place is significant for its association with the early life of Ned Kelly and his mother Ellen Kelly. Kelly lived at his mother's selection for ten years and is credited as one of the builders.



#### **Former AMP Building, 419-429 Collins Street, Melbourne, Melbourne City (VHR H0421)**

The Former AMP Building is of historical, architectural and aesthetic significance to Victoria. It is significant for its association with the Yorta Yorta man and activist William Cooper who led a deputation to the German Consulate there to deliver a letter protesting Nazi oppression of Jewish people. The building is architecturally and aesthetically significant as an outstanding example of an inter-war period office building which retains some highly intact interiors. There is potential for the place to a hidden innovative radiant panel heating system.



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### VHR places and objects related to the history of political activism

**Yarra Bank (Speakers Corner), Batman Avenue, Melbourne, Melbourne City (VHR H1363)**

Speakers Corner is historically significant for its association with the rights of assembly and free speech. Best known as a central site for left-wing politics, speakers – including William Cooper – held forth on all manner of political, religious and reformist subjects. On Sunday afternoons hundreds of Melburnians gathered to listen. The place is also historically important for its associations with prominent socialist politician Dr William Maloney who campaigned for its reservation in the 1880s.



**Women's Suffrage Petition, Public Records Office Victoria, 99 Shiel Street, North Melbourne, Melbourne City (VHR H2121)**

The Women's Suffrage Petition 1891 is of historical significance in the history of the women's suffrage movement and for its associations with the history of women's organizations in Victoria. It demonstrates the cooperation of the various women's organisations in their determination to gain women's rights. It is of significance as a rare historical record of nearly 30,000 Victorian women's commitment to their rights, in that women's political views were seldom recorded.



**Trades Hall, 2-40 Lygon Street, Carlton, Melbourne City (VHR H0663)**

Trades Hall is of historical, social and architectural significance to the State of Victoria. It is historical significance for its associations with the trade union movement and the Australian Labor Party. It is of social significance as a centre of radical and working-class politics and activism in Victoria for over 100 years. Trades Hall is of architectural significance as a fine surviving example of a large nineteenth-century institutional building, and for its associations with prominent architect Joseph Reed.



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### VHR places and objects of social significance to Aboriginal people

#### **Former Aboriginal Church of Christ, 258 Gore Street Fitzroy, Yarra City (VHR H2393)**

The Former Aboriginal Church of Christ is of historical and social significance to the State of Victoria. It played an important role in the emergence of social service organisations and the development of the twentieth century Aboriginal rights movement in Victoria and was a place of worship, community assistance, support and activism. Leaders of the twentieth century Aboriginal rights movement, and many Aboriginal organisations emerged from this place. The place is socially significant and resonates with the Victorian Aboriginal community as a place where families and individuals with shared experiences came together for support and assistance. It has become a symbol of the emergence of the Aboriginal rights movement in the twentieth century. The Former Aboriginal Church of Christ is significant for its association with its founder Pastor Sir Douglas Nicholls. Pastor Nicholls made a strong and influential contribution to the Aboriginal rights movement and social justice for Aboriginal people. Pastor Nicholls attracted a large congregation and galvanised the Aboriginal community in the fight for human rights. Together with his wife Gladys, he created a place of community and strength from which contemporary Aboriginal services and organisations evolved.



#### **Lake Tyers Anglican Church, 485 Rules Road Toorloo Arm, East Gippsland Shire (VHR H1796)**

The Lake Tyers Anglican Church is architecturally, historically and socially significant to Victoria. It is historically significant as a rare example of an Aboriginal mission church which was part of the Aboriginal Reserve system used to control the Aboriginal population from the 1860s. The church has been associated with worship by Aboriginal people and mission staff as well as many baptisms, marriages and burials of Aboriginal people from all over Victoria over the 140 years and demonstrates the history of European attempts to convert Aboriginal people to Christian values. The place is socially significant because of its association for the Aboriginal community in Victoria as a link with the community's past experience on the Aboriginal reserves. The church is architecturally significant as a representative work of the prominent Melbourne architects Leonard Terry.





## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### Summary of Comparisons

The William Cooper Residence, Southampton Street has similarities with historically significant places associated with people and groups of importance. The AMP Building at Collins Street which housed the German Consulate in 1938 has already been registered for its association with William Cooper in relation to his 1938 deputation. Other places in the VHR are similarly related to historical people and events associated with places of which there is documentary evidence and/or evident in the fabric of the place.

Trades Hall is perhaps the most monumental building in the VHR as a place related to political activism. The trade union movement had a relatively strong financial base which allowed it to commission and pay for this impressive structure. Other political groups without the means to independently build or purchase buildings wrote letters and circulated petitions, such as the Women's Suffrage Petition. These documents are an important legacy in cases where no headquarters or buildings survive. Some activists including William Cooper availed themselves of Speakers Corner – a free central place from which to engage the public.

There are a number of places of social significance to Aboriginal people in the VHR. It should be noted that under the Act places of cultural heritage significance only on the ground of an association with Aboriginal tradition are not considered for inclusion in the VHR, but under the *Aboriginal Heritage Act 2006*. Socially significant places in the VHR for Aboriginal people tend to be those related to colonising processes (such as missions), Aboriginal political activism and Aboriginal people's creation of community places (such as the Former Aboriginal Church of Christ). The William Cooper Residence was an important site of political activism against the ongoing effects of colonialism in the lives of Aboriginal people in the 1930s. The significance of the William Cooper Residence in the present day within Victoria's Aboriginal communities is comparable with that of the Former Aboriginal Church of Christ and has been reinforced by re-enactments of the notable 1938 deputation departing from the house.



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### Summary of cultural heritage significance (section 40(4)(a))

The ED recommends that the William Cooper Residence, Southampton Street be included in the VHR as a Registered Place.

### Statement of significance

#### What is significant?

The William Cooper Residence, Southampton Street, a modest double-fronted Edwardian-era weatherboard house at 73 Southampton Street Footscray.

#### How is it significant?

The William Cooper Residence, Southampton Street is of historical significance to the State of Victoria. It satisfies the following criteria for inclusion in the Victorian Heritage Register:

##### Criterion A

Importance to the course, or pattern, of Victoria's cultural history.

##### Criterion B

Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

##### Criterion G

Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons.

##### Criterion H


Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

#### Why is it significant?

The William Cooper Residence, Southampton Street is historically significant for its association with early twentieth-century Aboriginal activism. Yorta Yorta man William Cooper established the Australian Aborigines' League in Melbourne in the early 1930s and ran the organisation from a series of rented houses in which he and his family lived in the Footscray area. Cooper's last house was at 73 Southampton Street where he lived and led the League from January 1938 to November 1940 before returning to Yorta Yorta country. His time at Southampton Street saw the culmination of his political work and the organisation of important events in the history of early twentieth-century activism, including the 6 December 1938 deputation to the German Consulate in Collins Street to deliver a protest letter against the oppression of Jewish people by the Nazi regime. [Criterion A]

The William Cooper Residence, Southampton Street is rare in Victoria as a place which demonstrates early twentieth-century Aboriginal activism. Few places and objects survive which demonstrate this history including those related to the Australian Aborigines' League and activists like William Cooper. [Criterion B]

The William Cooper Residence, Southampton Street is of social significance to Victoria's Aboriginal communities. The history of early twentieth-century Aboriginal activism has become strongly identified with the 1938 Australian Aborigines' League deputation led by William Cooper from 73 Southampton Street to the German Consulate. Re-enactments of this event involving the Jewish community in 2012 and 2018 have increased its significance. The



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

episode has become a powerful part of Victoria's Aboriginal history and speaks to the contemporary endeavours of Aboriginal and non-Aboriginal communities to fight racism against all cultural groups. [Criterion G]

The William Cooper Residence, Southampton Street is historically significant for its association with Aboriginal activist William Cooper and the Australian Aborigines' League. Cooper was a pivotal figure in early twentieth-century Aboriginal activism in Victoria and Australia. Between January 1938 and November 1940, the northwest bedroom of the house was also his office from which he conducted his political work, holding AAL meetings and writing letters by candlelight in the evenings. Cooper influenced generations of subsequent Aboriginal leaders and political figures. The League was a one of the most important Aboriginal organisations in the history of Aboriginal activism in Victoria and Australia in the twentieth century. [Criterion H]



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### Recommended permit exemptions under section 38

#### INTRODUCTION

A heritage permit is required for all works and activities undertaken in relation to VHR places and objects. Certain works and activities are exempt from a heritage permit, if the proposed works will not harm the cultural heritage significance of the heritage place or object.

#### PERMIT EXEMPTIONS

##### General Exemptions

General exemptions apply to all places and objects included in the Victorian Heritage Register (VHR). General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which don't harm its cultural heritage significance, to proceed without the need to obtain approvals under the Heritage Act 2017.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions.

Find out more about heritage permit exemptions [here](#).

##### Specific Exemptions

The below permit exemptions are not considered to cause harm to the cultural heritage significance of the William Cooper Residence, Southampton Street subject to the following guidelines and conditions:

##### Guidelines

1. Where there is an inconsistency between permit exemptions specific to the registered place or object ('specific exemptions') established in accordance with either section 49(3) or section 92(3) of the *Heritage Act 2017* (Vic) and general exemptions established in accordance with section 92(1) of the *Heritage Act 2017* (Vic) specific exemptions will prevail to the extent of any inconsistency.
2. In specific exemptions, words have the same meaning as in the *Heritage Act 2017* (Vic), unless otherwise indicated. Where there is an inconsistency between specific exemptions and the *Heritage Act 2017* (Vic), the *Heritage Act 2017* (Vic) will prevail to the extent of any inconsistency.
3. Nothing in specific exemptions obviates the responsibility of a proponent to obtain the consent of the owner of the registered place or object, or if the registered place or object is situated on Crown Land the land manager as defined in the *Crown Land (Reserves) Act 1978* (Vic), prior to undertaking works or activities in accordance with specific exemptions.
4. If a Cultural Heritage Management Plan in accordance with the *Aboriginal Heritage Act 2006* (Vic) is required for works covered by specific exemptions, specific exemptions will apply only if the Cultural Heritage Management Plan has been approved prior to works or activities commencing. Where there is an inconsistency between specific exemptions and a Cultural Heritage Management Plan for the relevant works and activities, Heritage Victoria must be contacted for advice on the appropriate approval pathway.
5. Specific exemptions do not constitute approvals, authorisations or exemptions under any other legislation, Local Government, State Government or Commonwealth Government requirements, including but not limited



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

to the *Planning and Environment Act 1987* (Vic), the *Aboriginal Heritage Act 2006* (Vic), and the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). Nothing in this declaration exempts owners or their agents from the responsibility to obtain relevant planning, building or environmental approvals from the responsible authority where applicable.

6. Care should be taken when working with heritage buildings and objects, as historic fabric may contain dangerous and poisonous materials (for example lead paint and asbestos). Appropriate personal protective equipment should be worn at all times. If you are unsure, seek advice from a qualified heritage architect, heritage consultant or local Council heritage advisor.
7. The presence of unsafe materials (for example asbestos, lead paint etc) at a registered place or object does not automatically exempt remedial works or activities in accordance with this category. Approvals under Part 5 of the *Heritage Act 2017* (Vic) must be obtained to undertake works or activities that are not expressly exempted by the below specific exemptions.
8. A Conservation Management Plan will assist in the future management of the cultural heritage values of the place.

### **Conditions**

1. All works or activities permitted under specific exemptions must be planned and carried out in a manner which prevents harm to the registered place or object. Harm includes moving, removing or damaging any part of the registered place or object that contributes to its cultural heritage significance.
2. If during the carrying out of works or activities in accordance with specific exemptions original or previously hidden or inaccessible details of the registered place are revealed relating to its cultural heritage significance, including but not limited to historical archaeological remains, such as features, deposits or artefacts, then works must cease and Heritage Victoria notified as soon as possible.
3. If during the carrying out of works or activities in accordance with specific exemptions any Aboriginal cultural heritage is discovered or exposed at any time, all works must cease and the Secretary (as defined in the *Aboriginal Heritage Act 2006* (Vic)) must be contacted immediately to ascertain requirements under the *Aboriginal Heritage Act 2006* (Vic).
4. If during the carrying out of works or activities in accordance with specific exemptions any munitions or other potentially explosive artefacts are discovered, Victoria Police is to be immediately alerted and the site is to be immediately cleared of all personnel.
5. If during the carrying out of works or activities in accordance with specific exemptions any suspected human remains are found the works or activities must cease. The remains must be left in place and protected from harm or damage. Victoria Police and the State Coroner's Office must be notified immediately. If there are reasonable grounds to believe that the remains are Aboriginal, the State Emergency Control Centre must be immediately notified on 1300 888 544, and, as required under s.17(3)(b) of the *Aboriginal Heritage Act 2006* (Vic), all details about the location and nature of the human remains must be provided to the Secretary (as defined in the *Aboriginal Heritage Act 2006* (Vic)).

### **Exempt works and activities**

#### *Main House - Front exterior including verandah*

- 1) Painting of previously painted surfaces in the same colour, finish and product type provided that preparation or painting does not remove all evidence of earlier paint finishes or schemes.
- 2) Repairs, and like for like replacement of weatherboards, the verandah, front fence, front gate and front security grille door.
- 3) Repairs, resurfacing or replacement of the driveway in existing or new materials.

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## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

- 4) The processes of gardening including pruning, mulching, fertilising, removal of dead or diseased plants, replanting of existing garden beds, disease and weed control and maintenance to care for existing plants.

*Garage (c.1960s) and Carport (c.>1960s)*

- 5) Like for like repairs to garage exterior, all internal works, and demolition.  
6) Like for like repairs to carport and demolition.

*Main House - Front interior (Bedrooms 1 & 2 and entry hallway)*

- 7) Minor repairs and maintenance which replaces like with like.  
8) Painting of previously painted surfaces provided that preparation or painting does not remove all evidence of earlier paint finishes or schemes.  
9) Installation, removal or replacement of carpets and other floor coverings.  
10) Maintenance, removal, repair and replacement of light fittings, ceiling fans, fixtures, light switches and related elements in existing locations.  
11) Removal and/or replacement of power outlets, and installation of new ones.  
12) Removal and/or replacement of hooks, brackets and the like for hanging wall mounted artworks and signs, and installation of new ones.  
13) Repair, removal and replacement of curtains, pelmets and blinds, and installation of new ones.  
14) Installation, removal or replacement of existing electrical wiring. If wiring is currently exposed, it should remain exposed. If it is fully concealed it should remain fully concealed.  
15) Removal or replacement of smoke and fire detectors, alarms and the like, of the same size and in existing locations.

*Main House - Addition (c.2000s) living room, dining room, bathroom/laundry, kitchen*

- 6) All works and alterations within the interiors of the living room, dining room, bathroom/laundry and kitchen.

*Main house - ceiling space, roof, external services*

- 16) Installation, removal or replacement of bulk insulation in the roof space.  
17) Installation of services and plant (service equipment) within the roof space, providing that it does not impact on the external appearance of the building or involve structural changes.  
18) Repair, removal and like for like replacement of roof and solar panels.  
19) Repair to, or removal of items such as antennae, aerials, and air conditioners and associated pipe work, ducting and wiring.  
20) Maintenance, repair and replacement of existing external services such as plumbing, electrical cabling, surveillance systems, pipes or fire services which does not involve changes in location or scale.

*Boundary fences (north, south and east)*

- 18) Repair, removal and replacement of the north, south and east fences at the boundaries of the property.

*Rear patio area and awning*

- 19) All works within the patio footprint.  
20) Demolition.

*Detached studio at rear (1980s)*

- 21) All external and internal works to the detached studio at the rear, including rebuilding, provided that the envelope of the structure is not enlarged.  
22) Demolition.

*Garden area at southern side of the house*

- 23) Repair, removal and replacement of the existing water tank.



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

24) The processes of gardening including pruning, mulching, fertilising, removal of dead or diseased plants, replanting of existing garden beds, establishment of new garden beds, planting of new plants, disease and weed control and maintenance to care for plants.

25) Repair, removal and like for like replacement of hard landscaping elements.

*Backyard area (rear of house)*

26) The processes of gardening including pruning, mulching, fertilising, removal of dead or diseased plants, replanting of existing garden beds, establishment of new garden beds, planting of new plants, disease and weed control and maintenance to care for plants.

27) All hard landscaping.

*Emergency works*

28) Works or activities, including emergency stabilisation, necessary to secure safety in an emergency where a structure or part of a structure has been irreparably damaged or destabilised and poses a safety risk to its users or the public. The Executive Director must be notified within seven days of the commencement of these works or activities.



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

### Appendix 1

#### Heritage Council of Victoria determination (section 41)

The Heritage Council is an independent statutory body that will make a determination on this recommendation under section 49 of the Act. It will consider the recommendation after a period of 60 days from the date the notice of recommendation is published on its website under section 41.

#### Making a submission to the Heritage Council (section 44)

Within the period of 60 days, any person or body with a real and substantial interest in the place or object may make a submission to the Heritage Council regarding the recommendation and request a hearing in relation to that submission. Information about making a submission and submission forms are available on the Heritage Council's website.

#### Consideration of submissions to the Heritage Council (section 46)

- (1) The Heritage Council must consider—
  - (a) any written submission made to it under section 44; and
  - (b) any further information provided to the Heritage Council in response to a request under section 45.
- (2) The Heritage Council must conduct a hearing in relation to a submission if—
  - (a) the submission includes a request for a hearing before the Heritage Council; and
  - (b) the submission is made by a person or body with a real or substantial interest in the place or object that is the subject of the submission.
- (3) Despite subsection (2), the Heritage Council may conduct a hearing in relation to a submission in any other circumstances the Heritage Council considers appropriate.

#### Determinations of the Heritage Council (section 49)

- (1) After considering a recommendation that a place or object should or should not be included in the Heritage Register and any submissions in respect of the recommendation and conducting any hearing into the submissions, the Heritage Council may—
  - (a) determine that the place or part of the place, or object, is of State-level cultural heritage significance and is to be included in the Heritage Register; or
  - (b) determine that the place or part of the place, or object, is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or
  - (c) in the case of a recommendation in respect of a place, determine that the place is not to be included in the Heritage Register but—
    - (i) refer the recommendation and any submissions to the relevant planning authority for consideration for an amendment to a planning scheme; or
    - (ii) determine that it is more appropriate for steps to be taken under the Planning and Environment Act 1987 or by any other means to protect or conserve the place; or
  - (d) in the case of a recommendation in respect of additional land which has been nominated to be included in the Heritage Register as part of a registered place in accordance with section 32, determine that the land be included in the Heritage Register if—



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

- (i) the State-level cultural heritage significance of the place would be substantially less if the land or any part of the land which is or has been used in conjunction with the place were developed; or
  - (ii) the land surrounding the place is important to the protection or conservation of the place or contributes to the understanding of the place; or
- (e) determine that the object is integral to understanding the cultural heritage significance of a registered place or a place the Heritage Council has determined to be included in the Heritage Register.
- (2) The Heritage Council must make a determination under subsection (1)—
  - (a) within 40 days after the date on which written submissions may be made under section 44; or
  - (b) if any hearing is conducted into the written submissions, within 90 days after the completion of the hearing.
- (3) A determination that a place or part of a place, or object, should be included in the Heritage Register may include categories of works or activities which may be carried out in relation to the place or object for which a permit under this Act is not required, if the Heritage Council considers that the works or activities would not harm the cultural heritage significance of the place or object.
- (4) If the Heritage Council determines to include a place in the Heritage Register, with the consent of the owner of the place, the Heritage Council may determine to include in the Heritage Register additional land of the owner that is ancillary to the place.
- (5) If a member of the Heritage Council makes a submission under section 44 in respect of a recommendation, the member must not take part in the consideration or determination of the Heritage Council.
- (6) The Heritage Council must notify the Executive Director of any determination under this section as soon as practicable after the determination.

### Obligations of owners of places and objects (section 42)

- (1) The owner of a place or object to whom a statement of recommendation has been given must advise the Executive Director in writing of—
  - (a) any works or activities that are being carried out in relation to the place or object at the time the statement is given; and
  - (b) any application for a planning permit or a building permit, or for an amendment to that permit, that has been made in relation to the place but not determined at the time the statement is given; and
  - (c) any works or activities that are proposed to be carried out in relation to the place or object at the time the statement is given.
- (2) An advice under subsection (1) must be given within 10 days after the statement of recommendation is given under section 40.
- (3) The owner of a place to whom a statement of recommendation has been given must advise the Executive Director in writing of an application, permit or amendment if, before a determination under section 49 or 52 in respect of a place—
  - (a) an application for a planning permit or a building permit or for an amendment to that permit in relation to the place is made; or
  - (b) a planning permit or building permit or an amendment to that permit in relation to the place is granted.



## Statement of recommendation from the Executive Director, Heritage Victoria, to the Heritage Council of Victoria

- (4) An advice under subsection (3) must be given within 10 days after the making of the application or the grant of the permit or amendment.
- (5) The owner of a place or object to whom a statement of recommendation has been given must advise the Executive Director in writing of the following activities or proposals if, before a determination is made under section 49 or 52 in respect of a place or object—
  - (a) any activities are carried out in relation to the place or object that could harm the place or object;
  - (b) any activities are proposed to be carried out in relation to the place or object that could harm the place or object.
- (6) An advice under subsection (5) must be given within 10 days after the owner becomes aware of the activity or the proposal, as the case requires.
- (7) If, before a determination is made under section 49 or 52 in respect of a place or object, a proposal is made to dispose of the whole or any part of the place or object, the owner of the place or object must advise the Executive Director in writing of that proposal.
- (8) An advice under subsection (7) must be given at least 10 days before entering into the contract for the disposal of the place or object.
- (9) The owner of a place or object who proposes to dispose of the whole or any part of the place or object before a determination is made under section 49 or 52 in respect of the place or object must, before entering into a contract for that disposal, give a copy of the statement of proposed contract, is to acquire the place or object or part of the place or object.

### **Owners of places and objects must comply with obligations (section 43)**

An owner of a place or object to whom section 42 applies must comply with that section.

Penalty:     In the case of a natural person, 120 penalty units;  
                  In the case of a body corporate, 240 penalty units.

**Agenda Item 9.4 - Attachment 2**



21 March 2023

**MARIBYRNONG CITY COUNCIL SUBMISSION TO THE HERITAGE COUNCIL OF VICTORIA  
INCLUSION OF 73 SOUTHAMPTON STREET, FOOTSCRAY IN THE VICTORIAN HERITAGE REGISTER**

Council was notified on 16 January 2023 that William Cooper's former residence at 73 Southampton Street, Footscray had been recommended by the Executive Director, Heritage Victoria to be included in the Victorian Heritage Register.

Council supports the recommendation to include 73 Southampton Street as a Registered Place in the Victorian Heritage Register, which was assessed to be of cultural heritage significance to the State of Victoria. Council also supports the assessment that the site meets the Victorian Heritage Register Criteria A, B, G and H at the State level.

The *Maribyrnong Aboriginal Heritage Study (1999)* identifies places of Aboriginal cultural heritage value including detailing the significance of prominent Aboriginal community members and what role they played in early Aboriginal activism in Melbourne's west in the 1900s. This included William Cooper and identifying 73 Southampton Street as a place of significance due to its association with Cooper, a prominent activist for Aboriginal citizenship rights and secretary of the Australian Aborigines' League.

Council welcomes that the history and significance of 73 Southampton Street, Footscray has been further assessed as part of the nomination process and has been deemed to meet the criteria for inclusion on the Victorian Heritage Register.

In response to the recommendation, Council suggests the following change be made:

- Whilst it is acknowledged that the place has not met the criteria threshold for architectural significance, it would be beneficial that other criteria could elaborate more on the physical features that should be conserved in order to interpret the important associations of the place. This greater clarification on the key physical elements associated with the heritage significance of the place will assist when determining future planning permit applications for the site.

**Agenda Item 9.5**

**REVIEW OF COUNCIL DELEGATIONS - MARCH 2023**

**Director:** Lisa King  
Director Corporate Services

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

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**PURPOSE**

To allow Council to consider the adoption of an updated s6 Instrument of Delegation.

**ISSUES SUMMARY**

- Council generally undertakes biannual reviews of its Instruments of Delegation, to ensure ongoing alignment with legislative amendments and its organisational structure.
- The Chief Executive Officer can also delegate any power, duty or function of the Council that has been delegated to the Chief Executive Officer by the Council to a member of Council staff.

**ATTACHMENTS**

1. S6 Instrument of Delegation - March 2023

**OFFICER RECOMMENDATION**

**That Council resolves:**

1. To approve its updated s6 Instrument of Delegation, shown at Attachment 1;
  2. That the Instrument comes into force upon the Common Seal of Council being affixed to the document; and
  3. That upon the Instrument coming into force, the previous s6 Instrument of Delegation authorised by Council on 17 May 2022 is revoked.
-

**Agenda Item 9.5****BACKGROUND**

Council last reviewed its s5 Instrument of Delegation (Council to Chief Executive Officer) on 19 October 2021 and its s6 Instrument of Delegation (Council to Council Staff) on 17 May 2022.

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

It is not practical nor efficient for the Council or the Chief Executive Officer alone to exercise the many statutory powers bestowed on Council. Delegations (a formal instrument that allows for certain duties, functions and decision-making powers) to a Council Officer or a Delegated Committee effectively reduces the operational decision-making workload upon the Council. By utilising delegations, Council is able to increase its strategic focus and better deal with the issues and matters associated with the long term management of the City.

Council must have due regard to two key factors in relation to delegations. Firstly, Section 11 of the *Local Government Act 2020* (“the Act”) only allows a Council to delegate to the members of a delegated committee or the Chief Executive Officer any power, duty or function of a Council under the Act or any other Act, with some exceptions, as provided in section 11(2) of the Act.

Secondly, identified Acts require certain powers to be delegated directly from Council. This includes the *Domestic Animals Act 1994*, *Food Act 1984*, *Environment Protection Act 2017*, *Planning and Environment Act 2017*, *Residential Tenancies Act 1997* and *Road Management Act 2004*.

Council officers have reviewed Council’s s5 and s6 Instruments of Delegation and assessed that only its s6 Instrument requires updating, to reflect recent minor legislative changes, shown at Attachment 1. The nature of these changes are:

**s6 Instrument of Delegation (Council to Council staff)**

- Amend the conditions and limitations information for r.25 (a) and r.25 (b) from the *Planning and Environment Regulations 2005* to the *Planning and Environment Regulations 2015* with the additional wording of ‘in accordance with the public availability requirements’.

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

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

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

**Agenda Item 9.5**

**Legislation**

*Local Government Act 2020.*

**Conflicts of Interest**

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

**Human Rights Consideration**

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

**3. Engagement**

Nil.

**4. Resources**

Nil.

**5. Environment**

Nil.

**CONCLUSION**

It is recommended that Council adopted the updated s6 Instrument of Delegation, reflective of recent minor legislative amendments.

**Agenda Item 9.5 - Attachment 1**



***S6 Instrument of Delegation - Members of Staff***

**Maribyrnong City Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

**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:  
  
Refer to attached Schedule of Delegates
3. declares that:
  - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 21 March 2023; and
  - 3.2 the delegation:
    - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
    - 3.2.2 remains in force until varied or revoked;
    - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
    - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 3.3 the delegate must not determine the issue, take the action or do the act or thing:
    - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
    - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
      - (a) policy; or
      - (b) strategyadopted by Council;
    - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
    - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

THE COMMON SEAL OF MARIBYRNONG )  
CITY COUNCIL pursuant to a Council )  
Resolution of 21 March 2023 was affixed )  
on      March 2023, in the presence of: )

\_\_\_\_\_  
Chief Executive Officer

\_\_\_\_\_  
Witness

## Agenda Item 9.5 - Attachment 1

Maribyrnong City Council

### Delegation Sources

- Cemeteries and Crematoria Act 2003
- Domestic Animals Act 1994
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment Act 1987
- Residential Tenancies Act 1997
- Road Management Act 2004
- Cemeteries and Crematoria Regulations 2015
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015

### Positions

Abbreviation	Position
BS	Building Surveyor
CEO	Chief Executive Officer
CCP	Coordinator City Planning
CCPP	Coordinator Corporate Planning and Performance
CEM	Coordinator Emergency Management
CEH	Coordinator Environmental Health
CMPP	Coordinator Major Planning Project
CPM	Coordinator Property
CSP	Coordinator Strategic Planning
CT	Coordinator Transport

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Abbreviation	Position
Council	Council
DCOS	Director Corporate Services
DIS	Director Infrastructure Services
DPE	Director Planning and Environment
EHO	Environmental Health Officer
MAC	Manager Assets and Capital
MCF	Manager City Futures
MCP	Manager City Places
MET	Manager Engineering and Transport
MF	Manager Finance
MGCS	Manager Governance and Commercial Services
MMP	Manager Major Projects and Strategic Relationships
MOM	Manager Operations and Maintenance
MRS	Manager Regulatory Services
MBS	Municipal Building Surveyor
N/A	Not Applicable
PA	Planning Assistant

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Abbreviation	Position
PIO	Planning Investigation Officer
PSO	Planning Support Officer
PP	Principal Planner
SP	Senior Planner
SSP	Senior Strategic Planner
STP	Strategic Planner
STUP	Student Planner
SO	Subdivision Officer
TLEH	Team Leader Environment Health
TLPA	Team Leader Planning Administration
UP	Urban Planner

**Positions Groups**

Positions Group	Position	Positions
D	All Directors	CEO, DCS, DCOS, DIS

Maribyrnong City Council

## S6 Instrument of Delegation - Members of Staff

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	MOM, DIS	Where Council is a Class B cemetery trust
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	MOM, DIS	Where Council is a Class B cemetery trust
s 12(2)	Duty to have regard to the matters set out in paragraphs (a) - (c) in exercising its functions	MOM, DIS	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) - (n)	N/A	Where Council is a Class A cemetery trust
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) - (e) in exercising its functions	N/A	Where Council is a Class A cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	MOM, DIS	

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 14	Power to manage multiple public cemeteries as if they are one cemetery	N/A	
s 15(4)	Duty to keep records of delegations	MOM, DIS	
s 17(1)	Power to employ any persons necessary	N/A	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	N/A	
s 17(3)	Power to determine the terms and conditions of employment or engagement	MOM, DIS	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	MOM, DIS	

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	N/A	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	N/A	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	N/A	Where Council is a Class A cemetery trust
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	N/A	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	N/A	Where Council is a Class A cemetery trust
s 18D(2)	Duty to establish a community advisory committee under section 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	N/A	Where Council is a Class A cemetery trust

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the Financial Management Act 1994	N/A	Where Council is a Class A cemetery trust
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	N/A	Where Council is a Class A cemetery trust
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	N/A	Where Council is a Class A cemetery trust
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	N/A	Where Council is a Class A cemetery trust
s.18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2))	N/A	Where Council is a Class A cemetery trust

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	N/A	Where Council is a Class A cemetery trust
s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	N/A	Where Council is a Class A cemetery trust
s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	N/A	Where Council is a Class A cemetery trust
s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	N/A	Where Council is a Class A cemetery trust
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	N/A	Where Council is a Class A cemetery trust
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	N/A	Where Council is a Class A cemetery trust

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	N/A	Where Council is a Class A cemetery trust
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	N/A	Where Council is a Class A cemetery trust
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year	N/A	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	MOM, DIS	
s 20(1)	Duty to set aside areas for the interment of human remains	N/A	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	N/A	

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	N/A	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	MOM, DIS	
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	MOM, DIS	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	DIS	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	MOM, DIS	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	N/A	Provided the street was constructed pursuant to the Local Government Act 1989

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	N/A	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	MOM, DIS	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	MOM, DIS	
s 60(2)	Power to charge fees for providing information	MOM, DIS	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	MOM, DIS	

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 64B(d)	Power to permit interments at a reopened cemetery	MOM, DIS	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	MOM, DIS	The application must include the requirements listed in s 66(2)(a)-(d)
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	MOM, DIS	
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	MOM, DIS	
s 70(2)	Duty to make plans of existing place of interment available to the public	MOM, DIS	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	MOM, DIS	

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 71(2)	Power to dispose of any memorial or other structure removed	MOM, DIS	
s 72(2)	Duty to comply with request received under s 72	MOM, DIS	
s 73(1)	Power to grant a right of interment	MOM, DIS	
s 73(2)	Power to impose conditions on the right of interment	MOM, DIS	
s 74	Duty to offer a perpetual right of interment	MOM, DIS	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	MOM, DIS	

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	MOM, DIS	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	MOM, DIS	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	MOM, DIS	
s 80(2)	Function of recording transfer of right of interment	MOM, DIS	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	MOM, DIS	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	MOM, DIS	Reference to 'sole holder' will no longer apply from 1 March 2022

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	MOM, DIS	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	MOM, DIS	
s 84F(2)(d)	Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5)	MOM	
s 84H(4)	Power to exercise the rights of a holder of a right of interment	MOM	
s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	MOM	
s 84I(6)(a)	Power to remove any memorial on the place of interment	MOM	
s 84I(6)(b)	Power to grant right of interment under s 73	MOM	

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Maribyrnong City Council

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	N/A	The notice must be in writing and contain the requirements listed in s 85(2)
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	MOM	Does not apply where right of interment relates to remains of a deceased veteran.
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or;  remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	MOM	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	MOM, DIS	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	MOM, DIS	

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Maribyrnong City Council

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	MOM, DIS	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	MOM, DIS	
s.86(4)	power to take action under s.86(4) relating to removing and re-intering cremated human remains	MOM, DIS	
s.86(5)	duty to provide notification before taking action under s.86(4)	MOM, DIS	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	MOM, DIS	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	MOM, DIS	

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Maribyrnong City Council

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	MOM, DIS	
s 91(1)	Power to cancel a right of interment in accordance with s 91	MOM, DIS	
s 91(3)	Duty to publish notice of intention to cancel right of interment	MOM, DIS	
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	MOM, DIS	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	MOM, DIS	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	MOM, DIS	

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Maribyrnong City Council

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	MOM, DIS	
s 100(1)	Power to require a person to remove memorials or places of interment	MOM, DIS	
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	MOM, DIS	
s 100(3)	Power to recover costs of taking action under s 100(2)	MOM, DIS	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	MOM, DIS	
s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	MOM, DIS	

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Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	MOM, DIS	
s 103(1)	Power to require a person to remove a building for ceremonies	MOM, DIS	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	MOM, DIS	
s 103(3)	Power to recover costs of taking action under s 103(2)	MOM, DIS	
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	MOM, DIS	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	MOM, DIS	

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Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	MOM, DIS	
s 106(4)	Power to repair or - with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with	MOM, DIS	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	MOM, DIS	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	MOM, DIS	
s 108	Power to recover costs and expenses	MOM, DIS	
s 109(1)(a)	Power to open, examine and repair a place of interment	MOM, DIS	Where the holder of right of interment or responsible person cannot be found

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Maribyrnong City Council

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	MOM, DIS	Where the holder of right of interment or responsible person cannot be found
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	MOM, DIS	Where the holder of right of interment or responsible person cannot be found
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	MOM, DIS	
s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent inquiries and with the consent of the Secretary	MOM	Provision commences on 1 March 2022
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	MOM, DIS	

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Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	MOM, DIS	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	MOM, DIS	
s 112	Power to sell and supply memorials	MOM, DIS	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	MOM, DIS	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	MOM, DIS	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	MOM, DIS	

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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 119	Power to set terms and conditions for interment authorisations	MOM, DIS	
s 131	Function of receiving an application for cremation authorisation	MOM, DIS	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	MOM, DIS	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	MOM, DIS	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	MOM, DIS	Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	MOM, DIS	

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Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	MOM, DIS	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	MOM, DIS	
s 151	Function of receiving applications to inter or cremate body parts	MOM, DIS	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	MOM, DIS	
sch 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	MOM, DIS	
sch 1 cl 8(8)	Power to regulate own proceedings	MOM, DIS	Subject to cl 8

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Maribyrnong City Council

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	MOM, DIS	Where Council is a Class A cemetery trust
sch 1A cl 8(8)	Power to regulate own proceedings	MOM, DIS	Where Council is a Class A cemetery trust Subject to cl 8

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41A(1)	Power to declare a dog to be a menacing dog	MRS, DPE	Council may delegate this power to a Council authorised officer

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Maribyrnong City Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	EHO	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	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	CEO	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, and (ii) inform the public by notice in a published newspaper or otherwise	EHO	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	EHO	If s 19(1) applies

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Maribyrnong City Council

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	EHO, CEH, TLEH	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, CEH, TLEH	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	CEH	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	EHO	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	EHO, CEH, TLEH	Where Council is the registration authority

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Maribyrnong City Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	EHO	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	CEH, TLEH	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	CEH, TLEH	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	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	CEH, TLEH	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	EHO	Where Council is the registration authority

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Maribyrnong City Council

<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	CEH, TLEH	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CEH, TLEH	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	EHO	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	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	Where Council is the registration authority
	Power to register or renew the registration of a food premises	EHO, CEH, TLEH	Where Council is the registration authority

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Maribyrnong City Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	EHO	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	CEH	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	EHO	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	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	EHO	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	Where Council is the registration authority

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Maribyrnong City Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	EHO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	EHO	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	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	EHO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	EHO	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	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	EHO	Where Council is the registration authority

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Maribyrnong City Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	EHO	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, CEH, TLEH	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	EHO	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, CEH, TLEH	
s 39A	Power to register, or renew the registration of a food premises despite minor defects	EHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	CEH, TLEH	

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<b>Food Act 1984</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	CEH, TLEH	Where Council is the registration authority
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	EHO	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	EHO	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	EHO, CEH, TLEH	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	CEH, TLEH	
s 40F	Power to cancel registration of food premises	EHO, CEH, TLEH	Where Council is the registration authority

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Maribyrnong City Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 43	Duty to maintain records of registration	EHO, CEH, TLEH	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business	EHO, CEH, TLEH	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	EHO, CEH, TLEH	Where Council is the registration authority
s 45AC	Power to bring proceedings	CEH, TLEH	
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, CEH, TLEH	Where Council is the registration authority

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Maribyrnong City Council

Heritage Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 116	Power to sub-delegate Executive Director's functions, duties or powers	DPE	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			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	MCP, CEO, DPE	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	MCP, CSP, DPE	
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	MCP, CSP, DPE	
s 4I	Duty to keep Victorian Planning Provisions and other documents available in accordance with public availability requirements	MCP, CCP, CSP, DPE	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	MCP, CEO, DPE	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	MCP, CEO, DPE	In accordance with a resolution of Council
s 8A(5)	Function of receiving notice of the Minister's decision	MCP, CSP, DPE	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	MCP, DPE	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	CEO, DPE	
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	MCP, CCP, CSP, DPE, CMPP	
s 12B(1)	Duty to review planning scheme	MCP, CSP, DPE	
s 12B(2)	Duty to review planning scheme at direction of Minister	MCP, CSP, DPE	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	MCP, CSP, DPE	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	MCP, CSP, DPE	
s 17(1)	Duty of giving copy amendment to the planning scheme	MCP, CCP, CSP, UP, SSP, SP, STP, DPE, CMPP	
s 17(2)	Duty of giving copy s 173 agreement	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	MCP, CCP, CSP, UP, SSP, SP, STP, DPE, CMPP	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	MCP, CEO, DPE	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	MCP, CEO, DPE	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	MCP, CEO, DPE	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 21A(4)	Duty to publish notice	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	
s 22	Duty to consider all submissions	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	MCP, CEO, DPE	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	MCP, CEO, DPE	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	
s 27(2)	Power to apply for exemption if panel's report not received	MCP, CEO, DPE	
s 28(1)	Duty to notify the Minister if abandoning an amendment	MCP, CEO, DPE	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	MCP, DPE	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	MCP, DPE	
s 30(4)(a)	Duty to say if amendment has lapsed	MCP, CEO, DPE	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 30(4)(b)	Duty to provide information in writing upon request	MCP, CCP, CSP, UP, PP, SSP, CEO, SP, STP, DPE, CMPP	
s 32(2)	Duty to give more notice if required	MCP, CCP, CSP, UP, PP, SSP, CEO, SP, STP, DPE, CMPP	
s 33(1)	Duty to give more notice of changes to an amendment	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	
s 36(2)	Duty to give notice of approval of amendment	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38(5)	Duty to give notice of revocation of an amendment	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	
s 40(1)	Function of lodging copy of approved amendment	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	MCP, DPE	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	
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	N/A	Where Council is a responsible public entity and is a planning authority  Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	MCP, CEO, DPE	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	MCP, CEO, DPE	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy	MCP, CEO, DPE	Where Council is a responsible public entity

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	for the declared area that is expressed to be binding on the 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	MCP, CEO, DPE	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	MCP, CEO, DPE	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	MCP, CEO, DPE	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	MCP, CSP, CEO, DPE	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	MCP, DPE	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	MCP, DPE	
s 46GP	Function of receiving a notice under s 46GO	MCP, DPE	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	MCP, DPE	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	MCP, DPE	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	MCP, CEO, DPE	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	MCP, DPE	
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	MCP, DPE	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	MCP, DPE	
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	MCP, DPE	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	MCP, DPE	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	MCP, CEO, DPE	
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	MCP, CEO, DPE	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	MCP, CEO, DPE	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)	MCP, DPE	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)	MCP, DPE	Where Council is the collecting agency

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	MCP, DPE	
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	MCP, DPE	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	MCP, DPE	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	MCP, DPE	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	MCP, DPE	Where Council is the collecting agency

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	MF, MCP, DPE	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	MCP, DPE	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	MCP, DPE	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	MCP, DPE	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(2)(b)	Function of receiving the monetary component	MCP, DPE	Where Council is the development agency under an approved infrastructure contributions plan

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			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)	MCP, DPE	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	MCP, DPE	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	MCP, DPE	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	MCP, DPE	Where Council is the collecting agency under an approved infrastructure contributions plan

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	any land credit amount to which the person is entitled under s 46GW		
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	MCP, DPE	<p>If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4)</p> <p>Where Council is the collecting agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the development agency</p>
s 46GZ(9)	Function of receiving the fee simple in the land	MCP, DPE	<p>Where Council is the development agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the collecting agency</p>
s 46GZA(1)	Duty to keep proper and separate accounts and records	MCP, DPE	Where Council is the development agency under an approved infrastructure contributions plan

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	MCP, DPE	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)	MCP, DPE	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	MCP, DPE	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	MCP, DPE	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)	MCP, DPE	Where Council is the collecting agency under an approved infrastructure contributions plan

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	MCP, DPE	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	MCP, DPE	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	MCP, DPE	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)	MCP, DPE	Where Council is the collecting agency under an approved infrastructure contributions plan

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	MCP, DPE	Where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	MCP, DPE	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	s 46GZF(3)(a) function of receiving proceeds of sale	MCP, DPE	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)	MCP, DPE	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)	MCP, DPE	Where Council is the collecting agency under an approved infrastructure contributions plan

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	MCP, DPE	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	MCP, DPE	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	MCP, DPE	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)	MCP, DPE	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	SO, MCP, CCP, CSP, UP, STUP, PP, SSP, PA, MCF, SP, STP, MMP, DPE, CMPP, TLPA	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	MCP, DPE	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	MCP, DPE	
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	MCP, DPE	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	MCP, DPE	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	MCP, CCP, CSP, UP, PP, SSP, MCF, SP, STP, MMP, DPE, CMPP	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CEO, DPE	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(1)	Duty to keep proper accounts of levies paid	MCP, DPE	
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	MCP, DPE	
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	MCP, DPE	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	MCP, DPE	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)	MCP, DPE	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

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	MCP, CEO, DPE	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	MCP, DPE	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	MCP, DPE	
s 46QD	Duty to prepare report and give a report to the Minister	MCP, DPE	Where Council is a collecting agency or development agency
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	MCP, CCP, CSP, UP, PP, SSP, MCF, SP, STP, MMP, DPE, CMPP	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	MCP, DPE	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 47	Power to decide that an application for a planning permit does not comply with that Act	SO, MCP, CCP, UP, PP, SP, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	SO, PSO, MCP, CCP, UP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	SO, PSO, MCP, CCP, UP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 50(4)	Duty to amend application	SO, MCP, CCP, UP, STUP, PP, PA, SP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(5)	Power to refuse to amend application	SO, MCP, CCP, UP, PP, SP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 50(6)	Duty to make note of amendment to application in register	SO, MCP, CCP, UP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 50A(1)	Power to make amendment to application	SO, MCP, CCP, UP, STUP, PP, PA, SP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	SO, PSO, MCP, CCP, UP, STUP, PP, PA, SP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50A(4)	Duty to note amendment to application in register	SO, PSO, MCP, CCP, UP, STUP, PP, PA, SP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	SO, PSO, MCP, CCP, UP, STUP, PP, PA, SP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
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	SO, MCP, CCP, UP, STUP, PP, PA, SP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	SO, MCP, CCP, UP, STUP, PP, PA, SP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	SO, MCP, CCP, UP, PP, SP, CMPP	In accordance with Council's Urban Planning Delegation Protocols
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	SO, MCP, CCP, UP, PP, SP, CMPP	In accordance with Council's Urban Planning Delegation Protocols
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	SO, MCP, CCP, UP, PP, SP, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	SO, MCP, CCP, UP, STUP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	SO, MCP, CCP, UP, PP, SP, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 52(3)	Power to give any further notice of an application where appropriate	SO, MCP, CCP, UP, STUP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	SO, MCP, CCP, UP, STUP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	SO, MCP, CCP, UP, STUP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(1)	Power to require the applicant to provide more information	SO, MCP, CCP, UP, STUP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	SO, MCP, CCP, UP, STUP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 54(1B)	Duty to specify the lapse date for an application	SO, MCP, CCP, UP, STUP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	SO, MCP, CCP, UP, STUP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	SO, MCP, CCP, UP, STUP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	SO, MCP, CCP, UP, STUP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	MCP, CEO, DPE	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	SO, PSO, MCP, CCP, CSP, UP, STUP, PP, SSP, PA, SP, STP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	SO, PSO, MCP, CCP, CSP, UP, STUP, PP, SSP, PA, SP, STP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	SO, MCP, CCP, UP, STUP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 57A(5)	Power to refuse to amend application	SO, PSO, MCP, CCP, UP, STUP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 57A(6)	Duty to note amendments to application in register	SO, PSO, MCP, CCP, UP, STUP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57B(1)	Duty to determine whether and to whom notice should be given	SO, MCP, CCP, UP, STUP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	SO, MCP, CCP, UP, STUP, SP, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 57C(1)	Duty to give copy of amended application to referral authority	SO, MCP, CCP, UP, STUP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 58	Duty to consider every application for a permit	SO, MCP, CCP, UP, STUP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 58A	Power to request advice from the Planning Application Committee	MCP, MMP, DPE	
s 60	Duty to consider certain matters	SO, MCP, CCP, UP, STUP, PP, PA, SP, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 60(1A)	Duty to consider certain matters	SO, MCP, CCP, UP, STUP, PP, PA, SP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	MCP, CCP, CMPP	
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, MCP, CCP, UP, STUP, PP,	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PA, SP, DPE, CMPP, TLPA	
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	SO, MCP, CCP, UP, STUP, PP, PA, SP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	SO, MCP, CCP, UP, STUP, PP, PA, SP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	MCP, CCP, MCF, MMP, DPE, CMPP, TLPA	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	CEO, DPE	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	SO, MCP, CCP, UP, STUP, PP, PA, SP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 62(1)	Duty to include certain conditions in deciding to grant a permit	SO, MCP, CCP, UP, STUP, PP, PA, SP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 62(2)	Power to include other conditions	SO, MCP, CCP, UP, STUP, PP, PA, SP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	SO, MCP, CCP, UP, STUP, PP, PA, SP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	SO, MCP, CCP, UP, STUP, PP, PA, MCF, STP, MMP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	SO, MCP, CCP, UP, STUP, PP, PA, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	SO, MCP, CCP, UP, STUP, PP, PA, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
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)	SO, MCP, CCP, DPE, CMPP	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)	SO, MCP, CCP, DPE, CMPP	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	SO, MCP, CCP, UP, STUP, PP, PA, STP, CMPP, TLPA	This provision applies also to a decision to grant an amendment to a permit - see s 75 In accordance with Council's Urban Planning Delegation Protocols
s 64(3)	Duty not to issue a permit until after the specified period	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	This provision applies also to a decision to grant an amendment to a permit - see s 75 In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 64(5)	Duty to give each objector a copy of an exempt decision	SO, MCP, CCP, STUP, PP, PA, STP, DPE, CMPP, TLPA	This provision applies also to a decision to grant an amendment to a permit - see s 75 <hr/> In accordance with Council's Urban Planning Delegation Protocols
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	SO, MCP, CCP, UP, STUP, PP, PA, STP, CMPP, TLPA	This provision applies also to a decision to grant an amendment to a permit - see s 75A <hr/> In accordance with Council's Urban Planning Delegation Protocols
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	<hr/> In accordance with Council's Urban Planning Delegation Protocols
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	<hr/> In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	<p>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</p> <hr/> <p>In accordance with Council's Urban Planning Delegation Protocols</p>
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	<p>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</p> <hr/> <p>In accordance with Council's Urban Planning Delegation Protocols</p>
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	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	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

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			In accordance with Council's Urban Planning Delegation Protocols
s 69(1)	Function of receiving application for extension of time of permit	SO, MCP, CCP, UP, STUP, PP, PA, STP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 69(1A)	Function of receiving application for extension of time to complete development	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 69(2)	Power to extend time	SO, MCP, CCP, UP, STUP, PP, PA, STP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	SO, MCP, CCP, UP, STUP, PP,	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PA, STP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 71(1)	Power to correct certain mistakes	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 71(2)	Duty to note corrections in register	SO, MCP, CCP, UP, STUP, PP, PA, STP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 73	Power to decide to grant amendment subject to conditions	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 74	Duty to issue amended permit to applicant if no objectors	SO, MCP, CCP, UP, STUP, PP,	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	<p>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</p> <p>In accordance with Council's Urban Planning Delegation Protocols</p>

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	<p>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</p> <hr/> <p>In accordance with Council's Urban Planning Delegation Protocols</p>
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	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	<p>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</p> <hr/> <p>In accordance with Council's Urban Planning Delegation Protocols</p>
s 76D	Duty to comply with direction of Minister to issue amended permit	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	<hr/> <p>In accordance with Council's Urban Planning Delegation Protocols</p>

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 83	Function of being respondent to an appeal	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 83B	Duty to give or publish notice of application for review	SO, MCP, CCP, UP, STUP, PP, PA, STP, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
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	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 84AB	Power to agree to confining a review by the Tribunal	MCP, CCP, PP, MCF, MMP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 86	Duty to issue a permit at order of Tribunal within 3 working days	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	MCP, CCP, MCF, MMP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	SO, MCP, CCP, UP, PP, PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 91(2)	Duty to comply with the directions of VCAT	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE	In accordance with Council's Urban Planning Delegation Protocols
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 93(2)	Duty to give notice of VCAT order to stop development	MCP, CCP, MCF, MMP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 95(3)	Function of referring certain applications to the Minister	MCP, CCP, DPE, CMPP	
s 95(4)	Duty to comply with an order or direction	SO, MCP, CCP, UP, STUP, PP, PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	SO, MCP, CCP, UP, STUP, PP,	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PA, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	MCP, MCF, MMP, DPE, CMPP	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	MCP, CEO, DPE	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	MCP, CEO, DPE	
s 96F	Duty to consider the panel's report under s 96E	MCP, CCP, CSP, PP, SSP, CEO, SP, STP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
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	MCP, CCP, CSP, PP, SSP, CEO,	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996)	SP, STP, DPE, CMPP	
s 96H(3)	Power to give notice in compliance with Minister's direction	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	
s 96J	Power to issue permit as directed by the Minister	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 96K	Duty to comply with direction of the Minister to give notice of refusal	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	
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	MCP, DPE	
s 97C	Power to request Minister to decide the application	CEO, DPE	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
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	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	MCP, CCP, CSP, UP, PP, SSP, PA, SP, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 97L	Duty to include Ministerial decisions in a register kept under s 49	MCP, CCP, CSP, UP, PP, SSP, PA, SP, STP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97MH	Duty to provide information or assistance to the Planning Application Committee	MCP, CCP, CSP, MCF, MMP, DPE, CMPP	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	MCP, DPE	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97Q(4)	Duty to comply with directions of VCAT	MCP, CCP, CSP, UP, STUP, PP, SSP, SP, STP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	MCP, CCP, CSP, UP, PP, SSP, SP, STP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	MCP, MMP, DPE	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	MCP, CCP, CSP, MMP, DPE, CMPP	
s 101	Function of receiving claim for expenses in conjunction with claim	MCP, CCP, CSP, MMP, DPE, CMPP	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 103	Power to reject a claim for compensation in certain circumstances	MCP, MMP, DPE	
s.107(1)	function of receiving claim for compensation	MCP, CCP, CSP, MMP, DPE, CMPP	
s 107(3)	Power to agree to extend time for making claim	MCP, CCP, CSP, MMP, DPE, CMPP	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	MCP, CCP, PIO, CMPP	
s 114(1)	Power to apply to the VCAT for an enforcement order	MCP, CCP, PIO, DPE, CMPP	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	MCP, CCP, CSP, UP, PP, PIO,	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MCF, SP, MMP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	MCP, CCP, PIO, DPE, CMPP	
s 123(1)	Power to carry out work required by enforcement order and recover costs	MCP, CCP, DPE	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	MCP, MMP, DPE	Except Crown Land
s 129	Function of recovering penalties	MCP, CCP, PIO, DPE, CMPP	
s 130(5)	Power to allow person served with an infringement notice further time	MCP, CCP, PIO, DPE, CMPP	
s 149A(1)	Power to refer a matter to the VCAT for determination	MCP, CCP, DPE, CMPP	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	MCP, CCP, MMP, DPE	
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)	MCP, MMP, DPE	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	MCP, CCP, CSP, SSP, SP, STP, MMP, DPE, CMPP	
s 171(2)(g)	Power to grant and reserve easements	MCP, CCP, CSP, MMP, DPE, CMPP	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	MCP, MMP, DPE	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, MMP, DPE	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, MMP, DPE	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	MCP, CEO, MMP, DPE	
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	MCP, CEO, DPE	Where Council is the relevant responsible authority

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	MCP, CCP, CSP, MCF, MMP, DPE, CMPP	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	MCP, CCP, CEO, MMP, DPE, CMPP	
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	MCP, CCP, MMP, DPE, CMPP	In consultation with DCOS, DCS, MCP, MGCS or CPM
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	MCP, CCP, MMP, DPE, CMPP	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178A(1)	Function of receiving application to amend or end an agreement	MCP, CCP, MMP, DPE, CMPP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	MCP, CCP, MMP, DPE, CMPP	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	MCP, CCP, MMP, DPE, CMPP	
s 178A(5)	Power to propose to amend or end an agreement	MCP, CCP, MMP, DPE, CMPP	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	MCP, CCP, MMP, DPE, CMPP	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	MCP, CCP, MMP, DPE, CMPP	
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	MCP, CCP, MMP, DPE, CMPP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	MCP, CCP, MMP, DPE, CMPP	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	MCP, CCP, MMP, DPE, CMPP	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	MCP, CCP, MMP, DPE, CMPP	If no objections are made under s 178D Must consider matters in s 178B

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	MCP, CCP, MMP, DPE, CMPP	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	MCP, CCP, MMP, DPE, CMPP	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	MCP, CCP, MMP, DPE, CMPP	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	MCP, CCP, MMP, DPE, CMPP	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	MCP, CCP, MMP, DPE, CMPP	After considering objections, submissions and matters in s.178B

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178E(3)(d)	Power to refuse to amend or end the agreement	MCP, CCP, MMP, DPE, CMPP	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)	MCP, CCP, MMP, DPE, CMPP	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	MCP, CCP, MMP, DPE, CMPP	
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	MCP, CCP, MMP, DPE, CMPP	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	MCP, CCP, MMP, DPE, CMPP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	MCP, CCP, MMP, DPE, CMPP	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	MCP, CCP, MMP, DPE, CMPP	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	MCP, CCP, CSP, UP, SSP, SP, STP, MMP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	MCP, CCP, MMP, DPE, CMPP	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	MCP, CCP, MMP, DPE, CMPP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	MCP, CCP, MMP, DPE, CMPP	
s 182	Power to enforce an agreement	MCP, CCP, PIO, MMP, DPE, CMPP	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	SO, MCP, CCP, CSP, UP, PP, SSP, SP, STP, MMP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
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	MGCS, CPM, MCP, CCP, MMP, DPE, CMPP	

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	MCP, CCP, MMP, DPE, CMPP	
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	MCP, CCP, MMP, DPE, CMPP	
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	MCP, CCP, MMP, DPE, CMPP	
s 184G(2)	Duty to comply with a direction of the Tribunal	MCP, CCP, MMP, DPE, CMPP	
s 184G(3)	Duty to give notice as directed by the Tribunal	CCPP, MCP, MMP, DPE, CMPP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 198(1)	Function to receive application for planning certificate	SO, MCP, CCP, CSP, UP, PP, SSP, PA, SP, STP, MMP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 199(1)	Duty to give planning certificate to applicant	SO, MCP, CCP, CSP, UP, PP, SSP, PA, SP, STP, MMP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
s 201(1)	Function of receiving application for declaration of underlying zoning	SO, MCP, CCP, CSP, UP, PP, SSP, PA, MCF, SP, STP, MMP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 201(3)	Duty to make declaration	SO, MCP, CCP, CSP, UP, PP,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		SSP, PA, MCF, SP, STP, MMP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
	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	SO, MCP, CCP, CSP, UP, STUP, PP, SSP, PA, MCF, SP, STP, MMP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
	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	SO, MCP, CCP, CSP, UP, STUP, PP, SSP, PA, MCF, SP, STP, MMP, DPE, CMPP	In accordance with Council's Urban Planning Delegation Protocols
	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	SO, MCP, CCP, CSP, UP, STUP, PP, SSP, PA, MCF, SP, STP,	In accordance with Council's Urban Planning Delegation Protocols

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Maribyrnong City Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MMP, DPE, CMPP, TLPA	
	Power to give written authorisation in accordance with a provision of a planning scheme	SO, MCP, CCP, UP, STUP, PP, SSP, PA, MCF, SP, STP, MMP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	SO, MCP, CCP, CSP, UP, PP, SSP, PA, MCF, SP, STP, MMP, DPE, CMPP, TLPA	In accordance with Council's Urban Planning Delegation Protocols
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	SO, MCP, CCP, CSP, UP, PP, SSP, PA, MCF, SP, STP, MMP,	In accordance with Council's Urban Planning Delegation Protocols

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DPE, CMPP, TLPA	

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and 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	BS, EHO, CEM, MRS, DPE	
s 522(1)	Power to give a compliance notice to a person	EHO	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	EHO, MRS, DPE	
s 525(4)	Duty to issue identity card to authorised officers	EHO	

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Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 526(5)	Duty to keep record of entry by authorised officer under s 526	EHO	
s 526A(3)	Function of receiving report of inspection	BS, EHO	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	EHO	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	DIS, DPE	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	DIS, DPE	

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(9)(b)	Duty to advise Registrar	MGCS, CPM, DIS, DPE	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	MGCS, CPM, DIS, DPE	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	MGCS, CPM, MCP, DIS, MET, MAC, DPE	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	MGCS, CPM, MCP, DIS, MET, MAC, DPE	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	MGCS, CPM, MCP, DIS, MET, MAC, DPE	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12(5)	Duty to consider written submissions received within 28 days of notice	MGCS, CPM, MCP, DIS, MET, MAC, DPE	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	Council	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	MGCS, CPM, MCP, DIS, MET, MAC, DPE	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	MGCS, CPM, MCP, DIS, MET, MAC, DPE	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

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Maribyrnong City Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	DIS	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	DIS	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	DIS	
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	DIS	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DIS	
s 15(2)	Duty to include details of arrangement in public roads register	MCP, DIS, MET, MAC, DPE	

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 16(7)	Power to enter into an arrangement under s 15	DIS	
s 16(8)	Duty to enter details of determination in public roads register	MCP, DIS, MET, MAC, DPE	
s 17(2)	Duty to register public road in public roads register	MCP, DIS, MET, MAC, DPE	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	MCP, DIS, MET, MAC, DPE	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	MCP, DIS, MET, MAC, DPE	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	DIS	Where Council is the coordinating road authority

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	MCP, DIS, MET, MAC, DPE	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	MCP, DIS, MET, MAC, DPE	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	MCP, DIS, MET, MAC, DPE	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	MCP, DIS, MET, MAC, DPE	
s 19(4)	Duty to specify details of discontinuance in public roads register	MCP, DIS, MET, MAC, DPE	

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(5)	Duty to ensure public roads register is available for public inspection	MCP, DIS, MET, MAC, DPE	
s 21	Function of replying to request for information or advice	DIS	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	DIS	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	DIS	
s 22(5)	Duty to give effect to a direction under s 22	DIS	
s 40(1)	Duty to inspect, maintain and repair a public road.	MOM	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	MOM, DIS	

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	MOM, DIS	
s 42(1)	Power to declare a public road as a controlled access road	DIS	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	DIS, DPE	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	DIS	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	DIS	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)	DIS	Where Council is the responsible road authority, infrastructure manager or works manager

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	DIS	
s 49	Power to develop and publish a road management plan	DIS	
s 51	Power to determine standards by incorporating the standards in a road management plan	DIS	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DIS	
s 54(2)	Duty to give notice of proposal to make a road management plan	DIS	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	DIS	
s 54(6)	Power to amend road management plan	DIS	
s 54(7)	Duty to incorporate the amendments into the road management plan	DIS	

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	DIS	
s 63(1)	Power to consent to conduct of works on road	MCP, DIS, MET, MAC, DPE	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	DIS	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	DIS	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	MCP, DIS, MET, MAC, DPE	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	MCP, DIS, MET, MAC, DPE	Where Council is the coordinating road authority

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 67(3)	Power to request information	MCP, MRS, MOM, MET, MAC, DPE	Where Council is the coordinating road authority
s 68(2)	Power to request information	MCP, MRS, MOM, MET, MAC, DPE	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	DIS, DPE	
s 72	Duty to issue an identity card to each authorised officer	DIS, DPE	
s 85	Function of receiving report from authorised officer	DIS, DPE	
s 86	Duty to keep register re s 85 matters	DIS, DPE	
s 87(1)	Function of receiving complaints	DIS, DPE	
s 87(2)	Duty to investigate complaint and provide report	DIS, DPE	

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96	Power to authorise a person for the purpose of instituting legal proceedings	DIS, DPE	
s 112(2)	Power to recover damages in court	DIS, DPE	
s 116	Power to cause or carry out inspection	DIS	
s 119(2)	Function of consulting with the Head, Transport for Victoria	DIS	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	DIS	
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)	DIS	
s 121(1)	Power to enter into an agreement in respect of works	MOM, DIS, MET, MAC	

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 122(1)	Power to charge and recover fees	MOM, DIS, MET, MAC	
s 123(1)	Power to charge for any service	MOM, DIS, MET, MAC	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	DIS	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	DIS	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	DIS	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	MOM, DIS, MET, MAC	
sch 2 cl 5	Duty to publish notice of declaration	DIS	

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and 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	DIS	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	DIS, MET, MAC	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	DIS, MET, MAC	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	DIS, MET, MAC	Where Council is the infrastructure manager or works manager

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DIS, MET, MAC	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	DIS, MET, MAC	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	DIS, MET, MAC	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	DIS	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	DIS, MET, MAC	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)	DIS	Where Council is the works manager

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 13(2)	Power to vary notice period	DIS	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)	DIS, MET, MAC	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	DIS	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	DIS	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	DIS	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	DIS	Where Council is the coordinating road authority

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 16(8)	Power to include consents and conditions	DIS	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	DIS	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	MOM, DIS, MET, MAC	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	MOM, DIS, MET, MAC	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	DIS	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	MRS, MOM, MET, MAC, DPE	Where Council is the coordinating road authority

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Maribyrnong City Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7A cl 2	Power to cause street lights to be installed on roads	MOM, CT, DIS, MET	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	MOM, CT, DIS, MET	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	MOM, CT, DIS, MET	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	MOM, CT, DIS, MET	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

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Maribyrnong City Council

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 24	Duty to ensure that cemetery complies with depth of burial requirements	MOM, DIS	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	MOM, DIS	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	MOM, DIS	
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	MOM, DIS	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	MOM, DIS	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	MOM, DIS	

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Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 30(2)	Power to release cremated human remains to certain persons	MOM, DIS	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	MOM, DIS	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	MOM, DIS	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	MOM, DIS	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	MOM, DIS	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	MOM, DIS	

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Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	MOM, DIS	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	MOM, DIS	
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	MOM, DIS	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	MOM, DIS	
r 40	Power to approve a person to play sport within a public cemetery	MOM, DIS	
r 41(1)	Power to approve fishing and bathing within a public cemetery	MOM, DIS	

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Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 42(1)	Power to approve hunting within a public cemetery	MOM, DIS	
r 43	Power to approve camping within a public cemetery	MOM, DIS	
r 45(1)	Power to approve the removal of plants within a public cemetery	MOM, DIS	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	MOM, DIS	
r 47(3)	Power to approve the use of fire in a public cemetery	MOM, DIS	
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	MOM, DIS	

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Maribyrnong City Council

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	N/A	
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	MOM, DIS	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	MOM, DIS	See note above regarding model rules
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	MOM, DIS	See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	MOM, DIS	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	MOM, DIS	See note above regarding model rules

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 8	Power to approve certain mementos on a memorial	MOM, DIS	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	MOM, DIS	See note above regarding model rules
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	MOM, DIS	See note above regarding model rules
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	MOM, DIS	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	MOM, DIS	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	MOM, DIS	See note above regarding model rules

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	MOM, DIS	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	MOM, DIS	See note above regarding model rules

Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	PSO, MCP, CCP, CSP, UP, PP, SSP, PA, MCF, SP, STP, MMP, DPE, CMPP, TLPA	<p>where Council is not the planning authority and the amendment affects land within Council's municipal district; or</p> <p>where the amendment will amend the planning scheme to designate Council as an acquiring authority.</p> <hr/> <p>In accordance with Council's Urban Planning Delegation Protocols</p>

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 section 54 of the Act	SO, PSO, MCP, CCP, UP, PP, PA, SP, STP, CMPP	In accordance with Council's Urban Planning Delegation Protocols
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) in accordance with the public availability requirements	SO, PSO, MCP, CCP, UP, PP, PA, SP, STP, CMPP, TLPA	where Council is the responsible authority In accordance with Council's Urban Planning Delegation Protocols
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available in accordance with public availability requirements	SO, PSO, MCP, CCP, UP, PP, PA, SP, STP, CMPP, TLPA	where Council is not the responsible authority but the relevant land is within Council's municipal district In accordance with Council's Urban Planning Delegation Protocols
r.42	function of receiving notice under section 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	SO, PSO, MCP, CCP, CSP, UP, PP, SSP, PA, MCF, SP,	where Council is not the planning authority and the amendment affects land within Council's municipal district; or

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Maribyrnong City Council

Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		STP, MMP, DPE, CMPP, TLPA	where the amendment will amend the planning scheme to designate Council as an acquiring authority.  In accordance with Council's Urban Planning Delegation Protocols

Planning and Environment (Fees) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	MCP, MCF, MMP, DPE	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	MCP, MCF, MMP, DPE	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	MCP, MCF, MMP, DPE	

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 7	Function of entering into a written agreement with a caravan park owner	EHO, MBS, MRS, DPE	
r 10	Function of receiving application for registration	EHO	
r 11	Function of receiving application for renewal of registration	EHO	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	EHO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	EHO	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO	

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Maribyrnong City Council

<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	EHO	
r 12(4) & (5)	Duty to issue certificate of registration	EHO	
r 14(1)	Function of receiving notice of transfer of ownership	EHO	
r 14(3)	Power to determine where notice of transfer is displayed	EHO	
r 15(1)	Duty to transfer registration to new caravan park owner	EHO	
r 15(2)	Duty to issue a certificate of transfer of registration	EHO	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	EHO	
r 17	Duty to keep register of caravan parks	EHO	

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Maribyrnong City Council

<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 18(4)	Power to determine where the emergency contact person's details are displayed	EHO, MBS	
r 18(6)	Power to determine where certain information is displayed	BS, EHO, CEM, MRS	
r 22(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	BS, EHO, CEM, MRS	
r 22(2)	Duty to consult with relevant emergency services agencies	BS, EHO, CEM, MRS	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	BS, EHO, CEM, MRS	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	EHO, CEM, MRS, CEH	
r 25(3)	Duty to consult with relevant floodplain management authority	CEM, MRS, CEH	

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Maribyrnong City Council

<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 26	Duty to have regard to any report of the relevant fire authority	CEM, MBS, MRS, CEH	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	EHO, MRS	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	EHO, MBS, MRS	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	EHO, MBS, MRS	
r 41(4)	Function of receiving installation certificate	EHO, MRS, TLEH	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	BS, MBS, MRS	
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	EHO, MBS, MRS	

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 8(1)	Duty to conduct reviews of road management plan	DIS	
r 9(2)	Duty to produce written report of review of road management plan and make report available	DIS	
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)	DIS	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	DIS	
r 13(1)	Duty to publish notice of amendments to road management plan	DIS	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	DIS	

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 16(3)	Power to issue permit	MOM, DIS, MET, MAC	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	MOM, DIS, MET, MAC	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	DIS	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	DIS	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	MOM, DIS, MET, MAC	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))	MOM, DIS	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	MOM, DIS	

**Agenda Item 9.5 - Attachment 1**

Maribyrnong City Council

Road Management (Works and Infrastructure) Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and 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	MOM	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	MOM	Where Council is the coordinating road authority

**Agenda Item 9.6**

**GOVERNANCE REPORT - FEBRUARY 2023**

**Director:** Lisa King  
Director Corporate Services

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

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**PURPOSE**

This report considers the Councillors and Councillor Delegates Report for February 2023.

**ISSUES SUMMARY**

- The February 2023 Councillors and Councillor Delegates' Reports is presented to Council, and will be made available on Council's website for the term of the current Council.

**ATTACHMENTS**

1. Governance Report - February 2023.

**OFFICER RECOMMENDATION**

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

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

A monthly Governance Report is provided to Council on a range of governance related matters.

**DISCUSSION/KEY ISSUES****1. Key Issues****Informal Meetings of Councillors and Councillor Delegate's Report**

Chapter 6 of Council's Governance Rules state that identified meeting of Councillors must be reported to the next available Council meeting. As part of their governance and representation obligations, individual Councillors also represent Council on a range of committees and these are also reported to the next available Council meeting. The December 2022 Councillors and Councillor Delegates' Reports is shown at Attachment One.

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

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

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

**Legislation**

Nil.

**Conflicts of Interest**

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

**Human Rights Consideration**

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

**3. Engagement**

Nil.

**Agenda Item 9.6**

**4. Resources**

Nil.

**5. Environment**

Nil.

**CONCLUSION**

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

**Agenda Item 9.6 - Attachment 1**

## Governance Report – February 2023

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



Meeting and Date	Councillor Attendees	Council Staff Attendees	Matters Considered	Conflict of Interest Disclosures
Maribyrnong Active Transport Advisory Committee 6 February 2023	Cr Anthony Tran Cr Jorge Jorquera	Ashley Minniti (Manager City Places) Peter White (Manager Engineering & Transport)	<ul style="list-style-type: none"> <li>Welcome &amp; Acknowledgement of Country</li> <li>Introduction of new Councillor representatives</li> <li>Confirmation of Minutes November 2022</li> <li>Electric Vehicle charging</li> <li>Summerhill Road &amp; Rosamond Road</li> <li>Hopkins Street Cycle Lanes</li> <li>Bikewest Topics</li> <li>Council Update</li> <li>General Business</li> </ul>	- Nil
Councillor Briefing 7 February 2023 Informal meeting of Councillors	Cr Sarah Carter Cr Cuc Lam Cr Michael Clarke Cr Simon Crawford Cr Jorge Jorquera Cr Bernadette Thomas Cr Anthony Tran	Celia Haddock (Chief Executive Officer) Laura-Jo Mellan (Director Planning & Environment Services) Lisa King (Director Corporate Services) Patrick Jess (Director Infrastructure Services) Lucas Gosling (Director Community Services)	<ul style="list-style-type: none"> <li>Awarding of Contract No 1203-23 Provision of Maribyrnong Community Centre Extension and Refurbishment</li> <li>Initiation of 2023 – 2026 Triennial Arts Partner Funding</li> <li>Quarterly Performance and Financial Report – Period ending 31 December 2022</li> <li>Councillor Support and Expenses - October 2022 to December 2022</li> <li>Governance Report – December 2022</li> <li>Confirmation of the Minutes of the Previous Council Meeting – 6 December 2022</li> </ul>	- Nil
Councillor Briefing	Cr Sarah Carter	Celia Haddock (Chief Executive Officer)	<ul style="list-style-type: none"> <li>Application to Amend Planning Permit TP578/202(1) at Rear of 220</li> </ul>	-

**Agenda Item 9.6 - Attachment 1**

## Governance Report – February 2023

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



14 February 2023 Informal meeting of Councillors	Cr Cuc Lam Cr Michael Clarke Cr Simon Crawford Cr Jorge Jorquera Cr Bernadette Thomas Cr Anthony Tran	Laura-Jo Mellan (Director Planning & Environment Services) Lisa King (Director Corporate Services) Patrick Jess (Director Infrastructure Services) Lucas Gosling (Director Community Services)	Barkly Street (also known as 120 Donald Street) Footscray <ul style="list-style-type: none"> <li>Planning application at 336 Nicholson Street Yarraville</li> <li>Planning application at 63 Sunshine Road West Footscray</li> <li>Confirmation of the Minutes of the Previous City Development Delegated Committee Meeting – 13 December 2022</li> </ul>	
Strategic Planning Weekend 17 February 2023 and 18 February 2023 Informal Meeting of Councillors	Cr Sarah Carter Cr Cuc Lam Cr Michael Clarke Cr Simon Crawford Cr Jorge Jorquera Cr Bernadette Thomas Cr Anthony Tran	Celia Haddock (Chief Executive Officer) Lisa King (Director Corporate Services) Patrick Jess (Director Infrastructure Services) Lucas Gosling (Director Community Services)	<ul style="list-style-type: none"> <li>Annual Community Satisfaction Survey</li> <li>2021 Census Data</li> <li>Council Plan Update</li> <li>Operating and Capital Budget</li> <li>Asset Plan and Capital Works Delivery</li> <li>Strategic Property Management</li> <li>Advocacy Priorities</li> </ul>	- Nil