

## ORDINARY COUNCIL MEETING

**Tuesday 11 September, 2018  
6.45pm**

**Council Chamber  
Level 1  
Maribyrnong Council Offices  
Corner Hyde and Napier Streets, Footscray**

## AGENDA

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**Agenda Item 6**

**CONFIRMATION OF THE MINUTES OF THE PREVIOUS COUNCIL MEETING - 21 AUGUST 2018**

**Director:** Celia Haddock  
Director Corporate Services

**Author:** Lisa King  
Manager Governance and Commercial Services

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**PURPOSE**

To present for confirmation, the minutes of the Ordinary Council Meeting held on 21 August 2018.

**ISSUES SUMMARY**

- Section 93 of the *Local Government Act 1989* requires Council to keep minutes of each meeting of the Council and Special Committees, and for minutes to be submitted to the next appropriate meeting for confirmation.

**ATTACHMENTS**

1. Unconfirmed Minutes of the Ordinary Council Meeting held on 21 August 2018 [↓](#)

**OFFICER RECOMMENDATION**

**That Council confirms the minutes of the Ordinary Council Meeting held on 21 August 2018.**

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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**

The *Local Government Act 1989* requires Council to confirm its minutes at the next appropriate meeting.

**2. Council Policy/Legislation****Council Plan 2017-2021**

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021 by considering:

- Strong leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

**Legislation**

Local Government Act 1989

**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**

Not applicable.

**4. Resources**

Not applicable.

**5. Environment**

Not applicable.

**CONCLUSION**

The unconfirmed minutes of the Ordinary Council Meeting held on 21 August 2018 are presented for confirmation.



**Maribyrnong City Council**

**ORDINARY MEETING OF COUNCIL MINUTES**

**Tuesday 21 August, 2018  
6.30pm**

**Council Chamber  
Level 1  
Maribyrnong Council Offices  
Corner Hyde and Napier Streets, Footscray**

**MEMBERSHIP**

Mayor Councillor Cuc Lam (Chair)  
Councillor Sarah Carter  
Councillor Simon Crawford  
Councillor Catherine Cumming  
Councillor Gina Huynh  
Councillor Mia McGregor  
Councillor Martin Zakharov

To be confirmed at the Ordinary Council Meeting  
to be held on 11 September, 2018

## **1. COMMENCEMENT OF MEETING AND WELCOME**

The meeting commenced at 6.31pm.

The Chair, Mayor Cr Cuc Lam made the following acknowledgement statement:

*“We acknowledge that we are on 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**

Mayor Councillor Cuc Lam (Chair)  
Councillor Sarah Carter  
Councillor Simon Crawford  
Councillor Catherine Cumming  
Councillor Gina Huynh  
Councillor Mia McGregor  
Councillor Martin Zakharov

## **IN ATTENDANCE**

Chief Executive Officer, Stephen Wall  
Director Community Services, Clem Gillings  
Director Corporate Services, Celia Haddock  
Director Infrastructure Services, Steve Hamilton  
Director Planning Services, Nigel Higgins  
Manager Public Affairs and Community Relations, Deidre Anderson  
Manager Governance and Commercial Services, Lisa King  
Governance Support Officer, Adele Woolcock

## **2. APOLOGIES**

Nil.

## **3. LEAVE OF ABSENCE**

Nil.

## **4. DISCLOSURES OF CONFLICTS OF INTEREST**

Nil.

## **5. PUBLIC QUESTION TIME**

Question

Dr Gary Au, resident of Yarraville, asked the following questions:

1. What evidence-base did Council use to inform its Residential Parking Permit Policy 2014 to define the different numbers of residential permits allowed in its broad Footscray, South and Outer Residential Parking Zones? In particular, did the South Zone permit allocation take into consideration local parking pressures arising from new multi-residence sites in Yarraville?
2. The Resident Parking Permit Policy 2014 is intended to be reviewed by Council in 2019. What specific parking demand and/or planning criteria need to be satisfied for Council to update its existing policy? In particular, what are the specific criteria for Council to implement no additional residential permits for multi-residence sites in Yarraville, given the increasing presence of these sites, and Yarraville's neighbourhood character, which has many houses without garages?
3. Section 9 of Phillip Boyle and Associates' Destination Parking Management Report tabled by Council in February 2016 pointed out the need to define the number of bays in Yarraville to support the Destination Parking Management Policy. Similarly, to support residential parking policies, what is the specific process by which Council defines residential parking supply across Yarraville, given the lack of standardised bay definitions for areas outside the Yarraville Commercial Zone?

#### Response

The Director, Planning Services, Mr Nigel Higgins advised that when the Parking Policy was set in 2014, there was a different parking saturation level. Community consultation in 2014 provided information on the three different zones of parking, Footscray, Southern and Outer Residential Parking Zones. 84% of respondents to the community survey panel were satisfied with the level of parking permits provided at the time.

Mr Higgins noted that since 2014, there has been extensive development which has had a significant impact on parking saturation. Additionally, from 1 July 2018, the State Government changed the planning triggers for visitor parking on residential, commercial or activity centres that are within 400 metres of a principal public transport network.

When the policy is reviewed next year, Council will look at parking in Council's neighbourhood, the density of residents in the neighbourhood and car ownership patterns in the neighbourhood. Council will be welcoming suggestions and input from the residents when the policy is reviewed next year.

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

The purpose of this report was to present for confirmation, the minutes of the Ordinary Council Meeting held on 24 July 2018.

#### **Council Resolution**

*That Council confirms the minutes of the Ordinary Council Meeting held on 24 July 2018.*

Moved: Cr Gina Huynh  
Seconded: Cr Martin Zakharov

**CARRIED**

## **7. REPORTS FROM COMMITTEES**

Nil.

## **8. PETITIONS**

Nil.

## **9. OFFICER REPORTS**

### **9.1. Feasibility Study - Removal of Single-Use Plastics**

The purpose of this report was to provide a response to Council's resolution of the 22 May 2018 stating:

"That Council request the Chief Executive Officer to prepare a report for the July 2018 Ordinary Council meeting outlining a plan for the feasibility of the removal of single use plastics from all Council delivered or funded events and venues."

#### **Council Resolution**

*That Council*

- 1. Note the officers report*
- 2. Request that the Chief Executive Officer urgently undertakes the Feasibility Study into the removal of single use plastics from all Council delivered or funded events and venues*
- 3. Receives a report and action plan for implementation as soon as possible*

Moved: Cr Mia McGregor  
Seconded: Cr Catherine Cumming

**CARRIED**

### **9.2. RecWest Footscray Feasibility Study**

The purpose of this report was to inform Council of findings of the RecWest Footscray Feasibility Study.

To endorse the Feasibility Study and seek approval to commence the next stage of the RecWest Footscray redevelopment.

To support the coordinated development of the precinct, a precinct sports masterplan will also be undertaken, and to progress planning for indoor courts provision across the municipality it is proposed to undertake an Indoor Stadium Strategy.

## **Council Resolution**

*That Council:*

1. *Endorse commencement of concept design stage for a new Community Centre at RecWest Footscray*
2. *Endorse commencement of precinct sports Masterplan incorporating RecWest Footscray site, Shorten Reserve and Johnson Reserve*
3. *Endorse commencement of a municipal wide Indoor Stadium Strategy*

Moved: Cr Catherine Cumming

Seconded: Cr Simon Crawford

**CARRIED**

## **9.3. Investment Policy 2018**

The purpose of this report was to present a revised Investment Policy, which was last adopted by Council in August 2013.

## **Council Resolution**

*That Council adopts the Maribyrnong City Council Investment Policy 2018.*

Moved: Cr Simon Crawford

Seconded: Cr Sarah Carter

**CARRIED**

## **9.4. MAV State Council Motions**

The purpose of this report was to present motions for submission to Municipal Association of Victoria (MAV) State Council Meeting on 19 October 2018.

## **Council Resolution**

*That Council approves motions for submission to the Municipal Association of Victoria's State Council Meeting to be held on 19 October 2018 as follows:*

1. *That the Municipal Association of Victoria calls on the Victorian State Government to develop an MOU with Local Government in relation to public land, its use and transfer for local government use*
2. *That the Municipal Association of Victoria calls on the Victorian State Government to develop a funding stream for Council's that are experiencing significant population growth but are not considered part of the growth areas (GAIC).*
3. *That the Municipal Association of Victoria advocates to the Minister for Local Government for a review of Councillor allowances to better reflect the time commitment, community expectations and minimum wage values.*
4. *That the Municipal Association of Victoria calls on the Victorian State*

*Government to publicise a long-term plan for the development of new schools to meet the needs of growing communities.*

5. *That the Municipal Association of Victoria advocates to the Victorian State Government and specifically to Minister Foley, Minister for Housing, Disability & Ageing, to commit a meaningful level of funding to a program to plan and deliver “age friendly” environments in all Local Government Areas and systematically reduce the isolation and loneliness experienced by a growing number of older Victorians.*
6. *That the Municipal Association of Victoria calls upon State Government to commit to strategies to reduce gambling losses and harms and implements increased allocation of support funds to communities experiencing large gambling losses.*
7. *That the Municipal Association of Victoria calls upon State Government to invest in demonstration projects which will deliver well designed, well connected affordable housing.*

Moved: Cr Catherine Cumming  
Seconded: Cr Mia McGregor

**CARRIED**

#### **9.5. Assembly of Councillors - July 2018**

The purpose of this report was to receive and note the record of Assemblies of Councillors for July 2018.

##### **Council Resolution**

*That Council notes the record of Assemblies of Councillors for July 2018.*

Moved: Cr Sarah Carter  
Seconded: Cr Gina Huynh

**CARRIED**

#### **9.6. Delegates Report - July 2018**

The purpose of this report was to present the Councillor delegates' reports for the period July 2018.

##### **Council Resolution**

*That Council notes the Councillor delegates' reports July 2018 which will be made available on Council's website for the term of the current Council.*

Moved: Cr Simon Crawford  
Seconded: Cr Sarah Carter

**CARRIED**

## **10. NOTICES OF MOTION**

Nil.

## **11. URGENT BUSINESS**

Nil.

## **12. CONFIDENTIAL BUSINESS**

### **Council Resolution**

*That Council, in accordance with section 89(2) (d) and (h) of the Local Government Act 1989, close the meeting to members of the public at 7.04pm to consider Confidential agenda item 12.1, Proposed Property Acquisition, as it contains information in relation to contractual matters and any matter which Council considers prejudicial to Council or any person.*

Moved: Cr Catherine Cumming  
Seconded: Cr Martin Zakharov

**CARRIED**

### **CLOSURE OF PUBLIC MEETING**

The Chair, Mayor Cr Cuc Lam, declared the meeting closed to members of the public at 7.05pm for consideration of confidential agenda item 12.1.

### **REOPENING OF PUBLIC MEETING**

The meeting was reopened to the public at 7.10pm.

The Chair, Mayor Cr Cuc Lam, advised that in accordance with the confidential resolution there were no items for release to the public.

## **13. MEETING CLOSURE**

The Chair, Mayor Cr Cuc Lam, declared the meeting closed at 7.10pm.

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To be confirmed at the Ordinary Council Meeting  
to be held on 11 September, 2018.

Chair, Mayor Cr Cuc Lam

**Agenda Item 7.1**

**NOTING OF THE CONFIRMED MINUTES OF SPECIAL COMMITTEES**

**Director:** Celia Haddock  
Director Corporate Services

**Author:** Lisa King  
Manager Governance and Commercial Services

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**PURPOSE**

To present for noting the confirmed minutes of the Council's Special Committees established under section 86 of the *Local Government Act 1989*.

**ISSUES SUMMARY**

- Council has established Special Committees in accordance with section 86 of the *Local Government Act 1989*.
- The Terms of Reference for each of the Special Committees require the minutes to be presented to Council for noting.
- Minutes of Special Committees are confirmed at the next scheduled meeting of that Special Committee.

**ATTACHMENTS**

1. Enterprise Maribyrnong Special Committee Minutes 8 May 2018
2. City Development Special Committee Minutes - 29 May 2018

**OFFICER RECOMMENDATION**

**That Council notes the confirmed minutes of the Enterprise Maribyrnong Special Committee held on 8 May 2018 and the City Development Special Committee held on 29 May 2018.**

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

In accordance with section 86 of the *Local Government Act 1989*, Council has established Special Committees. As part of the Terms of Reference for the Special Committees, the confirmed minutes are presented to Council for noting.

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

The *Local Government Act 1989* requires Council to confirm its minutes at the next appropriate meeting.

**2 Council Policy/Legislation****Council Plan 2013-2017**

This report contributes to Council's strategic objectives contained in the Council Plan 2013-2017 by considering:

- Strong leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

**Legislation**

- Local Government Act 1989.

**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**

Not applicable.

**4. Resources**

Not applicable.

**5. Environment**

Not applicable.

**Agenda Item 7.1**

**CONCLUSION**

The confirmed minutes of the Enterprise Maribyrnong Special Committee held on 8 May 2018 and the City Development Special Committee held on 29 May 2018, established in accordance with section 86 of *the Act* are presented to Council for noting.

**Agenda Item 7.1 - Attachment 1**



**Maribyrnong City Council**

**ENTERPRISE MARIBYRNONG SPECIAL COMMITTEE MINUTES**

**Tuesday 8 May, 2018**

**Functions Room  
Level 1  
Maribyrnong Council Offices  
Corner Hyde and Napier Streets, Footscray**

**MEMBERSHIP**

Councillor Cuc Lam  
Councillor Gina Huynh  
Councillor Martin Zakharov  
James Fitzgerald (Chair)  
Rob Brown  
Gary Cooper  
Jose Ramos  
Julius Rath  
Pradeep Tiwara  
Melinda West  
Sasha Wicker

To be confirmed at the Enterprise Maribyrnong Special Committee Meeting  
to be held on 7 August, 2018

## Agenda Item 7.1 - Attachment 1

### 1. COMMENCEMENT OF SPECIAL MEETING AND WELCOME

The meeting commenced at 4.42pm.

The Chair, James Fitzgerald made the following acknowledgement statement:

*"We acknowledge that we are on 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 Cuc Lam  
Councillor Martin Zakharov  
James Fitzgerald (Chair)  
Rob Brown  
Gary Cooper  
Jose Ramos  
Julius Rath  
Sasha Wicker

#### IN ATTENDANCE

Chief Executive Officer, Stephen Wall  
Director Corporate Services, Celia Haddock  
Director Planning Services, Nigel Higgins  
Manager City Business, Katy McMahon

### 2. APOLOGIES

Apologies for the meeting were received from Councillor Gina Huynh, Melinda West and Pradeep Tiwari.

### 3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

### 4. PUBLIC QUESTION TIME

Nil.

### 5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The purpose of this report was to present for confirmation, the minutes of the Enterprise Maribyrnong Special Committee Meeting held on 6 March 2018.

#### Committee Resolution

*That the Special Committee confirms the minutes of the Enterprise Maribyrnong*

**Agenda Item 7.1 - Attachment 1**

*Special Committee Meeting held on 6 March 2018.*

Moved: Julius Rath  
Seconded: Gary Cooper

**CARRIED**

**6. OFFICER REPORTS**

**6.1. Presentation: Victorian Government Business Office**

The purpose of this report was to receive a presentation on the Victorian Government Business Officer (VGBO) by Kai Streicher, Senior Investment Manager VGBO.

**Committee Resolution**

*That the Enterprise Maribyrnong Special Committee note the presentation and thank Kai Streicher for his presentation.*

Moved: Cr Martin Zakharov  
Seconded: Jose Ramos

**CARRIED**

**6.2. Presentation - Business Improvement District Grant Program Update**

The purpose of this report was to provide an update on the Business Improvement District (BID) Grant program.

**Committee Resolution**

*That the Enterprise Maribyrnong Special Committee note the update.*

Moved: Rob Brown  
Seconded: Jose Ramos

**CARRIED**

**6.3. Presentation - Better Approvals Project Update**

The purpose of this report was to provide an update on the Small Business Victoria – Better Approvals Project.

**Agenda Item 7.1 - Attachment 1**

**Committee Resolution**

*That the Enterprise Maribyrnong Special Committee note the update.*

Moved: Rob Brown  
Seconded: Jose Ramos

**CARRIED**

**6.4. Presentation - Business Workshops and Events**

The purpose of this report was for Katy McMahon, Manager City Business to give a verbal presentation on upcoming business workshops and events.

**Committee Resolution**

*That the Enterprise Maribyrnong Special Committee note the presentation and thank Katy McMahon for her presentation.*

Moved: Rob Brown  
Seconded: Jose Ramos


**CARRIED**

**7. URGENT BUSINESS**

Special Committee Membership – resignation of Melinda West.

**8. SPECIAL MEETING CLOSURE**

The Chair, Chair James Fitzgerald, declared the meeting closed at 5.48pm.

  
To be confirmed at the Enterprise Maribyrnong Special Committee Meeting  
to be held on 7 August, 2018.

Chair, James Fitzgerald

**Agenda Item 7.1 - Attachment 2**



**Maribyrnong City Council**

**CITY DEVELOPMENT SPECIAL COMMITTEE MINUTES**

**Tuesday 29 May, 2018  
6.30pm**

**Council Chamber  
Level 1  
Maribyrnong Council Offices  
Corner Hyde and Napier Streets, Footscray**

**MEMBERSHIP**

Councillor Catherine Cumming (Chair)  
Councillor Sarah Carter  
Councillor Simon Crawford  
Councillor Gina Huynh  
Councillor Cuc Lam  
Councillor Mia McGregor  
Councillor Martin Zakharov

To be confirmed at the City Development Special Committee Meeting  
to be held on 26 June, 2018

## Agenda Item 7.1 - Attachment 2

### 1. COMMENCEMENT OF SPECIAL MEETING AND WELCOME

The meeting commenced at 6.32pm.

The Chair, Cr Catherine Cumming made the following acknowledgement statement:

*"We acknowledge that we are on 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 Catherine Cumming (Chair)  
Councillor Sarah Carter  
Councillor Simon Crawford  
Councillor Gina Huynh  
Councillor Cuc Lam  
Councillor Mia McGregor  
Councillor Martin Zakharov

### IN ATTENDANCE

Chief Executive Officer, Stephen Wall  
Director Corporate Services, Celia Haddock  
Director Planning Services, Nigel Higgins  
Manager Public Affairs and Community Relations, Deidre Anderson  
Manager Governance and Commercial Services, Lisa King  
Manager Urban Planning, Steven Lionakis  
Coordinator Governance, Danny Bilaver

### 2. APOLOGIES

Nil.

### 3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

### 4. PUBLIC QUESTION TIME

Nil.

## Agenda Item 7.1 - Attachment 2

### 5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The purpose of this report was to present for confirmation, the minutes of the City Development Special Committee Meeting held on 1 May 2018.

#### Committee Resolution

*That the Special Committee confirms the minutes of the City Development Special Committee Meeting held on 1 May 2018.*

Moved: Cr Mia McGregor  
Seconded: Cr Gina Huynh

**CARRIED**

### 6. OFFICER REPORTS

#### 6.1. 94-104 Buckley Street, Footscray

The purpose of this report was to present for consideration a planning application for 94-104 Buckley Street, Footscray (TP334/2017) which has an estimated cost of works of \$24 million and exceeds the preferred height.

Daniel Bowden addressed the Committee in relation to the item.

#### Committee Resolution

*That the City Development Special Committee issue a Notice of Decision to Grant a Permit to Construct a mixed use building comprising, use of the land for shop/retail and alter access to a Road Zone, Category 1 (RDZ1) at 94-104 Buckley Street Footscray subject to conditions contained in Attachment 1.*

Moved: Cr Simon Crawford  
Seconded: Cr Martin Zakharov

**CARRIED**

#### 6.2. 82-96 Hampstead Road Maidstone Development Application

The purpose of this report was to present for consideration a planning application for 82-96 Hampstead Road Maidstone (TP315/2017) which has an estimated cost of works of \$40 million.

Luke O'Grady addressed the Committee in relation to the item.  
Hugh McKenzie addressed the Committee in relation to the item.

## Agenda Item 7.1 - Attachment 2

### Committee Resolution

*That the City Development Special Committee issue a Planning Permit for the construction of multi dwellings on Stage 1 and 2 and variation of the existing easement at 82-96 Hampstead Road, Maidstone subject to conditions contained in Attachment 1.*

Moved: Cr Sarah Carter  
Seconded: Cr Gina Huynh

**CARRIED**

### 6.3. Hansen Reserve Master Plan

The purpose of this report was to seek Council adoption of the Hansen Reserve Master Plan following community feedback on the draft plan.

### Committee Resolution

*That the City Development Special Committee endorse the Hansen Reserve Masterplan 2018.*

Moved: Cr Cuc Lam  
Seconded: Cr Gina Huynh

**CARRIED**

### 6.4. Active Transport Advisory Committee

The purpose of this report was to seek Council endorsement for the establishment of an Active Transport Advisory Committee.

### Committee Resolution

*That the City Development Special Committee:*

- 1. Endorse the Active Transport Advisory Committee Terms of Reference and nominations process.*
- 2. Notes that a further report will be presented to the Ordinary Council meeting to appoint the representatives to the Active Transport Advisory Committee.*
- 3. Notes that a wide range of active transport stakeholders and experts such as Bike Network, Victoria Walks, TAC, VicRoads, Yarra Trams, Metro Trains, Mazzabug, local schools and other interest groups and authorities will be invited to the Committee as required.*

Moved: Cr Simon Crawford  
Seconded: Cr Martin Zakharov

**CARRIED**

## Agenda Item 7.1 - Attachment 2

### 6.5. West Footscray Neighbourhood Draft Plan - Urban Design Framework

The purpose of this report was to seek City Development Special Committee endorsement on the draft West Footscray Neighbourhood Draft Plan and community consultation.

#### Committee Resolution

*That the City Development Special Committee:*

- 1. Endorse the West Footscray Neighbourhood Draft Plan including the draft concept plan for the Clarke Street public space for community consultation.*
- 2. Receive a further report on the consultation outcomes and a revised West Footscray Neighbourhood Plan for consideration.*

Moved: Cr Cuc Lam  
Seconded: Cr Simon Crawford

**CARRIED**

### 7. URGENT BUSINESS

Nil.

### 8. SPECIAL MEETING CLOSURE

The Chair, Cr Catherine Cumming, declared the meeting closed at 7.31pm.

To be confirmed at the City Development Special Committee Meeting  
to be held on 26 June, 2018.

Chair, Cr Catherine Cumming

**Agenda Item 7.2**

**NOTING OF CONFIRMED AUDIT AND RISK COMMITTEE MEETING MINUTES - 24 APRIL 2018**

**Director:** Celia Haddock  
Director Corporate Services

**Author:** Mark Connor  
Manager Finance

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**PURPOSE**

To present for noting the confirmed minutes of the Council's Audit and Risk Committee established under section 139 of the *Local Government Act 1989*.

**ISSUES SUMMARY**

- Council has established an Audit and Risk Committee in accordance with section 139 of the *Local Government Act 1989*.
- The Terms of Reference for the Committee require the minutes to be presented to Council for noting.

**ATTACHMENTS**

1. Audit & Risk Committee Signed Minutes - 24 April 2018 [↓](#)

**OFFICER RECOMMENDATION**

**That Council notes the adopted minutes of Audit and Risk Committee Meeting held on 24 April 2018.**

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**Agenda Item 7.2****BACKGROUND**

In accordance with section 139 of the *Local Government Act 1989*, Council has established an Audit and Risk Committee. As part of the Terms of Reference for this Committee, the confirmed minutes are presented to Council for noting.

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

That Council notes the adopted minutes of the Audit and Risk Committee Meeting held on 24 April 2018.

**2. Council Policy/Legislation****Council Plan 2017-2021**

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021 by considering:

- Strong leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

**Legislation**

Local Government Act 1989

**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**

Not applicable.

**4. Resources**

Not applicable.

**5. Environment**

Not applicable.

**Agenda Item 7.2**

**CONCLUSION**

The confirmed minutes of the Audit and Risk Committee Meeting held on 24 April 2018 established in accordance with section 139 of *the Act* are presented to Council for noting.

## Agenda Item 7.2 - Attachment 1

### AUDIT AND RISK COMMITTEE MEETING MINUTES

4.30pm Tuesday, 24 April 2018

Committee Room 1

#### MEMBERSHIP

##### Councillors:

Cr. Cuc Lam, Mayor Ex-officio  
Cr. Sarah Carter, Deputy Mayor  
Cr. Simon Crawford

##### Independent:

Linda MacRae, Chairperson  
Mark Anderson

##### Staff:

Stephen Wall, CEO  
Celia Haddock, Director Corporate Services  
Clem Gillings, Director Community Services  
Nigel Higgins, Director Planning Services  
Barbara Mitrevski, Acting Director Infrastructure  
Mark Connor, Finance Manager  
Robert Lengyel, Financial Accountant

##### Internal Auditors DFK Kidson:

Rob Wernli & Mark Warren

##### External Auditors:

Nick Walker & Michael Gummery

##### Observer:

Cr. Mia McGregor

## Agenda Item 7.2 - Attachment 1

### 1. Apologies

- Cr. Cuc Lam, Mayor Ex-officio
- Nigel Higgins, Director Planning Services
- Matt Slaven attended in place of Nigel Higgins

### 2. Adoption of Minutes

- The minutes of 20<sup>th</sup> February, 2018 were adopted.

### 3. Declaration of Conflicts of Interest

- N/a

### 4. Audit and Risk Committee Chair Questions

- 4.1. The Chairperson asked the CEO "are there any matters such as breaches of legislation or practices that need to be brought to the attention of the Committee."
  - The CEO responded regarding a confidential fraud investigation
  - The CEO reported that the Ombudsman had completed an investigation and the results are to be tabled in the Victorian Parliament.
- 4.2. The Chairperson asked the Internal Auditor if the work of the Internal Auditor had been obstructed in any way.
  - The Internal Auditor responded that their work had not been obstructed in any way

### 5. Business Arising from Previous Meetings

- The Committee requested an update of the IT Strategy for the next meeting.
- Update the Director of Infrastructure's name in the Business Arising report .

### 6. Audit Reports

#### 6.1. External Audit Strategy

- Nick Walker (representative from HLB Mann Judd, the VAGO contract Auditor) presented the 2017/2018 External Audit Strategy to the April Audit and Risk Committee Meeting. The Committee noted the Strategy and management's advice that the new format "Shell Accounts" are nearly completed.

#### Interim Management Letter

- Nick Walker presented the 2017/2018 Interim Audit Management Letter to the Committee. The Committee noted that there were no new findings in this phase of the audit.

#### 6.2. Internal Audit Program Status Report

- Report noted. GST Review from findings from previous audits is resolved no further internal audit required.

#### 6.3. Future Internal Audit Report

- Capital Planning and Budgeting (commenced)
- Data Analyst Review

**Agenda Item 7.2 - Attachment 1**

**7. General Business**

- 7.1 Update Sundry Debtors and Over 90 Days Outstanding Debtors
  - Report noted.
- 7.2 Update Rate Debtors
  - Report noted.
- 7.3 Asset Management Processes and Procedures
  - Report noted.
- 7.4 Draft Non-Current Asset Accounting Policy
  - Review date to be included.
  - Report noted.
- 7.5 Overdue Annual Leave
  - Report noted.
- 7.6 Third Quarterly Performance and Financial Report - March 2018
  - Report noted.
- 7.7 Consideration of the Proposed 2018/2019 Annual Budget and Strategic Resource Plan Report
  - Report noted.
- 7.8 Actions Arising from Previous Audit's
  - Report noted.
- 7.9 Draft Submission Local Government Bill Exposure Draft
  - Report noted.
- 7.10 Emerging Industry Issues
  - State Government major infrastructure announcements within municipality.

**8. Next Meeting**

- The next meeting of the Audit and Risk Committee will be held at 4.30pm, 26 June 2018.

**Future Meeting Dates**

- 21 August 2018 (Special)
- 11 September 2018
- 20 November 2018

**Meeting Closed:** 5.58pm

**Chairperson:** \_\_\_\_\_



(Linda MacRae)

**Agenda Item 9.1****IN-PRINCIPLE APPROVAL OF THE DRAFT 2017/2018 FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT**

**Director:** Celia Haddock  
Director Corporate Services

**Author:** Mark Connor  
Manager Finance

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**PURPOSE**

To seek in-principle approval for the draft 2017/2018 Financial Statements and Performance Statement (the Statements), and for Council to appoint two Councillors to certify these statements after completion of the review by the Auditor-General.

**ISSUES SUMMARY**

- The *Local Government Act 1989 (the Act)* requires Council to approve, in-principle, the Statements, prior to submission to the Minister for Local Government.
- Council must authorise two Councillors to certify the statements in their final form following any changes required by the Auditor-General.

**ATTACHMENTS**

1. Financial Statements 2017/2018 [↓](#)
2. Performance Statement 2017/2018 [↓](#)

**OFFICER RECOMMENDATION**

**That Council:**

1. **Approves, in-principle, Maribyrnong City Council's 2017/2018 Financial Statements and Performance Statement.**
  2. **Appoints Councillors Carter and Crawford to certify the Financial Statements and Performance Statement in their final form, following any changes recommended, or agreed to, by the Auditor-General.**
-

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

Section 131 of the Act requires Council to prepare an annual report in respect of each financial year.

The annual report must contain the following:

1. A report of Council's operations during the financial year
2. Audited performance statement
3. Audited financial statements
4. A copy of the auditor's report on the performance statement prepared under Section 132 of the Act
5. A copy of the auditor's report on the financial statements under part 3 of the Audit Act 1997.

Council cannot submit its Financial and Performance statements to the Auditor-General and the Minister for Local Government, unless Council has passed a resolution giving in-principle approval.

Council must also authorise two Councillors to certify the statements once amendments or changes requested by the Auditor-General have been made.

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

The Audit and Risk Committee reviewed Council's draft Financial and Performance statements at its meeting held on Tuesday 21 August, 2018 focusing on:

- Accounting policies and practices
- The process used in making significant accounting estimates
- Significant adjustments to the financial report (if any) arising from the audit process
- Compliance with accounting standards and other reporting requirements
- Consideration of the Auditor's closing report to the Audit and Risk Committee and final management letter for the financial year ended 30 June 2018
- Consideration of Local Government Performance Reporting Framework (LGPRF) indicators.

Following this review, the Audit and Risk Committee made the following recommendation to Council:

*"That the Audit and Risk Committee, following consideration of the Draft Financial Statements for the year ended 30 June 2018, recommend to Council that it gives its "in principle agreement" to sign the Financial Statements as presented, subject to the inclusion of non-material and cosmetic changes following the completion of the external auditors review."*

**Agenda Item 9.1**

*“That the Audit and Risk Committee, following consideration of the Draft Performance Statement including LGPRF for the year ended 30 June 2018, recommend to Council that it gives its “in principle agreement” to sign the Performance Statement as presented subject to the inclusion of non-material and cosmetic changes following the completion of the external auditors review.”*

**2. Council Policy/Legislation****Council Plan 2017-2021**

This report contributes to Council’s strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Strong leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

**Legislation**

Council must comply with the following sections of *the Act*.

Section 132(2) states that:

*“The Council, after passing a resolution giving its approval in principle to the performance statement and financial statements, must submit the statements to the auditor for reporting on the audit.”*

Section 132(5) states that:

*“The Council must ensure that the performance statement and financial statements, in their final form after any changes recommended or agreed by the auditor have been made, are certified in accordance with the regulations by—*

- a. 2 Councillors authorised by the Council for the purposes of this subsection;*  
*and*
- b. Any other prescribed persons.”*

**Conflicts of Interest**

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

**Human Rights Consideration**

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

**Agenda Item 9.1**

**3. Engagement**

Not applicable.

**4. Resources**

Financial implications are outlined in the financial statements.

**5. Environment**

Not applicable.

**CONCLUSION**

The 2017/2018 Draft Financial Statements and Draft Performance Statement including LGPRF Indicators are presented for Council's consideration.



**ANNUAL FINANCIAL REPORT  
for the Year Ended 30 June 2018**

## Agenda Item 9.1 - Attachment 1

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**Certification of the Financial Statements**

In my opinion the accompanying financial statements have been prepared in accordance with the *Local Government Act 1989, the Local Government (Planning and Reporting) Regulations 2014*, Australian Accounting Standards and other mandatory professional reporting requirements.

**Mark Connor (MIPA)**

Principal Accounting Officer  
11 September 2018  
Footscray

In our opinion the accompanying financial statements present fairly the financial transactions of Maribyrnong City Council for the year ended 30 June 2018 and the financial position of the Council as at that date.

As at the date of signing, we are not aware of any circumstances which would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2014* to certify the financial statements in their final form.

**Simon Crawford**

Councillor  
11 September 2018  
Footscray

**Sarah Carter**

Councillor  
11 September 2018  
Footscray

**Stephen Wall**

Chief Executive Officer  
11 September 2018  
Footscray

## Agenda Item 9.1 - Attachment 1

### Comprehensive Income Statement for the Year Ended 30 June 2018

	Note	2018 \$'000	2017 \$'000
<b>Income</b>			
Rates and charges	2.1	96,335	92,789
Statutory fees and fines	2.2	13,868	12,742
User fees	2.3	10,578	10,577
Grants – operating	2.4	8,422	9,674
Grants – capital	2.4	3,026	1,887
Contributions - monetary	2.5	3,688	3,790
Contributions - non monetary	2.5	268	228
Other income	2.7	3,305	8,408
<b>Total income</b>		<b>139,490</b>	<b>140,095</b>
<b>Expenses</b>			
Employee costs	3.1	52,781	51,554
Materials and services	3.2	49,298	48,870
Depreciation and amortisation	3.3	18,581	17,902
Bad and doubtful debts	3.4	1,900	525
Borrowing costs	3.5	-	144
Net loss on disposal of property, infrastructure, plant and equipment	2.6	1,066	3,721
Other expenses	3.6	1,414	1,822
<b>Total expenses</b>		<b>125,040</b>	<b>124,538</b>
<b>Surplus/(deficit) for the year</b>		<b>14,450</b>	<b>15,557</b>
<b>Other comprehensive income</b>			
Items that will not be reclassified to surplus or deficit in future periods			
Net asset revaluation increment/(decrement)	5.1	157,265	31,083
<b>Total comprehensive result</b>		<b>171,715</b>	<b>46,640</b>

The above comprehensive income statement should be read in conjunction with the accompanying notes.

## Agenda Item 9.1 - Attachment 1

### Balance Sheet as at 30 June 2018

	Note	2018 \$'000	Restated 2017 \$'000	Restated 2016 \$'000
<b>Assets</b>				
<b>Current assets</b>				
Cash and cash equivalents	4.1	71,922	17,746	32,349
Other financial assets	4.1	18,000	54,000	32,000
Trade and other receivables	4.1	12,798	10,664	10,643
Inventories	4.2	6	8	11
Other assets	4.2	1,006	1,607	1,316
<b>Total current assets</b>		<b>103,732</b>	<b>84,025</b>	<b>76,319</b>
<b>Non-current assets</b>				
Trade and other receivables	4.1	177	164	165
Property, infrastructure, plant and equipment	5.1	1,254,446	1,104,277	1,064,239
<b>Total non-current assets</b>		<b>1,254,623</b>	<b>1,104,441</b>	<b>1,064,404</b>
<b>Total assets</b>		<b>1,358,355</b>	<b>1,188,466</b>	<b>1,140,723</b>
<b>Liabilities</b>				
<b>Current liabilities</b>				
Trade and other payables	4.3	8,429	10,735	6,860
Trust funds and deposits	4.3	3,382	3,092	3,277
Provisions	4.4	13,586	13,428	13,308
Interest-bearing liabilities		-	-	2,673
<b>Total current liabilities</b>		<b>25,397</b>	<b>27,255</b>	<b>26,118</b>
<b>Non-current liabilities</b>				
Provisions	4.4	991	959	993
<b>Total non-current liabilities</b>		<b>991</b>	<b>959</b>	<b>993</b>
<b>Total liabilities</b>		<b>26,388</b>	<b>28,214</b>	<b>27,111</b>
<b>Net assets</b>		<b>1,331,967</b>	<b>1,160,252</b>	<b>1,113,612</b>
<b>Equity</b>				
Accumulated surplus		374,185	381,001	367,249
Reserves	8.1	957,782	779,251	746,363
<b>Total Equity</b>		<b>1,331,967</b>	<b>1,160,252</b>	<b>1,113,612</b>

The above balance sheet should be read in conjunction with the accompanying notes.

**Agenda Item 9.1 - Attachment 1**

**Statement of Changes in Equity  
for the Year Ended 30 June 2018**

	Note	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
<b>2018</b>					
Balance at beginning of the financial year		1,160,252	381,001	734,079	45,172
Surplus for the year		14,450	14,450	-	-
Net asset revaluation increment		157,265	-	157,265	-
Transfers to other reserves		-	(39,429)	-	39,429
Transfers from other reserves		-	18,163	-	(18,163)
<b>Balance at end of the financial year</b>	8.1	<b>1,331,967</b>	<b>374,185</b>	<b>891,344</b>	<b>66,438</b>
<b>2017</b>					
<b>Restated</b>					
Balance at beginning of the financial year		1,113,612	367,249	702,996	43,367
Surplus for the year		15,557	15,557	-	-
Net asset revaluation increment		31,083	-	31,083	-
Transfers to other reserves		-	(31,145)	-	31,145
Transfers from other reserves		-	29,340	-	(29,340)
<b>Balance at end of the financial year</b>	8.1	<b>1,160,252</b>	<b>381,001</b>	<b>734,079</b>	<b>45,172</b>
<b>Previously reported balance as at 01/07/2016</b>		1,080,240	324,664	712,209	43,367
<b>Correction of error</b>	8.4	33,372	42,585	(9,213)	-
<b>Restated balance as at 01/07/2016</b>		<b>1,113,612</b>	<b>367,249</b>	<b>702,996</b>	<b>43,367</b>
<b>Previously reported balance as at 01/07/2017</b>		1,126,880	338,416	743,292	45,172
<b>Correction of error</b>	8.4	33,372	42,585	(9,213)	-
<b>Restated balance as at 01/07/2017</b>		<b>1,160,252</b>	<b>381,001</b>	<b>734,079</b>	<b>45,172</b>

The above statement of changes in equity should be read in conjunction with the accompanying notes.

**Agenda Item 9.1 - Attachment 1**

**Statement of Cash Flows  
for the Year Ended 30 June 2018**

		<b>2018</b>	<b>2017</b>
		<b>Inflows/ (Outflows)</b>	<b>Inflows/ (Outflows)</b>
	<b>Note</b>	<b>\$'000</b>	<b>\$'000</b>
<b>Cash flows from operating activities</b>			
Rates and charges		95,779	92,976
Statutory fees and fines		11,250	11,725
User fees		11,241	11,598
Grants - operating		8,422	9,674
Grants - capital		3,026	1,887
Contributions - monetary		3,688	3,790
Interest received		2,154	1,880
Trust funds and deposits taken		3,811	2,375
Other receipts		1,418	1,136
Net GST refund		5,623	6,526
Employee costs		(52,563)	(51,958)
Materials and services		(56,713)	(49,507)
Trust funds and deposits repaid		(3,521)	(2,560)
Other payments		(1,414)	(1,822)
<b>Net cash provided by/(used in) operating activities</b>	<b>8.2</b>	<b>32,201</b>	<b>37,720</b>
<b>Cash flows from investing activities</b>			
Payments for property, infrastructure, plant and equipment	5.1	(18,153)	(28,507)
Proceeds from sale of property, infrastructure, plant and equipment		4,128	1,001
Payments for investments		(23,000)	(36,000)
Proceeds from sale of investments		59,000	14,000
<b>Net cash provided by/(used in) investing activities</b>		<b>21,975</b>	<b>(49,506)</b>
<b>Cash flows from financing activities</b>			
Finance costs		-	(144)
Repayment of borrowings		-	(2,673)
<b>Net cash provided by/(used in) financing activities</b>		<b>-</b>	<b>(2,817)</b>
Net increase (decrease) in cash and cash equivalents		54,176	(14,603)
Cash and cash equivalents at the beginning of the financial year		17,746	32,349
<b>Cash and cash equivalents at the end of the financial year</b>		<b>71,922</b>	<b>17,746</b>
Financing arrangements	4.5		
Restrictions on cash assets	4.1		

The above statement of cash flow should be read in conjunction with the accompanying notes.

## Agenda Item 9.1 - Attachment 1

### Statement of Capital Works for the Year Ended 30 June 2018

	Note	2018 \$'000	2017 \$'000
<b>Property</b>			
Buildings		1,902	9,587
Works in progress		1,875	936
<b>Total buildings</b>		<b>3,777</b>	<b>10,523</b>
<b>Total property</b>		<b>3,777</b>	<b>10,523</b>
<b>Plant and equipment</b>			
Plant, machinery and equipment		1,245	1,321
Computers and telecommunications		993	766
Library books		884	481
Works in progress		19	155
<b>Total plant and equipment</b>		<b>3,141</b>	<b>2,723</b>
<b>Infrastructure</b>			
Roads		2,534	2,664
Footpaths and cycleways		975	3,221
Drainage		1,446	1,172
Recreational, leisure and community facilities		1,104	524
Waste management		151	-
Parks, open space and streetscapes		122	1,433
Off street car parks		199	388
Other infrastructure		-	506
Works in progress		5,032	5,353
<b>Total infrastructure</b>		<b>11,563</b>	<b>15,261</b>
<b>Total capital works expenditure</b>		<b>18,481</b>	<b>28,507</b>
<b>Represented by:</b>			
New asset expenditure		1,017	8,695
Asset renewal expenditure		10,411	12,018
Asset upgrade expenditure		127	1,350
Works in progress		6,926	6,444
<b>Total capital works expenditure</b>		<b>18,481</b>	<b>28,507</b>

The above statement of capital works should be read in conjunction with the accompanying notes.

## Agenda Item 9.1 - Attachment 1

### OVERVIEW

#### Introduction

Maribyrnong City Council was established by an Order of the Governor in Council on 15 December 1994 and is a body corporate. The Council's main office is located at 61 Napier Street Footscray.

#### Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with the *Australian Accounting Standards (AAS)*, other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 1989*, and the *Local Government (Planning and Reporting) Regulations 2014*.

#### Significant accounting policies

##### Basis of accounting

- (a) The accrual basis of accounting has been used in the preparation of these financial statements, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of AAS's that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 5.1)
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 5.1)
- the determination of employee provisions (refer to Note 4.4)

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation, and disclosure has been made of any material changes to comparatives.

## Agenda Item 9.1 - Attachment 1

### Note 1 Performance against budget

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2014* requires explanation of any material variances. Council has adopted a materiality threshold of the lower of 10 percent or \$2.5M where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

The budget figures detailed below are those adopted by Council on 20 June 2017. The Budget was based on assumptions that were relevant at the time of adoption of the Budget. Council sets guidelines and parameters for income and expense targets in this budget in order to meet Council's planning and financial performance targets for both the short and long-term. The budget did not reflect any changes to equity resulting from asset revaluations, as their impacts were not considered predictable.

These notes are prepared to meet the requirements of the *Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014*.

### 1.1 Income and expenditure

#### Income and expenditure

	Budget 2018 \$'000	Actual 2018 \$'000	Variance 2018 \$'000	Ref
<b>Income</b>				
Rates and charges	95,944	96,335	391	
Statutory fees and fines	14,090	13,868	(222)	
User fees	12,305	10,578	(1,727)	1
Grants - operating	7,818	8,422	604	
Grants - capital	1,046	3,026	1,980	2
Contributions - monetary	-	3,688	3,688	3
Contributions - non monetary	-	268	268	4
Net gain on disposal of property, infrastructure, plant and equipment	951	-	(951)	5
Other income	1,792	3,305	1,513	6
<b>Total income</b>	<b>133,946</b>	<b>139,490</b>	<b>5,544</b>	
<b>Expenses</b>				
Employee costs	56,284	52,781	3,503	7
Materials and services	49,651	49,298	353	
Bad and doubtful debts	2,417	1,900	517	8
Depreciation and amortisation	17,241	18,581	(1,340)	
Net loss on disposal of property, infrastructure, plant and equipment	-	1,066	(1,066)	5
Other expenses	1,653	1,414	239	9
<b>Total expenses</b>	<b>127,246</b>	<b>125,040</b>	<b>2,206</b>	
<b>Surplus/(deficit) for the year</b>	<b>6,700</b>	<b>14,450</b>	<b>7,750</b>	

## Agenda Item 9.1 - Attachment 1

### Note 1 Performance against budget (cont'd)

#### (i) Explanation of material variations

Ref	Item	Variance Explanation
1	User fees	A delay in activation of parking ticket machines budgeted to start in January 2018, and other actuals related to long term facility hire were allocated to other income.
2	Grants - capital	Additional non-recurrent grants received in advance (major road infrastructure grant, community sports infrastructure and living heritage program).
3	Contributions - monetary	Contributions received during the year for Open Space & Developer Contributions were not budgeted in 2017/18 but have been included in 2018/19 budget.
4	Contributions - non monetary	Contributed Infrastructure asset transferred to Council resulting from new development not budgeted.
5	Net loss on disposal of property, infrastructure, plant and equipment	Net Loss is due to replacement of infrastructure asset (roads and footpaths).
6	Other income	Additional interest income on investments, other increase is due to WorkCover recovery, budget under user fees for long term facility hire.
7	Employee costs	Savings in WorkCover insurance premium, employee provisions, and vacant positions.
8	Bad and doubtful debts	Increase in infringement revenue. Department of Justice and Regulation have established Fines Victoria as a single central point, payment methods have been affected.
9	Other expenses	Carry forward waste bin audit to 18-19 financial year.

## Agenda Item 9.1 - Attachment 1

### Note 1 Performance against budget (cont'd)

#### 1.2 Capital works

	Budget 2018 \$'000	Actual 2018 \$'000	Variance 2018 \$'000	Ref
<b>Property</b>				
Land	1,250	-	(1,250)	1
<b>Total Land</b>	1,250	-	(1,250)	
Buildings	15,965	1,902	(14,063)	2
Works in progress	-	1,875	1,875	3
<b>Total Buildings</b>	15,965	3,777	(12,188)	
<b>Total Property</b>	17,215	3,777	(13,438)	
<b>Plant and Equipment</b>				
Plant, machinery and equipment	1,705	1,245	(460)	4
Computers and telecommunications	1,360	993	(367)	5
Library books	850	884	34	
Works in progress	-	19	19	3
<b>Total Plant and Equipment</b>	3,915	3,141	(774)	
<b>Infrastructure</b>				
Roads	11,880	2,534	(9,346)	6
Bridges	180	-	(180)	7
Footpaths and cycleways	2,920	975	(1,945)	8
Drainage	480	1,446	966	9
Recreational, leisure and community facilities	-	1,104	1,104	10
Waste management	350	151	(199)	11
Parks, open space and streetscapes	5,671	122	(5,549)	12
Off street car parks	400	199	(201)	13
Other infrastructure	678	-	(678)	14
Works in progress	-	5,032	5,032	3
<b>Total Infrastructure</b>	22,559	11,563	(10,996)	
<b>Total Capital Works Expenditure</b>	43,689	18,481	(25,208)	
<b>Represented by:</b>				
New asset expenditure	14,951	1,017	(13,934)	
Asset renewal expenditure	21,961	10,411	(11,550)	
Asset expansion expenditure	120	-	(120)	
Asset upgrade expenditure	6,657	127	(6,530)	
Works in progress	-	6,926	6,926	
<b>Total Capital Works Expenditure</b>	43,689	18,481	(25,208)	

## Agenda Item 9.1 - Attachment 1

### Note 1 Performance against budget (cont'd)

#### (i) Explanation of material variations

Ref	Item	Variance Explanation
1	Land	Quarry park remediation work was not completed and carried forward to next year. Contamination works completed during the year have not been capitalised (expensed).
2	Buildings	Strategic Site purchase has not commenced, while other major building projects (Town hall Precinct, Recwest, Kingsville Tennis Pavilion & Church St) have commenced but not completed this year are included as part of work in progress (WIP).
3	Works in progress	WIP are not budgeted as a separate line item but included in the asset class.
4	Plant, machinery and equipment	Monitoring costs for parking sensors is expensed, no additional ticket machines were purchased during the year.
5	Computers and telecommunications	The non-asset related costs were expensed (Licensing & Consulting costs).
6	Roads	A number of projects were not finished this year. Some projects were deferred due to major utility works and others have been carried forward to next year. Drainage works were budgeted as part of the road reconstruction program. Other projects commenced this year and not completed forms part of the WIP.
7	Bridges	Pipemakers park pedestrian bridge started which is included as part of WIP, but not completed this financial year. Bridge renewal program is carried forward.
8	Footpaths and cycleways	Medway link bicycle network upgrade commenced but not completed this financial year and carried forward to next year. Footpath improvement program started included as part of WIP, while balance is carried forward to next year.
9	Drainage	Drainage capitalisation was budgeted as part of the road reconstruction program.
10	Recreational, leisure and community facilities	Playgrounds were budgeted under parks, open space and streetscapes. Skinner reserve airplane playground completed this financial year.
11	Waste management	Repairs & maintenance were expensed while unspent allocations were carried forward to next year.
12	Parks, open space and streetscapes	Works to be completed for Footscray Park, Hopkins St, Maribyrnong river edge & Quarry park. Playground actuals are included in recreational, leisure and community facilities. Current year's costs are in WIP. Other projects have been carried forward and are due to be completed next year.
13	Off street car parks	Hanmer reserve car park is not going ahead due to Westgate tunnel and Pennell reserve car park not going ahead due to master plan to be completed. Bailey reserve car park completed.
14	Other infrastructure	Riverside Wharf/pontoon started included as part of WIP, while balance is carried forward. Savings allocated to complete the public toilet strategy implementation next year.

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### Note 2 Funding for the delivery of our services

	2018 \$'000	2017 \$'000
<b>2.1 Rates and charges</b>		
Council uses Net Annual Value (NAV) as the basis of valuation of all properties within the municipal district. The NAV of a property is its value of the rent at which the land might reasonably be expected to return.		
The valuation base used to calculate general rates for 2017/18 was \$1,439,821,752 million (2016/17 \$1,404,861 million). The 2017/18 rate in the NAV dollar was 6.582197 (2016/17, 6.453134).		
General Rates	94,129	90,034
Waste management charge - additional bins	894	774
Supplementary rates and rate adjustments	987	1,668
Interest on rates and charges	325	313
<b>Total rates and charges</b>	<b>96,335</b>	<b>92,789</b>

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2016, and the valuation was applied in the rating year commencing 1 July 2016/17. Annual rates and charges are recognised as revenues when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

<b>2.2 Statutory fees and fines</b>		
Infringements and costs	8,134	6,923
Court recoveries	2,498	2,566
Town planning fees	1,347	1,235
Land information certificates	87	88
Permits	1,617	1,738
Other statutory fees	185	192
<b>Total statutory fees and fines</b>	<b>13,868</b>	<b>12,742</b>

Statutory fees and fines (including parking fees and fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

<b>2.3 User fees</b>		
Aged and health services	624	665
Leisure centre and recreation	4,707	4,548
Parking	2,014	1,901
Registration and other permits	517	488
Building services	503	337
Waste management services	15	15
Other fees and charges	2,198	2,623
<b>Total user fees</b>	<b>10,578</b>	<b>10,577</b>

User fees are recognised as revenue when the service has been provided or council has otherwise earned the income.

<b>2.4 Funding from other levels of government</b>		
Grants were received in respect of the following :		
<b>Summary of grants</b>		
Commonwealth funded grants	5,804	7,248
State funded grants	5,644	4,313

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	2018 \$'000	2017 \$'000
<b>Total grants received</b>	<b>11,448</b>	<b>11,561</b>
<b>Funding from other levels of government (cont.)</b>		
<b>(a) Operating Grants</b>		
<i><b>Recurrent - Commonwealth Government</b></i>		
Financial Assistance Grants - general purpose	2,367	3,417
Health Support Programs	2,431	2,328
Other	-	161
<i><b>Recurrent - State Government</b></i>		
Aged care	1,226	1,044
School crossing supervisors	215	147
Libraries	573	558
Maternal and child health	1,058	1,059
Community safety & health	227	218
Other	89	104
<b>Total recurrent operating grants</b>	<b>8,186</b>	<b>9,036</b>
<i><b>Non-recurrent - Commonwealth Government</b></i>		
Other	-	33
<i><b>Non-recurrent - State Government</b></i>		
Community safety & health	110	126
Art Festivals	15	107
Myer Foundation - Sustainability and Environment		
Capacity Building Grant	-	100
SSIP Project	-	171
Recyclable Collection	75	-
Other	36	101
<b>Total non-recurrent operating grants</b>	<b>236</b>	<b>638</b>
<b>Total operating grants</b>	<b>8,422</b>	<b>9,674</b>
<b>(b) Capital Grants</b>		
<i><b>Recurrent - Commonwealth Government</b></i>		
Roads to recovery	463	535
Financial Assistance Grants - local roads	543	774
<b>Total recurrent capital grants</b>	<b>1,006</b>	<b>1,309</b>
<i><b>Non-recurrent - State Government</b></i>		
Community Road Infrastructure	1,000	-
Community Infrastructure	840	231
Living Heritage Grant	180	-
Other	-	347
<b>Total non-recurrent capital grants</b>	<b>2,020</b>	<b>578</b>
<b>Total capital grants</b>	<b>3,026</b>	<b>1,887</b>
<b>(c) Unspent grants received on condition that they be spent in a specific manner</b>		
Balance at start of year	2,311	578
Received during the financial year and remained unspent at balance date	3,767	2,311
Received in prior years and spent during the financial year	(2,311)	(578)
<b>Balance at year end</b>	<b>3,767</b>	<b>2,311</b>

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2018	2017
\$'000	\$'000

Grant income is recognised when Council obtains control of the contribution. Control is normally obtained upon receipt (or acquittal) or upon earlier notification that a grant has been secured.

### 2.5 Contributions

Monetary	3,688	3,790
Non-monetary	268	228
<b>Total contributions</b>	<b>3,956</b>	<b>4,018</b>

Contributions of non-monetary assets were received in relation to the following asset classes.

Land under roads	35	-
Other infrastructure	233	228
<b>Total non-monetary contributions</b>	<b>268</b>	<b>228</b>

Monetary and non-monetary contributions are recognised as revenue when Council obtains control over the contributed asset.

### 2.6 Net (loss) on disposal of property, infrastructure, plant and equipment

Proceeds of sale	4,128	1,001
Written down value of assets disposed (excluding WIP)	(5,194)	(4,722)
<b>Total net (loss) on disposal of property, infrastructure, plant and equipment</b>	<b>(1,066)</b>	<b>(3,721)</b>

The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer.

### 2.7 Other income

Interest	1,887	1,690
Other rent	373	154
Found assets	-	5,582
Other	1,045	982
<b>Total other income</b>	<b>3,305</b>	<b>8,408</b>

Interest is recognised as it is earned.

Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.

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### Note 3 The cost of delivering services

	2018 \$'000	2017 \$'000
<b>3.1 Employee costs</b>		
Wages and salaries	46,640	45,310
WorkCover	927	1,026
Superannuation	4,209	4,163
Fringe benefits tax	275	305
Other	730	750
<b>Total employee costs</b>	<b>52,781</b>	<b>51,554</b>

#### (b) Superannuation

Council made contributions to the following funds:

#### Defined benefit fund

Employer contributions to Local Authorities Superannuation Fund (Vision Super)

389	397
<b>389</b>	<b>397</b>

#### Accumulation funds

Employer contributions to Local Authorities Superannuation Fund (Vision Super)  
Employer contributions - other funds

2,824	2,999
1,004	771
<b>3,828</b>	<b>3,770</b>

Refer to note 8.3 for further information relating to Council's superannuation obligations.

### 3.2 Materials and services

Contract payments	27,986	29,578
Building maintenance	2,674	2,436
General maintenance	133	131
Consultants	1,340	879
Office administration	3,542	3,293
Utilities	2,602	2,177
Information technology	2,899	2,670
Insurance	982	918
Community grants	1,013	955
Debt recovery infringement costs	1,801	1,861
Tipping and refuse collections	4,326	3,972
<b>Total materials and services</b>	<b>49,298</b>	<b>48,870</b>

### 3.3 Depreciation and amortisation

Property	3,117	3,030
Plant and equipment	5,353	5,029
Infrastructure	10,111	9,843
<b>Total depreciation</b>	<b>18,581</b>	<b>17,902</b>
<b>Total depreciation and amortisation</b>	<b>18,581</b>	<b>17,902</b>

Refer to note 5.1 for a more detailed breakdown of depreciation and amortisation charges and accounting policy.

### 3.4 Bad and doubtful debts

Parking fine debtors	1,900	525
<b>Total bad and doubtful debts</b>	<b>1,900</b>	<b>525</b>

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	2018 \$'000	2017 \$'000
<b>3.5 Borrowing costs</b>		
Interest - Borrowings	-	144
<b>Total borrowing costs</b>	<b>-</b>	<b>144</b>

Borrowing costs are recognised as an expense in the period in which they are incurred, except where they are capitalised as part of a qualifying asset constructed by Council.

<b>3.6 Other expenses</b>		
Auditors' remuneration - VAGO - audit of the financial statements, performance statement and grant acquittals	70	50
Auditors' remuneration - Internal	174	167
Councillors' allowances	250	231
Operating lease rentals	904	1,009
Others	16	365
<b>Total other expenses</b>	<b>1,414</b>	<b>1,822</b>

### Note 4 Our financial position

	2018 \$'000	2017 \$'000	2016 \$'000
<b>4.1 Financial assets</b>			
<b>(a) Cash and cash equivalents</b>			
Cash on hand	10	10	11
Cash at bank	412	236	3,338
Term deposits	71,500	17,500	29,000
<b>Total cash and cash equivalents</b>	<b>71,922</b>	<b>17,746</b>	<b>32,349</b>
<b>(b) Other financial assets</b>			
Term deposits at amortized cost - current	18,000	54,000	32,000
<b>Total other financial assets</b>	<b>18,000</b>	<b>54,000</b>	<b>32,000</b>
<b>Total financial assets</b>	<b>89,922</b>	<b>71,746</b>	<b>64,349</b>

Council's cash and cash equivalents are subject to external restrictions that limit amounts available for discretionary use. These include:

• Trust funds and deposits (Note 4.3)	3,382	3,092	3,277
• Developer contributions (Note 8.1)	1,971	1,930	2,871
<b>Total restricted funds</b>	<b>5,353</b>	<b>5,022</b>	<b>6,148</b>
<b>Total unrestricted cash and cash equivalents</b>	<b>66,569</b>	<b>12,724</b>	<b>26,201</b>

### Intended allocations

Although not externally restricted the following amounts have been allocated for specific future purposes by Council:

• Cash held to fund carried forward and future capital works (Note 8.1)	49,891	32,734	34,485
• Grants received in advance (Note 8.1)	3,767	2,311	578
• Mausoleum trust (Note 8.1)	574	574	574
• Open space contributions (Note 8.1)	10,235	7,623	4,859

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	2018 \$'000	2017 \$'000	2016 \$'000
• Long service leave liability (Note 4.4)	9,129	8,875	8,680
• Annual leave liability (Note 4.4)	4,645	4,662	4,767
• Gratuity liability (Note 4.4)	803	850	854
<b>Total funds subject to intended allocations</b>	<b>79,044</b>	<b>57,629</b>	<b>54,797</b>

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of 90 days or less, net of outstanding bank overdrafts.

Other financial assets are valued at fair value, at balance date. Term deposits are measured at original cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

#### (c) Trade and other receivables

##### Current

##### *Statutory receivables*

Rates debtors	3,977	3,434	3,933
Infringement debtors	16,353	13,736	12,719
Provision for doubtful debts -infringements	(10,799)	(8,900)	(8,375)
Net GST receivable	1,404	1,408	1,404

##### *Non-statutory receivables*

Other debtors	1,863	986	962
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<b>Total current trade and other receivables</b>	<b>12,798</b>	<b>10,664</b>	<b>10,643</b>
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##### Non-current

##### *Statutory receivables*

Deferred rates debtors	177	164	165
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<b>Total non-current trade and other receivables</b>	<b>177</b>	<b>164</b>	<b>165</b>
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##### receivables

<b>Total trade and other receivables</b>	<b>12,975</b>	<b>10,828</b>	<b>10,808</b>
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Short term receivables are carried at invoice amount. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred. Long term receivables are carried at amortised cost using the effective interest rate method.

#### (a) Ageing of Receivables

The ageing of the Council's trade & other receivables (excluding statutory receivables) that are not impaired was:

Current (not yet due)	1,766	789	238
Past due by up to 30 days	21	55	489
Past due between 31 and 180 days	15	-	10
Past due between 181 and 365 days	39	115	-
Past due by more than 1 year	22	27	225
<b>Total trade &amp; other receivables</b>	<b>1,863</b>	<b>986</b>	<b>962</b>

#### 4.2 Non-financial assets

##### (a) Inventories

Inventories held for sale – at cost	6	8	11
<b>Total inventories</b>	<b>6</b>	<b>8</b>	<b>11</b>

Inventories held are measured at the lower of cost and net realisable value.

##### (b) Other assets

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	<b>2018</b>	<b>2017</b>	<b>2016</b>
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
Prepayments	774	1,108	940
Accrued income	232	499	376
<b>Total other assets</b>	<b>1,006</b>	<b>1,607</b>	<b>1,316</b>

**4.3 Payables**

**(a) Trade and other payables**

Trade payables	6,528	8,424	4,695
Accrued expenses	1,901	2,311	2,165
<b>Total trade and other payables</b>	<b>8,429</b>	<b>10,735</b>	<b>6,860</b>

**(b) Trust funds and deposits**

Refundable deposits	2,148	1,839	1,954
Fire services levy	781	773	871
Retention amounts	138	151	151
Other refundable deposits	315	329	301
<b>Total trust funds and deposits</b>	<b>3,382</b>	<b>3,092</b>	<b>3,277</b>

Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in council gaining control of the funds, are to be recognised as revenue at the time of forfeit.

*Purpose and nature of items*

Refundable deposits - Deposits are taken by council as a form of surety in a number of circumstances, including in relation to building works, tender deposits, contract deposits and the use of civic facilities.

Fire Service Levy - Council is the collection agent for fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the state government in line with that process.

Retention Amounts - Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

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	Employee \$'000		
<b>4.4 Provisions</b>			
<b>2018</b>			
Balance at beginning of the financial year			14,387
Additional provisions			5,057
Amounts used			(4,856)
Change in the discounted amount arising because of time and the effect of any change in the discount rate			(11)
<b>Balance at the end of the financial year</b>			<b>14,577</b>
<b>2017</b>			
Balance at beginning of the financial year			14,301
Additional provisions			4,497
Amounts used			(4,249)
Change in the discounted amount arising because of time and the effect of any change in the discount rate			(162)
<b>Balance at the end of the financial year</b>			<b>14,387</b>
	<b>2018</b>	<b>2017</b>	<b>2016</b>
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
<b>(a) Employee provisions</b>			
<b>Current provisions expected to be wholly settled within 12 months</b>			
Annual leave	3,343	3,295	3,366
Retirement gratuity	48	46	50
Long service leave	1,070	1,021	955
	<b>4,461</b>	<b>4,362</b>	<b>4,371</b>
<b>Current provisions expected to be wholly settled after 12 months</b>			
Annual leave	1,302	1,367	1,401
Retirement gratuity	755	804	804
Long service leave	7,068	6,895	6,732
	<b>9,125</b>	<b>9,066</b>	<b>8,937</b>
<b>Total current employee provisions</b>	<b>13,586</b>	<b>13,428</b>	<b>13,308</b>
<b>Non-current</b>			
Long service leave	991	959	993
<b>Total non-current employee provisions</b>	<b>991</b>	<b>959</b>	<b>993</b>
Aggregate carrying amount of employee provisions:			
Current	13,586	13,428	13,308
Non-current	991	959	993
<b>Total aggregate carrying amount of employee provisions</b>	<b>14,577</b>	<b>14,387</b>	<b>14,301</b>

The calculation of employee costs and benefits includes all relevant on-costs and are calculated as follows at reporting date.

### *Wages and salaries and annual leave*

Liabilities for wages and salaries, including non-monetary benefits, annual leave and accumulated sick leave expected to be wholly settled within 12 months of the reporting date are recognised in the provision

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for employee benefits in respect of employee services up to the reporting date, classified as current liabilities and measured at their nominal values.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as current liabilities, measured at the present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

### *Long service leave*

Liability for long service leave (LSL) is recognised in the provision for employee benefits. LSL is measured at present value. Unconditional LSL is disclosed as a current liability. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non - current liability.

	2018 \$'000	2017 \$'000
Key assumptions:		
• discount rate	2.65%	2.61%
• inflation rate	2.50%	2.50%
• settlement rate	16 yrs	16 yrs

### 4.5 Financing arrangements

The Council has the following funding arrangements in place as at 30 June.

Bank overdraft	200	200
Business card facilities	150	150
<b>Total facilities</b>	<b>350</b>	<b>350</b>
Used facilities		
Bank overdraft	-	-
Business card facilities	(35)	(39)
<b>Total used facilities</b>	<b>(35)</b>	<b>(39)</b>
<b>Unused facilities</b>	<b>315</b>	<b>311</b>

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**4.6 Commitments**

The Council has entered into the following commitments. Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value and presented inclusive of the GST payable.

	Not later than 1 year \$'000	Later than 1 year and not later than 2 years \$'000	Later than 2 years and not later than 5 years \$'000	Later than 5 years \$'000	Total \$'000
<b>2018</b>					
<b>Operating</b>					
Cleaning contracts for council buildings	1,038	686	1,670	-	3,394
Tree Maintenance	862	-	-	-	862
Courier Services	18	-	-	-	18
IT Services	644	216	71	-	931
Co-generation	91	91	272	234	688
Operations & maintenance of Footscray Cemetery	237	-	-	-	237
Library management system	72	24	-	-	96
Hardware rentals	223	95	75	-	393
Consultancies	957	130	76	-	1,163
Other	82	68	32	-	182
<b>Total</b>	<b>4,224</b>	<b>1,310</b>	<b>2,196</b>	<b>234</b>	<b>7,964</b>
<b>Capital</b>					
Buildings	5,800	1,651	-	-	7,451
Plant & equipment	1,303	263	353	-	1,919
Roads	211	-	-	-	211
Street trees	616	-	-	-	616
<b>Total</b>	<b>7,930</b>	<b>1,914</b>	<b>353</b>	<b>-</b>	<b>10,197</b>

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	Not later than 1 year \$'000	Later than 1 year and not later than 2 years \$'000	Later than 2 years and not later than 5 years \$'000	Later than 5 years \$'000	Total \$'000
<b>2017</b>					
<b>Operating</b>					
Cleaning contracts for council buildings	320	-	-	-	320
Tree Maintenance	926	-	-	-	926
Courier Services	47	16	-	-	63
IT Services	830	367	2	-	1,199
Co-generation	82	82	248	296	708
Operations & maintenance of Footscray Cemetery	258	215	-	-	473
Library management system	36	6	-	-	42
Hardware rentals	95	90	154	-	339
Consultancies	325	157	9	-	491
Other	38	16	-	-	54
<b>Total</b>	<b>2,957</b>	<b>949</b>	<b>413</b>	<b>296</b>	<b>4,615</b>
<b>Capital</b>					
Buildings	203	39	-	-	242
Plant & equipment	263	157	316	-	736
Street trees	579	560	-	-	1,139
<b>Total</b>	<b>1,045</b>	<b>756</b>	<b>316</b>	<b>-</b>	<b>2,117</b>

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	2018	2017
	\$'000	\$'000

### *Operating lease commitments*

At the reporting date, the Council had the following obligations under non-cancellable operating leases for the lease of equipment and land and buildings for use within Council's activities (these obligations are not recognised as liabilities):

Not later than one year	998	1,029
Later than one year and not later than five years	3,446	3,411
Later than five years	7,160	6,897
	<b>11,604</b>	<b>11,337</b>

Lease payments for operating leases are required by the accounting standard to be recognised on a straight line basis, rather than expensed in the years in which they are incurred.

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**Note 5 Assets we manage**

**5.1 Property, infrastructure, plant and equipment**  
**Summary of property, infrastructure, plant and equipment**

	At Fair Value 30 June 2017 - restated \$'000	Additions \$'000	Contributions \$'000	Revaluation \$'000	Depreciation \$'000	Disposal \$'000	Transfers \$'000	At Fair Value 30 June 2018 \$'000
Property	737,098	1,902	35	157,265	(3,117)	(3,855)	131	889,459
Plant and equipment	9,165	3,122	-	-	(5,353)	(332)	-	6,602
Infrastructure	350,013	6,531	233	-	(10,111)	(1,007)	2,870	348,529
Work in progress	8,001	6,926	-	-	-	(2,070)	(3,001)	9,856
	<b>1,104,277</b>	<b>18,481</b>	<b>268</b>	<b>157,265</b>	<b>(18,581)</b>	<b>(7,264)</b>	<b>-</b>	<b>1,254,446</b>

**Summary of Work in Progress**

	Opening WIP \$'000	Additions \$'000	Write-off \$'000	Transfers \$'000	Closing WIP \$'000
Property	1,200	1,875	(115)	(131)	2,829
Plant and equipment	155	19	(155)	-	19
Infrastructure	6,646	5,032	(1,800)	(2,870)	7,008
<b>Total</b>	<b>8,001</b>	<b>6,926</b>	<b>(2,070)</b>	<b>(3,001)</b>	<b>9,856</b>

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### *Asset recognition thresholds and depreciation periods*

	Depreciation Period	Threshold Limit \$'000
<b>Property</b>		
land	n/a	20
land improvements	10-25 years	20
buildings	50-100 years	10
heritage buildings	100 years	20
building improvements	10-25 years	10
leasehold improvements	1-20 years	20
<b>Plant and Equipment</b>		
plant, machinery and equipment	2-10 years	5
computers and telecommunications	3-10 years	5
library books	1-10 years	5
<b>Infrastructure</b>		
road pavements and seals	13-25 years	10
road substructure	50-80 years	10
road kerb, channel and minor culverts	50 years	10
bridges	50-100 years	10
footpaths and cycle ways	50 years	10
drainage	30-100 years	10
recreational, leisure and community facilities	5-50 years	10
waste management	3 years	10
parks, open space and streetscapes	5-40 years	10
off street car parks	20-80 years	10

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**(a) Property**

	Land - specialised \$'000	Land - non specialised	Land under roads \$'000	Total Land \$'000	Heritage buildings	Buildings - specialised	Buildings - non specialised \$'000	Leasehold improvements \$'000	Total Buildings \$'000	Work In Progress \$'000	Total Property \$'000
At fair value 1 July 2017 (previously reported)	389,352	122,750	513	512,615	47,401	231,033	9,413	1,227	289,074	1,200	802,889
Correction of error (note 8.4)	39,758	(6,386)	-	33,372	-	-	-	-	-	-	33,372
At fair value 1 July 2017 (Restated)	429,110	116,364	513	545,987	47,401	231,033	9,413	1,227	289,074	1,200	836,261
Accumulated depreciation at 1 July 2017	-	-	-	-	(25,460)	(66,776)	(4,689)	(1,038)	(97,963)	-	(97,963)
	<b>429,110</b>	<b>116,364</b>	<b>513</b>	<b>545,987</b>	<b>21,941</b>	<b>164,257</b>	<b>4,724</b>	<b>189</b>	<b>191,111</b>	<b>1,200</b>	<b>738,298</b>
<b>Movements in fair value</b>											
Additions	-	-	-	-	128	1,756	-	18	1,902	1,875	3,777
Contributions	-	-	35	35	-	-	-	-	-	-	35
Revaluation	96,048	77,545	-	173,593	(1,375)	(424)	(548)	-	(2,347)	-	171,246
Disposal	(2,269)	-	-	(2,269)	-	(3,335)	(43)	-	(3,378)	(115)	(5,762)
Transfers	-	-	-	-	-	131	-	-	131	(131)	-
	<b>93,779</b>	<b>77,545</b>	<b>35</b>	<b>171,359</b>	<b>(1,247)</b>	<b>(1,872)</b>	<b>(591)</b>	<b>18</b>	<b>(3,692)</b>	<b>1,629</b>	<b>169,296</b>
<b>Movements in accumulated depreciation</b>											
Depreciation & amortisation	-	-	-	-	(455)	(2,355)	(118)	(189)	(3,117)	-	(3,117)
Accumulated depreciation of disposals	-	-	-	-	-	1,780	12	-	1,792	-	1,792
Revaluation	-	-	-	-	7,109	(20,105)	(985)	-	(13,981)	-	(13,981)
	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>6,654</b>	<b>(20,680)</b>	<b>(1,091)</b>	<b>(189)</b>	<b>(15,306)</b>	<b>-</b>	<b>(15,306)</b>
At fair value 30 June 2018	522,889	193,909	548	717,346	46,154	229,161	8,822	1,245	285,382	2,829	1,005,557
Accumulated depreciation at 30 June 2018	-	-	-	-	(18,806)	(87,456)	(5,780)	(1,227)	(113,269)	-	(113,269)
	<b>522,889</b>	<b>193,909</b>	<b>548</b>	<b>717,346</b>	<b>27,348</b>	<b>141,705</b>	<b>3,042</b>	<b>18</b>	<b>172,113</b>	<b>2,829</b>	<b>892,288</b>

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**(b) Plant and Equipment**

	<b>Plant machinery and equipment \$'000</b>	<b>Computers and telecomms \$'000</b>	<b>Library books \$'000</b>	<b>Work In Progress \$'000</b>	<b>Total plant and equipment \$'000</b>
At fair value 1 July 2017	10,457	11,475	2,926	155	25,013
Accumulated depreciation at 1 July 2017	(6,240)	(7,670)	(1,783)	-	(15,693)
	<b>4,217</b>	<b>3,805</b>	<b>1,143</b>	<b>155</b>	<b>9,320</b>
<b>Movements in fair value</b>					
Additions	1,245	993	884	19	3,141
Disposal	(1,666)	(305)	-	(155)	(2,126)
	<b>(421)</b>	<b>688</b>	<b>884</b>	<b>(136)</b>	<b>1,015</b>
<b>Movements in accumulated depreciation</b>					
Depreciation and amortisation	(1,140)	(3,804)	(409)	-	(5,353)
Accumulated depreciation of disposals	1,359	280	-	-	1,639
	<b>219</b>	<b>(3,524)</b>	<b>(409)</b>	<b>-</b>	<b>(3,714)</b>
At fair value 30 June 2018	10,036	12,163	3,810	19	26,028
Accumulated depreciation at 30 June 2018	(6,021)	(11,194)	(2,192)	-	(19,407)
	<b>4,015</b>	<b>969</b>	<b>1,618</b>	<b>19</b>	<b>6,621</b>

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**(c) Infrastructure**

	Roads	Bridges	Footpaths and cycleways	Drainage	Recreational, leisure and community	Waste Management	Parks open spaces and streetscapes	Off street car parks	Other Infrastructure	Work In Progress	Total Infrastructure
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2017	254,469	3,059	76,712	196,115	7,314	186	4,450	14,978	5,912	6,646	569,841
Accumulated depreciation at 1 July 2017	(95,911)	(1,475)	(33,484)	(70,996)	(3,288)	(170)	(1,015)	(4,501)	(2,342)	-	(213,182)
	<b>158,558</b>	<b>1,584</b>	<b>43,228</b>	<b>125,119</b>	<b>4,026</b>	<b>16</b>	<b>3,435</b>	<b>10,477</b>	<b>3,570</b>	<b>6,646</b>	<b>356,659</b>
<b>Movements in fair value</b>											
Additions	2,534	-	975	1,446	1,104	151	122	199	-	5,032	11,563
Contributions	154	-	21	58	-	-	-	-	-	-	233
Disposal	(1,343)	-	(824)	(210)	-	-	-	(8)	-	(1,800)	(4,185)
Transfers	1,834	-	829	14	17	-	38	138	-	(2,870)	-
	<b>3,179</b>	<b>-</b>	<b>1,001</b>	<b>1,308</b>	<b>1,121</b>	<b>151</b>	<b>160</b>	<b>329</b>	<b>-</b>	<b>362</b>	<b>7,611</b>
<b>Movements in accumulated depreciation</b>											
Depreciation and amortisation	(5,361)	(49)	(1,566)	(1,593)	(503)	(16)	(197)	(187)	(639)	-	(10,111)
Accumulated depreciation of disposals	848	-	422	99	-	-	-	9	-	-	1,378
	<b>(4,513)</b>	<b>(49)</b>	<b>(1,144)</b>	<b>(1,494)</b>	<b>(503)</b>	<b>(16)</b>	<b>(197)</b>	<b>(178)</b>	<b>(639)</b>	<b>-</b>	<b>(8,733)</b>
At fair value 30 June 2018	257,648	3,059	77,713	197,423	8,435	337	4,610	15,307	5,912	7,008	577,452
Accumulated depreciation at 30 June 2018	(100,424)	(1,524)	(34,628)	(72,490)	(3,791)	(186)	(1,212)	(4,679)	(2,981)	-	(221,915)
	<b>157,224</b>	<b>1,535</b>	<b>43,085</b>	<b>124,933</b>	<b>4,644</b>	<b>151</b>	<b>3,398</b>	<b>10,628</b>	<b>2,931</b>	<b>7,008</b>	<b>355,537</b>

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### *Acquisition*

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

### *Land under roads*

Council recognises land under roads it controls at fair value for all acquisitions after 1 July 2008.

### *Depreciation and amortisation*

Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component. Straight line depreciation is charged based on the residual useful life as determined each year. Depreciation periods used are listed below and are consistent with the prior year unless otherwise stated.

### *Repairs and maintenance*

Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

### *Leasehold improvements*

Leasehold improvements are recognised at cost and are amortised over the unexpired period of the lease or the estimated useful life of the improvement, whichever is the shorter. At balance date, leasehold improvements are amortised over a 1 to 20 year period.

## **Valuation of land and buildings**

Valuation of land and buildings were undertaken by a qualified independent valuer Jesse Cranfield, registration no. 3878. The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or un-serviced) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

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The date of the current valuation is detailed in the following table.

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2018 are as follows:

	Level 1	Level 2	Level 3	Date of Valuation
Land	-	193,909	522,889	Jun-18
Land under roads	-	-	548	
Heritage Buildings	-	-	27,348	Jun-18
Buildings	-	3,042	141,705	Jun-18
Leasehold improvements	-	-	18	
<b>Total</b>	<b>-</b>	<b>196,951</b>	<b>692,508</b>	

### Valuation of infrastructure

Valuation of infrastructure assets has been determined in accordance with an internal valuation overseen by the Mr. Sam Ortisi (Graduate Diploma - Electrical Engineering and Quality Management). The date of the current valuation is detailed in the following table.

The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation.

Details of the Council's infrastructure and information about the fair value hierarchy as at 30 June 2018 are as follows:

	Level 1	Level 2	Level 3	Date of Valuation
Roads	-	-	157,224	Jun-15
Bridges	-	-	1,535	Jun-15
Footpaths and cycleways	-	-	43,085	Jun-15
Drainage	-	-	124,933	Jul-17
Recreational, leisure and community facilities	-	-	4,644	
Waste management	-	-	151	
Parks, open space and streetscapes	-	-	3,398	
Off street car parks	-	-	10,628	Jun-16
Other infrastructure	-	-	2,931	
<b>Total</b>	<b>-</b>	<b>-</b>	<b>348,529</b>	

### Description of significant unobservable inputs into level 3 valuations

**Specialised land and land under roads** is valued using a market based direct comparison technique.

Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 0% and 95%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$3 and \$2,324 per square metre.

**Specialised buildings** are valued using a depreciated replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs is calculated on a square metre basis and ranges from \$350 to \$28,930 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 50 years to 250 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost

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flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

**Infrastructure assets** are valued based on the depreciated replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 5 years to 100 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2018	2017
	\$'000	\$'000
Reconciliation of specialised land		
Land - specialised	522,889	429,110
Land under roads	548	513
<b>Total specialised land</b>	<b>523,437</b>	<b>429,623</b>

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### Note 6 People and relationships

	2018 No.	2017 No.
<b>6.1 Council and key management remuneration</b>		
<b>(a) Related Parties</b>		
<i>Parent entity</i> Maribyrnong City Council is the parent entity.		
<i>Subsidiaries and Associates</i> Maribyrnong City Council is a single entity.		
<b>(b) Key Management Personnel</b>		
Details of persons holding the position of Councillor or other members of key management personnel at any time during the year are:		
<b>Councillors</b>		
Mayor, Cuc Lam (Mayor from November 2017)		
Sarah Carter (Mayor up to November 2017)		
Simon Crawford		
Catherine Cumming		
Gina Huynh		
Mia McGregor		
Martin Zakharov		
<b>Total Number of Councillors</b>	7	11
<b>Chief Executive Officer and other Key Management Personnel</b>	6	5
<b>Total Key Management Personnel</b>	13	16
<b>(c) Remuneration of Key Management Personnel</b>		
	<b>2018 \$'000</b>	<b>2017 \$'000</b>
Total remuneration of key management personnel was as follows:		
Short-term benefits	1,684	1,504
Long-term benefits	322	414
<b>Total</b>	<b>2,006</b>	<b>1,918</b>
The numbers of key management personnel whose total remuneration from Council and any related entities, fall within the following bands:		
\$1 - \$9,999	-	3
\$10,000 - \$19,999	-	4
\$20,000 - \$29,999	5	3
\$40,000 - \$49,999	1	-
\$60,000 - \$69,999	1	1
\$160,000 - \$169,999	1	-
\$230,000 - \$239,999	1	2
\$240,000 - \$249,999	1	2
\$250,000 - \$259,999	2	-
\$310,000 - \$319,999	-	1
\$320,000 - \$329,999	1	-
	13	16

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2018 No.	2017 No.
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### (d) Senior Officer Remuneration

A Senior Officer is an officer of Council, other than Key Management Personnel, who:

- a) has management responsibilities and reports directly to the Chief Executive; or
- b) whose total annual remuneration exceeds \$145,000

The number of Senior Officers are shown below in their relevant income bands:

Income Range:

\$145,000 - \$149,999	5	6
\$150,000 - \$159,999	3	11
\$160,000 - \$169,999	9	9
\$170,000 - \$179,999	7	2
\$180,000 - \$189,999	-	1
	<u>24</u>	<u>29</u>

	<b>2018</b>	<b>2017</b>
	<b>\$'000</b>	<b>\$'000</b>
Total Remuneration for the reporting year for Senior Officers included above, amounted to:		
Short-term benefits	3,928	3,893
Long-term benefits	1,081	1,001
<b>Total</b>	<u><b>5,009</b></u>	<u><b>4,894</b></u>

## 6.2 Related party disclosure

(a) During the year, a legal firm of which the partner of a Councillor is a Principal lawyer, was engaged to provide legal services to the Council in respect of enterprise agreement interpretation. Procurement of the services was not subject to a tender or minimum quotation process on the basis that legal services are exempt from public tender requirements under the Local Government Act. The transactions with related parties were on ordinary commercial terms.

Transaction Type	Nature of transactions (on normal commercial terms)	Transaction Amount (\$'000)	Relationship to Council
Supplier Payment	Enterprise Agreement Interpretation	63	Councillor - Partner

### (b) Outstanding balances with related parties

There are no known outstanding balances with the related parties other than leave accruals for Key Management Personnel.

### (c) Loans to/from related parties

There are no known loans to/from council with the related parties.

### (d) Commitments to/from related parties

There are no known commitments to/from council with the related parties.

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### Note 7 Managing uncertainties

#### 7.1 Contingent assets and liabilities

##### (a) Contingent assets

The only anticipated contingent assets for Council are contributed assets including roads, drains, footpaths and parks which may be created in the approval and construction of large scale residential developments. On completion of the development they are donated to the Council for ongoing maintenance and replacement. Contributed assets are valued at their current replacement cost.

Contributed assets that may be received in 2018/2019 (subject to unknown developments) are unknown at this time and are not recognised in this financial report. The contributed assets in 2017/18 were \$268K and \$ 228K in 2016/2017 (note 2.5).

##### Operating lease receivables

The Council has entered into commercial property leases on its property, consisting of surplus freehold office complexes. These properties held under operating leases have remaining non-cancellable lease terms of between 1 and 20 years. Leases include a CPI based revision of the rental charge annually.

Future minimum rentals receivable under non-cancellable operating leases are as follows:

	2018 \$'000	2017 \$'000
Not later than one year	422	234
Later than one year and not later than five years	1,409	414
Later than five years	1,424	584
	<b>3,255</b>	<b>1,232</b>

##### (b) Contingent liabilities

##### Superannuation

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme, matters relating to this potential obligation are outlined below. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists.

At this point in time it is not known if additional contributions will be required, their timing or potential amount.

#### 7.2 Change in accounting standards

The following new AAS's have been issued that are not mandatory for the 30 June 2018 reporting period. Council has assessed these pending standards and has identified the following potential impacts will flow from the application of these standards in future reporting periods.

Financial Instruments - Disclosures (AASB 7) (applies 2018/19)

This Standard requires entities to provide disclosures in their financial statements that enable users to evaluate: (a) the significance of financial instruments for the entity's financial position and performance; and (b) the nature and extent of risks arising from financial instruments to which the entity is exposed.

Financial Instruments (AASB 9) (applies 2018/19)

The key changes include the simplified requirements for the classification and measurement of financial assets, a new hedging accounting model and a revised impairment loss model to recognise impairment losses earlier, as opposed to the current approach that recognises impairment only when incurred.

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Revenue from contracts with customers (AASB 15) (applies 2019/20 for LG sector)

The standard shifts the focus from the transaction-level to a contract-based approach. Recognition is determined based on what the customer expects to be entitled to (rights and obligations), while measurement encompasses estimation by the entity of the amount expected to be entitled for performing under the contract. The full impact of this standard is not known however it is most likely to impact where contracts extend over time, where there are rights and obligations that may vary the timing or amount of the consideration, or where there are multiple performance elements. This has the potential to impact on the recognition of certain grant income.

Amendments to Australian Accounting Standards – Deferral of AASB 15 for Not-for-Profit Entities (AASB 2016-7) (applies 2019/20)

This Standard defers the mandatory effective date of AASB 15 for not-for-profit entities from 1 January 2018 to 1 January 2019.

Leases (AASB 16) (applies 2019/20)

The classification of leases as either finance leases or operating leases is eliminated for lessees. Leases will be recognised in the Balance Sheet by capitalising the present value of the minimum lease payments and showing a 'right-of-use' asset, while future lease payments will be recognised as a financial liability. The nature of the expense recognised in the profit or loss will change. Rather than being shown as rent, or as leasing costs, it will be recognised as depreciation on the 'right-of-use' asset, and an interest charge on the lease liability. The interest charge will be calculated using the effective interest method, which will result in a gradual reduction of interest expense over the lease term.

Income of Not-for-Profit Entities (AASB 1058) (applies 2019/20)

This standard replaces AASB 1004 Contributions and establishes revenue recognition principles for transactions where the consideration to acquire an asset is significantly less than fair value to enable the not-for-profit entity to further its objectives.

### **7.3 Financial instruments**

#### **(a) Objectives and policies**

The Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank borrowings. Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the Notes of the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

#### **(b) Market risk**

Market risk is the risk that the fair value or future cash flows of council financial instruments will fluctuate because of changes in market prices. The Council's exposure to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

#### ***Interest rate risk***

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes council to fair value interest rate risk / Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market

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interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

Investment of surplus funds is made with approved financial institutions under the Local Government Act 1989. Council manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

### **(c) Credit risk**

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council have exposure to credit risk on some financial assets included in the balance sheet. To help manage this risk:

- Council have a policy for establishing credit limits for the entities Council deal with;
- Council may require collateral where appropriate; and
- Council only invest surplus funds with financial institutions which have a recognised credit rating specified in council's investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the Council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

Council may also be subject to credit risk for transactions which are not included in the balance sheet, such as when Council provide a guarantee for another party. Details of our contingent liabilities are disclosed in Note 7.1(b).

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

### **(d) Liquidity risk**

Liquidity risk includes the risk that, as a result of council's operational liquidity requirements it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- have a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- have readily accessible standby facilities and other funding arrangements in place;
- have a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitor budget to actual performance on a regular basis; and

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- set limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

The Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet, and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

### **(e) Sensitivity disclosure analysis**

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, Council believes the following movements are 'reasonably possible' over the next 12 months:

- A parallel shift of +1% and -1% in market interest rates (AUD) from year-end rates of 2.52%.

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

## **7.4 Fair value measurement**

### **Fair value hierarchy**

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair value measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

AASB 13 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. Fair value under AASB 13 is an exit price regardless of whether that price is directly observable or estimated using another valuation technique.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities

Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and

Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

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In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

### **Revaluation**

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from 2 to 5 years. The valuation is performed either by experienced council officers or independent experts.

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are offset.

### **Impairment of assets**

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs of disposal and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

## **7.5 Events occurring after balance date**

No matters have occurred after balance date that require disclosure in the financial report.

## **7.6 Rounding**

Unless otherwise stated, amounts in the financial report have been rounded to the nearest thousand dollars. Figures in the financial statement may not equate due to rounding.

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### Note 8 Other matters

8.1 Reserves	Balance at beginning of reporting period \$'000	Increment (decrement) \$'000	Balance at end of reporting period \$'000
(a) Asset revaluation reserves			
<b>2018</b>			
<b>Property</b>			
Land	420,098	173,592	593,690
Buildings	103,632	(16,327)	87,305
	523,730	157,265	680,995
<b>Infrastructure</b>			
Roads	112,480	-	112,480
Bridges	738	-	738
Footpaths and cycleways	18,975	-	18,975
Drainage	78,156	-	78,156
	210,349	-	210,349
<b>Total asset revaluation reserves</b>	<b>734,079</b>	<b>157,265</b>	<b>891,344</b>
<b>2017</b>			
<b>Property</b>			
Land	420,098	-	420,098
Buildings	103,633	(1)	103,632
	523,731	(1)	523,730
<b>Infrastructure</b>			
Roads	112,480	-	112,480
Bridges	738	-	738
Footpaths and cycleways	18,975	-	18,975
Drainage	47,072	31,084	78,156
	179,265	31,084	210,349
<b>Total asset revaluation reserves</b>	<b>702,996</b>	<b>31,083</b>	<b>734,079</b>

The asset revaluation reserve is used to record the increased (net) value of Council's assets over time.

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	Balance at beginning of reporting period \$'000	Transfer from accumulated surplus \$'000	Transfer to accumulated surplus \$'000	Balance at end of reporting period \$'000
<b>(b) Other reserves</b>				
<b>2018</b>				
Mausoleum trust	574	-	-	574
Open space	7,623	3,553	(941)	10,235
DC reserves	1,930	61	(20)	1,971
Carried forward grants	2,311	3,767	(2,311)	3,767
Carried forward Council funds	9,323	9,507	(9,323)	9,507
Major projects	23,411	22,541	(5,568)	40,384
<b>Total Other reserves</b>	<b>45,172</b>	<b>39,429</b>	<b>(18,163)</b>	<b>66,438</b>
<b>2017</b>				
Mausoleum trust	574	-	-	574
Open space	4,859	5,541	(2,777)	7,623
DC reserves	2,871	978	(1,919)	1,930
Carried forward grants	578	2,311	(578)	2,311
Carried forward Council funds	10,679	9,323	(10,679)	9,323
Major projects	23,806	12,992	(13,387)	23,411
<b>Total Other reserves</b>	<b>43,367</b>	<b>31,145</b>	<b>(29,340)</b>	<b>45,172</b>

- The purpose of the mausoleum trust reserve is for the future maintenance of the cemetery.
- The open space reserve is to segregate the levies collected until required for major works.
- The developer contributions (DC) reserves segregate the levies collected until required.
- The purpose of carried forwards is to segregate unspent project funds for future expenditure.
- The purpose of the major projects is to segregate funds until commencement of works.
- Reserve balances/movements are determined through budgeting process and changes are reflected through reporting throughout the year.

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	2018 \$'000	2017 \$'000
<b>8.2 Reconciliation of cash flows from operating activities to surplus/ (deficit)</b>		
Surplus/(deficit) for the year	14,450	15,557
Depreciation/amortisation	18,581	17,902
Loss on disposal of property, infrastructure, plant and equipment	1,066	3,721
Contributions - Non-monetary assets	(268)	(228)
Found assets	-	(5,582)
Finance costs	-	144
Other - previous year WIP expensed	2,070	2,739
<i>Change in assets and liabilities:</i>		
(Increase)/decrease in trade and other receivables	(2,147)	(20)
Decrease/(Increase) in prepayments	334	(168)
Decrease/(Increase) in accrued income	267	(123)
Increase/(decrease) in trade and other payables	(2,634)	3,874
Decrease/(Increase) in trust funds and deposits	290	(185)
Decrease in inventories	2	3
Decrease in provisions	190	86
<b>Net cash provided by/(used in) operating activities</b>	<b>32,201</b>	<b>37,720</b>

### 8.3 Superannuation

Council makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently.

Obligations for contributions to the Fund are recognised as an expense in Comprehensive Operating Statement when they are made or due.

#### Accumulation

The Fund's accumulation categories, Vision MySuper/Vision Super Saver, receives both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2018, this was 9.5% as required under Superannuation Guarantee (SG) legislation).

#### Defined Benefit

Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119.

#### Funding arrangements

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary.

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As at 30 June 2017, a triennial/full actuarial investigation was completed. The vested benefit index (VBI) of the Defined Benefit category of which Council is a contributing employer was 103.1%. The financial assumptions used to calculate the VBIs were:

- Net investment returns 6.5% pa
- Salary information 3.5% pa
- Price inflation (CPI) 2.5% pa.

Vision Super has advised that the estimated VBI at 30 June 2018 was 106.0%.

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2017 actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

### ***Employer contributions***

#### ***Regular contributions***

On the basis of the results of the 2017 full actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2018, this rate was 9.5% of members' salaries (9.5% in 2016/2017). This rate will increase in line with any increases in the SG contribution rate.

In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

### ***Funding calls***

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including [Council]) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up.

If there is a surplus in the Fund, the surplus cannot be returned to the participating employers.

In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

### **2017 triennial actuarial investigation surplus amounts**

The Fund's full actuarial investigation as at 30 June 2017 identified the following for the Defined Benefit category of which Council is a contributing employer:

- A VBI surplus of \$69.8 million

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- A total service liability surplus of \$193.5 million.
- A discounted accrued benefits surplus of \$228.8 million.

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2017.

The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2017.

The discounted accrued benefit surplus means that the current value of the assets in the Fund's Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2017.

Council was notified of the 30 June 2017 VBI during August 2017.

### **2018 interim actuarial investigation**

An interim actuarial investigation is being conducted for the Fund's position as at 30 June 2018 as the Fund provides lifetime pensions in the Defined Benefit category. It is anticipated that this actuarial investigation will be completed by October 2018.

### **Superannuation contributions**

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2018 are detailed below:

<b>Scheme</b>	<b>Type of scheme</b>	<b>Rate</b>	<b>2018 \$'000</b>	<b>2017 \$'000</b>
<b>Vision Super</b>	Defined benefits	9.50%	389	397
<b>Vision Super</b>	Accumulation	9.50%	2,824	2,999
<b>Other Funds</b>	Accumulation	9.50%	1,004	771

There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2018.

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### 8.4 Correction of errors

During 2018, Maribyrnong City Council discovered that council land was incorrectly stated in the Financial Statements of previous years due to incorrect validation of land areas by valuers and the omission of gifted assets received by Council in 2016. The errors have been corrected by restating financial statement line items for prior periods. The following table summarises the impacts on the Maribyrnong City Council's Financial Statements. Accrued GST has moved out of current liabilities and is shown as current assets to improve disclosure.

#### Statement of Financial Position

	Reported Previously	Adjustments	As restated
<b>2016</b>			
<b>Total Current Assets</b>	<b>75,947</b>	<b>372</b>	<b>76,319</b>
Non-current assets			
Trade and other receivables	165	-	165
Property, infrastructure, plant and equipment	1,030,867	33,372	1,064,239
<b>Total non-current assets</b>	<b>1,031,032</b>	<b>33,372</b>	<b>1,064,404</b>
<b>Total Assets</b>	<b>1,106,979</b>	<b>33,744</b>	<b>1,140,723</b>
<b>Total Liabilities</b>	<b>26,739</b>	<b>372</b>	<b>27,111</b>
Accumulated Surplus	324,664	42,585	367,249
Revaluation Reserve	712,209	(9,213)	702,996
Other Reserves	43,367	-	43,367
<b>Total Equity</b>	<b>1,080,240</b>	<b>33,372</b>	<b>1,113,612</b>
<b>2017</b>			
<b>Total Current Assets</b>	<b>83,353</b>	<b>672</b>	<b>84,025</b>
Non-current assets			
Trade and other receivables	164	-	164
Property, infrastructure, plant and equipment	1,070,905	33,372	1,104,277
<b>Total non-current assets</b>	<b>1,071,069</b>	<b>33,372</b>	<b>1,104,441</b>
<b>Total Assets</b>	<b>1,154,422</b>	<b>34,044</b>	<b>1,188,466</b>
<b>Total Liabilities</b>	<b>27,542</b>	<b>672</b>	<b>28,214</b>
Accumulated Surplus	338,416	42,585	381,001
Revaluation Reserve	743,292	(9,213)	734,079
Other Reserves	45,172	-	45,172
<b>Total Equity</b>	<b>1,126,880</b>	<b>33,372</b>	<b>1,160,252</b>

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# MARIBYRNONG CITY COUNCIL

## PERFORMANCE STATEMENT

For the year ended 30 June 2018

### **Description of municipality**

The City of Maribyrnong is located just seven kilometres west of Melbourne CBD and covers an area of 32 square kilometres. Maribyrnong has an estimated residential population of approximately 89,705 (id Community Profile Estimated Residential Population 2017).

Maribyrnong has a diverse population. According to the 2016 census, 40 per cent of population were born overseas and 42 per cent speak a language other than English at home. The city also continues to attract new cultural groups who bring with them diversity and a new dynamic. More than 78 languages are now spoken in Maribyrnong. The top six countries of birth groups outside of Australia are, Vietnam (9.3%) India (4%), China (2.8%), United Kingdom (2.5%), New Zealand (2.0%) and the Philippines (1.3%).

Maribyrnong City Council provides more than 80 high quality services and facilities across a range of areas including community, health and wellbeing, environment, planning and building, parks and gardens, customer services and more. The existing open space network comprises 151 open space reserves that are accessible to the public at all times, covering 307.9 hectares of land area, which equates to 9.9 per cent of the municipality.

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## Sustainable Capacity Indicators

For the year ended 30 June 2018

INDICATOR / MEASURE	RESULTS				MATERIAL VARIATIONS
	2015	2016	2017	2018	
POPULATION					
Expenses per head of municipal population <i>[Total expenses / Municipal population]</i>	\$1,274.84	\$1,427.52	\$1,478.01	\$1,393.90	
Infrastructure per head of municipal population <i>[Value of infrastructure / Municipal population]</i>	\$5,916.12	\$6,205.50	\$6,546.86	\$5,987.40	
Population density per length of road <i>[Municipal population / Kilometres of local roads]</i>	267.51	273.82	279.27	293.59	
OWN-SOURCE REVENUE					
Own-source revenue per head of municipal population <i>[Own-source revenue / Municipal population]</i>	\$1,325.94	\$1,427.65	\$1,477.75	\$1,383.27	
RECURRENT GRANTS					
Recurrent grants per head of municipal population <i>[Recurrent grants / Municipal population]</i>	\$125.06	\$89.60	\$121.31	\$102.47	Recurrent grants are less due to an advanced Victorian Grants Commission (VGC) payment in 2016-17.
DISADVANTAGE					
Relative socio-economic disadvantage <i>[Index of Relative Socio-economic Disadvantage by decile]</i>	3	3	3	7	The City of Maribyrnong is a diverse and vibrant community that is experiencing significant population growth. The SEIFA ranking and deciles only change every five years with each Census so this change presents both opportunities for economic growth and prosperity, and challenges through the level of disadvantage that occur. The City of Maribyrnong is the sixth most disadvantaged municipality in metropolitan Melbourne with a SEIFA index ranking of 995.

### Definitions

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

"infrastructure" means non-current property, plant and equipment excluding land

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

"population" means the resident population estimated by council

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

"relative socio-economic disadvantage", in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 2033.0.55.001) of SEIFA

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"SEIFA" means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet website

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

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## Service Performance Indicators

For the year ended 30 June 2017

SERVICE / INDICATOR / MEASURE	RESULTS				MATERIAL VARIATIONS
	2015	2016	2017	2018	
AQUATIC FACILITIES					
<b>Utilisation</b> Utilisation of aquatic facilities <i>[Number of visits to aquatic facilities / Municipal population]</i>	11.85	10.58	10.02	9.95	
ANIMAL MANAGEMENT					
<b>Health and safety</b> Animal management prosecutions <i>[Number of successful animal management prosecutions]</i>	2.00	4.00	6.00	3.00	Court prosecutions remain low with 718 matters resolved through notices.
FOOD SAFETY					
<b>Health and safety</b> Critical and major non-compliance notifications <i>[Number of critical non-compliance notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance notifications and major non-compliance notifications about food premises] x100</i>	NA	82.25%	100.00%	101.13%	
GOVERNANCE					
<b>Satisfaction</b> Satisfaction with council decisions <i>[Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]</i>	60.00	63.70	62.00	62.90	
HOME AND COMMUNITY CARE					
<b>Participation</b> Participation in HACC service <i>[Number of people that received a HACC service / Municipal target population for HACC services] x100</i>	23%	23.79%	N/A	NA	Reporting on HACC ceased on 1 July 2016 due to the introduction of the Commonwealth Government's NDIS and CHSP programs
<b>Participation</b> Participation in HACC service by CALD people <i>[Number of CALD people who receive a HACC service / Municipal target population in relation to CALD people for HACC services] x100</i>	15%	19.51%	N/A	NA	Reporting on HACC ceased on 1 July 2016 due to the introduction of the Commonwealth Government's NDIS and CHSP programs
LIBRARIES					
<b>Participation</b> Active library members <i>[Number of active library members /</i>	18.00%	18.37%	17.34%	16.45%	

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<i>Municipal population] x100</i>					
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MATERNAL AND CHILD HEALTH					
<b>Participation</b> Participation in the MCH service <i>[Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100</i>	79.00%	79.53%	71.31%	75.01%	
<b>Participation</b> Participation in the MCH service by Aboriginal children <i>[Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100</i>	67.00%	62.96%	61.67%	70.37%	The increase is likely due to natural variation in enrolments as families move in and out of the service. Enrolments varied from 30 to 27, with 19 children attending. As numbers are low, small variations reflect higher percentages
ROADS					
<b>Satisfaction</b> Satisfaction with sealed local roads <i>[Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]</i>	63.00	65.00	67.00	65.70	
STATUTORY PLANNING					
<b>Decision making</b> Council planning decisions upheld at VCAT <i>[Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100</i>	70.00%	79.31%	67.86%	80.95%	The increased number of decisions upheld at VCAT demonstrates decisions are highly supported. It further acknowledges that Council decisions are well considered and in accord with the Maribyrnong Planning Scheme despite increased timeframes in decision making.
WASTE COLLECTION					
<b>Waste diversion</b> Kerbside collection waste diverted from landfill <i>[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100</i>	34.00%	34.13%	34.30%	33.15%	

### Definitions

"Aboriginal child" means a child who is an Aboriginal person

"Aboriginal person" has the same meaning as in the Aboriginal Heritage Act 2006

"active library member" means a member of a library who has borrowed a book from the library

"annual report" means an annual report prepared by a council under sections 131, 132 and 133 of the Act

"CALD" means culturally and linguistically diverse and refers to persons born outside Australia in a country whose national language is not English

"class 1 food premises" means food premises, within the meaning of the *Food Act 1984*, that have been declared as class 1 food premises under section 19C of that Act

"class 2 food premises" means food premises, within the meaning of the *Food Act 1984*, that have been declared as class 2 food premises under section 19C of that Act

"Community Care Common Standards" means the Community Care Common Standards for the delivery of HACCC services, published from time to time by the Commonwealth

"critical non-compliance outcome notification" means a notification received by council under section 19N(3) or (4) of the *Food Act 1984*, or advice given to council by an authorized officer under that Act, of a deficiency that poses an immediate serious threat to public health

"food premises" has the same meaning as in the *Food Act 1984*

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"HACC program" means the Home and Community Care program established under the Agreement entered into for the purpose of the Home and Community Care Act 1985 of the Commonwealth

"HACC service" means home help, personal care or community respite provided under the HACC program

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## Financial Performance Indicators

For the year ended 30 June 2018

Dimension / indicator / measure	Results				Forecasts				Material Variations
	2015	2016	2017	2018	2019	2020	2021	2022	
<b>EFFICIENCY</b>									
<b>Revenue level</b>									
Average residential rate per residential property assessment	\$1,815.38	\$1,866.14	\$1,951.48	\$1,992.60	\$2,097.63	\$2,144.48	\$2,192.64	\$2,241.98	
<i>[Total expenses / Number of property assessments]</i>									
<b>Expenditure level</b>									
Expenses per property assessment	\$2,746.24	\$2,895.69	\$3,183.20	\$3,126.00	\$3,292.10	\$3,268.67	\$3,319.76	\$3,358.61	
<i>[Total expenses / Number of property assessments]</i>									
<b>Workforce turnover</b>									
Resignations and terminations compared to average staff	13.12%	14.10%	14.37%	11.96%	12.59%	12.59%	20.91%	13.82%	
<i>[Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100</i>									This result is reflective of the natural variation in resignations, terminations, retirements and redundancies. There has been no significant event affecting staffing.
<b>LIQUIDITY</b>									
<b>Working capital</b>									This continues to be a strong result enabling Council to meet its future commitments.
Current assets compared to current liabilities	297.96%	294.99%	313.56%	408.44%	211.01%	204.38%	170.19%	185.56%	
<i>[Current assets / Current liabilities] x100</i>									
<b>Unrestricted cash</b>									This continues to be a strong result enabling Council to fund major projects listed in the City Infrastructure Plan.
Unrestricted cash compared to current liabilities	142.95%	160.36%	176.40%	238.16%	122.58%	121.38%	90.69%	95.52%	
<i>[Unrestricted cash / Current liabilities] x100</i>									

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OBLIGATIONS								
<b>Asset renewal</b>								
Asset renewal compared to depreciation	79.32%	80.90%	67.86%	56.03%	135.47%	121.97%	102.15%	96.72%
<i>[Asset renewal expenses / Asset depreciation] x100</i>								
<b>Loans and borrowings</b>								
Loans and borrowings compared to rates	4.17%	3.05%	0.00%	0.00%	0.00%	9.24%	12.92%	11.77%
<i>[Interest bearing loans and borrowings / Rate revenue] x100</i>								
<b>Loans and borrowings</b>								
Loans and borrowings repayments compared to rates	1.17%	1.11%	3.07%	0.00%	0.00%	0.93%	1.37%	1.31%
<i>[Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100</i>								
<b>Indebtedness</b>								
Non-current liabilities compared to own source revenue	3.34%	0.88%	0.76%	0.80%	0.83%	7.35%	10.17%	9.32%
<i>[Non-current liabilities / Own source revenue] x100</i>								
OPERATING POSITION								
<b>Adjusted underlying result</b>								
Adjusted underlying surplus (or deficit)	12.93%	6.88%	8.00%	6.35%	8.78%	15.06%	15.20%	17.40%
<i>[Adjusted underlying surplus (deficit)/ Adjusted underlying revenue] x100</i>								
STABILITY								
<b>Rates concentration</b>								
Rates compared to adjusted underlying revenue	69.24%	72.25%	66.94%	71.48%	68.72%	65.51%	65.79%	64.72%

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<i>[Rate revenue / Adjusted underlying revenue] x100</i>									
<b>Rates effort</b>									
Rates compared to property values	0.37%	0.39%	0.34%	0.35%	0.30%	0.28%	0.27%	0.25%	
<i>[Rate revenue / Capital improved value of rateable properties in the municipality ] x100</i>									

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### Definitions

"adjusted underlying revenue" means total income other than:

(a) non-recurrent grants used to fund capital expenditure; and

(b) non-monetary asset contributions; and

(c) contributions to fund capital expenditure from sources other than those referred to above

"adjusted underlying surplus (or deficit)" means adjusted underlying revenue less total expenditure

"asset renewal expenditure" means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability

"current assets" has the same meaning as in the AAS

"current liabilities" has the same meaning as in the AAS

"non-current assets" means all assets other than current assets

"non-current liabilities" means all liabilities other than current liabilities

"non-recurrent grant" means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

"population" means the resident population estimated by council

"rate revenue" means revenue from general rates, municipal charges, service rates and service charges

"recurrent grant" means a grant other than a non-recurrent grant

"residential rates" means revenue from general rates, municipal charges, service rates and service charges levied on residential properties

"restricted cash" means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

### Other Information

For the year ended 30 June 2018

#### 1. Basis of preparation

Council is required to prepare and include a performance statement within its annual report. The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014.

Where applicable the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the council's strategic resource plan. The Local Government (Planning and Reporting) Regulations 2014 requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its strategic resource plan on 28 June 2017 and which forms part of the council plan. The strategic resource plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The strategic resource plan can be obtained by contacting council.

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## **Certification of the Performance Statement**

**Dated: 11 September 2018**

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In my opinion, the accompanying performance statement has been prepared in accordance with the *Local Government Act 1989* and the Local Government (Planning and Reporting) Regulations 2014.

**Mark Connor, (MIPA)**  
Principal Accounting Officer  
11 September 2018  
Footscray

In our opinion, the accompanying performance statement of *Maribyrnong City Council* for the year ended 30 June 2018 presents fairly the results of council's performance in accordance with the *Local Government Act 1989* and the Local Government (Planning and Reporting) Regulations 2014.

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by the council and by the Local Government (Planning and Reporting) Regulations 2014 to certify this performance statement in its final form.

**Simon Crawford**  
Councillor  
11 September 2018  
Footscray

**Sarah Carter**  
Councillor  
11 September 2018  
Footscray

**Stephen Wall**  
Chief Executive Officer  
11 September 2018  
Footscray

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**MARIBYRNONG 2040 COMMUNITY PLAN**

**Director:** Celia Haddock  
Director Corporate Services

**Author:** Deidre Anderson  
Manager Public Affairs and Community Relations

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**PURPOSE**

To present the Maribyrnong 2040 Community Plan for endorsement.

**ISSUES SUMMARY**

- The development of the 2017 – 21 Council Plan identified the opportunity to develop a long term community vision to guide future service and infrastructure planning.
- Strategy 4.7 of the 2017-18 Priority Action Plan is to ‘develop a community plan to capture the community’s vision and aspirations to 2040.’
- A comprehensive community engagement plan was developed to achieve this strategy.

**ATTACHMENTS**

1. Maribyrnong 2040 - Community Engagement Findings
2. Maribyrnong 2040 Community Plan [↓](#)

**OFFICER RECOMMENDATION**

**That Council endorse the Maribyrnong 2040 Community Plan.**

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

The City of Maribyrnong will experience enormous change and growth in the next 20 years. Now more than ever a shared community plan is needed to bring about the best outcomes for our future. Maribyrnong 2040 will be the first Community Plan for the City of Maribyrnong. It will be an overarching strategic document that will guide Councils long term planning and the development of the four year Council Plans. Uniquely, the Maribyrnong 2040 Community Plan will be written by the community, for the community.

In May 2018 Council received an update on the results of the broad community engagement campaign undertaken from December 2017 – March 2018, to inform the development of the community plan by an independently recruited community panel.

To ensure a broad range of perspectives from the community were captured, a wide range of techniques were utilised to uncover their priorities for the future. These methods included:

- an online survey hosted on Council's Your City, Your Voice digital platform
- Community Conversation kits provided to interested community members and made available at community centres
- a 'wishing tree' mural developed over three days as a public creative visioning project in partnership with a community artist and Council staff facilitating public participation
- 'wishing tree' decals at a variety of Council facilities inviting public comment
- Engaging young people through facilitated workshops with 100 Story Building.

The 30 member community panel was recruited to represent a range of demographics and suburbs across the municipality. The Panel was convened over four Saturdays from April to June and was independently facilitated by Liminal By Design.

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

To develop the Maribyrnong 2040 Community Plan the panel were charged with considering a wide range of data including:

- community engagement findings from the Maribyrnong 2040 campaign
- community engagement findings from the development of the 2017 – 21 Council Plan
- City of Maribyrnong Community Profile (.id report based on ABS data)
- Maribyrnong 2040 Conversation Kit Fact Sheets
- Population and Household Forecast Report (.id)
- Health and Wellbeing Profile (Maribyrnong City Council, 2016)
- Maribyrnong Economic Development Strategy Update (2016)
- Annual Community Survey Report (2017)

The panel were also empowered to request additional information to be provided by Council staff and/or external experts. To respond to these requests the Community Engagement team arranged the following presenters over the four sitting days:

- Ryan James (.id, Consulting)

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- Deidre Anderson and Lauren Holst (Public Affairs and Community Relations, Maribyrnong City Council)
- Nigel Higgins (Planning Services, Maribyrnong City Council)
- Dr Jo Brown (Climate Scientist, Bureau of Meteorology)
- Professor Roz Hansen (Urban and Regional Planner, Hansen Consulting)
- Simon Kuestenmacher (Director of Research, The Demographics Group)

The panel also collectively developed a set of values and decision making criteria which provided the lens through which decisions about the contents of the document would be made. This criteria included ensuring the document is future focussed, representing Maribyrnong as a whole, maintaining an awareness of the global context, balancing a range of interests, and understanding that the panel made decisions about content based on the best information available at the time.

The vision developed by the panel is for 'a city where history and differences are embraced, forming the foundations from which vibrant, diverse and sustainable communities thrive.'

The panel identified five guiding themes which strongly align with the themes developed in the 2017-21 Council Plan. These themes are:

- Enabling active citizenship - A strong local democracy with active citizenship demonstrates a culture that promotes justice, fairness and social inclusion.
- Living well - Our City will be a healthy community where diversity is maintained, equity is promoted and the emphasis of wellbeing is embraced.
- Linking people and places - For a sense of connection, we need access to services, employment, education, shops, cafes, parks and open space.
- Shaping our natural and built environments - Our city will be a place where people can experience nature as part of their everyday lives.
- Working and learning - Our city will be a city where you spend where you live. We believe a strong education infrastructure is fundamental to building a robust economy which means a happy and healthy community.

Maribyrnong 2040 will be used to inform future strategic directions of Maribyrnong Council and can also be used by the wider community to guide civic participation and engagement.

## **2. Council Policy/Legislation**

### **Council Plan 2017-2021**

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Strong leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.
  - Growth and prosperity - support diverse, well-planned neighbourhoods and a strong local economy.

**Agenda Item 9.2****Legislation**

While current legislation does not require this, changes to the Local Government Act are expected to include a requirement for the preparation of a Community Plan.

**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**

A comprehensive community engagement plan was developed for the development of Maribyrnong 2040 and was presented to Council in December 2017. A key component of this engagement plan was the recruitment of an independently selected representative panel of community members who committed to a deliberative engagement process through which they have collectively drafted the Council's first community plan.

**4. Resources**

Maribyrnong 2040 has been prepared with a budget allocation of \$80,000 in the 2017-18 financial year.

**5. Environment**

There are no implications on the environment.

**CONCLUSION**

Maribyrnong 2040 is a highly valuable document developed through many hours of consultation and deliberation with the community that will help guide Council's planning for the next twenty years. Following endorsement the Plan will be designed and distributed to key stakeholders.

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# **Maribyrnong 2040**

## **Community Engagement Report**



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### Executive Summary

The following is a summary of the main topics of discussion that were raised by those who participated in the variety of community engagement opportunities to inform the Maribyrnong 2040 community plan.

#### Multiculturalism

One of the most common themes that came through during the consultation was the pride that respondents have in Maribyrnong's multicultural community. Local businesses, particularly the many different cultural restaurants, make Maribyrnong uniquely different to other areas of Melbourne. Cultural community events, such as Harmony Feast, help to bring different sectors of the community together.

#### Planning/heritage

Residents of Maribyrnong are proud of the industrial roots of the area and in particular of the heritage buildings that make up the village-feel of Maribyrnong. Whilst aware that the population is growing and changing, respondents to the consultation hoped that future planning approvals would take in to account of the heritage of the area and were wary of the impact that medium to high density construction could have on both the visual amenity of the area and on traffic conditions on local streets.

#### Connectivity

The way people move in and around the city and to surrounding suburbs was an important topic for respondents. In particular how safe people feel when riding, walking, and driving was a crucial element of connectivity. The common themes of connectivity are highlighted below:

##### Active transport

Dedicated cycling and walking paths that provide safe passage for cyclists and pedestrians was an important topic for many respondents. Cycling in particular is a popular way of commuting for many who live in the west and a number of respondents hoped that in the future there would be better connections for cyclists who ride into the city and across the suburbs of Maribyrnong.

##### Parking

Free parking around major shopping precincts and increased parking at train stations were important to respondents. Many felt that by improving parking at shopping precincts shoppers would spend more time visiting local businesses and spending their money there rather than at major shopping centres.

##### Truck routes

Part of improving safety on the roads involves reviewing truck routes. Respondents discussed enforcing curfews for trucks, designing residential streets so that they deter trucks from driving down them, or building dedicated roads just for trucks to travel within the municipality.

##### Public transport

The provision and cost of public transport throughout the municipality was a common topic discussed by respondents. Many felt that the services offered were often unreliable or didn't

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run frequently enough. Some respondents felt that the fares were too expensive and therefore prohibitive for people who want or need to use public transport to get around.

### Community

The Maribyrnong community feels connected and strong, with many respondents taking pride in the many different events and programs that allow the community to come together. Some of the topics discussed include:

#### Festivals/events

The Maribyrnong community love the many festivals and events that are held across the municipality each year. It gives them an opportunity to meet new people and experience different cultural activities. Many respondents hope that in the future Council will support and provide more of these events for everyone to enjoy.

#### Community facilities and services

Neighbourhood houses, community centres and the local libraries are important to many in the community as they provide residents with places to learn, meet new people, and feel connected to others. The services provided at these centres such as education and learning, child and maternal health and social services are of utmost importance to the community.

#### Sports clubs/programs

Sporting clubs provide a great place for members of the community to get together. Not only that, they promote good health and wellbeing practices. Council's ongoing support of sporting clubs was particularly important and many respondents saw a role for Council in supporting and providing low-cost or free sports and wellbeing programs for members of the community who might not be part of a sporting club or who may not be able to afford to use a gym.

### Environment

The environment, particularly natural assets such as the Maribyrnong River and local heritage trees, was an important topic for respondents, having quality, clean open spaces that the community could use for leisure was another topic of discussion.

#### The River

The Maribyrnong River has been described by many respondents as the 'heart and soul' of the city. Its proximity to the suburbs and the enjoyment that people get when relaxing, cycling and walking by its banks is unique to the community. Many respondents hope that the River's surrounding parklands will be enhanced to further encourage community use and enjoyment.

#### Parks and open space

Parks, gardens, trees and open space are important to the community. With the limited open space that the city has respondents hope that it is maintained for community use and not overtaken by developments. Protecting heritage trees and planting more trees was a topic mentioned often by respondents.

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### Waste and amenity

Ensuring the city remains clean was a common topic of discussion. Access to recycling stations, compost bins and more frequent kerbside recycling collection was important to respondents. Educating the community on the benefits of recycling and the negative impact of littering was also important.

### Local economy and businesses

Part of the social fabric of Maribyrnong is wrapped up in the many different local businesses that are found along the main shopping strips. Culturally diverse restaurants, grocery stores, and clothing stores make Maribyrnong unique. Many respondents hoped that in the future these businesses would continue to flourish and would not be taken over by chain stores. These local businesses often employ locally, which helps to build a strong sense of community and maintains the 'village feel' of the area.

### Engagement and governance

Respondents were keen to see Council take a leading role in many facets of life in Maribyrnong. They see Council as advocates for better planning decisions and advocates for better public transport. They see that Council has an opportunity to work closely with community groups, cultural leaders, youth and residents to make better decisions for the Maribyrnong of the future. The community are keen to work with Council in any capacity with innovative and traditional methods to build a better Maribyrnong.

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### Introduction

From December 2017 to March 2018, Council undertook broad community engagement to find out what things were important to the Maribyrnong community now, and in the coming 20 years. The purpose of this engagement was to help inform the Maribyrnong 2040 community plan.

The Maribyrnong 2040 community plan will be the overarching document that guides the development of future infrastructure and service planning as well as advocacy Council that undertakes. It will help to inform the Council's four-yearly plans, ensuring that the community's voice is also at the forefront of all that Council does.

This report highlights the key topics discussed by our community during the consultation to inform the development of the community plan.

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### Engagement approach

#### Community survey

To ensure a broad range of perspectives from the community were captured a wide range of techniques were utilised to uncover their priorities for the future. The community were invited to provide feedback via an online survey (available on Council's Your City, Your Voice digital platform). There were 50 responses to the online survey.

Hard copy Community Conversation kits replicating the questions posed in the online survey were provided to interested community members and made available at community centres. In total, 33 responses were submitted via the Community Conversation kits. This includes contributions from language ambassadors trained to conduct conversations with established and emerging cultural groups in addition to the Disability Advisory Committee and the Older Persons Reference Group. Language ambassadors were trained from Chinese/Vietnamese, Persian, Indian, Bangladeshi, Eritrean and Sri Lankan backgrounds. Their responses are represented below in Engagement Outcomes.

#### Wishing Trees

The wishing tree concept was brought to life over three days in central Footscray where Council staff and a community artist worked with over 130 community members to create a stunning mural depicting cultural icons from across the municipality. The mural was embellished with leaves painted by the public which contained their hopes and wishes for the City in 2040.

Wishing tree decals were also set up in eight key locations - Yarraville Festival Youth Stage, Yarraville Library, Footscray Library, Maidstone Community Centre, Maribyrnong Library, Maribyrnong Community Centre, Braybrook Library and Town Hall. The public were invited to contribute their wishes for 2040 by adding leaves to the wall art. Over 150 wishes for the future were left on these trees. Their responses are represented below in Engagement Outcomes.

#### Primary student engagement with 100 Story Building

The 100 Story Building worked with students aged 10-11 years old to find out their hopes and dreams are for children of the future. Students were encouraged to discuss what they thought was important for children of their age in 10 and 20 years time. Students then worked in groups to create dioramas of their favourite ideas and finally they wrote a Time Travelling Postcard to Maribyrnong City Council with their reflections and ideas for the future.

Their responses are highlighted in the section titled 'Primary student engagement with 100 Story Building' in Engagement Outcomes.

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### Engagement outcomes – Community Survey

The following is a synopsis of the outcomes of the Maribyrnong 2040 survey. The data is presented in terms of the key topics discussed by respondents against each question.

#### What makes the City of Maribyrnong proudly unique?

Residents who took part in the Maribyrnong 2040 survey said there is much to be proud of. Respondents were generally positive about the future of the city based on a number of things that they felt made Maribymong unique. The strongest sentiment that came through in the response to this first question was pride in their multicultural community that helped to create a good sense of place and supported a diverse local economy.

The key topics that respondents felt make Maribymong unique are discussed below.

#### Multiculturalism

The rich tapestry of cultures represented in Maribyrnong makes the area particularly unique. Respondents to the survey felt that the city's diversity set it apart from other areas of Melbourne and that as a result the community was much more inclusive and accepting of others.

*"Our multicultural society that provides a place for people from a huge range of backgrounds to come together."*

*"The high proportion of Vietnamese and African businesses (and residents), combined with the growing 'trendiness' provides an amazingly diverse food landscape and community."*

*"Maribyrnong is highly diverse and welcoming to new Australians."*

#### Sense of community

Closely aligned to the pride in the multicultural landscape of Maribyrnong was a strong sense of community. Respondents thought that the community was close knit and welcoming. From the old industrial working class roots to the many migrants who call Maribyrnong home respondents felt a strong sense of social cohesion in their community.

*"The geography and history of Maribyrnong makes it unique; with the well-off living in the midst of the working class."*

*"Once you move here, you are home."*

*"Cosmopolitan vibe, but still maintaining a neighbourly community connection and care."*

#### Local economy

The diverse local economy - multicultural restaurants and shops, markets and the historical industrial trades - make Maribymong proudly unique for the residents. Tied into the strong sense of community is the village feel of the shopping strips in the suburbs.

*"I love the Yarraville Village heritage precinct and the businesses that are supported there."*

*"Start-up business restaurant culture from new migrant communities."*

*"It's a marketplace - on the street, in the shops, in the markets themselves."*

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### The environment

The Maribyrnong River and parklands are very important to the respondents. Their proximity to urban areas and to other nature areas provides residents with great connectivity to the city's open space.

*"The rivers, creeks and quick access to similar areas in Altona and Williamstown."*

*"The Maribyrnong park precinct."*

*"Proximity to water - Maribyrnong, Yarra and Port Phillip Bay."*

### Location

Several respondents enjoyed the close proximity of the city to the Melbourne CBD. They felt that even though they were so close to the CBD, the traffic was still relatively quiet and the location of the city near the docks and major road infrastructure meant that Maribyrnong is a major hub.

*"Proximity and linkage to City of Melbourne - as it extends down Footscray Road and Dynon Road."*

*"We are so close to the city - so we have an inner city."*

*"Physical position - Footscray as the gateway to the west and as a major hub."*

### Population growth and housing

Projected population growth of the city will have an impact on housing, particularly medium and high density developments have the potential to change the aesthetic of the city. Overall, respondents who spoke about population and housing in response to these questions were relatively positive about the change in the market with one respondent suggesting we shouldn't fight change.

*"Lots of families moving into the area, and there are lots more apartments and townhouses replacing factories and houses."*

*"Significant population growth and corresponding change in property market."*

*"Blend of gritty inner suburbs with pretty villages."*

### Other topics

Community facilities - *"...neighbourhood activity centres that provide local services and amenities."*

Education facilities - *"I really appreciate the focus on the education precinct being developed in Footscray."*

Festivals/community events - *"Well known for its arts and festivals."*

Public transport - *"Good transport linkages in my area of the municipality."*

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### How do we capitalise on our strengths for a positive future?

Respondents to this question were generally positive about the strengths of the community and the city that will guide them to the future. Common topics of discussion from the first questions such as multiculturalism, local economy, and the environment, were again mentioned in response to this question.

The key topics are discussed below.

#### Planning

Respondents to this question placed emphasis on protecting heritage overlays and the neighbourhood feel of the area. Ensuring developments were not too high and that developments were high-quality was of importance to respondents. New buildings should also be sustainable and complement the surrounding neighbourhood character.

*"Increase the heritage overlay of historical suburbs such as Seddon, Yarraville ensuring new developments have a historical facade and blend in, before they are lost to 'boxy' townhouses and houses with no character."*

*"Protect our pubs from being lost to apartment development. Don't allow more skyscrapers to be built in our suburbs, and keep developments to two stories in our villages."*

*"Ensure development is appropriate and in the right places in our city - focused on brown field development close to public transport and Footscray CBD rather than building apartments etc in suburban streets."*

#### Connectivity

The way people move around the municipality - in cars, on foot, or by bicycle - was an important consideration for the future. Respondents gave suggestions of particular roads and crossings that they would like reviewed by Council and several respondents asked for footpaths to be fixed.

*"We have shops and services in walking distance in most of our municipality, but our footpaths are not being expanded; in fact, they are being compromised. New style of cross-overs means that wheelchairs, prams and ankles roll off skinny footpaths and onto the road."*

*"Maintain and build physical connections and links to central Melbourne."*

*"[More] clearways adjacent to major T intersections like Gordon Street and Essex Street."*

#### Multiculturalism

As with the previous question, multiculturalism in the city was a strong topic. Understanding and including the people of the many different nationalities in discussions of the future and building on the strengths of the diverse community were seen as integral to the future sustainability of the city.

*"Build on the strengths and celebrate the diversity of different cultures living together."*

*"Consider the voices of the multicultural people in this area."*

*"Ensure that we are welcoming of diverse and different people and communities."*

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### Local economy

The local economy is very important for the survey respondents. Encouraging local businesses to employ locally and Council playing a proactive role in supporting local businesses to grow were common themes.

*"Support and strengthen local businesses; encourage some businesses to operate 24 hours. Encourage people to open restaurants and cafes along the river, and promote it for tourism."*

*"[Support] industries with large workforces taking on school leavers and immigrants."*

*"Provide underpinning economic activity to the area and its employment opportunities."*

### Leadership

As well as suggesting Council plays a proactive role in supporting the local economy, engaging with the community on a broad range of topics, and empowering communities to undertake active citizenship was a common topic for this question.

*"I would like to see a strong focus on creating respectful and engaging dialogue across the different cultures and lifestyles that coexist in Maribyrnong to ensure we continue to see community cohesion overtime as our municipality grows and changes."*

*"Be responsive to residents and focus on service provision for them."*

*"Make sure to engage with people who have lived here for decades - try to ensure gentrification doesn't take over."*

### The environment

Tree planting and green streetscapes were discussed by several respondents. Ensuring that everything we do is environmentally sustainable was also mentioned. Protecting heritage trees was of utmost importance to respondents.

*"Ensure environmental sustainability is enhanced for the entire community - including multicultural communities."*

*"The recent issue with the tree on Hyde Street illustrates how Maribyrnong was unprepared and ill-equipped to look after what the public thought should be protected. A revised tree study and associated planning protections are required."*

*"I would also love to see Maribyrnong start to focus more strongly on preparing for climate change."*

### Open space and parks

Maintaining and improving open space and parklands for use by the community was seen as very important to respondents. Again, tree planting was a popular topic. Investing in park infrastructure and amenity was also important for future use and access to public spaces.

*"BBQ facilities with seating and pergolas. More benches in parks."*

*"Continue to improve the amount and access to high-quality open space and ensure key issues such as traffic and air pollution are improved."*

*"Ensure we keep a lot of parkland around us."*

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### Other topics

#### Affordable housing

*"Encourage and support affordable housing and services for new arrivals and people on low incomes."*

#### Active transport

*"Walkability is our greatest potential."*

#### Community facilities

*"Invest in community infrastructure properly."*

#### Education

*"Education is vital - especially if it raises awareness of the past and challenges of the time."*

#### Parking

*"Better parking limits near shops and cafes."*

#### Public transport

*"Consider transport connections as sites begin to build out, including trams as the very fact that they are slow helps build retail strips that are vibrant."*

#### Sense of community

*"We need everyone to benefit from a better Maribyrnong."*

#### Services

*"Be innovative in finding efficiencies in service provision."*

#### Sports infrastructure

*"More basketball and tennis courts, outdoor gyms with sun tarps."*

#### Waste and amenity

*"Cleaner and safer neighbourhoods."*

### Survey theme one: Strong leadership

#### How would you like to be included in planning and decision making in our city?

Respondents to this question had mixed feelings about how Council involve the community in decision making processes. Some respondents felt that Council can improve on how they consult with the community and need to be more transparent. There were a number of different ways in which respondents wanted to be included. The key topics are explored below.

#### Advisory groups / committees

Several respondents to this question wanted to be involved in advisory groups and committees. In particular, respondents wanted to be involved in advisory groups for strategic planning areas. Those already involved in existing advisory groups, such as the Heritage Advisory Committee want great participation from Committee members.

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*"There should be an advisory committee for each strategic planning area; locals with expertise in urban environments, food production, local economics (trade and sharing), social cohesion, [and] mobility."*

*"To participate in any subgroups relating to sporting matters and development."*

### Digital

Digital engagement – from online surveys, opt-in website functionality, and live streaming of Council meetings. Some respondents were happy with the Your City, Your Voice website, while others felt that Council's digital interface could be improved.

*"More digital options and apps to give feedback and suggestions."*

*"Continue use of digital engagement. Improve the communications on upcoming engagement."*

*"Live streaming of Council meetings. I like how agendas and minutes are posted on your website. Something similar to this website."*

### Face-to-face

Traditional methods of engagement such as group workshops and facilitated conversations were some of the other ways in which respondents wanted to be involved. One respondent suggested Council provide more opportunities for consultation through community centres.

*"Through face-to-face conversations."*

*"Continue use of pop up information and engagement stalls in targeted locations."*

*"Group workshops/consultation sessions."*

### Other topics

#### Public meetings

*"Town hall meetings can be run to discuss big developments, and Facebook notifications about their time and place."*

#### Surveys

*"Things like this survey."*

#### Community panel

*"Be involved in the community panel."*

#### Email

*"Regular notifications of communiques/agendas/planning lists being sent out via email each week, so residents have notification without having to go to Council's website to look it up."*

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### What opportunities do you see for collaboration with Council?

As with the previous question, it was clear that people want to work with Council on matters that impact their lives but there is also an underlying feeling that people either aren't sure how to participate or don't feel that Council does enough to include them in decision making processes. The ways in which respondents would like to collaborate with Council are highlighted below.

#### Community networks, community forums and design forums

Fostering the relationship between various community networks and Council was a common topic raised by respondents. Community forums that bring these networks together were seen as a catalyst for greater collaboration with Council. Some respondents thought that design forums, particularly for planning reviews, would be a good way to collaborate.

*"Less town hall meetings, more outreach into communities."*

*"I can see community networks which can collaborate with Council."*

*"I would recommend a design forum on any geographical planning review, with presentations from locals and academics."*

#### Engagement and governance

As with the previous question, some respondents felt that Council could be more proactive in engaging with residents while others were not sure of the opportunities that exist to collaborate with Council. Respondents did show a desire to collaborate more with Council in the future.

*"I suppose I can collaborate through active citizenship."*

*"I am not clear what opportunities exist to collaborate with Council, apart from when I proactively reach out to Council on an issue of concern."*

*"Actively engage citizens (everyone from school kids to retirees) in thinking about and informing the growth and development of the area."*

#### Other topics

##### Advisory groups/committees

*"Opportunities for citizen committees to inform decision making."*

##### Planning

*"Huge opportunities for Council to be a leader in planning urban land uses."*

##### Community facilities

*"Community-run organisations and groups to organise events."*

##### Digital

*"I have just signed up for this engagement platform, and I think it's a good platform. I am looking forward to using it more."*

##### Face-to-face

*"More consultation through face-to-face opportunities via home visits/door-to-door knocking"*

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What will make conducting your day-to-day business with Council, for example getting a car parking permit or registering your pet, easy for you?

Respondents to this question mainly focused on the digital possibilities for improving services via digital means. The other topics discussed are listed below.

### Digital

Overwhelmingly, respondents had many ideas for digital solutions for day-to-day business with Council. Suggestions including digitising parking permits and payments. Having easy to use online forms and more electronic communications to reduce time spent having to visit the Council offices.

*"Mobile and internet technologies for parking, transport and event discovery, and payments. The bin app is an excellent example. Simple but effective."*

*"Well-designed online forms for straightforward matters."*

*"Renewals and registrations should occur online where possible, including online payments via credit card and BPay."*

### Customer service

Extending the hours that the customer service desk is open and improving customer service in general.

*"I want to be able to call Council and speak to someone who can deal with my query and sort it out on the spot."*

*"Retaining the Council reception desk but also offering longer hours for the Council hotline to operate."*

*"Evening hours, as I work in the day. Weekend options."*

### Other topics

#### Planning

*"Much clearer information on planning processes for residential areas to facilitate quick decision making and access to advice for things such as building decks, putting in spas etc."*

#### Active transport

*"More investment in bike paths to enable mobility through the region would make day-to-day living much more efficient - which means connecting the existing ones."*

#### Parking

*"Permits should be free for ratepayers."*

#### Services

*"Offer an annual day when it's free to microchip and register a pet without penalty. Offer a hands-on service to walk people through the process involved in pet registration."*

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### Social media

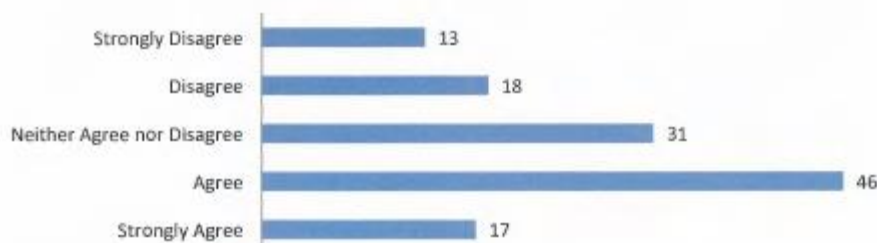
*"I travel a lot and have always felt more 'in the loop' so to speak via social media. Whoever manages your Instagram account particularly is doing a great job in both capturing the spirit of where we live, and the interesting characters who live and work here."*

### Two-way engagement

*"A management and staff culture that captures community-led responses."*

Respondents were also asked to rate their level of agreement with the following statement in this theme:

Council operates with finite resources and will need to sell some of our aged and outdated community assets to buy or build new facilities that meet the needs of a future population



### Survey theme two: Healthy and inclusive communities

#### What stands out as a time when you felt part of a positive shared experience in the community?

Respondents tend to feel most connected to their community when they attend local festivals and events. Being part of sporting clubs and community programs also bring people close to others in their community.

#### Festivals/community events

Street parties, markets, festivals and outdoor cinemas were just some of the things that respondents spoke of as having given them a positive experience in the community. Mixed into this is a sense of pride in the different cultures that help to make these festivals and events so much more special.

*"Wominjeka Festival - every year I've been this has been a wonderful experience of community coming together and celebrating our first peoples and their culture."*

*"I did enjoy going to the Makers Market in Seddon and seeing lots of people talking to each other and enjoying a lovely day out."*

*"Attending community events in the municipality, such as Harmony Feast cooking and being involved in the design."*

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### Community facilities and programs

Respondents felt particularly connected to their community when being involved at community facilities and with community programs such as community gardens and local arts.

*"Participating and volunteering in the community. Set up and running of the Braybrook Commons Community Garden. Participating and organising community events as a community leader (Braybrook on board)."*

*"Developing our community garden project."*

*"The Footscray Community Arts Centre provides great connections to our indigenous and creative communities."*

### Sports clubs/programs

Sporting clubs are a great way to experience positive community connections. Respondents enjoy spending time with others at the various clubs that they are involved in.

*"As a member of the Yarraville Tennis Club we consistently have positive shared experience in our recreation activities with members and non-members."*

*"The positive time I have spent in my community is with my soccer/football club - and all-female soccer club focused on empowering women and girls in the inner west."*

*"When they launched the AFLW and the free games were held at Whitten Oval, it made me proud to be a local."*

### Other topics

#### Education facilities

*"Primary school communities seem to be the greatest opportunity to feel connected in the inner city."*

#### Multiculturalism

*"Seeing such cultural diversity and acceptance of different lifestyles."*

### How might similar opportunities be created in the future?

Supporting and providing new community events, supporting local sporting clubs and community programs/facilities were all important to respondents for participating in future opportunities to bring the community together.

### Festivals/community events

Respondents felt that investing in new community events and continuing to support those that already exist is integral to maintaining positive community connections in the future.

*"Council runs a lot of events that are important to different parts of the community – keep doing this."*

*"Keep up the investment in festivals that celebrate the different cultural groups and do more promotion of these free events."*

*"Create festivals in new locations like Edgewater."*

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### Sports clubs/programs

As with the previous question, sporting clubs were seen as important in respondent's lives.

*"Create more opportunities for sports to develop a local identity with support and promotion of Council."*

*"I would give discounts or incentives to sporting clubs that facilitate and manage community gardens at their club."*

*"Public sports equipment like outdoor netball/basketball hoops."*

### Other topics

#### Bike/walking infrastructure

*"Encourage people to walk places."*

#### Community facilities

*"Encourage community gardens."*

#### Engagement/governance

*"Consultation and community engagement as it will be genuine and for the community's benefit."*

### What could support healthier lifestyles in our community?

Investing in active transport infrastructure and community program that are inclusive of everyone will help support healthier lifestyles, according to the survey respondents. Sporting clubs and sports infrastructure are also important.

#### Active transport infrastructure

Respondents to this question were keen for Council to invest in more bike and walking paths to help people get around the city and to and from public transport. Respondents asked for wider footpaths, safer cycling lanes, and a commitment to ongoing maintenance of infrastructure.

*"Construction of protected bike lanes that connect to the CBD, Maribyrnong River, activity centres and Victorian University."*

*"Widen footpaths on residential streets to facilitate pedestrian activity."*

*"The establishment of a connected bike path system with major routes to and through the CBD."*

#### Community programs

Community programs that support disadvantaged people and offer low cost or free activities will help support healthier lifestyles across the city. Council's support is integral to this.

*"Continuing the Active Maribyrnong and Spring into Summer series. These are fantastic events that encourage people to be more active for their own health and wellbeing."*

*"It is essential that you maintain the opportunity for participation in the public realm through free (economic and access) space where income and ability is not a limiting factor."*

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*"Subsidising fresh food for low income earners particularly in Braybrook where there are high incidents of diabetes, or using Food Bank or Second Byte options."*

### Sports clubs/programs

Investing in sports clubs, programs and infrastructure is important for supporting a healthier lifestyle for the city's residents. Respondents would also like to see a wider variety of sports on offer.

*"Another swimming pool, a community gym."*

*"More funding for services like RecWest to subsidise gym and class access."*

*"Making sure that sport and recreation facilities in the area increase in line with the projected population increase."*

### Other topics

#### The environment

*"A greater focus on restoring biodiversity and natural habitats, separated from the noise and visual distraction of roads and freeways that tend to cut off and divert active transport access routes."*

#### Health and wellbeing

*"Having deep conversations with community members about what supports healthy lifestyles."*

#### Local economy

*"More cafes and restaurants along the river to encourage walking to locations."*

#### Open space

*"More parks, utilise the river."*

### What current services in our community are crucial to our good health?

Programs offered at the community centres and libraries help to promote good health practices and often the programs are affordable for all sectors of the community. Co-health, and maternal and child health services are well-used and crucial to the community.

### Community facilities and programs

Facilities and programs that benefit the community were very important to respondents. The community centres in particular are important to the people they service. Cheap or free programs are a draw card for many.

*"I only just learned about the existence of the Maidstone and Maribyrnong Community Centres - they seem to run a few health services that are relevant to me as a non-parent."*

*"Other things include access to community and cultural events that bring people together harmoniously."*

*"Libraries and cycling infrastructure and programs that get children active, and outdoor activities to get people using our parks and gardens."*

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### Health facilities and services

Health services, including cohealth and maternal and child health services were seen as crucial for maintaining and promoting good health within the community. The hospital, and the desire for upgrades to the services offered there was also important.

*"The Council-run medical facilities, such as cohealth in Braybrook and Footscray which supply low cost or free medical treatment to the elderly and disadvantaged people."*

*"Maternal and child health services are essential to helping parents and babies."*

*"Drug support services and psychiatric services for mentally ill people."*

### Other topics

#### Libraries

*"Libraries are SO essential for everyone – especially a world with growing inequality."*

#### Active transport infrastructure

*"Bike lanes and encouraging people to ride bikes."*

#### Open space

*"Recreation areas - where there is a connection to community and nature."*

#### Waste and amenity

*"Rubbish removal daily, in high traffic areas."*

### Are the needs for these services likely to change in the future and if so, why?

The main topics discussed are listed below.

#### Aged care

*"We need to better cater for the ageing population - retirement or other downsizing living options in the community."*

#### Environmental sustainability

*"I can only imagine the Maribyrnong River frontage will only increase in importance. Council is essentially the custodian of the river as it passes us by. Council needs to strongly advocate for the best possible outcomes along that stretch of river."*

#### Health facilities

*"I'd say the health services are likely to change in the future as one demographic is focused on building new families."*

#### Population growth

*"With increasing population density in the municipality, it is vital to maintain existing community services."*

#### Public transport

*"Public transport services will need to improve vastly."*

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### Sports clubs/programs

*"We need to invest more in sport and recreation (indoor and outdoor) facilities and community spaces."*

Respondents were also asked to rate their level of agreement with the following statement in this theme:

It is a Council responsibility to support vulnerable members of our Community



### Survey theme three: Quality spaces and places

As our population increases and we begin to experience higher density living, what potential benefits could that bring?

Responses to this question were varied, with some respondents seeing few benefits in high density living, while others were quite supportive of high density developments, so long as the developments were thoughtful and in appropriate locations.

#### Planning

Many respondents felt that high-density developments have a detrimental impact on the community, including on traffic flow, parking, provision of services, and visual amenity. There was a strong feeling that Council ought not approve planning applications for high rises in the municipality.

*"High-density housing is constructed, and there are too many people and not enough services."*

*"Ugly skyscrapers and cheap, fast development. Villages overrun by chain stores."*

*"There is no place nor need for the numbers and height of apartment skyscrapers to be built in Footscray and inner city Maribyrnong."*

#### Connectivity

Respondents were concerned about the impact that population growth and greater housing density might have on public transport, roads, and the environment.

*"It will create more congestion on the roads."*

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*"There needs to be controls to ensure reviews of the access routes can integrate with the overall city pedestrian and cycling facilities."*

*"As the population grows, there must be growth in infrastructure and businesses. This will help to improve Council revenue, increase job opportunities; makes the city more vibrant."*

### Local economy

Even though respondents were wary of the impact that population growth might have on planning approvals and increased congestion on the roads, they were positive about the repercussions for local business, with many respondents feeling that an increase in population will help boost the local economy.

*"Means that there is a larger population base to provide customers for businesses located in the municipality."*

*"More new businesses opening; established brands wanting to invest in the area."*

*"More money into the municipality, and more people to look at creative solutions to our problems."*

### Services

Some respondents saw a correlation between an increase in population and a need to increase services, particularly health and aged care services.

*"A greater demand for services means more service provision."*

*"More amenities to service the community."*

*"...community and health institutions that will give back to the community through programs."*

### Other themes

#### Active transport infrastructure

*"Pedestrian and cycling activity will be able to thrive as the superior and most desirable form of transport improving our connectedness as a community."*

#### Open space

*"There could be benefits to strategically incorporating well planned green spaces."*

#### Rates

*"The only benefit is for Council as they will receive more rates from all the extra housing and higher land values."*

### Where do you see examples from other locations that would support positive urban design outcomes such as well-connected, safe and walkable communities?

There were some examples of cities across Melbourne and around the world that respondents were able to draw inspiration from (Denmark or Sweden's cycling networks, New York, Amsterdam, City of Melbourne, City of Yarra). The key topics discussed are highlighted below.

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### Active transport

Respondents saw an increase in infrastructure as the key to achieving a well-connected community in the future. User safety and better connected paths were very important.

*"Solar lighting on walking and bike tracks."*

*"...such as separate bicycle lanes in Melbourne."*

*"Bike lanes that actually go somewhere and are connected."*

### Other topics

#### Streetscapes

*"Reclaiming road spaces for green space."*

#### Parks

*"More parks for young kids to play and socialise and stay healthy."*

#### Planning

*"Brunswick has some interesting, new developments which are community-focused and sustainable. These are the buildings of the future."*

### Where and how could responsibility be shared to achieve clean and welcoming neighbourhoods and shopping precincts?

Most respondents felt that it is Council who ought to show leadership in achieving clean and welcoming neighbourhoods and shopping precincts. Council should collaborate with local businesses, community groups and community leaders, and local industry bodies to this end.

*"Council needs to show leadership on this issue."*

*"Local community organisations and businesses could be encouraged to be active and provide engaging opportunities and events for residents and businesses so that they feel welcome."*

*"More active engagement in the promotion of neighbourhood residents groups where Council listens to priorities determined by residents."*

### What are your priorities for the use of limited open space?

Sports infrastructure, and parklands for community use were the main priorities for survey respondents.

#### Sports infrastructure/ programs

Several respondents hoped that Council would designate some open space to the provision of sports infrastructure such as tennis courts, public gym equipment in parks and basketball hoops.

*"The limited open space should provide opportunities for recreation and sport to a wide range of people from the young to the old."*

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*"Sporting clubs need to have priority as they provide great support to all members of the community."*

*"We have some excellent sports fields and they need to be supported."*

### Other topics

#### Parks

*"Make sure there are regular parks and green spaces."*

#### Community space

*"We need gardens that embrace our culturally diverse community."*

#### Active transport

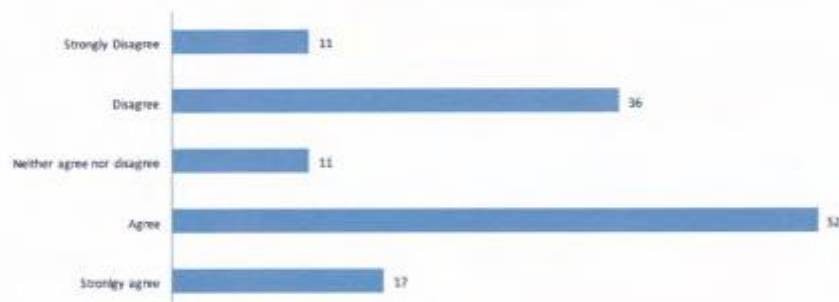
*"Creating better connections to open space via cycling and pedestrian networks."*

#### Accessibility

*"Building more accessible green spaces so that the existing ones do not become sardine tins."*

Respondents were also asked to rate their level of agreement with the following statement in this theme:

There is an adequate range of sport and recreation spaces and facilities in the City of Maribyrnong



### Survey theme four: Growth and prosperity

#### What will encourage new businesses and sustainable employment opportunities in our City?

Mentoring, incentivising and training new business owners were topics discussed by respondents. Improving the visual amenity of shopping strips, and improving transport and parking in and around shopping locations were also seen as ways to encourage new businesses to open in the area.

*"Economic activity areas need to be well connected to public transport."*

*"Invest in shop frontages and building clean ups."*

*"Provide free business classes to help people to run a small business."*

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### What will be required to ensure existing businesses and services flourish and are able to adapt to change?

As with the previous question, improving the visual amenity of shopping strips, supporting local businesses and improving transport and parking will help to ensure existing businesses and services flourish.

*"Proper town planning. Easy parking and access to businesses and services."*

*"Education and training. Strict Council rules to improve cleanliness, safer environments. Council providing clean, safe, high class facilities to the customers, attracting them to come to venues."*

*"Great streets designed to encourage people to walk and linger."*

### Thinking about our different neighbourhoods and the social and economic diversity of our population, what will ensure all sections of our community share in economic growth?

Some respondents felt that Maribyrnong was at risk of losing its social and economic diversity if there wasn't an increase in affordable housing in the area. Supporting new communities in education and business was seen as very important in ensuring that no one in the community is left behind.

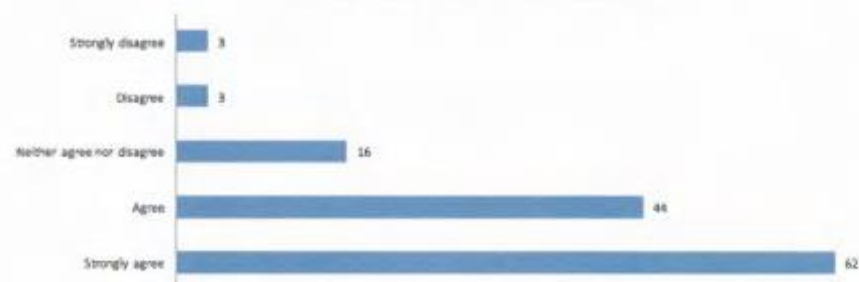
*"Support alternative affordable housing models."*

*"Keep supporting our new communities as they open up restaurants and businesses that are compatible with their home culture."*

*"Education. Easy and affordable advice and initial funding to invest in business, self-development and the like."*

Respondents were also asked to rate their level of agreement with the following statement in this theme:

Community infrastructure such as childcare centres libraries and community centres that will meet the needs of our future population should relieve funding from other levels of Government



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### Survey theme five: Mobile and connected

#### What will encourage people to walk, cycle or choose sustainable transport options for short trips within our City?

Unsurprisingly, the provision and ongoing maintenance of active transport infrastructure was the main point of discussion of this question. Reliability of public transport and safety were the other main topics discussed.

*"Protected bike lanes - bike lanes should be designed for children, pedestrian triggered lights and wider footpaths."*

*"Building bike lanes that provide a safe space to ride and do not run out just before an intersection."*

*"Having a well-maintained public transport system with regular services that run on time."*

#### What could make public transport a more attractive option?

To make public transport a more attractive option, respondents thought that the timetables of trains, buses and trams needed to be reviewed and that services needed to run more frequently. A change in the routes to improve connectivity between services, and fare reductions were also topics discussed by respondents.

*"Frequent, well-coordinated and well-operated services, ensuring service disruptions are minimised or alternatives provided are frequent and reliable."*

*"A tram down Footscray Road, buses that better connect to Williamstown/Werribee and Sunbury lines."*

*"Cheaper and more reliable."*

#### What will ensure truck traffic is kept away from residential areas?

Most respondents to this question felt that trucks should be banned in suburban streets. As an alternative, respondents thought that there should be dedicated trucks routes, curfews for trucks, and alternative freight transport, such as trains.

*"Banning trucks from suburban streets and offering an alternative route which is for truck traffic only with limited or no traffic lights so it will encourage them to use it as it will be quicker for them."*

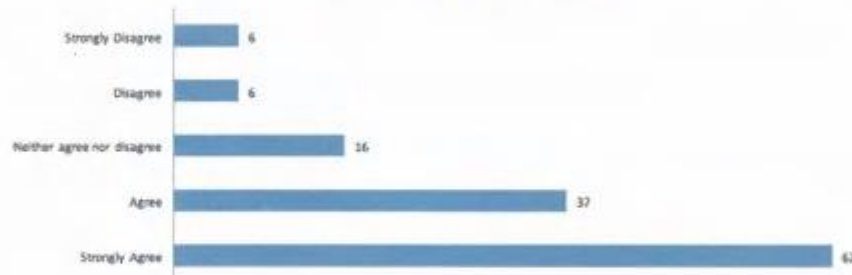
*"Traffic light sequences that preference pedestrians and cyclists rather than trucks. Roads that allow easy access for local cars, thus slowing down rat runs for heavy vehicles and making it less attractive for them."*

*"Better roads for truck traffic away from residential areas."*

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Respondents were also asked to rate their level of agreement with the following statement in this theme:

Some sections of our transport network should give priority to active and sustainable transport options even if this means sacrificing on street parking in places or lowering speed limits



### Survey theme six: Clean and green

What natural environmental features of our City do we value and how do we protect and enhance our experience of them?

Undoubtedly, the most important environmental feature of the City that respondents want to protect is the Maribyrnong River. Respondents feel a great sense of pride in the river and it holds an important place in the social fabric of the community. Respondents want the surrounding parklands and open space to be enhanced and maintained for public use. Planting more trees and protecting heritage trees was also important to respondents.

*"Everyone loves the river, even those who don't live near it. It is the heart and soul of the inner west."*

*"The river and riverbank, Footscray Park. Protect it by controlling development too close to these facilities. Enhance facilities around these areas i.e. cafes, restaurants, toilets at reasonable distances. Example: riverside or river view restaurants."*

*"The register of significant trees and associated protections are essential."*

What creative approaches might encourage pride in our places and deter vandalism?

Respondents to this questions thought that community programs (such as art classes, clean up days), thoughtful urban design, creative public spaces that encourage artistic expression, and CCTV as a deterrent.

*"Use an arts program that is pop-up in style - music, dance, bands, art installations that are temporary in public spaces."*

*"Better urban design that discourages vandalism... surfaces covered with plants help the environment and prevent graffiti."*

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*"Youth activities and a space for youth to express themselves in a safe, designated space i.e. graffiti art, skate parks. Free classes for job seekers - barista lessons, computer classes etc."*

### What would encourage you to reduce your waste, and increase and reuse recycling practices?

Some respondents felt that Council could be more proactive in educating the community on what items can and cannot be recycled, how to compost food waste and ways to reduce the use of plastics. A more frequent recycling collection and free compost bins for households were other suggestions respondents had. A reduction in use of plastics, especially plastic bags at markets/shops was also important with some respondents seeking leadership from Council on this.

*"Kerbside compost collection would reduce landfill waste."*

*"Educate residents to compost organic waste. Send regular leaflets to residents to advise the residents how to compost, and the benefits of composting. Make compost bins freely available to residents."*

*"Banning plastic bags, financial benefits of recycling. Education, community recycling groups."*

Respondents were also asked to rate their level of agreement with the following statement in this theme:

Developers investing in our City businesses community service providers and individuals should all take responsibility to commit to reducing their environmental footprint



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### Survey respondent demographics

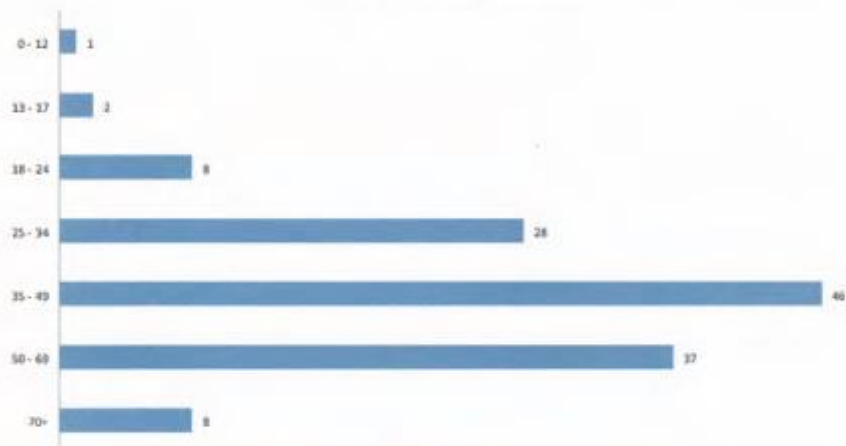
Survey respondents identified with a range of cultural backgrounds including:

American  
Arabic  
Australian  
Bangladeshi  
Chinese  
Croatian

Danish  
English  
Greek  
Hungarian  
Indian  
Iranian

Italian  
Maltese  
Scottish  
Somali  
Sri Lankan  
Vietnamese

#### Age ranges of respondents



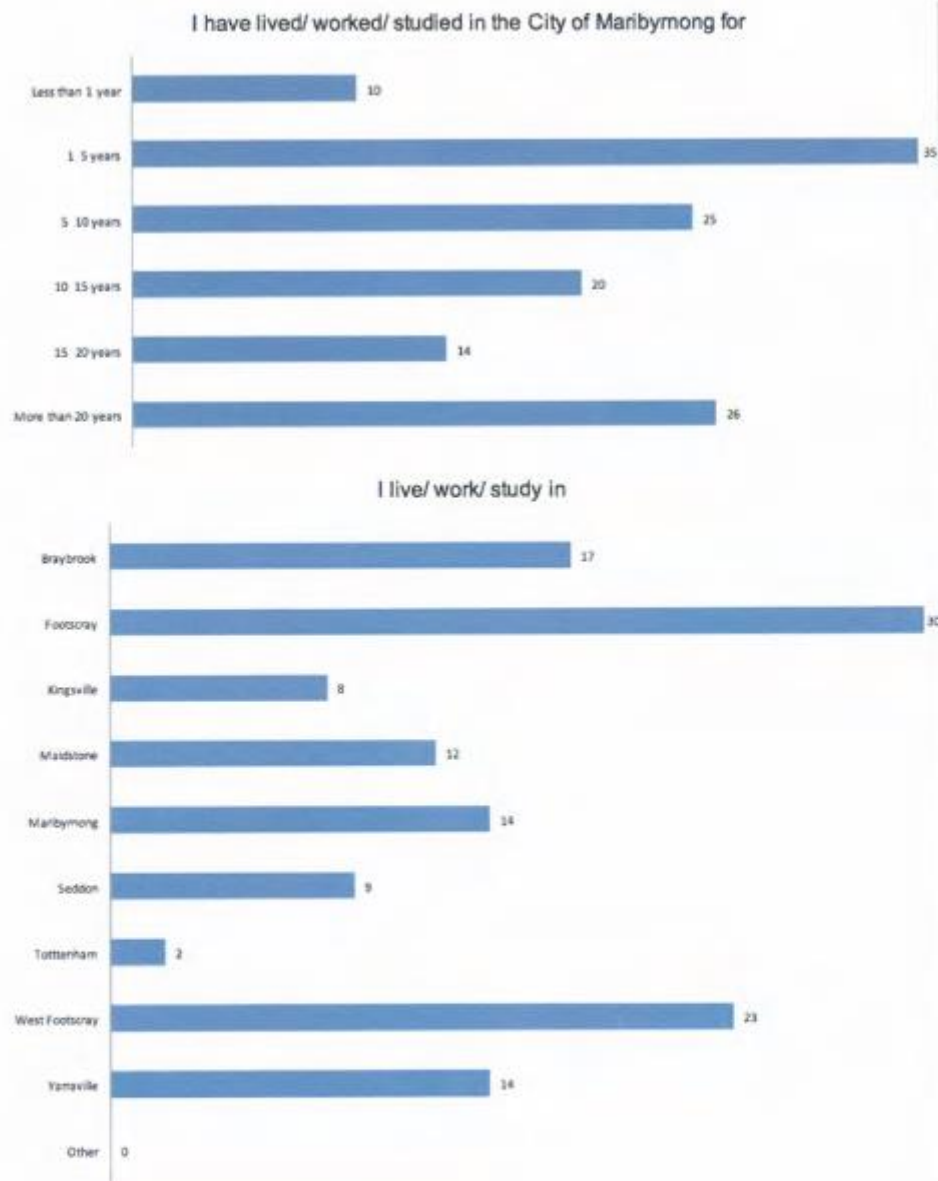
#### Gender



I am a select one or more options



**Agenda Item 9.2 - Attachment 1**



## Agenda Item 9.2 - Attachment 1

### Engagement outcomes – Wishing Trees

The Wishing Trees gave the community the opportunity to think about exactly what they want to see in a future Maribyrnong. The main topics were:

#### Environmental sustainability

Participants hoped for a cleaner, greener Maribyrnong with more trees and vegetation in public spaces, more parks and more bins.

*"I wish for more gardens, and more peaceful public spaces."*

#### Festivals/community events

More festivals and community events, especially ones that celebrate Maribyrnong's multiculturalism were important for participants in the future.

*"I wish for Footscray to always keep its soul."*

#### Multiculturalism

Participants wished for Maribyrnong to continue to be welcoming to new people and hoped that multiculturalism will continue to thrive in the future.

*"For Maribyrnong to be an inclusive and supportive community."*

#### Park infrastructure

Many participants hoped for more parks and playgrounds in the future so children, families and the community have places to gather and play.

*"I would like better lives, more green trees, more parks and more playgrounds for children."*

#### Community facilities/libraries

In the future, participants wished for better community facilities and libraries, better educational institutions and more community groups to connect with.

*"To get more books and to upgrade the library."*

#### Children's services

More play centres, more kid friendly places, and natural environments for kids to explore are some of the ideas that participants had for the future.

*"I want all the childcare centres and family day care to have a natural environment for children."*

#### Affordable housing/ homelessness

Participants hoped that in the future there would be homes for all the homeless people. Other participants hoped that houses would be more affordable.

*"I wish all of the homeless people will have shelters to live in happily."*

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### Active transport

Less cars and more bikes, more routes around Maribyrnong and to the city in the future were hoped for by participants.

*"More routes to the city."*

### Local economy

Participants want more night markets, and hope that more local restaurants and shops open in Maribyrnong in the future.

*"More night markets... more restaurants and shops."*

### Public transport

In the future, participants hope that there will be better public transport and less traffic.

*"I wish the trains were better."*

### Safety

Participants hope for more peace and less violence in the future. An increase in police numbers was also an idea some participants had to increase safety.

*"I wish for it to be safe, drug-free and a place anyone can come and call home."*

### Waste/amenity

In the future, participants hope for a cleaner Maribyrnong with more bins in public spaces.

*"I wish the city will be cleaner and more beautiful."*

### Sports infrastructure/programs

Sports clubs, infrastructure and programs are all important to participants in the future.

*"Heaps more basketball stadiums."*

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### Engagement outcomes – Primary student engagement with 100 Story Building

Local students were given the opportunity to write a postcard to Maribyrnong City Council of the future, to share their ideas for what the city will look like for children in the future. Their ideas were mainly focused around fun things for students and the broader community to do in the future. Some of their ideas included:

#### Sports infrastructure

Swimming was a hot topic for students, with most students hoping that in the future Council will be able to help provide swimming pools at school for everyone to use. More sports grounds for soccer, football and basketball and free sports activities were also wished for.

*"More sports grounds. Why? Because it would make people healthy and fit, and also more school competitions, like more interschool sport, sports for children."*

*"More pools at school so that children don't have to walk for so long. It would be both relaxing and good for students! We need school pools. Thank you."*

#### Education

The students who participated in this activity hoped that in the future education would be different to what it is now; they wanted education to be fun and for children to have an opportunity to choose the things they want to learn.

*"I want to see advanced schools and teachings different things kids recommend."*

*"I made a science centre and it's important for kids to learn about science."*

#### Entertainment

Movie theatres, zoos and lots more activities were wished for by the students.

*"I want to have a zoo, a jumping castle and a theatre so that kids in 2040 can have fun if they fail a test!"*

*"Have more laser tag. Laser tag is popular and many people love it and you can play with family and friends."*

#### The environment

Students hoped that there would be more trees in Maribyrnong in 2040, along with more parks and a cleaner environment.

*"I think we need a nature park because we keep cutting plants down and polluting the area. So we need more trees and plants for air."*

*"I want to get more trees and people won't litter and a robot to help people outside because you can see rubbish and it's not pleasing to see."*

## Agenda Item 9.2 - Attachment 1

### Technology

New technology, including driverless cars that students can use were some of the ideas that students had for the future.

*"I thought about what I want (and my friends) in 10 years is new technology. This will help future school kids with their work, and for entertainment."*

*"I think the Council in 20/10 years should build an automatic rolling car for students."*

## Agenda Item 9.2 - Attachment 1

### Conclusion

It is clear from the responses gathered through the community engagement period that the Maribyrnong community is proud of its multicultural heritage, especially the many different cultural events, restaurants and local businesses that make up Maribyrnong. The community have very firm ideas about what they want Maribyrnong to look like in the future and are keen to work with Council to ensure that the future of the city is sustainable, fun, welcoming, and prosperous.

**Agenda Item 9.2 - Attachment 2**



We acknowledge the Australian Aboriginal and Torres Strait Islander peoples of this nation. We acknowledge the people of the Kulin nation as traditional custodians of the lands on which Maribyrnong City Council is located and where we conduct our business. We pay our respects to ancestors and Elders, past and present. We are committed to honoring Australian Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to the land, waters and seas and their rich contribution to society.

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## Introduction

OUR VISION  
IS FOR A  
CITY WHERE  
HISTORY AND  
DIFFERENCES  
ARE EMBRACED,  
FORMING THE  
FOUNDATIONS  
FROM WHICH  
VIBRANT,  
DIVERSE AND  
SUSTAINABLE  
COMMUNITIES  
THRIVE.

The history of Maribyrnong has been shaped by its river and is home to the Kulin nation and more recently European, Asian and African migrants and refugees. Our physical history saw grasslands and plains make way for industry and meat works drawn to the river. Later as Australia was drawn into the wars of the twentieth century, Maribyrnong became a cornerstone of munitions and ordnance manufacturing. Our working class communities grew and changed as Maribyrnong left behind much of its industrial and manufacturing past. This historical diversity has been our strength which we will build on as we look to 2040.

Maribyrnong 2040 is the first Community Plan for the City of Maribyrnong. It will be an overarching strategic document that will guide Council's development of four year Council Plans as well as long term planning. It has been written by the community for the community.

This vision has drawn upon broad community engagement to find out what things were important to the Maribyrnong community now and in the coming 20 years.

To ensure a broad range of perspectives from the community were captured, a wide range of techniques were utilised to uncover their priorities for the future. The community were invited to provide feedback via an online survey available on Council's Your City, Your Voice digital platform.

Community Conversation kits replicating the questions posed in the online survey were provided to interested community members and made available at community centres. Language ambassadors from Chinese, Vietnamese, Persian, Indian, Bangladeshi, Eritrean and Sri Lankan backgrounds were trained to conduct conversations with established and emerging cultural groups. The Disability Advisory Committee and the Older Persons Reference Group also conducted conversations.

The Wishing Tree concept was brought to life over three days in central Footscray where Council staff and a community artist worked with over 130 community

members to create a stunning mural depicting cultural icons from across the municipality. The mural was embellished with leaves painted by the public which contained their hopes and wishes for the City in 2040.

Wishing tree decals were also set up in nine key locations - Yarraville Festival Youth Stage, Yarraville Library, Footscray Library, Maidstone Community Centre, West Footscray Library, Maribyrnong Library, Maribyrnong Community Centre, Braybrook Library and Town Hall. The public were invited to contribute their wishes for 2040 by adding leaves to the wall art.

The 100 Story Building worked with students aged 10 -11 years old to find out their hopes and dreams. Students were encouraged to discuss what they thought was important for children of their age in 10 and in 20 years' time. Students then worked in groups to create dioramas of their favourite ideas and finally they wrote a Time Travelling Postcard to Maribyrnong City Council with their reflections and ideas for the future.

A Community Panel was then formed, comprised of 30 residents. Each one of us was independently selected to represent the diversity of the Maribyrnong community.

We committed to come together over four occasions in a two month period, guided by an independent facilitator and supported by Maribyrnong Council.

We heard from a number of subject matter experts covering areas such as population forecasts, social demographics, urban and regional planning, climate change, and were provided with facts and figures on a wide range of topics to inform our discussions.

As a group, we decided on a set of values and decision making criteria. We ensured that this document would be future focussed, encompass Maribyrnong as a whole, be mindful of the global context, that the interests would be balanced, and mindful that we were making decisions on the knowledge available at the time.

We considered the findings from engagement with the broader community, as well as the engagement

conducted for the Council Plan 2017/21, and other mechanisms for ascertaining the views of others.

What follows is a community inspired and led plan for how we see our city in 2040.

This document will be used to inform future strategic directions of Maribyrnong Council and can also be used by the wider community to guide civic participation and engagement.

We sincerely hope that this document will be used by Council now and into the future and that it will be reviewed throughout its life.

We believe that it reflects the concerns and the hopes of the community and that its success will be measured by the uptake of the document in planning for our future.



## 01 Enabling active citizenship

Our city will be a place where people from all backgrounds, ages and income levels can represent their needs and concerns and can take part in decisions that affect them. Local government and services will be effective and accountable to users and there will be clear avenues for feedback. People's views and voices will be heard through democratic means, including digital platforms, citizen panels, public forums, and user surveys. Decision making processes will be fair, transparent and inclusive. Corruption will have no place in our city. All residents will feel safe and at home here, and visitors will be welcome.

"I WOULD LIKE TO SEE A STRONG FOCUS ON CREATING RESPECTFUL AND ENGAGING DIALOGUE ACROSS THE DIFFERENT CULTURES AND LIFESTYLES."

### What we heard

We felt Council could improve on how it consults with the community and should establish more ways to engage local populations in decision making through diverse methods, including the use of new technologies.

We want to work with Council on matters that affect our lives but there is an underlying feeling that we aren't sure how to participate or don't feel that Council does enough to include us.

### What we know

Maribyrnong will continue to have a predominantly young and transient population. However there will also be a segment of Maribyrnong's population that will have increasing healthcare and social support needs as they age in place. Maribyrnong will also continue to be a culturally diverse community.

Innovations in democracy are occurring globally and around Australia. For example, participatory budgeting has been adopted in some local governments allowing for citizen participation in the allocation of resources by local government. At the same time, communities are undergoing significant change, posing greater needs for social integration with emerging communities that are young, culturally diverse and not necessarily affiliated with conventional religious or cultural networks.



56% OF RESIDENTS AGREE THAT THE CITY OF MARIBYRNONG IS A CLOSE-KNIT NEIGHBOURHOOD WHICH IS SLIGHTLY BELOW THE METROPOLITAN AVERAGE OF 58%.



IN THE 2015 VICHEALTH INDICATORS SURVEY 70% OF MARIBYRNONG RESIDENTS AGREED THAT PEOPLE IN THEIR NEIGHBOURHOOD ARE WILLING TO HELP EACH OTHER OUT.



THE NUMBER OF VOLUNTEERS IN MARIBYRNONG INCREASED BY 3,337 PEOPLE BETWEEN 2011 AND 2016 BUT REMAINED SLIGHTLY LOWER THAN THE METROPOLITAN AVERAGE.

#### Trends

- Only 46.3% of residents in Maribyrnong did not change address between 2011 and 2016 compared to 52.4% Australia-wide indicating that Maribyrnong's population is more mobile than the rest of the country.
- The City of Maribyrnong welcomed a larger percentage of overseas arrivals (27.7%) between 2011 and 2016 than Greater Melbourne (23.5%)
- This higher than average mobility of our population may present challenges for developing strong social and civic trust. Nevertheless, the City is home to several home-grown initiatives that support refugees and asylum seekers, which are well supported by local residents.
- The Maribyrnong community overall exhibits a relatively solid to strong sense of community however there is significant variation across suburbs, as well as by age, gender and language spoken at home.

"MORE DIGITAL  
OPTIONS AND APPS TO  
GIVE FEEDBACK AND  
SUGGESTIONS."

#### What we can do

##### Information

promote the use of digital technologies to disseminate objective information and enable timely feedback from local residents and service users

- ensure that information is available in community languages as needed
- continue to measure customer service satisfaction through the annual community survey, as well as through service-specific initiatives

##### Engagement

- lead fair and transparent consultation processes appropriate to the type of decision to be made, including those that relate to important infrastructure or service changes
- use a wide variety of methods and tools, appropriate to the audience, to obtain public feedback on proposals
- work closely with local community groups that reflect or represent the needs of specific constituencies, to ensure that public concerns and aspirations are understood and considered
- promote and encourage participation in community engagement opportunities

##### Participation

- provide platforms for everyone to have a voice and representation on issues that affect them
- facilitate community participation to ensure that plans and programs are targeted to meet community needs
- promote flexible opportunities for volunteering and civic participation
- increase participation in community leadership programs
- build a sense of local identity and civic responsibility through encouraging community-owned spaces for reporting and discussion of local issues



10 | Maribyrnong 2040 Community Plan



## 02 Living well

Our City will be a healthy community where diversity is maintained, equity is promoted and the emphasis of wellbeing is embraced.

Good health and wellbeing is more than just exercise and diet. It is the mental attitude we have about ourselves and the connectivity with people and surroundings.

Health is a state of complete physical, mental and social wellbeing, and not merely the absence of disease or infirmity. (World Health Organisation, 1948)

**"MATERNAL  
AND CHILD  
HEALTH  
SERVICES ARE  
ESSENTIAL  
TO HELPING  
PARENTS AND  
BABIES."**

### What we heard

We want council to consider connectivity, liveability and environment at the core of health and wellbeing and that services matching the age, ethnic and cultural diversity of our community be considered in all infrastructure and program initiatives.

### What we know

It is anticipated that the population of Maribyrnong will increase by up to 60% by the year 2040 with more than half of the population under the age of 40 years. Subsequently there will be pressure on infrastructure, free open spaces and many of the lifestyle factors that will affect our health and well-being. There is a growing awareness of importance of the natural world and the links to human physical and mental health.



**40%**  
40% OF RESIDENTS WERE BORN  
OVERSEAS



**132**  
132 COUNTRIES ARE REPRESENTED AND  
MORE THAN 80 LANGUAGES ARE SPOKEN  
ACROSS THE MUNICIPALITY

**+9,384**

THE LARGEST INCREASE BETWEEN  
2016 AND 2040 IS FORECAST TO BE IN  
LONE PERSON HOUSEHOLDS, WHICH  
WILL INCREASE BY 9,384 HOUSEHOLDS  
AND ACCOUNT FOR 29.4% OF ALL  
HOUSEHOLDS.

### Trends

- Technology is changing the way we interact and use community infrastructure and there is increasing pressure on aging infrastructure due to population growth. As such there is a trend towards colocation of services, the development of community hubs and the creative reuse of existing infrastructure.
- In City of Maribyrnong between 2016 and 2040, the number of persons aged under 17 is forecast to increase by 11,018 (68.4%). The number of persons aged over 60 is expected to increase by 15,010 (127.9%). Our increasing populations of older residents and younger residents over the next 20 plus years will require age appropriate infrastructure and amenities.
- Plan Melbourne 2017 – 2050 seeks to create 20 minute neighbourhoods for all Melburnians meaning that most of their everyday needs can be met locally. Strong neighbourhood activity centres are identified as creating the conditions for strong social connections, vibrant local economies and healthy active lifestyles.

**“WE SHOULD CONTINUE TO  
IMPROVE THE AMOUNT AND  
ACCESS TO HIGH-QUALITY OPEN  
SPACES AND ENSURE KEY ISSUES  
SUCH AS TRAFFIC AND AIR  
POLLUTION ARE ADDRESSED.”**

### What we can do

Provide infrastructure and services to support the mental, emotional, physical and social health of our city

- create, maintain and promote green open spaces
- ensure civic facilities are accessible to all
- advocate and promote good nutrition and healthy minds
- support centres for community use including men's/ women's sheds and well-resourced libraries
- provide services to address social isolation
- actively communicate and promote civic services
- ensure maternal and child health support services are readily accessible for all
- support clean air initiatives
- review global and local trends to address emerging major health concerns

### Ensure the safety of our community

- prioritise physical safety of the community
- adequately light pedestrian and foot traffic areas
- use technology to improve public safety in communal areas
- provide designated and wide cycle paths
- provide and promote physical and social activities
- tailor programs and early interventions using global and local data for engaging and helping with vulnerable groups

### Improve air quality

- encourage active transport such as walking, cycling, and public transport.
- encourage low emissions transport
- locate schools, childcare facilities, aged care and hospitals well away from high traffic volume transport corridors
- work with State Government to get trucks out of residential areas
- increase truck curfews for duration of school hours
- plant more trees to improve air quality



## 03 Shaping our natural and built environments

Our City will be a place where people can experience nature as part of their everyday lives.

It will be part of an 'ecosystem' supported by green infrastructure - conserving energy and conserving the environment, which in turn will enhance the wellbeing of people and other living beings.

Our city has a rich and diverse history, we need to protect the places that tell our stories.

**"HAVE HIGH QUALITY OPEN SPACE WITH A STRONG FOCUS ON NATIVE VEGETATION FOR PEOPLE OF ALL AGES TO CONNECT WITH."**

### What we heard

As a community, we value our natural environment, especially our river, and want to maintain and improve our open and green spaces.

Our history is a source of pride and we value inclusive and diverse communities.

We want our residential areas and public spaces to be safe, accessible and enjoyable places to live today and for future generations.

### What we know

Our city has changed from indigenous beginnings, through industrial activity to current service industries and contemporary neighbourhoods.

The population is predicted to grow rapidly, increasing housing densities and pressure on infrastructure. The climate is becoming warmer and drier with more extreme weather events, and our resources are finite.

Our future living, working, playing and learning spaces need to be appropriate, flexible, able to withstand heat and weather extremes, and be accessible and usable by all. A cleaner, greener city is a cooler and more liveable city.

We need to develop long-term strategies and interventions with a new focus to become stewards of the earth rather than consumers.

## Agenda Item 9.2 - Attachment 2



BY 2040 THE POPULATION OF OUR CITY  
WILL INCREASE BY 67%



ESTIMATED POPULATION DENSITY IN THE  
CITY OF MARIBYRNONG IS EXPECTED TO  
RISE FROM 39 PEOPLE PER HECTARE IN  
2027 TO 50 IN 2041



ONLY 28M² OF OPEN SPACE ARE  
EXPECTED PER PERSON IN 2031

### Trends

- The effects of climate change will see our city become warmer, drier and experience more intense rainfall events
- Population growth is expected to continue as older industrial sites are redeveloped

"I LOVE THE MARIBYRNONG RIVER  
AND THE BEAUTIFUL PARKLANDS.  
I LOVE THE MULTICULTURALISM  
AND DIVERSITY IN PEOPLE. I LIKE  
THE BIKE RIDING PATHS. I FEEL  
SAFE HERE."

### What we can do

#### Heritage and history

- protect and share the stories of sacred sites and culturally sensitive areas, with the help of traditional owners and their communities
- ensure important industrial, cultural and public heritage sites are maintained and accessible and the community is educated on our city's origins
- protect the diversity and history of architecture in our suburbs

#### Green and open space

- preserve and enhance our parks and gardens, existing open space, wildlife habitats and increase open space where opportunities arise
- support community involvement in caring for open space
- maintain and increase vegetation, including street trees, and gardens through planting, maintenance, and canopy protection
- ensure that development along the waterways preserves and enhances the natural environment, and ensures access to our community for public enjoyment

#### Waste reduction and use of natural resources

- educate schools, businesses and residents to adopt a proactive mindset to avoiding waste
- improve resource recovery and waste service delivery

#### Building

- raise awareness of the advantages of sustainable practices such as reducing energy costs and water use
- encourage new and retrofitted building enhancements to increase sustainability and minimise negative environmental impacts
- encourage new structures to complement the surrounding aesthetic
- ensure new housing developments have a range of options that cater to different needs, socioeconomic situations and stages of life
- encourage mixed use business/leisure and residential facilities in the same location, including shared community spaces
- encourage safety and community connection measures like placement of ground floor shopping/activities, adequate lighting, building and surrounding spaces that are open and visible
- work with other councils, levels of government, businesses and communities to increase Green Infrastructure and facilitate shared community uptake of emerging technologies



## 04 Working and learning

Our City will be a city where you spend where you live. We believe a strong education infrastructure is fundamental to building a robust economy which means a happy and healthy community.

With the population expected to almost double by 2040, new businesses should be encouraged to set up, to stay and to grow.

**"I REALLY APPRECIATE THE FOCUS ON THE EDUCATION PRECINCT BEING DEVELOPED IN FOOTSCRAY"**

### What we heard

Village precincts and shopping strips are a source of enjoyment and the walkable nature of local shopping precincts is appreciated. We love the variety of shopping and dining options as well as the services and education facilities available.

We like to work closer to where we live.

### What we know

Maribyrnong is set to become one of the most densely populated municipalities in Melbourne, with planning underway for a number of high density residential developments.

The changing face of the city, from heavy industrial to smaller style employment, poses challenges including maintaining an industry base for local jobs, transitioning land use to open up employment activities and buffering neighbouring industrial and residential areas.



>3,000

GREATER THAN 3,000 NEW BUSINESSES  
REGISTERED IN MCC EACH YEAR

53.9%

OVERALL, 53.9% OF THE POPULATION  
AGED 15 AND OVER HELD EDUCATIONAL  
QUALIFICATIONS, AND 36.1% HAD NO  
QUALIFICATIONS, COMPARED WITH 52.2%  
AND 38.6% RESPECTIVELY FOR GREATER  
MELBOURNE.

"KEEP SUPPORTING OUR NEW  
COMMUNITIES AS THEY OPEN UP  
RESTAURANTS AND BUSINESSES  
THAT ARE COMPATIBLE WITH  
THEIR HOME CULTURE."

#### Trends

- growth in population is expected to exceed growth in jobs.
- a technology boom is expected to tip the balance of employment away from industrial to home/office-based business.

#### What we can do

##### Local business

- encourage businesses to come, stay and grow
- encourage employers to employ locally
- provide incentives through the procurement system to support local business
- promote the advantages of opening businesses in the local area
- encourage small family business
- promote local industry capabilities, locally made products and local businesses

##### Education

- recognise Victoria University as of continuing importance to the local economy
- support the provision of adequate training and education to support the needs of the community as it grows
- ensure the provision of affordable, quality childcare/ kinder facilities
- ensure that State Government authorities are providing adequate learning opportunities for school children in the local area



## 05 Linking people and places

For a sense of connection, we need access to services, employment, education, shops, cafes, parks and open space. We need the ability to move safely and easily around our neighbourhoods, our city and beyond. Walking encourages us to engage with our surroundings and provides many health benefits.

Throughout the City, we can access technology to communicate quickly and easily with council and their world.

**"THE ESTABLISHMENT OF A CONNECTED BIKE PATH SYSTEM WITH MAJOR ROUTES TO AND THROUGH THE CBD."**

### What we heard

The way we move around the municipality - in cars, on foot, or by bicycle - is an important consideration for the future.

We are keen for Council to invest in the provision and maintenance of active transport infrastructure, including wider footpaths, safer cycling lanes and a commitment to ongoing maintenance of infrastructure, to help us get around the city and to and from public transport.

Reliability, cost and safety of public transport and safety are also important.

While moving towards improved digital engagement, we also want a mix of traditional methods of communication.

### What we know

As our neighbourhoods become more crowded there will be more pressure on existing transport infrastructure, particularly roads and trains. While walkability and active transport are fundamental indicators of a city's liveability, extra traffic also puts those using active transport at risk.

While more than three quarters of our community can access the internet, technology changes quickly and we need to be flexible and able to adapt.

We expect to be able to contact council using a range of communication methods, including the technology that they use.



APPROXIMATELY 12% OF OUR ADULT POPULATION USES CYCLING AS A FORM OF TRANSPORT AND 57% WALKS TO GET AROUND, WHICH IS ABOVE THE METROPOLITAN AVERAGE BUT BELOW THE LEVELS OBSERVED IN MOST OTHER INNER CITY AREAS.



73% OF LOCATIONS IN MARIBYRNONG ARE NEAR A BUS OR TRAM STOP OR TRAIN STATION

"FREQUENT, WELL-COORDINATED AND WELL-OPERATED SERVICES, ENSURING SERVICE DISRUPTIONS ARE MINIMISED OR ALTERNATIVES PROVIDED ARE FREQUENT AND RELIABLE."

### Trends

- Although safety perceptions have increased significantly in many locations in our municipality in the last decade, our residents feel slightly less safe walking alone during the day and night than the average Melburnian in 2015.
- The number of households in the City of Maribyrnong with an internet connection has grown from 70.6% in 2011 to 78.5% in 2016 but this percentage is still lower than that of the inner Melbourne area in 2016 (80.5%)
- People are changing the way they work. The increasing proportion of younger workers, combined with technological change, is creating new work practices such as co-working, 'hot desking' and greater opportunities to work outside of a traditional office setting.

### What we can do

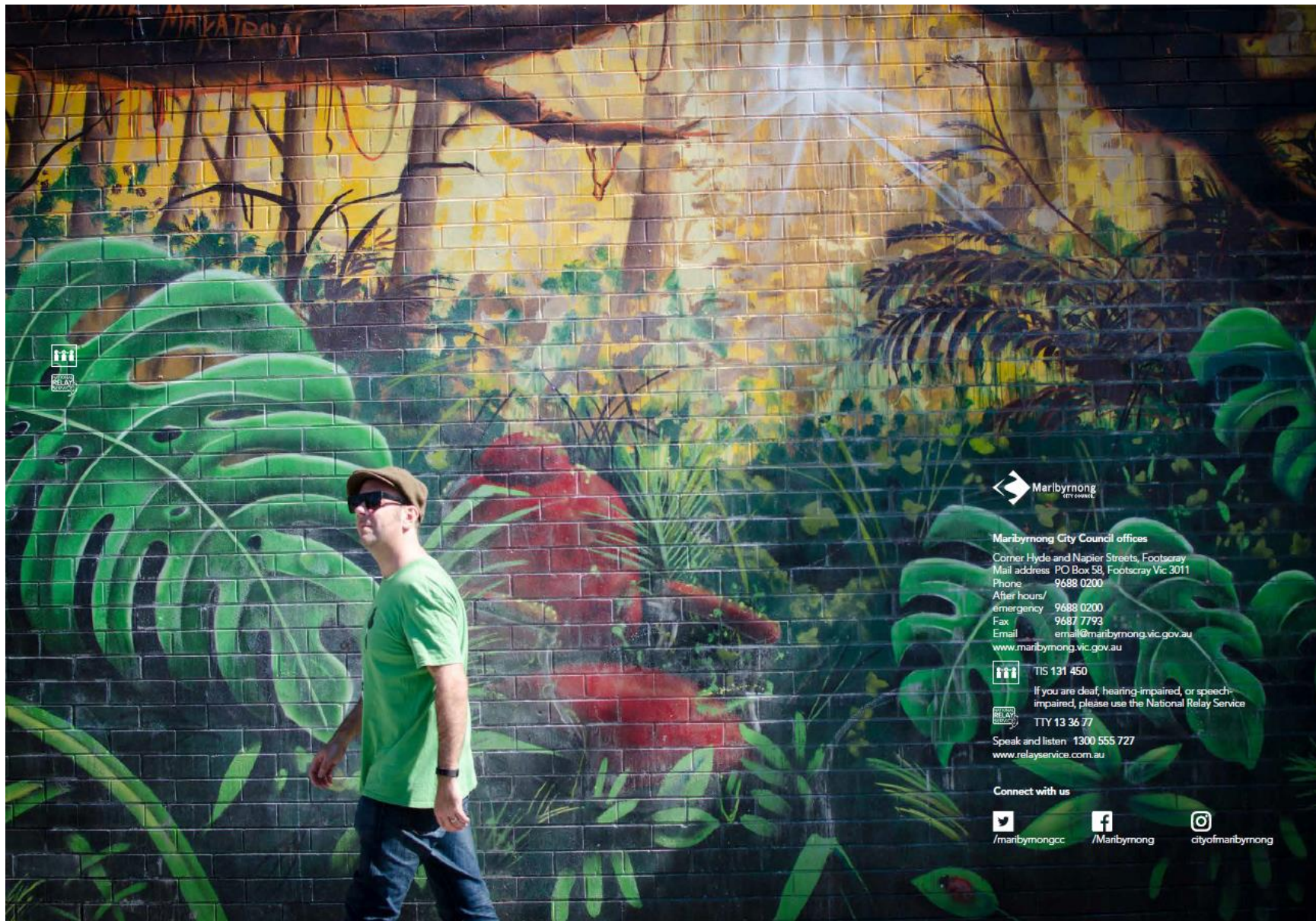
#### Getting around

- provide plenty of safe walking and cycling options, combined with public transport system to enable residents to access most of their daily needs within twenty minutes walking distance
- improve road design, traffic flow and traffic speed to provide safe and efficient motorised transport
- expand transport networks to accommodate the growing population
- strengthen transport connections into the city , including ensuring quick rail links and improved cycling routes
- ensure public transport options are accessible and affordable for all
- ensure access to car sharing arrangements
- consider the liveability of the local setting in the design of transport infrastructure, including pedestrian-centric lights and reduced traffic speed limit within built up areas

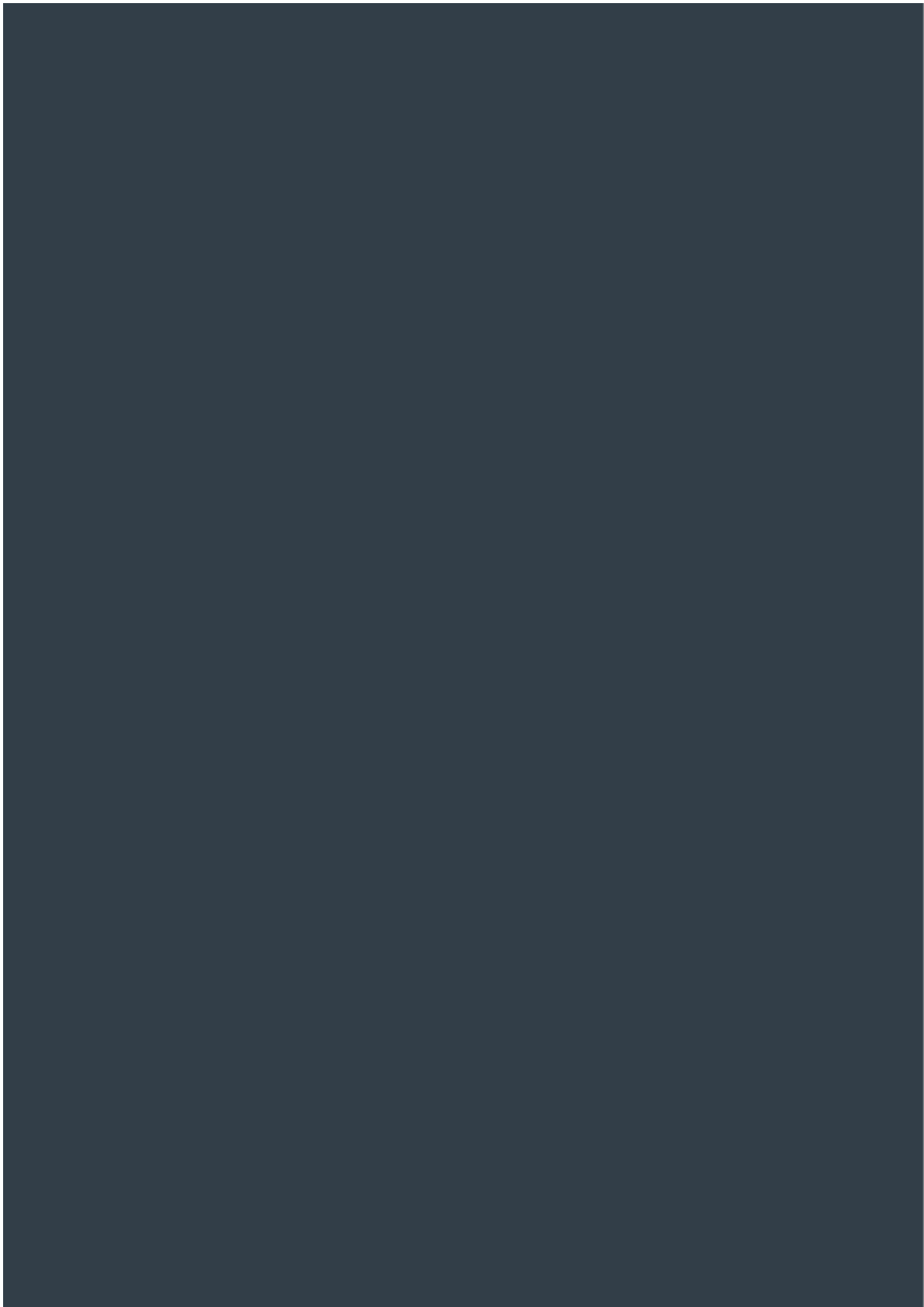
#### Staying connected

- access and embrace world-leading technology
- provide appropriate platforms in areas such as council buildings, youth shelters, nursing homes so that residents can communicate easily with council at any time.
- automate basic administrative tasks as much as possible to free up council staff for better customer relations
- communicate and connect with other councils and electorates to share and use data to improve use of resources with proximity to actual locations of resources.

Agenda Item 9.2 - Attachment 2



**Agenda Item 9.2 - Attachment 2**



**Agenda Item 9.3****PROPOSED DISCONTINUANCE AND SALE OF PART OF RIGHT OF WAY  
ABUTTING 2 YORK STREET, YARRAVILLE**

**Director:** Celia Haddock  
Director Corporate Services

**Author:** Lisa King  
Manager Governance and Commercial Services

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**PURPOSE**

To seek Council's approval to:

- remove that part of the land contained in certificate of title volume 11837 folio 884 and shown outlined in red on the plan contained in Attachment 1 of this Report (**Road**) from Council's register of public roads (**Register**) pursuant to section 17(4) of the *Road Management Act 2004* (Vic) (**RMA**); and
- commence the statutory procedures under the *Local Government Act 1989* (Vic) (**Act**) to consider discontinuing and selling the Road.

**ISSUES SUMMARY**

- The owners of 2 York Street, Yarraville have expressed interest in purchasing the Road, which directly adjoins their property at 2 York Street, Yarraville.
- The owners of 2 York Street, Yarraville have enclosed the Road for over 4 years.
- The Road parcel is approximately 40.85 square metres.
- The Road is a 'road' for the purposes of the Act which Council has the power to consider discontinuing under clause 3 of Schedule 10 of the Act. If the Road is discontinued, the Road will vest in Council.
- Council officers have conducted a preliminary investigation regarding the proposal to discontinue and sell the Road to the owners of 2 York Street, Yarraville, this included a letter and questionnaire sent to the owners of the adjoining properties being 202, 204 and 206 Hyde Street, Yarraville to determine the current use of the Road.
- No responses have been received from the owners of adjoining properties.
- Local statutory authorities and utility companies have been contacted to determine whether there are any assets within the Road. City West Water has underground assets in the area and has requested for an easement to be reserved in its favour if the Road is discontinued and sold to the owners of 2 York Street, Yarraville.
- A valuation obtained on 5 June 2018 has identified the current market value of the Road to be \$40,000 plus GST.

**ATTACHMENTS**

1. Locality Map - Proposed Discontinuance and Sale of Right of Way (ROW) adjoining 2 York Street, Yarraville [↓](#)

**Agenda Item 9.3****OFFICER RECOMMENDATION****That Council:**

- 1. Acting under section 17(4) of the *Road Management Act 2004* (Vic) resolves that part of the land contained in certificate of title volume 11837 folio 884 and known to title as Road R1 on Plan of Subdivision 003424, shown outlined red in Attachment 1 (Road), be removed from Council's Register of Public Roads on the basis that the Road is no longer reasonably required for public use for the following reasons set out below:**
    - a. The Road is currently fenced into the property at 2 York Street, Yarraville, and accordingly, has not been accessible to the public for over 4 years; and**
    - b. The Road is not currently used or required for use by other abutting properties for access to their properties.**
  - 2. Acting under section 189(4) and clause 3 of Schedule 10 of the *Local Government Act 1989* (Act):**
    - a. resolves that the required statutory procedures be commenced to consider discontinuing the Road;**
    - b. directs that public notice of the proposed discontinuance of the Road be given in a local newspaper in accordance with sections 207A and 223 of the Act and on Council's website;**
    - c. resolves that the public notice required to be given under sections 207A and 223 of the Act should state that if the Road is discontinued, Council proposes to sell the Road to the owners of 2 York Street, Yarraville for market value;**
    - d. authorises the Chief Executive Officer or their delegate to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in relation to this matter;**
    - e. resolves that any submissions received pursuant to section 223 of the Act be heard and considered at a future Council meeting or a committee appointed by Council; and**
    - f. notes that once all section 223 submissions have been considered, a further report will be presented to Council to decide whether or not to proceed with the proposed discontinuance and sale of the Road.**
-

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

The owners of 2 York Street, Yarraville have expressed interest in purchasing the Road adjoining their property and have requested that Council commence the statutory procedures to discontinue and sell the Road to them (shown outlined in red in Attachment 1).

Council Officers have written to the owners of 202, 204 and 206 Hyde Street, Yarraville to obtain their initial feedback regarding the proposal. No responses have been received from these adjoining owners.

Statutory authorities and utility companies have been contacted to determine whether they have assets in the Road which should be saved under section 207C of the *Local Government Act 1989* (Vic) (Act). City West Water has underground assets in the area and have requested for an easement to be maintained in their favour.

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

The Road is listed on Council's Register of Public Roads. Accordingly, the Road is a 'public road' for the purposes of the *Road Management Act 2004* (Vic) (RMA).

The Road is shown on title as part of Road R1 on plan of subdivision LP3424. As the Road is known to title as a 'road' and has been constructed and historically used as a road, the Road is a 'road' for the purposes of the Act which Council has the power to consider discontinuing under clause 3 of Schedule 10 of the Act.

Upon being discontinued, the Road will vest in Council.

It is considered that the Road is no longer reasonably required for general public use under section 17(4) of the RMA, as the Road is currently enclosed within the property of the owners of 2 York Street Yarraville by way of a fence, and accordingly:

- has not been accessible to the public for over 4 years; and
- is not used or required by the adjoining owners for access to their properties and has not been used for a period of time estimated at 12 years.

**Valuation**

The Road which is proposed to be discontinued and sold is approximately 40.85 square metres.

A valuation obtained on 5 June 2018 has identified the current market value of the Road abutting 2 York Street, Yarraville as \$40,000 plus GST.

**Agenda Item 9.3**

The Road abutting 2 York Street, Yarraville is encumbered by an active City West Water asset. City West Water has requested for an easement to be reserved in its favour.

**2. Council Policy/Legislation****Council Plan 2017-2021**

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Quality places and spaces - lead the development of integrated built and natural environments that are well maintained, accessible and respectful of the community and neighbourhoods.

**Legislation**

- *Local Government Act 1989 (Vic)*
- *Road Management Act 2004 (Vic)*
- Property Sale, Transfer and Acquisition Policy 2013

**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**

If Council resolves to proceed with the proposal, Council must give public notice of the proposed discontinuance and sale in accordance with section 223 of the Act.

The Act provides that a person may, within 28 days of the date of the public notice, lodge a written submission regarding the proposed Road discontinuance.

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

Following the completion of the public notice and after hearing any submissions made, the matter will be returned to Council to determine whether or not the Road should be discontinued and either retained by Council or sold to the owners of 2 York Street, Yarraville.

**Agenda Item 9.3****4. Resources**

The owners of 2 York Street Yarraville have agreed to acquire the Road for its market value (plus GST).

In addition to the market value of the Road (plus GST), the owners of 2 York Street, Yarraville have agreed to pay Council's professional costs and disbursements associated with the proposal, including valuation fees, survey costs, advertising costs and Land Use Victoria lodgement fees.

**5. Environment**

Not applicable

**CONCLUSION**

It is proposed that Council commence the statutory procedures pursuant to clause 3 of Schedule 10 of the Act to discontinue the Road adjoining 2 York Street, Yarraville and sell the Road to the owners of 2 York Street, Yarraville.

Agenda Item 9.3 - Attachment 1



**Disclaimer Note**  
The State of Victoria and the Maribyrnong City Council do not warrant the accuracy or completeness of information in this product and any person using or relying upon such information does so on the basis that the State of Victoria and the Maribyrnong City Council shall bear no responsibility or liability whatsoever for any errors or omissions in the information.

Proposed Discontinuance and Sale of Right  
of Way (ROW) adjoining 2 York Street,  
Yarraville

Prepared By: Adrian Lambrianou

6/03/2018

1:349



**Agenda Item 9.4****REVIEW OF FRAUD AND CORRUPTION CONTROL POLICY AND PROTECTED DISCLOSURE PROCEDURES**

**Director:** Celia Haddock  
Director Corporate Services

**Author:** Lisa King  
Manager Governance and Commercial Services

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**PURPOSE**

To present the Fraud and Corruption Control Policy (the Policy) and the Protected Disclosure Procedure (the Procedure) for consideration.

**ISSUES SUMMARY**

- The existing Fraud and Corruption Control Policy was adopted by Council in July 2013 and last reviewed in 2015.
- The Policy is required to be reviewed every two years or where there are major changes to the Council's business and/or operations or legislation.
- The Policy is supported by a range of internal documents including the Fraud and Corruption Control Procedures and the Fraud and Corruption Control Framework.
- The review of the Policy encompassed an update to the Fraud and Corruption Control Procedures
- The existing Protected Disclosure Procedure was adopted in July 2013 and was due for review in July 2017

**ATTACHMENTS**

1. Fraud and Corruption Control Policy [↓](#)
2. Fraud and Corruption Control Procedures 2018 [↓](#)
3. Protected Disclosure Procedure 2018 [↓](#)

**OFFICER RECOMMENDATION**

**That Council:**

1. **Adopts the Fraud and Corruption Control Policy and Protected Disclosure Procedure.**
  2. **Notes the Fraud and Corruption Control Procedure as an operational procedure that will be made publicly available.**
-

**Agenda Item 9.4****BACKGROUND**

The Fraud and Corruption Control and Whistleblowers Policy was adopted by Council in 2011, for managing the risk of fraudulent and corrupt behaviour. A previous internal audit of Council's fraud detection and reporting processes and procedures highlighted issues which were included in the last review of the policies. One of the recommendations was to split the policy into a Fraud and Corruption Policy and a Protected Disclosures Procedure.

The current Fraud and Corruption Control Policy was adopted by Council in 2015 and Protected Disclosure Procedure was adopted by Council in 2013 and are supported by:

- Fraud and Corruption Control Procedures – The Procedures comprise the documented processes, measures and tools which give effect to the Fraud and Corruption Control Policy.
- Fraud and Corruption Control Framework - The Framework summarises the measures in place to limit, identify and investigate fraud across the organisation at strategic and operational levels and the actions and responsibilities for implementation and monitoring of key fraud control measures.

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

The purpose of the Fraud and Corruption Control Policy is to demonstrate Council's commitment to the prevention and detection of fraudulent and corrupt behaviour in the performance of all Council activities. The Policy applies to all employees, Councillors and volunteers engaged directly by the City of Maribyrnong as well as all agents and contractors either engaged by Council or by an authorised contractor of the City of Maribyrnong.

The Protected Disclosures Procedure has been developed in accordance with s58 of the *Protected Disclosure Act 2012* and in accordance with the Guidelines of the Independent Broad-based Anti-corruption Commission (IBAC) published under s57 of the Act. The Procedure will be made available to all staff and members of the public, and communication materials and a staff training program are being developed.

Changes have been made to align the Policy and the Procedures to the current organisational structure.

As a result of this current review, the Fraud Policy has been amended to include:

- greater clarity around the expectations at all levels of the organisation in the prevention and detection of fraud and corruption
- updates to the responsibility of the Chief Executive Officer regarding mandatory notification to IBAC of suspected corrupt conduct occurring or having occurred
- introduction of definitions for Fraud and Corruption from the Australian Standards AS8001-2008: Fraud and Corruption Control
- updates to the role of the Audit and Risk Committee to be independently reviewing, identifying and advising on preventing, deterring and detecting fraud and corruption

**Agenda Item 9.4**

As a result of the current review, the Fraud and Corruption Control Procedures has been amended to include:

- updates to the responsibility of the Chief Executive Officer regarding mandatory notification to IBAC of suspected corrupt conduct occurring or having occurred
- introduction of definitions for Fraud and Corruption from the Australian Standards AS8001-2008: Fraud and Corruption Control
- recognition of the role of the internal audit in effective identification of the indicators of fraud
- introduction of a step-by-step procedure for reporting and investigating fraud and corruption
- updated references to protected disclosures and their management
- updated references to the varied roles of IBAC, the Victorian Ombudsman, Local Government Investigations and Compliance Inspectorate and Victoria Police in fraud and corruption investigations

As a result of this current review, the Protected Disclosure Procedures has been amended to include:

- updated references to requirements under the Protected Disclosure Act and IBAC Guidelines
- greater clarity around the responsibilities at all levels of the organisation to report known or suspected incidences of improper conduct
- updates to align the procedure with the current organisational structure
- step-by-step guidelines for the making and handling of disclosures
- further guidance around Council's commitment to the welfare of disclosers, commitment to maintaining confidentiality, and reporting and education and training

## **2. Council Policy/Legislation**

### **Council Plan 2017-2021**

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Strong leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

### **Legislation**

- *Local Government Act 1989*
- *Independent Broad-based Anti-corruption Commission Act 2011*
- *Independent Broad-based Anti-corruption Commission Regulations 2013*
- *Ombudsman Act 1973*
- *Crimes Act 1958 (Vic)*
- *Protected Disclosures Act 2012*
- *Protected Disclosure Regulations 2013*

**Agenda Item 9.4****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**

A copy of the Policy and Procedures will be available for information on the Council's website.

**4. Resources**

There are no resource implications as a result of this report.

**5. Environment**

There are no environmental implications as a result of this report.

**CONCLUSION**

The Fraud and Corruption Control Policy and Procedures will support the commitment to preventing, deterring and detecting of fraudulent and corrupt behaviour, in the performance of all Council activities. The Protected Disclosure Procedures establish a system to facilitate the making of disclosures of improper conduct or detrimental action by Council or its employees.

**Agenda Item 9.4 - Attachment 1**



## Fraud and Corruption Control Policy

<b>Records number:</b>	18/75569	<b>Endorsed by:</b>	Council
<b>Date Endorsed:</b>	TBA	<b>Policy Author:</b>	Manager Governance and Commercial Services
<b>Policy Owner:</b>	Manager Governance and Commercial Services	<b>Review date</b>	June 2020
<b>Policy Status:</b>	Active	<b>Policy type</b>	Council

### REVISION RECORD

Date	Version	Revision Description
23/7/2013	1	Review of Fraud and Corruption Control and Whistle Blowers Policy and Procedures 2011 – separated into two policies – Fraud and Corruption Control Policy and Protected Disclosures Policy
20/09/2015	2	Revision endorsed by Council
July 2018	3	For Council consideration

**Agenda Item 9.4 - Attachment 1**

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## Agenda Item 9.4 - Attachment 1

# Introduction

Fraud and corruption is not tolerated at Maribyrnong City Council. Council is committed to protecting its reputation and assets from any attempt by employees or others to gain financial or other benefits by deceit or dishonest conduct.

# Purpose

The purpose of this Policy is to demonstrate Council's commitment to the prevention, deterrence, detection and investigation of all forms of fraud and corrupt conduct.

# Scope

This policy applies to all employees, Councillors and volunteers engaged directly by the City of Maribyrnong as well as all agents and contractors either engaged by Council or by an authorised contractor of the City of Maribyrnong.

# Definitions

Term	Definition
<b>Council</b>	means Maribyrnong City Council
<b>Councillors</b>	means the individuals holding the office of a member of Maribyrnong City Council
<b>Corruption</b>	<p>Dishonest activity in which a director, executive, manager, employee or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity.<sup>1</sup></p> <p>Corrupt conduct includes asking for, or receiving a benefit of any kind, the acceptance of a bribe, in any form, which is punishable under law by the Victorian common law offence of 'Bribery of a Public Official' and offences under the <i>Local Government Act 1989</i> (Vic).</p>

<sup>1</sup> Australian Standards AS8001-2008: Fraud and Corruption Control

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<b>Discloser</b>	means a person who makes a disclosure of improper conduct or detrimental action in accordance with the requirements of Part 2 of the <i>Protected Disclosure Act 2012</i>
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<b>Fraud</b>	Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit.
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The theft of property belonging to an entity by a person or persons internal to the entity but where deception is not used is also considered 'fraud' for the purposes of this definition.<sup>2</sup>

Fraud can also involve misuse of confidential information, abuse of discretions, facilities or employment conditions, redirection of goods or services for personal use and inappropriate arrangements with contractors and other third parties.

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

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

- Theft and/or misappropriation of Council revenue in the form of cash, cheques, money order, electronic funds transfer or other negotiable instrument;
- Unauthorised removal or theft of equipment, parts, software, and office supplies from Council premises;
- Deliberate over-ordering of materials or services to allow a proportion to be used for personal purposes;
- Submission of sham taxation arrangements for an employee or contractor to circumvent the Council's procedures for engagement of employees and contractors;
- Submission of fraudulent applications for reimbursement;

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<sup>2</sup> Australian Standards AS8001-2008: Fraud and Corruption Control

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- Payment of fictitious employees or suppliers;
- Falsification of time records;
- Damage, destruction or falsification of documents for the purpose of material gain;
- Failure to disclose a conflict of interest in the performance of duties as a Councillor, employee or contractor of Council;
- Any computer related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purposes or misappropriation of Council owned software; and
- Misrepresentation of qualifications or previous positions held in order to secure a position of employment.

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<b>IBAC</b>	means the Independent Broad-based Anti-corruption Commission
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<b>Investigation</b>	means a search for evidence connecting or tending to connect a person (either a natural person or a body corporate) with conduct that infringes the criminal law or the policies and standards set by the Council
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## Responsibilities

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Responsibility for the prevention and detection of fraud and corruption and for the implementation and operation of controls that minimise fraudulent and corrupt activity within their areas of responsibility rests with all levels of management, Councillors, staff, volunteers and agency or contract staff who represent Council. All levels of management and employees are responsible

Council employees and Councillors are to be mindful that the inappropriate acceptance of a gift or hospitality may be seen as acceptance of a bribe. Refer to Council's Gifts and Hospitality Policy, Employee Code of Conduct, Councillor Code of Conduct and the Department of Environment, Land, Water and Planning: "Conflict of Interest – a guide for Councillors October 2012", for further guidance.

### **Councillors**

Councillors have a statutory responsibility to abide by the Local Government Act 1989 and their Code of Conduct. Councillors need to keep in mind the Code of Conduct when considering reports, making decisions and scrutinising Council's

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

activities. Council will support all policies and measures taken to prevent, deter, detect and resolve suspected instances of fraud and corruption.

#### **Chief Executive Officer**

The Chief Executive Officer is responsible for maintaining an ongoing fraud control/prevention program to ensure the efficient and effective implementation of this Policy (refer Fraud and Corruption Control Procedures). The Chief Executive Officer, as the relevant principal officer, must under section 57 of the IBAC Act mandatorily and immediately notify IBAC of any matter they suspect, on reasonable grounds, to involve corrupt conduct occurring or having occurred.

#### **Executive Management Team**

The Executive Management Team must, upon notification from an employee or manager of suspected fraud or corrupt conduct, or if they have reason to suspect that fraud or corrupt conduct has occurred, immediately advise the Chief Executive Officer.

#### **Managers and Supervisors**

Manager have a responsibility to:

- Identify risk exposures to corrupt and fraudulent activities within their Departments/Units
- Establish controls and procedures for prevention and detection of such activities
- Provide guidance and instruction to all staff relative to responsibilities and fraud and corrupt conduct reporting requirements
- Maintain effective auditing and reporting on key financial systems
- Undertake a risk assessment on fraud and corrupt conduct every 6 months or when a major change occurs
- Implement action plans identified in risk assessments to eliminate or reduce the risk of fraud and corrupt conduct
- Monitor and actively manage excessive outstanding leave of staff in risk exposure areas

Managers will ensure that all contractors working for their Department/Unit are aware of Council's Fraud and Corruption Control Policy and that it is incorporated into the relevant contract and will ensure that the contractor's staff are made aware of their responsibilities and unacceptable behaviours.

All employees supervising staff are responsible for the coordination, monitoring, ongoing review and communication of Council's fraud risks. All employees supervising staff are responsible for exercising due diligence and control to prevent, detect and report acts of fraud, shall set an example, and advise employees of the acceptability or otherwise of their conduct.

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

Managers and Supervisors upon notification from an employee of suspected fraud or corrupt conduct, or if a Manager or Supervisor has reason to suspect that fraud or corrupt conduct has occurred, shall immediately notify the relevant Director.

### **Employee/Contractors/Volunteers**

Employees/contractors/volunteers will assist in the identification of risk exposures to corrupt or fraudulent activities in the workplace and the immediate reporting of possible activities.

Employees/contractors/volunteers are responsible for acting with propriety in all Council activities. They must not use their position with Council to gain personal advantages or to confer advantage or disadvantage, or any other person.

Employees/contractors/volunteers are responsible for the safeguarding of Council entrusted assets against theft, misuse or improper use, and are required to report any suspicion of fraud or corrupt behaviour. Reference to this Policy must be included in all documentation provided to contractors.

### **Audit**

The role of Internal Audit is to assist Council management and employees to achieve satisfactory control over all Council activities. This will be achieved by:

- Independently reviewing systems, procedures and controls to ensure that there are adequate safeguards to prevent, deter and detect fraud and corruption
- Identify areas of concern through specific audits and testing of systems
- Advising of the production of rules, regulations and policies which deter fraud and corruption

External audit is conducted by the Victorian Auditor General's Office verifying the Council's annual reported financial and performance statements. External audit also has a responsibility to report any irregularities identified during the audit process in accordance with relevant legislation and accounting standards.

The Audit Committee will receive a report annually, as a minimum, relating to the implementation of the Policy and any matters reported to the Chief Executive Officer under this Policy.

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

### **Risk Management and Fraud Control Group**

The Risk Management and Fraud Control Group (RMFCG) is an internal group that has been established to monitor, report and guide the implementation of this Policy. Refer to the RMFCG Terms of Reference for details of the Group's scope, objectives, key tasks and responsibilities.

### **Governance and Commercial Services Department**

In conjunction with the RMFCG the Governance and Commercial Services Department will monitor and review the risk register, provide reports on fraud and corruption risk controls and treatments to EMT and the Audit Committee. The Department will assist in the investigation and recovery of any identified fraud incidents and update the Fraud and Corruption Control Policy.

### **Disciplinary**

Council will ensure breaches of this Policy or procedure will result in the appropriate disciplinary action and/or summary dismissal in line with the Maribyrnong City Council Disciplinary Procedures.

## **Policy**

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

The City of Maribyrnong's commitment to fraud and corruption control will be managed by ensuring that fraudulent or corrupt activity is prevented, conflicts of interest are avoided, and auditing systems are in place to deter and/or identify corrupt activities.

In accepting its responsibility for good governance of the municipality, Council will set the example for transparency and integrity in the provision of services to the community and the management of the Council organisation.

All reports received will be fully investigated and appropriate action taken.

Councillors and employees must be aware of the Council's intention to suspend or dismiss employees, report internal and/or external fraudulent or corrupt activity to Police and prosecute Councillors or employees and any other parties to the matter, found to be involved in fraudulent and/or corrupt behaviour. Council may pursue recovery of any financial loss through civil proceedings.

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## Key Stakeholders

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Key Stakeholders have been identified and include:

- Councillors
- Council staff
- Contractors
- Volunteers

## Related Legislation

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Local Government Act 1989

Crimes Act 1958 (Vic)

Independent Broad-based Anti-Corruption Commission Act 2011

Ombudsman Act 1973

Protected Disclosure Act 2012

## Related Documents

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Employee Code of Conduct

Councillor Code of Conduct

Procurement Policy

Risk Management Policy

Gifts and Hospitality Policy

Protected Disclosure Procedures

Recruitment and Selection Guidelines and Policy Check Policy

Register of Interests Policy

Fraud and Corruption Control Procedures

Audit Committee Charter

Risk Management and Fraud Control Group Terms of Reference

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

Australian Standard on Fraud Control and Corruption Control (AS8001:2008)

**Agenda Item 9.4 - Attachment 1**

## Review of Policy

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

**Agenda Item 9.4 - Attachment 2**



## Fraud and Corruption Control Procedures

<b>Records number:</b>	18/89452	<b>Endorsed by:</b>	Council
<b>Date Endorsed:</b>	TBC	<b>Policy Author:</b>	Governance and Commercial Services
<b>Policy Owner:</b>	Manager Governance and Commercial Status	<b>Review date</b>	June 2020
<b>Policy Status:</b>	Active	<b>Policy type</b>	Operational

### REVISION RECORD

Date	Version	Revision Description
July 2013	1	Adopted
October 2015	2	Reviewed
June 2018	3	Second review

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## Agenda Item 9.4 - Attachment 2

# Supporting Policy

## Fraud and Corruption Control Policy

## Purpose

Council is committed to preventing, deterring and detecting fraudulent and corrupt behaviour in the performance of all Council activities. The intention of the Fraud and Corruption Control Procedures is to implement a range of strategies and procedures across the organisation for managing the risks of fraud and corruption.

## Definitions

Term	Definition
<b>Council</b>	means Maribyrnong City Council
<b>Councillors</b>	means the individuals holding the office of a member of Maribyrnong City Council
<b>Corruption</b>	<p>Dishonest activity in which a director, executive, manager, employee or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity.<sup>3</sup></p> <p>Corrupt conduct includes asking for, or receiving a benefit of any kind, the acceptance of a bribe, in any form, which is punishable under law by the Victorian common law offence of 'Bribery of a Public Official' and offences under the <i>Local Government Act 1989</i> (Vic).</p>
<b>Discloser</b>	means a person who makes a disclosure of improper conduct or detrimental action in accordance with the

<sup>3</sup> Australian Standards AS8001-2008: Fraud and Corruption Control

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## Agenda Item 9.4 - Attachment 2

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	requirements of Part 2 of the <i>Protected Disclosure Act 2012</i>
<b>Fraud</b>	<p>Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit.</p> <p>The theft of property belonging to an entity by a person or persons internal to the entity but where deception is not used is also considered 'fraud' for the purposes of this definition.<sup>4</sup></p> <p>Fraud can also involve misuse of confidential information, abuse of discretions, facilities or employment conditions, redirection of goods or services for personal use and inappropriate arrangements with contractors and other third parties.</p> <p>Offences of fraud may be prosecuted under a number of different Victorian laws. The offences are covered under <i>the Crimes Act 1958</i> (Vic).</p>
<b>IBAC</b>	means the Independent Broad-based Anti-corruption Commission
<b>Investigation</b>	means a search for evidence connecting or tending to connect a person (either a natural person or a body corporate) with conduct that infringes the criminal law or the policies and standards set by the Council

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## Responsibilities

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The officer responsible for document management is the Manager Governance and Commercial Services.

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<sup>4</sup> Australian Standards AS8001-2008: Fraud and Corruption Control

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The Risk Management and Fraud Control Group (RMFCG) is responsible for reviewing all fraud procedures to ensure currency and effectiveness to identify, investigate and minimise fraud across the organisation.

The Chief Executive Officer as the relevant principal officer must mandatorily and immediately notify IBAC of any matter they suspect, on reasonable grounds, to involve corrupt conduct.

All employees supervising staff are responsible for the coordination, monitoring, ongoing review and communication of Council's fraud risks. All employees supervising staff are responsible for exercising due diligence and control to prevent, detect and report acts of fraud, shall set an example, and advise employees of the acceptability or otherwise of their conduct.

Managers and Supervisors upon notification from an employee of suspected fraud or corrupt conduct, or if a Manager or Supervisor has reason to suspect that fraud or corrupt conduct has occurred, shall immediately notify the relevant Director.

All Councillors and staff are responsible for following all fraud control procedures including monitoring and reporting of any suspected fraud.

Refer to the Fraud and Corruption Control Policy section in relation to 'Responsibilities' for further information.

## **Scope**

This procedure applies to all employees, Councillors and volunteers engaged directly by the City of Maribyrnong as well as all agents and contractors either engaged by Council or by an authorised contractor of the City of Maribyrnong. All levels of management and employees are responsible for the prevention and detection of fraud and corruption and for the implementation and operation of controls that minimise fraudulent and corrupt activity within their areas of responsibility.

## **Procedures**

Council is committed to preventing, deterring and detecting fraudulent and corrupt behaviour in the performance of all Council activities. The intention of the Fraud and Corruption Control Procedures is to implement a range of strategies and procedures across the organisation for managing the risks of fraud and corruption.

## **Agenda Item 9.4 - Attachment 2**

### **1. Code of conduct**

This Procedure is to be read in conjunction with the Maribyrnong City Council Employee and Councillor Codes of Conduct.

All new employees will be required to sign off on the Employee Code of Conduct before commencing employment with Council. Existing employees will be reminded of their responsibilities under the Code of Conduct at their annual review.

Councillors endorse and sign their Councillor Code of Conduct following each general municipal election, and use it as the guiding document for their conduct for the duration of their term of office.

### **2. Relationship with the Council Plan**

The Fraud and Corruption Control Policy supports the Council Plan 2017-2021, including the Strategic Resource Plan.

### **3. Roles and accountabilities**

Responsibility for fraud and corrupt conduct prevention rests with all levels of management, Councillors, staff, volunteers and agency or contract staff who collectively must accept ownership of the controls relative to this procedure, and the Fraud and Corruption Control Policy.

All Maribyrnong City Council employees are responsible for controlling the risk of fraud and corrupt behaviour within their area of responsibility. Employees at all levels are responsible for exercising due diligence and control to prevent, detect, and report acts of fraud.

Directors, Managers and Coordinators shall set an example across the organisation, and advise employees of their responsibilities.

### **4. Risk Management and Fraud Control Group**

It is the role of the Risk Management and Fraud Control Group (RMFCG) to ensure compliance with the Fraud and Corruption Control Policy. Refer to the Risk Management and Fraud Control Group Terms of Reference for the objectives, key tasks and membership of this group.

### **5. Internal audit activity in the control of fraud**

While the primary responsibility for the identification of fraud within Council rests with management, Council recognises that internal audit activity can be, in the context of addressing all business risks, an effective part of the overall control environment to identify the indicators of fraud.

## **Agenda Item 9.4 - Attachment 2**

As such, Council officers will work closely with Council's appointed internal auditor. The internal auditor should perform a risk assessment of Council's operations and recommend an internal audit program to cover these aspects. The Audit and Risk Advisory Committee is responsible for reviewing and recommending to Council the Annual Internal Audit Plan.

### **6. Procedures for Reporting Fraud and Corruption**

Any person to whom the Policy applies that has knowledge of a fraud and corruption incident, or has reason to suspect that fraud or corruption has occurred, has an obligation to immediately report the matter. The matter can be reported generally, or as a protected disclosure.

#### **6.1 Employees**

Where an employee suspects that fraudulent or corrupt conduct is occurring, or has occurred, the employee should report those suspicions to their Manager/Supervisor.

Where the employee does not feel comfortable reporting their suspicions to their Manager/Supervisor, they should report such matters to the relevant Director.

#### **6.2 Manager/Director**

On receiving a report of suspected fraud or corrupt conduct, the Manager/Director must record details of the report, including the time and date the report is made and details of the matters raised.

Where the issue may involve disciplinary action against an employee, the Manager Organisational Development must be advised.

#### **6.3 Notifying the Chief Executive Officer**

Except where it has been reported as a disclosure pursuant to the Protected Disclosure Act 2012 which is 'protected' under that Act, all reported incidents of suspected fraud or corrupt conduct must be immediately reported to the Chief Executive Officer by the Director or Manager prior to any investigation of such allegations being undertaken.

#### **6.4 Contractors**

Contractors or other people involved in the contracting process may become aware of, or have information indicating, fraudulent or unfair activity in relation to the tender processes or service provision. Contractors may feel reluctant to report suspected fraud or corrupt conduct or other behaviour that is intimidatory or grossly unfair, for fear of repercussions affecting their future business dealings with Council. If these circumstances arise, contractors are requested to contact the relevant Contract Manager, Director or Chief Executive Officer.

## **Agenda Item 9.4 - Attachment 2**

### **6.5 Protected Disclosure**

The Protected Disclosure Act 2012 protects persons who report improper conduct by public officers against reprisals. To support this process, Council has adopted Protected Disclosure Procedures. The Protected Disclosure Coordinator should be contacted should you wish to avail yourself of the protections afforded by the Protected Disclosure Act. The Chief Executive Officer must notify IBAC of any matter which they suspect on reasonable grounds that corrupt conduct has occurred or is occurring.

No person acting on behalf of the Council shall:

- Dismiss or threaten to dismiss an employee;
- Discipline or suspend or threaten to discipline or suspend an employee
- Impose any penalty upon an employee, or
- Intimidate or coerce an employee,

because the employee has acted in accordance with the requirements of the Protected Disclosure Procedures. The violation of this section may result in discipline up to and including termination of employment.

Employees and officers of the Council or other persons who wish to make a protected disclosure may make that disclosure to:

- One of Council's Protected Disclosure Officers:

Protected Disclosure Coordinator  
Manager Governance and Commercial Services  
Lisa King  
Ph: 9688 0302

Protected Disclosure Officer  
Coordinator Governance  
Danny Bilaver  
Ph: 9688 0354

Welfare Manager  
Coordinator Human Resource Management  
Paul Anstey  
Ph: 9688 0112

- IBAC  
Level 1, North Tower

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459 Collins Street  
Melbourne VIC 3000  
Postal address: GPO Box 24234  
Telephone: 1300 735 135  
Website: [www.ibac.vic.gov.au](http://www.ibac.vic.gov.au)

The Independent Broad-based Anti-corruption Commission (IBAC) has overall responsibility for administration of the *Protected Disclosure Act 2012* and is the body responsible for determining whether a disclosure is a protected disclosure complaint. Once it has assessed a protected disclosure complaint, IBAC determines if it will investigate the protected disclosure complaint or refer it to another body, such as the Victorian Ombudsman, to investigate.

If IBAC refers a protected disclosure complaint to the Victorian Ombudsman, the investigation is conducted under Part IV of the Ombudsman Act 1973. Before investigating a protected disclosure complaint, the Victorian Ombudsman may make enquiries to determine if the investigation is warranted.

For further information refer to Council's Protected Disclosure Procedures.

### **7. Procedures for Fraud Investigation**

#### **7.1 Internal Investigation**

Where information received by the CEO is assessed to warrant investigation, arrangements for such an investigation will be made with the relevant Director. In cases where the matter is handled internally, the CEO may appoint an appropriate Officer to be responsible for conducting the investigation and ensuring the matter is dealt with comprehensively and fairly to all parties involved. The investigator may call upon assistance from legal advisors, forensic accountants and/or forensic IT, and other specialised subject matter experts as required.

This arrangement will include securing all related documentation and may include suspension of employee(s) being investigated.

Reports will be received in confidence and the person reporting the suspected fraud or corrupt conduct will be protected from any adverse repercussions, provided that there is no evidence of malice.

Any person contacted by an investigator is to cooperate with the process.

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### **7.2 External Investigation**

Depending on the nature of the allegations, investigations involving instances of fraud or corrupt conduct may be referred to an independent third party for investigation. All protected disclosure reports will be mandatorily reported to IBAC for investigation.

### **7.3 Independent Broad-based Anti-corruption Commission (IBAC) or Victorian Ombudsman**

IBAC is responsible for exposing and preventing corrupt conduct in the public sector. It deals with serious corruption and misconduct involving council employees and councillors.

The Victorian Ombudsman investigates the actions, decisions or conduct of public sector organisations and their staff. It also looks at whether a public sector organisation has acted in accordance with the Charter of Human Rights and Responsibilities Act 2006.

IBAC or the Victorian Ombudsman may determine whether an investigation will take place, and either conduct the investigation itself, or refer the complaint to another agency to conduct the investigation.

### **7.4 Local Government Investigations and Compliance Inspectorate**

The Local Government Investigations and Compliance Inspectorate is the dedicated integrity agency for local government in Victoria.

The Inspectorate investigates matters related to council operations including criminal offences involving councillors, senior council officers or any person subject to the conflict of interest provisions of the Local Government Act 1989.

When a complaint is received, the Inspectorate will determine if the matter is within its jurisdiction. The Inspectorate will determine whether an investigation will take place, and either conduct the investigation itself, or refer the complaint to another agency to conduct the investigation.

### **7.5 Criminal Investigation - Victoria Police**

The reporting of fraudulent and corrupt behaviour to the Victorian Police for criminal investigation is the responsibility of the CEO. Council will provide all assistance possible to Police investigators.

If a criminal investigation is pending, care must be taken with evidence. Where possible, the original documents and information should be securely retained at Maribyrnong City Council and the chain of evidence maintained. Verified copies of evidence should be supplied to external investigators, unless otherwise

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instructed by a court of law. For more information, refer to MCC's Protected Disclosures Procedures.

In all cases confidentiality, will be maintained and the principles of natural justice adhered to.

### **7.6 Maribyrnong City Council's Human Rights and Social Justice Framework**

All investigations will comply with the Maribyrnong City Council Human Rights and Social Justice Framework. Council respects people's right to privacy as outlined in the *Human Rights Charter and Responsibilities Act 2006*, the *Privacy and Data Protection Act 2014* and the *Commonwealth Privacy Act 1988*.

### **7.7 Documentation of the results of the investigation**

The results of an investigation will be documented and kept as a confidential corporate record for up to 15 years in accordance with the requirements of the Public Records Office of Victoria (PROV) *General Retention and Disposal Authority PROS 07/01*. The recorded information will contain all the findings, actions, recoveries and any disciplinary actions that may have arisen from the investigation.

## **8. Fraud and Corruption Control**

Maribyrnong City Council will provide tailored fraud risk awareness training programs for all staff and across all levels of management, which shall include:

- Provision of training and support material for staff and management that includes:
  - Identification of types of fraud and corrupt behavior that may occur
  - Internal controls to be used to assist control of types of fraud
  - Clarity of responsibilities and accountabilities with regard to prevention, detection and reporting
  - Responsibilities and processes for reporting fraud

Both the Fraud and Corruption Control Policy and Employee Code of Conduct will be included in the Induction Program for new employees.

The Councillor Code of Conduct forms an integral component of the Induction Program for all Councillors following an election.

### **8.1 Internal control review following discovery of fraud**

In the event that fraud or corrupt activity is discovered, the CEO will immediately - by way of internal review - undertake a full appraisal of all internal controls and

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systems in the business. The CEO may appoint external subject matter experts where required to assist with strengthening documented controls.

### **8.2 Fraud and corruption risk management**

All identified fraud and corruption risks are to be entered on to the Fraud Risk Register. Risk assessments are a management responsibility and are undertaken in accordance with AS/NZ/ISO 31000:2018.

### **8.3 Regular program for fraud risk assessment**

Managers will bi-annually, or as a result of a change in their business practices or legislation, or the outcomes of regular business audits, assess their exposure to fraud and corruption-related risk.

Each Manager is responsible for the identification of the potential exposure to fraud risk in their work area and the development, implementation and monitoring of internal controls (systems, processes and procedures) to minimise these risks.

### **8.4 Ongoing review of fraud control strategies**

Management will bi-annually, or as a result of a change in their business practices or legislation, or the outcomes of regular business audits, assess the effectiveness of the fraud and corruption control strategies to ensure that the controls remain effective.

### **8.5 Fraud risk assessment**

Fraud-related risk will be assessed using the adopted Maribyrnong City Council Risk Matrix to determine likelihood and consequence.

### **8.6 Implementation of proposed controls/actions**

All fraud and corruption-related risk, as recorded in Council's risk register, will have a risk treatment plan developed by the relevant risk owner. These treatments will be reviewed regularly for effectiveness against any residual risk remaining after the treatments have been completed.

The fraud and corruption risk register will be reviewed annually, unless there is a change of the operating/legislative environment that may require a review of the fraud exposures.

## **9. Recovery of the proceeds of fraudulent or corrupt conduct**

There are three possible avenues to recover losses arising from fraudulent or corrupt conduct:

- Internal recovery

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- Insurance
- Police asset recovery

Council maintains fidelity guarantee insurance to insure Council against the risk of loss arising from internal fraudulent conduct.

## **Review of Procedures**

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These Procedures will be reviewed every two years. The review will be managed by the Manager Governance and Commercial Services and endorsed by the Risk Management and Fraud Control Group.

The Procedures will also be reviewed in circumstances where there are major changes to the Council's business and/or operations or legislation.

The review will take into consideration any changes to the business conditions, outcomes of risk assessments conducted and outcomes to detected fraud and/or corruption events.

## **Related Legislation**

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Local Government Act 1989

Crimes Act 1958 (Vic)

Independent Broad-based Anti-Corruption Commission Act 2011

Ombudsman Act 1973

Protected Disclosure Act 2012

## **Related Documents**

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Employee Code of Conduct

Councillor Code of Conduct

Fraud and Corruption Policy

Procurement Policy

Risk Management Policy

Gifts and Hospitality Policy

Protected Disclosure Procedures

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Recruitment and Selection Guidelines and Policy Check Policy

Register of Interests Policy

Audit Committee Charter

Risk Management and Fraud Control Group Terms of Reference

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

Australian Standard on Fraud Control and Corruption Control (AS8001:2008)

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## Protected Disclosures Procedure

<b>Records number:</b>	18/89451	<b>Endorsed by:</b>	Council
<b>Date Endorsed:</b>	TBC	<b>Policy Author:</b>	Manager Governance and Commercial Services
<b>Policy Owner:</b>	Manager Governance and Commercial Services	<b>Review date</b>	July 2020
<b>Procedure Status:</b>	Active	<b>Policy type</b>	Council

### REVISION RECORD

Date	Version	Revision Description
3/7/2012	1	New procedure superseding Fraud and Corruption Control and Whistleblower Policy and Procedure 2011
June 2018	2	Review

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# Introduction

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Maribyrnong City Council is committed to the aims and objectives of the *Protected Disclosure Act 2012*. It does not tolerate corrupt or improper conduct by its employees, officers, or Councillors, nor the taking of reprisals against those who disclose such conduct.

Council recognises the value of transparency and accountability in its administrative and management practices and supports the making of disclosures that:

- a) Reveal corrupt conduct, such as conduct involving a substantial mismanagement of public resources, or
- b) Conduct involving a substantial risk to public health and safety or the environment

Council will take all reasonable steps to protect and support people who make such disclosures from any detrimental action in reprisal for making the disclosure.

# Purpose

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Maribyrnong City Council is required to establish and publish procedures under s58 of the *Protected Disclosure Act 2012* and in accordance with the Guidelines of the IBAC published under s57 of the Act. Council is required to ensure these procedures are readily available to members of the public as well as to all Councillors and employees of Council.

These procedures establish a system to facilitate the making of disclosures of improper conduct or detrimental action by Council or its employees pursuant to the obligations on Council under the Act. It specifies the procedures for the handling of disclosures and, where appropriate, notification to the IBAC. It also provides for protection from detrimental action to any person affected by a protected disclosure whether it is a person who makes a disclosure, a witness, or a person who is the subject of an investigation.

# Scope

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These procedures apply to all Councillors, employees, volunteers, contractors

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and consultants of Council.

Disclosures may be made by employees, Councillors or by members of the public. A disclosure cannot be made by a business or company.

Maribyrnong City Council Councillors, employees or contractors and members of the public are encouraged to raise matters of improper conduct, including suspected fraud, corruption, substantial mismanagement of public resources, risk to public health and safety, risk to the environment, or detrimental action.

Reports of improper conduct can be made via Council's public complaints process, fraud and corruption control procedures and/or, if made in accordance with the Act, through this Procedure.

Disclosures about improper conduct or detrimental action by Maribyrnong City Council Councillors must be made directly to IBAC or the Victorian Ombudsman.

## Definitions

Term	Definition
<b>Act</b>	Protected Disclosure Act 2012
<b>Assessable disclosure</b>	A disclosure that must be made directly, or notified, to IBAC, that the notifier considers may be a protected disclosure
<b>Belief</b>	A disclosure has to be more than a suspicion – the belief must be based on reasonable grounds
<b>Corrupt Conduct</b>	Includes conduct: <ul style="list-style-type: none"><li>• of any person that adversely affects the honest performance by a public officer of a public body of his/her/its functions</li><li>• of a public officer or public body that constitutes or involves knowingly or recklessly breaching public trust</li></ul>

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- of a public officer or public body that constitutes or involves knowingly or recklessly breaching public trust
- of a public officer or public body that involves the misuse of information or material acquired in the course of the performance of his/her functions

that would, if the facts were found proved beyond a reasonable doubt, constitute a relevant offence<sup>5</sup>.

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**Detrimental Action**

It is an offence for a person to take or threaten action in reprisal when:

- a protected disclosure has been made
- a person believes a protected disclosure has been made
- a person believes that another person intends to make a protected disclosure
- Detrimental action includes:
- Actions causing injury, loss or damage
- Intimidation or harassment
- Discrimination, disadvantage or adverse treatment in relation to a person's employment, career, profession, trade or business, including the taking of disciplinary action (if the person can prove the substantial reason is because of the disclosure).

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**Discloser**

A person who makes a disclosure of improper conduct or detrimental action, in accordance with the requirements of Part 2 of the *Protected Disclosure Act 2012*

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**Entity that can receive a disclosure**

A public service body within the meaning of section 4(1) of the *Public Administration Act 2004*, a Council (established under the *Local Government Act 1989*), a public body or public officer prescribed for the purposes of section 13 of the *Protected*

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<sup>5</sup> As defined in Section 4 of the *Independent Broad-based Anti-corruption Commission Act 2011*

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<i>Disclosure Act 2012.</i>	
<b>IBAC</b>	Independent Broad-based Anti-corruption Commission
<b>Improper Conduct</b>	<p>Improper conduct means</p> <ul style="list-style-type: none"><li>a) corrupt conduct, or</li><li>b) conduct specified in section 4(2) of the <i>Protected Disclosure Act 2012</i> that would constitute a criminal offence, or reasonable grounds for dismissing, dispensing with, or otherwise terminating the services of the officer who was, or is engaged in the conduct.</li></ul> <p>Improper conduct can also refer to any person whose conduct adversely affects the honest performance of a public officer or public official.</p>
<b>Investigating entity</b>	<p>Only the following entities can investigate a protected disclosure complaint:</p> <ul style="list-style-type: none"><li>• IBAC</li><li>• Victorian Ombudsman</li><li>• Chief Commissioner of Police, and</li><li>• Victorian Inspectorate</li></ul>
<b>Notifier</b>	The officer responsible for notifying IBAC of an assessable disclosure
<b>Protected Disclosure</b>	<p>A disclosure made in accordance with Part 2 of the <i>Protected Disclosure Act 2012</i>. A Protected Disclosure is one which is made by a natural person or group of people who has reasonable grounds for the belief that a public officer or public body has engaged in, or intends to engage in improper conduct in their official capacity, or detrimental action.</p> <p>To be a protected disclosure, a disclosure must satisfy the following criteria:</p> <ul style="list-style-type: none"><li>• Is it made by an individual, or group of people (joint disclosure)?</li></ul>

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	<ul style="list-style-type: none"> <li>• Has it been made verbally (in private) or in writing?</li> <li>• Is it made to the right body?</li> <li>• Is it about a public body or officer acting in their official capacity?</li> <li>• Does the information show or tend to show there is improper conduct or detrimental action?</li> <li>• Does the discloser believe on reasonable grounds that the information shows or tends to show there is improper conduct or detrimental action?</li> </ul>
<b>Protected Disclosure complaint</b>	A disclosure that has been determined by IBAC under section 26 of the <i>Protected Disclosure Act 2012</i> to be a protected disclosure complaint. A Protected Disclosure that has been determined warrants investigation.
<b>Protected Disclosure Coordinator/Officer</b>	The officer of the public body responsible for assessing if a disclosure is an assessable disclosure, and notifying IBAC, based on the information received by a discloser or specified officer.
<b>Public Body</b>	A public body within the meaning of section 6 of the <i>Independent Broad-based Anti- corruption Act 2011</i> , IBAC or any other body or entity prescribed for the purposes of this definition.
<b>Public officer</b>	A public officer within the meaning of section 6 of the <i>Independent Broad-based Anti- corruption Act 2011</i> , an IBAC officer or any other person prescribed for the purposes of this definition.
<b>Reasonable grounds</b>	Reasonable grounds for a state of mind required the existence of facts which are sufficient to induce that state of mind in a reasonable person.
<b>Regulations</b>	Protected Disclosure Regulations 2012
<b>Specified conduct</b>	As defined in section 4(2) of the <i>Protected Disclosure Act 2012</i> and includes conduct of a public officer in his/her capacity as a public officer,

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	<p>or a public body in its capacity as a public body, that involves:</p> <ul style="list-style-type: none"><li>• substantial mismanagement of public resources</li><li>• substantial risk to public health or safety</li><li>• substantial risk to the environment,</li></ul> <p>Where such conduct would, if proved, give rise to a criminal offence or reasonable grounds for terminating the services of the officer engaging in the conduct.</p>
<b>Specified persons</b>	Officers at the public body that have been nominated in this procedure, to accept a disclosure.
<b>Welfare Manager</b>	The officer of the public body responsible for managing the welfare of witnesses, either directly or through and EAP program
<b>Witnesses</b>	A term that can refer to a discloser, the subject of a disclosure, or witnesses for an investigation relating to a Protected Disclosure Complaint

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## Responsibilities

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Employees and Councillors are encouraged to raise matters of concern in relation to Council, including about any employee or Councillors. In particular, employees and Councillors are encouraged to report known or suspected incidences of improper conduct or detrimental action in accordance with these procedures, whether such conduct or action has taken place, is suspected will take place, or is still occurring. Disclosures may also be made about conduct that occurred prior to the commencement of the Act on 10 February 2013.

### Chief Executive Officer

The CEO will:

- Be responsible for ensuring Maribyrnong City Council carries out its responsibilities under the Act and guidelines
- Liaise with IBAC (or referred authority) in regard to cooperating with any investigations

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- Be responsible for actioning any investigation outcomes, and providing relevant information to the Protected Disclosure Coordinator for reporting requirements
- Be responsible for instigating and overseeing any actions in response to concerns about detrimental actions or reprisals for a person making a disclosure
- Receive a disclosure in accordance with this Procedure and the Act, and refer to the Protected Disclosure Coordinator or Officer for assessment as soon as practicable
- Take all necessary steps to ensure the identity of the witness/es is kept confidential

### **Protected Disclosure Coordinator**

The Protected Disclosure Coordinator has a central role in the internal reporting system and maintains oversight over the system.

The Protected Disclosure Coordinator will:

- Receive and assess a disclosure, in accordance with this Procedure and the Act, to determine whether it is an assessable disclosure
- Notify all assessable disclosures to IBAC
- Notify a discloser
- Coordinate training for specified officers
- Be a contact point for general advice about this Procedure and the Act
- Contact the welfare manager to notify of a witness/es requiring welfare support
- Hear and take notes of any concerns about detrimental action by the witness/es, and notify the CEO
- Establish and maintain a confidential filing system
- Collate and publish statistics in the Annual Report
- Take all necessary steps to ensure the identity of the witness/es is kept confidential
- Liaise with the Maribyrnong City Council CEO.

The Protected Disclosure Coordinator appointed by Council is:

Lisa King, Manager Governance and Commercial Services.  
Telephone: 9688 0200  
Mail: PO Box 58, Footscray, VIC 3011  
Email: disclosure@maribyrnong.vic.gov.au

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#### **Protected Disclosure Officer**

- The Protected Disclosure Officer will:
- Receive and assess a disclosure, in accordance with this Procedure and the Act, to determine whether it is an assessable disclosure
- Be a contact point for general advice about this Procedure and the Act
- Contact the welfare manager to notify of a witness/es requiring welfare support
- Establish and maintain a confidential filing system
- Take all necessary steps to ensure the identity of the witness/es is kept confidential

The Protected Disclosure Officer appointed by Council is:

Danny Bilaver, Coordinator Governance  
Telephone: 9688 0200  
Mail: PO Box 58, Footscray VIC 3011  
Email: disclosure@maribyrnong.vic.gov.au

#### **Welfare Manager**

The Welfare Manager is responsible for looking after the general welfare of a person making a protected disclosure. The Welfare Manager will:

- Make initial, and then regular confidential contact with the witness/es to provide support, and determine/organise professional counselling through EAP, if required
- Hear and take notes of any concerns about detrimental action by the witness/es, and notify the Protected Disclosure Coordinator or CEO
- Not discuss any aspects of the disclosure or investigation with the witness/es
- Establish and maintain a confidential filing system
- Take all necessary steps to ensure the identity of the witness/es is kept confidential

The Welfare Manager appointed by Council is:

Paul Anstey, Coordinator Human Resources  
Telephone: 9688 0200  
Mail: PO Box 58, Footscray VIC 3011

Managers and supervisors will:

- Receive a disclosure in accordance with this Procedure and the Act, and refer to the Protected Disclosure Coordinator or Officer for assessment as soon as practicable

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- Attend mandatory training on receiving a disclosure in line with this Procedure
- Establish and maintain a confidential filing system
- Take all necessary steps to ensure the identity of the witness/es is kept confidential

Managers and supervisors can be:

- Direct or indirect (line) supervisor or manager of the discloser
- Direct or indirect (line) supervisor or manager of the subject of the disclosure

### **IBAC**

IBAC is Victoria's anti-corruption agency responsible for preventing and exposing public sector corruption and police misconduct.

Phone: 1300 735 135  
Mail: GPO Box 24234 Melbourne VIC 3000  
Level 1, North Tower, 459 Collins Street, Melbourne  
Email: [info@ibac.vic.gov.au](mailto:info@ibac.vic.gov.au)  
Web: [www.ibac.vic.gov.au](http://www.ibac.vic.gov.au)

## **Procedures**

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### **1. Making a Disclosure**

#### **1.1 What is a disclosure?**

A disclosure may be made about two things under the Act:

- Improper conduct of public bodies or public officers; and
- Detrimental action taken by public bodies or public officers in reprisal against a person for the making of a protected disclosure

The term disclosure is interpreted under the Act in the ordinary sense of the word, for example, as a "revelation" to the person receiving it. A complaint or allegation that is already in the public domain will not normally be a protected disclosure. Such material would, for example, include matters which have already been subject to media or other public commentary.

#### **1.2 Who can make a disclosure?**

A disclosure may:

- Only be made by a natural person (or a group of individuals making joint disclosures);

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- Cannot be made by a company or an organization, but its officers or employees can;
- Be made anonymously
- Be made even where the discloser is unable to identify precisely the individual or the organisation to which the disclosure relates; and
- Also be a complaint, notification or disclosure (or however described under another law)

Anonymous disclosures may create difficulties in Council being able to communicate with the discloser, and some of the notification requirements imposed on Council in relation to disclosures will not apply in relation to an anonymously made disclosure. In addition, it may impede Council's ability to properly assess whether the complaint or allegation is a protected disclosure for the purposes of the Act.

The disclosure must relate to Maribyrnong City Council employees, Councillors, contractors or organisation (public body), in relation to public duties or functions. If the disclosure does not relate to Maribyrnong City Council, then the person taking the disclosure should refer the discloser to the appropriate public body or IBAC.

#### **1.3 How can a disclosure be made?**

A disclosure must be made in accordance with Part 2 of the Act. Part 2 of the Act permits disclosures to be made anonymously, orally or in writing and need not identify the person or organization being complained about.

Generally:

- Verbal disclosure may be made:
  - In person;
  - By telephone;
  - By leaving a voicemail message on a particular telephone answering machine; or
  - By any other form of non-written electronic communication

An oral disclosure must be made in private. To maintain confidentiality, the disclosure can be made at a time and location of the discloser's choosing. The disclosure must be taken in a private environment, and organised in a way that protects the confidentiality of the meeting.

If verbal, the person receiving the disclosure must make notes at the time. These notes, and/or any supporting evidence provided, must be kept secure and only

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provided to the Protected Disclosure Coordinator or IBAC.

A person can make a written disclosure via email or letter. A letter must be hand-delivered or mailed or emailed. Disclosures cannot be made by fax.

A written disclosure to the IBAC and the Victorian Ombudsman can be made via an online form available at each of their respective websites:

- <https://www.ibac.vic.gov.au/reporting-corruption/complaints-form>
- <https://www.ombudsman.vic.gov.au/Complaints/Make-a-Complaint>

#### 1.4 The disclosure must be made to a body authorised to receive it

One of the requirements in Part 2 of the Act is that the disclosure has been made to a body authorised under the Act to receive the disclosure.

Council can only deal with disclosures which concern Council and its employees.

Disclosures about improper conduct or detrimental action by Council's Councillors must be made to the IBAC or the Victorian Ombudsman. Those disclosures must not be made to the Council.

Disclosures about improper conduct or detrimental action by Council or its employees and staff may be made to Council or one of four external authorities:

- IBAC;
- The Victorian Ombudsman in relation to limited types of disclosures;
- The Victorian Inspectorate in relation to limited types of disclosures; or
- The Chief Commissioner of Police in relation to limited types of disclosures.

Disclosure relates to:	Disclosure can be made to:
Maribyrnong City Council Employee/Contractor/ Organisation	<ul style="list-style-type: none"><li>• Protected Disclosure Coordinator</li><li>• Protected Disclosure Officer</li><li>• CEO</li><li>• IBAC</li><li>• Managers or supervisors:<ul style="list-style-type: none"><li>• Direct or Indirect (Line) Supervisor or Manager of the discloser</li><li>• Direct or Indirect (Line) Supervisor or Manager of the subject of the disclosure</li></ul></li></ul>
Maribyrnong City Council Councillor	<ul style="list-style-type: none"><li>• IBAC</li><li>• Victorian Ombudsman</li></ul>

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#### **1.5 Making a disclosure to the Council**

Council can only address disclosures that relate to Council or an employee of Council. Disclosures about Councillors must be made to IBAC or the Victorian Ombudsman.

In accordance with the Regulations, an oral disclosure must be made in private, either in person, by telephone or some form of electronic communication not involving writing, to:

- The CEO, or
- Council's Protected Disclosure Coordinator or Council's Protected Disclosure Officer; or
- The person's supervisor or manager (if the person making the disclosure is an employee of Council, or the disclosure relates to a person who is an employee of Council).

A written disclosure must be:

- Delivered personally to the office of Council;
- Sent by post addressed to Council's office; or
- Emailed to the CEO or Council's Protected Disclosure Coordinator or Officer at [disclosure@maribyrnong.vic.gov.au](mailto:disclosure@maribyrnong.vic.gov.au)

#### **1.6 Making a disclosure to IBAC**

An oral disclosure to IBAC must be made in private and may be made:

- In person
- By telephone, to 1300 735 135
- By leaving a voicemail message on the telephone number of one of the specified individuals below and to whom an oral disclosure can be made
- By some other form of non-written electronic communication

The oral disclosure must be made to one of the following persons:

- The Commissioner of the IBAC;
- The Deputy Commissioner of the IBAC;
- The CEO of the IBAC;
- An employee referred to in s 35(1) of the IBAC Act; or
- Any staff referred to in s 35(2) of the IBAC Act

A written disclosure to the IBAC must be:

- Delivered personally to the office of the IBAC, at Level 1, North Tower, 459 Collins Street, Melbourne, VIC 3001; or
- Sent by post addressed to the office of the IBAC, at GPO Box 24234, Melbourne, VIC 3001

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- Sent by email to the official email address of a person specified above to whom an oral disclosure may be made (i.e the Commissioner, the Deputy Commissioner, the CEO, or employee or staff referred to in s 35 of the IBAC Act); or
- Submitted by an online form available from <https://www.ibac.vic.gov.au/reporting-corruption/complaints-form>

#### **1.7 Making a disclosure to the Victorian Ombudsman**

An oral disclosure to the Victorian Ombudsman must be made in private and may be made:

- In person;
- By telephone, to 9613 6222, or toll free (regional areas only) to 1800 806 314
- By leaving a voicemail message on the telephone number of any Victorian Ombudsman officer; or
- By some other form of non-written electronic communication

The oral disclosure may be made to a Victorian Ombudsman officer.

Written disclosure to the Ombudsman must be:

- Delivered personally to the office of the Victorian Ombudsman, at Level 2, 570 Bourke Street, Melbourne, VIC 3000; or
- Sent by post addressed to the office of the Victorian Ombudsman, as above; or
- Sent by email to the official email address of any Victorian Ombudsman officer; or
- Submitted by an online form available from: <https://www.ombudsman.vic.gov.au/Complaints/Make-a-Complaint>

## **2. Handling Disclosures**

### **2.1 Receiving a disclosure**

When the Council receives a complaint, report or allegation of improper conduct or detrimental action, the first step will be to ascertain whether it has been made in accordance with Part 2 of the Act.

If the disclosure satisfies Part 2 of the Act, the discloser is entitled to receive protections under Part 6 of the Act (see section 3 of these procedures).

At the time of the disclosure being made, the following will be discussed with the discloser:

- The intent of the Act and what constitutes a protected disclosure

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- The role of Maribyrnong City Council and IBAC
- Details and evidence of the allegation
- The expectations of the discloser
- The options available to the discloser. If the discloser does not want to make a protected disclosure at this time, this decision must be confirmed in writing

#### **2.2 Assessment of Disclosure**

The person taking a disclosure must, as soon as practicable, provide the details of the disclosure – including any notes or supporting evidence – to the Protected Disclosure Coordinator or Protected Disclosure Officer in person.

The Protected Disclosure Coordinator will assess the disclosure in accordance with the requirements of *the Act*. If the disclosure satisfies the requirements of Part 2 of the Act, Council is required to determine whether the disclosure may be a protected disclosure by going through the 2 step assessment process recommended by the IBAC as follows.

This will be the case even if the discloser does not refer to the Act or require the protections of the Act. The initial assessment is made on the nature of the information disclosed or on the belief that the discloser has about the nature of the information, and not the discloser's intention.

##### **2.2.1 First Step**

The first question Council must answer is whether the information disclosed shows, or tends to show, that there is improper conduct or detrimental action taken in reprisal for the making of a protected disclosure.

This requires the Council to ascertain whether the information satisfied the 'elements' of improper conduct or detrimental action, as defined in the Act and whether any of the relevant exceptions apply. This may require Council to:

- Seek further information;
- Conduct a discreet initial enquiry;
- Seek (further) evidence from the discloser;
- Ascertain whether there is sufficient supporting material to demonstrate that the conduct or actions covered by the Act have occurred, are occurring or are likely to occur.

If it is not clear that the information disclosed does show or tend to show that there is improper conduct or detrimental action, then Council will move to the second step below.

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#### **2.2.2 Second Step**

This requires Council to ask whether the discloser believes on reasonable grounds that the information shows or tends to show there is improper conduct or detrimental action. That is, does the person actually believe that the information shows, or tends to show, there is improper conduct or detrimental action? A reasonable belief requires the belief to be based on facts that would be sufficient to make a reasonable person believe there was improper conduct or detrimental action.

This reasonable belief does not have to be based on actual proof that the improper conduct or detrimental action in fact occurred, is occurring, or will occur, but there must be some information supporting this belief. The grounds for the reasonable belief can leave something to surmise or conjecture, but it must be more than just a reasonable suspicion, and the belief must be probable.

According to the IBAC, simply stating that improper conduct or detrimental action is occurring, without providing any supporting information, would not be a sufficient basis for having a reasonable belief. In the IBAC's view, a belief cannot be based on a mere allegation or conclusion unsupported by any further facts or circumstances.

Other matters that the IBAC suggests Council can consider are:

- The reliability of the information provided by the discloser, even if it is second or third-hand. For example, how would the discloser have obtained the information?
- The amount of detail that has been provided in the information disclosed; and
- The credibility of the discloser, or of those people who have provided the discloser with information.

#### **2.2.3 Urgent Action**

If the person taking the disclosure believes the disclosure details behaviour or a threat requiring urgent action, they should report the relevant details (not the discloser's identity) to their Director or the CEO.

In these cases Council can take immediate action while considering whether or not it is an assessable disclosure that must be notified to the IBAC or awaiting the IBAC's decision on a notified matter.

The Director, CEO or Protected Disclosure Coordinator must notify IBAC of any urgent action undertaken.

It may also be necessary to report criminal conduct to Victoria Police for

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immediate investigation, or take management action against an employee to prevent future conduct. Reporting the alleged conduct to the Victoria Police as criminal conduct, or taking legitimate management action against the subject of the disclosure in order to prevent future conduct, may be appropriate courses of action in these circumstances.

Examples of this provided by the IBAC include where the disclosure may be about:

- A child protection worker allegedly sexually assaulting children in care;
- A council worker allegedly lighting bush fires;
- A person threatening to poison the water supply.

Section 52(3)(a)(iii) of the Act allows Council to disclose the content of the disclosure by a person of body "to the extent necessary for the purpose of taking lawful action in relation to the conduct that is subject of an assessable disclosure including disciplinary process or action".

#### **2.2.4 Assessment Decisions**

If Council decides it may be a protected disclosure, it must notify the IBAC of the disclosure. If the matter is considered not to be an assessable disclosure, then the Protected Disclosure Coordinator will notify the discloser and recommend the discloser follows up the issue under Council's complaints procedure, grievance procedure or other appropriate avenue.

#### **2.3 Notification to IBAC and Discloser**

Within 28 days of receipt of disclosure by a discloser or specified person at Council:

1. The Protected Disclosure Coordinator will notify IBAC in writing via registered mail of an assessable disclosure, including relevant details and supporting evidence.

The Protected Disclosure Coordinator will also notify the discloser (in writing if contact details are available and/or it is not an anonymous disclosure) that:

- The disclosure has been notified to IBAC for assessment and IBAC will be the body responsible for further assessing, and dismissing/investigating/referring the disclosure.
- It is an offence under section 74 of the Act to disclose that the disclosure has been notified to IBAC for assessment under the Act

OR

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2. If the Protected Disclosure Coordinator determines the disclosure is not an assessable disclosure, they will notify the discloser (in writing if contact details are available and/or it is not an anonymous disclosure) that:
  - Council does not consider the disclosure to be a protected disclosure
  - The disclosure has not been notified to IBAC for assessment
  - The protections under Part 6 of the Act apply, regardless of whether the disclosure is notified to IBAC for assessment,
  - The options available to pursue the matter, including making the disclosure directly to IBAC, or making a complaint/report/allegation through Council's complaints policy, grievance procedure or other appropriate avenue.

#### **2.4 Investigations**

It is the responsibility of the CEO to cooperate with, and undertake any actions resulting from the findings and outcomes of a Protected Disclosure Complaint investigation by IBAC, or referred investigations by the Victorian Ombudsman or Victorian Inspectorate.

#### **2.5 Protections for public officers**

A public officer is given specific protections under the Act to provide information to other public officers or to the IBAC in dealing with a disclosure they have received. When a public officer acts in good faith and in accordance with the Act, Regulations and the IBAC's Guidelines, the public officer does not commit an offence under laws imposing a duty to maintain confidentiality or restricting the disclosure of information.

### **3. Welfare management**

#### **3.1 Commitment to protecting people making protected disclosures**

Council is committed to the protection of genuine disclosures against detrimental action taken in reprisal for the making of a protected disclosure.

The protection of persons making genuine protected disclosures against improper conduct or detrimental action is essential for the effective implementation of the Act. In addition, the Act extends the need for welfare management to people who have cooperated or intend to cooperate with an investigation of a protected disclosure complaint ("cooperators"). Persons who are the subject of allegations will also have their welfare looked after.

Council must ensure disclosers and cooperators are protected from direct and indirect detrimental action being taken against them in reprisal for the protected disclosure. Council will ensure its workplace culture supports disclosers and cooperators. Such support will extend to the relevant persons regardless of whether they are internal to the organisation (e.g. employees, Councillors, other

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officers) or external members of the public. However, different legislative responsibilities (including those external to the Act) apply to persons internal to the organisation, and to persons who may be clients or users of Council's services. Those derive from various legislative and administrative obligations to:

- Ensure the health and wellbeing of employees of a public sector body under laws including those relating to Occupational Health and Safety, the Charter of Human Rights and Responsibilities Act 2006, the Public Administration Act 2004, and various Victorian Public Sector Codes of Conduct (as relevant); and
- Comply with various relevant laws, policies and practices when making administrative and other decisions or taking particular actions affecting a customer, client or user of the public body's services.

Generally, for employees, Council will ensure a supportive work environment and respond appropriately to any reports of intimidation or harassment against these persons. For external persons, Council will take reasonable steps to provide appropriate support. Council will discuss reasonable expectations with all persons receiving welfare management in connection with a protected disclosure.

### **3.2 Support available to disclosers and cooperators**

Council will support disclosers and cooperators by:

- keeping them informed, by providing:
  - confirmation that the disclosure has been received;
  - the legislative or administrative protections available to the person;
  - a description of any action proposed to be taken;
  - if action has been taken by Council, details about results of the action known to Council;
- providing active support by:
  - acknowledging the person for having come forward
  - assuring the discloser or cooperator that they have done the right thing, and Council appreciates it;
  - making a clear offer of support;
  - assuring them that all reasonable steps will be taken to protect them;
  - giving them an undertaking to keep them informed as far as Council is reasonably able to;
- managing their expectations by undertaking an early discussion with them about:
  - what outcome they seek;
  - whether their expectations are realistic;
  - what Council will be able to deliver;
- maintaining confidentiality by:

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- ensuring as far as is possible that other people cannot infer the identity of the discloser or cooperator;
  - reminding the discloser or cooperator not to reveal themselves or to reveal any information that would enable others to identify them as a discloser or cooperator;
  - ensuring that hardcopy and electronic files relating to the disclosure are accessible only to those who are involved in managing disclosures in Council;
- proactively assessing the risk of detrimental action being taken in reprisal (rather than reactively waiting for a problem to arise and a complaint made by the discloser or cooperator), that is, actively monitor the workplace, anticipating problems and dealing with them before they develop as far as is possible;
- protecting the discloser or cooperator by:
  - examining the immediate welfare and protection needs of the person and seeking to foster a supportive work environment;
  - listening and responding to any concerns the person may have about harassment, intimidation or victimisation in reprisal for their actions;
- assessing whether the concerns the person may have about harassment, intimidation or victimisation might be due to other causes other than those related to the protected disclosure;
- preventing the spread of gossip and rumours about any investigation into the protected disclosure; and
- keeping contemporaneous records of all aspects of the case management of the person, including all contact and follow-up action.

### **3.3 Welfare Manager**

The welfare manager is responsible for looking after the general welfare of the witness/es – including the discloser/s, anyone participating in an investigation, and the person who is the subject of a disclosure. The welfare manager will:

- Examine the immediate welfare and protection needs of a witness, to foster a supportive work environment
- Listen and respond to any concerns of harassment, intimidation or victimisation in reprisal for making a disclosure, make notes and advise the Protected Disclosure Coordinator, Officer or CEO
- Organise professional counselling through Council's Employee Assist service provider, if identified as appropriate or requested by the witness (not disclosing the details of the matter to the service, beyond it for is a protected disclosure witness)
- Attempt to ensure the expectations of the witness are realistic, and that their efforts to maintain confidentiality around the matter will assist in ensuring them the protections of the Act.

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The welfare manager must not divulge any details relating the disclosed matter to any person other than the Protected Disclosure Coordinator, or the CEO. All meetings between the welfare manager and the witness must be conducted discreetly to protect the person's identity.

#### **3.4 Protections for persons making a protected disclosure**

Part 6 of the Act sets out the protections provided to persons who make a disclosure that is a 'protected disclosure', i.e., one that is made in accordance with Part 2 of the Act. In summary, they are as follows:

- the discloser is not subject to any civil or criminal liability for making the protected disclosure;
- the discloser is not subject to any administrative action (including disciplinary action) for making the protected disclosure;
- by making the protected disclosure, the discloser is not committing an offence against the Constitution Act 1975 or any other law that imposes obligations of confidentiality or otherwise restricts the disclosure of information;
- by making the protected disclosure, the discloser is not breaching any other obligation (made by oath, rule of law or practice) requiring him or her to maintain confidentiality; and
- the discloser cannot be held liable for defamation in relation to information included in a protected disclosure made by him or her.

The protections in Part 6 apply from the time at which the disclosure is made by the discloser. They apply even if Council receiving the disclosure does not notify the disclosure to the IBAC, and even if the IBAC has determined that the protected disclosure is not a protected disclosure complaint.

The protections also apply to further information relating to a protected disclosure made by the original discloser, if the further information has been provided, verbally or in writing, to:

- the entity to which the protected disclosure was made;
- the IBAC; or any investigating entity investigating the protected disclosure.

Sections 52 and 53 of the Act refer specifically to confidentiality obligations of persons receiving information connected with an assessable disclosure, or leading to the identification of a discloser. Those confidentiality obligations do not apply to disclosers.

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#### **3.4.1 Actions of the discloser constituting offences and leading to protections being lost**

A discloser is not protected if they commit an offence under s 72 or s 73 of Act, as follows:

- provide false or misleading information, or further information that relates to a protected disclosure, that the person knows to be false or misleading in a material particular, intending that the information be acted on as a protected disclosure;
- claim that a matter is the subject of a protected disclosure knowing the claim to be false;
- falsely claim that a matter is the subject of a disclosure that IBAC has determined to be a protected disclosure complaint.

Similar provisions set out in the IBAC Act, such as in s184, also makes it a criminal offence to disclose certain information received from the IBAC.

#### **3.4.2 Other limitations on protections afforded to disclosers**

A discloser is not protected against legitimate management action being taken by Council in accordance with the Act.

In addition, although the discloser of a protected disclosure is not subject to criminal or civil liability for making the disclosure, the Act specifically provides that a person remains liable for their own conduct even though the person has made a disclosure of that conduct under the Act. Therefore, the discloser will still be held liable for their own conduct that they disclose as part of making a protected disclosure.

#### **3.4.3 If the person making the disclosure is implicated in the improper conduct or detrimental action that is the subject of the disclosure**

Where a discloser is implicated in improper conduct, Council will handle the disclosure and protect the discloser from reprisals in accordance with the Act, the IBAC's guidelines and these procedures. Council acknowledges that the act of disclosing should not shield disclosers from the reasonable consequences flowing from any involvement in improper conduct. However, in some circumstances, an admission may be a mitigating factor when considering disciplinary or other action.

The management of the welfare of a discloser may become complicated when that person is implicated in misconduct, whether or not that misconduct is related to the disclosure.

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Taking disciplinary or other action against a person who has made a protected disclosure invariably creates the perception that it is being taken in reprisal for the disclosure. The CEO will make the final decision on the advice of the Protected Disclosure Coordinator as to whether disciplinary or other action will be taken against a discloser. Where disciplinary or other action relates to conduct that is the subject of the disclosure, the disciplinary or other action will only be taken after the disclosed matter has been appropriately dealt with. In all cases where disciplinary or other action is being contemplated, any such action will not be taken without the CEO ensuring that:

- the fact that a person has made a protected disclosure is not a substantial reason for the Council taking the action against the employee;
- there are good and sufficient grounds that would fully justify action against any other person in the same circumstances;
- there are good and sufficient grounds that justify exercising any discretion to institute disciplinary or other action.

Council will take all reasonable steps to thoroughly document its decision-making process, including recording the reasons why the disciplinary or other action is being taken, and the reasons why the action is not being taken in retribution against the discloser for making the disclosure, so that it will be able to clearly demonstrate that the disciplinary or other action was taken for the appropriate and permitted reasons under the Act.

The discloser will be clearly informed of any action proposed to be taken, be afforded natural justice and be informed of any mitigating factors that have been taken into account. Such communications with the discloser will be made in plain English and reasonable steps to provide appropriate support will be offered where appropriate.

### **3.5 Welfare Management of persons who are the subject of protected disclosures**

Council will also meet the welfare needs of a person who is the subject of a protected disclosure. It is important to remember that until a protected disclosure complaint is resolved, the information about the person is only an allegation.

Council will make a decision about whether or when the subject of a disclosure will be informed about a protected disclosure involving an allegation made against him or her. It is possible that the subject of the disclosure may never be told about the disclosure if it is not determined to be a protected disclosure complaint, or if a decision is made to dismiss the disclosure.

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The Act limits the disclosure of information about the content of an assessable disclosure and the identity of the discloser to certain specified circumstances set out in Part 7 of the Act. Council may give information about the disclosure to the subject of the disclosure if it is directed or authorised to do so by the investigative entity investigating the protected disclosure complaint, or for the purpose of taking action with respect to the conduct alleged, including disciplinary action.

Investigative entities may also inform the subject of the protected disclosure complaint in the course of their investigation for the purposes of conducting that investigation, or any actions that they propose to take as a result of the investigation.

#### **3.5.1 Confidentiality**

Consistently with Council's confidentiality obligations under the Act as outlined in these procedures, the fact that a disclosure has been made, whether it has been notified to the IBAC for assessment, any information received from the IBAC or another investigative entity and the identities of persons involved will not be divulged.

Council will take all reasonable steps to ensure the confidentiality of the subject of a disclosure during any assessment and any ensuing investigation. Where the disclosure is dismissed or investigations do not substantiate the allegations made against the person, the fact that the investigation was undertaken, its results, and the identity of the person subject of the disclosure will still be kept confidential. See section 4 for further information.

#### **3.5.3 Natural justice**

All persons who are the subject of a disclosure are entitled to natural justice, at the appropriate time as determined by investigating body, but before a decision is made about their conduct). At this time, the person/s will be offered support through Council's Welfare Manager.

The person who is the subject of a Protected Disclosure Complaint will:

- Be informed about the substance of allegations against them
- Be given the opportunity to answer the allegation before a final decision is made
- Be informed about the substance of any adverse comments that may be included in any report arising from an investigation
- Have his/her defence set out fairly in any report.

#### **3.5.4 If the allegations are wrong or unsubstantiated**

Council will give its full support to a person who is the subject of a disclosure where the allegations contained in a disclosure are wrong or unsubstantiated. In

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those circumstances, Council and any investigative entity involved will ensure that there are no adverse consequences for this person arising out of the disclosure or its investigation. This is particularly crucial in a situation where there has been publicly disclosed information identifying the subject, but also where such information has become well-known across Council and the subject is an employee or Councillor. Further, if the matter has been publicly disclosed by Council, the CEO will consider any request by that person to issue a statement of support setting out that the allegations were clearly wrong or unsubstantiated.

#### **3.6 Occurrence of detrimental action**

If a person who makes a protected disclosure reports an incident of harassment, discrimination or adverse treatment that may amount to detrimental action taken in reprisal for the making of the disclosure, the Protected Disclosure Coordinator will:

- record details of the incident;
- advise the person making the protected disclosure of his or her rights under the Act; and

The taking of detrimental action in reprisal for the making of a disclosure can be an offence against the Act as well as grounds for making a further disclosure. Where such detrimental action is reported, the Protected Disclosure Coordinator will assess the report as a new disclosure under the Act.

If the detrimental action is of a serious nature likely to amount to a criminal offence, the Protected Disclosure Coordinator will consider whether to report the matter to the police.

Where the Protected Disclosure Coordinator considers that the disclosure may be a protected disclosure, he or she will refer it to the IBAC. If the IBAC subsequently determines the matter to be a protected disclosure complaint, the IBAC may investigate the matter or refer it to another body for investigation as outlined in the Act.

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### **4. Confidentiality**

#### **4.1 General obligation of confidentiality and all individuals**

Maribyrnong City Council will take all reasonable steps to protect the identity of witnesses and the content of disclosures. Maintaining confidentiality is crucial in ensuring reprisals are not made against a witness.

The Act requires any person who receives a disclosure, or participates in an investigation, not to disclose that information except in certain limited circumstances.

#### **4.2 Steps taken by Council to ensure confidentiality**

##### **4.2.1 Information Management**

Maribyrnong City Council will ensure all files, whether paper or electronic, are kept in a secure location and can only be accessed by the Protected Disclosure Coordinator, Protected Disclosure Officer, the CEO, or Welfare Manager (in relation to welfare matters only).

All printed material will be kept in files that are clearly marked as a '*Confidential Protected Disclosure Act* matter – Do not open' – on the cover, and warn of the criminal penalties that apply to any unauthorised divulging information concerning a protected disclosure. Printed files must be kept in locked cabinets, and sealed in an envelope marked '*Confidential Protected Disclosure Act* matter – Do not open' when relocated to central filing for permanent storage. All electronic files must be stored in the corporate Electronic Document Management System with secure access controls in place.

Maribyrnong City Council will not email documents relevant to a protected disclosure matter and will ensure all phone calls and meetings are conducted in private. All correspondence, phone calls and emails from internal or external disclosers will be directed to the Protected Disclosure Coordinator or Protected Disclosure Officer.

##### **4.2.2 Exemption from the Freedom of Information Act 2982 ("FOI Act")**

The FOI Act provides a general right of access for any person to seek documents in the possession of Council. However, the Act provides that certain information related to protected disclosures as contained in documents in the possession of Council will be exempt from the application of the FOI Act.

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Such information excluded from the operation of the FOI Act includes:

- Any information relating to a disclosure made in accordance with the Act;
- Any information relating to a disclosure notified to the IBAC by Council under s 21 of the Act for assessment; and
- Any information that is likely to lead to the identification of a discloser

Council is required to contact the IBAC prior to providing any document originating from the IBAC or relating to a protected disclosure, if that document is sought under the FOI Act.

#### **4.2.3 Penalties apply for unauthorised disclosure of confidentiality**

Disclosure of information in breach of the Act constitutes a criminal offence that is punishable by a maximum fine of 120 penalty units or 12 months imprisonment or both.

#### **4.2.4 Limited exceptions permitted by the Act**

The limited circumstances in which it is not an offence to disclose information connected with a disclosure may include:

- Where necessary for the purpose of the exercise of functions under this Act;
- By an investigating entity, or an officer of an investigating entity, where necessary for the purpose of the exercise of functions under the IBAC Act
- For the purpose of obtaining legal advice in relation to matters specified in the Act
- Where a person does not have sufficient knowledge of the English language, to obtain a translation from an interpreter

However, the Act prohibits the inclusion of particulars in any report or recommendation that is likely to lead to the identification of the discloser. The Act also prohibits the identification of the person who is the subject of the disclosure in any particulars included in an annual report.

### **5. Reporting – Collection and publishing of statistics**

The Protected Disclosure Coordinator will be responsible for collating and publishing statistics for the Annual Report relating to disclosures and investigations, as required under the Act. . Special care will be taken to ensure any information published does not inadvertently lead to the identification of the witness/es.

### **6. Education and Training**

Maribyrnong City Council will undertake regular education and communication activities for this Procedure and Council's Codes of Conduct, including mandatory training for Specified Officers and periodic refresher training courses

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for existing staff about their rights and obligations under the Act.

In addition, this Procedure will be available for all employees, officers and members of the public via Council's intranet and external website.

#### **7. Criminal Offences**

The Act contains a number of offence provisions relating to unauthorised disclosure of information by either disclosers or persons who have received disclosures. The relevant penalties include imprisonment, financial payments or both.

The criminal offences set out in the Act relating to confidentiality include:

- Divulging information obtained in connection or as a result of the handling or investigation of a protected disclosure without legislative authority.
- Disclosing that a disclosure has been notified to the IBAC for assessment under the Act.
- Disclosing that a disclosure has been assessed by the IBAC or the Victorian Inspectorate to be a protected disclosure.

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## Related Legislation

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- Protected Disclosure Act 2012
- Protected Disclosure Regulations 2013
- Local Government Act 1989
- Independent Broad-Based Anti-corruption Commission Act 2011
- Independent Broad-Based Anti-corruption Commission Regulations 2013
- Public Administration Act 2004 (for definitions)
- Freedom of Information Act 1982

## Related Documents

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- Fraud and Corruption Control Policy
- Fraud and Corruption Control Procedures
- Councillor Code of Conduct
- Councillor Support and Expenses Policy
- Staff Code of Conduct
- Relevant Council policies and procedures, including the Internal Grievance Procedure and Complaints Resolution Policy.

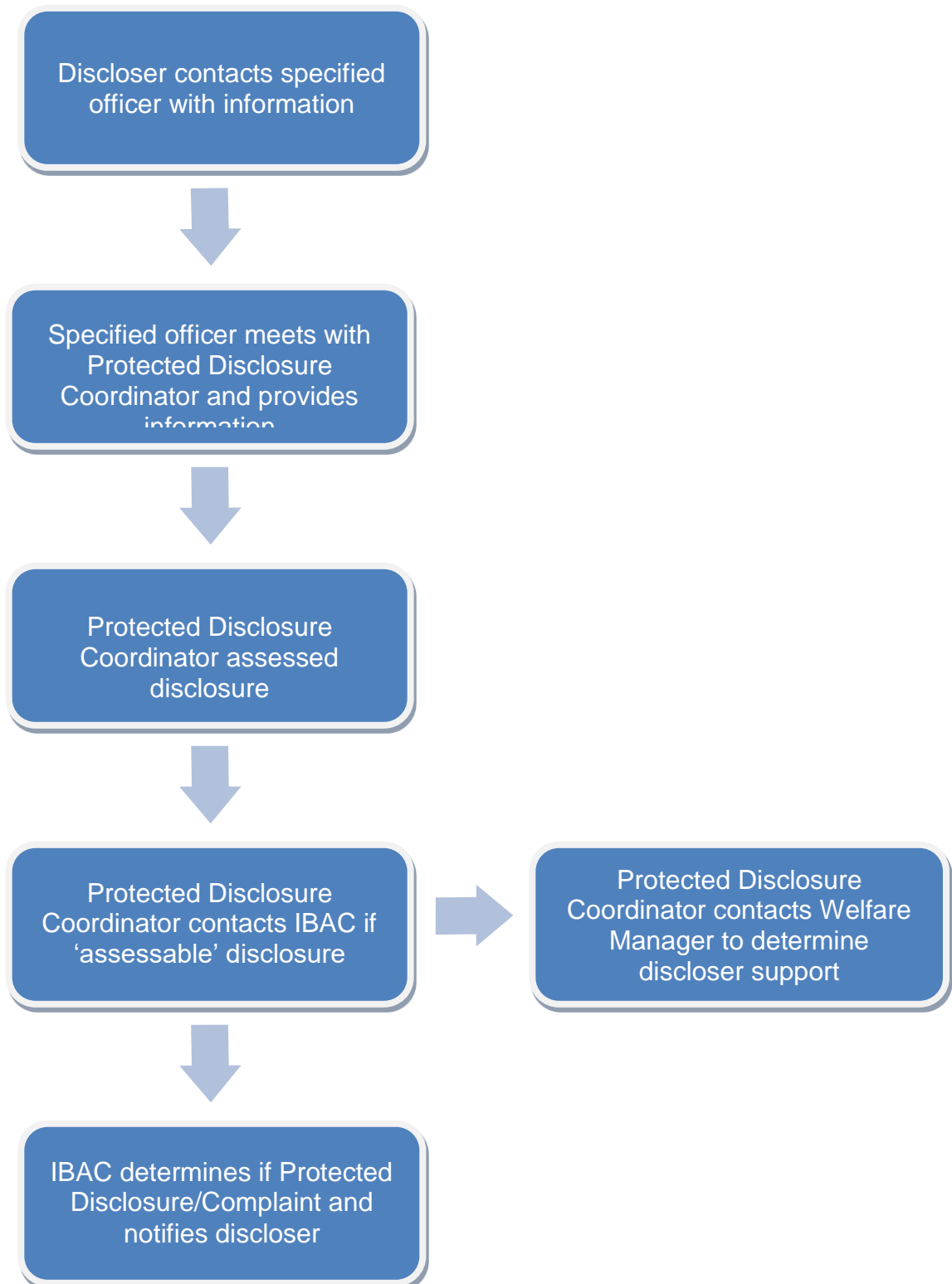
## Review of Procedure

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This Procedure will be reviewed in two years from the date of endorsement, or as otherwise required by legislative amendments or the issuing of IBAC guidelines or advice.

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***Appendix 1 - Process for Making a Disclosure***



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## *Appendix 2 - Where to report disclosures*

Subject of the disclosure		Report to:
Chief Commissioner of Police	>	IBAC
Director of Public Prosecutions		
Chief Crown Prosecutor		
Solicitor General		
Governor		
Lieutenant Governor or Administrator		
Director, Police Integrity		
Electoral Commissioner		
Commissioner appointed under the <i>Inquiries Act 2014</i>		
A member of a Board or Inquiry		
A judicial officer		
A member of VCAT who is not a judicial officer		
A judicial employee		
A Ministerial officer		
A Parliamentary adviser		
An electorate officer		
A Parliamentary officer		
Minister of the Crown who is not a member of Parliament		
A Councillor	>	IBAC or the Victorian Ombudsman
Freedom of Information Commissioner		
Commissioner for Privacy and Data Protection		
Health Services Commissioner	>	IBAC or the Victorian Inspectorate
The Chief Examiner or an Examiner appointed under section 21 of the <i>Major Crimes (Investigative Powers) Act 2004</i>		
A Victorian Ombudsman officer		
A Victorian Auditor-General's Office officer	>	IBAC or a prescribed member of police personnel
A member of police personnel (other than the Chief Commissioner)		
Member of Parliament (Legislative Council)		
Member of Parliament (Legislative Assembly)	>	Speaker of the Legislative Assembly
IBAC, including its officers	>	Victorian Inspectorate

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<sup>6</sup> Independent Broad-based Anti-corruption Commission, *Guidelines for making and handling protected disclosures*, October 2016.

**Agenda Item 9.5****REVIEW OF COUNCIL DELEGATIONS**

**Director:** Celia Haddock  
Director Corporate Services

**Author:** Lisa King  
Manager Governance and Commercial Services

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**PURPOSE**

To present the outcomes of a review of Council's Instruments of Delegation in accordance with the *Local Government Act 1989 (the Act)*.

**ISSUES SUMMARY**

- Section 98(1) and 98(2) of the *Local Government Act 1989* (Act) provides for the Council and Chief Executive Officer by Instrument of Delegation, to delegate to a member of Council staff any power, duty or function of that office with some exceptions
- In accordance with Regulation 12 of the Local Government (General) Regulations 2015 a register must be kept which includes the dates on which Council last reviewed its Instruments of Delegation, and this register must be made available for public inspection.
- The use of templates issued by Maddocks Lawyers inform all of Council's Instruments of Delegation and is common practice across the local government sector.
- While some Instruments of Delegation are still current, it is considered good practice to conduct a review of all delegations and reissue instruments annually at a minimum.

**ATTACHMENTS**

1. Instrument of Delegation City Development Special Committee Effective from 26 February 2013 [↓](#)
2. C4 Instrument of Delegation Enterprise Maribyrnong Special Committee Effective from July 2017 [↓](#)
3. S6 Instrument of Delegation - Council Staff [↓](#)

**Agenda Item 9.5**

**OFFICER RECOMMENDATION**

**That Council:**

- 1. In the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached *S6 Instrument of Delegation from Council to Members of Council Staff*, Maribyrnong City Council resolves that:**
    - 1.1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *S6 Instrument of Delegation* to members of Council staff, the powers, duties and functions set out in the *S6 Instrument of Delegation*, subject to the conditions and limitations specified in the *S6 Instrument of Delegation*.**
    - 1.2. The instrument comes into force immediately the Common Seal of Council is affixed to the *S6 Instrument of Delegation*.**
    - 1.3. On the coming into force of this *S6 Instrument of Delegation* all previous *S6 Instruments of Delegations* to members of Council staff (other than the Chief Executive Officer) are revoked.**
    - 1.4. The duties and functions set out in the *S6 Instrument of Delegation* must be performed, and the powers set out in the *S6 Instrument of Delegation* must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**
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**Agenda Item 9.5****BACKGROUND**

An Instrument of Delegation is a formal document that allows for certain duties, functions and decision-making powers to be delegated to a Council Officer or a Special Committee, as a means of reducing the operational decision-making workload upon the Council, allowing it to increase its strategic focus and deal with the issues and matters associated with the long term management of the City.

Council may, by instrument of delegation, delegate to a member of its staff any power, duty or function of the Council under the Act or any other Act other than:

Council's power of delegation;

- the power to declare a rate or charge;
- the power to borrow money;
- the power to approve any expenditure not contained in a budget approved by the council;
- any power, duty or function of the council under Section 223; and
- any prescribed power.

Council last reviewed its delegations at its Ordinary Meeting held August 2017.

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

It is important that Council updates any Instruments of Delegation that it has in place so that changes made to legislative requirements and alterations made to the organisational reporting structure are taken into consideration.

As such, Council officers have prepared updated delegation documents that take account of legislative changes since the last delegations were prepared.

The update undertook a further assessment of the delegations to determine whether there is a need to make further adjustments and refinements to enhance greater organisational efficiency and effectiveness, as well as incorporate any changes to organisational realignments that may have impacted on existing delegations.

**Instruments of Delegation to Council's Special Committees**

In accordance with section 86(6) of *the Act*, the review included instruments to Council's Special Committees established under section 86. This included the City Development Special Committee (Attachment 1), the Enterprise Maribyrnong Special Committee (Attachment 2) and the Inner Melbourne Action Plan Implementation Committee, all of which incorporate the Special Committees' terms of reference.

Following the review, it is not considered necessary for Council to amend the Instrument for the City Development Special Committee or the Enterprise Maribyrnong Special Committee as the current instrument remains effective in its current form as well the terms of reference.

**Agenda Item 9.5**

The Instrument of Delegation to the Inner Melbourne Action Plan Implementation Committee was presented to Council at its meeting on 21 August 2017 and as such, there is no further requirement to review this delegation.

**Instrument of Delegation from Council to Council Staff**

This Instrument of Delegation to Council Staff is provided as Attachment 3. The schedule to this Instrument of Delegation describes in each case the duty, power or function being delegated, the source of power and lists the position to which the delegation is to be conferred.

Although multiple delegations are listed for some functions (to ensure prompt administration can be taken during all periods of leave/absence etc.), it is generally envisaged that most delegated decisions will be exercised at the lowest “operational” area.

The principle of organisation “line of responsibility” is also to be observed i.e. that for any employee routinely exercising delegated authority, the same delegated authority is also held (and able to be exercised) by the relevant supervising officer if required.

Since the last review of this delegation in August 2017, amendments have been made to the Heritage Act 2017, the Local Government Act 1989 Planning and Environment Act 1987. Minor editorial amendments have also been made throughout the Instrument.

**2. Council Policy/Legislation****Council Plan 2017-2021**

This report contributes to Council’s strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Strong leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

**Legislation**

Section 98(1) of the Local Government Act 1989 provides that Councils, by instrument of delegation, may delegate to a member of its staff any power, duty or function of a Council under this Act or any other Act.

**Conflicts of Interest**

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

**Human Rights Consideration**

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

**Agenda Item 9.5**

**3. Engagement**

Business units affected by any legislative changes have been consulted in the preparation of this report, and amendments required to the instruments of delegations have been made.

**4. Resources**

Not applicable.

**5. Environment**

Not applicable.

**CONCLUSION**

The outcomes of the review of Council's Instruments of Delegation are presented for Council's consideration.

**Agenda Item 9.5 - Attachment 1**



***C4. Instrument of Delegation (Special Committees)***


**Maribyrnong City Council  
Instrument of Delegation  
City Development Special Committee**

Maribyrnong City Council (Council) delegates to the special committee established by resolution of Council on 21 February 2012 and known as the "City Development Special Committee" (the Committee), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council on 19 February 2013;
2. the delegation:
  - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.2 remains in force until Council resolves to vary or revoke it; and
  - 2.3 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
3. Membership of the Committee shall comprise all members of the Council and all will have voting rights on the Committee.
4. The minutes of the Committee will be confirmed at the next scheduled Committee meeting and noted at the next Ordinary Council Meeting.

THE COMMON SEAL OF MARIBYRNONG  
CITY COUNCIL pursuant to a Council  
resolution of 19 February 2013 was  
affixed on 26 February 2013, in the  
presences of:



  
\_\_\_\_\_  
Chief Executive Officer

  
\_\_\_\_\_  
Witness

## Agenda Item 9.5 - Attachment 1



### SCHEDULE

#### Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to the following primary or ancillary responsibilities in accordance with adopted policies and practices of Council:

1. Statutory Planning and Building Controls
2. Heritage
3. Strategic Planning – including Land Use, Development Contributions and Transport Planning
4. Planning Scheme Amendments
5. Urban Design
6. Public Space (Strategic)
7. Economic Development
8. Any other matters deemed appropriate.
9. to do all things necessary or convenient to be done for or in connection with the performance those functions, duties and powers.

The Committee shall consider items on any related matters to the listed topics or issues.

The Committee can refer any item to an Ordinary Meeting of Council for consideration.

Members of the public will be afforded the opportunity to present their views on items listed on an agenda for consideration at Special 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.

Any extension of time for presenters will be at the discretion of the Chair.

The Committee shall hear from people in support of written submissions lodged in accordance with Section 223 of the *Local Government Act 1989*, before consideration of the matter at subsequent Committee or Council Meeting.

The Committee is governed by Council's current Governance Local Law and Meeting Procedure.

## Agenda Item 9.5 - Attachment 1



### Exceptions, conditions and limitations

The Committee is not authorised by this Instrument to exercise powers which, by force of section 86 of the *Local Government Act 1989* or section 188 of the *Planning and Environment Act 1987*, cannot be delegated, including:

1. this power of delegation
2. to declare a rate or charge
3. to borrow money
4. to enter into contracts for an amount exceeding an amount previously determined by the Council
5. to incur any expenditure exceeding an amount previously determined by the Council
6. any prescribed power.

The Committee is not authorised by this Instrument to:

7. adopt the Council Plan, Strategic Resource Plan, Budget or Revised Budget, Annual Report, Annual Financial Statements, Standard Statements, Performance Statement or Audit Report under Part 6 of the *Local Government Act 1989*
8. appoint or reappoint a Chief Executive Officer.

**Agenda Item 9.5 - Attachment 2**



***C4. Instrument of Delegation (Special Committees)***


**Maribyrnong City Council  
Instrument of Delegation  
Enterprise Maribyrnong Special Committee**

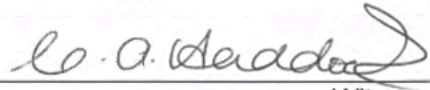
Maribyrnong City Council (**Council**) delegates to the special committee established by resolution of Council passed on 19 May 2015 and known as the "Enterprise Maribyrnong Special Committee" (**Committee**), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on \_\_\_\_\_;
2. the delegation:
  - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.2 remains in force until Council resolves to vary or revoke it; and
  - 2.3 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
3. all members of the Committee will have voting rights on the Committee.
4. The minutes of the Committee will be confirmed at the next scheduled Committee meeting and noted at the next Ordinary Council Meeting.

THE COMMON SEAL OF MARIBYRNONG )  
CITY COUNCIL pursuant to a Council )  
resolution of August 2017 was )  
affixed on \_\_\_\_\_, in the )  
presence of:



  
\_\_\_\_\_  
Chief Executive Officer

  
\_\_\_\_\_  
Witness

## Agenda Item 9.5 - Attachment 2



### SCHEDULE

#### Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to:

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

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

#### Exceptions, conditions and limitations

The Committee is not authorised by this Instrument to:

1. Enter into contracts, or incur expenditure, for an amount which exceeds the approved budget
2. Exercise the powers which, by force section 86 of the *Local Government Act 1989*, cannot be delegated including:
  - 2.1.1 this power of delegation;
  - 2.1.2 the power to declare a rate or charge;
  - 2.1.3 the power to borrow money;
  - 2.1.4 the power to enter into contracts for an amount exceeding an amount previously determined by the Council;
  - 2.1.5 the power to incur any expenditure exceeding an amount previously determined by the Council;
  - 2.1.6 any prescribed power.
1. Adopt the Council Plan, Strategic Resource Plan, Budget or Revised Budget, Annual Report, Annual Financial Statements, Standard Statements, Performance Statement or Audit Report under Part 6 of the *Local Government Act 1989*.
2. Appoint or reappoint the Chief Executive Officer.

**Agenda Item 9.5 - Attachment 3**

***S6. Instrument of Delegation – Members of Staff***

**Maribyrnong City Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**

**Agenda Item 9.5 - Attachment 3**

**Instrument of Delegation**

In exercise of the power conferred by section 98(1) of the *Local Government Act* 1989 and the other 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 11 September 2018; and
  - 3.2 the delegation comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
    - 3.2.1 remains in force until varied or revoked;
    - 3.2.2 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
    - 3.2.3 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; or
    - 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; or
    - 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, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; 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.

THE COMMON SEAL OF MARIBYRNONG )  
CITY COUNCIL pursuant to a Council )  
resolution of 11 September 2018 was affixed on )  
September 2018, in the presence of: )

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Chief Executive Officer

---

Witness

**Agenda Item 9.5 - Attachment 3**

**SCHEDULE**

**CEO and Executive Management Team**

CEO	Chief Executive Officer
DCOS	Director Corporate Services
DIS	Director Infrastructure Services
DPS	Director Planning Services
D	All Directors

**Planning Services**

AA/PP	Appeals Administrator/Principal Planner
CSP	Coordinator Strategic Planning
CUP	Coordinator Urban Planning
MMP	Manager Major Projects and Strategic Relationships
MUP	Manager Urban Planning
MCF	Manager City Futures
FMMP	Facilitation Manager Major Projects
PA	Planning Assistant
PIO	Planning Investigations Officer
PP	Principal Planner
PSO	Planning Support Officer
SAO	Subdivision/Administration Officer
SO	Subdivision Officer
SP	Senior Planner
STP	Strategic Planner
SSP	Senior Strategic Planner
UPO	Urban Planning Officer

**Other**

BS	Building Surveyor
CEH	Coordinator Environmental Health
CP	Coordinator Property
CT	Coordinator Transport
EHO	Environmental Health Officer
MBS	Municipal Building Surveyor
MES	Manager Engineering Services
MGCS	Manager Governance and Commercial Services
MOM	Manager Operations and Maintenance
MRS	Manager Regulatory Services
MSAM	Manager Strategic Asset Management
RC	Resilience Coordinator
TLEH	Team Leader Environmental Health

**Agenda Item 9.5 - Attachment 3**

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**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA ACT 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.8(1)(a)(ii)	power to manage one or more public cemeteries	DIS, MOM	
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	DIS, MOM	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	DIS, MOM	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	DIS, MOM	
s.14	power to manage multiple public cemeteries as if they are one cemetery	N/A	
s.15(1) and (2)	power to delegate powers or functions other than those listed	DIS	
s.15(4)	duty to keep records of delegations	DIS, MOM	
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	DIS, MOM	subject to any guidelines or directions of the Secretary

**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA ACT 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.18(3)	duty to comply with a direction from the Secretary	DIS, MOM	
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
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 <i>Financial Management Act 1994</i>	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, in accordance with section	N/A	where Council is a Class A cemetery trust

**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA ACT 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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 section 18J(2))	N/A	where Council is a Class A cemetery trust
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
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

**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA ACT 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DIS, MOM	
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	
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	DIS, MOM	
s.36	power to grant licences to enter and use part of the land or building in a public cemetery in accordance with this section	DIS, MOM	subject to the approval of the Minister
s.37	power to grant leases over land in a public cemetery in accordance with this section	DIS	subject to the Minister approving the purpose
s.40	duty to notify Secretary of fees and charges fixed under section 39	DIS, MOM	
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
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	DIS, MOM	

**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA ACT 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.60(1)	duty to make information in records available to the public for historical or research purposes	DIS, MOM	
s.60(2)	power to charge fees for providing information	DIS, MOM	
s.64(4)	duty to comply with a direction from the Secretary under section 64(3)	DIS, MOM	
s.64B(d)	power to permit interments at a reopened cemetery	DIS, MOM	
s.66(1)	power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	DIS, MOM	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	DIS, MOM	
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	DIS, MOM	
s.70(2)	duty to make plans of existing place of interment available to the public	DIS, MOM	
s.71(1)	power to remove any memorials or other structures in an area to which an approval to convert applies	DIS, MOM	
s.71(2)	power to dispose of any memorial or other structure removed	DIS, MOM	
s.72(2)	duty to comply with request received under section 72	DIS, MOM	
s.73(1)	power to grant a right of interment	DIS, MOM	

**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA ACT 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.73(2)	power to impose conditions on the right of interment	DIS, MOM	
s.75	power to grant the rights of interment set out in subsections (a) and (b)	DIS, MOM	
s.76(3)	duty to allocate a piece of interment if an unallocated right is granted	DIS, MOM	
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	DIS, MOM	
s.80(1)	function of receiving notification and payment of transfer of right of interment	DIS, MOM	
s.80(2)	function of recording transfer of right of interment	DIS, MOM	
s.82(2)	duty to pay refund on the surrender of an unexercised right of interment	DIS, MOM	
s.83(2)	duty to pay refund on the surrender of an unexercised right of interment (sole holder)	DIS, MOM	
s.83(3)	power to remove any memorial and grant another right of interment for a surrendered right of interment	DIS, MOM	
s.84(1)	function of receiving notice of surrendering an entitlement to a right of interment	DIS, MOM	
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.

**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA ACT 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
85(2)(c)	power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of internment 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 internment 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	DIS, MOM	
s.86(2)	power to leave interred cremated human remains undisturbed or convert the right of internment to a perpetual right of interment	DIS, MOM	
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	DIS, MOM	
s.86(3)(b)	power to remove interred cremated human remains and take further action in accordance with s.86(3)(b)	DIS, MOM	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	DIS, MOM	
s.86(5)	duty to provide notification before taking action under s.86(4)	DIS, MOM	
s 86A	duty to maintain place of interment and any memorial at place of interment, if action taken under s.86(3)	DIS, MOM	
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	DIS, MOM	

**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA ACT 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.88	function to receive applications to carry out a lift and re-position procedure at a place of interment	DIS, MOM	
s.91(1)	power to cancel a right of interment in accordance with this section	DIS, MOM	
s.91(3)	duty to publish notice of intention to cancel right of interment	DIS, MOM	
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	DIS, MOM	
s.98(1)	function of receiving application to establish or alter a memorial or a place of interment	DIS, MOM	
s.99	power to approve or refuse an application made under section 98, or to cancel an approval	DIS, MOM	
s.99(4)	duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	DIS, MOM	
s.100(1)	power to require a person to remove memorials or places of interment	DIS, MOM	
s.100(2)	power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with section 100(1)	DIS, MOM	
s.100(3)	power to recover costs of taking action under section 100(2)	DIS, MOM	
s.101	function of receiving applications to establish or alter a building for ceremonies in the cemetery	DIS, MOM	

**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA ACT 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.102(1)	power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	DIS, MOM	
s.102(2) & (3)	power to set terms and conditions in respect of, or to cancel, an approval granted under section 102(1)	DIS, MOM	
s.103(1)	power to require a person to remove a building for ceremonies	DIS, MOM	
s.103(2)	power to remove and dispose of a building for ceremonies or remedy the failure to comply with section 103(1)	DIS, MOM	
s.103(3)	power to recover costs of taking action under section 103(2)	DIS, MOM	
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	DIS, MOM	
s.106(2)	power to require the holder of the right of interment to provide for an examination	DIS, MOM	
s.106(3)	power to open and examine the place of interment if section 106(2) not complied with	DIS, MOM	
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 section 106(1) is not complied with	DIS, MOM	
s.107(1)	power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	DIS, MOM	

**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA ACT 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.107(2)	power to repair or take down, remove and dispose any building for ceremonies if notice under section 107(1) is not complied with	DIS, MOM	
s.108	power to recover costs and expenses	DIS, MOM	
s.109(1)(a)	power to open, examine and repair a place of interment	DIS, MOM	where the holder of right of interment or responsible person cannot be found
s.109(1)(b)	power to repaid a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	DIS, MOM	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	DIS, MOM	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	DIS, MOM	
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	DIS, MOM	
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	DIS, MOM	
s.111	power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	DIS, MOM	
s.112	power to sell and supply memorials	DIS, MOM	

**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA ACT 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.116(4)	duty to notify the Secretary of an interment authorisation granted	DIS, MOM	
s.116(5)	power to require an applicant to produce evidence of the right of interment holder's consent to application	DIS, MOM	
s.118	power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	DIS, MOM	
s.119	power to set terms and conditions for interment authorisations	DIS, MOM	
s.131	function of receiving an application for cremation authorisation	DIS, MOM	
s.133(1)	duty not to grant a cremation authorisation unless satisfied that requirements of section 133 have been complied with	DIS, MOM	Subject to subsection (2)
s.145	duty to comply with an order made by the Magistrates' Court or a coroner	DIS, MOM	
s.146	power to dispose of bodily remains by a method other than interment or cremation	DIS, MOM	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	DIS, MOM	
s.149	duty to cease using method of disposal if approval revoked by the Secretary	DIS, MOM	
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	DIS, MOM	
s.151	function of receiving applications to inter or cremate body parts	DIS, MOM	

**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA ACT 2003</b> The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.152(2)	power to impose terms and conditions on authorisation granted under section 150.	DIS, MOM	
Schedule 1 clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	DIS, MOM	
Schedule 1 clause 8(8)	power to regulate own proceedings	DIS, MOM	subject to clause 8
Schedule 1A clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	DIS, MOM	where Council is a Class A cemetery trust
Schedule 1A clause 8(8)	power to regulate own proceedings	DIS, MOM	where Council is a Class A cemetery trust subject to clause 8

**Agenda Item 9.5 - Attachment 3**

<b>DOMESTIC ANIMALS ACT 1994</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
s.41A(1)	power to declare a dog to be a menacing dog	DPS, MRS	Council may delegate this power to a Council authorised officer

**Agenda Item 9.5 - Attachment 3**

<b>ENVIRONMENT PROTECTION ACT 1970</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.53M(3)	power to require further information	EHO	
s.53M(4)	duty to advise applicant that application is not to be dealt with	EHO	
s.53M(5)	duty to approve plans, issue permit or refuse permit	EHO	refusal must be ratified by Council or it is of no effect
s.53M(6)	power to refuse to issue septic tank permit	EHO	refusal must be ratified by Council or it is of no effect
s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	EHO	refusal must be ratified by Council or it is of no effect

**Agenda Item 9.5 - Attachment 3**

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	EHO	If section 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 section 19(1) applies
s.19(4)(a)	power to direct that an order made under section 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 section 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 section 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 section 19(1) applies
s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CEH, EHO, 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	CEH, TLEH, EHO	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

**Agenda Item 9.5 - Attachment 3**

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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
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.19NA(1)	power to request food safety audit reports	EHO	where Council is the registration authority
s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	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 section 19C or an inspection under sections 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, renew or transfer registration	EHO, CEH, TLEH	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))

**Agenda Item 9.5 - Attachment 3**

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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 section 38AA in accordance with a declaration under subsection (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 section 19C the food premises belongs	EHO	where Council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	EHO	where Council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	EHO	where Council is the registration authority
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	EHO	where Council is the registration authority
s.38D(2)	duty to be satisfied of the matters in section 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 subsection (5).

**Agenda Item 9.5 - Attachment 3**

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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
s.39A	power to register, renew or transfer food premises despite minor defects	EHO	where Council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	EHO	
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.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	EHO, 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

**Agenda Item 9.5 - Attachment 3**

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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

**Agenda Item 9.5 - Attachment 3**

<b>HERITAGE ACT 2017</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.116	power to sub-delegate Executive Director's functions, duties or powers	DPS	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

**Agenda Item 9.5 - Attachment 3**

<b>LOCAL GOVERNMENT ACT 1989</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.181H	power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	<b>CEO<sup>7</sup></b>	

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<sup>7</sup> The only member of staff who can be a delegate in Column 3 is the CEO. If a CEO wishes to sub-delegate these powers, he or she must use the S13 Instrument Delegation of CEO powers, duties and functions to Members of Council Staff.

**Agenda Item 9.5 - Attachment 3**

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.4B	power to prepare an amendment to the Victoria Planning Provisions	DPS, MCF, MMP	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	MUP, MCF, MMP	
s.4H	duty to make amendment to Victoria Planning Provisions available	MUP, MCF, MMP	
s.4I	duty to keep Victoria Planning Provisions and other documents available	DPS, MUP, MCF, MMP, CSP, FMMP	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	DPS, MCF, MMP	
s. 8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	CEO, DPS	
s.8A(5)	function of receiving notice of the Minister's decision	DPS, MUP, MCF, MRS, MMP	
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	DPS, MCF, MMP	
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, DPS	

**Agenda Item 9.5 - Attachment 3**

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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	DPS, MUP, MCF, MMP, CSP, FMMP, CUP	
s 12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	DPS, MUP, MCF, MMP	
s.12B(1)	duty to review planning scheme	DPS, MUP, MCF, MMP	
s.12B(2)	duty to review planning scheme at direction of Minister	DPS, MUP, MCF, MMP	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	DPS, MUP, MCF, MMP, CSP, FMMP	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	DPS, MUP, MCF, MMP, CSP, FMMP	
s.17(1)	duty of giving copy amendment to the planning scheme	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, STP, SSP	

**Agenda Item 9.5 - Attachment 3**

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.17(2)	duty of giving copy s.173 agreement	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, STP, SSP	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, STP, SSP	
s.18	duty to make amendment etc. available	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, STP, SSP	
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 section 19 to a planning scheme	CEO, DPS, MUP, MCF, MMP	
s.19	function of receiving notice of preparation of an amendment to a planning scheme	CEO, DPS, MUP, MCF, MMP	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 section 19	CEO, DPS, MUP, MCF, MMP	

**Agenda Item 9.5 - Attachment 3**

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.21(2)	duty to make submissions available	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, STP, SSP	
s.21A(4)	duty to publish notice in accordance with section	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, STP, SSP	
s.22	duty to consider all submissions	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, STP, SSP	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	CEO, DPS, MCF, MMP	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	DPS, MUP, MCF, MMP	
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, SSP	

**Agenda Item 9.5 - Attachment 3**

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.26(1)	power to make report available for inspection	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, SSP	
s.26(2)	duty to keep report of panel available for inspection	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, SSP	
s.27(2)	power to apply for exemption if panel's report not received	DPS	
s.28	duty to notify the Minister if abandoning an amendment	DPS	Note: the power to make a decision to abandon an amendment cannot be delegated
s.30(4)(a)	duty to say if amendment has lapsed	DPS, MUP, MCF, MMP	
s.30(4)(b)	duty to provide information in writing upon request	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, SSP	
s.32(2)	duty to give more notice if required	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, SSP	

**Agenda Item 9.5 - Attachment 3**

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.33(1)	duty to give more notice of changes to an amendment	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, SSP	
s.36(2)	duty to give notice of approval of amendment	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, SSP	
s.38(5)	duty to give notice of revocation of an amendment	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, SSP	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, SSP	
s.40(1)	function of lodging copy of approved amendment	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, SSP	

**Agenda Item 9.5 - Attachment 3**

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.41	duty to make approved amendment available	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, SSP	
s.42	duty to make copy of planning scheme available	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, SSP	
s.46AS(ac)	power to request the Victorian Planning Authority ( <b>VPA</b> ) to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria	DPS, MCF, MMP, MUP	Note: when the <i>Victorian Planning Authority Act 2017</i> comes into force on 1 July 2017, the Growth Areas Authority will be superseded by the Victorian Planning Authority
s.46AW	function of being consulted by the Minister	CEO, DPS, MCF, MMP, MUP	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	DPS, MCF, MMP, MUP	where Council is a responsible public entity
s.46AZC(2)	d  to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	DPS, MCF, MMP, MUP	<u>where Council is a responsible public entity</u>

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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46AZK	d 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	DPS, MCF, MMP, MUP	<u>where Council is a responsible public entity</u>
s.46GI(2)(b)(i) )	p 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	DPS	w 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	DPS, MCF, MMP, MUP	
s.46GK	duty to comply with a Minister's direction that applies to Council as the planning authority	DPS, MCF, MMP, MUP	
s.46GN(1)	duty to arrange for estimates of values of inner public purpose land	DPS, MCF, MMP, MUP	
s.46GO(1)	duty to give notice to owners of certain inner public purpose land	DPS, MCF, MMP, MUP	
s.46GP	function of receiving a notice under s.46GO	DPS, MCF, MMP, MUP	where Council is the collecting agency

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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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	DPS, MCF, MMP, MUP	
s.46GR(1)	duty to consider every submission that is made by the closing date for submissions included in the notice under s.46GO	DPS, MCF, MMP, MUP	
s.46GR(2)	power to consider a late submission duty to consider a late submission if directed to do so by the Minister	DPS, MCF, MMP, MUP	
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	DPS, MCF, MMP, MUP	
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	DPS, MCF, MMP, MUP	
s.46GT(2)	duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	DPS, MCF, MMP, MUP	
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	DPS, MCF, MMP, MUP	
s.46GT(6)	function of receiving, from the valuer-general, written notice of a determination under s.46GT(5)	DPS, MCF, MMP, MUP	

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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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	DPS	
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	DPS, MCF, MMP, MUP	where Council is the collecting agency
s.46GV(3)(b)	power to enter into an agreement with the applicant	DPS, MCF, MMP, MUP	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)	DPS, MCF, MMP, MUP	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)	DPS, MCF, MMP, MUP	where Council is the collecting agency
s.46GV(7)	duty to impose the requirements set out in s.46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	DPS, MCF, MMP, MUP	
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	DPS, MCF, MMP, MUP	where Council is the collecting agency

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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46GX(1)	power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	DPS, MCF, MMP, MUP	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	DPS, MCF, MMP, MUP	where Council is the collecting agency
s.46GY(1)	duty to keep proper and separate accounts and records	DPS, MCF, MMP, MUP	where Council is the collecting agency
s.46GY(2)	duty to keep the accounts and records in accordance with the Local Government Act 1989	DPS, MCF, MMP, MUP	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	DPS, MCF, MMP, MUP	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	DPS, MCF, MMP, MUP	where the Council is the planning authority this duty does not apply where Council is also the collecting agency

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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46GZ(2)(b)	uty 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	DPS, MCF, MMP, MUP	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	DPS, MCF, MMP, MUP	where Council is the development agency under an approved infrastructure contributions plan this provision does not apply where Council is also the collecting agency
s.46GZ(4)	duty to use any land equalisation amounts to pay land credit amounts under s.46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s.46GZ(5)	DPS, MCF, MMP, MUP	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZ(5)	uty 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	DPS, MCF, MMP, MUP	m 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	DPS, MCF, MMP, MUP	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

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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46GZ(7)	duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s.46GW	DPS, MCF, MMP, MUP	where Council is the collecting agency under an approved infrastructure contributions plan
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	DPS, MCF, MMP, MUP	if any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s.46GV(4)  where Council is the collecting agency under an approved infrastructure contributions plan  this duty does not apply where Council is also the development agency
s.46GZ(9)	function of receiving the fee simple in the land	DPS, MCF, MMP, MUP	where Council is the development agency under an approved infrastructure contributions plan  this duty does not apply where Council is also the collecting agency
s.46GZA(1)	duty to keep proper and separate accounts and records	DPS, MCF, MMP, MUP	where Council is a development agency under an approved infrastructure contributions plan
s.46GZA(2)	duty to keep the accounts and records in accordance with the <i>Local Government Act 1989</i>	DPS, MCF, MMP, MUP	where Council is a development agency under an approved infrastructure contributions plan

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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46GZB(3)	duty to follow the steps set out in s.46GZB(3)(a) – (c)	DPS, MCF, MMP, MUP	where Council is a development agency under an approved infrastructure contributions plan
ss.46GZB	duty, in accordance with the 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	DPS, MCF, MMP, MUP	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)	DPS, MCF, MMP, MUP	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)	DPS, MCF, MMP, MUP	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZ(5)	duty to make payments under s.46GZD(3) in accordance with ss.46GZD(5)(a) and 46GZD(5)(b)	DPS, MCF, MMP, MUP	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZE(2)	p 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	DPS, MCF, MMP, MUP	where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency

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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46GZE(2)	function of receiving the unexpended land equalisation amount	DPS, MCF, MMP, MUP	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)	DPS, MCF, MMP, MUP	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZF(2)	duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	DPS, MCF, MMP, MUP	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)	DPS, MCF, MMP, MUP	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	DPS, MCF, MMP, MUP	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)	DPS, MCF, MMP, MUP	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)	DPS, MCF, MMP, MUP	where Council is the collecting agency under an approved infrastructure contributions plan

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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	DPS, MCF, MMP, MUP	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	DPS, MCF, MMP, MUP	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	DPS, MCF, MMP, MUP	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)	DPS, MCF, MMP, MUP	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	DPS, MCF, MMP, MUP	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	DPS, MUP, MCF, MMP	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DPS, MUP, MCF, MMP	
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	DPS, MUP, MCF, MMP, CSP, FMMP	

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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	DPS, MUP, MCF, MMP, CSP, FMMP	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, STP, SSP	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	DPS	
s.46Q(1)	duty to keep proper accounts of levies paid	DPS, MUP, MCF, MMP, SAO	
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	DPS, MUP, MCF, MMP, SAO	
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	DPS, MUP, MCF, MMP	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	DPS, MUP, MCF, MMP	only applies when levy is paid to Council as a 'development agency'

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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)	DPS, MUP, MCF, MMP	must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	DPS, MUP, MCF, MMP	must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works etc.	DPS, MUP, MCF, MMP	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	DPS, MUP, MCF, MMP	
s.46QD	duty to prepare report and give a report to the Minister	DPS	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	DPS, MUP, MCF, MMP, CSP, FMMP, CUP, UPO, SP, STP, SSP	
s.46Y	duty to carry out works in conformity with the approved strategy plan	DPS, MUP, MCF, MMP	
s.47	power to decide that an application for a planning permit does not comply with that Act	MUP, CUP, AA/PP, PP, SP, STP, UPO, SO	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	MUP, , CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO	
s.49(2)	duty to make register available for inspection	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO	
s.50(4)	duty to amend application	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.50(5)	power to refuse to amend application	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO	
s.50(6)	duty to make note of amendment to application in register	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.50A(1)	power to make amendment to application	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.50A(4)	duty to note amendment to application in register	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO	
s.51	duty to make copy of application available for inspection	MUP, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO	
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	MUP, MUP, CUP, AA/PP, PP, SP, STP, UP, SO	
s.52(1)(b)	duty to give notice of the application to other municipal Councils where appropriate	MUP, CUP, AA/PP, PP, SP, STP, UP, SO	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	MUP, MUP, CUP, AA/PP, PP, SP, STP, UP, SO	
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	MUP, CUP, AA/PP, PP, SP, STP, UP, SO	
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	MUP, CUP, AA/PP, PP, SP, STP, UP, SO	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	MUP, CUP, AA/PP, PP, SP, STP, UP, SO	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	MUP, CUP, AA/PP, PP, SP, STP, UP, SO	
s.52(3)	power to give any further notice of an application where appropriate	MUP, CUP, AA/PP, PP, SP, STP, UP, SO	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	MUP, CUP, AA/PP, PP, SP, STP, UP, SO	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	MUP, CUP, AA/PP, PP, SP, STP, UP, SO	
s.54(1)	power to require the applicant to provide more information	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	MUP, CUP, AA/PP, PP, SP, STP, UP, SO	
s.54(1B)	duty to specify the lapse date for an application	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	CEO, DPS, MUP	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO	
s.57(5)	duty to make available for inspection copy of all objections	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.57A(5)	power to refuse to amend application	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO	
s.57A(6)	duty to note amendments to application in register	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO	
s.57B(1)	duty to determine whether and to whom notice should be given	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	MUP, CUP, AA/PP, PP, SP, STP, UP, SO,	
s.57C(1)	duty to give copy of amended application to referral authority	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.58	duty to consider every application for a permit	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.58A	power to request advice from the Planning Application Committee	DPS, MUP, MCF, MMP	

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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.60	duty to consider certain matters	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s60(1A)	duty to consider certain matters.	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	MUP, CUP	
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	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	the permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	DPS, MUP, MCF, MMP, CUP	
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	CEO, DPS	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.62(1)	duty to include certain conditions in deciding to grant a permit	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.62(2)	power to include other conditions	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DPS, MUP, MCF, MMP	
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 section 173 agreement	DPS, MUP, CUP, AA/PP, PP	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	DPS, MUP, CUP, AA/PP, PP	
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)	DPS, MUP, CUP, SO	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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 section 62(1)(a)	DPS, MUP, CUP, SO	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(3)	duty not to issue a permit until after the specified period	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(5)	duty to give each objector a copy of an exempt decision	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	this provision applies also to a decision to grant an amendment to a permit - see section 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	DPS MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s.66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	if the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s.69(1)	function of receiving application for extension of time of permit	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.69(1A)	function of receiving application for extension of time to complete development	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.69(2)	power to extend time	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	In accordance with the Urban Planning Delegation Protocols – February 2013

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.70	duty to make copy permit available for inspection	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO	
s.71(1)	power to correct certain mistakes	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.71(2)	duty to note corrections in register	MUP, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO	
s.73	power to decide to grant amendment subject to conditions	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	In accordance with the Urban Planning Delegation Protocols – February 2013
s.74	duty to issue amended permit to applicant if no objectors	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO	
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	if the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	if the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	if the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s.76D	duty to comply with direction of Minister to issue amended permit	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.83	function of being respondent to an appeal	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.83B	duty to give or publish notice of application for review	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
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	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.84AB	power to agree to confining a review by the Tribunal	DPS, MCF, MMP, MUP	
s.86	duty to issue a permit at order of Tribunal within 3 working days	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	DPS, MUP, MCF, MMP, CUP	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.91(2)	duty to comply with the directions of VCAT	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.93(2)	duty to give notice of VCAT order to stop development	DPS, MUP, MCF, MMP, CUP, PIO	
s.95(3)	function of referring certain applications to the Minister	DPS, MUP, CUP	
s.95(4)	duty to comply with an order or direction	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	DPS, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DPS, MUP, MCF, MMP	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	DPS, MUP, MCF, MMP	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	DPS, MUP, MCF, MMP	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.96F	duty to consider the panel's report under section 96E	DPS, MUP, MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA	
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	DPS, MUP, MCF, MMP, CUP	
s.96H(3)	power to give notice in compliance with Minister's direction	DPS, MUP, MCF, MMP, CUP, CSP, FMMP	
s.96J	power to issue permit as directed by the Minister	DPS, MUP, MCF, MMP, CUP, CSP, FMMP, AA/PP, PP, SP, STP, UP, SP, STP, SSP	
s.96K	duty to comply with direction of the Minister to give notice of refusal	DPS, MUP, MCF, MMP, CUP, CSP, FMMP	
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	MUP, MCF, MMP	
s.97C	power to request Minister to decide the application	DPS	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	DPS, MUP, MCF, MMP, CUP, CSP, FMMP, AA/PP, PP, SP, STP, UP, SP, STP, SSP	
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	MUP, MCF, MMP, CUP, CSP, FMMP, AA/PP, PP, UP, SP, STP, SSP	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	MUP, MCF, MMP, CUP, CSP, FMMP, AA/PP, PP, UP, SP, STP, SSP	
s.97L	duty to include Ministerial decisions in a register kept under section 49	MUP, MCF, MMP, CUP, CSP, FMMP, AA/PP, PP, UP, SP, STP, SSP	
s.97MH	duty to provide information or assistance to the Planning Application Committee	DPS, MUP, MCF, MMP, CUP, CSP, FMMP	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	DPS, MUP, MCF, MMP	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	MUP, MCF, MMP, CUP, CSP, FMMP, AA/PP, PP, UP, SP, STP, SSP	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DPS, MUP, MCF, MMP, CUP, CSP, FMMP, AA/PP, PP, UP, SP, STP, SSP	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DPS, MUP, MCF, MMP, CUP, CSP, FMMP, AA/PP, PP, UP, SP, STP, SSP	
s.97Q(4)	duty to comply with directions of VCAT	DPS, MUP, MCF, MMP, CUP, CSP, FMMP, AA/PP, PP, UP, SP, STP, SSP	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	MUP, MCF, MMP, CUP, CSP, FMMP, AA/PP, PP, UP, SP, STP, SSP	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	DPS, MUP, MCF, MMP,	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	DPS, MUP, MCF, MMP, CUP, CSP, FMMP	
s.101	function of receiving claim for expenses in conjunction with claim	DPS, MUP, MCF, MMP, CUP, CSP, FMMP	
s.103	power to reject a claim for compensation in certain circumstances	DPS, MUP, MCF, MMP	
s.107(1)	function of receiving claim for compensation	DPS, MUP, MCF, MMP, CUP, CSP, FMMP	
s.107(3)	power to agree to extend time for making claim	DPS, MUP, MCF, MMP, CUP, CSP, FMMP,	
s.114(1)	power to apply to the VCAT for an enforcement order	DPS, MUP, , CUP, AA/PP, PIO	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	DPS, MUP, MCF, MMP, CUP, CSP, FMMP, CUP, UPO, PIO	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	DPS, MUP, CUP, AA/PP, PIO	
s.123(1)	power to carry out work required by enforcement order and recover costs	DPS, MUP, CUP, PIO	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	DPS, MUP, MCF, MMP	except Crown Land
s.129	function of recovering penalties	DPS, MUP, CUP, PIO	
s.130(5)	power to allow person served with an infringement notice further time	DPS, MUP, CUP, PIO	
s.149A(1)	power to refer a matter to the VCAT for determination	DPS, MUP, CUP	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DPS, MUP, MCF, MMP, CUP, AA/PP	
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (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 subsection (2B) power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	DPS, MUP, MCF, MMP	where Council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	DPS, MUP, MCF, MMP, CUP, CSP, FMMP, SP, STP, SSP	
s.171(2)(g)	power to grant and reserve easements	DPS, DCOS, MUP, MCF, MMP, CUP, CSP, FMMP	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.172C	power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	DPS, MCF, MMP, MUP	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)	DPS, MCF, MMP, MUP	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)	DPS, MCF, MMP, MUP	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 section 174	DPS, DCOS, MUP, MCF, MMP, MGCS, CP	
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	DPS, MCF, MMP, MUP	where Council is the relevant responsible authority  note: this provision is not yet in force and will commence on 1 June 2018, if not proclaimed earlier
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	DPS, DCOS, MUP, MCF, MMP, MGCS, CP, CSP, FMMP, CUP	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
---	power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	CEO, DPS, DCOS, MUP, MCF, MMP, MGCS, CP, CUP	
s.177(2)	power to end a section 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	DPS, DCOS, MUP, MCF, MMP, MGCS, CP	In consultation with DPS, MUP, MGCS or CP
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	DPS, DCOS, MUP, MCF, MMP, MGCS, CP, CUP	
s.178A(1)	function of receiving application to amend or end an agreement	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	

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s.178A(5)	power to propose to amend or end an agreement	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
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	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
s.178C(4)	function of determining how to give notice under s.178C(2)	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	

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s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	If no objections are made under s.178D Must consider matters in s.178B
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	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	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	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	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	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	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	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	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	After considering objections, submissions and matters in s.178B

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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.178E(3)(d)	power to refuse to amend or end the agreement	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	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)	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
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	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
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	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	

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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.178l(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
s.179(2)	duty to make available for inspection copy agreement	MUP, MCF, MMP, CSP, FMMP, CUP, CUP, UPO,SAO, SP, STP, SSP.	
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
s.182	power to enforce an agreement	DPS, MUP, MCF, MMP, CUP, PIO, MGCS, CP	

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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	MUP, MCF, MMP, CSP, FMMP, CUP, AA/PP, PP, SP, STP, UP, SO, MGCS, CP, SP, STP, SSP.	
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	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
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	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
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	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
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	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
s.184G(2)	duty to comply with a direction of the Tribunal	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	

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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.184G(3)	duty to give notice as directed by the Tribunal	DPS, DCOS, MUP, MCF, MMP, CUP, MGCS, CP	
s.198(1)	function to receive application for planning certificate	MUP, CUP, AA/PP, PP, UP, SO, PA, MCF, MMP, CSP, FMMP, CUP, SP, STP, SSP	
s.199(1)	duty to give planning certificate to applicant	MUP, CUP, AA/PP, PP, UP, SO, PA, MCF, MMP, CSP, FMMP, CUP, SP, STP, SSP	
s.201(1)	function of receiving application for declaration of underlying zoning	MUP, CUP, AA/PP, PP, UP, SO, PA, MCF, MMP, CSP, FMMP, CUP, SP, STP, SSP	
s.201(3)	duty to make declaration	DPS, MUP, CUP, AA/PP, PP, UP, SO, PA, MCF, MMP, CSP, FMMP, CUP, SP, STP, SSP	

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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
-	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	DPS, MUP, CUP, AA/PP, PP, UP, SO, PA, MCF, MMP, CSP, FMMP, CUP, SP, STP, SSP	
	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	DPS, MUP, CUP, AA/PP, PP, UP, SO, PA, MCF, MMP, CSP, FMMP, CUP, SP, STP, SSP	
	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	DPS, MUP, CUP, AA/PP, PP, UP, SO, PA, MCF, MMP, CSP, FMMP, CUP, SP, STP, SSP	
-	power to give written authorisation in accordance with a provision of a planning scheme	MUP, CUP, AA/PP, PP, UP, SO, PA, MCF, MMP, CSP, FMMP, CUP, SP, STP, SSP	

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<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	MUP, CUP, AA/PP, PP, UP, SO, PA, MCF, MMP, CSP, FMMP, CUP, SP, STP, SSP	
s.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	MUP, CUP, AA/PP, PP, UP, SO, PA, MCF, MMP, CSP, FMMP, CUP, SP, STP, SSP	

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<b>RAIL SAFETY (LOCAL OPERATIONS) ACT 2006</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
s.33	duty to comply with a direction of the Safety Director under this section	DIS, MES, MSAM, MOM	where Council is a utility under section 3
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	DIS, MES, MSAM, MOM	duty of Council as a road authority under the <i>Road Management Act 2004</i>
s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under section 33(1)	DIS, MES, MSAM, MOM	where Council is a utility under section 3
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	DIS, MES, MSAM, MOM	where Council is the relevant road authority
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	DIS, MES, MSAM, MOM	where Council is the relevant road authority
s.34D(2)	function of receiving written notice of opinion	DIS, MES, MSAM, MOM	where Council is the relevant road authority
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	DIS, MES, MSAM, MOM	where Council is the relevant road authority
s.34E(1)(a)	duty to identify and assess risks to safety	DIS, MES, MSAM, MOM	where Council is the relevant road authority
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	DIS, MES, MSAM, MOM	where Council is the relevant road authority
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	DIS, MES, CT	where Council is the relevant road authority

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<b>RAIL SAFETY (LOCAL OPERATIONS) ACT 2006</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	DIS, MES, CT	where Council is the relevant road authority
s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	DIS, MES, CT	where Council is the relevant road authority
s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	DIS, MES, CT	where Council is the relevant road authority
s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)	DIS, MES, CT	where Council is the relevant road authority
s.34I	function of entering into safety interface agreements	DIS, MES, CT	where Council is the relevant road authority
s.34J(2)	function of receiving notice from Safety Director	DIS, MES, CT	where Council is the relevant road authority
s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	DIS, MES, CT	where Council is the relevant road authority
s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	DIS, MES, CT	where Council is the relevant road authority

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<b>RESIDENTIAL TENANCIES ACT 1997</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.142D	function of receiving notice regarding an unregistered rooming house	EHO, BS	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	EHO, BS	
s. 142G(2)	power to enter certain information in the Rooming House Register	EHO, BS	
s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	EHO, BS	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	D	where Council is the landlord
s.262(1)	power to give tenant a notice to vacate rented premises	D	where Council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	D	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	EHO, BS, MRS. RC	
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 section 526 (either generally or in a particular case)	EHO, MRS	
s.525(4)	duty to issue identity card to authorised officers	EHO	

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<b>RESIDENTIAL TENANCIES ACT 1997</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.526(5)	duty to keep record of entry by authorised officer under section 526	EHO	
s.526A(3)	function of receiving report of inspection	EHO, BS	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	EHO	

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<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	DIS, DPS, DCOS	obtain consent in circumstances specified in section 11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	DIS, DPS, DCOS	
s.11(9)(b)	duty to advise Registrar	DIS, DPS, DCOS, MGCS, CP	
s.11(10)	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DIS, DPS, DCOS, MGCS, CP	clause subject to section 11(10A)
s.11(10A)	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DIS, DPS, DCOS, MGCS, CP, MUP, MES, MSAM	where Council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	DIS, DPS, DCOS, MGCS, CP, MUP, MES, MSAM	where Council is the coordinating road authority
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	DIS, DPS, DCOS, MGCS, CP, MUP, MES, MSAM	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies

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<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.12(5)	duty to consider written submissions received within 28 days of notice	DIS, DPS, DCOS, MGCS, CP, MUP, MES, MSAM	duty of coordinating road authority where it is the discontinuing body unless subsection (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 subsection (11) applies
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	DIS, DPS, DCOS, MGCS, CP, MUP, MES, MSAM	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(10)	duty to notify of decision made	DIS, DPS, DCOS, MGCS, CP, MUP, MES, MSAM	duty of coordinating road authority where it is the discontinuing body does not apply where an exemption is specified by the regulations or given by the Minister
s.13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	DIS	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate
s.14(4)	function of receiving notice from VicRoads	DIS	
s.14(7)	power to appeal against decision of VicRoads	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	

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<b>ROAD MANAGEMENT ACT 2004</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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	DIS, DPS, MUP, MES, MSAM	
s.16(7)	power to enter into an arrangement under section 15	DIS	
s.16(8)	duty to enter details of determination in public roads register	DIS, DPS, MUP, MES, MSAM	
s.17(2)	duty to register public road in public roads register	DIS, DPS, MUP, MES, MSAM	where Council is the coordinating road authority
s.17(3)	power to decide that a road is reasonably required for general public use	DIS, DPS, MUP, MES, MSAM	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	DIS, DPS, MUP, MES, MSAM	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
s.17(4)	duty to remove road no longer reasonably required for general public use from public roads register	DIS, DPS, MUP, MES, MSAM	where Council is the coordinating road authority
s.18(1)	power to designate ancillary area	DIS, DPS, MUP, MES, MSAM	where Council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)
s.18(3)	duty to record designation in public roads register	DIS, DPS, MUP, MES, MSAM	where Council is the coordinating road authority

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<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	DIS, DPS, MUP, MES, MSAM	
s.19(4)	duty to specify details of discontinuance in public roads register	DIS, DPS, MUP, MES, MSAM	
s.19(5)	duty to ensure public roads register is available for public inspection	DIS, DPS, MUP, MES, MSAM	
s.21	function of replying to request for information or advice	DIS	obtain consent in circumstances specified in section 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 section 22 by the Minister in its annual report.	DIS	
s.22(5)	duty to give effect to a direction under this section.	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	DIS, MOM	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	DIS, MOM	
s.42(1)	power to declare a public road as a controlled access road	DIS	power of coordinating road authority and Schedule 2 also applies
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	DIS, DCOS	power of coordinating road authority and Schedule 2 also applies

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<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.42A(3)	duty to consult with VicRoads 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
s.48M(3)	function of consulting with the relevant authority for purposes of developing guidelines under section 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	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.54(7)	duty to incorporate the amendments into the road management plan	DIS	
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	DIS, DPS, MUP, MES, MSAM	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 clause 13 of Schedule 7	DIS	where Council is the infrastructure manager or works manager
s.66(1)	power to consent to structure etc	DIS, DPS, MUP, MES, MSAM	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	DIS, DPS, MUP, MES, MSAM	where Council is the coordinating road authority
s.67(3)	power to request information	DIS, DPS, MUP, MES, MSAM, MRS, MOM	where Council is the coordinating road authority
s.68(2)	power to request information	DIS, DPS, MUP, MES, MSAM, MRS, MOM	where Council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	DIS, DCOS	
s.72	duty to issue an identity card to each authorised officer	DIS, DCOS	

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<b>ROAD MANAGEMENT ACT 2004</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.85	function of receiving report from authorised officer	DIS, DCOS	
s.86	duty to keep register re section 85 matters	DIS, DCOS	
s.87(1)	function of receiving complaints	DIS, DCOS	
s.87(2)	duty to investigate complaint and provide report	DIS, DCOS	
s.112(2)	power to recover damages in court	DIS, DCOS	
s.116	power to cause or carry out inspection	DIS	
s.119(2)	function of consulting with VicRoads	DIS	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	DIS	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	DIS	
s.121(1)	power to enter into an agreement in respect of works	DIS, MOM, MES, MSAM	
s.122(1)	power to charge and recover fees	DIS, MOM, MES, MSAM	
s.123(1)	power to charge for any service	DIS, MOM, MES, MSAM	

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<b>ROAD MANAGEMENT ACT 2004</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	DIS	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	DIS	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	DIS	
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	DIS, MOM, MES, MSAM	
Schedule 2 Clause 5	duty to publish notice of declaration	DIS	
Schedule 7, Clause 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
Schedule 7, Clause 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, MES, MSAM	where Council is the infrastructure manager or works manager
Schedule 7, Clause 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, MES, MSAM	where Council is the infrastructure manager or works manager responsible for non-road infrastructure

**Agenda Item 9.5 - Attachment 3**

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
Schedule 7, Clause 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, MES, MSAM	where Council is the infrastructure manager or works manager
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DIS, MES, MSAM	where Council is the infrastructure manager or works manager
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	DIS, MES, MSAM	where Council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	DIS, MES, MSAM	where Council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	DIS	where Council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	DIS, MES, MSAM	where Council is the coordinating road authority
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	DIS	where Council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	DIS	where Council is the coordinating road authority
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	DIS, MES, MSAM	where Council is the infrastructure manager

**Agenda Item 9.5 - Attachment 3**

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
Schedule 7 Clause 16(1)	power to consent to proposed works	DIS	where Council is the coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	DIS	where Council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	DIS	where Council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	DIS	where Council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	DIS	where Council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	DIS	where Council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	DIS, MES, MSAM, MOM	where Council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	DIS, MES, MSAM, MOM	where Council is the coordinating road authority
Schedule 7 Clause 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
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DIS, MES, MSAM, MOM, MRS	where Council is the coordinating road authority

**Agenda Item 9.5 - Attachment 3**

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
Schedule 7A Clause 2	power to cause street lights to be installed on roads	DIS, MES, CT, MOM	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	DIS, MES, CT, MOM	where Council is the responsible road authority
Schedule 7A Clause 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	DIS, MES, CT, MOM	where council is the responsible road authority
Schedule 7A Clause (3)(1)(f),	duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4	DIS, MES, CT, MOM	duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal Council (re: operating costs)

**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA REGULATIONS 2015</b> These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.24	duty to ensure that cemetery complies with depth of burial requirements	DIS, MOM	
r.25	duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	DIS, MOM	
r.27	power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	DIS, MOM	
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	DIS, MOM	
r.28(2)	duty to ensure any fittings removed of are disposed in an appropriate manner	DIS, MOM	
r.29	power to dispose of any metal substance or non-human substance recovered from a cremator	DIS, MOM	
r.30(2)	power to release cremated human remains to certain persons	DIS, MOM	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	DIS, MOM	
r.31(2)	duty to hold cremated human remains for at least 12 months from the date of cremation	DIS, MOM	

**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA REGULATIONS 2015</b> These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.31(3)	power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	DIS, MOM	
r.31(4)	duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	DIS, MOM	
r.32	duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	DIS, MOM	
r.33(1)	duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	DIS, MOM	
r.33(2)	duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	DIS, MOM	
r.34	duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	DIS, MOM	
r.36	duty to provide statement that alternative vendors or supplier of monuments exist	DIS, MOM	
r. 40	power to approve a person to play sport within a public cemetery	DIS, MOM	
r. 41(1)	power to approve fishing and bathing within a public cemetery	DIS, MOM	

**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA REGULATIONS 2015</b> These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r. 42(1)	power to approve hunting within a public cemetery	DIS, MOM	
r. 43	power to approve camping within a public cemetery	DIS, MOM	
r. 45(1)	power to approve the removal of plants within a public cemetery	DIS, MOM	
r.46	power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	DIS, MOM	
r. 47(3)	power to approve the use of fire in a public cemetery	DIS, MOM	
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	DIS, MOM	
<b>Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules</b>			
Schedule 2, clause 4	power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of Schedule 2	DIS, MOM	see note above regarding model rules
Schedule 2, clause 5(1)	duty to display the hours during which pedestrian access is available to the cemetery	DIS, MOM	see note above regarding model rules
Schedule 2, clause 5(21)	duty to notify the Secretary of, (a)display the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	DIS, MOM	see note above regarding model rules

**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA REGULATIONS 2015</b> These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2, clause 6(1)	power to give directions regarding the manner in which a funeral is to be conducted	DIS, MOM	see note above regarding model rules
Schedule 2, clause 7(1)	power to give directions regarding the dressing of places of interment and memorials	DIS, MOM	see note above regarding model rules
Schedule 2, clause 8	power to approve certain mementos on a memorial	DIS, MOM	see note above regarding model rules
Schedule 2, clause 11(1)	power to remove objects from a memorial or place of interment	DIS, MOM	see note above regarding model rules
Schedule 2, clause 11(2)	duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	DIS, MOM	see note above regarding model rules
Schedule 2, clause 12	power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	DIS, MOM	see note above regarding model rules
Schedule 2, clause 14	power to approve an animal to enter into or remain in a cemetery	DIS, MOM	see note above regarding model rules
Schedule 2, clause 16(1)	power to approve construction and building within a cemetery	DIS, MOM	see note above regarding model rules
Schedule 2, clause 17(1)	power to approve action to disturb or demolish property of the cemetery trust	DIS, MOM	see note above regarding model rules

**Agenda Item 9.5 - Attachment 3**

<b>CEMETERIES AND CREMATORIA REGULATIONS 2015</b> These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
Schedule 2, clause 18(1)	power to approve digging or planting within a cemetery	DIS, MOM	see note above regarding model rules

**Agenda Item 9.5 - Attachment 3**

<b>PLANNING AND ENVIRONMENT REGULATIONS 2015</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
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	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO, MCF, MMP, CSP, FMMP, CUP, SP, STP, SSP	where Council is not the planning authority and the amendment affects land within its municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO	where Council is the responsible authority
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 for inspection free of charge	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO	where Council is not the responsible authority but the relevant land is within Council's municipal district
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	MUP, CUP, AA/PP, PP, SP, STP, UP, SO, PA, PSO, MCF, MMP, CSP, FMMP, CUP, SP, STP, SSP	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.

**Agenda Item 9.5 - Attachment 3**

<b>PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
r.19	power to waive or rebate a fee relating to an amendment to a planning scheme	DPS, MUP, MCF, MMP	
r.20	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DPS, MUP, MCF, MMP	
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	DPS, MUP, MCF, MMP	

**Agenda Item 9.5 - Attachment 3**

<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.7	function of entering into a written agreement with a caravan park owner	MRS, EHO, MBS	
r.11	function of receiving application for registration	EHO	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	EHO	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	EHO	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO	
r.13(4) & (5)	duty to issue certificate of registration	EHO	
r.15(1)	function of receiving notice of transfer of ownership	EHO	
r.15(3)	power to determine where notice of transfer is displayed	EHO	
r.16(1)	duty to transfer registration to new caravan park owner	EHO	
r.16(2)	duty to issue a certificate of transfer of registration	EHO	
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	EHO	
r.18	duty to keep register of caravan parks	EHO	
r.19(4)	power to determine where the emergency contact person's details are displayed	EHO, MBS	

**Agenda Item 9.5 - Attachment 3**

<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.19(6)	power to determine where certain information is displayed	MRS, EHO, BS, RC	
r.22A(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	MRS, EHO, BS, RC	
r.22A(2)	duty to consult with relevant emergency services agencies	EHO, MBS, MRS, RC	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	EHO, MRS, MBS, RC	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	EHO, MRS, CEH, RC	
r.25(3)	duty to consult with relevant floodplain management authority	MRS, CEH, RC	
r.26	duty to have regard to any report of the relevant fire authority	MRS, MBS, CEH, RC	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	MRS, EHO	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	EHO, MRS, MBS	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	EHO, MBS, MRS	
r.40(4)	function of receiving installation certificate	EHO, TLEH, MRS	

**Agenda Item 9.5 - Attachment 3**

<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	BS, MBS, MRS	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	EHO, MRS, MBS	

**Agenda Item 9.5 - Attachment 3**

<b>ROAD MANAGEMENT (GENERAL) REGULATIONS 2016</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
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 section 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	
r.16(3)	power to issue permit	DIS, MSAM, MOM, MES	where Council is the coordinating road authority
r.18(1)	power to give written consent re damage to road	DIS, MSAM, MOM, MES	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 section 66(1) Road Management Act	DIS	where Council is the coordinating road authority

**Agenda Item 9.5 - Attachment 3**

<b>ROAD MANAGEMENT (GENERAL) REGULATIONS 2016</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	DIS, MSAM, MOM, MES	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))	DIS, MOM	where Council is the responsible road authority
r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	DIS, MOM	

**Agenda Item 9.5 - Attachment 3**

<b>ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.15	power to exempt a person from requirement under clause 13(1) of Schedule 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 section 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**

**COUNCILLOR SUPPORT AND EXPENSES MAY 2018 TO AUGUST 2018**

**Director:** Stephen Wall  
Chief Executive Officer

**Author:** Renu Naicker  
Executive Assistant to Mayor and Councillors

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**PURPOSE**

To present the Councillor support and expenses for the period May 2018 to July 2018.

**ISSUES SUMMARY**

- Council's Councillor Support and Expenses Policy - 2017, requires details of Councillors' support and expenses to be reported to an Ordinary Council Meeting, and to be made available on Council's website for the term of the Council.
- The reporting period is May 2018 to July 2018.

**ATTACHMENTS**

1. Councillor Support and Expenses Q3 [↓](#)

**OFFICER RECOMMENDATION**

**That Council notes the Councillor Support and Expenses Report for May 2018 to July 2018 which will be made available via Council's website for the term of the current Council.**

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

As part of Council's commitment to open and transparent governance, Council's Councillor Support and Expenses Policy - 2017 requires details of Councillors' expenses to be reported to an Ordinary Council Meeting.

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

Under the *Local Government Act 1989*, Councillors are entitled to resources and facilities support and reimbursements of expenses, related to their duties as a Councillor.

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

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

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

**2. Council Policy/Legislation****Council Plan 2017-2021**

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Strong leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

**Legislation**

- Councillor Support and Expenses Policy – 2017
- *Local Government Act 1989*
- Council Plan 2017-2021.

## **Agenda Item 9.6**

### **Conflicts of Interest**

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

### **Human Rights Consideration**

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

### **3. Engagement**

Not applicable.

### **4. Resources**

All Councillor support and expenses are within existing budgetary allocations.

### **5. Environment**

Not applicable.

### **CONCLUSION**

The Councillor support and expenses from May 2018 to July 2018 are presented for noting.

## Agenda Item 9.6 - Attachment 1

### Cr Catherine Cumming

### Stony Creek Ward

2017/2018	1st Quarter Total	2nd Quarter Total	3rd Quarter Total	4th Quarter Total	Financial Year Total
Councillor Development/Training	\$0.00	\$0.00	\$986.90	\$0.00	\$986.90
Conferences/Seminars	\$0.00	\$0.00	\$59.11	\$0.00	\$59.11
Events	\$0.00	\$0.00	\$75.00	\$0.00	\$75.00
Memberships	\$0.00	\$575.00	\$0.00	\$0.00	\$575.00
Child/Family Care	\$1,675.00	\$1,775.00	\$0.00	\$0.00	\$3,450.00
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Mobile/Data	\$284.94	\$286.65	\$379.92	\$0.00	\$951.51
Travel	\$19.63	\$0.00	\$50.00	\$0.00	\$69.63
<b>TOTAL</b>	<b>\$1,979.57</b>	<b>\$2,636.65</b>	<b>1550.93</b>	<b>\$0.00</b>	<b>\$6,167.15</b>

\$6,167.15

### Cr Cuc Lam

### Stony Creek Ward

MAYOR

2017/2018	1st Quarter Total	2nd Quarter Total	3rd Quarter Total	4th Quarter Total	Financial Year
Councillor Development/Training	\$2,350.00	\$199.00	\$1,870.00	\$0.00	\$4,419.00
Conferences/Seminars	\$55.00	\$1,199.00	\$1,143.60	\$0.00	\$2,397.60
Events	\$0.00	\$55.00	\$503.00	\$0.00	\$558.00
Memberships	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Child/Family Care	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$26.98	\$126.00	\$0.00	\$0.00	\$152.98
Mobile/Data	\$319.74	\$307.67	\$427.11	\$0.00	\$1,054.52
Travel	\$4.10	\$299.00	\$73.00	\$0.00	\$376.10
<b>TOTAL</b>	<b>\$2,755.82</b>	<b>\$2,185.67</b>	<b>\$4,016.71</b>	<b>\$0.00</b>	<b>\$8,958.20</b>

\$8,958.20

### Cr Gina Huynh

### River Ward

2017/2018	1st Quarter Total	2nd Quarter Total	3rd Quarter Total	4th Quarter Total	Financial Year
Councillor Development/Training	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Conferences/Seminars	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Events	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Memberships	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Child/Family Care	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Mobile/Data	\$246.76	\$245.64	\$331.55	\$0.00	\$823.95
Travel	\$6.00	\$21.50	\$0.00	\$0.00	\$27.50
Myki	\$6.00				\$6.00
<b>TOTAL</b>	<b>\$252.76</b>	<b>\$267.14</b>	<b>\$331.55</b>	<b>\$0.00</b>	<b>\$851.45</b>

\$851.45

## Agenda Item 9.6 - Attachment 1

Cr Sarah Carter  
DEPUTY MAYOR

River Ward

2017/2018	1st Quarter Total	2nd Quarter Total	3rd Quarter Total	4th Quarter Total	Financial Year
Councillor Development/Training	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Conferences/Seminars	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Events	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Memberships	\$575.00	\$0.00	\$0.00	\$0.00	\$575.00
AICD Annual Membership	\$575.00	\$0.00	\$0.00	\$0.00	\$575.00
Child/Family Care	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Mobile/Data	\$872.01	\$1,378.33	\$1,482.07	\$0.00	\$3,732.41
Travel	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>	<b>\$1,447.01</b>	<b>\$1,378.33</b>	<b>\$1,482.07</b>	<b>\$0.00</b>	<b>\$4,307.41</b>

\$4,307.41

Cr Mia McGregor

Yarraville Ward

2017/2018	1st Quarter Total	2nd Quarter Total	3rd Quarter Total	4th Quarter Total	Financial Year
Councillor Development/Training	\$0.00	\$165.00	\$594.00	\$0.00	\$759.00
Conferences/Seminars	\$55.00	\$1,199.00	\$1,231.11	\$0.00	\$2,485.11
Events	\$0.00	\$22.50	\$67.61	\$0.00	\$90.11
Memberships	\$795.00	\$0.00	\$0.00	\$0.00	\$795.00
Child/Family Care	\$120.00	\$2,524.00	\$1,382.00	\$0.00	\$4,026.00
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Mobile/Data	\$334.53	\$327.88	\$370.79	\$0.00	\$1,033.20
Travel	\$10.00	\$591.96	\$0.00	\$0.00	\$601.96
<b>TOTAL</b>	<b>\$1,314.53</b>	<b>\$4,830.34</b>	<b>\$3,645.51</b>	<b>\$0.00</b>	<b>\$9,790.38</b>

\$9,790.38

Cr Simon Crawford

Yarraville Ward

2017/2018	1st Quarter Total	2nd Quarter Total	3rd Quarter Total	4th Quarter Total	Financial Year
Councillor Development/Training	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Conferences/Seminars	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Events	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Memberships	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Child/Family Care	\$90.00	\$30.00	\$240.00	\$0.00	\$360.00
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Mobile/Data	\$251.16	\$248.16	\$342.51	\$0.00	\$841.83
Travel	\$16.40	\$44.88	\$85.85	\$0.00	\$147.13
<b>TOTAL</b>	<b>\$357.56</b>	<b>\$323.04</b>	<b>\$668.36</b>	<b>\$0.00</b>	<b>\$1,348.96</b>

\$1,348.96

**Agenda Item 9.6 - Attachment 1**

**Cr Martin Zakharov**

**Yarraville Ward**

2017/2018	1st Quarter Total	2nd Quarter Total	3rd Quarter Total	4th Quarter Total	Financial Year
Councillor Development/Training	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Conferences/Seminars	\$594.00	\$0.00	\$0.00	\$0.00	\$594.00
Events	\$0.00	\$267.09	\$581.34	\$0.00	\$848.43
Memberships	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Child/Family Care	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Mobile/Data	\$218.08	\$211.13	\$301.19	\$0.00	\$730.40
Travel	\$41.40	\$233.51	\$0.00	\$0.00	\$274.91
<b>TOTAL</b>	<b>\$853.48</b>	<b>\$711.73</b>	<b>\$882.53</b>	<b>\$0.00</b>	<b>\$2,447.74</b>
					<b>\$2,447.74</b>

**Agenda Item 9.7****ASSEMBLY OF COUNCILLORS - AUGUST 2018**

**Director:** Celia Haddock  
Director Corporate Services

**Author:** Lisa King  
Manager Governance and Commercial Services

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**PURPOSE**

To receive and note the record of Assemblies of Councillors for August 2018.

**ISSUES SUMMARY**

Section 80A of the *Local Government Act 1989* requires that the written record of an assembly of Councillors is, as soon as practicable, reported at an ordinary meeting of the Council and incorporated in the minutes of that Council meeting.

An assembly of Councillors is:

- A meeting of an advisory committee of the Council if at least 1 Councillor is present; or
- A planned/scheduled meeting of at least half of the Councillors and 1 member of staff which considers matters that are intended/likely to be the subject of a decision of the Council or subject to the exercise of a function, duty or power of the Council that has been delegated to a person/committee.

An assembly of Councillors does not include:

- A meeting of the Council
- A special committee of the Council
- An audit committee
- A club, association, peak body, political party or other organisation.

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

**ATTACHMENTS**

1. Assembly of Councillors - August 2018 [↓](#)

**OFFICER RECOMMENDATION**

**That Council notes the record of Assemblies of Councillors for August 2018.**

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**Agenda Item 9.7 - Attachment 1**

<b>August 2018</b>				
<b>Meeting and Date</b>	<b>Councillor Attendees</b>	<b>Council Staff Attendees</b>	<b>Matters Considered</b>	<b>Conflict of Interest Disclosures</b>
Councillor Strategic Briefing 7 August 2018	Cr Simon Crawford Cr Catherine Cumming Cr Gina Huynh Cr Cuc Lam Cr Martin Zakharov	Stephen Wall (Chief Executive Officer) Celia Haddock (Director Corporate Services) Steve Hamilton (Director Infrastructure Services) Clem Gillings (Director Community Services) Nigel Higgins (Director Planning Services) Lisa King (Manager Governance and Commercial Services) Daniel Ligtvoet (Corporate Systems Project Officer)	<ul style="list-style-type: none"> <li>Governance Update</li> <li>Maribyrnong Defence Site Update</li> <li>Delegates Report – July 2018</li> <li>Assembly of Councillors – July 2018</li> <li>Confirmation of the Minutes of the Previous Council Meeting – 24 July 2018</li> </ul>	Nil
Councillor Strategic Briefing 14 August 2018	Cr Sarah Carter Cr Catherine Cumming Cr Gina Huynh Cr Cuc Lam Cr Martin Zakharov	Stephen Wall (Chief Executive Officer) Celia Haddock (Director Corporate Services) Steve Hamilton (Director Infrastructure Services) Clem Gillings (Director Community Services) Nigel Higgins (Director Planning Services) Patrick Jess (Manager Leisure, Health and Wellbeing) Jason Cox (Service Desk & Desktop Support Officer)	<ul style="list-style-type: none"> <li>M102 Water Main Renewal</li> <li>RecWest Footscray Update</li> <li>Festival City Update</li> <li>Significant Development Site Update</li> <li>Ombudsman Report Recommendations Update</li> <li>40K Zone Implementation Update</li> <li>Major Projects Update</li> <li>Upcoming Openings and Events</li> <li>Pick my Project</li> <li>MAV State Council Motions</li> <li>Investment Policy 2018</li> <li>Feasibility Study – Single Use Plastics</li> </ul>	Nil

**Agenda Item 9.7 - Attachment 1**

<b>August 2018</b>				
<b>Meeting and Date</b>	<b>Councillor Attendees</b>	<b>Council Staff Attendees</b>	<b>Matters Considered</b>	<b>Conflict of Interest Disclosures</b>
NeXT Project Meeting 20 August 2018	Cr Sarah Carter Cr Simon Crawford Cr Catherine Cumming Cr Gina Huynh Cr Cuc Lam Cr Mia McGregory Cr Martina Zakharov	Celia Haddock (Director Corporate Services) Steve Hamilton (Director Infrastructure Services) Clem Gillings (Director Community Services) Nigel Higgins (Director Planning Services) Gabrielle Castellen (Senior Strategic Projects and Planning Advisor) Michael Byrne (Manager Arts, Learning and Libraries)	<ul style="list-style-type: none"> <li>NeXT Project (Footscray Library Community and Cultural Hub)</li> </ul>	Nil

**Agenda Item 9.8****DELEGATES REPORTS - AUGUST 2018**

**Director:** Celia Haddock  
Director Corporate Services

**Author:** Lisa King  
Manager Governance and Commercial Services

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**PURPOSE**

To present the Councillor delegates' reports for the period August 2018.

**ISSUES SUMMARY**

- The Councillor delegates' reports demonstrate Council's commitment to open and transparent governance. Details of Councillor Delegates Reports are presented to an Ordinary Council Meeting on a monthly basis, and made available on Council's website.
- As part of their governance and representations obligations, individual Councillors represent Council on a range of committees. The committees operate outside of the section 86 (of the Local Government Act 1989) Committees established by Council.
- Councillor participation in peak associations, local and regional forums and specific issues committees is an important part of effective governance and representation.
- Attached are the Councillor delegates' reports for August 2018.

**ATTACHMENTS**

1. Delegates Reports August 2018 [↓](#)

**OFFICER RECOMMENDATION**

**That Council notes the Councillor delegates' reports August 2018 which will be made available on Council's website for the term of the current Council.**

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**Agenda Item 9.8 - Attachment 1**

**Delegates Reports June 2018**

<b>Delegate</b>	<b>Committee</b>	<b>Meeting Date</b>	<b>Items Discussed</b>
Cr Mia McGregor	Older Persons Reference Group	1 August 2018	<ul style="list-style-type: none"> <li>• CHSP/NDIS update</li> <li>• Seniors Festival 2018</li> <li>• Community Perception of Pokie Machines Research Project – Report</li> <li>• Arts and Culture Photography Project</li> <li>• Women's Participation in Sport and Recreation in Melbourne's West</li> </ul>
Cr Martin Zakharov Cr Sarah Carter	Metropolitan Transport Forum	1 August 2018	<ul style="list-style-type: none"> <li>• Presentation: Michel Masson, CEO Infrastructure Victoria</li> <li>• MTF Strategic Public Transport Advocacy</li> <li>• Other advocacy</li> <li>• Council Information Sharing</li> <li>• Regular reports</li> <li>• General Business</li> </ul>
Cr Cuc Lam	Maribyrnong Reconciliation Action Plan Advisory Committee	2 August 2018	<ul style="list-style-type: none"> <li>• Review the draft Reconciliation Action Plan (RAP)</li> <li>• Other Business</li> </ul>
Cr Simon Crawford Cr Catherine Cumming	Metropolitan Local Government Waste Forum	9 August 2018	<ul style="list-style-type: none"> <li>• MWRRG Update</li> <li>• Recycling Industry Strategic Plan</li> <li>• Long term visions for waste and resource recovery</li> <li>• TARG update</li> <li>• SPAG update</li> <li>• Forum Operating Guidelines Review</li> </ul>
Cr Simon Crawford	Maribyrnong Active Transport Advisory Committee	13 August 2018	<ul style="list-style-type: none"> <li>• Terms of Reference</li> <li>• Strategy Overview <ul style="list-style-type: none"> <li>◦ Bicycle Strategy 2014</li> <li>◦ Bicycle Strategy Refresh</li> <li>◦ Bike Day Outcomes – March 2018</li> <li>◦ Walking Strategy update</li> </ul> </li> <li>• 5 year and 10 year capital planning – cycling projects</li> <li>• Group Discussion</li> <li>• Council Projects Update <ul style="list-style-type: none"> <li>◦ Maribyrnong River Trails</li> <li>◦ Shared User Paths – West Gate Tunnel Project</li> <li>◦ 2018/19 Cycling and Walking capital projects</li> </ul> </li> <li>• Other Business</li> </ul>

**Agenda Item 9.8 - Attachment 1**

Delegate	Committee	Meeting Date	Items Discussed
Cr Mia McGregor	RoadSafe WestGate	15 August 2018	<ul style="list-style-type: none"> <li>• Matters arising</li> <li>• Treasurer's report <ul style="list-style-type: none"> <li>○ Financial report</li> <li>○ Accounts for payment</li> </ul> </li> <li>• Secretary's Report <ul style="list-style-type: none"> <li>○ Correspondence</li> <li>○ Other matters</li> </ul> </li> <li>• Program Development/Information</li> <li>• Reports/Updates <ul style="list-style-type: none"> <li>○ VicRoads Update and Information</li> <li>○ Council reports <ul style="list-style-type: none"> <li>▪ Hobsons Bay</li> <li>▪ Maribyrnong</li> <li>▪ Melton</li> <li>▪ Wyndham</li> </ul> </li> <li>○ Program Reports <ul style="list-style-type: none"> <li>▪ Older Drivers, Young Drivers, LAOM, Speeding, RoadSafety Messages</li> </ul> </li> </ul> </li> <li>• Police Reports</li> <li>• Advocacy</li> <li>• General Business <ul style="list-style-type: none"> <li>○ Annual General Meeting</li> <li>○ 2017-2018 RoadSafe Westgate Annual Report</li> </ul> </li> </ul>
Cr Simon Crawford Cr Catherine Cumming	LeadWest Board Meeting	15 August 2018	<ul style="list-style-type: none"> <li>• Process for agreeing future advocacy priorities</li> <li>• LeadWest's Governance Report</li> <li>• Large-scale Renewal Energy Project</li> <li>• LeadWest's Environment, Planning and Sustainability Group update</li> <li>• LeadWest's Health and Wellbeing Group update</li> <li>• LeadWest's Transport Group update</li> <li>• LeadWest's Education and Economic Development Group update</li> </ul>
Cr Martin Zakharov	MAV Arts and Culture Committee	16 August 2018	<ul style="list-style-type: none"> <li>• Holistic approach to a strategic future</li> <li>• Local Government Live Music Toolkit feedback session</li> <li>• APRA AMCOS/PPCA proposed OneMusic Australia blanket licence fee scheme – Report and proposed way forward</li> <li>• MAV Update: Forum, Council Survey, 2019 Work Plan</li> <li>• Council reports</li> <li>• General Business <ul style="list-style-type: none"> <li>○ Update on Committee arrangements</li> <li>○ Committee meetings for 2018</li> </ul> </li> </ul>

**Agenda Item 9.8 - Attachment 1**

<b>Delegate</b>	<b>Committee</b>	<b>Meeting Date</b>	<b>Items Discussed</b>
Cr Cuc Lam Cr Sarah Carter Cr Simon Crawford	Audit and Risk Committee	21 August 2018	<ul style="list-style-type: none"> <li>• Draft Strategic Internal Audit Plan 2012-2021</li> <li>• Maribyrnong City Council 2017/2018 Financial Statements and Performance Statement</li> <li>• Interim Management Letter</li> </ul>
Cr Sarah Carter	MAV Planning Committee	23 August 2018	<ul style="list-style-type: none"> <li>• Native vegetation reforms</li> <li>• Environment Protection Reform</li> <li>• Strategic Planning Workload Survey</li> <li>• MAV Update and other discussion</li> </ul>
Cr Gina Huynh Cr Mia McGregor	MAV Human Services Committee	31 August 2018	<ul style="list-style-type: none"> <li>• MAV Key Issues Update and Standing items <ul style="list-style-type: none"> <li>◦ Tripartite Agreement (Aged and Disability)</li> <li>◦ Call to Parties</li> </ul> </li> <li>• Aged Care and Disability Services Reform</li> <li>• Crime Statistics Agency – crime data at the local level and information to assist councils</li> <li>• MAV WorkCover Scheme</li> <li>• Social Housing update</li> <li>• Council Reports</li> <li>• General Business</li> </ul>