Mornington Peninsula Shire

COUNCIL MEETING

TUESDAY, 12 MAY 2026

6:30 PM

MUNICIPAL OFFICES
BESGROVE STREET, ROSEBUD

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Councillor Workshop Sessions

Mornington Peninsula Shire

Workshop Date: 7 April 2026 **Time:** 5.30pm **Location:** Mornington Council Chamber

Councillors Present (please tick)

☒ Cr Allen ☒ Cr Batty ☒ Cr Binyon ☒ Cr Gill ☐ Cr Marsh

☒ Cr Patton ☒ Cr Pingiaro ☐ Cr Ranken ☒ Cr Roper

☒ Cr Stephens ☒ Cr Williams ☒ Prue Digby ☐ Rebecca McKenzie

The matters listed below were presented at the Councillor Workshop Session

Item No	Item
1	**Gender Equity Action Plan Consultation** Councilllors attended a workshop on Council's obligations under the *Gender Equality Act 2020*, with consultation undertaken on Indicator 2, relating to the gender composition of Councillors. It was noted that the current Council composition shows a decline in gender balance compared with the previous term, despite actions undertaken before and after the last election. While it was acknowledged that Council has limited influence over election outcomes, the Act was noted to place responsibility on councils to demonstrate progress through actions that support participation. Key barriers to participation by women and under-represented groups were identified, including incivility, safety concerns, time commitments, caring responsibilities and financial impacts. Discussion focused on improving the environment and support structures surrounding Council roles rather than election outcomes. Potential actions included enhanced candidate engagement, stronger induction processes, embedding gender equality in the Councillor Code of Conduct, inclusive leadership training, mentoring opportunities and proactive measures to address poor behaviour.
2	**Draft Integrated Transport Strategy - Transport to 2040 - Councillor Workshop - Pre Public Exhibition** Councilllors attended a workshop on the draft Integrated Transport Strategy, which is intended to provide a consolidated framework to guide transport planning,

investment and advocacy. The benefits of a holistic approach were highlighted, including improved connectivity, safety, equity and long-term resilience.

Key strategic objectives were outlined across four themes: enhanced connectivity, active and public transport, safety and accessibility, and future readiness. Major advocacy priorities included upgrades to key arterial roads and intersections, investigation of congestion corridors, progression of southern peninsula network planning, and improved freight routing.

Active and public transport initiatives included proposed changes to footpath widths, advocacy for extended legal footpath cycling ages, addressing gaps in cycling infrastructure, and reform of bus and rail services, particularly in the Western Port area.

Safety and accessibility discussions focused on integrated road safety approaches, development of a shire-wide parking management policy, and targeted responses to congestion in high-demand locations such as Sorrento. Future readiness initiatives included revised policy direction for unmade roads and carparks and continued advocacy on freight corridor planning.

Conflict of Interest Disclosures:

No conflicts were declared.

Responsible Officer completing this form:

Name: Fiona Kennedy **Signature:** *Fiona Kennedy* **Position:** Officer - Council Reports

Councillor Briefing Sessions

Mornington Peninsula Shire

Briefing Date: 28 April 2026 **Time:** 5.00pm **Location:** Municipal Offices, Rosebud

Councillors Present (please tick)

☒ Cr Allen ☒ Cr Batty ☒ Cr Binyon ☒ Cr Gill ☐ Cr Marsh

☒ Cr Patton ☒ Cr Pingiaro ☒ Cr Ranken ☒ Cr Roper

☒ Cr Stephens ☒ Cr Williams ☐ Prue Digby ☐ Rebecca McKenzie

The matters listed below were presented at the Councillor Briefing Session

Item No	Item
1	**BN2192 - Future Workplace - Options Identification and Evaluation** Councillors were provided with a briefing on potential options for addressing Council's future workplace and office accommodation needs. Discussion focused on financial constraints, asset condition and the relative merits of upgrading existing facilities versus new build options. Councillors considered hybrid approaches that could improve workplaces while also delivering broader community benefits.
2	**BN2193 - Community Capital Infrastructure Policy** Councillors were presented with an update on the Community Capital Infrastructure Policy and Program. Discussion highlighted the strong return on investment achieved through community-led projects, opportunities to simplify processes and improve accessibility for community groups, and potential expansion of eligible project types. Councillors provided feedback on balancing flexibility with equity, managing risk, and ensuring the program remains simple and well communicated.
3	**BN2195 - Integrated Transport Strategy (Draft) - Transport to 2040 - Public Exhibition** Councillors were provided with a briefing on the draft Integrated Transport Strategy (ITS) ahead of public exhibition. Discussion focused on refinements following the earlier workshop, including walking and cycling networks, public transport coverage, advocacy positions, and major corridor planning. Councillors raised questions about clarity of scope, consultation timing, and network issues, and provided feedback before exhibition.

4	**BN2196 - Road Safety Funding Priorities** Councillors were presented with the feedback from the 'Road Safety – BlackSpot 2027-2028 Funding Applications' consultation and a recommended list of projects to submit for the 2027= 2028 Black Spot grant funding program. Projects included compact roundabouts, raised zebra crossings, speed management treatments and local area traffic management schemes. It was reported that several previously submitted projects had successfully received external funding. Councillors discussed geographic coverage, crash history, and ongoing advocacy for State-managed roads.
5	**BN2197 - Review of the Climate Emergency Community Reference Group** Councillors were provided with an update on the review of the Climate Emergency Community Reference Group following the rescission of the Climate Emergency Plan. Discussion centred on governance, the purpose of reference groups, alignment with the Climate Resilience Plan, and community expectations for ongoing involvement. Councillors supported further discussion and workshops to clarify Council's collective position before decisions are brought forward on the future of the Climate Emergency Community Reference Group.
6	**BN2198 - Audit and Risk Committee Recruitment** It was noted that an Audit and Risk Committee recruitment related item was scheduled for consideration. Due to time constraints, this matter was not discussed in detail during the briefing session. Councillors were advised that the material could be reviewed offline. Officers indicated that the item would be brought back through the formal Council meeting agenda, providing Councillors with further opportunities to review the information and raise questions prior to any decision being required

The matters listed below were provided as non-verbal updates

Item No	Item
1	**BN2199 - RFQ00022 - Large Market Retail Gas (Procurement Australia)** Councillors were provided with a briefing note on the Shire's participation in a Procurement Australia tender for the supply of natural gas to large market sites, including Yawa Aquatic Centre and Pelican Park Recreation Centre, from 1 July 2026. Councillors were advised that the tender will run in April–May 2026

Conflict of Interest Disclosures:

No conflicts were declared

Responsible Officer completing this form:

Name: Tegan Lewis **Signature:** *Tegan Lewis* **Position:** Coordinator - Council Reports

SHEET LIST:

TP00	COVER SHEET
TP01	LOCATION AND EXISTING CONDITIONS SITE PLAN
TP02	PROPOSED SITE PLAN
TP03	PROPOSED VILLA SITING LAYOUT PLAN
TP04	PROPOSED VILLA 01 - PLAN, ELEVATIONS & SECTIONS
TP05	PROPOSED VILLA 02 - PLAN, ELEVATIONS & SECTIONS
TP06	PROPOSED VILLA 03 - PLAN, ELEVATIONS & SECTIONS
TP07	PROPOSED VILLA 04 - PLAN, ELEVATIONS & SECTIONS
TP08	3D VIEWS & MATERIALITY

ARTISTS IMPRESSION ONLY
SCALE : NTS

1180 MORNINGTON FLINDERS ROAD,
RED HILL, VIC 3928

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No.	DATE:	REVISION:	BY:	CHK:
A	04.07.2025	ISSUE FOR TOWN PLANNING	BP	LW
B	19.08.2025	TOWN PLANNING REVISION	BP	LW

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PROJECT:
1180 MORNINGTON FLINDERS ROAD,
RED HILL, VIC 3928

TITLE:
LOCATION AND EXISTING CONDITIONS SITE PLAN

NORTH

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DATE: APR, 2025
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JOB NO: 24020
DRAWING NO: TP01
REVISION: B

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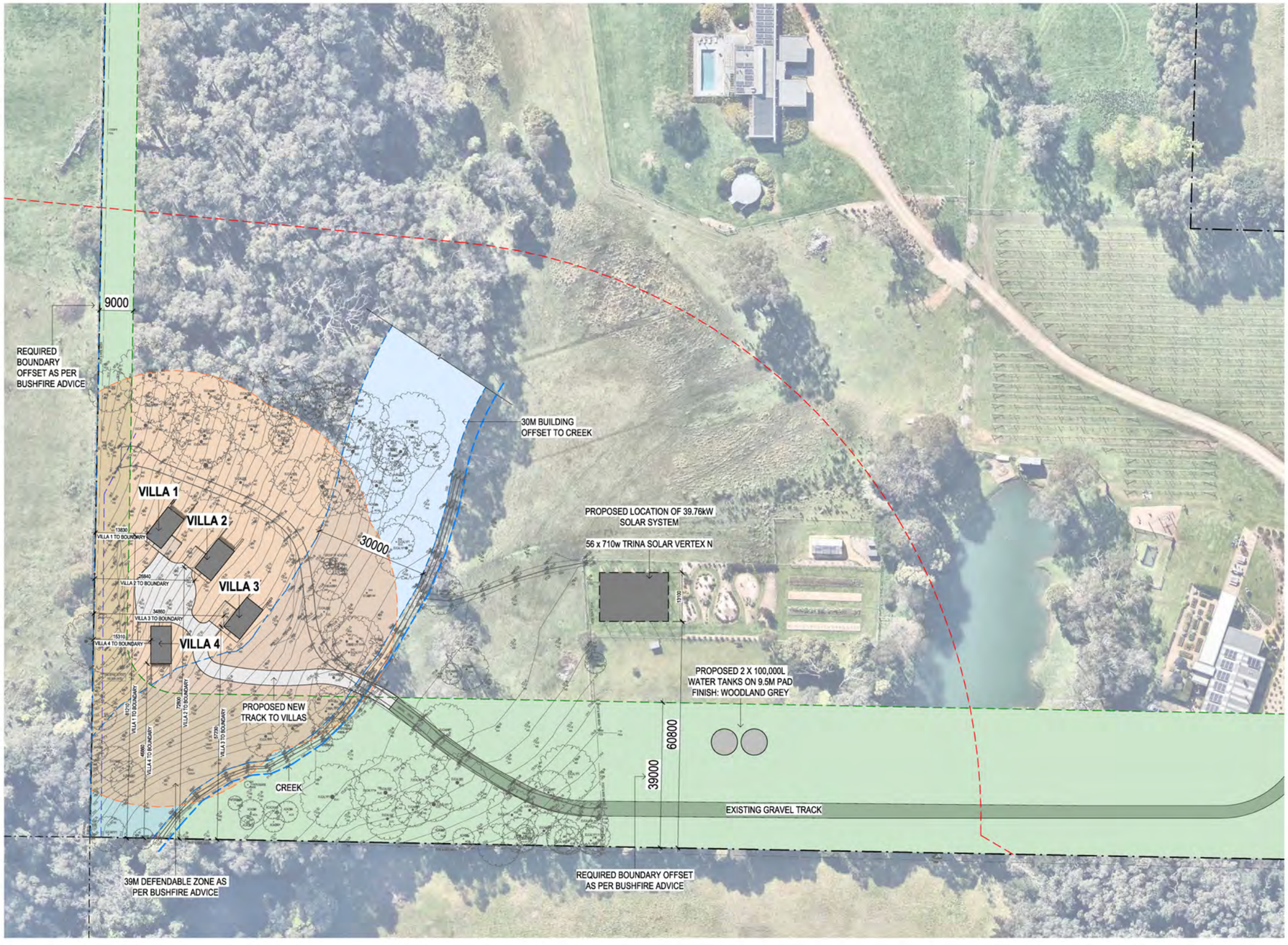

NOTES

SITE STORMWATER DRAINAGE IN ACCORDANCE WITH LOCAL AUTHORITY & COUNCIL REQUIREMENTS

ALL RELATIVE LEVELS ARE SHOWN TO A.H.D. (Australian Height Datum)

LOCATION OF SURVEY ON SITE IS AS PRACTICABLE AS POSSIBLE AS NO TITLE RE-ESTABLISHMENT SURVEY WAS TAKEN.

LEGEND

- REQUIRED BOUNDARY OFFSET AS PER BUSHFIRE ADVICE. 39M FROM SOUTH, 9M FROM WEST
- 39M DEFENDABLE ZONE OFFSET FROM VILLAS AS PER BUSHFIRE ADVICE
- 30M OFFSET FROM CREEK THAT PERMITS BUILDING ACTIVITY AS PER SEPTIC ADVICE
- 300M² IRRIGATION ZONES AS PER SEPTIC ADVICE. 2NO. REQUIRED. INDICATIVE
- ESO17 PLANNING OVERLAY
- PROPOSED NEW ROAD TO VILLAS
- PROPOSED VILLAS
- LINE OF EXISTING POST AND WIRE MESH FENCE AS TAKEN FROM SURVEY
- TITLE BOUNDARY
- LINE OF CREEK TAKEN FROM UPPER BANK CONTOURS
- 30 METER OFFSET FROM CREEK
- BUSHFIRE MANAGEMENT OVERLAY AS PER BUSHFIRE REPORT
- LINE OF CUT OFF DRAIN
- AERATED WASTEWATER TREATMENT SYSTEM TO BE LOCATED BELOW UNITS AS PER SEPTIC ADVICE
- RAIN WATER TANK
- PROPOSED LOCATION OF SOLAR SYSTEM

No.	DATE:	REVISION:	BY:	CHK:
A	04.07.2025	ISSUE FOR TOWN PLANNING	BP	LW
B	18.07.2025	TOWN PLANNING REVISION	BP	LW

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PROJECT:
1180 MORNINGTON FLINDERS ROAD,
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TITLE:
PROPOSED SITE PLAN

NORTH

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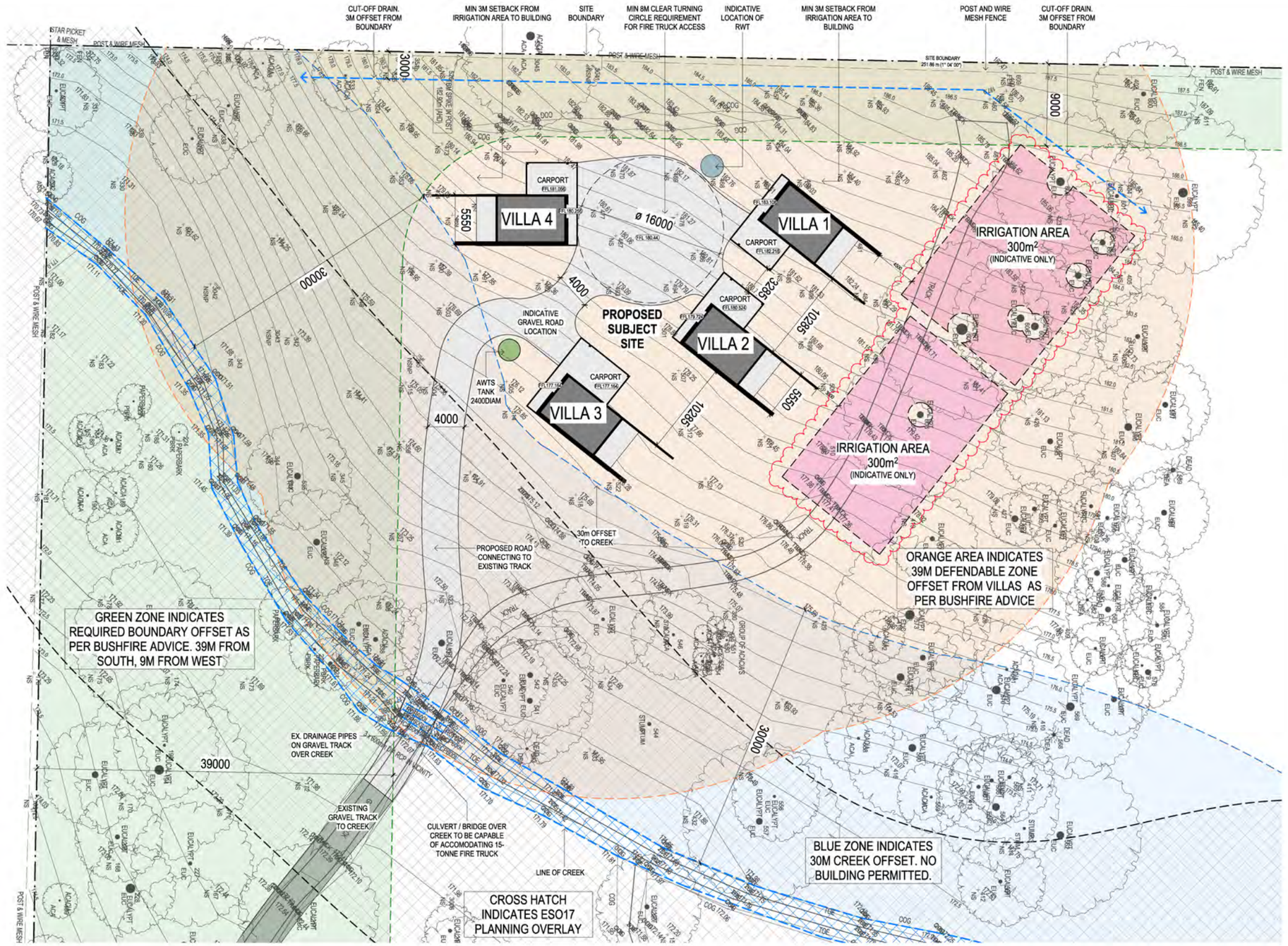

DEVELOPMENT ANALYSIS

BUILDING	GFA
VILLA 01	44.0m²
VILLA 02	44.0m²
VILLA 03	44.0m²
VILLA 04	44.0m²
TOTAL AREA	176.0m²
EXTERNAL AREAS (APPROX)	
CARPORTS	108m²
VILLA 01	25m²
VILLA 02	25m²
VILLA 03	33m²
VILLA 04	25m²
VILLA COURTYARDS	77.6m²
VILLA 01	19.4m²
VILLA 02	19.4m²
VILLA 03	19.4m²
VILLA 04	19.4m²
CRUSHED ROCK DRIVEWAY	524m²

NOTES

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- PROPOSED LOCATION OF SOLAR SYSTEM

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C	05.11.2026	TOWN PLANNING REVISION	TC	LW

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PROJECT:
1180 MORNINGTON FLINDERS ROAD,
RED HILL, VIC 3928

TITLE:
PROPOSED VILLA SITING LAYOUT PLAN

NORTH

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DRAWING NO: TP03
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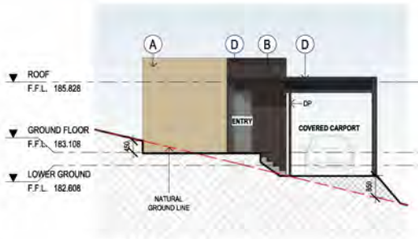

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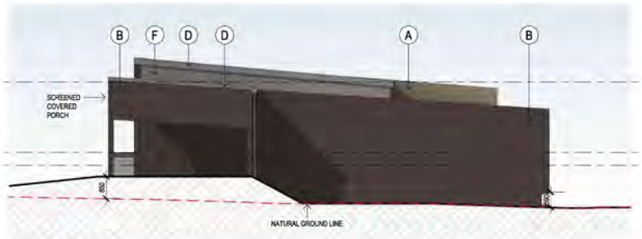

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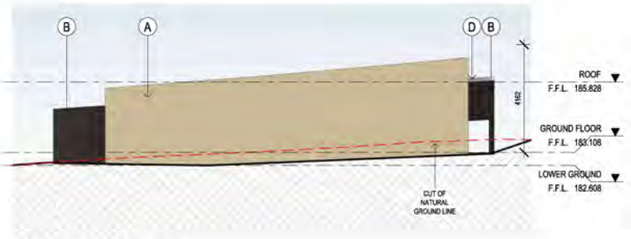

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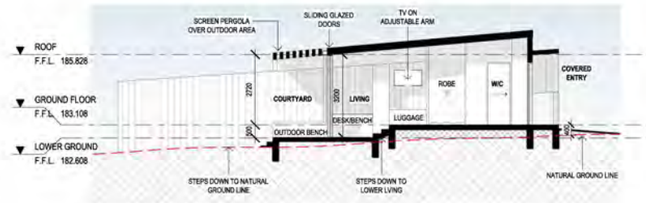

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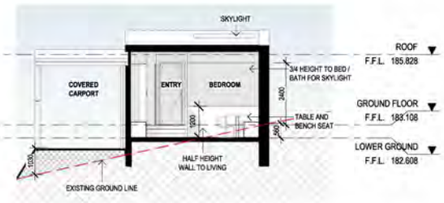

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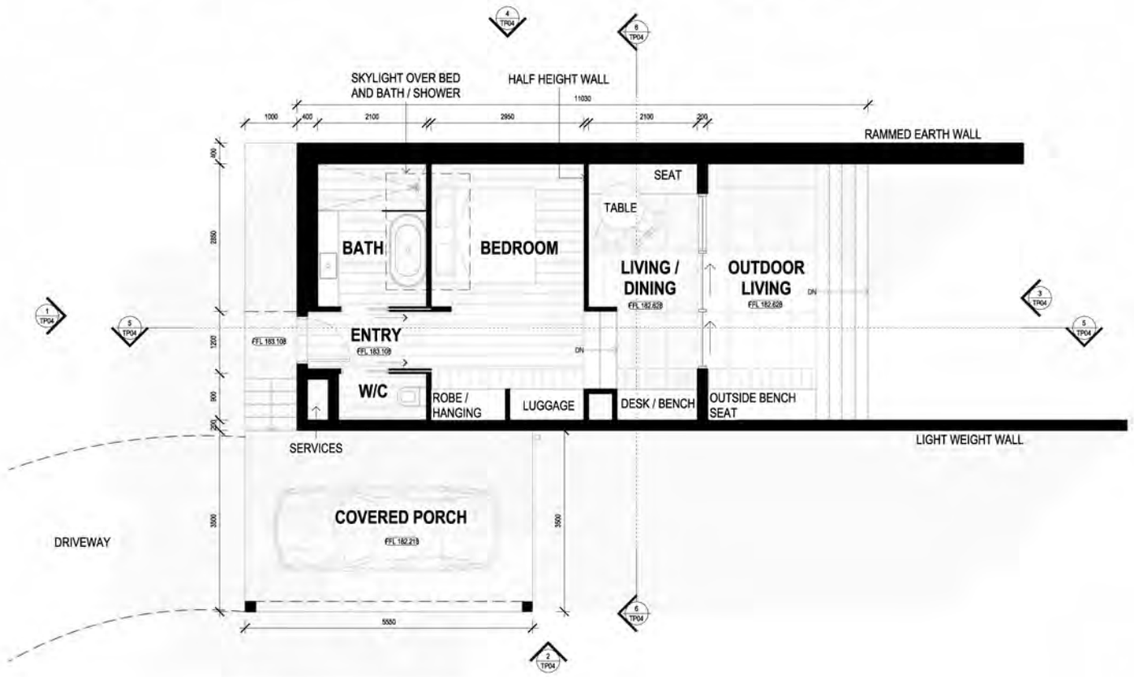

PROPOSED FLOOR PLAN - VILLA 01
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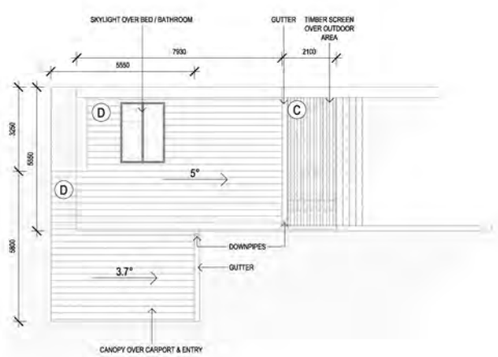

ROOF PLAN - VILLA 01
SCALE: 1 : 100

EXTERNAL FINISHES

- (A) RAMMED EARTH
- (B) STANDING SEAM CLADDING
- (C) ALUMINIUM BATTEN SCREEN
- (D) METAL PROFILE ROOF, ZINCALUME
- (E) ALUMINIUM POWDERCOAT FRAMED DOUBLE GLAZING
- (F) FEATURE LIGHT WEIGHT CLADDING

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RED HILL, VIC 3928

TITLE:
PROPOSED VILLA 01 - PLAN,
ELEVATIONS & SECTIONS

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DRAWING NO: TP04
REVISION: A

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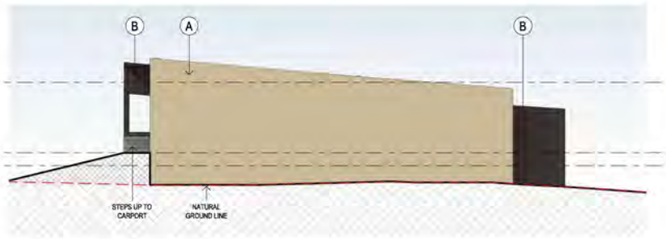
ELEVATION 1 - VILLA 02
SCALE: 1 : 100



ELEVATION 2 - VILLA 02
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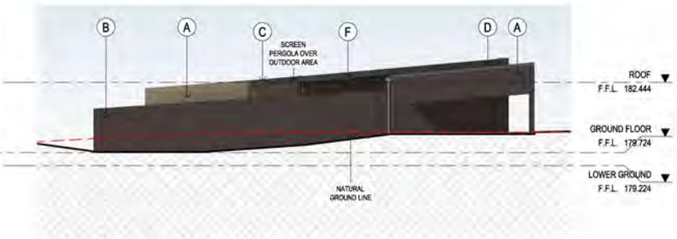
ELEVATION 3 - VILLA 02
SCALE: 1 : 100



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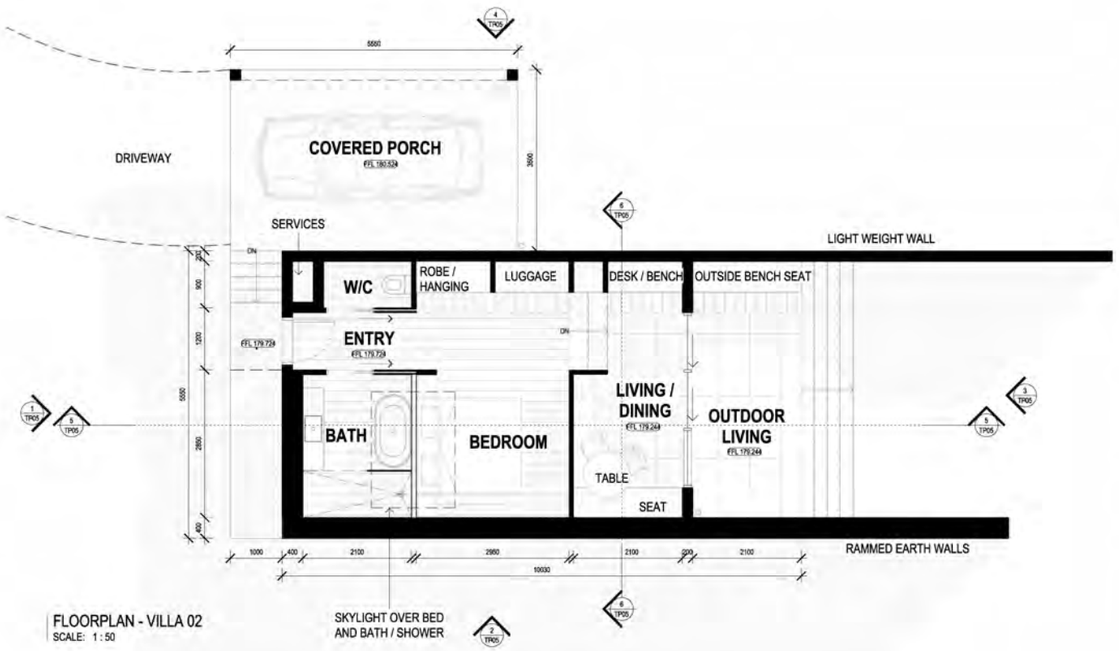
SECTION 1 - VILLA 02
SCALE: 1 : 100

SECTION 2 - VILLA 02
SCALE: 1 : 100



FLOORPLAN - VILLA 02
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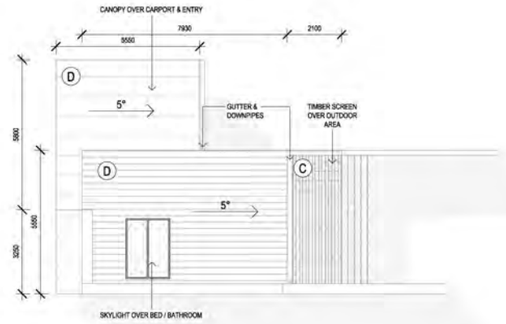

ROOF PLAN - VILLA 02
SCALE: 1 : 100

EXTERNAL FINISHES

- (A) RAMMED EARTH
- (B) STANDING SEAM CLADDING
- (C) ALUMINIUM BATTEN SCREEN
- (D) METAL PROFILE ROOF, ZINCALUME
- (E) ALUMINIUM POWDERCOAT FRAMED DOUBLE GLAZING
- (F) FEATURE LIGHT WEIGHT CLADDING

No.	DATE:	REVISION:	BY:	CHK:
A	04.07.2025	ISSUE FOR TOWN PLANNING	BP	LW

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PROJECT:
1180 MORNINGTON FLINDERS ROAD,
RED HILL, VIC 3928

TITLE:
PROPOSED VILLA 02 - PLAN, ELEVATIONS & SECTIONS

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JOB NO: 24020
DRAWING NO: TP05
REVISION: A

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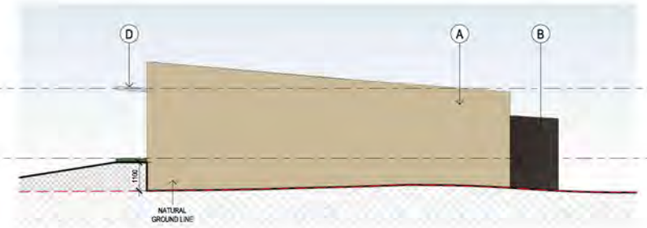
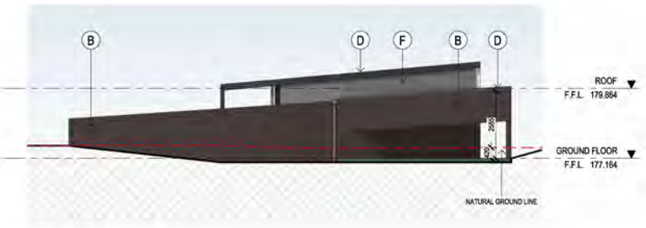
ELEVATION 1 - VILLA 03
SCALE: 1 : 100



ELEVATION 2 - VILLA 03
SCALE: 1 : 100

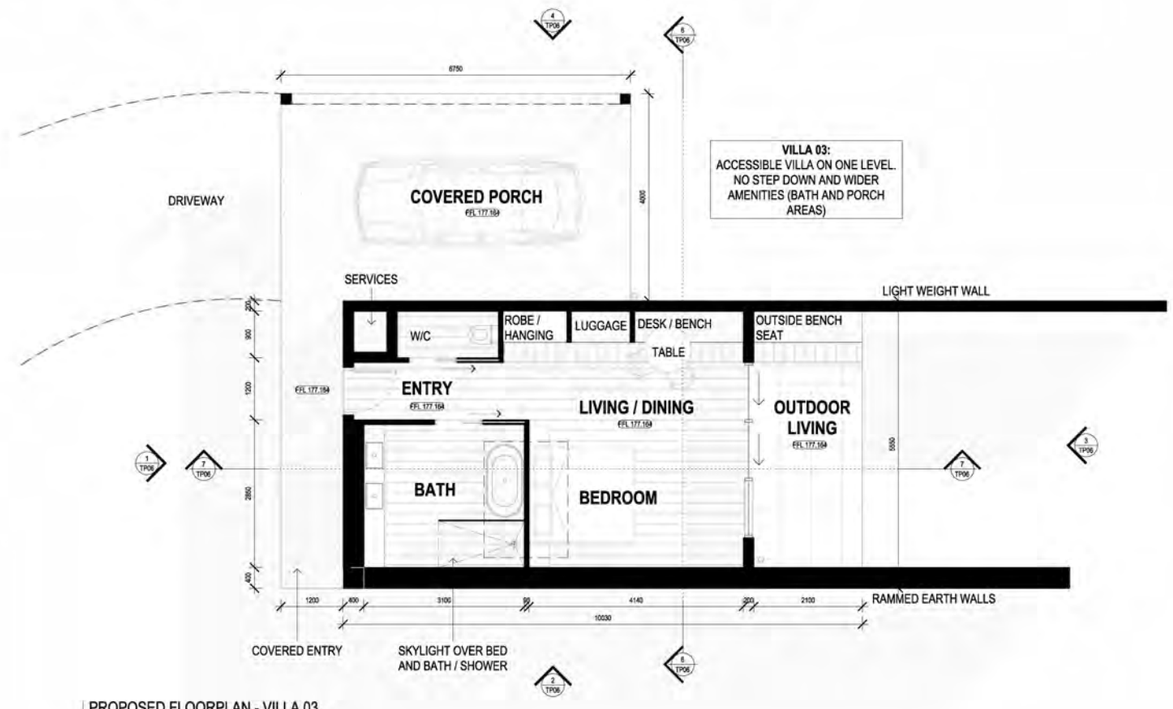
ELEVATION 3 - VILLA 03
SCALE: 1 : 100



ELEVATION 4 - VILLA 03
SCALE: 1 : 100

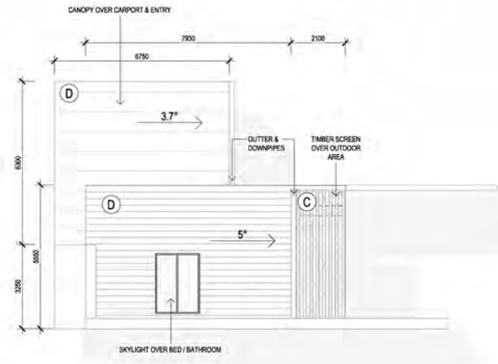
SECTION 1 - VILLA 03
SCALE: 1 : 100

SECTION 2 - VILLA 03
SCALE: 1 : 100



VILLA 03:
ACCESSIBLE VILLA ON ONE LEVEL. NO STEP DOWN AND WIDER AMENITIES (BATH AND PORCH AREAS)

PROPOSED FLOORPLAN - VILLA 03
SCALE: 1 : 50



ROOF PLAN - VILLA 03
SCALE: 1 : 100

EXTERNAL FINISHES

- A RAMMED EARTH
- B STANDING SEAM CLADDING
- C ALUMINIUM BATTEN SCREEN
- D METAL PROFILE ROOF, ZINCALUME
- E ALUMINIUM POWDERCOAT FRAMED DOUBLE GLAZING
- F FEATURE LIGHT WEIGHT CLADDING

No.	DATE:	REVISION:	BY:	CHK:
A	04.07.2025	ISSUE FOR TOWN PLANNING	BP	LW

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PROJECT:
1180 MORNINGTON FLINDERS ROAD,
RED HILL, VIC 3928

TITLE:
PROPOSED VILLA 03 - PLAN, ELEVATIONS & SECTIONS

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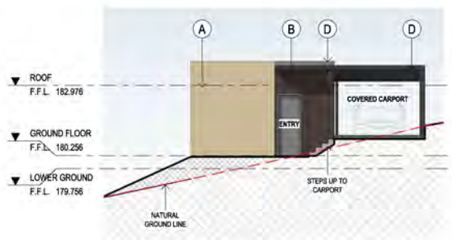
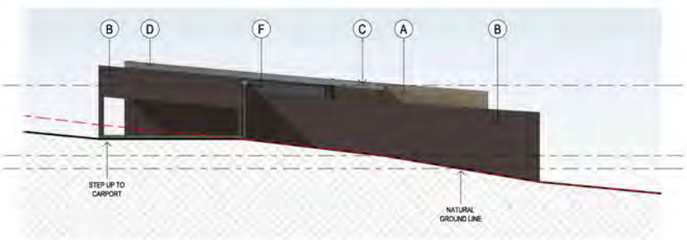
DATE: APR, 2025
DRAWN BY: BP
SCALE: As indicated @ A1
SCALE: 1 : 100 @ A3

JOB NO: 24020
DRAWING NO: TP06
REVISION: A

watson young

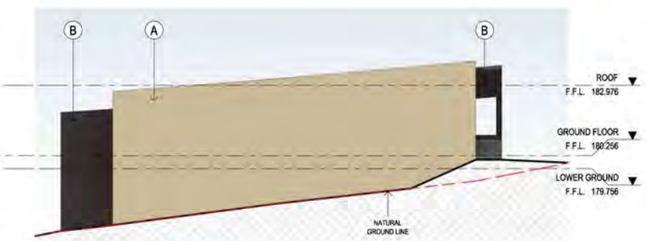


ELEVATION 1 - VILLA 04
SCALE: 1 : 100



ELEVATION 2 - VILLA 04
SCALE: 1 : 100

ELEVATION 3 - VILLA 04
SCALE: 1 : 100



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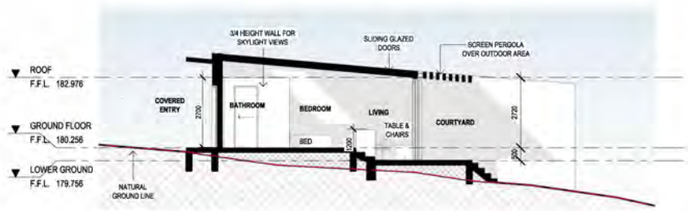
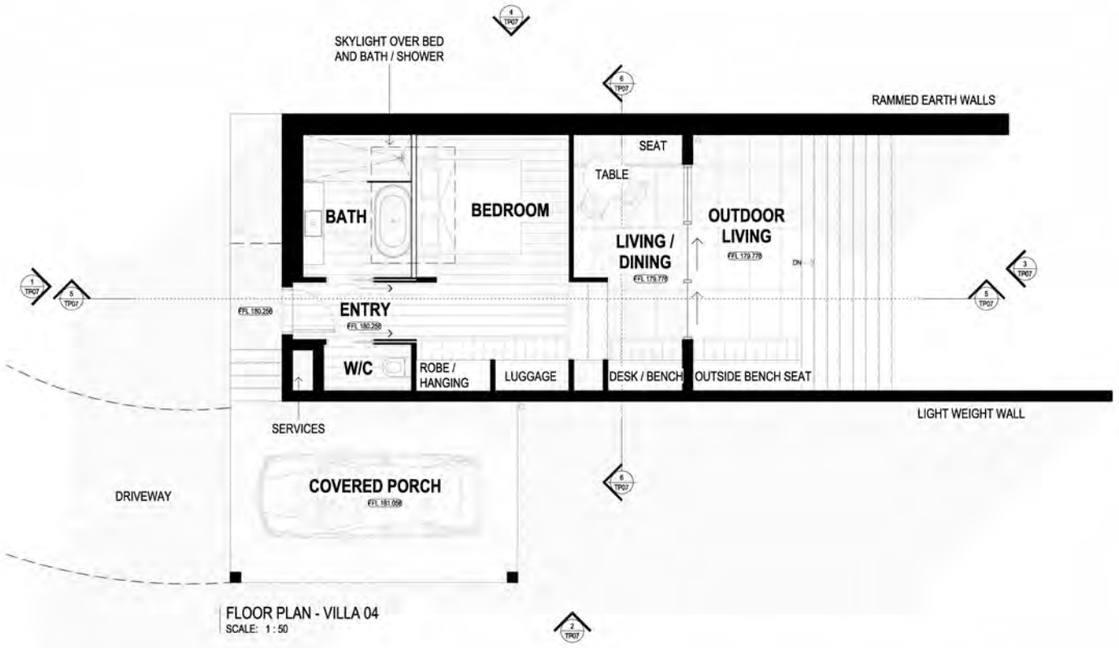
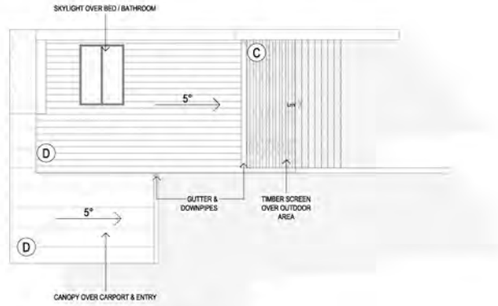


SECTION 1 - VILLA 04
SCALE: 1 : 100

SECTION 2 - VILLA 04
SCALE: 1 : 100



FLOOR PLAN - VILLA 04
SCALE: 1 : 50



ROOF PLAN - VILLA 04
SCALE: 1 : 100

EXTERNAL FINISHES

- A RAMMED EARTH
- B STANDING SEAM CLADDING
- C ALUMINIUM BATTEN SCREEN
- D METAL PROFILE ROOF, ZINCALUME
- E ALUMINIUM POWDERCOAT FRAMED DOUBLE GLAZING
- F FEATURE LIGHT WEIGHT CLADDING

No.	DATE:	REVISION:	BY:	CHK:
A	04.07.2025	ISSUE FOR TOWN PLANNING	BP	LW

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PROJECT:
1180 MORNINGTON FLINDERS ROAD,
RED HILL, VIC 3928

TITLE:
PROPOSED VILLA 04 - PLAN, ELEVATIONS & SECTIONS

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DATE: APR, 2025
DRAWN BY: BP
SCALE: As indicated @ A1
SCALE: 1 : 100 @ A3

JOB NO: 24020
DRAWING NO: TP07
REVISION: A

watson young

VILLA ELEVATION STUDY_APPROACH
INDICATIVE - NOT TO SCALE

VILLA ELEVATION STUDY_APPROACH
INDICATIVE - NOT TO SCALE

VILLA ELEVATION STUDY_COURTYARD
INDICATIVE - NOT TO SCALE

VILLA FACADE MATERIALS

Ⓐ

RAMMED EARTH

Ⓑ

STANDING SEAM CLADDING
COLORBOND: JASPER

Ⓒ

ALUMINIUM BATTEN SCREENING
COLORBOND: JASPER

Ⓓ

METAL PROFILE ROOF
COLORBOND: JASPER

INTERIOR MATERIALS

EXPOSED AGGREGATE
CONCRETE

BRICK FLOOR

LIGHT OAK TIMBER

No.	DATE:	REVISION:	BY:	CHK:
A	04.07.2025	ISSUE FOR TOWN PLANNING	BP	LW

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PROJECT:
1180 MORNINGTON FLINDERS ROAD,
RED HILL, VIC 3928

TITLE:
3D VIEWS & MATERIALITY

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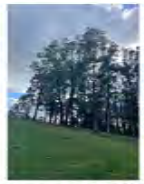
DATE: APR, 2025
DRAWN BY: BP
SCALE: @ A1
SCALE: XXX @ A3

JOB NO: 24020
DRAWING NO: TP08
REVISION: A

watson young

Tree Protection Zone Encroachments
Tree 2 Minor encroachment 7.47%
Tree 23 Minor encroachment 5.2%
Minor encroachment is less than 10% as per AS4970-2009 Protection of Trees in Development Sites


Photograph A 4/07/2025

Photograph B 4/07/2025

Photograph C 4/07/2025

Photograph D 4/07/2025

Photograph E 4/07/2025

NEARMAP AERIAL PHOTOGRAPH SHOWING AREA OF SUBJECT LAND SHOWN IN ASSESSMENT ABOVE (NOT TO SCALE)

SUBJECT LAND
TREE/SHRUB RETAIN
TREE/STAG/STUMP REMOVE
INDIGENOUS TREE/SHRUB RETAIN
INDIGENOUS TREE REMOVE SUBJECT TO NVIM OFFSETS

DEFENDABLE SPACE 39 METRES OR TO PROPERTY BOUNDARY
TREE PROTECTION ZONE
TREE PROTECTION FENCE TO BE MAINTAINED DURING CONSTRUCTION TO AUSTRALIAN STANDARDS 4970

ASSESSMENT PATHWAY	Intermediate
TOTAL EXTENT OF PNST PLUS PROPOSED NATIVE VEGETATION REMOVAL	0.120 ha
LOCATION CATEGORY	Location 2
GENERAL OFFSET AMOUNT (general habitat units)	0.126
MINIMUM STRATEGIC BIODIVERSITY VALUE SCORE	0.432
STRATEGIC BIODIVERSITY SCORE OF ALL MAPPED NATIVE VEGETATION	0.540

Table 2: BIODIVERSITY OFFSET REQUIREMENTS, REFER ACCOMPANYING NATIVE VEGETATION REMOVAL REPORT ID 342_20250708_B01 FOR FULL DETAILS

0 10 20m
1:500 @ A3

VEGETATION ASSESSMENT / LANDSCAPE PLAN
1180 MORNINGTON-FLINDERS ROAD MAIN RIDGE
4 JULY 2025

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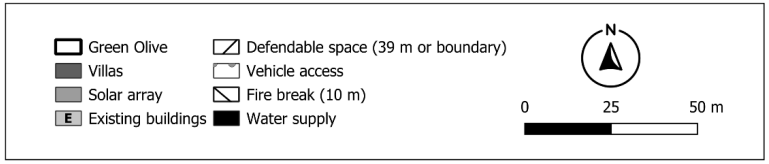
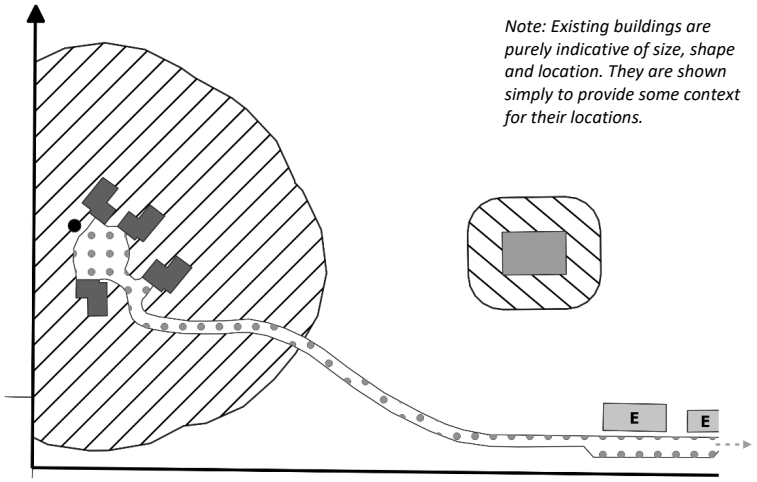
Bushfire Management Plan – Green Olive Host Farm Accommodation

Version 1 – 21 July 2025 (page 1 of 2)

PLANNING FOR FIRE
www.planningforfire.com.au





Note: Existing buildings are purely indicative of size, shape and location. They are shown simply to provide some context for their locations.

Defendable space

Defendable space must be provided for 39 m around the villas (or to the boundary if less) where vegetation and other flammable materials will be managed in accordance with the following:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres (excluding any existing tree shown to be retained on this plan).
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Solar array fire break

Grass must be short cropped within and for a distance of 10 m around the solar array during the declared fire danger period.

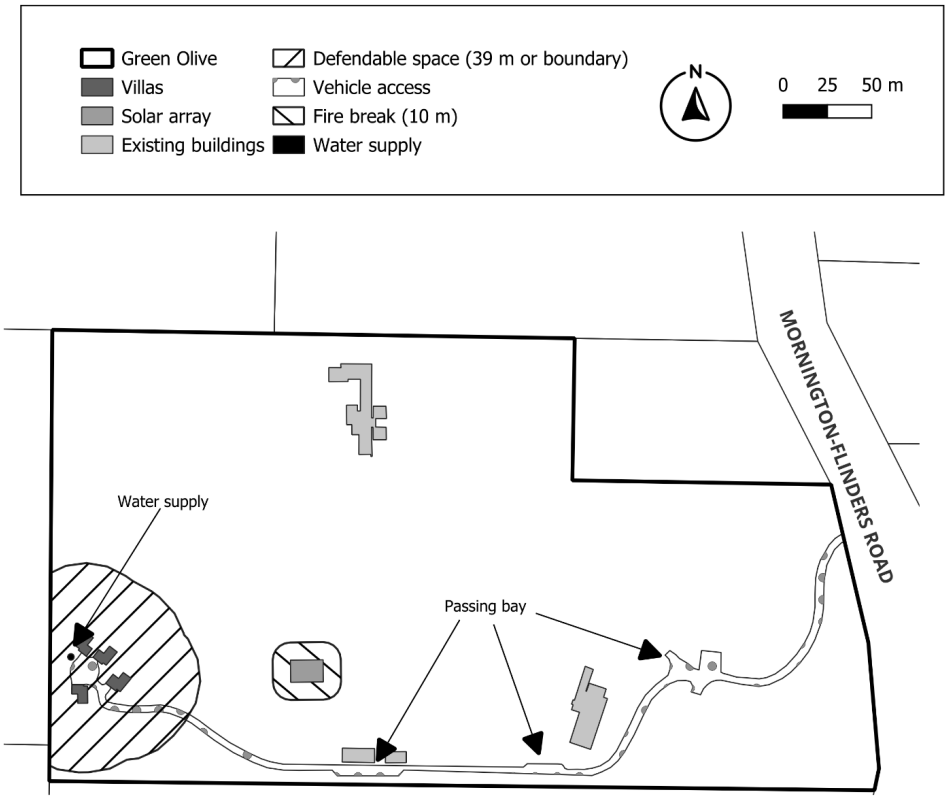
Water supply

10,000 litres of firefighting water must be provided in accordance with the following:

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.
- Be readily identifiable from the building or appropriate identification signage to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64-millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

Bushfire Management Plan – Green Olive Host Farm Accommodation

Version 1 – 21 July 2025 (page 2 of 2)



Access

Vehicle access to the villas and CFA outlet on the water supply must meet the following requirements:

- All-weather construction.
- Have a load limit of at least 15 tonnes.
- A minimum trafficable width of 3.5 metres.
- Clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.
- Curves will have a minimum inner radius of 10 metres.
- The average grade will be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres.
- Dips will have no more than a 1 in 8 (12.5%) (7.1°) entry and exit angle.

A turning area for fire fighting vehicles must be provided via a turning circle with a minimum radius of eight metres

Passing bays must be provided at least every 200 metres.

Passing bays must be a minimum of 20 metres long with a minimum trafficable width of 6 metres.

Construction standards

The villas must comply with a Bushfire Attack Level of 29 (BAL-29).

Note: Existing buildings are purely indicative of size, shape and location. They are shown simply to provide some context for their locations.

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Green Olive Escape
Host Farm Accomodation

Green Olive at Red Hill - Nestled in the picturesque wine and food region of the Mornington Peninsula, Green Olive at Red Hill provides breathtaking vineyard, olive grove and farm views, offering guests a serene and beautiful experience.

Located at 1180 Mornington-Flinders Road, Green Olive at Red Hill is the ideal destination for guests seeking an immersive and authentic agricultural experience. Green Olive at Red Hill shares this immersive agri-tourism experience 7 days a week.

Green Olive at Red Hill is recognised as a leader in agri-tourism, the farm has been endorsed by Tourism Australia and Visit Victoria, setting the benchmark for best practices in the industry. With a steadfast commitment to sustainable agriculture, immersive visitor experiences, and premium farm-to-table offerings, Green Olive at Red Hill has gained international acclaim.

The introduction of host farm accommodation at Green Olive will complete the experience, allowing visitors to fully immerse themselves in farm life while supporting the local economy and community.

Model for Agri-Tourism

Green Olive at Red Hill is identified as a leading agri-tourism destination, offering an unparalleled blend of farming, tourism, and hospitality with a vision to introduce host farm accommodation to make a fully immersive escape.

1. A Fully Integrated Farm Experience

Green Olive at Red Hill provides a complete, hands-on agricultural experience, allowing visitors to see, taste, and participate in all stages of food and wine production.

- **Farm-to-table dining:** Visitors enjoy food and wine crafted from farm-grown and locally sourced ingredients.
- **Wine and olive oil production:** Visitors can gain insight into viticulture and olive growing through guided tours and tastings.
- **Seasonal farm activities:** Visitors can enjoy a guided tour of our farm, where they'll learn about our biological approach to farming and paddock-to-plate food production. As part of the experience, visitors take part in seasonal farm activities such as picking figs, lemons, vegetables, olives, herbs, and bush food. Along the way, they have the chance to taste fresh produce straight from the garden before joining our chefs to cook with the ingredients they've gathered.

2. Sustainable & Regenerative Farming Practices

Sustainability is at the core of everything we do at Green Olive at Red Hill, ensuring that our farm not only produces high-quality food and wine but also nurtures the land for future generations.

- **Regenerative farming** – We focus on enhancing soil health and biodiversity through natural farming methods, improving the quality of our produce while creating a thriving ecosystem for our food produce, native plants and wildlife. Visitors can witness firsthand how these techniques contribute to a flourishing farm environment.

- **Water conservation** – With 300,000 litres of rainwater harvested together with a large farm dam and efficient drip irrigation systems in place, we minimise water waste while keeping our produce healthy. Visitors can see sustainable water management in action and appreciate how it supports our farm's lush, productive landscape.
- **Zero-waste philosophy** – From composting organic waste to using eco-conscious packaging and recycling, we strive to minimise our environmental footprint. Visitors can engage with these initiatives, gaining insights into how they can apply similar sustainable practices at home.
- **Solar-powered operations** – Our farm harnesses 39 kilowatts of renewable solar energy to power daily operations, reducing reliance on non-renewable resources. This commitment to clean energy ensures a comfortable and eco-friendly experience for guests staying at our Green Olive Escape.
- **Waste Water Treatment** - All waste water, both black and grey, is processed naturally in our on site aeration treatment plant and then irrigated back onto the paddocks.

For visitors enjoying a host farm, these sustainability efforts create a truly immersive and responsible tourism experience. From waking up to fresh produce grown using regenerative methods to relaxing in an eco-conscious retreat powered by the sun, every aspect of their stay will reflect our commitment to a greener future.

3. Seasonal Farming Experiences

At Green Olive at Red Hill, we offer an immersive host farm experience that allows guests to truly connect with the land. As a working farm, we provide guests the opportunity to participate in a wide range of farm activities, ensuring a hands-on, authentic experience. Whether you're picking seasonal produce, learning the art of olive oil production, or helping with garden maintenance, you'll be involved in every aspect of farm life. It's not just about staying on a farm – it's about becoming part of the rhythm of the land, gaining valuable insights into sustainable farming practices, and feeling the satisfaction of seeing your work come to life. Perfect for those seeking a unique and enriching getaway, this is the ultimate chance to experience firsthand what it's like to live and work on a beautiful, productive farm.

Month	Activities
January/February	- **Tomato Picking & Chutney Making**: pick tomatoes and make chutney. - **Figs, Passionfruit and Seasonal Vegetable Harvesting**: harvest figs and passionfruit. - **Lavender Harvesting :** culinary lavender harvesting, bunching and hanging for drying - **Vineyard Veraison** : learn about Veraison which marks the beginning of grape ripening
February	- **Pumpkin & Seasonal Vegetable Harvesting**: harvest pumpkins and learn about different varieties. - **Pepperberry Harvesting :** harvest native pepper berry and pepperberry leaf for drying to make native salt - **Lavender Harvesting :** culinary lavender harvesting, bunching and hanging for drying
March	- **Grape Harvest**: participate in grape harvesting and processing.

	- **Autumn Harvesting:** pick pumpkins, pomegranates, and remaining figs. - **Saltbush Harvesting :** harvest native saltbush for drying to make native salt
April - June	- **Olive Picking & Processing**: pick olives and learn about the oil production process and table olive processing. - **Herb Planting & Harvesting**: harvest herbs and plant new ones.
May	- **Vegetable Planting & Garden Maintenance**: plant garlic, kale, and broad beans. - **Pomegranate Harvesting**: harvest pomegranates. - **Rhubarb Harvesting**: harvest rhubarb for poaching and jams.
June	- **Vineyard Pruning**: learn and practice cane style vineyard pruning. - **Lemon & Lime Harvesting**: harvest lemons and limes. - **Herb Care & Seed Starting**: prepare the herb garden and start seeds in the green house for spring.
July	- **Olive Pruning**: learn and practice olive tree pruning. - **Olive Grove & Vineyard Fertilising**: learn and practice regenerative soil nutrition
August	- **Winter Planting & Garden Soil Preparation**: plant winter vegetables like leeks and onions. - **Lemon & Lime Care**: help with citrus tree pruning & maintenance. - **Fig & Pomegranate Care**: help prune and prepare fig and pomegranate trees for fruiting.
September	- **Spring Planting & Seed Starting**: plant lettuce, peas, and spinach, and start seeds in the greenhouse for warmer crops. - **Passionfruit Trellis Maintenance**: help with pruning passionfruit vines.
October	- **Pre-Season Olive Care & Vegetable Garden Prep**: assist with mulching and soil preparation. - **Tomato Planting :** plant tomato seedlings in the produce paddocks **- Vineyard Flowering** : learn about flowering and stages of growth in the vineyard
November	- **Harvesting Early Crops**: harvest radishes, lettuces, and herbs. - **Pumpkin Planting**: Guests plant pumpkin seeds for the upcoming harvest.
December	- **Holiday Harvesting & Cooking Experiences**: harvest summer fruits and vegetables, and join cooking workshops. - **Herb & Citrus Picking**: harvest lemons, limes, and fresh herbs.

All Year Activities for visitors to enjoy:

- **Feeding Farm Animals**: Participate in feeding and caring for the farm animals - sheep, ducks, maremma dogs, kelpie dogs, pony
- **Identifying & Managing Weeds**: Assist in identifying common weeds and learn methods for managing them organically.
- **Farm Irrigation Using Dam Water**: Help with watering the garden using water from the dam, learning about sustainable water usage and irrigation practices.
- **Greenhouse Management** : plant seeds in trays, pot seedlings, repot larger plants, harden off and harvest produce according to the seasons. Water daily.
- **Understanding Sustainable Practices**: Throughout the year, guests will be educated on sustainable farming practices, including composting, water management, and soil health.

4. Recognition by Tourism Authorities & Industry Leaders

- Tourism Australia and Visit Victoria recognise Green Olive at Red Hill as an industry leader, showcasing the business in trade missions, marketing campaigns, and media events.
- The farm's innovative blend of agriculture, tourism, and hospitality has been presented at international tourism expos and business forums.
- Green Olive at Red Hill regularly hosts delegations, travel agents, and tourism professionals, offering insights into best-practice agri-tourism operations.

With the addition of our host farm experience, Green Olive Escape, guests will be able to extend their visit, fully immersing themselves in farm life. From waking up to the sights and sounds of the native bush to enjoying food and wine crafted from freshly harvested produce, our host farm will allow visitors to connect more deeply with our sustainable farming approach and experience the very best of Green Olive at Red Hill.

5. Global & Domestic Appeal: Supporting the Local Community

Green Olive at Red Hill attracts visitors from Europe, Asia, and North America, as well as interstate and intrastate travellers, boosting tourism and economic growth of the Mornington Peninsula.
Our broad appeal benefits the community by:

- **Driving local business growth** – Increased visitor spending supports accommodation, transport, and hospitality sectors.
- **Showcasing regional produce** – Promoting local food, wine, and ethical farming to a wider audience.
- **Encouraging extended stays** – Our host farm experience, Green Olive Escape, will attract visitors seeking immersive, multi-day experiences.
- **Creating jobs & skills development** – Providing employment and training in agri-tourism and hospitality.

By blending agriculture, tourism, hospitality and sustainability, we strengthen the region's profile while delivering lasting benefits to the local economy and community.

6. Proximity to Mornington Peninsula Attractions

Beyond the farm, visitors have easy access to other world-class wineries, hot springs, coastal walks, and artisan markets and local towns, making Green Olive at Red Hill the perfect base for exploring the region.

Shaping the Future: Green Olive at Red Hill and meeting the Mornington Peninsula's Vision

As we look to the future, the Mornington Peninsula Shire has set goals for sustainable tourism, aiming to build a thriving, eco-conscious community. The Mornington Peninsula Economic Development and Tourism Strategy 2033 highlights that "more travellers are searching for immersive, authentic, educational experiences that are unique to the places they visit." Green Olive at Red Hill is proud to be at the forefront of this movement, aligning our new initiatives, including the farm stay experience, with the Shire's vision for a more sustainable and resilient tourism industry.

Green Olive at Red Hill is more than just a farm—it is a key agri-tourism destination that leads by example. By combining sustainability, immersive visitor experiences, and best-practice tourism operations, it sets the standard for agri-tourism in Australia and beyond. For those seeking a unique getaway that blends relaxation, hands-on learning, and farm to table experiences, Green Olive at Red Hill is the ultimate host farm destination.

GREEN OLIVE ESCAPE

Welcome to Green Olive Escape

An immersive farm stay experience
You've arrived.

As you step onto the land, let yourself slow down. Feel the stillness, hear the birds, and breathe in the fresh scent of herbs and earth. This is your invitation to reconnect—with nature, with yourself, and with the rhythms of farm life.

At Green Olive Escape, you're not just observing the farm—you're part of it.
This is a working, regenerative farm, and we welcome you to take part in the day-to-day. Help harvest produce, feed the animals, water the garden, or plant for the next season. These hands-on experiences are simple, grounding, and deeply rewarding.

Everything we do here is guided by sustainability and care for the land. Your involvement supports a farming system that gives back—to the earth, to the community, and to you. We encourage you to look through the seasonal farm activities listed below and let our team know which experiences you'd like to be part of during your stay. Whether you choose to join us for a morning or an afternoon, your time on the farm will leave a lasting impact.

Seasonal Activities

Month	Activities
January/ February	- **Tomato Picking & Chutney Making**: pick tomatoes and make chutney. - **Figs, Passionfruit and Seasonal Vegetable Harvesting**: harvest figs and passionfruit. - **Lavender Harvesting :** culinary lavender harvesting, bunching and hanging for drying - **Vineyard Veraison** : learn about Veraison which marks the beginning of grape ripening
February	- **Pumpkin & Seasonal Vegetable Harvesting**: harvest pumpkins and learn about different varieties. - **Pepperberry Harvesting :** harvest native pepper berry and leaf for drying to make native salt - **Lavender Harvesting :** culinary lavender harvesting, bunching and hanging for drying
March	- **Grape Harvest**: participate in grape harvesting and processing. - **Autumn Harvesting:** pick pumpkins, pomegranates, and remaining figs. - **Saltbush Harvesting :** harvest native saltbush for drying to make native salt
April - June	- **Olive Picking & Processing**: pick olives and learn about the oil production process and table olive processing. - **Herb Planting & Harvesting**: harvest herbs and plant new ones.
May	- **Vegetable Planting & Garden Maintenance**: plant garlic, kale, and broad beans. - **Pomegranate Harvesting**: harvest pomegranates. - **Rhubarb Harvesting**: harvest rhubarb for poaching and jams.
June	- **Vineyard Pruning**: learn and practice cane style vineyard pruning. - **Lemon & Lime Harvesting**: harvest lemons and limes. - **Herb Care & Seed Starting**: prepare the herb garden and start seeds in the green house for spring.
July	- **Olive Pruning**: learn and practice olive tree pruning. - **Olive Grove & Vineyard Fertilising**: learn and practice regenerative soil nutrition
August	- **Winter Planting & Garden Soil Preparation**: plant winter vegetables like leeks and onions. - **Lemon & Lime Care**: help with citrus tree pruning & maintenance. - **Fig & Pomegranate Care**: help prune and prepare fig and pomegranate trees for fruiting.
September	- **Spring Planting & Seed Starting**: plant lettuce, peas, and spinach, and start seeds in the greenhouse for warmer crops. - **Passionfruit Trellis Maintenance**: help with pruning passionfruit vines.
October	- **Pre-Season Olive Care & Vegetable Garden Prep**: assist with mulching and soil preparation. - **Tomato Planting :** plant tomato seedlings in the produce paddocks **- Vineyard Flowering** : learn about flowering and stages of growth in the vineyard
November	- **Harvesting Early Crops**: harvest radishes, lettuces, and herbs. - **Pumpkin Planting**: Guests plant pumpkin seeds for the upcoming harvest.
December	- **Holiday Harvesting & Cooking Experiences**: harvest summer fruits and vegetables, and join cooking workshops. - **Herb & Citrus Picking**: harvest lemons, limes, and fresh herbs.

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GREEN OLIVE ESCAPE

Welcome to Green Olive Escape

An immersive farm stay experience
You've arrived.

As you step onto the land, let yourself slow down. Feel the stillness, hear the birds, and breathe in the fresh scent of herbs and earth. This is your invitation to reconnect—with nature, with yourself, and with the rhythms of farm life.

At Green Olive Escape, you're not just observing the farm—you're part of it.
This is a working, regenerative farm, and we welcome you to take part in the day-to-day. Help harvest produce, feed the animals, water the garden, or plant for the next season. These hands-on experiences are simple, grounding, and deeply rewarding.

Everything we do here is guided by sustainability and care for the land. Your involvement supports a farming system that gives back—to the earth, to the community, and to you. Whether you choose to join us for a morning or an afternoon, your time on the farm will leave a lasting impact.

Seasonal Activities

Summer Day Itinerary	Winter Day Itinerary
Theme: Summer Harvest & Culinary Experience • Tomato Picking & Chutney Making: Guests pick ripe tomatoes in the paddocks and fresh herbs in the greenhouse, then head to the tasting centre to make fresh chutney. • Figs & Passionfruit Harvest: Harvest figs and passionfruit from the orchard and taste fresh fruit. • Lavender Harvesting Workshop: Culinary lavender harvesting, bunching, and drying. Guests create a small lavender bundle to take home. • Pepperberry Harvesting : harvest native pepper berry and leaf for drying to make native salt. • Vineyard Veraison Walk: Learn about grape ripening, explore the vineyard, and taste grapes at different stages of ripening. • Farm Tour: walk and talk with the owners, meet kelpie dogs,Indi & Luna, and further explore seasonal produce and the bush food garden. • Feed and care for the animals around the farm	Theme: Winter Planting & Tree Care • Olive Tree Pruning: Learn and practice pruning techniques in the olive grove. • Olive Grove & Vineyard Fertilising: Hands-on experience learning about regenerative soil nutrition. • Winter Vegetable Planting & Garden Prep: Plant leeks, onions, beetroots, and other winter root vegetables, and prepare soil for winter crops. • Citrus & Tree Care: Harvest lemons to create a seasonal dessert. Prune lemon, lime, fig, and pomegranate trees while learning winter tree maintenance tips. • Farm Tour: walk and talk with the owners, meet kelpie dogs,Indi & Luna, and further explore seasonal produce and the bush food garden. • Wrap-Up & Seasonal Tips: Receive practical tips for winter gardening at home, take home herb or vegetable seedlings, and enjoy a short farm walk before departure. • Feed and care for the animals around the farm

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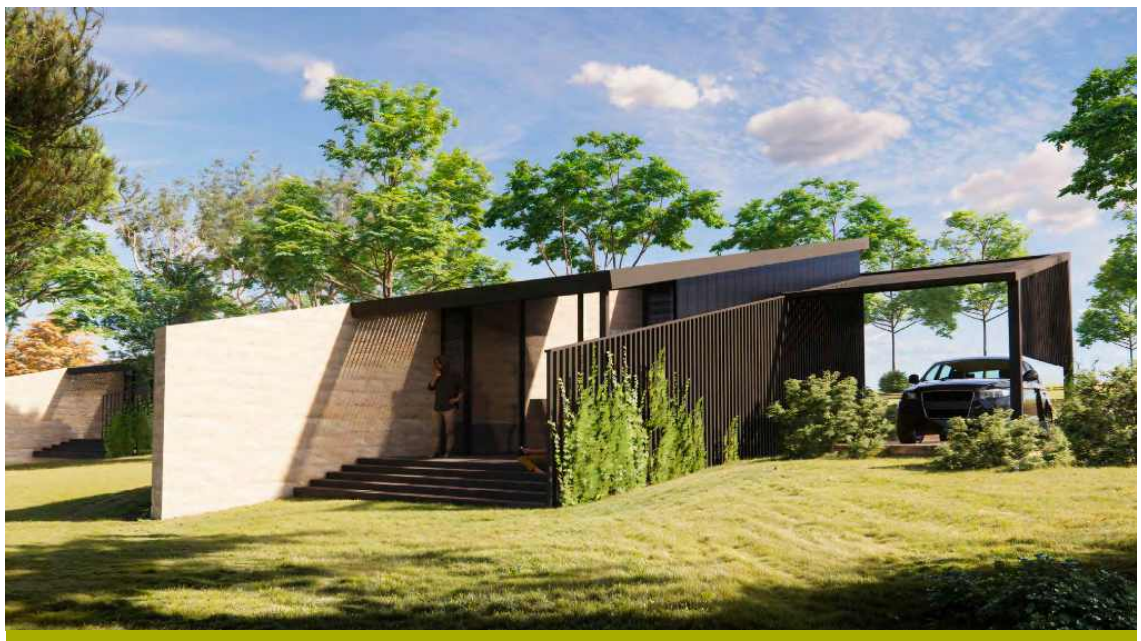

SUSTAINABLE AGRITOURISM AT GREEN OLIVE - A REGENERATIVE FARM EXPERIENCE

39kW Solar Power
Fuelled by sunshine, not the grid.

300,000L Rainwater Tanks
We run on rain—no mains water.

The Dam Does It All
Nature waters our farm and flushes the loos.

Coffee Grinds = Compost
Every cup helps our garden grow.

Native Trees, Always
More shade, more birds, more life.

Recycle Everything
Nothing wasted, everything sorted.

Grown Here. Served Fresh.
Garden produce, no detours.

We Clean What We Use
Our own treatment plant keeps it circular.

Leave It Better Than You Found It
Guests don't just visit — they help the farm thrive.

farm the good life.

Monday, 27 October 2025

To Whom It May Concern,

My name is [redacted] and I have over 20 years of professional experience providing agronomic consultancy services to farming enterprises across the Mornington Peninsula. My work encompasses a broad spectrum of primary production systems, including viticulture, olive cultivation, horticulture, and broadacre vegetable production. I have collaborated with a range of prominent agricultural businesses such as Oak Ridge Winery, Principia Wines, Port Phillip Estate, De Bortoli Wines, and Coolibah Herbs.

I am a qualified Turf Manager with specialist credentials in turf agronomy and as a certified Soil Food Web Advisor. My consultancy practice is centred on evaluating land capability and guiding producers in implementing regenerative, biodynamic, and organic management systems that enhance soil health, optimise productivity, and promote long-term agricultural sustainability.

I have been engaged by Mr. Greg O'Donoghue, owner of 1180 Mornington-Flinders Road, Main Ridge, to assess areas of his property for potential future agricultural use, in particular the possible expansion of his existing Pinot Noir vineyard.

Following a detailed site inspection, I have identified three distinct areas on the 27-acre property that warrant consideration for agricultural or vineyard development, as shown on the attached map:

- Area 1 – East of the farmhouse, adjacent to the existing vineyard
- Area 2 – Low-lying ground south of the farmhouse
- Area 3 – East-facing slope adjacent to bushland

Area 1

My assessment identifies Area 1 as high-value agricultural land, ideally suited for extending the existing vineyard or for other productive uses such as livestock grazing. The gentle west-facing slope provides excellent natural drainage and strong afternoon sun exposure, creating optimal growing conditions. Its proximity to the existing vineyard makes it a logical and efficient extension of current agricultural operations. This north-facing aspect ensures adequate sunlight for grape ripening and flavour development. Machinery access is safe and practical due to the moderate slope, with no apparent erosion risk or soil degradation issues anticipated from continued agricultural use.

[redacted]

Area 2

Area 2, a low-lying paddock south of the farmhouse, tends to become waterlogged and is therefore less suitable for productive agriculture. Water overflow from the existing dam drains toward Main Creek, and the vegetation comprises predominantly native grasses which play an important role in filtering runoff and supporting the local ecosystem. My recommendation is that this area be retained and enhanced as a native vegetation zone, contributing to biodiversity and water quality protection on the property.

Area 3

Area 3, an east-facing slope along the southwest boundary, is too steep for vineyard or conventional cropping activities. The slope receives limited direct sunlight due to tree shading to the north, which would impede grape ripening. The terrain also poses a high risk of erosion if used for agriculture and there is limited machinery access, making it both environmentally and economically impractical for vineyard or cropping establishment.

This property is located within the Mornington Peninsula Shire Green Wedge Zone (GWZ), established to protect and support the region's prime agricultural land. The possible vineyard expansion within Area 1 aligns directly with these planning principles by:

- Strengthening local agricultural production through viable, long-term land use
- Protecting and enhancing rural character consistent with Green Wedge policy objectives
- Maintaining environmental integrity through the retention of native vegetation and responsible land management in non-arable areas

In my professional opinion, this suggested vineyard extension represents an appropriate and beneficial use of the land, consistent with the intent of the Green Wedge Zone. It will enhance both the economic productivity and environmental stewardship of the property, and contribute positively to the Mornington Peninsula's agricultural landscape.

Accordingly, I strongly support the agricultural development of Area 1, as it meets the necessary planning objectives and will deliver ongoing regional and environmental benefits.

Yours faithfully,

Danna Morgan.

[redacted]
Enviroturf
Agricultural Consultant

[redacted]

MORNINGTON PENINSULA
REGIONAL TOURISM

6 June 2025

To Whom It May Concern.

RE: Green Olive at Red Hill Host Farm Accommodation Development

On behalf of the Mornington Peninsula Regional Tourism Board, we are pleased to provide this letter of support for the proposed host farm accommodation development at **Green Olive at Red Hill**. This $1.5 million investment represents a critical evolution in Mornington Peninsula agritourism, supporting economic and community outcomes aligned with local, state and national priorities.

Green Olive at Red Hill is recognised as a leader in agritourism and sustainable farm experiences and is included in programs by the Mornington Peninsula Regional Tourism, Visit Victoria, and Tourism Australia. Their proposed host farm accommodation will offer visitors a fully immersive paddock-to-plate stay, integrating agricultural learning with local food, wine, and nature-based experiences. This type of high-quality, authentic visitor offering is exactly what current travellers seek and what our region needs to remain competitive and sustainable.

The development aligns with the strategic directions outlined in the **Mornington Peninsula Destination Management Plan 2025**. Specifically, it contributes to the regional goals of:

- **Growing high-yield overnight visitation**, particularly outside of peak times.
- **Strengthening immersive experiences** in food, wine, and nature, one of our core pillars;
- Supporting new product that complements the Mornington Peninsula's **premium positioning** in the visitor economy;
- Enhancing visitor dispersal and increasing **length of stay** through value-added accommodation options.

Further, the initiative reflects broader national priorities. **Tourism Australia's Agritourism Development Strategy** recognises agritourism as a key growth area for Australia, and projects like Green Olive's place the Mornington Peninsula at the forefront of this growing movement. By encouraging travellers to engage meaningfully with places, products and people, this project supports a tourism sector that is not only more competitive but also more sustainable.

[redacted]

CONSUMER WEBSITE
visitmorningtonpeninsula.org
INDUSTRY WEBSITE
morningtonpeninsulatourism.org

DISCOVER MP

MORNINGTON PENINSULA
REGIONAL TOURISM

Beyond the strategic alignment, this project will directly contribute to:

- **Job creation** of 3–4 full-time equivalent positions.
- **Regional economic development** through increased visitor spending and longer stays.
- **Environmental sustainability** via regenerative farming, solar energy, water conservation, and waste reduction.

The Mornington Peninsula Regional Tourism Board supports the development of Green Olive at Red Hill. It is an investment in the kind of tourism future we aspire to regenerative, community-led, and authentically local. This important proposal, which delivers benefits beyond its boundaries.

Should you require further information, please get in touch with me directly.

Yours sincerely,

Angela Cleland
Chief Executive Officer

[redacted]

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INDUSTRY WEBSITE
morningtonpeninsulatourism.org

DISCOVER MP

Visit Victoria
Level 8, 271 Spring Street
Melbourne VIC 3000
[redacted]

16 May 2025

Mornington Peninsula Shire
Private bag 1000
Rosebud VIC 3939

To whom it may concern,

SUBJECT: LETTER OF SUPPORT FOR GREEN OLIVE ACCOMMODATION DEVELOPMENT

Visit Victoria is pleased to provide this Letter of Support to Green Olive at Red Hill, in recognition of their ongoing innovation and delivery of tourism experiences in Victoria.

Green Olive at Red Hill is a key attraction in the Mornington Peninsula area, providing a unique experience for domestic and international visitors. Their commitment to sustainable and educational tourism with a strong focus on agritourism has always been a key pillar of the business, and provides a drawcard for visitors who are increasingly looking for these characteristics.

Tourism Australia, Visit Victoria and Mornington Peninsula Regional Tourism recognise agritourism as a key sector for development, and the addition of farm-stay accommodation will appeal to many audiences internationally, creating an export-ready product to entice visitors to overnight in this region. This will contribute significantly to the overall visitor spend while on the Mornington Peninsula, giving guests another reason to extend their time and take in other key experiences in the area.

Visit Victoria frequently calls on Green Olive at Red Hill for assistance with media visits and trade familiarisations and the business is always willing to accommodate our requests. Green Olive at Red Hill's ongoing attitude of cooperation and collaboration with Visit Victoria and other Victorian businesses is extremely valuable.

We look forward to the execution of their accommodation plans, and to working in collaboration with the business to promote this new and exciting offer on the Mornington Peninsula.

Yours sincerely,

Chris White

[redacted]

Australian Government | TOURISM AUSTRALIA

16th May 2025

To whom it may concern,

Australia's food, wine and agritourism offering is a significant drawcard for international travellers from key tourism markets right around the world. At Tourism Australia our research shows travellers are increasingly seeking out these experiences and we promote them on the world stage to encourage international travellers to plan and book an Australian holiday.

The Mornington Peninsula is a destination which has attractions for nature-lovers and adventurers, and it is also renowned for its culinary offering largely thanks to the many famous wineries and food producers which attract high volumes of both domestic and international visitors each year.

At Tourism Australia we have had a long association with Green Olive at Red Hill and have welcomed its participation in our trade events, such as the Australian Tourism Exchange (ATE). ATE connects international wholesalers with Australian tourism products and Green Olive at Red Hill is very popular among international buyers each year.

The Mornington Peninsula is also a destination we look to highlight with visits as part of our media familiarisation programs which allow international travel writers and broadcasters to experience Australian destinations for themselves and share those experiences with their vast audiences.

When international visitors plan a visit to Australia, we encourage them to explore destinations outside of our capital cities and regional destinations with export ready tourism products, such as Green Olive at Red Hill, help with that dispersal.

Based on the above Tourism Australia is happy to endorse the development of Green Olive Retreat and answer any further questions you may have in relation to their attraction of international guests, and contribution to the visitor economy more broadly.

Kristy Malapa

[redacted]

Industry Relations Manager – SA, TAS, VIC & Youth
Corporate Affairs, Government & Industry | Tourism Australia

[redacted]

[redacted]

PLANNING FOR FIRE

Bushfire Planning Report for use and construction of host farm accommodation at 'Green Olive at Red Hill'

Report No. 55013 (Version 1 – 21 July 2025)

A '**Pathway 2**' application in the Bushfire Management Overlay.

Incorporating a:

- Bushfire Hazard Landscape Assessment
- Bushfire Hazard Site Assessment
- Bushfire Management Statement
- Bushfire Management Plan
- Response to clause 13.02-1S of the Mornington Peninsula Planning Scheme.

Version control

Version	Date	Author	Comments / changes made
1	21 July 2025	Andrew Ganey	Initial drafting of report

Contact

To discuss this report in more detail, please contact:

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Attachment 1 – Site inspection photos
Attachment 2 – Bushfire Management Plan

Introduction

This Bushfire Planning Report (*the* report) has been prepared to support a planning permit application for the use and construction of four (4) host farm accommodation villas at 'Green Olive at Red Hill' (Green Olive). Green Olive is a mixed-use agricultural property located at Lot 2 of Plan of Subdivision LP205824 (known as 1180 Mornington-Flinders Road) in Main Ridge.

A 39-kW ground based solar system will also be installed to provide electricity to the existing site operations as well as the new accommodation villas.

The report includes the following application requirements from clause 44.06-3 (Bushfire Management Overlay) of the Mornington Peninsula Planning Scheme (*the* Scheme):

- A Bushfire Hazard Landscape Assessment (BHLA).
- A Bushfire Hazard Site Assessment (BHSA).
- A Bushfire Management Statement (BMS) – a response to clause 53.02 of the Scheme.

The report also includes:

- A response to clause 13.02-1S (Bushfire planning - policy) of the Scheme.
- A Bushfire Management Plan (BMP). This is typically referred to in the recommended planning permit conditions of the Country Fire Authority[1].

Summary of proposed bushfire protection measures

The report ultimately proposes the following bushfire protection measures:

Table 1 – Summary of the proposed bushfire protection measures

Bushfire protection measure	Details
Construction standard	BAL-29 (via AltM. 3.6)
Defendable space	39 m (or to the boundary) Standard Table 6 prescriptions
Firefighting water	10,000 litres with CFA access
Vehicle access	> 500 m Standard requirements to the water supply and villas – including turning provisions and passing bays
Additional / other	10 m 'fire break' around the solar array BEP prior to occupancy (via a condition of the permit) Site wide closure on days of Catastrophic Fire Danger Rating

[1] The "Relevant Fire Authority" for planning permit application purposes.

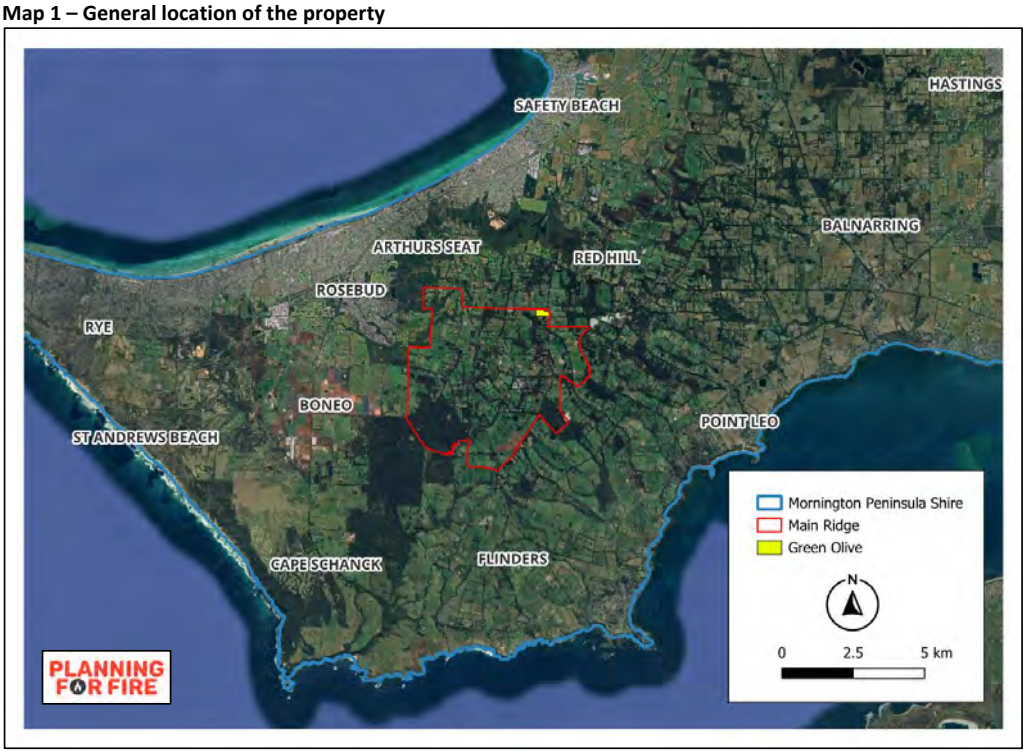
About Green Olive

Green Olive at Red Hill (Green Olive) is located at 1180 Mornington-Flinders Road (*the* property) in Main Ridge, which is in the heart of Victoria's Mornington Peninsula region.

The area is a rural locality within the Mornington Peninsula Shire and the predominant land uses revolve around agriculture, particularly viticulture, horticulture, and small-scale farming, alongside residential and tourism-related activities.

Main Ridge is south of Arthurs Seat and south west of Red Hill (**see Map 1**).

Map 1 – General location of the property



The property is approximately 10 ha in size and generally rectangular, with a 'cut out' in the north east corner (**see Figure 1**).

The key activities/use on the property include a dwelling on the northern boundary, a restaurant/shop towards the south east (**see Photo 1**), some farm sheds to the south west, a vineyard in the north and a well-established Olive grove in the east (**see Photo 2**).

The property slopes down from the road towards Main Creek North, which runs just to the right of the forested area in the western section of the property (**see Photo 3**).

Access to the property is via Mornington-Flinders Road on the eastern boundary (**see Photo 4**). This bitumen, public road is one of the main roads through the area and would provide good emergency vehicle access to and from the property.

Figure 1 – Aerial photo of the property (dated 20/6/2025)[2].

Photo 1 – Existing restaurant and farm shop on the property (north and west elevation)

[2] Source: https://app.landchecker.com.au/property/VIC-1063299/info (accessed 19/7/25)

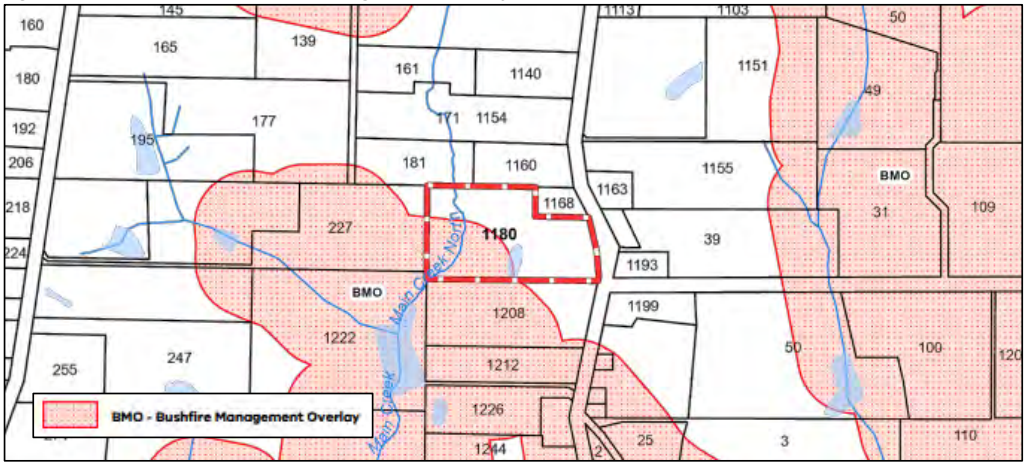
Photo 2 – Vineyard and Olive grove on the property

Photo 3 – Main Creek North which runs through the western section of the property

Photo 4 – Mornington-Flinders Road and the vehicle entrance to the property

The property is wholly in a designated Bushfire Prone Area (BPA) for the purposes of the *Building Regulations 2018*[3] and the south west corner is in the Bushfire Management Overlay[4] (BMO) (**see Figure 2**).

Figure 2 – Extent of the Bushfire Management Overlay



Other useful particulars for the property are included in Table 2.

Table 2 - Planning and other property particulars

Zone	Green Wedge Zone
Overlays	**Bushfire Management Overlay** Environmental Significance Overlay – Schedule 10, 17 & 28 Significant Landscape Overlay – Schedule 1 & 6 Vegetation Protection Overlay – Schedule 2 Erosion Management Overlay – Schedule 1
Area	25.46 acres (approx.)
Vehicle access	Via Mornington-Flinders Road (east) – a public road (bitumen).
Water source	Non-reticulated
Relevant Fire Authority	Country Fire Authority

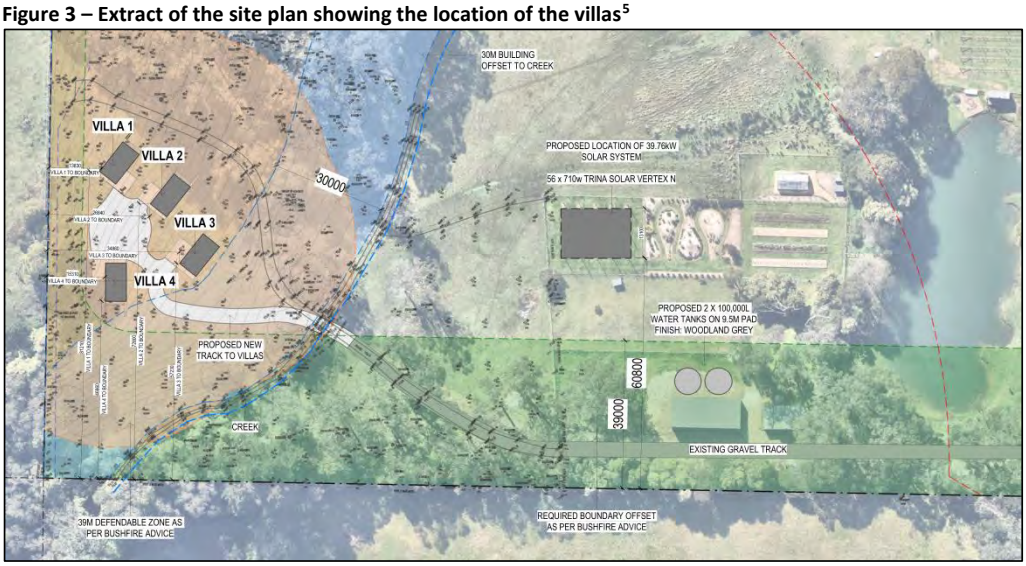
[3] Not shown in Figure 2 as a separate assessment for the purposes of the *Building Regulations 2018* will not be required. r.156 of the *Building Regulations 2018* requires the site assessment conducted as part of the planning permit to be accepted as part of the building permit process. i.e. the BAL determined at planning must be accepted during the building permit process.
[4] Source: https://mapshare.vic.gov.au/vicplan/ (accessed 19/7/25)

About the proposed accommodation

Four new accommodation buildings (villas) are proposed to be constructed in the south west corner of the property (**see Figure 3**).

The villas will be associated with a host farm use and will allow a relatively small number of people to experience the agricultural activities that currently occur on the property.

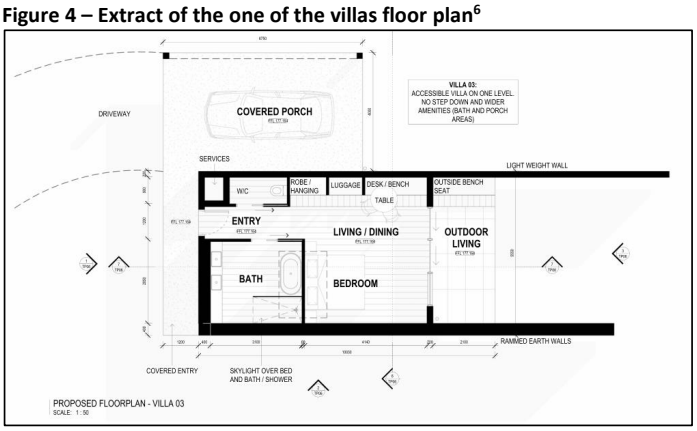
Figure 3 – Extract of the site plan showing the location of the villas[5]



The villas will contain a carport, a bathroom, a single bedroom and a small outdoor living area within a generally rectangular shaped structure (**see Figure 4**).

The single bedroom and small number of villas will limit occupancy a small number of people.

Figure 4 – Extract of the one of the villas floor plan[6]



[5] Extract of the Proposed Site Plan prepared by Watson Young. Drawing No. TP02, revision B and dated Apr 2025.
[6] Extract of the Proposed Villa 03 – Plan prepared by Watson Young. Drawing No. TP06, revision B and dated Apr 2025.

The villas will have a sloped, metal roof. Walls will be constructed of a mixture of rammed earth, aluminium batten screens on the carports, aluminium windows and some decorative (bushfire resistant) timber decorative features.

'Wing walls' have been included in the outdoor living areas to minimise bushfire risk whilst also providing some additional privacy to occupants.

Vehicle access to the villas will be via the existing gravel track that goes to the farm sheds (**see Photo 5**).

Photo 5 – Existing vehicle access to the farm sheds on the property

An informal track goes to the proposed location of the villas, which will be upgraded to provide suitable emergency vehicle access. This access will terminate in a 16 m wide emergency vehicle turn around area.

The solar panel array will be located to the east of Main Creek North and to the north of the existing farm sheds. It will be installed on a steel support-structure and will generally be constructed of non-combustible materials.

Bushfire Hazard Landscape Assessment (BHLA)

Considering the surrounding landscape in bushfire decisions is important because the scale of a bushfire and its potential destructive power is largely driven by the characteristics of broader landscape, rather than the characteristics of fuels within 150 metres of the site[7].

Clause 13.02 of the Scheme suggests a distance of 20 kilometres should be used for this purpose, however, only a 10 km distance has been used in this assessment as the property is located on a peninsula and a larger distance would just result in more of Western Port or Port Phillip Bay's being included.

Fuels

Fuels within the broader landscape are best described as a mixture of fragmented forests with agricultural pasture grasses. Large areas of 'lower fuel' (outside the bushfire prone area) exist in the built-up areas along Port Phillip Bay **(see Map 2)** and around the townships of Flinders and Balnarring.

The largest areas of forest include the Arthurs Seat State Park (and nearby private property containing current and former quarry's) located to the west/north-west. 'Greens Bush', within the Mornington Peninsula National Park is located to the south west also.

The extent of fuels in the landscape is not likely to result in fires growing for multiple days but multiple hours is certainly possible.

Fire history

There have been a relatively low number of recorded bushfires in the landscape (**see Map 2**)[8].

The fires that have been recorded include a moderate sized fire at the base of Arthurs Seat in 1997 and a smaller one in 2009, with only the former spreading 'up the hill'.

There have been a couple of smaller fires the within Greens Bush, although no fires have been recorded within at least 3.5 km of the property itself.

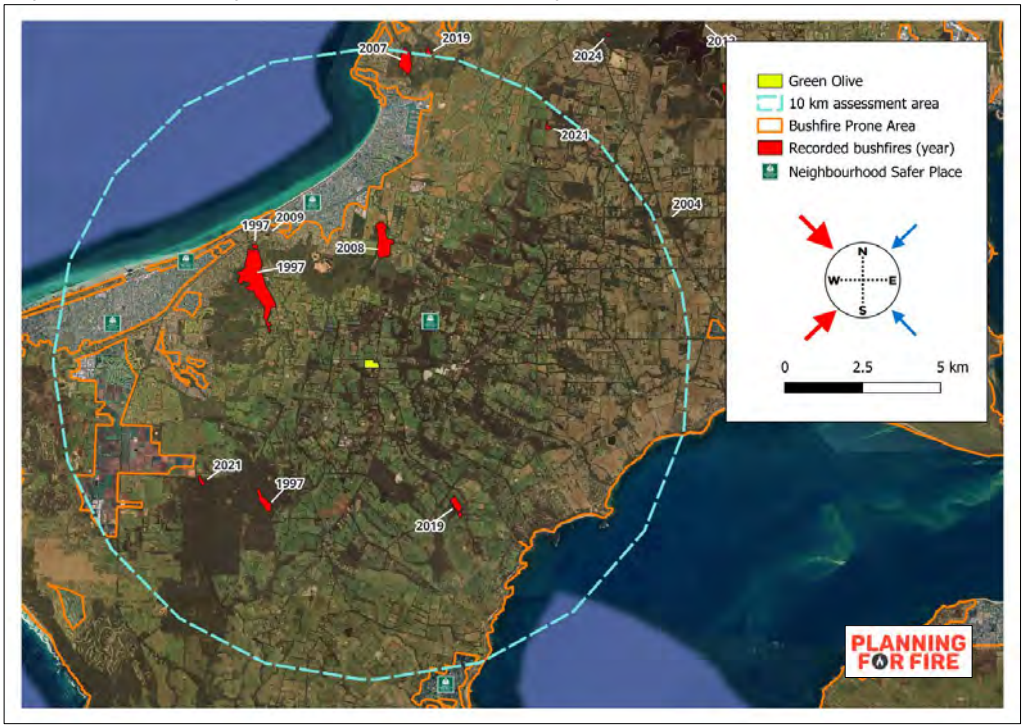
Egress

Egress to an appropriate place that provides shelter from bushfire is certainly possible (with enough warning – similar to most peri-urban regions of Melbourne). Egress from the site is via a fairly well-maintained road network towards Flinders in the South or Safety Beach in the North.

There is also a Neighbourhood Safer Place at the Red Hill Sportsground (**see Map 2**) which might provide relative safety in the event that egress from the property is required but egress from the area isn't possible.

[7] p.10, *Technical Guide – Planning Permit Applications in the Bushfire Management Overlay* (Department of Transport and Planning, 2017).
[8] Source: https://discover.data.vic.gov.au/dataset/fire-history-records-of-fires-across-victoria

Map 2 – Fuels, fire history and NSP's in the broader landscape



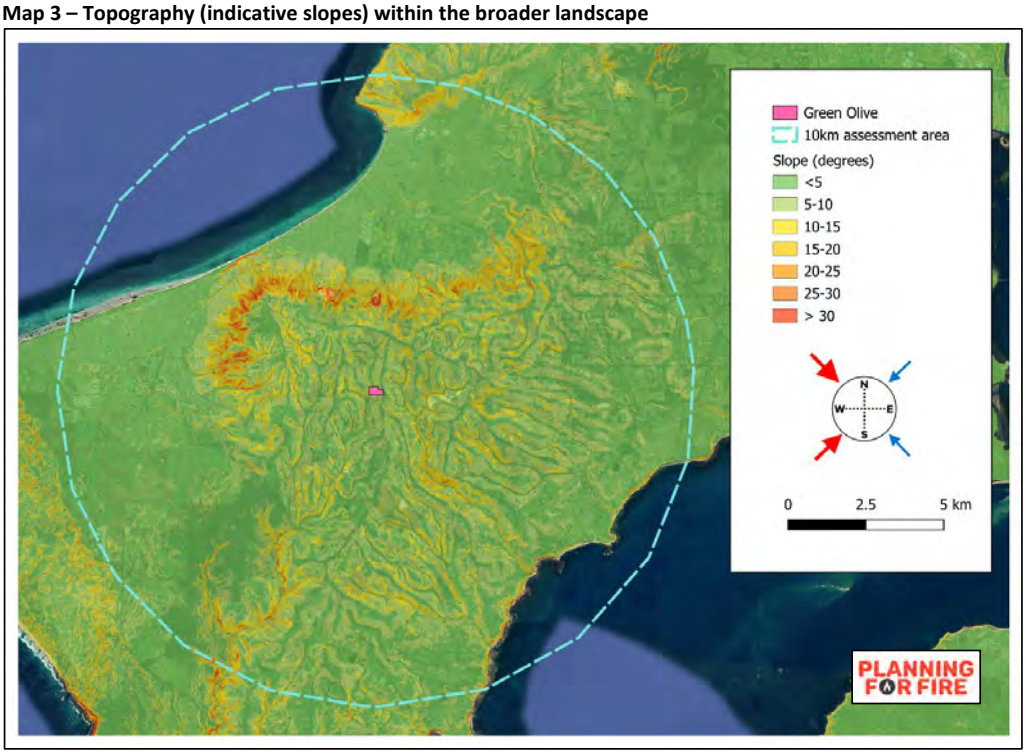
Topography

The topography of the landscape is consistent with a fairly typical coastal peninsula. The land rises from Port Phillip Bay (very quickly) to the top of Arthurs Seat and then gradually undulates down towards Western Port Bay in the east and Bass Straight in the south west (**see Map 3**). The total elevation change is relatively small at approximately 200 m, with the exception of Arthus Seat itself which rises to approximately 300 m **(see Map 4).**

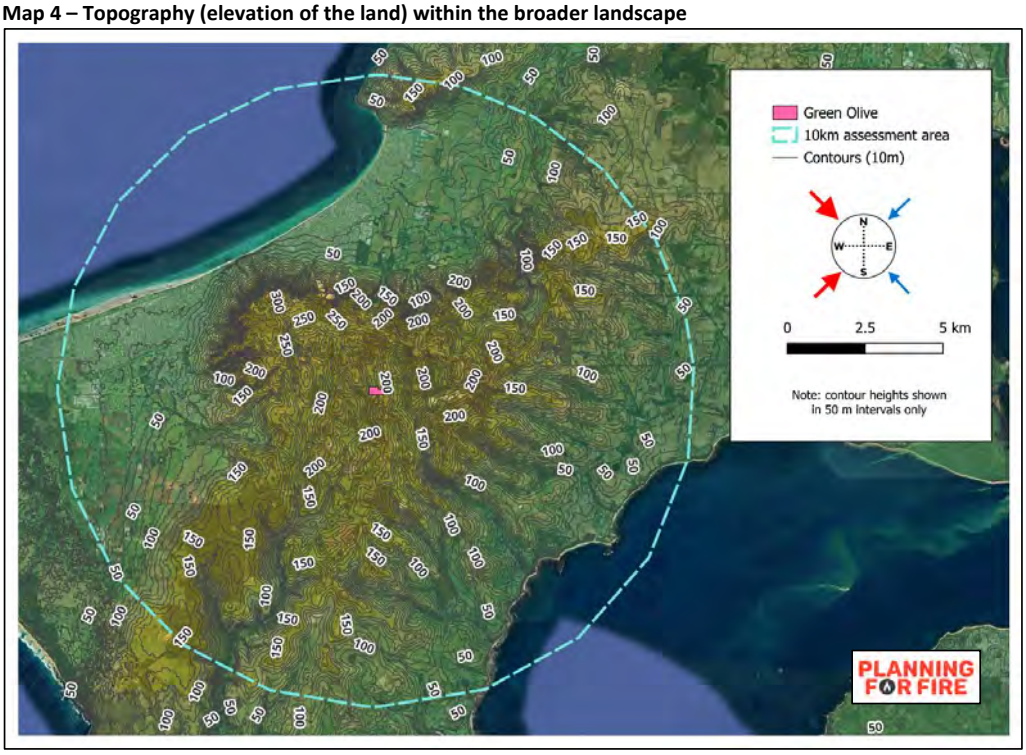
Fire behaviour within the forested areas, predominately the rate of spread, will be influenced by topography.

Given the topography is not *overly* complex though, fire behaviour is likely to be somewhat predictable and likely to spread in the direction of the prevailing winds. This predictability aids both fire suppression (fire brigade response) and determining if safe egress from the property is possible or not.

Map 3 – Topography (indicative slopes) within the broader landscape



Map 4 – Topography (elevation of the land) within the broader landscape



Broader landscape type

Having regards to the broader landscape types as per the Department of Transport and Planning's Planning Permit Applications Bushfire Management Overlay Technical guide (DTP, 2017) is considered to be generally in the following range:

Type 1	Type 2	Type 3	Type 4

Bushfire Hazard Site Assessment (BHSA)

The property was visited on **3 December 2024** and a site assessment based on the footprint of the villas was undertaken using the methodology in Sections 2.2.3 to 2.2.5 of AS3959-2018 Construction of Buildings in Bushfire-prone areas (Standards Australia, 2018).

With the following modifications required by the application requirements of the BMO[9]:

- the assessment distance was increased from 100 m to 150 m.
- consideration was given to whether areas contained "Modified Vegetation"[10].

About the site assessment process

Clause 2.2.3 of AS3959-*2018 Construction of Buildings in Bushfire-prone areas* (AS3959) requires vegetation to be classified in accordance with Table 2.3 in that document.

There are 30 different vegetation types within Table 2.3 of *AS3959-2018 Construction of Buildings in Bushfire-prone areas* (AS3959) and these are grouped into 8 high level vegetation classifications. The vegetation classification is ultimately what is used to determine the required distances for defendable space in the Bushfire Management Overlay and a corresponding construction level (the Bushfire Attack Level).

The classification process was first developed by R. Spect in 1970[11] and the first step is to determine the 'life form and tallest height of the stratum'. Effectively this means to determine what 'dominates' the tallest part of an area of vegetation. Typically, this will be either be:

- **trees -** which are defined by Spect as woody plants that are typically greater than 5 m in height and typically has a single stem)
- **shrubs** – which were defined by Spect as woody plants that are typically less than 8 m in height, frequently with many stems close to the ground.

There are situations where trees or shrubs may not dominate the tallest stratum (noting that isolated trees or shrubs may be present[12]), and the relevant vegetation classification would then most likely be G - Grassland.

Vegetation can also be excluded from assessment if any of the relevant exclusions in clause 2.2.3.2 of AS3959 are met. In addition, a special vegetation classification exists in the BMO for "Modified Vegetation", which is effectively vegetation that doesn't fit neatly into any of the other classifications but also can't be excluded via clause 2.2.3.2 of AS3959.

[9] Clause 44.06-3 of the Scheme
[10] Modified vegetation refers to vegetation that is different from the other vegetation types shown in AS3959 and Table 1 and Table 2 of Clause 53.02 because it has been altered from its natural state. Modified vegetation can be difficult to classify as the likely fire behaviour may not produce a fire front moving across a landscape as assumed by fire modelling but will generate radiant heat and localised flame contact that needs to be fully considered. (p.21, *Technical Guide | Planning Permit Applications – Bushfire Management Overlay* – DTP, 2017)
[11] R. Spect - *The Australian Environment*, LEEPER, G.W. (ed.) 4th edition, Carlton, Melbourne University Press, 1970, Chapter 5, Vegetation, 45–67 pp, CSIRO Press.
[12] Table 2.3 defines isolated trees and shrubs as being less than 10% of foliage cover.

Effective slopes were measured with a laser rangefinder/inclinometer and verified using 10 m contour data on VicPlan.

Distances to areas of classified vegetation were measured using a laser rangefinder and verified using aerial photography.

The following vegetation classifications and exclusions were observed during the site inspection:

Class A – Forest (Open forest 03[13])

The applicable description in Table 2.3 of AS3959 for this vegetation type is:

> *"Trees 30 m high; 30%–70% foliage cover (may include understorey of sclerophyllous low trees or shrubs). Typically dominated by eucalypts, melaleuca or callistemon (may include riverine and wetland environments) and callitris. Includes eucalypt plantations."*

This vegetation type was observed to the north (within the property) (**see Photo 6 & 7**) and to the south within 1208 and 1222 Mornington-Flinders Road (**see Photo 8**).

The tree canopy cover exceeded 30% and was dominated by Eucalypts. There was an abundance of plants in the understorey – including bracken ferns, shrubs and grasses.

Class G – Grassland (Sown pasture 26)

The applicable description in Table 2.3 of AS3959 for this vegetation type is:

> *"All forms (except tussock moorlands), including situations with shrubs and trees, if the overstorey foliage cover is less than 10%. Includes pasture and cropland.*

This vegetation type was across much of the property itself (outside the forested area to the north)(**see Photo 9**), to the west within 227 Main Creek Road (**see Photo 10**) and to the south east with 1208 Mornington-Flinders Road. These areas contained only very scattered trees (well less than 10% canopy cover) and were dominated by pasture grasses.

Exclusion 2.2.3.2(f) – Low threat vegetation

The applicable exclusion in AS3959 for 'low threat' vegetation is:

> *"Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. This includes grassland managed in a minimal fuel condition, mangroves and other saline wetlands, maintained lawns, golf courses (such as playing areas and fairways), maintained public reserves and parklands, sporting fields, vineyards, orchards, banana plantations, market gardens (and other non-curing crops), cultivated gardens, commercial nurseries, nature strips and windbreaks."*

This exclusion was observed around some of the structures on the property. It includes things like well-maintained gardens and lawns (**see Photo 11**).

Many of the 'low threat' areas also meet the description of exclusion 2.2.3.2(e), which is for non-

[13] The image on page 23 in AS3959 for Open Forest 03 is actually incorrect. The images in AS3959 are from the Atlas of Australian Vegetation and the image for Closed Forest 17 and Open Forest 03 in AS3959 have been incorrectly swapped. This has been raised with Standards Australia as part of the public comment process for the draft version of AS3959-2024 by Planning For Fire.

vegetated areas like driveways, tennis courts and buildings. For ease of readability and to minimise complexity in this report, these have simply been included as "low threat", within exclusion 2.2.3.2(f). Noting that those areas also technically comply with the description of clause 2.2.3.2(f) too. A water body to the south west has also been included in this exclusion for a similar reason.

Photo 6 – Forest to the north of the proposed villas

Photo 7 – Fire break along the western boundary (centre) and the Forest to the north of the villas (right)

Photo 8 – Forest to the south of the proposed villas

Photo 9 – Grassland to the north east of the proposed villas

Photo 10 – Grassland to the west of the proposed villas, within 227 Main Creek Road

Photo 11 – Example of the "low threat" vegetation around the farm sheds

Outcome of the site assessment

The outcome of the Bushfire Hazard Site Assessment is reflected in Map 5 & Table 3.

Attachment 1 includes additional photos which may assist with supporting the classifications or exclusions in the Bushfire Hazard Site Assessment.

Map 5 – Bushfire Hazard Site Assessment Map

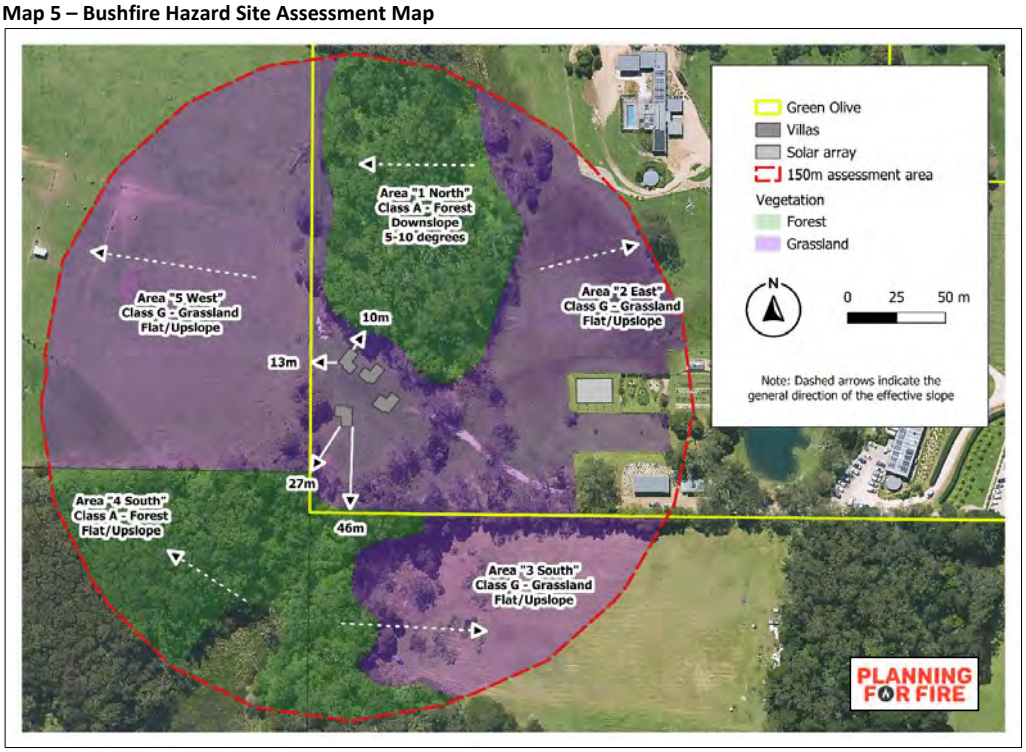


Table 3 – Bushfire Hazard Site Assessment Summary

Area	Vegetation classification or exclusion	Distance to the area	Effective slope under the area
1 North	Class A - Forest	10m	Downslope 5-10 degrees
2 East	Class G - Grassland	0m	Flat/upslope
3 South	Class G - Grassland	0m	Flat/upslope
4 South	Class A - Forest	46m	Flat/upslope
5 West	Class G - Grassland	13 m	Flat/upslope
All other areas	"low threat" Exclusion 2.2.3.2(f)	n/a	n/a

Bushfire Management Statement (Response to clause 53.02)

This section of the report describes how the proposed development responds to the requirements in Clause 53.02 of the Mornington Peninsula Planning Scheme.

Clause 53.02-3 (known as "Pathway 1") applies to an application to construct a single dwelling or construct or carry out works associated with a single dwelling if all of the following requirements are met:

- The land is zoned Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Housing Choice and Transport Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone or Rural Living Zone.
- There is only one dwelling on the lot.
- The application meets all of the approved measures contained in Clause 53.02-3.

Clause 53.02-4.1 to 53.02-4.3 (known as "Pathway 2") applies to all other applications for buildings and works.

Clause 53.02-4.4 (known as "Pathway 3") applies to all subdivisions. It should be noted that the approved measures in Clause 53.02-4.4 refer back to some of the components in Clause 53.02-4.1 to 53.02-4.3.

The application is for buildings and works associated not associated with a dwelling. Therefore, **Pathway 2 is the relevant pathway for this development.**

A response to each of the applicable objectives for Pathway 2 is provided in the following section.

Landscape, siting and design objectives

The landscape, siting and design objectives at clause 53.02-4.1 of the Scheme are:

> *The development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.*
>
> *The development is sited to minimise the risk from bushfire.*
>
> *The development is sited to provide safe access for vehicles, including emergency vehicles. The building design minimises vulnerability to bushfire attack.*

Measures listed in clause 53.02		
Type	**Requirement**	**Used to meet objectives?**
Approved Measure 2.1	The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.	Yes
Approved Measure 2.2	A building is sited to ensure the site best achieves the following: • The maximum separation distance between the building and the bushfire hazard. • The building is in close proximity to a public road. Access can be provided to the building for emergency service vehicles.	Yes
Approved Measure 2.3	A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.	Yes

Response:

The landscape, siting and design objectives will be met via Approved Measures 2.1, 2.2 & 2.3.

The broader landscape risk does not present an extreme risk (i.e. not in a Type 4 Landscape or upper end of Type 3) (**see BHLA on page 11**). Expected fire behaviour would be within the assumptions that underpin the defendable space required by the Bushfire Management Overlay.

Implementing the bushfire protection measures required of the Bushfire Management Overlay in such a landscape will reduce the risk to an acceptable level.

There are very limited, viable locations on the property for accommodation villas that would be further from bushfire hazards or minimise access length.

Other locations would require substantial removal of native vegetation, be in an area that's frequently inundated (around Main Creek North), would require removal of part of the olive grove, vineyard and or substantially impact on the operations of the restaurant/farm shop.

The south west corner is slightly elevated (avoiding the low-lying area around Main Creek North) and is in a relatively cleared part of the property. It is close to the farm sheds, which are in a relatively flat part of the property (and can't be moved) and proximity to those farm sheds is critically linked to the 'host farm' use.

Mornington-Flinders Road is a well-made bitumen road that provides a key link to many communities in the Red Hill area. It is a sufficient width to provide suitable access to the property for emergency vehicles. Vehicle access within the property will be fully compliant with the requirements in Table 5 at clause 53.02 of the Scheme (further explained in the response to the water supply and access objectives).

Onsite vehicle access will be fully compliant with Table 5 at clause 53.02 of the Scheme. The main restaurant building on the property is approximately 250 m from Mornington-Flinders Road and will serve as the main place of shelter in the event of a bushfire. Vehicle access to the villas from that building is approximately 250 m and via areas of grassland fuels - which is not uncommon in most of Victoria's rural areas.

The design of the buildings is responsive to the landscape risk by:

- being small in size and being clustered in one part of the property – improving their defendability.
- being separated from one another - minimising the chance of fire spread between buildings.
- Constructed through cut and fill, as opposed to being elevated – minimising underfloor vulnerabilities.
- Having a rectangular footprint (with the exception of the open carport) – minimising junctions where embers may be attracted to.
- Having materials that are inherently bushfire-resistant at BAL-29 construction.

Defendable space and construction objective

The defendable space and construction objective is:

> *Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.*

Measures listed in clause 53.02		
Type	**Requirement**	**Used to meet objective?**
Approved Measure 3.1	A building used for a dwelling (including an extension or alteration to a dwelling), small second dwelling, industry, office or retail premises is provided with defendable space in accordance with: • Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or • If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5. The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5.	No
Approved Measure 3.2	A building used for accommodation (other than a dwelling or small second dwelling), a child care centre, an education centre, a hospital, leisure and recreation or a place of assembly is: • Provided with defendable space in accordance with Table 3 and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land. • Constructed to a bushfire attack level of BAL-12.5.	No
Alternative Measure 3.3	Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.	No
Alternative Measure 3.4	Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority	No
Alternative Measure 3.5	A building used for a dwelling (including an extension or alteration to a dwelling) may provide defendable space to the property boundary where it can be demonstrated that: • The lot has access to urban, township or other areas where:	No

	○ Protection can be provided from the impact of extreme bushfire behaviour. ○ Fuel is managed in a minimum fuel condition. ○ There is sufficient distance or shielding to protect people from direct flame contact or harmful levels of radiant heat. • Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment. • The dwelling is constructed to a bushfire attack level of BAL FZ. This alternative measure only applies where the requirements of AM 3.1 cannot be met.	
Alternative Measure 3.6	A building used for accommodation (other than a dwelling or small second dwelling), child care centre, education centre, hospital, leisure and recreation or place of assembly may provide defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 where it can be demonstrated that: • An integrated approach to risk management has been adopted that considers: ○ The characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency. ○ The intended frequency and nature of occupation. ○ The effectiveness of proposed emergency management arrangements, including a mechanism to secure implementation. Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.	Yes

Response:

The defendable space and construction objective will be met via Alternative Measure 3.6.

The use of Alternative Measure 3.6 to justify a higher level of exposure to the proposed villas than Approved Measure 3.2 is appropriate because:

- The villas are unable to meet the Table 3 defendable space distances required by Approved Measure 3.2. Doing so would result in an unacceptable impact on biodiversity or have an unacceptable impact on the business operations in other parts of the property.
- The type of use/development means that it is not required to operate at all times – such as a hospital or nursing home. This provides confidence that any emergency management

arrangements required through conditions of any permit that may be issued, will be implemented.

- The broader landscape risk is not extreme (**see Page 11**) and bushfire behaviour would likely be well within the assumptions underpinning the defendable space requirements of the Bushfire Management Overlay.
- The amount of people that may be accommodated is relatively small – increasing the practical implementation of things like evacuation or sheltering in place.

Proposed defendable space and construction standards

The villas will comply with at least a Bushfire Attack Level of 29 (BAL-29).

The required distances of defendable space for the villas, from Table 2 in clause 53.02 having regard to the Bushfire Hazard Site Assessment (**see Page 14**) and the proposed BAL-29 construction, is shown in Table 4.

Table 4 – Defendable Space required by Table 2 in clause 53.02 of the Scheme

Area	Vegetation classification	Effective slope under the area	Defendable space required (Column C)
1 North	Class A - Forest	Downslope 5-10 degrees	39 m
2 East	Class G - Grassland	Flat/upslope	9 m
3 South	Class G - Grassland	Flat/upslope	9 m
4 South	Class A - Forest	Flat/upslope	25 m
5 West	Class G - Grassland	Flat/upslope	9 m

The largest distance of defendable space in Table 4 is 39 m, and 39 m (or to the boundary) of defendable space will be provided (**see Map 6**).

Defendable space "to the boundary" is acceptable for the following reasons:

- The broader landscape risk is not extreme (**see Page 11**) and bushfire behaviour would likely be well within the assumptions underpinning the defendable space requirements of the Bushfire Management Overlay.
- The width and orientation of the forest to the north means that an effective slope of 5-10 degrees is likely to be fairly conservative.

Defendable space "to the boundary" in the **west** is acceptable for the following reasons:

- No less than 13 m of onsite defendable space will be provided to the western boundary. This aligns with Column B in Table 2 of clause 53.02 for the grassland hazard in that direction. 3 out of 4 villas will provide well more defendable space to the west than that.
- The property is constrained by Main Creek North and there is a need to have at least a 30 m setback from that creek. Moving the development further east so that 39 m of defendable

space to the west can be achieved within the property would likely make the creek setback unacceptable.

Defendable space "to the boundary" in the **south west** is acceptable for the following reasons:

- 3 of the 4 villas will achieve at least 39 m of defendable space in that direction.
- No less than 27 m of onsite defendable space will be provided to the south west boundary. This aligns with more than Column C in Table 2 of clause 53.02 for the forest hazard in that direction.
- Moving the development further north so that 39 m of defendable space to the south west can be achieved within the property would result in substantially more native vegetation removal. Without a significant reduction in bushfire risk.

Map 6 – 39 m of defendable space around the villas

The defendable space around the villas will be managed to the prescriptions in Table 6 at clause 53.02 of the Scheme, which include

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.

- Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Proposed emergency management arrangements

The Department of Transport and Planning's Planning Permit Applications Bushfire Management Overlay Technical guide (DTP, 2017) expands on what the 'integrated approach to risk management' in Alterative Measure 3.6 means. It suggests that the following should be considered:

- The need for the activity to not operate when bushfire conditions are forecast to reach 'trigger' points on the fire danger index. At a minimum the use should not operate on code red days[14]. By closing on pre-determined days, a significant reduction in the bushfire risk to life is achieved by it not being occupied.
- The ability to evacuate to other locations that may provide shelter from extreme bushfire behaviour (such as nearby urban, township or settlement areas).
- Places to shelter on the site from extreme bushfire behaviour.

It is proposed that a site wide Bushfire Emergency Plan be developed before occupancy of the villas and:

- Include appropriate mechanisms for the monitoring of forecast fire danger ratings.
- Provide processes and procedures so that there are no guests, patrons or visitors on-site after 10 am on a day of **Catastrophic Fire Danger Rating** in the Central Fire District.

It is requested that this occurs through conditions on any permit that may be issued.

The main restaurant building will be used as the primary place of shelter. The size of the property and its well managed nature means that a suitable location for shelter in place (open space) can be provided in the event that egress from that building is required.

The development of a site wide Bushfire Emergency Plan would provide a substantial increase to the fire safety for the entire site operations and not just for the proposed host farm use. There is currently no pre-emptive trigger for closure of the restaurant, cancelation of events or closure of the farm shop. All of which are critically linked to the proposed host farm use.

Solar array fire management

The solar array is an ancillary structure that presents little risk to life. It will be effectively entirely non-combustible and no Bushfire Attack Level is required.

The size and scale of the proposed solar array (39 kW) suggests it is not a 'renewable emergency facility' as per CFA's *Design Guidelines and Model Requirements Renewable Energy Facilities v4*

[14] The Australian Fire Danger Rating system has since been updated and "Code Red" is now "Catastrophic".

(August 2023) Nonetheless, to reduce the potential risk of ignition from the array, all grass within at least 10 m of the area will be maintained to the same requirements in Table 6 in clause 53.02 of the Scheme.

Water supply and access objectives

The water supply and access objectives are:

A static water supply is provided to assist in protecting property.

Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

Measures listed in clause 53.02		
Type	**Requirement**	**Used to meet objective?**
Approved Measure 4.1	A building used for a dwelling (including an extension or alteration to a dwelling), small second dwelling, industry, office or retail premises is provided with: • A static water supply for firefighting and property protection purposes specified in Table 4 to Clause 53.02-5. • Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for firefighting water supplies.	No
Approved Measure 4.2	A building used for accommodation (other than a dwelling or small second dwelling), child care centre, education centre, hospital, leisure and recreation or place of assembly is provided with: • A static water supply for firefighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres. • Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5. • An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for firefighting water supplies.	Yes

Response:

The water supply and access objectives will be met via compliance with Approved Measure 4.2.

The property exceeds 1,000m^2 in size and therefore a single 10,000 litre water supply is required by Approved Measure 4.2.

A single 10,000 litre water tank will be provided adjacent to the proposed turn around area in the middle of the villas.

There is a substantial amount of water on the property in a number of locations (such as in tanks adjacent to the restaurant building, tanks near the farm sheds and a large dam) in addition to this new proposed supply of firefighting water.

The firefighting water supply (tank) near the villas will comply with all requirements in Table 4 at clause 53.02 of the Scheme, which are as follows:

- (it will) Be stored in an above ground water tank constructed of concrete or metal.
- (it will) Have all fixed above ground water pipes and fittings required for firefighting purposes (being) made of corrosive resistant metal.
- (it will) Include a separate outlet for occupant use.
- (it will) Be readily identifiable from the building or appropriate identification signs to the satisfaction of the relevant fire authority.
- (it will) Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- (it will) Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64-millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

Vehicle access to the villas and CFA outlet on the firefighting water supply (tank) will be approximately 530 m from Mornington-Flinders Road. Noting that this will also be approximately 263 m from the restaurant building on the property.

Passing areas are already provided near the carpark, near the restaurant building and near the farm sheds. These are well within 200 m of each other and the access will terminate at a 16 m diameter turning area between the villas.

In addition, all of the following vehicle access requirements in Table 5 at clause 53.02 of the Scheme will be met with some minor upgrades:

- (access will be) All-weather construction.
- (access will have) A load limit of at least 15 tonnes.
- (access will) Provide a minimum trafficable width of 3.5 metres.
- (access will) Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.
- Curves (in the vehicle access) must have a minimum inner radius of 10 metres.

- The average grade (of vehicle access) must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres.

Response to clause 13.02-1S – bushfire planning policy

The bushfire planning policy (clause 13.02-1S) has the following objective:

> To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

The strategies to give effect to this include:

> Give priority to the protection of human life by:
>
> - Prioritising the protection of human life over all other policy considerations.
> - Directing population growth and development to low-risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.
> - Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.

Response:

Clause 13.02-1S of the Scheme will be met for the following reasons:

The Bushfire Management Overlay is intended to give effect to Clause 13.02-1S of the Scheme. The framework of compliance with the Bushfire Management Overlay is through Clause 53.02 of the Scheme. Therefore, compliance with clause 53.02, which has been demonstrated by this report, in all but locations of extreme risk will in most instances mean compliance with Clause 13.02-1S of the Scheme.

The Bushfire Hazard Landscape Assessment (**see Page 11**) demonstrates that the broader landscape does not present an unacceptable risk. A proposed host farm use and construction of four small accommodation buildings to support that use, on a well-established agricultural property, is an acceptable risk in such a landscape.

The response to Clause 53.02 of the Scheme (the Bushfire Management Statement) (**see Page 20**) demonstrates that acceptable bushfire protection objectives will be implanted to reduce the risk to an acceptable level.

This includes the villas complying with a Bushfire Attack Level of 29, 10,000-litres of water for firefighting, emergency vehicle access to the villas and water supply and up to 39 m of defendable space.

A site-wide Bushfire Emergency Plan, that includes closure/cancelation of all activities on days of Catastrophic Fire Danger, will also be developed prior to occupancy of the villas. This provides a substantial reduction in risk to occupants of the villas and a substantial increase in safety for the other activities at Green Olive.

For the above reasons the overarching objective of the bushfire planning policy will be met.

Applicability of any mandatory conditions

Clause 44.06-5 of the Mornington Peninsula Planning Scheme requires mandatory conditions to be included on any permit that may be issued. This depends on the type and specifics of the application.

Permit applications for subdivisions

The mandatory subdivision planning permit condition is not applicable as no subdivision of land is proposed.

Permit applications for buildings and works

The first mandatory condition for buildings and works would be applicable as buildings and works are proposed as part of the permit application. This would mean the following would need to be included as a condition on the planning permit:

> *"The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed."*

Approved Measure 1.2 is not appliable and not being used to meet the relevant objectives in clause 53.02 of the Planning Scheme, therefore the second mandatory condition for buildings and works would not be applicable.

Note: The protection measures outlined above are included on the Bushfire Management Plan[15] in Attachment 2. If a planning permit is issued it could be endorsed as part of that planning permit to give effect to the above mandatory conditions.

[15] Consistent with CFA & FRV's standard planning permit conditions

Attachment 1 – Site inspection photos

Note: Photos 1-11 are included in the body of the report and are not replicated in this attachment.

Map 7 – Photo locations

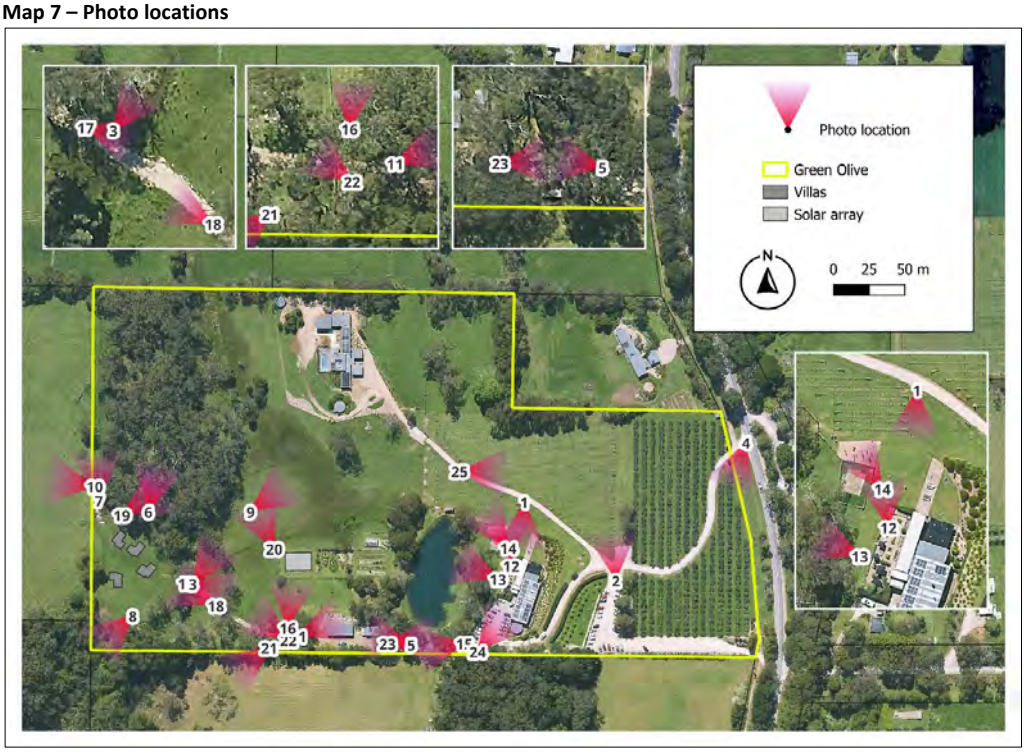


Photo 12 – North west of the restaurant looking north

Photo 13 – Dam to the west of the restaurant

Photo 14 – Playground and toilets north west of the restaurant

Photo 15 – Main carpark looking west towards the farm sheds (incorrect direction shown in photo)

Photo 16 – Proposed location for the solar array (rear fenced area)

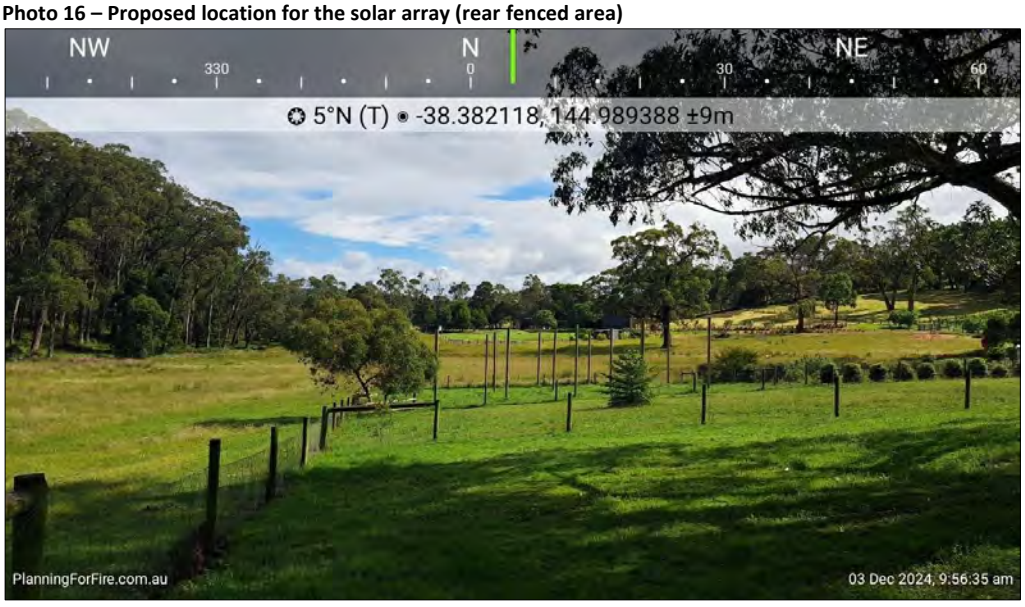


Photo 17 – Main Creek North looking east towards the farm sheds

Photo 18 – Just east of photo 17 and looking towards the location of the proposed villas

Photo 19 – Forest to the norther of the proposed villas

Photo 20 – Flat, commonly inundated area along Main Creek North

Photo 21 – Paddocks to the south of the property

Photo 22 – Western end of the farm sheds looking north west towards the proposed villa location (background)

Photo 23 – East of the proposed farm sheds with the dam on the left and grasslands to the east

Photo 24 – Main carpark area of the restaurant. Large water tank visible on the right.

Photo 25 – Vineyard in the northern section of the property.

Attachment 2 – Bushfire Management Plan

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Bushfire Management Plan – Green Olive Host Farm Accommodation

Version 1 – 21 July 2025 (page 1 of 2)

PLANNING FOR FIRE
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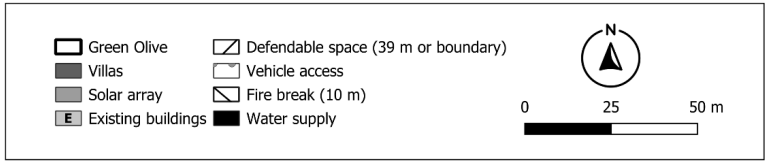
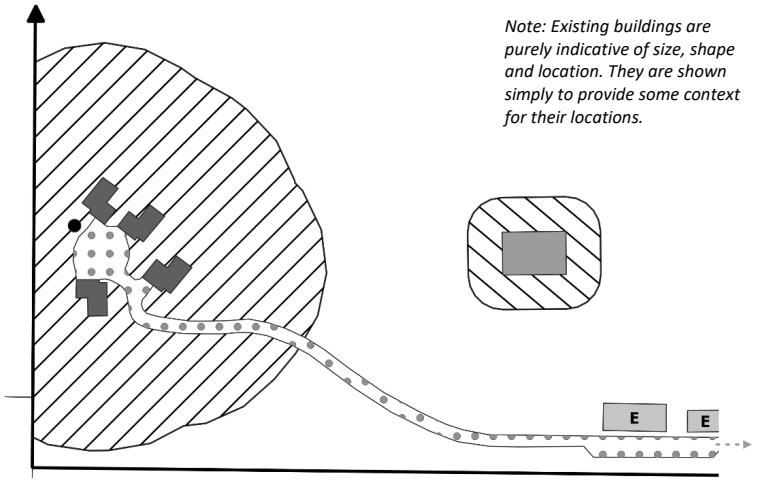




Note: Existing buildings are purely indicative of size, shape and location. They are shown simply to provide some context for their locations.

Defendable space

Defendable space must be provided for 39 m around the villas (or to the boundary if less) where vegetation and other flammable materials will be managed in accordance with the following:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres (excluding any existing tree shown to be retained on this plan).
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Solar array fire break

Grass must be short cropped within and for a distance of 10 m around the solar array during the declared fire danger period.

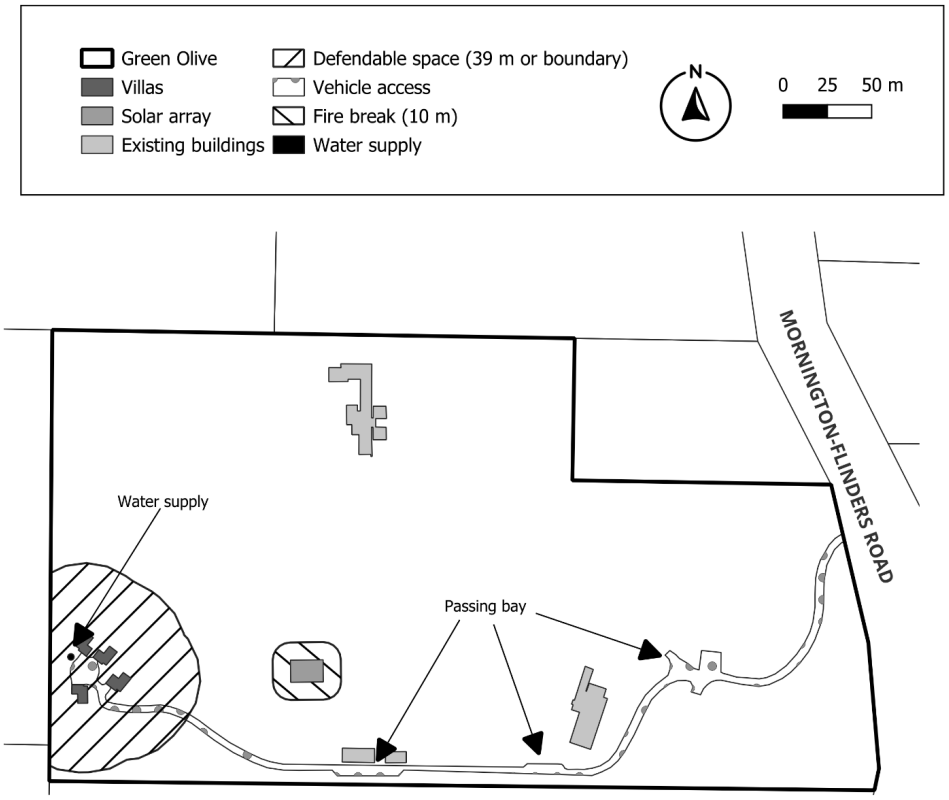
Water supply

10,000 litres of firefighting water must be provided in accordance with the following:

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.
- Be readily identifiable from the building or appropriate identification signage to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64-millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

Bushfire Management Plan – Green Olive Host Farm Accommodation

Version 1 – 21 July 2025 (page 2 of 2)



Access

Vehicle access to the villas and CFA outlet on the water supply must meet the following requirements:

- All-weather construction.
- Have a load limit of at least 15 tonnes.
- A minimum trafficable width of 3.5 metres.
- Clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.
- Curves will have a minimum inner radius of 10 metres.
- The average grade will be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres.
- Dips will have no more than a 1 in 8 (12.5%) (7.1°) entry and exit angle.

A turning area for fire fighting vehicles must be provided via a turning circle with a minimum radius of eight metres

Passing bays must be provided at least every 200 metres.

Passing bays must be a minimum of 20 metres long with a minimum trafficable width of 6 metres.

Construction standards

The villas must comply with a Bushfire Attack Level of 29 (BAL-29).

Note: Existing buildings are purely indicative of size, shape and location. They are shown simply to provide some context for their locations.

Native Vegetation Removal Report

NVRR ID: 352_20250707_BO1

This report provides information to support an application to remove, destroy or lop native vegetation in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (the Guidelines). This report is **not an assessment by DEECA** of the proposed native vegetation removal. Offset requirements have been calculated using modelled condition scores.

Report details

Date created: 07/07/2025

Local Government Area: MORNINGTON PENINSULA SHIRE

Registered Aboriginal Party: Bunurong

Coordinates: 144.98830, -38.38130

Address: 1180 MORNINGTON-FLINDERS ROAD MAIN RIDGE 3928

Regulator Notes

Removal polygons are located:

Summary of native vegetation to be removed

Assessment pathway	**Intermediate Assessment Pathway**		
Location category	Location 2 The native vegetation extent map indicates that this area is typically characterised as supporting native vegetation. Additionally, it is modelled as encompassing an endangered Ecological Vegetation Class, sensitive wetland or sensitive coastal area. The removal of less than 0.5 hectares of native vegetation in this area will not require a Species Offset.		
Total extent including past and proposed removal (ha) *Includes endangered EVCs (ha): 0.057*	**0.176**	*Extent of past removal (ha)*	*0*
		Extent of proposed removal - Patches (ha)	*0.176*
		Extent of proposed removal - Scattered Trees (ha)	*0.000*
No. Large Trees proposed to be removed	**6**	*No. Large Patch Trees*	*6*
		No. Large Scattered Trees	*0*
No. Small Scattered Trees	0		

Mornington Peninsula Shire
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VICTORIA State Government | Energy, Environment and Climate Action

Offset requirements if approval is granted

Any approval granted will include a condition to secure an offset, before the removal of native vegetation, that meets the following requirements:

General Offset amount [1]	**0.12 General Habitat Units**
Minimum strategic biodiversity value score [2]	0.432
Large Trees	6
Vicinity	Melbourne Water CMA or MORNINGTON PENINSULA SHIRE LGA

NB: values within tables in this document may not add to the totals shown above due to rounding

The availability of third-party offset credits can be checked using the Native Vegetation Credit Register (NVCR) Search Tool - https://nvcr.delwp.vic.gov.au

1. The General Offset amount required is the sum of all General Habitat Units in Appendix 1.
2. Minimum strategic biodiversity value score is 80 per cent of the weighted average score across habitat zones where a General Offset is required.

Application requirements

Applications to remove, destroy or lop native vegetation must include all the below information. If an appropriate response has not been provided the application is not complete.

Application Requirement 1 - Native vegetation removal information

If the native vegetation removal is mapped correctly, the information presented in this Native Vegetation Removal Report addresses Application Requirement 1.

Application Requirement 2 - Topographical and land information

This statement describes the topographical and land features in the vicinity of the proposed works, including the location and extent of any ridges, hilltops, wetlands and waterways, slopes of more than 20% gradient, low-lying areas, saline discharge areas or areas of erosion.

The land in the vicinity of the proposed works slopes moderately downhill from the development to Main Creek North. There is a setback of greater than 30 metres from the proposed development to Main Creek North. There are no ridges, hilltops, wetlands, slopes of more than 20% gradient, low-lying areas, saline discharge areas or areas of erosion.

Application Requirement 3 - Photographs of the native vegetation to be removed

Application Requirement 3 is not addressed in this Native Vegetation Removal Report. All applications must include recent, timestamped photos of each Patch, Large Patch Tree and Scattered Tree which has been mapped in this report.

Application Requirement 4 - Past removal

If past removal has been considered correctly, the information presented in this Native Vegetation Removal Report addresses Application Requirement 4.

Application Requirement 5 - Avoid and minimise statement

This statement describes what has been done to avoid and minimise impacts on native vegetation and associated biodiversity values.

The development and associated defendable space to take advantage of a relatively cleared area of the property.
The footprint of the development has been minimised where possible.
There is a setback of greater than 30 metres from the proposed development to Main Creek North.
The existing access from Mornington-Flinders Road is utilised.
No further opportunities to avoid native vegetation removal exist without undermining the key objectives of the proposal.

Application Requirement 6 - Property Vegetation Plan

This requirement only applies if an approved Property Vegetation Plan (PVP) applies to the property
Does a PVP apply to the proposal?

No

Application Requirement 7 - Defendable space statement

Where the removal of native vegetation is to create defendable space, this statement:

- Describes the bushfire threat; and
- Describes how other bushfire risk mitigation measures were considered to reduce the amount of native vegetation proposed for removal (this can also be part of the avoid and minimise statement).

This statement is not required if, If the proposed defendable space is within the Bushfire Management Overlay (BMO), and in accordance with the 'Exemption to create defendable space for a dwelling under Clause 44.06 of local planning schemes' in Clause 52.12-5.

The bushfire risk in the vicinity of the proposed development is considered to be moderate to high risk.

Siting of the buildings has been used to minimise native vegetation removal. The proposed buildings are in a relatively cleared area of the property that is already fairly disturbed.

Notwithstanding this, areas of vegetation classed as grassland and forest with downslopes of up to 5 to 10 degrees are in close proximity to the development.

Ordinarily this type of development would require up to 85 m of defendable space (as per Table 3 in clause 53.02 of the Planning Scheme) but a reduced defendable space of 39 metres is proposed. This is on the basis an increased construction standard (Bushfire Attack Level BAL 29 in lieu of 12.5) and that the buildings will not be occupied on days of elevated fire danger. This results in the least amount of defendable space permissible for this type of development.

Whilst every effort has been made to minimise the impact on native vegetation, it has been determined that it is still necessary to remove the native vegetation identified in this Native Vegetation Removal Report to create defendable space. This is critical to making sure that the development reduces bushfire risk to an acceptable level.

Application Requirement 8 - Native Vegetation Precinct Plan

This requirement is only applicable if you are removing native vegetation from within an area covered by Native Vegetation Precinct Plan (NVPP), and the proposed removal is not identified as 'to be removed' within the NVPP.
Does an NVPP apply to the proposal?

No

Application Requirement 9 - Offset statement

This statement demonstrates that an offset is available and describes how the required offset will be secured. The Applicant's Guide provides information relating to this requirement.

Offsets will be purchased from an existing native vegetation credit site. A recent, no more than 6 month old, quotation from a Native Vegetation Credit Register accredited broker stating the offset is available will be supplied as part of the application. The cost of the offset is supplied to and understood by the applicant.

Next steps

Applications to remove, destroy or lop native vegetation must address all the application requirements specified in the Guidelines. If you wish to remove the mapped native vegetation you are required to apply for approval from the responsible authority (e.g. local Council). This Native vegetation removal report must be submitted with your application and meets most of the application requirements. The following requirements need to be addressed, as applicable.

Application Requirement 3 - Photographs of the native vegetation to be removed

Recent, dated photographs of the native vegetation to be removed **must be provided** with the application. All photographs must be clear, show whether the vegetation is a Patch of native vegetation, Patch Tree or Scattered Tree, and identify any Large Trees. If the area of native vegetation to be removed is large, provide photos that are indicative of the native vegetation.

Ensure photographs are attached to the application. If appropriate photographs have not been provided the application is not complete.

Application Requirement 6 - Property Vegetation Plan

If a PVP is applicable, it must be provided with the application.

Appendix 1: Description of native vegetation to be removed

General Habitat Units for each zone (Patch, Scattered Tree or Patch Tree) are calculated by the following equation in accordance with the Guidelines

General Habitat Units = extent without overlap x condition score x general landscape factor x 1.5, where the general landscape factor = 0.5 + (strategic biodiversity value score/2)

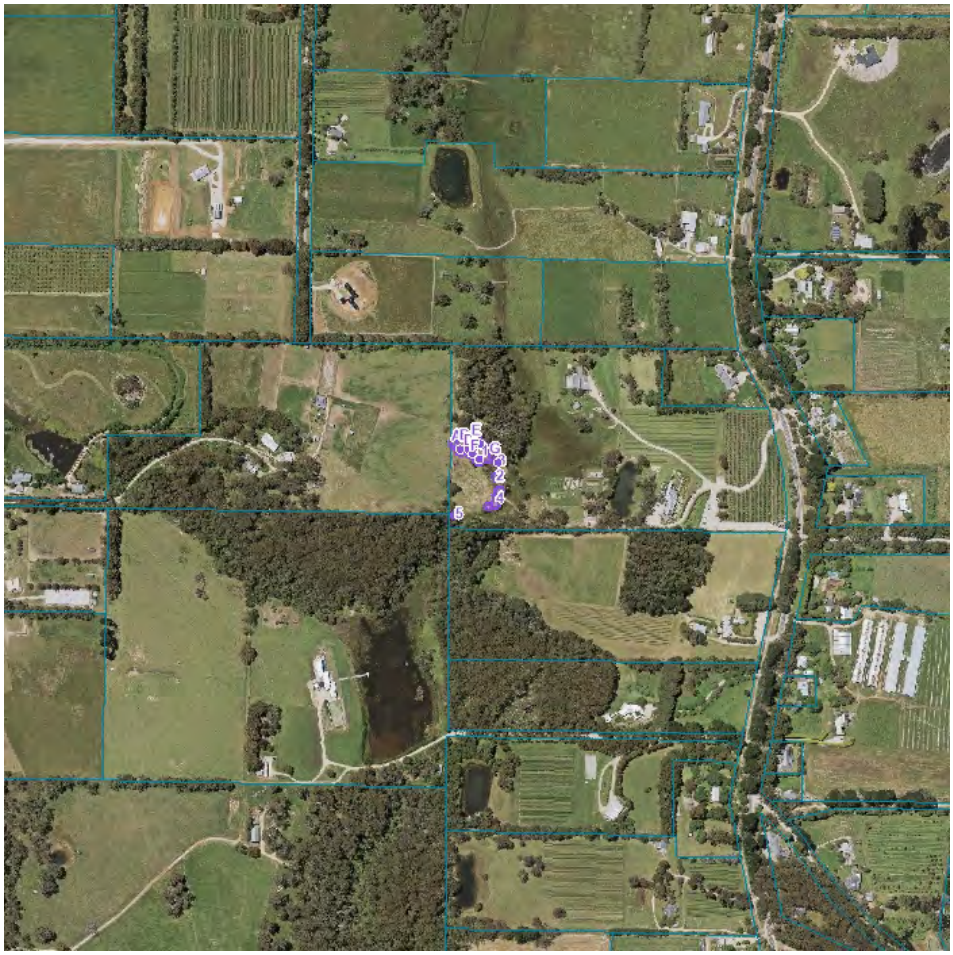
The General Offset amount required is the sum of all General Habitat Units per zone.

Native vegetation to be removed

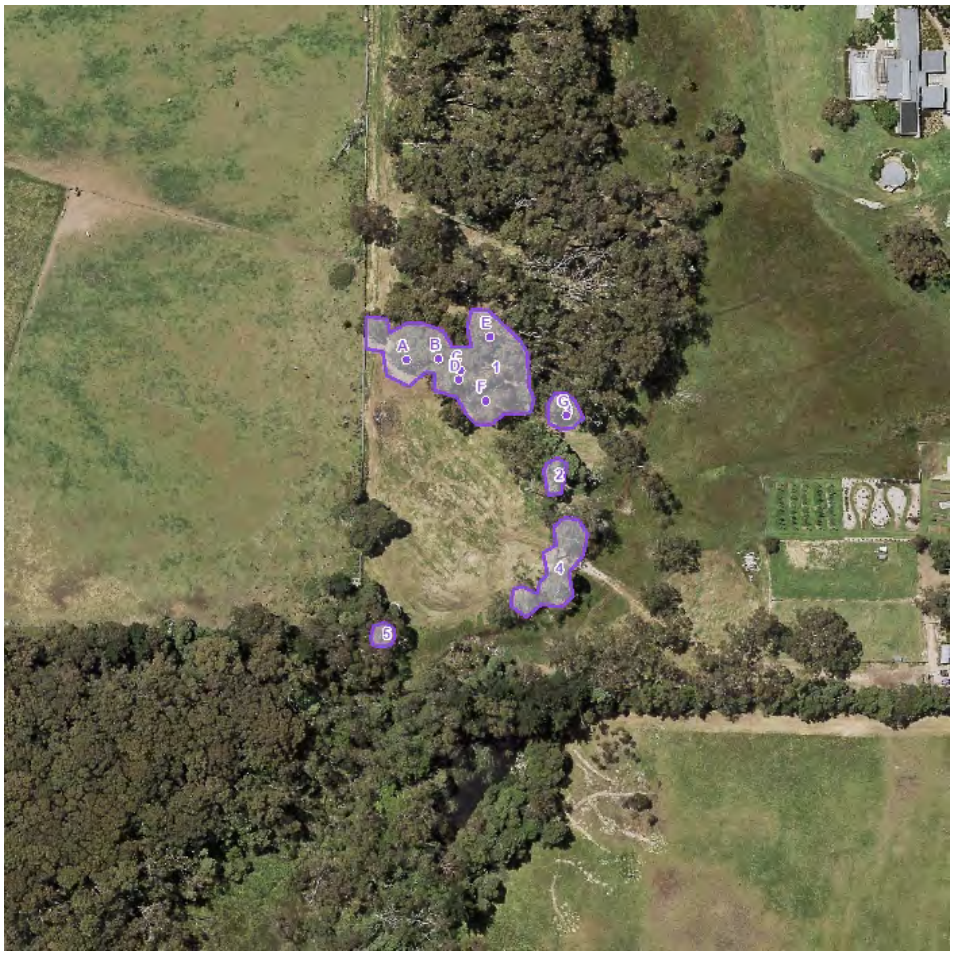
Information provided by or on behalf of the applicant			Information calculated by NVR Map							
Zone	**Type**	**DBH (cm)**	**EVC code (modelled)**	**Bioregional conservation status**	**Large Tree(s)**	**Condition score (modelled)**	**Polygon extent (ha)**	**Extent without overlap (ha)**	**SBV score**	**General Habitat Units**
1	Patch	-	GipP0023	Vulnerable	6	0.600	0.119	0.119	0.540	0.082
2	Patch	-	GipP0083	Endangered	-	0.598	0.007	0.007	0.540	0.005
3	Patch	-	GipP0083	Endangered	-	0.589	0.010	0.010	0.540	0.007
4	Patch	-	GipP0083	Endangered	-	0.554	0.035	0.035	0.540	0.022
5	Patch	-	GipP0083	Endangered	-	0.590	0.005	0.005	0.540	0.003

Appendix 2: Images of mapped native vegetation

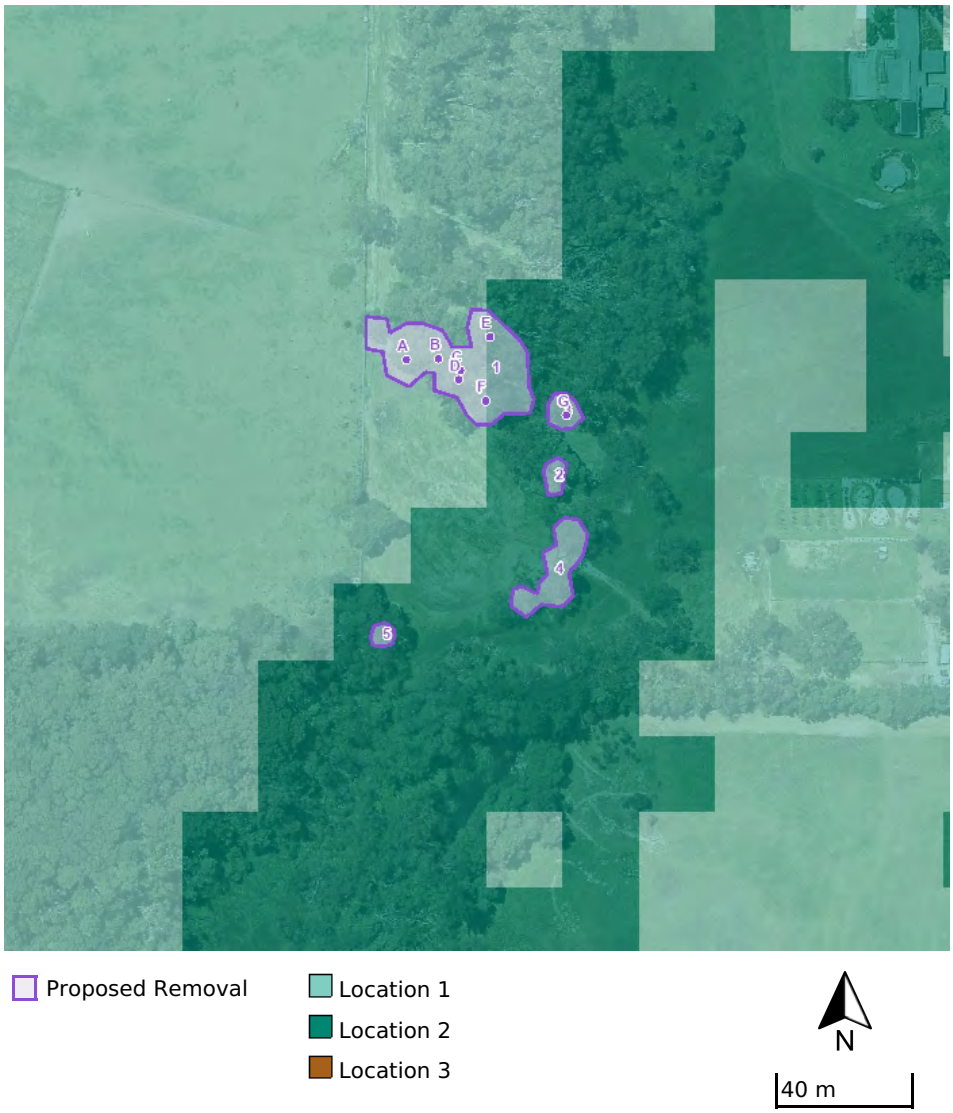
1. Property in context



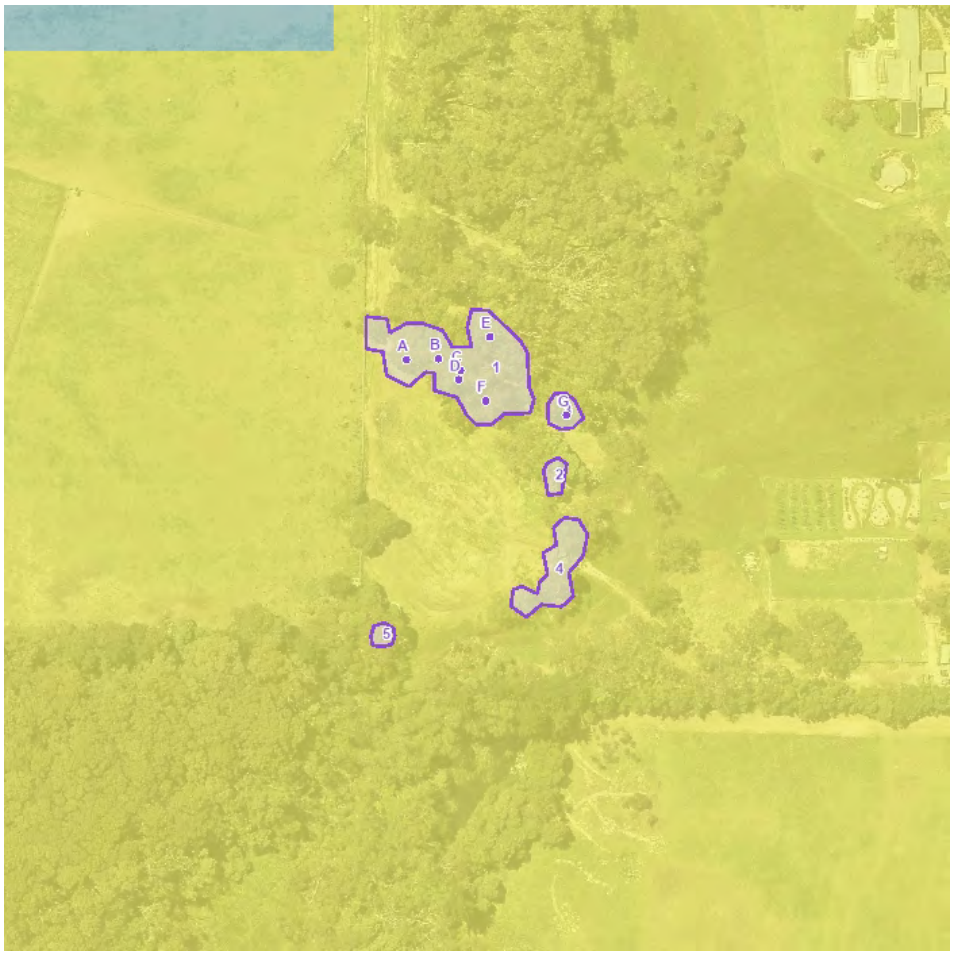
2. Aerial photograph showing mapped native vegetation



3. Location Risk Map



4. Strategic Biodiversity Value Score Map



5. Condition Score Map

6. Endangered EVCs

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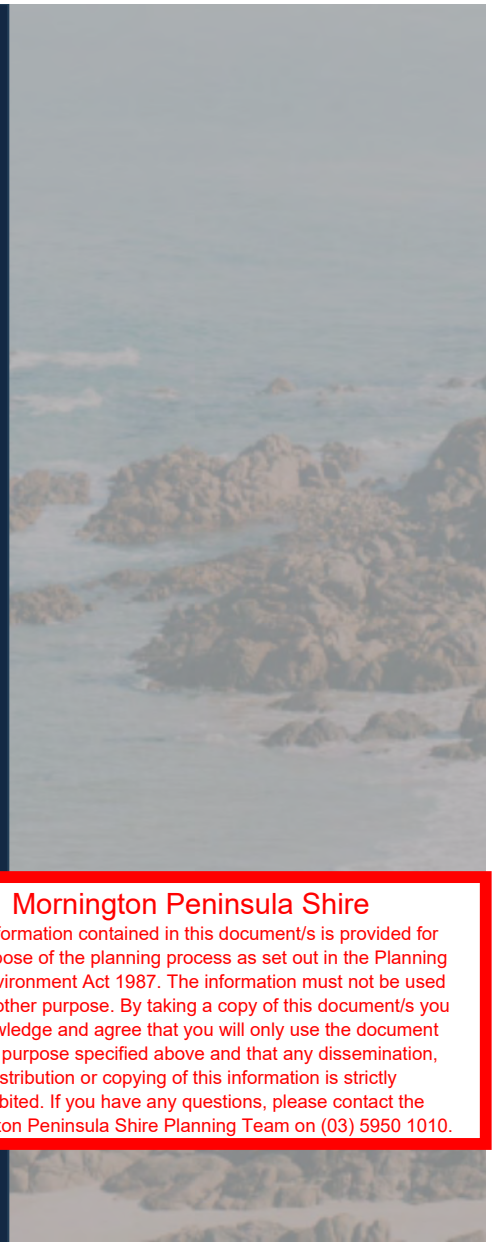
PROSSOR
TOWN PLANNING

Planning Submission

1180 Mornington Flinders Rd, Main Ridge
Green Olive at Red Hill

Use and development of the land for a
Host Farm, vegetation removal,
solar panels and associated works.



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Executive Summary

EXECUTIVE SUMMARY	
Proposal	Use and development of the land for a host farm, vegetation removal, ground mounted solar panels and associated works.
Planning controls	Clause 35.04 - Green Wedge Zone - Schedule 1 (GWZ1) Clause 42.01 - Environmental Significance Overlay – Schedules 10, 17 and 28 (ESO10, ESO10, ESO28). Clause 42.02 – Vegetation Protection Overlay – Schedule 2 (VPO2) Clause 42.03 – Significant Landscape Overlay- Schedules 1 and 6 (SLO1 & SLO6) Clause 44.01 – Erosion Management Overlay – Schedule 1 (EMO1) Clause 44.04 – Bushfire Management Overlay (BMO)
Planning Permit triggers	Clause 35.04-1 (GWZ) - Use of the land for a Section 2 Use (Host farm) Clause 35.04-6 (GWZ) - Buildings and works associated with a Section 2 use (Host Farm/Accommodation) Clause 42.01-2 (ESO10) - Buildings and works associated with a Section 2 use (Host Farm/Accommodation), the removal of vegetation and solar panels. Clause 42.01-2 (ESO17)- Works (driveway) and the removal of vegetation. Clause 42.01-2 (ESO28)- Buildings and works associated with a Section 2 use (Host Farm/Accommodation), the removal of vegetation and solar panels Clause 42.03- 2 (SLO6) – Buildings and works associated with a Section 2 use (Host Farm/Accommodation), the removal of vegetation and solar panels. Clause 42.03- 2 (SLO6) - Area of the building exceeds 40sqm Clause 44.01-2 (EMO1) – Buildings and works and the removal of vegetation Clause 44.04 -2 (BMO) – Buildings and works associated with Accommodation Clause 52.17 – The removal of native vegetation
Plan set	This report is based on development plans prepared by Watson Young dated April 2025
Author	[redacted]
Client	
Council	Mornington Peninsula Shire Council
Project Team	Watson Young – Architectural Plans Planning for Fire- Bushfire Consultant Dan Burke- Vegetation Consultant
Bushfire	The land is located in a Bushfire Prone Area
Flood Prone	The land is flood prone and accordingly, an application for report and consent to build on flood prone land has been lodged.
Aboriginal Cultural Heritage	The subject site is located within an area of Aboriginal Cultural Heritage Sensitivity.
Version no. & date	Version 1, July 2025

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Introduction

1.1 PROPOSAL

This application proposes the use and development of the land for a Host Farm. Guests will be provided with the opportunity to stay on a working horticultural property enjoying a 'hands on' experience in a variety of agricultural tasks. Visitors can stay in one of four villas that have been located to the rear of the site providing a scenic outlook over the property.

A ground mounted solar array is also proposed. The 39.76kW (0.039mW) solar system is to be located to the north of the existing sheds with the power generated utilised by the villas.

Each villa consists of a bedroom, sitting space, ensuite containing a shower, bath and separate toilet as well as a deck/patio and carport/pergola. The architecturally designed villas have an area of 44m^2 with the carport sizes varying from 25m^2 to 33m^2. The villas are to be constructed of rammed earth with a lightweight cladding to two sides. The skillion roof design responds to the sloping topography with the natural palette of colours and materials responding to the rural landscape.

The villas are clustered together and serviced via a central driveway and turning area designed to accommodate a CFA vehicle.

Villa 1 is setback 81.2m from the southern boundary and 13.8m, from the western boundary.
Villa 2 is setback 72.8m from the southern boundary and 26.8m, from the western boundary.
Villa 3 is setback 57.2m from the southern boundary and 34.8m, from the western boundary.
Villa 4 is setback 46.8m from the southern boundary and 15.3m, from the western boundary.

The visitors will be provided with a daily farm schedule (sample included with application documentation) which will contain a range of farming activities that they can experience. Experiences such as:

- Harvesting produce including seasonal vegetables, figs, passionfruit, pumpkin, herbs, lavender, grapes, olives
- Planting of seasonal produce including tomatoes, lettuces, radishes, pumpkins, and other herbs and vegetables.
- Feeding farm animals
- Processing a variety of produce including olives, lavender, seasonal vegetables
- Making chutneys, jams and sauces.
- Cooking workshops
- Information sharing on sustainable farming practices that are a fundamental part of the farm operations.

1.2 PLANNING PERMIT TRIGGERS

The subject land is located in a Green Wedge Zone Schedule 1 (GWZ1) under the Mornington Peninsula Planning Scheme and is affected by the following Overlays;

- Clause 42.01 - Environmental Significance Overlay – Schedules 10, 17 and 28 (ESO10, ESO10, ESO28).
- Clause 42.02 – Vegetation Protection Overlay – Schedule 2 (VPO2)
- Clause 42.03 – Significant Landscape Overlay- Schedules 1 and 6 (SLO1 & SLO6)
- Clause 44.01 – Erosion Management Overlay – Schedule 1 (EMO1)
- Clause 44.04 – Bushfire Management Overlay (BMO)

The site also abuts a Transport 2 Zone (Mornington-Flinders Rd) and Significant Landscape Overlay – Schedule 3 (Scenic Road) however there are no proposed works within the SLO3 nor are any changes proposed to the ingress or egress arrangements to the site.

A planning permit is required under the following provisions:

Planning Scheme Clause	Permit Trigger
Clause 35.04-1 (GWZ)	A permit is required for the use of the land for a Section 2 Use (Host farm)
Clause 35.04-6 (GWZ)	A permit is required to construct or carry out buildings and works associated with a Section 2 use (Host Farm/Accommodation)
Clause 42.01-2 (ESO10)	A permit is required to construct or carry out buildings and works associated with a Section 2 use (Host Farm/Accommodation) A permit is required to remove, destroy or lop native vegetation A permit is required to construct or carry out buildings and works for solar panels
Clause 42.01-2 (ESO17)	A permit is required to construct or carry out works associated with the driveway and vegetation removal.
Clause 42.01-2 (ESO28)	A permit is required to construct or carry out buildings and works associated with a Section 2 use (Host Farm/Accommodation) A permit is required to remove, destroy or lop native vegetation. A permit is required to construct or carry out buildings and works for solar panels
Clause 42.03- 2 (SLO6)	A permit is required to construct or carry out buildings and works associated with a Section 2 use (Host Farm/Accommodation) A permit is required to remove, destroy or lop any vegetation A permit is required to construct a building in excess of 40sqm A permit is required to construct or carry out buildings and works for solar panels
Clause 44.01-2 (EMO1)	A permit is required to construct or carry out buildings and works A permit is required to remove, destroy or lop any vegetation
Clause 44.04 -2 (BMO)	A permit is required to construct or carry out buildings and works associated with Accommodation
Clause 52.17	A permit is required to remove, destroy or lop native vegetation

The buildings are not sited within the areas affected by the ESO17, SLO1 and VPO2, therefore an assessment against these provisions is not required.

The location of the villas is within an area of Cultural Heritage Sensitivity, however a CHMP is not required given the buildings do not contain kitchens and therefore do not constitute dwellings. More than 3 dwellings are considered a High Impact Activity however the absence of food preparation facilities from the buildings ensures that they are not dwellings and are therefore not considered a High Impact Activity that requires the preparation of a Cultural Heritage Management Plan. The solar array is not a land use in it's own right, it is associated with Host Farm and therefore does not constitute a High Impact Activity.

1.3 KEY ISSUES

The key issues requiring consideration when reviewing the Mornington Peninsula Planning Scheme, visiting the site and considering the proposal are;

- Is the use and development of a Host Farm appropriate having regard to the purpose of the Green Wedge Zone?
- Will the guests experience a genuine and hands on farming experience that supports the provision of host farm accommodation?
- Does the proposal result in an acceptable bushfire outcome?
- Will the development result in any environmental impacts?
- Do the buildings respond to the rural landscape?
- Is the proposal consistent with the Planning Policy Framework?

This report aims to address these questions and demonstrate that the proposal should receive Council's full support on the basis that the proposal responds to the rural character of the area, the objectives of the Green Wedge Zone and is appropriately sited and designed to avoid significant environmental impacts.

Site Context

2.1 LOCATION

The property at 1180 Mornington Flinders Road, Main Ridge is a 27-acre (approximately 10.9 hectares) farm known as Green Olive at Red Hill. The property is located on the west side of Mornington Flinders Road and has a depth of 464m.The site features a variety of agricultural land uses, including an olive grove, vineyard, vegetable gardens, and grazing areas for sheep.

The topography is characterized by gently rolling hills, providing picturesque views of the surrounding landscape. The property maintains significant vegetation cover including a stand of remanent vegetation, established olive trees, grapevines, and various herbs and vegetables cultivated throughout the site. This combination of agricultural and recreational spaces offers a comprehensive farm experience, emphasizing sustainable practices and a connection to the land.

Mornington Flinders Rd is a sealed, rural arterial road connecting Red Hill to Flinders. A variety of agri-tourism enterprises including wineries, orchards, restaurants, horticultural businesses and cellar doors are evident in the immediate and wider area.

Built form in the vicinity is typically single storey dwellings of diverse character on larger lots with vegetation and the rural outlook, the predominant feature in the landscape.

An aerial image of the subject site (highlighted) and surrounding locality is presented below:

Fig 1 – Aerial image of the subject site and surrounds (source: www.nearmapscom.au)

2.2 EXISTING LAND USE & DEVELOPMENT

The property includes a single-storey dwelling, which was approved in 2011 and a farm gate style commercial offering within a shed on the southern side of the property. Vehicle access is via a central, gravel driveway with parking located along the southern boundary and an egress from the site is located in the south eastern corner.

The subject site is irregular in shape and has a total site area of 10.3 hectares. The property is entirely fenced and contains a variety of agricultural uses including crop raising (olives), animal husbandry and grapes. A large dam is located centrally on the property, directly below a shed that is used for processing, preparing, selling and serving farm produce.

Access is via a gravel driveway which runs through the olive grove before branching off to the north to access the dwelling, and left to the farm shed. Additional farm sheds are located west of the dam and are used to store farming equipment and machinery. A large stand of remnant native vegetation is located along the western boundary which is bounded by a creek line to the east.

The topography of the site is traditional rolling hills, with the property dropping gently down from the road towards the creek before rising again to the rear.

The following photographs provide more details of the site and its characteristics;

Image 1: Entrance to subject site

Image 2: Mornington Flinders Road looking south, subject site to right of photo

Image 3: Existing vines and existing dwelling in the distance

Image 4: Existing dam and pickle ball court looking towards villa location

Image 5: Existing shed and café area

Image 6: Access to service villas looking west

Image 7: Location of propsoed villas looking south west.

Image 8: Looking north east towards existing dwelling from within paddock.

Image 9: Looking east from villa location .

Image 10: Looking south towards 1208 Mornington Flinders Rd from villa location

2.3 EASEMENTS RESTRICTIONS & COVENANTS

The subject site is known as Lot 2 on Lodged Plan 205824.

There are no Section 173 Agreements, restrictions or easements registered on title.

2.4 REFERRALS

EXTERNAL REFERRALS

Clause 66.01 – Referral and Notice Provisions
In accordance Clause 66.03, external referral is required to the Country Fire Authority given the proposal requires planning approval within the BMO.

As the site is within SLO6, a referral to the Mornington Peninsula Brand of the National Trust is also required.

The EMO and BMO exempt notice and appeal requirements however it is noted that the remaining permit triggers do not.

INTERNAL REFERRALS

In addition to the above external referrals, it's expected the application will be referred internally as follows:

- Vegetation and/or Biodiversity Officer's for comments relating to the proposed vegetation removal (outside any existing exemptions).
- Environmental Health Team given the proposal relies upon on site wastewater management.

Planning Scheme Assessment

CLAUSE 02.02 MUNICIPAL PLANNING STRATEGY

CLAUSE 02.03-2 ENVIRONMENTAL & LANDSCAPE VALUES

Strategic directions:

- *Maintain the Peninsula's 'green spine', which includes Point Nepean National Park, Mornington Peninsula National Park and Arthurs Seat State Park.*
- *Maintain the rural character of land adjoining main roads and tourist routes, ensuring the ongoing visual amenity and recreational value of the outlook from these roads.*
- *Protect coastal and foreshore areas as major tourism and recreational resources from overuse to avoid environmental degradation and loss of natural and cultural values.*
- *Protect and conserve habitat areas and linking corridors to encourage wildlife survival.*
- *Maintain the integrity of strategic landscapes between and around the Peninsula's townships.*
- *Support outdoor and unstructured recreation that are associated with rural pursuits of the land or coastal environments in their natural state.*
- *Support the extension of the regional open space network, including the Two Bays Trail and the Port Phillip Coastal Bay Trail.*

The proposed development of tourist accommodation on an established Agri-tourism property further supports the existing tourism opportunities of the site and wider area. The location of the property on a major tourist route with the proposed development located to the rear of the site provides appropriate access for tourists without impacting upon the rural outlook from the scenic road. The solar panels are strategically located so that they are not visible off site thereby avoiding any negative landscape impacts. The proposal achieves a high degree of compliance with this policy.

CLAUSE 02.03-3 ENVIRONMENTAL RISKS & AMENITY

Strategic directions:

- *Protect the unique environmental and landscape values of the Peninsula.*
- *Preserve the stability of land by avoiding development in areas prone to erosion.*

The proposed development is appropriately sited in an area of the site not suitable for any meaningful agriculture given the topography and proximity to native vegetation (shadowing). The proposal limits impact upon the native vegetation through responsive siting for the footprint of the development as well as the associated defendable space and infrastructure.

CLAUSE 02.03-5 – BUILT ENVIRONMENT AND HERITAGE

Strategic Directions:

- *Improve the design, amenity and quality of built form in the municipality.*
- *Enhance the image of the municipality at key entrances, viewpoints and along boulevards.*
- *Protect high canopy trees in urban areas.*
- *Protect and maintain the integrity of significant Aboriginal culture and post-settlement heritage places.*

The proposal is consistent with the above strategic directions. The siting and design of the buildings ensures any environmental or landscape impacts are minimised. The siting of the buildings has been chosen to avoid the higher quality agricultural land and to provide some separation from the daily visitors whilst allowing an immersive experience associated with running a successful and productive Agri- tourism operation. The design and siting of the buildings ensure that the open landscape and vegetation will remain the dominant features of the land. The solar array is appropriately located so that is not visible offsite. The property does not have any European heritage significance and a Cultural Heritage Management Plan is not required.

3.2 PLANNING POLICY FRAMEWORK

CLAUSE 11 SETTLEMENT

CLAUSE 11.01-R2 – GREEN WEDGES

The objective of this policy is to protect the green wedges of Metropolitan Melbourne from inappropriate development.

The proposal meets the objective and strategies of the policy as:

- The proposal does not result in fragmentation of Green Wedge Zoned land with the introduction of accommodation to the rear of the site, within an area that is less than ideal for agricultural pursuits given its steep topography and proximity to the creek and remnant vegetation.
- The use of the land for a Host Farm will provide a hands-on experience to guests increasing the understanding of farm management and daily operations to improve appreciation and understanding of farmers and their day to day life.
- The provision of a ground mounted solar array to power the villas provides a sustainable outcome for the site.
- The diversification of offerings on the property assists in re-investment and management of the rural operations undertaken on the property.

CLAUSE 11.03-5S - DISTINCTIVE AREAS AND LANDSCAPES

The objective is *"To protect and enhance the valued attributes of identified distinctive areas and landscapes."*

At level, an application must also align with the Mornington Peninsula Localised Planning Statement (2014).

The subject site is located within the 'Mornington Peninsula Green Wedge' area as demonstrated on Page 2 of the Statement. With respect to this permit application, the relevant objective are:

- *To ensure conservation of natural systems and biodiversity on the Mornington Peninsula.*
- *To recognise and protect the value of the Mornington Peninsula for agriculture and to support and encourage sustainable agricultural land use.*

The development will not impact the distinctive features of this area. The value of the Green Wedge Zone is maintained as the buildings provide accommodation to people seeking to enjoy, experience and understand the farm operations as well as visit other local tourist destinations. This farm requires daily management that can be readily experienced by guests supporting 'on farm' tourist accommodation in a suitable location and further entrenching the 'farm to table' ethos the business already operates under.

CLAUSE 12 ENVIRONMENTAL AND LANDSCAPE VALUES

Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.

CLAUSE 12.01-1S – PROTECTION OF BIODIVERSITY
Objective: *To assist the protection and conservation of Victoria's biodiversity.*

The siting has been selected to avoid and minimise the impact upon native vegetation on the site with the trees required for removal solely associated to facilitate defendable space. There are no alternative locations available that would not compromise either viable agricultural land or have an impact upon native vegetation with the proposed siting achieving an acceptable balance.

CLAUSE 12.01-1L - PROTECTION OF BIODIVERSITY - MORNINGTON PENINSULA
Strategy: *Avoid the spread of environmental weeds and encourage the re-establishment of indigenous vegetation.*

The proposal is consistent with the above policies under Clause 12. Vegetation removal is solely required to facilitate defendable space with the buildings sited to avoid and minimise vegetation impacts. The buildings are adequately setback from the creek line avoiding any negative environmental impacts.

CLAUSE 13.02 BUSHFIRE PLANNING

The objective of this policy is: "*To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life*

The subject site is affected by the Bushfire Management Overlay. The accompanying Bushfire Management Statement details the bushfire mitigation measures with adequate water supply, BAL-29 construction and suitable vehicle access available.

CLAUSE 14 NATURAL RESOURCE MANAGEMENT

CLAUSE 14.01–1 S – PROTECTION OF AGRICULTURAL LAND

The objective of this policy is to protect the state's agricultural base by preserving productive farmland.

CLAUSE 14.01–1 L – PROTECTION OF AGRICULTURAL LAND - MORNINGTON PENINSULA

Relevant Strategies:

- *Avoid the encroachment of more sensitive land uses into recommended air or noise buffer distances which are established to insulate potentially offensive activities.*
- *Discourage development without an identified use.*
- *Support the utilisation or replacement of existing buildings rather than development of new structures.*

CLAUSE 14.01 -2S - SUSTAINABLE AGRICULTURAL LAND USE

The objective of this policy is *'to encourage sustainable agricultural land use."*

The proposal is consistent with the above policies under Clause 14. The scale of development, combined with the responsive siting ensures that the vast majority of the site remains available to agriculture. The area proposed for development is steep, and surrounded by established vegetation that compromises its agricultural viability making it ideal for this form of development rather than utilising more viable agricultural parts of the site. The location of the solar array is to be located within an unused paddock of hops that are being removed.

CLAUSE 15 BUILT ENVIRONMENT AND HERITAGE

CLAUSE 15.01-6 S – DESIGN FOR RURAL AREAS

The objective of this Policy is: "*To ensure development respects valued areas of rural character.*"

The development is not significant in scale relative to the site area. The buildings incorporate site responsive materials and colours ensuring it is well integrated in this rural setting. The buildings have been strategically sited to respond to site specific constraints including visibility off site, native vegetation, separation distance from the streamline and property boundaries. The solar array is appropriately sited within reasonable sistance to the machinery shed which as 3 phase power supply which will provide a back up option for the villas.

CLAUSE 15.02-2S - ABORIGINAL CULTURAL HERITAGE

The objective of this policy is to ensure the protection and conservation of places of Aboriginal cultural heritage significance.

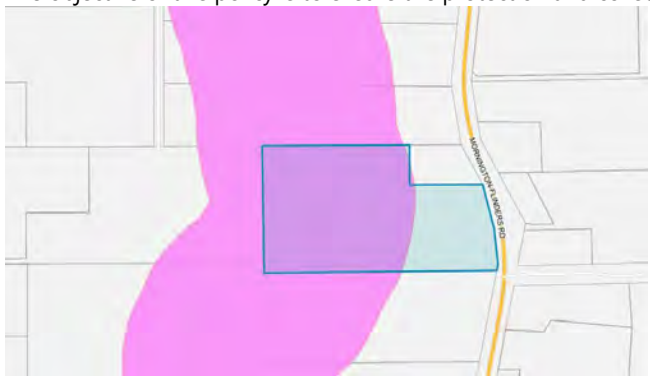

Fig 3: ACHS mapping – source: https://mapshare.vic.gov.au/vicplan/

The subject site is partially located within an area of Aboriginal Cultural Heritage Sensitivity. A Host farm is not in itself a High Impact Activity and as the proposed buildings do not contain kitchens, they do not meet the definition of a dwelling and therefore would not constitute in more than 3 dwellings thereby not triggering a CHMP under Regulation 48 of the *Aboriginal Heritage Regulations 2018* .

Clause 17.04-1S – FACILITATING TOURISM

Objective:

To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

The proposal supports tourism by encouraging increased overnight travel in addition to daily visitation whilst experiencing the Mornington Peninsula's Green Wedge offerings. The Mornington Peninsula Regional Tourism Board's, Destination Management Plan specifically encourages Agri-tourism and farm stay opportunities to increase visitor spend and promote deeper and wider engagement with green wedge products such as wineries, restaurants and other Agri - tourism experiences. The immersive experience available to visitors increases their understanding of sustainable farming operations and environmental processes undertaken on the site. This additional revenue stream allows the owners to reinvest in the farming enterprise, improving agricultural output. The proposed Host Farm provides an outcome specifically sought by this policy given it proposes a tourism facility that preserves the existing farming operations as well as providing opportunity for increasing the length of stay of visitors to the region providing opportunity for engagement with out tourism enterprises on the Mornington Peninsula.

Clause 19.01-2S – RENEWABLE ENERGY

Objective:

To support the provision and use of renewable energy in a manner that ensures appropriate siting and design considerations are met.

The provision of solar panels to support the villas provides a sustainable and practical solution without placing any additional demand on the existing power grid. The array has been appropriately sited to maximise solar access whilst also being suitably located near existing infrastructure within the existing shed which will provide storage for the battery and access to 3 phase power. The size of the system (well below 1MW) is suitable for onsite use with no power directed back into the grid.

3.3 ZONE

CLAUSE 35.04 - GREEN WEDGE ZONE, SCHEDULE 1

Fig 3: GWZ1 mapping – source: https://mapshare.vic.gov.au/vicplan/

The purpose of the Green Wedge zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.*
- *To encourage use and development that is consistent with sustainable land management practices.*
- *To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.*
- *To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.*
- *To protect and enhance the biodiversity of the area.*

A planning permit is required for the use and development of the land for a Host Farm under the Green Wedge Zone as it is a Section 2 use, with no conditions.

A 'Host Farm' is defined as:

'An agricultural property used to provide accommodation for persons, away from their normal place of residence to experience living on land used for agricultural purposes'.

The proposed development of four villas that are to accommodate guests that can experience a variety of farming activities meets the 'Host Farm' definition.

The proposal is consistent with the Green Wedge Zone as detailed below:

- The Host Farm provides a wide range of 'hands on' agricultural experiences including;
    - Harvesting produce including seasonal vegetables, figs, passionfruit, pumpkin, herbs, lavender, grapes, olives
    - Planting of seasonal produce including tomatoes, lettuces, radishes, pumpkins, and other herbs and vegetables.
    - Processing a variety of produce including olives, lavender, seasonal vegetables
    - Make chutneys, jams and sauces
    - Cooking workshops
    - Information sharing on sustainable farming practices that are a fundamental part of the farm operations.
- The buildings have been located in an area that is not ideal for horticulture and has limited grazing capacity given the steep topography. The proposed buildings have been strategically sited to be adequately setback from the creek, respond to the bushfire requirements and minimise vegetation removal whilst providing a scenic and enjoyable outlook for visitors.
- The proposed buildings meet the setback requirements of the Zone with their siting not compromising adjoining agricultural land uses.
- Adequate area has been provided on site to accommodate wastewater.
- The solar array is not a land use in it's own right given it is providing energy to the proposed Host Farm.

3.4 OVERLAYS

CLAUSE 42.01 - ENVIRONMENTAL SIGNIFICANCE OVERLAY, SCHEDULE 10 (UPLAND BASALT SLOPES)

Fig 4: ESO10 mapping – source: https://mapshare.vic.gov.au/vicplan/

Objectives:

- *To protect and conserve the environmental systems, biodiversity, native vegetation, habitat areas, land and soil stability, drainage patterns, and stream quality of this area.*
- *To promote the sustainable development of rural land and integrated land and catchment management, including the retention and enhancement of habitat corridors and wetlands.*
- *To ensure that subdivision and development density is compatible with maintaining the long term natural, agricultural and landscape values of this area.*
- *To promote siting and design of buildings and works that is responsive to the open rural landscape character and vistas of the area and that maintains the scenic value of roads and recreation routes.*
- *To protect the landscape values of the area.*

Planning approval is required for buildings and works associated with a Section 2 use, which includes a Host Farm. Planning approval is also required for the wastewater system as it is located within 60m of a streamline and for the solar panels given they are ground mounted and therefore do not gain the benefit of the exemption provided by Clause 62.02-2.

As the entire site is affected by this overlay, opportunities to site the buildings and solar array outside the affected area is not achievable. However, the proposal is consistent with the objectives of this overlay as the buildings are well setback from Mornington Flinders Road to ensure they will not dominate the rural landscape. The single storey built form will not protrude above established vegetation with the materials and finishes appropriately integrating with the rural landscape.

The array is appropriately sited at the bottom of the valley and well setback from boundaries ensuring it is not visible off site. The height and scale of the array is reasonable given intended use and suitable location. The siting of the array has been selected to maximise solar access whilst being within reasonable proximity to supporting infrastructure within the existing shedding as accessible to the intended recipients of the power, the villas.

The buildings have been designed to respond to the topography of the site with earthworks minimised and predominately associated with facilitating the level parking area within the carports. The earthworks are appropriately battered and contained within the footprint of the development. The rammed earth walls combined with the aluminium battens and colourbond roofing provide a high-quality architectural outcome.

Having regard to the above, the landscape values and the environmental characteristics of the site will not be compromised as a consequence of the proposal.

CLAUSE 42.01 - ENVIRONMENTAL SIGNIFICANCE OVERLAY, SCHEDULE 17 (STREAMLINES)

Fig 5: ESO17 mapping – source: https://mapshare.vic.gov.au/vicplan/

Objectives:

- *To maintain environmental flows and the quality of water within streams and watercourses.*
- *To maintain the capacity of streams and watercourses to carry natural flows.*
- *To prevent erosion of banks, stream beds and adjoining land and the siltation of watercourses, drains and other features.*
- *To protect and conserve flora and fauna habitats (including those of fish and invertebrates) within and along streams and watercourses.*
- *To ensure that development does not occur on land liable to flooding.*
- *To ensure that subdivision and development is compatible with the environmental values of streams and watercourses.*

The proposed buildings are not located within the area affected by the ESO17, however the works for the new accessway are within the area affected by ESO17 and vegetation removal is also proposed from within the area affected by ESO17. A single tree is required to facilitate the accessway which utilise an existing track and creek crossing with the other vegetation removal required to facilitate defendable space.

The works are acceptable as they will not undermine the health and quality of the streamline. The works have been designed to avoid and minimise vegetation removal through responsive site.

CLAUSE 42.01 - ENVIRONMENTAL SIGNIFICANCE OVERLAY, SCHEDULE 28 (MORNINGTON PENINSULA BUSHLAND

Fig 6: ESO28 mapping – source: https://mapshare.vic.gov.au/vicplan/

Objectives:

- *To protect and conserve native vegetation and habitat areas, including those of rare, threatened and endangered flora and fauna species, from clearing, degradation or fragmentation.*
- *To protect and conserve habitat corridors, including land with a minimum width of 30 metres on both sides of a streamline.*
- *To arrest and reverse the decline of remanent native vegetation, and to achieve a net increase in native vegetation within the Shire over time.*
- *To promote the maintenance of ecological processes and biodiversity.*
- *To promote the implementation of regional catchment strategies, regional vegetation plans and other natural resource management strategies.*
- *To conserve the Shire's vegetation based landscape assets.*
- *To avoid the loss or detrimental modification of native vegetation through grazing, cropping and other forms of agriculture.*
- *To ensure that trees are cleared from no more than 10 per cent of the land effected by this schedule and understorey from no more than a further 30 per cent of the land effected by this schedule.*

A planning permit is required for the vegetation removal required to facilitate defendable space, for the buildings and works, including the solar array. The vegetation management approach has prioritised the retention of larger trees to achieve the necessary bushfire vegetation management requirements. The siting of the villas to minimise vegetation removal whilst meeting the setback requirements from the creek line was a key driving force in the design response.

Moving the villas to the south would slightly alter the defendable space encroachment on the vegetation to the north, however it would place the villas inside the 30m setback from the creek line. The villas have been clustered together as opposed to being more spread out to reduce the expanse of the defendable space thereby reducing the vegetation impacts further demonstrating a responsive approach to minimising vegetation impacts. No vegetation removal is required for the solar array with the panels well setback from existing vegetation to maximise solar access.

CLAUSE 42.02 – VEGETATION PROTECTION OVERLAY, SCHEDULE 2 (SIGNIFICANT TREELINE)

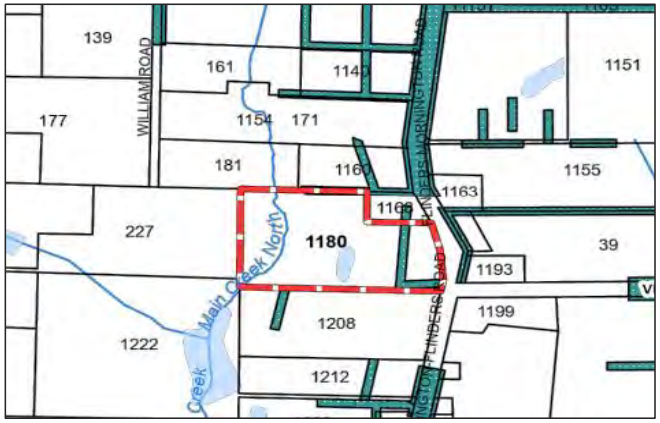

Fig 7: VPO2 mapping – source: https://mapshare.vic.gov.au/vicplan/

There is no vegetation removal required in the area affected by the VPO2 therefore an assessment against this provision is not required.

CLAUSE 42.03 – SIGNIFICANT LANDSCAPE OVERLAY, SCHEDULE 1 (RIDGE AND ESCARPMENT AREAS)

Fig 8: SLO1 mapping – source https://mapshare.vic.gov.au/vicplan/

As the development is located outside the area affected by the SLO1, an assessment against this provision is not required

CLAUSE 42.03 – SIGNIFICANT LANDSCAPE OVERLAY, SCHEDULE 6 (NATIONAL TRUST CLASSIFIED LANDSCAPES)

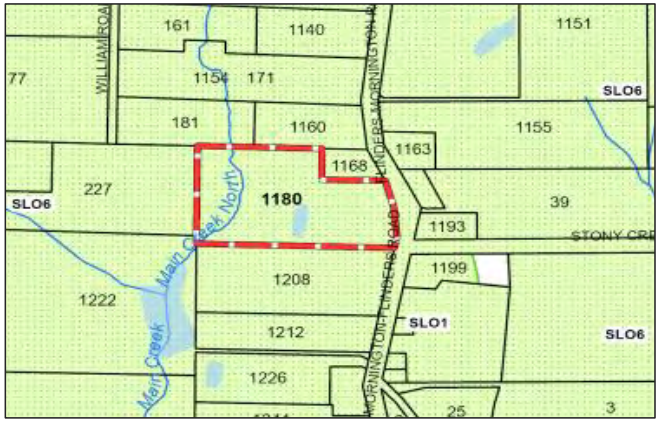

Fig 9: SLO6 mapping – source https://mapshare.vic.gov.au/vicplan/

Objectives:

- *To protect and enhance the visual, natural and cultural heritage values of classified landscapes.*
- *To protect classified landscapes from visual intrusion resulting from the inappropriate siting, design or materials of buildings and works.*
- *To encourage siting, design and landscaping of buildings and works which is responsive to the landscape values of classified landscapes.*
- *To maintain vegetation as an important element of classified landscapes.*

Planning approval is required for all buildings and works within this overlay, including the solar panels. As this overlay affects the entire site, there is no opportunity to site the buildings outside the overlay. Planning approval is also required within this overlay as the floor are of the villas exceed 40sqm and native vegetation is proposed for removal.

The buildings appropriately respond to the objectives of this overlay given they are not visible from the road or adjoining properties. Their single storey design combined with the responsive colours and materials ensure that they will visually integrate with the rural landscape when viewed from their only vantage point which is from within the subject site. The solar panels are located at the bottom of the valley and are not visible from the road or offsite thereby protecting the character of the rural landscape.

It is noted a referral to the Mornington Peninsula Branch of the National Trust is a requirement of this overlay.

CLAUSE 44.01 – EROSION MANAGEMENT OVERLAY, SCHEDULE 1

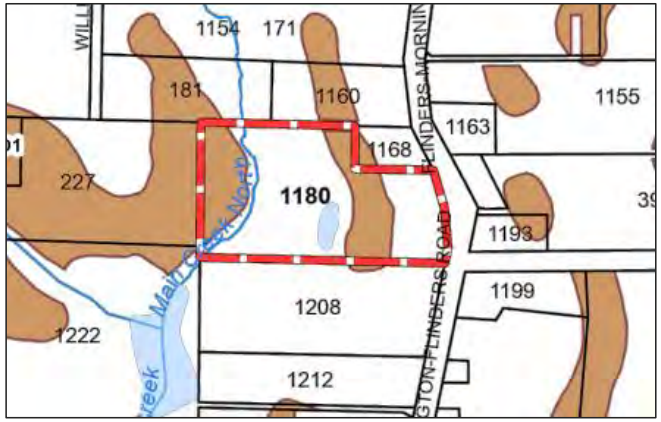

Fig 10: EMO1 mapping – source https://mapshare.vic.gov.au/vicplan/

Objectives:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To protect areas prone to erosion, landslip, other land degradation or coastal processes by minimising land disturbance and inappropriate development.*

The proposed works are located within this overlay and therefore require planning approval. The earthworks have been kept to a minimum by the responsive design incorporating steps into the buildings to follow the contour and minimise the earthworks. All earthworks will be appropriately battered and maintained to ensure no stability issues arise. The solar panels are outside the area affected by this overlay.

CLAUSE 44.06 – BUSHFIRE MANAGEMENT OVERLAY

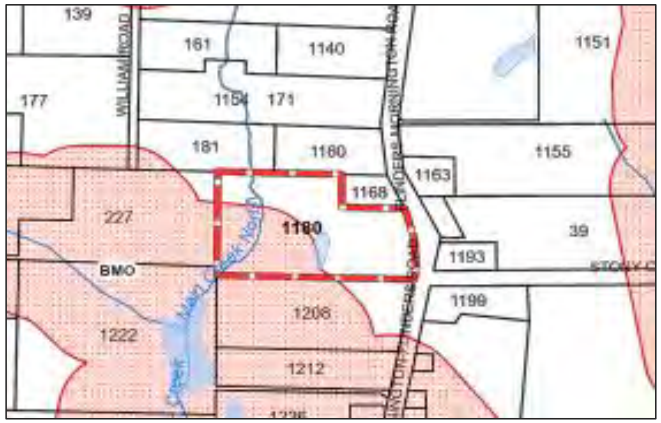

Fig 11: BMO mapping – source https://mapshare.vic.gov.au/vicplan/

Objectives:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

The accompanying Bushfire Planning Report details the proposed bushfire mitigation measures proposed which include:

- BAL-29 construction
- 10,000 litre water tank
- 39m of defendable space
- Adequate vehicle access and turning area

3.5 ADOPTED COUNCIL POLICY / PLANNING SCHEME AMENDMENTS

GREEN WEDGE MANAGEMENT PLAN 2019

Although yet to be formally introduced into the Mornington Peninsula Planning Scheme, the Green Wedge Management Plan provides insight into the key matters facing the Green Wedge Zone and Council's direction in attempting to address the issues. The policy provides a vision and sets out key objectives with a relevant objective for this proposal being, Direction 3 which states:

> *Recognising, protecting and supporting the critical role of sustainable agriculture as a key land use, consistent with protecting landscape and habitat values. Advocate access to regional programs for Peninsula farmers, promote and pilot re-cycled water projects. and support agri-tourism, including farm gate sales,* ***host farms****, and farmers markets*.

The proposed host farm is at a modest scale with the 4 villas providing the necessary balance between being economically viable, addressing a gap in this style of accommodation on the peninsula whilst balancing the key environmental issues for the site. The established, award-winning agricultural property ensures that guests will experience genuine farming experiences which is supported by the Green Wedge Management Plan.

The diversification of tourist accommodation through the provision of Host Farm Accommodation not only supports the agricultural experiences and opportunities for the site, but it also provides an alternative tourist accommodation option to Airbnb's which bring with them a range of challenging social and economic issues.

This modes host farm achieves the appropriate balance between supporting agri-tourism, diversifying the tourist accommodation options and provides tourist with an immersive farming experience, reinforcing the importance of protecting the Green Wedge Zone for farming.

3.6 PARTICULAR PROVISIONS

CLAUSE 52.17 – NATIVE VEGETATION
Purpose:

- *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.*

  This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

  1. Avoid the removal, destruction or lopping of native vegetation.

  2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.

  3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

- *To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.*

A planning permit is required for the removal of Victorian native vegetation therefore, in accordance with Clause 52.17, a response to the *Guidelines* has been prepared by.

Vegetation removal is predominantly required to facilitate defendable space with 0.12 General Habitat and 6 large trees are proposed for removal. The complete avoidance of the tree removal is not a viable option having regard to the dispersed nature of vegetation in this area of the site with the buildings located in a cleared area to minimise vegetation losses. The highest quality remnant vegetation on the site will remain where possible.

The site is located within the Intermediate Assessment Pathway therefore referral to DEECA is not required.

4.1 CONCLUSION

The use and development of the land for a host farm on this site appropriately responds to the characteristics of the property and the surrounding environs, as well as the objectives of the Planning Policy Framework.

- The host farm provides opportunities for visitors to experience an operating farm through 'hands on' experiences that not only educate visitors but assist in the daily operations of the farm.
- The host farm has extensive policy support from both a tourism and agricultural perspective.
- The host farm does supports agricultural opportunities through the responsive siting and the additional revenue stream provided to the farming enterprise enable reinvestment back into the farm operations.
- Vegetation removal has been avoided and minimised where possible through responsive siting.
- The proposal will not impact the broader landscape qualities of the area given the buildings will not be visible off site.
- The siting of the buildings will not impact Main Creek which runs through the rear boundary.

On balance the proposal is worthy of support and we look forward to a positive outcome in due course.

OFFICIAL

19 August 2025

Peter Hampton
Mornington Peninsula Shire Council
2 Queen Street
Mornington VIC 3931

Dear Peter,

Proposal: Planning permit for development - Construction of a host farm (4 small villas), solar panels and associated vegetation removal
Site location: Lot No 2, 1180 MORNINGTON-FLINDERS ROAD MAIN RIDGE 3928

Melbourne Water reference: MWA-1379748
Council reference: P25/1239
Date Received: 30/07/2025

Our Decision

Melbourne Water, pursuant to Section 52 of the Planning and Environment Act 1987, objects to the proposed development on the following grounds:

1. The proposed development is inconsistent with the Planning Policy Framework relating to Clause 12.03 Water Bodies and Wetlands of the Mornington Peninsula Planning Scheme.

2. The proposed development is inconsistent with the Planning Policy Framework relating to Clause 14.02 Water of the Mornington Peninsula Planning Scheme.

3. The proposed development is inconsistent with the design objectives and decision guidelines set out in Clause 42.01 Schedule 17 to the Environmental Significance Overlay (ESO17) within the Mornington Peninsula Planning Scheme.

4. The proposed development is inconsistent with the design objectives and decision guidelines set out in Clause 42.01 Schedule 28 to the Environmental Significance Overlay (ESO28) within the Mornington Peninsula Planning Scheme.

5. The proposed development is contrary to the decision guidelines of Clause 65.01 Approval of an application or plan of the Scheme with reference to the effect the environment may have on the development, the flood and erosion hazard associated with the location and the management of the land to minimise such hazard, and the orderly planning of the area.

6. The proposed development does not suitably respond to the matters within Section 60 of the Planning and Environment Act 1987, with reference to the

Melbourne Water ABN 81 945 386 953
990 La Trobe Street Docklands VIC 3008
PO Box 4342 Melbourne VIC 3001 Australia
T 131 722 F +61 3 9679 7099
melbournewater.com.au

applicable components of the planning scheme, the effects the development may have on the environment and the effects the environment may have on the development.

7. The proposed development is contrary to the Department of Environment, Land, Water and Planning's (DELWP) 'Guidelines for Development in Flood Affected Areas' in relation to Part 11 Waterway and floodplain protection.

8. The proposed development fails to protect and enhance the environmental features of waterways and floodplains.

Our Assessment

The property is subject to flooding from Main Creek. The applicable 1% Annual Exceedance Probability (AEP) flood level for the property, being the 1% probability in any one calendar year, grades from 174.8 m AHD at northern boundary to 171.1 m AHD at southern boundary.

Melbourne Water assesses development applications in accordance with DELWP's ' Guidelines for Development in Flood Affected Areas'. Under these guidelines, development in or adjacent to a floodplain may only be acceptable where the new development is protected from flooding, has safe access to and around the development, does not interfere with the passage and storage of floodwaters and protects and enhance the environmental features of waterways and floodplains.

Waterway and Floodplain Protection

Melbourne Water's Main Creek runs through the western half of the property.

Development impacting on waterways and floodplains must consider their environmental qualities. There are five assessment criteria: Waterway and floodplain condition; Access to riparian corridors; Water quality; Natural function and Amenity.

The impacts of development can include erosion, altered flood behaviour, loss of habitat, a reduction in water quality and a reduction in species diversity.

Melbourne Water requires a minimum setback of 20 metres from the top of bank. This setback applies to all built form and landscaping. As such there must be no buildings, structures, decks, or native vegetation removal within the minimum setback area.

Advice

Works to construct a crossing over a Melbourne Water asset or waterway requires a separate approval. Visit our website for more information.

To access more information regarding other services or online applications that

Melbourne Water ABN 81 945 386 953
990 La Trobe Street Docklands VIC 3008
PO Box 4342 Melbourne VIC 3001 Australia
T 131 722 F +61 3 9679 7099
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Melbourne Water offers please visit our website.

For general development enquiries contact our Customer Service Centre on 131 722.

Regards,

Sam Kretschmer
Statutory Referral Permit Services

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MORNINGTON PENINSULA
REGIONAL TOURISM

6 June 2025

To Whom It May Concern.

RE: Green Olive at Red Hill Host Farm Accommodation Development

On behalf of the Mornington Peninsula Regional Tourism Board, we are pleased to provide this letter of support for the proposed host farm accommodation development at **Green Olive at Red Hill**. This $1.5 million investment represents a critical evolution in Mornington Peninsula agritourism, supporting economic and community outcomes aligned with local, state and national priorities.

Green Olive at Red Hill is recognised as a leader in agritourism and sustainable farm experiences and is included in programs by the Mornington Peninsula Regional Tourism, Visit Victoria, and Tourism Australia. Their proposed host farm accommodation will offer visitors a fully immersive paddock-to-plate stay, integrating agricultural learning with local food, wine, and nature-based experiences. This type of high-quality, authentic visitor offering is exactly what current travellers seek and what our region needs to remain competitive and sustainable.

The development aligns with the strategic directions outlined in the **Mornington Peninsula Destination Management Plan 2025**. Specifically, it contributes to the regional goals of:

- **Growing high-yield overnight visitation**, particularly outside of peak times.
- **Strengthening immersive experiences** in food, wine, and nature, one of our core pillars;
- Supporting new product that complements the Mornington Peninsula's **premium positioning** in the visitor economy;
- Enhancing visitor dispersal and increasing **length of stay** through value-added accommodation options.

Further, the initiative reflects broader national priorities. **Tourism Australia's Agritourism Development Strategy** recognises agritourism as a key growth area for Australia, and projects like Green Olive's place the Mornington Peninsula at the forefront of this growing movement. By encouraging travellers to engage meaningfully with places, products and people, this project supports a tourism sector that is not only more competitive but also more sustainable.

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Mornington VIC 3931
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E info@mprtb.com

CONSUMER WEBSITE
visitmorningtonpeninsula.org
INDUSTRY WEBSITE
morningtonpeninsulatourism.org

MORNINGTON PENINSULA
REGIONAL TOURISM

Beyond the strategic alignment, this project will directly contribute to:

- **Job creation** of 3–4 full-time equivalent positions.
- **Regional economic development** through increased visitor spending and longer stays.
- **Environmental sustainability** via regenerative farming, solar energy, water conservation, and waste reduction.

The Mornington Peninsula Regional Tourism Board supports the development of Green Olive at Red Hill. It is an investment in the kind of tourism future we aspire to regenerative, community-led, and authentically local. This important proposal, which delivers benefits beyond its boundaries.

Should you require further information, please get in touch with me directly.

Yours sincerely,

Angela Cleland
Chief Executive Officer

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ABN 37 611 725 270

16 May 2025

Mornington Peninsula Shire
Private bag 1000
Rosebud VIC 3939

To whom it may concern,

SUBJECT: LETTER OF SUPPORT FOR GREEN OLIVE ACCOMMODATION DEVELOPMENT

Visit Victoria is pleased to provide this Letter of Support to Green Olive at Red Hill, in recognition of their ongoing innovation and delivery of tourism experiences in Victoria.

Green Olive at Red Hill is a key attraction in the Mornington Peninsula area, providing a unique experience for domestic and international visitors. Their commitment to sustainable and educational tourism with a strong focus on agritourism has always been a key pillar of the business, and provides a drawcard for visitors who are increasingly looking for these characteristics.

Tourism Australia, Visit Victoria and Mornington Peninsula Regional Tourism recognise agritourism as a key sector for development, and the addition of farm-stay accommodation will appeal to many audiences internationally, creating an export-ready product to entice visitors to overnight in this region. This will contribute significantly to the overall visitor spend while on the Mornington Peninsula, giving guests another reason to extend their time and take in other key experiences in the area.

Visit Victoria frequently calls on Green Olive at Red Hill for assistance with media visits and trade familiarisations and the business is always willing to accommodate our requests. Green Olive at Red Hill's ongoing attitude of cooperation and collaboration with Visit Victoria and other Victorian businesses is extremely valuable.

We look forward to the execution of their accommodation plans, and to working in collaboration with the business to promote this new and exciting offer on the Mornington Peninsula.

Yours sincerely,

Chris White

Chris White
Head of Industry Engagement and Programs
E: chris.white@visitvictoria.com.au

Australian Government | TOURISM AUSTRALIA

16th May 2025

To whom it may concern,

Australia's food, wine and agritourism offering is a significant drawcard for international travellers from key tourism markets right around the world. At Tourism Australia our research shows travellers are increasingly seeking out these experiences and we promote them on the world stage to encourage international travellers to plan and book an Australian holiday.

The Mornington Peninsula is a destination which has attractions for nature-lovers and adventurers, and it is also renowned for its culinary offering largely thanks to the many famous wineries and food producers which attract high volumes of both domestic and international visitors each year.

At Tourism Australia we have had a long association with Green Olive at Red Hill and have welcomed its participation in our trade events, such as the Australian Tourism Exchange (ATE). ATE connects international wholesalers with Australian tourism products and Green Olive at Red Hill is very popular among international buyers each year.

The Mornington Peninsula is also a destination we look to highlight with visits as part of our media familiarisation programs which allow international travel writers and broadcasters to experience Australian destinations for themselves and share those experiences with their vast audiences.

When international visitors plan a visit to Australia, we encourage them to explore destinations outside of our capital cities and regional destinations with export ready tourism products, such as Green Olive at Red Hill, help with that dispersal.

Based on the above Tourism Australia is happy to endorse the development of Green Olive Retreat and answer any further questions you may have in relation to their attraction of international guests, and contribution to the visitor economy more broadly.

Kristy Malapa

Kristy Malapa
Industry Relations Manager – SA, TAS, VIC & Youth
Corporate Affairs, Government & Industry | Tourism Australia

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Officer Assessment Report - P25/1239

APPLICATION SUMMARY

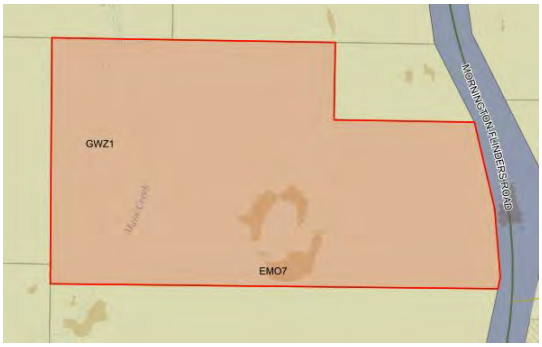
Planner	Peter Hampton
Date	03/02/2026
Application Number	P25/1239
Address	1180 Mornington-Flinders Road MAIN RIDGE VIC 3928
Applicant	C/- Prossor Town Planning
Planning Scheme	Mornington Peninsula Planning Scheme
Zone & Overlays	Green Wedge Zone – Schedule 1 Bushfire Management Overlay Erosion Management Overlay – Schedule 1 and Schedule 7 Environmental Significance Overlay – Schedule 10, Schedule 17 and Schedule 28 Significant Landscape Overlay – Schedule 1 and Schedule 6 Vegetation Protection Overlay – Schedule 2
Public Notice	Yes
Objections	Yes 1 objection (Melbourne Water)
Decision	Issue a Notice of Decision to grant a permit

PROPOSAL

Proposal	The use and development of a host farm, solar panels and associated vegetation removal.
Decision Documents	The documents assessed were those on Public Notice with the application, including: • Plans – prepared by Watson Young, Job Number 24020, Revision B, TP00 – TP08, Dated April 2025. • Vegetation Assessment Plan – prepared by Jane Burke, dated 4 July 2025. • Bushfire Report and Plan – prepared by Planning for Fire, Report Number 55013, Version 1, dated 21 July 2025. • Planning Submission – prepared by Prossor Town Planning. • Host Farm Program – Titled Green Olive Escape Host Farm Accommodation. • Native Vegetation Report – dated 7 July 2025.

PERMIT TRIGGERS

	Clause	Trigger?	Rationale
Zone			
GWZ1	35.04-1	Yes	***Use:***

			Use the land for a section 2 use (Host Farm)
	35.04-5	Yes	***Buildings and/or works:*** • Construct a building or construct or carry out works for a Section 2 use (host farm) • Buildings and works within the following setbacks: o 100 metres from a waterway, wetlands or designated flood plain.
	35.04-3	No	***Subdivision:*** No subdivision is proposed.
Overlays			
BMO	44.06-2	Yes	Construct a building or construct or carry out works associated with accommodation (host farm).
EMO1	44.01-2	Yes	• Construct a building or construct or carry out works (host farm). • Remove, destroy or lop any vegetation.
EMO7	44.01-2	No	All works and vegetation removal is clear of this control. 
ESO10	42.01-2	Yes	• Construct a building or construct or carry out works (host farm and solar panels). • Remove, destroy or lop any vegetation, including dead vegetation.
ESO17	42.01-2	Yes	• Construct a building or construct or carry out works (driveway). • Remove, destroy or lop any vegetation, including dead vegetation.
ESO28	42.01-2	Yes	• Construct a building or construct or carry out works (host farm and solar panels). • Remove, destroy or lop any vegetation, including dead vegetation.

SLO1	42.03-2	No	All works and vegetation removal are outside of this control.
SLO6	42.03-2	Yes	Construct a building or construct or carry out works (host farm). Remove, destroy or lop any vegetation, including dead vegetation.
VPO2	42.02-2	No	All works and vegetation removal are outside of this control.
Particular Provisions			
Car Parking	52.06	No	Car parking to be provided to the satisfaction of the responsible authority.

SUBJECT SITE

Site Conditions	
Lot:	The property at 1180 Mornington Flinders Road, Main Ridge is approximately 10.9 hectares farm with associated winery use known as Green Olive in Red Hill. The property is located on the west side of Mornington Flinders Road and has a depth of 464m.
Existing conditions:	The site features a variety of agricultural land uses, including an olive grove, vineyard, vegetable gardens, and grazing areas for sheep.
Topography:	The site has a fall from the front boundary to Main Creek of approximately 35 metres before rising from Main Creek to the rear boundary by 16.5 metres.

Vegetation:	The site contains predominately native and indigenous vegetation along property boundaries. Dense vegetation is present along the rear section of the site associated with the Main Creek.
Vehicle access:	Existing vehicle access is provided via a gravel crossover to Mornington Flinders Road. This access point is proposed to be maintained.
Street trees:	Vegetation is present within the road reserve and will not be impacted by the proposal.
Impacts on adjoining land vegetation:	The proposal is sufficiently setback from all boundaries to ensure neighbouring vegetation will not be impacted.
Surrounding Land	
Abutting zone(s) / overlays(s)	Surrounding properties are subject to the same planning controls as the subject site.
North:	**1168 Mornington Flinders Road** Contains a single storey dwelling accessed from Mornington Flinders Road and associated agricultural activity. **1160 Mornington Flinders Road** Is a vacant lot associated with 1154 Mornington Flinders Road and is associated with a beef agricultural use. **181 William Road** Contains a single storey dwelling and associated agricultural use. Access is provided via Willan Road.
South:	**1208 Mornington Flinders Road** Contains a winery known as “Red Hill Estate” accessed from Mornington-Flinders Road and associated vineyard agricultural use.
East:	**Mornington Flinders Road** Mornington Flinders Road is a rural arterial road that is under the management of the Department of Transport. Existing access to this road is proposed to be retained.
West:	**227 Main Creek Road** Contains a single storey dwelling and associated agricultural use that is assessed from Main Creek Road. **1222 Mornington Flinders Road** Contains a single storey dwelling and associated agricultural use that is assessed from Mornington-Flinders Road. Directly adjoining the subject site is dense bushland.
Site Context	
Cultural Heritage Management Plan (CHMP)	The subject site is partially located within an area of Aboriginal Cultural Heritage Sensitivity. A Host farm is not in itself a High Impact Activity and as the proposed buildings do not contain kitchens, they do not meet the definition of a dwelling and therefore would not constitute in more than 3 dwellings thereby not triggering a CHMP under Regulation 48 of the Aboriginal Heritage Regulations 2018
Bushfire Prone Area:	Yes
Flood Prone Areas:	Yes
Restrictions and/or easements on title:	N/A
Permit/Site history	

	The following previous decisions are relevant to the subject site: • P10/1883 which approved the dwelling on the subject site included a Land Conservation and Rehabilitation Plan which nominates the rear proportion of the site as a conservation zone that is to protect existing vegetation and include areas set aside for additional regeneration. This area is to be fenced off and to be of no other purpose. It is noted that there is a separate application under P10/1883.01 which is currently under assessment that seeks to alter the location of this conservation zone to facilitate the host farm villas in the current location. There have been several other permits issued for the site in relation to dwelling extensions, machinery shed etc. These permits have no significant impact on the assessment of this application.

PROPOSAL

The proposal seeks the use and construction of a host farm accommodation and associated works and vegetation removal.

Development

- The proposal includes the development of 4 'villa' buildings at the rear of the site.
- Each villa contains a bedroom, bathroom, living/dining area, out living area and single carport.
- The villas are setback a minimum of 12 metres from the rear boundary, approximately 42 metres from the southern side boundary.
- Materials include rammed earth, standing seam cladding and metal roofing.
- The maximum height of the development is approximately 5.2 metres.
- Two irrigation areas each of 300 sqms are proposed to the north of the proposed villas.
- A solar system area of approximately 247 sqms is proposed to provide power to the villas. This is proposed to be located to the north of two the existing sheds (approximately 60 metres from the southern side boundary and approximately 130 metres from the western rear boundary).
- The existing access track is proposed to be extended by approximately 80 metres to provide access to the villas.

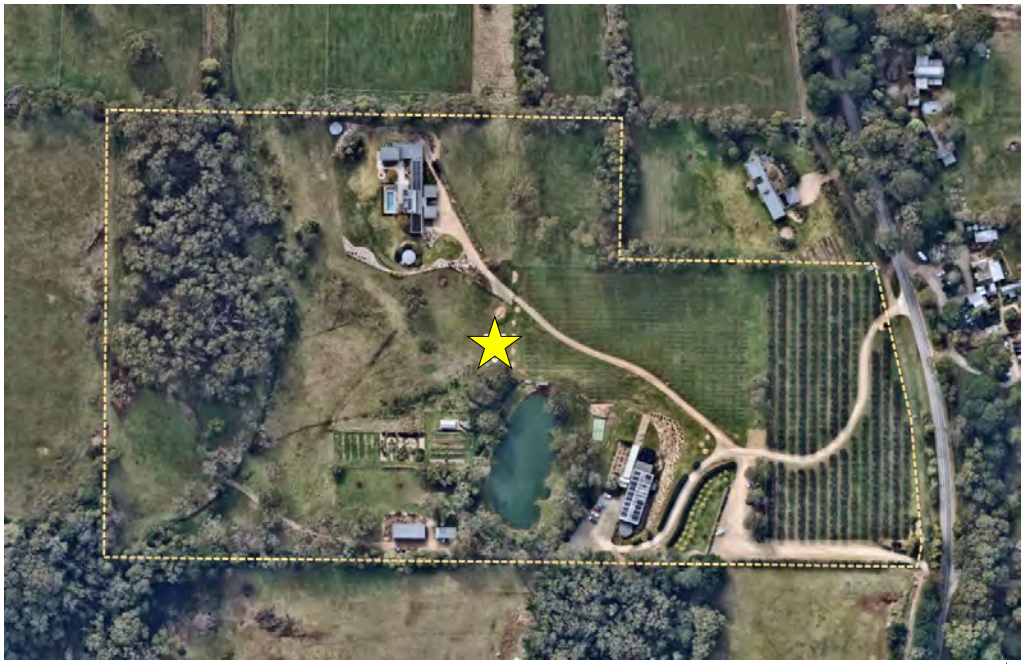
Use

- The villas are proposed to be used as a host farm. Guest activities are detailed in an Operational Plan (titled Green Olive Escape Host Farm Accommodation) and include:
    - Feeding of animals
    - Harvesting of produce (including tomato, figs, passionfruit, vegetable, pumpkin, grapes, lemon, limes, lavender etc.)
    - Planting of crops
    - Olive processing
    - Chutney making
    - Cooking experiences

Vegetation removal

- The proposal seeks the removal of 35 trees to create defendable space around the proposed villas. The tree species include:
    - 6 - Eucalyptus ovarta (Swamp Gum)
    - 17 - Eucalyptus obliqua (Messmate)
    - 9 - Acasia melanoxylon (Blackwood)
    - 1 - Acacia mearnsii (Black wattle)
    - 2 - Melaleuca ericifolia (Swamp paperbark)

Aerial Photo showing subject site and objector sites - NearMap [August 2025]



Subject Land: ☆ N

PUBLIC NOTIFICATION

Public Notice was undertaken by sending direct notice to adjoining properties and erecting a sign on site for 14 days.

One (1) objection has been received to date from Melbourne Water. The key concerns are summarised as:

- Potential impacts to the Main Creek such as erosion, altered flood behaviour, loss of habitat, a reduction in water quality and a reduction in species diversity.

Council's response is detailed below.

Section 52 Notifications

Person/body notified	Response	Officer Response
Melbourne Water	Objection	A response is provided below.

REFERRALS

Referral	Type	Response	Officer Response
CFA	Section 55: Determining	No objections, subject to conditions.	Adopted in full if a permit was issued.
Development Engineering	Internal	No objections, no conditions.	Adopted in full if a permit was issued.
Senior Vegetation Officer	Internal	Raised concerns with the response regarding vegetation to the environmental controls of the site due to the extent of vegetation removal proposed. Despite this, conditions have been provided should Council support the application. All these conditions have been included in the recommendation.	All conditions adopted. Vegetation removal is discussed within the report and is considered to provide an acceptable outcome.
Environmental Health	Internal	A verbal discussion was had to confirm that wastewater could be contained on site. Conditions have been included within the recommendation to ensure the relevant permit is obtained from Environmental Health prior to the commencement of works and that waste water is contained on site.	Adopted in full.

ASSESSMENT

The relevant provisions of the Mornington Peninsula Planning Scheme listed in Appendix 1.

Zone
Green Wedge Zone – Schedule 1
A permit is required under the GWZ1 for the use of the 'host farm' and associated buildings and works.

Clause 73 of the Planning Scheme defines a host farm as:

> *'An agricultural property used to provide accommodation for persons, away from their normal place of residence, to experience living on land used for agricultural purpose'.*

Land use
The proposed 'host farm' use is considered acceptable. The primary purpose of the Green Wedge Zone is associated with agriculture.

The subject site known as 'Green Olive' is an established agricultural property with the planting of a variety of crops including fruit, vegetables, lavender and the primary use of a winery with associated vineyards. This ensures the visitors of the host farm will have opportunities to be involved and experience agricultural activities. These activities have been identified in the submitted 'host farm program' which includes:

- Harvesting produce including seasonal vegetables, figs, passionfruit, pumpkin, herbs, lavender, grapes, olives.
- Planting of seasonal produce including tomatoes, lettuces, radishes, pumpkins, and other herbs and vegetables.
- Processing a variety of produce including olives, lavender, seasonal vegetables.
- Make chutneys, jams and sauces.
- Cooking workshops.
- Information sharing on sustainable farming practices that are a fundamental part of the farm operations.

Given this Council has no concerns that the proposed accommodation units would be used for any other purpose other then a host farm use and the associated agricultural use. A condition will be included within the recommendation that if the agricultural use ceases on the site the host farm use must also cease and associated accommodation pods must be removed to further ensure this.

The scale of the host farm use is relatively minor with 4 host farm buildings. This ensures the agricultural use of land will remain the dominant land use. The scale of the host farm use is also of a scale which will not hinder the current agricultural operations of the site. The location of the host farm buildings is not in a highly productive agricultural section of the site given the presence of a step slope and existing vegetation. Should the host farm use cease the buildings could easily be removed from the site to ensure that there is no permanent loss or fragmentation of agricultural land.

The GWZ also includes objectives related to providing for tourism opportunities. The proposal will provide for some support additional accommodation, which would result in some economic benefits to the existing farm and broader Mornington Peninsula through agri-tourism. This is further evidenced by letters of support submitted with the application from 'Mornington Peninsula Regional Tourism', "Visit Victoria" and "Tourism Australia". Tourism and associated

benefits are also encouraged by the Planning Scheme including clause 02.03-6 (Strategic direction) which seeks to:

- *Maintain the long-term recreational role of the Peninsula, which underpins the tourism sector, to support the local economy.*
- *Support businesses that improve the ability to experience the Peninsula's natural and cultural recreational values, such as the provision of short-term and home-hosted accommodation, host farms and similar uses.*

It is also acknowledged that adjoining sites are large and incorporate low scale agricultural uses and another winery. The scale of the proposed host farm ensures that it is compatible with these adjoining land uses and similarly the adjoining land uses are unlikely to cause any significant impacts to the proposed use. Despite this, conditions will be included within the recommendation to further limit the amenity impacts of the use the adjoining properties and broader area.

In summary, given the scale of the use it is not anticipated that the proposal will have a significant impact on the ability to provide agriculture on the site and will support policy associated with tourism and the economy. As such the proposed use is considered acceptable.

A number of conditions have been included within the recommendation to ensure amenity impacts of the use are managed and to ensure the host farm only continues to operate in association with an agricultural use. This includes:

- Implementing the activities of the submitted Host Farm Program.
- Requiring the host farm use to cease and associated buildings to be removed if the agricultural use on the site ceases.
- Noise restrictions inline with EPA guidelines.
- Restricting the extent of dust from access.
- Requiring any lighting to be baffled.
- Requiring a representative of the property to be available to be contacted by host farm guests.

Buildings and Works

A permit is required for the buildings and works associated with the host farm under the Green Wedge Zone given:

- The works area associated with a Section 2 use (host farm).
- The works are located within 100 metres from a waterway, wetlands or designated flood plain (being the Main Creek).

The proposed building is relatively responsive to the rural landscape and will largely remain unseen from outside the boundaries of the subject land acknowledging the land is lower than the road and the presence of significant vegetation. It is therefore not considered the proposal will interrupt the landscape character of the area in an unreasonable way.

The scale of each host farm building is considered relatively minor with a floor area of 44 square metres and a maximum height of 5.2 metres. The materials selected complement the natural environment and include rammed earth, colorbond cladding (Jasper) and metal roofing (Jasper).

The buildings are proposed to the rear which is a relatively steep section of the site which does not currently provide substantive agricultural activities. The presence of vegetation in this section of the site also limits the agricultural ability of this location. Whilst some vegetation will be required to be removed to facilitate the development this has been acceptable as discussed further into this report. The location of the host farm is close to an

existing access track is to minimise the extent of works required to accommodate site access to avoid further loss of agricultural land or fragmentation of agricultural land.

Figure 1: location of hist farm buildings

Whilst the proposal is located within 100 metres of the Main Creek being offset by 30 metres the impact of this is considered minimal. Wastewater can be accommodated to the north of the villas further away than the creek environment and replanting can occur along the creek line to offset the vegetation proposed to be removed.

The building exceeds all other setback requirements of the Green Wedge Zone including setbacks to roads, boundaries and dwellings not in the same ownership.

The building would be supported by appropriate infrastructure including vehicular access, water and electricity supply (through the proposed solar panels), and wastewater management.

The proposal also seeks to construct a solar system associated with the host farm use. This system is located within an existing paddock as indicated by the below image.

Figure 2: location of solar panels

The impact of the solar panels to the Green Wedge are considered minimal. The location selected is not visible from outside of the site, is not currently used for any meaningful agricultural activity and the scale of the solar panels are of a size that ensures there is no significant loss of agricultural land. It is also acknowledged that had the solar panels been attached to the host farm buildings they would have been exempt form requiring a planning permit.

As such the building works themselves are not considered to cause any significant impacts to the landscape and will not remove prime agricultural land. As such the proposed buildings and works support the GWZ1.

Overlay/s

Bushfire Management Overlay (BMO)

The BMO partially affects the subject site as illustrated by the below image.

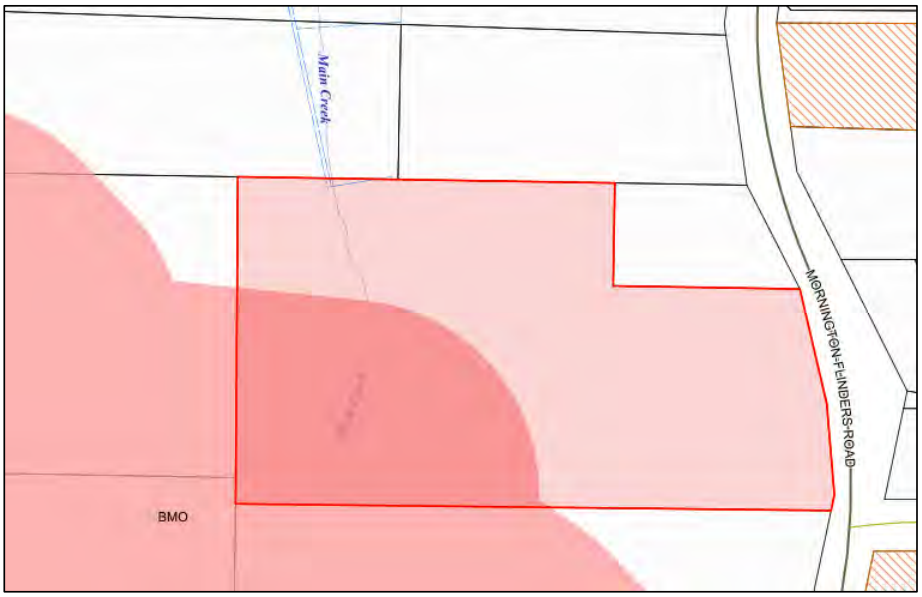


Figure 3: BMO location

A permit is required under Clause 44.06-2 for buildings and works associated with accommodation with the proposed host farm buildings being located within this control.

In assessing any application under Clause 44.06-6, consideration should be given to the objectives, standards and decision guidelines of Clause 53.02.

A development proposal must meet all of the objectives and mandatory standards, and should meet all other standards of this clause.

This clause specifies bushfire design and construction measures for a single dwelling or alteration and extension to an existing dwelling that reduces the risk to life and property to an acceptable level.

An application to construct a dwelling in a BMO that is located in a Green Wedge must meet all the requirements of approved measures of Clause 53.02-4 as detailed in the below table.

Approved Measure	**Requirement**	**Assessment**
AM 2.1	The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.	The host farm buildings are proposed on a relatively clear section of the site. Mitigation measures can be implemented on site to limit the risk such as proving defendable space, access and water supply. It is noted that adjoining sites are in private ownership however also include dwellings ensuring bushfire

		risk will also be managed on these properties.
AM 2.2	A building is sited to ensure the site best achieves the following: • The maximum separation distance between the building and the bushfire hazard. • The building is in close proximity to a public road. • Access can be provided to the building for emergency service vehicles.	The buildings are sited in a relatively clear section of the site to best manage risks associated with the bushfire hazard. Whilst the works are located to the rear of the site away from the public road appropriate access is provided on site to ensure connection is provided to a main road in Mornington-Flinders Road. Access will be provided via a gravel road which will provide access for guests and the CFA.
AM 2.3	A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.	The host farm buildings are proposed to be constructed to a BAL rating of 29 which complies with this measure.
AM 3.1	A building used for a dwelling (including an extension or alteration to a dwelling), small second dwelling, industry, office or retail premises is provided with defendable space in accordance with: • Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or • If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5. The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5.	The proposed host farm buildings provide defendable space on site that satisfies the requirements Clause 53.02-5.
AM 4.1	A building used for a dwelling (including an extension or alteration to a dwelling), a small second dwelling, industry, office or retail premises is provided with: 1. A static water supply for fire fighting and property	• A static water supply for firefighting purposes with a capacity of 10,000 litres is provided west of the host farm buildings designated for firefighting purposes. • The Bushfire Management Plan submitted satisfies the

	protection purposes specified in Table 4 to Clause 53.02-5. 2. Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.	access requirements outlined within Table 5 to Clause 53.02-5 for length of access that is greater than 100 metres.

This application satisfies the fire protection objectives and will not significantly increase the threat to life and surrounding property from wildfire.

The application was referred to the CFA who have not objected to the proposal and have provided conditions to be placed on any permit issued to ensure the application meets the intention of this overlay.

This includes the endorsement of the Bushfire Management Plan and the preparation of a Bushfire Emergency Management Plan which have been included as conditions within the recommendation.

It is therefore considered that the proposal meets the purpose and objectives of the BMO.

Erosion Management Overlay – Schedule 1 (EMO1)

The EMO1 partially affects the subject site and applies to 'erosion prone slopes' as illustrated below.

Figure 4: EMO1 location

A permit is required under Clause 44.01-2 for buildings and works associated with the host farm buildings and Clause 44.01-3 for the removal of vegetation (that is located within the control).

The application has been accompanied by a preliminary Geotech report (prepared by Stantec Australia Pty Ltd and dated 21 November 2025). This report has concluded that the potential landslip hazard as a result of the proposal is of a 'tolerable risk' to life because of the proposed development.

The earthworks have been kept to a minimum, and the design has incorporated steps into the buildings to follow the contour and minimise the earthworks. The application was referred to Council's Development Engineers who have not objected to the proposal and have not required a landslide susceptibility risk assessment to be prepared.

A condition will be included for earthworks to be appropriately battered and maintained to ensure no stability issues arise. The submitted Geotech report noted the gum trees present on the site include varied lean directions which have likely been caused by shallow soil profiles and limited root anchorage. As such it is not considered the vegetation removal would significantly impact the sustainability of the slope. It is also acknowledged that substantial existing vegetation will be maintained and replanting will occur which will further assist in limiting landslip issues.

Given this the proposal is considered to support the EMO1.

Environmental Significance Overlay – Schedule 10 (ESO10)

The ESO10 affects the whole property and surrounding area. This control relates to the 'Upland Basalt Slopes'.

The statement of environmental significance is:

> *"This area forms part of the catchment of Merricks Creek and Coolart Creek, and includes areas subject to erosion and instability. It is also an area of strategic landscape importance, with the undulating landform producing a range of internal landscapes and providing long range views to Westernport from roads along ridgelines."*

A permit is required under this control for both buildings and works and vegetation removal.

Given the site is covered by the overlay control and it is not possible to site the works outside of the control however the design response limits its impact to the 'Upland Basalt Slopes' for the following reasons:

- Locating the works significantly from Mornington Flinders Road on lower lying land (within a gully) that won't be significantly visible form adjoining properties.
- Maintaining a single storey form for the proposed development in materials that complement the landscape including rammed earth and metal cladding.
- Limiting the extent of earthworks required.
- Sitting solar panels significantly from any existing boundaries and on lower lying land.

The vegetation removal is unlikely to impact erosion/stability issues matters. As previously noted, Council's Development Engineers have reviewed the proposal and have not raised any stability concerns. The vegetation removal is also unlikely to have any landscape or long-range views from roads and ridgelines given the site is on a low-lying section of the site and maintains significant vegetation on the site.

Given this the proposal is considered to support the objectives and Decision Guidelines of the ESO10.

Environmental Significance Overlay - Schedule 17 (ESO17)

The ESO17 covers a proportion of the site associated with the Main Creek as indicated by the below image.

Figure 5: ESO17 location

As indicated by the plans the extent of works proposed in this overlay are restricted to the accessway extension and the removal of vegetation including:

- Tree 1
- Tree 3
- Tree 4
- Tree 38
- Tree 39
- Tree 41
- Tree 45
- Tree 46
- Tree 47
- Tree 48
- Tree 49

- Tree 50
- Tree 51
- Tree 52
- Tree 54
- Tree 56
- Tree 57
- Tree 60
- Tree 61

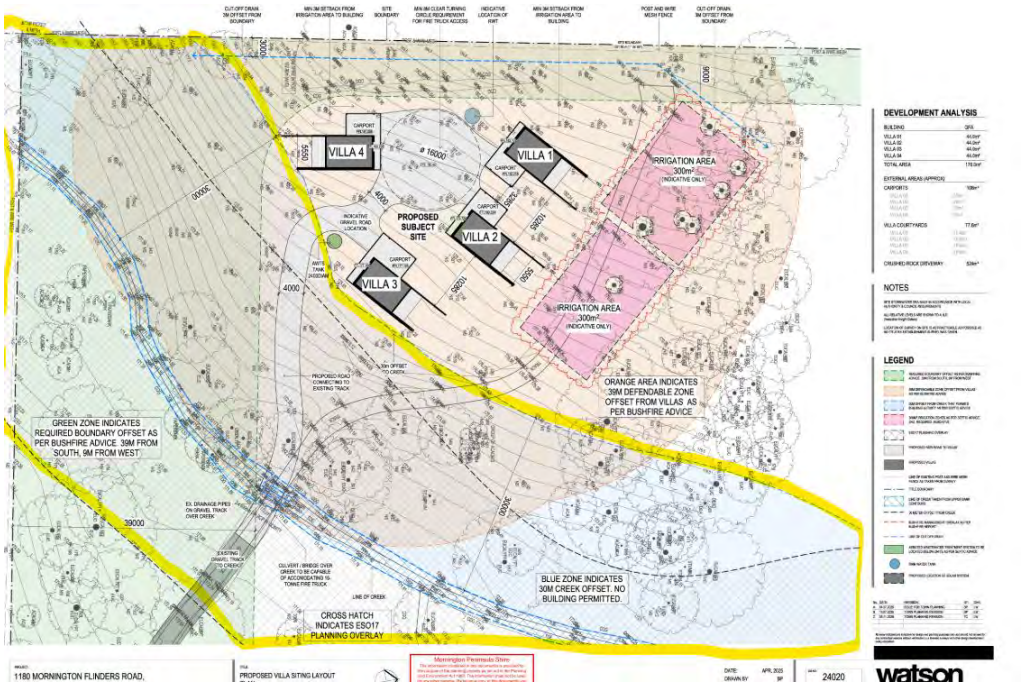


Figure 6: works within ESO17

The ESO17 recognises streamlines and in this instance specifically the Main Creek that runs through the site.

The proposal has recognised the importance of the Main Creek environment by siting the host farm buildings outside of the ESO17 and beyond 30 metres from the creek itself. Siting the buildings in this location also ensure that the buildings are unlikely to be flooded by the Main Creek. Similarly, the irrigation areas associated with host farm buildings are also sited outside of the ESO17 which will ensure there will be no impact to the health of the creek because of this infrastructure.

The works associated with the gravel driveway extension are minimal. The site already has an informal dirt track in the location of the gravel driveway and the works are to alter the surface to gravel to formalise the track. This ensures there are no significant earthworks required and no significant impacts to the Main Creek Environment.

It is acknowledged that vegetation removal could have a potential to impact the quality of the Creek through factors such as erosion, altered flood behaviour, loss of habitat, a reduction in water quality and a reduction in species diversity. This has also been recognised by an objection received from Melbourne Water. However, in this instance the extent of vegetation removal has been limited to that required to create defendable space to satisfy Bushfire requirements. The property will continue to maintain significant existing vegetation within the Main Creek Environment to the north of the host farm buildings. The property owners are also seeking to continue to improve the Main Creek Environment through amending Permit P10/1883.01 and creating an additional conservation area along the main creek. Given this, the vegetation loss will be a short-term impact but overtime and as additional vegetation is established the Main Creek environment will be improved.

It is acknowledged that Council's Senior Vegetation Officer raised concerns over the vegetation removal in relation to ESO17 noting that vegetation that is being removed is naturally occurring/remnant vegetation which is indigenous to the Ecological Vegetation Classes (EVC) occurring on the land. However, for the reasons discussed above and when balanced with competing planning policy encouraging economic development and tourism the extent of vegetation removal is considered acceptable.

Environmental Significance Overlay - Schedule 28 (ESO28)

The ESO28 covers a proportion of the site as indicated by the below image and seeks to recognise the Mornington Peninsula Bushland.

Figure 7: Location of ESO28

A permit is required under this control for:

- Buildings and works associated with both the host farm buildings and solar system.
- All vegetation removal that is sought.

The proposed buildings and works will not result in a significant impact to the Mornington Bushland. Whilst the control has consideration about the ability to locate the works outside of

the control in this instance the applicant has advised that locations outside of the control are not feasible due to a combination of impact to existing agricultural uses, being prone to flooding associated with the creek, the need to remove vegetation regardless in other areas and to provide an attractive environment for guests. For these reasons and given the development is of a relatively minor footprint, in an existing clear section and sites buildings close together to limit the vegetation loss required to create defendable space the locating works within this control is considered acceptable.

Council's Senior Vegetation Officer has concerns regarding the extent of vegetation removal in relation to ESO28. Despite this, the extent of vegetation is considered acceptable given the vegetation being limited to that to create defendable space, given the substantial vegetation that is proposed to be retained on site which contributes to the Bushland on the Mornington Peninsula and due to the strong policy support associated with economic and tourism benefits.

Significant Landscape Overlay – Schedule 6

The SLO6 covers the subject site and broader area.

The SLO6 seeks to protect National Trust classified landscapes. This includes considerations of protection of visual and natural landscapes including views from surrounding roads.

The buildings and works themselves are considered to support this overlay given:

- The buildings are located on lower lying land then Mornington- Flinders Road ensuring they will not be visible from scenic roads or surrounding areas.
- The height of the buildings is relatively minor with a maximum height of approximately 5.2 metres.
- Materials generally blend in with the natural landscape.

Despite this the SLO6 also has regard to maintaining natural significance through decision guidelines and through requiring a permit for the removal of vegetation.

In order to construct the villas significant vegetation is required to be removed to create defendable space. The majority of this vegetation is located in a gully of the site and is not visible from the surrounding area and therefore does not provide significant offsite visual benefits. The proposal also continues to maintain substantial vegetation on site which ensures it contributes positive to the natural environment.

It should also be noted that Section 52 notice was given to the National Trust given reference to seeking their comments in the decision guidelines of the SLO6. In response to this request the National Trust, who did not provide a response to the proposal and as such have not objected to the proposal.

Given this the proposal is considered to support the SLO6.

Particular Provisions

Clause 51.02 - Metropolitan Green Wedge Land: Core Planning Provisions
Clause 51.02 applies to land in Metropolitan Melbourne that is located outside the Urban Growth Boundary (UGB). The subject site is located outside the UBG. The purpose of this provision is:

- *To protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values.*

- *To protect productive agricultural land from incompatible uses and development.*

- *To ensure that the scale of use is compatible with the non-urban character of metropolitan green wedge land.*

- *To encourage the location of urban activities in urban areas.*

- *To provide transitional arrangements for permit applications made to the responsible authority before 19 May 2004.*

- *To provide deeming provisions for metropolitan green wedge land.*

It is noted that the use of a 'host farm' is not a listed use under this clause. As such it is not a prohibited use. As has been discussed on the body of the report the proposal is considered to support the Green Wedge Zone by retaining the predominate use of the land as agriculture and promoting tourism and associated economic benefits.

Clause 52.06 – Car Parking
A host farm is not a specified use under clause 52.06-5 of the Mornington Peninsula Planning Scheme. As a result, clause 52.06-6 requires car parking to be provided to the satisfaction of the Responsible Authority.

The proposed plans show one designated car space to each host farm building in the for of a carport. Given the villas each contain one bedroom this is considered sufficient for the proposed use. Should the use create demand for more than 1 space it is noted that there is sufficient space for additional cars to be parked within the vicinity of the building that are not in designated parking areas such as along the accessway. There is also a formalised car park in the front proportion of the site. As such the car parking proposed is considered adequate.

Clause 52.17 – Native Vegetation
The purpose of this clause is to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the three-step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning*, 2017*) (the Guidelines)*:

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

Pursuant to Clause 52.17, a permit is required to remove 0.176 hectares of native vegetation associated with the widening of the crossover and to create defendable space. The proposed vegetation removal qualifies for the basic assessment pathway where a referral is not required to Department of Energy, Environment and Climate Action (DEECA).

Whilst it is considered that complete avoidance of the removal of native is possible when balancing a variety of planning policy that encourage tourism and maintaining existing

agricultural land the location selected is considered acceptable. The proposal has also attempted to limit the extent of native vegetation required to be removed by:

- Siting the development in a relatively clear section of the site rather than a dense area of existing vegetation.
- Utilising the existing driveway is proposed to be modified to provide access rather than providing a significant new access track.

Consideration of minimising the impact of the native vegetation that is proposed to be removed has been considered as part of the proposal. This includes:

- The extent of built form has been limited to 4 host farm buildings with a relatively small floor area of 44 sqms to each building.
- The vegetation that has been proposed to be removed is limited to that required to satisfy bushfire measures around access and defendable space and for no other purpose.
- Replanting will be required on the site which will include native vegetation to ensure significant native vegetation is retained on the site.

In addition to this a native vegetation removal report has been submitted with the application that provides an offset of 0.12 General Habitat Units. Conditions have been included within the recommendation to ensure these offsets are secured. This will ensure that the loss of native vegetation will be appropriately offset.

The application has also been reviewed by Council's Senior Vegetation Officer who has provided conditions for the offset to be secured, existing native vegetation to be further protected through the inclusion of a fence. These conditions have been included within the recommendation.

Through these conditions it is considered that the proposal is consistent with Clause 52.17.

Clause 53.02 – Bushfire Planning
Given the proposal triggers a permit under the BMO the application is required to be assessed against Clause 53.02. The proposal complies with these requirements as discussed under the BMO section of this report.

Planning Policy Framework
The State Planning Policy Framework (SPPF) seeks to manage land use change in rural areas in order to promote agriculture and rural production and protection of landscape values. Generally speaking host farms can support agricultural uses and provide benefits through tourism and agriculture.

Clause 11.01-1R Green wedges – Metropolitan Melbourne
The importance of green wedge land is recognised at Clause 11.01-1R of the Planning Scheme. The objective of this clause is 'to protect the green wedges of Metropolitan Melbourne from inappropriate development'. The clause includes several strategies. Those of relevance include:

- *Promote and encourage the key features and related values of each green wedge area.*
- *Support development in the green wedge that provides for environmental, economic and social benefits.*
- *Protect important productive agricultural areas such as Werribee South, the Maribyrnong River flats, the Yarra Valley, Westernport and the Mornington Peninsula.*

Key elements of the Green Wedge are sustainable agricultural uses and the avoidance of rural fragmentation. The proposed use will support these key features. This is due to the host farm buildings being of a relatively small scale and in a location of the site that does not currently provide any meaningful agricultural activities. Instead the hoist farm use is considered to complement the existing agricultural use of the land. The proposal will provide for economic benefits through tourism through providing 4 accommodation buildings. This will provide tourism and economic benefits to both the subject site and broader Mornington Peninsula.

Clause 13.02 – Bushfire
The entire site is located in a Bushfire Prone Area and a proportion of the site (including the location of the host farm buildings) are located in a Bushfire Management Overlay. Clause 13.02 requires Council to give priority to human life and ensure Bushfire is appropriately considered as part of the planning process.

It is considered that bushfire risk is appropriately responded to through the creation of defendable space, proving of water supply, creation of appropriate access and limiting the extent of the use to 4 villa units. It is also acknowledged that the application has been referred to the CFA who have supported the proposal subject to the endorsement of the submitted Bushfire Management Plan and through the preparation of a Bushfire Emergency Plan which have been included as conditions within the recommendation.

Clause 14.01-1s – Protection of Agricultural Land
Clause 14.01-1s Protection of agricultural land includes the objective '*to protect the state's agricultural base by preserving productive farmland'.* This clause has a variety of strategies related to maintaining productive farmland and avoiding fragmentation of agricultural land. This includes:

- *Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.*
- *Protect productive farmland that is of strategic significance in the local or regional context.*
- *Protect productive agricultural land from unplanned loss due to permanent changes in land use.*
- *Protect strategically important agricultural and primary production land from incompatible uses.*

As previously discussed, the location of the host farm building is on a step section of the site and is not considered productive agricultural land. It is also acknowledged that if the host farm use was to cease the associated host farm buildings could easily be removed to ensure no permanent loss of agricultural land.

Clause 17.04 - Tourism
Clause 17.04 and associated subclauses of 17.04-1S (facilitating tourism) and 17.04-1R (tourism in Metropolitan Melbourne) also promotes development associated with Tourism and the associated economic social and cultural benefits. 17.04-1S (facilitating tourism) has a strategy to encourage the development of a range of well-designed and sited tourist facilities, including host farms. Often encouraging tourism can create tension with policy encouraging agriculture. Therefore, the application is required to be assessed against a variety of policy to reach a balanced outcome.

It is acknowledged that the proposal would provide some support additional accommodation, which would result in some economic benefits to the existing farm and broader Mornington

Peninsula. The 4 accommodation units have the ability to accommodate 8 people on the site and it is estimated that this would create 3 full time employment positions. There would be flow on economic benefits of this both to the subject site and the broader Mornington Peninsula through things such as cleaners, food providers and businesses of the Mornington Peninsula.

Clause 12.01-1S Protection of biodiversity
This clause has the objective *'to protect and enhance Victoria's biodiversity'*. The clause includes a range of strategies related to ensuring development avoids fragmentation of biodiversity and ensuring that development contributes to positive biodiversity outcomes.

Whilst the proposal will result in the need for some vegetation to be removed this is a short-term impact to the site rather than the broader area. The requirement for replanting will ensure the vegetation loss is adequately offset over time.

Clause 15.01-6S design for rural areas and Clause 15.01-6L Design for rural areas – Mornington Peninsula
This policy recognises the importance of development respecting rural character through various objectives and strategies related to sitting, scale and appearance. The policy ultimately considers the built form outcome and not uses.

As discussed within the report, the host farm buildings include a relatively modest footprint and maximum height. The proposed materials which include rammed earth and metal cladding in a dark colour complement the rural environment. The location of the buildings are also not considered to be significantly visible from surrounding properties or roads within the vicinity of the site.

Clause 19.03-3L Integrated water management – Mornington Peninsula
The existing site does not have access to any reticulated sewerage. Clause 19.03-3L includes strategies that ensure such developments can successfully manage wastewater on site. An indicative location provided to the north of the host farm buildings for septic fields with total area of 600sqms. Standard Environmental Health conditions have been included

Other Matters
Mornington Peninsula Green Wedge Management Plan 2019

The Green Wedge Management Plan provides a vision (in terms of character and function), objective and action for the sustainable use and development of the Green Wedge. It also sets out the key directions to achieve the vision. Of relevance to this application the key directions include protecting habitat and biodiversity, landscape quality and agricultural capacity, and protecting and supporting sustainable agriculture, agri-tourism and host farms.

The GWMP recognises the role that tourism (including agri-tourism) plays in the Green Wedge at a scale and form consistent with the character and function of the area. This includes small scale host farm uses such as this. The application is accompanied by letters of support from Mornington Peninsula Regional Tourism, Visit Victoria and Tourism Australia which detail the tourism benefits that the host farm buildings will have aligning with the Green Wedge Management Plan.

The host farm will support the diversification of accommodation options on the peninsula and provide for education of agriculture reinforcing the importance of the Green Wedge.

Planning Permit P10/1883

Planning Permit P10/1883 is an existing permit which was issued for the site on 24 March 2011 for the use and development of a dwelling on the subject site. This permit included a condition for the implantation of a Land Conservation and Rehabilitation Plan which indicates the rear proportion of the site as a Conservation Zone to be used as no other purpose. This is also shown on the endorsed plans as highlighted in the below image.

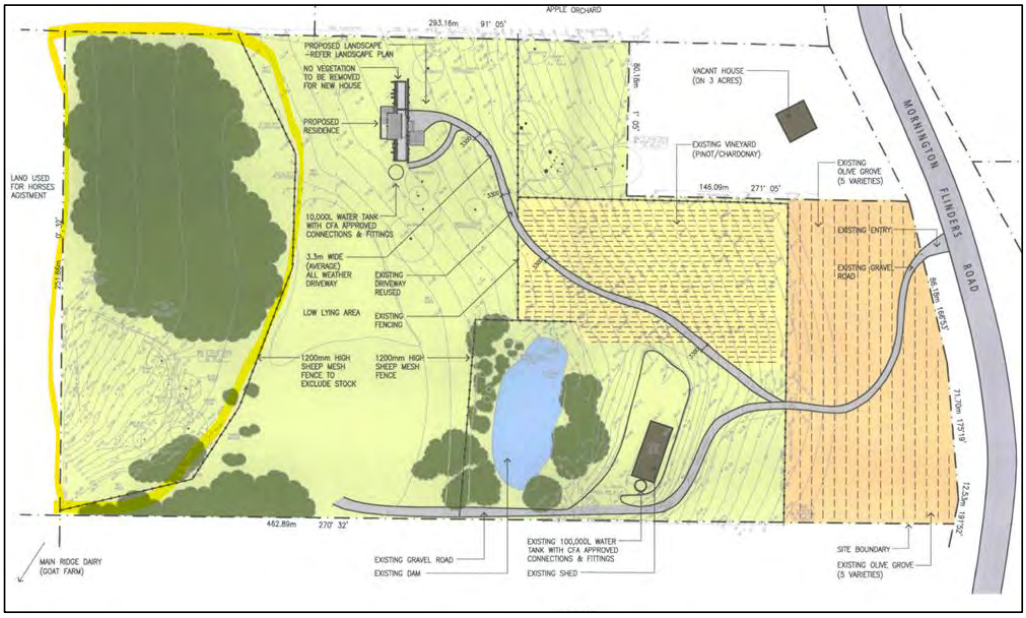


Figure 8: Conservation zone required by P10/1883

It is acknowledged that the location of the host farm buildings are located within this conservation zone meaning the current location would be contrary to the approval under Planning Permit P10/1883. Despite this, it is acknowledged that there is currently a second application for the subject site which seeks to amend P10/1883 to alter the location of the conservation zone as highlighted in the below image.

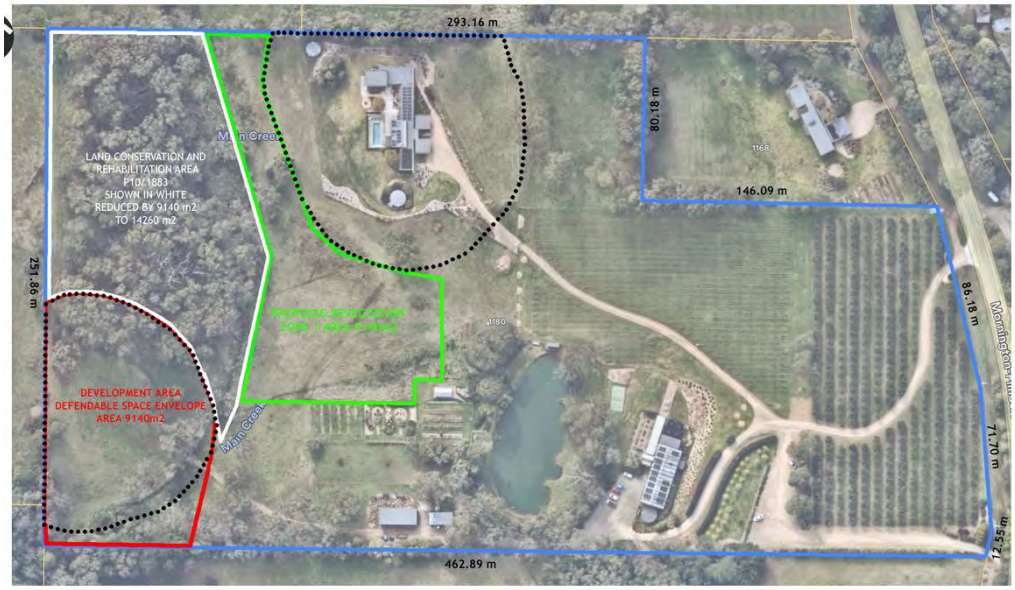


Figure 9: proposed amended conservation zone as part of P10/1883.01

This application is currently under assessment by Council. This amendment would be required to be approved prior to commencing the works associated with this host farm building. Despite this, this is not considered a reason to withhold approval for this host farm application.

RESPONSE TO SUBMISSIONS

To date, 1 objection has been received from Melbourne Water. A summary of the issues and Council's response is detailed in the following table:

Issue	Response
Potential impacts to the Main Creek such as erosion, altered flood behaviour, loss of habitat, a reduction in water quality and a reduction in species diversity.	The application has recognised the importance of the Main Creek by sitting the villas and waste fields outside of the main creek environment and associated ESO17. Works within the creek environment are limited to those required to create defendable space however through the retention of significant vegetation within the Main Creek environment and through additional replanting as required by this permit and sought under a separate planning application under P10/1883.01 the Main Creek environment will be improved over time. Given this and through other policy such as the benefits to tourism that this proposal will provide on balance the application presents an acceptable outcome.

PLANNING SCHEME AMENDMENT C312MORN

Planning Scheme Amendment C312morn was gazetted on 6 January 2026 and applied a new interim Erosion Management Overlay – Schedule 7 ("EMO7") to all land on the Peninsula that is highly susceptible to landslides not already covered by an existing Erosion Management Overlay. This included parts of the subject site however a permit was not required under this control with no works being located within the overlay.

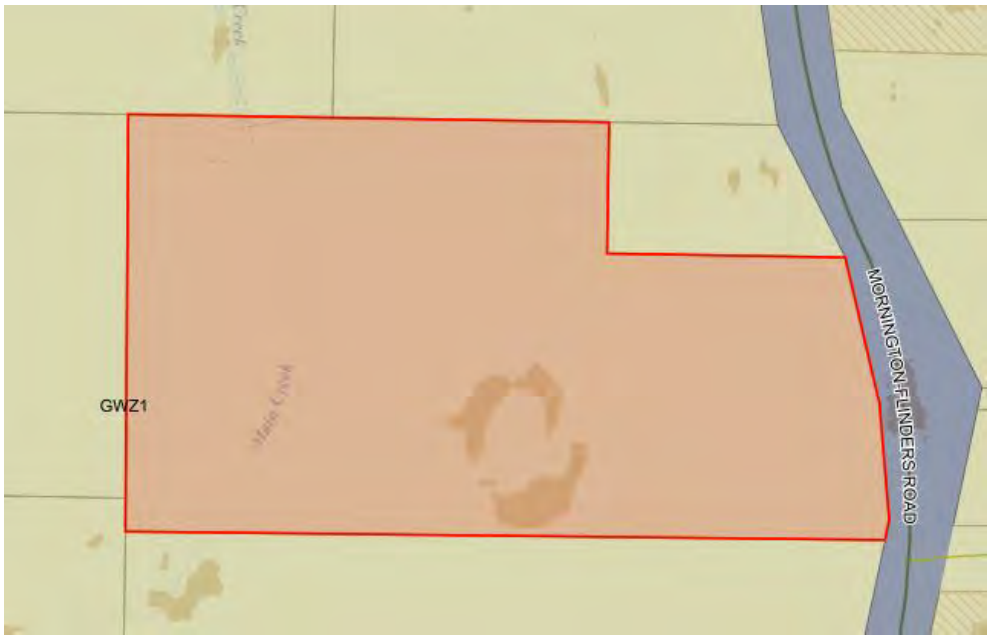


Figure 10: EMO7 location

DECISION
That Council having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a Notice of Decision to grant a permit under the provisions of the Mornington Peninsula Planning Scheme in respect of the land known and described as 1180 Mornington-Flinders Road MAIN RIDGE VIC 3928 in accordance with the endorsed plans, subject to the following conditions:

PERMIT PREAMBLE

PLANNING SCHEME CLAUSE	MATTER FOR WHICH THE PERMIT HAS BEEN GRANTED
Clause 35.04-1 (GWZ1)	Use the land for a section 2 use (host farm).

Clause 35.04-5 (GWZ1)	Construct a building or construct or carry out works for a Section 2 use (host farm).
Clause 42.01-2 (ESO10)	Construct a building or construct or carry out works (host farm and solar panels). Remove, destroy or lop any vegetation, including dead vegetation.
Clause 42.01-2 (ESO17)	Construct a building or construct or carry out works (driveway). Remove, destroy or lop any vegetation, including dead vegetation.
Clause 42.01-2 (ESO28)	Construct a building or construct or carry out works (host farm and solar panels). Remove, destroy or lop any vegetation, including dead vegetation.
Clause 42.03-2 (SLO6)	Construct a building or construct or carry out works (host farm and solar panels). Remove, destroy or lop any vegetation, including dead vegetation.
Clause 44.01-2 (EMO1)	Construct a building or construct or carry out works (host farm). Remove, destroy or lop any vegetation.
Clause 44.06-2 (BMO)	Construct a building or construct or carry out works associated with accommodation (host farm).
Clause 52.17-1 (Native vegetation)	Remove, destroy or lop native vegetation, including dead native vegetation.

CONDITIONS

Amended Plans

1. Before the use or developments starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but modified to show:

    a) Location of vegetation protection fence as required by condition 18.

Layout not altered

2. The approved development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority (Unless otherwise specified by a condition of this permit, consent is not required for any buildings or works which do not require a planning permit under the Mornington Peninsula Planning Scheme).

Colours/Materials

3. The materials and colours of the exterior finish of the building must be in accordance with the endorsed plans unless with the further permission of the Responsible Authority.

Finishes

4. Prior to the initial occupation of the building external finishes must be completed to a professional standard to the satisfaction of the Responsible Authority.

Disturbed Surfaces

5. All disturbed surfaces on the land resulting from the development must be revegetated and stabilised to the satisfaction of the Responsible Authority.

Wastewater

6. Works on the proposed development must not commence until a permit to install an onsite wastewater management system is approved by Council's Environmental Health Team.

7. All wastewater from the approved development must be contained on site in accordance with the Council's Wastewater Management Plan, and then maintained to the satisfaction of the Responsible Authority.

Use

8. The Host Farm Program (Titled Green Olive Escape Host Farm Accommodation) endorsed under this permit must be implemented and maintained, as part of the use of the approved host farm, to the satisfaction of the Responsible Authority.

9. The use of the land as a host farm may only operate if the agricultural activities on the land are carried out generally in accordance with those set out in the endorsed host farm program.

10. The buildings (villas) must be removed from the land and host farm use ceased should the agricultural use referred to in the host farm program endorsed under this permit cease.

11. The amenity of the area must not be detrimentally affected by the use or development, through the:
    - Transport of materials, goods or commodities to or from the land.
    - Appearance of any buildings, works or materials.
    - Emission of noise, artificial light, vibration, smell, fumes, dust, waste water or other waste products.

12. Nuisance dust must not be unreasonably discharged beyond the boundaries of the premises.

13. Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.

14. Outdoor or external lighting including that of the buildings and car park areas must be suitably baffled to the satisfaction of the Responsible Authority to prevent any unreasonable effect on adjoining land.

15. At all times, during occupation of the host farm, a representative of the property must be available for contact by guests of the host farm.

Protection of fauna

16. Prior to the removal of the vegetation, the site/tree(s) must be inspected for signs of habitation by fauna. If wildlife are present when removing vegetation, only a suitably qualified wildlife handler or zoologist can handle wildlife to ensure it is not harmed.

Vegetation removal

17. The extent of clearing of vegetation as shown on the endorsed plans must not be altered or modified without the consent of the Responsible Authority.

18. All disturbed surfaces on the land must be revegetated and stabilised to the satisfaction of the Responsible Authority.

Protection of patches of native vegetation and scattered trees

19. Before works start, a native vegetation protection fence must be erected around all patches of native vegetation and scattered trees to be retained on site. This fence must be erected around the patch of native vegetation at a minimum distance of two (2) metres from retained native vegetation and/or at a radius of 12 × the diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of tree. The fence must be constructed of star pickets/chain mesh/or similar; to the satisfaction of the Responsible Authority. The fence must remain in place until all works are completed to the satisfaction of the Responsible Authority.
Within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:

    a) vehicular or pedestrian access
    b) trenching or soil excavation
    c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
    d) entry and exit pits for underground services
    e) any other actions or activities that may result in adverse impacts to retained native vegetation.

20. All excavation within the Notional Root Zones (NRZ) of retained trees on the subject site; (including excavation undertaken tom install the irrigation/wastewater field; must be undertaken using minimally destructive methods (pneumatic, hydraulic, hand digging or similar). Any tree roots which require pruning must be cut with a clean sharp cutting implement with a final cut to undamaged wood at an angle which minimises the

size of the wound. No tree roots over 40mm in diameter are to be cut unless under the direct supervision of a Level 5 qualified Arborist. No tree roots critical to maintaining tree health, structure or viability are to be cut. These tree roots must be retained undamaged and alternative design and construction methods used.

21. Any underground services must be installed outside the Notional Root Zone (NRZ) of any retained trees (unless shown on the approved plans) or installed by directional boring outside of the Structural Root Zone (SRZ); and at a minimum depth of 600mm; unless with the written permission of the Responsible Authority and by using non-destructive excavation techniques (methods (pneumatic, hydraulic, hand digging or similar); under the direct supervision of a Level 5 (AQF) Arborist; and in accordance with any requirements of the Responsible Authority.

22. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained and are advised of any obligations in relation to the protection of those trees.

23. No trenching or soil excavation is to occur within the Notional Root Zone (NRZ) of retained trees during development unless shown on the endorsed plans, without the prior written consent of the Responsible Authority.

Offset requirement

24. To offset the removal of 0.176 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DEECA 2025) as specified below:
    - A general offset of 0.12 general habitat units:
        - o located within the Port Phillip and Westernport CMA boundary or Mornington Peninsula Shire municipal district
        - o with a minimum strategic biodiversity score of at least 0.432.
    - The offset(s) secured must provide protection of at least 6 large trees.

25. Before any native vegetation is removed evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:
    - an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site and/or
    - credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

    A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Energy, Environment and Climate Action (DEECA).

26. Where the offset includes a first party offset(s), the permit holder must provide an annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner `must provide a report at the reasonable request of a statutory authority.

Bushfire Management Plan

27. Before the development starts, an amended Bushfire Management Plan (BMP) which is generally in accordance with BMP prepared by Planning For Fire Version 1 Dated 21 July 2025 must be submitted to and endorsed by the Responsible Authority. The plan must show the following bushfire protection measures, unless otherwise agreed in writing by the CFA and the Responsible Authority: a) Defendable Space Show an area of defendable space for a distance of 39 around the proposed buildings/or to the property boundary where vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:
    - Grass must be short cropped and maintained during the declared fire danger period.
    - All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
    - Within 10 meters of a building, flammable objects must not be located close to the vulnerable parts of the building.
    - Plants greater than 10 centimeters in height must not be placed within 3m of a window or glass feature of the building.
    - Shrubs must not be located under the canopy of trees.
    - Individual and clumps of shrubs must not exceed 5 sq. meters in area and must be separated by at least 5 meters.
    - Trees must not overhang or touch any elements of the building.
    - The canopy of trees must be separated by at least 5 meters.
    - There must be a clearance of at least 2 meters between the lowest tree branches and ground level.

Bushfire Emergency Management Plan

28. Bushfire Emergency Management Plan Before the development is occupied or the use commences, a bushfire emergency management plan (BEMP) to the satisfaction of the Responsible Authority and CFA must be submitted to and endorsed by the Responsible Authority. The BEMP must clearly describe the proposed emergency management arrangements and should address the following matters:
    a) Premises details
        - Describe property and business details.
        - Identify the purpose of the BEP stating that the plan outlines procedures for:
            i. Closure of premises on any day with a Fire Danger Rating of Catastrophic.
            ii. Evacuation (evacuation from the site to a designated safer off-site location).
            iii. Shelter-in-place (remaining on-site in a designated building).
    b) Review of the BEP
        - Outline that the plan must be reviewed and updated annually prior to the commencement of the declared Fire Danger Period.
        - Include a Version Control Table.
    c) Roles & Responsibilities
        - Detail the staff responsibilities for implementing the emergency procedures in the event of a bushfire.
    d) Emergency contact details
        - Outline organization/position/contact details for emergency services personnel
    e) Bushfire monitoring procedures
        - Details the use of radio, internet and social networks that will assist in monitoring potential threats during the bushfire danger period.
        - Describe and show (include a map) the area to be monitored for potential bushfire activity.

f) Action Statements – trigger points for action
   i. Prior to the Fire Danger Period
      - Describe on-site training sessions and fire equipment checks.
      - Identify maintenance of bushfire protection measures such as vegetation management (including implementation of protection measures required by any endorsed Bushfire Management Plan).
   ii. Closure of premise during forecast Fire Danger Rating of Catastrophic.
      - Outline guest notification procedures and details of premises closure (including timing of closure).
   iii. Evacuation
      - Identify triggers for evacuation from site. For example, when evacuation is recommended by emergency services.
      - Details of the location/s of the offsite emergency assembly location.
      - Transport arrangements for staff and guests including details such as:
         o Number of vehicles required
         o Name of company providing transportation
         o Contact phone number for transport company
         o Time required before transportation is likely to be available
         o Estimated travelling time to destination
            - Actions after the bushfire emergency event. Shelter-in-place
            - Show the location and describe the type of shelter-in-place.
            - Triggers for commencing the shelter-in-place option.
            - Procedures for emergency assembly in the shelter-in-place building.

29. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Permit Expiry

30. This permit will expire if either one of the following applies:
    a) The development is not commenced within 3 years of the date of this permit.
    b) The development is not completed within 5 years of the date of this permit.
    c) The use does not commence with 6 years of the date of this permit.
    d) The use is discontinued for a period of 3 years.

    In accordance with section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Notes

a) All wildlife in Victoria is protected under the Wildlife Act 1975 (Wildlife Act). Prior to removal of vegetation landholders are advised to determine whether a Wildlife Act authorisation is required. For further information please visit https://www.vic.gov.au/wildlife-licences-and-permits.

b) If wildlife is present when removing vegetation, only a suitably qualified wildlife handler or zoologist can handle wildlife to ensure it is not harmed. If displaced wildlife cannot be relocated on site to an appropriate location away from the construction footprint, or injured wildlife is captured, please contact DEECA on 136 186 for further advice.

c) Endorsed copies of offset evidence should be sent to the Department of Energy, Environment and Climate Action (DEECA) Port Philip Region Planning and Approvals Team at ppr.planning@delwp.vic.gov.au

CONFLICT OF INTEREST DECLARATION

I have considered my professional duties and personal interests and declare that to the best of my knowledge no actual, potential or perceived conflict risk of exists in the assessment of this application.

Peter Hampton **Principal Planner**	**Hugh Pierce** **Team Leader – Statutory Planning**
Delegate Approved:	13/04/2026

Appendix 1 – Planning Scheme Provisions

Municipal Planning Strategy
Clause 02.02 Vision
Clause 02.03-2 Environmental and landscape values
Clause 02.03-3 Environmental risks and amenity
Clause 02.03-4 Natural Resource Management
Clause 02.03-5 Built environment and heritage
Clause 02.03-7 Transport
Clause 02.03-8 Infrastructure
Planning Policy Framework (PPF)
Clause 11.01-1R Green wedges – Metropolitan Melbourne
Clause 11.01L-02 Green wedges – Mornington Peninsula
Clause 11.03-5S Distinctive areas and landscapes *Mornington Peninsula Localised Planning Statement (Victorian Government, 2014)*
Clause 12.01-1S Protection of biodiversity
Clause 12.05-1S Environmentally sensitive areas
Clause 13.02-1S Bushfire planning
Clause 13.03-1S Floodplain management
Clause 14.01S Protection of Agricultural Land
Clause 15.01-6S Design for rural areas
Clause 15.01-6L Design for rural areas – Mornington Peninsula
Clause 15.03-2S Aboriginal cultural heritage
Clause 16.01-3S Rural residential development
Clause 17.04-1S Facilitating tourism
Clause 17.04-1R Tourism in Metropolitan Melbourne
Clause 19.03-3S Integrated water management
Clause 19.03-3S integrated water management – Mornington Peninsula
Clause 19.03-5S Waste and resource recovery
Zone

Green Wedge Zone 1 (GWZ1)
Overlay/s
Bushfire Management Overlay (BMO)
Erosion Management Overlay, Schedule 1 (EMO1)
Erosion Management Overlay, Schedule 7 (EMO7)
Environmental Significance Overlay, Schedule 10 (ESO10)
Environmental Significance Overlay, Schedule 17 (ESO17)
Environmental Significance Overlay, Schedule 28 (ESO28)
Significant Landscape Overlay, Schedule 1 (SLO1)
Significant Landscape Overlay, Schedule 6 (SLO6)
Vegetation Protection Overlay, Schedule 2 (VPO2)
Particular Provisions
Clause 52.06 Car Parking
Clause 52.17 Native vegetation
Clause 53.02 Bushfire Planning
General Provisions
Clause 65 Decision Guidelines
Clause 66 Referral and Notice Provisions
Operational Provisions
Clause 71.02 Operation of the Planning Policy Framework

DRAWING DESCRIPTION	DRAWING NUMBER	SHEET NO.	ISSUE NO.	ISSUE DATE	DRAWING STATUS				
					CANCELLED	PRELIMINARY	FOR CONSTRUCTION	AS BUILT	REFERENCE ONLY
SITE ACCESS AND LOCALITY PLAN	VIC100190	S1	1	18/06/25		✓			
SITE LAYOUT	VIC100190	S1-1	1	18/06/25		✓			
SOUTHERN ELEVATION	VIC100190	S3	1	18/06/25		✓			

AMPLITEL
Part of the Telstra Group

RYE SOUTH

TOWER AMS SITE REF: VIC100190

ADDRESS: 209 SANDY ROAD
FINGAL
VIC 3939

DECON TECHNOLOGIES

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
BTS-25067	SI	MU	PRELIMINARY - 80001947WO008UGL - L700/NR850/L1800/L2100/L2600/NR2600/NR3600	AM	MR	18.06.25	1

AMPLITEL
Part of the Telstra Group

TOWER AMS ID VIC100190
RYE SOUTH
DRAWING INDEX AND DOCUMENT CONTROL
209 SANDY ROAD, FINGAL, VIC 3939

DWG NO. VIC100190 SHT NO. DC

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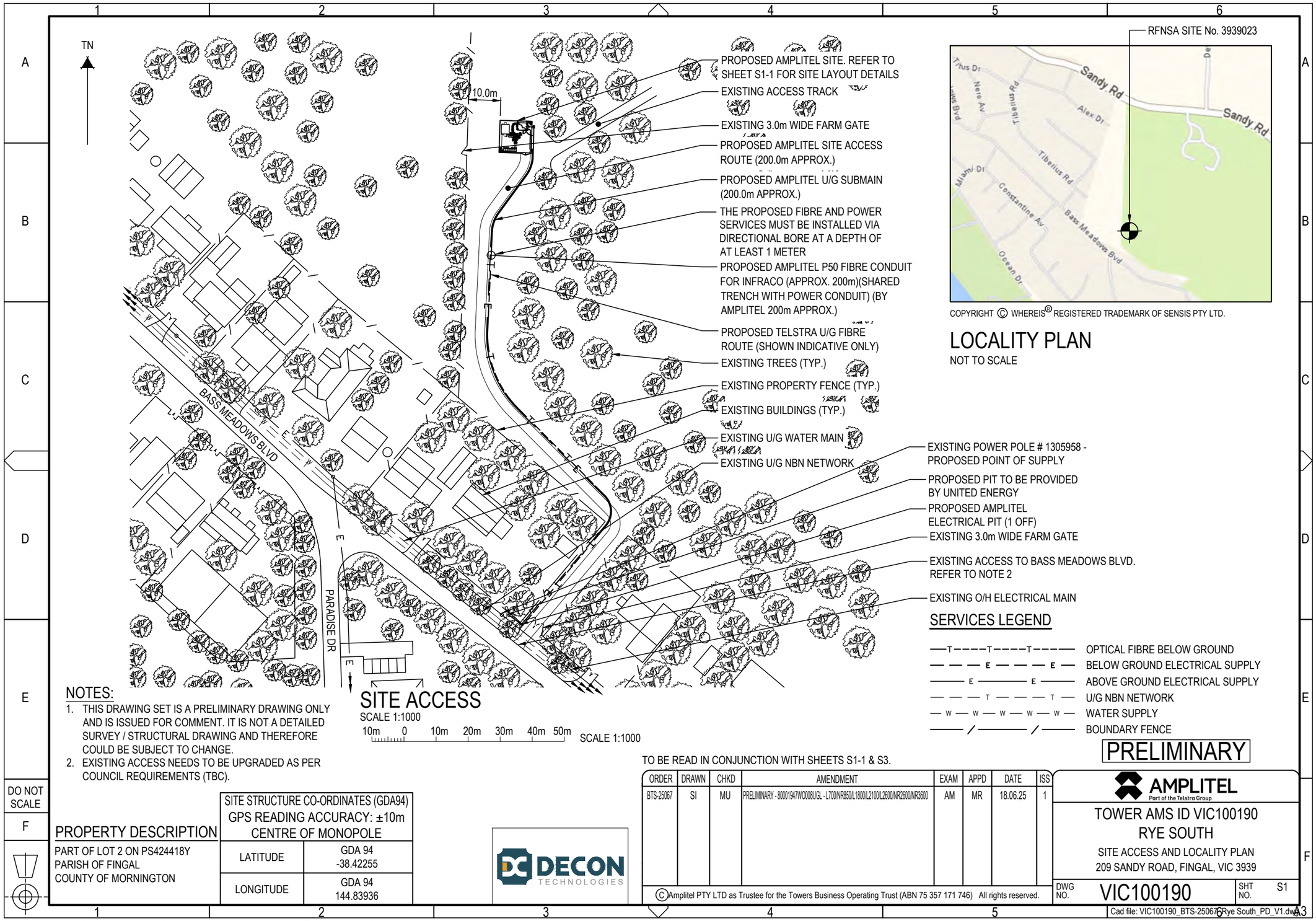

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2. EXISTING ACCESS NEEDS TO BE UPGRADED AS PER COUNCIL REQUIREMENTS (TBC).

PRELIMINARY

TO BE READ IN CONJUNCTION WITH SHEETS S1-1 & S3.

PROPERTY DESCRIPTION	SITE STRUCTURE CO-ORDINATES (GDA94) GPS READING ACCURACY: ±10m CENTRE OF MONOPOLE	
PART OF LOT 2 ON PS424418Y PARISH OF FINGAL COUNTY OF MORNINGTON	LATITUDE	GDA 94 -38.42255
	LONGITUDE	GDA 94 144.83936

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
BTS-25067	SI	MU	PRELIMINARY - 80001947WO008UGL - L700/NR650/L1800/L2100/L2600/NR2600/NR3600	AM	MR	18.06.25	1

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TOWER AMS ID VIC100190
RYE SOUTH
SITE ACCESS AND LOCALITY PLAN
209 SANDY ROAD, FINGAL, VIC 3939

DWG NO. VIC100190 SHT NO. S1

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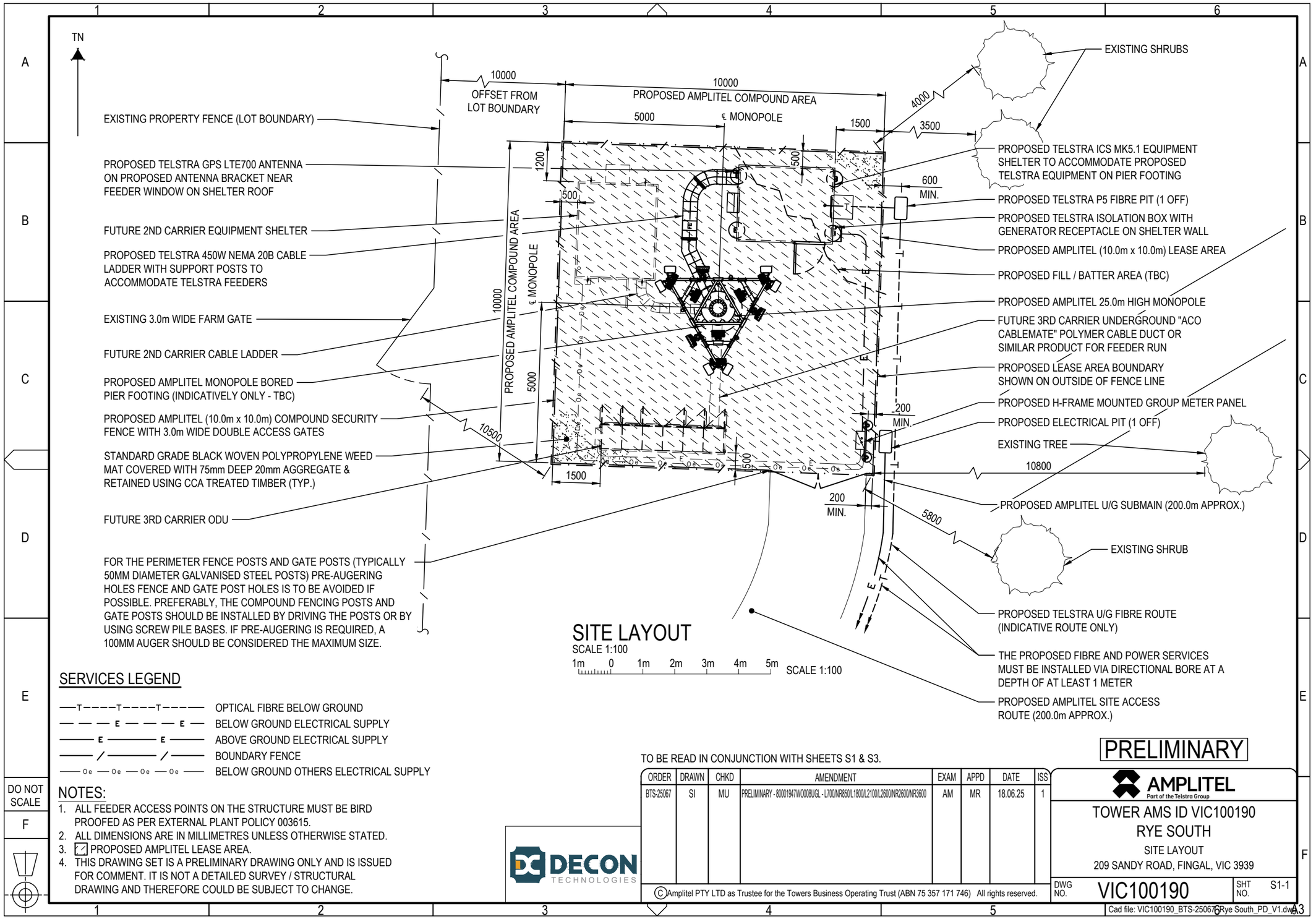

SERVICES LEGEND

- OPTICAL FIBRE BELOW GROUND
- BELOW GROUND ELECTRICAL SUPPLY
- ABOVE GROUND ELECTRICAL SUPPLY
- BOUNDARY FENCE
- BELOW GROUND OTHERS ELECTRICAL SUPPLY

NOTES:

1. ALL FEEDER ACCESS POINTS ON THE STRUCTURE MUST BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
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3. ☑ PROPOSED AMPLITEL LEASE AREA.
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DO NOT SCALE

TO BE READ IN CONJUNCTION WITH SHEETS S1 & S3.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
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PRELIMINARY

DECON TECHNOLOGIES

AMPLITEL Part of the Telstra Group

TOWER AMS ID VIC100190
RYE SOUTH
SITE LAYOUT
209 SANDY ROAD, FINGAL, VIC 3939

DWG NO. VIC100190 SHT NO. S1-1

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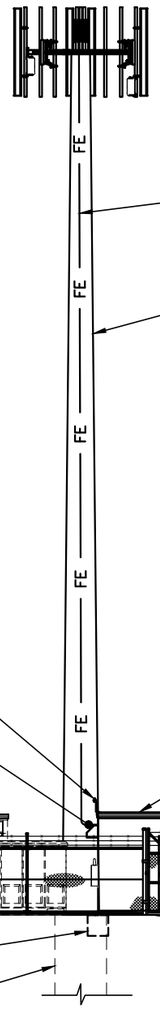
TELSTRA EQUIPMENT EXTERNAL COLOUR SCHEDULE		
FEATURE	EXTERNAL MATERIAL	COLOUR
MONOPOLE	CONCRETE	PALE EUCALYPT
MOUNTING BRACKETS & PIPES	GALVANISED STEEL	LIGHT GREY
HEADFRAME	GALVANISED STEEL	LIGHT GREY
PANEL ANTENNA	PLASTIC	FACTORY COLOUR (LIGHT GREY)
RRU	PLASTIC	FACTORY COLOUR (LIGHT GREY)
COMPOUND FENCE	GALVANISED STEEL	NATURAL
CABLE LADDER	GALVANISED STEEL	NATURAL
EQUIPMENT SHELTER	SANDWICH PANEL	PALE EUCALYPT
POWER DISTRIBUTION BOARD	METAL POWDER COATED	LIGHT GREY



E.L. 26.3m (±100mm) R.L. 37.3m AHD
OVERALL HEIGHT

E.L. 25.0m (±100mm) R.L. 36.0m AHD
TOP OF PROPOSED AMPLITEL MONOPOLE
C/L PROPOSED TELSTRA PANEL ANTENNAS AND ANCILLARIES (BY OTHERS)
C/L PROPOSED TELSTRA TRIANGULAR HEADFRAME

PROPOSED TELSTRA FEEDERS TO RUN INTERNALLY TO MONOPOLE (BY OTHERS)

PROPOSED AMPLITEL 25.0m HIGH MONOPOLE

PROPOSED TELSTRA LTE700 GPS ANTENNA ON PROPOSED ANTENNA BRACKET NEAR FEEDER WINDOW ON SHELTER ROOF

PROPOSED TELSTRA 450W NEMA 20B CABLE LADDER WITH SUPPORT POSTS TO ACCOMMODATE TELSTRA FEEDERS

FUTURE 2ND CARRIER EQUIPMENT SHELTER

FUTURE 3RD CARRIER ODU

PROPOSED AMPLITEL 2.4m HIGH SECURITY FENCE WITH DOUBLE ACCESS GATE

FOR THE PERIMETER FENCE POSTS AND GATE POSTS (TYPICALLY 50MM DIAMETER GALVANISED STEEL POSTS) PRE-AUGERING HOLES FENCE AND GATE POST HOLES IS TO BE AVOIDED IF POSSIBLE. PREFERABLY, THE COMPOUND FENCING POSTS AND GATE POSTS SHOULD BE INSTALLED BY DRIVING THE POSTS OR BY USING SCREW PILE BASES. IF PRE-AUGERING IS REQUIRED, A 100MM AUGER SHOULD BE CONSIDERED THE MAXIMUM SIZE.

PROPOSED TELSTRA SHELTER PIER FOOTING (INDICATIVE ONLY)

PROPOSED AMPLITEL MONOPOLE BORED PIER FOOTING (INDICATIVELY ONLY - TBC)

EXISTING TREES (TYP.)

E.L. 12.0m (APPROX.)
TOP OF EXISTING TREES (TYP.)

PROPOSED TELSTRA ICS MK5.1 EQUIPMENT SHELTER TO ACCOMMODATE PROPOSED TELSTRA EQUIPMENT ON PIER FOOTING

E.L. 3.28m (±100mm) R.L. 14.28m AHD
BASE OF PROPOSED TELSTRA LTE700 GPS ANTENNA

PROPOSED H-FRAME MOUNTED GROUP METER PANEL

EXISTING SHRUB

PROPOSED ELECTRICAL PIT (1 OFF)

PROPOSED TELSTRA P5 FIBRE PIT

E.L. 0.0m
GROUND LEVEL
(R.L. 11.0m AHD)

PROPOSED AMPLITEL U/G SUBMAIN (200.0m APPROX.)

PROPOSED TELSTRA U/G FIBRE ROUTE (INDICATIVE ROUTE ONLY)

PROPOSED FILL / BATTER AREA (TBC)

SOUTHERN ELEVATION
SCALE 1:150

3m 0 3m 6m SCALE 1:150

SERVICES LEGEND

—T———T———T——— OPTICAL FIBRE BELOW GROUND
— — — E — — — E — BELOW GROUND ELECTRICAL SUPPLY
——— FE ——— ABOVE GROUND FEEDER LINE

NOTES:
1. ALL FEEDER ACCESS POINTS ON THE STRUCTURE MUST BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
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TO BE READ IN CONJUNCTION WITH SHEETS S1-1 & S3.

PRELIMINARY

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
BTS-25067	SI	MU	PRELIMINARY - 80001947W0008UGL - L700/NR850/L1800/L2100/L2600/NR2600/NR3600	AM	MR	18.06.25	1

DECON TECHNOLOGIES

AMPLITEL Part of the Telstra Group

TOWER AMS ID VIC100190
RYE SOUTH
SOUTHERN ELEVATION
209 SANDY ROAD, FINGAL, VIC 3939

DWG NO. VIC100190 SHT NO. S3

Cad file: VIC100190_BTS-25067_Rye South_PD_V1.dwg A3

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August 2025

PLANNING PERMIT APPLICATION

Proposed Telecommunications Facility

209 Sandy Road, Fingal, VIC 3939

Victorian Government Connecting Victoria Program

Site Ref: Rye South - TLS-CVMP2-1135

Acquirecomm
CONNECTING TRANSFORMING DELIVERING.

Document Control

Prepared by Emily Wardlaw

Acquirecomm Pty Ltd

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Date 31 July 2025

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acquirecomm.com.au

Version	Date	Author	Reason
1	31/07/2025	Emily Hart	Initial Draft
2	31/07/2025	Emily Wardlaw	Final Review
3			
4			

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Executive Summary

This report has been prepared by Acquirecomm Pty Ltd, on behalf of Amplitel Pty Ltd (part of the Telstra Group) in support of a planning permit application to install a 25m Monopole at 209 Sandy Road, Fingal, VIC 3939.

The site has been funded by Telstra and the Victorian Government through the Connecting Victoria Program. Telstra have been awarded funding to deploy this site within the parameters of this project.

The site is legally described as Lot 2 on Plan of Subdivision 424418Y, VOLUME 10470 FOLIO 254.

Refer to copy of Title at Appendix A.

The proposed development of the site triggers the need for a planning permit under the following clause of the Mornington Peninsula Planning Scheme.

- Clause 52.19-1 Building and works for a Telecommunications Facility
- Clause 35.04-5 Green Wedge Zone – Buildings and works
- Clause 42.01 Environmental Significance Overlay – Buildings and works

This report outlines the purpose and demand for a telecommunications facility in Fingal and addresses the planning merits of the proposal and its consistency with the relevant planning controls and policies of the Mornington Peninsula Planning Scheme. It is supported by the accompanied plans which show the proposed layout and design of the facility.

The proposed development of the site represents the provision of essential telecommunications infrastructure to Fingal, and surrounds. The proposed facility will have an acceptable impact on the amenity of the area in terms of its use of materials and siting. The facility is designed to have regard to its surrounds and represents an appropriate balance between the net community benefit from the provision of essential telecommunications services and the protection of the environment from any adverse impacts.

Site and Proposal Details

Address of Site	209 Sandy Road, Fingal, VIC 3939
Legal Property Description	VOLUME 10470 FOLIO 254 Lot 2 on Plan of Subdivision 424418Y
Local Authority	Mornington Peninsula Shire Council
Permit Trigger	Clause 52.19-1 Building and works for a Telecommunications Facility Clause 35.04-5 Green Wedge Zone – Buildings and works Clause 42.01 Environmental Significance Overlay – Buildings and works
Zoning	Green Wedge Zone
Overlays	BMO – Bushfire Management Overlay ESO (Schedule 15 & 23) – Environmental Significance
Public Notice and Review	Exempt The permit application is exempt from Notice and Review under 52.19-3 as it is partly funded by the State of Victoria.
Owner	St Andrews Beach Country Club Golf Course Pty Ltd
Applicant	Amplitel Pty Ltd (part of the Telstra Group) ABN 15 648 133 073 C/- Acquirecomm Pty Ltd PO Box 586 Elsternwick, Vic, 3185
Contact Person	Emily Wardlaw Director Planning Services 0422685472 emily@acquirecomm.com.au
Our Reference	RYE SOUTH TLS-CVMP2-1135

1 Introduction

The Connecting Victoria Program (CVMP)

The Connecting Victoria project was announced in November 2020 as part of the Government's 2020/21 Budget, which set out an unprecedented investment to boost Victoria's economic recovery. Connecting Victoria will create opportunities and new jobs, strengthening Victoria's economy by better connecting more Victorians, communities and thousands of businesses across the state.

> *We are fast-tracking the delivery of improved mobile services to better connect Victorians living and working in more than 1,200 suburbs and towns across the state.*
>
> *The $300 million Connecting Victoria mobile program is delivering upgrades or installing new infrastructure through 1,108 mobile infrastructure projects. Around 2.4 million premises across 23,500 square kilometres will get increased coverage and improved service quality, including having a 5G network sooner than planned.*
>
> *Together with telecommunications partners Axicom, ENE.HUB, Optus, Telstra and TPG Telecom, the Victorian Government will build 309 new mobile towers, upgrade 492 towers to 5G, adapt 170 towers so they can be used by multiple telecommunications providers and make 137 towers more resilient during natural disasters, all by 2026.*
>
> *At many sites, the telecommunications providers have agreed to share infrastructure, which will give more Victorians a choice of mobile provider and improve competition. More than 700 of the projects will be delivered in regional and rural locations.*
>
> *Mobile connectivity plays a critical role in the lives of Victorians, providing access to healthcare, education, flexible working and emergency information and services.*
>
> *The $550 million Connecting Victoria program will continue to fast-track better mobile and broadband in more places across regional Victoria and outer suburban Melbourne.*

https://djpr.vic.gov.au/connecting-victoria/communities/boosting-mobile-connectivity-across-victoria

Telstra have been awarded State funding for 83 new sites under round 2 of the Connecting Victoria Program. Telstra in turn has assigned the deployment of these sites to Amplitel Pty Ltd (Amplitel). Amplitel are part of the Telstra Group and provide wireless infrastructure for Telstra across Australia. Acquirecomm Pty Ltd have been contracted by Amplitel to undertake the required environmental and planning approvals on each site. Acquirecomm will represent both Amplitel and Telstra Ltd in the community notification about the facility.

2 Purpose and Demand

The Connecting Victoria program addresses feedback provided by Victorians on the areas in the state where improvements are most needed.

The connecting Victoria Engagement report stated:

> *From July to September 2021, the Department of Jobs, Precincts and Regions (DJPR) reached out to people across Victoria to get their valuable insights about their 'lived experience' of mobile and broadband connectivity. This will help us to identify locations for upgrades and new infrastructure through the Connecting Victoria program in regional Victoria and outer suburban Melbourne.*

The report found that:

> *Three themes emerged from people's responses to our survey on Engage Victoria. They said the accelerated shift to remote working and learning has placed pressure on connectivity infrastructure. Connectivity is critical during natural disasters, especially bushfires and storms, power outages and health emergencies. Also, the lack of high-speed internet affects a community's ability to benefit from economic growth opportunities.*

Respondents believed that:

> *enhanced connectivity can bring more jobs, innovation and investment to their area, ensure community safety, bring greater tourism, and boost business productivity and the local economy.*

The Victorian State Government *Connecting Victoria Engagement Report*, 2022 can be viewed at: https://engage.vic.gov.au/connecting-victoria

The Connecting Victoria Engagement process collected feedback from over 11,000 responses via a survey, 13 roundtable discussions with local communities across the state, and received more than 110 formal submissions through direct consultation with local government and other government organisations. The engagement program also included working with councils in regional Victoria and outer suburban Melbourne to gather data on places that have connectivity challenges or could benefit from enhanced connectivity, and to assess future connectivity needs - directly engaging with government organisations such as Bushfire Recovery Victoria, Emergency Management Victoria, and Regional Development Victoria.

This process has informed the awarding of State Funding for new Telecommunications Infrastructure at specific locations across the state, including the proposed telecommunications facility at Fingal.

State funded sites are considered to have a high level of importance to improve digital connectivity in identified areas.

Telecommunications in new developments (TIND) policy

The Federal Government has updated the TIND policy, outlining two policy objectives for the provision of telecommunications in new developments:

- to provide people moving into new developments with ready access to modern fixed and mobile telecommunications services, including broadband and voice; and
- to support a competitive and sustainable market for the provision of such infrastructure by fostering efficiency, innovation and choice.

The latest version of the TIND policy took effect on 17 February 2024

https://www.infrastructure.gov.au/department/media/publications/2024-telecommunications-new-developments-policy

It is noted that the location of the site is in proximity to established residential subdivisions of St Andrews Beach, Rye South and Fingal . Whilst the policy is intended to be considered prior to new growth areas, it supports the provision of reliable telecommunications to new and established communities to ensure digital connectivity disadvantage is addressed.

3 Site Selection Process

Telstra commences the site selection process with a search of potential sites that meet the network's technical requirements, with a view to also having the least possible impact on the surrounding area.

Telstra applies and evaluates a range of criteria as part of this site selection process.

Telstra assesses the technical viability of potential sites through the use of computer modelling tools that produce predictions of the coverage that may be expected from these sites, as well as from the experience and knowledge of the radio engineers. There are also a number of other important criteria that Telstra uses to assess options and select sites that may be suitable for a proposed new facility.

These take into account factors other than the technical performance of the site, and include:

- The potential to co-locate on an existing telecommunications facility.
- The potential to locate on an existing building or structure.
- Visual impact and the potential to obtain relevant town planning approvals.
- Proximity to community sensitive locations and areas of environmental heritage.
- The potential to obtain tenure at the site.
- The cost of developing the site and the provision of utilities (power, access to the facility and transmission links).

In addition to the above criteria, Telstra is also contracted to meet objectives of the State Government Connecting Victoria Program.

In deciding upon the location of a new facility for Fingal, Telstra has carefully assessed all of the above criteria. This analysis is detailed in the next section.

Co-location Opportunities

As noted above co-location on existing infrastructure and the upgrading of existing telecommunications facilities are the first option Telstra examine when new infrastructure is required. This focus on the utilisation of existing infrastructure is considered prudent by Telstra as it is faster to deliver improvements, is less expensive, reduces possible impacts on the environment and community and meets the principles for the location of new infrastructure as set out in 'A Code of Practice for Telecommunications Facilities in Victoria'.

With regard to co-location opportunities in the vicinity of the current proposal Telstra have examined the other existing telecommunications facilities in the surrounding area (including those of other carriers) and other public utilities to assess if the technical requirements for a new site can be met in this fashion.

The opportunity to co-locate on an Indara 20m Monopole located 2.48km to the northwest of the proposed site was investigated however due to existing equipment accommodated on the monopole the availability for placement of Telstra antennas was at a relatively low height of 15.5m. Analysis undertaken by Telstra's RF engineers identified that the project metrics for coverage would not be achieved and therefore the co-location at this site could not be pursued.

Figure 1 below shows the location of the proposed facility in blue (and circled red) at 209 Sandy Road, Fingal. This is the location that was identified by the project as a location that would provide extensive coverage to Fingal and the surrounding area.

The closest active communications sites shown on the map below circled yellow is an Amplitel 17m (plus 5m extension) Monopole accommodating Optus and Telstra equipment located at distance of 1.9km to the east of the site. The next closest site is an Indara 20m Monopole located at distance of 2.48km to the northwest. Co-location at this site could not be pursued as discussed above.

The proposed 25m monopole will meet the project coverage objectives and will improve the depth coverage and relieve the capacity issues already experienced in the neighbouring sites to have better customer experience with improved data throughput and signal quality. The site will also provide enhanced coverage to local roads in the area, the golf course, and attractions which will also benefit the residents, businesses, and other mobile users in the area.

Acquirecomm
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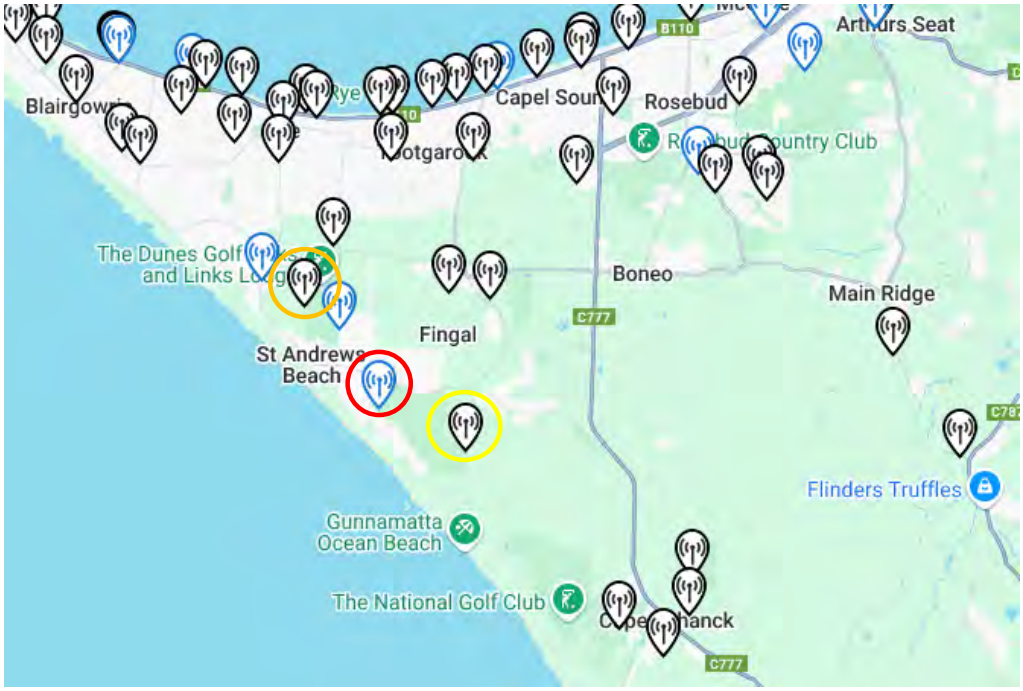

FIGURE 1 MAP OF EXISTING AND PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE. EXISTING SITES ARE SHOWN IN BLACK AND BLUE SITES ARE PROPOSED. THE PROPOSED AMPLITEL SITE IS CIRCLED IN RED AND NEARBY SITES SUMMARISED IN THE SECTION ABOVE ARE CIRCLED IN ORANGE AND YELLOW. SOURCE: RFNSA, www.rfnsa.com.au

Candidate Selection

The original funded location was intended primarily to provide high quality wireless coverage to Rye South. A coverage area which encompasses residential dwellings, rural and semi-rural land activities, local roads, and public reserves. A summary of the candidates considered is provided below at Table 1.

The initial search area focused on the southern area of Rye with (4) candidates assessed by Amplitel and Telstra. Candidate A was identified as the optimal location to meet the coverage, capacity, and performance requirements of the government program for this area. Candidate A, however, was discounted due to the landowner being unresponsive to Amplitel's approaches. The remaining (3) candidates were all discounted either due to insufficient coverage or lack of landowner interest and ability to achieve a tenure agreement.

As a result, a new search area was issued extending further to the south east along the ocean beach coastline. Three additional candidates were assessed in this area around St Andrews Beach.

The final location at 209 Sandy Road, Fingal, VIC 3939 was identified as the prime candidate due to its siting on cleared land, outside of the three registered Aboriginal Heritage Places listed on the subject site, and ability to enter into an agreement with the landowner.

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Several options were considered within the land parcel that would meet coverage objectives, ensure access and power requirements could be met in a cost-effective manner, and also reduce visual impact as much as possible.

The final location on the western side of the subject site as agreed with the landowner and presented in the designs at Appendix B has existing access off Bass Meadows Boulevard and is located close to power and fibre connections. The project area has been sited to not overlap with the Registered Aboriginal Heritage Places recorded on the land (to the east) and is adequately distanced from a Telstra Facility located 1.9km to the east on the eastern boundary of the subject site.

The proposed structure is set back approximately 122m from Bass Meadows Boulevard to the south, and there are clusters of low-rise vegetation surrounding the site. Telstra Radio Frequency Engineers agreed to a lower than usual 25m structure height in this location to assist in reducing broader visual landscape impacts whilst still meeting coverage targets.

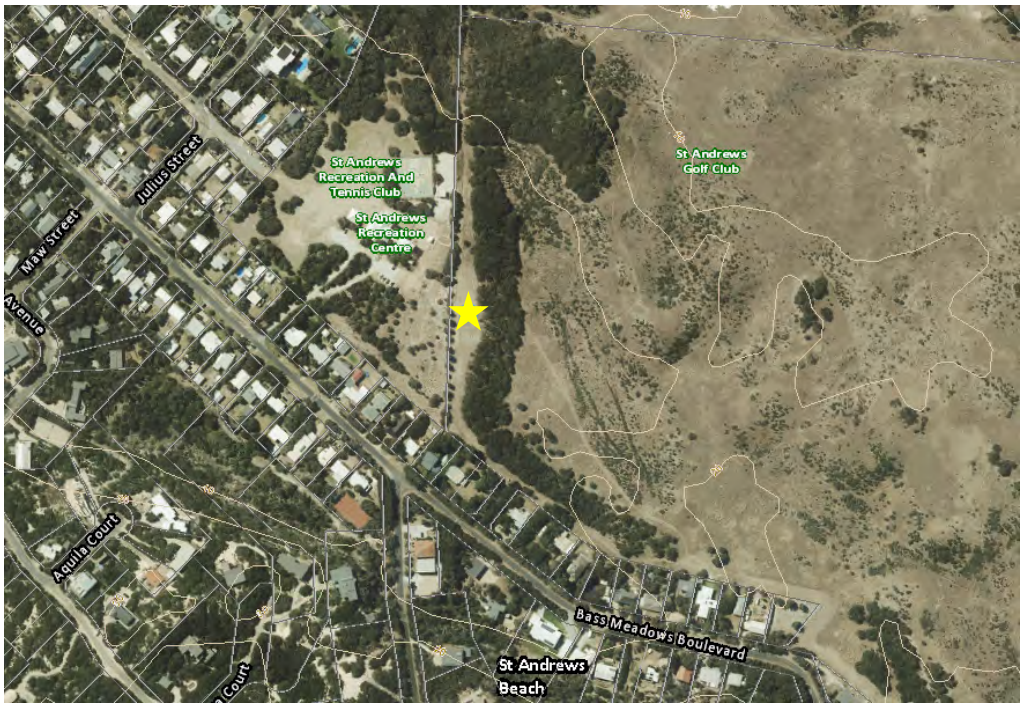

FIGURE 2 VICPLAN MAPPING SHOWING LAND CONTOURS AND LOCATION OF PRIME CANDIDATE (YELLOW STAR)

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Alternative Candidate Summary

FIGURE 3 AERIAL MAPPING OF CANDIDATES

TABLE 1

Candidate	Address and reason for elimination
Candidate A: Private Residential	Address: 475 BROWNS ROAD RYE 3941 Reason for its elimination: Owner unresponsive
Candidate B: Power Pole	Address: Light Pole outside 443 Browns Road Reason for its elimination: Does not meet coverage objectives
Candidate C: Council Reserve	Address: French Street Reserve 16 French Street. Reason for its elimination: Does not meet coverage objectives
Candidate D: Glenvue Nursey	Address: 402-408 BROWNS ROAD RYE 3941 Reason for its elimination: Unable to achieve a tenure agreement and Council did not support in Pre-Ap Meeting.
Candidate E (co-location on Indara monopole)	Address: 335 Browns Road Rye VIC 3941 Reason for its elimination: Does not meet coverage objectives
Candidate F: St Andrews Beach Club	Address: 99 Bass Meadows Blvd St Andrews Beach VIC 3941 Reason for its elimination: Unable to achieve a tenure agreement
Candidate G: St Andrews Golf Club (PRIME)	Address: 209 Sandy Road Fingal VIC 3939 A proposed 25m monopole is sought for this location as it meets the Government Program Coverage requirements and terms for tenure have been agreed with the landowner.

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Summary

The selected candidate at 209 Sandy Road Fingal is located in a position and height to provide reliable coverage to the region, and also connecting to Telstra existing sites in the surrounding area.

There are no viable co-location opportunities within Fingal or Rye South and as such, a new site at 209 Sandy Road Fingal is proposed.

The location was chosen due to its proximity to the availability of power, transmission and in consultation with the landowners of the subject site. Additionally, the location avoids the listed Cultural Heritage sites to the east on the subject property, and care has been taken not to impact cultural heritage in terms of the design, siting, and construction methods.

Candidate F would provide similar coverage and visual amenity impacts and was not progressed due to Amplitel being unable to achieve a tenure agreement with the committee of management.

The proposed site will predominantly maintain the expansive views across the surrounding semi-rural and coastal landscapes. Established vegetation on the subject site and surrounding land will also help to minimise the impact of the facility. Equipment associated with the facility will generally be screened at ground level and associated feeder cables will be located underground. The proposed monopole is the smallest structure cable of meeting coverage and operational objectives.

The rural characteristics of the site will not be compromised given the total area allocated for the facility relative to the land size. The location is adequately distanced from residential dwellings to the south with setbacks of over 80m and separated from residential dwellings to the west by the St Andrews Recreation Club who will benefit from the improved coverage and connections. Whilst the structure will be a visible element within the landscape, it will be viewed in context with the overhead power lines that run along the north side of Bass Meadows Boulevard, further limiting the level of visual impact to users of nearby roads and residential areas. The advantages of improved telecommunications services as a result of the facility are considered to outweigh any general loss of visual amenity.

In this case, Telstra concluded that a new facility at 209 Sandy Road, Fingal would be the most appropriate option to pursue when all factors including the project parameters; radio design, site construction and planning environmental issues were considered.

The site is accessible, technically viable and will result in an acceptable impact on the amenity of the area, whilst also providing possible co-location opportunities for other carriers in the future.

The site selection process considered environmental and visual constraints, existing and future land use characteristics, the orderly planning of the area and the design of the facility. On balance, it is considered that the location and height of the facility ensures optimal service provision to the area.

4 Proposed Development

The proposed development at, 209 Sandy Road, Fingal, VIC 3939, comprises the following:

- The construction of a 25m Monopole (coloured pale eucalypt)
- The attachment to the top of the Monopole of a triangular headframe accommodating Telstra 4G and 5G antennas.
- The total structure height will be 26.3m.
- The installation of a compound security fence (10m by 10m) with double access gates.
- The installation of underground power and fibre routes approx. 200m in length utilising a shared trench bored at a depth on 1m.
- Ancillary items including feeders, adaptors, cable tray and a GPS antenna.

Associated items not requiring a permit:

- The installation of one (1) equipment shelter at the base of the facility (coloured pale eucalypt)
- The use of existing access conditions

Refer to Plans attached at Appendix B.

5 Subject Site and Locality

The subject site is located within the Mornington Peninsula Shire Council area in the locality of Fingal situated between the suburbs of Rye and St Andrews approximately 66km south of the Melbourne CBD. The municipality extends over 720 square kilometres and accommodates a mix of productive rural areas, scenic landscapes, areas reserved for conservation and a network of small towns and coastal villages.

The area is a popular tourist destination leading to large population fluctuations during holiday and summer seasons – meaning a denser population and more demand for telecommunications. The proposed Amplitel Monopole and Telstra Base Station will relieve the coverage pressure whilst improving and maintaining reliable coverage in the immediate area.

The subject land is an irregular shaped land parcel of approximately 130.92 hectares and is part of a larger landholding of three lots approximately 164.81 hectares in size. The land is legally described as Lot 2 on Plan of Subdivision 424418Y, VOLUME 10470 FOLIO 254.

Refer to title and title plan at Appendix A

The proposed facility will be contained in a 10m by 10m fenced compound with a setback of approx. 10m to the west boundary of the subject land, a setback of approx. 90m to a residential interface to south and a setback of approx. 230m to the north boundary. The subject land accommodates part of St Andrews Golf Club grounds and has largely been cleared of vegetation. Stands of low-rise vegetation are predominantly located in proximity to the property boundaries, and along the west boundary.

Surrounding land to the south and west is zoned General residential. The nearest dwelling is located at a distance of approx. 90m to the southeast of the site on the north side of Bass Meadows Boulevard. The adjacent land parcel to the west accommodates St Andrews Recreation and Tennis Club, there are five dwellings adjacent to the west boundary of the Recreation Club with setbacks of approx. 200m to 270m from the site. Intervening vegetation will screen the ground level equipment and lower portion of the facility from the curtilage of properties to the south and west of the site. The surrounding land to the north and east is zoned Green Wedge. The adjacent land parcel directly to the north of the site is a larger semi-rural landholding accommodating a dwelling with a large setback of over 500m from the site. The adjoining land parcel directly to the east of site is part of the larger land holding accommodating the St Andrews Golf Club and approximately 10 dwellings.

Overhead power lines run along the north side of Bass Meadows Boulevard.

The nearest public land is located approximately 520m to the south east. The land is zoned Public Conservation and Resource and accommodates the Mornington Peninsula National Park.

The proposed telecommunications facility and modest compound area has been carefully sited to reduce impacts on visual amenity in the surrounding area with adequate visual screening from established vegetation on the subject site and surrounding land.

Refer to photos of the site and surrounds below.

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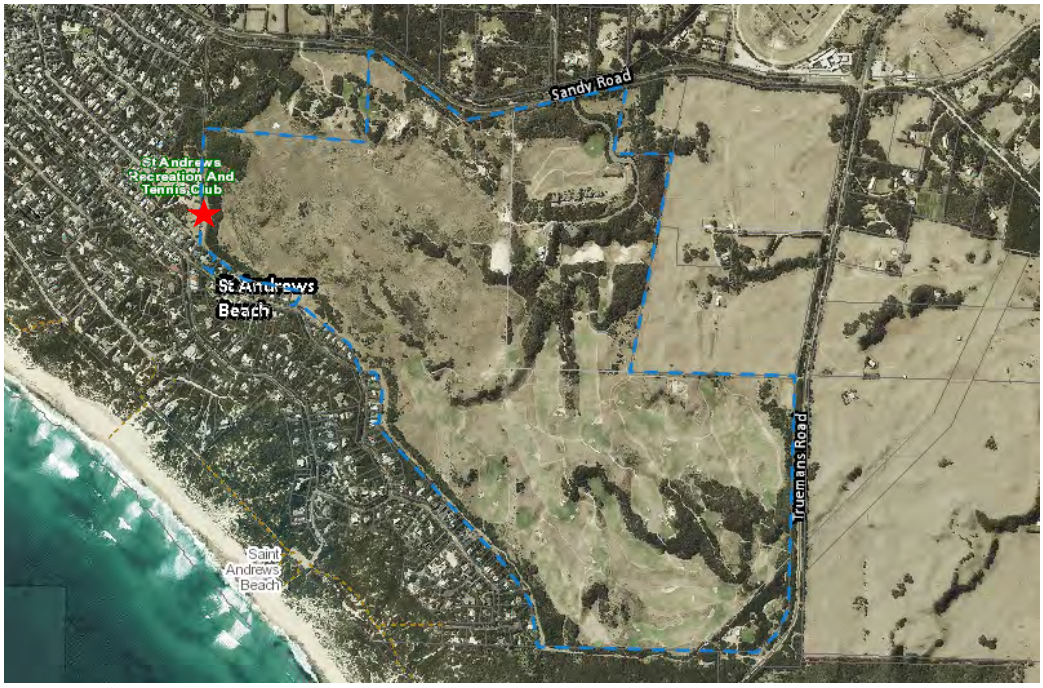

FIGURE 4 AERIAL VIEW OF SUBJECT SITE OUTLINED BLUE SHOWING LOCATION OF PROPOSED FACILITY (RED STAR)

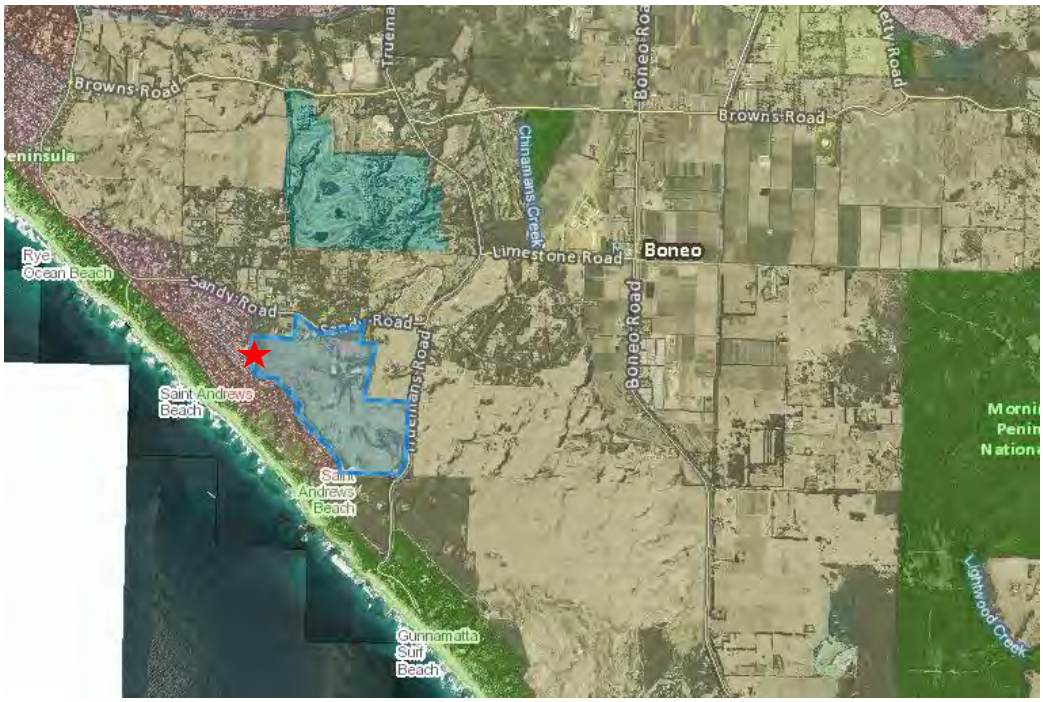

FIGURE 5 BROADER AERIAL VIEW OF SUBJECT SITE HIGHLIGHTED BLUE SHOWING LOCATION IN THE FARMING ZONE AND DENSER RESIDENTIAL AREAS TO THE SOUTH AND WEST

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FIGURE 6 INTERNAL VIEW OF SITE LOOKING SOUTH FROM APPROXIMATE LOCATION OF THE PROPOSED FACILITY SHOWING FIRE ACCESS TRACK AND ELEVATED DWELLINGS (CIRCLED BLUE) TO THE SOUTH OF BASS MEADOWS BOULEVARD APPROX. 220M - 260M TO THE SOUTH OF SITE

FIGURE 7 INTERNAL VIEW OF SITE LOOKING WEST FROM APPROXIMATE LOCATION OF THE PROPOSED FACILITY SHOWING ENTRY POINT TO ST ANDREWS TENNIS AND RECREATION CLUB

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FIGURE 8 INTERNAL VIEW OF SITE LOOKING SOUTH WEST SHOWING THE APPROXIMATE LOCATION OF THE PROPOSED FACILITY (RED ARROW) AND ENTRY POINT TO ST ANDREWS TENNIS AND RECREATION CLUB (CIRCLED BLUE)

FIGURE 9 INTERNAL VIEW OF SITE LOOKING NORTH WEST FROM APPROXIMATE LOCATION OF THE PROPOSED FACILITY SHOWING ST ANDREWS RECREATION CENTRE (CIRCLED BLUE)

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FIGURE 10 INTERNAL VIEW OF SITE LOOKING EAST FROM APPROXIMATE LOCATION OF THE PROPOSED FACILITY SHOWING INFORMAL ACCESS TRACK EAST TO GOLF COURSE AREA

FIGURE 11 INTERNAL VIEW OF SITE LOOKING SOUTH, APPROXIMATE LOCATION OF THE PROPOSED FACILITY INDICATED BY THE RED ARROW

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FIGURE 12 INTERNAL VIEW OF SITE LOOKING NORTH, APPROXIMATE LOCATION OF THE PROPOSED FACILITY INDICATED BY THE RED ARROW

6 Regulatory Framework and Assessment

6.1 Federal Legislation

Telecommunications Act 1997

The Telecommunications Act 1997 (the Act) came into operation on 1st July 1997. The Act provides a system for regulating telecommunications and the activities of carriers and service providers.

Under the Act, telecommunications carriers are no longer exempt from State and Territory planning laws except in three limited instances:

- There are exemptions for inspection of land, maintenance of facilities, installation of "low impact facilities", subscriber connections and temporary defence facilities. These exemptions are detailed in the *Telecommunications (Low Impact Facilities) Determination 2018 and Telecommunications (Low Impact Facilities) Amendment Determination 2021* and these exceptions are subject to the *Telecommunications Code of Practice 1997*;
- A limited case-by-case appeals process exists to cover installation of facilities in situations of national significance; and
- There are some specific powers and immunities from the previous *Telecommunications Act 1991.*

Telecommunications (Low Impact Facilities) Determination 2018

The Telecommunications (Low-impact Facilities) Determination came into effect on 1st July 1997 and has been superseded by the *Telecommunications (Low-impact Facilities) Determination 2018 (as amended 2021).*

The Determination contains a list of Telecommunications (and Radiocommunications) Facilities that the Commonwealth will continue to regulate. These are facilities that are essential to maintaining telecommunications networks and are unlikely to cause significant community disruption during their installation or operation. These facilities are therefore considered to be 'Low-impact' and do not require planning approval under State or territory laws.

As the proposed works do not meet the provisions of the Telecommunications (Low-impact Facilities) Determination 2018 (as amended in 2021), a Development Application is therefore required to be assessed under the relevant state and local planning provisions.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act* commenced on 16th July 2000. It introduced a new role for the Commonwealth Government in the assessment and approval of development proposals where those proposals involve actions that have a significant impact on matters of National Environmental Significance, the environment of Commonwealth owned land and actions carried out by the Commonwealth Government.

This proposal is not of National Environmental Significance, as it will not impact on:

- World Heritage Areas;
- Wetlands protected by International Treaty (The RAMSAR Convention);
- Nationally listed threatened species and communities;
- Nationally listed migratory species;
- All nuclear actions; or
- The environment of Commonwealth Marine area.

The EPBC Protected Matters report identifies 1 threatened ecological community and 56 threatened species in the region. The proposed works are located on cleared land and will be contained with a 10m by 10m fenced compound. The facility will utilise existing access off Bass Meadows Boulevard. Due to the limited nature of the proposed works in terms of ground disturbance and duration there is no undue threat to flora and fauna in the area.

Refer to EPBC Act Protected Matters Report at Appendix E.

Electromagnetic Energy and Health

EMF is sometimes known as electromagnetic radiation (EMR) or electromagnetic energy (EME). Electromagnetic fields are present everywhere in our environment – the earth, sun and ionosphere are all natural sources of EMF.

Telstra rely on the expert advice of international and national health authorities including the World Health Organization (WHO) and the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) for overall assessments of health and safety impacts.

The International Commission on Non-Ionizing Radiation Protection (ICNIRP) has issued guidelines on levels of allowable public exposure to Radio Frequency (RF) fields, including guidelines on RF from mobile phones and base stations that Telstra adheres to. These guidelines have a large safety margin built into them.

Telstra confirms that the proposed facility will comply with the mandated standard (RPS-S1) for EMF set by ARPANSA, which is based on the safety guidelines recommended by the WHO. The safety standard works by limiting the network signal to a level low enough to protect all people, in all environments, 24 hours a day. The safety limit itself has a significant safety margin built into it.

Further information about EMF can be sourced at:

- Commonwealth Department of Health (ARPANSA) www.arpansa.gov.au
- Australian Communications and Media Authority (ACMA) www.acma.gov.au
- World Health Organisation (WHO) www.who.int/en/

To demonstrate compliance with the safety standard, an Environmental EME Report is available via the RFNSA website: www.rfnsa.com.au/3939023 and is also attached at Appendix C.

This report predicts that the maximum signal strength from the Proposed Facility at 1.5m above ground level, is well within the allowable limit that it is permitted to transmit over a 24-hour period. This is typical of Telstra's responsible approach to network performance and environmental compliance.

A copy of the EME Report is attached at Appendix C

Civil Aviation Safety Authority

Amplitel take their obligations seriously in relation to the impact of their structures on aviation safety and have developed their own policies to ensure CASA standards are met when installing new facilities. Telstra are aware that structures over 30m in height are required to be reported in accordance with the CASA publication AC139E-01 "Reporting Tall Structures", and accordingly will report on the proposed site in accordance with this policy.

In the case of the new telecommunications facility at Fingal, Amplitel have reviewed their policy and the CASA standards and also the particular characteristics of the site, and have assessed that no further measures, including aircraft warning lighting is warranted due to the following:

- The proposed site is over 34km to the south west of Tyabb Aerodrome and 50km to the south east of Avalon Airport.
- The Obstacle limitation surface (OLS) protects the air space around airports from the intrusion of built structures that would adversely affect aircraft operation or safety. The site is not within an OLS boundary, and therefore not subject to the conditions of CASA standards; MOS part 139- Aerodromes.

Whilst it may be prudent in some locations to apply lighting or other applications on tall structures outside of OLS boundary areas, each structure should be assessed individually in the context of its location, proximity to an aerodrome and or proximity to areas where aircraft are prevalent. In relation to this site, Telstra has considered the criteria set out at clause 9.27 of the MOS, which include:

- Outside the obstacle limitation surfaces of an aerodrome, if the object is or will be more than 110 m above ground level. In this case, the Telstra facility is well below this at 26.3m.

Amplitel has also considered other possibly relevant factors such as height and geographic features. The structure is a moderate height of 26.3m on semi-rural land in the locality of Fingal. Amplitel's assessment is that the proposed facility is not affected by the Civil Aviation Safety Regulations 1998 Part 139-Aerodromes. Amplitel also concludes that aircraft warning lights are not warranted in this location.

6.3 State Legislation

Victorian Aboriginal Heritage Act 2006

The Aboriginal Heritage Act 2006 and Aboriginal Heritage Regulations 2018 (Vic) provide for the protection of Aboriginal cultural heritage in Victoria. Aboriginal heritage is defined in the Act as "Aboriginal places, Aboriginal objects and Aboriginal human remains".

The regulations are intended to provide for the effective protection and management of Aboriginal Cultural Heritage in Victoria by, amongst other things, specifying the circumstances in which a cultural heritage management plan (CHMP) is required and prescribing standards for the preparation of CHMPs.

Under the regulations, Telecommunications Facilities are not considered "High Impact" activities (Division 5, regulation 46) and therefore are exempt from the requirement to undertake a mandatory CHMP. In certain situations, the underground power and fibre line associated with the facility may not be exempt from the requirement to undertake a CHMP. The Act requires that underground lines located within an area of cultural sensitivity not subject to significant ground disturbance require a CHMP for a line over 500m in length.

As part of the site acquisition process, Telstra assesses each site against the Cultural Heritage Sensitivity Maps provided by Aboriginal Victoria on their website. This website provides indicative information about the location and extent of areas of Aboriginal cultural heritage sensitivity. Areas of cultural heritage sensitivity shown on this mapping are based on the provisions in Part 2, Division 3 of the Regulations and for the most part indicate locations where Aboriginal activity may have occurred in the past; e.g. within 200m of a waterway, and in some cases registered Aboriginal heritage places; e.g. within 50m of scarred trees or within 50m of where stone artefacts have actually been found. However, it should be noted that the Regulations state that where any such land has been subject to *'significant ground disturbance'* then it is not an area of cultural heritage sensitivity.

If a site is in an area of aboriginal cultural sensitivity, then Telstra will undertake a register check with AAV and consider further investigations to limit any impacts on any known or unknown heritage.

As shown in the Cultural Heritage Sensitivity Maps the proposed facility is located within an area of Cultural Sensitivity, as defined by the Act. The proposed works including the installation of a new monopole and underground electrical and fibre routes to the property boundary are not defined as High Impact facilities under the regulation, and therefore do not trigger the requirement for a CHMP.

Notwithstanding this, a request was submitted to Aboriginal Victoria for further assessment against the Aboriginal Cultural Heritage Register.

Whilst there are no registered cultural heritage places in the footprint of the proposed works area as set out on the provided plan, there are registered places nearby on the property (within 50m). Further advice has been sought from an archaeologist to confirm that the works do not trigger a CHMP, and that the works adequately mitigate risks of impacting cultural heritage.

Given the baseline cultural heritage sensitivity of inland dune landforms in the Mornington Peninsula, the ground disturbing works for this project will be kept to the minimum extent necessary and the proposed new fibre and power services will be installed via directional bore at a depth of at least 1 metre.

Specific advice for this project:

- Ground disturbing works will be kept to a minimum.
- The proposed new fibre and power services must be installed via directional bore at a depth of at least 1 metre.
- For the perimeter fence posts and gate posts (typically 50mm diameter galvanised steel posts) pre-augering holes fence and gate post holes is to be avoided if possible. Preferably, the compound fencing posts and gate posts should be installed by driving the posts or by using screw pile bases. If pre-augering is required, a 100mm auger should be considered the maximum size.

Contractors must ensure that all workers involved with this project:

- are aware that Aboriginal heritage material is present in the vicinity of the proposed works,
- have access to on-site identification guides for Aboriginal cultural heritage, in particular Aboriginal stone artefacts and shell midden deposits (see attached information sheets produced by First Peoples-State Relations),
- maintain a high level of vigilance for material that might be Aboriginal cultural heritage material, and
- are familiar with the protocol to be followed if material suspected of being Aboriginal heritage material is located during works.

The Cultural Heritage Advice has not been included in this application as it contains sensitive information about the location of registered cultural heritage. A copy can be provided on request with confidentiality conditions.

Refer to Appendix F for Cultural Heritage Sensitivity Maps

State Planning Policy Framework

Victorian Planning Provisions (VPP) sets out the specific policies relating the environmental, social and economic factors. The section of the VPP most relevant to this proposal is Clause 19.03-4S - Telecommunications. The objective of this is:

> *"To facilitate the orderly development, extension and maintenance of telecommunications infrastructure."*

The Strategies contained in this policy are:

- *Facilitate the upgrading and maintenance of telecommunications facilities.*

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- *Ensure that modern telecommunications facilities are widely accessible and that the telecommunications needs of business, domestic, entertainment and community services are met.*
- *Encourage the continued deployment of telecommunications facilities that are easily accessible by:*
    - *Increasing and improving access for all sectors of the community to the telecommunications network.*
    - *Supporting access to transport and other public corridors for the deployment of telecommunications networks in order to encourage infrastructure investment and reduce investor risk.*
- *Ensure a balance between the provision of telecommunications facilities and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.*
- *Co-locate telecommunications facilities wherever practical.*
- *Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.*

The proposal addresses the strategies in this policy in that:

- The proposed facility will provide new and extended coverage to the area of Fingal and surrounds as described in Section 2 purpose and Demand above.
- The proposal will ensure that modern telecommunications are accessible in this region and will assist in meeting the telecommunications needs of business, domestic, entertainment and community services and along major transport routes and roads.
- The proposed facility will not have any significant impacts on the environment.

Apart from Clause 19.03-4S, there is little specific reference to telecommunications infrastructure provision throughout the SPPF, however, it is clear through Clauses 12, 13, 15 and 17 in particular that the emphasis is placed on the balance between providing modern infrastructure to foster community connectivity, the efficient operation of existing business and attraction of new business, for example, against minimising any environmental impacts on such things as the landscape, water resources and cultural and built heritage.

In general, when considering proposals for telecommunications facilities against the VPP, the responsible authority must seek a balance between the provision of important telecommunications services and the need to protect the environment from possible adverse impacts arising from telecommunications infrastructure. There is strong State policy support for improved telecommunications facilities if, when balancing improved telecommunications services with environmental impacts; including for example, visual impact and flood or fire hazard, a particular proposal provides a net community benefit.

Permit Trigger

Amendment VC226 to the Victorian Planning Provisions came into effect on Friday 4th November 2022. The amendment contained significant changes to previous planning policies, bringing all decision making within the VPP and removing the incorporated document *A Code of Practice for Telecommunications Facilities in Victoria, 2004.*

The VCC266 Explanatory Report states:

> *Telecommunications support critical safety, social and economic outcomes for the community. They are essential for communications and warnings in emergencies, support online services such as remote learning and telehealth and enable people to work from home and access critical services. To ensure that the community can access necessary telecommunications services, planning policy settings must reflect an appropriate balance between amenity impacts and provision of infrastructure, to ensure timely deployment.*

An application for Use for a Telecommunications Facility is exempt under 62.01 of the amended provision.

An application for buildings and works for a Telecommunications Facility at 209 Sandy Road, Fingal, is required under the following provisions of the Mornington Peninsula Planning Scheme:

- Clause 52.19-1 Telecommunications Facility- *Buildings and Works*
- Clause 35.04-5 Green Wedge Zone – Buildings and Works
- Clause 42.01 Environmental Significance Overlay – Buildings and works

The associated equipment shelter is permit exempt under Clause 52.19-1.

Additionally, the permit application is exempt from Notice and Review under 52.19-3 as it is partly funded by the State of Victoria.

6.4 Mornington Peninsula Planning Scheme

6.4.1 Municipal Planning Strategy (MPS)

Whilst the Mornington Peninsula MPS and Local Policies are largely silent on telecommunications facilities, there are several strategies that relate to community, infrastructure and environment that apply to the provision of telecommunications services to Fingal.

Council's vision, as underpinned by the Mornington Peninsula Localised Planning Statement, is to:

- *Value, protect and improve the Peninsula's unique characteristics and its special role that is distinct from and complementary to metropolitan Melbourne.*
- *Protect the role of the Peninsula as one of Melbourne's greatest assets, characterised by contained townships, a substantial and diverse local economy, and areas of national and international significance.*

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- *Protect the Peninsula's landscapes, coastlines, seascapes and rural area, including the scenic values of the green wedge.*
- *Protect and enhance the experience and enjoyment of the natural and cultural values of the Peninsula.*
- *Protect the important values and resources of Western Port, having regard to existing settlements and the importance of recreation, nature conservation and tourism.*

The strategic objectives related to land use and development, as set out in the Council Plan, are:

- *To create thriving, accessible and inclusive places to live, work and visit.*
- *To protect and enhance the Mornington Peninsula's biodiversity and coastal experience.*
- *To demonstrate leadership in climate change mitigation and adaptation.*
- *To facilitate improved mobility and connectivity accessible to all within the Mornington Peninsula.*
- *To support an integrated transport and connectivity network.*
- *To facilitate opportunities for job creation and an environment for business to succeed.*
- *To enhance shoulder season and off-peak visitor experiences that are dispersed throughout the region.*
- *To help grow key strategic industries, such as the food economy, niche manufacturing and health economy, in the Mornington Peninsula.*

The proposal addresses Council's vision and land use objectives in that it will provide the community with access to modern reliable telecommunications that will assist in connectivity, economic growth and equitable access to modern services.

The proposal has been sited to minimise impacts to the environment and agricultural land. The proposal will provide the region with excellent access to mobile telecommunications whilst being located at a moderate elevation, within the surrounding semi-rural landscape.

The proposed facility achieves a balanced outcome in addressing Council's strategies in that it responds to the communities needs for improved infrastructure relating to reliable mobile telecommunications. It will support the region's diverse economic activities, lifestyle choice and will provide access to reliable coverage during times of emergency such as bush fire.

The location on a modest elevation, with some level of visual screening from dispersed stands of vegetation on the subject site and surrounding land, ensures that the visual impact from the structure will be acceptable within this landscape.

The proposal does not impact on the environmental policies in that biodiversity will not be impacted and there is no removal of vegetation proposed. The siting and design of the structure has sought to reduce skyline intrusion as much as practical.

As previously discussed, mobile communications are increasingly seen an essential service, and the provision of reliable mobile telecommunications to Fingal supports Council's land use objectives in relation to efficient provision of infrastructure, growth, and community benefit.

6.4.2 Zoning

The subject site is within a Green Wedge Zone, the use is within Section 1 of the table at Clause 35.04-1 of the Mornington Peninsula Planning Scheme.

Under Clause's 62.01 any requirement in the Planning Scheme relating to the use of land does not apply to a telecommunications facility.

There is no permit trigger under the Green Wedge Zone for Use pursuant to Clause 35.04-1 as the proposal is a section 1 Use.

However, as the proposed facility is within 100m of a *dwelling or small second dwelling not in the same ownership*, there is a permit trigger for buildings and works.

The purpose of the Green Wedge Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for the use of land for agriculture.
- To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.
- To encourage use and development that is consistent with sustainable land management practices.
- To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.
- To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.
- To protect and enhance the biodiversity of the area.

The Decision Guidelines for buildings and works in relation to the proposal (as relevant):

General Issues

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
- How the use or development relates to rural land use, rural diversification, natural resource management, natural or cultural heritage management, recreation or tourism.
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.
- Whether the use or development is essential to the health, safety or well-being of the State or area but is not appropriate to locate in an urban area because of the effect it may have on existing or proposed urban areas or the effect that existing or proposed urban areas may have on the proposed use or development.
- The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty.

- The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990.*

Rural Issues

- The maintenance of agricultural production and the impact on the rural economy.
- The environmental capacity of the site to sustain the rural enterprise.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed rural infrastructure.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agriculture and other land uses.
- The protection and retention of land for future sustainable agricultural activities.

Environmental Issues

- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- How the use or development relates to sustainable land management and the need to prepare an integrated land management plan.
- The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.
- The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

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The proposed telecommunications facility is consistent with the purpose and decision guidelines of the Green Wedge Zone as follows:

- The proposal will support the region's economic activities and will provide improved mobile connectivity to support the uptake of new agricultural and business technologies in an area utilised for recreation, agriculture, a growing tourism sector and other affiliated industries.
- The proposal is limited to a modest 100 square meter compound that has been sited on cleared land on the west boundary of the subject site to reduce impacts on native vegetation, the prime golf course area, potential agricultural land and current and future rural uses on the property.
- Amplitel has sought to balance the siting and design of the proposed facility to minimise impacts on character and appearance of the area and avoids areas of registered Aboriginal Cultural Heritage, whilst meeting the coverage objectives of the Connecting Victoria Program.
- The rural characteristics of the site will not be compromised given the total area allocated for the facility relative to the land size. The location is adequately separated from residential dwellings and generally limits the level of visual impact to users of surrounding roads. The advantages of improved telecommunications services as a result of the facility is considered to outweigh any general loss of visual amenity.
- The location is surrounded by clusters of low-rise vegetation which will ensure the lower portion of the 25m monopole will be visually mitigated from viewsheds along adjoining properties and major roads.
- The facility has been located in proximity to existing electrical and fibre infrastructure required for the operation of the proposed facility minimising the need for long cable routes.
- The proposed facility is compatible with adjoining land uses and is adequately distanced from residential dwellings who will receive the benefit of improved telecommunication in the area.
- There are no impacts from the proposal on biodiversity, the facility is located cleared land.
- The proposal is for an unmanned telecommunications facility and will not generate a demand for effluent disposal.
- Once operation and connected to the network the facility will only require maintenance visits 1-2 time per year and will not generate a demand for additional parking.
- The proposed 25m height of the monopole is the minimum height required to provide reliable coverage to the region under the requirements of the Connecting Victoria Program. The materials used will have either soft pale eucalypt colour (monopole) or a natural (light grey) product finish ensuring a muted non-reflective appearance of predominantly grey colours which will absorb well against any skyline views.

The proposed facility is supported by and funded from the State Government under the Connecting Victoria Program in recognition of a demand for better more reliable mobile phone coverage in this region. The facility will address digital connectivity disadvantage in the region. Adequate mobile phone service supports the retention of population and employment in the local residential and rural community, consistent with the purpose of the zone.

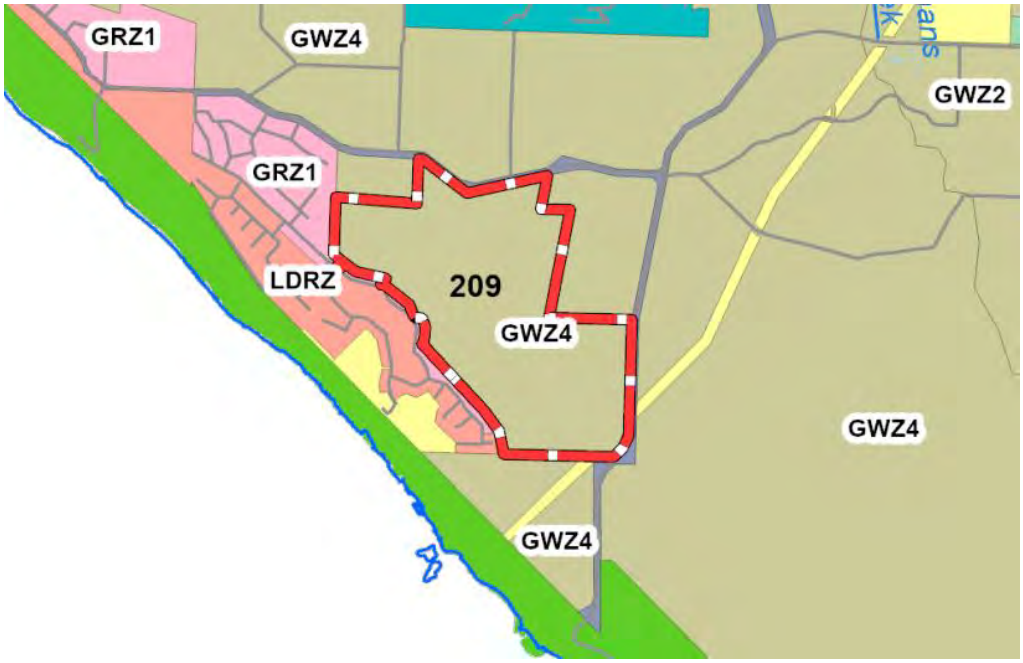

FIGURE 13 ZONING MAP, SOURCE: https://mapshare.vic.gov.au/vicplan/

6.4.3 Overlays

Bushfire Management Overlay (BMO)
The proposed facility is within a BMO and is identified as being in a Bushfire Prone Area.

Whilst there is no trigger for buildings and works under the BMO, one of the drivers for the site is community safety, particularly in relation to emergency management and response.

With ever increasing use and dependence on connectivity in cases of emergency, for preparation, keeping up to date with events and receiving emergency alerts the benefits of this proposal would be significant for this area.

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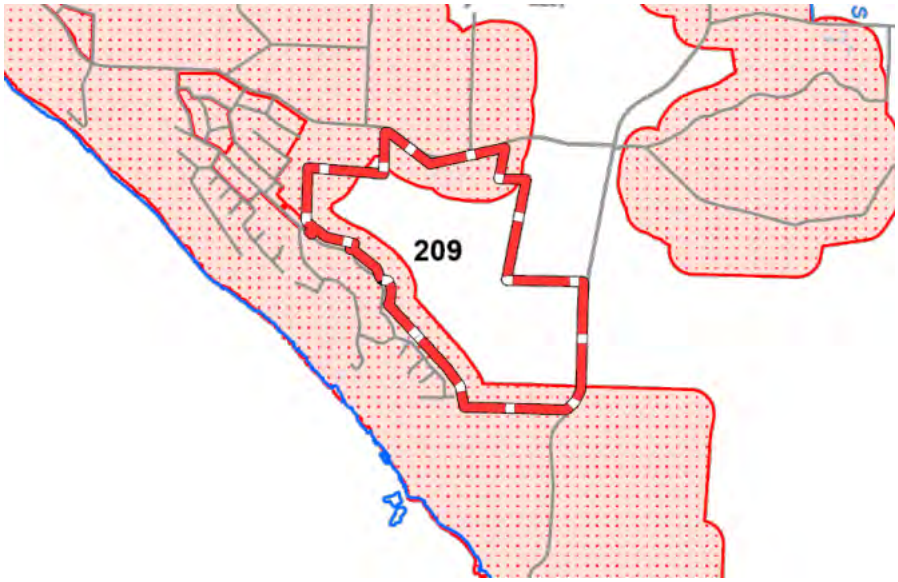

FIGURE 14 OVERLAY MAP, SOURCE: https://mapshare.vic.gov.au/vicplan/

Environmental Significance Overlay (ESO)
The proposed facility is located within an ESO Overlay – Schedule 15 and 23 (ESO15 &ESO23) and therefore requires a permit to Construct a building or construct or carry out works pursuant to clause 42.01-2.

The Statement of environmental significance in Schedule 15 to Clause 42.01 states:

> *This area is formed from semi consolidated sand dunes and extends to the coastline of Bass Strait, adjoining the Point Nepean National Park. It is a major catchment area for the ground water resources of the Nepean Peninsula. It is also an area of strategic landscape importance, providing a distinctive landscape experience and forming the rural edge to the townships of Rye and St Andrews.*

Schedule 15, Clause 2 identifies the Environmental Objectives to be achieved are:

> *To protect and conserve the environmental systems, bio diversity, native vegetation, habitat areas, land and soil stability, drainage patterns, and ground water quality of this area.*
>
> *To promote the sustainable development of rural land and integrated land and catchment management, including the retention and enhancement of habitat corridors and wetlands.*
>
> *To ensure that subdivision and development density is compatible with maintaining the long term natural, agricultural and landscape values of this area.*

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To promote siting and design of buildings and works that is responsive to the semi consolidated sand dune landscape character and vistas of this area, and that maintains the scenic value of roads and recreation routes.

To protect the landscape values of the area.

There are no Decision Guidelines specified in Schedule 15 to Clause 42.01.

Clause 42.01 contains the Decision Guidelines the responsible authority must consider, as appropriate. The decision guidelines relevant to the proposal are listed and addressed below:

- *The Municipal Planning Strategy and Planning Policy Framework.*
- *The statement of environmental significance and the environmental objective contained in a schedule to this overlay.*
- *The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.*
- *Any other matters specified in a schedule to this overlay.*

Response:

- There are no significant impacts from the proposal on environmental systems, biodiversity, native vegetation, habitat areas, land and soil stability, drainage patterns, and ground water quality. The facility is located on cleared, generally flat land and does not require the removal of native vegetation.
- Minor ground works are required to install footings for the monopole and equipment shelter. Fibre and electrical cable routes will be bored to depth of 1m minimising soil disturbance.
- The facility will be partially screened by established vegetation, the lower portion of the 25m monopole and the ground level equipment will be visually mitigated ensuring no significant impact to the scenic value of roads and recreation areas.
- The rural characteristics of the site will not be compromised given the total area allocated for the facility relative to the land size. The location is adequately separated from residential dwellings and generally limits the level of visual impact to users of surrounding roads. The advantages of improved telecommunications services as a result of the facility is considered to outweigh any general loss of visual amenity.
- The materials used will have either soft pale eucalypt colour (monopole) or a natural (light grey) product finish ensuring a muted non-reflective appearance of predominantly grey colours which will absorb well against any skyline views.

The Statement of environmental significance in Schedule 23 to Clause 42.01 states:

The stability of semi stabilised dunes is critical to sustainable land management and the maintenance of environmental values. These areas may become unstable if the top surface is removed in steeper sections and exposed to wind erosion.

Schedule 23, Clause 2 identifies the Environmental Objectives to be achieved are:

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To maintain the stability of the unique landform (the Cups) that may become unstable if the top surface is removed in steeper sections.

To ensure that buildings are sited to prevent unnecessary wind turbulence in certain areas such as the windward and leeward top slopes, in order to prevent surface erosion.

To ensure a sustainable intensity of development in semi stable dune areas.

To avoid development on land with a ground slope greater than 25 per cent.

Schedule 23 to Clause 42.01 contains the Decision Guidelines the responsible Authority must consider, as appropriate. The decision guidelines relevant to the proposal are listed and addressed below:

- *The environmental objectives of this schedule.*
- *The slope of the land.*
- *Whether there is any reasonable alternative site for the proposed buildings and works, including the installation of effluent disposal and stormwater discharge areas, outside of the overlay area, or any alternative land management or construction practices, that would better meet the objectives of this schedule.*
- *Whether the proposed works are necessary for the installation of utility services or the provision of an access track.*
- *The means of treatment and disposal of all sewerage, sullage and other wastes where connection to a reticulated sewerage system is not available.*
- *The existing use of the land and the purpose of the proposed buildings and works in relation to the existing use.*
- *Appropriate measures to prevent erosion.*
- *The comments of all relevant soil conservation authorities.*

Response:

- Amplitel has sought to balance all the Environmental Objectives of ESO15 & ESO23 in the siting and design of the proposed facility, whilst meeting the coverage objectives of the Connecting Victoria Program.
- The proposed facility will be contained to a small development area of 10m by 10m with only minor ground works required to install the monopole and equipment shelter footings and fence posts. Fibre and electrical cable routes will be bored to depth of 1m and will not increase the risk of erosion.
- The facility will be sited on an area of generally flat land and will utilise existing access conditions.
- The facility will be unmanned and does not generate a requirement for access to water or effluent systems. The Site will provide essential telecommunications during times of emergency such as bushfire.

FIGURE 15 OVERLAY MAP, SOURCE: https://mapshare.vic.gov.au/vicplan/

6.4.4 Particular Provisions;

Clause 52.19 Telecommunications Facilities

Clause 52.19 of the Mornington Peninsula Planning Scheme sets out the requirements which apply to a telecommunications facility.

The purpose of Clause 52.19 is:

- To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.
- To facilitate an effective statewide telecommunications network in a manner consistent with orderly and proper planning.
- To encourage the provision of telecommunications facilities with minimal impact in the amenity of the area.

This provision applies to the construction or carrying out of works associated with the use of the land for a Telecommunications facility. They apply to the extent permitted under the Telecommunications Act 1997 and determinations made under that Act.

The proposed telecommunications facility will meet the purpose of Clause 52.19 in that:

- It provides reliable coverage and service quality to Fingal and its surrounds.
- The proposal achieves a balanced approach in minimising visual impact from surrounding public and private viewsheds. The facility will provide essential mobile services with acceptable impacts to the amenity of the area.

- The proposed facility will allow for the efficient provision of telecommunications services to the area in a cost-effective manner to meet growing community needs as sought under the State funded Connecting Victoria Program.

Decision Guidelines

Before deciding on an application for the development of a Telecommunications Facility, in addition to the guidelines of Clause 65, Council must consider as appropriate the decision guidelines contained in Clause 52.19-5, these are as follows:

- The design, siting, construction and operation of the telecommunications facility.
- The effect of the proposal on the adjacent land

The proposed telecommunications facility addresses the decision guidelines of Clause 52.19-5 as follows:

- The design, siting, construction and operation of the proposed facility will ensure that there is a consistent approach to the development of telecommunications facilities within the region. This is assessed in more detail below; 6.4.5 Site Analysis and Design Response.
- As part of the assessment against the decision guidelines of Clause 65 of the Scheme, and the Site Analysis and Design Response below, the effect of the proposal on adjacent land is examined in detail.
- It is submitted that the proposal will not unreasonably affect the development of the land directly adjacent nor interfere with the peaceful enjoyment of the existing nearby uses.
- It will provide an improved telecommunications network in an area it is well suited to and will be designed not to impact on the surrounding rural land. The facility will provide essential mobile services with minimal impact to the amenity of the area.

6.4.5 Site Analysis and Design Response

Some key strategies are contained within the Victorian Planning Scheme Provisions in relation to the design, siting, construction, and operation of Telecommunications Facilities. Factors to be considered include;

- Co-locate telecommunications facilities wherever practical
- Ensure a balance between the provision of telecommunications facilities and the need to protect the environment from adverse impacts arising from telecommunications infrastructure such as visual impact and biodiversity values.
- Minimise disturbance and risk relating to siting, construction and operation.

There are no appropriate opportunities for co-location of this proposal on an existing structure as described in Section 3 of this report. The proposal will provide Telstra and other carrier's adequate co-location opportunities in the future.

The construction activity and site location will comply with state environmental protection policies and best practice environmental management guidelines at the construction stage.

Construction activities on site will be limited to installation and intermittent maintenance. There will be limited excavation and formwork required to install the monopole, and electrical and fibre routes.

Once the facility is operational and integrated with the Telstra network, the facility requires minimal maintenance, with maintenance inspections typically carried out every six months.

The proposed telecommunications facility has been designed and will be installed to ensure that the maximum human exposure levels to radio frequency emissions comply with ARPANSA Radiation Protection Standard- Maximum Exposure Levels to Radiofrequency Fields- 3kHz to 300GHz, (2021), RPS S-1 (Rev. 1).

Telecommunications Facilities by their nature cannot be invisible in order to carry out their purpose and function. They rely on line of sight radio transmission to achieve their coverage objectives.

A range of factors are considered in relation to amenity and visual impact when siting a facility. This includes factors such as the height and design of the structure, the zoning and use of the land, the distance to nearby dwellings and sensitive uses and the impact of the facility on the broader landscape. Any assessed visual impact must be balanced against the general policy support within the Planning Scheme for the widespread provision of quality, modern telecommunications infrastructure and the wider community benefit from the development of a comprehensive telecommunications network.

Visual Assessment on the Public and Private Realms

The proposed 25m height of the monopole is the minimum height required to provide reliable coverage to the region under the requirements of the Connecting Victoria Program. The proposed structure and equipment cabinet will be coloured pale eucalypt, and associated equipment will have a natural product finish. This will ensure a muted appearance of predominantly green-grey colours, which will blend into the surrounding environment and absorb well against any skyline views.

The facility will be located on cleared semi-rural land, with large setbacks of over 130m to Bass Meadows Boulevard to the south and over 500m to Sandy Road to the north. The surrounding land is undulating with established clusters of low rise vegetation that will assist to screen the ground level equipment and lower portion of the monopole.

The nearest dwelling is located on the north side of Bass Meadows Boulevard to the south west of the site with a setback of approx. 90m. A residential interface exists on the south boundary of the subject site with approx. 14 dwellings adjacent to the south boundary with setbacks of 120m to 330m to the site. Intervening established vegetation will break up view toward the facility from these locations ensuring there are only limited views of the upper portion of the structure.

There are 3 to 4 dwellings on the north side of Paradise Drive with setbacks of approx. 260m to 380m that will have less impeded longer distance views toward the facility due to their elevated position and the clearance of vegetation to accommodate a CFA entry point and fire track along the west boundary of the subject site.

The adjacent land parcel on the west boundary of the subject site accommodates the St Andrews Recreation and Tennis Club. Exiting structures and stands of established vegetation on this adjoining land will assist to screen views toward the facility from residential dwellings off Julius Street, Tiberius Road and Daniella Court further to the West which have setbacks of over 200m from the site.

There is a rural dwelling on the adjoining land parcel to the north with a setback of over 500m from the site. Intervening vegetation and the natural undulation of the land will ensure there only limited views of the upper portion of the structure from the curtilage of this property

There 4 to 5 dwellings off Truemans Road to the west with setbacks of over 1.4km to the site that will have longer distance views toward the facility allowing only limited views of the upper portion of the structure.

Refer to figures 16 to 19 below.

FIGURE 16 VISUAL MONTAGE SHOWING VIEW OF PROPOSED FACILITY WITH GREEN COLOUR TREATMENT FROM THE EXISTING FIRE ACCESS TRACK ON THE SUBJECT SITE, APPROX. 30M NORTH FROM SITE

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FIGURE 17 VISUAL MONTAGE SHOWING VIEW OF PROPOSED FACILITY WITH GREEN COLOUR TREATMENT FROM THE EXISTING FIRE ACCESS TRACK ON THE SUBJECT SITE, APPROX. 85M SOUTH FROM SITE

FIGURE 18 VISUAL MONTAGE SHOWING VIEW OF PROPOSED FACILITY FROM ENTRY TO ST ANDREWS TENNIS AND RECREATION CLUB OFF TIBERIUS ROAD, APPROX. 200M NORTH WEST OF SITE

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FIGURE 19 VISUAL MONTAGE SHOWING VIEW OF PROPOSED FACILITY FROM OUTSIDE 122 BASS MEADOWS BOULEVARD, APPROX. 140M SOUTH FROM SITE,

The proposal has been carefully sited to reduce impacts to the environment, agricultural land and rural landscape. The proposal will provide the region with excellent access to mobile telecommunications whilst being located at a moderate elevation, with adequate visual mitigation from surrounding vegetation.

The proposal does not impact on environmental policies in that biodiversity will not impacted and no vegetation is required to be removed. The siting and design of the structure has sought to reduce skyline intrusion as much as practical.

Whilst the site will be visible within the surrounding landscape it is considered that a balanced outcome is achieved with the benefits to the local community from the improved coverage and connections. Better mobile coverage will improve safety in Fingal and the surrounding area and will improve the day to day experience at work and at home.

It is considered that the siting and design of the proposed facility results in a balanced outcome between the provision of important telecommunications services and the need to protect the environment from possible adverse impacts. The visual impact on this landscape is considered acceptable and strikes a balance in the provision of essential, dedicated, and reliable voice communication and high-speed wireless broadband to Fingal and its surrounds.

Overall, it is considered that the facility is acceptable and will not cause a significant loss of visual amenity to the surrounding area.

General Provisions; Clause 65 Decision Guidelines

It is submitted that the proposed telecommunications facility will produce acceptable planning outcomes in terms of the decision guidelines of this clause. An assessment against the decision guidelines of Clause 65.01 is provided below and must be considered, as appropriate, by the responsible authority.

The matters set out in Section 60 of the Act.

The current proposal accords with the Mornington Peninsula Planning Scheme and any relevant codes, policy documents and guidelines and will have a positive public safety, social and economic effect on the area and therefore accords with Section 60 of the Act.

Any significant effects the environment, including the contamination of land, may have on the use or development.

It is considered that the proposal is a suitable form of development on the site and will not be significantly impacted by any environmental effects**.**

The Municipal Planning Strategy and the Planning Policy Framework.

The current proposal is consistent with the MPS and PPF as detailed in Section 6 above.

It is considered that there is strong State and local policy support for improved telecommunications facilities if, when balancing improved telecommunications services with environmental, including visual, impact, a particular proposal provides a net community benefit.

The purpose of the zone, overlay or other provision.

The proposal is consistent with the purposes of the zone, overlays and Clause 52.19: Telecommunications Facilities, contained within the Particular Provisions of the Planning Scheme.

Any matter required to be considered in the zone, overlay or other provision

The proposal accords with the Decision Guidelines of Clause 35.04 Green Wedge Zone, Clause 42.01 Environmental Significance Overlay and Clause 65.01 General Provisions, which the responsible Authority must consider, as appropriate.

The orderly planning of the area.

The proposed facility is located and designed to ensure off-site impacts are minimised and will not negatively affect the orderly planning of the area for other land uses.

Telstra has identified an immediate need for Telecommunications services in Fingal. This is supported by the State Government via the Connecting Victoria Program. The site has been chosen with regard to State and local planning provisions.

Furthermore, the current proposal will facilitate the orderly development, and extension and maintenance of telecommunications infrastructure for the area.

The effect on the environment, human health and amenity of the area.

The effect on the amenity of the area has been assessed in the Site Analysis and Design Response above (see Section 6.4.5).

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The proposals overall effect on the amenity of the area is appropriately mitigated by the siting and design of the facility on cleared semi-rural land with some level of visual screening provided by clusters of established vegetation surrounding the site. The siting and design of the structure has sought to reduce skyline intrusion as much as practical.

The proposal does not impact on the environmental policies in that biodiversity will not be impacted. Underground power and fibre routes will bored to a depth of 1m.

The proposed telecommunications facility has been designed and will be installed to ensure that the maximum human exposure levels to radio frequency emissions comply with ARPANSA Radiation Protection Standard- Maximum Exposure Levels to Radiofrequency Fields- 3kHz to 300GHz, (2021), RPS S-1 (Rev. 1).

The proximity of the land to any public land.

The land on which the proposed facility will be sited is private land. The nearest public land approximately 520m to the south east of the facility is zoned Public Conservation and Resource and accommodates the Mornington Peninsula National Park.

Factors likely to cause or contribute to land degradation, salinity or reduce water quality.

There are no significant factors relating to the current application which will cause or contribute to land degradation, salinity or reduce water quality. If the application is required to be referred to the relevant water authority, all recommendations by the authority will be adopted.

Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.

The proposed development will maintain the quality of stormwater within and exiting the site.

The extent of character of native vegetation and the likelihood of its destruction.

The proposal has been sited to avoid significant impacts to native vegetation by locating the site on cleared land. The site has existing access conditions. Additionally, power and fibre trenching is also designed to avoid areas of native vegetation.

Whether native vegetation is to be or can be protected, planted or allowed to regenerate.

There are no impacts to native vegetation from the proposal.

The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

Fingal is identified as a Bushfire Prone Area. The proposed telecommunications facility will assist in providing essential communications including during times of emergency. It is considered that the proposed works are not likely to cause any landslip or erosion on the site.

The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

The proposal is for an unmanned telecommunications facility and has no requirement for loading and unloading facilities.

The impact the use of development will have on the current and future development and operation of the transport system.

The proposal is for an unmanned telecommunications facility which when operational and connected to the network will require minimal site visits, typically 1-2 times per year and will not impact on the current and future development and operation of the transport system.

7 Conclusion

The proposed telecommunications facility at Lot 2 on Plan of Subdivision 424418Y, VOLUME 10470 FOLIO 254, 209 Sandy Road Road, Fingal, will form an integral component in Telstra's national 4G/5G network. The new 4G/5G base station will provide improved mobile connectivity to support the digital needs of residents, commuters, and businesses in the surrounding area. Increased mobile connectivity will also enable greater access to telehealth and other essential services, as well as public safety communications in a bushfire prone area.

The provision of reliable telecommunications to the region is supported by the State Government with funding from the State Government provided through the Connecting Victoria Program. The proposal will ensure that customers in Fingal will have access to the best possible mobile phone and mobile broadband service.

There is strong State policy support for telecommunications facilities if, when balancing improved telecommunications services with environmental impacts; including for example, visual impact and flood or fire hazard, a particular proposal provides a net community benefit.

The site has a number of characteristics that make it suitable for the construction of a new telecommunications facility in the manner proposed.

Acquirecomm on behalf of Amplitel, have undertaken an assessment of the relevant matters as required by the Telecommunications Act 1997, the Environment Protection and Biodiversity Conservation Act 1999, the Aboriginal Cultural Heritage Act 2006 and the Mornington Peninsula Planning Scheme. The proposal is considered appropriate considering the relevant legislative, environmental, technical, radio coverage and public safety requirements.

This assessment of the proposed development for a telecommunications facility indicates that the proposal is a suitable form of development on the site. The proposed facility is considered suitable in this location for the following reasons:

- The facility is located specifically to provide reliable mobile phone service to Fingal and surrounds.
- The proposed facility achieves a balanced outcome in addressing Council's vision and land use objectives in that it responds to the communities needs for improved infrastructure relating to reliable mobile telecommunications. It will support the region's economic activities,

lifestyle choice and will provide access to reliable coverage during times of emergency such as bush fire.

- The siting of the facility at a moderate elevation with some level of visual screening from surrounding vegetation ensuring that the visual impact from the structure will be acceptable within this semi-rural landscape.
- The siting and design of the structure has sought to reduce skyline intrusion as much as practical.
- The facility will be able to accommodate further technological upgrades and other carrier colocations into the future.
- The proposal is consistent with the relevant provisions of the Mornington Peninsula Planning Scheme.
- The proposal is consistent with the intent of the Connecting Victoria Program to ensure sites are delivered as efficiently and effectively as possible and achieve maximum value for money to improve telecommunications infrastructure to Victoria. Improved connectivity through the CVMP program will allow communities and businesses to access essential online services, utilise new business tools and connect with the digital economy.
- Emissions from the proposed facility will be significantly below the ARPANSA Radiation Protection Standard- Maximum Exposure Levels to Radiofrequency Fields- 3kHz to 300GHz, (2021), RPS S-1 (Rev. 1).

This assessment demonstrates that the proposal achieves a reasonable balance between the provision of essential telecommunication services and the need to protect the environment from adverse impacts from such development. It is respectively requested that permission is granted for this permit application.

Appendix A Certificate of Title

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Appendix B Plans and Elevations

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Appendix C EME Report

Electromagnetic energy report

Location	209 Sandy Road Fingal VIC 3939 Australia, FINGAL VIC 3939		
Date	27/06/2025	**RFNSA No.**	3939023

This report contains **calculated** electromagnetic energy (EME) exposure levels from the wireless technology base station listed above.

EME levels for this site have been **calculated** as a percentage of the limit given by the Australian Safety Standard. This report is produced according to a technical methodology developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

EME levels below 100% comply with the Australian Safety Standard and are safe for the public.

Service operators and technology at the site

Telstra				
4G, 5G				

For more information on the infrastructure at this site, such as specific wireless technologies, visit http://www.rfnsa.com.au/3939023.

Calculated EME levels

Areas of interest	Maximum EME level (% of limit)	Safe level (<100%)
Environmental EME Level (*1.5m above ground out to 500m from site*)	5.32%	YES
St Andrews Beach Club Playground	4.27%	YES
Dwelling to South west	4.41%	YES
St Andrews Beach and Recreation Club	3.68%	YES

About electromagnetic energy

Many things in our everyday lives produce electromagnetic energy including natural sources like the sun, and artificial sources like broadcast media, electric power, microwave ovens, and wireless technology like Wi-Fi and mobile phones.

The EME that you are exposed to from mobile phone towers is low, and similar to your exposure from broadcast transmissions such as radio and TV.

It is the assessment of ARPANSA that there is no credible health risk from exposure to the low-level EME associated with telecommunications and wireless technology below the limits set in the Australian Safety Standard.

Further information

ARPANSA (The Australian Radiation Protection and Nuclear Safety Agency) www.arpansa.gov.au

ACMA (The Australian Communications and Media Authority) www.acma.gov.au/eme-5g-and-you#eme

Issued by: Decon- IRFA, NAD (v1.0.206255.60941)
Environmental EME report (v13 Jan 2025)

Produced with RF-Map 2.2 (Build 1.2)

Appendix D

Zone and Overlay Report

PLANNING PROPERTY REPORT

Department of Transport and Planning

From www.planning.vic.gov.au at 07 July 2025 03:46 PM

PROPERTY DETAILS

Address:	**209 SANDY ROAD FINGAL 3939**
Lot and Plan Number:	**More than one parcel - see link below**
Standard Parcel Identifier (SPI):	**More than one parcel - see link below**
Local Government Area (Council):	**MORNINGTON PENINSULA** www.mornpen.vic.gov.au
Council Property Number:	**140687**
Planning Scheme:	**Mornington Peninsula** Planning Scheme - Mornington Peninsula
Directory Reference:	**Melway 252 C5**

This property has 3 parcels. For full parcel details get the free Property report at Property Reports

UTILITIES

Rural Water Corporation:	**Southern Rural Water**
Melbourne Water Retailer:	**South East Water**
Melbourne Water:	**Inside drainage boundary**
Power Distributor:	**UNITED ENERGY**

STATE ELECTORATES

Legislative Council:	**EASTERN VICTORIA**
Legislative Assembly:	**NEPEAN**

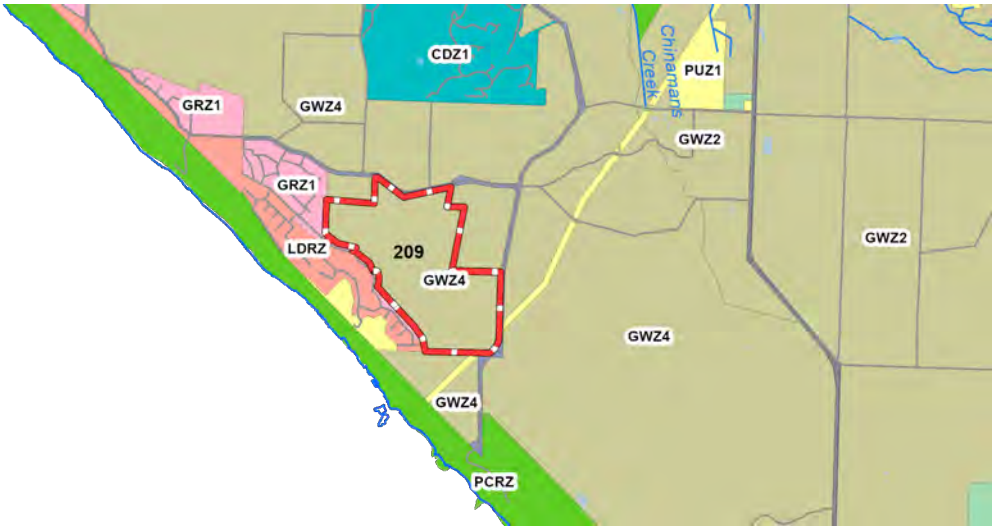
OTHER

Registered Aboriginal Party: **Bunurong Land Council Aboriginal Corporation**

View location in VicPlan

Planning Zones

GENERAL RESIDENTIAL ZONE (GRZ)
GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)
GREEN WEDGE ZONE (GWZ)
GREEN WEDGE ZONE - SCHEDULE 4 (GWZ4)



CDZ - Comprehensive Development
GRZ - General Residential
GWZ - Green Wedge
LDRZ - Low Density Residential
PCRZ - Public Conservation and Resource
PPRZ - Public Park and Recreation
PUZ1 - Public Use-Service and Utility
PUZ2 - Public Use-Education
PUZ6 - Public Use-Local Government
TRZ2 - Principal Road Network
TRZ3 - Significant Municipal Road
Water area
Water course

Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

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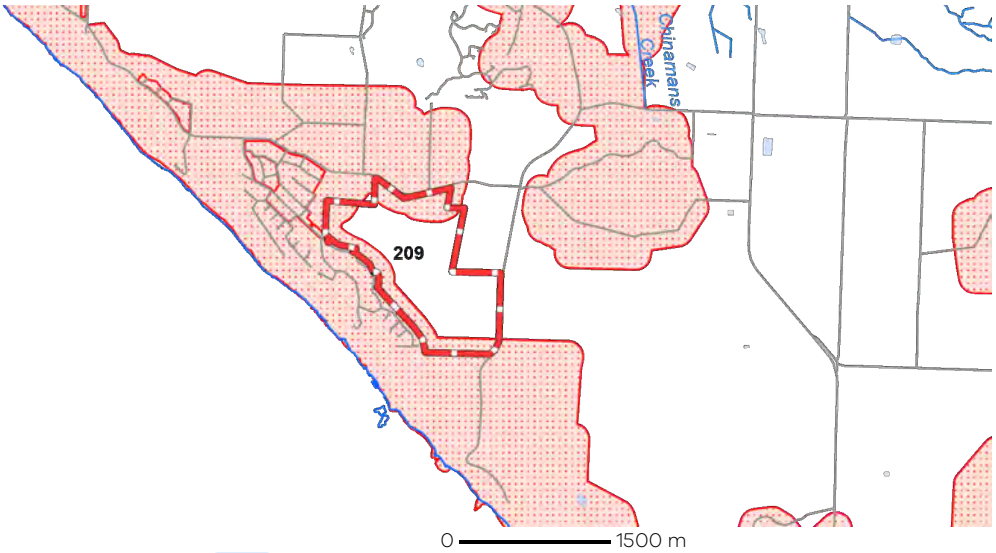
PLANNING PROPERTY REPORT

Department of Transport and Planning

Planning Overlays

BUSHFIRE MANAGEMENT OVERLAY (BMO)

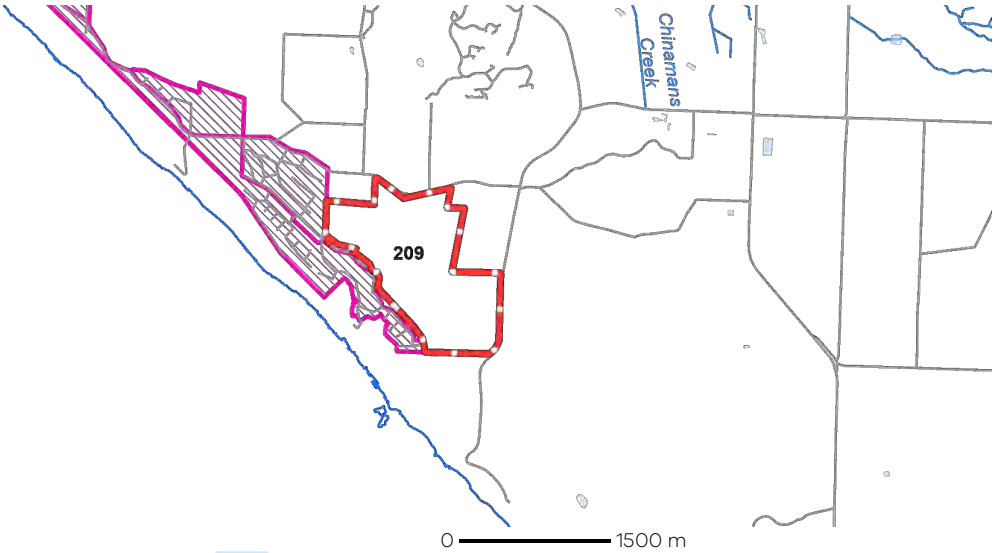


BMO - Bushfire Management Overlay | Water area | Water course

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

DESIGN AND DEVELOPMENT OVERLAY (DDO)

DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 4 (DDO4)



DDO - Design and Development Overlay | Water area | Water course

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

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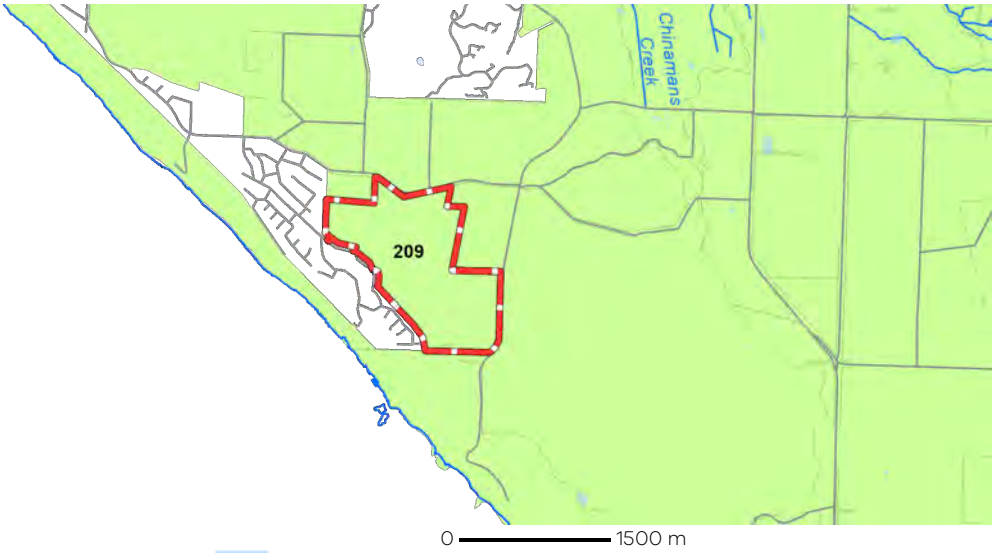
PLANNING PROPERTY REPORT

Department of Transport and Planning

Planning Overlays

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)
ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 15 (ESO15)
ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 22 (ESO22)
ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 23 (ESO23)
ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 28 (ESO28)



ESO - Environmental Significance Overlay Water area Water course

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

SIGNIFICANT LANDSCAPE OVERLAY (SLO)
SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 2 (SLO2)

SLO - Significant Landscape Overlay Water area Water course

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

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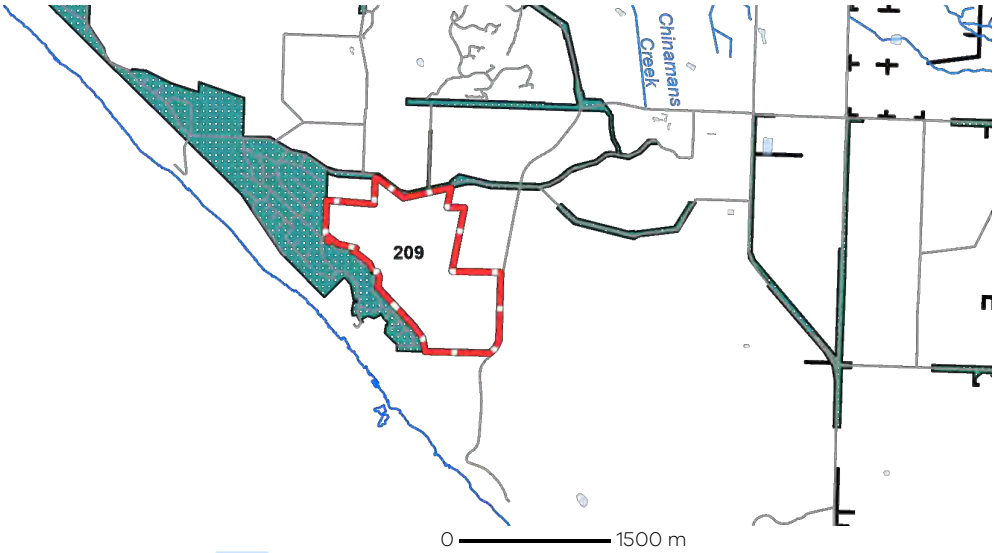
PLANNING PROPERTY REPORT

Department of Transport and Planning

Planning Overlays

VEGETATION PROTECTION OVERLAY (VPO)
VEGETATION PROTECTION OVERLAY - SCHEDULE 1 (VPO1)
VEGETATION PROTECTION OVERLAY - SCHEDULE 2 (VPO2)



VPO - Vegetation Protection Overlay
Water area
Water course

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

HERITAGE OVERLAY (HO)
LAND SUBJECT TO INUNDATION OVERLAY (LSIO)
RESTRUCTURE OVERLAY (RO)

HO - Heritage Overlay
LSIO - Land Subject to Inundation Overlay
RO - Restructure Overlay
Water area
Water course

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

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PLANNING PROPERTY REPORT

Department of Transport and Planning

Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this property is an 'area of cultural heritage sensitivity'.

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

If a significant land use change is proposed (for example, a subdivision into 3 or more lots), a cultural heritage management plan may be triggered. One or two dwellings, works ancillary to a dwelling, services to a dwelling, alteration of buildings and minor works are examples of works exempt from this requirement.

Under the Aboriginal Heritage Act 2006, where a cultural heritage management plan is required, planning permits, licences and work authorities cannot be issued unless the cultural heritage management plan has been approved for the activity.

For further information about whether a Cultural Heritage Management Plan is required go to
http://www.aav.nrms.net.au/aavQuestion1.aspx

More information, including links to both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018, can also be found here - https://www.aboriginalvictoria.vic.gov.au/aboriginal-heritage-legislation

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PLANNING PROPERTY REPORT

Department of Transport and Planning

Further Planning Information

Planning scheme data last updated on 3 July 2025.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.
This report provides information about the zone and overlay provisions that apply to the selected land.
Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting https://www.planning.vic.gov.au

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the ***Planning and Environment Act 1987.***
It does not include information about exhibited planning scheme amendments, or zonings that may abut the land.
To obtain a Planning Certificate go to Titles and Property Certificates at Landata - https://www.landata.vic.gov.au

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit https://mapshare.maps.vic.gov.au/vicplan

For other information about planning in Victoria visit https://www.planning.vic.gov.au

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PLANNING PROPERTY REPORT

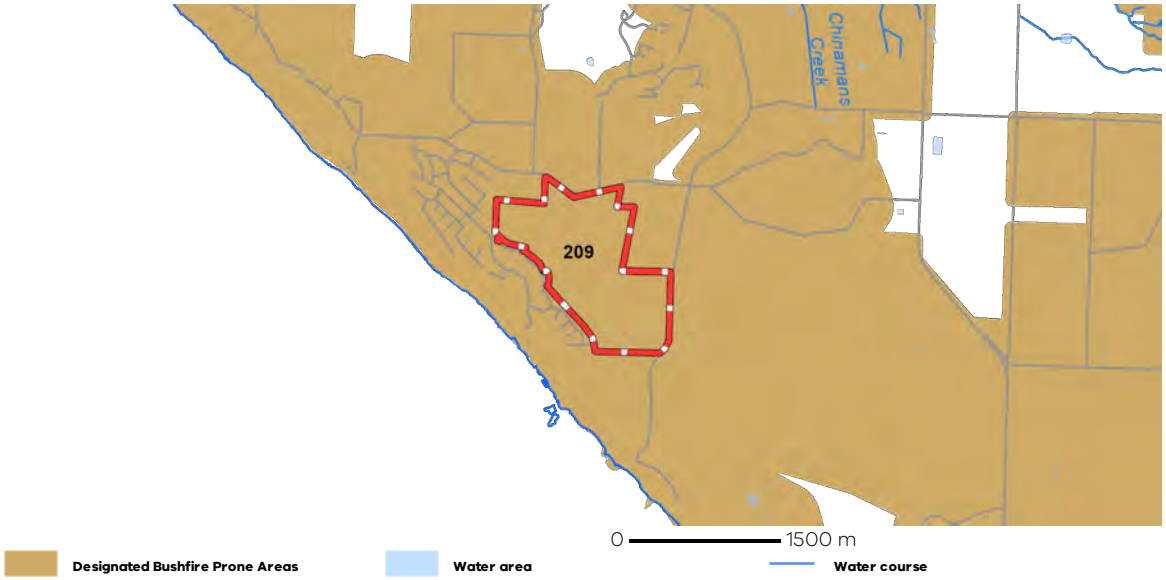
Department of Transport and Planning

Designated Bushfire Prone Areas

This property is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at https://mapshare.vic.gov.au/vicplan/ or at the relevant local council.

Create a BPA definition plan in VicPlan to measure the BPA.

Information for lot owners building in the BPA is available at https://www.planning.vic.gov.au.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website https://www.vba.vic.gov.au. Copies of the Building Act and Building Regulations are available from http://www.legislation.vic.gov.au. For Planning Scheme Provisions in bushfire areas visit https://www.planning.vic.gov.au.

Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see Native Vegetation (Clause 52.17) with local variations in Native Vegetation (Clause 52.17) Schedule

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system https://nvim.delwp.vic.gov.au/ and Native vegetation (environment.vic.gov.au) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit NatureKit (environment.vic.gov.au)

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Appendix E EPBC Report

V

Australian Government
Department of Climate Change, Energy, the Environment and Water

EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected. Please see the caveat for interpretation of information provided here.

Report created: 08-Jul-2025

Summary
Details
- Matters of NES
- Other Matters Protected by the EPBC Act
- Extra Information

Caveat
Acknowledgements

Summary

Matters of National Environment Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the area you nominated. Further information is available in the detail part of the report, which can be accessed by scrolling or following the links below. If you are proposing to undertake an activity that may have a significant impact on one or more matters of national environmental significance then you should consider the Administrative Guidelines on Significance.

World Heritage Properties:	None
National Heritage Places:	None
Wetlands of International Importance (Ramsar	None
Great Barrier Reef Marine Park:	None
Commonwealth Marine Area:	None
Listed Threatened Ecological Communities:	1
Listed Threatened Species:	56
Listed Migratory Species:	42

Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the Act that may relate to the area you nominated. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land, or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the environment anywhere.

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage values of a Commonwealth Heritage place. Information on the new heritage laws can be found at https://www.dcceew.gov.au/parks-heritage/heritage

A permit may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

Commonwealth Lands:	None
Commonwealth Heritage Places:	None
Listed Marine Species:	75
Whales and Other Cetaceans:	11
Critical Habitats:	None
Commonwealth Reserves Terrestrial:	None
Australian Marine Parks:	None
Habitat Critical to the Survival of Marine Turtles:	None

Extra Information

This part of the report provides information that may also be relevant to the area you have

State and Territory Reserves:	1
Regional Forest Agreements:	None
Nationally Important Wetlands:	None
EPBC Act Referrals:	3
Key Ecological Features (Marine):	None
Biologically Important Areas:	8
Bioregional Assessments:	None
Geological and Bioregional Assessments:	None

Details

Matters of National Environmental Significance

Listed Threatened Ecological Communities [Resource Information]

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.
Status of Vulnerable, Disallowed and Ineligible are not MNES under the EPBC Act.

Community Name	Threatened Category	Presence Text
Natural Damp Grassland of the Victorian Coastal Plains	Critically Endangered	Community may occur within area

Listed Threatened Species [Resource Information]

Status of Conservation Dependent and Extinct are not MNES under the EPBC Act.
Number is the current name ID.

Scientific Name	Threatened Category	Presence Text
BIRD		
Anthochaera phrygia Regent Honeyeater [82338]	Critically Endangered	Species or species habitat likely to occur within area
Ardenna grisea Sooty Shearwater [82651]	Vulnerable	Species or species habitat may occur within area
Botaurus poiciloptilus Australasian Bittern [1001]	Endangered	Species or species habitat likely to occur within area
Calidris acuminata Sharp-tailed Sandpiper [874]	Vulnerable	Species or species habitat may occur within area
Calidris canutus Red Knot, Knot [855]	Vulnerable	Species or species habitat likely to occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area

Scientific Name	Threatened Category	Presence Text
Diomedea antipodensis Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea epomophora Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea exulans Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea sanfordi Northern Royal Albatross [64456]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Falco hypoleucos Grey Falcon [929]	Vulnerable	Species or species habitat likely to occur within area
Fregetta grallaria grallaria White-bellied Storm-Petrel (Tasman Sea), White-bellied Storm-Petrel (Australasian) [64438]	Vulnerable	Species or species habitat likely to occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]	Vulnerable	Species or species habitat may occur within area
Hirundapus caudacutus White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area
Limosa lapponica baueri Nunivak Bar-tailed Godwit, Western Alaskan Bar-tailed Godwit [86380]	Endangered	Species or species habitat likely to occur within area

Scientific Name	Threatened Category	Presence Text
Macronectes giganteus Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area
Macronectes halli Northern Giant Petrel [1061]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Neophema chrysogaster Orange-bellied Parrot [747]	Critically Endangered	Migration route likely to occur within area
Neophema chrysostoma Blue-winged Parrot [726]	Vulnerable	Species or species habitat likely to occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Pachyptila turtur subantarctica Fairy Prion (southern) [64445]	Vulnerable	Species or species habitat known to occur within area
Phoebetria fusca Sooty Albatross [1075]	Vulnerable	Species or species habitat likely to occur within area
Pterodroma leucoptera leucoptera Gould's Petrel, Australian Gould's Petrel [26033]	Endangered	Species or species habitat may occur within area
Rostratula australis Australian Painted Snipe [77037]	Endangered	Species or species habitat likely to occur within area
Stagonopleura guttata Diamond Firetail [59398]	Vulnerable	Species or species habitat may occur within area
Sternula albifrons Little Tern [82849]	Vulnerable	Species or species habitat may occur within area

Scientific Name	Threatened Category	Presence Text
Sternula nereis nereis Australian Fairy Tern [82950]	Vulnerable	Breeding likely to occur within area
Thalassarche bulleri Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area
Thalassarche bulleri platei Northern Buller's Albatross, Pacific Albatross [82273]	Vulnerable	Species or species habitat may occur within area
Thalassarche carteri Indian Yellow-nosed Albatross [64464]	Vulnerable	Species or species habitat likely to occur within area
Thalassarche cauta Shy Albatross [89224]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Thalassarche chrysostoma Grey-headed Albatross [66491]	Endangered	Species or species habitat may occur within area
Thalassarche impavida Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche melanophris Black-browed Albatross [66472]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche salvini Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche steadi White-capped Albatross [64462]	Vulnerable	Foraging, feeding or related behaviour known to occur within area

Scientific Name	Threatened Category	Presence Text
Thinornis cucullatus cucullatus		
Eastern Hooded Plover, Eastern Hooded Plover [90381]	Vulnerable	Species or species habitat known to occur within area
FISH		
Galaxiella pusilla		
Eastern Dwarf Galaxias, Dwarf Galaxias [56790]	Endangered	Species or species habitat may occur within area
Nannoperca obscura		
Yarra Pygmy Perch [26177]	Endangered	Species or species habitat may occur within area
Prototroctes maraena		
Australian Grayling [26179]	Vulnerable	Species or species habitat likely to occur within area
Seriolella brama		
Blue Warehou [69374]	Conservation Dependent	Species or species habitat known to occur within area
MAMMAL		
Antechinus minimus maritimus		
Swamp Antechinus (mainland) [83086]	Vulnerable	Species or species habitat likely to occur within area
Balaenoptera musculus		
Blue Whale [36]	Endangered	Species or species habitat likely to occur within area
Eubalaena australis		
Southern Right Whale [40]	Endangered	Species or species habitat known to occur within area
Isoodon obesulus obesulus		
Southern Brown Bandicoot (eastern), Southern Brown Bandicoot (south-eastern) [68050]	Endangered	Species or species habitat likely to occur within area
Pteropus poliocephalus		
Grey-headed Flying-fox [186]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
PLANT		

Scientific Name	Threatened Category	Presence Text
Amphibromus fluitans		
River Swamp Wallaby-grass, Floating Swamp Wallaby-grass [19215]	Vulnerable	Species or species habitat may occur within area
Prasophyllum spicatum		
Dense Leek-orchid [55146]	Vulnerable	Species or species habitat likely to occur within area
Pterostylis chlorogramma		
Green-striped Greenhood [56510]	Vulnerable	Species or species habitat likely to occur within area
Pterostylis cucullata		
Leafy Greenhood [15459]	Vulnerable	Species or species habitat likely to occur within area
REPTILE		
Caretta caretta		
Loggerhead Turtle [1763]	Endangered	Species or species habitat known to occur within area
Chelonia mydas		
Green Turtle [1765]	Vulnerable	Species or species habitat may occur within area
Dermochelys coriacea		
Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Species or species habitat known to occur within area
Lissolepis coventryi		
Swamp Skink, Eastern Mourning Skink [84053]	Endangered	Species or species habitat likely to occur within area
SHARK		
Carcharodon carcharias		
White Shark, Great White Shark [64470]	Vulnerable	Foraging, feeding or related behaviour known to occur within area

Listed Migratory Species		[Resource Information]
Scientific Name	Threatened Category	Presence Text
Migratory Marine Birds		
Apus pacificus		
Fork-tailed Swift [678]		Species or species habitat likely to occur within area

Scientific Name	Threatened Category	Presence Text
Ardenna carneipes Flesh-footed Shearwater, Fleshy-footed Shearwater [82404]		Foraging, feeding or related behaviour likely to occur within area
Ardenna grisea Sooty Shearwater [82651]	Vulnerable	Species or species habitat may occur within area
Diomedea antipodensis Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea epomophora Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea exulans Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea sanfordi Northern Royal Albatross [64456]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Macronectes giganteus Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area
Macronectes halli Northern Giant Petrel [1061]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Phoebetria fusca Sooty Albatross [1075]	Vulnerable	Species or species habitat likely to occur within area
Sternula albifrons Little Tern [82849]	Vulnerable	Species or species habitat may occur within area

Scientific Name	Threatened Category	Presence Text
Thalassarche bulleri		
Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area
Thalassarche carteri		
Indian Yellow-nosed Albatross [64464]	Vulnerable	Species or species habitat likely to occur within area
Thalassarche cauta		
Shy Albatross [89224]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Thalassarche chrysostoma		
Grey-headed Albatross [66491]	Endangered	Species or species habitat may occur within area
Thalassarche impavida		
Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche melanophris		
Black-browed Albatross [66472]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche salvini		
Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche steadi		
White-capped Albatross [64462]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
Migratory Marine Species		
Balaenoptera musculus		
Blue Whale [36]	Endangered	Species or species habitat likely to occur within area
Caperea marginata		
Pygmy Right Whale [39]		Foraging, feeding or related behaviour may occur within area

Scientific Name	Threatened Category	Presence Text
Carcharias taurus		
Grey Nurse Shark [64469]		Species or species habitat may occur within area
Carcharodon carcharias		
White Shark, Great White Shark [64470]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
Caretta caretta		
Loggerhead Turtle [1763]	Endangered	Species or species habitat known to occur within area
Chelonia mydas		
Green Turtle [1765]	Vulnerable	Species or species habitat may occur within area
Dermochelys coriacea		
Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Species or species habitat known to occur within area
Eubalaena australis as Balaena glacialis australis		
Southern Right Whale [40]	Endangered	Species or species habitat known to occur within area
Lagenorhynchus obscurus		
Dusky Dolphin [43]		Species or species habitat may occur within area
Lamna nasus		
Porbeagle, Mackerel Shark [83288]		Species or species habitat likely to occur within area
Megaptera novaeangliae		
Humpback Whale [38]		Species or species habitat known to occur within area
Orcinus orca		
Killer Whale, Orca [46]		Species or species habitat likely to occur within area
Migratory Terrestrial Species		
Hirundapus caudacutus		
White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area

Scientific Name	Threatened Category	Presence Text
Motacilla flava Yellow Wagtail [644]		Species or species habitat may occur within area
Migratory Wetlands Species		
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat may occur within area
Calidris acuminata Sharp-tailed Sandpiper [874]	Vulnerable	Species or species habitat may occur within area
Calidris canutus Red Knot, Knot [855]	Vulnerable	Species or species habitat likely to occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat may occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]	Vulnerable	Species or species habitat may occur within area
Limosa lapponica Bar-tailed Godwit [844]		Species or species habitat likely to occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Pandion haliaetus Osprey [952]		Species or species habitat may occur within area

Other Matters Protected by the EPBC Act

Listed Marine Species		[Resource Information]
Scientific Name	Threatened Category	Presence Text
Bird		
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat may occur within area
Apus pacificus Fork-tailed Swift [678]		Species or species habitat likely to occur within area overfly marine area
Ardenna carneipes as Puffinus carneipes Flesh-footed Shearwater, Fleshy-footed Shearwater [82404]		Foraging, feeding or related behaviour likely to occur within area
Ardenna grisea as Puffinus griseus Sooty Shearwater [82651]	Vulnerable	Species or species habitat may occur within area
Bubulcus ibis as Ardea ibis Cattle Egret [66521]		Species or species habitat may occur within area overfly marine area
Calidris acuminata Sharp-tailed Sandpiper [874]	Vulnerable	Species or species habitat may occur within area
Calidris canutus Red Knot, Knot [855]	Vulnerable	Species or species habitat likely to occur within area overfly marine area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area overfly marine area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat may occur within area overfly marine area

Scientific Name	Threatened Category	Presence Text
Chalcites osculans as Chrysococcyx osculans Black-eared Cuckoo [83425]		Species or species habitat likely to occur within area overfly marine area
Diomedea antipodensis Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea epomophora Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea exulans Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Diomedea sanfordi Northern Royal Albatross [64456]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]	Vulnerable	Species or species habitat may occur within area overfly marine area
Haliaeetus leucogaster White-bellied Sea-Eagle [943]		Species or species habitat likely to occur within area
Hirundapus caudacutus White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area overfly marine area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area overfly marine area
Limosa lapponica Bar-tailed Godwit [844]		Species or species habitat likely to occur within area

Scientific Name	Threatened Category	Presence Text
Macronectes giganteus Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area
Macronectes halli Northern Giant Petrel [1061]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Merops ornatus Rainbow Bee-eater [670]		Species or species habitat may occur within area overfly marine area
Motacilla flava Yellow Wagtail [644]		Species or species habitat may occur within area overfly marine area
Myiagra cyanoleuca Satin Flycatcher [612]		Species or species habitat known to occur within area overfly marine area
Neophema chrysogaster Orange-bellied Parrot [747]	Critically Endangered	Migration route likely to occur within area overfly marine area
Neophema chrysostoma Blue-winged Parrot [726]	Vulnerable	Species or species habitat likely to occur within area overfly marine area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Pachyptila turtur Fairy Prion [1066]		Species or species habitat known to occur within area
Pandion haliaetus Osprey [952]		Species or species habitat may occur within area

Scientific Name	Threatened Category	Presence Text
Phoebetria fusca Sooty Albatross [1075]	Vulnerable	Species or species habitat likely to occur within area
Rostratula australis as Rostratula benghalensis (sensu lato) Australian Painted Snipe [77037]	Endangered	Species or species habitat likely to occur within area overfly marine area
Sterna striata White-fronted Tern [799]		Foraging, feeding or related behaviour likely to occur within area
Sternula albifrons as Sterna albifrons Little Tern [82849]	Vulnerable	Species or species habitat may occur within area
Thalassarche bulleri Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Species or species habitat may occur within area
Thalassarche bulleri platei as Thalassarche sp. nov. Northern Buller's Albatross, Pacific Albatross [82273]	Vulnerable	Species or species habitat may occur within area
Thalassarche carteri Indian Yellow-nosed Albatross [64464]	Vulnerable	Species or species habitat likely to occur within area
Thalassarche cauta Shy Albatross [89224]	Endangered	Foraging, feeding or related behaviour likely to occur within area
Thalassarche chrysostoma Grey-headed Albatross [66491]	Endangered	Species or species habitat may occur within area
Thalassarche impavida Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area

Scientific Name	Threatened Category	Presence Text
Thalassarche melanophris Black-browed Albatross [66472]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche salvini Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
Thalassarche steadi White-capped Albatross [64462]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
Thinornis cucullatus as Thinornis rubricollis Hooded Plover, Hooded Dotterel [87735]		Species or species habitat known to occur within area overfly marine area
Thinornis cucullatus cucullatus as Thinornis rubricollis rubricollis Eastern Hooded Plover, Eastern Hooded Plover [90381]	Vulnerable	Species or species habitat known to occur within area overfly marine area
Fish		
Heraldia nocturna Upside-down Pipefish, Eastern Upside-down Pipefish, Eastern Upside-down Pipefish [66227]		Species or species habitat may occur within area
Hippocampus abdominalis Big-belly Seahorse, Eastern Potbelly Seahorse, New Zealand Potbelly Seahorse [66233]		Species or species habitat may occur within area
Hippocampus breviceps Short-head Seahorse, Short-snouted Seahorse [66235]		Species or species habitat may occur within area
Hippocampus minotaur Bullneck Seahorse [66705]		Species or species habitat may occur within area
Histiogamphelus briggsii Crested Pipefish, Briggs' Crested Pipefish, Briggs' Pipefish [66242]		Species or species habitat may occur within area

Scientific Name	Threatened Category	Presence Text
Histiogamphelus cristatus Rhino Pipefish, Macleay's Crested Pipefish, Ring-back Pipefish [66243]		Species or species habitat may occur within area
Hypselognathus rostratus Knifesnout Pipefish, Knife-snouted Pipefish [66245]		Species or species habitat may occur within area
Kaupus costatus Deepbody Pipefish, Deep-bodied Pipefish [66246]		Species or species habitat may occur within area
Leptoichthys fistularius Brushtail Pipefish [66248]		Species or species habitat may occur within area
Lissocampus caudalis Australian Smooth Pipefish, Smooth Pipefish [66249]		Species or species habitat may occur within area
Lissocampus runa Javelin Pipefish [66251]		Species or species habitat may occur within area
Maroubra perserrata Sawtooth Pipefish [66252]		Species or species habitat may occur within area
Mitotichthys mollisoni Mollison's Pipefish [66260]		Species or species habitat may occur within area
Mitotichthys semistriatus Halfbanded Pipefish [66261]		Species or species habitat may occur within area
Notiocampus ruber Red Pipefish [66265]		Species or species habitat may occur within area
Phycodurus eques Leafy Seadragon [66267]		Species or species habitat may occur within area

Scientific Name	Threatened Category	Presence Text
Phyllopteryx taeniolatus Common Seadragon, Weedy Seadragon [66268]		Species or species habitat may occur within area
Pugnaso curtirostris Pugnose Pipefish, Pug-nosed Pipefish [66269]		Species or species habitat may occur within area
Solegnathus robustus Robust Pipehorse, Robust Spiny Pipehorse [66274]		Species or species habitat may occur within area
Solegnathus spinosissimus Spiny Pipehorse, Australian Spiny Pipehorse [66275]		Species or species habitat may occur within area
Stigmatopora argus Spotted Pipefish, Gulf Pipefish, Peacock Pipefish [66276]		Species or species habitat may occur within area
Stigmatopora nigra Widebody Pipefish, Wide-bodied Pipefish, Black Pipefish [66277]		Species or species habitat may occur within area
Stipecampus cristatus Ringback Pipefish, Ring-backed Pipefish [66278]		Species or species habitat may occur within area
Urocampus carinirostris Hairy Pipefish [66282]		Species or species habitat may occur within area
Vanacampus margaritifer Mother-of-pearl Pipefish [66283]		Species or species habitat may occur within area
Vanacampus phillipi Port Phillip Pipefish [66284]		Species or species habitat may occur within area
Mammal		
Arctocephalus forsteri Long-nosed Fur-seal, New Zealand Fur-seal [20]		Species or species habitat may occur within area

Scientific Name	Threatened Category	Presence Text
Arctocephalus pusillus		
Australian Fur-seal, Australo-African Fur-seal [21]		Species or species habitat likely to occur within area
Reptile		
Caretta caretta		
Loggerhead Turtle [1763]	Endangered	Species or species habitat known to occur within area
Chelonia mydas		
Green Turtle [1765]	Vulnerable	Species or species habitat may occur within area
Dermochelys coriacea		
Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Species or species habitat known to occur within area

Whales and Other Cetaceans		[Resource Information]
Current Scientific Name	Status	Type of Presence
Mammal		
Balaenoptera acutorostrata		
Minke Whale [33]		Species or species habitat may occur within area
Balaenoptera musculus		
Blue Whale [36]	Endangered	Species or species habitat likely to occur within area
Caperea marginata		
Pygmy Right Whale [39]		Foraging, feeding or related behaviour may occur within area
Delphinus delphis		
Common Dolphin, Short-beaked Common Dolphin [60]		Species or species habitat may occur within area
Eubalaena australis		
Southern Right Whale [40]	Endangered	Species or species habitat known to occur within area
Grampus griseus		
Risso's Dolphin, Grampus [64]		Species or species habitat may occur within area

Current Scientific Name	Status	Type of Presence
Lagenorhynchus obscurus Dusky Dolphin [43]		Species or species habitat may occur within area
Megaptera novaeangliae Humpback Whale [38]		Species or species habitat known to occur within area
Orcinus orca Killer Whale, Orca [46]		Species or species habitat likely to occur within area
Tursiops aduncus Indian Ocean Bottlenose Dolphin, Spotted Bottlenose Dolphin [68418]		Species or species habitat likely to occur within area
Tursiops truncatus s. str. Bottlenose Dolphin [68417]		Species or species habitat may occur within area

Extra Information

State and Territory Reserves [Resource Information]

Protected Area Name	Reserve Type	State
Mornington Peninsula	National Park	VIC

EPBC Act Referrals [Resource Information]

Title of referral	Reference	Referral Outcome	Assessment Status
Not controlled action			
Improving rabbit biocontrol: releasing another strain of RHDV, sthrn two thirds of Australia	2015/7522	Not Controlled Action	Completed
INDIGO Central Submarine Telecommunications Cable	2017/8127	Not Controlled Action	Completed
Not controlled action (particular manner)			
INDIGO Marine Cable Route Survey (INDIGO)	2017/7996	Not Controlled Action (Particular Manner)	Post-Approval

Biologically Important Areas [Resource Information]

Scientific Name	Behaviour	Presence
Seabirds		

Scientific Name	Behaviour	Presence
Ardenna tenuirostris Short-tailed Shearwater [82652]	Foraging	Known to occur
Morus serrator Australasian Gannet [1020]	Foraging	Known to occur
Pelagodroma marina White-faced Storm-petrel [1016]	Foraging	Known to occur
Pelecanoides urinatrix Common Diving-petrel [1018]	Foraging	Known to occur
Thalassarche cauta cauta Shy Albatross [82345]	Foraging likely	Likely to occur
Sharks		
Carcharodon carcharias White Shark [64470]	Foraging	Known to occur
Whales		
Balaenoptera musculus brevicauda Pygmy Blue Whale [81317]	Foraging	Likely to be present
Balaenoptera musculus brevicauda Pygmy Blue Whale [81317]	Known Foraging Area	Known to occur

Caveat

1 PURPOSE

This report is designed to assist in identifying the location of matters of national environmental significance (MNES) and other matters protected by the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) which may be relevant in determining obligations and requirements under the EPBC Act.

The report contains the mapped locations of:

- World and National Heritage properties;
- Wetlands of International and National Importance;
- Commonwealth and State/Territory reserves;
- distribution of listed threatened, migratory and marine species;
- listed threatened ecological communities; and
- other information that may be useful as an indicator of potential habitat value.

2 DISCLAIMER

This report is not intended to be exhaustive and should only be relied upon as a general guide as mapped data is not available for all species or ecological communities listed under the EPBC Act (see below). Persons seeking to use the information contained in this report to inform the referral of a proposed action under the EPBC Act should consider the limitations noted below and whether additional information is required to determine the existence and location of MNES and other protected matters.

Where data is available to inform the mapping of protected species, the presence type (e.g. known, likely or may occur) that can be determined from the data is indicated in general terms. It is the responsibility of any person using or relying on the information in this report to ensure that it is suitable for the circumstances of any proposed use. The Commonwealth cannot accept responsibility for the consequences of any use of the report or any part thereof. To the maximum extent allowed under governing law, the Commonwealth will not be liable for any loss or damage that may be occasioned directly or indirectly through the use of, or reliance on the contents of this report.

3 DATA SOURCES

Threatened ecological communities

For threatened ecological communities where the distribution is well known, maps are generated based on information contained in recovery plans, State vegetation maps and remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Threatened, migratory and marine species

Threatened, migratory and marine species distributions have been discerned through a variety of methods. Where distributions are well known and if time permits, distributions are inferred from either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc.) together with point locations and described habitat; or modelled (MAXENT or BIOCLIM habitat modelling) using point locations and environmental data layers.

Where little information is available for a species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc.).

In the early stages of the distribution mapping process (1999-early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More detailed distribution mapping methods are used to update these distributions when time permits.

4 LIMITATIONS

The following species and ecological communities have not been mapped and do not appear in this report:

- threatened species listed as extinct or considered vagrants;
- some recently listed species and ecological communities;
- some listed migratory and listed marine species, which are not listed as threatened species; and
- migratory species that are very widespread, vagrant, or only occur in Australia in small numbers.

The following groups have been mapped, but may not cover the complete distribution of the species:

- listed migratory and/or listed marine seabirds, which are not listed as threatened, have only been mapped for recorded breeding sites; and
- seals which have only been mapped for breeding sites near the Australian continent

The breeding sites may be important for the protection of the Commonwealth Marine environment.

Refer to the metadata for the feature group (using the Resource Information link) for the currency of the information.

Acknowledgements

This database has been compiled from a range of data sources. The department acknowledges the following custodians who have contributed valuable data and advice:

-Office of Environment and Heritage, New South Wales
-Department of Environment and Primary Industries, Victoria
-Department of Primary Industries, Parks, Water and Environment, Tasmania
-Department of Environment, Water and Natural Resources, South Australia
-Department of Land and Resource Management, Northern Territory
-Department of Environmental and Heritage Protection, Queensland
-Department of Parks and Wildlife, Western Australia
-Environment and Planning Directorate, ACT
-Birdlife Australia
-Australian Bird and Bat Banding Scheme
-Australian National Wildlife Collection
-Natural history museums of Australia
-Museum Victoria
-Australian Museum
-South Australian Museum
-Queensland Museum
-Online Zoological Collections of Australian Museums
-Queensland Herbarium
-National Herbarium of NSW
-Royal Botanic Gardens and National Herbarium of Victoria
-Tasmanian Herbarium
-State Herbarium of South Australia
-Northern Territory Herbarium
-Western Australian Herbarium
-Australian National Herbarium, Canberra
-University of New England
-Ocean Biogeographic Information System
-Australian Government, Department of Defence
Forestry Corporation, NSW
-Geoscience Australia
-CSIRO
-Australian Tropical Herbarium, Cairns
-eBird Australia
-Australian Government – Australian Antarctic Data Centre
-Museum and Art Gallery of the Northern Territory
-Australian Government National Environmental Science Program
-Australian Institute of Marine Science
-Reef Life Survey Australia
-American Museum of Natural History
-Queen Victoria Museum and Art Gallery, Inveresk, Tasmania
-Tasmanian Museum and Art Gallery, Hobart, Tasmania
-Other groups and individuals

The Department is extremely grateful to the many organisations and individuals who provided expert advice and information on numerous draft distributions.

Please feel free to provide feedback via the Contact us page.

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Appendix F Aboriginal Cultural Heritage Map

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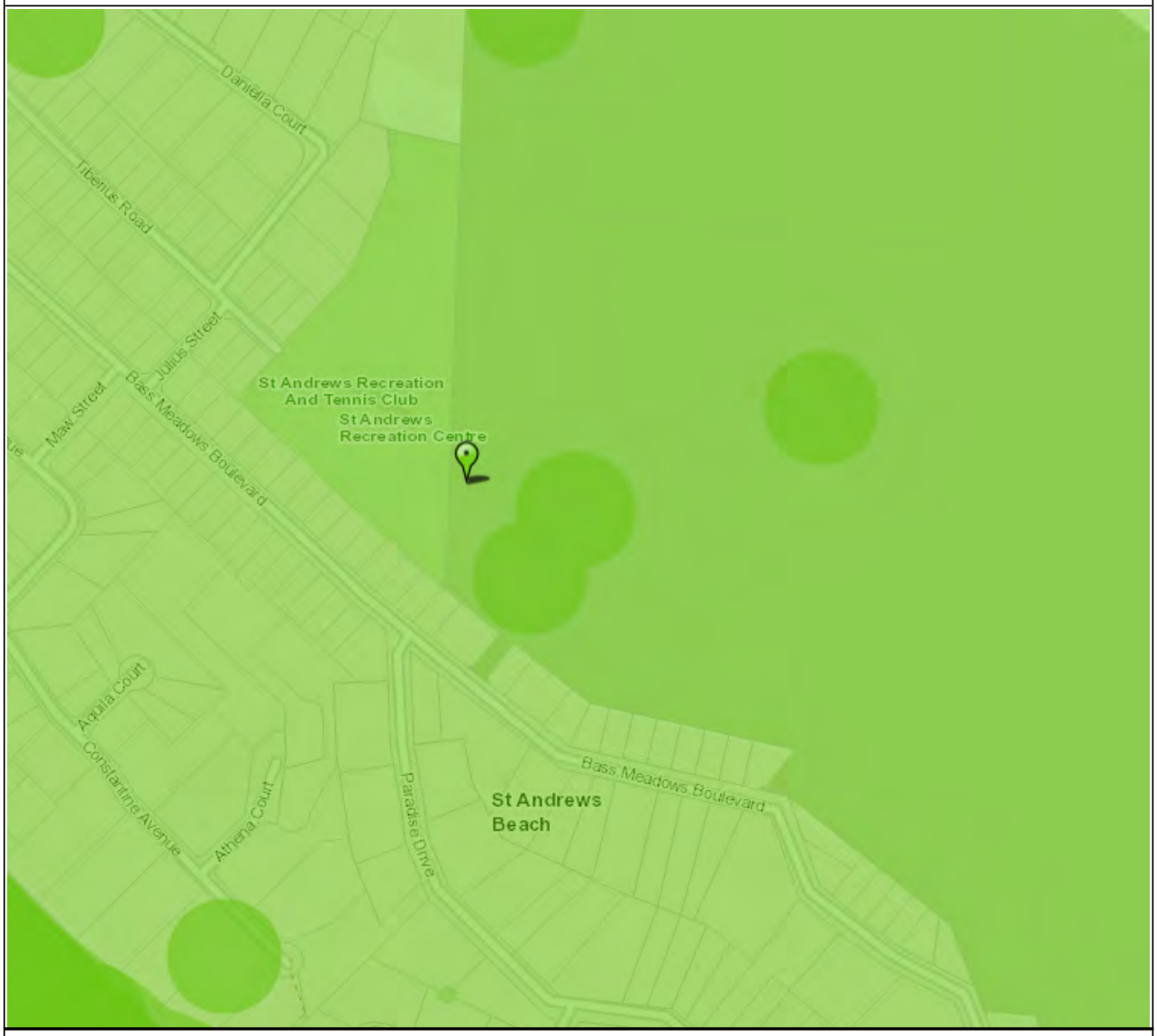
Aboriginal Victoria

Rye South



Areas of Cultural Heritage Sensitivity

VICTORIA State Government

1:5,000

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GDA

Date: 8 July 2025

N

This document contains culturally sensitive information concerning the heritage of Victoria's Aboriginal communities, and cannot be included in any reports resulting from research associated with this document. This information is accurate at the date of production. However, the State of Victoria and its employees do not guarantee that the information in this document is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on this information.

Appendix G

Visual Impressions

Photo Locations

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A	30.08.25	ZV	Preliminary

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Site Address	BTS Site Name :
Site Address **209 Sandy Road** **Fingal** **VIC 3939**	Site Name : **Rye South** Site Number. : **VIC100190**
Photo Locations Map	**L01**

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Photomontage View 3

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Photomontage View 4

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Photomontage View 7

Drawing No. : **M07**

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Site Address **209 Sandy Road** **Fingal** **VIC 3939**	Site Name : **Rye South**	AMPLITEL Part of the Telstra Group	Approved :
	Site Number. : **VIC100190**		Date : 30.08.25
Drawing title **Photomontage View 8**	Drawing No. : **M08**	Checker :	REV. A

Appendix H Letter Confirming State Funding

viii

OFFICIAL

Department of Jobs, Skills, Industry and Regions

GPO Box 4509
Melbourne ,Victoria 3001 Australia
Telephone: +61 3 9651 9999

Ref: BORG-2-23-27750
File:

To whom it may concern

Dear Sir/Madam,

CONFIRMATION OF STATE-FUNDED MOBILE PROGRAM

This letter confirms that the Victorian Government is providing funding to Telstra and that as a consequence the projects listed in the attachment 'List of Telstra Projects' are eligible for planning amendments under VC141 (Nov 2017) which exempts permit for a telecommunications facility funded or partly funded under the Commonwealth Government's Mobile Black Spot Program or any telecommunications facility funded or partly funded by the State of Victoria from the advertising and appeal requirements of the Planning and Environment Act 1987.

If you require further information, please contact Jessica Beard, A/Program Director Telecommunications and Digital Economy of the Department of Jobs, Skills, Industry and Regions Jessica.Beard@ecodev.vic.gov.au.

Yours sincerely

Jessica Beard
A/Program Director Telecommunications and Digital Economy
14/02/2023

List of current Telstra projects with funding from the Victorian State (February 2023)

List of Project Abbreviations:

CVMP (Connecting Victoria Mobile Project)

RCP (Regional Connectivity Project)

VMP (Victoria Mobile Project)

Location	Site Name	Project
Aberfeldy	Aberfeldy	VMP5
Alexandra	Alexandra	CVMP2
Alfredton	Alfredton	CVMP2
Allansford	Allansford West	CVMP2
Anglers Rest	Anglers Rest	VMP5A
Ararat	Ararat	CVMP2
Axedale	Axedale	RCP2
Bairnsdale	Bairnsdale	RCP2
Ballarat Central	Mair Street 1	CVMP2
Balliang East	Balliang East	CVMP2
Bambra	Winchelsea South	VMP4
Bannockburn	Bannockburn	CVMP2
Barmah	Barmah	CVMP2
Barnawartha	Barnawartha Central	CVMP2
Barnawartha North	Mt Lady Franklin	CVMP2
Benalla	Benalla Racetrack	CVMP2
Bendigo	Pall Mall 1	CVMP2
Bethanga	Tallangatta	CVMP2
Beveridge	Beveridge	CVMP2
Bittern	Bittern	CVMP2
Black Hill	Black Hill Vic	CVMP2
Boho South	Boho South	RCP2
Bonnie Doon	Bonnie Doon CMTS	CVMP2
Boolarra	Boolarra	CVMP2
Boort	Boort	CVMP2
Broadford	Broadford Cmts	CVMP2
Broadmeadows	Ericsson	CVMP2
Brown Hill	Glen Park	CVMP2
Bundoora	Mill Park	CVMP2
Burnside Heights	Burnside Heights Recreation Reserve Burnside Heights Vic	CVMP2
Burrowye	Burrowwye	VMP5A
Byaduk North	Byaduk North	CVMP2
Callignee	Callignee	CVMP2
Calulu	Calulu	RCP2
Cape Paterson	Cape Paterson	CVMP2
Cardigan	Cardigan	CVMP2
Caroline Springs	Brookside Recreation Reserve Caroline Springs Boulevard Caroline Springs	CVMP2
Casterton	Casterton	CVMP2
Castle Creek	Castle Creek	CVMP2
Chandlers Creek	Monaro Highway	VMP5A
Charlton	Charlton Central	CVMP2
Churchill	Churchill	CVMP2
Clyde	Clyde East	CVMP2

Location	Site Name	Project
Clyde North	Clyde North East	CVMP2
Cobblebank	Melton South East	CVMP2
Cockatoo	Cockatoo North	CVMP2
Cocoroc	Cocoroc	CVMP2
Colac West	Colac West	CVMP2
Colbinabbin	Colbinabbin	RCP2
Coleraine	Coleraine	CVMP2
Combienbar	Combienbar	CVMP2
Corinella	Corinella	CVMP2
Corio	Corio Grammar	CVMP2
Craigieburn	Craigieburn West	CVMP2
Cranbourne East	Junction Village	CVMP2
Cranbourne West	Cranbourne Gateway South	CVMP2
Dalyston	Dalyston	CVMP2
Darley	Darley	CVMP2
Dimboola	Dimboola	CVMP2
Donnybrook	Donnybrook	CVMP2
Double Bridges	Pheasant Hill	VMP5A
Drouin	Drouin	CVMP2
Drouin West	Drouin West	CVMP2
Dumbalk	Dumbalk	CVMP2
East Bendigo	Kennington North	CVMP2
East Warburton	East Warburton	CVMP2
Eltham	Eltham Site 1069-1	CVMP2
Endeavour Hills	Endevour Hills Central	CVMP2
Epping	Epping East	CVMP2
Falls Creek	Falls Creek Exchange	CVMP2
Flowerdale	Hazeldene CMTS	CVMP2
Forbes	Kilmore West	CVMP2
Foster	Foster Central	CVMP2
Fosterville	Fosterville	RCP2
Fraser Rise	Caroline Springs Central	CVMP2
Gaffneys Creek	Frenchman Gap	VMP5A
Geelong	Eastern Beach Playground	CVMP2
Glenlyon	Glenlyon	CVMP2
Goongerah	Goongerah	VMP5A
Goorambat	Goorambat	RCP2
Goornong	Goornong	RCP2
Grantville	Grantville	CVMP2
Greensborough	North Greensborough	CVMP2
Greenvale	Greenvale Vic	CVMP2
Hallam	Hallam	CVMP2
Hampton Park	Hampton Park 6	CVMP2
Hastings	Hastings Industrial	CVMP2
Haven	Horsham South	CVMP2
Hazelwood North	Hazelwood North	CVMP2
Heathcote	Heathcote	VMP5A
Hillside (Greater Melbourne)	Hillside Victoria 3037	CVMP2
Hoppers Crossing	Heaths Rd Werribee	CVMP2
Horsham	Horsham West	CVMP2
Huntly	Huntly	CVMP2
Inverloch	Inverloch Central RFRM	CVMP2
Irymple	Koorlong	CVMP2
Jeeralang	Churchill East	CVMP2

Location	Site Name	Project
Jeeralang Junction	Jeeralang Junction	CVMP2
Kallista	Kallista	CVMP2
Kalorama	Kalorama Site 1051-3	CVMP2
Kangaroo Flat	Kangaroo Flat South	CVMP2
Kialla	Kialla West	CVMP2
Killingworth	Killingworth CMTS	CVMP2
Kilsyth	Kilsyth	CVMP2
Kinglake West	Kinglake West Exchange	CVMP2
Knowsley	Knowsley	RCP2
Koetong	Koetong	VMP5A
Koonoomoo	Koonoomoo	CVMP2
Korumburra	Holmes Hill	CVMP2
Kurunjang	Melton Central	CVMP2
Lake Gardens	Lake Wendouree	CVMP2
Lake Tyers Beach	Lake Tyers Beach	CVMP2
Lakes Entrance	Lakes Entrance North	CVMP2
Lalor	Lalor	CVMP2
Laverton North	William Angliss Native Grassland Reserve	CVMP2
Leneva	Mt Baranduda RT	CVMP2
Leongatha	Leongatha	CVMP2
Lillico	Lillico Vic	CVMP2
Lilydale	Lillydale Lake Playground	CVMP2
Loch	Loch South	CVMP2
Loy Yang	Loy Yang	CVMP2
Lucas	Lucus	CVMP2
Lynbrook	Merinda Park	CVMP2
Maddingley	Maddingley	CVMP2
Mansfield	Mansfield	CVMP2
Marcus Hill	Marcus Hill West	CVMP2
Marlo	Marlo	CVMP2
Maroona	Maroona	RCP2
Melton	MMJG – Upgrade Terrestrial small cell To Macro On Exchange	CVMP2
Melton West	Melton Outer West MNVW	CVMP2
Mernda	Mernda	CVMP2
Merricks Beach	Merricks Beach	CVMP2
Mickleham	Mickleham	CVMP2
Mildura	Mildura South West	CVMP2
Millgrove	Millgrove	CVMP2
Minyip	Minyip	CVMP2
Mitchell Park	Mitchell Park	CVMP2
Montrose	Montrose	CVMP2
Mooroolbark	Mooroolbark Central	CVMP2
Mooroopna	Mooroopna	CVMP2
Mount Duneed	Mount Duneed South	CVMP2
Mount Evelyn	27 View St Mount Evelyn Vic 3796	CVMP2
Mount Tassie	Mount Tassie RT	CVMP2
Moyhu	Moyhu CMTS	CVMP2
Myrtleford	Myrtleford Central	CVMP2
Narre Warren North	Endeavour Hills East	CVMP2
Narre Warren South	Berwick Springs Pavilion	CVMP2
Newstead	Newstead	CVMP2
Nhill	Nhill Central	CVMP2
Nichols Point	Mildura East	CVMP2

Location	Site Name	Project
Nicholson	Nicholson	RCP2
Nilma	Nilma	CVMP2
Noojee	Noojee	RCP2
Noorat	Noorat	RCP2
Noorinbee	Monaro Hwy - Noorinbee	CVMP2
Norval	One Tree Hill Ararat	CVMP2
Officer	Beaconsfield East	CVMP2
Orbost	Orbost	CVMP2
Orford	Orford	RCP2
Ouyen	Ouyen	CVMP2
Oxley	Oxley	CVMP2
Pakenham South	Pakenham Far South	CVMP2
Parwan	Parwan	CVMP2
Point Cook	Kmart Sanctuary Lakes Point Cook Road Point Cook	CVMP2
Pomonal	Grampians Rd (Halls Gap To Dunkeld)	VMP4
Portland	Portland	CVMP2
Quarry Hill	Quarry Hill	CVMP2
Ravenhall	Caroline Springs South CMTS (CJUR) (aka CLPD Caroline Springs Forced Relocation)	CVMP2
Red Cliffs	Red Cliffs	CVMP2
Roxburgh Park	Roxburgh Park	CVMP2
Rutherglen	Rutherglen	CVMP2
Rye	Rye South	CVMP2
Sale	Sale North	CVMP2
San Remo	San Remo South	CVMP2
Seville	Seville Site 1054-11	CVMP2
Seville East	Seville East	CVMP2
Shepparton	Shepparton D	CVMP2
Shepparton East	Shepparton East	CVMP2
Shepparton North	Shepparton North East	CVMP2
South Morang	Millpark North	CVMP2
Stawell	Stawell	CVMP2
Strath Creek	Strath Creek South	CVMP2
Strathdale	Strathdale	CVMP2
Sunbury	Sunbury Far North	CVMP2
Talbot	Talbot	CVMP2
Tallarook	Tallarook	CVMP2
Tamboon	Princess Highway Stony Peak	CVMP2
Tarneit	Tarneit	CVMP2
Tarra Valley	Tarra Valley	CVMP2
Tarrawingee	Tarrawingee	RCP2
Tawonga	Tawonga	VMP5A
Taylors Hill	Taylors Hill Victoria 3037	CVMP2
Terang	Terang	CVMP2
Toolleen	Toolleen	RCP2
Tostaree	Princess Hwy Wairewa	CVMP2
Trentham	Trentham (Estens V39)	CVMP2
Truganina	Truganina North	CVMP2
Tylden	Tylden	RCP2
Upper Plenty	Wandong South	CVMP2
W Tree	W Tree Creek	VMP5A
Wahgunyah	Wahgunyah	CVMP2
Walkerville	Walkerville	RCP2
Wallan	Pretty Sally	CVMP2

Location	Site Name	Project
Wandin North	Wandin North Site 1054-10	CVMP2
Wandong	Wandong Central	CVMP2
Warburton	Warburton	CVMP2
Warracknabeal	Warracknabeal	CVMP2
Warragul	Warragul North West	CVMP2
Warrnambool	Warrnambool East (Logans Beach)	CVMP2
Wendouree	Wendouree	CVMP2
Werribee	Lock Avenue Werribee	CVMP2
Whitfield	Whitfield	CVMP2
Whittlesea	Whittlesea East	CVMP2
Wodonga	Wodonga Site 1	CVMP2
Wongarra	Skenes Creek	VMP4
Wonthaggi	Wonthaggi	CVMP2
Woodglen	Woodglen	RCP2
Yaapeet	Yaapeet	CVMP2
Yarra Junction	Yarra Junction	CVMP2
Yarram	Yarram	CVMP2
Yea	Yea Township	CVMP2

Electromagnetic energy report

Location	209 Sandy Road Fingal VIC 3939 Australia, FINGAL VIC 3939		
Date	05/12/2025	**RFNSA No.**	3939023

This report contains **calculated** electromagnetic energy (EME) exposure levels from the wireless technology base station listed above.

EME levels for this site have been **calculated** as a percentage of the limit given by the Australian Safety Standard. This report is produced according to a technical methodology developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

EME levels below 100% comply with the Australian Safety Standard and are safe for the public.

Service operators and technology at the site

Telstra				
4G, 5G				

For more information on the infrastructure at this site, such as specific wireless technologies, visit http://www.rfnsa.com.au/3939023.

Calculated EME levels

Areas of interest	Maximum EME level (% of limit)	Safe level (<100%)
Environmental EME Level (*1.5m above ground out to 500m from site*)	5.32%	YES
St Andrews Beach Club Playground	4.88%	YES
Dwelling to South west	4.41%	YES
St Andrews Beach and Recreation Club	3.68%	YES

About electromagnetic energy

Many things in our everyday lives produce electromagnetic energy including natural sources like the sun, and artificial sources like broadcast media, electric power, microwave ovens, and wireless technology like Wi-Fi and mobile phones.

The EME that you are exposed to from mobile phone towers is low, and similar to your exposure from broadcast transmissions such as radio and TV.

It is the assessment of ARPANSA that there is no credible health risk from exposure to the low-level EME associated with telecommunications and wireless technology below the limits set in the Australian Safety Standard.

Further information

ARPANSA (The Australian Radiation Protection and Nuclear Safety Agency) www.arpansa.gov.au

ACMA (The Australian Communications and Media Authority) www.acma.gov.au/eme-5g-and-you#eme

Issued by: Decon- IRFA, NAD (v1.0.211672.62654)
Environmental EME report (v13 Jan 2025)

Produced with RF-Map 2.2 (Build 1.2)

OFFICIAL

Department of Jobs, Skills, Industry and Regions

GPO Box 4509
Melbourne ,Victoria 3001 Australia
Telephone: +61 3 9651 9999

Ref: BORG-2-23-27750
File:

To whom it may concern

Dear Sir/Madam,

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This letter confirms that the Victorian Government is providing funding to Telstra and that as a consequence the projects listed in the attachment 'List of Telstra Projects' are eligible for planning amendments under VC141 (Nov 2017) which exempts permit for a telecommunications facility funded or partly funded under the Commonwealth Government's Mobile Black Spot Program or any telecommunications facility funded or partly funded by the State of Victoria from the advertising and appeal requirements of the Planning and Environment Act 1987.

If you require further information, please contact Jessica Beard, A/Program Director Telecommunications and Digital Economy of the Department of Jobs, Skills, Industry and Regions Jessica.Beard@ecodev.vic.gov.au.

Yours sincerely

Jessica Beard
A/Program Director Telecommunications and Digital Economy
14/02/2023

VICTORIA State Government

RE: P25/1362 - Planning Permit Application, Proposed Telecommunications Facility at 209 Sandy Road, Fingal, VIC 3939

Reply | Reply All | Forward

EW Emily Wardlaw <emily@acquirecomm.com.au>
To Alex Harrison
Cc Darren Brown; Melissa Farrell; Emily Hart; Daniel Wakenshaw
Tue 07/04/2026 3:03 PM

Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Hi Alex,

This was also addressed in my RFI response last year:

I refer to Council's request for additional information in relation to the Planning Permit Application P25/1362, and provide the following response to the items raised:

a. ***Written clarification that the telecommunications facility is funded, or partly funded, by the Commonwealth through the Mobile Black Spot Program or the State of Victoria.***

This application for a new Telecommunications Facility at Fingal is a driven by the Victorian Government funded Connecting Victoria Program to ensure reliable coverage is provided to this region. Please refer to Attachment H in the Planning Report Submission which contains a letter from the State Program Director confirming State Funding for the project, and a list of funded sites. The site is listed on page 4- site reference Rye South.

Additionally, with the change in location form the original search area in Rye, the State Government have updated the reference to this site on its website as Fingal (002). Please see screen shot below and website link: https://www.vic.gov.au/find-a-project

Fingal (002)	All	All	All	All	All	All
Project Site Reference	**LGA**	**Suburb**	**Project Status**	**Technology**	**Forecast Completion**	**Supplier**
Fingal (002)	Mornington Peninsula	Fingal	In Progress	Mobile	25/26 Q3	Telstra

Alternatively, Council can also contact Jessica Beard, Program Director Telecommunications and Digital Economy at the Department of Jobs, Skills, Industry and Regions via the following email: Jessica.Beard@ecodevvic.gov.au

Right-click or tap and hold here to download pictures. To help protect your privacy, Outlo...

Emily Wardlaw
Director - Planning Services
Acquirecomm Pty Ltd
PO BOX 586
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Licenced Agency VIC, NSW, TAS.

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emily@acquirecomm.com.au
acquirecomm.com.au

5 December 2025

Response to Community Submissions

Telecommunications Facility

St Andrews Beach Golf course, 209 Sandy Road, Fingal

Victorian Government Connecting Victoria Program

Site Ref: Rye South VIC100190

Amplitel Pty Ltd A.C.N: 648 133 073
Telstra Limited A.C.N 086 174 781
Acquirecomm Pty Ltd A.C.N 603 876 240

Acquirecomm
CONNECTING TRANSFORMING DELIVERING.

Contents

Summary 2
1. Background 3
2. Purpose and Demand 4
3. Response to items raised in Community Submission 6
4. Next Steps 18

Summary

Acquirecomm Pty Ltd (Acquirecomm) is responding to community submissions in relation to the current planning application under consideration by Mornington Peninsula Shire (**Council**), lodged by Amplitel Pty Ltd (**Amplitel**) for a Telecommunications Facility at St Andrews Beach Golf course, 209 Sandy Road, Fingal (the **Site**.)

This response aims to provide:

- Provide further background on the proposal and the Connecting Victoria Project;
- Outline the purpose, demand and benefits of the site;
- Provide a detailed summary of the site selection process'
- Address concerns and provide health and safety information about Electromagnetic energy (EME) and the Australian EME safety standard ; and
- Address specific items raised in the submissions.

Amplitel is part of the Telstra Group and is a mobile network infrastructure provider operating across Australia. Acquirecomm has been contracted by Amplitel to acquire the necessary planning and property approvals for a new telecommunications tower at the Site, to support the Telstra network.

In pursuance of this project, Amplitel has lodged a planning permit application with Council for the proposed installation of a new Telecommunications Facility. This new Telecommunications Facility is supported and co-funded by the Victorian Government under the Connecting Victoria Program to improve mobile coverage in this region.

As the proposal is co-funded by the State Government, notice and review of the application is not required under Clause 52.19-4 of the Mornington Peninsula Planning Scheme, Exemption form Notice and Review.

However, in the interest of open and transparent information sharing, Amplitel and Telstra have notified interested and affected parties, and surrounding properties of the proposal as they believe that the community should be informed about changes to local telecommunications infrastructure.

The consultation period is from 20 November and ends on 5 December 2025.

The proposed development of the site represents the provision of essential telecommunications infrastructure to Fingal and St Andrews Beach. The facility is designed to have regard to its surrounds and the applicable planning and policy settings and represents an appropriate balance between the net community benefit from the provision of essential telecommunications services and the protection of the environment from any adverse impacts.

Amplitel and Telstra are satisfied that the subject site has merit and is consistent with the relevant planning controls and policies of the Mornington Peninsula Shire Planning Scheme, whilst meeting the criteria of the Connecting Victoria Program

1 Background

1.1 The Connecting Victoria Program

The Connecting Victoria Program was announced in November 2020 as part of the Government's 2020/21 Budget to stimulate Victoria's economic recovery. Connecting Victoria will create opportunities and new jobs, strengthening Victoria's economy by better connecting more Victorians, communities and thousands of businesses across the state.

> *We are fast-tracking the delivery of improved mobile services to better connect Victorians living and working in more than 1,200 suburbs and towns across the state.*
>
> *The $300 million Connecting Victoria mobile program is delivering upgrades or installing new infrastructure through 1,108 mobile infrastructure projects. Around 2.4 million premises across 23,500 square kilometres will get increased coverage and improved service quality, including having a 5G network sooner than planned.*
>
> *Together with telecommunications partners Axicom, ENE.HUB, Optus, Telstra and TPG Telecom, the Victorian Government will build 309 new mobile towers, upgrade 492 towers to 5G, adapt 170 towers so they can be used by multiple telecommunications providers and make 137 towers more resilient during natural disasters, all by 2026.*
>
> *At many sites, the telecommunications providers have agreed to share infrastructure, which will give more Victorians a choice of mobile provider and improve competition. More than 700 of the projects will be delivered in regional and rural locations.*
>
> *Mobile connectivity plays a critical role in the lives of Victorians, providing access to healthcare, education, flexible working and emergency information and services.*
>
> *The $550 million Connecting Victoria program will continue to fast-track better mobile and broadband in more places across regional Victoria and outer suburban Melbourne.*

https://djpr.vic.gov.au/connecting-victoria/communities/boosting-mobile-connectivity-across-victoria

Telstra was awarded State funding for 88 new sites under round 2 of the Connecting Victoria Program. Telstra in turn has assigned the deployment of these sites to Amplitel. Acquirecomm has been contracted by Amplitel to undertake the required environmental and planning approvals on each site.

2 Purpose and Demand

The Connecting Victoria program addresses feedback provided by Victorians on the areas in the State where improvements are most needed.

The connecting Victoria Engagement report stated:

> *From July to September 2021, the Department of Jobs, Precincts and Regions (DJPR) reached out to people across Victoria to get their valuable insights about their 'lived experience' of mobile and broadband connectivity. This will help us to identify locations for upgrades and new infrastructure through the Connecting Victoria program in regional Victoria and outer suburban Melbourne.*

The report found that:

> *Three themes emerged from people's responses to our survey on Engage Victoria. They said the accelerated shift to remote working and learning has placed pressure on connectivity infrastructure. Connectivity is critical during natural disasters, especially bushfires and storms, power outages and health emergencies. Also, the lack of high-speed internet affects a community's ability to benefit from economic growth opportunities.*

Respondents believed that:

> *enhanced connectivity can bring more jobs, innovation and investment to their area, ensure community safety, bring greater tourism, and boost business productivity and the local economy.*

The Victorian State Government *Connecting Victoria Engagement Report*, 2022 can be viewed at: https://engage.vic.gov.au/connecting-victoria

The Connecting Victoria Engagement process collected feedback from over 11,000 responses via a survey, 13 roundtable discussions with local communities across the State, and received more than 110 formal submissions through direct consultation with local government and other government organisations. The engagement program also included working with councils in regional Victoria and outer suburban Melbourne to gather data on places that have connectivity challenges or could benefit from enhanced connectivity, and to assess future connectivity needs directly engaging with government organisations such as Bushfire Recovery Victoria, Emergency Management Victoria, and Regional Development Victoria.

This process has informed the awarding of State Funding for new Telecommunications Infrastructure at specific locations across the state, including the proposed telecommunications facility at Fingal/St Andrews Beach.

The intention of the site at St Andrews Beach Golf Course, 209 Sandy Road, Fingal is to improve coverage and capacity in the area, specifically for the following reasons:

- The new site will offer 4G+5G coverage, enhancing signal strength for over 1000 premises according to Telstra's assessment;
- Users in the vicinity of St Andrews Beach and Fingal can expect significant improved data throughput and signal quality; whilst
- Provide new coverage to coverage blackspots to residential housing, tourist spots and along local and major roads;
- Increased demand and capacity during peak tourist periods and at tourist destinations
- Ensuring reliable coverage during times of emergency such as bushfires, and the ability to make 000 calls in as many locations as possible;
- Addressing the digital connectivity disadvantage in regional areas;
- Supporting the local economy and the surrounding residential, tourist and agricultural uses; and
- Access to 5G technologies now and into the future.

The Telecommunications Facility will enhance mobile coverage and network capacity in Fingal and surrounding areas, and support reliable communications for residents, businesses, and visitors. The improvements will uplift access to online services such as remote learning, telehealth, and working from home, supporting social and economic participation in the community.

In addition, the Telecommunications Facility will further enhance mobile service for critical emergency management, especially in bushfire-prone regions like St Andrews Beach.

3 Response to items raised in community submissions

3.1 Site Selection and Facility Location

Amplitel and Telstra commence the site selection process with a search of potential sites that meet the network's technical requirements, with a view to also having the least possible impact on the surrounding area.

Amplitel and Telstra apply and evaluate a range of criteria as part of this site selection process.

Telstra assesses the technical viability of potential sites through the use of computer modelling tools that produce predictions of the coverage that may be expected from these sites, as well as from the experience and knowledge of the radio engineers. There are also a number of other important criteria that Amplitel and Telstra use to assess options and select sites that may be suitable for a proposed new facility.

These take into account factors other than the technical performance of the site, and include:

- The potential to co-locate on an existing telecommunications facility;
- The potential to locate on an existing building or structure;
- Visual impact and the potential to obtain relevant town planning approvals;
- Proximity to community sensitive locations and areas of environmental and cultural heritage;
- The potential to obtain tenure at the site; and
- The cost of developing the site and the provision of utilities (power, access to the facility and transmission links).

In addition to the above criteria, Telstra is also contracted to meet objectives of the State Government Connecting Victoria Program.

In deciding upon the location of a new facility for St Andrews Beach, Amplitel and Telstra have carefully assessed all of the above criteria.

With regard to co-location opportunities in the vicinity of the current proposal, other existing telecommunications facilities in the surrounding area (including those of other carriers) and other public utilities were examined to assess if the technical requirements for a new site can be met in this fashion.

The installation of a new telecommunications facility is not proposed without first investigating the potential for co-location on existing infrastructure. As there is no viable existing infrastructure within the required search area to achieve a co-location, it was determined that a new structure is required.

Telstra already has a facility on the golf course land 1.9km to the east of the site. The next closest site is an Indara 20m Monopole located at distance of 2.48km to the northwest which did not meet the radio frequency objectives and coverage requirements. A facility at the St Andrew's Beach Club was pursued and rejected by the club committee.

3.2 Final Location on the St Andrews Gold Course land parcel 209 Sandy Road, Fingal

Several options were then considered within the St Andrews Beach Golf Course land parcel that would meet coverage objectives, ensure access and power requirements could be met whilst also balancing environmental, visual and cultural heritage matters.

Due to the existing Telstra site 1.9km to the east, the site needed to be as far west as possible. Radio frequency engineers ruled out a site on the northwest corner of the golf course land (including near the clubhouse) as it did not meet coverage metrics under the Connecting Victoria Program. Investigations then focused on the southwest. It was determined that there was cultural heritage listed sites in this area which need to be avoided. Additionally, access, power and fibre routes needed to be a short as possible to reduce potential impacts on cultural heritage (including meeting the requirements of the Cultural Heritage Regulations 2018). Lengthy power and fibre routes could make the site unviable in terms of the excessive costs and potential impacts to native vegetation and cultural heritage. Protection of native vegetation and limiting ground disturbance was also a consideration as outlined in the applicable environmental significance overlays (**ESOs**) under the planning scheme. *Refer to Figure 1 below for a visual demonstration of site selection parameters.*

The final location on the western side of the subject site was identified as the preferred candidate Site and progressed as there was adequate access conditions, landowner approval and proximity to power and fibre connections. The project area has been sited to not overlap with the Registered Aboriginal Heritage Places (to the east) and is adequately distanced from a Telstra Facility located 1.9km to the east on the eastern boundary of the subject site.

A relatively modest structure height (25m) could also be applied in this location whilst still meeting coverage objectives to improve the depth of coverage and relieve the capacity issues already experienced in the neighbouring sites to have better customer experience with improved data throughput and signal quality.

The final location was chosen with significant regard to the State and Local Planning Scheme Provisions.

Victorian Planning Provisions (**VPP**) sets out the specific policies relating to Telecommunications Facilities at Clause 19.03-4S - Telecommunications. The objective of this policy is:

> *"To facilitate the orderly development, extension and maintenance of telecommunications infrastructure."*

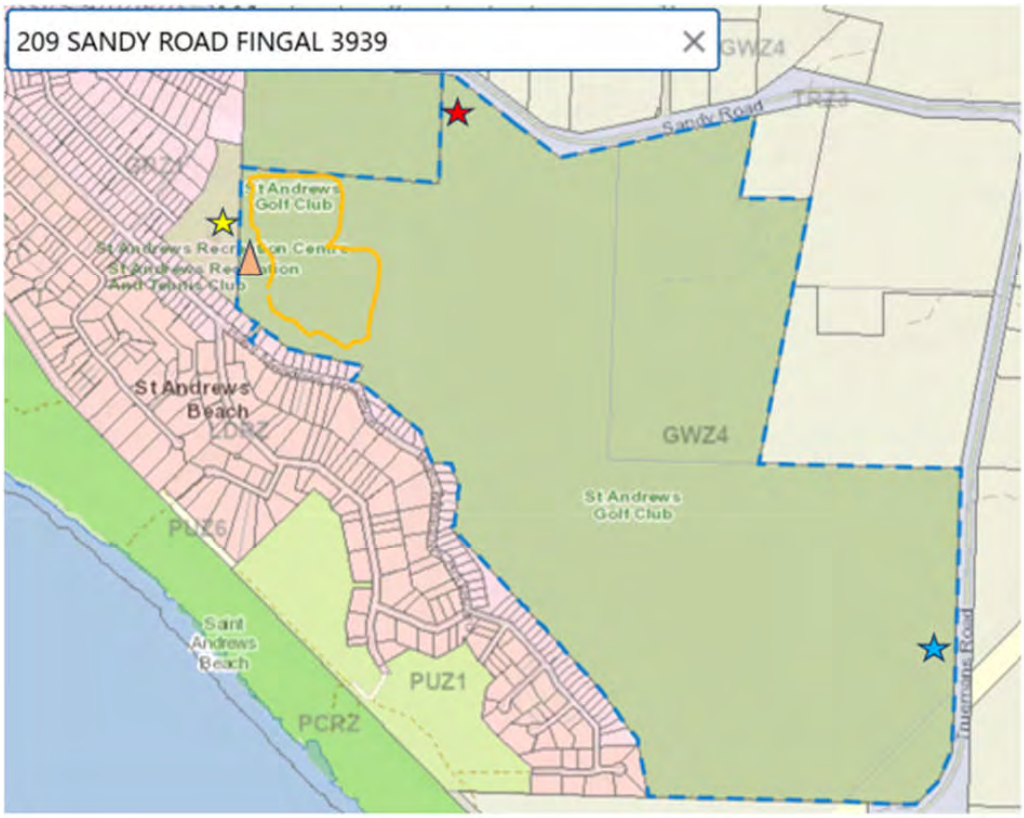
The Strategies contained in this policy are:

- *Facilitate the upgrading and maintenance of telecommunications facilities.*
- *Ensure that modern telecommunications facilities are widely accessible and that the telecommunications needs of business, domestic, entertainment and community services are met.*
- *Encourage the continued deployment of telecommunications facilities that are easily accessible by:*
    - *Increasing and improving access for all sectors of the community to the telecommunications network.*
    - *Supporting access to transport and other public corridors for the deployment of telecommunications networks in order to encourage infrastructure investment and reduce investor risk.*

- *Ensure a balance between the provision of telecommunications facilities and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.*
- *Co-locate telecommunications facilities wherever practical.*
- *Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.*

The site selection aims to avoid areas of cultural heritage and native vegetation, meet the objectives of the ESOs on the land by reducing ground disturbance in reducing the length of fibre and power routes as much as possible, and mitigate visual impact on the landscape by siting the facility at a modest elevation and avoiding more visually prominent hill tops and ridgeline, and implementing a reduced structure heigh of 25m.

Figure 1 Site Selection Parameters



- Location at St Andrews Beach Club which was rejected by Landowner
- Location on northwest boundary rejected by the Radio Frequency Engineers
- Existing Telstra Site - adequate separation is required from this facility
- Areas discounted due to Aboriginal Cultural Heritage and Native Vegetation
- Proposed Site

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3.3 Environmental & Landscape Character

Amplitel has sought to balance all the Mornington Peninsula Planning Scheme objectives **ESO** 15 & 23 in the siting and design of the proposed facility, whilst meeting the coverage objectives of the Connecting Victoria Program. The site is located within a Green Wedge Zone, in which a Telecommunications is an "as of right use" under the relevant zone provisions. The Site is not located within a Design and Development Overlay (which is applied to nearby residential areas) and avoids heritage overlay areas and cultural heritage listed sites (it is noted the entire area is located within an Area of Cultural Heritage Sensitivity).

Any candidate site outside of the residential zones would be subject to the ESOs in this region, and the site as proposed is at a modest height with appropriate power and fibre route lengths considered to meet the decision guidelines of the ESOs, and *Aboriginal Heritage Regulations 2018*.

The proposed facility will be contained to a small development area of 10m by 10m with only minor ground works required to install the monopole and equipment shelter footings and fence posts. Fibre and electrical cable routes will be bored to depth of 1m and will not increase the risk of erosion, consistent with the objectives of ESO23.

The proposal does not impact on the environmental policies in that biodiversity will not be impacted and there is no removal of vegetation proposed. The siting and design of the structure has sought to reduce skyline intrusion as much as practical.

Mobile communications are increasingly seen an essential service, and the provision of reliable mobile telecommunications to Fingal supports the planning scheme objectives in relation to efficient provision of infrastructure, growth, and community benefit. (*Clause 19.03-4S of the Victorian Planning Scheme*)

In addition, the Victorian Planning Scheme recognises that

> *Telecommunications support critical safety, social and economic outcomes for the community. They are essential for communications and warnings in emergencies, support online services such as remote learning and telehealth and enable people to work from home and access critical services. To ensure that the community can access necessary telecommunications services, planning policy settings must reflect an appropriate balance between amenity impacts and provision of infrastructure, to ensure timely deployment.*

https://planning-schemes.app.planning.vic.gov.au/All%20schemes/amendments/VC226?schemeCode=alpi

Ultimately, the Mornington Peninsula Shire Council is the Responsible Authority to assess and decide if the application in its current form meets the relevant decision guidelines and policies of the Planning Scheme.

3.4 Visual Impact

Telecommunications Facilities by their nature cannot be made invisible to achieve coverage objectives.

A range of factors are considered in relation to amenity and visual impact when siting a facility. This includes factors such as the height and design of the structure, the zoning and use of the land, the distance to nearby dwellings and sensitive uses and the impact of the facility on the broader landscape. Any assessed visual impact must be balanced against the general policy support within the Planning Scheme for the widespread

provision of quality, modern telecommunications infrastructure and the wider community benefit from the development of a comprehensive telecommunications network.

Factors and mitigations that have been incorporated into the current site location and design are:

- The facility is located at a modest elevation, avoiding more elevated areas that would have a broader more significant impact on landscape character. There is a moderate of visual screening to the lower half of the structure from dispersed stands of vegetation on the subject site and surrounding land.
- Setbacks between the residential dwellings to the south and Beach Club Playground to the north are centralised. Providing larger setbacks from residential properties was prioritised over the 10m setback from the St Andrews Beach Club boundary which has more intermittent users.
- The proposed 25m height of the monopole is the minimum height required to provide reliable coverage to the region under the requirements of the Connecting Victoria Program.
- The proposed structure and equipment cabinet will be coloured pale eucalypt, and associated equipment will have a natural product finish. This will ensure a muted appearance of predominantly green-grey colours, which will assist blend into the surrounding environment and absorb skyline views.
- The facility will be located on cleared semi-rural land, with setbacks of over 130m to Bass Meadows Boulevard to the south and over 500m to Sandy Road to the north. The surrounding land is undulating with established clusters of low-rise vegetation that will assist to screen the ground level equipment and lower portion of the monopole.
- The area, whilst valued for its environmental qualities is also characterised by vertical infrastructure elements such as power poles, light pole, tennis court lights that are located within the immediate surrounds. A new piece of infrastructure within this landscape will not be unfamiliar in this setting.
- The nearest dwelling is located on Bass Meadows Boulevard to the southwest of the site with a setback of approx. 75m to the boundary fence. A residential interface exists on the south boundary of the subject site with approx. 14 dwellings adjacent to the south boundary with setbacks of 120m to 330m to the Site. Intervening established vegetation will break up view toward the facility from these locations to most of the lower half of the structure.
- The adjacent land parcel on the west boundary of the subject site accommodates the St Andrews Beach Recreation and Tennis Club. Exiting structures and stands of established vegetation on this adjoining land will assist to screen views toward the facility from residential dwellings off Julius Street, Tiberius Road and Daniella Court further to the West which have setbacks of over 200m from the site.
- Internal views from within the Beach Club land to the site will also be tempered by the boundary vegetation and mainly the upper half of the facility visible from the playground and tennis courts, with the car park being more exposed to direct views.

Whilst the site will be visible within the surrounding landscape it is considered that a balanced outcome is achieved with the benefits to the local community from the improved coverage and connections. Better mobile coverage will improve safety in Fingal and the surrounding area and will improve the day to day experience at work and at home.

Visual impressions from a variety of viewpoints have been made available to the public to assist in understanding how the facility sites within this landscape.

Please visit https://www.rfnsa.com.au/3939023 to view the photomontages that were prepared as part of the planning application.

Amplitel is reviewing the potential to landscape around the perimeter of the compound fence to soften the visual impact to the lower third part of the monopole and the equipment shelter at ground level. If this proposal progresses, it will be applied via the planning permit application process.

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3.5 Electromagnetic Emissions

Electromagnetic Energy (EME) is sometimes known as electromagnetic radiation (EMR) or Electromagnetic Fields (EMF) are present everywhere in our environment – the earth, sun and ionosphere are all natural sources of EME.

We want to assure you that Telstra places a very high importance on EME safety.

Telstra relies on national and international experts such as the Australian Radiation Protection and Nuclear Safety Agency (**ARPANSA**) in relation to guidance on base stations and health.

It is the responsibility of these expert authorities to continually review the science on EME and to protect public safety.

All of Telstra's mobile base stations are designed to comply with the relevant Australian safety standard called RPS S-1 or Radiation Protection Series – S1 (Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz) (the **ARPANSA Standard**).

The ARPANSA Standard is developed by ARPANSA and is based on the safety guidelines recommended by the International Commission on Non-Ionizing Radiation Protection and is regulated by the Australian Communications and Media Authority.

The ARPANSA Standard is very conservative and includes large reduction factors, protects all people including children exposed to radiofrequency EME in the frequency range 100 kHz to 300 GHz and covers frequencies used for 5G.

Telstra's engineers conduct a thorough EME compliance assessment as part of the base station design. For each base station, an Environmental EME Report is prepared by Telstra and can be accessed by members of the public via the Radiofrequency National Site Archive (RFNSA) at www.rfnsa.com.au . A copy of this report is attached. The maximum EME levels are calculated at 5.32% of the ARPANSA Standard. The standard allows for up to 100%.

The Environmental EME Report estimates the maximum cumulative EME emitted from the base station. The estimated levels have been calculated on the maximum mobile call and data capacity anticipated for a particular site. This estimation does not allow for possible radio signal attenuation due to buildings and the general environment. Actual EME levels will generally be significantly less than predicted, due to path losses and the base station automatically transmitting power to only serve established phone calls and data transmissions.

What do the experts say about 5G and health?

Telstra understands that some people have concerns about EME exposure and 5G's impact on human health. Telstra relies on the expert advice from the ARPANSA for overall assessments of health and safety impacts. ARPANSA's advice that there is no substantiated scientific evidence that radiofrequency technologies that operate within national and international safety standards cause health effects.

ARPANSA's position on EME is:

> *"Based on current research there are no established health effects that can be attributed to the low RF EME exposure from mobile phone base station antennas."*

https://www.arpansa.gov.au/understanding-radiation/radiation-sources/more-radiation-sources/mobile-phone-base-stations

Further information on the ARPANSA Standard, EME and health is available here:

- https://www.arpansa.gov.au/sites/default/files/rps_s-1.pdf
- https://www.arpansa.gov.au/regulation-and-licensing/regulatory-publications/radiation-protection-series/codes-and-standards/rpss-1-qa
- https://www.infrastructure.gov.au/media-communications-arts/spectrum/5g-and-eme

Please be assured that Telstra take the responsibilities regarding the health and safety of their customers and the community very seriously. Telstra also acknowledge that some people are genuinely concerned about the possible health effects from electromagnetic energy (EME) and are committed to addressing those concerns responsibly.

You can access further information on 5G at: https://www.telstra.com.au/consumer-advice/eme/5g-and-eme

Scientific Studies

In Australia, EME from telecommunications is extensively researched and strict regulations are in place to ensure facilities and devices operate safely. All telecommunications infrastructure and devices in Australia are required by law to comply with these regulations.

EME is one of the most heavily studied types of energy in the world. Decades of research shows there is no verifiable evidence that EME from telecommunications facilities pose a health risk when emission levels are below the maximum exposure limits set out in the Safety Standard.

Research on EME is extensive and ongoing.

Telstra fully supports that research should continue, that the standards be transparent, and that national and international safety standards be updated as research findings are updated.

The World Health Organization and Systematic Reviews

The World Health Organization (**WHO**) is tasked to review the possible health effects from EME. In a program running over many years, the WHO has been conducting a wide-ranging review of all the published scientific research on the potential health effects of exposure to EME from mobile phone technology and other wireless devices. These findings, taken together with other evidence, are expected to be published in a formal document known as an Environmental Health Criteria Monograph (EHC).

One input to the work of the WHO Task Group on EME and health is a series of WHO commissioned **systematic reviews** addressing priority health outcomes.

Systematic reviews are a transparent and structured approach in assessing scientific evidence. The detailed methods are published in a protocol before the studies are collected and analysed.

This approach limits opportunities for cherry picking data – selecting only studies that support a particular point of view.

An additional strength of systematic reviews is the potential to combine the results of individual studies to form a larger and more statistically significant body of data (known as meta-analysis). This is not always possible as it depends on the quality and uniformity of the studies being reviewed.

The WHO commissioned systematic reviews considered research on a wide range of potential health effects utilising studies undertaken in laboratories on cells, animals and humans, and studies on human populations in the real-world environment (epidemiology studies). The health effects considered included cancer, reproduction and fertility, cognitive effects, subjective symptoms (hypersensitivity or EHS), and direct impacts on cellular functions such as oxidative stress.

The systematic review outcomes and a WHO Scoping Report on other health outcomes will contribute to finalisation of the WHO Task Group work which is expected by the end of 2025 leading to the EHC publication in 2026. The WHO provided an update at the GSMA EMF Forum 2024, and a recording is available: https://www.gsma.com/solutions-and-impact/connectivity-for-good/public-policy/key-learnings-from-five-years-of-5g-emf/

ARPANSA also continually review the science, including the systematic review outcomes: https://www.arpansa.gov.au/new-study-adds-evidence-mobile-phones-are-not-associated-cancer

ARPANSA provides an opportunity for the public and community to talk directly with scientists on issues about radiation exposure and protection in Australia. ARPANSA can be contacted on 1800 022 333 from 11:00 am to 12:30 pm on Tuesdays and Thursdays (Melbourne AEST), except during public holidays.

You can also send an enquiry via ARPANSA's online contact form:

https://www.arpansa.gov.au/contact-us/contact-us-form

Proximity to Community Sensitive Locations. Design and Siting (close to Beach Club, Kindergarten and dwellings)

Amplitel and Telstra recognise the sensitivity associated with proposals in some areas and try hard to strike a balance between providing services and minimising impact on the community and the local environment. Regulations to protect the public from RF EME exposure from telecommunications facilities do not set any distance requirements between the facility and other land uses such as residences, schools or hospitals.

Once a call is connected both mobile phones and their base stations are designed to operate at the lowest levels to make a quality call and avoid network interference. Base stations are constantly adapting their output levels depending on the number of calls they are handling and how far away the handsets are from them. In most circumstances, the best location to build a base station in order to minimise emissions is closest to where the service is required, including schools and residential areas.

The ARPANSA Standard for radiofrequency fields is designed to safeguard everyone regardless of age, at all times.

Telstra also had regard and has complied with Section 4 of the *Industry Code C564:2025 Mobile Phone Base Station Deployment* (the Code). Amplitel and Telstra have determined that the proposed facility is within proximity to community sensitive locations, including, residential dwellings, the St Andrews Beach Community Recreation Club, Cultural Heritage Areas and a Community Kindergarten.

Telstra, along with the Australian Government continue to address misinformation about EME and 5G and ensure that the community has access to evidence based science.

Telstra has a continuous testing program and provide these results publicly with the aim to address misinformation and provide science-based evidence and research. You can read more about Telstra's 5G testing program here:

https://exchange.telstra.com.au/five-years-of-5g-eme-testing/

It is noted that Telstra's testing program measure real world settings where EME levels are typically 100's to 1000's times below the ARPANSA Standard. This often varies from the Maximum Predicted Levels demonstrated on the Environmental EME Reports. As explained above, *estimated* levels are calculated on the maximum mobile call and data capacity anticipated for a particular site, and *actual* EME levels will generally be significantly less than predicted, due to path losses and the base station automatically transmitting power to only serve established phone calls and data transmissions.

Should a planning permit be issued, and the facility gets deployed, Telstra would be pleased to undertake post operational measurements of actual EME levels from the facility and circulate these findings to interested and affected parties.

Telstra has aimed to ensure that visual impact is minimised as much as practical in this area by implementing the lowest structure possible, applying paint/colour treatments, avoiding more elevated and visible positions (such as along ridgelines), positioning the site away from known cultural heritage sites and ensuring there are no native vegetation or biodiversity impacts.

Property Values

Property valuation is a complex issue, with fluctuations in price being subject to several factors. Many of these are subjective, and may be as diverse as aspect, views, condition of the property, local amenity, and access to services, including high quality communications. Since the mid-1990s, thousands of telecommunication facilities have been installed throughout Australian metropolitan and regional areas. During this period, property values have continued to increase, showing no clear signs of deterioration as a result of the location of communications facilities. Telstra and Amplitel are not aware of any credible evidence that directly links the siting of telecommunications facility to a decrease in property prices.

As discussed above, the proposal is considered to meet the policy settings for a development within the Zone and Overlay provisions of the Planning Scheme.

Location within and impact on a CFA fire break

The CFA encourages property owners in Victoria to create and maintain fire breaks and provide access routes of at least three metres wide, cleared of all flammable materials, around property boundaries, assets, and burn-off areas. In some instances, this also includes a turning circle with a radius of at least 8 metres. The proposed facility is set back 10m from the west property boundary, and will not impede CFA access or vehicles, including several locations that meet the requirements for turning circles. The golf course is responsible for maintaining fire breaks and access and undertake regular maintenance of these, particularly

before and during the fire season. Further information can be found on the CFA Website: https://www.cfa.vic.gov.au/plan-prepare/how-to-prepare-your-property/property-access-for-emergency-services#:~:text=The%20road%20must%20be%20at,cars%2C%20leaving%20one%20side%20clear

St Andrews Beach is located within a Bushfire Prone Area and one of the drivers for the site is community safety, particularly in relation to emergency management and response.

With ever increasing use and dependence on connectivity in cases of emergency, for preparation, keeping up to date with events and receiving emergency alerts the benefits of this proposal would be significant for this area.

Industry Code C564:2025 Mobile Phone Base Station Deployment (the Code)

As a Licensed Carrier under the *Telecommunications Act 1997* (Cth), Telstra is obliged to comply with the Industry Code *C564:2025 Mobile Phone Base Station Deployment* (the Code). Under the Code, Sections 4 and 9 are relevant to this proposal. As the proposed telecommunications facility is subject to development approval from Council the consultation requirements of this Code do not apply.

Telstra has had regard and has complied with Section 4 of the Code; *Mobile Phone Radiocommunications Infrastructure Site Selection, And Design And Operational Requirement*, 4.1 which outlines the following:

New Site Selection

4.1.1 The Carrier must have regard to the following when selecting a new site for the deployment of Mobile Phone Radiocommunications Infrastructure:

(a) the mobile coverage and service objectives of the area:

(b) the likelihood of an area being a community sensitive location,

> *NOTE: Residential areas, childcare centres, schools, aged care centres, hospitals and regional icons may be considered as sensitive uses in some communities. It is acknowledged that each location should be evaluated on a site-by-site basis to determine community sensitive locations. It is common for facilities to be installed in Residential Areas to satisfy coverage objectives.*

(c) relevant planning and environmental considerations;

(d) the radiofrequency interference the planned service may cause to other mobile telecommunications services; and

(e) any obligations to co-locate facilities.

https://www.acma.gov.au/sites/default/files/2025-03/mobile_phone_base_station_deployment_code_c564_2025.pdf

While the proposed facility is within proximity to residential dwellings (circa 75 metres), the St Andrews Beach Community Recreation Club House and the St Andrews Beach Kindergarten (circa 75 metres) the Code does not prohibit a carrier from deploying a telecommunications facility near community sensitive locations.

Telstra has instead balanced these locations, along with the mobile and service objectives of the area and planning and environmental considerations as described in section 4.1 of the Code. The proposed location, height and design of the proposed facility has been assessed pursuant to section 4.1.1 to ensure a balanced approach that will provide access to improved and reliable telecommunications whilst balancing environmental and community impacts.

Telstra has also satisfied Section 9 of the Code in the provision of RF EME Health and Safety Information via the information provided in the community consultation documents including the online website, the publication of the Environmental EME Report and this document.

Telstra has demonstrated that the proposed facility complies with the ARPANSA Standard via the Environmental EME Report. A copy of the report can be accessed by members of the public via the Radiofrequency National Site Archive (RFNSA) at www.rfnsa.com.au and is also attached.

Further Q and A

We have aimed to address all items raised from the community submissions throughout the body of this document. However, specific responses are provided below to several direct queries not addressed above.

Q Can you please provide an image to show the view from the playground of the kindergarten/playgroup?

The visual impressions provided to the community and prepared in support of the planning permit applications show a broad range of views to the site; (8) in total. The images are intended to provide an overview of the visibility of the facility from a variety of locations. Further images are not considered warranted.

Q Please confirm the distance from the tower to the playground

The distance from the proposed facility to the southern edge of the playground is approximately 75m.

Q Justification for the predicted 4.27% exposure at the kindergarten playground, including modelling assumptions, antenna orientation, and whether design alternatives were considered to reduce exposure. Electromagnetic Energy Report (26.06.2025 / 3939023) – The modelling is inaccurate as it assumes natural ground level of the playground.

The modelling and format for the Environmental EME Report is set by ARPANSA. As discussed above it provides *maximum* predicted EME levels with all technologies activated and operating their maximum power levels.

The Area of Interest provided for the Kindergarten Playground included a height scan of up to 2 metres. This has been updated to 3 meters to cater for elevated equipment.

This calculation confirms that the proposed telecommunications facility will comply (by a large amount) with the ARPANSA Standard. You can read more about the ARPANSA EME Report modelling here:

https://www.arpansa.gov.au/research/surveys/environmental-electromagnetic-energy-reports

Q Request for a full feature survey to AHD

The EME Report modelling is based on the ARPANSA requirements. A full feature survey is not warranted.

Q Copies of any alternative site assessments or comparative modelling undertaken prior to selecting this location.

A summary of the site selection process has been provided in sections 3.1 and 3.2 above. Telstra has also demonstrated compliance with the ARPANSA Standard via the provision of the Environmental EME Report. No further modelling is provided.

Q Site Access and Locality Plan (VIC100190) – Does not identify St Andrews Beach Kindergarten or the Rec Club

The Site Access and Locality Plan has been updated to include the St Andrews Beach Recreation Club and Kindergarten. The updated designs will be provided to Council and uploaded to the RFNSA Webpage.

Next Steps

Amplitel and Telstra will continue to consider submissions made during the community consultation period, which is open until 5:00 pm 5 December 2025. Mornington Peninsula Shire will be briefed on the submissions, consultation process and any amendments to the proposal made once completed.

Ultimately, Council is the Responsible Authority to assess the merits of the application and its compliance with the Mornington Peninsula Planning Scheme through the planning permit application process.

Amplitel and Telstra have committed to the following:

- Update the designs to include the St Andrews Beach and Recreation Club and Kindergarten on the site access and locality sheet (completed).
- Update the Environmental Report to include an additional height scan on the kindergarten playground (completed).
- Will implement landscaping around the perimeter of the compound fence to soften views to the lower half of the monopole and ground level equipment
- Will undertake post EME measurements (pending Council approval and deployment of the site) to demonstrate actual EME levels in a real world setting.

Planning Delegate Report - P25/1362

APPLICATION SUMMARY

Planner	Alex Harrison
Date	08/4/2026
Application Number	P25/1362
Address	209 Sandy Road FINGAL VIC 3939
Applicant	Amplitel Pty Ltd (C/o Acquirecomm Pty Ltd)
Planning Scheme	Mornington Peninsula Planning Scheme
Zone & Overlays	GRZ1, GWZ4, BMO, DDO4, EMO7, ESO15, ESO22, ESO23, ESO28, SLO2, VPO1, VPO2
Public Notice	No
Objections	No
Decision	Grant a planning permit

PROPOSAL

Proposal	Monopole (Pale Eucalypt) reaching a maximum height of 26.3m above natural ground level with triangular headframe accommodating Telstra 4G and 5G antennas. Security fencing 2.4m high with double access gates (total facility area: 10m by 10m). Associated equipment at ground level. The installation of underground power and fibre routes approx. 200m in length utilising a shared trench bored at a depth on 1m. Use of existing access arrangements. Minimal excavation is proposed.
Decision Documents	The documents assessed were: • Drawing number VIC100190, Sheet numbers DC, S1, S1-1 & S3 all dated 18/6/2025, prepared by Amplitel Pty Ltd

PERMIT TRIGGERS

	Clause	Trigger?	Rationale
Zone			
GWZ4	35.04-1	No	***Use:*** A planning permit is not required for the use of the land as a telecommunications facility pursuant to the exemption in Clause 62.01.
	35.04-5	**Yes**	***Buildings and/or works:*** **A planning permit is required to construct a building that is 100 metres from a dwelling or small second dwelling not in the same ownership**
GRZ1	N/A	No	The works are not located within this zone.

Overlays			
BMO	44.06-2	No	A planning is not required given the use of the land for a telecommunications facility is not listed under buildings and works within clause 44.06-2.
DDO4	N/A	No	The proposed works are not located within this overlay.
EMO7	N/A	No	The proposed works are not located within this overlay.
ESO15	**42.01-2**	**Yes**	**A planning permit is required to construct a building or construct or carry out works.**
ESO22	N/A	No	The proposed works are not located within this overlay.
ESO23	**42.01-2**	**Yes**	**A planning permit is required to construct a building or construct or carry out works.**
ESO28	N/A	No	The proposed works are not located within this overlay.
SLO2	N/A	No	The proposed works are not located within this overlay.
VPO1	N/A	No	The proposed works are not located within this overlay.
VPO2	N/A	No	The proposed works are not located within this overlay.
Particular Provisions			
Telecommunications facility	**52.19**	**Yes**	**A planning permit is required to construct a building or construct or carry out works for a telecommunications facility.**

SUBJECT SITE

Subject site and surrounds

The subject land is located south of Sandy Road and west of Truemans Road in Fingal and is occupied by the St Andrews Beach Country Club Golf Course. It is an irregular shaped land parcel of approximately 130.92 hectares and is part of a larger landholding of three lots approximately 164.81 hectares in size. The land is legally described as Lot 2 on Plan of Subdivision 424418Y, VOLUME 10470 FOLIO 254. The subject land has largely been cleared of vegetation. Stands of low-rise vegetation are predominantly located in proximity to the property boundaries, and along the west boundary. Surrounding land to the south and west is zoned General residential (GRZ1) and land to the north and east is zoned Green Wedge (GWZ4).

Figure 1: Aerial image (GIS) showing subject site (in red), surrounding properties and the approximate location of the proposed Telecommunications facility.

Subject Land:

Approx location of proposed Telecommunications facility:

Figure 2: Enlarged Aerial image (GIS) showing subject site (in red), adjoining property to the west (99 Bass Meadows Boulevard St Andrews Beach - St Andrews Beach Recreation Hall) and the approximate location of the proposed Telecommunications facility.

Subject Land:

Approx location of proposed Telecommunications facility:

Adjoining land	
North:	265 Sandy Road (Semi rural dwelling on large land holding)
South:	Existing dwellings that front Bass Meadows Boulevard (14 dwellings adjacent to the south boundary with setbacks of 120m to 330m to the site)
East:	Part of the larger land holding accommodating the St Andrews Golf Club and approximately 10 dwellings beyond which is Truemans Road
West:	99 Bass Meadows Boulevard (St Andrews Beach Recreation Club)

Site Context	
Cultural Heritage Management Plan (CHMP)	A CHMP is not required as the proposal (of a telecommunications facility) is not a high impact activity under the Aboriginal Heritage Regulations 2018.
Coastal Acid Sulphate Soils	No
Acid Sulphate soils	No
Bushfire Prone Area:	Yes
Climate Change Hazards	No
Contaminated sites	No
Flood Prone Areas:	Yes
Heritage Watchlist	No
Landslip slope stability	Not high (Green)
Work Authority Permits	No
Restrictions and/or easements on title:	Section 173 Agreement AE992091B 4/4/2007. This restriction relates to the golf course. The proposal will not breach this restriction. Section 173 Agreement AV622626H 12/5/2022. This restriction relates to native vegetation removal and offset requirements. No vegetation is being removed or impinged upon and therefore the proposal does not breach this agreement.
Permit/Site history	
	Applications of a similar ilk (Telecommunications facility) but not on the subject site Recent telecommunications facility applications which have been exempt from public notice and review by objectors at VCAT include P22/2486 at 211 Sandy Point Road, Somers and P23/0563 at 2855 Frankston-Flinders Road, Balnarring. Both applications were refused by Council but subsequently overturned and permits issued by way of appeal by the respective applicants to VCAT in August 2025. It is further noted that P25/0418 at 36 Foam Road was recommended for approval by Council Officers but overturned by Council (Refused) and is now the subject of a Section 77 appeal (Applicant review) at VCAT. This application was similar to that of

	the proposed being located within proximity of a golf course and adequately setback from nearby semi rural dwellings.

PUBLIC NOTIFICATION

Pursuant to Clause 52.19-3:

An application under any provision of this Planning Scheme to construct a building or construct or carry out works for a telecommunications facility is exempt from the notice requirements of section 52 (1) (a), (b) and (d), the decision requirements of section 64 (1), (2) and (3) and the review rights of section 82 (1) of the Planning and Environment Act 1987. This exemption does not apply to:

- *An application under a Significant Landscape Overlay, a Heritage Overlay, or Neighbourhood Character Overlay.*
- *An application under a public land zone if the responsible authority is not the public land manager.*
- *An application for any of the following:*
- *A telecommunications dish.*
- *A telecommunications facility on a building within 100 metres of a residential zone.*
- *A telecommunications facility on a building within 100 metres of a dwelling not on the same land or land in contiguous ownership.*
- *A telecommunications tower in a residential zone.*
- *A telecommunications tower within 100 metres of a residential zone.*
- *A telecommunications tower within 100 metres of a dwelling not on the same land or land in contiguous ownership."*

An application under any provision of this planning scheme to use or develop land for a telecommunications facility is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the telecommunications facility is funded, or partly funded, by the Commonwealth through the Mobile Black Spot Program or the State of Victoria.

Correspondence has been provided by the applicant confirming that the State Government is providing funding to Telstra under the state funded mobile program and as such the application is is exempt from public notice, consideration of any objections and VCAT appeal rights by any objector.

Notwithstanding the exemption from advertising, Council has received correspondence from three nearby residents outlining concerns regarding the proposal. The matters raised have been considered as part of the assessment of amenity and relevant decision guidelines under section 60 of *the Act* and Clause 52*.19.* The majority of these concerns relate to poor siting, negative health impacts, detrimental to Aboriginal Cultural Heritage, visual impact, incomplete documentation, impact on amenity and landscape value, property values and the existing fire break. Code compliance was also an issue raised.

Section 60(3) of the Planning and Environment Act 1987 states:

Despite subsection (1)(c), if no notice is required to be given under section 52(1) or 57B or the planning scheme of an application, the responsible authority is not required to consider

any objection or submission received in respect of the application before deciding the application.

REFERRALS

Nil.

ASSESSMENT

The relevant provisions of the Mornington Peninsula Planning Scheme listed in Appendix 1.

Municipal Planning Strategy and Planning Policy Framework

The design is acceptable in relation to Clause 11.03-5S *Distinctive areas and landscapes* which seeks to protect landscape qualities and identifies values within the Mornington Peninsula region. Whilst the facility will be visible from some vantage points, particularly from immediate surrounding properties, its impact in the overall landscape, when visible, is partially screened and not unreasonable. The proposed facility would cater for a projected future need for improved mobile network and services in this area and forms part of a larger strategic program across the south-east region of Victoria without causing unreasonable adverse impacts to environmental values.

It is an objective of *Clause 19.03-4S Telecommunications* to facilitate the orderly development, extension and maintenance of telecommunication infrastructure. The proposal seeks to provide a new mobile base station at a suitable location within an area in need for improved infrastructures (particularly the St Andrews Beach area), to provide fast, affordable and reliable mobile services, which is consistent with Clause 19.03-4S of the planning scheme. The proposal provides a design outcome that achieves an acceptable balance in contributing improved mobile services without unreasonable adverse impacts on the environment, consistent with the strategies of Clause 19.03-4S. Further discission on the strategies of this clause, including co-location, will be discussed in the assessment against Clause 52.19.

The proposal is consistent with *Clause 02.03-2 Environmental and landscape values* where the siting is carefully chosen. The location is in a position on the lot that ensures setbacks of at least approx. 90m from dwellings on adjoining lots. Due to the setbacks, the proposed monopole structure and antennae would not have an unreasonable detrimental impact on the significant landscapes within the Green Wedge area. For these reasons, the proposed telecommunications facility is also consistent with *Clause 11.01-1R Green wedges – Metropolitan Melbourne.*

Further, the proposal seeks to take advantage of existing vegetation which will help reduce the appearance of the monopole when viewed from certain vantage points on the road and on nearby properties. The structure provides reasonable setbacks from existing dwellings and buildings on neighbouring properties.

Clause 12.05-2S – Landscapes has the objective to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments. The proposal will not have a detrimental impact on the landscape. A visual assessment (by way of photomontages) submitted with the application indicated that the overall visual impacts will be moderate to minor from some vantage points.

The structure has been sited acceptably to ensure visual impacts from the proposal are not unreasonably significant. It takes advantage of screening opportunities provided by existing vegetation on the subject site.

Clause 15.01-1S Environmentally sensitive areas requires a development to respond to and protect landscapes that have aesthetic value. Views, landmarks and vistas are required to be protected and enhanced.

Clause 17.01-1S Diversified economy has the objective to strengthen and diversify the economy. One of the strategies is to support rural economies to grow and diversify. Improvement in phone and internet infrastructure will help grow and diversify the rural economy in the area.

Clause 17.01-2S Innovation and research encourages the creation of opportunities for innovation and knowledge. One of the objectives of the clause is to encourage the provision of infrastructure that helps people to be innovative and creative, learn new skills and start new businesses in locations identified to accommodate employment and economic growth. The proposed telecommunication facility will improve internet infrastructure which will aid in innovation for local businesses.

Improved and geographically expanded telecommunications and internet usage will have a positive impact on economic development. The proposal will help meet the communication technology needs of businesses, dwellings and the overall community in the immediate and wider area. This is particularly important as efficient telecommunications infrastructure is an essential utility service required for social and economic development. Furthermore, improved telecommunications will aid in important community services, for example providing telecommunications to firefighting vehicles.

On balance the rural landscape has been appropriately considered and responded to in the design response for this application. The application takes into consideration existing vegetation and proximity to adjoining properties in order to minimise the visual dominance of the facility. This is responsive to the respective policies of the MPS and PPF.

Particular Provisions

Clause 52.19 Telecommunications Facility
Under Clause 52.19-5, Council must consider the following decision guidelines before deciding on the application:

- The principles for the design, siting, construction and operation of a telecommunications facility.
- The effect of the proposal on adjacent land.

The design, siting, construction and operation of the telecommunications facility.

The use of land for a telecommunications facility and the development of an equipment shelter is exempt from the requirement for a planning permit under Clauses 62.01 and 62.02 of the Planning Scheme, respectively. Therefore, the proposal must be assessed against Clause 52.19 – Telecommunications facility with regard to the suitability of the development itself and Clause 42.01 relevant to the suitability of the telecommunications facility on the environment and landscapes. Both the design and location of the facility have been selected by the proponent based on the ability to serve and the needs for the surrounding area.

Clause 19.03-4S – Telecommunications – seeks to facilitate the orderly development, extension and maintenance of telecommunication infrastructure. The proposal seeks to provide a new facility at a suitable location within an area in need for improved infrastructure to provide fast, affordable and reliable telecommunications services. The design outcome

achieves an acceptable balance between continuing improvement of telecommunications without unreasonable adverse impacts on the environment and landscape.

Clause 52.19 – Telecommunications facility – seeks to ensure infrastructure and services are provided in an efficient and cost-effective manner, encourage an effective State-wide telecommunications network, and encourage the provision of telecommunications facilities with minimal or acceptable impact on the amenity of the area.

The applicant examined exiting facilities in the surrounding area, including other carriers for the potential to co locate the proposed facility on an existing telecommunications facility or indeed an existing building or structure. The technical viability of potential sites was also assessed through the use of computer modelling tools that produce predictions of the coverage that may be expected from these sites, as well as from the experience and knowledge of radio engineers.

Given there is already an existing Telstra facility within 1.9km to the east of the site (adequate separation between Telstra's sites ensures that the Telstra network operates at an optimum level)and the next closest site (an Indara Monopole located 2.48km to the northwest) did not meet the radio frequency objectives and coverage requirements it was concluded co-location was not an option and that a new structure was required.

Alternative locations within the Golf Course itself were then explored by the applicant but the selected position was the most optimal as it would meet coverage objectives, ensure access and power requirements could be met whilst also balancing environmental, visual and cultural heritage matters. This preferred site had adequate existing access conditions, landowner approval and proximity to power and fibre connections. The project area has been sited to not overlap with the Registered Aboriginal Heritage Places (to the east). It was also sited as far to the east as practical from the existing Telstra tower that performs the same function. Please see figure 3 below which conveys the site selection criteria parameters that have been utilised by the applicant.

Given the lack of existing telecommunications infrastructure and coverage needs in the immediate area the proposed location is acceptable. The new facility is well-placed to allow for new and improved telecommunications coverage and services to the immediate and wider area.

The proposal provides a design outcome that achieves an acceptable balance in contributing improved mobile services without unreasonable adverse impacts on the environment, consistent with the strategies of Clause 19.03-4S.

Figure 3: Site selection parameters

The monopole is proposed at 26.3 metres high which is deemed to be modest in height compared to other existing monopoles. Current telecommunications towers generally range from between 25 to 50m in height. The monopole colour will be coloured Pale Eucalypt which will be muted in appearance and ensures it is not finished in a highly reflective material that will adversely impact the landscape character of the area, relevant to the protection of landscape values objective in the ESO15. This will assist in minimising the visual impacts of the structure when viewed from the surrounding area. The proposed design is considered acceptable having regard to the relevant provisions of the planning scheme.

The effect of the telecommunications facility on adjacent land.

The proposal is not considered to have an unreasonable impact on adjacent land.

At a height of 26.3m, the monopole is considered relatively modest in the context of comparable telecommunications infrastructure on the Peninsula. The facility will be visible from surrounding properties, including nearby dwellings and the adjacent kindergarten; however, it is setback at a distance that appropriately mitigates direct visual and amenity impacts.

Vegetation on and around the site will assist in screening the lower third of the structure, particularly from the kindergarten. While the upper portion will extend above the tree canopy, this visual outcome is consistent with other vertical elements in the locality, including power poles and larger buildings and is not deemed to be visually oppressive. See Photo montages provided by the applicant that illustrate this.

Figure 4: Photomontages of the monopole in relation to the St Andrews Beach Recreation Club and Kindergarten.

The facility is located approximately 90 metres from the nearest dwelling, which is in itself an adequate buffer. There is also vegetation on the subject site and adjoining properties that act as buffers to the proposal and in effect diminish its visual presence within the broader landscape.

The proposal will include utilising the existing fire track on the subject site. Cut and fill associated with the proposed works will be minimal and will not adversely impact the site or surrounds.

The proposal is consistent with Clause 02.03-2 – Environmental and landscape values, in that it has been located where the structure will not have an unreasonable detrimental impact on any significant landscape, heritage item or neighbourhood character, given its proposed siting.

It should be noted that the inherent operational requirements of telecommunications infrastructure necessitate a degree of visual prominence within the landscape.

With respect to health impacts, a telecommunications facility must be designed and installed so that the maximum human exposure levels to radio frequency emissions comply with the *ARPANSA Standard for Limiting Exposure to Radiofrequency Fields – 100KHz to 300GHz (RPS S-1).* The applicant will be bound to follow the relevant Radiation Protection Standards under a separate regulatory regime.

Refer to Attachment 3- Electromagnetic Energy (EME) Report

The proposal is considered acceptable having regard to the relevant provisions of the planning scheme as they relate to consideration of the effect of the proposal on adjacent land.

Zone

Clause 35.04-5 Green Wedge Zone Schedule 4 (GWZ4)

A planning permit is required for buildings and works given the facility will be located within a 100m from a dwelling not in the same ownership. The proposal is deemed to be acceptable within the Green Wege as follows;

The proposed facility is designed and located such that it will not unreasonably detriment future or potential green wedge, agricultural or vegetation management land uses of the subject site or surrounding areas.

The proposed location, towards the north-western corner of the site, is near the corner of the property. The area of the proposed compound is 100 square metres. The proposal, by virtue of its location and size (on a land parcel of approximately 130 hectares), respects the green wedge area by ensuring that the vast balance of the subject site is retained as per its current state (either vacant spaces or vegetation spaces). The access track is permeable and reversible; it can be reinstated and/or revegetated with respect to future green wedge land uses.

The proposed facility location and size are such that there will be no impacts on any adjoining or off-site agricultural land uses, as well as any opportunities for future agricultural land uses, thus aligning with Clause 11.01-1R Green Wedges – Metropolitan Melbourne.

Overlay/s

Clause 42.01 Environmental Significance Overlay Schedules 15 and 38 (ESO15, ESO23)

The ESOs are for The Cups and Semi Stabilized Dunes respectively. As well as environmental importance, the ESO15 and ESO28 also have landscape-related objectives. The proposal is considered to meet the objectives of the ESO15 and ESO23.

There is no vegetation removal proposed. The earthworks proposed for the facility are minor and insignificant with no earthworks proposed for the access track. The proposal will not unreasonably impact on the environment. The below photomontages provided by the applicant illustrate that the proposal will not be overtly dominant within the landscape.

Figure 3: Location of photomontages and other photos in the surrounding area.

Figure 4: Photomontage Location 1.

Figure 5: Photomontage Location 2.

Figure 6: Photomontage Location 3.

Figure 7: Photomontage Location 4.

Figure 8: Photomontage Location 5.

Figure 9: Photomontage Location 6.

Figure 10: Photomontage Location 7.

Figure 11: Photomontage Location 8.

Telecommunications facilities by their nature include a high monopole structure and therefore are going to be visible. It is an inevitable consequence of providing mobile communications that towers are required to be high and located reasonably prominently to provide efficient network coverage.

While the monopole and headframe will be visible, the extent to which they will be visible will vary depending on the location of the viewing point. This is not a location with specific vistas, viewing points, or lookouts. The proposed facility has appropriate regard to the scenic values of the roads within the area, including along the nearest main roads–Bass Meadows Boulevard and to the north - Sandy Road. Whilst the telecommunications facility will contain a maximum height of 26.3 metres, any fleeting views of the structure from the public realm along roadways will be at least partially inhibited by existing vegetation and existing structures such as power poles and dwellings.

On balance and as can be seen from the above photomontages the level of visual impacts on the immediate area and nearby dwellings is acceptable, especially when considering the overall wider area and the importance of the increased telecommunications coverage for the community.

Overall, whilst the proposed tower will have some visibility from some parts of the surrounding area and adjoining properties, it will not significantly interrupt views and vistas or unreasonably detriment the overall landscape of the area. There are no significant landmarks in the vicinity that will be unreasonably visually interrupted.

General Provisions

Clause 65 - Decision Guidelines
This Clause states: "*because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause*".

Decision guidelines which the Responsible Authority must have regard to before determining an application include (selected):

- *The matters set out in Section 60 of the Act.*
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*

The proposed works are generally in accordance with the provisions of the ESOs and Clause 52.19. It is not considered that the proposal conflicts with the provisions of the PPF.

The proposal is also in compliance with the provisions outlined in Clause 65 of the Mornington Peninsula Planning Scheme.

Overall, the planning scheme supports increased telecommunications, particularly in areas of need. Whilst visible, particularly from adjoining properties, the proposed application has demonstrated that a telecommunications facility in the submitted location and of the submitted height is necessary to help facilitate increased telecommunications coverage in the immediate and wider area, which upholds the objectives of the PPF.

Planning Scheme Amendment C219morn
Planning Scheme Amendment C219morn (the Amendment) was adopted by Council on 6 August 2024. The Amendment is not relevant to the subject site.

DECISION
That Council having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to grant a planning permit under the provisions of the Mornington Peninsula Planning Scheme in respect of the land known and described as 209 Sandy Road FINGAL VIC 3939, subject to the conditions below:

THE PERMIT ALLOWS

PLANNING SCHEME CLAUSE	MATTER FOR WHICH THE PERMIT HAS BEEN GRANTED	REVIEWABLE OR NON-REVIEWLABLE MUST BE COMPLETED FOR EACH TRIGGER
Clause 35.04 (GWZ4)	A planning permit is required to construct a building that is 100 metres from a dwelling or small second dwelling not in the same ownership	Not reviewable
Clause 42.01-2 (ESO15 and ESO23)	A planning permit is required to construct a building or construct or carry out works	Not reviewable
Clause 52.19-1 (Telecommunications facility)	Construct a building or construct or carry out works for a telecommunications facility	Not reviewable

CONDITIONS

Approved Development Not Altered

1. The approved development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority (Unless otherwise specified by a condition of this permit, consent is not required for any buildings or works which do not require a planning permit under the Mornington Peninsula Planning Scheme).

Amenity

2. The development must be carried out so that the amenity of the area is not detrimentally affected, through the:

   (a) Transport of materials, goods or commodities to or from the land.

(b) Inappropriate storage of any works or construction materials.

(c) Hours of construction activity and/or repair and maintenance activities.

(d) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil.

External Lighting

3. External lighting must be designed, baffled and located to the satisfaction of the responsible authority to prevent any adverse effect on adjoining land.

Telecommunications Facility

4. If the telecommunications facility hereby approved is or becomes redundant, all infrastructure associated with the telecommunication facility must be removed and the area reinstated to the satisfaction of the Responsible Authority. All works to comply with this condition must be completed within three (3) months of the facility ceasing to operate and must be at the expense of the permit holder.

Expiry

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

   a. The development is not started within 3 years of the issue date of this permit.
   b. The development is not completed within 5 years of the issue date of this permit.

   In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

CONFLICT OF INTEREST DECLARATION

I have considered my professional duties and personal interests and declare that to the best of my knowledge no actual, potential or perceived conflict risk of exists in the assessment of this application.

Alex Harrison **Senior Planner**	**Hugh Pierce** **Team Leader**
Delegate Approved:	13/04/2026

Appendix 1 – Planning Scheme Provisions

Municipal Planning Strategy
Clause 02.03-2 Environmental and landscape values
Clause 02.03-3 Environmental risks and amenity

Clause 02.03-5 Built environment and heritage
Clause 02.03-7 Transport
Clause 02.03-8 Infrastructure
Planning Policy Framework (PPF)
Clause 11.01-1R Green wedges
Clause 11.03-5S Distinctive areas and landscapes *Mornington Peninsula Localised Planning Statement (Victorian Government, 2014)*
Clause 12.05-1S Environmentally sensitive areas
Clause 12.05-2S Landscapes
Clause 13.02-1S Bushfire planning
Clause 13.03-1S Floodplain management
Clause 15.01-1S Environmentally sensitive areas
Clause 15.01-5S Neighbourhood Character
Clause 15.03-2S Aboriginal cultural heritage
Clause 16.01-1S Housing supply
Clause 16.01-2S Housing affordability
Clause 17.01-1S Diversified economy
Clause 17.01-2S Innovation and research
Clause 19.03-3S Integrated water management
Clause 19.03-3S Integrated water management – Mornington Peninsula
Clause 19.03-4S Telecommunications
Clause 19.03-5S Waste and resource recovery
Zone
Green Wedge Zone 4 (GWZ4)
Overlay/s
Environmental Significance Overlay, Schedule 15 (ESO15)
Environmental Significance Overlay, Schedule 23 (ESO23)
Particular Provisions
Clause 52.19 Telecommunications facilities
General Provisions
Clause 62.01 Uses not requiring a permit
Clause 65 Decision guidelines
Clause 66 Referral and notice provisions
Operational Provisions
Clause 71.02 Operation of the Planning Policy Framework

PROPOSED
FACILITY POLE

Before

After

This is a representation only. The final installation may vary slightly in size, shape and/or colour.

Rev.	Date	Created	Revision Description
A	12.12.25	ZV	Preliminary

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Site Address
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VIC 3939

Site Name : **Rye South**
Site Number. : **VIC100190**

AMPLITEL
Part of the Telstra Group

Approved :
Date : 12.12.25

Drawing title
Photomontage View 9

Drawing No. : **M09**

Checker :

REV. A

PROPOSED FACILITY POLE

Before

After

This is a representation only. The final installation may vary slightly in size, shape and/or colour.

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Site Name : **Rye South**
Site Number. : **VIC100190**

AMPLITEL Part of the Telstra Group

Approved :
Date : 12.12.25

Drawing title
Photomontage View 10

Drawing No. : **M10**

Checker :

REV. A

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Mornington Peninsula

Planning Scheme Review No.6

DRAFT

Mornington Peninsula Shire

May 2026

Volume 1: Key Findings and Recommendations

Document Control

Document History

Version	Date	Description
1	12 May 2026	Draft for community consultation

DRAFT

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Mornington Peninsula Planning Scheme Review No.6

The 2026 Planning Scheme Review report consists of the following documents:

Volume 1 - Key findings and recommendations

- Appendix 1: 2026 Planning Scheme Review Priority Implementation Plan

Volume 2 – Background report

- Appendix 1: 2023 Planning Scheme Review Implementation Plan – Status Audit
- Appendix 2: Planning Scheme Amendments Since 2023 Planning Scheme Review
- Appendix 3: Compliance with the Planning Scheme Reviews Advisory Note (DTP, March 2026)

Summary

The Mornington Peninsula Planning Scheme (the 'Planning Scheme') is a statutory document that sets out the objectives and rules for how land on the Mornington Peninsula can be used and developed. These directions are written in the form of zones, overlays, provisions and policies which include State, regional and local content. The Planning Scheme applies to all public and private land within the Shire, excluding land that is owned by the Commonwealth Government.

The Planning Scheme is sizable and complex, having been incrementally amended at both a State and local level since its inception in 1999. Now 25 years old, the Planning Scheme is one of the most expansive and complex in Victoria. Its framework of State and local policies is supported by a mix of mandatory and performance-based controls articulated via 16 different zones and 23 associated schedules, layered with 16 separate overlays and 107 individual schedules.

Mornington Peninsula Shire Council (the 'Council') is the planning authority responsible for administering the Planning Scheme[1]. Under Section 12(B) of the *Planning and Environment Act 1987* (the P&E Act), Council is required to review its planning scheme every four years and report its findings to the Minister without delay.

This report sets out the 2026 Review which has been carried out generally in accordance with the relevant requirements and guidance material provided by the Department of Transport and Planning (DTP), including their recently released Planning Scheme Reviews Advisory Note dated March 2026. It covers the period between the last planning scheme review in 2023 (the '2023 Review') up to mid-2026.

In summary, the review provides an analysis of what is working well and what areas of the Planning Scheme could be improved. It also explores changes, issues and emerging trends at both a State and local level that have occurred since the previous planning scheme review was carried out in 2023 and their associated implications for the operation and content of the Planning Scheme.

[1] Except where the Minister for Planning is identified as the planning or responsible authority.

In doing so, the review provides Council with a recommended program of strategic work including planning scheme amendments and strategic projects that are required to ensure the Planning Scheme is efficient and effective in achieving State and local planning objectives. In total, the review provides 14 new recommendations in response to specific issues and recommends continuing with a further 36 recommendations previously identified in the 2023 review that are currently underway, ongoing or yet to commence.

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Key findings

This review confirms that Council continues to undertake a significant program of strategic work. A detailed audit has identified that, while some items were abandoned or deferred, 42% of the recommendations from the 2023 Review have either been completed, substantially progressed or are underway.

Planning scheme amendments made up the majority of completed projects, which is in part due to the large number of strategic policies and strategies (approximately 20) prepared and adopted in the 2023 Review period.

A total of 24 planning scheme amendments have been approved by the Minister since the 2023 Review. Significant completed amendments include:

- **Amendment C241morn** implemented Council's adopted Balcombe Estuary and Associated Reserves: Ecological and Planning Study (Biosis, 2022) by introducing and applying new Environmental Significance Overlay – Schedule 32 (ESO32) to the area to better protect the ecological values of the estuary whilst supporting the ongoing use of existing sporting, recreation and community uses within the reserves.
- **Amendment C243morn** rezoned land at 83 and 79 Bungower Road, Somerville from Special Use Zone (SUZ1) to the Industrial 3 Zone (IN3Z), introduced a new local policy at Clause 17.03 (Industry) and a new schedule to the Development Plan Overlay (DPO24).
- **Amendment C256morn** applied the Development Plan Overlay – Schedule 21 (DPO21) to land at 4 Bundara Crescent, Mount Eliza to facilitate the two-lot subdivision of the site.
- **Amendment C271morn** implemented the strategic directives of the Western Port Coastal Villages and Surrounding Settlements Strategy (Ethos Urban, 2019).
- **Amendment C286morn** applied the Design and Development Overlay (DDO28) to the Ocean Beach Road Commercial Precinct in Sorrento on a permanent basis and implemented the recommendations of the Built Form Review, Ocean Beach Road Sorrento (MPS, May 2024).
- **Amendment C293morn** rezoned land near the Somerville Railway Station from the Transport Zone 1 – State Transport Infrastructure (TRZ1) to the Commercial 1 Zone (C1Z) and applied Design and Development Overlay – Schedule 30 (DDO30) to the land.

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- **Amendment C300morn** extended the expiry of the existing Creswell Street East Crib Point Development Contributions Plan, April 2018 incorporated document until Amendment C295morn is completed.
- **Amendment C312morn** inserted a new Schedule 7 to the Erosion Management Overlay (EMO7) and applied it to all land on the Mornington Peninsula that has been identified as highly susceptible to landslides. This amendment resulted from a recommendation of the Board of Inquiry into the McCrae landslide. The new schedule applies on an interim basis until 6 January 2027.

Additionally, the Minister introduced several site-specific controls via Ministerial amendments exclusive to the Planning Scheme. These included:

- **Amendment C304morn** facilitated the use and development of a hydrogen production facility (Industry) that is to operate in conjunction with the existing hydrogen liquefaction facility at the Port of Hastings. The amendment applied the Specific Controls Overlay, Schedule 13 (SCO13) and amended the existing Incorporated Document.
- **Amendment C309morn** amended the schedules to Clause 45.12, Clause 72.03 and Clause 72.04 and applied a Specific Controls Overlay (SCO12) to 3880 Point Nepean Road, Portsea to introduce the incorporated document, Point Nepean Research and Education Field Station, May 2025.

The following additional amendments are currently underway:

- **Amendment C219morn** seeks to implement Council's adopted Housing and Settlement Strategy: Refresh 2020-2036 (2020) and Neighbourhood Character Study & Guidelines (Ethos Urban, 2019).
- **Amendment C246morn** seeks to introduce a new Particular Provision to facilitate zero carbon development through strengthened ESD requirements.
- **Amendment C247morn** seeks to rezone a precinct of land at Woodbyne Crescent and Albany Way, Mornington from Low Density Residential Zone (LDRZ) to the Neighbourhood Residential Zone (NRZ) to facilitate additional housing supply and diversity.
- **Amendment C249morn** seeks to rezone a precinct of land at Boundary and Collins Roads in Dromana from LDRZ to the NRZ to facilitate additional housing supply and diversity.
- **Amendment C295morn** seeks to replace the existing Creswell Street East Crib Point Development Contributions Plan, April 2018 with a revised Development Contributions Plan (DCP) following an independent peer review of the existing Plan.

- **Amendment C301morn** seeks to implement the findings of the Shire's Heritage Review (Area 4 – Western Port and Hinterland, Area 5 – Other Places) by applying the Heritage Overlay to 66 individual properties, two precincts (comprising nine contributory places), three pairs (comprising 6 places and two serial listings/groups (comprising in places) on an interim basis while Amendment C302morn is progressed.
- **Amendment C302morn** seeks to implement the Mornington Peninsula Heritage Review (Stages 4 and 5) by applying the Heritage Overlay to places and groups of local heritage significance on a permanent basis.

The most significant amendment that remains underway is **Amendment C219morn** which seeks to implement Council's adopted Housing and Settlement Strategy: Refresh 2020-2036 (2020) and Neighbourhood Character Study & Guidelines (2019). This amendment proposes significant changes to zones, overlays and policy affecting all residential areas across the Shire to ensure future housing growth is directed to the right locations (near services, shops and employment areas) whilst ensuring new development respects preferred neighbourhood character. A major planning initiative several years in the making, the amendment seeks to address numerous recommendations from previous planning scheme reviews relating to managing housing growth and neighbourhood character as well as simplifying several planning controls. As outlined in this report, however, progress of the amendment has been significantly impacted by the recent introduction of major planning reforms, including the new residential development codes for single and multi-dwelling development.

Notwithstanding Council's considerable progress, several important initiatives arising from the 2023 Review are either yet to be completed, require further work or are yet to commence. These actions remain pertinent to the overall improvement of the Planning Scheme and have therefore been integrated into the implementation plan resulting from this 2026 Review.

As outlined in this report, a critical area of focus for Council in the short-term is progressing planning controls to address environmental risks which are not yet captured in the Planning Scheme. While Council has long considered environmental risks as part of decision-making based on the best available data, recent significant State Government reforms and decisions of the Victorian Civil & Administrative Tribunal (VCAT) have meant that Council no longer has the

discretion to consider these risks in the absence of a corresponding planning control. In the Peninsula's context, this issue is particularly pertinent for:

- Addressing sea level rise impacts (inundation and erosion) along Port Phillip Bay based on the Port Phillip Bay Coastal Hazard Assessment and updating existing controls along Western Port Bay based on the pending update to the Western Port Bay Coastal Hazard Assessment.
- Supporting Melbourne Water with the application of planning controls, including the Special Building Overlay (SBO) to flood prone land across the Shire following community engagement on the latest flood mapping.
- Strengthening the mitigation of landslip risk through the review of susceptibility data and modelling and associated application of the EMO.
- Completing the audit, testing and review of potentially contaminated land and applying the Environmental Audit Overlay (EAO) to sites as required, and potentially the Buffer Area Overlay (BAO) to address any landfill gas risk issues.

Other risks to be addressed are major high-pressure pipeline buffers, extractive industry buffers and acid sulphate soils – the data for which is held by State Government or other government agencies.

Council will require significant assistance from the State Government to implement controls for the above environmental risks in a timely and effective manner. It is specifically recommended that Council advocate for the State Government to undertake amendments relating to sea level rise, flooding, major high-pressure pipeline buffers, extractive industry buffers and acid sulphate soils given data for these risks are produced and/or held by the State Government – not Council. In the meantime, Council should continue prioritising resourcing and funding to complete its staged review of EMOs to address landslip risk, and prepare new amendments to address contaminated land.

Below are the other remaining key outstanding areas of work which are either currently underway or yet to be commenced:

- Reviewing existing residential height planning permit triggers based on detailed landscape character analysis
- Protecting places of heritage significance through implementation of Heritage Overlays for the final stage of the Shire's municipal wide heritage review
- Strengthening natural systems and vegetation provisions through the implementation of Council's adopted Biodiversity Conservation Plan (2019) and review of relevant overlays

- Completing the Review of Residential Height Planning Controls project and implementing any recommended planning provisions
- Considering the feasibility of, and developing a comprehensive and coordinated framework for infrastructure provision and management (especially for open space, drainage and sewerage) with the establishment of a staged Shire-wide Development Contributions Plan
- Implementing the key strategic directions from Council's adopted Activity Centres Strategy (2018) and Industrial Areas Strategy (2018)
- Undertake a landscape character assessment of the Green Wedge to ensure future built form maintains the special amenity and scenic value of distinctive landscapes
- Implementing Council's adopted master plan for The Briars
- Reviewing advertising signage policy and/or controls to better protect township amenity
- Continuing to lobby State Government for the release of surplus land for a range of alternative use and development including housing, industrial, open space and conservation purposes
- Preparing Urban Design Assessments of all small townships, local centres and convenience centres on the Port Phillip Bay side of the Mornington Peninsula that do not currently have specific built form controls
- Undertaking a strategic review of the Low Density Residential Zone (LDRZ) areas to simplify the application of the LDRZ, and associated existing mandatory subdivision controls, across the municipality
- Continuing to advocate for the State Government to elevate ESD targets to achieve carbon neutral and climate change resilient development
- Implementing any recommended planning provisions or revised local policies recommended within the Mornington Peninsula Open Space Strategy

In addition to new planning scheme amendments addressing environmental risks, the Review identifies a new recommendation to progress proposed privately led **Amendment C290morn** which seeks to rezone a precinct of land at The Crescent, Tyabb from LDRZ to NRZ to deliver additional housing supply and diversity, and **Amendment C294morn** which seeks to create a new industrial precinct in Hastings.

The Review also summarises and analyses an unprecedented period of change in which significant changes to State Planning Policy, legislation and the VPP's has occurred during the shorter Review period. These numerous changes have had the

cumulative effect of reshaping the planning framework in which the Mornington Peninsula Shire operates.

The specific State Government reforms are far reaching and have been implemented to accelerate housing delivery, streamline planning assessment pathways, modernise State policy, and further strengthen responses to climate, environmental, and infrastructure issues. Collectively, the reforms will have significant implications for the Shire's decision making, strategic planning, and the implementation of Council's policy and advocacy positions.

The Review lists a substantial number of Ministerial ('VC') amendments, several of which have introduced significant changes to the VPPs since the end of 2023. Key amendments which have been highlighted as having the most direct impact on the Shire include:

- The Townhouse and LowRise Code (VC267) and Single Dwelling Code (VC282), which implement codified planning assessment pathways. These will significantly limit the Council's ability to vary Rescode standards (Clause 54/55) and inhibit Council's application of broader policy if codified standards are met, including the consideration of known environmental hazards.
- The Great Design Fast Track (VC280) which introduced a new optional planning assessment pathway for apartment and townhouse developments comprising 2-8 storeys.
- VC283 which gave effect to Plan for Victoria and introduced housing targets into the VPPs to reflect Victoria's Housing Statement.
- VC288 which expanded the streamlined VicSmart assessment pathway to include two lot subdivisions and dual dwellings.
- VC289 introduced new state-wide policy to provide further protection requirements for canopy trees.

As a whole, these amendments have the overarching objective of reducing planning approval timeframes to increase housing supply, however their implementation has raised several concerns for Council regarding neighbourhood character, the management of environmental risks, implementing ESD standards, and the reduction of the community's participation in the planning assessment process.

More broadly, State policy has shifted significantly following the release of Plan for Victoria which replaced Plan Melbourne as the State's metropolitan planning strategy. Although the plan does not highlight any specific policy changes for the Mornington Peninsula, it did lay the foundations for the implementation of actions relating to housing, jobs, services and sustainable environments. Actions relating to housing have been a significant focus of the State Government and these stem from the Victoria's Housing Statement which sets out a broad reform agenda to deliver more homes faster. Reforms already implemented include codified assessment pathways mentioned above (VC267/VC282), streamlined VicSmart processes (VC288), and the release and implementation of statewide housing targets (VC283).

Mornington Peninsula's housing target has been determined to be 24,000 net new dwellings by 2051 and this was introduced into the Planning Scheme by VC283. The State's Housing Capacity Assessment Platform (HCAP) identifies a notional shortfall of 1,700 dwellings after applying accessibility based discounts. Shire officers disagree with this finding given Council's own detailed Housing Capacity Analysis found that there is capacity for about 25,000 dwellings within 15 years, exceeding the State target. This capacity includes several "Investigation Areas" identified in the Shire's HSS where land currently within the LDRZ could be investigated for suitability to accommodate housing growth. The report notes that Council is already progressing several privately led amendments which seek to rezone LDRZ land, following extensive review and analysis of site constraints and opportunities. These include Amendment C247morn (proposed infill residential precinct in Woodbyne Crescent and Albany Way, Mornington), Amendment C249morn (proposed new residential precinct at Boundary and Collins Roads, Dromana), and Amendment C290morn (proposed new residential precinct in The Crescent, Tyabb). Given this difference in housing capacity outcomes, Council is committed to working with DTP to refine HCAP inputs, particularly around known projects and environmental constraints.

In terms of legislative reforms, two major Acts have come into effect that have reshaped the P&E Act and the broader planning system in Victoria. The *Consumer & Planning Legislation Amendment (Housing Statement Reform) Act 2025* implemented changes to Planning Panels and VCAT proceedings which aim to improve efficiency, manage frivolous submissions, streamline expert evidence processes, and allow greater administrative flexibility. The *Planning Amendment*

(Better Decisions Made Faster) Act 2026 included more major reforms which are proposed to take effect in October 2027. These include:

- Three new planning permit assessment streams and three pathways for planning scheme amendments.
- Mandatory affordable housing contribution mechanisms.
- Greater flexibility around covenants.
- Limits on third-party appeal rights to directly notified persons.
- Strengthened enforcement powers and integration of State/regional plans.

Collectively, the State Government reforms implemented in this Review period represent a significant shift in how planning proposals, amendments, appeals, and enforcement activities will operate across Victoria. They have introduced a more risk-based, streamlined, and centrally aligned planning system, with substantial implications for councils, Panels, VCAT, applicants, and the broader community.

While many of the reforms aim to streamline assessment and accelerate housing delivery and economic development, they also challenge local government's ability to protect neighbourhood character, manage environmental risks, and ensure there is meaningful community participation in planning processes. These issues have been compounded by the rapid pace of changes that has been implemented over a relatively short period of time, which has placed significant burden on councils to respond and adapt to such changes.

In terms of lessons learned from VCAT, Council was involved in several notable VCAT cases during the Review period, which overall demonstrate the need to strengthen local policy in relation to out-of-centre development and advocating to the State government for the further implementation of reforms to protect the Shire's Green Wedge. Outcomes of some cases also highlight the need to continue monitoring VCAT's interpretation of specific matters, including requirements of various Acts referenced in the Planning Scheme and the Minister or governing bodies that administer them.

Finally, the Review recommends that Council continue to monitor, provide feedback on, and respond to new or forthcoming State Government policy and legislative changes which are expected to have varying impacts on the Planning Scheme. These may include changes relating to:

- Implementation of the State Government's Housing Statement, including the release of housing targets and the HCAP platform
- Significant legislative reforms concerning the P&E Act
- Green Wedge protections and reforms
- Responses to key environmental risks

- The mitigation of climate change and sea level rise impacts
- Land use planning concerning the Port of Hastings.

New and continuing strategic planning work that has been identified in this report will form the basis of the strategic planning work program that Council will progress over the coming years, subject to budget and resourcing requirements. The recommendations requiring further strategic work will be the subject of subsequent, strategically justified planning scheme amendments that will include community consultation.

It is noted that a single planning scheme amendment is not considered necessary to implement the findings of this review as all identified actions are either captured by current amendments or will form part of further strategic assessment and future amendments. However, following Council adoption of this Review, it is proposed to progress an omnibus amendment to address a range of relatively minor administrative anomalies identified within the Planning Scheme while undertaking this review.

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Key issues and Further Strategic Work

Based on the analysis provided in this review, the table below provide a thematic summary of some of the key land use and development issues facing the Shire, noting the strategic risk, status of strategic planning work and the next steps required to address these issues.

Issue / Theme	Strategic Risk	Next Steps
Housing	State Government new residential codes limit neighbourhood character controls; HCAP model inaccuracies; need to assess LDRZ capacity, restructure overlays outdated.	Secure approval of C219morn; advocate for HCAP update; review Restructure Overlays; LDRZ and Mornington North ODP; progress C247morn and C290morn. Continue to engage with State Government on housing policy reforms and advocate for appropriate regulations *Planning Amendment (Better Decisions Made Faster) Act 2026.*
Environmental Risks, Biodiversity conservation and Environmentally Sustainable Design	Landslip susceptibility mapping; incomplete data for coastal hazard (sea level rise and inundation) controls; flood mapping not yet implemented; contaminated land overlays outstanding; no major pipeline buffers or CASS controls. State Government bushfire reforms not implemented; need to review all environmental overlays; ESD roadmap incomplete.	Progress C314morn (EMO); complete landslide study and progress permanent EMOs; advocate for coastal controls; support flood control amendment; implement EAO/BAOs; advocate for major pipeline and CASS controls. Continue to advocate for bushfire reforms; update environmental overlays (ESO, SLO and VPO); pursue C246morn and State ESD roadmap.
Green Wedge & productive agricultural land	Pressure on agricultural viability and landscapes; inconsistent application of policies.	Continue to advocate for the implementation of the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan 2024 (P4GWAL); prepare amendments to introduce policies on dwellings in the green wedge and

Issue / Theme	Strategic Risk	Next Steps
		camping/caravan parks outside the UGB; undertake landscape character assessment; update the Green Wedge Management Plan (GWMP).
Township Character	Several townships lack township plans (design controls); neighbourhood character constrained by State reforms; review of advertising signage and residential height controls underway; heritage overlays pending.	Prepare township plans; refresh Mornington Structure Plan and Activity Centres Strategy; progress C301morn/C302morn (Heritage); continue review of signage controls, implement complete residential height controls review. Secure approval of C219morn.
Industrial Land Supply	Industrial Areas Strategy outdated; unclear future of SUZ1 land.	Refresh Industrial Areas Strategy; progress C294morn (Hastings Industrial Precinct); engage with Port of Hastings.
Infrastructure Provision	Shire-wide DCP viability uncertain; Open space contributions update pending.	Monitor State DCP reforms; Implement Open Space Strategy via amendment.

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Review Report Recommendations

To ensure that the Mornington Peninsula Planning Scheme continues to be strategically robust and effective in delivering sound planning outcomes, the 2026 Review recommends 14 new recommendations and to continue a further 36 recommendations from the previous 2023 Review (5 of which are ongoing).

The specific recommendations are listed at **Appendix 1 – 2026 Planning Scheme Review Priority Implementation Plan.**

The above document categorises the recommendations into the following themes:

- Housing
- Environmental risks
- Green wedge & productive agricultural land
- Biodiversity conservation
- Infrastructure provision
- Industrial Land Supply
- Commercial Land Supply
- Township character
- Heritage protection
- Environmentally sustainable development
- Planning reforms and other matters

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Appendix 1 – 2026 Planning Scheme Review Priority Implementation Plan List of Recommendations

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Recommendation	Description	Theme	Priority	Status
1	Review the need for a Shire-wide Development Contributions Plan (DCP) pending the release of State Government reforms for developer contribution mechanisms.	Infrastructure provision	Low	Not started
2	Review existing signage provisions and consider the need for a planning scheme amendment, or advocacy to the State Government, to improve amenity outcomes.	Township character	High	Underway
3	Review the need for a Heritage Strategy to guide Council-led initiatives to help protect heritage places on the Peninsula.	Heritage protection	Low	Not started
4	Review existing Restructure Overlays (RO) to ensure they are they are appropriately applied and/or required to rectify old and inappropriate subdivisions and identify and additional areas that may require the RO.	Housing	Low	Not started
5	Continue to progress Amendment C295morn (Revised Creswell Street Crib Point Development Contributions Plan) to provide for the funding and delivery of infrastructure upgrades to support residential development.	Infrastructure provision	High	Underway
6	Continue to monitor and respond to any new or proposed State Government planning reforms, including engaging with State Government and providing submissions as necessary, to ensure the unique needs of the Mornington Peninsula are addressed.	Planning reforms and other matters	High	Ongoing
7	Continue to advocate to State Government that the accuracy of the Housing Capacity Assessment Platform (HCAP) be urgently updated to reflect known environmental risks and constraints which impact housing capacity on the Peninsula.	Housing	High	Underway
8	Review existing mandatory single dwelling requirements and minimum subdivision lot sizes in Design and Development Overlays for potential additional housing capacity within the next 10-15 years.	Housing	Low	Not started
9	Continue to advocate to the State Government for the release and proper planning of surplus Port-related land (SUZ1) surrounding the Port of Hastings for alternative uses.	Industrial land supply	High	Underway
10	Continue to progress privately led Amendment C294morn to establish a new industrial precinct on surplus Port-related (SUZ1) land in Hastings.	Industrial land supply	High	Underway
11	Advocate for appropriate Regulations to implement the *Planning Amendment (Better Decisions Made Faster) Act 2026* via the Municipal Association of Victoria.	Planning reforms and other matters	High	Underway
12	Continue to engage with the Port of Hastings Corporation on the finalisation of the Port Development Strategy 2055.	Industrial land supply	High	Underway
13	Continue to advocate for the State Government to reform existing bushfire planning provisions (including as-of-right vegetation removal exemptions) and mapping, to minimise unnecessary vegetation loss on private land within the Shire.	Biodiversity conservation	High	Underway
14	Continue to advocate for Ministerial authorisation of Amendment C246morn and the release of additional improvements to ESD provisions as part of the State Government's ESD Roadmap.	Environmentally sustainable development	High	Underway
15	Continue to provide in-principle support for the State Government's proposed new 'Planning Framework for Live Music' and if the new framework is implemented, review the eligibility and merits of applying the Live Music Precinct Overlay (LMPO) to areas on the Peninsula.	Commercial land supply	Low	Not started
16	Advocate to the State Government for appropriate changes to the VPPs to prohibit Child Care Centre uses from industrial areas.	Planning reforms and other matters	Low	Not started
17	Complete the Review of Residential Height Planning Controls project and prepare a planning scheme amendment to implement the recommendations of the project, as required.	Housing	High	Underway
18	Continue to respond to the VRET EES processes as required.	Planning reforms and other matters	High	Ongoing
19	Continue to progress Amendment C314morn to refine existing mapping and ordinance for Erosion Management Overlay – Schedule 7 (High landslide susceptibility areas) as a high priority.	Environmental risks	High	Underway
20	Continue to progress a new Shire-wide landslide susceptibility study, and prepare a planning scheme amendment to implement new permanent Erosion Management Overlays, including replacing existing interim overlays.	Environmental risks	High	Underway

21	Continue to support Melbourne Water and the State Government to implement new and updated planning controls for flood prone land based on updated catchment modelling prepared by Melbourne Water.	Environmental risks	High	Underway
22	Continue to advocate for the State Government to apply and update planning controls for sea level rise (erosion and inundation) around Westernport Bay and Port Phillip based on the best available hazard data produced and held by the State Government, including the Port Phillip Bay Coastal Hazard Assessment, Western Port Bay Local Coastal Hazard Assessment, and Future Coasts Program.	Environmental risks	High	Underway
23	Prepare a new planning scheme amendment to apply the Environmental Audit Overlay (EAO) to all current and former landfill sites.	Environmental risks	High	Not started
24	Investigate the appropriateness of using the Buffer Area Overlay (BAO) to address landfill gas risk, and prepare a new planning scheme amendment to implement the BAO if required.	Environmental risks	High	Not started
25	Prepare a new planning scheme amendment to apply the Environmental Audit Overlay (EAO) to all privately owned contaminated sites across the Peninsula, with the assistance of the Environment Protection Authority and landowners.	Environmental risks	High	Not started
26	Continue to advocate for the State Government to implement new and updated planning controls, and/or appropriate changes to the Building System, to address Coastal Acid Sulphate Soils based on the best available data held by the State Government.	Environmental risks	High	Underway
27	Continue to advocate for the State Government to apply planning controls (such as the Buffer Area Overlay) to major high pressure pipeline buffer areas based on data held by State and/or Federal government agencies and Energy Safe Victoria.	Environmental risks	High	Underway
28	Review the Mornington Activity Centre Structure Plan (2007) and prepare a planning scheme amendment to incorporate the revised Structure plan including changes to local policy or provisions, as required.	Commercial land supply	Medium	Not started
29	Prepare township plans for the large townships of Mount Eliza and Bentons Square and prepare a planning scheme amendment to implement the plans, as required.	Commercial land supply	Low	Not started
30	Prepare Urban Design Assessments of all small townships, local centres and convenience centres on the Port Phillip Bay side of the Mornington Peninsula (without specific built form controls) and prepare a planning scheme amendment to update local policies or provisions as required.	Township character	Low	Not started
31	Consider the need to refresh Council's adopted Activity Centres Strategy (2018) and undertake an amendment to implement the findings and recommendations, including confirming the activity centre hierarchy and activity centre boundaries.	Commercial land supply	Medium	Not started
32	Continue to advocate to the State Government for strong controls to protect the Shire's Green Wedge, including the implementation of specific actions from the Planning for Melbourne's Green Wedges and Agricultural Land ('P4GWAL') Action Plan (2024).	Green wedge & productive agricultural land	High	Underway
33	Following implementation of the 'P4GWAL' Action Plan, review the need to: a) prepare a planning scheme amendment to implement the 'Dwellings in the Green Wedge Policy' and 'Camping and Caravan Park Outside the Urban Growth Boundary' and b) Undertake a landscape character assessment of the Green Wedge to ensure future built form maintains the special amenity and scenic value of distinctive landscapes following implementation of the 'P4GWAL' Action Plan.	Green wedge & productive agricultural land	Medium	Not started
34	Review and update Council's adopted Green Wedge Management Plan (2019) by 2029-2030.	Green wedge & productive agricultural land	Low	Not started
35	Complete a review of Special Use Zone – Schedule 4 (SUZ4) land located outside the UGB to determine appropriate alternate rural zoning and land use outcomes, before preparing a planning scheme amendment to implement these findings.	Green wedge & productive agricultural land	Low	Not started
36	Consider the need to update Council's adopted Industrial Areas Strategy (2018) before preparing an amendment to implement its findings and recommendations.	Industrial land supply	Medium	Not started
37	Continue to liaise with DTP to facilitate the approval of Amendment C219morn to implement Council's adopted Neighbourhood Character Study & Guidelines (2019) and Housing and Settlement Strategy: Refresh 2020-2036 (2020).	Housing	High	Underway
38	Continue to progress privately led Amendment C247morn (Woodbyne Residential Precinct, Mornington) to deliver additional housing supply and diversity on the Peninsula.	Housing	High	Underway
39	Continue to progress privately led Amendment C249morn (Boundary & Collins Roads, Dromana) to deliver additional housing supply and diversity on the Peninsula.	Housing	High	Underway

40	Continue to progress privately led Amendment C290morn (The Crescent, Tyabb) to deliver additional housing supply and diversity on the Peninsula.	Housing	High	Underway
41	Review all land within the Low Density Residential Zone (LDRZ), and the Mornington North Outline Development Plan, for potential additional housing capacity.	Housing	Low	Not started
42	Continue to engage with the State Government to apply the Urban Growth Boundary around the urban areas of Balnarring Beach, Merricks Beach, Merricks and Point Leo under section 46AG of the Planning and Environment Act 1987.	Planning reforms and other matters	Low	Ongoing
43	Determine whether a planning scheme amendment is required following the review of The Briars Master Plan: 2019-2029 in 2027.	Infrastructure provision	Low	Not started
44	Prepare an amendment to implement Council's adopted Biodiversity Conservation Plan (2019), including a review of environmental, landscape and vegetation overlays to better protect biodiversity and reduce red tape to remove invasive weed species.	Biodiversity conservation	Low	Not started
45	Continue to work with Melbourne Water to facilitate an amendment to create an appropriate permit exemption for waterway management works within Environmental Significance Overlay – Schedule 17 (ESO17).	Biodiversity conservation	Low	Underway
46	Continue to progress Amendments C301morn and C302morn to implement Heritage Overlays as recommended in Stages 4 and 5 of the Municipal Heritage Review.	Heritage protection	High	Underway
47	Consider the need for the review of the 'Heritage Report: bathing boxes and boat sheds, Mornington Peninsula Shire beach reserves' (Graeme Butler & Associates, 2004) and an associated planning scheme amendment to implement new heritage controls.	Heritage protection	Low	Not started
48	Complete the Open Space Strategy and prepare a planning scheme amendment to implement updated open space contribution rates and correct zoning anomalies.	Infrastructure provision	High	Underway
49	Continue to monitor VCAT's interpretation and application of planning policy, specifically the requirements of various Acts referenced in the Planning Scheme and the Minister or governing bodies that administer them.	Planning reforms and other matters	High	Ongoing
50	Prepare an amendment to correct anomalies and administrative errors within the planning scheme to ensure it remains efficient and effective.	Planning reforms and other matters	Medium	Ongoing

Mornington Peninsula

Planning Scheme Review No.6

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Mornington Peninsula Shire

May 2026

Volume 2: Background report

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List of Abbreviations

General

ATOS – Access to Opportunities and Services
CASBE – Council Alliance for a Sustainable Built Environment
CASS – Coastal Acid Sulfate Soils
the Council – Mornington Peninsula Shire Council
DFP – Development Facilitation Program
DTP – Department of Transport and Planning
EPA – Environment Protection Authority
ESD – Environmentally Sustainable Development
GWMP – Green Wedge Management Plan
HCAP – Housing Capacity Assessment Platform
HSS – Mornington Peninsula Housing and Settlement Strategy Refresh 2020-2036
MAV – Municipal Association of Victoria
MD – Ministerial Direction
the Minister – Minister for Planning
PDS – Port Development Strategy
PPARS – Planning Permit Activity Reporting System
P4GWAL – Planning For Melbourne's Green Wedges and Agricultural Land Action Plan 2024
the Shire – Mornington Peninsula Shire
UGB – Urban Growth Boundary
VCAT – Victorian Civil & Administrative Tribunal
VRET – Victorian Renewable Energy Terminal

Planning Scheme terms

BAO – Buffer Area Overlay
DCP – Development Contributions Plan
DDO – Design and Development Overlay
DPO – Development Plan Overlay
EAO – Environmental Audit Overlay
EMO – Erosion Management Overlay
ESO – Environmental Significance Overlay
GRZ – General Residential Zone
GWZ – Green Wedge Zone
IN1Z/IN2Z/IN3Z – Industrial 1 Zone / Industrial 2 Zone / Industrial 3 Zone
LDRZ – Low Density Residential Zone
LMPO – Live Music Precinct Overlay
LPPF – Local Planning Policy Framework
LPS – Local Planning Statement
MPLPS – Mornington Peninsula Localised Planning Statement
MPS – Municipal Planning Strategy
MUZ – Mixed Used Zone

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NRZ – Neighbourhood Residential Zone
PPF – Planning Policy Framework
SLO – Significant Landscape Overlay
SBO – Special Building Overlay
SUZ1/SUZ4 – Special Use Zone Schedule 1 / Special Use Zone Schedule 4
VPP – Victoria Planning Provisions
VPO – Vegetation Protection Overlay

Acts and Regulations
AH Act – *Aboriginal Heritage Act 2006*
AH Regulations – Aboriginal Heritage Regulations 2018
BDMF Act – *Planning Amendment (Better Decisions Made Faster) Act 2026*
CPLA Act – *Consumer and Planning Legislation Amendment (Housing Statement Reform) Act 2025*
EPBC Act – *Environment Protection and Biodiversity Conservation 1999*
P&E Act – *Planning and Environment Act 1987*
2024 Regulations – Planning and Environment Amendment Regulations 2024

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Mornington Peninsula Planning Scheme Review No.6

The 2026 Planning Scheme Review report consists of the following documents:

Volume 1 - Key findings and recommendations

- Appendix 1: List of recommendations
- Appendix 2: 2026 Planning Scheme Review Priority Implementation Plan

Volume 2 – Background report

- Appendix 1: 2023 Planning Scheme Review Implementation Plan – Status Audit
- Appendix 2: Planning Scheme Amendments Since 2023 Planning Scheme Review
- Appendix 3: Compliance with the Planning Scheme Reviews Advisory Note (DTP, March 2026)

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1. Introduction

1.1. Purpose

The purpose of the 2026 Review is to provide an overview of the performance of the Planning Scheme since its last formal review in 2023. In doing so, it provides a commentary and analysis of:

- The strategic background to this Review, including an audit of strategic work undertaken by Council since the last formal review.
- Relevant case law and planning panel reports that have implications for the content and operation of the scheme.
- The State and local strategic context, including recent significant policy changes.
- The major planning issues facing the Mornington Peninsula, including both existing and emerging themes.
- The strategic performance of the scheme in implementing State planning policy, effectively expressing local policy directives, and appropriately and efficiently utilising zone and overlay controls to deliver desired planning outcomes for the Peninsula.

The report outlines recommendations to identify and prioritise a program for future strategic planning work (including planning scheme amendments) to improve the performance, effectiveness, and operation of the scheme.

1.2. Legal requirements and scope of the Review

Section 12B of the P&E Act requires Council to regularly review the provisions of the Planning Scheme. The review must evaluate the Planning Scheme to ensure that it:

- is consistent in form and content with the directions or guidelines issued by the Minister under section 7 of the P&E Act
- sets out effectively the policy objectives for use and development of land in the area to which the Planning Scheme applies
- makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives.

Other legislation (the *Public Health and Wellbeing Act 2008*) requires that the Planning Scheme is also consistent with Council's adopted municipal public health and wellbeing plan.

Section 12B of the P&E Act requires that the review must occur no later than one year after Council's Corporate Plan is approved under section 90 of the *Local Government Act 2020*, or within such longer period as is determined by the Minister for Planning (the 'Minister'). Once complete, Council is required to report the findings and recommendations of the review to the Minister without delay.

Council adopted its Council Plan 2025-2029 and Public Health and Wellbeing Plan 2025–2029 in August 2025.

The review period is therefore defined as 31 December 2023 (date of the last review) until 30 June 2026. Once adopted by Council, this report will constitute the formal "Planning Scheme Review" as required by the P&E Act.

It is noted that the State Government has released its Housing Capacity Assessment Platform (HCAP) model which will be the single method for State and local governments to assess municipal housing capacity against housing targets specified in the Plan for Victoria. State Government has directed that Planning Scheme Reviews undertaken by local councils must have regard to the findings of HCAP, including outlining any proposed planning scheme changes to address any identified housing capacity shortfall. (See Section 5.3.2.2 of this report for further details).

1.3. Methodology

This review was undertaken by the Strategic Planning team at the Mornington Peninsula Shire (the 'Shire') and involved the following:

- Consultation with planning and other internal Shire officers to identify strengths and weaknesses of the Scheme and any key issues.
- A desktop analysis of:
    - Previous 2023 Planning Scheme Review report (2023 Review)
    - Planning Permit Activity Reporting System (PPARS) data
    - New strategic plans and policies (regional and local)
    - Community satisfaction rating for planning.
- An audit of strategic work undertaken by Council in the inter-review period, including relevant reports, strategic documents and amendments.
- A summary of key findings arising from recent VCAT decisions and Independent Planning Panel reports.

- Preparation of an Implementation Plan that prioritises outstanding recommendations from the 2023 Review and those made as part of this current review; including suggested timeframes for the implementation of each action.

The Review has been prepared generally in accordance with Planning Practice Note 32: Review of Planning Schemes (June 2015) published by the former Department of Environment, Land, Water and Planning (DELWP), and the Municipal Association of Victoria (MAV). The report structure is based on the Planning Scheme Review report template provided by the DTP and uses elements of the Continuous Improvement Kit (2006) published by the former Department of Sustainability and Environment (DSE).

This report has also been reviewed in accordance with DTP's recently released Planning Scheme Reviews Advisory Note, dated March 2026. Appendix 2 to this report notes how the Review addresses matters to be considered listed in the Advisory Note.

It is noted that the Review involves a relatively high-level assessment of the current scheme provisions and opportunities for further general improvement. It does not assess the merits of any privately initiated, site-specific proposals for change to the Planning Scheme; such proposals are to be the subject of separate, rigorous assessment. It also does not include a detailed assessment of each local provision and schedule in the Planning Scheme because:

- As noted in the 2023 Review, all local provisions were reviewed as part of the translation into the Planning Policy Framework (PPF) in 2021 and implemented by Amendment C279morn.
- All the residential zones and associated Schedules to the Design and Development Overlay have been extensively reviewed as part of Amendment C219morn.
- Significant strategic work that is currently underway or planned will result in the continual review and improvement to provisions throughout the Scheme.

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2. Background

The Mornington Peninsula is a special place, with a unique relationship to the rest of Melbourne. Spanning about 720 square kilometres, the Peninsula is flanked by Port Phillip and Western Port Bays, situated about an hour's drive from Melbourne's CBD. The region boasts productive rural areas, scenic landscapes of state and national significance, internationally recognised Ramsar wetlands and about 190 kilometres, or 10% of Victoria's coastline.

Because of its magnificent attractions and proximity to the city, the Peninsula is one of Melbourne's premier holiday and retirement destinations, experiencing a huge influx of about 6.5 million visitors a year. Apart from tourism, the Peninsula's economy is diverse and thriving, supported by a hierarchy of activity centres and emerging high-tech industrial areas.

The Shire's prized Green Wedge covers 70% of the Peninsula, sustaining an array of recreation, tourism, agriculture and viticulture activities. Annually, the region generates about $9.5 billion, including $1.3 billion from agriculture and food and beverage ventures. The Peninsula is also home to the Port of Hastings – a state significant asset with naturally deepwater channels.

While the Peninsula is rich in biodiversity, conservation values, and other natural resources, it is under threat from environmental hazards such as flooding, erosion and bushfire, as well as increasing pressures and demands for urban expansion.

The Peninsula comprises 40 townships, with a mix of established major activity centres through to small coastal hamlets; each with their own unique sense of character and place. Significantly, the Peninsula is not a designated urban growth area, expected to accommodate only moderate to low levels of growth. A key community concern is ensuring new development respects preferred township and neighbourhood character.

Managing growth and development to ensure that the special values of the Peninsula remain protected is a constant challenge for the Shire. The Planning Scheme must address a range of issues and competing priorities while providing clear policy directions and strong planning controls to ensure sustainable growth.

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The Planning Scheme commenced on 6 May 1999 – two years after the amalgamation of the Flinders, Hastings and Mornington Shires. The range and detail of the scheme's provisions, reflect a notable history of planning initiatives at local, regional and State level over the past half century that were devised to respond to the diverse issues and values of the Peninsula.

As a result of the former Local Planning Policy Framework (LPPF) being translated into the Victoria Planning Provisions' (VPP) new integrated Planning Policy Framework (PPF), the local content of the Planning Scheme currently comprises:

- Municipal Planning Strategy (MPS)
- Planning Policy Framework (PPF) with 9 separate clauses
- 16 zones with 23 individual schedules
- 16 overlays with 107 schedules.

2.1. What's driving change

The following is a summary of some of the main drivers of change on the Peninsula, many of which are already recognised in the Planning Scheme. Key drivers of change relate to:

- State Government reforms
- Population and housing growth
- Environmental risks
- Climate change
- Economic development
- Biodiversity conservation
- Natural resource management
- Environmental and landscape values
- Built environment and heritage
- Infrastructure
- Transport

2.1.1. State Government reforms

In recent years, the volume and rate of State Government planning reforms has had a significant impact on the Victorian Planning System. Major reforms implemented during this Review period represent a significant shift in how planning proposals, amendments, appeals, and enforcement activities will operate across Victoria. They have introduced a more risk-based, streamlined, and

centrally aligned planning system, with substantial implications for councils, Panels, VCAT, applicants, and the broader community.

While many of the reforms aim to streamline assessment and accelerate housing delivery and economic development, they also challenge local government's ability to protect neighbourhood character, manage environmental risks, and ensure there is meaningful community participation in planning processes. These issues have been compounded by the rapid pace of changes that has been implemented over a relatively short period of time, which has placed significant burden on councils to respond and adapt to such changes. Indeed, the magnitude and rate of the reforms since the previous 2023 Review and foreshadowed upcoming changes to the VPPs will have major impacts on the operation of Council's planning departments.

Key policy reforms include introduction of Victoria's Housing Statement, the new Plan for Victoria and Economic Growth Statement. Major VPP reforms include:

- Introduction of the Townhouse and LowRise Code (VC267) and Single Dwelling Code (VC282).
- The Great Design Fast Track (VC280) which introduced a new optional planning assessment pathway for apartment and townhouse developments comprising 2-8 storeys.
- VC283 which gave effect to Plan for Victoria and introduced housing targets into the VPPs to reflect Victoria's Housing Statement.
- VC288 which expanded the streamlined VicSmart assessment pathway to include two lot subdivisions and dual dwellings.
- VC289 introduced new state-wide policy to provide further protection requirements for canopy trees.
- VC amendments which expanded the State Government's DFP to fast-track development approvals, bypassing Council decision-making.

As a whole, these amendments have the overarching objective of reducing planning approval timeframes to increase housing supply, however their implementation has raised several concerns for Council regarding neighbourhood character, the management of environmental risks, implementing ESD standards, and the reduction of the community's participation in the planning assessment process.

As well as policy and VPP reforms, the State Government has implemented significant legislative reforms which have, and will, fundamentally reshape planning in Victoria. Key reforms include the *Consumer & Planning Legislation Amendment (Housing Statement Reform) Act 2025* and the *Planning Amendment (Better Decisions Made Faster) Act 2026.* These reforms have introduced major changes to the assessment and facilitation of both planning permit applications and planning scheme amendments.

Sections 5.1 and 5.3 of this report outline the above key reforms and their impacts for planning on the Peninsula.

2.1.2. Population and housing growth

The unique attributes of the Peninsula make it an attractive place to live, work, and visit. These attributes include scenic landscapes, pristine beaches and coastlines, highly productive agricultural land, characterful coastal towns and villages, coupled with its proximity to central Melbourne.

The dwindling stock of undeveloped land on the Peninsula has created ever-mounting pressure for infill residential development. In response, Council has devoted significant resources to better understand, define and protect the diverse character of different towns and places with DDO schedules.

In terms of population growth, Council's adopted Housing and Settlement Strategy: Refresh 2020-2036 (HSS) (discussed later in this report) included the Victoria in Future (VIF) population projections which estimate that between 2016 and 2036, the population of the Mornington Peninsula would increase by 38,830 people from 161,530 to 200,360. However, the latest VIF population and dwelling forecasts (December 2023) have revised the need for an additional 17,750 dwellings between 2021 and 2036 down to 10,950 dwellings.

State planning policy (Clause 11.02-1S) requires all municipalities to ensure sufficient housing supply over at least a 15-year period. This was recently made more explicit by the State Government through the inclusion of specific housing targets for all municipalities incorporated into Clause 16.01-1S in response to the new Plan for Victoria. Mornington Peninsula's housing target is 24,000 net new dwellings by 2051.

As part of implementing the HSS through Planning Scheme Amendment C219morn, the Shire undertook further strategic work to ensure the Peninsula has sufficient housing capacity to meet the State Government's new housing targets.[1] Significantly, this work concluded that that the Peninsula has enough capacity for about 25,000 new homes over the next 15 years (under both existing controls and new controls proposed by Amendment C219morn), which exceeds the State Government's housing target.

In early 2026, the DTP advised that its new HCAP and Access to Opportunities and Services (ATOS) mapping tool indicates that the Mornington Peninsula has a capacity shortfall of 1,700 dwellings by 2051. Shire officers disagree with this finding, noting it does not reflect the extensive – and locally specific – capacity analysis and strategic work carried out as part of Amendment C219morn. Notably, the HCAP does not account for environmental risks that are yet to be captured in the Planning Scheme, but which are otherwise likely to represent a constraint on housing capacity (albeit to varying degrees). For example, land affected by flooding, landslip susceptibility, contaminated land, major high-pressure pipeline buffer areas, extractive industry buffer areas, landfill gas risk buffer areas, and unsewered land significantly constrain the ability to support housing. It also does not account for EMO7 (High Landslide Susceptibility Areas) which was implemented after the HCAP modelling was completed.

Officers are liaising with DTP to ensure the HCAP modelling more accurately reflects the Peninsula's circumstances and that the Planning Scheme responds appropriately to the housing targets set by the State Government. Officers will also continue to work with DTP regarding other housing related actions implemented in response to Plan for Victoria and the Shire's significant investment in protecting the character of the townships via Amendment C219morn.

It is noted that, even if the shortfall identified by the HCAP modelling remains unchanged, officers consider that the shortfall is relatively minor given it is projected to 2051. Therefore, officers consider that no immediate action is required by Council in terms of amending planning scheme controls to address the shortfall. Instead, notwithstanding progressing current amendments to release further supply (such as Amendment C247morn, Amendment C249morn and Amendment C290morn for more residential land in Mornington, Dromana and Tyabb respectively), Council should look to review and further refine residential

[1] Mornington Peninsula Housing Capacity Analysis 2024 (SGS Economics & Planning)

planning controls in the next 10 years or so, noting that Council's more locally specific housing capacity assessment identifies capacity becoming constrained by 2038.

Potential further refinements to planning controls to release more capacity include reviewing all remaining areas zoned LDRZ, and existing mandatory single dwelling requirements that currently apply to residential land covered by various DDO schedules across the Shire. There may also be further opportunities for housing capacity through the release of surplus Special Use Zone 1 (SUZ1) land around Hastings, Tyabb, Somerville and Crib Point that has long been reserved for Port-related uses. Release of surplus land remains a key advocacy priority for Council.

The implications of HCAP and ATOS are discussed in further detail later in this report in Section 5.3.2.2.

Another long-standing issue affecting housing capacity on the Peninsula is the number of holiday and vacant homes. About 28,000 (or 31.3 per cent) of the municipality's total 89,116 dwellings are holiday homes or vacant.[2] Importantly, however, the Planning Scheme is not able to regulate the use of dwellings for short stay accommodation or vacancy rates, meaning Council is unable to create further housing capacity in this space.

Finally, the Shire has some of the highest and growing rates of homelessness with a significant lack of affordable and social housing stock. Of the 11,175 households in private rentals within the Shire, 3,938 (35.3%) are in rental stress (which is higher than the Greater Melbourne average) and a total of 2,603 households (representing 4% of all households) are in need of affordable housing[3]. To address this issue, the Shire declared a Housing Crisis in 2021 and has previously prepared several policies and strategies to advocate for and facilitate an increase in the supply of social and affordable housing. Notably, despite the Peninsula's high rates of homelessness, the State Government's new levy on short-stay rental accommodation (such as AirBnB accommodation) will not be used to fund delivery of more social and affordable housing stock on the Peninsula. Such funding will be directed to regional local governments. Access to this funding remains a key advocacy priority for Council, particularly given the Peninsula has

[2] Mornington Peninsula Shire Housing and Settlement Strategy: Refresh 2020-2036.

[3] https://housing.id.com.au/mornington-peninsula

some of the highest rates of short-term rental accommodation in Victoria and would therefore be generating the highest amount of revenue from the new levy.

Despite the above challenges, with recent changes approved as part of the *Planning Amendment (Better Decisions Made Faster) Act 2026*, Council will have the ability to require mandatory contributions for social and affordable housing, with any cash in lieu of housing to be spent on new housing projects within the Shire. The mechanics of how this will operate are yet to be determined but expected to be in place by October 2027. This provides a significant opportunity for Council to increase social and affordable housing stock through eligible development proposals.

2.1.3. Environmental risks

The State Government's recent reforms to the Victoria Planning Provisions (specifically Amendment VC267) removed the ability for known environmental risks and constraints to be considered when assessing residential development applications under Clause 54 and 55 of the Planning Scheme unless the risks are formally recognised in the Scheme through a corresponding planning control (such as an overlay).

Similarly, recent decisions of VCAT have determined that unless a relevant planning control applies, matters relating to that control cannot be considered by the Responsible Authority when determining applications. For example, a Responsible Authority cannot consider matters relating to flooding for a development proposal unless a flooding control applies to the land – even if data indicating the land may flood is otherwise available.

Up until this time, the Shire, like many other councils across Victoria, relied on State and Local Planning policy and in particular the decision guidelines in the PPF, Clause 65 and Section 60 (1) (b), (e), (f), (1A) and (1B) of the P&E Act to consider environment risks that are not captured within the Planning Scheme. This is no longer the case for applications for residential development under Clause 54 and 55 which now explicitly state that these matters cannot be considered. The inability of Councils to consider known risks could have significant implications for the safety of land use and development outcomes.

In the Peninsula's context, while overlays already exist for a range of environmental hazards (such as coastal and inland erosion, land subject to inundation, bushfire,

and more recently land highly susceptible to landslides), data exists for several other environmental risks which are not yet captured within the Planning Scheme. These include flooding, contaminated land, landfill gas risk buffers, major high-pressure pipeline buffers, extractive industry buffers and acid sulphate soils. Permanent controls addressing landslide susceptibility are also required, following a comprehensive Shire-wide update of landslide susceptibility data.

Ensuring environmental risks are appropriately captured within the Planning Scheme is therefore a key priority for Council in the coming years so that risks can be properly considered, mitigated and managed when development decisions are being made. Recognition of known risks and constraints also directly impacts the potential net developable land on the Peninsula and its ability to accommodate additional urban growth, including housing and industrial development.

Additional strategic work is required to understand the full scope and nature of some of the above risks and constraints. Furthermore, Council will require assistance from the State Government to implement new controls (including via fast-tracked processes or changes to the VPPs, where appropriate), particularly where the relevant data is held by the State government or other relevant State agencies (such as Melbourne Water or South East Water), and/or the matter is of state or regional significance. Examples include data on flooding and erosion caused by sea level rise, major pipeline or extractive industry buffers, and coastal acid sulphate soils. Council's proposed approach to addressing environmental risks in the Planning Scheme is discussed in further detail at Section 6.4.4, noting that the Shire has already begun implementing overlays for land highly susceptible to landslides, and is working with Melbourne Water to finalise updated flood modelling and implement associated new planning controls.

2.1.4. Climate change

The Peninsula faces several environmental issues, such as the loss and degradation of native vegetation, pest plant and animal infestation, lowered habitat capacity, pollution of streams and aquifers, erosion and mass wastage of slopes, and damage to scientific and historic sites.

Increasing temperatures, decreased rainfall, coastal inundation, extreme weather events and biodiversity loss are all significant risks for the Shire because of the expected impacts of climate change. These impacts are also placing pressure on

the sustainability of the Shire's agricultural land and the protection of its landscapes, coastlines, seascapes and rural areas for the purposes of recreation, nature conservation and tourism. Council is currently progressing the development of a new climate resilient framework to respond to some of these key issues.

The Shire's extensive 190-kilometre coastline adds to the challenges it will face in managing climate risk. The coastal impacts of climate change (erosion, inundation) are already evident in the Shire, and projected impacts now form a relevant and consequential consideration when prioritising significant strategic work to ensure the Planning Scheme is responding appropriately. Council is currently progressing development of coastal strategy – *Our Coast Our Future* – to respond to these issues, as well as advocating for State Government intervention to fast-track approval of new planning controls to address key environmental hazards – particularly where the best available data about hazards is held by the State Government.

Lastly, bushfire risk reduction is an ongoing important priority to ensure the safety of the residents and visitors to the Mornington Peninsula. Achieving this while minimising vegetation loss (particularly remnant native vegetation) and associated biodiversity impacts remains a key challenge. Council continues to advocate for the refinement of existing bushfire planning related controls to minimise unnecessary vegetation loss, and achieve a better balance between bushfire risk management and urban greening – particularly to combat the urban heat island effect and continued loss of biodiversity on the Peninsula.

2.1.5. Economic development

The Mornington Peninsula has a strong and vibrant economy generating $11.45 billion in gross regional product annually in 2024. The economy is diverse across a range of industry sectors, supporting 62,311 jobs. The region's economy is underpinned by employment in the services sector, including health care and social services, education, retail, hospitality, construction, government, and professional services.

Agricultural activities occupy most of the Peninsula's rural areas. Activities such as horticulture, viticulture, market gardening and poultry farming are significant rural industries on the Peninsula. In particular, vineyards and wineries continue to contribute significantly to the marketing of the region as a recreation destination with a range of all-season attractions.

Council has prepared an Economic Development and Tourism Strategy – A Thriving Peninsula 2033 (2023) to provide a blueprint to support the vibrancy, diversity and sustainability of business, industry and communities of the Peninsula.

The Peninsula has a significant recreational role, in terms of both formal and informal recreation, which impacts the economy. The recreational role of the Peninsula requires the provision of supporting facilities, which add value to the region's natural resources and assets, enriches the experience for visitors and provide benefits to the local economy. Council is progressing an Open Space Strategy and has adopted Sports Capacity Plans for sporting fields, indoor sports and non-field sports to ensure the Peninsula continues to meet its recreational needs.

In terms of industrial development, the Peninsula has a substantial supply of port-related industrial land but there is a shortage of lots larger than 2,000 square metres for general industrial development. It is necessary to prevent the subdivision of remaining industrial land to maintain a supply of larger development sites. Council has an adopted Industrial Areas Strategy (2018) in response to these concerns.

The Peninsula is also home to the Port of Hastings which is Victoria's largest bulk liquid cargo port and makes an important contribution to the State's economy. The Port has been identified by the State Government as a preferred location for future industrial development of both State and local significance, However, as discussed later in this report, the future development of the Port remains uncertain owing to changes in State Government policy and the large swathes of land that may or may not be surplus to the Port's needs. Release of surplus land for alternative uses and development could significantly transform the economic potential of the Western Port region and is a key advocacy action for the Shire. The future role and development of the Port, however, must be balanced against the need to preserve the significant environmental and recreational values of the Western Port region, including the Ramsar-listed wetlands.

2.1.6. Biodiversity conservation

The Peninsula is a uniquely biodiverse region – home to a significant array of flora and fauna, including species and areas of national and international conservation significance. Protection of this biodiversity remains an ongoing challenge and

priority for the Shire with key threats being land use change and development, invasive and overabundant species, human disturbance, pollution and climate change. Council's adopted Biodiversity Conservation Plan (2019) establishes strategies and actions to protect and improve the resilience of the Peninsula's natural environment and biodiversity.

2.1.7. Natural resource management

A mild climate, high and well-distributed rainfall, good soils and ready access to markets combine to make the Peninsula a major farming area. Agriculture will continue to play an integral role on the Peninsula, forming part of the economic base, providing for sustainable land management and adding value to recreational experiences. However, the local agricultural industry relies on maintaining areas with a low population density and providing a separation between incompatible uses, such as townships and port development areas.

The existing pattern of subdivision in the Peninsula's rural areas presents a challenge to continued agricultural land use. Further fragmentation of rural land and increasing population in rural areas would undermine viable farming practices and destabilise the land market. This in turn would reduce confidence of investment in land management and further fuel pressures for the conversion of rural land to hobby farms and rural residential subdivisions.

While there are opportunities for value-adding industries to operate in conjunction with agricultural activities, the use of rural land for industry should only occur where the industry is directly related to, or supports, agricultural production in the area.

Broiler farms are also a concerning issue on the Peninsula. Although it is an important economic activity, the scale of the buildings, the practices associated with farm operation such as night-time collections, and variations in odour emissions conflict with landscape objectives and the amenity expectations of rural residents.

Finally, some of the Peninsula's scenic and environmentally sensitive landscapes are rich in natural resources that are highly sought after by extractive industries. Therefore, there is ongoing pressure to establish and/or expand existing extractive industry facilities.

Council's ability to influence the above issues is largely being addressed by actions within the Shire's adopted Economic Development and Tourism Strategy (2023), Food Economy and Agroecology Strategy (2022) and Green Wedge Management Plan (2019), as well as implementation of the State Government's new Planning for Melbourne's Green Wedges and Agricultural Land Action Plan (2024).

2.1.8. Built environment and heritage

Mornington Peninsula's sense of place is reinforced by the distinctive built-form character of its townships and residential areas. This distinctiveness arises from:

- The relationship between the settlement and its environmental setting.
- The balance between natural features and built form that in many areas has produced a definite local character where the open space, landform and landscape provide a dominant setting for the built form.
- The influence of sites, gardens and precincts of heritage significance contained in many of its townships that include the Ranelagh Estate in Mount Eliza and the Sorrento Historic Precinct.
- The cultural significance of heritage places, heritage buildings, structures and gardens such as places, sites and objects of Aboriginal cultural significance.
- Well-established subdivision and development patterns where the ability to retain a bushland, woodland or coastal setting is often dependent on maintaining larger lot sizes with minimal site coverage.

The character of townships and residential and heritage values are continually under threat from inappropriate new development, creating an ongoing need to ensure that future built form respects preferred character and sensitive landscapes, and that places of heritage significance are conserved and enhanced.

Early European heritage protection within the Shire is being addressed by the progressive implementation of Heritage Overlays through Council's adopted and staged Municipal Heritage Review, with neighbourhood and township character addressed by adopted township and structure plans, DDOs and Council's adopted Neighbourhood Character Strategy & Guidelines (2019).

2.1.9. Infrastructure

The Mornington Peninsula faces several challenges in relation to sewerage and drainage infrastructure. Although most areas now have access to reticulated sewerage, there are still a significant number of properties that are not connected which present an ongoing risk of pollution to inland surface waters, beaches and groundwater, particularly on the Nepean Peninsula. It also presents an ongoing constraint to the Peninsula's overall housing capacity.

In addition, the drainage systems in many parts of the Peninsula have local capacity limits, while major regional drainage systems depend on natural watercourses and streamlines, with subsequent pressure on their environmental values. Within its remit, Council is responding to drainage issues as per the principles outlined in its new Asset Management Strategy 2026-2036, adopted Integrated Water Management Strategy (2021) and maintenance provided as part of its Road Corridors and Drainage maintenance contract.

2.1.10. Transport

The Mornington Peninsula is connected to Melbourne by a network of major roads and freeways, such as Nepean Highway, Moorooduc Highway, Peninsula Link, Mornington Peninsula Freeway, Western Port Highway, Coolart Road and Frankston-Flinders Road. In addition to these north-south linkages, there is also a network of cross-Peninsula roads, such as Bungower Road and Mornington-Tyabb Road. These roads combine to form the primary movement system on the Peninsula, which will continue to rely heavily on private transport into the foreseeable future.

A secondary network of roads serves the Peninsula hinterland and acts as an important recreation resource. These links, such as Bittern-Dromana Road, Red Hill-Shoreham Road, Mornington-Flinders Road, Boneo Road, Browns Road and Old Melbourne Road, are used by cross-Peninsula traffic, local people accessing their properties, and recreational travellers engaged in sightseeing and other leisure pursuits.

Given the above, road network capacity planning and improvement remains a critical and ongoing issue for the Shire to ensure the Shire's 40 townships are accessible and connected.

A network of pedestrian and bicycle paths also provide recreational opportunities and support movement in local areas. As with roads, capacity planning and

improvement of these networks is an important ongoing issue to ensure the Peninsula's residents have access to viable and attractive active modes of transport which also support local tourism opportunities. With rate capping and an aging asset base, a key challenge is funding road improvements and new footpaths and cycle paths.

In terms of public transport, the Peninsula's passenger and commercial rail system is serviced by a non-electrified line between Frankston and Stony Point. It carries a passenger shuttle service along with freight traffic associated with BlueScope in Hastings. Council has advocated for the electrification of these rail services to improve public transport access to the Peninsula.

In the absence of electrified commuter rail, buses remain the principal mode of public transport serving Peninsula residents. These operate primarily on north-south routes and connect with Frankston. The dispersed pattern of development and seasonal occupancy rates of coastal townships, coupled with a high volume of holiday homes limit the establishment of a more extensive bus service. Nevertheless, Council continues to advocate for better bus services to improve connectivity to and within the Peninsula.

Council is progressing a new Integrated Transport Strategy to provide strategic directions and actions to improve the Shire's transport network.

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3. Previous Review

3.1. Planning Scheme Review 2023

The most recent planning scheme review was completed in 2023 and is outlined in the adopted Mornington Peninsula Planning Scheme Review No. 5 Report 2023 (the '2023 Review').

The 2023 Review recognised that the Planning Scheme is often characterised as one of the most complex in Victoria. Overall, the review concluded that:

- Council made substantial progress in implementing the recommendations from the earlier and comprehensive 2018 Planning Scheme Review.
- A significant amount of work has continued to update and implement strategic directions across areas such as housing, township character, environmental protection, heritage, industrial land use, and activity centre planning.
- 50 planning scheme amendments had been approved to further the above strategic directions.
- Several key tasks remain in focus including the protection of the Green Wedge, heritage protection, strengthening biodiversity provisions, addressing climate-related risks, supporting affordable housing mechanisms, updating signage controls, reviewing landslip risk overlays, planning for infrastructure funding, and progressing activity centre and industrial strategies.
- New strategic work should be undertaken such as preparing township and urban design assessments, reviewing heritage guidelines, advocating for updated State bushfire and ESD policies, and incorporating several current strategies (open space, coastal planning, transport, economic development, affordable housing, and residential height controls).
- Ongoing monitoring of State policy changes, VCAT decisions, and broader legislative reforms is recommended to keep the Planning Scheme contemporary.
- Overall, most recommendations are already being addressed or programmed for future strategic work and amendments.

A total of 55 recommendations were made to improve the effectiveness of the scheme, including 10 'ongoing' recommendations.

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3.2. Progress since the 2023 Review

An audit has been conducted to ascertain the status of each of the 55 recommendations from the 2023 Review, the findings of which are summarised in Appendix 1. Figure 1 shows that, excluding the ten ongoing recommendations, 19 out of the 45 remaining recommendations (42%) from 2023 Review have either been completed or are underway. Of the 9 recommendations that are underway, 3 of these involve planning scheme amendments which are substantially progressed.

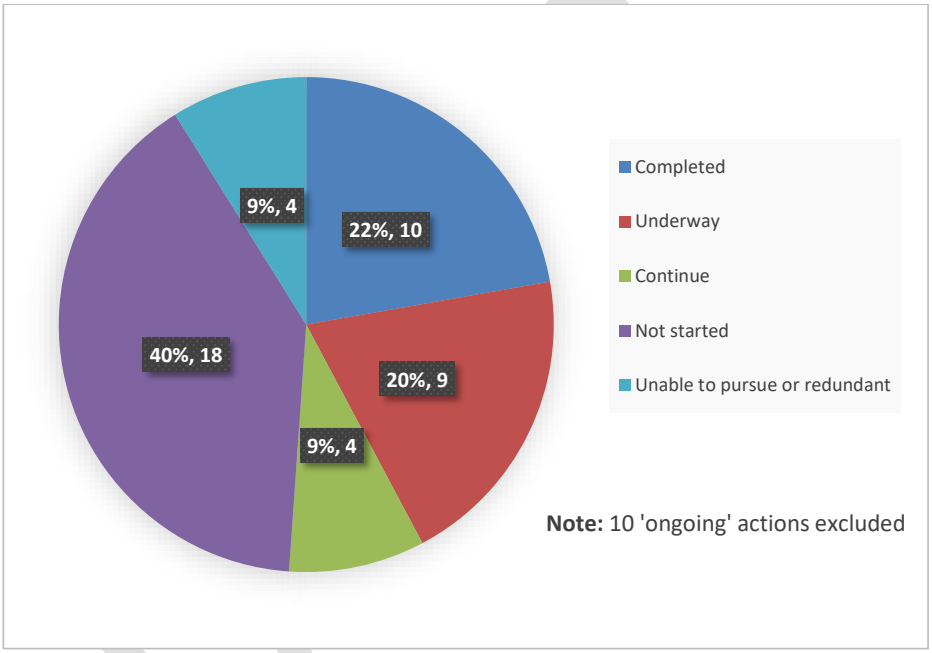

Figure 1: Audit of 2023 Planning Scheme Review Actions

Planning scheme amendments made up most of the completed projects, which is in part due to the large number of strategic policies and strategies (approximately 20) prepared and adopted during the 2023 Review period. These amendments are outlined in more detail in Section 3.3.

Other significant strategic projects prepared and adopted included:

- Shaping Greater Dromana Plan (September 2024)
- Revised Creswell Street, Crib Point Development Contributions Plan

- Updated Heritage Design Guidelines: Sorrento Historic Precinct Incorporated Document.

The 10 ongoing actions included in the 2023 Review will be carried over to the 2026 implementation plan in **Volume 1: Key Findings and Recommendations (Appendix 1 – 2026 Planning Scheme Review Priority Implementation Plan**. These relate to topics including advocacy and engagement with State Government, responses to State Government planning reforms, monitoring and continuous improvement of the Planning Scheme, and regular Structure Plan Progress Reporting.

Some items remain outstanding for various reasons including available funding and resourcing and changes in policy directions. The outstanding recommendations from the 2023 Review have been integrated into the 2026 implementation plan in **Volume 1: Key Findings and Recommendations (Appendix 1 – 2026 Planning Scheme Review Priority Implementation Plan**).

Outstanding items include:

- **Green Wedge Management Plan (GWMP):** implement two new local policies and undertake a landscape character assessment of the Green Wedge to inform new or revised policy or provisions (such as schedules to the Significant Landscape Overlay) to better manage the impact of built form on the visual landscape amenity. Action on this matter has been deferred pending implementation of the State Government's *Planning for Melbourne's Green Wedges and Agricultural Land Action Plan* which was released in (2024) and appears likely to address many of the issues and actions raised in Council's adopted GWMP. See further details and recommendations in Section 6.5.2.
- **Biodiversity Conservation Plan (BCP):** updating local policy as required and undertaking a review of the Environmental Significance Overlay (ESO), Vegetation Protection Overlay (VPO) and Significant Landscape Overlay (SLO) schedules to identify if changes are needed to better protect vegetation, habitat and biodiversity on the Peninsula. See further details and recommendations in Section 6.5.8.
- **Landslip susceptibility:** updating the Shire's landslip susceptibility data and modelling to inform necessary changes to the suite of Schedules to the Environmental Management Overlay (EMO). In 2025, Council endorsed a staged approach to the update of EMOs in response to the Board of Inquiry into the McCrae Landslide. The Shire has completed Stage 1 of this approach,

introducing an interim EMO for all land identified as highly susceptible to landslides in the Landslide Susceptibility Assessment, Stage 2, Mornington Peninsula Shire, Victoria (Cardno Lane Piper, 2012) and not already covered by an EMO. This interim EMO is due to be refined via a supplementary planning scheme amendment in 2026 (Stage 2), while work simultaneously begins on a comprehensive update to landslide susceptibility across the Shire and the introduction of permanent EMOs (Stage 3). Completion of this work will be one of Council's highest short-term priorities. See further details and recommendations in Section 6.4.5.

- **Flood mapping:** following completion of revised flood mapping in partnership with Melbourne Water, investigate the application of the Special Building Overlay (SBO) to ensure overland flooding risk is appropriately captured and managed by the Planning Scheme. Melbourne Water has since confirmed that it will lead both the modelling and planning scheme amendment process, including community consultation, with the amendment process to commence in 2027. It is likely that this will coincide with the introduction of a new suite of flood-related VPPs to be developed by State Government in partnership with Melbourne Water. As with landslip, completion of this work will be a high priority for Council. See further details and recommendations in Section 6.4.6.
- **Shire-wide Development Contributions Plan (DCP):** investigate the preparation of a staged, Shire-wide Development Contributions Plan and associated amendment to implement the DCP. This action has not proceeded due to the current known shortfalls and significant risks of DCPs, and pending State Government reforms which may provide a better means of collecting development contributions.
- **Integrated Transport Strategy (ITS):** upon completion and adoption of Council's new Integrated Transport Strategy, a planning scheme amendment may be required to implement the key strategic directives. During ongoing preparation of the ITS, officers have since identified that this action is no longer required as the ITS is unlikely to result in the need for any zoning, overlay or policy changes. See further details in Section 6.5.11.
- **Advertising Signs:** investigate whether changes are required to existing policy and provisions to provide better guidance around Major Promotion Signs on the Peninsula and associated light pollution, landscape and character impacts.
- **Activity Centres Strategy & Industrial Areas Strategy:** following Council adoption of the Activity Centres Strategy (2018) and Industrial Areas Strategy (2018), an amendment is required to implement the key strategic directions of these strategies – including a revised activity centre hierarchy – within local

planning policy. Given the age of these two strategies (which are based on pre-COVID economic data), a refresh of both documents will now be required before a planning scheme amendment can be progressed. See further details and recommendations in Section 6.5.4.

- **Environmental contamination:** apply the Environmental Audit Overlay (EAO) to potentially contaminated land on the Peninsula following an audit and review of all known potentially contaminated sites. While this amendment will be a significant undertaking, recent State Government reforms preventing consideration of environmental risks where no corresponding overlay applies has increased the urgency of implementing the EAO. The amendment will need to be led by Council with assistance and significant input from the Environment Protection Authority (EPA) as the relevant data is partly held by Council and the EPA. See further details and recommendations in Section 6.4.8.
- **Briars Master Plan:** consideration of the need to rezone land within The Briars to implement Council's adopted The Briars Master Plan: 2019-2029. Council since decided in April 2025 to review the master plan in mid-2027, after which the need for a planning scheme amendment will be reviewed and actioned accordingly. See further details and recommendations in Section 6.5.7.
- **Green Wedge Landscape Character Assessment:** undertake this assessment to ensure future built form maintains the special amenity and scenic value of the distinctive Green Wedge areas of the Mornington Peninsula. As noted above, the need for this assessment will be considered pending implementation of the State Government's *Planning for Melbourne's Green Wedges and Agricultural Land Action Plan* which includes actions to introduce built form controls for Green Wedge areas. See further details and recommendations in Section 5.3.7 & 6.5.2.
- **Public open space audit:** complete a zoning audit of public open spaces across the Shire and prepare a planning scheme amendment to rezone land to the correct public zone if necessary. This action will be completed as part of a broader planning scheme amendment to implement Council's Open Space Strategy. The Strategy is due for completion and adoption in 2026. See further details and recommendations in Section 6.5.12.
- **Heritage Strategy:** prepare a strategy to guide Council-led initiatives to help protect heritage places on the Peninsula. The need for this action will be reviewed, given Council's 2025 decision to abandon the Shire's previous Heritage Grant program.

- **Restructure Overlays review:** complete a review to ensure that all Restructure Overlays are appropriately applied and/or required to rectify old and inappropriate subdivisions.
- **Economic Development & Tourism Strategy:** integrating key objectives and directives of this strategy into the Planning Scheme. Following finalization and adoption of the Shire's Economic Development & Tourism Strategy in 2023, it has since been determined that a planning scheme amendment is not required to implement the strategy's key directions.
- **Activity Centre and Structure Plan boundaries:** review and clarify boundaries in local planning policies following Amendment C219morn. This action can be implemented as part of the implementing the refresh of Council's existing adopted Activity Centres Strategy (2018). See further details and recommendations in Section 6.5.4.
- **Our Coast Our Future Strategy:** implementing the findings and recommendations of this strategy (as required) and reviewing the need to strengthen local policy in the Planning Scheme. As preparations for the Shire's coastal strategy have progressed, it has since been determined that a planning scheme amendment is not required to implement the strategy. See further details in Section 6.5.14.
- **Mornington Structure Plan Review:** complete a review of the structure plan and implement a revised plan via a planning scheme amendment. This action requires significant funding and resourcing which is yet to be allocated. See further details and recommendations in Section 6.5.1.
- **Mount Eliza and Bentons Square Township Plans:** prepare township plans for these remaining large townships, then implement the plans via a planning scheme amendment. These initiatives are yet to be funded or resourced. See further details and recommendations in Section 6.5.1.
- **Open Space Strategy implementation:** Once the strategy is adopted, the implementation of any recommended planning provisions or revised local policies. As noted above, the Open Space Strategy is due for completion in 2026 after which an amendment can be progressed. It is likely that the amendment will include correction of zoning anomalies and introduction of revised open space contribution rates. See further details and recommendations in Section 6.5.12.
- **Affordable Housing Development Contributions Strategy:** implement the recommendations of the strategy via a planning scheme amendment. This action has not been progressed because Council resolved in December 2024

to abandon work to finalise the Strategy, which was in draft form at the time, following significant community feedback.

- **Urban Design Frameworks for small commercially zoned centres:** prepare Urban Design Assessments for several smaller townships and local centres on the Port Phillip Bay side of the Peninsula. This action requires significant funding and resourcing which is yet to be allocated. See further details and recommendations in Section 6.5.1.
- **LDRZ Review:** determining the need to undertake a strategic review of LDRZ areas to simplify the application of this zone, including the Mornington North Outline Development Plan. These actions, while important, are a lower priority considering the Shire's housing capacity assessment demonstrates the Shire has sufficient capacity until at least 2038. See further details and recommendations in Section 6.5.6.

Recommendations:

1. **Review the need for a Shire-wide Development Contributions Plan (DCP) pending the release of State Government reforms for developer contribution mechanisms.**
2. **Review existing signage provisions and consider the need for a planning scheme amendment, or advocacy to the State Government, to improve amenity outcomes.**
3. **Review the need for a Heritage Strategy to guide Council-led initiatives to help protect heritage places on the Peninsula.**
4. **Review existing Restructure Overlays (RO) to ensure they are they are appropriately applied and/or required to rectify old and inappropriate subdivisions and identify and additional areas that may require the RO.**

3.3. Planning scheme amendments completed since the 2023 Review

At the time of finalising this report, a total of 24 individual amendments have been proposed to the Planning Scheme since the 2023 Review. Of the local "C" amendments (23), 16 have been finalised (gazetted), and 7 are underway.

A list of all amendment completed in the review period is at Appendix 2. Significant amendments over this timeframe include:

- **Amendment C241morn** implemented Council's adopted Balcombe Estuary and Associated Reserves: Ecological and Planning Study (Biosis, 2022) by introducing and applying new Environmental Significance Overlay – Schedule

32 (ESO32) to the area to better protect the ecological values of the estuary while supporting the ongoing use of existing sporting, recreation and community uses within the reserves.

- **Amendment C243morn** rezoned land at 83 and 79 Bungower Road, Somerville from Special Use Zone (SUZ1) to the Industrial 3 Zone (IN3Z), introduced a new local policy at Clause 17.03 (Industry) and a new schedule to the Development Plan Overlay (DPO24).
- **Amendment C256morn** applied the Development Plan Overlay – Schedule 21 (DPO21) to land at 4 Bundara Crescent, Mount Eliza to facilitate the two-lot subdivision of the site.
- **Amendment C271morn** implemented the strategic directives of the Western Port Coastal Villages and Surrounding Settlements Strategy (Ethos Urban, 2019).
- **Amendment C286morn** applied the Design and Development Overlay (DDO28) to the Ocean Beach Road Commercial Precinct in Sorrento on a permanent basis and implemented the recommendations of the Built Form Review, Ocean Beach Road Sorrento (MPS, May 2024).
- **Amendment C293morn** rezoned land near the Somerville Railway Station from the Transport Zone 1 – State Transport Infrastructure (TRZ1) to the Commercial 1 Zone (C1Z) and applied Design and Development Overlay – Schedule 30 (DDO30) to the land.
- **Amendment C300morn** extended the expiry of the existing Creswell Street East Crib Point Development Contributions Plan, April 2018 incorporated document until Amendment C295morn is completed.
- **Amendment C312morn** inserted a new Schedule 7 to the Erosion Management Overlay (EMO7) and applied it to all land on the Mornington Peninsula that has been identified as highly susceptible to landslides. This amendment resulted from a recommendation of the Board of Inquiry into the McCrae landslide. The new schedule applies on an interim basis until 6 January 2027.

3.4. Planning scheme amendments currently underway

Significant amendments currently underway include:

- **Amendment C219morn** seeks to implement Council's adopted Housing and Settlement Strategy: Refresh 2020-2036 (2020) and Neighbourhood Character Study & Guidelines (Ethos Urban, 2019). Following extensive community consultation and consideration by a Planning Panel in February 2023, as well as further strategic work to confirm housing capacity, Council adopted the amendment in August 2024, as recommended by the Panel. The amendment

was submitted to the Minister in September 2024, but the Minister is still yet to make a final determination. Finalisation of this amendment will result in the completion of a significant number of actions identified in the previous 2018 & 2023 Reviews aimed at managing housing growth and neighbourhood character. As recognised in this Review, however, the final form of the amendment is likely to be significantly impacted by the recent introduction of new codes for single and multi-dwelling residential development under the reformed Clause 54 and 55.

- **Amendment C246morn** seeks to introduce a new Particular Provision to facilitate zero carbon development through strengthened ESD requirements. The amendment has been prepared along with 24 other Victorian councils from the Council Alliance for a Sustainable Built Environment (CASBE). It was submitted to the Minister for authorisation back in July 2022 and is still awaiting authorisation. It is understood that the State Government is considering the need for the amendment in light of pending final implementation of the Environmentally Sustainable Development of Buildings and Subdivisions: A Roadmap for Victoria's Planning System. The timing for implementation of the final stages of this roadmap is currently unknown.
- **Amendment C247morn** seeks to rezone a precinct of land at Woodbyne Crescent and Albany Way, Mornington from LDRZ to the Neighbourhood Residential Zone (NRZ) to facilitate additional housing supply and diversity. The amendment and combined subdivision planning permits were considered by an independent Planning Panel in 2025. Council is due to consider the Panel's report and recommendations, and decide whether to adopt the amendment, in April 2026.
- **Amendment C249morn** seeks to rezone a precinct of land at Boundary and Collins Roads in Dromana from LDRZ to the NRZ to facilitate additional housing supply and diversity. This amendment has been awaiting Ministerial authorisation since September 2021 and is the subject of environmental assessment under the *Environment Protection & Biodiversity Conservation Act 1999*.
- **Amendment C295morn** seeks to replace the existing Creswell Street East Crib Point Development Contributions Plan, April 2018 with a revised Development Contributions Plan (DCP) following an independent peer review of the existing Plan. Council adopted the amendment in December 2025, subject to further work to protect additional trees.
- **Amendment C301morn** seeks to implement the findings of the Shire's Heritage Review (Area 4 – Western Port and Hinterland, Area 5 – Other Places) by

applying the Heritage Overlay to 66 individual properties, two precincts (comprising nine contributory places), three pairs (comprising 6 places and two serial listings/groups (comprising in places) on an interim basis while Amendment C302morn is progressed. The amendment was submitted to the Minister in August 2024 and is currently awaiting Ministerial approval.

- **Amendment C302morn** seeks to implement the Mornington Peninsula Heritage Review (Stages 4 and 5) by applying the Heritage Overlay to places and groups of local heritage significance on a permanent basis. The amendment was submitted to the Minister in August 2024 and is currently awaiting authorisation.

Recommendation:

5. Continue to progress Amendment C295morn (Revised Creswell Street Crib Point Development Contributions Plan) to provide for the funding and delivery of infrastructure upgrades to support residential development.

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4. Planning Permit Activity

This section contains an analysis of planning permit activity that has taken place during the last three years, since the 2023 Review. It draws on publicly available Planning Permit Activity and Reporting System (PPARS) data and internally provided Council data on planning permit activity.

4.1. Number and nature of permits assessed

Figure 2 shows the number of planning applications received by the Shire compared with other municipalities. For the last three financial years, the PPARS data confirms that Council has received around 60% more planning permit applications than the average for all Metropolitan Councils. This trend is not new as the Shire has regularly led this statistic since PPARS records began in 2014, and is largely due to the complexity of the Planning Scheme and the range of permit triggers.

It is noted that Amendment C219morn proposes to remove some planning permit triggers from controls affecting residential land to reduce regulatory burden on single dwelling development (such as those relating to external wall cladding, colours and finishes, building wall height, and the location of buildings within 10 metres of a public park). Council's 'Review of Residential Height Planning Controls' project (discussed later in this report) is also reviewing existing controls affecting building height (such as discretionary maximum building heights, slope triggers, cut and fill triggers, etc.) and may identify more instances where permit triggers could be removed from some areas to further reduce regulatory burden where such controls may be adding little value.

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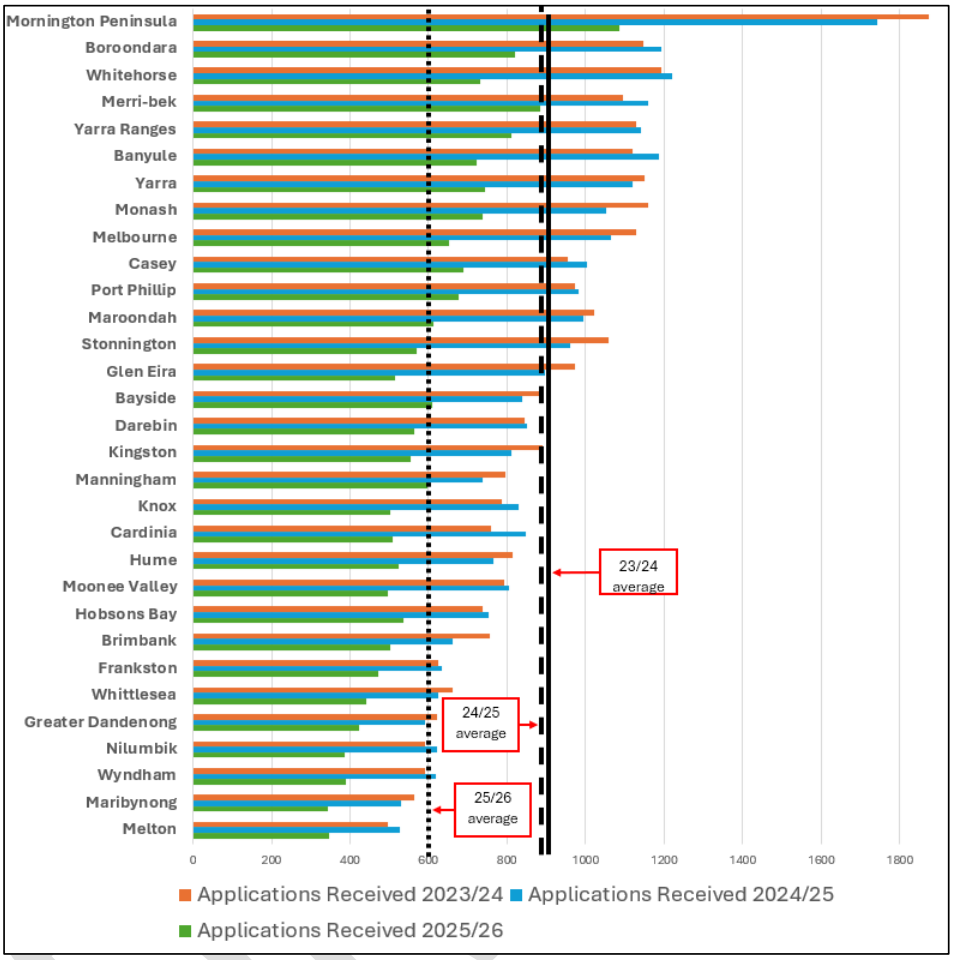

Figure 2: Number of planning applications received by municipality (All Metropolitan Councils). Data source: PPARS, planning.vic.gov.au

Error! Reference source not found. below shows the number of permit applications processed between the 2023/24 financial year and the 2025/26 financial year as reported by PPARS data. The number of applications received peaked in the 2023/2024 financial year, with 1,873 received. This is significantly less (25% decrease) than the average of 2,502 applications received per year across a five-year period recorded in the 2023 Review. A comparatively lower number of applications were also received in the 2024/2025 (1,743) financial year.

It is likely that the lower number of applications received from 2023 through to 2025/26 may be attributed to a mixture of economic factors which have impacted the ability to develop land. This includes impacts affecting the development

industry such as increased construction costs (labour, materials, insurances) and worker and material shortages. The increased complexity and cost of satisfying some planning requirements where environmental risks are concerned, such as the preparation of technical reports and assessments (Coastal Hazard Vulnerability, Landfill Gas Risk, Geotechnical) may also be contributing factors.

The number of applications received has also likely been influenced by Amendment VC243 (introduced late 2023) which removed zoning permit requirements for single dwellings on lots of 300 square metres or more and introduced VicSmart permits for single dwellings on lots less than 300 square metres. The Shire's internal planning permit records indicate that since the 2023 Review, there has been a 79% decrease in planning applications decided for buildings and works associated with a dwelling on a site less than 500sqm. The 2023 Review confirmed that approximately 385 planning applications were received that fit the above criteria, while this review indicates that only 80 planning applications were decided for buildings and works associated with a dwelling on a site area less than 300sqm.

Table 1: PPARS report for permits issued between 30 June 2023 and 1 March 2026

Permits (including refusals)	2023/2024	2024/2025	2025/2026	2023 Review averages (FY 18/19 to 22/23)
Received	1,873	1,743	1,086*	2,502
Processed	1,989	1,840	993*	2,509
Issued	1,564	1,443	769*	1,974

***Note:** 2025/26 numbers are likely to change**

Data source: PPARS, planning.vic.gov.au

Council's internal planning permit data for decisions on applications from 2023 through February 2026 shows that the bulk of permits pertain to single dwellings, with the two most common applications descriptions being for 'dwelling' (978 applications, or 11.68%) or 'dwelling additions' (927 applications, or 11.08%). When other minor application types that are typically associated with a single dwelling are included in this total (garages, carports, decks, etc.), the approximate number of all applications that are associated with a single dwelling is estimated to be 45%.

Council's internal planning permit data has also captured each type of planning permit trigger associated with the applications in this set of data, which is displayed in Figure 3. For the 5054 decisions on applications captured in this set of

data, there were 10,385 individual triggers, resulting in an average of at least two permit triggers per application. The most common type of permit trigger was the DDO (triggered 3,705 times), followed by the ESO (1,498) and the VPO (1,235).

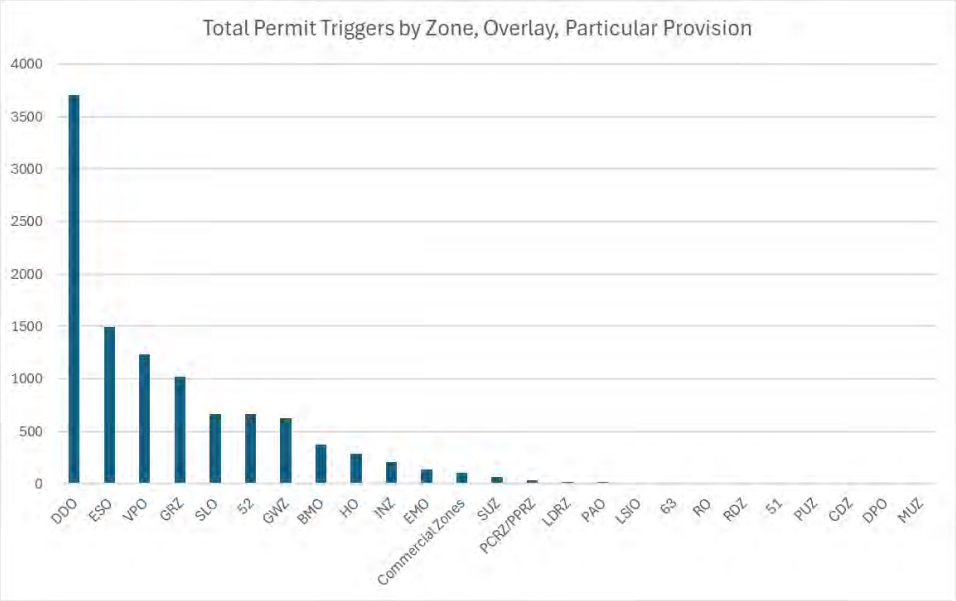

Figure 3: Total planning permit triggers by type, 2023 - February 2026

Data source: internal Shire planning permit data

The Council data also captured the specific schedules that have triggered planning permit applications. Figure 4 shows further detail for the three most common types of permit trigger (DDO, ESO, and VPO). The DDO Schedules 1-4 account for 88% of all DDO triggers and is reflective of the widespread application of these schedules across the Peninsula's residential areas.

It is noted that the Council's internal processes for collecting planning permit data experienced some disruption and change over the review period, specifically with the introduction of a new database system and protocols to record permit data. It appears that during this period of change, several DDO's were introduced into the Planning Scheme (DDO21, 25, 27, 29, 30, 31, 54, 55, 56, 57, 59, 60 & 61), but data for permits generated under these controls was not captured within the new database. Most of these DDOs were introduced in January 2025 via Amendment C271morn which implemented Council's adopted Western Port Coastal Villages & Surrounding Settlements Strategy (2019). The controls relate to preferred character outcomes for commercial and industrial areas in townships and villages along the Western Port coastline and hinterland, including up to Red Hill.

In a subsequent review of the data generated by these overlays, it appears that the impact of the data discrepancy was relatively low, with about 25 decisions made over the review period under these DDOs. The Shire's planning permit database system and protocols will be reviewed to ensure they are accurate.

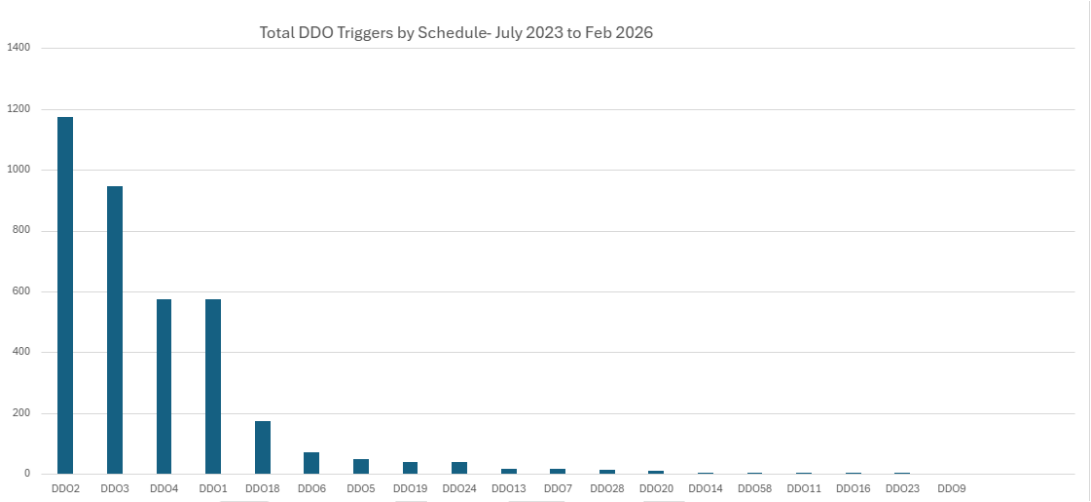

Figure 4: DDO schedule trigger type, 2023 – February 2026

Data source: internal Shire planning permit data

Data for ESO permit triggers is displayed in Figure 5 and reflects the widespread application of both ESO28 across large areas of bushland, and ESO25 which covers the coastal areas along Port Phillip Bay, with these two schedules being the most common triggers. Further analysis of ESO permit trigger data shows that of the 1,498 applications that triggered under the ESO, 256 applications (17%) had more than one ESO trigger.

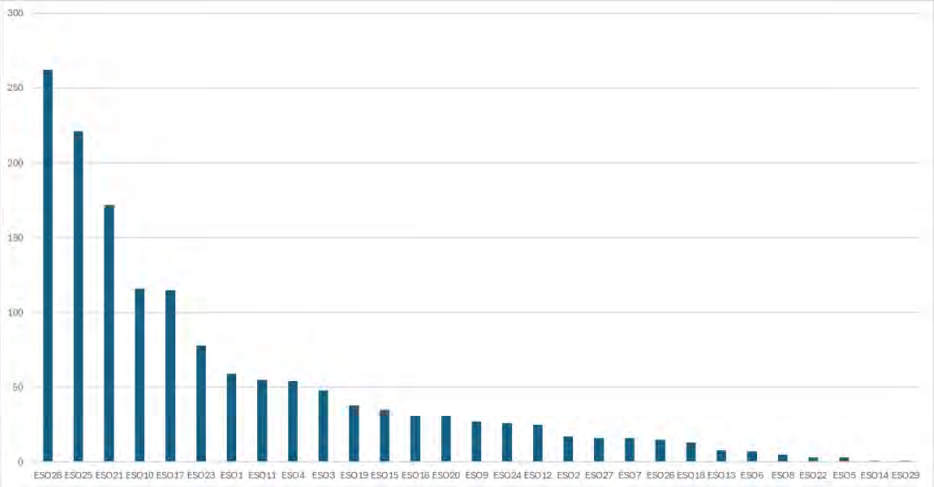

Figure 5: ESO schedule trigger type, 2023 – February 2026

Data source: internal Shire planning permit data

Data for VPO permit triggers is displayed in Figure 6. The results reflect the widespread application of the VPO across the Mornington Peninsula Shire. Further analysis of VPO permit trigger data shows that of the 1,235 applications that triggered under the VPO, there were 402 applications (32%) where VPO was the only trigger.

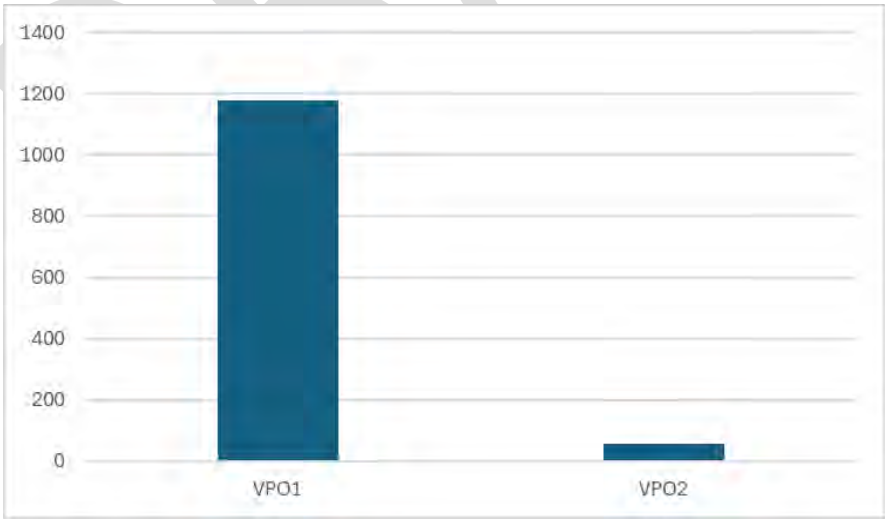

Figure 6: VPO schedule trigger type, 2023 – February 2026

Data source: internal Shire planning permit data

4.2. Development Facilitation Program (DFP)

Established by the Minister following the gazettal of VC242 in September 2023, the DFP provides expedited planning pathways and facilitation services for eligible developments that will stimulate new investment into the economy, support provision of services and improve housing choice and affordability.

Amendment VC242 made the Minister the responsible authority for developments in which two newly created clauses apply, being Clause 52.22 (Significant Economic Development) and Clause 52.23 (Significant Residential Development with Affordable Housing). Each of the two clauses includes three categories with various monetary, use and significance criteria, which a proposed development must fall under to be eligible for assessment through the DFP.

The DFP process allows the Minister to waive several otherwise mandatory planning requirements including building height, setback and garden area requirements, as well as waiving conditions that would otherwise make a land use prohibited. Additionally, applications made through the DFP process are exempt from third party appeal rights.

At the time of preparing this report, there have been at least three (3) planning applications made direct to the Minister under Clauses 53.22 and 53.23 as part of the DFP as shown in the below table:

Application number	Address	Application	Decision
PA2403185 Date of Application: 6 September 2024	795 & 1085 Arthurs Seat Road, Arthurs Seat	Clause 53.22 Buildings and works associated with expansion of the Arthurs Seat Eagle tourism facility, including base station, summit station and luge track	Permit approved on 19 February 2026
PA2403198 Date of Application: 3 March 2025	3, 4 & 5 Lumeah Road Somerville	Clause 53.22 Development of two warehouses with associated infrastructure and landscaping on the land, for an industry use, specifically the building, maintenance and storage of boats	Permit approved on 25 February 2026
PA2504077	4 – 10 Woodbyne	Clause 53.23	Final decision pending

Application number	Address	Application	Decision
Date of Application: 20 November 2025	Crescent, Mornington	Use and development for a retirement village and residential aged care facility. Buildings and works under DDO6 and EMO7. Removal of vegetation under Clause 52.17. Use of the land for accommodation	

Pre-application discussions have been held for a further 4 proposals; some of which include changes to proposed planning controls to facilitate the development.

Overall, the experience from Shire officers from applications that are fast-tracked via the DFP is that it requires the dedication of additional Statutory and Strategic planning resources to prepare confidential referral advice, which Council is not reimbursed for – that is, the State Government collects the application fees; not Council. The advice is often requested at short notice and with compounded response timeframes, placing additional pressures on Shire resourcing. There are also ongoing concerns regarding the transparency of this process, as Council is not the ultimate decision-maker and the extent to which these applications are advertised publicly is often less than requested by Shire officers. Officers also hold significant concerns about affordable housing contributions which are payable to the State Government – not Council, and there is no guarantee that the funds will be spent within the Shire. This means it is uncertain where any of this housing will be delivered, despite the significant shortfalls of affordable housing on the Mornington Peninsula (outlined in Section 2.1.2).

Additional developments have been fast-tracked for approval via the Minister for Planning which involve changes to existing planning controls. These are outlined in section 5.2 of this report. While these proposals involved public consultation via exhibition carried out by the State Government, similar issues to the DFP process arise for the Shire insofar as Council is not the decision-maker, so has limited influence over final outcomes, Shire resources are diverted from other priority work to provide comprehensive referral responses in compressed timeframes, and the Shire is not reimbursed with any fees for the referral advice provided.

4.3. Service performance

Time for a decision on an application has trended downwards since the 2023 Review. The 2023 financial year had the highest median processing day count of 62, which decreased to 56 days for the 2024-25 financial year. These figures are well below the 2022-23 financial year (end of 2023 Review period) which was 121 days. Reasons for this downward trend in processing times of applications include additional resources, process improvements, increased staff experience, and a slight reduction in the number of applications received.

Since the 2022-23 period, the total number of decisions made within the statutory timeframe has increased by 18% to 56%. This upward trend is likely to be further improved as resourcing issues are resolved within the Statutory Planning department.

Comparing the Shire's service performance with other Outer Regional Councils[4], it is observed that the trend of decreasing processing times over recent years is shared across similar local government areas. The median processing days for applications received by Outer Regional Councils has decreased by 7 days since 2023, which the Shire saw a similar reduction of 6 days in the same period. The percentage of decisions made within statutory timeframes has risen 3% for Outer Regional Councils, while the Shire saw an almost 10% increase.

Overall, the Shire's median processing times are much shorter than the averages for the Outer Regional Councils, while conversely the Shire's percentages for decisions made within the statutory timeframe are below the averages for the Outer Regional Councils. Specific reasons for these trends were mentioned previously. It is further acknowledged that both these Shire metrics are trending in positive directions and demonstrate ongoing improvement.

[4] Brimbank, Frankston, Greater Dandenong, Knox, Maroondah, Mornington Peninsula, Nillumbuk, and Yarra Ranges

Table 2: Processing times for applications.

Financial Year	Median processing days (all applications)		Within statutory timeframe (%)	
	Mornington Peninsula Shire	Outer Regional Councils	Mornington Peninsula Shire	Outer Regional Councils
2023 Review period				
2021-22	105	83	41.8	58.9
2022-23	121	98	38.7	56.6
2026 Review period				
2023-24	62	80	47.4	71.0
2024-25	56	73	56.8	74.2
2025-26	TBC	TBC	TBC	TBC

Data source: PPARS, planning.vic.gov.au

4.4. Decision making

The data in Table 3 demonstrates that a significant majority of permits issued are done so under delegation (87.50%), with only 1.58% of permits determined by Council. This is well below the 3% target and indicates a well-functioning statutory planning unit with appropriate delegation. While 10.92% of planning permit application outcomes did not result in the issuance of a planning permit, it should be noted that this figure includes lapsed and withdrawn applications, as well as refused applications.

Table 3: Decision outcome data from 2023-February 2026.

	No permit issued	Permit issued by delegate	Permit issued by the RA	Total permits issued
Permit	636	5097	92	5189
% of total applications	10.92	87.50	1.58	89.08

Data source: internal Shire planning permit data

4.5. Geographic spread of applications

The geographic spread of planning permits across the Peninsula generally reflects the conditions of each township (population size, application of planning overlays, zoning, etc.). Unsurprisingly, the townships that had the largest number of decisions on planning permit applications (2023 to February 2026) are the most populated. For example, of the five townships that had the most decisions issued (detailed in Table 4), four of these are also in the top five townships for population size. The only exception is Rye, with the fourth most decisions slightly ahead of Dromana but is the seventh most populated township. Notably, all townships listed in Table 4 are identified as either a Major Activity Centre (Mornington) or Large Township Centre (Mount Eliza, Mount Martha, Rye, and Dromana), indicating that development is generally occurring in accordance with the Strategic Framework Plan (Clause 02.04).

Table 4: Top five townships by quantity of decisions on planning permits, 2023-February 2026.

Township	Number of applications	% of total	Population / permit	Dwellings / permit
Mount Eliza	782	13.42	23.96	8.80
Mornington	730	12.53	35.29	16.34
Mount Martha	502	8.62	39.53	16.89
Rye	486	8.34	19.42	17.88
Dromana	476	8.17	28.08	18.70

Data source: internal Shire planning permit data. Population and dwelling count data from 2021 Census: https://www.abs.gov.au/census/find-census-data/search-by-area

More broadly, the apparent trend of high planning permit numbers in relatively low population areas may seem disproportionate. However, it is reflective of the important objectives relating to the protection of coastal character, landscape and environmental values, Green Wedge values, and environmental risks (bushfire, coastal hazards) that the Planning Scheme is actively managing in these areas. Future State-level legislative and policy changes, and the Shire's ongoing or planned strategic work and planning scheme amendments are expected to further refine, and where appropriate, simplify and modernise the existing planning policy and controls in these areas. In most cases, this is expected to ensure that

the administrative burden of managing land use and development in these highly controlled areas is proportionate to their strategic planning values, as set out in the MPS, the Localised Planning Statement, and elsewhere.

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5. State Strategic Context

This section considers the changes made to State-level planning policy and State-standard planning provisions since the last review, as well as other changes currently under development by the State Government and pending release. As outlined at Section 2.1.1 the degree of planning reforms to the Victorian planning system is unprecedented and complex.

5.1. VC (Victorian) and GC (group of council) amendments

The VPPs are regularly reviewed and updated by the State Government through Ministerial amendments. That is, amendments that are prepared and approved by the State Government, often without broad community or stakeholder consultation. There are two types of amendments – VC (i.e. State changes to the VPPs) and GC (i.e. changes affecting a discrete number of planning schemes including the Mornington Peninsula).

Since the 2023 Review, there has been several Ministerial amendments which have impacted the Planning Scheme to various degrees. In total, **44** "VC" amendments and **1** "GC" amendment have been completed since the last review. While many VC amendments were associated with correcting anomalies or generally improving the efficiency of provisions or policy, several VC amendments were associated with the continued implementation of significant State Government policies including Plan for Victoria, the Housing Statement, the Economic Growth Statement, as well as other major policy or planning reform initiatives which are discussed later in this report.

The most significant amendments made during this review period include:

- **Amendment VC237:** Amongst other administrative changes to various VPPs, the amendment introduced a permit exemption for remote sellers packaged liquor licence under Clause 52.27 in response to a new liquor licence category for online distribution businesses.
- **Amendment VC249:** This exempted development of a small second dwelling from Development Contributions Plan (DCP) requirements. This change was applied to the Creswell Street East Development Contributions Plan (June, 2024) which is the only existing DCP in the Planning Scheme.

- **Amendment VC250:** The amendment changed Clause 15.01 - Built Environment and introduced a new particular provision (Clause 53.03 - Residential Reticulated Gas Service Connection) to prohibit new gas connections for new dwellings, apartments and residential subdivisions where a planning permit is required. The changes support Victoria's Gas Substitution Roadmap (Victorian Government, 2022).
- **Amendment VC254:** This made changes to the VPPs and all planning schemes in relation to the Birrarung-Bolin Framework Plan, Proof of continuous use, signs in the Transport Zone and the State projects particular provision.
- **Amendment VC257:** This amendment introduced Clause 32.10 - Housing Choice and Transport Zone (HCTZ) and Clause 43.06 - Built Form Overlay (BFO) to support housing growth in and around activity centres and other well-serviced locations across the State, in line with Victoria's Housing Statement: The Decade Ahead 2024-2034. The amendment has little impact on the Shire as none of the nominated activity centres are located on the Mornington Peninsula.
- **Amendment VC258:** This amendment improved the operation of the existing DFP planning provisions and expanded the program eligibility to include gas projects and saleyards. **Amendment VC261** also expanded the operation of the existing DFP planning provisions that fast-track the assessment of significant economic development. Specifically, it enabled applications for renewable energy facilities, utility installations and associated subdivision to be assessed under the DFP assessment pathway. These amendments impact the Peninsula insofar as they increase the types of projects that can be fast-tracked through the State Government, bypassing local Council decision-making. They also have resourcing implications for the Shire because the State Government collects application fees – not Council – yet Council is requested to provide detailed referral commentary without the benefit of reimbursement.
- **Amendment VC262:** This exempts applications to remove, destroy or lop vegetation that comply if a fire prevention notice has been issued under the *Fire Rescue Victoria Act 1958*. It ensures that vegetation can be modified to comply with fire prevention notices and that landowners can address bushfire hazards unimpeded.
- **Amendment VC267:** This amendment represents one of the most significant reforms to Victoria's planning system, introducing the 'Townhouse and Low-Rise Code' to all planning schemes which implements a new 'deemed to comply' assessment pathway for residential development. The amendment

affects Clause 55 (two or more dwellings) which applies to all residentially zoned land across the Shire (GRZ, NRZ and MUZ). It also affects Clause 57 which applies to four storey developments. The intent of this amendment was to:

- facilitate quicker and more efficient decision making
- provide greater transparency and certainty for applicants, decision makers and the community about what is acceptable development and how it is assessed
- ensure residential development is sustainable and provides reasonable standards of amenity for existing and new residents.

The amendment implements changes to Clause 55 and 57, with consequential changes to zones, overlays and particular provisions. Broadly, the changes include:

- Introducing a new suite of 'deemed to comply' standards.
- Removing consideration of other policy matters where compliance with Clause 55 is achieved (Overlay and Particular Provisions will continue to apply separately).
- Removing third-party review rights (but not notice requirements) when all applicable standards are met.
- Removing the ability to specify local variations to some Clause 55 standards.
- Removing the ability to make other Clause 55 standards more restrictive.

Council has raised significant concerns with the introduction of these new codes through advocacy via the Municipal Association of Victoria, as outlined in Section 5.3.2.3 of this Review.

Amendment VC268: This amendment gave effect to the Victorian Transmission Plan and updated strategies to facilitate renewable energy development in declared Renewable Energy Zones (REZs). Changes to references to the *Climate Action Act 2017* were also made to ensure that planning schemes are accurate. The amendment currently has no impact for the Peninsula as no REZs are currently proposed for the Shire.

- **Amendment VC273:** This made changes to expand the operation of Clause 52.20 - Victoria's Big Housing Build to include housing developments that are funded wholly or partly by the Victorian or Commonwealth governments. This amendment has had minimal impact, noting minimal Big Build initiatives on the Peninsula.

Amendment VC274: This introduced a new Clause 37.10 - Precinct Zone (PRZ), which seeks to guide and facilitate land use and development with priority precincts nominated in Victoria's Housing Statement. Similar to VC257, this amendment has little relevance to the Shire given that none of priority precincts nominated in Victoria's Housing Statement are located on the Peninsula.

- **Amendment VC276:** This amendment updated all residential zone schedules and Neighbourhood Character Overlay schedules in the VPPs and all planning schemes to implement the new residential development planning assessment provisions (i.e. Clause 54 and 55 codes) and correct technical errors resulting from Amendment VC267.
- **Amendment VC277:** Amended car parking requirements to align car parking rates with demand and reduce the number of car parks required in locations well-serviced by public transport. Car Parking Requirement (CPR) mapping, known as the Public Transport Accessibility Level (PTAL) methodology was prepared by DTP to support this amendment. This modelling classifies areas into four categories, with Category 1 having the lowest PTAL and Category 4 having the highest PTAL. Most of the Peninsula has been mapped as Category 1, with some smaller areas of Category 2 in activity centres on the Port Phillip side of the Peninsula including Mornington and Sorrento. The lack of public transport options on the Peninsula is well documented and the use of this methodology highlights the importance of further advocacy to increase public transport services, as well as finalizing and actioning the Shire's new Integrated Transport Strategy.
- **Amendment VC280:** This amendment introduced the 'Great Design Fast Track' into the VPPs. Specifically, the amendment introduced a new, optional planning assessment pathway for apartment and townhouse developments comprising 2-8 storeys in height with 8 or more dwellings at Clause 53.25 (Great Design Fast Track). The purpose of the new clause is to expedite innovative, sustainable, and liveable residential and mixed-use development in well located areas to meet Victoria's housing needs which are set out in Victoria's Housing Statement: The Decade Ahead 2024-2034 and Plan for Victoria. Significantly, the new clause allows for applications to be made to the Minister that exceed the building height and storey requirements set out across the Shire's various DDO schedules. Importantly however, the provision does not allow the 'Number of dwellings' requirement in DDOs to be waived or varied, which limits the amount of the Shire's residentially zoned land that is suitable

for the Great Design Fast Track pathway. Similarly, the 8-dwelling threshold will limit its use on the Peninsula given the existing land, environmental and planning constraints that often restricts applications for a larger number of dwellings.

- **Amendment VC282:** This amendment changed Clause 54 (One dwelling on a lot or a small second dwelling on a lot) to give effect to the new residential development planning assessment provision. The amendment "codified" assessment standards for single dwelling development (i.e. "ResCode" at Clause 54) following the introduction of codified standards for multi-dwelling development (i.e. "ResCode" at Clause 55) as part of VC267. Similar to VC267, the intent of this amendment is to:
    - facilitate quicker and more efficient decision making
    - provide greater transparency and certainty for applicants, decision makers and the community about what is acceptable development and how it is assessed
    - ensure residential development is sustainable and provides reasonable standards of amenity for existing and new residents.

  Key changes implemented by VC282 include:
    - A 'deemed-to-comply' approach is applied to Clause 54 so that if the standard is met, the corresponding objective is met.
    - Single dwelling applications which meet specified building and design standards will be assessed via the 'fast-tracked' VicSmart application, meaning decisions within 10 business days and exemptions from advertising and VCAT reviews.
    - Several changes to the standards within Clause 54 including (but not limited to) street setbacks, site coverage, tree canopy, private open space and overshadowing, and
    - The introduction of new ESD requirements via new and updated objectives and standards in Clause 54.

  The Shire's concerns with the new Code, including its impacts to Council's adopted Amendment C219morn, are discussed at Section 5.3.2.4 of this Review.

- **Amendment VC283:** This amendment gave effect to the new Plan for Victoria (2025) and implemented the vision for Victoria in the VPPs and all planning schemes. Specifically, the amendment included several updates to the PPF to give effect to the policy directions of Plan for Victoria to facilitate growth and development. It also removes reference to the previous Plan Melbourne 2017-

2050: Metropolitan Planning Strategy. Key changes made by the amendment include:

- Including an Acknowledgement of Country at Clause 00 – Purpose and Vision.
- Updating Clause 01.02 (Vision for Victoria) to include the vision for Victoria from Plan for Victoria.
- Deleting Victoria's eight regional growth plans.
- Various updates to Clause 11 (Settlement), including the introduction of housing targets, and updates to policy and strategies applicable to growth areas, regional areas, and activity centres, including the Suburban Rail Loop Precincts.
- Changes to Clause 16 (Housing) to give effect to the identified housing targets and new activity centre and precinct framework. Specifically, Clause 16.01-1S (Housing supply) now includes housing targets for all Victorian councils.
- Introducing Clause 12.06 (Sustainable environment) and Clause 12.06-1S (Urban Forests) to protect and enhance tree canopy and specifying a 30 per cent tree canopy target in urban areas.
- Introducing a new Clause 13.01-3S (Urban Heat) to give effect to Action 12 of the Plan for Victoria.

Further discussion of Plan for Victoria and its application to the Mornington Peninsula is included in Section 5.3.1 of this Review.

- **Amendment VC288:** This amendment extended the streamlined VicSmart assessment process to include planning permit applications for the construction of two dwellings on a lot and the subdivision of land into two lots. This means that if a planning application meets the relevant planning requirements, it can be assessed via the VicSmart process. This process includes a 10-business day approval timeframe (compared with the 60 business day statutory timeframe for planning applications), no advertising of applications and no third party appeal rights. The amendment is one of a suite of changes stemming from the Victorian Housing Statement and the State Governments commitment to implementing planning reforms to streamline the planning application process for homes in well located and serviced areas. In terms of its impacts on the Peninsula, subdivision applications can often be more straight forward planning applications but it is acknowledged that the reduced timeframes to make decisions will place further pressure on Shire planners, noting that Councils have not been provided with additional

resourcing or funding to implement these reforms. The ability for planners to meet the VicSmart approval timeframes will ultimately depend on the quality of an application when it is received and whether a Request for Further Information is needed, which can cause delays to the permit process. In addition, any delays encountered in the initial stages of the application may be offset by the removal of advertising and third-party appeal rights, which add significant time to an application. However, this also means that community members have less say in planning decisions affecting their local neighbourhood.

- **Amendment VC289:** This amendment introduced a planning permit requirement to remove, destroy or lop a canopy tree in residential areas at Clause 52.37 (Canopy trees) into the VPPs and all planning schemes. Minimum canopy tree replacement requirements will apply to an application to remove a canopy tree. The amendment was required to implement Action 12 of Plan for Victoria to protect and enhance canopy trees. Under the new Clause, a canopy tree is defined as having all three of these characteristics:
    - a height of over 5 metres (above ground level)
    - a trunk circumference of more than 50cm
    - a canopy diameter of at least 4 metres

  When a permit is triggered, applications will be processed via the VicSmart fast-tracked process and will not need to be advertised and are exempt from VCAT review. Despite the potential for additional administrative burden (due to the complexity of this provision operating alongside and independently of other vegetation controls), it is expected that the provision will enhance vegetation outcomes on the Peninsula by providing tree protection controls for land where none currently apply, including parts of the Shire's Major Activity Centres (Mornington, Hastings and Rosebud) as well as Somerville, Dromana, Capel Sound and McCrae and Tyabb townships. It is noted that the new provision is not expected to fundamentally change the way Shire planners assess vegetation removal. Rather, it provides more prescriptive and detailed controls compared with existing vegetation protection controls (VPO, ESO, SLO) within the Planning Scheme. However, the impetus to retain and enhance existing vegetation cover remains, unless there is a legitimate reason that a canopy tree needs to be removed (i.e. reasonable to facilitate development of a site, poor health etc.).
  Overall, officers consider that this new provision should reinforce the Shire's overarching objectives for protecting and retaining significant vegetation.

- **Amendment VC290:** This amendment changed the VPPs and 63 planning schemes, by making Abattoir a section 1 use in the Table of Uses where specified siting, design and amenity conditions are met in the Green Wedge Zone, Farming Zone and Rural Activity Zone. This change was recommended through the Inquiry into Securing the Victorian Food Supply (discussed in Section 5.3.11 of this Review) and is supported in principle by officers, subject to clear conditions ensuring such facilities are of a low scale and intensity, have appropriate minimum buffer (separation) and screening requirements and treatment of waste / animal by-products.
- **Amendment VC294:** This amendment implemented reforms to signage provisions at Clause 52.05 (Signs) to exempt specified signs from planning permit requirements and remove default permit expiry dates for most signs. The reforms reflect most of the changes identified in the State Government's Modernising Sign Requirements Discussion Paper (August 2023). Relevant to the Peninsula, the amendment implemented the following specific changes:
  - Removal of default planning permit expiration dates for all signs except for major promotion signs and promotion signs that promote matters not on the site.
  - Removal of permit requirements for several types of signs.
  - For Category 2 (Office and industrial), removal of permit requirements for promotion signs, provided they promote goods, services, an event or any other matter, that is provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.

  Importantly, the amendment did not remove the ability to specify sign requirements in DDOs which the Shire advocated for in its submission to the abovementioned Discussion Paper**.**

5.2. Additional Ministerial amendments

In addition to VC and GC amendments, the Minister introduced several site-specific controls, structural changes and anomaly corrections via Ministerial amendments exclusive to the Planning Scheme. These included:

- **Amendment C304morn** facilitated the use and development of a hydrogen production facility (Industry) that is to operate in conjunction with the existing hydrogen liquefaction facility at the Port of Hastings. The amendment was requested by Energy Australia Pty Ltd and applied the Specific Controls Overlay, Schedule 13 (SCO13) and amended the existing Incorporated Document. Importantly, this planning scheme amendment is not related to, nor does it facilitate the Hydrogen Energy Supply Chain (HESC) project and does not

involve the exportation (shipping) of liquefied hydrogen. The new hydrogen production facility permitted by the amendment will produce up to 155 tonnes of hydrogen per year, with a maximum daily output of 410 kilograms, using a 1-megawatt electrolyser system. The hydrogen will be produced through electrolysis, using mains water and electricity sourced via a renewable energy Power Purchase Agreement. During preparation of the amendment, Shire officers provided detailed referral advice seeking stronger oversight and management of environmental, amenity, and safety impacts. The final form of the amendment generally reflects the recommendations of Shire officers.

- **Amendment C309morn** amended the schedules to Clause 45.12, Clause 72.03 and Clause 72.04 and applied a Specific Controls Overlay to 3880 Point Nepean Road, Portsea to introduce the incorporated document, Point Nepean Research and Education Field Station, May 2025. The amendment facilitates the development of the Point Nepean Research and Education Field Station (PNREFS), which is joint proposal by the University of Melbourne and Monash University for the adaptive re-use of an existing heritage building (Badcoe Hall) for research and tertiary education purposes, and development a new double-storey accommodation building at the Point Nepean Quarantine Station Complex. The amendment was prepared by the Minister, at the request of Urbis Pty Ltd, on behalf of Monash University and the University of Melbourne.
  Shire officers provided in principle support for the proposal, as it is consistent with the Planning Scheme and the Point Nepean National Park Masterplan (2017). As part of detailed referral advice during preparation of the amendment, Shire officers recommended a series of changes to the proposal to address matters concerning the drafting of the planning controls, protection of heritage values, tree protection, environmentally sustainable design, and development engineering. These matters were addressed in the final version of the approved amendment.

5.3. State Policy

The following key initiatives and changes to State policy since the last planning scheme review are discussed in subsequent sections of this report:

- Plan for Victoria
- Victoria's Housing Statement: The Decade Ahead 2024-2034
- Housing Capacity Assessment Platform
- Townhouse and Low-Rise Code
- Single Dwelling Code
- Economic and Environmental Policy

- Victoria's 30-year infrastructure strategy 2025-2055
- Economic Growth Statement (2024)
- 2025 Victorian Transmission Plan
- Victorian Freight Plan 2025-30
- Planning For Melbourne's Green Wedge and Agricultural Land Action Plan 2024

In addition, significant legislative changes, parliamentary inquiries, planning directions and guidelines with land use planning implications for the Shire are summarised in the sections below.

5.3.1. Plan for Victoria

Released in February 2025, Plan for Victoria replaced the previous metropolitan planning strategy 'Plan Melbourne 2017-2050' and expanded its coverage to encompass the entire state of Victoria. The Plan is a 'living' document which aims to guide future growth and change over the next 25 years to deliver more homes, more jobs and greater communities.

The Plan is centred on five key pillars for action delivering on the following themes:

1. Self-determination and caring for Country**:** this underpins and informs remaining pillars.
2. Housing for all Victorians: delivering sufficient affordable homes for all Victorians.
3. Accessible jobs and services: making sure you have access to facilities and good jobs.
4. Great places, suburbs and towns: creating thriving places that are attractive, safe and welcoming for everyone.
5. Sustainable environments: preserving the natural values of Victoria and addressing climate change.

An initial tranche of 22 short term actions is included in the Plan which will deliver on the above five pillars. Implementation of the actions will be guided by State Government policies, plans and frameworks including the State's Housing Statement and Economic Growth Statement which are discussed in more detail below.

The Plan confirms that there is no significant change in the strategic direction for the Mornington Peninsula. Firstly, the designation of the Mornington Peninsula remains unchanged in the plan (not designated as a Distinctive area and

Landscape), therefore the Shire will continue to rely on the Mornington Peninsula Localised Planning Statement (July 2014). Secondly, the Plan commits to retaining the existing Urban Growth Boundary (UGB) for the protection of green wedge land and refers to the preparation and implementation of the State Government's 'Planning for Melbourne's Green Wedges and Agricultural Land Action Plan, 2024' (P4GWAL Action Plan).

Thirdly, the Plan identifies 60 Activity Centres across Greater Melbourne where more housing will be encouraged through new planning controls for well-connected places, particularly around train stations and tram stops in Melbourne's inner and middle suburbs. Importantly, the Activity Centres located within the Shire are not identified as part of this priority Activity Centre program so the current planning controls will remain unchanged. The Plan introduces a new designation for an activity centre with sufficient public transport, facilities and services namely 'Activity Centre – Housing Choice and Station' which has been applied to the Mornington, Rosebud and Hastings Major Activity Centres and the stations along the Stony Point railway line (Baxter, Somerville, Tyabb, Hastings, Bittern, Morradoo, Crib Point and Stony Point). The Major Activity Centres are already identified as substantial change areas in the Mornington Peninsula Shire's Housing and Settlement Strategy, as are the areas around the train stations in Baxter and Somerville.

Lastly, Hastings continues to be identified as a State-significant industrial precinct (SSIP) and on the Principal Freight Network – rail. The Plan commits to increasing the supply of industrial land while protecting people and the environment in accordance with the State's Economic Growth Statement which commits to the review of the existing port-related Special Use Zone (SUZ1) land around Somerville, Tyabb, Hastings and Crib Point. This aligns with Council's advocacy around identifying and releasing surplus port-related SUZ1 land discussed in Section 5.4.1.

5.3.2. Victoria's Housing Statement: The Decade Ahead 2024-2034

In September 2023, the Victorian Government released its Housing Statement which sets out a raft of policy, regulatory, and legislative changes, and specific actions to improve housing supply and affordability in Victoria over the forthcoming decade. The changes relate to various areas of policy, including planning, building, infrastructure, property and real estate, including renting reforms, and social housing provision.

Several key changes outlined in the Housing Statement have since been implemented through VC amendments to all Victorian Planning Schemes. The most recent and significant changes include the introduction of "codified" assessments (Amendments VC267 & VC282) and the extension of the VicSmart assessment process to applications for the construction of two dwellings on a lot and the subdivision of land into two lots (VC288). The specifics of these amendments and their impact on the Mornington Peninsula are detailed in Section 5.1 of this report.

Other large-scale changes to planning outlined in the Housing Statement include updating Plan Melbourne to incorporate the entire state, now known as Plan Victoria, and a review and re-write of the P&E Act.

As stated in the previous section, VC283 made changes to the VPPs to fully implement Plan for Victoria. Central to this amendment was the introduction of housing targets into the PPF. The Mornington Peninsula's housing target is discussed in the following section.

Substantial changes to the P&E Act are also set to be introduced by the *Planning Amendment (Better Decisions Made Faster) Act 2026,* which received Royal Assent in February 2026. The Bill implementing the changes will come into full effect by 29 October 2027 and the specific changes to the P&E Act are outlined in Section 5.3.9 below.

Following the release of the Housing Statement, and subsequent swathe of announcements and reforms, Council resolved to engage in proactive advocacy to articulate the Peninsula's distinct points of difference, ensure the Peninsula's interests are considered and to seek to influence policy implementation on behalf of the community. Council's advocacy for future housing policy and reforms will continue to focus on:

- Seeking clarity on access to funding given the Shire's current metropolitan status, level of housing stress and regional challenges.
- Expressing concerns regarding planning system changes and the potential impact on local context, neighbourhood character and proposal to limit community input into planning decisions.
- Seeking input and consultation with local government on any changes to the Planning Scheme (or system) to ensure it is effective in achieving its objectives without having negative consequences.

- Requesting access to the $150 million Regional Worker Accommodation Fund, considering the Shire's significant contribution to the Victorian tourism economy and the critical issue our local businesses are facing to find and keep staff due to lack of affordable housing.
- Requesting increased limits to the Homebuyer Fund which reflect higher Shire median house prices.
- Requesting release of surplus SUZ1 port-related land Hastings for various land uses, including housing.

Recommendation:

6. Continue to monitor and respond to any new or proposed State Government planning reforms, including engaging with State Government and providing submissions as necessary, to ensure the unique needs of the Mornington Peninsula are addressed.

5.3.2.1. Housing Targets

As part of the implementation of Plan for Victoria, housing targets have been set for each local government area in Victoria. The targets have been formulated by the State Government to share the delivery of the 2.24 million extra homes needed to meet forecast growth by 2051. The targets seek to ensure that all planning schemes identify sufficient and realistic opportunities for new residential development to deliver the required number of homes.

Mornington Peninsula Shire's housing target was determined to be 24,000 net new dwellings by 2051, which is a capacity figure rather than a construction (i.e. 'supply') target. The targets were formalised by VC283 which implemented Plan for Victoria by making updates to the PPF of all planning schemes. This included inserting the housing targets for all municipalities into Clause 16.01-1S Housing Supply.

Discussion of the Shire's capacity to meet the housing target is included in the following section.

5.3.2.2. Housing Capacity Mapping Tools

Throughout 2025, the DTP has been developing the HCAP and ATOS mapping tools to assist all councils in estimating their housing capacity. The tools are required to support the implementation of the housing targets as specified in the PPF.

The HCAP estimates the 'theoretical' capacity of a planning scheme if all sites within a municipality are developed, based on the existing zoning, overlays and development constraints (e.g. bushfire, flooding, sea level rise). The ATOS tool is incorporated into the HCAP model and is used to grade areas based on their level of access to opportunities and services. The data used in the ATOS model includes access to public transport, jobs and community facilities and services. This tool is used to identify the best suited locations for housing growth.

An assessment of the Mornington Peninsula's housing capacity using the HCAP and ATOS tools was provided by DTP to the Shire in early 2026. The ATOS assessment concluded that vast areas of the Mornington Peninsula have low levels of accessibility, with some pockets of medium accessibility and very limited areas of high accessibility. The Shire's lower accessibility levels result in an 'ATOS discount' being applied to the municipalities housing capacity, which reduce the capacity to 21,400.

Overall, the HCAP assessment identified a housing shortfall of 1,700 dwellings. A summary of the preliminary analysis is shown in figure 7 below.

MORNINGTON PENINSULA

TARGET	Housing Target	24,000
	Growth (2023-25) – built or under construction:	900
	Housing Target (minus growth)	23,100 (A)
CAPACITY	Total – Theoretical capacity	205,400
	Total – ATOS discount capacity	21,400 (B)
	Housing Target Capacity	- 1,700 (B – A)
DTP assessment:	Category 2	

Council has a shortfall of housing capacity –1,700

Figure 7: Mornington Peninsula preliminary HCAP scorecard

Shire officers do not agree with the findings of HCAP for the reasons outlined below.

Housing & Settlement Strategy and Planning Scheme Amendment C219morn

The findings of the HCAP modelling do not align with the detailed estimations of housing capacity and supply which were commissioned by the Shire to underpin both the Housing and Settlement Strategy (HSS) and Amendment C219morn (which is currently awaiting Ministerial approval). The Shire's planning and economic analysis indicate that the Planning Scheme provides an excess of housing capacity, under both the existing planning scheme controls and those proposed by Amendment C219morn.

More specifically, the Mornington Peninsula Housing Capacity Analysis 2024 (SGS Housing Capacity Analysis) prepared by SGS Economics & Planning on behalf of Council, identified that the Mornington Peninsula has enough housing capacity for approximately 25,000 new dwellings over the next 15 years (2023 to 2038), which exceeds the State Government's housing target of 24,000.

There are key differences observed between the Shire's analysis and the HCAP and ATOS assessment. Firstly, the SGS Housing Capacity Analysis includes a detailed examination of 'take-up' (i.e. an estimation of realisable housing supply) which the HCAP and ATOS tools do not include. This is based on inputs including:

- a comparison of demand and capacity by housing submarket on the Peninsula (i.e. broad geographic areas)
- a comparison of demand and capacity by dwelling type (i.e. apartment, medium density and lower density)
- an analysis of the ratio of housing demand to capacity over time (i.e. demand vs capacity year-on-year).

Secondly, it is understood that the HCAP model has not accounted for environmental risk data which is not yet reflected in the Planning Scheme by a corresponding overlay. In the Peninsula's context, this includes flood prone land, major high-pressure pipeline buffers, extractive industry buffer areas, contaminated land, landfill gas risk, acid sulphate soils and unsewered land. Each of these matters represent a constraint on housing capacity – albeit to varying degrees. The model also does not account for the recently approved EMO7 covering land on the Peninsula that is highly susceptible to landslides. This is significant because EMOs are considered a "prohibitive" constraint under DTP's

capacity model, meaning that all land affected by an EMO is discounted from being considered "net developable area".

Overall, officers welcome the HCAP initiative, recognising that a centralised model for assessing housing capacity removes significant costs and uncertainty otherwise faced by councils when individually assessing housing capacity against State and local planning policy objectives. However, as outlined above, officers have concerns about the accuracy of the HCAP model and its associated implications for planning for housing on the Peninsula. Shire officers have therefore commenced discussions with the DTP about refining the HCAP modelling to ensure its findings are accurate and reliable.

Recommendation:

7. Continue to advocate to State Government that the accuracy of HCAP be urgently updated to reflect known environmental risks and constraints which impact housing capacity on the Peninsula.

Future Housing Capacity work

Based on the SGS Housing Capacity Analysis, Council recognises that the Peninsula's planning controls will need to be revisited before 2038 to ensure sufficient long-term capacity. Options for increasing housing capacity beyond 2038 have already been identified and include:

- Rezoning housing "investigation areas" identified in Council's adopted HSS which are sites currently zoned Low Density Residential (LDRZ) that could accommodate more housing, noting that Council is already considering amendments of this nature (such as proposed Amendment C247morn, Amendment C249morn and Amendment C290morn which could provide additional capacity for about 620 new dwellings).
- Reviewing all other areas currently zoned LDRZ.
- Reviewing existing mandatory single dwelling requirements and minimum subdivision lot sizes that currently apply to residential land covered by various DDO schedules across the Shire.

Council is also committed to continuing advocacy to the State Government for the release of surplus Special Use Zone 1 (SUZ1) land around Hastings, Tyabb, Somerville and Crib Point that has long been reserved for Port-related uses. This land could provide significant additional housing capacity, as well as capacity for other uses including industry, conservation and agriculture. Significantly, the ATOS

mapping recognises the suitability of housing capacity along the Stony Point line, lending further strength to Council's advocacy position.

Recommendations:

8. **Review existing mandatory single dwelling requirements and minimum subdivision lot sizes in Design and Development Overlays for potential additional housing capacity within the next 10-15 years.**
9. **Continue to advocate to the State Government for the release and proper planning of surplus Port-related land (SUZ1) surrounding the Port of Hastings for alternative uses.**

5.3.2.3. Townhouse and Low-Rise Code

Introduced by VC267 in March 2025, the 'Townhouse and Low-Rise Code' implemented a new 'deemed to comply' assessment pathway for residential development to support faster decisions and provide greater certainty for townhouses and apartment building developments up to four storeys. The code applies to Clause 55 (two or more dwellings) which concerns to all residentially zoned land across the Shire (GRZ, NRZ and MUZ), and Clause 57 which concerns four storey developments.

As previously outlined, VC267 made the following changes primarily to Clause 55 and 57 provisions:

- Introduced a new suite of 'deemed to comply' standards.
- Removed consideration of other policy matters where compliance with Clause 55 is achieved (Overlay and Particular Provisions will continue to apply separately).
- Removed third-party review rights (but not notice requirements) when all applicable standards are met.
- Removed the ability to specify local variations to some Clause 55 standards.
- Removed the ability to make other Clause 55 standards more restrictive.

While Council generally supports the intent of VC267 to fast-track housing delivery and provide greater clarity and certainty about development outcomes, it holds serious concerns about the nature of the changes and associated consequences – some of which Council accepts may be unintended. These concerns were outlined in Council's submission to the Parliamentary Inquiry into VC257, VC267 and VC274, and include the:

- Inappropriately reduced community influence over local planning and development outcomes.
- Inability to consider known environmental risks in planning decisions.
- Loss of local neighbourhood character controls which will not necessarily deliver more housing.
- Other administrative issues that will hamper the ability to deliver better planning decisions faster.

Specific concerns include:

- Councils are no longer allowed to locally vary Clause 55 standards (permeability, landscaping, side/rear setbacks, walls on boundaries) to facilitate preferred neighbourhood character outcomes.
- Of the Clause 55 standards that councils can vary (street setback, site coverage, private open space, front fences), only front fence height can be made stricter than the State standard. All other variable standards can only be made less restrictive.
- The revised standards within the code represent a 'one-size-fits all' approach with extremely limited ability for local nuance to meet preferred local character outcomes. Indeed, the new standards of the code promote a more 'inner urban' typology of housing with more site coverage and less space between buildings which is not suitable in many parts of the Peninsula.
- If a proposal meets the Clause 55 standards, councils cannot use local or State planning policies (MPS/PPF) in the assessment. Critically, this removes the ability to consider known environmental risks like flooding, erosion, contamination, sea level rise, or extractive industry buffers unless a specific planning control is already applied. If there are no applicable overlays, councils cannot consider known environmental risks – even if supported by technical studies or awaiting Ministerial approval.
- Because the PPF can't be considered when Clause 55 standards are met, Council's local ESD policy (Clause 15.01-2L-02) cannot be applied. This results in weaker sustainability outcomes compared with what Council previously required.
- The difficulty in determining whether a development meets certain new codified standards due to their inherent complexity and the removal of discretion. The strict 'pass or fail' approach under the code is problematic because if a standard is not sufficiently clear, then it will likely result in the unintended and adverse impact of slowing down and/or frustrating the development approvals process with consequential review proceedings – not

on matters of merit, but rather procedural correctness. Councils will now need to request even more detailed information to support applications to ensure a clear decision can be reached about compliance with a codified standard. Otherwise, risks include the inappropriate loss of local resident review rights or protracted legal proceedings if a standard is misinterpreted as met (or not met). The exercise of planning will therefore be redirected from a performance-based merits assessment to a technical and procedural exercise fraught with legal and political risk.

- The significantly reduced ability for neighbours to engage with planning processes in their neighbourhood, with notice being given but no appeal rights.

As part of its submission to the Parliamentary Inquiry into VC257, VC267 and VC274, Council advocated for the following key changes to the code, however none of these were accepted or acted on by the State Government:

- Reintroduce the ability for more restrictive local variations to minimum street setback, site coverage, private open space, permeability, landscaping, side and rear setbacks and walls on boundaries. Any local variations to schedules to the zone (where these local variations can be made) have to go through a planning scheme amendment that is authorised and finally adopted by the Minister. This enables the State Government to retain control over what local variations are introduced and to ensure that they do not impact housing capacity.
- Change the exemptions so that known environmental risks (that are not yet in the planning scheme), can be considered (i.e. remove the exemptions in Clause 55 in relation to the decision guidelines in Clause 55 and the requirements of Sections 60 and 84B of the P&E Act 1987).
- Remove the exemption in Clause 55 in relation to Section 84B of the P&E Act.
- Raise the ESD related standards to at least those standards set out in the Local Planning Policies of the 27 municipalities that have them.
- Reconsider the standards from a practical perspective (i.e. Tree Canopy B2-7) to ensure that they can be simply and efficiently implemented.

Council also holds significant concerns regarding the impacts of the new code on its adopted Amendment C219morn which is currently with the Minister for final approval. Amendment C219morn proposes to make substantial changes to residential zones, overlays, and associated Clause 55 (multi-dwelling) and Clause 54 (single dwelling) standards based on Council's adopted Neighbourhood

Character Study & Guidelines (2019). Significantly, these locally varied standards are now considered inconsistent with the code's specified standards and likely cannot be implemented. Amendment C219morn also proposes to translate existing neighbourhood character controls from existing DDOs into zone schedules, however these existing character controls may also be lost by the implementation of the codified assessment.

Recognising the considerable investment Council has committed with both its Neighbourhood Character Study and Amendment C219morn (including extensive community engagement and independent review and support from a Planning Panel), officers continue to explore options with the DTP, seeking to retain provisions that implement adopted and locally preferred neighbourhood character outcomes, including via possible translation to DDO controls. The final outcome for C219morn, however, remains uncertain.

5.3.2.4. Single Dwelling Code

Introduced by VC282 in September 2025, the 'Single Dwelling Code' implemented "codified" assessment standards for single dwelling development (Clause 54) and this followed the introduction of codified standards for multi-dwelling development (Clause 55) as part of VC267. Similar to VC267, and as outlined earlier in this Review, the intent of the changes implemented were to:

- facilitate quicker and more efficient decision making
- provide greater transparency and certainty for applicants, decision makers and the community about what is acceptable development and how it is assessed
- ensure residential development is sustainable and provides reasonable standards of amenity for existing and new residents.

Implementation of the code was supported by several changes to the Planning Scheme including:

- A 'deemed-to-comply' approach is applied to Clause 54 so that if the standard is met, the corresponding objective is met.
- Single dwelling applications which meet specified building and design standards will be assessed via the 'fast-tracked' VicSmart application, meaning decisions within 10 business days and exemptions from advertising and VCAT reviews.

- Several changes to the standards within Clause 54 including (but not limited to) street setbacks, site coverage, tree canopy, private open space and overshadowing.
- The introduction of new ESD requirements via new and updated objectives and standards in Clause 54.

Again, while Council recognises the need to reduce unnecessary red-tape for housing delivery, Council has significant concerns with the new code, for similar reasons as the Townhouse & Low Rise Code. These include:

- Councils can no longer vary Clause 54 standards regarding permeability, side and rear setbacks and walls on boundaries to reflect the identified preferred neighbourhood character.
- Standards which can be locally varied (i.e. street setback, private open space and site coverage) can only be more permissive than the new State standards.
- The ability to consider environmental risks has been removed (flooding, sea level rise, erosion, contamination, etc.) in decision-making where there is no corresponding overlay in place.
- Council's local ESD policy (at Clause 15.01-2L-02) is weakened by the inability for applications to consider the PPF under the 'deemed-to-comply' approach.
- There is inconsistency of ESD requirements between the Townhouse Code (VC267) and the Single Dwelling Code.
- The new canopy tree requirements are inadequate and do not go far enough to protect existing tree coverage.

Council is also concerned about the impact of VC282 on the Council's adopted Amendment C219morn for the same reasons previously outlined for VC267 and the Townhouse and Low-Rise Code.

Economic and Environmental Policy

5.3.3. Victoria's 30-year infrastructure strategy 2025-2055

Victoria's 30-year infrastructure strategy sets a vision and provides a practical roadmap for action over the next 30 years across a broad range of public policy areas. The Strategy builds on the progress of the previous Victorian Infrastructure Plan 2021 and clearly identifies future infrastructure priorities for the state.

The Strategy makes 45 recommendations to the Victorian Government and identifies 8 future options. The actions within the recommendations include the preparation of projects, policies and reforms to address long-term challenges. The Government has been set the target of commencing these actions before 2030 (or early) and the actions address policy areas including housing, energy, transport, health, climate change and education. The *Infrastructure Victoria Act 2015* requires the Government to respond to the recommendations of the Strategy.

Council provided a submission to the draft of the Strategy (see Section 5.5.5) before it was finalised and tabled in the Victorian Parliament in November 2025. The submission expressed strong support for the majority of the 40+ recommendations in the draft strategy, while noting their positive impacts on the Mornington Peninsula. The recommended actions generally aligned with Council priorities and covered the following strategic themes:

- More housing and social infrastructure
- Strategic planning and governance
- Climate, environment and resilience
- Better access to government and community facilities
- Transport improvements for growing communities
- Health and wellbeing investment
- Energy transition and reliability

No further action is required from Council in terms of changes to the Planning Scheme as a result of the release of the infrastructure strategy.

5.3.4. Economic Growth Statement (2024)

Released in late 2024, Victoria's Economic Growth Statement presents the State's strategic vision for driving economic growth, increasing investment and fostering innovation for the benefit of all Victorians. The Statement outlines five key priority sectors which form the foundation of Victoria's current economy:

1. Advanced manufacturing and defence
2. Health technologies and medical research
3. Circular economy
4. Digital technologies
5. Agribusiness

The Statement also includes four major actions, informed through consultation with business and industry, to support growth across the above sectors:

- Open Doors: Backing business to invest, expand and innovate.
- Cut Red Tape: Making it simpler to do business in Victoria.
- Build New Skills: Ensuring a workforce that's ready to go.
- Reach Every Community: A strong Victoria underpinned by a strong regional Victoria.

The Statement emphasises the significance of agribusiness exports, which make up nearly half of Victoria's total goods exports – worth over $15 billion annually. It also stresses the importance of agriculture as a critical economic pillar for many regional areas, which aligns with Council's adopted Food Economy and Agroecology Strategy.

The Statement also identifies the need for a 10-year plan to unlock industrial land to give business more certainty and more room to grow. Significantly, it identifies the need to review the zoning of up to 3,300 hectares of land at Altona North and Hastings – which is currently restricted under Special Use Zoning – unlocking it for new and growing businesses. This action aligns with Council's long-held advocacy priority for the release of surplus Port-related land for alternative land uses, including industry. It also presents a significant opportunity to progress privately led proposed Amendment C294morn with support from the State Government. The amendment seeks to rezone surplus Special Use Zone – Schedule 1 (SUZ1) land for a new industrial precinct in line with Council's adopted Industrial Land Use & Infrastructure Assessment and Rezoning Strategy (2020).

Officers continue to liaise with the proponents of Amendment C294morn and the DTP, noting that DTP indicated that the review of Special Use Zone in Altona North was the State Government's priority ahead of Hastings, and this review has now been completed via Ministerial Amendment C146hBay which was approved in February 2026.

Recommendation:

10. Continue to progress privately led Amendment C294morn to establish a new industrial precinct on surplus Port-related (SUZ1) land in Hastings.

5.3.5. 2025 Victorian Transmission Plan

The Victorian Transmission Plan provides the long-term strategic direction for the delivery of renewable energy infrastructure across Victoria. It identifies where, when and in what capacity renewable energy generation and transmission should be built, to meet Victoria's energy needs over the next 15 years.

The Plan outlines the transmission projects needed between 2025 and 2040, including upgrades to existing infrastructure and the delivery of four new transmission projects across three work programs.

More specifically, it defines six Renewable Energy Zones (REZs) across Victoria as having abundant renewable energy resources including wind and solar, which have the potential to host new electricity generation infrastructure. Six REZs are proposed in the Plan however none are located on the Mornington Peninsula.

As noted later in this report at Section 6.4.3, the Port of Hastings is the Victorian government's preferred site for the Victorian Renewable Energy Terminal (VRET), a major hub designed to assemble and maintain offshore wind infrastructure for projects in Gippsland and the Southern Ocean. Should this project go ahead, it will make the Port of Hastings and the Mornington Peninsula a key element of Victoria's transition to renewable energy.

5.3.6. Victorian Freight Plan 2025-30

This Plan outlines Freight Victoria's response to the challenge of managing increasing freight volumes as Victoria's population continues to grow. It provides a long-term roadmap for the State's freight network which will assist with the coordination of an efficient freight and logistics system, guided by further policy development.

The Plan itself includes high level objectives, strategic priority areas and near-term actions that can be implemented to support freight and supply chains in Victoria. The Principal Freight Network is mapped in the Plan and this includes the Port of Hastings as one of the four commercial ports of Victoria. It also identifies the existing road and rail connects to and from the Port.

A key action within the Plan calls for the delivery of a 10-year industrial land plan to outline a pipeline of industrial land supply for the state. Importantly, the re-zoning

of SUZ1 land in Hastings is included as an option to assist with unlocking industrial land supply.

In response to this, the Victorian Government subsequently released it's 10-year plan for industrial land in November 2025. This outlined in more detail the various State Significant Industrial Precincts (SSIPs) of Melbourne, of which the Hastings SSIP is included in the Southern region. The Hastings SSIP is anticipated to accommodate the demand for this region over time, however this is dependent on the review of the SUZ1 zoning which the Plan confirms is an action already being undertaken.

As is mentioned in Section 5.4.1 below, Council is continuing to advocate to the State Government for clarity around the timing of the release of SUZ1 land and the funding to facilitate the strategic planning of the area should land be released.

5.3.7. Planning For Melbourne's Green Wedge and Agricultural Land Action Plan 2024 (P4GWAL)

In March 2024, the Victorian Government released a plan to protect Melbourne's green wedges and agricultural land, known as the 'Planning for Melbourne's Green Wedges and Agricultural Land Action Plan, 2024' (P4GWAL). The P4GWAL aims to strengthen protections for green wedge and agricultural land and was based on a technical assessment of green wedge and peri-urban areas within a 100-kilometre radius of Melbourne, as well as extensive community and industry consultation.

The Plan contains 20 actions grouped under the following six themes:

- Theme 1: Protecting Melbourne's food bowl – new protections to help farmlands close to Melbourne remain productive and resilient.
- Theme 2: Planning for future farming – clearer guidelines and advice to councils on planning future farming activities.
- Theme 3: Securing the right to farm - new measures to prevent land-use conflict and incompatible green wedge land use and development.
- Theme 4: Establishing stronger protections - improved guidance and directions for councils in land use strategy and land management.
- Theme 5: Adopting smarter land use - review and update planning decision guidelines and planning application requirements to support appropriate land use and development.
- Theme 6: Setting tighter controls - strengthening planning controls in green wedges and prohibiting and restricting discretionary uses.

Most of the actions included in the Plan are applicable to the Shire, including:

- Better protecting agricultural land within 100kms of Melbourne and making the best use of fertile soils.
- Strengthening the 'right to farm'.
- Updating planning policy to emphasise the non-urban values, purpose and character of the green wedges and providing more guidance for the urban-rural interface areas that supports a permanent edge to growth.
- Introducing mandatory design controls (site coverage, setbacks and building heights) for discretionary uses in the Green Wedge Zone.
- Increasing flexibility for primary produce/farm gate sales.
- Strengthening the planning controls for discretionary uses in the green wedge, including prohibiting new data centres.

As detailed in Section 5.5.4, Council previously provided a submission to the P4GWAL's consultation paper in 2021. Upon release of the final Action Plan, Council wrote to the Minister welcoming this much-anticipated plan that seeks to better protect Melbourne's green wedges and agricultural land through stronger planning controls. Council noted that delivery of the Action Plan will reinforce the non-urban role and character of these significant areas while helping to create a more consolidated and sustainable city.

Overall, Council supports most elements of the Action Plan in principle, pending the release of details about how the actions will be implemented within the VPPs. Council provides in-principle support for the following actions, subject to the release of details regarding the statutory implementation of the actions within the VPPs.

- Action 2: Criteria for a new planning scheme overlay for key irrigated agricultural areas.
- Action 3: Water authorities' views to be considered in the assessment of planning permits for Melbourne's peri-urban areas where there is current or planned recycled water supply.
- Action 4: A new regional policy to preserve future opportunities for irrigated agriculture around Melbourne.
- Action 5: Update agricultural planning policy to better protect agricultural land within 100 kilometres of Melbourne.
- Action 6: Develop a Planning Practice Note for applications within agricultural areas.

- Action 8: Update the PPF to encourage appropriate siting, design and scale of sensitive uses and development in rural areas within 100 kilometres of Melbourne.
- Action 10: Update Planning Practice Note 31 'Preparing a Green Wedge Management Plan.'
- Action 11: Develop a new Planning Practice Note for urban-rural interface areas.
- Action 13: Introduce mandatory site coverage, setbacks and building heights for discretionary uses in the Green Wedge Zone and Green Wedge A Zone as a pilot project.
- Action 15: Prohibit new data centres in the Green Wedge Zone, Green Wedge A Zone and the Rural Conservation Zone.
- Action 19: Introduce a new permit trigger for soil dumping (clean fill).
- Action 20: Introduce a new land use term for 'community hall.'

Council considers that the following actions require refinement and careful detailed consideration before implementation:

- **Action 1: Introduce a new planning scheme overlay to protect key irrigated agricultural areas in Werribee and Bacchus Marsh**. We consider that the proposed overlay could be applied to designated areas with existing or potential to secure water supply. Council has long advocated for funding to deliver the Tyabb-Somerville Recycled Water Scheme to grow the economic potential of the Mornington Peninsula Shire's agriculture sector and increase resilience to climate change. Accessing this water is an ideal way to secure climate resilient food production for Melbourne's growing population.
- **Action 7: Strengthen the 'right to farm' by expanding the 'agent of change' principle within 100 kilometres of Melbourne.** Council has previously urged caution in developing controls that may have unintended consequences such as conflict with conservation and landscape objectives for the Mornington Peninsula Green Wedge, as outlined in our submission to P4GWAL.
- **Action 9: Update planning policy to emphasise the non-urban values, purpose and character of the green wedges.** Council supports the protection of all agricultural land – not only land of 'strategic importance' – while recognising that land with particularly productive soils should be recognised and given weight in planning decisions. The PPF within the VPPs should reflect the characteristics of each Green Wedge area.
- **Action 12: Review and update decision guidelines and application requirements for planning applications within green wedge zones.** Council strongly advocates that applications for a dwelling should demonstrate a link either to agriculture or to natural systems. To this end, Council has a draft policy included in the Mornington Peninsula Green Wedge Management Plan (2019). This policy requires a Land Management Plan, based on agricultural use or biodiversity/conservation, to be approved as part of any application.

The content of this policy could be translated into application requirements and decision guidelines within the green wedge zones.

- **Action 14: Increase flexibility for primary produce/farm gate sales.** This is a complex issue which requires further consultation prior to the framing of any amendments to the planning scheme. In the Mornington Peninsula, primary produce sales / farm gate sales provide an important opportunity to support the viability of production on smaller lots, promote sustainable forms of agriculture and encourage the use of local produce. Farm gate sales enable a greater proportion of the value of produce to be captured directly by the producers, while also developing the local supply network. However, there is the potential for commercial intrusion of 'shop' uses into the Green Wedge, unless the scope for primary produce sales is clearly defined and capable of practical monitoring and regulation.
- **Action 16: Prohibit subdivision of small lots below the minimum lot size in some zones within 100 kilometres of Melbourne.** There is a need to prevent fragmentation of land through subdivision and re-subdivision proposals. The State Government's original P4GWAL discussion paper canvassed tenement controls as an option where a landowner has several contiguous small lots (and could develop a house on each lot), but this issue is not specifically addressed in the Action Plan. Council would like to work with the State Government on exploring tenement controls or other mechanisms to address this concern which has state wide applicability.
- **Action 17: Insert new conditions for exhibition centres, group accommodation and hotels in green wedge zones.** There is a need for more comprehensive planning policy in relation to tourism-based uses, wineries and rural worker accommodation within Green Wedge areas and better definition of the scope of 'ancillary' uses. There is also a need to fully review the impacts of the current 'in conjunction with' provisions and associated matters regarding the consideration of non-defined (innominate) land uses and the appropriate limits to 'ancillary' use.
- **Action 18: Strengthen the link between host farm accommodation and operating agricultural properties.** Council strongly supports a planning definition of 'Host farm' that requires a direct link to an operating agricultural property. Council does not support 'Host Farms' as uses which do not require planning approval. Council would support new provisions that limit the scale of accommodation consistent with farming activity on site, and to provide requirements about the site coverage, siting and design of buildings, and management of the use.

Finally, the Action Plan does not address the issue of residential caravan parks in the Green Wedge. Residential caravan parks can become a semi-urban use that has the potential to completely displace any agricultural use on the land and may significantly limit the agricultural and/or conservation uses of adjoining land.

Proliferation of this type of use also threatens the ability to create a more consolidated and sustainable city – locating sizable communities in areas far from the services and infrastructure they need and further entrenching car dependency. To this end, Council strongly supports the exclusion of residential caravan parks from the Green Wedge in favour of these uses being directed to areas within the UGB.

It is understood that the State Government intends to implement actions within the Action Plan over a 3-year period. Council requested the Minister require DTP to engage with Council (and other affected councils) to assist in drafting and/or reviewing any proposed planning policies or controls, noting that Council welcomes the opportunity to take part in any working groups or committees convened by the DTP. State Government has since advised that it does not intend to undertake further consultation on the Action Plan, beyond which has already occurred.

Recommendation:
Refer to Recommendation 6.

Legislative Reforms

5.3.8. Consumer and Planning Legislation Amendment (Housing Statement Reform) Act 2025

Following the introduction of the *Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024* in late 2024, the *Consumer and Planning Legislation Amendment (Housing Statement Reform) Act 2025* (CPLA Act) received Royal Assent in March 2025.

In October 2025, Parts 9, 10 and 12 of the CPLA Act commenced which saw several changes to the P&E Act to support the broader implementation of the Victorian Government's Housing Statement. The changes alter the operation of Planning Panels and VCAT to improve the efficiency of both these processes.

Planning Panel changes

The following changes are intended to streamline the Planning Panel process, reduce common delays in the amendment process and allow Panel hearings to focus on genuine planning issues. The changes will require councils, submitters and Panels to adapt their procedures to align with the new requirements implemented.

- **Frivolous, vexatious or wholly irrelevant submissions (new section 23(6)).** This new provision states that a planning authority must not refer a submission to a Panel that a council considers to be frivolous, vexatious, or wholly

irrelevant to the amendment. For councils, this means it will have more discretion over what gets referred to a Planning Panel by filtering out these types of submissions. Although it will also reduce the initial workload of Panels and will allow them to focus on reasonable submissions, it will at the same time place further pressures on councils to clearly justify why certain submissions should not be referred which may not be a simple task, particularly for more significant amendment with a greater number of submissions. This is a particularly fraught task for councils as its decision to refer or not refer submissions impacts public participation in the Planning Panel process. If Council makes an error in judgement, it could be subject to review for defect in procedure. It is noted that in many cases, it is unlikely that many submissions will strictly meet the criteria to be excluded from a Panel process, as even where a submission contains 'frivolous, vexatious or wholly irrelevant' content, it may still contain other content that is relevant and should be considered, meaning Council will likely continue to refer these submissions to Panels.

- **Timeframes for panel reports (new section 27(2)).** This allows councils to apply to the Minister for an exemption from the need to consider a Panel report if the Panel conducted a hearing and the report is submitted after the earlier of; a) 6 months from the Panel's appointment, or b) 3 months from the date on which the panel completed the hearing. This change will give the potential for councils to bypass Panel reports if they are delayed, which may assist in avoiding considerable delays to planning scheme amendment processes. It is unclear how beneficial this may be for the Shire given that most of the recent Panel reports for Council amendments have been provided within the statutory timeframes.
- **Like submissions (new sections 158C, 158D and 158E).** These new sections allow for a Panel to decide to treat two or more submissions as if they were one submission if the Panel is satisfied that the submissions are the same or substantially the same. This is likely to decrease the overall administrative burdens during the submission review process because like submissions can be grouped to avoid duplication. It will, however, have implications for submitters insofar as the Panel will request that only one submitter present at the hearing on behalf of all 'like' submitters which reduces individual submitter participation in hearings.
- **Consideration of matters on the basis of documents (new sections 158F and 158G).** These new provisions allow a Panel to decide whether to consider submissions or give a person a reasonable opportunity to be heard, based on written documents, provided the Panel is satisfied that no major issue of policy needs to be considered. Considering matters 'on the papers' is generally welcome as a cost-effective approach for independent review, negating the need for potentially otherwise costly Panel hearings and associated time implications. While this is not likely to impact councils given their role in the

Planning Scheme amendment process, this will instead have the potential to limit an individual submitter's opportunities to provide oral submissions if they otherwise wish to do so, particularly if their submission does not raise a major issue of policy.

- **Expert conferences and joint expert reports (new sections 159A and 162A).** These new sections allow a Planning Panel to give directions about conferences of experts and joint expert reports, including giving directions to hold conferences, about who is to attend conferences and about the preparation and content of joint expert reports. This will give Planning Panels more control over expert evidence processes and may help to reduce the number of issues and disagreements prior to hearings being held. This has opportunities to improve the efficiency and timeframes of hearings which can often be lengthy and resource intensive for all parties involved.

VCAT changes

The changes concerning VCAT proceedings will allow VCAT to:

- **Provide reasons in the form of a summary of the key basis for its decision, if the Tribunal affirms or varies a decision-makers' decision (e.g. a Council decision).** This means that quicker feedback will be provided to councils for more simpler cases, reducing the time required to overseeing these matters.
- **Treat two or more objectors as a group, if their statements rely on similar grounds or raise similar issues.** In that situation, the Tribunal can appoint one or more of those objectors as a representative of the group, with that person's consent. Councils will be able to group similar objections and streamline the number of representatives making submissions at hearings. This will require more work from councils prior to hearings to classify submissions should they be grouped. Similar to the Planning Panel changes discussed above, this will have implications on objectors in terms of limiting their opportunities to provide oral submissions and instead having to prepare written submissions. This could disproportionately impact time and resource poor parties who may still have legitimate concerns.
- **Actively manage proceedings through various measures** including:
  - Conducting all or part of a proceeding entirely on the basis of documents (otherwise known as "on the papers").
  - Imposing a time limit on a party for making submissions.
  - Prohibiting or limiting cross-examination of a witness at a hearing.
  - Fixing timetables for hearings.
  - Using appropriate dispute resolution.

- Giving directions to ensure that a proceeding is conducted promptly and efficiently.
- Identifying at an early stage the issues involved in a proceeding.
- Striking out or dismissing all or any part of the proceeding that in the Tribunal's opinion lacks substantive or objective merit and has no real prospect of success.
- Confining the proceeding to particular matters in dispute.

These enhanced powers give VCAT a greater ability to manage cases more effectively, bringing about many efficiency benefits for the hearing process.

The culmination of Planning Panel and VCAT changes implemented by Parts 9, 10 and 12 of the CPLA Act have the overall impact of streamlining and improving the management of these processes. Although there are many efficiencies gained by Planning Panels, VCAT and councils, these come at the cost of restricting the broader community's ability to actively engage in these formal appeal processes. Several procedural and structural adjustments will also need to be made by all parties overtime to realise the benefits of the changes.

5.3.9. Planning Amendment (Better Decisions Made Faster) Bill (2025) and subsequent Act 2026

The *Planning Amendment (Better Decisions Made Faster) Bill 2025* proposed some of the most significant reforms to Victoria's planning system in decades. The Bill was prepared without consultation with local government or the broader community. In November 2025, Council endorsed the Municipal Association of Victoria's (MAV) Local Government Position: Planning Amendment Bill 2025 (MAV, 6 November 2025) in response to the Bill. In summary, the position paper advocates that the Bill would undermine local decision-making and reduce the ability for communities to have their say, or even know, about planning decisions. It identified key concerns and proposed improvements to the Bill broadly under the following themes:

- big change needs public trust
- homes ready for the extremes to come
- the missed opportunity on affordable housing, and
- partnerships deliver better outcomes.

Consistent with the MAV's position paper, Council wrote to all local and other relevant Members of Parliament raising urgent concerns about the Bill and urging the Victorian Government to refer it to a Parliamentary Inquiry. The letters highlighted the need to balance speed with quality, fairness and safety, and urging support for amendments to the Bill recommended by the MAV which would restore transparency and parliamentary oversight, safeguard community safety and

environmental standards, and ensure proper consultation and resourcing for councils across Victoria. Council stated that without these changes, the Bill risks undermining community trust and the very outcomes it seeks to achieve.

Council requested the following amendments to the Bill:

Big Change Needs Public Trust

- Require that 'type 2' applications (i.e. applications for townhouses and low-rise developments to be code-assessed and determined within 30 days) be subject to notice requirements.
- Delete from the Bill the revocation of Parliament's check on the Executive (the planning scheme amendment disallowance power).
- Remove the 'Gifts and Donations' part of the Bill and reconsider it next year once its flaws have been fixed.

Homes Ready For The Extremes To Come

- Reinstate the "safe living and working environment" objective of planning in Victoria.
- Limit the ability of planning schemes to 'switch off' decision-making requirements for 'type 2' and 'type 3' applications (i.e. larger apartment buildings that are code-assessed and determined within 60 days) where there is contaminated land or evidence of flood, fire or erosion risk that has not yet made it into a planning overlay.
- Add some safety nets to mitigate the risk of automatic approval of higher impact applications.

The Missed Opportunity on Affordable Housing

- Create a new head of power to enable mandatory affordable housing contributions in upzoned areas.
- Require funds collected under the new affordable housing head of power to contribute to the construction of new social housing in the same community.
- Commit to a review of residential codes so that their performance can be measured, noting that the codes are often producing under-development of well-located sites.

Partnership Delivers Better Outcomes

- Create a new Planning Regulations Advisory Committee with State and Local Government at the table, to forge a shared understanding about planning system stewardship.

- Retire the State Government's DFP pathways when the Bill comes into effect, and ensure councils are funded whenever Ministerial applications are referred to councils for assessment.
- Secure a Victorian budget allocation in 2026-27 to build (or start building) a statewide permit application lodgement system, tailored to meet the diverse needs of councils.

Ultimately, a Parliamentary Inquiry into the Bill was rejected. However, in December 2025, the Legislative Council adopted a third of the MAV recommendations in full, with others adopted in part. Key changes included:

- Affordable housing – Introduction of a head of power allowing councils to require mandatory affordable housing contributions with any funds collected in lieu of a physical contribution being spend on new affordable housing in the same municipality. This represents a major reform, with councils previously only able to collect contributions on a voluntary basis, which has had limited success and often created uncertainty for councils, developers and the community.
- Disallowance powers – State Government agreed to retain the power of either House of Parliament to disallow planning scheme amendments which was initially proposed to be removed.
- Planning Regulations Advisory Committee – A new Planning Regulations Advisory Committee (PRAC) will be established, with members to include representatives of the MAV and rural, regional city, metropolitan and growth area councils to advise on legislative implementation.

The *Planning Amendment (Better Decisions Made Faster) Act 2026* (BDMF Act) received Royal Assent on 17 February 2026. The State Government affirmed that the BDMF Act will introduce clear, proportionate pathways for planning permits and planning scheme amendments based on a project's complexity, risk, and potential impacts. This seeks to enable lower impact- proposals to be assessed and approved more quickly, improving efficiency and reducing costs for councils and the Government while helping unlock housing and economic opportunities.

The complete implementation of the BDMF Act will:

- Establish three planning permit assessment streams to ensure alignment with the risk, complexity and impacts of any given application.
- Establish three pathways for planning scheme amendments that are proportionate to complexity, risk and the potential impact of a given amendment.

- Allow affordable housing contributions to be required as a condition of a planning permit.
- Establishment of a mechanism for state and regional plans to be formally approved and then require planning authorities and the Minister to ensure that planning scheme amendments are consistent with approved plans.
- Provide greater flexibility to remove or vary restrictive covenants through an application for a planning permit.
- Increase enforcement powers to provide for more effective, consistent and coordinated compliance monitoring and enforcement.
- Update planning compensation legislation to align with case law and improve clarity.
- Update requirements regarding distinctive area landscapes to reduce the administrative burden of planning authorities and decision makers.
- Ensure that Registered Aboriginal Parties are invited to participate in strategic planning on Country and are given early notification of proposed development on land that has been prescribed to be culturally sensitive.
- Limit third-party appeal rights to those who receive direct notification of a planning permit application.
- Improve flexibility in how infrastructure contributions plans can be prepared and administered.

Specifically for councils, the key changes brought in by the BDMF Act:

- Will reduce local discretion being applied to planning matters.
- Will require significant adjustment of internal Statutory and Strategic Planning processes and resources to adopt the new three-tiered planning permit and planning scheme amendment pathways, especially to identify complexities and risks earlier in these processes.
- May decrease permit backlogs by reducing the time it takes for lower impact permit applications to be assessed, provided resourcing is available.
- May decrease the time it takes for simpler planning scheme amendments to be processed.
- Give councils a tool to secure affordable housing contributions via planning permits and/or planning scheme amendments to increase social and affordable housing stock on the Peninsula.

Similar to the CPLA Act, the BDMF Act makes changes that continue to enhance the efficiency of Planning Panels and VCAT, particularly in terms of its ability to make faster decisions for less complex planning matters. It also places more weight on

these bodies to consider new state and regional policies which as stated above will reduce local discretion for planning matters they consider.

There are other notable impacts, particularly to the broader community as a result of the BDMF Act changes. There may be potential positives in terms of the quicker approval of low-impact developments to deliver much needed housing faster, but this will come at the price of a person's ability to influence planning appeals that directly affect them, due to the changes reducing third party appeal rights.

Overall, the changes represent a momentous shift of the planning system to be centred on risk-based, predictable and enforceable outcomes, principally needed to ensure the State Government can reach its housing and economic development targets.

It has been confirmed that, subject to any earlier proclamation, the Bill will come into effect on 29 October 2027 to allow time for the State Government to prepare supporting changes to the planning system, including changes to the Planning and Environment Regulations 2015, preparing new Ministerial guidelines and updates to the Victoria Planning Provisions.

Recommendation:

11. Advocate for appropriate Regulations to implement the *Planning Amendment (Better Decisions Made Faster) Act 2026* via the Municipal Association of Victoria.

5.3.10. Planning and Environment Amendment Regulations

The Planning and Environment Amendment Regulations 2024 (2024 Regulations) included changes to the prescribed forms for planning permits and the removal of certain forms that were no longer required because of amendments made by the *Consumer and Planning Legislation Amendment (Housing Statement Reform) Act 2025*. These updates are administrative and are not expected to significantly impact the Shire's Statutory Planning functions.

Parliamentary Inquiries

5.3.11. Inquiry into Securing the Victorian Food Supply

This Inquiry saw the Victorian Government Legislative Council Environment and Planning Committee examine how Victoria can secure its food supply in the

context of increased urban sprawl and population growth. Council provided a submission to the Inquiry which is detailed in Section 5.5.3 below.

Overall, the Inquiry found that demand for fresh produce is increasing in line with population growth, however it is this growth that is leading to urban encroachment into farmland which is making it increasingly more difficult and expensive to grow food close to Victorian cities. The Committee released its Inquiry Report in November 2024 which included 33 recommendations to address the specific issues raised.

Most of the Inquiry Report's recommendations were supported in full by Shire officers, while support for others was contingent on further details or consultation with the local government sector. Many of the recommendations align with previous Council advocacy regarding the P4GWAL and were consistent with the Council's adopted Green Wedge Management Plan (2019) and the Food Economy & Agroecology Strategy (2022).

5.3.12. Inquiry into VPP Amendments VC257, VC267 and VC274

A Select Committee (SC) was appointed to inquire into Amendments VC257, VC267 and VC274 to the VPPs. Specifically, it was asked to consider whether the three amendments give proper effect to the objectives of planning in Victoria. The SC sought stakeholder views on several matters including:

- Whether the VPP amendments appropriately balance the objectives of planning in Victoria.
- Whether the VPP amendments are likely to create any significant unintended outcomes.
- Whether consultation on the VPP amendments was adequate.
- Whether the exemptions provided for in Clause 55 of the VPP, as amended by VC267, are appropriate.
- What specific changes would you seek to the amendments?
- Whether the VPP that existed prior to these amendments, these amendments, or alternative proposals are appropriate to meet the housing needs of the state and local communities?

As noted earlier in this review, and detailed in Section 5.5.2 below, Council provided a submission to the Inquiry.

The Inquiry Report (May 2025) found that VC267:

- Was not the subject of proper consultation.
- Caused significant disruption to councils.
- Should not have removed decision-making considerations at Clause 65, which are important where risks to human life and health, and to the environment, should be identified and managed.
- Lowered ESD standards for new homes.
- May lead to the excessive removal of existing trees and reduce tree canopy.

The Inquiry Report also included the following recommendations in relation to VC267:

- The Clause 65 decision guidelines should apply to all decisions made under Clause 55.
- The Government should work with councils to manage flood, bushfire and climate hazard risks and improve identification of risks to human life and health, and to the environment, in the Victoria Planning Provisions.
- The Government should publish and release modelling regarding the expected impact of the planning scheme amendments on tree canopy and vegetation in areas affected by the changes.
- The Government should make improvements to Clause 55, including the addition of a separate landscaping objective and standards, and changes to the tree canopy cover objective and standards.
- The Government should review and improve the ESD standards in Clause 55 with a view to ensuring the statewide standards meet the higher standards of provisions in many local government areas.

Other Updates

5.3.13. New Ministerial Directions

- Ministerial Direction 22 - Climate Change:

  This new Ministerial Direction (MD) requires planning authorities to have regard to matters relating to climate change when preparing a planning scheme amendment. The matters to be considered include minimisation of greenhouse gas emissions and increased resilience to climate change for land use and development decisions. While an additional administrative burden for preparing planning scheme amendments, the intent of the MD is understood and welcomed. The DTP has provided guidance in its website as to

how to satisfy this MD, which also requires the inclusion of further information in amendment Explanatory Reports to explicitly address climate change considerations.

- Ministerial Direction on the Preparation and Content of Green Wedge Management Plans:

  This MD provides updated guidance on the preparation of green wedge management plans (GWMPs). It specifies what should be included in a GWMP as well as who should be consulted when preparing a Plan. Council will be required to ensure any future updates to its adopted GWMP (2019) adhere to the requirements of this MD.

- Other

  Minor and administrative changes were made to the MD's listed below:

  - Ministerial Direction on The Preparation and Content of Development Contributions Plans
  - Ministerial Direction on The Preparation and Content of Infrastructure Contributions Plans
  - Ministerial Direction on the Form and Content of Planning Schemes
  - Ministerial Direction 11 – Strategic Assessment of Amendments.

5.3.14. New EPA Guidelines

In August 2024 two new EPA guidelines, the Separation Distance Guideline (EPA Publication 1949) and the Landfill Buffer Guideline (EPA Publication 1950), were released. The Guidelines were prepared by the EPA to strengthen existing controls and improve the management of landfills for the protection of human health and amenity. They will also assist in protecting industry and landfills from nearby inappropriate uses and development which may limit their operations.

Key changes brought in by these guidelines include increased human health and amenity buffer distances for operating landfills (putrescible, solid inert) and an updated list of industries and separation distances which replaces previous EPA publications. These changes are particularly relevant to Council's future work in addressing environmental risks within the Planning Scheme, such as land fill gas risks for the legacy landfills present on the Peninsula.

5.4. Upcoming State policy/legislation changes

The State Government has committed to working with local government on a raft of additional State policy and legislative changes. Many of these changes will affect land use planning in the Mornington Peninsula as outlined below.

5.4.1. Port of Hastings Development Strategy

The Port of Hastings contains the deepest port channel in Victoria, four jetty complexes and hosts three major industries (i.e. BlueScope, ExxonMobil Gas Fractionation Plant and the United Petroleum Storage and Distribution Facility).

The Port exists within the environmentally sensitive Western Port Biosphere which contains ecological values of local, regional, national and international significance, while also fulfilling important recreation and tourism functions.

Adjacent to the Port are large swathes of land (about 3,500 hectares) zoned SUZ1 which have been quarantined for Port-related uses and development since the 1960s. The extent of SUZ1 is significantly greater than the declared Port area and includes the entirety of the Esso and BlueScope Steel sites, several smaller industrial and rural uses and a small proportion of residential properties.

The SUZ1 encourages uses that create effective buffers to Port-related uses, allowing only Port-related industries and development and very limited other uses. The SUZ1 therefore effectively sterilises a sizeable region of the Peninsula from alternative land uses that might otherwise deliver a net community benefit for the Shire, such as tourism, agriculture, housing, open space or environmental conservation.

Council has held various advocacy positions over the years regarding the preferred future role and development of the Port and surrounding SUZ1 land.

The 2018 Port Development Strategy for the Port of Hastings (PDS) identified that the Port was to be held in reserve as a potential second container port for Victoria however in 2022, the Victorian Commercial Ports Strategy confirmed Bay West as the second container port. The 2018 PDS also identified large areas of land adjacent to Tyabb, Somerville and Hastings that is surplus to Port needs and could be investigated and rezoned for industrial uses. Notably, the Victorian Commercial Ports Strategy directed that the next iteration of the PDS for Hastings must confirm the extent of existing SUZ1 land that is surplus to Port needs and can be released for

alternative use and development – over and above that SUZ land already identified in the existing 2018 PDS.

In April 2024, Council adopted the following advocacy position regarding the future of the Port:

1. Reiterates its position that 'Planning will provide for the protection of the important values and resources of Western Port and its land catchment having regard to the importance of recreation, nature conservation and tourism. These will be major considerations in the planning and management of the area for port and port related industrial purposes.' (MPLPS, page 11).

2. Calls on the Victorian Government for certainty regarding the future role of the Port and the planning and release of surplus land that will not be needed for Port development to unlock the potential of this region and provide much needed land for housing, employment, agriculture and conservation.

3. Supports the transition from fossil fuels to renewable energy and acknowledges that current and future projects proposed for Port of Hastings have the potential to assist with this transition. However, the Western Port Wetland is a declared Ramsar wetland of international importance and any proposed project must be responsive to this unique and precious environment and any potential negative impacts carefully considered.

4. Seeks to ensure that any proposal delivers environmental, social and economic benefits to the Shire, including supporting the development of a local green economy that creates sustainable jobs that support and value the Western Port environment.

5. Reiterates the need for the Victorian Government:

    - to develop a Strategic Framework for the future of Western Port Bay, as a formal document advocating for the restoration and protection of the marine environment and surrounding catchment of Western Port;

    - to establish an ecologically sustainable and thriving economy for the future, recognising the importance of ensuring the future economic prosperity of the region in conjunction with promoting environmental protection and restoration.

At the 23 September 2025 Council meeting, Council resolved that one of its 'Tier 1' advocacy priorities for 2025-2026 would be 'Port of Hastings surplus land'. Council has since continued its ongoing advocacy campaign seeking the State Government to provide:

- clarity on the boundaries and timing of a Ministerial decision regarding release of surplus SUZ1 land
- funding for strategic planning and community engagement to determine the best uses for the surplus land with options to include housing, agriculture, areas for conservation, and industrial precincts to support the energy transition.

5.4.1.1. Draft Port Development Strategy 2055

In March 2026, the Port of Hastings Corporation (PoHC) released the draft Port Development Strategy 2055 for public feedback. The draft Strategy outlines a 30-year framework to guide the development of the Port of Hastings. When finalised, this will replace the 2018 PDS discussed above. The following key strategies underpin the Port of Hastings 2055 vision:

- Supporting the renewable energy transition through offshore wind
- Enabling opportunities across the renewable energy supply chain
- Growing and diversifying the Port's trade mix
- Recognising the value of the Western Port environment
- Protecting the potential of our Port to serve Victoria's future freight needs

Shire officers provided input to the preparation of the draft Strategy in 2024 and also recently submitted a response seeking a balanced, evidence-based strategy that provides certainty on surplus land, delivers freight-ready transport infrastructure, protects environmental values, supports renewable energy development responsibly, and ensures the community benefits from port-related growth.

It is also noted that, while the future role of the Port and surrounding land is subject to resolution at the State level, Council continues to respond to major development proposals including the State Government's Victorian Renewable Energy Terminal (VRET) project for the Old Tyabb Reclamation area. This proposal is discussed further at Section 6.4.3.

Recommendations:

12. Continue to engage with the Port of Hastings Corporation on the finalisation of the Port Development Strategy 2055.

Also refer to Recommendation 9.

5.4.2. Bushfire Reforms

Over the past 10 years the State Government has delivered changes to how planning schemes consider bushfire with a focus on prioritising human life over other policy objectives. Many of these changes were in response to the recommendations made by the 2009 Victorian Bushfires Royal Commission.

In 2021, the Department released the Bushfire Planning Made Clearer: Options for Victoria's Planning System. The discussion paper explores how existing bushfire planning provisions could be improved to make them clearer, focusing on:

- more usable state bushfire planning policy
- clearer planning requirements for developing land in bushfire prone areas
- better bushfire hazard assessments
- improving the implementation of bushfire-related planning permit conditions
- training and capacity building opportunities.

Significantly, the paper confirms that the Victorian Government remains committed to the planning policy objective of prioritising life in decision making.

Council submitted a response to the discussion paper which broadly supported the call for clearer and simpler bushfire planning requirements where possible. However, Council's submission highlighted the Shire's long-held advocacy position calling for review and reform of existing bushfire planning exemptions within the VPPs that allow as-of-right vegetation removal (i.e. 10/30 rule).

Acknowledging that these provisions are designed to help residents make their properties safer in the event of a bushfire, the Shire recognises community concern that their blanket application across large parts of the Peninsula is likely resulting in unnecessary vegetation loss – particularly if the exemptions are being used to gain a development advantage instead of achieving genuine bushfire resilience. Council is concerned that unnecessary vegetation loss resulting from the exemptions is having a range of negative consequences for biodiversity, natural systems, wildlife habitat, neighbourhood character, amenity, community sense-of-place and heritage. Vegetation loss also reduces community resilience to other

climate change impacts, such as the 'urban heat island effect' – perversely creating hotter conditions that may increase bushfire activity.

The status of the State Government's bushfire reforms package remains unclear. Nevertheless, Council remains committed to advocating for appropriate reforms.

In 2022, Council commissioned the Mornington Peninsula Shire Strategic Planning Bushfire Assessment (Kevin Hazell Bushfire Planning, May 2023) to help provide a clearer understanding of the nature of bushfire hazards on the Peninsula. Upon completion of this work, Council resolved in December 2023 to:

- Adopt the Strategic Planning Bushfire Assessment.
- Write to the State Government requesting a review of Bushfire Prone Area (BPA) and Bushfire Management Overlay (BMO) mapping in specific areas of Sorrento and Portsea as per the recommendations of the above assessment.
- Request that the Minister engages relevant experts to undertake the following work using the Shire as a pilot test case:
    - Analyse the impact of other planning provisions and bushfire planning scheme requirements that could be resulting in vegetation loss and change
    - Investigate potential changes to the VPPs to allow councils to consider vegetation removed under the bushfire planning exemptions to prevent misuse of exemptions to gain a development advantage.
    - Review bushfire behaviour on the Mornington Peninsula to identify areas of lower risk where the mapping of bushfire controls could be reduced.

The Minister has not accepted Council's advocacy request and is still yet to finalise any reforms to bushfire planning controls arising from its Bushfire Planning Made Clearer: Options for Victoria's Planning System.

Recommendation:

13. Continue to advocate to the State Government to reform existing bushfire planning provisions and mapping, to minimise unnecessary vegetation loss on private land within the Shire.

5.4.3. Environmentally Sustainable Development of Buildings and Subdivisions: Roadmap Part Two

The 'ESD Roadmap' was first signposted in Plan Melbourne 2017-2050. While some changes have been implemented via Amendment VC216 (ESD changes to PPF), the second part of the Roadmap involves developing and implementing a new set of

Particular Provisions to set out ESD objectives and standards for residential, commercial and industrial developments. This component of the project is still under review by the Department.

The Roadmap is particularly relevant to Council's proposed Amendment C246morn which has been developed together with the group of CASBE councils. This amendment is awaiting authorisation from the Department, pending the review of the ESD Roadmap, Part Two. If the Roadmap progresses as originally outlined, it is not likely that Amendment C246morn will progress in its current form, as it may result in a duplication of Particular Provisions seeking to set standards for environmentally sustainable development.

Recommendation:

14. Continue to advocate for Ministerial authorisation of Amendment C246morn and the release of additional improvements to ESD provisions as part of the State Government's ESD Roadmap.

5.4.4. Proposed Live Music Precinct Framework

In October 2025, the DTP circulated a draft new Planning Framework for Live Music to local government planning stakeholders across Victoria. The Planning Framework is proposed to better protect live music venues in Victoria and is in response to the State Government's commitment to support live music.

The Planning Framework included:

- A revised and relocated State Planning policy that gives greater recognition to the social, economic and cultural benefits of live music to the community.
- A new Live Music Precinct Overlay (LMPO) that can be used to highlight the cultural, social and economic significance of a precinct and the objectives to be achieved.
- A revised State Policy at Clause 53.06 - Live Music.

It is understood that the new LMPO could be applied in the Planning Scheme to areas defined as 'Live Music Precincts' - generally areas that have a social, economic or cultural significance linked with live music. The LMPO will replicate requirements of the existing Clause 53.06, while also requiring a planning permit for both 'Noise sensitive residential uses' and 'Live music entertainment venues' proposed within the overlay area (some exemptions apply).

The proposed planning controls align with Council's adopted Music Plan 2025 which highlights the need for further reforms to State Planning Policy to better

recognise the contribution of live music to Victoria. The Plan also references the development of Live Music Precincts which is the intention of the proposed Planning Framework.

Shire officers also provided a submission to the release of the draft Planning Framework which highlighted the following key points:

- The proposed planning controls align with strategies and actions included the Shire's adopted Council Plan 2025-2029, Health and Wellbeing Plan 2025-2029, and Music Plan 2025.
- The Shire is preparing a strategy to guide its strategic direction for live music, which will include the creation of a database to map live music venues across the Mornington Peninsula.
- The Shire has a fairly limited number of live music venues compared with more urbanised inner-city municipalities
- The Shire handles a relatively small number of noise complaints relating to live music venues, where most of which are referred to the Environment Protection Authority (EPA).

The submission also requested the following be considered before implementing the proposed planning controls:

- Specific guidance and criteria will need to be provided to councils for the correct identification of live music precincts.
- Confirmation of whether the EPA supports the new planning controls and if they consistent with the Environmental Protection Regulations 2021.
- Clarification of how the draft provisions interact with EPA enforcement powers and Council's role in compliance matters.

The proposed planning framework and controls are expected to be implemented at a later date following further refinement by DTP in response to submissions.

Recommendations:

15. Continue to provide in-principle support for the State Government's proposed new 'Planning Framework for Live Music' and if the new framework is implemented, review the eligibility and merits of applying the Live Music Precinct Overlay (LMPO) to areas on the Peninsula.

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5.5. Discussion Papers & Advocacy

Local Councils are increasingly asked by State Government and other authorities to provide feedback and input into a broad range of proposed reforms. Some proposed reforms have minor operational impacts while other have major implications for land use and development across the Mornington Peninsula. Since the 2023 Review, the Shire has provided feedback on the following discussion papers and draft legislation and policy documents.

It is noted that the opportunity to respond to State led planning initiatives occurs on an ad hoc basis, often within very tight timeframes. As such, it can be very resource intensive to review and respond to these initiatives which often requires the input of several departments within the Shire. The timing and nature of consultation on State-led initiatives can therefore, at times, impact the timing and delivery of Shire-led strategic planning initiatives.

Nevertheless, the Shire welcomes the opportunity to be consulted on and engage with the development of new planning policy or provisions which would impact land use and development planning on the Peninsula.

5.5.1. A new Plan for Victoria and Housing Targets

In August 2024, Council resolved to make a submission to the State Government's proposed new Plan for Victoria and the draft housing targets. The submission emphasises Council's priorities for:

- Accommodating population growth in housing that is affordable, diverse and allows people to age in place.
- Delivering required infrastructure in a timely manner and implementing a mechanism to fund this infrastructure.
- Stronger emphasis on climate change risk mitigation in settlement planning and built form.
- Protection of the Mornington Peninsula Green Wedge.

The release of the housing targets followed the earlier Victoria Housing Statement's ambitious goal to address the state-wide housing crisis. The draft housing target for the Shire is 24,000 dwellings by 2051. This represents 888 new homes per year over 27 years. This figure is more conservative than the planned capacity under Council's adopted Housing and Settlement Strategy and proposed Planning Scheme Amendment C219morn (1,200 new homes per year for 15 years from 2025)

and is considered achievable.

5.5.2. Parliamentary Inquiry into VPP Amendments VC257, VC267 and VC274

In May 2025, Council retrospectively endorsed a submission to the Victorian Legislative Council Select Committee's (SC) Inquiry about VPP Amendments VC257, VC267 and VC274. Details of the changes implemented by the subject amendments is provided in Section 5.1.

Specifically, the Inquiry was set up to consider and report on whether the three amendments give proper effect to the objectives of planning in Victoria and the planning framework, as set out in section 4 of the P&E Act.

Council's submission focused on Amendment VC267 which implemented the 'Townhouse and Low-Rise Code' to the VPPs. The other two amendments were determined to have minimal impact on the Shire as detailed in Section 5.1.

Council's submission asserted that VC267 does not appropriately balance the objectives of planning in Victoria because of:

- Inappropriately reduced community influence over local planning and development outcomes.
- Inability to consider known environmental risks in planning decisions.
- Loss of local neighbourhood character controls which will not necessarily deliver more housing.
- Reduction in ESD standards.
- Other administrative issues that will hamper the ability to deliver better planning decisions faster.

Council sought specific changes to VC267, namely to:

- Reintroduce the ability for councils to apply more restrictive local controls for street setbacks, site coverage, private open space, permeability, landscaping, side and rear setbacks and boundary walls.
- Require any local variations to zone schedules to go through a full planning scheme amendment approved by the Minister.
- Allow decision-makers to consider known environmental risks by removing exemptions in Clause 55 and Sections 60 and 84B of the P&E Act.
- Remove the Clause 55 exemption that stops consideration of Section 84B of the P&E Act.
- Increase ESD standards to match those used by councils with existing ESD policies.

- Review standards (like tree canopy requirements) to ensure they are practical and easy to implement.

Council also raised concerns with the inadequacy of consultation prior to the implementation of the amendment, as well as it's substantial impact to major elements of Amendment C219morn which was well progressed at the time VC267 came into effect.

5.5.3. Parliamentary Inquiry into Securing the Victorian Food Supply and Parliamentary Report

In April 2024, Council made a submission to the Victorian Government's Parliamentary Inquiry into Securing the Victorian Food Supply. The purpose of the Inquiry was to examine the impacts of urban sprawl and population growth on arable land and the farming industry in Victoria. In its submission, Council welcomed the inquiry and impressed upon it that a resilient food supply system of land and access to markets for a growing Melbourne is inextricably linked to the protection and improvement of non-urban land in the Green Wedges and the peri-urban areas of Melbourne. The protection of this land has been a Victorian Government commitment since the release of Plan Melbourne in 2017. From that time, Council has engaged in subsequent projects to deliver the commitment and has raised concerns and proposed solutions for policy guidance and legislative changes. Council advised that its submission to the P4GWAL consultation paper in 2021 and remains relevant as it emphasises the continuing external pressures for urban expansion, and internal pressures of uses and developments that threaten the role, function and character of Green Wedge and peri-urban areas. This matter is also separately discussed below.

5.5.4. Planning for Melbourne's Green Wedges and Agricultural Land Action Plan (P4GWAL)

Council wrote to the Minister following the release of P4GWAL in March 2024. While providing broad support for the Action Plan, Council requested that the State Government work with the Shire and other affected councils when implementing any new planning reforms.

As previously noted in this Review, Council provided in-principle support for the following actions, subject to the details of their implementation:

- a new planning scheme overlay for key irrigated agricultural areas (Action 2)

- a new regional policy to preserve future opportunities for irrigated agriculture around Melbourne (Action 4)
- update agricultural planning policy to better protect agricultural land within 100 kilometres of Melbourne (Action 5)
- develop a Planning Practice Note for applications within agricultural areas (Action 6)
- update Planning Practice Note 31 'Preparing a Green Wedge Management Plan.' (Action 10)
- develop a new Planning Practice Note for urban-rural interface areas (Action 11)
- introduce mandatory site coverage, setbacks and building heights for discretionary uses in the Green Wedge Zone (Action 13)
- prohibit new data centres in the Green Wedge Zone (Action 15)
- new permit triggers for soil dumping and a new land use term for 'community hall' (Action 19 & 20).

Council also requested the following improvements:

Action	Council Comments
No.1 - Introduce a new planning scheme overlay to protect key irrigated agricultural areas in Werribee and Bacchus Marsh	The proposed overlay could apply to areas with current or potential to secure water supply. Funding for the Tyabb–Somerville Recycled Water Scheme is strongly supported as a way to boost the Mornington Peninsula's agricultural economy and improve climate resilience for food production.
No. 7 - Strengthen the 'right to farm' by expanding the 'agent of change' principle within 100 kilometres of Melbourne	Caution is advised when developing controls that may have unintended consequences such as conflict with conservation and landscape objectives for the Mornington Peninsula Green Wedge.
No. 9 - Update planning policy to emphasise the non-urban values, purpose and character of the green wedges.	Council supports protecting all agricultural land, while acknowledging that areas with especially productive soils should carry greater weight in planning decisions. It also believes the PPF should reflect the unique characteristics of each Green Wedge.
No.12 - Review and update decision guidelines and application	It is the Council position that dwellings in the Green Wedge should only be approved when

Action	Council Comments
requirements for planning applications within green wedge zones	they demonstrably support agriculture or natural systems.
No.14 - Increase flexibility for primary produce/farm gate sales	This is highlighted as a complex issue that requires further consultation before any planning scheme changes are made. On the Mornington Peninsula, farm-gate sales play a key role in supporting small-lot agriculture, promoting sustainable practices, and strengthening local food networks by allowing producers to capture more value.
No. 16 - Prohibit subdivision of small lots below the minimum lot size in some zones within 100 kilometres of Melbourne.	There is a need to stop land fragmentation caused by subdivision and re-subdivision. The earlier P4GWAL paper considered tenement controls to limit multiple dwelling entitlements on contiguous small lots, however the current Action Plan does not address this.
No. 17 - Insert new conditions for exhibition centres, group accommodation and hotels in green wedge zones.	More comprehensive planning policy is needed for tourism uses, wineries, and rural worker accommodation in Green Wedge areas, along with clearer definitions of what counts as 'ancillary' use.
No. 18 - Strengthen the link between host farm accommodation and operating agricultural properties	Council supports defining a 'Host farm' in planning controls. It does not support Host Farms as uses which do not require a planning approval. New controls to limit the scale of accommodation in line with farming activities would also be supported.

Finally, Council noted that P4GWAL does not address the issue of residential caravan parks in the Green Wedge, which is a significant issue for the Shire. These uses can become semi-urban, displace agriculture, and limit neighbouring land's agricultural or conservation potential. Support was expressed for their exclusion in the Green Wedge in favour of this use being directed to areas within the UGB.

5.5.5. Victoria's draft 30 year Infrastructure Strategy

In March 2025, the State Government released a draft version of Victoria's Infrastructure Strategy 2025-2055 for broad community and stakeholder consultation.

In April 2025, Council endorsed a submission to the draft strategy which provided support for most of the 43 recommendations covering the following key themes:

- More housing and social infrastructure - to address growing demand and enabling inclusive communities.
- Strategic planning and governance - to improving long-term decision-making and coordinated regional planning.
- Climate, environment and resilience - strengthening coastal management, biodiversity protection and climate risk preparedness.
- Better access to government and community facilities - improving service equity for peninsula communities.
- Transport improvements for growing communities - enhancing connectivity, reducing congestion, and supporting active and public transport.
- Health and wellbeing investment - supporting community health services, mental health initiatives and recreation opportunities.
- Energy transition and reliability - supporting renewable energy, grid stability and future focused energy planning.

Additionally, the submission advocated for the inclusion of road safety infrastructure recommendations in the draft strategy, to assist with the implementation of the Victorian Road Safety Strategy 2021-2030 and its key goal to halve road deaths by 2030.

Recommendation:
Refer to Recommendation 6.

5.5.6. Child care centres in industrial zones (future advocacy)

Shire officers have observed that a Child care centre is a permissible land use in an industrial zone, however there is no clear strategic or policy rationale for this within the VPPs.

This land use is permissible across IN1Z, IN2Z and IN3Z and this appears to be for historical reasons rather than an intentional planning outcome. When the VPPs were introduced in 1997, Child care centre was a standalone land-use term and was not listed in any industrial zone land use table. It therefore defaulted to a Section 2 use because it was not otherwise categorised and this position has simply persisted over time and was not substantively reviewed when VC150 (2018) later nested Child care centre under Education centre.

Industrial zones, including IN3Z, are designed to protect and facilitate industrial operations and to maintain adequate separation between industrial activities and

sensitive uses. A Child care centre is unquestionably a sensitive land use due to the presence and vulnerability of children and the long term congregation of people on site. Locating such a use within an industrial setting conflicts with State policy directions that seek to:

1. avoid introducing sensitive uses that may be adversely affected by off site impacts such as noise, odour, dust and hazardous air emissions (Clauses 13.05-1S, 13.07-1S)
2. protect industrial land from encroachment by non industrial uses (Clause 17.03 1S).

The purpose of the IN3Z - to "provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities" - implicitly anticipates that sensitive uses exist outside an industrial area, not within it. Therefore, allowing a Child care centre inside an industrial zone directly undermines this buffering purpose.

Additionally, Council's adopted Industrial Areas Strategy further emphasises the importance of preserving industrial land for industrial and compatible commercial uses, and identifies an ongoing shortfall in industrial land supply. A Child care centre does not form part of an industrial land use framework, nor does it support industrial productivity or land supply objectives.

In light of the above context, Council will advocate to the State Government to investigate prohibiting Child Care Centre uses from Industrial Zones and implementing any changes across the VPPs.

Recommendation:

16. Advocate to the State Government for appropriate changes to the VPPs to prohibit Child Care Centre uses from industrial areas.

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6. Local Strategic Context

6.1. Localised Planning Statement

While not new, the MPLPS remains a key strategic document approved and introduced by the State Government, with the strong support of Council. Largely incorporated into the Planning Scheme by Amendment C279morn (PPF translation), the Statement continues to ensure that the unique character and identity of the Mornington Peninsula is properly recognised and protected at the State level. In effect, introduction of the Statement elevates and solidifies the distinctive role and value of the Peninsula to the State of Victoria.

Significantly, Ministerial Direction No.17 – Localised Planning Statements – clarifies that such statements have an important role in decision-making. The MPLPS expressly recognises that:

> *The Mornington Peninsula will be planned as an area of special character and importance with a role distinctly different from and complementary to metropolitan Melbourne and designated growth areas.*

Critically, the Statement reinforces the view that the Peninsula will not accommodate major population growth, with the UGB and Green Wedge rural areas to be maintained and protected. Townships are expected to accommodate at most moderate and generally low levels of housing growth, with many smaller towns and villages intended to accommodate very limited further development.

The Statement acknowledges that the key to successful integrated planning of the Peninsula is the establishment of a strong and consistent overall policy framework, including the use of mandatory controls and standards where necessary. A key element of implementing the framework is via Amendment C219morn and the significant strategic work concerning housing capacity, settlement and neighbourhood character completed to support this amendment. Similarly, further detailed strategic work regarding green wedge management and environmental risks will contribute to the ongoing application of the MPLPS.

6.2. Council Plan 2025 - 2029

Council's primary governance documents required under both the *Local Government Act 2020* and *Health and Wellbeing Act 2008*; are the Council Plan

2025 – 2029 and the Public Health and Wellbeing Plan 2025 - 2029. The Plans were developed through ongoing community consultation and engagement and were formally adopted by Council in August 2025. The P&E Act requires the Planning Scheme to be consistent with both these plans.

The plans sit alongside each other and share the same Community Vision and four key themes that form Council's priority areas.

Themes	
1. Place	Celebrate, protect and enhance our unique blend of coast, hinterland, Green Wedge and connected villages and townships.
2. People	A safe, accessible, inclusive and engaged community that fosters our diverse culture, supporting health and wellbeing and a connected and compassionate society for all.
3. Prosperity	Enabling balanced growth through innovation, empowering community groups and volunteers, and fostering a resilient, thriving and vibrant local economy.
4. Performance	A transparent, accountable council delivering measurable, community-centred services that are cost-effective, fit-for-purpose, future-proofed and responsive to community needs.

Specifically, the Council Plan includes Strategic Objectives and associated Strategies that support each of the key themes. The 'Place' theme is most relevant to the Planning Scheme and includes the following:

- Strategic Objective 1.1: Protected, resilient and enhanced natural environments.
    - Strategy 1.1.4 - Support the ongoing protection of the Green Wedge to maintain its environmental, agricultural, recreational and tourism value
- Strategic Objective 1.2: Connected townships with integrated and accessible transport and well-maintained infrastructure.
    - Strategy 1.2.1 - Plan and regulate responsible development to accommodate future growth while maintaining neighbourhood character

Sections 3.3 (Planning Scheme Amendment completed) and 3.4 (Planning Scheme Amendments underway) of this report, as well as the following Sections 6.3 (Strategic Documents Adopted by Council since 2023 Review) and 6.4 (Current

Strategic Planning Projects) provide an overview of the wealth of strategic work which helps implement these Council Plan objectives.

6.3. Strategic Documents Adopted by Council since 2023 Review

The following strategic documents are adopted positions of Council. Some of the documents and their strategic objectives are already incorporated into the Planning Scheme; while others require a planning scheme amendment or further work before they can be implemented (if required).

6.3.1. Coastal Hazard Vulnerability and Risk Assessment Guidelines (August 2024)

The Coastal Hazard Vulnerability and Risk Assessment Guidelines were adopted by Council in August 2024 and were prepared in response to a recommendation of the independent Planning Panel for Amendment C271morn (Western Port Coastal Villages and Surrounding Settlements Strategy). This Panel recommended that Council develop guidance material for applicants to clarify the purpose, methodology and outcome intended for CVHAs.

The Guidelines and supporting information provide clarity about the expectations for CHVRAs. Specifically:

- The Guidelines provide clarity about the intended purpose and outcomes of a CVHRA, including the required criteria and methodology for their preparation by qualified coastal engineers or coastal process specialists.
- The supporting information will assist statutory planners in assessing and determining planning permit applications where a CHVRA is required, including ensuring submitted CHVRAs address the appropriate criteria.

No changes are required to implement the Guidelines into the Planning Scheme.

6.3.2. Built Form Review, Ocean Beach Road Sorrento (May 2024)

The Built Form Review, Ocean Beach Road Sorrento modelled and tested various development scenarios to justify the application of permanent mandatory building design controls to protect the highly valued character of Sorrento's Ocean Beach Road commercial precinct.

Specifically, the Review:

- analysed the Sorrento Activity Centre's planning, physical and historical context, lists the overall opportunities and constraints that inform potential growth and future built form outcomes in the Activity Centre
- provided 3D modelling which demonstrates potential future built form outcomes within the Activity Centre
- tested various building heights, building setbacks and development scenarios as viewed from several key vantage points throughout the Activity Centre
- analysed various components of the Activity Centre, including the Ocean Beach Road streetscape, heritage buildings, the Morce Avenue interface, the 3293-3295 Point Nepean Road site (former East sub precinct), side streets, and residential interfaces to commercial development.

Amendment C286morn, gazetted in January 2026, implemented the key recommendations of the Built Form Review, Ocean Beach Road Sorrento.

6.3.3. Community Facilities Infrastructure Strategy 2024–2034:

This Strategy provides Council with the strategic framework to create, support and maintain a network of community facilities that effectively and equitably meet the community needs now and into the future. The Strategy includes an overarching vision for the provision of community facilities, supported by guiding principles, strategic objectives and implementation actions. A review of the Strategy indicates that there are no implications for the Planning Scheme, with actions from the Strategy not required to be imbedded in planning controls.

6.3.4. Pedestrian Access Strategy 2024-2034

The revised Pedestrian Access Strategy was adopted by Council in 2024. It identifies a strategic walking network for the Shire that provides safe pedestrian movement to key destinations in the Shire and is accessible to all users. This network is called the Principal Pedestrian Network (PPN). The strategy will be used to prioritise the planning and delivery of footpaths and associated pedestrian infrastructure. While this Strategy help support the accessibility of townships in line with policy objectives of the scheme, it does not have direct implications in terms of changes for existing policy or controls in the Planning Scheme.

6.3.5. Urban Forest Strategy 2024-2034

The Urban Forest Strategy adopted by Council in 2024 sets out the overarching vision and strategic objectives for the Shire's distinctive urban forest, including how

it will be protected, managed and enhanced into the future. The Strategy guides and coordinates the Shire's investment in maintaining, enhancing and expanding vegetation and trees in the urban areas of the Mornington Peninsula to support a healthy community and environment for current and future generations.

The Strategy includes specific actions which link to strategic projects including:

- the finalisation of Amendment C219morn to implement the Housing and Settlement Strategy and Neighbourhood Character Study
- the review of environment and landscape overlays, as outlined in the Biodiversity Conservation Plan
- continuing advocacy to the State Government for the review of bushfire policy, planning controls and mapping to prevent unnecessary and inappropriate clearing of vegetation.

6.4. Current Strategic Planning Projects

Below is an overview of key strategic projects presently underway and nearing completion, which may have future implications for the Planning Scheme.

6.4.1. Review of Residential Height Planning Controls

Amendment C219morn (which seeks to implement Council's adopted Housing Strategy and Neighbourhood Character Study) originally proposed to remove several planning permit triggers or exemptions associated with dwelling heights and instead rely on default mandatory maximum controls in existing overlays or proposed NRZs. The intent of these changes was to reduce red tape to make it easier to deliver housing outcomes, given most residential areas where mandatory controls apply limit development to two storeys, and the difference between discretionary and mandatory height limits in these areas is often only 1 metre.

However, following exhibition of Amendment C219morn, Council resolved to retain these building height provisions in response to community and stakeholder concern that their removal would negate the ability to assess built form impacts on view lines, tree canopy lines and view sharing between dwellings. In doing so, Council committed to undertake a separate strategic review of these existing permit triggers based on the preparation of landscape assessments.

Consistent with this commitment, in 2023, Council commissioned the 'Review of Residential Height Planning Controls' project. This project seeks to ensure that future residential built form protects the distinctive and significant landscapes of

the Mornington Peninsula, while appropriately managing reasonable view-sharing to valued landscapes and waterbodies. The project includes:

- landscape assessments to identify sensitive areas and key characteristics
- a review of existing residential planning provisions related to wall and building heights, slope, ridge and cut-and-fill within the Planning Scheme.

The project will include stakeholder engagement and community consultation and will deliver recommendations about whether any changes are required to modify, remove or improve planning controls, including removing any unnecessary planning permit triggers. The project is expected to be completed by 2027 for Council adoption, after which a planning scheme amendment will be prepared to implement the recommendations of the project, as required.

Recommendation:

17. Complete the Review of Residential Height Planning Controls project and prepare a planning scheme amendment to implement the recommendations of the project, as required.

6.4.2. Western Port Futures Project

Western Port Bay is an area of high environmental value and sensitivity with international, national and regional conservation significance. With limited land available for residential and industrial expansion on the Peninsula and the South Eastern region more broadly, this land has the potential to deliver more homes and employment opportunities for the whole region, within the UGB.

The Western Port Futures project aims to establish a clear, evidence-based plan for the long-term economic future of this region, which will assist Council's ongoing advocacy to the State Government for the release and proper planning of surplus Port-related land (currently zoned SUZ1) for alternative uses.

As noted earlier in this Review, Council has long advocated for the release, and precinct-scale planning, of surplus land that will not be needed for Port development to unlock the potential of this region and provide much needed land for housing, employment, agriculture and conservation – supporting Hastings, Somerville, Tyabb, Bittern and Crib Point townships.

The Western Port Futures project includes reviewing SUZ1 land and developing a high-level land use plan which identifies Council's preferred areas of SUZ1 that should be released, and the preferred mix of land uses for each area, including tourism/recreation/commercial, agriculture/rural industry, industry, housing and open space/conservation. As part of this exercise, consideration will be given to:

- The commercial significance of the Port of Hastings which presents opportunities for economic benefits across several neighbouring municipalities, which must be balanced with protecting Western Port Bay's unique environment.
- The need for buffers areas to ensure the core areas of remaining port-related land are not 'sterilized'.
- Council's adopted Industrial Areas Strategy (2018) which recognises the need to address a growing shortfall of vacant industrial land on the Peninsula.
- Council's adopted Industrial Land Use & Infrastructure Assessment & Rezoning Strategy (2020) which identifies Hastings as the preferred location for future industrial land.
- Council's Food Economy and Agroecology Strategy (2022) which supports protection of high value agricultural land, recognising significant areas of such land exist within the Westernport region.
- Council's Economic Development & Tourism Strategy – A Thriving Peninsula 2033 which recognises the potential for surplus SUZ1 land for alternative uses, including those that support the potential development of a new energy economy.

6.4.3. Victorian Renewable Energy Terminal EES

The Victorian Government has previously chosen the Port of Hastings as the site for the Victorian Renewable Energy Terminal (VRET), a specialised assembly port that will support construction of the State's first offshore wind farms. This terminal is considered essential to meeting Victoria's goal of net-zero emissions by 2045. It will be built at the Old Tyabb Reclamation Area and within nearby marine areas between Esso's Long Island Point jetty and BlueScope's wharves.

This proposal was previously rejected by the Federal Government in 2024 for unacceptable environmental impacts, however it is now being reconsidered through a formal Environment Effects Statement (EES) process.

Council lodged a submission in July 2025 to the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) during the public exhibition of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) referral documentation for the VRET. The submission recommended the project be determined a 'Controlled Action' to ensure a comprehensive and transparent assessment of potential environmental impacts.

Following the public exhibition period, DCCEEW determined that the proposed VRET project is a Controlled Action under the EPBC Act. This decision meant that the

project is likely to have a significant impact on matters of national environmental significance and must therefore undergo environmental assessment under the EPBC Act before it can proceed.

The project will be assessed under the bilateral agreement between the Commonwealth and the State of Victoria, which accredits the Victorian EES process to serve as the assessment process for the purposes of the EPBC Act. The bilateral agreement allows for a single, integrated assessment process to be undertaken by the Victorian Government. This removes duplication between State and Federal processes and ensures that environmental matters relevant to both jurisdictions are considered concurrently.

Council will continue to participate in the DTP led EES process as it progresses, noting that a planning scheme amendment will be required to facilitate the development if it is approved. It is understood that the amendment will be implemented by the Minister, with the Minister to be the Responsible Authority – not Council.

Recommendation:

18. Continue to respond to the VRET EES processes as required.

6.4.4. Environmental Risk Data and Advocacy

As highlighted earlier in this Review, recent reforms to the VPPs (specifically Amendment VC267) removed the ability for known environmental risks and constraints to be considered when assessing residential development applications under Clause 54 and 55 of the Planning Scheme unless the risks are formally recognised in the Scheme. Similarly, VCAT has made several key decisions confirming that environmental risks not captured by a corresponding planning control within the Planning Scheme cannot be taken into account as a 'relevant matter' in decision-making.

It is therefore critical that all known environmental risks are appropriately captured within the Planning Scheme to ensure developments are safe. Council has already advocated to the State Government for assistance in fast-tracking the implementation of environmental risk controls, including seeking:

- **A new method for introducing and updating environmental risk land management overlays in Planning Schemes.** Council noted that many councils have data about environmental risks which have not yet been translated into planning controls, and it can take many years to amend a

planning scheme to introduce such data – especially when the amendment applies to extensive areas and proposes controls which may restrict the development potential of private property or increase development costs. To ensure the best available data is translated into appropriate planning controls in the most timely and efficient manner, Council requested that the planning system be updated as per Recommendation 10 of the Municipal Association of Victoria (MAV) April 2025 Submission in response to the Victorian Government's review of the P&E Act. That is, a new method should be introduced which provides for:

- One amendment, exhibition, panel and adoption per strategic exercise (e.g. per catchment or per coastal region).
- The relevant Minister or delegate being the planning authority.
- The amendment being considered by a specialist standing panel.
- Affected councils, being the primary administrators of municipal planning schemes, being guaranteed opportunities to make submissions.

This approach would ensure future planning decisions appropriately consider risks, based on best available data. In turn, we can increase our community's resilience to known environmental hazards which are growing in severity as our climate continues to change.

- **Amend Planning Schemes to allow councils the ability to consider known environmental risks such as flooding, contaminated sites, pipeline buffers, erosion and landslip, etc. where no corresponding overlay yet applies.**
  Council flagged its concerns about recent reforms to the VPPs, such as introduction of the new Townhouse & Low-Rise Code (VC267) and Single Dwelling Code (VC282), which expressly exclude the consideration of environmental risks for residential development within a Residential Zone. Prior to VC267 and VC282, Council relied on State and Local Planning policy, and in particular the decision guidelines in the PPF, Clause 65 and Section 60 (1) (b), (e), (f), (1A) and (1B) of the P&E Act, to consider these risks. This is no longer the case as Clause 54 and 55 now explicitly state that these matters cannot be considered. The inability of councils to consider known environmental risks has obvious and significant potential implications for the safety of the community, land use and development outcomes. The VPPs, such as the Residential Zones, should therefore be amended to reintroduce consideration of environmental hazards so that planning decisions properly account for matters which may otherwise put lives and property at risk.

Alongside this advocacy, Shire officers have analysed various environmental risks that are not yet captured within the Planning Scheme to determine what further work is required to inform future planning scheme amendments to mitigate and manage the risks, as well as identify where State Government intervention is required to implement new controls where they are responsible for collecting and maintaining the relevant data. This analysis includes identifying:

- what information or data is currently available for each risk
- how the risk is currently managed
- what information is required to support a planning scheme amendment
- who is responsible for collecting and maintaining the relevant data
- legislative requirements and the appropriate planning response.

The following sections outline a recommended approach to addressing environmental risks, recognising work already committed by Council and currently underway. Many of the actions below will be a high priority for Council over the next 1-2 years.

6.4.5. Landslide risk assessment

In October 2025, Council endorsed and commenced a three-stage approach to landslide risk assessment and introduction of planning controls to mitigate the risks, as outlined below.

- **Stage 1 – Amendment C312morn – Complete**

  Planning Scheme Amendment C312morn (January 2026) introduced a new EMO7 – High landslide susceptibility areas and applied it to all land previously identified as highly susceptible to landslides but not already covered by an existing EMO. EMO7 is an interim control that will cease to have effect in January 2027.

  The urgent introduction of this interim control was recommended by the Board of Inquiry into the McCrae landslide in their final report dated 9 September 2025. The Minister also wrote to Council requesting that the recommendations for implementing an interim EMO be undertaken without delay, otherwise she would consider using her powers under the P&E Act to intervene.

  The introduction of the control ensures that Council has the proper planning and legal basis to consider landslide risk when development is proposed, given the recent planning reforms discussed earlier in this report. It also provides more transparency to the community in understanding where landslide risks may be present.

Cardno Lane Piper's Landslide Susceptibility Assessment, Mornington Peninsula Shire, Victoria (2012) (Cardno 2012 Report) formed the strategic basis for the EMO7 as the best available scientific data for the Shire.

- **Stage 2 – Amendment C314morn – Underway**

  The Shire has engaged an engineering and planning firm to undertake a review of the strategic basis, ordinance, and mapping for EMO7. It may also make recommendations about other existing EMO schedules. The outcome of this review will include recommendations for improved EMO7 mapping (recognising that existing mapping contains anomalies) and updated EMO7 ordinance that ensures that planning permit applicants are only required to provide the appropriate level of geotechnical information to minimise regulatory burden.

  To ensure these improvements are actioned as soon as possible, it is expected that Council will submit a request to the Minister requesting that she use her powers under section 20(4) of the P&E 1987 to approve the amendment while exempting herself from carrying out the usual public notice requirements – as was undertaken for Amendment C312morn. It is proposed that the EMO7 will continue to be an interim control while Stage 3 is underway.

- **Stage 3 – New Shire-wide landslide susceptibility study and future planning scheme implementation – Underway**

  The Shire is in the process of engaging a geotechnical firm to carry out a new Shire-wide landslide susceptibility study, to supersede the Cardno 2012 Report as the basis for Shire-wide landslide planning controls. The new study will respond to the latest set of Australian Geomechanics Society guidelines for landslide susceptibility and risk zoning and land-use planning; new developments, technologies, precedents in carrying out such work; and any new State-government issued guidance in conducting such studies for the purposes of land-use planning. It is expected that this study may take 1-2 years to complete.

  A further planning scheme amendment will then be required to implement the recommendations of the new study. The amendment will provide for an updated suite of permanent EMOs, including replacing existing interim controls.

  It is expected that this amendment will follow the usual public exhibition process, including providing the opportunity for landowners and stakeholders to formally lodge submissions which would then be considered by an

independent Planning Panel. This amendment is likely to take an additional 1-2 years to complete.

Recommendations:

19. **Continue to progress Amendment C314morn to refine existing mapping and ordinance for Erosion Management Overlay – Schedule 7 (High landslide susceptibility areas) as a high priority.**
20. **Continue to progress a new Shire-wide landslide susceptibility study, and prepare a planning scheme amendment to implement new permanent Erosion Management Overlays, including replacing existing interim overlays**.

6.4.6. Flood prone areas

Flooding can have a wide range of impacts with long term consequences for the community, including damage to homes and infrastructure; road closures, traffic congestion and disruption to services; social and personal costs such as loss of possessions, stress and illness. Flooding can also harm the environment, through habitat loss, spread of invasive species, long term ecosystem changes, shore erosion, increased salinity to soils and freshwater sources, and water pollution.

The Special Building Overlay (SBO) is commonly used by municipalities to identify areas prone to overland flooding and to set appropriate conditions and floor levels to address any flood risk to developments. The MPPS does not presently comprise the SBO. As such, the risk is currently managed by Building Regulations 153 and 154 which require development proposals on flood prone land to be assessed by Melbourne Water. A building permit cannot be issued until flood risk has been considered. That is, overland flooding risk is not being addressed at the planning stage, but rather the building permit stage. This can create issues for applicants who may have to amend development proposals if they did not seek a flooding report and consent before finalising development plans. The mapping of Regulation 153 and 154 can be found online but is outdated and given the changes to the VPPs removing Council's ability to consider environmental risks, it is important that flood prone data is integrated into the Planning Scheme as a matter of high priority.

Melbourne Water, with the support of Shire officers, have recently completed a program of updating flood mapping of each of the Shires' water catchments. This data includes flood extents, flood depth points and flood hazard layers for present day and 2100 climate change scenarios. The draft flood mapping is due to be

publicly released for review and consultation in late 2026. Following community consultation, Melbourne Water, in collaboration with Shire officers will finalise the flood prone mapping and the preparation of a planning scheme amendment to manage flood risk, commencing in mid-2027. Changes to the Planning Scheme may include revised and/or new planning overlays and decision-making requirements. The amendment will be led by Melbourne Water which Council understands is in discussions with DTP about options to fast-track implementation of the new controls.

Costs and resources for Council to manage this risk are therefore expected to be low as Melbourne Water are responsible for all aspects of producing the data and preparing and implementing the planning controls to managing flood prone risks. It is anticipated that the Minister will be responsible for all State-led flood related planning scheme amendments. Therefore, financial impacts on the Shire will be limited to officers continuing to engage with Melbourne Water and play a supporting role throughout the amendment process.

Recommendation:

21. Continue to support Melbourne Water and the State Government to implement new and updated planning controls for flood prone land based on updated catchment modelling prepared by Melbourne Water.

6.4.7. Sea level rise (Port Phillip and Western Port Bay)

Climate change is intensifying storm events and coastal flooding, making these events more common. The risk to life and property from sea level rise is currently considered moderate but increasing and occurs primarily during storm surges and extreme tide events.

Council has already implemented planning controls along the Western Port Bay coastline addressing erosion and inundation risks posed by sea level rise based on the Western Port Bay Local Coastal Hazard Assessment (WPLCHA) (2014). EMOs and Land Subject to Inundation Overlays (LSIOs) were implemented via Amendment C216morn and C271morn. However, controls are yet to be applied along the Port Phillip Bay coastline, noting that the Port Phillip Bay Coastal Hazard Assessment (PPBCHA) was released in 2024, and Council has been jointly advocating via the Association of Bayside Municipalities (ABM) for the State Government to implement corresponding controls noting the regional impact of the data. Council continues to support this approach as the most cost-effective and expedient means of implementing what is State Government owned and produced data.

Nevertheless, as part of preparing Council's new Our Coast Our Future Coastal Strategy, the Shire now has one uniform set of storm tide inundation hazard data based on an analysis of data from three existing coastal hazard studies, namely the PPBCHA, WPLCHA and the Future Coasts Program (2009). This consolidated dataset has been provided to DTP. However, following the changes made by the Townhouse and Low-rise Code, the Shire is unable to formally request applicants to provide Coastal Hazard Vulnerability Risk Assessments for development proposals on the basis of this data.

Given the State significance of managing the risk of sea level rise, the data is State Government data, and that it impacts all local coastal councils, it is recommended that Council continue to advocate for the Minister to implement the PPBCHA via a Ministerial amendment. Likewise, when the revised WPLCHA is released, it is recommended that Council advocate to the Minister to implement any necessary changes to planning controls on behalf of local government.

Recommendation:

22. Continue to advocate for the State Government to implement new and updated planning controls responding to sea level rise hazards (erosion and inundation) based on the best available data held and produced by the State Government including the Port Phillip Bay Coastal Hazard Assessment, Western Port Bay Local Coastal Hazard Assessment, and Future Coasts Program.

6.4.8. Contaminated land and landfill gas buffer areas

The *Environment Protection Act 2017* requires landfill risks to be eliminated or reduced as far as reasonably practicable with operators required to manage waste, pollution, and obtain EPA permissions.

There are eleven identified legacy (former) landfill sites on the Peninsula with known data and risk assessments. These legacy sites are considered low risk as the gas is contained to the site and only pose a risk to life if disturbed.

Planners currently assess the risk of applications within the EPA standard 500 metre buffer of a landfill site and request further information before works can commence. Applications within the buffer are scored based on the proposal and landfill characteristics—size, type, and age. The overall score determines if an external landfill expert assessment is required. Clause 65 Decision Guidelines can support a further assessment request; however, this requirement is exempt under the new Clause 54 and 55 provisions. As such, it is recommended that a planning scheme amendment introduces the Environmental Audit Overlay (EAO) and or

Buffer Area Overlay (BAO) to these sites to simplify the requirements for development.

Risk assessments of these sites were completed in 2022 and are considered sufficient to strategically justify the application of the EAO, however they are yet to be adopted by Council. Additional resources and funding are required to finalise the application of the EAO, determine the extent of the BAO areas and prepare the planning scheme amendment. An additional legacy site still requires a risk assessment once access is granted by Parks Victoria.

There are also a range of privately owned properties across the Peninsula that comprise contaminated land. To ensure land contamination is considered as part of future development applications on these sites, an EAO is likely required. Identification of affected properties is a significant undertaking and will require assistance from the EPA and landowners.

Given the above, a staged planning scheme amendment approach is recommended with Council initially seeking to apply the EAO on current and former landfill sites, followed by a request to apply the EAO on all other potentially contaminated land (i.e. privately owned sites). Council in conjunction with the EPA, would then need to obtain specialist advice to determine the utility and appropriateness of using the BAO where landfill gas risk may be present, and any necessary extent of the BAO to be implemented by a further planning scheme amendment. These recommendations should be progressed as a high priority over the next 1-2 years.

Recommendations:

23. Prepare a new planning scheme amendment to apply the Environmental Audit Overlay (EAO) to all current and former landfill sites.

24. Investigate the appropriateness of using the Buffer Area Overlay (BAO) to address landfill gas risk, and prepare a new planning scheme amendment to implement the BAO if required.

25. Prepare a new planning scheme amendment to apply the Environmental Audit Overlay (EAO) to all privately owned contaminated sites across the Peninsula, with the assistance of the Environment Protection Authority and landowners.

6.4.9. Coastal acid sulfate soils (CASS)

The Department of Energy, Environment and Climate Action has data pertaining to Victorian coastal lands which have the potential to contain coastal acid sulfate soil (CASS). CASS occur naturally in coastal and inland settings such as Tootgarook Wetlands and areas along Western Port Bay. Disturbing CASS through excavation

or drainage can result in acid production, which has environmental, health, engineering, social and economic impacts. The risks are low and generally managed through the National Construction Code however standard soil testing is not sufficient to identify CASS. The Planning Scheme currently includes a requirement for a CASS assessment in Schedule 31 to the Environment Significance Overlay and Schedule 9 to the Special Use Zone.

The Victorian Coastal Acid Sulfate Soils Strategy 2009 and the Victorian Best Practice Guidelines for Assessing and Managing Coastal Acid Sulfate Soils (BPMG) are included as policy documents to Clause 12.02 Marine and Coastal Environment of the PPF which seeks to 'avoid disturbance of coastal acid sulfate soils'. The Guidelines assist landowners, developers, planners and decision makers with identifying the risk and management of proposed developments near or on potential CASS. However, the geographic extent of CASS is unclear with various websites showing different levels of CASS. Area specific analysis of CASS is prohibitively expensive for local governments to undertake so a consistent State-led approach could determine areas of high risk and the appropriate planning tool.

The Strategy committed the Victorian Government to "determine the most appropriate mechanisms for CASS risk management in the Victorian planning system…(and)… facilitate implementation across the state". It is therefore recommended that Council advocate for the Minister to ensure this work is undertaken. Council has already raised the need for planning controls to address CASS issues in letters to the Minister.

Recommendation:

26. Continue to advocate for the State Government to implement new and updated planning controls, and/or appropriate changes to the Building System, to address Coastal Acid Sulphate Soils based on the best available data held by the State Government.

6.4.10. Major high pressure pipelines

The Australian Pipeline & Gas Association maintains an online database accessible to Government Agencies and Councils, known as the Australian Pipeline Database (APD). The APD identifies the location of pipelines and contact details for the relevant pipeline operators. Most of the major pipelines on the Peninsula are located to the Western Port side of the Peninsula in support of the Port of Hastings.

While high-pressure pipelines can pose serious risk to life, property, and the environment if disturbed, the risk is currently well managed with large notification buffers and therefore low likelihood of disturbance. In addition, strict laws exist for the construction and operation of these pipelines.

Currently, Section 52 of the P&E Act requires development applications for sensitive uses to notify the relevant pipeline owner/operators. Similarly, the *Pipelines Act 2005* includes restrictions on building on land near pipelines without Ministerial consent.

The way the planning system responds to licensed pipelines was reviewed by the Major Hazards Facility Advisory Committee in 2016 and the Review of Victoria's Electricity and Gas Network Safety Framework in 2017. Significantly, both independent reviews acknowledged a need for a stronger and more consistent approach to land use planning controls around licensed pipelines.

Clause 19.01-3S Pipeline Infrastructure of the PPF requires planning authorities to 'recognise existing transmission-pressure gas pipelines in planning schemes and protect from further encroachment by residential development or other sensitive land uses, unless suitable additional protection of pipelines is provided'. This policy envisages identifying potential conflicts between development and licensed pipelines early in a project lifecycle so rectification can occur at the planning and design stage. However, most Victorian Planning Schemes, including the Mornington Peninsula Planning Scheme do not identify the location of licensed pipelines, and there are insufficient systems in place to ensure pipeline related issues are addressed at the planning stage of a development.

Other councils, such as the City of Latrobe, have recently progressed council-led amendments to address pipeline buffers, however, Shire officers consider that such amendments should be undertaken by the State Government given the assets are of State (or regional) significance and data on the assets is held by Government agencies – not Council. Similarly, with various pipeline operators often seeking different buffering requirements, a State-led approach is required to provide clarity and consistency. Otherwise, councils are left to carry the cost and resource burden of progressing locally led planning scheme amendments that are likely to involve protracted submissions and Planning Panel processes.

It is noted that Energy Safe is working closely with industry and government stakeholders to advocate for a more comprehensive approach to how pipelines are addressed by the Victorian Planning System. It is therefore recommended that Council advocates for the inclusion of pipelines and necessary land use buffers in the Planning Scheme in a statewide BAO via a Ministerial amendment.

Recommendation:

27. Continue to advocate for the State Government to apply planning controls (such as the Buffer Area Overlay) to major high pressure pipeline buffer areas based on data held by State and/or Federal government agencies and Energy Safe Victoria.

6.5. Existing Strategic Documents and Plans

6.5.1. Township Structure Plans

No new township or structure plans have been adopted since the last 2023 Review. Progress reports on the following adopted plans have been completed and reported to Council in July 2024 and December 2025:

- Balnarring Township Structure Plan 2019
- Baxter Township Structure Plan 2019
- Crib Point Township Plan Refresh 2021
- Dromana Township Plan 2018
- Hastings Town Centre Structure Plan 2019
- Mornington Activity Centre Structure Plan 2007
- Rosebud Activity Centre Plan 2015
- Rye Township Plan 2020 and Urban Design Guidelines 2020
- Somerville Township Structure Plan 2019
- Western Port & Coastal Villages Strategy 2019

Further strategic work concerning township plans was flagged in the previous 2023 Review and these recommendations will carry forward to the recommendations of the 2026 Review.

Recommendations:

28. Review the Mornington Activity Centre Structure Plan (2007) and prepare a planning scheme amendment to incorporate the revised Structure plan including changes to local policy or provisions, as required.

29. Prepare township plans for the large townships of Mount Eliza and Bentons Square and prepare a planning scheme amendment to implement the plans, as required.

30. Prepare Urban Design Assessments of all small townships, local centres and convenience centres on the Port Phillip Bay side of the Mornington Peninsula (without specific built form controls) and prepare a planning scheme amendment to update local policies or provisions as required.

31. Consider the need to refresh Council's adopted Activity Centres Strategy (2018) and undertake an amendment to implement the findings and recommendations, including confirming the activity centre hierarchy and activity centre boundaries.

6.5.2. Mornington Peninsula Green Wedge Management Plan (2019)

Council initially adopted the Mornington Peninsula Green Wedge Management Plan (GWMP) in 2018. The GWMP was updated in response to further submissions in April 2019 and identifies a range of actions which Council is continuing to implement.

To date Council has prepared two amendments to implement the recommended review of sites zoned Special Use Zone (SUZ) within the Green Wedge to ensure the overall objectives for the Green Wedge are being met:

- Amendment C270morn proposed to rezone specific sites zoned (SUZ2) to either Green Wedge Zone Schedule 3 (GWZ3), Public Conservation and Resource Zone (PCRZ) or Public Park and Recreation Zone (PPRZ) and delete specific sites from the Schedule to Clause 51.02 (Metropolitan Green Wedge Land: Core Planning Provisions). This amendment was approved with changes.
- Amendment C235morn proposed to rezone land zoned Special Use Zone 4 (SUZ) to the Green Wedge Zone 2 (GWZ2). However, the Minister refused authorisation of this amendment in February 2022.

In terms of policy, the GWMP recommends introducing a 'Dwellings in the Green Wedge Policy' and 'Camping and Caravan Park Outside the Urban Growth Boundary' policy however these have not progressed, noting that issues outlined in these policies are likely to be addressed by pending planning reforms following the implementation of the State Government's P4GWAL Action Plan discussed earlier in this report.

Now that the P4GWAL Action Plan has been released, there are several recommended actions included which the implementation of will need to be monitored to ensure the Peninsula's policy concerns are sufficiently addressed and that the application of Green Wedge policy is clear and consistent across the State. Continued Council advocacy will also be important to ensure the successful implementation of further Green Wedge protections as detailed in the P4GWAL.

In terms of strategic directions, the GWMP does not identify a need to update the MPS. Council's vision was previously updated by Amendment C279morn (PPF Translation) and this vision is included in the Local Planning Statement (LPS) at Clause 02.02 Vision, which currently seeks to:

- protect the Peninsula's landscapes, coastlines, seascapes and rural area, including the scenic values of the green wedge

- retain the Peninsula's agricultural role with a focus on sustainable agriculture.

Similarly, Clause 02.03-1 Settlement seeks to:

- protect green wedge land, maintain the UGB and protect the 'green break' between the Peninsula and metropolitan Melbourne
- maintain rural areas for their environmental, landscape, recreational and agricultural values, and minimise development that could have an adverse impact on these values on land located in the Green Wedge Zone or Farming Zone.

Given what has been actioned above, integration of the GWMP into the Scheme is largely complete. Consideration could be given to referencing the GWMP as a background document to the Planning Scheme when preparing the amendment to implement the Biodiversity Conservation Plan or a future anomalies amendment.

Another key recommendation of the GWMP is preparation of a landscape character assessment of the Green Wedge to ensure future built form maintains the special amenity and scenic value of distinctive landscapes. This action is a substantial undertaking that is yet to be funded or resourced. However, it may not be required pending full implementation of the State Government's P4GWAL Action Plan. Specifically, Action 13 which seeks to introduce mandatory site coverage, setbacks and building heights for discretionary uses in the Green Wedge Zone.

Noting it was adopted by Council in 2019, it is recommended that the GWMP be reviewed and updated by 2029-2030, pending full implementation of the State Government's P4GWAL Action Plan.

SUZ4 legacy zoning

The need for the rezoning of Special Use Zone – Schedule 4 (SUZ4) land located outside of the UGB will also be considered. The GWMP recommends rezoning SUZ4 land within the Tootgarook Wetlands (previously actioned by Amendment C227 - gazetted October 2022), while it also mentions that no additional land be included in the SUZ4. It does not, however, recommend rezoning any other land outside the UGB with this zoning currently.

The SUZ4 zone is considered a 'legacy' zoning whereby its original application to land was to encourage and facilitate the integration of recreational and residential

development in strategic locations. The SUZ4 was applied prior to the introduction of the Green Wedge Zone and is now in conflict with the land use and subdivision requirements of Clause 51.02 (Metropolitan Green Wedge Land: Core Planning Provisions).

As noted in DTP's refusal of proposed Amendment C235morn in 2022, Council cannot solely rely upon the GWMP as the strategic justification for the rezoning of broad areas of SUZ4 outside the UGB. It will therefore be critical to undertake further strategic work to determine the most appropriate planning zoning (Green Wedge Zone or other rural zone) to apply to relevant SUZ4 sites and to identify the preferred land use outcomes for these sites, given their differing land sizes and current land uses. This work would then inform the preparation of a future PSA.

Recommendations:

32. Continue to advocate to the State Government for strong controls to protect the Shire's Green Wedge, including the implementation of specific actions from the Planning for Melbourne's Green Wedges and Agricultural Land ('P4GWAL') Action Plan (2024).

33. Following implementation of the 'P4GWAL' Action Plan, review the need to: a) prepare a planning scheme amendment to implement the 'Dwellings in the Green Wedge Policy' and 'Camping and Caravan Park Outside the Urban Growth Boundary' and b) Undertake a landscape character assessment of the Green Wedge to ensure future built form maintains the special amenity and scenic value of distinctive landscapes following implementation of the 'P4GWAL' Action Plan.

34. Review and update Council's adopted Green Wedge Management Plan by 2029-2030.

35. Complete a review of Special Use Zone – Schedule 4 (SUZ4) land located outside the UGB to determine appropriate alternate rural zoning and land use outcomes, before preparing a planning scheme amendment to implement these findings.

6.5.3. Industrial Land Use & Infrastructure Assessment and Rezoning Strategy

The Industrial Land Use & Infrastructure Assessment and Rezoning Strategy (ILARS) was adopted by Council in September 2020. The Strategy provides an analysis of Special Use Zone (SUZ1) land near the townships of Hastings, Somerville and Tyabb that was identified by the 2018 Port Development Strategy for the Port of Hastings as surplus to Port needs and therefore available for wider industrial uses.

Consistent with the recommendations of Council's adopted ILARS, Council has progressed privately led **Amendment C243morn** to create a new industrial, technology and business park in Somerville. This amendment has now been approved by the Minister and in effect following gazettal on 13 March 2026.

In addition, Shire officers continue to support proponents of privately led **Amendment C294morn** for to rezone a large area of SUZ1 for a new industrial precinct in Hastings. The amendment request is currently being prepared by the proponents and is yet to be formally submitted to Council for assessment.

Recommendation:
Refer to Recommendation 10.

6.5.4. Activity Centres Strategy and Industrial Areas Strategy

The Activity Centres Strategy (Essential Economics 2018) and Industrial Areas Strategy (Essential Economics, 2018) were prepared and adopted by Council in tandem in 2018.

The Industrial Areas Strategy found that the availability of unoccupied industrial land on the Peninsula will decline from 25% in 2015 to 14% of existing supply by 2026, indicating that constraints on industrial land have become imminent and Council now needs to identify alternate supply options. The Strategy identifies several areas, including in Hastings, Somerville and Tyabb as potentially suitable for increased industrial supply, subject to detailed planning and analysis.

The Activity Centres Strategy provides an assessment of retail and commercial floorspace demand and supply on the Peninsula, finding that the Shire has supply for approximately 105,00sqm of new shopfront and commercial floorspace up to 2036. The Strategy revisits the existing hierarchy of activity centres outlined in the Planning Scheme, reaffirming the supremacy of Mornington, Rosebud and Hastings as Major Activity Centres. The Strategy also supports the designation of all Large Townships and Convenience Centres, as well as most Small Townships and Local Centres. However, the Strategy recommends elevating Baxter and McCrae from Local Centres to Small Townships. Finally, the Strategy establishes a renewed set of objectives and actions for activity centres.
The key directions of both the Activity Centres Strategy and Industrial Areas Strategy are yet to be implemented in the Planning Scheme. Before such an amendment is progressed, a refresh of both strategies may be required given the

passage of time and potential changes in economic trends and associated supply and demand of commercial and industrial land in recent years.

Recommendation:

36. Consider the need to update Council's adopted Industrial Areas Strategy (2018) before preparing an amendment to implement its findings and recommendations.

Also refer to Recommendation 31.

6.5.5. Neighbourhood Character Study & Guidelines

Council adopted the Neighbourhood Character Study & Guidelines (Ethos Urban, 2019) in September 2019. The Study seeks to ensure that the valued characteristics of the Mornington Peninsula's residential areas remain protected while accommodating future population growth and providing housing diversity. The Study:

- identifies the character typologies that apply to the Shire's residential areas
- documents the built form elements, vegetation and topographic features that characterise each typology
- develops a set of Preferred Character Statements and Design Guidelines that respond to each typology's built-form elements, vegetation and topographic features.

The Study recommends appropriate planning controls, including zone schedules and changes to, or additional overlays to implement preferred character outcomes across the Shire.

Amendment C219morn seeks to implement the findings and recommendations of the Study in conjunction with the strategic directions of Council's adopted Mornington Peninsula Housing and Settlement Strategy: Refresh 2020-2036, as discussed below. As noted earlier in this report, the amendment was adopted by Council in August 2024 and submitted to the Minister for approval in September 2024. The amendment is yet to be approved, recognising it is likely to be significantly impacted by the State Government's new residential codes which significantly limit the ability to implement locally preferred neighbourhood character outcomes.

Recommendation:

37. Continue to liaise with DTP to facilitate the approval of Amendment C219morn to implement Council's adopted Neighbourhood Character

Study & Guidelines (2019) and Housing and Settlement Strategy: Refresh 2020-2036 (2020).

6.5.6. Mornington Peninsula Housing and Settlement Strategy: Refresh 2020-2036

In July 2020, Council adopted a refreshed version of its Housing and Settlement Strategy known as the Mornington Peninsula Housing and Settlement Strategy: Refresh 2020-2036 (HSS Refresh). The purpose of the refresh was to provide additional clarity on housing directions with more detailed explanation of the many influences and constraints impacting housing growth and delivery within the Shire. The HSS Refresh outlines how future housing and population growth will be accommodated on the Mornington Peninsula to 2036 while ensuring the special values and character of the Peninsula are protected for current and future Victorians.

The HSS Refresh applies to all residential areas and activity centres of the Peninsula within the metropolitan UGB as well as a few small areas zoned General Residential Zone (GRZ) and LDRZ outside the UGB.

The key directions of the HSS Refresh are to:

- recognise the limits to the capacity of the Peninsula and of the individual towns and villages to accommodate further growth
- give priority to the protection of residential character and amenity
- identify and make provision for changing housing needs to the extent that is consistent with the role, character and function of each township and settlement
- determine appropriate change through a consultative process
- ensure that future development is properly supported with infrastructure and services.

The HSS Refresh includes a Housing Change Framework, identifying areas for minimal, incremental and substantial housing change across the Shire, recommending that much of existing GRZ land be rezoned to the NRZ while retaining many existing mandatory controls around subdivision and building heights, as well as the existing 'single dwelling per lot' requirement in some areas of the Shire.

Amendment C219morn seeks to implement the HSS Refresh by proposing substantial changes to zones, overlays and policy affecting all residential areas across the Shire.
The amendment was supported by an independent Planning Panel appointed by the Minister, subject to Council completing additional strategic work to ensure the amendment provides for a 15-year housing supply. The Mornington Peninsula Housing Capacity Analysis (2024) was subsequently prepared prior to the Council adoption of Amendment C219morn which concluded that the amendment will provide sufficient capacity to accommodate at least 15 years of housing supply on the Peninsula.

The Panel also recommended that a strategic review of the LDRZ areas is undertaken to simplify the application of the LDRZ across the municipality especially the varying minimum lot sizes. While officers agree with the need for such a review, it is not urgent recognising that the Shire has sufficient housing capacity for at least 15 years.

In addition to the above, the HSS Refresh identifies several "Investigation Areas" where land currently within the LDRZ could be investigated for suitability to accommodate housing growth. As is noted in this report, Council is currently progressing privately led amendments for several of these investigation areas following extensive review and analysis of site constraints and opportunities, including:

- **Amendment C247morn**: proposed infill residential precinct in Woodbyne Crescent and Albany Way, Mornington which Council is due to decide whether to adopt in early 2026.
- **Amendment C249morn**: proposed new residential precinct at Boundary and Collins Roads, Dromana which is awaiting Ministerial authorisation to proceed to public exhibition.
- **Amendment C290morn:** proposed new residential precinct in The Crescent, Tyabb which is currently being assessed by Shire officers.

Finally, the HSS Refresh recommends that Council advocate to the State Government to place the UGB around the urban areas of Balnarring Beach, Merricks Beach, Merricks and Point Leo under section 46AG of the P&E Act. While Shire officers have had initial discussions with the State Government about this recommendation, implementation of this action requires ratification by Parliament which is a long-term prospect. In the meantime, urban expansion beyond the

boundaries of these townships is prevented by the presence of the Green Wedge Zone, meaning application of the UGB, in practical terms, is a simply confirmation of existing township growth restrictions.

Recommendations:

38. Continue to progress privately led Amendment C247morn (Woodbyne Residential Precinct, Mornington) to deliver additional housing supply and diversity on the Peninsula.

39. Continue to progress privately led Amendment C249morn (Boundary & Collins Roads, Dromana) to deliver additional housing supply and diversity on the Peninsula.

40. Continue to progress privately led Amendment C290morn (The Crescent, Tyabb) to deliver additional housing supply and diversity on the Peninsula.

41. Review all land within the Low Density Residential Zone (LDRZ), and the Mornington North Outline Development Plan, for potential additional housing capacity.

42. Continue to engage with the State Government to apply the Urban Growth Boundary around the urban areas of Balnarring Beach, Merricks Beach, Merricks and Point Leo under section 46AG of the *Planning and Environment Act 1987*.

Also refer to Recommendation 37.

6.5.7. The Briars Master Plan: 2019-2029

Situated at Mount Martha, The Briars is one of the first pastoral 'runs' on the Peninsula. The National Trust Heritage Listed Homestead located on the parcel, was completed in 1851, and the surrounding parcel comprising approximately 230ha includes a visitor's centre, wildlife sanctuary, wetlands, gardens, plant nursery, vineyard, café, restaurant, kiosk and picnic areas. The Briars is an important part of the Mornington Peninsula's historical, environmental, visitor and community landscape.

Currently, the wildlife sanctuary (approximately 90 hectares) is zoned as Public Conservation and Resource Zone (PCRZ) while the balance of The Briars (approximately 140 hectares) is zoned Green Wedge.

Council has prepared a master plan for the area to provide a strategic vision for the site. The Briars Master Plan was adopted by Council in 2019 and Council has recently resolved in April 2025 to review the master plan in mid-2027.

Previous Planning Scheme Reviews have flagged the need to undertake a planning scheme amendment to rezone part of the site currently zoned GWZ to the PCRZ to facilitate implementation of components of the masterplan. A review is required to determine whether such an amendment is still required.

Recommendation:

43. Determine whether a planning scheme amendment is required following the review of The Briars Master Plan: 2019-2029 in 2027.

6.5.8. Biodiversity Conservation Plan

The Shire's Biodiversity Conservation Plan (Ecology Australia, 2019) establishes strategies and actions to protect and improve the resilience of the Mornington Peninsula's natural environment and biodiversity. Actions outlined in the Plan are focused on six key areas:

- Engaging with the community and building stewardship;
- Facilitating biodiversity conservation on private land;
- Protecting biodiversity through planning and policy;
- Building a strong knowledge base;
- Demonstrating and leading best-practice land management; and
- Building ecosystem resilience in a changing climate.

A review of existing policies and controls (including the VPO, ESO and/or SLO) is recommended by the plan to further improve biodiversity conservation and reduce red tape for the removal of weed species. This work will likely result in the need for a future planning scheme amendment to implement any relevant findings and recommendations.

Melbourne Water exemption

Also relevant to the recommendations of the Plan, Melbourne Water has requested the Shire's assistance with implementing changes to Environmental Significance Overlay – Schedule 17 (ESO17). Melbourne Water is required to improve the health of waterways, including through weed control and revegetation work along waterways, wetlands and estuaries on the Peninsula as per section 198 of the *Water Act 1989*. The ESO17 applies to most of the Melbourne Water managed waterways on the Peninsula and requires a permit to remove, destroy or lop any vegetation. However, it does not contain any permit exemptions suitable to

address vegetation works carried out by Melbourne Water. Melbourne Water has highlighted that the lack of an appropriate exemption (found in other municipal planning schemes in Melbourne) is resulting in significant costs and associated administrative burden for the authority in conducting its mandated waterway management works, which is causing detrimental environmental outcomes as the planning approvals currently required are too costly and time-consuming to secure. Melbourne Water has therefore requested that an exemption be included in ESO17, noting that it would align with the intent of Council's Biodiversity Conservation Plan which includes as one of its key actions as 'increasing the extent and health of remnant native vegetation, improving connectivity and reducing stressors within existing remnant vegetation (e.g. environmental weeds and pest animals). Strengthening ecological infrastructure (e.g. waterways) will help to build connectivity across the landscape.' At the time of preparing this report, officers are in discussions with Melbourne Water about options to progress such an amendment.

Recommendations:

44. Prepare an amendment to implement Council's adopted Biodiversity Conservation Plan (2019), including a review of environmental, landscape and vegetation overlays to better protect biodiversity and reduce red tape to remove invasive weed species.

45. Continue to work with Melbourne Water to facilitate an amendment to create an appropriate permit exemption for waterway management works within Environmental Significance Overlay – Schedule 17 (ESO17).

6.5.9. Mornington Peninsula Flood and Stormwater Strategy

The Mornington Peninsula Flood and Stormwater Strategy (MPFSS) was adopted by Council in May 2022 and seeks to manage stormwater and build resilience to flooding in our communities, our environment and infrastructure.

More specifically, the Strategy commits to introducing planning controls to assisting with managing flood risk managing flood risks through a planning scheme amendment.

Since adoption of the Strategy, and the Parliamentary Inquiry into the 2022 Flood Event in Victoria, Melbourne Water has been progressing its Greater Melbourne Flood Information Program which includes updating flood modelling across the Port Phillip and Western Port catchments.

As outlined at Section 6.4.6, once community engagement has been undertaken on the revised modelling, Melbourne Water will prepare a planning scheme amendment to introduce and apply the SBO (or similar planning control) in the MPPS where required, to ensure overland flooding risks are captured in the scheme and appropriately managed at the planning stage. Completion of this amendment will effectively implement the objective of the MPFSS to better manage flood risks.

6.5.10. Municipal Heritage Review

The Mornington Peninsula Shire Heritage Review (the Heritage Review) encompasses a review of European Heritage across the Shire, including a review of previous heritage studies under the former Hastings, Flinders and Mornington Shires, a new Thematic History, and the identification of potential additional heritage places to be included in the Heritage Overlay. The Review has been divided into four separate stages/ study areas as follows:

- Stage 1: Mount Eliza, Mornington, Mount Martha
- Stage 2: Arthurs Seat, Capel Sound, Dromana, Fingal, Main Ridge. McCrae, Red Hill, Rosebud and Rye
- Stage 3: Blairgowrie, Sorrento and Portsea
- Stage 4: Western Port and Hinterland areas
- Stage 5: Watchlist and Other Places

Stage 1 has been completed, with the recommendations of the Review incorporated into the Planning Scheme via Amendment C174 (Part 1) and Amendment C174 (Part 3). Stage 2 of the Heritage Review, which included a new shire-wide Thematic History, was adopted by Council in October 2017. Following public exhibition, the findings were implemented into the Planning Scheme (updates to Heritage Overlay and Reference documents) via Amendment C214morn in October 2019.

Stage 3 of the Heritage Review was implemented into the Planning Scheme (updates to Heritage Overlay and Reference documents) via Amendment C262morn (Part 1 and Part 2) in May 2022.

Community feedback on the recommendations of Stages 4 and 5 of the Heritage Review was received in 2023 with the final draft being adopted by Council in June 2024. **Amendment C301morn and Amendment C302morn** were subsequently prepared to apply the recommended Heritage Overlays on an interim basis and permanent bases respectively. Both amendments were submitted to the Minister

in August 2024 and are awaiting a ministerial decision. It is noted that the State Government is due to finalise a review of their Heritage Guidelines in the coming months and a decision regarding **Amendments C301morn and C302morn** is anticipated soon after.

In addition to the above major heritage reviews, a review of the Heritage Report: bathing boxes and boat sheds, Mornington Peninsula Shire beach reserves: Stage Two (Graeme Butler & Associates, 2004) may also be required. Although some time has passed since this report was prepared, it did recommend that Council consider applying the Heritage Overlay to a number of identified beach structures. However, there are challenges to applying a Heritage Overlay to these structures: they are located on Crown land and subject to State Government approvals, they are vulnerable to erosion and flooding, and as a consequence they are likely to be heavily altered over time, which may impact their heritage values. Any review or update of this study would need to provide justification for a PSA to apply heritage controls.

Recommendations:

46. Continue to progress Amendments C301morn and C302morn to implement Heritage Overlays as recommended in Stages 4 and 5 of the Municipal Heritage Review.

47. Consider the need for the review of the 'Heritage Report: bathing boxes and boat sheds, Mornington Peninsula Shire beach reserves' (Graeme Butler & Associates, 2004) and an associated planning scheme amendment to implement new heritage controls.

6.5.11. Mornington Peninsula Integrated Transport Strategy

A new Integrated Transport Strategy (ITS) is currently being prepared to provide for a more sustainable transport future for the Mornington Peninsula, incorporate actions from the Climate Change Emergency Strategy, and provide the strategic support to advocate to the State and Federal Governments for funding transport requirements. The Strategy is due to be finalised in 2026.

During the ongoing preparation of the ITS, officers have identified that a planning scheme amendment will not be required to implement the strategic objectives of this document, including the need for any zoning, overlay or policy changes.

6.5.12. Mornington Peninsula Open Space Strategy

Anticipated increases in population growth and changes in demographics, housing and tourism will place additional and new forms of pressure on open space provision, recreation facilities, embellishments, and the way that open space is used. A new Open Space Strategy is currently being finalised to guide the future planning, provision, design and management of existing and future public open space for a 15-year period up until 2040.

The draft Strategy, amongst other things, recommends the rate at the Schedule to Clause 53.01 Public Open Space Contribution and Subdivision of the Planning Scheme be amended to enable the Shire to collect a greater percentage of the site value in either cash or land.

Once finalised and adopted, it is anticipated that any relevant recommendations will be implemented through a planning scheme amendment. This could include a change to the specified open space contributions for residential, industrial or commercial purposes and the rezoning of land to reflect its use as open space, where required.

The Strategy is expected to be considered for Council adoption in 2026.

Recommendation:

48. Complete the Open Space Strategy and prepare a planning scheme amendment to implement updated open space contribution rates and correct zoning anomalies.

6.5.13. Mornington Peninsula Economic Development & Tourism Strategy – A Thriving Peninsula 2033

The Council's adopted Mornington Peninsula Economic Development & Tourism Strategy – A Thriving Peninsula 2033 seeks to guide the Shire's economic development and tourism support activities in line with desired strategy outcomes:

- Business and industry growth
- Opportunities for education, employment and career pathways
- A vibrant tourism economy
- A greener business environment

The Strategy includes a specific action to "Facilitate the release of surplus port zoned land to meet the anticipated requirements of existing and emerging

industries" which aligns with Council's adopted Industrial Areas Strategy and Industrial Land and Rezoning Strategy and is a key ongoing advocacy action for Council.

Since the adoption of this Strategy, it has since been determined that a planning scheme amendment is not required to implement the strategy's key directions.

6.5.14. Coastal Strategy – Our Coast Our Future

The Shire's Coastal Strategy – known as Our Coast Our Future – is currently being finalised to provide a long-term planning to manage the coastal areas of the Shire and drive efficient and sustainable outcomes in the face of climate change. The Strategy will combine latest science, technical assessments and community aspirations to shape a strategic approach.

The project is being delivered with funding awarded through the State Government's Victoria's Resilient Coast grants program which is an initiative that aims to assist coastal land managers to deliver strategic coastal hazard risk management and adaptation.

Our Coast Our Future will include coastal communities along the Peninsula, with a focus on exploring community values, coastal processes and coastal hazards at a more localised scale.

The outcomes of this work will allow Council to better understand the region's coastal hazards and possible implications for our local communities, now and into the future. With improved understanding of hazards and potential at-risk areas along our coastline, we can work to identify different ways to manage these locations through adaptation.

Our Coast Our Future will guide adaptation planning and implementation through the assessment of coastal hazards including erosion (sand loss) and inundation (flooding) using a range of existing coastal models, data sets and studies to estimate coastal hazards for the region. The work will help identify areas along the Peninsula potentially impacted by different coastal hazard types for a range of current and future conditions (including sea level rise). The Strategy will then assess the values, uses and infrastructure within these hazard areas and consider the implications to inform the development of possible management responses.

As part of the preparation of the Strategy, it has been determined that a planning scheme amendment will not be required to implement the Strategy.

6.5.15. Food Economy and Agroecology Strategy 2022-2028

This Strategy is a first-of-its-kind to guide sustainable growth in the agriculture, food and beverage sector on the Mornington Peninsula, which is worth an estimated $1.3 billion. It aims to preserve and enhancing the regions ecology and biodiversity through agroecological approaches to farming and production.

The Strategy outlines a vision, and provides priority actions which are set out into 5 key themes being:

- Pillar 1 - Impact through collaboration
- Pillar 2 - Securing markets and sales
- Pillar 3 - Land use and regeneration
- Pillar 4 - Skills and capacity development
- Pillar 5 - Infrastructure for a circular food economy

Specifically, under Pillar 3, a priority action has been included which states that Council will "Continue to advocate for agroecological outcomes on behalf of agricultural businesses in the Planning Scheme".

This strongly aligns with Council's adopted Green Wedge Management Plan (detailed previously) which provides much of the planning framework for land use planning in the Green Wedge. Similarly, the Western Port Futures project, as outlined at Section 6.4.2 seeks to both protect and support areas of surplus SUZ1 land for the purposes of agricultural and rural industry uses. It is noted that no planning scheme amendment is required to implement the strategic directions of this Strategy.

DRAFT

7. Planning Scheme Performance

An important part of any planning scheme review is to analyse the outcomes of planning permit decisions made by VCAT, as well as planning scheme amendment recommendations made by Planning Panel Victoria (PPV). Lessons learnt from these appeals and panel hearings have been considered as part of this review and outlined in the following sections.

7.1. VCAT Decisions

Over the period from April 2023 to December 2025, approximately 223 appeals were lodged pertaining to planning permits issued under the Planning Scheme. This is a significant decrease from the period considered under the previous 2023 Review, where 476 appeals were heard before the Tribunal. This decrease in appeals is mainly attributed to the shorter review period at the time this report was prepared (March 2026), compared with the nearly four-year period of the 2023 Review (July 2019 – April 2023). Figure 8 shows the type and quantity of appeals made.

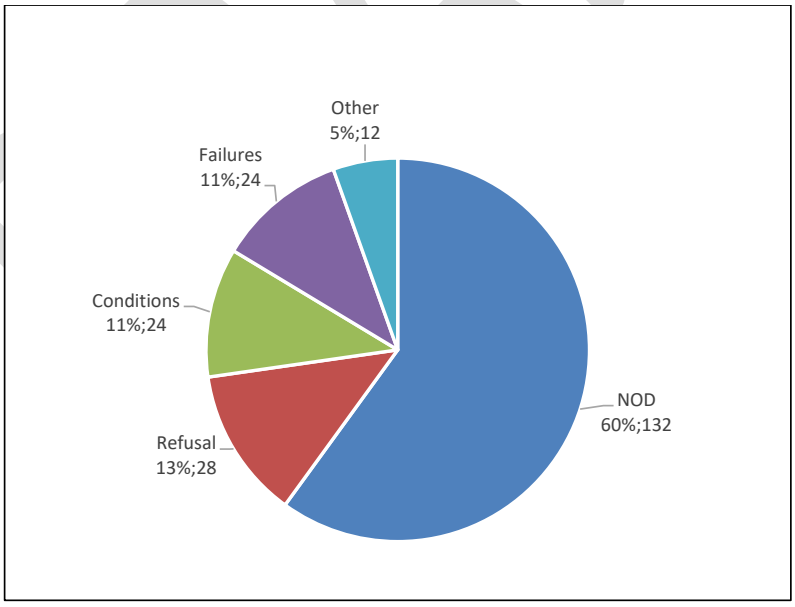

Figure 8: Quantity and type of appeals to Tribunal, April 2023 – December 2025

Data source: internal Shire planning permit appeals data

Appeals against notice of decision (NOD) to grant a permit (s.82) were the most common type of appeal, with 132 (60% of the total appeals). This is a fairly marginal decrease in the number of these appeals recorded in the 2023 Review period (154).

Appeals against refusals (s.77) have decreased significantly in terms of the percentage they make up of all appeals, going from 45% of appeals in the 2023 Review period, to only 13% in the latest review period.

This continues the trend from the 2023 Review where appeals against refusals decreased dramatically following a shift in decision making away from refusing applications based on key strategies which included the previous Mornington Peninsula Housing and Settlement Strategy (2017). It is noted that Council adopted a refreshed Housing and Settlement Strategy (HSS) in 2020 ('Mornington Peninsula Housing and Settlement Strategy: Refresh 2020-2036') and this document has informed several of the latest refusal decisions, using the HSS and what it states is the preferred character of an area and what are the preferred planning controls that should be applied. Although updated planning controls are proposed to be implemented by C219morn, this amendment has been with the Minister for their decision since September 2024, so it remains a 'seriously entertained' amendment in terms of how much weight it is given in VCAT decisions.

Figure 9 shows consistently low level of refusals throughout the latest review period, with only small spikes in mid-2025.

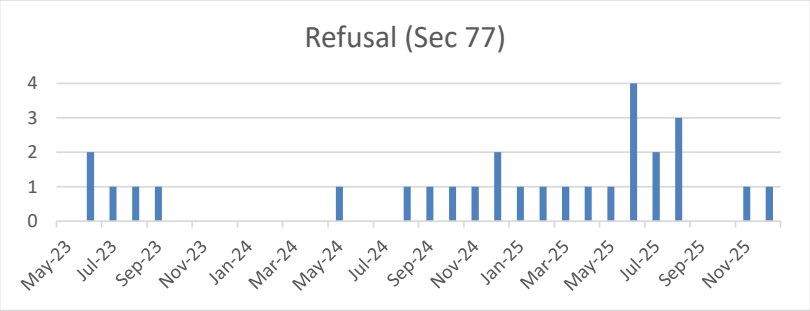

Figure 9: Appeals against refusals by month, April 2023 to December 2025

Data source: internal Shire planning permit appeals data

Figures 10 and 11 present the outcome types of the two most common types of appeals, being NOD to grant a permit and refusals.

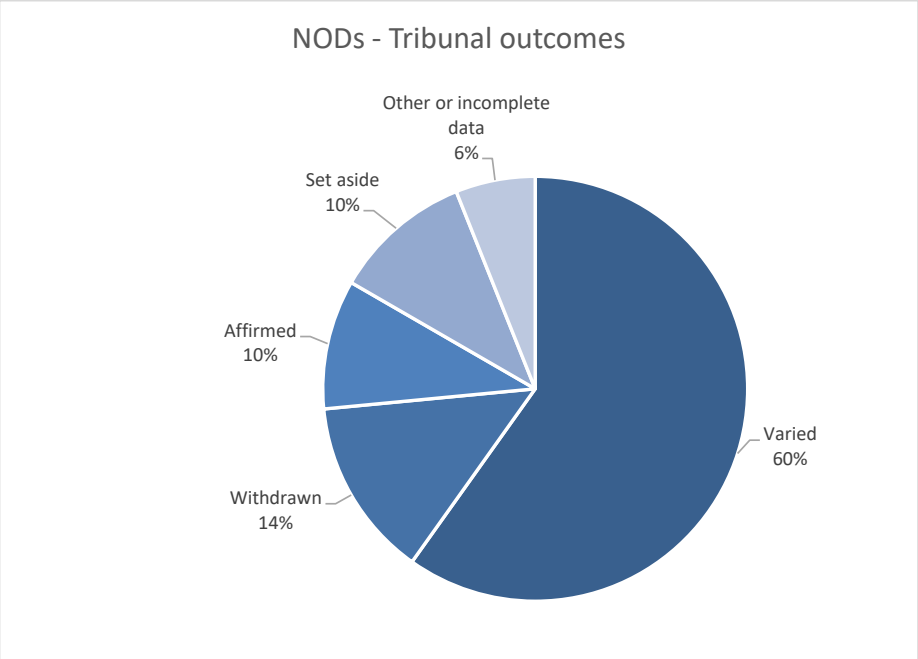

Figure 10: Outcome of appeals against notices of decision to grant a permit, April 2023 – December 2025.

Data source: internal Shire planning permit appeals data

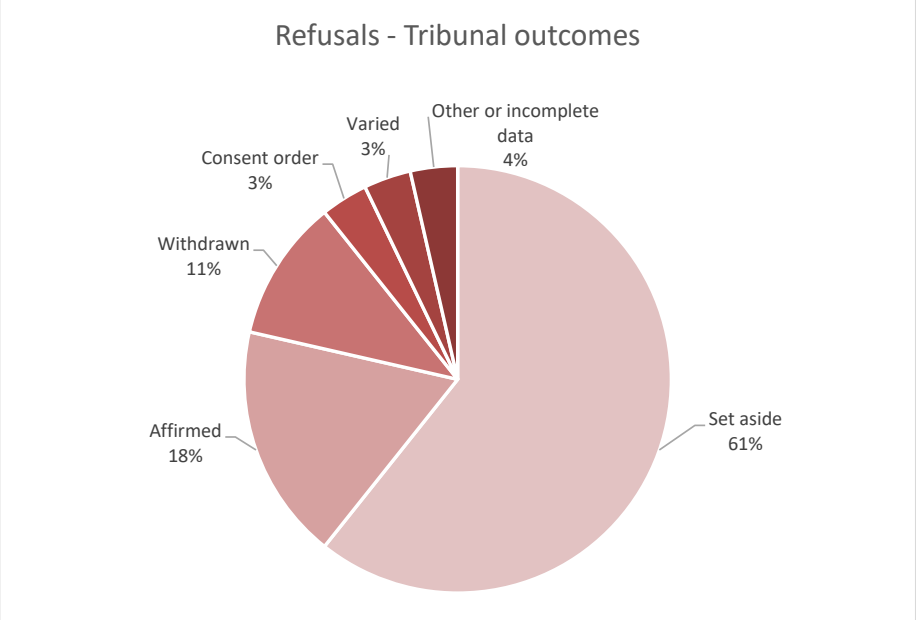

Figure 11: Outcome of appeals against refusals, April 2023 – December 2025

Data source: internal Shire planning permit appeals data

These two figures demonstrate the Tribunals' tendency to resolve cases in favour of development. Where the Shire issued a NOD to grant a permit and an appeal was lodged by an objector, the Tribunal sought to direct Council to issue a permit on 79% of cases, with a high number of these being varied permits (60%). Despite the higher number of total NOD appeals in this review period, these percentages remain similar to the 2023 Review.

The majority (61%) of appeals against refusals resulted in the Council's refusal decision being set aside. Only 18% of refusals were affirmed. Both these metrics have decreased by around 10% compared with the 2023 Review, which demonstrates the importance of implementing key reforms to the Planning Scheme such as the changes proposed by Amendment C219morn.

The following sections of this report highlight some of the key VCAT decisions that have implications for the MPPS.

Westernport Marina Pty Ltd v Mornington Peninsula SC (Red Dot) [2024] VCAT 1041

This decision is of importance as it will help in determining for future applications if a Cultural Heritage Management Plan (CHMP) is required to be prepared, based on the interpretation of 'significant ground disturbance'.

This Red Dot decision involved a planning permit application for buildings and works associated with part of Westernport Marina. The Marina area comprises land that has been excavated (the marina basin), land that has been filled and reclaimed, and land that has been created in the form of a breakwater for the marina basin.

The practice day hearing for this application considered whether a CHMP was required for the proposed activity pursuant to the *Aboriginal Heritage Act 2006* (AH Act) and the *Aboriginal Heritage Regulations 2018* (AH Regulations).

Assessment of this issue by the VCAT member included consideration of whether the subject land is in an 'area of cultural heritage sensitivity' (ACHS) and whether the subject activity is a 'high impact activity' (HIA), where both terms are defined in the AH Regulations. The meaning of each of these terms in the context of any particular piece of land and proposed activity involves consideration of the concept of 'significant ground disturbance' as defined in the AH Regulations.

Key findings within the decision:

Was the subject land an ACHS?

Information presented and agreed to at the hearing confirmed that the Westernport Marina was constructed as part of a planning permit from 1982. This included excavated areas for:

- the marina basin
- fill/reclaimed land for the marina breakwater
- other filled/reclaimed land (where some buildings and works are proposed for the subject application).

The first two areas referenced above were deemed by the VCAT member to have been subject to 'significant ground disturbance' (as defined by the AH Regulations, see below) and therefore were not an ACHS.

> ***"significant ground disturbance** means disturbance of —*
> *(a) the topsoil or surface rock layer of the ground; or*
> *(b) a waterway —*
>
> *by machinery in the course of grading, excavating, digging, dredging*

or deep ripping, but does not include ploughing other than deep ripping."

The third area was found by the VCAT member to be an ACHS because it was only built up with fill as part of the original construction activities and the creation of this area did not likely result in significant ground disturbance of the 'naturally occurring' topsoil or surface rock layer.

Was the activity subject to the application a HIA?

This question was only considered by the VCAT member for the third area mentioned above which was considered an ACHS. It was determined that the proposed buildings and works were not likely to cause significant ground disturbance to the 'naturally occurring' topsoil or surface rock layer of the area, as opposed to the 'created' topsoil or surface rock layer of the ground that was filled. The member concluded that the disturbance of the created area from the proposed buildings and works was not a HIA for the purposes of the AH Regulations and AH Act.

The decision also states that if the member was wrong about the buildings and works not constituting a HIA, regulation 46(3) of the AH Regulations would also rule out the proposed buildings and works as a HIA. This is because they are associated with the use of the subject land for a purpose listed in regulation 46(1)(b) (a recreational boat facility) which has been lawfully used before 28 May 2007, a date well after the original 1982 permit for the marina.

Overall, the decision established that a CHMP was not required for the application.

Recommendation:

49. Continue to monitor VCAT's interpretation and application of planning policy, specifically the requirements of various Acts referenced in the Planning Scheme and the Minister or governing bodies that administer them.

Melbourne Ayyappa Seva Sangam Ltd v Mornington Peninsula SC [2024] VCAT 675 – Pearcedale Temple

This appeal considered an application for the use and development of a site for a place of worship (temple), native vegetation removal and waiving bicycle parking requirements. The four-hectare site located in the Green Wedge Zone was former farming land which had reverted to bushland through vegetation regrowth.

VCAT affirmed the Shire's refusal of the planning permit, primarily on the basis that the application did not respond appropriately to the planning controls applying to

the site, Clause 52.17 (Native vegetation) and broader PPF policies and strategies concerning green wedge areas.

In its deliberation, the VCAT members noted in relation to the applicable planning controls that:

> *"…the development does not represent an acceptable response to the purpose or decision guidelines of the GWZ2 and ESO2, or to the policies and strategies in the PPF as they relate to the green wedge. It fails to respond to the varied landscape and rural character of the locality by virtue of its scale, massing, design and overall appearance and is not acceptable. The existing and proposed vegetation is not a means of addressing, or remedying, the incongruous nature of the buildings in order to achieve an acceptable outcome."*

Further, the members noted the following in respect to the proposed use of the site:

> *"While it is evident from the zone provisions that a place of worship is a permissible use and does not have any conditions attached, we agree with the council and the responses that the proposal does not demonstrate that it will meet the purpose of the GWZ2 in a sufficiently meaningful way." In regard to Clause 52.17, VCAT was also not persuaded from the evidence presented that the proposal minimised the loss of native vegetation in accordance with the three-step method specified under Clause 52.17 and did not respond to the biodiversity values of the site. These values are what is sought to be protected by the zone and overlay controls applying to the site."*

Although this appeal resulted in the Shire's position being upheld, the matters examined highlight the need to further strengthen Green Wedge provisions to protect the Mornington Peninsula Green Wedge from inappropriate development as recognised in the State government's P4GWAL Action Plan (2024) and Council's Green Wedge Management Plan.

Recommendation:
Refer to Recommendation 32.

Godino v Mornington Peninsula SC [2025] VCAT 527 – Mount Martha Boatshed

This appeal concerned Council's refusal of an application to remove a permit condition relating to detachable steps for a boatshed located on the Dromana foreshore.

The grounds of refusal of the application included:

- The public land manager has refused to consent to the use/development, with the written consent being required under the Public Park and Recreation Zone, Clause 36.02-3.
- A delegate of the Minister has refused to consent to the proposed use/development per section 70(1)(b) of the *Marine and Coastal Act 2018*.

Council had referred the application to the Dromana Foreshore Committee (DFC) as the relevant Crown Land Committee of Management for the site, however at the VCAT hearing Council submitted that the DFC was not the relevant Crown Land Manager. This position was based on a previous red dot decision (Deakin University v Whitehorse CC [2009] VCAT 134) which found that committees of management who are not a municipal council or Parks Victoria are not the public land manager. The VCAT member agreed with this submission and referred to the definition of a public land manager under Clause 73.01.

Council subsequently submitted that the Department of Energy, Environment and Climate Action (DEECA) was the delegate for the Minister who administers the Marine and Coastal Act, and because they did not provide consent for the application, the Tribunal maintained it did not have jurisdiction to consider the case as the amendment application could not be granted in the absence of the Minister's consent under the *Marine and Coastal Act 2018*.

This case demonstrates the importance of identifying the correct public land manager for matters concerning coastal Crown land. It also confirms that Ministerial consent must be given in accordance with the *Marine and Coastal Act 2018*, or else Council and VCAT have no ability to consider or grant an amendment to a planning permit.

Recommendation:

Refer to Recommendation 49.

AA Holdings Pty Ltd v Mornington Peninsula SC [2025] VCAT 634 - Service station and convenience restaurant

This proceeding was considered a 'correcting' repeat appeal as VCAT had previously refused to grant a permit for an application for the use and development of a Service station and Convenience restaurant at 1 and 2 Marine Drive and 5 Nepean Highway, Safety Beach (AA Holdings Pty Ltd v Mornington Peninsula SC [2021] VCAT 1441). The reasoning for the repeat appeal was because the applicant had responded to the reasons for the previous refusal by making changes to the proposal, which primarily related to unsatisfactory vehicle access and circulation arrangements for the site.

In July 2025, VCAT set aside Council's decision to refuse to grant a permit and granted a permit for the application, subject to conditions. Council considered over 500 objections to the application before it refused the application on grounds relating to traffic, parking, loading, amenity impacts and litter. In its deliberation, the Tribunal came to several key conclusions which supported its decision to set aside Council's refusal of the application.

Firstly, the Tribunal members found that the use of the site as a combined service station and convenience restaurant was not prohibited by the sites GRZ zoning, despite submissions arguing the uses together exceed the zoning area limit of 3,600m2.

In relation to the previously highlighted traffic and access issues, the Tribunal found the applicant had significantly improved access, circulation, bowser layout, queuing, drive-through configuration, and pedestrian safety compared to the earlier refused application. Concerns regarding trailers, queuing, and road safety were resolved through design changes and Transport for Victoria (TfV) supported conditions.

Lastly, Council and objectors raised concerns regarding several amenity impacts including noise, visual obstructions, light spill and vegetation loss. The Tribunal determined that these concerns were either not supported by sufficient evidence, or were appropriately managed by permit conditions.

Although this case was only considering a 'correcting' repeat appeal for a previous matter, it demonstrates the importance of strengthening local policy to address future out-of-centre development that may be encountered. This could include consideration of this issue when Council's Activity Centres Strategy (2018) is refreshed and changes are recommended to reinforce local policy.

7.2. Planning Panel Victoria Recommendations

Since the 2023 Review, five separate planning scheme amendments were referred to an Independent Panel for review. These amendments included:

- C243morn (Somerville Technology, Industry & Business Park)
- C247morn (Woodbyne residential precinct, Mornington)
- C256morn (DPO to facilitate subdivision of 4 Bundara Crescent, Mount Eliza) – no panel hearing, submissions considered 'on the papers'
- C286morn (Ocean Beach Road Built Form Review)
- C295morn (Revised Creswell Street East, Crib Point DCP)

Of the listed amendments, only the Panel for Amendment C247morn recommended further strategic work for Council. Specifically, it provided the recommendation to review of the Mornington North Outline Development Plan to ensure it is consistent with revised local policy at Clause 11.03-6L (Regional and local places - Mornington North).

Panels for the remaining amendments did not recommend any further strategic work for Council to consider undertaking in future.

Recommendation:
Refer to Recommendation 41.

7.3. Identified anomalies

Several errors and outdated information in the Planning Scheme have been identified as part of this review. These include but are not limited to:

- Zoning anomalies for various sites
- Updating policy document references and other references to new/revised VPP controls in various overlay schedules including the Design and Development Overlay (DDO), the Special Controls Overlay (SCO) and the Environmental Significance Overlay (ESO)
- Administrative and formatting changes to various DDOs
- Heritage Overlay mapping corrections
- Removal of redundant Development Plan Overlays
- Public Acquisition Overlay corrections

It is proposed that an anomalies amendment will be prepared to make these administrative corrections as part of the ongoing maintenance of the Planning Scheme.

Recommendation:
50. Prepare an amendment to correct anomalies and administrative errors within the planning scheme to ensure it remains efficient and effective.

7.4. Consultation

As part of the preparation of the 2026 Review, extensive internal and targeted external consultation and engagement was undertaken to help refine the key

issues that Council needs to address and prioritise further strategic work. This is summarised in the following sections. It is noted that a draft of the Review will be placed on public exhibition for broader community feedback. The Review will be updated, as required, following consideration of community submissions.

7.4.1. Council planners and internal staff consultation

To gain insight into how the Planning Scheme is performing and identify areas for improvement, individual meetings were held with various internal Shire teams and staff. In addition to the feedback received during these meetings, surveys were also provided to regular users of the Planning Scheme which contained 13 questions.

Regular users of the Planning Scheme who attended meetings and responded to the survey questions included:

- all statutory planning teams
- the Strategic Planning team
- the Planning compliance team
- the VCAT Coordinator.

Teams who attended meetings and provided feedback during and after included:

- Coasts and Climate Resilience
- Development Engineering
- Traffic and Transport
- Natural Systems
- Community Infrastructure and Open Space.

Specific attention was given to discussing and identifying deficiencies, strategic gaps, redundant content, unnecessary duplication with State policy, errors or anomalies, as well as lessons from Tribunal and Panel experiences.

At the conclusion of the internal consultation process, it was found that the majority of feedback received was in relation to errors/anomalies in the Planning Scheme, deficiencies in certain planning controls and updates to outdated or redundant policy. Other feedback received confirmed that much of the existing work that the Shire's Strategic Planning team is undertaking or plans to undertake, already addresses most relevant matters raised by internal teams. There were also several matters which sat outside the Planning Scheme and could not be addressed through this Review Report.

7.4.2. Referral agencies & high frequency users of planning scheme

Feedback on the operation of the Planning Scheme was sought from the following agencies and authorities:

- APA Group
- Country Fire Authority
- Department of Energy, Environment and Climate Action
- Department of Transport and Planning (both Transport and Planning divisions)
- Energy Safe Victoria
- Environment Protection Authority
- Esso Australia (subsidiary of ExxonMobil)
- Heritage Victoria
- Melbourne Water
- Parks Victoria
- Port of Hastings Corporation
- South East Water
- Southern Rural Water
- United Energy
- Victorian Marine and Coastal Council
- VicTrack
- Viva Energy Australia

Confirmation of receipt of the feedback request was received from many agencies and by early 2026, six agencies had provided feedback on the Planning Scheme via a nine-question online survey.

Feedback was received on several matters including:

- The potential application of planning buffers to Agency owned or managed sites and assets.
- Changes to notification requirements for land use and development near Agency assets.
- The updating of contact information for referrals.
- Re-zoning requests for Agency owned or managed land.
- Updating of outdated policy references in planning controls.
- Consistency of Agency exemptions across different overlay schedules.

It is acknowledged that this Review can respond to and address some of these matters, while others require further consideration and engagement with the relevant agencies to determine an appropriate course of action.

Additionally, feedback via an online survey was also sought from a group of local planning consultants who were identified as the most frequent users of the Planning Scheme. No responses were received.

7.4.3. Registered Aboriginal Parties

The Mornington Peninsula Shire Council sits across the lands and waters of the Traditional Owner group – the Bunurong people. The Planning Scheme recognises the Traditional Owners.

The Victorian *Aboriginal Heritage Act 2006* recognises Traditional Owners as the primary guardians, keepers and knowledge holders of Aboriginal cultural heritage. At a local level, Registered Aboriginal Parties are the voice of Aboriginal people in the management and protection of Aboriginal cultural heritage in Victoria.

The Bunurong Land Council is yet to prepare a Country Plan. Guidance about Country or places of significance and land use planning will need to be considered including any necessary changes to the Planning Scheme once a Country Plan is finalised.

8. Key issues and Further Strategic Work

Based on the analysis provided in this review, the tables below provide a thematic summary of some of the key land use and development issues facing the Shire, noting the strategic risk, status of strategic planning work and the next steps required to address these issues.

Issue	Strategic Risk	Next Steps
Population & Housing Growth	State Government new residential codes limit neighbourhood character controls; HCAP model inaccuracies; need to assess LDRZ capacity, restructure overlays outdated.	Secure approval of C219morn; advocate for HCAP update; review Restructure Overlays; LDRZ and Mornington North ODP; progress C247morn and C290morn. Continue to engage with State Government on housing policy reforms and advocate for appropriate regulations *Planning Amendment (Better Decisions Made Faster) Act 2026.*

Issue	Strategic Risk	Next Steps
Environmental Risks and Climate Resilience	Landslip susceptibility mapping; incomplete data for coastal hazard (sea level rise and inundation) controls; flood mapping not yet implemented; contaminated land overlays outstanding; no major pipeline buffers or CASS controls. State Government bushfire reforms not implemented; need to review all environmental overlays; ESD roadmap incomplete.	Progress C314morn(EMO); complete landslide study and progress permanent EMOs; advocate for coastal controls; support flood control amendment; implement EAO/BAOs; advocate for major pipeline and CASS controls. Continue to advocate for bushfire reforms; update environmental overlays (ESO, SLO and VPO); pursue C246morn and State ESD roadmap.
Green Wedge Protection	Pressure on agricultural viability and landscapes; inconsistent application of policies.	Continue to advocate for P4GWAL implementation; prepare amendments to introduce policies on dwellings in green wedge and camping/caravan parks outside the UGB; undertake landscape character assessment; update GWMP.
Character & Built Form	Several townships lack township plans (design controls); neighbourhood character constrained by State reforms; review of advertising signage and residential height controls underway; heritage overlays pending.	Prepare township plans; refresh Mornington Structure Plan and Activity Centres Strategy; progress C301morn/C302morn (Heritage); continue review of signage controls, implement complete residential height controls review. Secure approval of C219morn.
Industry	Industrial Areas Strategy outdated; unclear future of SUZ1 land.	Refresh Industrial Areas Strategy; progress C294morn (Hastings Industrial Precinct); engage with Port of Hastings.
Infrastructure	Shire-wide DCP viability uncertain; Open space contributions update pending.	Monitor State DCP reforms; Implement Open Space Strategy via amendment.

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9. Conclusion and Review Recommendations

This 2026 Review confirms that Council continues to undertake an extensive program of strategic work, with 42% of the recommendations from the previous 2023 Review either being completed, substantially progressed or underway.

Most completed actions relate to 24 approved planning scheme amendments – many of which implemented the large number of strategic policies and strategies (about 20) that were prepared and adopted during the 2023 Review period. Amendment C219morn is the most significant amendment which has been adopted by Council but is still yet to be approved by the Minister. It is likely to be significantly impacted by the State Government's new residential codes which substantially limit the ability to implement locally preferred neighbourhood character outcomes as sought by the amendment.

While significant progress has been made, several important initiatives are yet to be completed, require further work or are yet to commence. These actions, which have been included in the 2026 Review implementation plan in **Volume 1: Key Findings and Recommendations (Appendix 1 – 2026 Planning Scheme Review Priority Implementation Plan)**, cover a range of issues, including housing delivery, heritage protection, township character, environmental risks, environmental protections, and infrastructure provision.

In terms of significant and emerging issues, the 2026 Review acknowledges the rapid and continuing implementation of major State Government reforms addressing housing delivery, streamlined planning assessment pathways, modernising State policy, and further strengthening responses to climate, environmental, and infrastructure issues. Collectively, the reforms continue to have significant implications for the Shire's decision making, strategic planning, and implementation of Council's policy and advocacy positions.

In response, the 2026 Review provides several new recommendations for Council to monitor and respond to new or pending State Government policy and legislative changes, which are expected to have varying impacts on the Planning Scheme going forward. These include to:

- Continue to engage with the State Government on any new housing policies or reforms resulting from Plan for Victoria and Victoria's Housing Statement.

- Continue to advocate to State Government that the accuracy of HCAP be urgently updated to reflect known environmental risks and constraints which impact housing capacity on the Peninsula.
- Continue to monitor and respond to planning reforms resulting from implementation of the State Government's P4GWAL Action Plan (2024) and advocating for strong controls to protect the Green Wedge.
- Advocate for appropriate Regulations to implement the *Planning Amendment (Better Decisions Made Faster) Act 2026* via the MAV.
- Continue to engage with the PoHC on the finalisation of the Port Development Strategy 2055.
- Continue to advocate for the State Government to implement new and updated planning controls, and/or appropriate changes to the Building System, to address a range of environmental risks based on the best available data.

The Review also identifies the following new strategic planning work which has been included in the implementation plan:

- Progressing Amendment C290morn (The Crescent, Tyabb) to deliver additional housing supply and diversity on the Peninsula.
- Reviewing and updating Council's adopted Green Wedge Management Plan by 2029-2030.
- Refreshing Council's adopted Activity Centres Strategy, including confirming the activity centre hierarchy and activity centre boundaries, and Industrial Areas Strategy.
- Progressing Amendment C314morn to update and improve existing mapping and ordinance for EMO7 (High landslide susceptibility areas) as a high priority.
- Progressing a new Shire-wide landslide susceptibility study and future planning scheme implementation for a new and revised suite of permanent EMOs, including replacing existing interim overlays.
- Seeking specialist advice regarding the appropriateness of using the Buffer Area Overlay (BAO) to address landfill gas risk, and prepare a new planning scheme amendment to implement the BAO if recommended.
- Preparing separate planning scheme amendments to apply the EAO to all current and former landfill sites, and to all privately owned contaminated sites across the Peninsula.

Overall, most recommendations arising from the 2026 Review are about continuing strategic projects, amendments or advocacy initiatives identified in the 2023

Review, or undertaking new work required to respond to major State Government reforms and changes impacting Council's ability to consider environmental risks. Actioning these recommendations will form the basis of the strategic planning work program that Council will progress over the coming years, subject to budget and resourcing requirements.

Finally, it is noted that a single planning scheme amendment is not considered necessary to implement the findings of the 2026 Review as all identified actions are either captured by current amendments or will form part of further strategic assessment and future amendments. However, following Council adoption of this Review, it is proposed to progress an omnibus amendment to address a range of relatively minor administrative anomalies identified within the Planning Scheme while undertaking the review.

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9.1. Review Report Recommendations

To ensure that the Mornington Peninsula Planning Scheme continues to be strategically robust and effective in delivering sound planning outcomes, the 2026 Review recommends 14 new recommendations and to continue a further 36 actions from the previous 2023 Review (5 of which are ongoing).

The recommendations noted throughout this Volume 2 report are also listed at **Volume 1: Key Findings and Recommendations (Appendix 1 – 2026 Planning Scheme Review Priority Implementation Plan**).

The above document categorises the recommendations into the following themes:

- Housing
- Environmental risks
- Green wedge & productive agricultural land
- Biodiversity conservation
- Infrastructure provision
- Industrial Land Supply
- Commercial Land Supply
- Township character
- Heritage protection
- Environmentally sustainable development
- Planning reforms and other matters

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Appendices

Appendix 1 - 2023 Planning Scheme Review Implementation Plan – Status Audit

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Appendix 2 - Planning Scheme Amendments Since 2023 Planning Scheme Review

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Appendix 3 - Compliance with the Planning Scheme Reviews Advisory Note

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2023 Action No.	Description	Status (2023)	Status (2026)	Comment
Underway				
1	Continue to pursue approval of Amendment C219morn to implement the findings of the Housing Settlement Strategy: Refresh 2020-2036 and the Neighbourhood Character Study and Guidelines into the planning scheme	Underway	Substantially progressed	Amendment C219 is currently with the Minister for approval. The amendment was adopted by Council in August 2024, and submitted to the Minister in September 2024.
2	Complete the Review of Residential Height Planning Controls project and prepare a planning scheme amendment to implement the recommendations of the project, as required	Underway	Underway	The Review of Residential Height Planning Controls project is currently underway and due for completion in 2027. A planning scheme amendment will follow once the project is complete.
3	Complete the Affordable Housing Development Contributions Strategy and prepare a planning scheme amendment to implement the recommendations of the Strategy.	Underway	Unable to pursue	Council decided in December 2024 to abandon the Strategy which was in draft status at the time, following significant community feedback.
4	Complete Amendment C241morn to implement the findings of the Balcombe Estuary and Associated Reserves Ecological and Planning Study.	Underway	Completed	Amendment C241morn was gazetted on 5 September 2024.
5	Continue to complete the Heritage Review (including Stage 4 and 5 and Watchlist) and prepare a planning scheme amendment to apply the Heritage Overlay to places of local significance.	Underway	Underway	Heritage Review (Stage 4 and 5) adopted by Council in June 2024. Amendment C302morn proposes to implement Heritage Overlays and is awaiting Ministerial authorisation. Council submitted the authorisation request in August 2024.
6	Continue to pursue approval of Planning Scheme Amendment C271morn to implement the findings of the Western Port Coastal Villages and Surrounding Settlements Strategy.	Underway	Completed	Amendment C271morn was gazetted on 9 January 2025.
7	Continue to progress Amendment C247morn (Woodbyne Cres, Mornington) and Amendment C249morn (Boundary & Collins Roads, Dromana) to deliver additional housing supply on the Peninsula.	Underway	Substantially progressed (Amendment C247morn)	Panel report has been received for Amendment C247morn and Council adoption is expected in early 2026.
			Underway (Amendment C249morn)	Amendment C249morn is awaiting Ministerial authorisation. Council requested authorisation in September 2021. The proposed subdivision is also subject to federal environmental assessment as a 'controlled action' under the EPBC Act. Authorisation for Amendment C249morn is unlikely to be granted unless/until EPBC Act approval is granted.

8	Review and implement the Ocean Beach Road, Sorrento Built Form Review (Amendment C286morn)	Underway	Completed	Amendment was gazetted in January 2026.
9	Preparation of Shaping Dromana (Precinct Plan) to shape Dromana's future as a well-planned and sustainable township with a healthy, thriving and connected community.	Underway	Completed	The Shaping Dromana Plan was adopted by Council in September 2024.
10	Implementation of a revised Creswell Street, Crib Point Development Contributions Plan	Underway	Completed	The Revised DCP was adopted by Council in December 2023 and is being implemented by Amendment C295morn (see Recommendation No.13).
11	Continue to pursue Amendment C249morn to rezone land at Boundary and Collins Roads, Dromana to facilitate additional housing supply and diversity.	Underway	Underway	Amendment C249morn is awaiting Ministerial authorisation. Council requested authorisation in September 2021. The proposed subdivision is also subject to federal environmental assessment as a 'controlled action' under the EPBC Act. Authorisation for Amendment C249morn is unlikely to be granted unless/until EPBC Act approval is granted.
12	Continue to pursue Amendment C293morn to rezone land near the Somerville Railway Station.	Underway	Completed	Amendment C293morn was gazetted in March 2024.
13	Continue to pursue Amendment C295morn to replace the existing Creswell Street East Crib Point Development Contributions Plan, April 2018 with a revised Development Contributions Plan (DCP) .	Underway	Substantially progressed	Amendment C295morn was adopted by Council in December 2025.
14	Continue to pursue Amendment C300morn to extend the expiry of the existing Creswell Street East Crib Point Development Contributions Plan, April 2018 incorporated document until Amendment C295morn is completed	Underway	Completed	Amendment C300morn was gazetted in September 2024.
15	Continue to pursue Amendment C256morn to apply the Development Plan Overlay to land at 4 Bundara Crescent, Mount Eliza to facilitate a two lot subdivision of the site.	Underway	Completed	Amendment C256morn was gazetted in May 2025.
16	Continue to pursue Amendments C243morn (Bungower Rd, Somerville) and C294morn (Hastings Industrial Precinct) to facilitate wider industrial uses for surplus SUZ1 land.	Underway	Completed	Amendment C243morn was gazetted in March 2026.
			Underway (Amendment C294morn)	Amendment C294morn is still being prepared by the proponents and is yet to be formally submitted to Council for assessment.
17	Continue to advocate for Ministerial authorisation of Amendment C246morn and the release of additional improvements to ESD provisions as part of the State Government's ESD Roadmap.	Underway	Underway	Amendment C246morn is still awaiting Ministerial authorisation. Council requested authorisation in July 2021.

18	Continue to advocate for the State Government to reform existing bushfire planning provisions (including as-of-right vegetation removal exemptions) and mapping, to minimise unnecessary vegetation loss on private land within the Shire	Underway	Continue	Council is awaiting pending State Government reforms to bushfire planning controls and/or policy in response to the 2021 Bushfire Planning Made Clearer Discussion Paper. Council is also awaiting the Minister's response to its request to use the Mornington Peninsula Shire as a test case to explore possible improvements to existing bushfire planning controls, including changes to Clause 52.12 (Bushfire Protection Exemptions).
19	Undertake a review of the Heritage Design Guidelines: Sorrento Historic Precinct Incorporated Document and prepare a planning scheme amendment to implement the findings of the review.	Underway	Completed	A review of the incorporated document has been completed and a revised version has been prepared which is proposed to be implemented by Amendment C302morn (Municipal Heritage Review). The amendment is awaiting Ministerial authorisation which Council requested in August 2024.
Not started				
20	Consider the need to strengthen local policy against out-of-centre development and to refresh the Mornington Peninsula Activity Centres Strategy Review (April 2018) and Mornington Peninsula Industrial Areas Strategy (April 2018) before preparing an amendment to implement the key directions of each strategy into the planning scheme.	Not started	Not started	A refresh of Activity Centres Strategy Review has not yet commenced and is subject to funding and resourcing.
21	Review the need to prepare a planning scheme amendment to implement the 'Dwellings in the Green Wedge Policy' and 'Camping and Caravan Park Outside the Urban Growth Boundary' local policies following the release of State Government reforms to Green Wedge planning policy and controls.	Not started	Not started	The State Government released its "Planning for Melbourne's Green Wedges and Agricultural Land Action Plan" in 2024. Council should continue to advocate to the State Government to ensure reforms arising from implementation of the Action Plan over the next 3 years include reforms to address issues associated with dwellings and camping and caravan parks which are common to all of Melbourne's green wedge areas. This would negate the need for a locally led planning scheme amendment.
22	Partner with Melbourne Water to prepare a planning scheme amendment based on revised flood modelling and mapping to apply the Special Building Overlay (SBO) to ensure local overland flooding risk is appropriately captured and managed by the planning scheme.	Not started	Not started	Melbourne Water has confirmed that it will lead both the modelling and planning scheme amendment process, including community consultation, with the amendment process to commence in 2027.
23	Finalise the review and audit of potentially contaminated sites on the Peninsula and prepare a planning scheme amendment to apply the EAO accordingly.	Not started	Not started	This work will be a priority for Council in the 2026 Review implementation plan.

24	Undertake a feasibility study to determine whether a Shire-wide or staged Development Contributions Plan should be introduced to the planning scheme and prepare a planning scheme amendment to implement the recommendations of the study, as required.	Not started	Not started	This action has not proceeded due to the current known inefficiencies and risks of DCPs, and pending State Government reforms to DCPs which may provide a better means of collecting development contributions.
25	Seek to undertake a landscape character assessment of the Green Wedge to ensure future built form maintains the special amenity and scenic value of distinctive landscapes.	Not started	Not started	Need for this assessment will be considered pending implementation of the State Government's Planning for Melbourne's Green Wedges and Agricultural Land Action Plan, which includes actions to introduce built form controls for Green Wedge areas.
26	Prepare an amendment to the Planning Scheme to integrate the key strategic directives of the Biodiversity Conservation Plan and the findings of the Planning Provisions Review for Biodiversity Conservation project as required.	Not started	Not started	This action includes the review of SLOs/ESOs/VPOs (as noted in Recommendation No. 27) and is yet to be funded or resourced.
27	Comprehensively review all environmental overlays (ESOs, SLOs and VPOs) and prepare a planning scheme amendment to implement any recommended changes to better protect biodiversity, including the introduction of more permit exemptions for the removal of invasive weed species	Not started	Not started	This action is yet to be funded or resourced.
28	Complete the comprehensive review and update of the Shire's landslip susceptibility data and modelling, and update the ordinance and mapping of the Environmental Management Overlays.	Not started	Underway	Council has endorsed a three stage approach to the update of EMOs in response to the Board of Inquiry into the McCrae Landslide. The Shire has completed Stage 1 of this approach, introducing an interim EMO for all land identified as highly susceptible to landslides in the Landslide Susceptibility Assessment, Stage 2, Mornington Peninsula Shire, Victoria (Cardno Lane Piper, 2012) and not already covered by an EMO. This interim EMO is due to be refined via a supplementary planning scheme amendment in 2026 (Stage 2), while work begins on a comprehensive update to landslide susceptibility across the Shire and the introduction of permanent EMOs (Stage 3).
29	Review the need for an amendment to rezone land at The Briars to implement Council's adopted The Briars Master Plan 2019-2029 and prepare an amendment if required.	Not started	Not started	Council resolved in April 2025 to delay a review of the Masterplan until mid-2027.

30	Complete the zoning audit of public open spaces across the Shire and prepare a planning scheme amendment to rezone parcels of land to the correct public zone as necessary.	Not started	Not started	This action will be completed as part of the strategic work and planning scheme amendment to implement the a new Open Space Strategy. The Strategy is due to be completed and adopted by Council in 2026.
31	Undertake a review of existing signage controls and policy and consider the need for a planning scheme amendment to introduced improved provisions to manage amenity impacts.	Not started	Underway	Review of signage controls and policy is currently underway and due to be completed in 2026.
32	Upon completion of the Integrated Transport Strategy, prepare a planning scheme amendment to update the local policies or provisions as required.	Not started	Redundant	It has been determined that a planning scheme amendment will not be required to implement the ITS.
33	Prepare a planning scheme amendment to integrate the vision, objectives and key directives of the Mornington Peninsula Economic Development & Tourism Strategy (under preparation), as required.	Not started	Redundant	Council's Economic Development & Tourism Strategy - 'A Thriving Peninsula 2033' was adopted in 2023. It has been determined that a planning scheme amendment is not required to implement the strategy's key directions.
34	Preparation of a Heritage Strategy to guide Council-led initiatives to help protect heritage places on the Peninsula	Not started	Not started	Preparation of Municipal Heritage Strategy has not yet commenced. The need for such a Strategy will be reviewed in light of Council's decision to abandon the Heritage Grant program in 2025.
35	Undertake a review of all Restructure Overlays to ensure they are they are appropriately applied and/or required to rectify old and inappropriate subdivisions.	Not started	Not started	Review has not yet commenced and is subject to funding and resourcing.
New				
36	Review and clarify Activity Centre and Structure Plan boundaries in local planning policies following Amendment C219morn Panel recommendations and VCAT cases.	New	Not started	This action will be implemented as part of the refresh of Council's existing adopted 2018 Activity Center Strategy. This review has not yet commenced and is subject to funding and resourcing.
37	Continue to advocate for the State Government to release surplus land surrounding the Port of Hastings, including funding for the strategic planning and community engagement to determine the best uses with options to include housing, agriculture, areas for conservation, and industrial precincts to support the energy transition.	New	Continue	Council advocacy is ongoing. Release of the updated draft PDS expected in early 2026.
38	Continue to advocate and engage with the EES processes for major development proposals at the Port of Hastings as required	New	Continue	Council is currently participating in the EES Technical Reference Group process for the Victorian Renewable Energy Terminal.

39	Seek to engage with the Port of Hastings Corporation on the preparation of the next Port Development Strategy expected in mid-2024 and review the Scheme to ensure the economic importance and State-significance of the Port of Hastings is recognised and aligns with the new Port of Hastings Development Strategy	New	Continue	Council provided feedback for the next PDS to the Port of Hastings Authority in mid-2024. A draft of the updated PDS is expected in 2026 at which time Council will made a further submission. When finalised, it is likely that any changes needed to implement the new PDS into the Planning Scheme will be undertaken by the Minister at the request of the PoH.
40	Prepare an amendment to the Planning Scheme to integrate the key directions, findings and recommendations of Our Coast Our Future (currently under preparation), as required and consider the need to strengthen local policy to expressly discourage linear development of coastal land	New	Redundant	It has been determined that a planning scheme amendment is not required to implement actions of this strategy
41	Review the Mornington Activity Centre Structure Plan and prepare a planning scheme amendment to incorporate the revised Structure plan including changes to local policy or provisions, as required.	New	Not started	Future project which has not commenced and requires appropriate funding and resourcing.
42	Prepare township plans for the remaining large townships, namely Mount Eliza and Bentons Square and prepare a planning scheme amendment to implement the plans as required.	New	Not started	Future projects which have not commenced and require appropriate funding and resourcing.
43	Implement the recommendations of the Mornington Peninsula Open Space Strategy (under preparation) in the planning scheme through revised local policies and provisions as required	New	Not started	A planning scheme amendment will be prepared following finalisation and Council adoption of the new Open Space Strategy in 2026.
44	Prepare Urban Design Assessments of all small townships, local centres and convenience centres on the Port Phillip Bay side of the Mornington Peninsula (without specific built form controls) and prepare a planning scheme amendment to update local policies or provisions as required.	New	Not started	Future project which has not commenced and requires appropriate funding and resourcing.
45	Determine the need to undertake a strategic review of the LDRZ areas to simplify the application of the LDRZ across the municipality, including a review of the Mornington North Outline Development Plan and associated local policy.	New	Not started	Future project which has not commenced and requires appropriate funding and resourcing.
Ongoing				
O-1	Continue to engage with the State Government to apply the Urban Growth Boundary around the urban areas of Balnarring Beach, Merricks Beach, Merricks and Point Leo under section 46AG of the *Planning and Environment Act 1987*.	New	Continue	Application of the UGB around the townships of Balnarring Beach, Merricks Beach, Merricks and Point Leo requires ratification by Parliament.

O-2	Continue to advocate to the Minister for Planning for strong controls to protect the Green Wedge	New	Continue	The State Government's Planning for Melbourne's Green Wedges and Agricultural Land Action Plan (2024) appears likely to address many of the issues and actions raised in Council's adopted GWMP (2019). Council provided in-principle support for the Action Plan pending the release of details about how the actions will be implemented within the VPPs. Council will continue to monitor progress of the reforms and advocate as necessary to ensure the needs of the Peninsula's green wedge are met.
O-3	Continue to advocate to the Minister for Planning for a statewide approach to the development and application of controls in response to the findings of the Port Phillip Coastal Hazard Assessment.	New	Continue	The Port Phillip Bay Coastal Hazard Assessment and Sea Level Rise Benchmarks were published in 2024. Council will continue to advocate via the Municipal Association of Victoria's (MAV) Association of Bayside Municipalities (ABM) for the Minister for Planning to implement appropriate planning controls to areas identified as at-risk in the PPBCA via a Ministerial amendment.
O-4	Continue to maintain the planning scheme by making administrative corrections as required and ensure it responds to updates in State policy and strategic directives.	New	Continue	An anomalies amendment will be prepared following adoption of 2026 Review.
O-5	Continue to advocate to State Government to improve the operation of the Victoria Planning Provisions as required	New	Continue	Continue advocacy through numerous reform processes and engage with key stakeholders such as the MAV.
O-6	Continue to monitor the integrity of the PPF, application of local policy and the impact of VC amendments on the application of the Mornington Peninsula Planning Scheme	New	Continue	Continue, particularly in light of changes resultings from several significant VC amendments, which have implemented actions of the State Government's Housing Statement and Plan for Victoria.
O-7	Continue to monitor the interpretation and application of local planning policy by the Victorian Civil and Administrative Tribunal (VCAT) and Planning Panels to ensure the objectives of the Mornington Planning Scheme are achieved.	New	Continue	Continue regular reviews of VCAT decisoins and Planning Panel Reports.
O-8	Continue to advocate for a partnership approach with State Government to advance any reforms so that local government and communities can continue to have a meaningful and effective role in land use and development planning processes.	New	Continue	Continued advocacy through numerous reform processes and engage with key stakeholders such as the MAV.

O-9	Continue to respond to important State Government discussion papers and proposed planning reforms at every opportunity to ensure the unique needs of the Mornington Peninsula are addressed (e.g. Victoria's Housing Statement, Plan for Victoria, Planning & Environment Act 1987 Review, etc)	New	Continue	Responses have been prepared and provided for various discussion papers and reforms proposed by the State Government since the 2023 review. Examples include the P&E Act Review, Codification, Food Supply Inquiry, etc. Council will continue to respond to such initiatives as they arise.
O-10	Structure Plan Progress Reports	New	Continue	Structure Plan Progress Reports were presented to Council in December 2025 for Balnarring, Baxter, Crib Point, Hastings, Mornington, Rosebud, Rye, Somerville, and the Western Port Coastal Villages Strategy. The next round of progress reports are due in late 2026.

COUNCIL 'C' AMENDMENTS (since December 2023)

Amendment number	In operation from	Description of the amendment	What sort of amendment?	Status of the amendment	Was there are Planning Panel Hearing?
Amendments completed					
C241morn	05-Sep-24	The amendment implements the recommendations of the Balcombe Estuary and Associated reserves Ecological and Planning Study by applying Schedule 32 to the Environmental Significance Overlay (ESO32) to land in Mount Martha and making consequential changes to the Mornington Peninsula Planning Scheme.	Policy	Approved	No
C243morn	TBC	The amendment proposes to rezone land at 83 and 79 Bungower Road, Somerville, from Special Use Zone (SUZ1) to the Industrial 3 Zone (IN3Z), introduce a new local policy at Clause 17.03 (Industry) and a new schedule to the Development Plan Overlay (DDO24)	Policy	Approved	Yes
C256morn	22-May-25	Amends Development Plan Overlay Schedule 21 (DPO21) by adding 4 Bundara Crescent, Mount Eliza to the schedule and applying it to the land. The amendment is combined with planning permit CP22/002, which facilitates the subdivision of the land into two lots.	Site specific	Approved	Yes (on papers)
C271morn	09-Jan-25	The amendment implements the key strategic directives of the Western Port Coastal Villages and Surrounding Settlements Strategy.	Policy	Approved	Yes
C286morn	30-Jan-26	The amendment proposes to apply the Design and Development Overlay (DDO28) to the Ocean Beach Road Commercial Precinct in Sorrento on a permanent basis.	Policy	Approved	Yes
C293morn	22-Mar-24	The amendment rezones 1100 Frankston-Flinders Road, Somerville from the Transport Zone 1 (TRZ1) to the Commercial 1 Zone (C1Z) and applies Schedule 30 to the Design and Development Overlay (DDO30).	Policy	Approved	No
C300morn	13-Jun-24	The amendment extends the project delivery date (at section 7) of the Creswell Street Development Contributions Plan 2018 (DCP) from five to seven years from the date when the DCP was first incorporated into the Mornington Peninsula Planning Scheme by Amendment C210morn on 6 June 2019 and makes associated changes to the Mornington Peninsula planning scheme.	Administrative - Ministerial S20(4)	Approved	No
C303morn	25-Jan-24	The amendment corrects formatting errors that occurred as part of the approval of Amendment C232morn.	Administrative - Prescribed S20(A)	Approved	No
C304morn	11-Jul-25	The amendment facilitates the use and development of a hydrogen production facility (Industry) that is to operate in conjunction with the existing hydrogen liquefaction facility at the Port of Hastings. The Amendment applies the Specific Controls Overlay, Schedule 13 (SCO13) and amends the existing Incorporated Document.	Site specific - Ministerial S20(4)	Approved	No
C305morn	18-Jul-25	The amendment extends the expiry date of Schedule 28 to the Design and Development Overlay which applies to the Ocean Beach Road Commercial Precinct in Sorrento until 4 July 2025 and corrects an obvious error that occurred as part of the gazettal of Amendment C300morn.	Administrative - Prescribed S20(A)	Approved	No
C306morn	27-Jun-24	The amendment extends the expiry date of the interim Heritage Design Guidelines Sorrento Historic Precinct incorporated document for two years until 30 June 2026.	Administrative - Ministerial S20(4)	Approved	No
C307morn	13-Mar-25	Corrects the precinct map in Schedule 58 to the Design and Development Overlay (DDO58 ? Rye Town Centre) which incorrectly identified the land at 2389 Point Nepean Road, Rye as being in Precinct 1 when it was intended to be in Precinct 3. The error occurred during the processing of Amendment C275morn which implemented the Rye Urban Design Guidelines.	Administrative - Prescribed S20(A)	Approved	No
C309morn	19-Jun-25	Amends the schedules to Clause 45.12, Clause 72.03 and Clause 72.04 and applies a Specific Controls Overlay to 3880 Point Nepean Road, Portsea to introduce the incorporated document, Point Nepean Research and Education Field Station, May 2025.	Site specific - Ministerial S20(4)	Approved	No
C310morn	03-Jul-25	Extends the expiry date of the interim Schedule 28 to the Design and Development Overlay (DDO28) which applies to the Ocean Beach Road Commercial Precinct in Sorrento, for 12 months until 3 July 2026.	Administrative - Prescribed S20(A)	Approved	No
C312morn	06-Jan-26	Inserted a new Schedule 7 to the Erosion Management Overlay (EMO) and applied it to land on the Mornington Peninsula. The new schedule applies on an interim basis until 6 January 2027	Policy - Ministerial S20(4)	Approved	No
C313morn	06-Jan-26	Amended the Schedule to Clause 43.01 (Heritage Overlay) by splitting the table of heritage places into multiple tables to improve clarity of the planning schem	Administrative -Ministerial S20(4)	Approved	No
Amendments underway / well progressed					
C219morn	-	The amendment implements the Housing and Settlement Strategy: Refresh 2020-2036 (Mornington Peninsula Shire, 2020) and Neighbourhood Character Study and Guidelines (Ethos Urban, 2019) by making substantial changes to zones, overlays and policies affecting residential areas.	Policy	Underway (Approval under consideration)	Yes
C247morn	-	The combined amendment / planning permits propose to rezone land in Woodbyne Crescent and Albany Way, Mornington from Low Density Residential Zone (LDRZ) to Neighbourhood Residential Zone, introduce a new schedule to the Development Plan Overlay (DPO25) for the master planning of the precinct, and approve two permits for subdivision.	Policy	Underway (Panel completed)	Yes

C295morn	-	The Mornington Peninsula Shire Council has recently completed a review of the existing Creswell Street East, Crib Point Development Contributions Plan, April 2018 incorporated document which identified several issues, the most significant being that the project costs included in the existing Development Contributions Plan do not reflect the current construction costs. As a result, a revised Development Contributions Plan and associated amendments have been prepared.	Policy	Underway (Adopted by Council)	Yes
Amendments not progressed - withdrawn, abandoned or not authorised					
C246morn	-	Seeks to introduce a new Particular Provision to facilitate zero carbon development through strengthened ESD requirements. The amendment has been prepared along with 24 other Victorian councils from the Council Alliance for a Sustainable Built Environment (CASBE)	Policy	Authorisation review	
C249morn	-	Seeks to rezone a precinct of land at Boundary and Collins Roads in Dromana from LDRZ to the NRZ to facilitate additional housing supply and diversity	Policy	Authorisation review	
C301morn	-	Interim Heritage Overlays	Policy - Ministerial S20(4)	Approval under consideration	
C302morn	-	Heritage Review Stage 4 & 5	Policy	Authorisation review	

GC AMENDMENTS (since December 2023)

Amendment number	In operation from	Brief description of the amendment	What sort of amendment: - Policy related - Site specific - Administrative	Status of the amendment - Did not progress - Approved - Underway	Was there are Planning Panel Hearing?	Are changes consequently required to local provisions?) - Yes - No
GC221	06-Mar-24	Made the Minister the responsible authority for land they own for various sites, one being in the Mornington Peninsula Shire (Hastings).	Administrative	Approved	No	No

VC AMENDMENTS (since December 2023)

Amendment number	In operation from	Brief description of the amendment	What sort of amendment: - Policy related - Site specific - Administrative	Status of the amendment - Did not progress - Approved - Underway	Was there are Planning Panel Hearing?	Does this require assessment in Part Two - Yes - No
2026						
VC271	06-Feb-26	The amendment supports the provision of energy-related infrastructure by facilitating the creation of new smaller lots for utility installations that transmit, distribute or store electricity in the Farming Zone and Rural Activity Zone.	Policy related	Approved	No	No
VC265	04-Feb-26	Amendment VC265 makes corrections and updates to the Victoria Planning Provisions and all planning schemes to ensure they are current and accurate.	Administrative	Approved	No	No
VC278	20-Jan-26	Amendment VC278 applies Significant Landscape Overlays (SLOs) to 17 waterways within the Yarra (Birrarung) and Waterways of the West catchments. The controls preserve the unique landscape character, cultural values, amenity and ecological health of each waterway. The amendment also strengthens state policy for waterways and includes updates to existing SLOs within the Waterways of the West and Rivers of the Barwon catchments.	Policy related	Approved	No	No
2025						
VC277	18-Dec-25	Amendment VC277 amends car parking requirements to align car parking rates with demand and reduce the number of car parks required in locations well-serviced by public transport.	Policy related	Approved	No	No
VC298	25-Nov-25	Amendment VC298 updates Clause 52.03 to reflect the Level Crossing Removal Project?s (LXRP) name change to Victorian Infrastructure Delivery Authority (VIDA) Rail and expand the clause?s application to projects carried out by or on behalf of VIDA Rail. The amendment also updates reference to the Guidelines for removal, destruction or lopping of native vegetation (DEECA, 2025).	Administrative	Approved	No	No
VC301	21-Nov-25	Amendment VC301 corrects Clause 52.37 table of permit exemptions to ensure public authorities and municipal councils do not require a permit to remove, destroy or lop a canopy tree to construct or maintain the transport system.	Administrative	Approved	No	No
VC297	19-Nov-25	Amendment VC297 creates an efficient approvals pathway for permits to facilitate the assessment of minor projects to support the delivery of the broader Suburban Rail Loop Authority transport program, including Suburban Rail Loop East.	Administrative	Approved	No	No
VC295	07-Nov-25	The amendment changes the VPP and all planning schemes to align the provisions with the new name for Major Road Projects Victoria (MRPV) to VIDA Roads.	Administrative	Approved	No	No
VC291	30-Oct-25	Amendment VC291 updates the Victoria Planning Provisions and all planning schemes to replace the Guidelines for the removal, destruction or lopping of native vegetation, 2017 with the version published in 2025 and amend clause 66.01 (Subdivision Referrals) to enable the direct referral of planning applications to Fire Rescue Victoria for the existing fire hydrant referral matter.	Policy related	Approved	No	No
VC294	27-Oct-25	Amendment VC294 reforms sign provisions to exempt specified signs from planning permit requirements and remove mandatory permit expiration dates for most signs	Administrative	Approved	No	No
VC296	17-Oct-25	Amendment VC296 reinstates the operation of the existing coronavirus (COVID-19) pandemic and recovery exemption planning provisions until 30 June 2027.	Administrative	Approved	No	No
VC288	16-Oct-25	The amendment extends the streamlined VicSmart assessment process to include planning permit applications for the construction of two dwellings on a lot and the subdivision of land into two lots.	Policy related	Approved	No	No
VC289	15-Sep-25	Introduces a planning permit requirement to remove, destroy or lop a canopy tree in residential areas at clause 52.37 (Canopy trees) into the Victoria Planning Provisions (VPP) and all planning schemes. Minimum canopy tree replacement requirements will apply to an application to remove a canopy tree. The amendment is required to implement Action 12 of Plan for Victoria to protect and enhance canopy trees.	Policy related	Approved	No	No
VC292	11-Sep-25	Makes changes to the Victoria Planning Provisions (VPP) and all planning schemes to include reference to the Neighbourhood Character Overlay (NCO) in the ?Application? section of clause 54 that was inadvertently omitted by Amendment VC282.	Administrative	Approved	No	No
VC282	08-Sep-25	Changes the Victoria Planning Provisions and all planning schemes in Victoria by introducing a new clause 54 (One dwelling on a lot or a small second dwelling on a lot), making consequential changes to give effect to the new residential development planning assessment provision and correcting technical errors made by Amendment VC267.	Policy related	Approved	No	No
VC268	05-Sep-25	Required to give effect to the Victorian Transmission Plan and update strategies to facilitate renewable energy development in declared renewable energy zones. Changes to references to the Climate Action Act 2017 are required to ensure that planning schemes are accurate.	Policy related	Approved	No	No
VC283	02-Sep-25	Changes the Victoria Planning Provisions and all planning schemes in Victoria to implement Plan for Victoria (Department of Transport and Planning, 2025), update and introduce policy, remove reference to Plan Melbourne 2017-2050: Metropolitan Planning Strategy and make general drafting improvements and clarifications.	Policy related	Approved	No	No
VC279	21-Aug-25	Makes changes to the land use definition of Minor utility installation in the Victoria Planning Provisions and all planning schemes to ensure the appropriate planning assessment of large battery storage systems.	Administrative	Approved	No	No
VC290	15-Aug-25	Changes the VPP and 63 planning schemes in Victoria by making Abattoir a section 1 use in the Table of Uses where specified siting, design and amenity conditions are met in clause 35.04 Green Wedge Zone, clause 35.07 Farming Zone and clause 35.08 Rural Activity Zone.	Administrative	Approved	No	No
VC258	04-Jul-25	Improves the operation of the existing Development Facilitation Program (DFP) planning provisions at clauses 53.22 and 53.23 and expands the program eligibility to include gas projects and saleyards.	Policy related	Approved	No	No

VC286	01-Jul-25	Changes the VPP and all planning schemes in Victoria by removing the requirement for a planning permit for licensed premises.	Policy related	Approved	No	No
VC275	27-Jun-25	Introduces a planning exemption for outdoor dining on public land	Administrative	Approved	No	No
VC281	14-Apr-25	Makes changes to the Victoria Planning Provisions and 34 planning schemes by amending clause 12.03-1R (Yarra River protection) to implement stage one of Burndap Birrarung burndap umarkoo, the Yarra Strategic Plan 2022-2032, February 2022. The amendment also introduces clause 51.06 to ensure responsible public entities have regard to the principles specified in the Yarra River Protection (Wilip-gin Birrarung murron) Act 2017.	Policy related	Approved	No	No
VC280	07-Apr-25	Introduces the Great Design Fast Track into the Victoria Planning Provisions and all planning schemes in Victoria. The Great Design Fast Track implements a new planning assessment pathway to facilitate the delivery of high-quality townhouse and apartment developments.	Policy related	Approved	No	No
VC276	02-Apr-25	Makes changes to the Victoria Planning Provisions (VPP) and all planning schemes to amend all residential zone schedules and Neighbourhood Character Overlay schedules to implement the new residential development planning assessment provisions and correct technical errors resulting from Amendment VC267.	Policy related	Approved	No	No
VC267	31-Mar-25	Implements new residential development planning assessment provisions to boost housing construction to meet the housing needs of Victorians.	Policy related	Approved	No	No
VC266	03-Mar-25	Extends the timeframe for the temporary planning provisions that allow for the use and development of land for a Dependent persons unit (DPU) by one year to 28 March 2026. The amendment also updates the permit requirements for DPU proposals affected by particular overlays.	Administrative	Approved	No	No
VC274	28-Feb-25	Amendment VC274 introduces the Precinct Zone (PRZ) at Clause 37.10 to support housing and economic growth in priority precincts across Victoria in line with Victorias Housing Statement, The Decade Ahead 2024-2034 and the Victorian Governments vision for priority precincts, including Suburban Rail Loop precincts.	Policy	Approved	No	No
VC257	25-Feb-25	Makes changes to the Victoria Planning Provisions (VPP) and all planning schemes to introduce Clause 32.10 Housing Choice and Transport Zone (HCTZ) and Clause 43.06 Built Form Overlay (BFO) to support housing growth in and around activity centres and other well-serviced locations in line with Victorias Housing Statement, The Decade Ahead 2024-2034	Policy	Approved	No	No
VC237	14-Jan-25	The Amendment changes the VPP and all planning schemes in Victoria by introducing a permit exemption for a remote sellers packaged liquor licence under Clause 52.27, replacing references to EPAs Recommended Separation Distances for Industrial Residual Air Emissions document with the new Separation Distance Guideline and Landfill Buffer Guideline, replacing existing references to superseded state and regional waste and resource recovery plans with the new Victorian Recycling Infrastructure Plan, correcting typographical errors, updating formatting and ensuring language and references are accurate and up to date.	Administrative	Approved	No	No
2024						
VC273	19-Dec-24	Amendment VC273 makes changes to clause 52.20 to apply to housing development that are wholly or partly funded by the Victorian or Commonwealth governments.	Administrative	Approved	No	No
VC272	18-Dec-24	The amendment modifies the timeframes at clause 52.10 (Reconstruction After an Emergency) from 5 to 7 years.	Administrative	Approved	No	No
VC263	22-Nov-24	The Amendment makes changes to state policy relating to special water supply catchments and water quality, as well as improving references to the Catchment and Land Protection Act 1994 and updating references to policy documents	Policy and administrative	Approved	No	No
VC270	11-Oct-24	Amendment VC270 extends the outdoor dining planning exemptions under clause 52.18 (Coronavirus (COVID 19) pandemic and recovery exemptions) for a further 12 months.	Administrative	Approved	No	No
VC262	16-Aug-24	Amendment VC262 exempts applications to remove, destroy or lop vegetation that comply if a fire prevention notice has been issued under the Fire Rescue Victoria Act 1958.	Administrative	Approved	No	No
VC255	03-May-24	Amendment VC255 changes the VPP and 52 planning schemes in Victoria by correcting obvious or technical errors and by making consequential changes to local schedules to align with Amendment VC243 and Amendment VC253.	Administrative	Approved	No	No
VC252	26-Apr-24	Amendment VC252 changes the VPP and 64 planning schemes in Victoria by correcting obvious or technical errors and by making consequential changes to local schedules to align with Amendment VC243 and Amendment VC253.	Administrative	Approved	No	No
VC261	04-Apr-24	The amendment expands the operation of the existing Development Facilitation Program (DFP) planning provisions that fast-track the assessment of significant economic development by enabling an application for renewable energy facility, utility installation and associated subdivision to be assessed.	Administrative	Approved	No	No
VC259	28-Mar-24	The amendment changes the VPP and all planning schemes in Victoria by extending the transitional arrangements for a dependent persons unit for a period of 12 months.	Administrative	Approved	No	No
VC256	15-Mar-24	General omnibus amendment	Administrative	Approved	No	No
VC244	16-Feb-24	The amendment makes administrative corrections to Clause 72.04 and various schedules to Clause 72.04.	Administrative	Approved	No	No
VC254	12-Feb-24	The amendment makes changes the Victoria Planning Provisions and all planning schemes related to Birrarung-Bolin Framework Plan, Proof of continuous use, signs in the Transport Zone and State projects.	Policy and administrative	Approved	No	No
VC249	15-Jan-24	The amendment changes the Victoria Planning Provisions and all planning schemes in Victoria by exempting development for a small second dwelling from Development Contributions Plan requirements and correcting typographical errors related to small second dwellings.	Administrative	Approved	No	No
VC250	01-Jan-24	Supports Victorias Gas Substitution Roadmap (Victorian Government, 2022) by prohibiting new gas connections for new dwellings, apartments and residential subdivisions where a planning permit is required	Policy related	Approved	No	No

Compliance with the Planning Scheme Reviews Advisory Note

Given the extent of State government reforms to the Planning System, DTP released the Planning Scheme Reviews Advisory Note (DTP, March 2026) which sets out the matters that need to be addressed in planning scheme reviews undertaken in 2026.

The table below outlines how the Mornington Peninsula Planning Scheme Review No.6 addresses the requirements of the Advisory Note.

Advisory Note requirement	Planning Scheme Review report sections
Local policy and planning tools	
1. Identify inconsistencies between local policies and PPF (VC283 – Plan for Victoria)	**VC (Victorian) and GC (group of council) amendments** The impacts of major VC amendments and ones most applicable to the Mornington Peninsula is discussed in Section 5.1 **Plan for Victoria** Implications of Plan for Victoria implementation are discussed in Section 5.3.1. **Current Strategic Planning projects and existing strategic documents and plans** Potential inconsistencies with local policies are discussed in Sections 6.4. (Current Strategic Planning Projects) and Section 6.5 (Existing Strategic Documents and Plans).
2. Conflicts with updated State provisions (Clauses 52.06, 52.27, 52.37, 54, 55, 57)	**Clause 52.06 (Car parking)** - Addressed in Section 5.1 under VC277 (pg. 52) **Clause 52.37 (Canopy trees)** - Addressed in Section 5.1 under VC289 (pg. 55) **Clause 54 (Single Dwelling code changes)** - Addressed in Section 5.1 under VC282 (pg. 53) and in Section 5.3.2.4 (pg. 66)

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Advisory Note requirement	Planning Scheme Review report sections
	Clause 55 (Townhouse and Low Rise Code changes) - Addressed in Section 5.1 under VC267 (pg. 50) and in Section 5.3.2.3 (pg. 65) **Clause 53.25 (Great Design Fast Track)** - Addressed in Section 5.1 under VC280 (pg. 52) **VicSmart changes (two dwellings on a lot and subdivisions)** - Addressed in Section 5.1 under VC288 (pg. 54)
Housing and residential development	
3. Housing capacity shortfall response (HCAP)	Responded to in the following sections: - Section 2.1.2 (Population & housing growth) - Section 5.3.2.2 (Housing Capacity Mapping Tools)
4. Enable housing in high-access areas	Addressed in Section 5.3.2.2 (Housing Capacity Mapping Tools). Refer to subheading 'Future Housing Capacity work.'
5. Distribution of housing to meet greenfield and established area targets	Not applicable.
6. Residential zones review (Planning Practice Note 90 Planning for Housing and Planning Practice Note 91 Using the residential zones	Discussion of Amendment C219morn throughout report also responds to these PPN's.
7. Neighbourhood character review	Addressed in Section 6.5.5 (Neighbourhood Character Study).
Settlement boundaries	
8. Settlement boundaries	Addressed in Section 6.5.1 (Township Structure Plans) and the existing UGB issue is raised in Section 6.5.6 (Housing and Settlement Strategy).

Advisory Note requirement	Planning Scheme Review report sections
Green wedges	
9. Green Wedge Management Plans	Addressed in the following sections: - Section 5.3.7 (Planning for Melbourne's Green Wedges and Agricultural Land Action Plan 2024) - Section 5.5.4 Council's submission to the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan 2024. - Section 6.5.2 (Mornington Peninsula Green Wedge Management Plan 2019).
Form and content	
10. Terminology alignment with Plan for Victoria activity centres hierarchy	Any inconsistencies will be corrected in a future 'anomalies' planning scheme amendment as discussed in Section 7.3 (Identified anomalies).
11. Schedules align with relevant schedule template	Any inconsistencies will be corrected in a future 'anomalies' planning scheme amendment as discussed in Section 7.3 (Identified anomalies).
12. Special Purpose Zones review	Any outdated land use terms and other inconsistencies will be corrected in a future 'anomalies' planning scheme amendment as discussed in Section 7.3 (Identified anomalies).
Removing roadblocks to improvement	
13. VPP tool suitability assessment	The suitability of new VPP tools is discussed in Section 5.1, particularly under VC257 (pg. 50) and VC274 (pg. 52).
Environmental risks	
14. Environmental risk mapping updates	Responded to in the following sections: - Section 2.1.3 (Environmental risks) - Section 6.4.4 (Environmental Risk Data)

Amendments completed since 2023

- Amendment C241morn (Balcombe Estuary and associated reserves Environmental Significance Overlay)
- Amendment C243morn (Somerville Technology, Industry and Business Park)
- Amendment C256morn (Development Plan Overlay for 4 Bundara Crescent, Mount Eliza)
- Amendment C271morn (Western Port Coastal Villages and Surrounding Settlements Strategy)
- Amendment C286morn (Sorrento Built Form Review and updated Design and Development Overlay DDO28)
- Amendment C293morn (Land rezoning near Somerville Railway Station)
- Amendment C300morn (Extended expiry date for the Creswell Street, Crib Point Development Contributions Plan).

Amendments substantially progressed since 2023

- Amendment C219morn (Housing and Settlement Strategy) – adopted by Council in August 2024, now with the Minister for a decision.
- Amendment C247morn (Woodbyne Residential Precinct, Mornington) - scheduled for a Council adoption decision in April 2026.
- Amendment C295morn (Revised Creswell Street, Crib Point Development Contributions Plan (DCP)) - adopted by Council in December 2025.

Strategic projects completed since 2023

- The Shaping Greater Dromana Plan
- A revised Creswell Street, Crib Point Development Contributions Plan (to be implemented by Amendment C295morn)
- A review of the Heritage Design Guidelines: Sorrento Historic Precinct Incorporated Document (to be implemented by a future amendment).

Mornington Peninsula Green Wedge Management Plan
Progress report - May 2026

MORNINGTON PENINSULA Shire

MORNINGTON PENINSULA GREEN WEDGE MANAGEMENT PLAN PROGRESS REPORT 2026

The Mornington Peninsula Green Wedge (Green Wedge) is one of Victoria's most important assets. Approximately 70% of the Shire's land mass is comprised of the Green Wedge which is all land outside the metropolitan Urban Growth Boundary.

Conservation policies for the Green Wedge were first introduced by the State government more than 40 years ago. The special role and character of the Green Wedge continues to be highly valued by both the local community and the wider population of Melbourne.

The Green Wedge delivers a range of benefits including:

- An area of outstanding natural beauty, diverse landscapes and cultural heritage.
- Areas of National, State and local conservation significance and habitat value.
- Great opportunities for informal and outdoor recreation – bushwalking, riding trails and mountain biking – with a range of State and local parks.
- A high-value agricultural area based on versatile soils, mild climate and good water supply.
- Opportunities for tourism and leisure-based businesses that provide significant recreational and economic benefits to both the local community and visitors.
- Several small settlements and villages that are home to more than 8,500 people.

Having regard to this range of benefits and the future growth of Melbourne's population, the Green Wedge requires careful planning and management to protect its values for the long term.

Following community consultation, the Mornington Peninsula Shire Council adopted the Green Wedge Management Plan on 1 April 2019.

Objectives of the Green Wedge Management Plan

- Conservation and enhancement of natural systems and biodiversity.
- The significance of the Mornington Peninsula as part of the Mornington Peninsula and Western Port Biosphere will be recognised and given effect.
- Providing for recreational demand based primarily on the experience and enjoyment of the natural and cultural values of the Mornington Peninsula.
- Promoting sustainable agricultural use of rural land.
- The Mornington Peninsula will not accommodate major population growth and the existing Urban Growth Boundary and Green Wedge rural area will be maintained.

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The Plan includes six main themes:

- Subdivision, rural dwellings and the role of townships
- Conservation and biodiversity
- Agriculture, agri-business and agri-tourism
- Tourism and leisure-based use and development
- Landscape, recreation and heritage
- Infrastructure planning and design

Vision for the Mornington Peninsula Green Wedge

A place that keeps about seventy percent of the Peninsula's land mass as a rural land resource in recognition of its value for current and future generations.

A place that protects, conserves and enhances the diversity, quality and extent of natural systems for their international, national, regional and local significance.

A place where the critical role of sustainable agriculture is recognised, protected and supported as a key land use and the productive capacity of land is conserved and enhanced for the future.

A place that retains a rural character, defined by agriculture and natural systems land uses, heritage places, attractive vistas, unobtrusive buildings and a low population settled in relatively few buildings that is:

- At its strongest in key locations including: significant landscapes, land with coastal frontage, land adjoining urban growth boundaries and separations between closely located townships, and
- Protected by population, industrial and commercial growth being located inside the Urban Growth Boundary.

A place for all people to access a high quality regional open space network and diverse rural and coastal landscapes for their health, wellbeing and learning, in particular their need for outdoor, unstructured recreation.

A place that supports tourism-based use and development, including eco-tourism and agri-tourism, in appropriate locations, at a scale and in a form consistent with the rural character and function of the Green Wedge, and subject to appropriate site requirements and standards. Most accommodation, retail premises and the like will be located in the townships, but with support in the rural areas for:

- Outdoor-based leisure and recreation uses;
- Small scale host farm and bed and breakfast accommodation;
- Primary produce sales
- Uses in conjunction with established large scale rural enterprises (i.e. farming, wineries or outdoor leisure and recreation), and
- Other uses that will bring regionally significant and sustainable improvement to the protection and enhancement of natural systems or heritage places.

A place that supports landowners to provide sustainable land stewardship.

A place where infrastructure and facilities of all kinds are planned, designed, constructed and managed having regard to the needs of the community and the special character of the area.

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1.0 SUBDIVISION, RURAL DWELLINGS AND THE ROLE OF TOWNSHIPS IN THE GREEN WEDGE					
Objective: Support the key purposes and retain the rural character of the Green Wedge					
1.1	Rigorously oppose any amendments to the Urban Growth Boundary that would result in any loss of Green Wedge land, with particular attention to the high exposure areas around and between townships which are critical to the distinctive settlement pattern of the Peninsula and to maintaining the relationship between rural and township areas. *Priority: Ongoing*	Council Strategic Planning	Ongoing	Established State and local planning policies do not support changes to the Metropolitan Green Wedge Land: Core Planning Provisions that would have the effect of overriding exiting mandatory Green Wedge Zone controls. If an initial request is made about changes to zoning within the Green Wedge, Strategic Planning reiterates Council's adopted position for supporting the core purposes of the Green Wedge. While it recognises that tourism and leisure-based use / development is an important economic sector for the Shire's Green Wedge, the Plan states that such uses/development are to play a complementary role to core purposes. The GWMP supports the Green Wedge Zone as the primary zone to achieve this outcome.	Retain as an advocacy position. For response to development applications, planning scheme amendment requests and future State Government reforms on the Green Wedge.
1.2	Contain residential and other urban development, including service stations, freeway service centres, fast food restaurants and medical centres, within the Urban Growth Boundary. *Priority: Ongoing*	Council Strategic Planning Statutory Planning	Ongoing	The Mornington Peninsula Planning Scheme Review No. 5 (2023) does not propose any review of the GWZ provisions. The adopted Council position for the protection of the Green Wedge is implemented by planning decisions in accordance with the provision of the Mornington Peninsula Planning Scheme.	Retain as an advocacy position. For response to development applications, planning scheme amendment requests and future

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					State Government reforms on the Green Wedge.
1.3	Advocate to the State government for a review of the Schedule to Clause 51.02 (Metropolitan Green Wedge Core Planning Provisions) and the associated Special Use Zone provisions, to ensure that any exemption from the Core Planning Provisions applies only to the specific special use that forms the basis for the inclusion of that site in the Special Use Zone. Seek an interim amendment to suspend the use of the exemption schedule pending the completion of the review. *Priority: High*	Council Strategic Planning	Partially completed	Council has pursued two planning scheme amendments about the SUZ provisions. Planning Scheme Amendment C270morn was gazetted on 9 September 2023. The Amendment rezones specific sites outside the Urban Growth Boundary (UGB) from the Special Use Zone Schedule 2 (SUZ2) to either Green Wedge Zone Schedule 3 (GWZ3), Public Conservation and Resource Zone (PCRZ) or Public Park and Recreation Zone (PPRZ). It also deletes specific sites from the Schedule to Clause 51.02 (Metropolitan Green Wedge Land: Core Planning Provisions). The following sites were rezoned: • Section of foreshore reserve adjacent to 60-70 Kunyung Road, Mount Eliza - rezoned from SUZ2 to PPRZ. • 19 Tallis Drive, Mornington (Mornington Golf Course) - rezoned from SUZ2 to GWZ3. • 46 London Bridge Road, Portsea (Portsea Golf Course) - rezoned from SUZ2 to GWZ3. • 35 Sunnyside Road, Mount Eliza (Manyung Recreation Camp) - rezoned from SUZ2 to PPRZ. • 3875 Point Nepean Road (Point Nepean National Park) - rezoned from SUZ2 to PCRZ. • 74-76 Marine Parade, Shoreham (Mentone Grammar camp) - Deleted from the Schedule to Clause 51.02.	Action completed.

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				• 62 Oakbank Road, Mornington (Padua College) - deleted from the Schedule to Clause 51.02. The previous SUZ2 zoning was a 'legacy' zoning whereby the original application of the SUZ2 was to facilitate an intended limited use and built form outcome - in some respects a continuation of existing use rights. This zone was applied prior to the introduction of the Green Wedge Zone. Given that all the sites proposed to be rezoned are located outside the UGB, and are aligned to significant Green Wedge parcels, the SUZ2 zoning was an anomaly and only ever intended to facilitate a specific land use 'of the time'. The SUZ2 'legacy' zoning allowed for use and development outside the Urban Growth Boundary which could result in an intensity and/or form of development which would be described as de-facto urbanisation. Previously, Council sought authorisation of Amendment C235morn to rezone land zoned Special Use Zone 4 (SUZ) to the Green Wedge Zone 2 (GWZ2). However, the Minister refused authorisation of this amendment in February 2022 on the basis that the GWMP cannot be the sole strategic justification for the rezoning and that further strategic work is needed to determine the most appropriate zoning (Green Wedge Zone or other rural zone) and preferred land use outcomes. A review of the SUZ is a proposed recommendation in the draft Planning Scheme Review No. 6 2026.The second part of the action, namely to seek an interim amendment to suspend the use of the exemption schedule has not been	

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				pursued as the Minister for Planning can only amend the Core Planning Provisions.	
1.4	Investigate with DELWP the potential to establish a clear Urban Growth Boundary around the existing small coastal and rural villages, which are already defined by existing zonings, to remove any uncertainty regarding the status of the existing boundaries. *Priority: Medium*	Council Strategic Planning	Ongoing	Melbourne's Urban Growth Boundary (UGB) currently extends to most residential land on the Mornington Peninsula. Some residential land is located outside of the UGB in Balnarring Beach, Point Leo, Merricks Beach and Merricks. The Mornington Peninsula Planning Scheme Review No. 5 (2023) contains action number 0-1: *Continue to engage with the State Government to apply the Urban Growth Boundary around the urban areas of Balnarring Beach, Merricks Beach, Merricks and Point Leo under section 46AG of the Planning and Environment Act 1987.* DTP confirmed that the application of a UGB around the townships of Balnarring Beach, Merricks Beach, Merricks and Point Leo would require ratification by Parliament. This action will be retained in the current Planning Scheme Review No. 6 2026.	Retain as an advocacy position. For continued engagement with DTP to correct the mapping anomaly.
1.5	Rigorously oppose any amendments to the Green Wedge Zone which would reduce the minimum lot size requirements or introduce excision provisions for dwellings. *Priority: Ongoing*	Council Strategic Planning	Ongoing	Established State and local planning policies do not support changes to the Metropolitan Green Wedge Land: Core Planning Provisions that would have the effect of overriding exiting mandatory Green Wedge Zone controls.	Retain as an advocacy position. For response to planning scheme amendment requests and future State

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				If an initial request is made about changes to zoning within the Green Wedge, Strategic Planning reiterates Council's adopted position for supporting the core purposes of the Green Wedge.	Government reforms on the Green Wedge.
1.6	Advocate for a consistent set of planning provisions, particularly in regard to subdivision, excision and dwelling provisions, across all nonurban areas on the Peninsula including land in the Farming Zone and the Special Use Zones. *Priority: Medium*	Council Strategic Planning	Completed	Council made a submission to the Planning for Melbourne's Green Wedges and Agricultural Land Consultation Paper in 2021. Link: Submissions to the State Government - Mornington Peninsula Shire The relevant recommendations at page 11 of the submission are: *New provisions for subdivision and dwellings for Rural Conservation and Farming Zones (as per the Green Wedge Zone).* *Introducing decision guidelines and application requirements for new dwellings in the Green Wedge Zone and Green Wedge A Zone, including consideration of whether the dwelling will result in the loss or fragmentation of productive agricultural land.* Although the Farming Zone is not widely applied in the Mornington Peninsula Planning Scheme, the proposed changes are supported to provide greater consistency in relation to subdivision and excision provisions across rural zones	Action completed. Retain as an advocacy position. For response to future State Government reforms on the Green Wedge.

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				The State Government released the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan in 2024. The Mayor responded with general in-principal support for most elements of the 20-point Action Plan, but noting that some actions require refinement before implementation. Link: Submissions to the State Government - Mornington Peninsula Shire The relevant action is: *Action 16: Prohibit subdivision of small lots below the minimum lot size in some zones within 100 kilometres of Melbourne.* There is a need to prevent fragmentation of land through subdivision and re-subdivision proposals. The State Government's original P4GWAL discussion paper canvassed tenement controls as an option where a landowner has several contiguous small lots (and could develop a house on each lot), but this issue is not specifically addressed in the Action Plan. Awaiting the State Government implementation of this action.	
1.7	Further investigate the location and extent of multi-lot tenements in more detail and engage with owners to promote voluntary consolidation of land. Investigate mechanisms to retain these larger landholdings, to	Council Strategic Planning	Ongoing	Also refer response to 1.6 above. The extent of multi lot tenements has been mapped, and mechanisms to retain larger landholdings were included in Council's submission to P4GWAL as follows:	Retain as an advocacy position. For response to future State Government

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discourage their disposal as separate lots for the purpose of rural living, and to encourage their consolidation. *Priority: High*			*The consultation paper notes that tenement controls (which allow, for example, only one dwelling per landholding regardless of the number of titles) or minimum site area requirements (will require the consolidation of titles to create a minimum site area before a dwelling can be constructed) have previously been used to limit the concentration of dwellings, while also noting some of the problems associated with these provisions. However, the consultation paper does not provide any further recommendations in relation to this issue.* *It is considered that there should be further investigation of the location and extent of small lot subdivisions and multi-title landholdings and development of policies and mechanisms to both promote the consolidation of small lots and avoid fragmentation of larger multi-title landholdings.* *This may include different mechanisms in different areas, ranging from tenement provisions to transferrable development rights. Given that the capacity to apply for construction of a dwelling is often the trigger for the "break up" of multi-title land holdings, one option could be to introduce tenement provisions with a "sunset period", after which the requirement for only one dwelling per landholding would take effect.* The DTP released a Response to Options Report in 2024 and foreshadowed that the Victorian Government will also consider a potential requirement for green wedge dwelling applications	reforms on the Green Wedge.

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				to demonstrate a link either to Agriculture or to Natural systems to reflect the broader range of purposes in the GWZ and GWAZ. The response to options report did not mention potential tenement controls. The State Government subsequently released the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan in 2024. The Mayor responded with general in-principle support for most elements of the 20-point Action Plan, but noting that some actions require refinement before implementation. Link: Submissions to the State Government - Mornington Peninsula Shire The relevant action is: *Action 12: Review and update decision guidelines and application requirements for planning applications within green wedge zones.* Notably the Action Plan does not specifically address potential tenement controls. Tenement controls work by restricting development to one dwelling per tenement (or specified land size within a tenement) so that landowners can't construct a dwelling on each of the contiguous lots/parcels they own. The P4GWAL discussion paper noted that tenement controls have been used "successfully" in areas such as the Yarra Ranges Shire. However, the Panel report for Amendment C148 of the Yarra Ranges Planning Scheme found that their	

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				administration can be complex, difficult to manage and lack transparency in the planning system. Whilst the potential tenement controls may be problematic, other options exist under the VPPs such as the Restructure Overlay or Special Controls Overlay.	
1.8	Advocate to the State government that where surplus land is proposed to be sold, if the title does not meet the current minimum lot area requirements for new lots it should be either consolidated with an existing adjoining lot, or where appropriate, retained for conservation purposes to increase the area of suitable habitat. *Priority: High*	Council Strategic Planning	Completed	Council made a submission to the Planning for Melbourne's Green Wedges and Agricultural Land Consultation Paper in 2021. Link: Submissions to the State Government - Mornington Peninsula Shire The relevant response at page 12 of the submission is: *In addition, where public land in the Green Wedge is sold, it should only be consolidated with an existing title, unless it meets the minimum lot size requirements, and not sold as a separate "substandard" lot.* This matter is not specifically addressed in the State Government's Planning for Melbourne's Green Wedges and Agricultural Land Action Plan in 2024.	Action completed.
1.9	Seek a planning scheme amendment to include the Dwellings in the Green Wedge Policy (generally as shown in	Council Strategic Planning	Ongoing	A locally led planning scheme amendment to introduce a local policy has not commenced due to the pending release of State Government reforms through the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan. This avoids	Retain as an advocacy position. For response to future State Government

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	Appendix 1) as part of the Local Planning Policy Framework. Land within the Cape Schanck resort and small lots (under 1 hectare) on the western side of Cape Schanck Road would be excluded this from this policy. *Priority: High*			the administrative burden and costs for Council of a locally led amendment. For background, Council made a submission to the Planning for Melbourne's Green Wedges and Agricultural Land Consultation Paper in 2021. Link: Submissions to the State Government - Mornington Peninsula Shire The suggestion for a local policy for dwellings in the Green Wedge is noted at page 2 of the submission: *Strong support for the introduction of policy and decision guidelines regarding dwellings in the Green Wedge, based on the draft policy included in the Mornington Peninsula Green Wedge Management Plan 2019 (MP GWMP). This policy requires a Land Management Plan (LMP), based on agricultural use or biodiversity/conservation, to be approved as part of any application. The LMP requirements should be reinforced by requiring a S173 agreement or comparable legal mechanism to ensure all future owners are aware of the obligations under the approved LMP.* Further commentary is provided in pages 12-13 of the submission including: *The approach outlined in a draft policy on dwellings included in Appendix 1 of the MP-GWMP is, in effect to require (new) dwellings on Green Wedge lots to be used*	reforms on the Green Wedge.

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				only "in conjunction with" an agricultural or conservation based use of the site. *This is primarily achieved by requiring a comprehensive Land Management Plan for the site as part of any application, which provides for a substantial, sustainable and productive agricultural use; and/or − a substantial, sustainable and appropriate use of the land for habitat restoration and biodiversity protection purposes.* *The LMP is required to be based on an assessment of the values and realistic capacity of the land, with implementation and monitoring requirements. This is reinforced by requiring a S173 agreement to ensure any prospective future owner is aware of the ongoing obligations.* The State Government released the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan in 2024. The Mayor responded with general in-principle support for most elements of the 20-point Action Plan, but noting that some actions require refinement before implementation. Link: Submissions to the State Government - Mornington Peninsula Shire The relevant action is:	

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				Action 12: Review and update decision guidelines and application requirements for planning applications within green wedge zones. Council advocated that applications for a dwelling should demonstrate a link either to agriculture or to natural systems. To this end, we have a draft policy included in the Mornington Peninsula Green Wedge Management Plan (2019). This policy requires a Land Management Plan, based on agricultural use or biodiversity/conservation, to be approved as part of any application. The content of this policy could be translated into application requirements and decision guidelines within the green wedge zones. Awaiting the State Government implementation of this action. The Mornington Peninsula Planning Scheme Review No. 5 (2023) contains recommendation 21: *Review the need to prepare a planning scheme amendment to implement the 'Dwellings in the Green Wedge Policy' and 'Camping and Caravan Park Outside the Urban Growth Boundary' local policies following release of State Government reforms to Green Wedge planning policy and controls.* Link: Planning Scheme Review 2023 - Mornington Peninsula Shire	

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1.10	Ensure proposals to construct dwellings demonstrate a commitment to a substantial, sustainable and productive agricultural land use and/or substantial and sustainable habitat restoration on the balance of the property through the preparation and approval of a Land Management Plan (LMP). These Plans should also clearly recognise the nature of the Green Wedge as a rural area, the expectation of farming activities in the Green Wedge and the obligations on new landowners in terms of land management and the control of domestic animals. *Priority: Ongoing*	Council Statutory Planning	Ongoing	The Statutory Planning department requires applications where use and development of a dwelling is proposed within the Green Wedge to provide a Land Management Plans (LMP) or Farm Management Plans (FMP) depending on whether environmental/conservation works or agricultural operations are proposed. In instances where lots are too small to accommodate meaningful agricultural or environmental outcomes, the Statutory Planners may waive this requirement.	This action is now incorporated into the business functions of Statutory Planning unit.
1.11	Require applicants/proponents to enter into Section 173 agreements as necessary to secure the implementation of approved Land Management Plans. *Priority: Ongoing*	Council Statutory Planning	Ongoing	The Statutory Planning department does not require section 173 Agreements in all instances. For the most part, the Statutory Planners have moved away from section 173 Agreements regarding FMP. This is based on a variety of VCAT decisions which amongst other things have identified that Section 173 Agreements should not be applied on a 'global basis' and require a more nuanced approach. Furthermore, VCAT has also found that the necessary nexus	This action is now incorporated into the business functions of Statutory Planning unit.

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				between agricultural uses and dwellings can be difficult to achieve in certain instances i.e. where lots are larger. Additionally, VCAT has repeatedly emphasised that a section 173 Agreement is not necessary in instances where a permit condition could adequately provide the same outcome i.e. the commencement of the LMP or FMP. However, section 173 Agreements continue to be applied in several instances where conservation or environmental enhancement outcomes are prescribed in the LMP.	
1.12	Advocate to the State government for means, other than S173 agreements, to ensure that prospective purchasers of land are notified of their obligations under approved Land Management Plans. This may, for example, include a review of the requirements relating to property information certificates. *Priority: High*	Strategic Legal Property	Completed	Council made a submission to the Planning for Melbourne's Green Wedges and Agricultural Land Consultation Paper in 2021. Link: Submissions to the State Government - Mornington Peninsula Shire The relevant response at page 13 of the submission is: *MPSC would therefore advocate this approach, including the clear ability to require S173 agreements (where there have been conflicting decisions by VCAT) to ensure prospective owners are aware of the requirements through notations on the title or a similar legal mechanism e.g. required disclosure on Property Information certificates.*	Action completed.

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				This matter is not specifically addressed in the State Government's Planning for Melbourne's Green Wedges and Agricultural Land Action Plan in 2024.	
1.13	As part of the implementation of approved Land Management Plans require that: a) Prior to the commencement of any dwelling there is a demonstrated substantial commitment to the implementation of the Land Management Plan (LMP). In this regard, an LMP may include a staging proposal indicating the works or activities to be undertaken prior to commencement, or a cost schedule indicating the level of bond to be provided to secure implementation of the Plan. b) Within 12 months of the granting of a planning permit the land owner must provide an audit by a suitably qualified person (depending on the nature of the Land Management Plan) demonstrating compliance with the approved plan or the progress	Council Statutory Planning	Ongoing	All endorsed Land Management Plans (LMP) and Farm Management Plans (FMP) are required for the majority of new dwellings with GWZ, depending on size of land and if agriculture or conservation use is proposed. All plans include staging plans and conditions of approval require them to have commenced prior to the commencement of the dwelling. Conditions are usually imposed for an audit. Officers will investigate a system for creating a register of plans, requesting audits and compliance checks in the ongoing enhancements to the Shire's Technology One software.	This action is now incorporated into the business functions of Statutory Planning unit.

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	to date and intended future program. c) The land owner be required to provide updates on the implementation of the LMP every three years, for a period of ten years. *Priority: High*				
1.14	Establish a register of approved Land Management Plans and S173 agreements to ensure regular reviews and compliance with the approved plans. *Priority: High*	Council Statutory Planning	Ongoing	There is no current register of approved LMPs, and regular reviews of individual plans have not been undertaken due to resource requirements. In terms of compliance checks, the Planning Compliance Unit undertook a program of proactive inspections of plans in 2024/2025 with follow up compliance actions. Officers will investigate a system for creating a register of plans, requesting audits and compliance checks in the ongoing enhancements to the Shire's Technology One software.	This action is now incorporated into the business functions of Statutory Planning unit.
1.15	Provide information and advice to new and existing residents in the Green Wedge, and to the real estate industry, on the objectives of the Green Wedge, for example through the use of Council's website and industry information sessions.	Council Statutory Planning Comms	Ongoing	Statutory Planning Officers regularly receive enquires regarding the development of Green Wedge land for dwellings and the objectives of the Green Wedge are appropriately outlined along with the Green Wedge Management Plan. Link: Dwellings / Dwelling additions within the Green Wedge Zone - Mornington Peninsula Shire	This action is now incorporated into the business functions of Statutory Planning unit.

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	This should include the promotion of sustainable agriculture, habitat restoration and land stewardship. *Priority: Ongoing*				
1.16	Advocate to Department of Environment, Land, Water and Planning that greater control be provided in regard to the replacement dwellings. This should ensure that existing dwellings are removed or demolished when the new dwelling is completed and enable consideration of land use impacts where such new development involves a significant change in location and/or a significant change in the footprint of development. *Priority: High*	Council Strategic Planning	Ongoing	Council made a submission to the Planning for Melbourne's Green Wedges and Agricultural Land Consultation Paper in 2021. Link: Submissions to the State Government - Mornington Peninsula Shire The suggestion for controls over replacement dwellings in the Green Wedge is noted at page 13 of the submission: *A further aspect of planning controls relating to dwellings and rural living that is not addressed in the consultation paper is the need to ensure that existing dwellings are removed or demolished when a new replacement dwelling is completed to avoid the proliferation of dwelling like structures in the Green Wedge. There should also be consideration of provisions to enable/require the consideration of land use impacts where there are substantial extensions proposed to an existing dwelling, for example increasing the floor area by more than 50 %, which may indicate a significant change in land use, that is, conversion of the land to rural living as the predominant use*	Retain as an advocacy position. For response to future State Government reforms on the Green Wedge.

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				Also refer to response to 1.9 above. The Mornington Peninsula Planning Scheme Review No. 5 (2023) contains recommendation 21: Link: Planning Scheme Review 2023 - Mornington Peninsula Shire *Review the need to prepare a planning scheme amendment to implement the 'Dwellings in the Green Wedge Policy' and 'Camping and Caravan Park Outside the Urban Growth Boundary' local policies following release of State Government reforms to Green Wedge planning policy and controls.*	
1.17	Reinforce that, where it is proposed to replace an existing dwelling with a new dwelling, the existing dwelling should be demolished or removed from the site, rather than converted for non-residential use to avoid the proliferation of "dwelling like" buildings in the Green Wedge. *Priority: Ongoing*	Council Statutory Planning	Ongoing	Statutory Planners continue to encourage the removal of existing dwellings, however, VCAT have determined on most occasions where an appeal is lodged to overturn conditions imposed by Council to remove these dwellings and instead have allowed them to be retained in a decommissioned form i.e. kitchen removed. Similarly, where an old dwelling has identified heritage values, a permit may be granted to use the old building for an ancillary use, i.e., farm office or store, but decommissioned as a habitable dwelling.	This action is now incorporated into the business functions of Statutory Planning unit.
1.18	Maintain the policy that re-alignment of lot boundaries or the re-subdivision of land (which does not increase the	Council	Ongoing	Statutory Planning continues to discourage re-alignments or re-subdivisions that undermine the agricultural productivity of	This action is now incorporated into the business functions of

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	number of lots) should not be supported unless there is a good land management justification and should not generally reduce the area of the larger lot. *Priority: Ongoing*	Statutory Planning		the lots as per the strategies in clause 11.01-1L-02 Green wedges - Mornington Peninsula *Ensure a realignment of boundaries does not create any additional subdivision potential.* *Ensure any proposed realignment of boundaries does not diminish the existing or potential future rural use of the land due to the fragmentation of larger lots into smaller parcels.* And the following policy guideline: *Where larger lots exist that are at least the minimum lot area specified in a schedule to the Green Wedge Zone or Farming Zone, a realignment of boundaries should not decrease the area of the larger lot by more than five per cent.*	Statutory Planning unit.
1.19	Revise the local policy 22.03 in relation to Dwelling density, excisions and realignments in rural areas to remove outdated provisions and ensure consistency with the Green Wedge Zone and Core Planning Provisions (Clause 51.02). *Priority: High*	Council Strategic Planning	Completed	The translation of all previous local policies into the new Planning Policy Framework (PPF) was completed upon gazettal of Amendment C279morn on 16 September 2021. The original policy was Clause 22.03 Dwelling density, excisions and realignments in rural areas. The relevant content was retained in these policies: • 11.01-1L-02 - Green wedges - Mornington Peninsula • 12.05-2S Landscapes • 14.01-1L Protection of agricultural land - Mornington Peninsula	Action completed.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
				• 15.01-6S Design for Rural Areas	
Objective: Support and reinforce the role and character of the Green Wedge townships					
1.20	Promote the existing settlements as the key focus and location for the provision of tourism facilities within the Green Wedge, with facilities appropriate to scale, function and character of each settlement. *Priority: Ongoing*	Council Statutory Planning	Ongoing	The adopted Council position for the protection of the Green Wedge is implemented by planning decisions in accordance with the provision of the Mornington Peninsula Planning Scheme. The Mornington Peninsula Planning Scheme Review No. 5 (2023) does not propose any review of the GWZ provisions.	Retain as an advocacy position. For response to development applications, and planning scheme amendment requests.
1.21	Ensure all development within Green Wedge settlements is of a type, scale and form consistent with the existing size, role and character of these settlements and that larger scale development is directed to a Major Activity Centres. *Priority: Ongoing*	Council Statutory Planning	Ongoing	The adopted Council position for the protection of the Green Wedge is implemented by planning decisions in accordance with the provision of the Mornington Peninsula Planning Scheme. The Mornington Peninsula Planning Scheme Review No. 5 (2023) does not propose any review of the GWZ provisions.	Retain as an advocacy position. For response to development applications, and planning scheme amendment requests.
1.22	Undertake a character study and develop design policies and guidelines for the Green Wedge townships which also have regard to potential climate change impacts.	Council Strategic Planning	Completed	The Western Port Coastal Villages & Surrounding Settlements Strategy by Ethos Urban was adopted by Council in 2019. The strategy addresses potential climate change impacts on the Western Port Bay coastline while protecting and enhancing township character.	Action completed

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
	Priority: High			Link: Western Port Coastal Villages & Surrounding Settlements Strategy - Mornington Peninsula Shire Townships included within the strategy are: Hastings, Tyabb, Bittern, Crib Point, Balnarring and Balnarring Beach, Flinders, Red Hill and Red Hill South, Somers, Merricks and Merricks Beach, Point Leo and Shoreham. The strategy defined character areas and associated design guidelines for commercial, industrial and foreshore land in each township. The residential guidelines are adapted from the Neighbourhood Character Study & Guidelines (Ethos Urban) adopted by Council in September 2019. The recommendations of the Western Port Coastal Villages & Surrounding Settlements Strategy were implemented in the Mornington Peninsula Planning Scheme by Amendment C271morn approved on 9 January 2025.	
2.0 CONSERVATION AND BIODIVERSITY					
Objective: Build a strong knowledge base and improve knowledge sharing					
2.1	Share available biodiversity information with the community through the Shire's public GIS interface and other means. *Priority: Ongoing*	Council Natural Systems	Completed	The Shire's Biodiversity Maps online was launched on the Shire's website in 2022. Link: Biodiversity Maps Online - Mornington Peninsula Shire	Action completed.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
				The following Peninsula wide maps can be searched online: • Bushland and Foreshore Reserves • Friends Groups locations • Landcare Group boundaries • waterways and wetlands • recent aerial photography • native vegetation types (or Ecological Vegetation Classes) • native fauna records from the Shire's Fauna Atlas project • national and state parks (Parks Victoria) The search function also allows the public to view biodiversity information for any property including: • a list of the native vegetation types (EVCs) for the property, both historic and current • links to download plant lists and information on each EVC • waterways on the property • the Landcare Group for the area • nearest Bushland Reserves • nearest Friends Groups • native fauna records for the area	
2.2	Identify and prioritise research and survey programs to maintain the Shire's current knowledge base and close biodiversity knowledge gaps. *Priority: High*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
2.3	Continue to implement program of surveys and research to inform and improve management decisions to protect fauna habitat in shire-managed bushland reserves. *Priority: Ongoing*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
2.4	Advocate to the state government for the continuous improvement of state government databases and mapping, such as the Victorian Biodiversity Atlas and Nature Kit, and contribute information from Council sponsored research where appropriate. *Priority: Ongoing*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
2.5	Continue to seek opportunities for information and data exchange with other land management agencies. *Priority: Ongoing*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
2.6	Continue to advocate at state and regional catchment level for increased monitoring programs on the Mornington Peninsula in relation to key environmental indicators, including:	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
	• The extent and condition of native vegetation and suitable habitat on public and privately-owned land • Fauna on public and private land, including threatened and endangered species. • Stream health and water quality • Groundwater health • Salinity • The spread of weed, feral animals, and pathogens. *Priority: Ongoing*				
Objective: Lead and demonstrate best-practice biodiversity planning and management					
2.7	Complete the Mornington Peninsula Biodiversity Conservation Plan. *Priority: High*	Council Natural Systems	Completed	The Biodiversity Conservation Plan (adopted 13 August 2019) establishes strategies and actions to protect and improve the resilience of the Mornington Peninsula's natural environment and biodiversity. Actions outlined in the Plan are focused on six key areas: • Engaging with the community and building stewardship; • Facilitating biodiversity conservation on private land; • Protecting biodiversity through planning and policy; • Building a strong knowledge base; • Demonstrating and leading best-practice land management; and	Action completed

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
				• Building ecosystem resilience in a changing climate. Link: Biodiversity Conservation Plan - Mornington Peninsula Shire	
2.8	Promote awareness and a collaborative culture within the Shire to ensure biodiversity conservation is considered early in the planning and implementation of Shire projects and programs. *Priority: Ongoing*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023). The Natural Systems unit are contacted for an internal referral for statutory planning applications and in the development of strategic planning projects.	This action is now incorporated into the business functions of the Natural Systems unit.
2.9	Apply a whole of system approach to support co-operation between the Shire, public land managers, landowners and the local community. *Priority: Ongoing*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
2.10	Seek to ensure early engagement between Council, service authorities, supply companies and their contractors in the planning, design, siting and maintenance of all infrastructure to ensure that the core landscape and biodiversity values of the Green Wedge are recognised and protected.	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023). It is noted that, where a planning permit is required, Shire officers work with relevant agencies and other applicants to ensure significant new structures are designed to minimise impacts on the landscape where practical through appropriate siting and materials and finishes. The Shire also has a newly established design and engineering services team which will	This action is now incorporated into the business functions of the Natural Systems unit.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
	Priority: Ongoing			ensure core landscape and biodiversity values are considered in the design and maintenance of new infrastructure. Finally, Council's Tree Management, Open Space and Bushland Management contracts also ensure core biodiversity values are protected, including through: • Coordinating more than 500 working bees to support volunteers who help to preserve bushland areas. • Developing, scheduling and reporting on the Biodiversity Works Program to maintain and enhance local ecosystems. • Applying effective control methods to remove or manage noxious and environmental weeds. • Restoring and maintain native plant life through planting and direct seeding to support local biodiversity.	
2.11	Seek participation in the Biodiversity forums proposed under the State Government's Biodiversity 2037 strategy and advocate for a biodiversity response plan and associated funding for the Mornington Peninsula that recognises the value of increasing suitable habitat on the Mornington Peninsula, in order to: • support State-wide targets	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
	• increase opportunities for the community to connect with nature, • enable people to act locally to protect biodiversity and • provide opportunities for nature-based recreation and tourism in more accessible locations. *Priority: High*				
2.12	Advocate that the State government support the provision of native vegetation offsets on the site of vegetation removal, or the provision of offsets in the local area, including on State government and Council owned land, to avoid the potential depletion of local vegetation. *Priority: High*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
2.13	Ongoing advocacy to the State government regarding the need to consider the opportunities for increases in suitable habitat and landscape connectivity through the use of “surplus” government land. *Priority: Ongoing*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
2.14	Support the State Government's Living with Wildlife Action Plan that encourages positive attitudes towards living with wildlife and includes a proposed review of the Authority to Control Wildlife system under the *Wildlife Act 1975* and the review of the Flora and Fauna Guarantee Act. *Priority: High*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
2.15	Seek to further secure high-value areas on privately owned land, for example through Trust for Nature covenants. *Priority: Ongoing*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
2.16	Develop a decision tool through which the Shire and community may consider the social, environmental, and economic merits of potential biodiversity improvement programs and actions in specific areas/locations including revegetation, weed management, feral animal control, and bio-link proposals. It is important to recognise that while connectivity is an important objective,	Council Natural Systems	Completed	The Shire has developed a biolinks decision support tool, which is used collaboratively with applicants for the Shire's Biolink Support Grant Program to make assessments and develop skills. Link: Biolink Support Grant Program	Action completed

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	ACTION / PRIORITY	LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
	there are limitations in the habitat value of narrow "corridors" and the value of increasing the effective area of "core" reserves, either on adjacent private land – or through land transfers should not be underestimated. *Priority: Medium*				
2.17	Use the decision support tool to strategically invest in biodiversity protection works on Shire-managed land, creek corridors and roadsides to improve landscape connectivity and ecosystem health. *Priority: Ongoing*	Council Natural Systems	Completed	The Shire has developed a biolinks decision support tool, which is used collaboratively with applicants for the Shire's Biolink Support Grant Program to make assessments and develop skills. Link: Biolink Support Grant Program	Action completed
2.18	Investigate opportunities to achieve native vegetation offsets on Council controlled land via an "across the counter" offset scheme. *Priority: Ongoing*	Council Natural Systems	Ongoing	This action is part of the Shire's Biodiversity Conservation Plan and progress is reported on through this plan. Initial investigations by Shire Officers into developing an over-the-counter offset scheme have indicated that this option would not be financially viable for the Shire and may potentially present a financial burden. Refer to the report Achievements in Biodiversity Conservation - Progress Report Year 3 (2022-23) and Year 4 (2023-24). Link: Biodiversity Conservation Plan - Mornington Peninsula Shire	This action is now incorporated into the business functions of the Natural Systems unit.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
2.19	Continued targeted programs in relation to feral animals and invasive weed species, applying a risk-based approach. the prioritisation of vegetation types most vulnerable to weed invasion and the weed species that pose the greatest risks in these areas. *Priority: Ongoing*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
2.20	Continue to improve decision-making processes to strategically manage biodiversity in our bushland reserves and roadsides, including feral animal control, environmental weed control, planned burning, and the rare species protection program. *Priority: Ongoing*	Council Natural Systems	Ongoing	The Shire manages nearly 2000 hectares of public land for biodiversity conservation in bushland, foreshore and roadside reserves. The Shire undertakes the following programs to protect and enhance biodiversity and reduce the impact of threats: For Environmental Weed Control Program – refer link: Environmental & Noxious Weeds - Mornington Peninsula Shire For Pest Animal Control Program – refer link: Pest Animals - Mornington Peninsula Shire This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
2.21	Work with DELWP to develop specific response planning and biodiversity protection works for species for which climate change is particularly challenging including beach nesting birds, migratory shorebirds and listed threatened species. *Priority: Ongoing*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
2.22	Identify Bushland Reserves where recreational uses can be sensitively accommodated and promoted, and ensure those reserves support the required infrastructure and signage that identifies appropriate use. Continue to invest in infrastructure (paths, fences, interpretive signs) in key bushland reserves to support community use whilst minimising impact to biodiversity. *Priority: Medium*	Council Natural Systems Open Space Planning	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023). The draft Open Space Strategy identifies the challenge of balancing development and preservation: *Expanding open spaces while ensuring natural and cultural assets are preserved can be difficult. Careful planning is required to minimise the impact on the environment and maintain the ecological value of the land.* Development standards are also addressed. For conservation reserves embellishments might be included in a bushland reserve depending on local needs, community preferences and/or site-specific opportunities and constraints. The embellishments may include: gathering spaces; seats/benches; BBQ's; picnic tables; paths; signage	This action is now incorporated into the business functions of the Natural Systems unit.

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				(wayfinding, interpretive and regulatory); biker racks; drinking fountains; public toilets; carparking; and rubbish bins. The need for the above would be considered on a site-by-site basis and documented through masterplans and management plans.	
2.23	Improve collaboration with other public land managers (Parks Victoria, Melbourne Water) and private land managers in the planning, promotion and implementation of biodiversity management programs across landscapes. *Priority: Ongoing*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
Objective: Engage with the community to foster biodiversity stewardship					
2.24	Deliver a dedicated campaign to promote the unique natural environments of the Mornington Peninsula and the benefits and opportunities for connecting with nature, which may also inform planning decisions in the Green Wedge. *Priority: Medium*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
2.25	Support and provide information relating to voluntary conservation programs such as Land for Wildlife, Mornington Peninsula Landcare projects, Trust for Nature and Melbourne Water's stream frontage protection program, which may also inform planning permit conditions. *Priority: Ongoing*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
2.26	Improve biodiversity information available on the Shire website, to encourage and support appropriate planning permit applications, which may include information on: • The importance of habitat restoration and habitat corridors; • Avoiding pollution of all kinds – effluent, noise, light, etc.; • Landowner responsibilities in relation to the control of domestic animals and pests; • Ways landholders can help fauna – e.g. breeding boxes, water troughs, retaining mature hollows and understory; • Contacts for injured fauna; and	Council Natural Systems	Completed	The Our Natural Environment and Biodiversity topic page on the Shire's website brings together biodiversity information across the website, enabling our community to learn about the Peninsula's natural environment, what we're doing to protect it (projects, events, initiatives, achievements), and how they can help. In 2022 a new online Local Native Plants Guide tool was launched on the Shire's website. Mornington Peninsula residents can use the guide to find and download a local native plant list for their property. The plant lists are based on the native vegetation type that occurs in the local area. The tool is extremely popular, with nearly 12,000 people visiting the site over the past year. Biodiversity Maps Online was launched on the Shire's website in 2022. Our community can use the maps to view information on native vegetation types (EVCs), fauna records, bushland reserves and local conservation groups. Since the launch,	Action completed.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
	• pest plant and pest animal control – including the importance of controlling environmental weeds on privately owned land. *Priority: High*			Biodiversity Maps Online has been accessed over 5000 times, that's around 100 sessions a week.	
Objective: Encourage biodiversity conservation on private land					
2.27	Develop improved educational resources to provide practical guidance for landowners on biodiversity conservation. *Priority: High*	Council Natural Systems	Underway	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
2.28	Provide a welcome pack to new landowners in target areas providing information on local biodiversity and to providing practical guidance on how they can protect and manage biodiversity and manage their land sustainably. *Priority: Ongoing*	Council Natural Systems	Underway	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
2.29	Partner with Landcare to increase the program of educational events for private landholders with an emphasis on peer-to-peer learning such as	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in	This action is now incorporated into the business functions of

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	workshops, field days, site tours, open days. *Priority: Ongoing*			Biodiversity Conservation progress reports (commencing in 2023).	the Natural Systems unit.
2.30	Promote sustainable agricultural land management practices on private land to reduce impact on biodiversity values and avoid pollution in waterways and wetlands. *Priority: Ongoing*	Council Natural Systems	Ongoing	Commenced Agribusiness and Agroecology newsletter to better disseminate information and maintained web pages on MP business website. Link: Agriculture - Mornington Peninsula Shire	This action is now incorporated into the business functions of the Business and Industry Support unit.
2.31	Work with Melbourne Water to encourage private landowners to undertake biodiversity conservation works along creek corridors to improve landscape connectivity and support the objectives of Melbourne Water's Healthy Waterways Strategy. *Priority: Ongoing*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
2.32	Continue to provide support to the Mornington Peninsula Landcare Network to deliver their Bio-links Plan. *Priority: Ongoing*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
2.33	Review the effectiveness of the Land Sustainability Rebate scheme and other options, including alternative concession and incentives to improve biodiversity outcomes. Consider refinement of eligibility criteria to align with biodiversity objectives – including weed and feral animal control. Continue to provide the Land Sustainability Rebate pending the review of this program. *Priority: Medium*	Council Natural Systems	Completed	The Land Sustainability Rebate scheme was reviewed in 2021, and significant improvements have been made to the program, which now functions as the Conservation Land Rate Incentive Program. Link: Conservation Land Rate - Mornington Peninsula Shire	Action completed.
2.34	Advocate to the State government for a review of State government financial mechanisms that could be used to support landowners in their conservation stewardship role. *Priority: High*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
2.35	Investigate the provision of an annual rebate or other incentive for properties with a conservation covenant (for example, through the Trust for Nature) to provide a strong signal of support to	Council Natural Systems	Completed	In 2021, the Shire introduced the Trust for Nature Rate Incentive Program. Under this program, landholders who have placed a Trust for Nature conservation covenant on their property receive a discount of 65% off their rates (known as a differential rate) on the area of land protected.	Action completed.

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	encourage new conservation covenants. *Priority: Medium*			This rate acknowledges the long-term commitment of these landholders to protecting biodiversity on their land. Link: Trust for Nature Rate Incentive - Mornington Peninsula Shire	
2.36	Investigate the use of differential rating and other financial mechanisms to encourage improved land management. *Priority: Medium*	Council Natural Systems	Completed	See 2.35 above.	Action completed.
2.37	Investigate current opportunities and barriers to the inclusion of land on the Mornington Peninsula on the Native Vegetation Credit register and seek to support registration of appropriate land for the provision of offsets in the local area. *Priority: Medium*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
Objective: Strengthen planning policies and controls to better protect biodiversity values on the Peninsula					
2.38	Update the Local Planning Policy Framework to refer to and support the Green Wedge Management Plan 2018	Council Strategic Planning	Partially completed	The local Planning Policy Framework (PPF) has been updated to support the GWMP. The translation of all previous local policies into the new and updated PPF was completed upon gazettal of Amendment C279morn on 16 September 2021.	Retain as an action. For completion of actions in the Mornington Peninsula

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and the Shire's Biodiversity Conservation Plan. *Priority: High*			The PPF translation deleted redundant policies as identified in the GWMP but importantly introduced key content from the Localised Planning Statement (LPS) relating to protecting green wedge and agricultural land. These strategic directions expressly align with those of the GWMP. Notably, Council's vision, as underpinned by the LPS at Clause 02.02 Vision now specifically seeks to: • *Protect the Peninsula's landscapes, coastlines, seascapes and rural area, including the scenic values of the green wedge.* • *Retain the Peninsula's agricultural role with a focus on sustainable agriculture.* Similarly, Clause 02.03-1 Settlement seeks to: • *Protect green wedge land, maintain the Urban Growth Boundary and protect the 'green break' between the Peninsula and metropolitan Melbourne.* • *Maintain rural areas for their environmental, landscape, recreational and agricultural values, and minimise development that could have an adverse impact on these values on land located in the Green Wedge Zone or Farming Zone.* Given the above, integration of the GWMP into the Scheme is substantially complete.	Planning Scheme Review.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
				With respect to incorporating the Biodiversity Conservation Plan, the Mornington Peninsula Planning Scheme Review No. 5 (2023) contains recommendation 26 to: *Prepare an amendment to the Planning Scheme to integrate the key strategic directives of the Biodiversity Conservation Plan and the findings of the Planning Provisions Review for Biodiversity Conservation project as required.* Consideration could be given to referencing the GWMP as a background document to the Scheme when preparing the amendment to implement the Biodiversity Conservation Plan or a future anomalies amendment.	
2.39	Introduce a local planning policy that gives high priority to conservation of biodiversity in the assessment of planning applications and provides strong emphasis to the need to avoid the removal of native vegetation, including the removal of hollow bearing trees, and that supports the provision of offsets on the site of any removal – or if necessary, in the local area, with more remote provision (not on the Mornington Peninsula) opposed unless there are exceptional circumstances.	Council Strategic Planning	No Longer Required	The adoption of the GWMP in 2019 pre-dates the approval of Amendment C279morn on 16 September 2021. Amendment C279morn introduced a new Planning Policy Framework (PPF) into the Mornington Peninsula Planning Scheme to make planning schemes more efficient, accessible and transparent. The PPF is based on a three tier structure that integrates state, regional and local policy. Specifically, a new local policy is not required if desired strategies are adequately expressed in the State policy section. In this case Clause 12 Biodiversity relates to the protection of biodiversity and native vegetation management (avoid, minimise or offset removal of native vegetation).	Not required.

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	Priority: High				
2.40	As part of the policy relating to dwellings in the Green Wedge (refer Section 10), require planning applications to include an integrated Land Management Plan, including as appropriate, and particularly in locations adjacent to existing bushland reserves, along waterways or in areas providing for substantial increased habitat connectivity: • provision for substantial biodiversity protection and enhancement on the site through major revegetation and other measures. This may be combined with proposals for the sustainable use of the land for an agricultural purpose; • provision for ongoing land management, including the control of weeds and feral animals; and • provision for securing the requirements of an approved Land Management Plan through S173 agreements or other	Council Statutory Planning	Ongoing	Refer to actions 1.10 and 1.11	This action is now incorporated into the business functions of the Statutory Planning unit.

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	comparable mechanisms e.g. conservation covenants. *Priority: High*				
2.41	Investigate introduction of a policy requiring the planting of a minimum number of indigenous trees or provision of minimum area for revegetation as part of all new dwelling applications in the Green Wedge as a contribution to habitat restoration on the Peninsula. In the interim require a minimum of 100 indigenous trees to be planted, either on the subject site or on Council controlled land to the satisfaction of the responsible authority. *Priority: High*	Council Statutory Planning	Not commenced	A proposal to undertake a planning scheme amendment to introduce a new local policy has not been undertaken. The Statutory Planning unit advise that such measures would be problematic on a broad application as there are large amounts of green wedge land either within the BMO or bushfire prone. Refer to action 4.5 about incentive for planting under the Conservation Land Rate.	Not required.
2.42	Develop and maintain a database/register of planning permit applications and approvals that include Land Management Plans or requirements for the provision of native vegetation offsets, and implement a system to monitor and audit	Council Statutory Planning	Ongoing	Refer action 1.14.	This action is now incorporated into the business functions of Statutory Planning unit.

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	compliance, and enforce planning permit conditions. *Priority: High*				
2.43	Investigate further means to monitor and control the removal of native vegetation and other actions likely to have adverse impact on environmental values. *Priority: High*	Council Statutory Planning	Ongoing	The removal of native vegetation is assessed in each planning application and with reference to decision guidelines for various permit triggers. Usually, permit conditions require replacement planting in a landscape plan. The illegal removal of native vegetation is managed through response to planning compliance complaints.	This action is now incorporated into the business functions of Statutory Planning unit.
2.44	Investigate the potential costs and benefits of a Mornington Peninsula Shire over-the-counter offset scheme, in order to direct regulatory offsets and fund the protection of high-value sites within the Mornington Peninsula Shire. *Priority: Medium*	Council Natural Systems	Completed	Biodiversity Conservation Plan Progress Report Year 3 (2022-23) and year 4 (2023-24) Initial investigations by Shire Officers into developing an over-the-counter offset scheme have indicated that this option would not be financially viable for the Shire and may potentially present a financial burden.	Action completed.
Objective: Improve Stream Condition and Water Quality in the Green Wedge					
2.45	Advocate that Melbourne Water maintain a regular monitoring and reporting program in relation to stream health. *Priority: High*	Melbourne Water	Ongoing	The Mornington Peninsula Shire supports and advocates for Melbourne Water's ongoing stream health monitoring and reporting across the Peninsula. Through collaborative IWM projects, local waterway assessments, and data sharing, the Shire complements regional monitoring efforts. Advocacy	Retain as an advocacy position. For water quality initiatives in the Green Wedge.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
				focuses on maintaining transparent, accessible data to inform adaptive waterway management within the Green Wedge.	
2.46	Seek support from DELWP, Melbourne Water and Southern Rural Water to identify the level of risk facing water resources on the Peninsula, including: • Investigation of the environmental flows necessary to maintain stream health. • Review of the criteria for issuing permits for dams and waterway diversions to ensure there is no significant adverse impact on stream flows to tributaries or riparian habitat areas. • Review of the level of ground water extraction and establishment of sustainable rates of extraction. *Priority: High*	Melbourne Water DEECA Southern Rural Water	Ongoing	The Mornington Peninsula Shire supports environmental assessments within Melbourne Water's catchments to inform planning and protect stream health. Where appropriate, the Shire advocates to Southern Rural Water to ensure dam and diversion permits account for environmental impacts, and advocates for sustainable groundwater extraction, ongoing monitoring of the Nepean and Boneo aquifers, and adaptive management in response to declining levels.	Retain as an advocacy position. For water quality initiatives in the Green Wedge.
2.47	Assist the protection of streams and waterways by review and implementation of the Shire's Domestic Waste Water Strategy. *Priority: Ongoing*	Council Environmental Health	Ongoing	The Domestic Wastewater Management Plan (2018) has been superseded by the Onsite Wastewater Management Plan 2024–2029 (OWMP). This is the current plan prepared under the *Environment Protection Act 2017* (and Regulations 2021) and the Order for obligations of managers of land or	This action is now incorporated into the business functions of the Environmental Health unit.

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				infrastructure (OMLI) for urban stormwater management and on-site wastewater management (2024). The OWMP will be internally audited every year, and updated every five years to ensure the OWMP is being implemented appropriately. The Shire is actively progressing the implementation of its OWMP, which aims to reduce environmental and public health impacts from onsite wastewater management systems (OWMS) on local waterways and catchments. The plan adopts a risk-based framework to identify environmentally sensitive unsewered areas and guide strategic actions. A dedicated water sampling program is currently underway in high-risk areas identified in the OWMP, assessing the influence of OWMS on water quality and informing targeted management responses. In addition, the Shire is delivering community education and engagement through mail-outs to high-risk areas, wastewater risk interactive mapping, updated web content, and public-facing materials. These efforts aim to raise awareness among property owners about their responsibilities and best practices for OWMS operation and maintenance. Collectively, these initiatives are contributing to improved waterway health, reduced nutrient and pathogen loads, and minimised risks to public health.	
2.48	Complete the review of the Shire's Smart Water Plan 2013 in conjunction	Council	Completed	The Mornington Peninsula Shire has progressively updated its strategic water planning, transitioning from the Smart Water	Action completed.

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	with the State Government's Integrated Water Management Forum process and include strong requirements for biodiversity protection and for storm water management that supports healthy waterways. *Priority: High*	Water and Coasts		Plan (2013 and 2018) to the current Integrated Water Management Plan (2022), which aligns with catchment-scale priorities and directions established through the regional IWM Working Groups.	
2.49	Ensure recycled water reuse proposals include appropriate hydrological and environmental assessments. *Priority: Ongoing*	South East Water	Ongoing	The Mornington Peninsula Shire continues to advocate for local businesses and residents seeking connection to recycled water networks. The Briars Recycled Water Investigation is assessing additional options to improve project feasibility, while the Tyabb–Somerville Recycled Water Scheme remains on hold pending further financial and business review by South East Water.	Retain as an advocacy position.
Objective: Support an integrated approach to the management of bushfire risk					
2.50	Ensure a coordinated approach to fire management that integrates ecological objectives with bushfire risk mitigation. *Priority: Ongoing*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
2.51	Continue to develop and implement Fuel Management Plans for high bushfire risk Council Reserves as part	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of

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	ACTION / PRIORITY	LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
	of the Integrated Fire Management Planning Process. *Priority: Ongoing*				the Natural Systems unit.
2.52	Increase awareness of options and encourage vegetation management for fire hazard reduction in such a way as to maintain, as far as possible, biodiversity and landscape values. *Priority: Ongoing*	Council Natural Systems	Ongoing	This action is now part of the Biodiversity Conservation Plan (2019) and is reported in the annual Achievements in Biodiversity Conservation progress reports (commencing in 2023).	This action is now incorporated into the business functions of the Natural Systems unit.
3.0 AGRICULTURE, AGRIBUSINESS AND AGRITOURISM					
Objective: Ensure Planning Scheme provisions support sustainable agricultural land use in the Green Wedge					
3.1	Rigorously oppose any amendments to the Urban Growth Boundary that would result in any loss of Green Wedge land. *Priority: Ongoing*	Council Strategic Planning	Ongoing	Established State and local planning policies do not support changes to the Metropolitan Green Wedge Land: Core Planning Provisions that would have the effect of overriding exiting mandatory Green Wedge Zone controls. If an initial request is made about changes to zoning within the Green Wedge, Strategic Planning reiterates Council's adopted position for supporting the core purposes of the Green Wedge.	Retain as an advocacy position. For response to planning scheme amendment requests and future State Government reforms on the Green Wedge.
3.2	Rigorously oppose any amendments to the Green Wedge Zone which would reduce the minimum lot size	Council	Ongoing	Established State and local planning policies do not support changes to the Metropolitan Green Wedge Land: Core	Retain as an advocacy position.

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	requirements or introduce excision provisions. *Priority: Ongoing*	Strategic Planning		Planning Provisions that would have the effect of overriding exiting mandatory Green Wedge Zone controls. If an initial request is made about changes to zoning within the Green Wedge, Strategic Planning reiterates Council's adopted position for supporting the core purposes of the Green Wedge.	For response to planning scheme amendment requests and future State Government reforms on the Green Wedge.
3.3	Maintain the policy that re-alignment of lot boundaries or the re-subdivision of land (which does not increase the number of lots) should not be supported unless there is a good land management justification and should generally avoid any reduction in the area of the existing larger lot(s). *Priority: Ongoing*	Council Statutory Planning	Ongoing	Refer 1.18	This action is now incorporated into the business functions of the Statutory Planning unit.
3.4	Advocate for a consistent set of planning provisions, particularly in regard to subdivision, excision and dwelling provisions, across all non-urban areas on the Peninsula including land in the Farming Zone and the Special Use Zones to the extent these are used for rural purposes. *Priority: Medium*	Council Strategic Planning	Completed	Refer 1.6	Action completed.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
3.5	Further investigate the location and extent of multi-lot tenements in more detail and engage with owners to promote voluntary consolidation of land. Investigate mechanisms to retain these larger landholdings, to discourage their disposal as separate lots for the purpose of rural living, and to encourage their consolidation. *Priority: High*	Council Strategic Planning	Ongoing	Refer 1.7.	Retain as an advocacy position. For response to future State Government reforms on the Green Wedge.
3.6	Ensure proposals to construct dwellings demonstrate a commitment to a substantial, sustainable and productive agricultural land use and/or substantial and sustainable habitat restoration on the balance of the property through the preparation and approval of a Land Management Plan (LMP). These Plans should also clearly recognise the nature of the Green Wedge as a rural area, the expectation of farming activities in the Green Wedge and the obligations on new landowners in terms of land	Council Statutory Planning	Ongoing	All LMP's are referred to and commented on by the Agribusiness and Agroecology Lead. Refer 1.10	This action is now incorporated into the business functions of the Statutory Planning unit.

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	management and the control of domestic animals. *Priority: Ongoing*				
3.7	Investigate potential to provide for onsite farm worker accommodation – subject to the current review of Land Use definitions by DELWP. *Priority: Medium*	Council Business and Industry support	Completed	Rural Worker Accommodation is a permitted use in the Green Wedge Zone. The definition of Rural Worker Accommodation is: *Land used to accommodate a person engaged in agricultural production, away from their normal place of residence*. Council made a submission to the Planning for Melbourne's Green Wedges and Agricultural Land Consultation Paper in 2021. Link: Submissions to the State Government - Mornington Peninsula Shire The relevant issue of farm worker accommodation was noted on page 30 *In this regard, the siting and design of such accommodation is critical and should exclude the development of multiple independent dwellings. Buildings providing shared facilities are preferred and while there may be some merit in the provision of accommodation for people working on other farms, particularly if there is "spare capacity" due to different*	Retain as an advocacy position. For response to future State Government reforms on the Green Wedge.

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				peak seasons, this issue requires further consultation. In any event the scale of rural worker accommodation provided on a property should be in proportion to the size and scale of activity on that farm. The State Government released the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan in 2024. The Mayor responded with general in-principle support for most elements of the 20 point Action Plan, but noting that some actions require refinement before implementation. Link: Submissions to the State Government - Mornington Peninsula Shire The relevant action is: *Action 17: Insert new conditions for exhibition centres, group accommodation and hotels in green wedge zones.* There is a need for more comprehensive planning policy in relation to tourism-based uses, wineries and rural worker accommodation within Green Wedge areas and better definition of the scope of 'ancillary' uses. There is also a need to fully review the impacts of the current 'in conjunction with' provisions and associated matters regarding the consideration of non-defined (innominate) land uses and the appropriate limits to 'ancillary' use. Awaiting the State Government implementation of this action.	

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
3.8	Investigate means to facilitate the sale of certified produce grown on the Peninsula through local outlets, including farm gate sales from other farms participating in the certification program, farmers markets or similar outlets within the Green Wedge. *Priority: High*	Council Business and Industry support	Completed	Mornington Peninsula Produce (MPP) program continues to 'certify' produce. The certified trademark, developed by the Mornington Peninsula Shire and the Food Industry Advisory Body (FIAB), gives consumers confidence in the provenance of fresh produce when purchasing from farm gates, farmers' markets and retail outlets. Link: Mornington Peninsula Provenance Mark - Mornington Peninsula Shire Larger Farm Gates can apply for a 'Market' permit allowing the sale of other local produce in addition to on-farm grown produce. 'Market' is a permitted use in the Green Wedge Zone. The definition of 'Market' is: *Land used to sell goods, including foodstuffs, from stalls.* Any permits issued are subject to conditions and must show a strong linkage to on-site agricultural production. Link: Farm gates - Mornington Peninsula Shire	Action completed.
3.9	Investigation the potential for directional signage as part of a food /farm shop trail.	Council	Not commenced	This action was investigated but is no longer considered appropriate to pursue.	Not required.

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	ACTION / PRIORITY	LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
	Priority: High	Business and Industry support		Tourism signage continues to be the main signage option for these businesses. The brown and white tourism signage is well understood by the community. Introducing another form of signage for farm shop trail would be confusing. There has not been a demonstrated demand for extra signage by operators. MPP members have additional signage at the farm gate which supports consumer trail exploration. The MPP webpage has an up-to-date trail map: Link: Mornington Peninsula Produce – Grown, Bred or Raised on the Mornington Peninsula	
Objective: Support sustainable agricultural land use in the Green Wedge through a range of further initiatives and programs					
3.10	Strongly advocate for Peninsula farmers to be able to access regional support and labour market programs. *Priority: Ongoing*	Council Business and Industry support	Ongoing	Continued advocacy to state and federal government highlighting job shortages including to the Victorian Government's inquiry Securing the Victorian food supply (November 2024). The Food Economy and Agroecology Strategy includes a number of education and career development actions which aim to increase supply of workers and farmers. These include: • Future Farmers Pathway Program • Industry Immersion Tours for schools	Retain as an advocacy position.

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				The Food Economy and Agroecology Strategy also attracting federal Climate Smart Agriculture funding for local farming initiatives. Link: Food Economy and Agroecology Strategy - Mornington Peninsula Shire	
3.11	Continue to offer a farm rate over land areas actively used for agriculture, excluding the dwelling curtilage, and review rating and rebate policies to better promote appropriate land management and productive use of rural land. *Priority: Ongoing*	Council Revenue Management	Ongoing	The Revenue and Rating Plan 2025-2029 includes an Agricultural land (Farm land) Rate. The farm rate is 35% of the general rate and is applied to the farmland component of property only. The 'house and curtilage' attracts the general rate. This agricultural differential rate protects areas which are suited to agriculture and to ensure that eligible land is managed in a responsible way.	This action is now incorporated into the business functions of the Revenue unit.
3.12	Continue to support industry support and development programs – such as Chicken Care and the Mornington Peninsula food certification, branding and promotion program. *Priority: Ongoing*	Council Business and Industry support	Ongoing	The Food Economy and Agroecology Strategy includes a range of industry support mechanisms and initiatives including • Farmer discussion groups and field days – 12 delivered in 24/25 FY • Mornington Peninsula Produce (MPP) - revitalised marketing plan delivered in 2025 including MP Agroecology Forum, MPP podcast, regular e-communications, farm gate map and more.	This action is now incorporated into the business functions of the Business and Industry Support unit.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
3.13	Continue to support the Food Industry Advisory Body and the implementation of Local Food Strategy. *Priority: Ongoing*	Council Business and Industry support	Ongoing	The Food Industry Advisory Body has been replaced with Agroecology Taskforce to implement the Food Economy and Agroecology Strategy action plan. Eleven members meet quarterly to progress implementation of the 5-pillar plan. The Local Food Strategy has been superseded with the adoption of the Food Economy and Agroecology Strategy.	This action is now incorporated into the business functions of the Business and Industry Support unit.
3.14	Continue to support research and investigation of issues relevant to the agricultural industry on the Mornington Peninsula, including opportunities for existing and emerging farming systems. *Priority: Ongoing*	Council Business and Industry support	Ongoing	The Agroecology Taskforce provides feedback on key issues/industry interests and initiatives are based on these demands such as: • Supporting MP Wine with weather station upgrades to improve weather monitoring. • Support for MP Wine Ecovineyards program. • New research and demo site on biofertilisers using Climate Smart Agriculture funding. • Conducted research into best regenerative/agroecological certification schemes to support regional benchmarking.	This action is now incorporated into the business functions of the Business and Industry Support unit.
3.15	Investigate opportunities for land use “brokerage” to promote agricultural partnerships and to encourage the lease of underutilised land for agricultural purposes. *Priority: Medium*	Council Business and Industry support	Ongoing	There is no formal mechanism but Shire officers provide tailored advice and ‘brokerage’ to a number of businesses looking for land. The Business and Industry Support unit ran the Future Farmers Pathway Program which connects young farmers with access to land.	This action is now incorporated into the business functions of the Business and Industry Support unit.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
3.16	Continue to promote and support sustainable agriculture and best practice land and water management in the Green Wedge, through the dissemination of information: and engagement with Landcare groups, the Port Phillip Western Port Catchment Management Authority and State agencies *Priority: Ongoing*	Council Business and Industry support	Ongoing	The Business and Industry Support unit is responsible for: • Collaboration with regional partners including Melbourne Water, Agriculture Victoria, Western Port Catchment Landcare Network (WPCLN), MP Wine and more on program of discussion groups, field days and excursions to increase skills and capacity in local farmers. • Production of a regular Agribusiness and Agroecology newsletter to better disseminate information. • Maintained web pages on MP business website. Link: Agriculture - Mornington Peninsula Shire	This action is now incorporated into the business functions of the Business and Industry Support unit.
3.17	Continue investigation and strong advocacy for wastewater recycling projects, including support for appropriate hydrological and environmental assessments. *Priority: Ongoing*	South East Water	Completed	The Mornington Peninsula Shire continues to advocate for local businesses and residents seeking connection to recycled water networks. The Briars Recycled Water Investigation is assessing additional options to improve project feasibility, while the Tyabb–Somerville Recycled Water Scheme remains on hold pending further financial and business review by South East Water.	Retain as an advocacy position. For water quality initiatives in the Green Wedge.
Objective: Support information sharing and networking between landowners in the Green Wedge and encourage a positive relationship between the farming community and other landowners					
3.18	Promote the availability of existing information and resources, including	Council	Ongoing	The fact sheets (in pdf format) have not been updated, as the website is now dynamic and regularly updated with relevant information, resources and links.	This action is now incorporated into the business functions of

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	the Common Ground Information sheets https://www.mornpen.vic.gov.au/About-Us/Business-Economy/Agricultural-Matters#section-2 *Priority: Ongoing*	Business and Industry support		Link: Agriculture - Mornington Peninsula Shire	the Business and Industry Support unit.
3.19	Promote awareness of industry support groups including the Victorian Farmers Federation, Landcare groups and the Small Rural Landowners Network. *Priority: Ongoing*	Council Business and Industry support	Ongoing	The Agroecology Taskforce includes representatives from all industry groups. The Agribusiness and Agroecology monthly newsletter includes links to programs and grants. Anyone can sign up to receive the newsletters on the Shire webpage: Link: Agribusiness - Mornington Peninsula Business	This action is now incorporated into the business functions of the Business and Industry Support unit.
3.20	Engage with agencies and relevant industry groups to identify opportunities to promote best practice sustainable land use and land management. *Priority: Ongoing*	Council Business and Industry support	Ongoing	See 3.16	This action is now incorporated into the business functions of the Business and Industry Support unit.
3.21	Advocate to the Department of Economic Development, Jobs, Transport and Resources (DEDJTR)	Council	Completed	Agriculture Victoria has developed a comprehensive resource of agricultural planning information and also provides a Planning Advisory Service.	Action completed.

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	for increased support for land management, advice on best practice farming methods and financial resources.	Business and Industry support		Link: Ag Vic Planning and Advisory Service | Planning and farm development | Farm management | Agriculture Victoria Shire officers have an ongoing relationship with Agriculture Victoria to deliver timely advice and resources on land management to the community.	
3.22	Ensure that Land Management Plans required as part of applications for new dwellings/replacement dwellings clearly recognise the nature of the Green Wedge as a rural area, with the expectation of farming activities and the obligations on all landowners in terms of land management and the control of domestic animals. *Priority: Ongoing*	Council Business and Industry support Statutory Planning	Ongoing	The Agribusiness and Agroecology provides an internal referral response to LMPs submitted with planning applications. Agriculture Victoria is reviewing LMPs and is preparing a template to assist owners and decision makers.	This action is now incorporated into the business functions of the Statutory Planning and Business and Industry Support units.
3.23	Investigate means of promoting a shared understanding among all landowners in the Green Wedge of the nature of the Green Wedge as a rural area, with the expectation of farming activities and the obligations on new landowners in terms of land management and the control of domestic animals.	Council Business and Industry support	Ongoing	This action refers to the issue of 'right to farm' and the potential land use conflicts been agricultural businesses and owners of lifestyle properties. The Business and Industry Support Team advise that there is not of lot of friction between land owners. The Team does proactively respond to specific issues as they arise, for example, if the burning off season commences before	This action is now incorporated into the business functions of the Business and Industry Support unit.

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	Priority: Ongoing			grapes are picked, the Team undertakes a community campaign to defer burning off.	
4.0 TOURISM AND LEISURE BASED USE AND DEVELOPMENT					
Objective: Ensure that tourism and leisure-based use and development plays a complementary role to the primary values of the rural Peninsula					
4.1	Support the current provisions of the Green Wedge Zone which limit the establishment of new "stand-alone" restaurants, function centres and larger scale accommodation-based development to larger sites, with the "in conjunction with" test and with mandatory maximum seating capacity conditions, bedroom numbers and the like. *Priority: Ongoing*	Council Statutory Planning	Ongoing	The 'in conjunction with' test is assessed by Statutory Planners in their evaluation of planning permit applications and having regard to the green wedge policies in the planning scheme. Relevant major applications include the following: • P22/0492 - Planning approval was granted for use of the land for rural industry (wine production) and restaurant in Tuerong. The proposal sought to intensify existing crop raising (vineyard) being the primary agricultural use and develop a cellar door and 150 patron restaurants in conjunction with the winery (being the secondary use). • P04/0289.03 - Planning approval was decided by Planning Panels Victoria ("The Committee") and permit issued by VCAT to allow an expansion of the existing approved use and development ('The Range' in Boneo) of 60 caravan/camping site to include new leisure and recreation facilities, accommodation facilities, a restaurant and function centre, and associated works. The Committee decided the proposed leisure and recreation facilities and restaurant and function centre were ancillary uses of the site as 'adventure park' and the uses are not	This action is now incorporated into the business functions of the Statutory Planning unit.

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				required to be 'in conjunction' with one of the uses listed in Clause 51.01-2 nor are they prohibited. The Committee considered that tourism and recreation uses are broadly appropriate uses in the GWZ and on the site. The restaurant is capped at 150 patrons.	
4.2	Advocate to the State government to ensure that any future changes to the Green Wedge Zone relating to minimum site areas and maximum patron numbers for restaurants, function centres and the like retain the current standards as the default for the Mornington Peninsula Green Wedge. *Priority: Medium*	Council Strategic Planning	Ongoing	Council made a submission to the Planning for Melbourne's Green Wedges and Agricultural Land Consultation Paper in 2021. Link: Submissions to the State Government - Mornington Peninsula Shire Council supported the current list on patron numbers. The relevant commentary about restaurants is provided at page 29 of the submission: *The consultation paper notes that there has been some criticism of the current mandatory limit of 150 patrons for restaurants in the Green Wedge on the basis that this is an arbitrary threshold that limits viability. The consultation paper itself concludes that "by judiciously applying conditions that tie food and drink premises to the preferred primary land uses through the 'in conjunction with' test and conditions limiting their size and scale (e.g. maximum patron capacity and minimum lot size requirements), the potential threat posed by*	Retain as an advocacy position. For response to future State Government reforms on the Green Wedge.

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				these land uses to irreversible loss of rural land can be managed." *Accordingly, the consultation paper does not recommend any changes. However, given that other parties may make submissions on this point, it is considered appropriate to indicate that Council supports the current limits. In the event that any change is considered, this should only be through providing Council with the option to vary the limits through the local zone schedule, while retaining the current limits as the default.* The State Government released the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan in 2024. The Mayor responded with general in-principle support for most elements of the 20 point Action Plan, but noting that some actions require refinement before implementation. Link: Submissions to the State Government - Mornington Peninsula Shire The relevant action is: *Action 17: Insert new conditions for exhibition centres, group accommodation and hotels in green wedge zones.* There is a need for more comprehensive planning policy in relation to tourism-based uses, wineries and rural worker accommodation within Green Wedge areas and better definition of the scope of 'ancillary' uses. There is also a need to fully review the impacts of the current 'in conjunction with'	

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				provisions and associated matters regarding the consideration of non-defined (innominate) land uses and the appropriate limits to 'ancillary' use Awaiting the State Government implementation of this action.	
4.3	Introduce/revise local policies to extend the "in conjunction with test" to other forms of tourism-based development. Require the "core" use to be a substantive use of the land while limiting the site area /footprint occupied by the "conditional use". *Priority: Ongoing*	Council Strategic Planning	No Longer Required	A locally led planning scheme amendment to introduce a local policy has not commenced due to the pending release of State Government reforms through the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan. This avoids the administrative burden and costs for Council of a locally led amendment.	Not required.
4.4	Introduce/revise local policy to indicate that Council does not support concentrated precincts or strips of tourism based commercial activity within the Green Wedge – which would have the effect of transforming the rural character of those areas. Highlight the role of the existing townships and villages in providing for tourism demand. *Priority: High*	Council Strategic Planning	Ongoing	A locally led planning scheme amendment to introduce a local policy has not commenced due to the pending release of State Government reforms through the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan. This avoids the administrative burden and costs for Council of a locally led amendment. For background, Council made a submission to the Planning for Melbourne's Green Wedges and Agricultural Land Consultation Paper in 2021. Link:	Retain as an advocacy position. For response to future State Government reforms on the Green Wedge.

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				Submissions to the State Government - Mornington Peninsula Shire The relevant recommendation is provided at page 14 of the submission: *Develop a practice note to guide council decision-making on planning permits in agricultural areas.* Further commentary is provided in pages 14-16 of the submission including: *The MP-GWMP supports agro-tourism, eco-tourism, and other activities which are based on and support a greater appreciation of the natural environment, landscape, cultural heritage and farming. However, adhoc approval of tourism-based development could result in the cumulative and unintended conversion of land within the Green Wedge to uses which may appear to be "rural" but arguably displace actual rural use – resulting in a "death by a thousand cuts" to the non-urban purpose and character of the Green Wedge.* *The development of strips or concentrations of commercial activity on major roads would certainly change the character and landscape of the Mornington Peninsula Green Wedge, which is already under pressure from rural living.* *Accordingly, the underlying policy principle is to use the potential for tourism to support the viability of sustainable agriculture and eco-system conservation, rather than to*	

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				add to the pressures for conversion and displacement. Commercial uses, including tourism-based uses that lack a strong connection to the use of land for agriculture or conservation, are better directed to the township and village commercial areas, where such uses with strengthen and support those centres. *This all reinforces the need for a comprehensive consideration of policies relating to tourism in the Green Wedge, and a clear statement of State government views on this issue would be a valuable component of any State policy statement or GWMP Practice Note.* This matter is not specifically addressed in the State Government's Planning for Melbourne's Green Wedges and Agricultural Land Action Plan in 2024.	
4.5	Seek a planning scheme amendment to introduce a local policy on Camping and Caravan Parks, generally as set out in Appendix 2. *Priority: High*	Council Strategic Planning	Ongoing	A locally led planning scheme amendment to introduce a local policy has not commenced due to the pending release of State Government reforms through the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan. This avoids the administrative burden and costs for Council of a locally led amendment. For background, Council made a submission to the Planning for Melbourne's Green Wedges and Agricultural Land Consultation Paper in 2021. Link:	Retain as an advocacy position. For response to future State Government reforms on the Green Wedge.

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				Submissions to the State Government - Mornington Peninsula Shire The suggestion for a local policy for camping and caravan parks in the Green Wedge is noted at page 26 of the submission: *Ensure new categories of camping and caravan parks are reflected in the planning scheme, and permit camping and caravan parks in certain zones only when they fall within 'bush/primitive' or 'tourist' categories* Further commentary is provided on pages 28 of the submission including: *It is apparent that use of land for the purpose of a caravan park has the potential to completely displace any agricultural use on the land and may significantly limit the use of adjoining land. Without these limits (or comparable controls to limit scale and intensity) it is likely that caravan parks will continue to represent a semi-urban use in the Green Wedge.* *An alternative would be to enable these matters to be controlled through the local schedule to the Green Wedge Zone, enabling different Councils to apply different standards in accordance with their own strategic planning and GWMP.* The State Government released the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan in 2024. The Mayor responded with general in-principle support for most	

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				elements of the 20 point Action Plan, but noting that some actions require refinement before implementation. Link: Submissions to the State Government - Mornington Peninsula Shire Notably the Action Plan does not address the issue of residential caravan parks in the Green Wedge. Council strongly supports the exclusion of residential caravan parks from the Green Wedge in favour of these uses being directed to areas within the Urban Growth Boundary. The Mornington Peninsula Planning Scheme Review No. 5 (2023) contains recommendation 21: *Review the need to prepare a planning scheme amendment to implement the 'Dwellings in the Green Wedge Policy' and 'Camping and Caravan Park Outside the Urban Growth Boundary' local policies following release of State Government reforms to Green Wedge planning policy and controls.* Link: Planning Scheme Review 2023 - Mornington Peninsula Shire A locally led planning scheme amendment to introduce a local policy has not commenced due to the pending release of State Government reforms to Green Wedge planning. However as noted above the 2024 Action Plan does not foreshadow such	

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				controls. For this reason, Council may now wish to pursue its own local policy.	
4.6	Support a review of the visitor accommodation provisions to achieve greater consistency and provide scope (through the local schedule to the Green Wedge Zone) for Councils to set different standards for different areas, according to local circumstances. *Priority: Medium*	Council Strategic Planning	Ongoing	Refer 4.5 above for camping and caravan parks. A locally led planning scheme amendment to introduce local provisions has not commenced due to the pending release of State Government reforms through the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan. This avoids the administrative burden and costs for Council of a locally led amendment. With respect to host farms, Council made a submission to the Planning for Melbourne's Green Wedges and Agricultural Land Consultation Paper in 2021. Link: Submissions to the State Government - Mornington Peninsula Shire The recommendations for host farms in the Green Wedge are noted at page 19 of the submission: *Amend the definition of 'Host farm' to require a direct link to an 'operating agricultural property'* *Make 'Host farm' a Section 1 (as-of-right) use in specified zones, providing it is undertaken in conjunction with agriculture and accommodates no more than 10 people at any one time.*	Retain as an advocacy position. For response to future State Government reforms on the Green Wedge.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
				If the Host farm is within 100 km of Melbourne, the use must be in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Council response is provided on pages 22-23 of the submission including: *Having regard to these factors, the value of the proposed changes does not appear to outweigh the concerns.* *That said, there is scope for a practice note or further provisions to be used in the consideration of applications in relation to host farm accommodation. These could address the issue of ensuring that the extent/scale of proposed accommodation is warranted, in line with the scale and type of farming activity on site, provide guidelines on the site coverage, siting and design of buildings and address the need for proper management of the use.* The State Government released the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan in 2024. Link: Submissions to the State Government - Mornington Peninsula Shire The Mayor responded with general in-principle support for most elements of the 20 point Action Plan, but noting that some actions require refinement before implementation.	

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	ACTION / PRIORITY	LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
				The relevant action is: *Action 18: Strengthen the link between host farm accommodation and operating agricultural properties.* Council strongly supports a planning definition of 'Host farm' that requires a direct link to an operating agricultural property. Council does not support 'Host Farms' as uses which do not require planning approval. We would support new provisions that limit the scale of accommodation consistent with farming activity on site, and to provide requirements about the site coverage, siting and design of buildings, and management of the use. Awaiting the State Government implementation of this action.	
4.7	Indicate, through either policy or local schedules those areas which are considered to have high value agricultural land, high value conservation areas, or sensitive landscape values where the total footprint of built form needs to be even more strictly limited. *Priority: Medium*	Council Strategic Planning	Ongoing	The Food Economy and Agroecology Strategy 2022-2028 provides a map of land capability classes on the Mornington Peninsula. The classes are identified in the Land Capability Assessment by Agriculture Victoria 2018. A new locally led planning scheme amendment to introduce local policy or provisions has not commenced due to the pending release of State Government reforms through the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan. This avoids the administrative burden and costs for Council of a locally led amendment. For background, the State Government released the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan in 2024.	Retain as an advocacy position. For response to future State Government reforms on the Green Wedge.

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				Link: Submissions to the State Government - Mornington Peninsula Shire The Mayor responded with general in-principle support for most elements of the 20 point Action Plan, including this action: *Action 13: Introduce mandatory site coverage, setbacks and building heights for discretionary uses in the Green Wedge Zone and Green Wedge A Zone as a pilot project.* Awaiting the State Government implementation of this action.	
4.8	Indicate that it is not proposed to include additional land in Special Use Zone 4 (Recreation Zone) noting the existing area south of Rosebud which may be considered for low density recreational resort development in accordance with the relevant local policy. *Priority: Ongoing*	Council Strategic Planning	No Longer Required	It is not intended to rezone land from Green Wedge Zone (which would require ratification from both houses of Parliament) as this would be inconsistent with State and local settlement policy.	Not required.
4.9	Rezone the existing Special Use 4 Zone (Recreation Zone) land within the Tootgarook Wetland to indicate that it is intended to serve a predominantly conservation purposes.	Council Strategic Planning	Completed	Planning Scheme Amendment C227morn was gazetted on 20 October 2022. The amendment implements the recommendations of the Tootgarook Wetland Management Plan (BMT, 2018) and Extent of Tootgarook Wetland, Mornington Peninsula, Victoria (Biosis, 2019) by:	Action completed.

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	Priority: Medium			• Amending the existing Environmental Significance Overlays (ESOs); • Introducing a new schedule to Clause 42.01 (ESO) and applying it to the current extent of Tootgarook Wetland and buffers; and • rezoning several public land parcels to provide better recognition, protection, maintenance and enhancement of Tootgarook Wetland. Part of land at 92 Elizabeth Avenue Capel Sound was rezoned from Special Use 4 Zone (Recreation Zone) to the Public Park and Recreation Zone (PPRZ).	
4.10	Investigate the use of Specific Site and Exclusion provisions to resolve long standing compliance issues and bring existing uses under a clear control framework i.e. with specified development requirements and conditions of operation. *Priority: High*	Council Strategic Planning	Not commenced	The GWMP raised the concept that Councils could set different standards for areas 'at capacity' for certain uses such as tourism, and those areas where further development may be worth considering. The GWMP also raised the use of the Clause 51.01 Specific Sites and Exclusions to designate specific sites where variations /exemptions to the standard requirements are warranted. However, such a schedule could only be varied through the planning scheme amendment process. A locally led planning scheme amendment to introduce a local policy has not commenced due to the pending release of State Government reforms through the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan.	Not required.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
4.11	Investigate and review the rating of sites used for tourism and leisure-based use and development, other than primary produce sales, consistent with the approach to the rating of dwellings on rural properties. *Priority: Medium*	Council Revenue Management	No Longer Required	The Revenue and Rating Plan 2025-2029 includes an Agricultural land (Farm land) Rate. The Shire is currently consulting on the Rating Strategy Review. The options paper does not propose additional differential rates for tourism and leisure-based use and development.	Not required.
4.12	Investigate opportunities to support and promote training in hospitality on the Peninsula. *Priority: Ongoing*	Council Economic and Cultural Development	Ongoing	The Business and Industry Support unit has: • Worked with Apprenticeship Career Australia to develop pre-apprenticeship training program for local hospitality employers. • Worked with Frankston Mornington Peninsula Local Learning & Employment Network Inc. to promote jobs in agricultural industries.	This action is now incorporated into the business functions of the Business and Industry Support unit.
4.13	Review and revise the local policy 22.08 in relation to Integrated recreational and residential development in rural areas to remove outdated provisions and ensure consistency with the Green Wedge Zone and Core Planning Provisions (Clause 57.01). *Priority: High*	Council Strategic Planning	Completed	The translation of all previous local policies into the new Planning Policy Framework (PPF) was completed upon gazettal of Amendment C279morn on 16 September 2021. The original policy was Clause 22.08 Integrated recreational and residential development in rural areas. The relevant content was retained in these policies: • 02.02 – Strategic Directions • 11.01-1L-02 - Green wedges - Mornington Peninsula	Action completed.

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4.14	Develop guidelines in relation to the approval of irregular tourism and leisure-based events in the Green Wedge. *Priority: Medium*	Council	No Longer Required	Events of private tourism and leisure based events are managed by existing protocols.	Not required.
Objective: Provide greater clarity in relation to the definition of tourism and leisure based uses and the appropriate assessment criteria					
4.15	Prepare guidelines and a local policy indicating the key factors for consideration in relation to the definition and assessment of micro-breweries, distilleries and health spas, following the current DELWP review of land use definitions. *Priority: Medium*	Council Strategic Planning	Ongoing	A locally led planning scheme amendment to introduce a local policy has not commenced due to the pending release of State Government reforms through the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan. This avoids the administrative burden and costs for Council of a locally led amendment. For background, Council made a submission to the Planning for Melbourne's Green Wedges and Agricultural Land Consultation Paper in 2021. The State Government released the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan in 2024. The Mayor responded with general in-principle support for most elements of the 20 point Action Plan, including this action: Action 6: Develop a Planning Practice Note for applications within agricultural areas. Link:	Retain as an advocacy position. For response to future State Government reforms on the Green Wedge.

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				Submissions to the State Government - Mornington Peninsula Shire Awaiting the State Government implementation of this action.	
4.16	Prepare guidelines and a local policy providing guidance on the critical factors in the definition and assessment of "ancillary uses", for example, in relation to food and drink activities associated with other uses; and require planning applications to respond to these factors. *Priority: High*	Council Strategic Planning	Ongoing	A locally led planning scheme amendment to introduce a local policy has not commenced due to the pending release of State Government reforms through the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan. This avoids the administrative burden and costs for Council of a locally led amendment. For background, Council made a submission to the Planning for Melbourne's Green Wedges and Agricultural Land Consultation Paper in 2021. The State Government released the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan in 2024. Link: Green wedges The Mayor responded with general in-principle support for most elements of the 20 point Action Plan, including this action: *Action 17: Insert new conditions for exhibition centres, group accommodation and hotels in green wedge zones.* The mayors commentary noted there is a need for more comprehensive planning policy in relation to tourism-based uses, wineries and rural worker accommodation within Green	Retain as an advocacy position. For response to future State Government reforms on the Green Wedge.

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				Wedge areas and better definition of the scope of 'ancillary' uses. There is also a need to fully review the impacts of the current 'in conjunction with' provisions and associated matters regarding the consideration of non-defined (innominate) land uses and the appropriate limits to 'ancillary' use. Awaiting the State Government implementation of this action	
4.17	Indicate through local policy that the amenity of rural residents, consistent with the intended rural character of the Green Wedge, must be given appropriate consideration in the assessment of tourism and leisure-based use and development applications. *Priority: High*	Council Strategic Planning	Completed	The translation of all previous local policies into the new Planning Policy Framework (PPF) was completed upon gazettal of Amendment C279morn on 16 September 2021. The relevant strategic direction in Clause 02.02 of the Municipal Planning Strategy includes: *Maintain rural areas for their environmental, landscape, recreational and agricultural values, and minimise development that could have an adverse impact on these values on land located in the Green Wedge Zone or Farming Zone.*	Action completed
4.18	Prepare guidelines indicating the factors to be considered in the assessment of applications for variations to existing use rights, where proposed variations do not comply with current standards – including whether an application involves exceptional circumstances, proposals to mitigate existing and potential impacts or	Council Strategic Planning Statutory Planning	No Longer Required	The Statutory Planners assessment of existing use rights will be limited to what is required within Clause 63 of the planning scheme. Cannot consider applications that fail to meet the core requirements of Clause 63 based on an internal guideline.	Not required.

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	whether there are substantial net benefits to the local community and/or adjoining owners. *Priority: Medium*				
5.0 LANDSCAPE, RECREATION AND HERITAGE					
Objective: Protect the landscape quality and rural character of the Green Wedge					
5.1	Undertake a comprehensive landscape classification and condition assessment, including the development of landscape protection guidelines, to provide a basis for improved long-term management and monitoring of visual landscape quality. *Priority: High*	Council Strategic Planning	Not commenced	The Mornington Peninsula Planning Scheme Review No. 5 (2023) contains recommendation 25: *Seek to undertake a landscape character assessment of the Green Wedge to ensure future built form maintains the special amenity and scenic value of distinctive landscapes.*	Retain as an action.
5.2	Review the Significant Landscape Overlays and other landscape protection controls based on the review of landscape classifications and conditions to provide for greater guidance in relation to the siting and design of all buildings in the Green Wedge, including on land at the edge	Council Strategic Planning	Not commenced	The Mornington Peninsula Planning Scheme Review No. 5 (2023) contains recommendation 27: *Comprehensively review all environmental overlays (ESOs, SLOs and VPOs) and prepare a planning scheme amendment to implement any recommended changes to better protect biodiversity, including the introduction of more permit exemptions for the removal of invasive weed species.*	Retain as an action.

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	of townships to ensure an appropriate interface is maintained. *Priority: High*				
5.3	Review the extent of Vegetation Protection Overlays relating to significant tree lines to ensure consistency with current conditions. *Priority: Low*	Council Strategic Planning	Not commenced	The schedule 2 to Clause 42.02 Vegetation Protection Overlay protects Significant Treelines (within roadside reserves, along streamlines and within properties). The Mornington Peninsula Planning Scheme Review No. 5 (2023) contains recommendation 27: *Comprehensively review all environmental overlays (ESOs, SLOs and VPOs) and prepare a planning scheme amendment to implement any recommended changes to better protect biodiversity, including the introduction of more permit exemptions for the removal of invasive weed species.* This recommendation is retained in the draft Mornington Peninsula Planning Scheme Review No. 6 (2026).	Retain as an action.
5.4	Investigate the potential for controls over the planting of cypress hedges (and similar plantations or works) within scenic vantage points, and incentives for their removal; for example, as part of the Land Sustainability Rebate scheme. *Priority: High*	Council Statutory Planning	No Longer Required	The planning scheme can only nominate planting of specific vegetation through permit conditions, usually via an approved landscape plan. The planning scheme does not regulate or prohibit the planting of vegetation. The protection of scenic vantage points and view-lines can be investigated as part of a landscape character assessment of the green wedge. This assessment is to ensure future built	Not required.

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				form maintains the special amenity and scenic value of distinctive landscapes. A landscape character assessment is a proposed recommendation in the draft Planning Scheme Review No. 6 2026.	
5.5	Develop a policy position and guidelines in relation to structures associated with agricultural uses including glass housing, broiler sheds and the like, and agricultural practices, including vegetation removal and windbreak planting, that may have a significant landscape impact. *Priority: Medium*	Council Statutory Planning	No Longer Required	The Statutory Planners assessment is limited to matters that require a planning permit. Guidelines do not have sufficient weight in the statutory planning process.	Not required.
5.6	Develop a local policy in relation to buildings and works associated with tourism and leisure-based development including carparks, vehicle crossings, advertising/directional signs, fencing, earthworks and other structures and works that may detract from landscape quality, with further consideration of conditions relating to matters such as lighting, landscape maintenance and	Council Strategic Planning	Ongoing	A locally led planning scheme amendment to introduce a local policy has not commenced due to the pending release of State Government reforms through the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan. This avoids the administrative burden and costs for Council of a locally led amendment. The State Government released the Planning for Melbourne's Green Wedges and Agricultural Land Action Plan in 2024. The Mayor responded with general in-principle support for most elements of the 20-point Action Plan, but noting that some actions require refinement before implementation.	Retain as an advocacy position. For response to future State Government reforms on the Green Wedge.

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advertising displays that may also affect the character of the area. *Priority: High*			Link: Submissions to the State Government - Mornington Peninsula Shire The relevant actions are: *Action 12: Review and update decision guidelines and application requirements for planning applications within green wedge zones.* *Action 13: Introduce mandatory site coverage, setbacks and building heights for discretionary uses in the Green Wedge Zone and Green Wedge A Zone as a pilot project.* *Action 17: Insert new conditions for exhibition centres, group accommodation and hotels in green wedge zones.* Council advocated that applications for a dwelling should demonstrate a link either to agriculture or to natural systems. Council emphasised that there is a need for more comprehensive planning policy in relation to tourism-based uses, wineries and rural worker accommodation within Green Wedge areas and better definition of the scope of 'ancillary' uses. There is also a need to fully review the impacts of the current 'in conjunction with' provisions and associated matters regarding the consideration of non-defined (innominate) land uses and the appropriate limits to 'ancillary' use. Awaiting the State Government implementation of this action.	

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Objective: Maintain the long term recreational value of the Green Wedge					
5.7	Seek support from the State government to develop a Green Wedge Recreation Plan. The Plan should among other matters: • identify current and likely future recreational demands generated by both local and regional population growth, assess the likely impacts of such demands, • investigate means to manage the level and distribution of recreational demand in particular areas within sustainable limits. • assess the need for additional infrastructure and • determine the appropriate role of State and local government in responding to these changing demands. *Priority: High*	Council Community Infrastructure and Open Space Planning	Underway	The State Government has not developed a state level Green Wedge Recreation Plan. The State Government has produced a new Guide for Open Space Strategies (2025) which supersedes Planning Practice Note 70 (2015). The new Guide provide direction for Councils when developing a new Open Space Strategy. It is not mandatory. Recreation (active and passive) and leisure needs across the municipality (including the green wedge) are considered and addressed in the following documents currently in development with Council adoption being sought in 2026. <u>Sports Capacity Plan</u> Sports Capacity Plan is the overarching document guiding sports provision across the Shire. Sports Capacity Plan Volume 1 (Sports Fields) was adopted by Council in 2019. Sports Capacity Plan Volume 2 (Indoor Sports) and Volume 3 (Other Sports) currently in development. <u>Open Space Strategy</u> The existing Mornington Peninsula Open Space Strategy was adopted by Council in 2003. The existing Strategy is no longer current and there is a need to develop a new Strategy that adequately addresses existing and forecast demographics and contemporary community needs with respect to open space. A project to develop a new Strategy commenced in late 2023. The aim of the project is to create an overarching Strategy	<u>Retain as an action.</u> Revise wording of action to reflect current Shire initiatives and remove reference to State Green Wedge Recreation Plan.

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				which provides a framework to guide the planning, design, development, and management of open space for the Shire. The draft Strategy was placed on public exhibition in August 2025 with Council adoption being sought in 2026. <u>Open Space Contributions Report</u> The purpose of the Open Space Contributions Report is to provide Council with an evidence-based open space contribution analysis and new recommended open space contribution rate. This is achieved through an overview of current policy, an analysis of population and housing capacity and consideration of the current state of open space. The draft report recommends that Council undertakes a Planning Scheme Amendment to increase the existing open space contribution rate specified in Clause 53.01 for "other residential, commercial and industrial subdivision" from 5% to 5.5%. It is anticipated that this amendment would result in Council receiving a 10% increase in revenue generated through open space contributions collected across most of the municipality. In accordance with section 20(2) of the Subdivision Act 1988, Council must use open space contributions to acquire new or improve existing public open space. The draft Strategy was placed on public exhibition in August 2025 with Council adoption being sought in 2026.	

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5.8	Include consideration of the extension and improvement of off-road bicycle routes, walking paths and trail networks in the Green Wedge as part of future capital works budgets. *Priority: Ongoing*	Council Traffic & Transport	Ongoing	Council adopted the Peninsula Trails Masterplan which outlines the preferred alignments for 11 missing links which if constructed would deliver a 170km off road path network. The Somerville to Baxter section of the Peninsula Trails is under construction and the other missing links have active advocacy actions seeking design/delivery funding. While not all missing links are in green wedge areas this project is Council's flag ship trail initiative.	This action is now incorporated into the business functions of the Traffic & Transport unit.
5.9	Review the Shire's Equestrian Strategy and seek to provide for safe riding while minimising the impact of horse riding on open space and roadsides. *Priority: Medium*	Council Community Infrastructure and Open Space Planning	Not Commenced	The Roadside Equestrian, Pedestrian and Mountain Bike Trails Strategy (2014-2019) was adopted by Council on 28 July 2014. Link: Roadside Equestrian and Mountain Bike Trails Strategy 2014–2019 - Mornington Peninsula Shire The Strategy was intended to provide informed strategic directions to guide the development of the hinterland trail network (mountain bike, equestrian, running and walking) for a 5-year period. The Strategy outlines a range of improvements to the trail network to service the needs of residents and visitors and facilitates participation in healthy outdoor trail related activities. The Strategy addresses issues such as closing gaps in the network, sharing trails, signage and trail maintenance. The core objectives of the Strategy are to:	Retain as an action.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
				1. Outline the context and best practice for trail development. 2. Provide clear future directions (actions) for trail development and improvements. The Strategy is no longer current and there is a need to update the document to meet contemporary standards and benchmarks. This update is subject to future resourcing and budgetary considerations. The emphasis of the project is to create a practical Strategy with realistic outcomes that meets the needs of the community and visitors now and into the future giving due consideration to Council's financial capacity to achieve the various actions.	
Objective: Identify, Protect and Enhance Green Wedge Heritage Assets					
5.10	Investigate a co-operative research project with the traditional owners and State government to better recognise areas of Aboriginal cultural heritage significance within the green wedge and to provide for their better protection. *Priority: High*	Council Strategic Planning Arts and Heritage	Completed	The requirements of this task have been superseded since the adoption of the GWMP. The protection of cultural heritage is now managed by First Peoples-State Relations under the *Aboriginal Heritage Act 2006*. That act recognises Registered Aboriginal Parties (RAPs) as the primary guardians, keepers and knowledge holders of Aboriginal Cultural Heritage. RAPs are the primary source of advice and knowledge on matters relating to Aboriginal places or Aboriginal objects in their region. The Bunurong Land Council (Aboriginal Corporation) is the registered RAP for the Mornington Peninsula, Westernport, and a portion of South-West Gippsland. The RAP is also the	Retain as an advocacy position. For support of initiatives to identify and protect areas of Aboriginal cultural heritage significance within the Green Wedge.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
				approval body for Cultural Heritage Management Plans (CHMPs), Cultural Heritage Permits (CHPs) and other relevant approvals, permits and agreements under the Aboriginal Heritage Act 2006. 'Areas of cultural heritage sensitivity' are defined in the Aboriginal Heritage Regulations 2018 and relate to landforms and soil types where Aboriginal places are more likely to be located. These include land within 200 metres of named waterways and land within 50 metres of registered Aboriginal cultural heritage places. Landowners (private and public) are directed to First Peoples-State Relations as the authority to protect and manage Aboriginal cultural heritage. Their website also contains detailed information and fact sheets for all aspects of cultural heritage. Link: Aboriginal cultural heritage | firstpeoplesrelations.vic.gov.au	
5.11	Prepare guidelines to assist in the interpretation and protection of both indigenous and post contact cultural landscapes. *Priority: Medium*	Council Strategic Planning Arts and Heritage	Completed	Refer 5.10 above.	Retain as an advocacy position. For support of initiatives to identify and protect areas of Aboriginal cultural heritage significance

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
					within the Green Wedge
5.12	Include post contact heritage sites in the Green Wedge in the current review of the Shire's heritage studies. *Priority: Ongoing*	Council Strategic Planning	Completed	The municipal heritage review identifies places of heritage significance that should be protected under the Heritage Overlay of the Mornington Peninsula Planning Scheme. Previous heritage studies were conducted up to 25 years ago by the former Shire of Mornington, Shire of Flinders and Shire of Hastings. The objective of the municipal heritage review is to identify any gaps in those studies and assess identified modern buildings, i.e. those generally built after World War II, for heritage protection. Link: Municipal Heritage Review - Mornington Peninsula Shire The heritage studies have been completed as follows: • Stage 1 - Mount Eliza, Mornington, Mount Martha • Stage 2 - Safety Beach, Dromana, Arthurs Seat, McCrae, Rosebud, Capel Sound, Tootgarook, Rye, St Andrews Beach • Stage 3 - Blairgowrie, Sorrento, Portsea • Stage 4 – Western Port and Hinterland region • Stage 5 - Watchlist Most heritage places in the Green Wedge are located in the Stage 4 study. Council has sought authorisation to prepare a	Action completed.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
				Planning Scheme Amendment to implement Stages 4 and 5 of the heritage review.	
6.0 INFRASTRUCTURE PLANNING, DESIGN AND MANAGEMENT					
Objective: Ensure infrastructure and facilities of all kinds are planned, designed, constructed and managed having regard to the needs of the community and the special character of the area.					
6.1	Seek to better understand the needs of Green Wedge communities, with particular attention to transport and alternative forms of service delivery. *Priority: Ongoing*	Council Traffic & Transport	Ongoing	The Traffic and Transport Team conducts frequent community engagement activities on all proposed projects. We regularly engage and based on feedback make adjustments to projects to better suit community needs while balancing the need to deliver on the core focus of any given road safety or transport infrastructure project.	This action is now incorporated into the business functions of the Traffic & Transport unit.
6.2	Advocate for the duplication/electrification of the Frankston/Stony Point rail line to Hastings but oppose changes to the Urban Growth Boundary and the creation of an urban corridor. *Priority: Ongoing*	Council Traffic & Transport	Ongoing	Council is advocating for funding for rail electrification from Frankston to Stony Point, and integration of a bus transport hub to support this. Link: Public Transport - Mornington Peninsula Shire	Retain as an advocacy position. For public transport initiatives in the Green Wedge.
6.3	Complete the review of the Shire's Smart Water Plan in conjunction with the State Government's Integrated Water Management Forum process.	Council	Completed	The Mornington Peninsula Shire has progressively updated its strategic water planning, transitioning from the Smart Water Plan (2013 and 2018) to the current Integrated Water Management Plan (2022), which aligns with catchment-scale	Action completed.

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	ACTION / PRIORITY	LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
	Priority: High	Coasts and Climate Resilience		priorities and directions established through the regional IWM Working Groups.	
6.4	Continue to strongly advocate for waste water recycling projects, including investigation and sponsorship of pilot projects, and recognising the need for appropriate hydrological and environmental assessments. *Priority: Ongoing*	Council Coasts and Climate Resilience South East Water	Ongoing	The Mornington Peninsula Shire continues to advocate for local businesses and residents seeking connection to recycled water networks. The Briars Recycled Water Investigation is assessing additional options to improve project feasibility, while the Tyabb–Somerville Recycled Water Scheme remains on hold pending further financial and business review by South East Water.	Retain as an advocacy position. For water quality initiatives in the Green Wedge.
6.5	Develop a policy and guidelines in relation to the planning, design construction and management of major infrastructure including roads, telecommunication infrastructure, electricity supply infrastructure, solar farms, wind turbines and the like to minimise impact on the rural landscape and rural land use and on the amenity of rural residents. *Priority: High*	Council Strategic Planning	Underway	The planning scheme controls in the ESOs and SLOs across the Green Wedge. Any applications for infrastructure in these areas require an assessment against the landscape and environmental objectives specified in the overlay. Due to the various controls that apply and the impacts on each individual site, it is not sensible to try and prepare an overall set of guidelines across the Green Wedge. The Mornington Peninsula Planning Scheme Review No. 5 (2023) contains recommendation 25: *Seek to undertake a landscape character assessment of the Green Wedge to ensure future built form maintains the special amenity and scenic value of distinctive landscapes.*	Retain as an action.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
6.6	Ensure that Roadside Management Plans and road projects recognise the importance of road design, road safety features and roadside vegetation in terms of both biodiversity and landscape character. *Priority: Ongoing*	Council Open Space and Tree Management	Underway	Road projects are designed in accordance with relevant standards and any planning permit requirements (if a permit is required). Trees and vegetation in the road reserve and in public spaces are managed through regular inspections, trimming and planting programs. Link: Tree management - Mornington Peninsula Shire	This action is now incorporated into the business functions of the Traffic & Transport unit.
6.7	Prioritise increasing water supply/storage capacity as part of the Municipal Fire Management Plan. *Priority: High*	Council Municipal Emergency Management	Completed	The Municipal Fire Management Plan is no longer current. The Mornington Peninsula Municipal Emergency Management Plan 2025-28 (MEMP) has been prepared in accordance with the *Emergency Management Act 2013*. Link: Municipal Emergency Management Plan - Mornington Peninsula Shire There is no specific commentary in the MEMP about growing the strategic water tank network. The Building Management Team are reviewing water tank assets including fittings for firefighting purposes. Any increase in the network will be subject to future Shire budget. Water Points continue to be maintained by Natural Systems.	Action completed.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
6.8	Seek to ensure early engagement between Council, service authorities, supply companies and their contractors in the planning, design, siting and maintenance of all infrastructure to ensure that the core landscape and biodiversity values of the Green Wedge are recognised and protected. *Priority: Ongoing*	Council Statutory Planning Infrastructure	Ongoing	When a planning permit is required, the Statutory Planning officers request that public infrastructure be designed and built to limit landscape amenity impacts, such as for telecommunication towers. A standard condition added to telecommunication tower permits is "The exterior finishes must be of a non-reflective nature to the satisfaction of the responsible authority." Also fencing surrounding the tower is leaning more towards chain mesh to avoid graffiti and vandalism plus the use of slim-line monopoles rather than A Frame towers. The Infrastructure Project unit has recently established a Design Panel for a consistent approach to the design and development of infrastructure projects. This panel can include considerations of green wedge values for relevant projects. Council's Tree Management, Open Space and Bushland Management contracts also ensure core biodiversity values are protected. This includes: • Coordinating more than 500 working bees to support volunteers who help to preserve bushland areas. • Developing, scheduling and reporting on the Biodiversity Works Program to maintain and enhance local ecosystems. • Applying effective control methods to remove or manage noxious and environmental weeds.	This action is now incorporated into the business functions of the Statutory Planning and Infrastructure units.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
				• Restoring and maintain native plant life through planting and direct seeding to support local biodiversity.	
7.0 IMPLEMENTATION AND REVIEW					
7.1	Maintain a Green Wedge Management Plan webpage and investigate the value of including the GWMP as an online dynamic document (i.e. one which can be progressively updated over time as per the Port Phillip and Western Port CMA Regional Catchment Strategy). *Priority: High*	Council Strategic Planning Communicat-ions	Ongoing	A dedicated webpage for the GWMP has been created. This webpage has will be updated with any adopted progress reports. Green Wedge Management Plan - Mornington Peninsula Shire In addition, any Council adopted submissions to the various Victorian Government's consultations about protection of agricultural land and Green Wedge land are uploaded to the following webpage for community information: Submissions to the State Government - Mornington Peninsula Shire The proposal for a dynamic webpage has merit and should be developed in consultation with corporate communication protocols.	Retain as an action.
7.2	Develop and seek approval for an appropriate planning scheme amendment to give effect to the adopted 2018 Green Wedge Management Plan as part of the	Council Strategic Planning	Not commenced	The GWMP will be given effect in the planning scheme when the following planning scheme amendments are undertaken: • Refer action 1.9 above – seek a planning scheme amendment to include the Dwellings in the Green Wedge Policy.	Retain as an action.

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	ACTION / PRIORITY	LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
	Mornington Peninsula Planning Scheme. *Priority: High*			• Refer action 2.38 above - update the Local Planning Policy Framework to refer to and support the Green Wedge Management Plan 2018 and the Shire's Biodiversity Conservation Plan. • Refer action 4.5 above - seek a planning scheme amendment to introduce a local policy on Camping and Caravan Parks. • Refer action 5.2 above - review the Significant Landscape Overlays and other landscape protection controls. These planning scheme amendments are listed on the current strategic planning workplan and subject to approved funding and resourcing. These planning scheme amendments are listed in the draft Planning Scheme Review, to be presented to Council for adoption in late 2026.	
7.3	Advocate to DELWP to establish an annual forum with other green wedge Councils, and with other land management agencies to bring a focus to green wedge issues and to explore best practice, joint projects and opportunities for funding. *Priority: High*		Underway	The Department of Transport and Planning (formally DELWP) did provide update sessions for planners and council officers upon the release of their Planning for Melbourne's Green Wedges and Agricultural Land Action Plan in 2024. It is hoped these forums will continue once individual actions are implemented. As a separate but related exercise to implement this action, on the 12 May 2026, Council is considering exploring the formation of a Green Wedge Councils Planning Alliance. The aims of this alliance group would be to:	Retain as an action.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
				• Hold the government to account on their Planning for Melbourne's Green Wedges and Agricultural Land Action Plan 2024. • Ensure the recommendations in the 'Securing Victoria Food Supply' are carried out. • Share emerging threats and trends in planning applications in the green wedge. • Undertake joint advocacy on strategic direction and case matters as they arise, that would hopefully have more of an impact than a single council.	
7.4	Prepare an implementation progress report to Council at least every two years, with a general review every four years, as part of the required review cycle for the Council Plan and the Mornington Peninsula Planning Scheme. *Priority: Medium*	Council Strategic Planning	Not commenced	Following this detailed audit of the plan actions in 2026, officers will present an annual progress report on the GWMP, alongside the other structure plans we are reporting on annually. Any outstanding action items can be considered as part of the annual business planning and budget process. To date, a progress plan every two years has not been reported, as many of the major initiatives had long lead times for project planning, consultation, adoption and implementation. However, the key actions relating to the planning scheme have been separately reported in the Planning Scheme Review 2023, and key actions relating to biodiversity are reported in the progress reports Achievements in Biodiversity Conservation - Progress Report Year 3 (2022-23) and Year 4 (2023-24).	Retain as an action.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
				A proposed future revision of the GWMP is scheduled for 2029/2030. It is recommended that a proposed future revision will include: • Update of all outdated references and background data. • Update all State and local initiatives. • A preferred concise format. • List of targeted actions including performance measures. • Any outstanding Department of Transport and Planning (DTP) actions foreshadowed in their Planning for Melbourne's Green Wedges and Agricultural Land Action Plan 2024. For context, DTP is progressing their Action Plan alongside the Victorian Government's response to the inquiry Securing the Victorian food supply (November 2024). The Inquiry made 33 recommendations to address urban encroachment into farmland, which is making it more difficult and expensive to grow food close to Victorian cities.	
7.5	Work through the Interface Councils Group and the South-Eastern Municipalities Group of Councils to promote recognition of the State and regional value of the Mornington Peninsula Green Wedge.	Council	Ongoing	Mornington Peninsula Shire is no longer a member of the Interface Councils group. The group has been rebranded as Outer Melbourne Councils. Council is an ongoing member of the Greater South East Melbourne (GSEM) group of councils that does advocate for issues in the Green Wedge.	Retain as an advocacy position.

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
	Priority: Ongoing			GSEM includes the shires of Cardinia and Mornington Peninsula, and the cities of Casey, Frankston, Greater Dandenong, Kingston, Knox and Monash. The CEO attends the GSEM CEO meetings and the Mayor attendees the Mayoral meetings. Link: Home—South East Melbourne Refer to action 7.3 about a potential Green Wedge Councils Planning Alliance.	
7.6	Develop additional progress indicators – for example in relation to biodiversity, landscape quality and land use patterns that can be used to inform more effective monitoring and reporting in terms of the core purposes and objectives of the Green Wedge. *Priority: Medium*	Council Natural Systems GIS	Completed	This action is part of the Shire's Biodiversity Conservation Plan and progress is reported through this plan. The Shire's GIS has an 'Agriculture' layer which has the following information updated from valuations data. This data set is useful for reporting on changes to previous data sets in 2015.	Action completed

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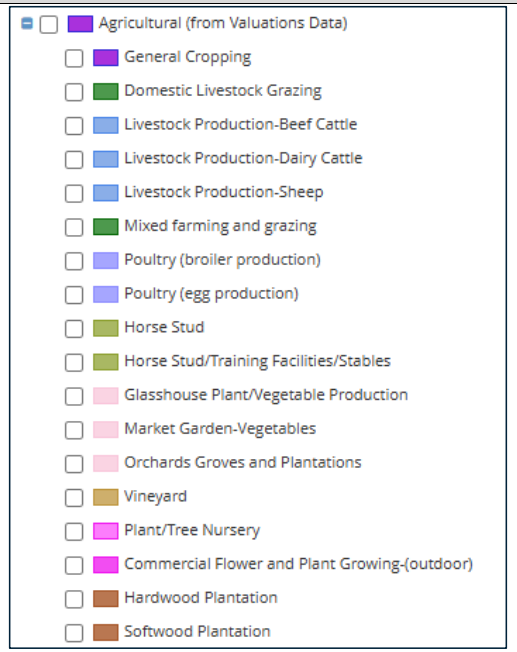
ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
					

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ACTION / PRIORITY		LEAD AGENCY	STATUS	2026 COMMENTS	PROPOSED FUTURE REVISION
7.7	Develop annual action plans to support the implementation of the GWMP for consideration by Council as part of the annual budget review process.	Council Strategic Planning	Ongoing	Refer to 7.4 above. In addition to the annual progress report on the implementation, each unit includes relevant actions into their annual business plan and budget plan where relevant and funded.	This action is incorporated into the business functions of all relevant units.

MORNINGTON PENINSULA Shire

9 July 2024

The Hon. Sonya Kilkenny MP
Minister for Planning
Level 20, 1 Spring Street
Melbourne VIC 3000

sent via email: sonya.kilkenny@parliament.vic.gov.au

Dear Minister Kilkenny

Planning For Melbourne's Green Wedges and Agricultural Land Action Plan

I write regarding the release of the Victorian Government's *Planning for Melbourne's Green Wedges and Agricultural Land Action Plan 2024* earlier this year.

Mornington Peninsula Shire Council welcomes this much-anticipated plan that seeks to better protect Melbourne's green wedges and agricultural land through stronger planning controls. Delivery of the Action Plan will reinforce the non-urban role and character of these significant areas while helping to create a more consolidated and sustainable city.

As you know, not all green wedges are the same. The Mornington Peninsula's green wedge and agricultural areas are world-class, being an integral part of Melbourne's food bowl, producing large volumes of high-quality fruit and vegetables year-round. Our region is critical to Victoria's food economy and security, yielding the second highest value food production region per hectare in Victoria. Equally importantly, our green wedges have important environmental, landscape, recreational and tourism values that are loved and valued by all Victorians.

Yet, like most green wedge areas, the Mornington Peninsula Green Wedge is subject to multiple pressures, and we have advocated strongly for more protections and tighter controls over inappropriate development.

Council believes that the new Action Plan is a step in the right direction. Clearer guidelines and stronger planning controls will help our efforts to support our $1.3 billion agriculture, food and beverage sector and protect the rural values of our Green Wedge.

Overall, we support most elements of the Action Plan in principle, pending the release of details about how the actions will be implemented within the Victoria Planning Provisions (VPPs). There are, however, several matters of concern that require further attention. These were previously detailed in Council's submission to the State Government's earlier consultation paper *Planning for Melbourne's Green Wedges and Agricultural Land* (P4GWAL) in January 2021. I therefore attach to this letter a summary of the actions that Council supports in principle, as well as those we consider require further refinement or attention.

Contact the Mornington Peninsula Shire
1300 850 600
mornpen.vic.gov.au
customerservice@mornpen.vic.gov.au

By post: Private Bag 1000,
90 Besgrove Street, Rosebud VIC 3939
ABN: 53 159 890 143

Most importantly, before any actions are implemented, I ask that the Department of Transport & Planning engages with us (and other affected councils) to assist in drafting and/or reviewing any proposed planning policies or controls. Our officers welcome the opportunity to take part in any working groups or committees convened by the Department to undertake such work.

We look forward to partnering with the State Government to ensure the Action Plan is successfully implemented through carefully considered planning controls that reflect the distinctive role and function of our region.

Please direct any queries to Katanya Barlow, Manager – Strategic & Infrastructure Planning on 5950 1021 or via email at Katanya.Barlow@mornpen.vic.gov.au.

Yours faithfully

Cr Simon Brooks
Mayor
Mornington Peninsula Shire Council

Encl.

Actions Supported In-Principle

Council provides in-principle support for the following actions, subject to the release of details regarding the statutory implementation of the actions within the VPPs:

- Action 2: Criteria for a new planning scheme overlay for key irrigated agricultural areas.
- Action 3: Water authorities' views to be considered in the assessment of planning permits for Melbourne's peri-urban areas where there is current or planned recycled water supply.
- Action 4: A new regional policy to preserve future opportunities for irrigated agriculture around Melbourne.
- Action 5: Update agricultural planning policy to better protect agricultural land within 100 kilometres of Melbourne.
- Action 6: Develop a Planning Practice Note for applications within agricultural areas.
- Action 8: Update the Planning Policy Framework to encourage appropriate siting, design and scale of sensitive uses and development in rural areas within 100 kilometres of Melbourne.
- Action 10: Update Planning Practice Note 31 'Preparing a Green Wedge Management Plan.'
- Action 11: Develop a new Planning Practice Note for urban-rural interface areas.
- Action 13: Introduce mandatory site coverage, setbacks and building heights for discretionary uses in the Green Wedge Zone and Green Wedge A Zone as a pilot project.
- Action 15: Prohibit new data centres in the Green Wedge Zone, Green Wedge A Zone and the Rural Conservation Zone.
- Action 19: Introduce a new permit trigger for soil dumping (clean fill).
- Action 20: Introduce a new land use term for 'community hall.'

Actions Requiring Further Refinement & Detailed Consideration

Council considers that the following actions require refinement and careful detailed consideration before implementation:

- **Action 1: Introduce a new planning scheme overlay to protect key irrigated agricultural areas in Werribee and Bacchus Marsh.** We consider that the proposed overlay could be applied to designated areas with existing or potential to secure water supply. We have long advocated for funding to deliver the Tyabb-Somerville Recycled Water Scheme to grow the economic potential of the Mornington Peninsula Shire's agriculture sector and increase resilience to climate change. Accessing this water is an ideal way to secure climate resilient food production for Melbourne's growing population.

- **Action 7: Strengthen the 'right to farm' by expanding the 'agent of change' principle within 100 kilometres of Melbourne.** Council has previously urged caution in developing controls that may have unintended consequences such as conflict with conservation and landscape objectives for the Mornington Peninsula Green Wedge, as outlined in our submission to P4GWAL.

- **Action 9: Update planning policy to emphasise the non-urban values, purpose and character of the green wedges.** Council supports the protection of all agricultural land – not only land of 'strategic importance' – while recognising that land with particularly productive soils should be recognised and given weight in planning decisions. The Planning Policy Framework (PPF) within the VPPs should reflect the characteristics of each Green Wedge area. For example, there is a hierarchy of goals in Council's adopted Mornington Peninsula Green Wedge Management Plan (2019) from conservation of the natural environment, protection of landscape quality and support for sustainable agriculture.

- **Action 12: Review and update decision guidelines and application requirements for planning applications within green wedge zones.** Council strongly advocates that applications for a dwelling should demonstrate a link either to agriculture or to natural systems. To this end, we have a draft policy included in the Mornington Peninsula Green Wedge Management Plan (2019). This policy requires a Land Management Plan, based on agricultural use or biodiversity/conservation, to be approved as part of any application. The content of this policy could be translated into application requirements and decision guidelines within the green wedge zones.

- **Action 14: Increase flexibility for primary produce/farm gate sales.** This is a complex issue which requires further consultation prior to the framing of any amendments to the planning scheme. In the Mornington Peninsula, primary produce sales / farm gate sales provide an important opportunity to support the viability of production on smaller lots, promote sustainable forms of agriculture and encourage the use of local produce. Farm gate sales enable a greater proportion of the value of produce to be captured directly by the producers, while also developing the local supply network. However, there is the potential for commercial intrusion of 'shop' uses into the Green Wedge, unless the scope for primary produce sales is clearly defined and capable of practical monitoring and regulation.

- **Action 16: Prohibit subdivision of small lots below the minimum lot size in some zones within 100 kilometres of Melbourne.** There is a need to prevent fragmentation of land through subdivision and re-subdivision proposals. The State Government's original P4GWAL discussion paper canvassed tenement controls as an option where a landowner has several contiguous small lots (and could develop a house on each lot), but this issue is not specifically addressed in the Action Plan. We would like to work with the State Government on exploring tenement controls or other mechanisms to address this concern which has state-wide applicability.

- **Action 17: Insert new conditions for exhibition centres, group accommodation and hotels in green wedge zones.** There is a need for more comprehensive planning policy in relation to tourism-based uses, wineries and rural worker accommodation within Green Wedge areas and better definition of the scope of 'ancillary' uses. There is also a need to fully review the impacts of the current 'in conjunction with' provisions and associated matters regarding the consideration of non-defined (innominate) land uses and the appropriate limits to 'ancillary' use.

- **Action 18: Strengthen the link between host farm accommodation and operating agricultural properties.** Council strongly supports a planning definition of 'Host farm' that requires a direct link to an operating agricultural property. Council does not support 'Host Farms' as uses which do not require planning approval. We would support new provisions that limit the scale of accommodation consistent with farming activity on site, and to provide requirements about the site coverage, siting and design of buildings, and management of the use.

Outstanding Matters Requiring Attention

Finally, the Action Plan does not address the issue of residential caravan parks in the Green Wedge. Residential caravan parks can become a semi-urban use that has the potential to completely displace any agricultural use on the land, and may significantly limit the agricultural and/or conservation uses of adjoining land.

Proliferation of this type of use also threatens the ability to create a more consolidated and sustainable city – locating sizable communities in areas far from the services and infrastructure they need, and further entrenching car dependency. To this end, Council strongly supports the exclusion of residential caravan parks from the Green Wedge in favour of these uses being directed to areas within the Urban Growth Boundary.

Green Wedge Councils' Planning Alliance
Terms of Reference

MORNINGTON PENINSULA Shire

1.0 Purpose

1.1 The Green Wedge Councils' Planning Alliance (the alliance) is formed to:

- Provide a deliberative forum of interested stakeholders for discussion and information exchange.
- Identify and advise on emerging issues in the green wedge.
- Advocate as a collective voice of member municipalities on emerging issues and State government green wedge planning initiatives and reforms.
- Facilitate positive green wedge planning outcomes for all member municipalities.

1.2 The alliance is an advisory body and generally has no decision-making powers or authority to expend funds on behalf of the member Councils. The alliance does not have any executive powers nor does it have any delegated responsibility.

2.0 Definitions

2.1 **Chairperson** means the person appointed to chair a meeting.

2.2 **Councillor** means a person who holds the office of member of Council; and includes a person appointed by Order in Council the *Local Government Act 2020*.

2.3 **Green Wedge Councils' Planning Alliance** means an informal group of Councillors and officers of green wedge municipalities that come together for the purposes of joint advocacy and information sharing about green wedge planning matters.

2.4 **Member Council** refers to a member of the Green Wedge Councils' Planning Alliance.

2.5 **Officer** refers to employees of Member councils.

2.6 **Representative** means the Councillor or officers participating in the Green Wedge Councils' Planning Alliance meetings.

2.7 **Terms of Reference** refers to the agreement between each Member Council of the Green Wedge Councils' Planning Alliance.

3.0 Membership

Eligible Members

3.1 Councils eligible to be members of the Green Wedge Councils' Planning Alliance are any Council with land in a green wedge. These Councils currently are:

- Brimbank City Council
- Cardinia Shire Council
- Casey City Council
- Frankston City Council
- Greater Dandenong City Council
- Hobsons Bay City Council
- Hume City Council

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Green Wedge Councils' Planning Alliance
Terms of Reference

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- Kingston City Council
- Knox City Council
- Manningham City Council
- Maroondah City Council
- Melton City Council
- Mornington Peninsula Shire Council
- Nillumbik Shire Council
- Whittlesea City Council
- Wyndham City Council
- Yarra Ranges Shire Council

Representatives

3.2 The alliance shall consist of appointed representatives (Councillors and officers) of Member Councils.

3.3 Member Councils may replace their representatives at their discretion.

3.4 In the instance of a Council under administration, senior council officers can be appointed as the representative in place of a councillor.

3.5 Each Member Council will nominate a primary contact (senior officer) for liaison with the alliance on any management matters.

3.6 Each Member Council will nominate staff member(s) with appropriate expertise and authority to represent Member Councils at alliance meetings.

Costs

3.7 Each Member Council is responsible for any costs to attend the alliance meetings group and associated administrative tasks

Roles and responsibilities

3.8 Upon commencement, the alliance will prepare an annual list of meeting dates and nominate a rotating Chairperson for each meeting.

3.9 The role of the Chairperson for each meeting is to:

- lead the meeting
- facilitate discussion
- ensure the meetings are held in a respectful and inclusive manner
- call to order any disruptive behaviour

3.10 The role of the host Council for each meeting is to:

- provide general administrative support
- prepare an agenda and minutes

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Green Wedge Councils' Planning Alliance
Terms of Reference

MORNINGTON PENINSULA Shire

3.11 The role of the officers attending each meeting is to:

- report, advise and assist Councillors with their discussions.
- raise issues and opportunities for investigation and contribute to discussions
- provide relevant background reports to the alliance
- distribute information and records of meetings back to their Member Council

4.0 Code of conduct

4.1 Councillors and officers of Member Councils are to act:

- honestly and with integrity.
- in good faith in the best interest of the alliance
- with a reasonable degree of care, diligence and skill.

4.2 If a representative has a conflict of interest in a matter before any meeting, they must disclose that conflict and conduct themselves strictly in accordance with the provision of the *Local Government Act 2020.* The minutes are to record the declaration of conflict of interest and any other details required by the provisions of the *Local Government Act 2020*.

4.3 Rules regarding the confidentiality of discussions when requested - TBC

4.4 Authorisation to speak to the media - TBC

5.0 Meetings and procedures

5.1 Frequency - meet annually, or more frequently up to three times a year, depending on need to respond to reforms as they are implemented and as agreed by the alliance.

5.2 The alliance may meet face-to-face or online as necessary or convenient.

5.3 Representatives of appropriate government departments, authorities and other instrumentalities, other councils, community groups, or individuals may be invited to attend meetings for information sharing purposes.

5.4 The notice period for a meeting shall be a minimum of 30 days' notice.

5.5 The agenda papers should be circulated at least five working days prior to a meeting.

5.6 An apology for non-attendance by Member Councils will be including in the minutes.

5.7 Minutes of all alliance meetings shall be kept, providing a summary of discussion and record of follow up actions.

5.8 Minutes to be circulated within two weeks of each meeting.

DRAFT

Green Wedge Councils' Planning Alliance
Terms of Reference

MORNINGTON PENINSULA Shire

6.0 REVIEW

6.1 The Terms of Reference shall remain in force until amended, terminated or replaced by agreement of all Member Councils at a meeting.

7.3 The Terms of Reference will be reviewed for efficacy and relevance after three years from the commencement of the alliance.

END OF DOCUMENT

DRAFT

Feedback on the Port Development Strategy 2055

Mornington Peninsula Shire

1. Introduction

Mornington Peninsula Shire (the Shire) welcomes the opportunity to comment on the draft Port Development Strategy 2055 (March 2026) (the draft PDS). Given the tight timeframe for consultation, this submission has been prepared by Shire officers and is subject to endorsement by the Mornington Peninsula Shire Council (Council) in May.

Overall, the Shire submits that the PDS needs to provide clearer direction about the future use of land currently zoned Special Use Zone – Schedule 1 (Port-related uses), rather than keeping large swathes of land in reserve for port related uses which may never happen. At 3,500 hectares, the extent of land quarantined in the SUZ1 around the Port is excessive - noting that the Port of Melbourne, Australia's largest container and general cargo port, manages a land area of about 534 hectares. The SUZ1 should be reduced to allow for a broader range of uses (including industrial, agricultural, housing and conservation) while maintaining appropriate buffering requirements from Port activities. This is critical to ensure the community is provided with much needed certainty to facilitate their own planning, development and investment decisions.

This submission therefore focuses on identifying areas of SUZ1 land that the PDS should clearly designate as surplus to Port needs as well as preferred future land uses for these areas. The submission also addresses:

- road and freight network improvements required to support future Port-related development and the release of surplus land for alternative uses, noting that integrated planning and investment in port, road and rail infrastructure improvements are crucial to achieving the vision of the PDS
- the need to recognise the environmental significance of Western Port Bay, Western Port Environs and sustainability and environmental management
- how the Victorian Renewable Energy Terminal (VRET) project is recognised, and
- a range of other matters such as recognition of the Mornington Peninsula Localised Planning Statement (LPS), major hazard facility buffers, major pipeline buffers, public acquisition overlays, and the proposed disposal of HMAS Cerberus Defence land.

2. Land Use

Council has long advocated for the release and proper planning of surplus Port-related land (currently zoned SUZ1) for alternative uses such as housing, industry, agriculture and conservation. The below land use plans (Figures 1 & 2) identify preferred areas of SUZ1 land that should be released and a preferred mix of land uses for each area, including tourism/recreation/commercial, agriculture/rural industry, industry, housing and open space/conservation. In identifying these areas and land use mixes, consideration has been given to:

- The commercial significance of the Port of Hastings which presents opportunities for economic benefits across several neighbouring municipalities, which must be balanced with protecting Western Port Bay's unique environment.
- The need for buffers areas to ensure the core areas of remaining port-related land are not 'sterilized'.
- Council's adopted Industrial Areas Strategy (2018) which recognizes the need to address a growing shortfall of vacant industrial land on the Peninsula.
- Council's adopted Industrial Land Use & Infrastructure Assessment & Rezoning Strategy (2020) which identifies Hastings as the preferred location for future industrial land.

- Council's adopted Food Economy and Agroecology Strategy 2022-2028 (2022) which supports protection of high value agricultural land, recognizing significant areas of such land exist within the Westernport region.
- Council's adopted Economic Development & Tourism Strategy – A Thriving Peninsula 2033 (2024) which recognizes the potential for surplus SUZ1 land for alternative uses, including those that support the potential development of a new energy economy.

In addition, the Shire notes the Victorian Commercial Ports Strategy 2022, which committed the Port of Hastings Corporation to undertake a strategic assessment of the SUZ1 area in consultation with Council to determine the land requirements needed to support the ongoing operations of the Port of Hastings. As this assessment is yet to be undertaken, the Shire takes this opportunity to identify preferred future land uses for areas of the SUZ1 to ensure clear, proactive and evidence-based planning for the region.

The PDS should commit to the preparation of a comprehensive precinct plan for surplus SUZ1 land, including accompanying development contributions plan(s) to fund and deliver critical infrastructure upgrades. Precinct planning should be funded by the State Government and undertaken in conjunction with Council and the community.

The maps below show the Shire's preferred areas for surplus land and associated future land uses in Hastings, Tyabb and Crib Point. The proposals and strategic merit to maximise the opportunities to broaden the land uses within the existing SUZ1 land are outlined below.

Figure 1: Somerville, Tyabb & Hastings

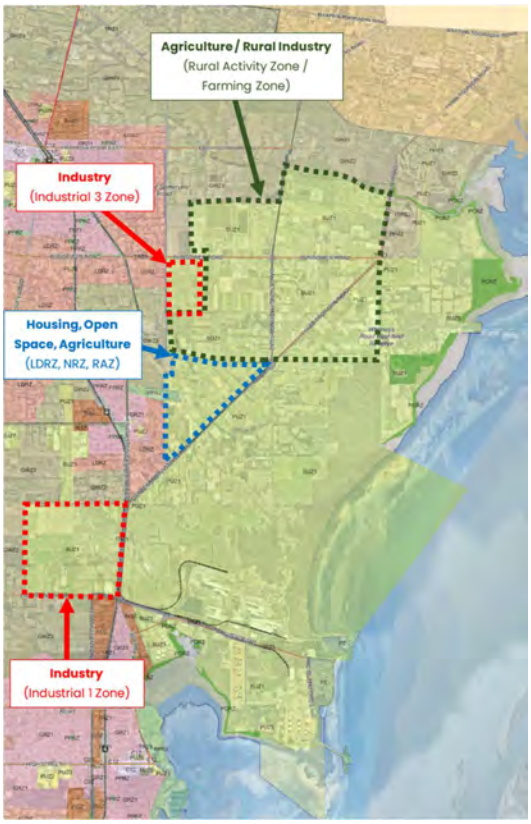


Figure 2: Crib Point

2.1. Agriculture/Rural Industry

- The areas of Somerville, Hastings and Crib Point identified for future agriculture and rural industry (marked in green) contain high value food production land that generates about $150 million a year in agriculture output, making agriculture a major part of the local economy (much more than the national average).
- Council's Food Economy and Agroecology Strategy 2022-2028 (2022) recognises the importance of the food economy to the future of the community and seeks to continue to advocate for agroecological outcomes on behalf of agricultural businesses.
- The State Government's response to the Inquiry into securing the Victorian Food Supply in 2025 reiterated that "protecting productive agricultural land has been a long-standing policy commitment of the Victorian Government". Similarly, rezoning this land would be consistent with the Melbourne Industrial and Commercial Land Use Plan
- It is recommended that this land be rezoned to support existing rural industry activities while contributing to the implementation of the identified State and Regionally significant Industrial Precinct in Hastings (i.e. Rural Activity Zone or Farming Zone).

2.2. Housing, Open Space and Agriculture

- The State Government has advised Council that they estimate a housing capacity shortfall of 1,700 homes for the Mornington Peninsula by 2051.
- The areas of Tyabb and Crib Point identified for Housing, Open Space and Agriculture (marked in blue) provide an opportunity to facilitate additional housing supply adjacent to existing residential land, in support of established townships, and existing and planned employment areas.
- The State Government's recently released Access to Opportunities and Services (ATOS) mapping tool recognises some areas along the Stony Point railway line as having greater access to services, jobs, and community facilities compared to the majority of the Mornington Peninsula.
- Residential development in the Tyabb area is considered a logical extension of the township, noting that the Port of Hastings Corporation (PoHC) has already provided in principle support for a proposal to rezone and subdivide land in The Crescent, Tyabb, for additional housing supply.
- Further investigation of this area requires careful consideration of buffer requirements from Port activities in accordance with the existing requirements of Schedule 1 to the SUZ.

2.3. Industry

- The areas of Somerville and Hastings are identified for broader industrial uses (marked in red).
- The Shire's 10-year Economic Development and Tourism Strategy, adopted in 2024 encourages the growth of advanced manufacturing and clean technology in the region to contribute to jobs in the local area. The Strategy also identifies a shortage of industrial land to accommodate potential growth in industries such as advanced manufacturing and emerging technologies.
- The previous 2018 PDS declared areas of the SUZ1 land in Somerville, Tyabb and Hastings as surplus to the needs of the Port of Hastings. This resulted in Council preparing and adopting its Industrial Land and Rezoning Strategy (ILARS) in 2020. The ILARS identified the need for 40-60 hectares of new vacant industrial land to meet demand and analysed the identified surplus land and provided recommendations as to the preferred site for an employment precinct.
- Planning Scheme Amendment C243morn implemented one of the recommendations of ILARS to rezone a portion of land south of Bungower Road in Somerville, which was identified in the 2018 PDS as surplus to Port needs, from SUZ1 to Industrial 3 Zone to facilitate the development of the new *Somerville Technology, Industry and Business Park.* Amendment C243morn was approved by the Minister for Planning on 13 March 2026.

- Similarly, in keeping with the recommendations of the 2018 PDS and the ILARS, Shire officers and Invest Victoria have been supporting a group of landowners over recent years to prepare a planning scheme amendment (known as Amendment C294morn) to rezone about 73 hectares of land in Hastings, bounded by Graydens Road and the Stony Point line, for broader industrial uses. The draft PDS identifies this land as being within the 'mixed port use terminal area' (p.5), and 'mixed use and renewables hub' area (p.70). The Shire seeks clarification regarding these terms and, more specifically, a firm commitment in the PDS that this land is in fact surplus to Port needs and therefore suitable to be rezoned for broader industrial uses. This clarity is critical to providing investment certainty to both the private sector and Council which have already committed significant funds towards progressing Amendment C294morn, as well as the broader community who were engaged during preparation of Council's original ILARS project.
- The draft PDS recognises the Economic Growth Statement for Victoria (2024) and Victoria's 10-year Plan to Unlock Industrial Land (2025) which commits to unlocking 3,300 hectares of SUZ land at Altona North and Hastings. This was partially achieved in February 2026, through Planning Scheme Amendment C146hbay which rezoned 956 hectares within the City of Hobson Bay. The PDS should explicitly demonstrate how the State Government will now prioritise the release of substantial areas of SUZ land at Hastings and provide a clear pathway for how and when this land will be made available for alternative uses.
- Rezoning of these areas from the existing SUZ1 (Port related uses) to broader industrial uses could have synergies with the identified mixed port use terminal area / mixed use and renewables hub. Significantly, rezoning of this land would also provide the amount of vacant industrial land required to address the current shortfall of such land on the Peninsula to 2035 and beyond.

3. Integrated Transport

The Shire's 10-year Economic Development and Tourism Strategy, adopted in 2024, acknowledges the need for strong transport links to ensure the movement of goods in the region and across the state. The draft PDS road and rail network plans broadly align with Council's draft Integrated Transport Strategy; however, further detail is required regarding preferred routes, planned upgrades, sequencing, and support from the Department of Transport and Planning (DTP).

3.1. Need for Integrated Planning and Infrastructure Investment

Council has consistently sought integrated planning and corresponding investment from the Victorian Government—particularly for road and rail upgrades—to ensure the transport network can safely and efficiently support increased freight volumes. While the PDS elevates port development initiatives to high priority, it lists road improvements as only medium priority, which raises concerns regarding freight network readiness.

Key commitments sought include:

- Development of a freight implementation plan with triggers, staging and clear agency responsibilities.
- Measures to deter or exclude freight from Tyabb and Somerville town centres
- Detailed investigation into the preferred east–west arterial, considering PAOs, Peninsula Link interchanges and community views.

3.2. Analysis of Proposed Freight Routes

The draft PDS identifies preferred freight routes and includes conceptual realignments of the Western Port Highway and a new rail connection north to Dandenong. The Strategy clearly reflects the Port's intended freight corridors but does not adequately address the required upgrades to support freight traffic once it leaves the Port precinct.

Council notes that several roads identified or implied as future freight corridors are local roads not designed for heavy freight. Further investigation and State-led planning are required to clarify responsibilities and upgrade requirements.

Frankston–Flinders Road
The Shire welcomes that Frankston–Flinders Road is not identified as a key freight route in the PDS and supports truck-deterrent measures to protect the amenity of Somerville and Tyabb. Recommended measures include speed reductions, raised crossings, freight operator engagement, and—only as a last resort—truck curfews.

Stumpy Gully Road vs Coolart Road
The PDS maps show Stumpy Gully Road as a major north–south connector; however, this road is partly unsealed and unsuitable for freight. Coolart Road, a State arterial, is a more appropriate corridor, although significant upgrades would still be needed.

Myers Road & Wooleys Road
Myers and Wooleys Roads appear in the Port Vision as major east–west connectors despite no discussion in the PDS. Both require widening, pavement strengthening and intersection upgrades, and Myers Road adjoins General Residential Zones, raising concerns about safety and amenity.

Bungower Road
The PDS text describes Bungower Road as a key east–west freight route, yet the maps do not identify it as such, creating uncertainty. If Bungower Road becomes a preferred freight corridor, it would require declaration as a State arterial, potential PAOs and careful consideration of adjacent Low Density Residential Zones. Council maintains that Mornington–Tyabb Road—already a State arterial—should be the primary east–west route.

Graydens Road
Graydens Road is identified as a future east–west arterial, but this section is a Shire road with insufficient pavement strength or width for heavy freight. If required to service port freight, it would need to be declared a State arterial and undergo major widening, pavement reconstruction, and intersection upgrades, particularly at Frankston–Flinders Road. Council's position remains that Mornington-Tyabb Road should be prioritised instead.

3.3. Road Safety and Community Impacts

Council emphasises that heavy vehicle traffic on local roads without corresponding upgrades would increase safety risks, exacerbate congestion in township centres, and further impact local amenity. This is particularly relevant where freight routes intersect residential areas, school precincts and pedestrian/cyclist networks.

The need for integrated investment and early planning for safety upgrades is therefore essential to ensure the transport network remains functional and safe as freight volumes increase.

3.4. Rail Network Considerations

While the PDS outlines potential future rail realignments and connections, further detail is required regarding staging, delivery responsibilities and the interaction between port-related rail movements and commuter services. The Shire notes that improvements to the Stony Point Line are essential to support increased access to jobs and services, reduce reliance on private vehicles and ensure resilience as freight rail use intensifies.

The proposed future rail access to Dandenong needs to ensure that agriculture can continue to operate productively and effectively alongside the infrastructure.

4. Recognising the Western Port Environs and Sustainability & Environmental Management

The draft PDS acknowledges the need to conserve the sensitive ecosystems in Western Port Bay through responsible environmental management. It contains strong environmental context but does not include Council's advocated initiative for a Western Port Bay Strategic Framework and Western Port Fund. Shire officers therefore recommend the inclusion of Council's advocated initiative to formally support the creation of a whole-of-bay Strategic Framework; and establishment of a dedicated Western Port environmental fund (equivalent to the Port Phillip Bay Fund). Council is particularly supportive that the proposed Framework recognises the importance of ensuring the future economic prosperity of the region in conjunction with promoting environmental protection and restoration.

The detailed mapping of areas of environmental significance in the draft PDS is welcomed, as suggested in the 2024 survey response; however, the PDS also needs to provide clear guidance regarding the management and mitigation of impacts on the ecological character of the Western Port Bay.

As submitted in response to the draft PDS survey of 2024, the Western Port Bay, the Port and surrounds face increased risks from climate change including coastal sea-level rise and coastal erosion. The PDS should ensure that the most up to date data on climate change risks is fully accounted for when planning development of the Port and surrounding land uses.

Risk assessment information prepared in line with the Victorian Resilient Coast framework for the Shire's Our Coast, Our Future Strategy (currently under development) has identified significant risks along the Peninsula's share of the Western Port coastline which have direct relevance to the Port. Acknowledgement and actions to ensure all future developments in the Port are resilient to these changes and aligned with the target of net zero emissions for the region by 2040, are critical. Currently, the only reference to sea level rise in the draft PDS refers to Clause 13.012S Coastal Inundation and Erosion of the Mornington Peninsula Planning Scheme (MPPS).

Notably, areas within the SUZ1 contain remnant vegetated coastal corridors that are significant because:
- They form an ecological buffer to the Western Port Ramsar Site, a recognised Matter of National Environmental Significance (MNES) under the *Environment Protection and Biodiversity Conservation Action 1999* (EPBC Act).
- They provide habitat for a range of nationally significant flora, fauna, and ecological communities protected under the EPBC Act.
- Disturbance or fragmentation of these areas has the potential to directly or indirectly impact the ecological character of the Ramsar site or other MNES.

Exploration of rezoning environmentally significant areas for conservation purposes, in consultation with Council and the community is encouraged. It is noted that the draft PDS currently makes no reference to the EPBC Act or recent recordings of the listed species such as the Glossy Grass Skink and Lewin's Rail or the potential for orchids and Southern Brown Bandicoots.

5. Victorian Renewable Energy Terminal (VRET)

The draft PDS describes VRET as a catalytic project and assigns it the highest implementation priority, while also acknowledging the Victorian and Commonwealth environmental assessment of the project currently underway under the *Environment Effects Act 1978* (EES Act) and EPBC Act. It is recommended that the PDS be revised to avoid pre-emptive language or imagery implying project certainty and ensure the PDS clearly states that VRET delivery is contingent on outcomes of the statutory approvals process.

It is noted that Council is participating in the Environmental Effects Statement (EES) Technical Reference Group (TRG) process for these environmental approvals on a without prejudice advice basis, and that a planning

scheme amendment will be required to facilitate the development if it is approved. Council will not form a position on the VRET until the EES statement is released for public exhibition.

Nevertheless, the PDS needs to recognise the need for any major development within the Port environs area to deliver a net community benefit. If the VRET is ultimately approved, the Shire seeks the establishment of a Community Benefit Fund via a Payment in Lieu of Rates (PiLoR) framework for offshore wind generation. The *Victorian Electricity Industry Act 2000* requires onshore electricity generators, like wind, battery, and solar, to contribute to local infrastructure and services through a PiLoR system. However, there is no similar framework for offshore wind generation. The proposed VRET development will have significant impacts on Hastings and the Peninsula. The Shire supports the advocacy efforts of Wellington Shire Council and South Gippsland Shire Council in this regard to ensure the economic benefits from offshore wind projects are invested in critical infrastructure and community services while contributing to Victoria's renewable energy goals. It is critical that the details of such funding arrangements are prepared in collaboration with Council and included in the Request for Tender for Victoria's first offshore wind industry auction process scheduled to occur in August this year. This will ensure that bids from developers looking to secure a support package incorporate the needs of the community.

The State Government expects the offshore industry to create over 6,000 jobs and generate billions in investment, the PDS needs to recognise this by committing to release surplus land for other uses, including housing for workers and a return on investment to the community.

6. Other Matters

6.1. Major Hazard Facility Buffer

It should be noted that the Major Hazard Facility Buffers map on page 47 of the draft PDS indicates the buffer extends to an established residentially zoned area of Hastings which Council's adopted HSS has identified as suitable to accommodate incremental change within the Hastings Major Activity Centre. As outlined further below, the Shire supports the application of buffers and investigation into the application of the Buffer Area Overlay to allow for increased transparency and proper planning.

6.2. Mornington Peninsula Localised Planning Statement

As submitted in response to the draft PDS survey of 2024, the Shire maintains that the PDS should also have regard to the Mornington Peninsula Localised Planning Statement, particularly: 'Planning will provide for the protection of the important values and resources of Western Port and its land catchment having regard to the importance of recreation, nature conservation and tourism. These will be major considerations in the planning and management of the area for port and port related industrial purposes.' (Council resolution of 29 April 2024).

6.3. Crib Point Precinct and Stony Point Precinct (PAO4)

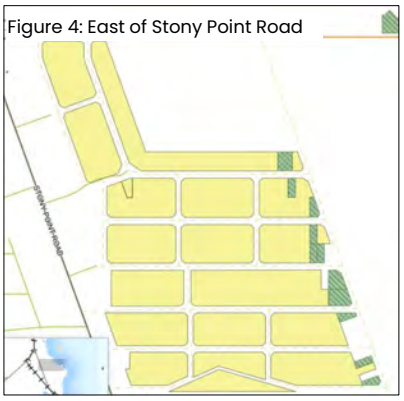
The draft PDS states an intention to preserve land under existing State ownership (PAO4) for potential future port purposes. This wording is misleading as the PAO does not 'preserve ownership', but rater reserves land for future acquisition. It is recommended that the PDS be amended to:

- Accurately describe the PAO4's function; and
- Commit to a joint PAO4 review with Council, clarify intended timing of acquisition, and ensure landowners are appropriately informed and engaged.

There are currently several residential size parcels of land that are privately owned and Council owned within the PAO4 as indicated in the examples below:

Figure 3: North of Creswell Street, Crib Point

Figure 4: East of Stony Point Road



(Ownership Legend: Green = Crown, Yellow = Council, White = Private)

Maps within the draft PDS incorrectly indicate that all these areas are State owned land or refer to the 'preservation of State ownership' and therefore need to be remedied.

6.4. Pipeline Buffer Transparency

The draft PDS notes the need to preserve opportunities for upgraded or additional pipeline connections (Integrated Transport Plan, initiative 7) but does not address the lack of transparent pipeline buffers in planning controls. It is therefore recommended that the Land Use Planning initiatives include the following actions:

- Investigate pipeline buffers (e.g., an overlay schedule or guidance tool);
- Explore the application of the Buffer Area Overlay;
- Advocate for pipeline buffers to be included in planning schemes to ensure pipeline safety considerations are integrated into statutory planning processes.

6.5. First Nations people

The inclusion and recognition of the cultural significance of Western Port Bay for First Nations people is welcomed. Engagement with First Nations as has occurred in Gippsland, regarding the VRET project is also strongly encouraged.

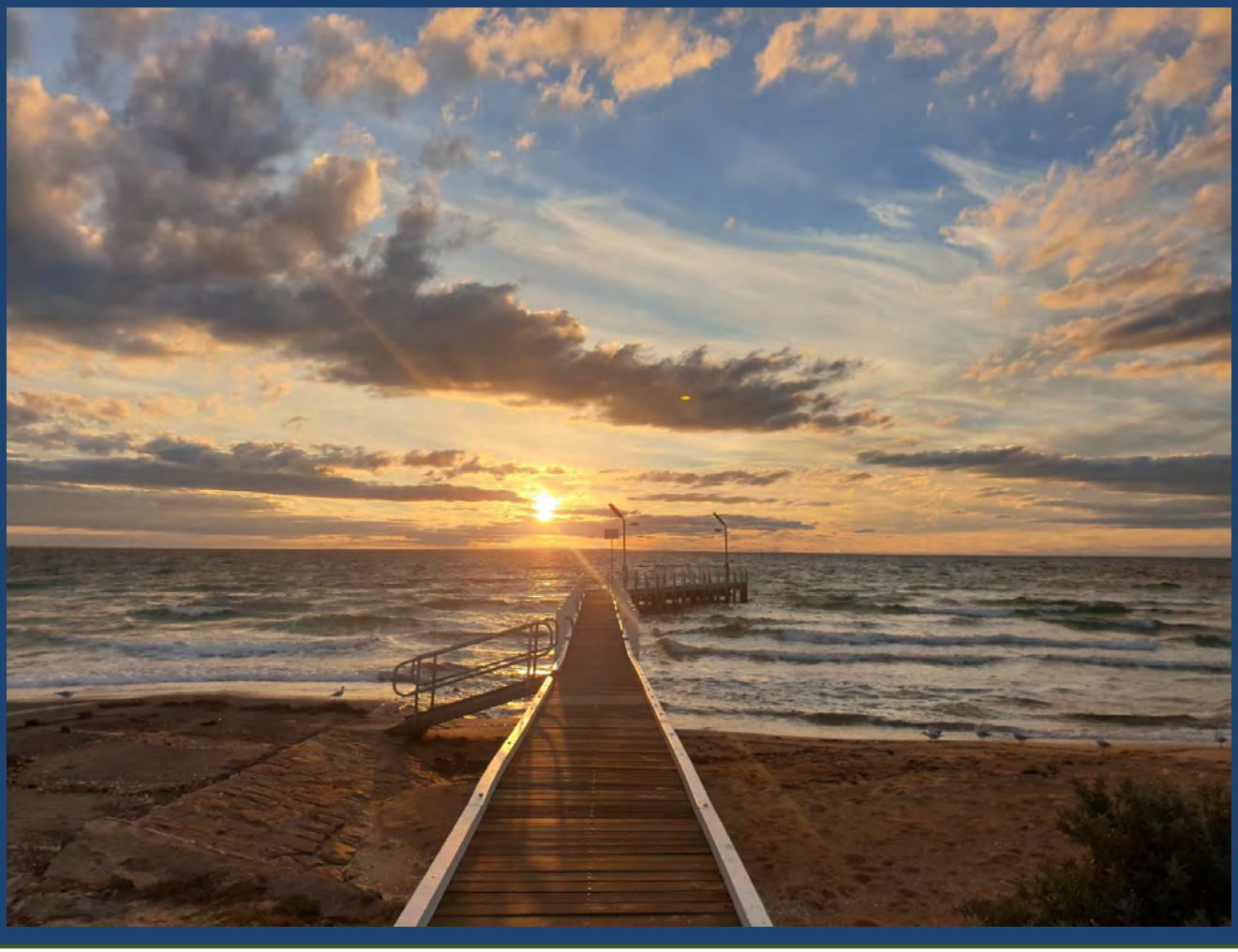
6.6. HMAS Cerberus Defence Land Disposal and Coordinated Planning

The draft PDS does not reference the Commonwealth's identification of excess land at HMAS Cerberus, despite its proximity and regional land-use implications to the Port of Hastings. It is recommended that the PDS includes a statement acknowledging potential Defence land disposal; and a commitment to inter-agency coordination to avoid ad-hoc rezoning or sterilisation of strategic land.

Economic Development, Agroecology and Tourism Update

Mornington Peninsula Shire

February 2026



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Introduction

The Mornington Peninsula Shire Council Plan 2025-2029 aims to create a vibrant, innovative and thriving economy.

To do this Council is delivering the following:

Economic Development and Tourism Strategy

The 'Economic Development and Tourism Strategy - A Thriving Peninsula 2033' is a blueprint to support the vibrancy, diversity and sustainability of business, industry and the communities of the Mornington Peninsula.

Defined by a well-considered plan of action, the strategy focus areas and initiatives are designed to fulfil the vision for the Mornington Peninsula as a region with a robust, innovative and diverse economy, underpinned by resilient competitive businesses; a skilled capable workforce; a unique natural environment and a flourishing, connected community.

Adopted in mid 2024, this is the first progress report that has been delivered.

For more information, click on Economic Development and Tourism Strategy

Food Economy and Agroecology Strategy 2022-2028

Mornington Peninsula Shire Council is committed to fostering a thriving local food economy and building resilience to climate change through sustainable farming practices, enhancing biodiversity and adopting circular economy principles.

To achieve this, the Shire undertook a comprehensive analysis of the regions agriculture, food and beverage industry to enable us to build a first-of-its-kind *Agroecology and Food Economy Strategy*. The 5-year strategy considers the economy, the environment and the needs of the community.

The strategy is now in year three and this is the second progress report that has been delivered.

For more information, click on Food economy and agroecology strategy

Destination Management Plan

The Mornington Peninsula Regional Destination Management Plan (DMP) provides a five-year strategic framework for a collaborative approach to the development of the region's visitor economy.

The DMP recommends a range of actions that build upon the primary strength and appeal of the Mornington Peninsula - its coastal landscape and premium products and experiences, including the following competitive strengths:

•Destination food and drink

•Spa and wellness

•Events and attractions

•Golf

•Coast and nature

For more information, click on Destination Management Plan

This report provides an update on progress made to date across all three areas.

Our region

Economy spotlight

- 40 townships and villages
- 55% of workers live and work on the Peninsula
- 74% of 15–24-year-olds are fully engaged in work or study
- Top 5 industries: health care, construction, retail, accommodation and food services, education and training
- 7.9 million visitors to our region in 2024
- Estimated worth of our agriculture and food industry is $1.3 billion (second highest in Victoria)

Some of the ways we connected with the community

4,000+ subscribers to our dedicated business newsletter, 3,000+ to our Mornington Peninsula Produce newsletter

5,308 visitors were supported by the Mornington Peninsula Visitor Centre (face-to-face, phone and email)

26 local business groups and industry associations received regular communications

52,230 web page views in 2025 and **16,691** unique users on MPBusiness.com.au

Industry development highlights

A total of 155 professional development opportunities for local businesses were listed on MPBusiness.com.au in 2025. All activities offered are relevant to peninsula businesses. Some are organised by the Shire, others are offered by government, local business groups, education institutions, service providers or local experts. The activities offered are curated in response to feedback surveys from previous events and business surveys. They included workshops, webinars, networking and industry events in the following genres:

- 34 tourism activities
- 25 business marketing activities
- 17 finance activities
- 12 AI or cyber security related activities
- Plus activities across 15 other topics including resilience, planning, social enterprise, sustainability, tech startups, staff and employment, manufacturing.

In addition, MPBusiness.com.au provides 24/7 access to no-cost and low-cost on demand learning and business mentoring.

Economic Development and Tourism Strategy

Pillar 1
Industry Development

Helping local industries grow by using sound data, smart planning, business support and attracting new responsible investment opportunities

Community Focus
Industry development

Regenerative agriculture leads the way

The Mornington Peninsula Agroecology Taskforce established the region's first credible baseline for regenerative agriculture by adopting the TAPE agroecology framework. This provided a clear, measurable and locally relevant standard, moving beyond fragmented or inconsistent definitions of "regenerative" practice.

The success of Farming our Way has been driven by a collaborative, farmer-led approach that supported peer learning, trust, and practical testing of tools in real farm contexts.

This baseline now underpins plans for a future Mornington Peninsula Produce regenerative certification, strengthening regional provenance while supporting grower viability and long-term resilience.

For more information, click on

https://mpbusiness.com.au/farming-our-way/

Visitor Economy Partnership established

Mornington Peninsula Shire Council has partnered with Mornington Peninsula Regional Tourism (MPRT), industry stakeholders, and the State Government to establish a Visitor Economy Partnership (VEP).

Led by MPRT the VEP is recognised as the peak voice for the visitor economy in the region.

This partnership represents a new collaborative approach to growing the visitor economy by supporting local industry to expand and employ more residents, developing new visitor experiences, delivering compelling events, and coordinated promotion of the region.

The regional Destination Management Plan (DMP) provides a five-year strategic framework to guide and prioritise these activities.

For more information, click on

mornpen.vic.gov.au/TourismIndustry

Pillar 1

Industry development

Performance indicators

372 businesses responded to business survey across statistically aligned industry sectors and locations (Target – 300)

11 key Agrifood industry representatives met quarterly as the Food Economy and Agroecology Taskforce to progress the FEA Strategy and it's actions

22 participating businesses in the 'Trim Your Bin' program (Target – increase)

Key Actions

1.1 Formalise a framework for the Shire to monitor, evaluate and support the development of strategic industries *Monitor*

-Short term and ongoing-

A framework covering key industry sectors of agribusiness and food economy, advanced manufacturing and emerging technologies, visitor economy, health, and small business has been developed. Monitoring mechanisms are being progressively implemented.

In depth biennial business surveys were conducted in September - October 2025 to benchmark local business confidence and identify common key issues they face. The results of the survey inform future business programs.

1.2 Create an investment function within the Shire to stimulate growth of existing businesses and new business investment *Monitor*

-Short term and ongoing-

An Investment Attraction role has been developed to facilitate key investment activities related to the Western Port Futures project. The implementation is contingent on delivery of the Western Port Futures project plan.

1.3 Create and maintain a Mornington Peninsula prospectus including the Shire's key projects and targeted areas for encouraging private investment *Off Track*

-Medium term-

Contingent on the development of Western Port Futures Project plan and the appointment of the Investment Attraction Officer role.

1.4 Continue to deliver Council's endorsed Food Economy and Agroecology Strategy *On Track*

-Ongoing-

In close collaboration with the Food Economy and Agroecology Taskforce, Council are mid-way through delivery of this 6+ year Strategy. Of the 16 actions in the 2023-2025 action plan 10 are complete/ongoing, 2 are partially completed and 4 are incomplete or have pivoted in a new direction.

1.5 Participate in visitor economy reform activities to define the Shire's role in delivering outcomes for the industry *On Track*

-Short-term-

Following consideration of various options, reform of Victoria's regional tourism network for the Mornington Peninsula tourism region is now complete and a Visitor Economy Partnership (VEP) has been established.

Council resolved to enter into the partnership with Mornington Peninsula Regional Tourism, industry and the State Government on 17 June 2025. Transition to the VEP model is now underway and is scheduled to be completed by mid-2026.

1.6 Develop a plan to address seasonality, visitor dispersal and other key issues to grow the visitor economy *On Track*

-Short to medium term-

In establishing a VEP Council noted the regional Destination Management Plan (DMP) as the key strategic framework to support the visitor economy.

The VEP has provided the Shire with their Visitor Services Strategy which has supported the commencement of our service redesign (refer action 1.7). The Shire continues to deliver ongoing business as usual activities until further direction is provided by the redesign.

Development of the Arts, Culture and Events Plan (now underway) is one approach by the Shire to support the visitor economy through using events and creative activities to enhance year-round dispersal of visitors.

1.7 Review the Visitor Servicing model for the Mornington Peninsula and deliver the recommendations *On Track*

-Short term and ongoing-

The Shire has commenced a review and re-design its visitor attraction and servicing approach in response to the new VEP and changing visitor behaviours, as highlighted by increasing preference for digital platforms.

The review is considering a range of future service delivery options that support Council's role in the delivery of the region's DMP.

The review is expected to be finalised in late-2026, with some early improvements already being implemented.

1.8 Facilitate the release of surplus port zoned land to meet the anticipated requirements of existing and emerging industries *On Track*

-Long term and ongoing-

Strategic Planning and Economic Development officers are participating in a working group with Victorian Government and Port of Hastings to progress the surplus port land release.

1.9 Support the integration of circular economy practices into business and industry activity in the region *On Track*

-Medium term-

Circular economy educational content was integrated into Best Bites program, Business Excellence Summit, Business Excellence Awards, MPBusiness website and monthly business newsletter.

Circular economy initiatives such as 'Trim Your Bin' resulted in more than 20 local businesses participating in the program and reducing their waste output.

Four podcasts featuring award winning businesses were created on topics including sustainability as good business.

Partnerships have been developed with Swinburne University and other local councils to facilitate better circular economy practises.

Pillar 2

Small business

Supporting small businesses with clear advice, practical training, easier council processes and programs that help them grow, adapt and succeed.

Community Focus
Small Business

Small Business Festival hits the right note

The 2024 Small Business Festival saw more than 1,800 local business people participate in more than 30 business workshops, webinars and networking events across a month long program.

Across a mix of topics and presentation styles, content ranged from business planning and finance, marketing topics, AI and cyber security, to industry specific learning for Creatives or Builders and Trades.

The topics were developed in response to identified business needs and explored what it means to build a strong, connected, and future-focused business in today's fast-changing environment.

Co-working spaces reviewed

This 2025 research project focused on examining the current state, usage, demand, and needs for business co-working spaces and serviced offices in the Mornington Peninsula and local area.

In depth surveys of sixteen active providers provided insights into the current demand for co-working spaces and the issues facing this sector.

It identified best practices and provided an understanding of the requirements to support new business ideas and growth. The trend away from hot desks and increased demand for quality office support and services fosters a supportive environment for small business development and innovation in the region.

Pillar 2

Small business

Performance indicators

1,837 attendees with **98%** satisfaction with the event content of the Mornington Peninsula Small Business Festival. (Satisfaction target 90%)

134 business people attended the Mornington Peninsula Business Excellence Summit. (Event target – 150)

64 businesses participated in the Best Bites program in 2025. 20% more than in 2024. (Annual target - increase)

20+ farmer discussion events delivered (2024–2025) with 500+ total attendances, supporting peer learning, knowledge exchange and a connected regional farmer network

51 entrants. in the Business Excellence Awards. (Target – 80 entrants)

52,230 page views of dedicated business website content on MPBusiness.com.au (Target 50,000)

Key Actions

2.1 Create a dedicated business permit support process, making it easy to do business on the Mornington Peninsula *On Track*

-Short term and ongoing-

The Small Business Friendly Charter report delivered to the Victorian Government in July 2025, identified the current state of permits being issued to businesses, and the considerable improvements made to date.

A working group has been established to map the current procedures that businesses must follow when seeking permit information from the Council. Officers are collaborating with the Municipal Association of Victoria (MAV) and four other councils to explore the potential of an AI-driven business permit service.

2.2 Deliver and support a suite of business activities to help micro and small businesses thrive *On Track*

-Ongoing-

A range of professional development opportunities were undertaken to help local businesses to build capacity and develop skills

- Successfully delivered the annual Best Bites program to 64 local food businesses. The program provides opportunities for businesses to enhance their skills in sustainability, accessibility, and health and wellbeing.
- More than 1800 business people attended workshops and webinars during the biennial 2024 Small Business Festival. Held over the month of August the program was delivered in partnership with service providers, business associations, educational institutions as well as internal Shire teams. Content ranged from business planning and finance to marketing topics, AI and cyber security, to industry specific learning for Creatives or Trades.
- Designed and delivered the Business Excellence Summit (June 2025) to 134 attendees. Topic themes were designed to

align to the Business Excellence Awards categories.

- Designed and delivered the 2025 Business Excellence Awards (November 2025) for micro, small and medium to large businesses. Categories included Excellence in Sustainability, Community Connection and Customer Experience, with an award for Excellence in Access and Inclusion.
- Collaborated with subject matter experts to present targeted industry development events such as Business Planning workshops, tax webinars, Startup Meetups, Emergency Planning, Smartphone Food photography

Phone and email advice and information was provided to businesses enquiring about issues like:

- starting a business,
- food and home based businesses
- grants and awards,
- industry development and mentoring services,
- special charge schemes
- planning support, signage and footpath trading

Free mentoring services (up to 3 sessions) were facilitated for 14 local businesses.

Advice and administrative support was provided for four Chambers of Commerce via a Special Charge Scheme – Promotional Fund

Administrative support was provided for three local Liquor Accords.

2.3 Communicate relevant information on programs, training and business growth opportunities offered through state, federal government and other avenues *On Track*

-Ongoing-

Our dedicated business website MPBusiness.com.au provides 24/7 access to quality information for busy business people. In 2025 a total of 16,691 active users viewed 52,230 pages of information. The content covers practical topics that help people run their business, plus support programs, case studies, grants/funding information and training opportunities. A total of 157 workshops and webinars were listed on the website in 2025.

Our business newsletter highlighting relevant local business news, information and opportunities was sent to 4000+ subscribers on a monthly basis.

Social media posts and advertising also continues to be a valuable tool to getting the message out to local business people.

26 local business groups received additional regular email notification of relevant information and opportunities to share with their networks.

2.4 Review the current state of co-working spaces and incubators in the region, identify areas of need and best practice for delivering innovation and growth through these assets *Completed*

-Medium term-

A review was undertaken to examine the current state, usage, demand, and needs for business co-working spaces and serviced offices in the local area.

The report showed increasing demand for small fully serviced office spaces rather than hot desks. It also showed the importance of curating the tenant mix, and programmed network building activities to create a sense of community in building a successful co-working space.

2.5 Support existing and new social enterprises operating on the Mornington Peninsula and encourage businesses to adopt practices supporting sustainability, inclusivity and the local economy. *On Track*

-Ongoing-

Major Shire procurement contracts included requirement for measurement on social, local and sustainable impacts. Officers developed templates so businesses can progress their own policies to improve their submissions for Council tenders.

Sustainability, inclusivity and local community connection were included as categories in the Business Excellence Awards and case studies including podcasts on MPBusiness.com.au showcase local businesses doing great things in these areas.

Building local skills and job pathways so residents can access training, good jobs, career growth and stable employment close by.

Community Focus
Local workforce

Industry and Jobs Expo delivers hope for the future

Working with the Frankston and Mornington Peninsula Local Learning and Employment Network, local businesses and industry sectors, we delivered an Industry and Jobs Expo for 1,604 local secondary students from 21 local secondary schools, and 352 jobseekers.

More than 60 exhibitors covered a diverse range of Industry sectors, including various trades and construction, hospitality, digital technology, media and marketing, health, armed forces, agriculture and horticulture.

The Shire also had a strong on-the-ground presence with our people and culture, tourism and agroecology teams being present to engage with students and jobseekers on local career options and showcase the Shire's traineeship program.

Work for money and enjoyment forum for seniors

In October 2025, the Work for Money and Enjoyment forum was held for 61 senior members of the community wanting to better understand how to find employment.

Delivered as a panel with Q and A, panellists included subject matter experts from Chisholm, Services Australia, Advance College and WISE employment. They discussed pension and superannuation implications, the strengths that older people bring to the workforce, how to address ageism, transferable skills, and more.

The audience was actively engaged asking lots of questions. From the feedback surveys, 92% attendees reported that after attending the event they felt more knowledgeable about working as an older person, and 98% said they would recommend the event to others.

Pillar 3

Local workforce

Performance indicators

4 Industry Immersion tours run for schools to businesses in the agrifood economy (Target – 3)

1,604 local school students and 352 job seekers attended the Industry and Jobs Expos. (Target – increase)

61 older community members attended the 'Work for Money and Enjoyment' forum. (Target – increase)

70+ attendees at the 'Hiring Outside The Box' business breakfast. (Target - 50)

Key Actions

3.1 Engage with industry, education and training providers and government agencies to identify opportunities for local workforce development *On Track*

-Long term-

We facilitated the 'Work for Money and Enjoyment' forum for 61 seniors looking to re-join the workforce.

Program officers participated in regular meetings with various organisations, including the Frankton Mornington Peninsula Skills and Jobs Network, the South Eastern Melbourne and Peninsula Taskforce, the FMP Youth Employment Body, Chisholm TAFE, and Advance College.

3.2 Support the development of pathways for school leavers to work in local strategic industries *On Track*

-Medium term-

In 2025 we partnered with FMPLLEN to deliver a Career Educators forum focusing on Agriculture, horticulture and viticulture careers. In 2026 we delivered a similar forum for 30 local career educators, but this time focussing on Tourism careers.

We partnered with FMPLLEN, with support from Frankston City Council and Local Jobs Southeast Melbourne and Peninsula to deliver the FMP Industry Expo designed for secondary school students to explore career pathways. 1,604 local senior secondary school students from 21 school attended with a 95% overall satisfaction rating given to the event.

We offered schools 'Industry Immersion Tours' to facilitate pathways into the Agrifood industry. High school students visit a range of local businesses as part of the tour and opportunities for work experience are facilitated.

We collaborated with FMPLLEN to deliver a Round Table on road blocks for young people to live local and work local. In April 2025, 40 senior secondary students joined 20 employers from diverse industries to identify needs, bridge gaps, collaborate and inspire action.

3.3 Explore alternative opportunities to address labour shortages and to build local workforce diversity *On Track*

-Medium term-

We hosted 70+ local business people at a 'Hiring Outside the Box' business breakfast to explore advantages of employing people with disability, people with family commitments, young people, older people, people who have English as a second language, long term unemployed people and others

We worked with Workforce Australia, FMPLLEN and local businesses to deliver the FMP Jobs Expo for 352 local jobseekers. Held in conjunction with the FMP Industry Expo, attendees engaged directly with industry professionals and employers, removing the impersonal nature of online recruitment.

Research into Designated Area Migration Agreement options commenced with five other local councils.

3.4 Advocate for training facilities that meet the workforce and training needs of the Mornington Peninsula's strategic industries *Monitor*

-Medium term-

Councillors attended a site visit and tour of Chisholm TAFE facilities at Rosebud in February 2026. They also visited the Frankston campus.

We held regular meetings with Chisholm Institute TAFE and Advance College to identify partnership and support opportunities. Key staff were invited to participate in expert panels on employment and training for the 2025 Business Excellence Summit and 'Work for Money and Enjoyment' forum.

We provided support for Advance College through the transition out of being a Regional Training Organization.

3.5 Undertake a future employment review to understand the workforce needs of emerging industries and jobs of the future *Off Track*

-Medium term-

Contingent on Western Port Futures report.

3.6 Advocate for an increase in affordable housing to support the local workforce *On Track*

-Medium term-

Affordable housing adopted as a Council advocacy priority. Key asks include:

- Investment in affordable and social housing to address more than 2600 waitlist applications.
- Release Port of Hastings surplus land to include new social and affordable housing.
- Identify and release Crown land and buildings to be repurposed and developed.
- Government incentives to attract community housing associations out of Melbourne.
- Establish targets by local government area so supply of social housing addresses need. Short Term Rental Accommodation Levy revenue raised on the Peninsula, is reinvested into local social housing stock.

Pillar 4

Prosperous Places

Improving town centres and attractions through planning, events, infrastructure and beautification, so communities thrive and visitors enjoy great local experiences.

Community Focus
Prosperous places

Special Charge Scheme – promotional fund guidelines

Research into the various ways Special Charge Schemes – Promotional Funds are implemented and managed, along with benchmarking across multiple local councils, resulted in the development of Shire guidelines for best practise implementation and management of Special Charge Schemes - Promotional Funds.

This important work has enabled better support and greater clarity around the upcoming renewal process for the townships of Sorrento, Mount Eliza, Mornington and Hastings.

For more information, click on mornpen.vic.gov.au/promotionalfund

Art creates a sense of place in our community

Mornington Peninsula Visitor Information Centre was transformed into 'Postcards from Dromana', a mural celebrating the Peninsula through the eyes of local youth.

Over nine days, local artist Daniel van de Wiel worked with young people aged 18 to 24, running workshops and painting sessions that let them share their memories, energy, and ideas.

The result is more than just a mural. Each scene captures summertime moments, nostalgic corners of the Peninsula, and the different moods of community life – creating something that resonates across generations and creating a sense of place.

For more information, click on **mornpen.vic.gov.au/visitorcentreartwork**

Pillar 4

Prosperous places

Performance indicators

4 Special Charge Schemes – Promotional Funds managed and supported in Mornington, Mount Eliza, Sorrento and Hastings. (Target – maintain)

4,356 community data points received for the development of the Arts, Culture and Events Plan

Cross peninsula bus route between Mornington and Hastings has been approved but is yet to commence

Key Actions

4.1 Advocate for recognition of Mornington Peninsula's unique blend of urban and regional characteristics, and appropriate access to funding to address challenges *On Track*

-Medium term-

The unique blend of urban and rural characteristics is a theme which runs through several Shire advocacy priorities, including homelessness, public transport and green wedge management.

Previous Shire peri-regional advocacy achieved a shift within state government that acknowledged they will consider on a case by case basis, Regional Victoria program access e.g. Regional Worker Accommodation Fund and agricultural initiatives.

4.2 Encourage commercial activities of appropriate scale and nature in line with Shire's Activity Centre Strategies and Industrial Land Strategy *On Track*

-Medium term and ongoing-

This remains an ongoing action which is considered when assessing planning permit applications and privately-led planning scheme amendment requests.

Amendment C243morn, which proposes to create a new Industry, Business and Technology Park on Bungower Road in Somerville on surplus Port-related (SIZ1) land, is currently with the Minister for Planning for approval.

Officers also continue to liaise with landowners who are preparing a planning scheme amendment request to rezone more surplus SUZ1 land in Hastings to create a new industrial park north of Graydens Road.

4.3 Support the creation and delivery of arts, culture and events that promote positive placemaking outcomes *On Track*

-Ongoing-

Our Public Art Policy provides a framework for the planning, acquisition, commissioning, deaccession and management of public art activity which builds a sense of place, for example the mural installation at the Mornington Peninsula Visitor Centre in Dromana.

Commenced development of an Arts, Culture and Events Plan with 4,356 data points of community input collected. The plan will focus on actions that support the development of:

- An energised and inspired community
- Vibrant places and spaces
- A thriving experience economy.

4.4 Review the Shire's support of promotional funds via Special Charge Schemes and develop a best practice model to guide future programs *Completed*

-Medium term-

Research into the various ways Special Charge Schemes – Promotional Funds are implemented and managed, along with benchmarking across multiple local councils, resulted in the development of Shire guidelines for best practise implementation and management of Special Charge Schemes - Promotional Funds.

4.5 Investigate digital connectivity enhancement opportunities and potential solutions *On Track*

-Medium term-

Digital Connectivity continues to be an ongoing advocacy project. Improvement to digital connectivity is a priority for industrial parks and businesses, particularly across the Southern Peninsula, where seasonal increases in visitation puts additional pressure on networks.

4.6 Identify transport shortfalls and advocate for investment including roads, public transport and electric vehicle charging *On Track*

-Long term-

Public transport has been adopted as a Council advocacy priority. Gaps identified include

- rail electrification, service frequency and station upgrades
- Bus service frequency, operating hours, timetabling and zero emission buses
- Active transport trail linkages

Roads are also an advocacy priority with State government being responsible for 350km of peninsula roads and corridors that need significantly more Victorian government investment to prevent their worsening deterioration.

A cross peninsula bus route between Hastings and Mornington has been approved by State government and is awaiting commencement.

Food Economy and Agroecology Strategy

Pillar 1

Impact through collaboration

Our community is strongly aligned to position Mornington Peninsula as a centre of excellence in agroecology.

Community Focus
Impact through collaboration

Taskforce Collaboration

A highly skilled group of 11 industry representatives, thought leaders and farmers have committed their time and energy to helping Council progress the Food Economy and Agroecology Strategy. The Taskforce meets quarterly and a number of working groups have been established to focus efforts across the 5 pillars.

For more information, click on Sustainable Food Economy and Regenerative Agriculture Taskforce

Industry Engagement

To facilitate effective cross sector engagement a dedicated industry webpage has been developed on the MPBusiness.com.au website. This page features key projects, opportunities and resources as well as good news stories. A dedicated Agribusiness e-newsletter was introduced in 2025 to further improve communications.

For more information, click on Agribusiness - Mornington Peninsula Business

Pillar 1

Impact through collaboration

Performance highlights

- **10** quarterly meetings have been held since Taskforce inception (Target – quarterly meetings)
- Priority setting and tracking framework established
- Dedicated agroecology newsletter established and 6+ editions distributed

Key Actions

1.1 Sustainable Food Economy and Regenerative Agriculture Taskforce established *Completed*

The Sustainable Food Economy and Agroecology Taskforce was established in August 2023. Coordinated by the Shire, the eleven members of the taskforce are subject matter experts in agroecology, horticulture, and supply chain and economic analysis.

1.2 Establish priority setting, reporting system to track progress with the Strategy *On Track*

In December 2025 the Taskforce engaged Sustain to prepare a progress report on the 2023-25 Action Plan, to run a priority setting workshop, and to develop a forward-looking priority action plan for the next 2 years.

A new 2026-28 action plan with deliverables and tracking has been developed, with clear and measurable progress measures.

1.3 Promote collaboration through revitalised MPP and associated groups *On Track*

3 working groups have been established to facilitate collaboration on pillars 2, 3, and 4 of the Strategy. The Provenance promotion working group developed the MPP marketing and comms plan which is now in its delivery phase. This has enabled a number of collaborations such as with MP Wine on the farm gate and wine touring maps.

Collaborations have also been fostered with Nursery and Garden Industry Vicotria (NGIV), the Victorian Farmers Federation (VFF), Melbourne University, Melbourne Water and more.

Pillar 2

Securing markets and sales

Our food economy is united under the Mornington Peninsula Produce brand and its procurement pledge.

Community Focus
Securing markets and sales

Revitalised Mornington Peninsula Produce (MPP) program

In late 2024 we commenced the development of a dedicated MPP marketing and communications plan to elevate MPP and engage better with the community on local food.

A range of high impact initiatives have strengthened the brand including a new website, a podcast series, dedicated social media content, event collaborations such as the Red Hill Show (pictured below) and more.

For more information, click on Mornington Peninsula Produce – Grown, Bred or Raised on the Mornington Peninsula

Mornington Peninsula Agroecology Forum

The Mornington Peninsula's passion for local food and sustainable farming was on full display for the sold-out 2025 Agroecology Forum.

Now in its fourth edition (previously known as the Food Forum), the event brought together over 100 growers, chefs, artisan makers, academics and more to explore the future of food - one rooted in ecology, culture, and community.

The program dug into everything from regenerative farming to the challenges of local food supply chains. The delicious farm-to-table lunch by chef Simone Watts showcased local produce, proving that incredible taste grows right here on the Peninsula.

For more information, click on Agroecology Forum brings big ideas and a full house! - Mornington Peninsula Shire

Pillar 2

Securing markets and sales

Performance highlights

- **3** working groups established to deliver specific strategy outcomes
- **100+** attendees at the 2025 Agroecology Forum
- **45** producers are now part of the Mornington Peninsula Produce program
- **600+** downloads of the MPP 'Behind the farmgate' podcasts

Key Actions

2.1 Establish sub-committee to reinvigorate and expand Mornington Peninsula Produce (MPP) brand *On Track*

Working with MPP member businesses several sub committees have been set up as working groups for specific program deliverables. A working group for the Agroecology forum was successful, as was the group for marketing plan development. A new working group is in development for member networking.

45 producers are now part of Mornington Peninsula Produce program. Now in its tenth year the program provides valuable business to business connection and collective marketing leverage. The program raises the profile of primary produce for the region.

Awareness of the MPP brand is elevated through strategic communications including:

- A quarterly consumer newsletter sent to around 3050 subscribers
- Consumer website and active social media accounts - Instagram (4000 followers) and Facebook (1400 followers
- 8 MPP consumer 'Behind the farmgate' podcasts showcasing local farmers and behind the scenes insights have attained 600+ downloads

2.2 Program criteria for MPP participation are established and tested *On Track*

MPP criteria are established and have been tested. Participating businesses

- must be located on the peninsula
- must be producing food or beverages from peninsula grown ingredients.

Current project to streamline member onboarding process is contingent on implementation of Customer Relationship Management (CRM) tool.

New criteria for Mornington Peninsula Made (MPM) is being explored.

2.3 Create framework for and promote the MPP Procurement Pledge *Monitor*

The MPP Procurement pledge aims to strengthen the local food supply chain by encouraging local food businesses to stock and support local food producers.

The development and implementation of the framework will require additional resourcing.

2.4 Host MPP and Buyers' Expo *On Track*

The biennial food forum has become a much anticipated date on the calendar for the local industry. The initial Food Forum held at RACV in 2023 has grown into the Agroecology forum in 2025 that welcomed over 100 attendees.

Our region's producers of food and beverages were showcased to thousands of attendees at the 2024 Little Food Market expo in Melbourne

2.5 Identify optimal sites for farmers markets and food hubs across the Peninsula and develop streamlined internal process for approval and management *On Track*

Supporting Peninsula Health through The Community Plate collaboration to progress projects which increase access to local food including Food Hubs.

Existing markets have been supported through MPP promotional activities.

The Shire's event permitting team has made significant improvements to organisational processes by streamlining permit processes for events held on public land, however there has been low demand for additional farmers markets.

Pillar 3

Land use and regeneration

Our community protects and enhances our agricultural landscapes to sustain production, improve biodiversity, and sequester atmospheric carbon in soils

Community Focus
Land use and regeneration

Farming Our Way

In 2025 we secured a joint federal government grant with Melbourne Water and other partners. This three-year, $279,000 project—*Benchmarking agroecology credential and climate smart practices in Melbourne's Food-bowl*—rolls out a framework to assess regional uptake of regenerative agriculture and establishes a Community of Practice to support farmer-to-farmer learning and food system innovation.

The Farming Our Way initiative enables farmer-led agroecological transition on the Mornington Peninsula. Each project helps farmers reflect, connect, and trial practices that strengthen farm health. Grounded in participation, equity, and care for land and community, these projects offer practical tools, shared learning spaces, and recognition aligned with the Shire's Food Economy and Agroecology Strategy.

For more information, click on Farming Our Way

Farmer discussion groups

The range of farmer discussion groups and field days run by the shire are much loved by farmers and landholders in the region. Over the last two years more than 500 participants have attended 20+ events supporting peer learning, knowledge exchange and a connected regional farmer network.

Through the Taskforce we have built and strengthened collaborative opportunities with Landcare, VFF, Agriculture Victoria, MP Wine and others, enabling more guest speakers, a greater range of topics, more attendees and more value to the community.

For more information, click on Farmer discussion groups and field days

Pillar 3

Land use and regeneration

Performance highlights

- **500+** farmers and landholders engaged through 20+ learning events
- Framework for regenerative baselining established
- **$279,000** in grant funding attracted

Key Actions

3.1 Facilitate establishment of a Regenerative Agriculture Community of Practice *On Track*

Proposal for Community of Practise (CoP) developed as part of Farming Our Way project.

2026 focus groups and establishment planned.

3.2 Establish and develop a participatory certification scheme to complement MPP *Monitor*

Research conducted into mechanisms for success.

This project has been delayed by development of Farming our Way. Planned incorporation into CoP.

3.3 Develop rating incentives for certified agroecological practices and biodiversity conservation including on leased land *Off Track*

Because this is contingent on having the regenerative protocol (part of Farming Our Way project) in place, the Taskforce has deemed this a lesser priority than other works.

3.4 Resources and promotion for regenerative leasing and cooperative land sharing developed and tested *Off Track*

Because this is contingent on having the regenerative protocol (part of Farming Our Way project) in place, the Taskforce has deemed this a lesser priority than other works.

3.5 Drive education and adoption of agroecology through the Taskforce, MPP and the CoP *On Track*

Dedicated web resources developed and housed on MPBusiness.com.au.

Taskforce included strong and diverse industry representation ensuring dissemination of

agroecology educational information through their networks.

Agroecology and MPP newsletters showcase best practises in agroecology.

An agroecology focus is applied to all education and engagement with producers to reinforce the benefits.

3.6 Partner with aboriginal associations and land council to increase knowledge and application of traditional land management practices *On Track*

Working with local indigenous business 'Living Culture' to develop Growing on Country learning content to farmers.

3.7 Continue to advocate for agroecological outcomes, and on behalf of agricultural businesses in the planning scheme *On Track*

Continue to deliver and monitor the Green Wedge Management Plan.

Advocated to State government for strengthening of planning controls including submissions to the Inquiry into States Food Security and Food supply.

3.8 Explore ways to further support the sale of local produce in the Green Wedge through farm gates, farm markets, and other options *On Track*

Continue to offer individual business support to establish and promote farm gates.

Through collaboration with MP Wine a new edition of the farm gate map has been produced that looks and feels like a 'sister' map to the wine touring map. This approach will maximise cross promotion.

Our community supports the capacity of producers and processors to transition to a regenerative model and encourages entry of young people into food production and processing industries.

Community Focus
Skills and capacity

Future Farmers Pathway Program

The Future Farmers Pathway Program is an initiative developed by a group of Mornington Peninsula farms, with support from Mornington Peninsula Shire, to help build the next generation of small scale farmers on Mornington Peninsula land.

The program is now in its 3rd year and has successfully mentored and supported 13 future farmers to learn the practical skills and industry connections to start farming. The program was launched in September 2023 as part of Pillar 4 of the FEA Strategy. It has been a resounding success for all participants with many going on to find local employment and farming opportunities as a result of the program.

For more information on the suite of Careers in Agriculture activities and resources, go to Careers in agriculture - Mornington Peninsula Business

School Industry Immersion Tours

In 2025 we began offering schools 'Industry Immersion Tours' to facilitate pathways into the Agrifood industry. High school students visit a range of local businesses as part of the tour and opportunities for work experience are facilitated.

In 2025 four school tours, plus a career advisors forum were facilitated, resulting in 75+ students directly engaged.

For more information, go to Careers in agriculture - Mornington Peninsula Business

Pillar 4

Skills and capacity

Performance highlights

- **75** students attended immersion tours of agribusinesses
- **13** Future Farmers successfully mentored in practical skills for careers in farming
- **1600+** secondary students exposed to Agribusiness showcase as part of the FMP Industry Expo

Key Actions

4.1 Investigate capacity to develop sustainable food production and regenerative agriculture centre of excellence *Monitor*

Not commenced due to resourcing constraints. May be incorporated into Westernport rezoning advocacy.

4.2 Develop Business Plan, case studies to highlight the financial sustainability of agroecological practices *On Track*

Conducting demonstration sites on efficacy of regenerative alternatives to conventional practices.

4.3 Partner with industry, schools and training providers to develop education & training in regenerative agriculture *On Track*

Continue to offer schools industry immersion tours.

'Farms to schools' website now hosted on MPP website.

Preliminary work has started to better align educational offerings with industry need and pathways to jobs.

A collaborative cross-Taskforce initiative saw a successful agribusiness showcase held as part of the FMPLLEN Careers Expo for 1600+ local senior secondary students.

4.4 Facilitate development of farmer mentoring program *On Track*

Two successful rounds of Future Farmers pathway program have been delivered with 10 participants completing the program. Another round is underway and scheduled for completion by end of March 2026

Pillar 5

Infrastructure for a Circular Economy

Waste is eliminated through innovative reuse of all products including organic residues returned to farmland as compost, use of recycled water and renewable energy

Community Focus
Infrastructure for a Circular Economy

Recycled Water Advocacy

The Mornington Peninsula Shire successfully advanced recycled water advocacy by framing recycled water as critical circular economy infrastructure. Through its submissions to both the Victorian Inquiry into Food Supply and the National Food Security Strategy, the Shire highlighted that 370 million litres of Class A recycled water are currently discharged to sea each day, an avoidable waste of a valuable circular resource. By presenting this figure as evidence of system inefficiency, the Shire demonstrated a clear circularity gap and the need for structural reform.

Advocacy was strengthened by linking recycled water to broader system benefits: climate-resilient food production, reduced vulnerability to drought, protection of high-value peri-urban farmland, and stabilisation of local food systems under climate change. This wider framing positioned recycled water as essential to long-term regional sustainability rather than a niche agricultural issue.

Collaboration

The positioning of the Taskforce as a key industry body has allowed new initiatives to be brought to light and supported.

Current investigations centre on avenues for reusing or repurposing vineyard netting with MP Wine, a collective meat processing facility with local farmers, and a community olive press initiative with the Community Plate which would divert food waste, increase consumption of local produce and reduce food miles.

Pillar 5

Infrastructure for a Circular Economy

Performance highlights

3 submissions made to the State Government relating to the need for vital food security infrastructure (recycled water and closure of saleyards)

40 participants completed organic waste training

38 farmers attended Carbon Farming training

Key Actions

5.1 Develop extension programs to support on-farm composting of farm generated organic wastes *On Track*

Delivered field day and workshop on compost and bio-fertilisers for 40 participants held for farmers to better understand the alternative to chemical fertilisers. Further training on bio-fertilisers is in development.

5.2 Train agricultural businesses to measure their carbon emissions and promote practical emissions reduction actions *On Track*

Delivered a two-part Carbon Farming Training Program with Agriculture Victoria for 38 participants to learn practical insights into aspects such as holistic management of grazing, feed budgets and carbon measurement.

5.3 Promote organics recycling to manage locally produced food and garden organics and return compost to farms *On Track*

In discussion with Shire waste and recycling team to develop ways to support businesses who capture organic waste. Consideration needs to be given to planning and EPA requirements.

5.4 Continue to investigate and advocate for State government assistance for recycled water schemes *On Track*

Access to recycled water will grow the economic potential of our agriculture sector. The Tyabb-Somerville region is critical to supplying Melbourne with vegetables and nursery plants.

The Eastern treatment plant releases 370million litres of high quality recycled water through the Gunnamatta outfall – water that could be used to supply the Tyabb-Somerville Recycled Water Scheme.

We are keeping a watching brief for opportunities further progress this advocacy.

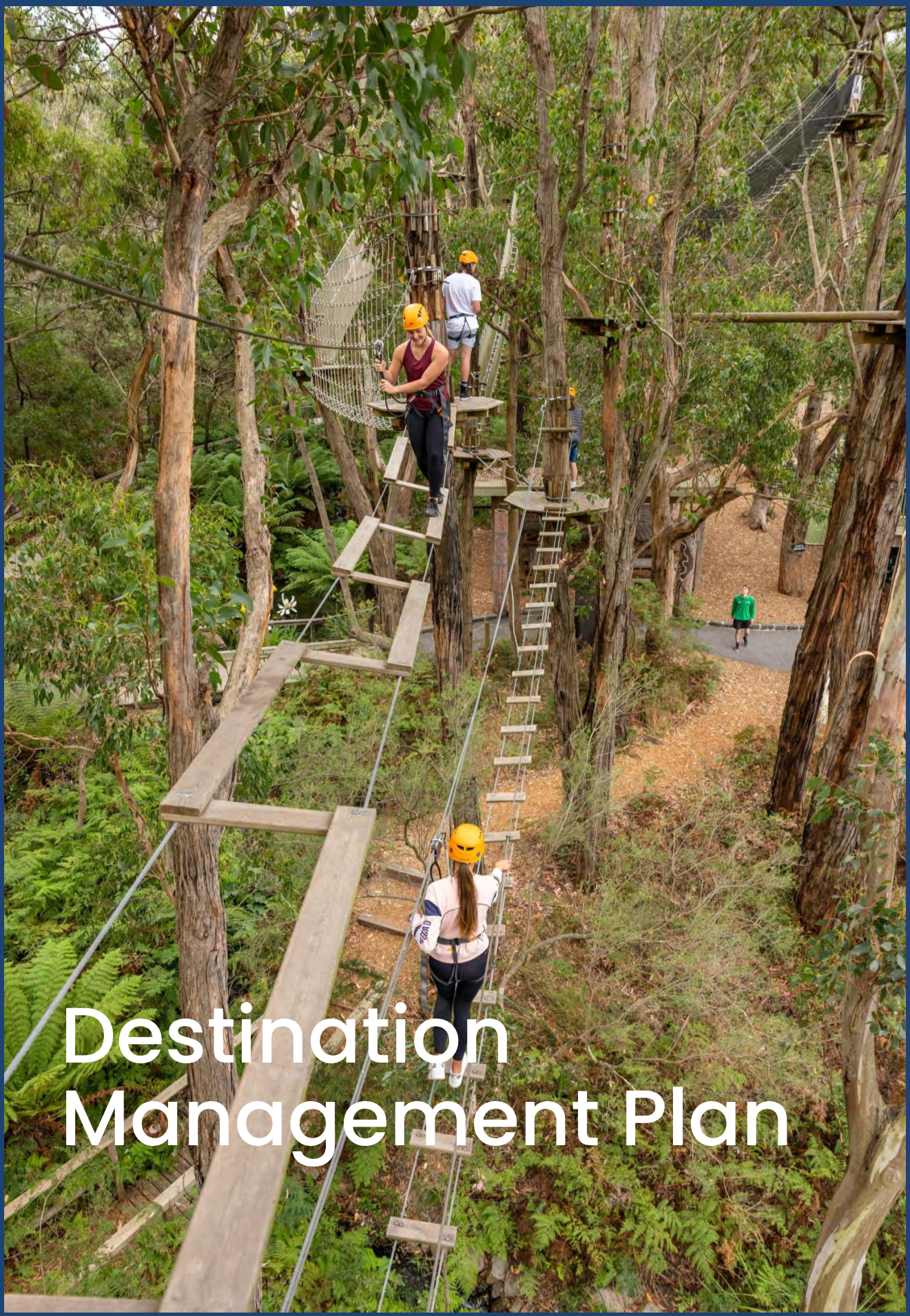
5.5 Advocate for greater energy security on the Peninsula through the uptake of renewable options, reducing reliance on GHG-producing energy production streams *On Track*

Information distributed to local producers on renewable programs available.

Farming Our Way and agroecological programs includes supporting businesses to be more energy resilient as well as connecting them to resources, grants, subsidies and programs.

5.6 Facilitate development of farmer mentoring program *On Track*

Refer Action 4.4



Destination Management Plan

Vision

The Mornington Peninsula is Australia's leading premium coastal destination, presenting unparalleled gastronomic, lifestyle and wellness experiences of world class standard

Destination Management Plan
Impact through collaboration

Objectives

The Mornington Peninsula Destination Management Plan (DMP) provides a five-year strategic framework for the collaborative approach for the development of the region's visitor economy.

The objectives of the DMP are:

1. To increase geographic dispersal, with growth in visitation to Hinterland, Western Port, Southern and Northern Peninsula and Frankston sub regions
2. To increase visitor yield through higher spend and increased length of stay
3. To enable an unparalleled visitor experience and satisfaction with visitors enriched by the highest level of service and supporting quality infrastructure
4. To increase awareness of the region as a premium coastal destination, both interstate and internationally to grow these segments

Product strengths

Rich in product and experiences, the DMP highlights that the primary strength and appeal of the Mornington Peninsula is its coastal landscape and premium products and experiences.

It also emphasises a range of key product pillars that are competitive advantages that drive visitation. These include:

- Destination food and drink
- Spa and wellness
- Events and attractions
- Golf
- Coast and nature

For more information, click on mornpen.vic.gov.au/TourismIndustry

Impact through collaboration

Mornington Peninsula Tourism Region key indicators

$1.8B of direct expenditure is generated by the visitor economy per annum (YE March 2025), which is a 54% increase on 2019. ($1.57B is within the Mornington Peninsula LGA)

3,924 tourism businesses were in operation in June 2023 and supported by tourism's direct expenditure

13,500 people were employed by businesses directly and indirectly supported by tourism expenditure

62% of these employees are directly employed in tourism jobs

8M individuals visited the Mornington Peninsula tourism region (YE March 2025). 6.65M of these visited the Mornington Peninsula Shire sub-region

5.9M individuals visited (YE March 2025) for a day trip, making the region the #1 destination in regional Victoria for day trips

70% of visitors to the region travel for a holiday, whilst the remaining travel to visit friends and relatives

1.99M visitors stay the night on the Mornington Peninsula, with 63.6% staying as part of a broader holiday

4.93M domestic nights were generated (up 10% YOY), with an average of 2.5nights stayed in region for an average spend of $542 per visitor per trip

*These statistics were provided by Mornington Peninsula Regional Tourism as part of the region's Visitor Economy Partnership.
NOTE; the Mornington Peninsula Tourism Region also includes Frankston City.

Key actions

The DMP outlines 43 priority projects to be delivered across short to long-term timeframes. Responsibility for implementation is shared among VEP partners and other key stakeholders.

Since Council resolved to join the VEP and noted the DMP on 17 June 2025, priority focus has been on the following establishment actions – which are consistent with Council's Economic Development and Tourism Strategy (EDTS):

4.1 Mornington Peninsula Tourism Governance Review *On Track*

-Short term -

Transition to a fully operational Visitor Economy Partnership (VEP) model is underway. Governance structures are in place, with the Shire CEO now a Member of the VEP Board.

Reporting mechanisms for funding are being developed – including requirements for future presentations to Council by Mornington Peninsula Regional Tourism.

Roles and responsibilities of partners at an operational level are being refined.

Full implementation is expected to be completed by mid-2026. (Refer to action 1.5 in the EDTS).

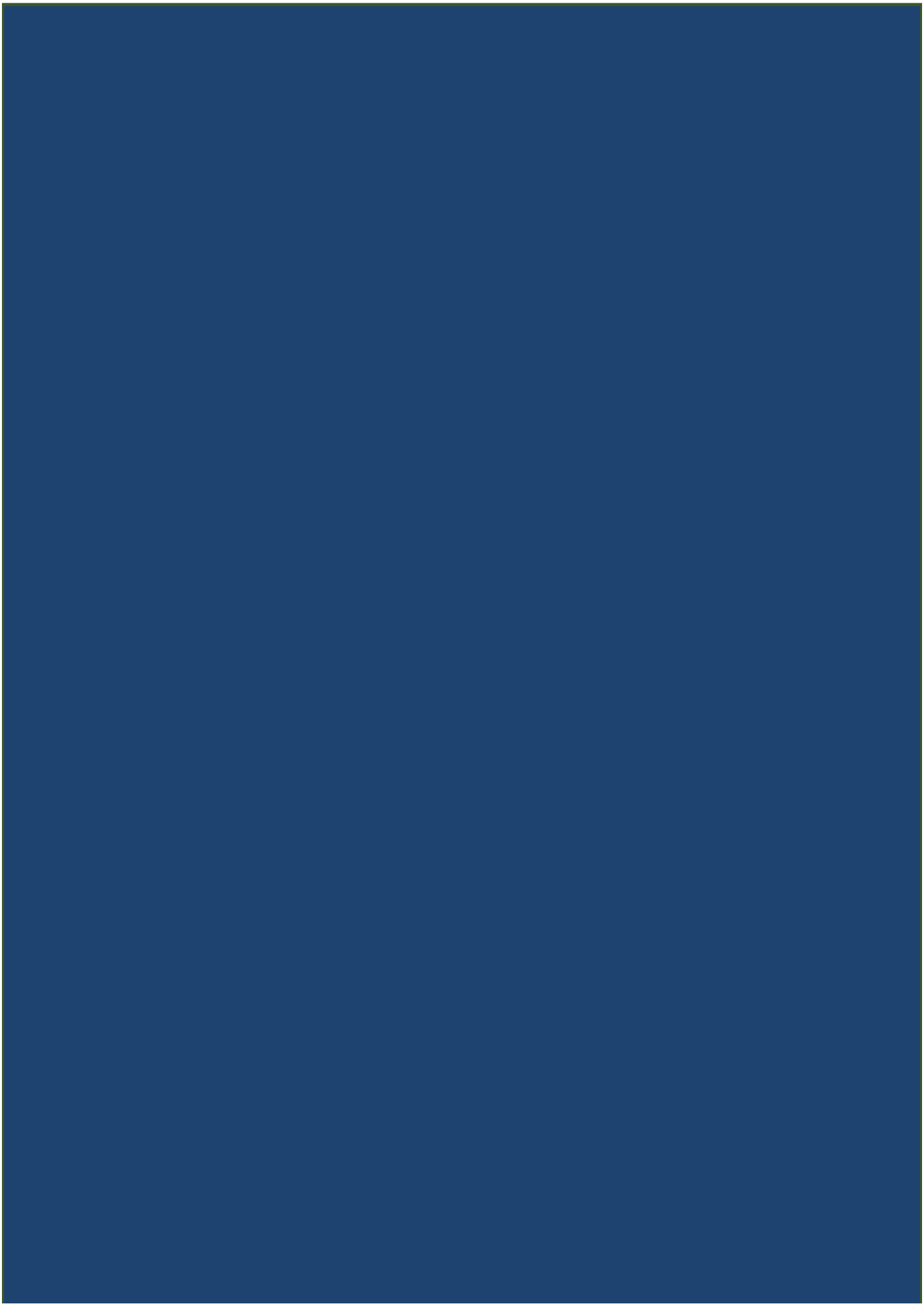
4.3 Visitor Services Governance *On Track*

-Short term -

The VEP has reviewed visitor servicing across the Mornington Peninsula – including assessing how various stakeholders are supporting visitor dispersal in an environment where there is increasing reliance on digital platforms.

In response to the VEP and changing visitor behaviours, the Shire has commenced a review of its visitor attraction and servicing approach.

The review is expected to be finalised in late-2026, with some early improvements already being implemented (Refer to action 1.7 in the ED&TS).



GEELONG 03 5222 2562
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WARRNAMBOOL info@zinccm.com.au

ABN 31 600 499 965

ZINC COST MANAGEMENT

Ref 25110-cpB (Rev. D)

23 April, 2026

Brand Architects

Via email MarieP@brandarchitects.com.au

Attention Marie Penny

Dear Marie,

Emil Madsen Western Pavilion
Cost Plan B (Rev. D)

We have prepared Cost Plan B (Rev. D) for the above project based on the documentation provided and our discussions.

Cost Summary

The cost plan can be summarised as follows:

	Option 1 ($)	Option 2 ($)	Option 3 ($)
Building Works	$6,161,000	$7,983,000	$8,821,000
External Works and Services	$1,585,000	$1,585,000	$1,585,000
Sub-Total (excl. GST):	**$7,746,000**	**$9,568,000**	**$10,406,000**
ESD Initiatives	$387,000	$478,000	$520,000
Contingencies and Cost Escalation	$2,044,000	$2,524,000	$2,745,000
Non-Construction Costs	$1,161,000	$1,305,000	$1,371,000
TOTAL END COST (excl. GST):	**$11,338,000**	**$13,875,000**	**$15,042,000**

* Option 2 & 3 is based on drawings prepared by Brand Architects.
* Option 1 is based on drawings prepared by JMA Architects.

Please refer to the attached cost plan for further information and scope of works included. All costs are reported exclusive of GST.

Documentation

The cost plan is based on Preliminary Design documentation and has been prepared using the following:

- Architectural – drawings (Option 2 and Option 3) prepared by Brand Architects received 5 August, 2025
- Architectural – drawings (Option 1) prepared by JMA Architects dated 26 August, 2024
- Site Scope Outline – drawing prepared by Brand Architects received 22 April, 2026
- Correspondence from Brand Architects received up to 23 April, 2026

ZINC COST MANAGEMENT

Building Services Engineering

We advise that building services documentation was not available at the time of preparing the cost plan and have therefore included allowances based on our experience. Confirmation will be required once further documentation is available.

As requested by Mornington Peninsula Shire on 5 August, 2025, the cost plan includes external services costs consistent with those outlined in the PlanCost Australia cost plan dated 2 April, 2025.

Structural and Civil Engineering

We advise that structural and civil documentation was not available at the time of preparing the cost plan and therefore the assumptions made will require confirmation once further documentation is available.

As requested by Mornington Peninsula Shire on 5 August, 2025, the cost plan includes external works and landscaping costs consistent with those outlined in the PlanCost Australia cost plan dated 2 April, 2025. Allowances have been identified below the line for additional roads and car parking, netball courts and landscaping and paving.

Environmental Sustainable Design (ESD)

The cost plan includes an allowance of 5% for ESD initiatives over and above business as usual requirements, i.e. solar panel system, rainwater collection tanks, etc. We understand that the project is not targeting any formal sustainable design rating, i.e. Green Star, NABERS, etc.

Non-Construction Costs

The cost plan includes the following non-construction cost allowances, as advised:

- Consultant fees – $550,000
- Capital recovery costs allowance – 5% of Total Construction Cost
- Authority / headwork's charges – 1% of Total Construction Cost

The cost plan does not include any allowances for other non-construction costs, i.e. Project Manager fees, client costs, decanting or relocation, temporary accommodation and services, Goods & Services Tax, etc.

Contingency

The cost plan includes allowances for design contingency (5%) and contract contingency (10%). The cost plan assumes the contingency will be required for design documentation related issues and not for changes in scope.

Cost Escalation

The cost plan is based on costs current at April, 2026 and includes allowance for cost escalation (at 5% per annum) to December, 2027, the anticipated construction commencement date.

We note that cost escalation has been excluded beyond this date and the cost plan assumes that the project will be funded and documented within this period, however if the tender period is extended, then we would recommend a cost escalation allowance of 5% per annum be applied.

While cost volatility has not yet been observed, the construction market may be influenced by ongoing global economic and geopolitical factors, which could affect pricing stability.

Zinc Cost Management continues to monitor construction costs and has included allowances for cost escalation where appropriate, however we reserve the right to adjust the cost plan should the project program be delayed and or market conditions change.

Assumptions

The following assumptions have been made with regards to the cost plan:

- The cost plan assumes the quality and specification of finishes and fitments generally. Confirmation will be required once further documentation is made available.
- As advised, we understand the supply of appliances, i.e. Kitchen, Kiosk and Bar, will be supplied separately by the club.
- An allowance of $100,000 has been included for 1 No. passenger lift to all options.
- An allowance of $150,000 has been included for 1 No. Goods lift to Options 1 & 2.
- Allowance has been included for piling. Confirmation will be required once structural design information becomes available.
- As requested by Mornington Peninsula Shire on 5 August, 2025, the cost plan includes external works, landscaping and services costs consistent with those outlined in the PlanCost Australia cost plan dated 2 April, 2025. Allowances have been identified below the line for additional roads and car parking, netball courts and landscaping and paving.
- Allowance has been included for canopies/ roof overhangs and decking in line with the documentation provided.
- No allowance has been included for IT equipment.
- No allowance has been included for AV equipment and infrastructure.
- No allowance has been included for broadcasting equipment and infrastructure.
- No allowance has been included for loose furniture and equipment.
- No allowance has been included for sports / gym equipment.
- No allowance has been included for demolition.
- No allowance has been included for hazardous material removal i.e. asbestos, etc.
- No allowance has been included for abnormal ground conditions, i.e. rock, contaminated soil removal, remediation, etc.
- An allowance of $300,000 has been included for an electrical infrastructure upgrade, as advised by Caleb Engineers.
- An allowance of $200,000 has been included for a sewer and water infrastructure upgrade, as advised by Caleb Engineers.

The cost plan is indicative only of the possible order of cost. All components of the cost plan will require confirmation once the design has been developed further.

The cost plan assumes specified cladding materials are compliant with applicable building standards in respect of fire resistance.

Costs are also based on the assumption that the project will be competitively tendered to a select list of appropriate and interested builders in the form of a fixed lump sum contract. The cost plan makes no allowance for cost plus, negotiated, staged or construction management forms of procurement.

Cost Options

The following Cost Options have been identified below the line and are additional to the Total End Cost:

- Roads and carparking – $950,000
- Netball courts – $770,000
- Landscaping and paving – $1,050,000

We note the above costs include allowance for project markups, i.e. contingencies, cost escalation and non-construction costs.

Main Risks

The main risks associated with cost are:

- Scope creep, i.e. external works, landscaping and services
- Future National Construction Code (NCC) amendments that may impact on quality and buildability of the project
- Asbestos / hazardous material removal
- Abnormal ground conditions and remediation
- Market conditions / cost escalation
- Resolution of non-construction costs (refer above)
- Assumptions (refer above)
- Exclusions (refer below)

Exclusions

Please note that the cost plan specifically excludes any allowances for the following:

- Demolition
- Asbestos / hazardous material removal
- Relocate or upgrade of existing services and infrastructure
- Works outside site boundary
- Abnormal ground conditions and remediation, i.e. rock, contamination, soft spots, ground water, filling, etc.
- Cost escalation beyond December, 2027
- Project Manager fees
- Client costs
- Cultural Heritage Management Plan
- Cladding rectification levy
- Decanting or relocation
- Temporary accommodation and services
- IT equipment
- Audio visual equipment and infrastructure
- Furniture, fittings and equipment
- Blinds
- Artwork
- Planning permit
- Finance, legal, letting costs, etc.
- Land and acquisition costs
- Marketing, sales and advertising

- Open space levy
- Staging of the works
- Goods and Services Tax

Where appropriate, allowances for the above items should be made in the overall feasibility study.

Do not hesitate to contact us to discuss any clarifications or if you require further information.

Yours faithfully,

Mark Anderson
Director
Encl. **Appendix A – Cost Plan B (Rev. D)**

ZINC
COST MANAGEMENT

APPENDIX A

SUMMARY

ZINC COST MANAGEMENT

Emil Madsen Western Pavilion
261 Wooralla Drive, Mount Eliza **23 April, 2026**

Cost Plan B (Rev. D) based on Preliminary Design documentation

Description of Works	Unit	Quantity	Rate ($/unit)	Option 1 ($)	Option 2 ($)	Option 3 ($)
Building Works						
Pavilion (2 levels) - Option 1	m2	1,040	5,000	5,200,000	-	-
Pavilion (2 levels) - Option 2	m2	1,323	5,000	-	6,615,000	-
Pavilion (2 levels) - Option 3	m2	1,461	5,000	-	-	7,305,000
Level 1 deck - Option 1	m2	91	1,450	132,000	-	-
Level 1 deck - Option 2	m2	225	1,450	-	326,000	-
Level 1 deck - Option 3	m2	248	1,450	-	-	360,000
Appliances, i.e. Kitchen, Kiosk and Bar (supply by club)	Note			Excluded	Excluded	Excluded
Piling	Item			60,000	70,000	80,000
Passenger lift	No.	1	100,000	100,000	100,000	100,000
Goods lift	No.	1	150,000	Excluded	150,000	150,000
Canopy / roof overhang - Option 1	m2	443	750	332,000	-	-
Canopy / roof overhang - Option 2	m2	490	750	-	368,000	-
Canopy / roof overhang - Option 3	m2	600	750	-	-	450,000
Sub-Total - Building Works				*5,824,000*	*7,629,000*	*8,445,000*
Covered Paving Area						
Ground Level deck - Option 1	m2	482	700	337,000	-	-
Ground Level deck - Option 2	m2	505	700	-	354,000	-
Ground Level deck - Option 3	m2	537	700	-	-	376,000
Sub-Total - Covered Paving Area				*337,000*	*354,000*	*376,000*
Furniture, Fittings and Equipment						
IT equipment	Note			Excluded	Excluded	Excluded
Audio visual equipment and infrastructure	Note			Excluded	Excluded	Excluded
Broadcasting equipment and infrastructure	Note			Excluded	Excluded	Excluded
Loose furniture and equipment	Note			Excluded	Excluded	Excluded
Sports / gym equipment	Note			Excluded	Excluded	Excluded
Sub-Total - Furniture, Fittings and Equipment				-	-	-
Total Building Cost				**6,161,000**	**7,983,000**	**8,821,000**
Rate/m2				**5,924**	**6,034**	**6,038**
External Works and Services						
Demolition	Note			Excluded	Excluded	Excluded
Asbestos / hazardous material removal	Note			Excluded	Excluded	Excluded
Site preparation / earthworks / levelling	Allowance			125,000	125,000	125,000
Roads and paving	Allowance			25,000	25,000	25,000
Water tank enclosure and bin store	Allowance			45,000	45,000	45,000
Landscaping	Allowance			300,000	300,000	300,000
External services	Allowance			380,000	380,000	380,000
Electrical infrastructure upgrade	Allowance			300,000	300,000	300,000
Sewer and water infrastructure upgrade	Allowance			200,000	200,000	200,000
Relocate or upgrade of other existing services and infrastructure	Note			Excluded	Excluded	Excluded
Works outside site boundary	Note			Excluded	Excluded	Excluded
Abnormal ground conditions / site decontamination / remediation	Note			Excluded	Excluded	Excluded
Builder's preliminaries and overheads on external works and services	Allowance			210,000	210,000	210,000
Total Building and External Works & Services				**7,746,000**	**9,568,000**	**10,406,000**
ESD Initiatives						
ESD initiatives (over and above business as usual requirements)	Item		5.0%	387,000	478,000	520,000
Contingencies & Escalation						
Staging of the works	Note			Excluded	Excluded	Excluded
Traffic management	Note			Excluded	Excluded	Excluded
Locality factor	Note			Excluded	Excluded	Excluded
Design contingency	Item		5.0%	407,000	502,000	546,000
Cost escalation (to Construction Commencement at December, 2027)	Item		8.3%	712,000	879,000	956,000
Total Anticipated Construction Tender Sum				**9,252,000**	**11,427,000**	**12,428,000**
Contract contingency	Item		10.0%	925,000	1,143,000	1,243,000
Total Construction Cost (at March, 2026)				**10,177,000**	**12,570,000**	**13,671,000**
Non-Construction Costs						
Consultants fees	Allowance			550,000	550,000	550,000
Project Manager fees	Note			Excluded	Excluded	Excluded
Client costs	Note			Excluded	Excluded	Excluded
Capital recovery costs allowance	Item		5.0%	509,000	629,000	684,000
Authority / headwork's charges	Item		1.0%	102,000	126,000	137,000
Decanting or relocation	Note			Excluded	Excluded	Excluded
Temporary accommodation and services	Note			Excluded	Excluded	Excluded
Goods & Services Tax	Note			Excluded	Excluded	Excluded
Total End Cost (at March, 2026)				**11,338,000**	**13,875,000**	**15,042,000**

SUMMARY

ZINC
COST MANAGEMENT

Emil Madsen Western Pavilion
261 Wooralla Drive, Mount Eliza **23 April, 2026**

Cost Plan B (Rev. D) based on Preliminary Design documentation

Description of Works	Unit	Quantity	Rate ($/unit)	Option 1 ($)	Option 2 ($)	Option 3 ($)

COST OPTIONS

The following Cost Options are excluded from the above Total End Cost (Note: costs include allowance for contingencies, cost escalation and non-construction costs):

Roads and car parking				950,000	950,000	950,000
Netball courts				770,000	770,000	770,000
Landscaping and paving				1,050,000	1,050,000	1,050,000

This cost plan is based on preliminary information and therefore is indicative only of the possible order of cost. All components of the cost plan will require confirmation once the design has developed further. Refer to the accompanying letter for details of basis of cost plan and exclusions from above costs.

Table of Facility Components

(For the purposes of this report, facilities are referred to as AFL sized, which exceed the standards for cricket, hence cricket is not mentioned).

Facility Component	**Sports Capacity Plan size (Council adopted position)**	**Option 1- Original Concept – 2 Football change rooms and 2 Netball changerooms**	**Option 2 – 4 Shared Netball / Football change rooms and Additional social space**	**Option 3 – 4 Football Change + 2 netball change and Additional social space**
Unisex AFL Change Rooms	Home 55 square metres (m^2) Away 55m^2 (110m^2 per oval)	Home 55m^2 Away 55m^2 (110m^2 per oval)	Home 60m^2 x2 Away 60m^2 x2 (240m^2 per oval) *2x change rooms shared with netball	Home 60m^2 x2 Away 60m^2 x2 (240m^2 per oval)
Unisex AFL Showers and Toilets	Home 25m^2 Away 25m^2 (50m^2 per oval)	Home 20m^2 Away 20m^2 (40m^2 per oval)	Home 24m^2 x2 Away 24m^2 x2 (95m^2 per oval) *2x showers and toilets shared with netball	Home 24m^2 x2 Away 24m^2 x2 (95m^2 per oval)
AFL Umpires Room	25m^2	28m^2	36m^2	32m^2
Public Toilets	35m^2	Public Access (Acc) 7m^2 Unisex Water Closet (Uni WC) 17m^2 Level (L) 1 Male 13m^2 L1 Female 12m^2 L1 Uni Acc 6m^2	Public Acc 8m^2 Uni WC 21m^2 L1 Male 15m^2 L1 Female 16m^2 L1 Uni Acc 8m^2	Public Acc 8m^2 Uni WC 21m^2 L1 Male 15m^2 L1 Female 16m^2 L1 Uni Acc 8m^2
Kitchen and Kiosk	30m^2	Kiosk 30m^2 Kiosk Store 5m^2 L1 Kitchen 30m^2 Kitchen Store 10m^2 (Total 75m^2)	Kiosk 34.5m^2 Kiosk Store 9m^2 Kitchen 68m^2 Cold Room 11m^2 Bar 33m^2 (Total 155m^2)	Kiosk 34.5m^2 Kiosk Store 9m^2 Kitchen 68m^2 Cold Room 11m^2 Bar 33m^2 (Total 155m^2)
Office / Admin	20m^2	20m^2	23m^2 (scorers / timekeeper / broadcasting)	23m^2 (scorers / timekeeper / broadcasting)

Storage	55m² (based on 2 tenants)	Junior (Jnr) AFL 20 m² AFL 20m² Cricket 20m²	Jnr AFL 22 m² AFL 19m² Cricket 22.5m²	Jnr AFL 22 m² AFL 21m² Cricket 20.5m²
External covered viewing areas	75m²	L1 50m² L1 40m² (90m² total)	Oval 2 side 114m² Oval 1 side 106m²	Oval 2 side 131m² Oval 1 side 124m²
First Aid	10m²	16m²	21m²	21m²
Utility/Cleaners Room	8m²	5m²	8m²	8m²
Services	20m²			
Social/ Community Room	100m² (up to 150m² with club contribution)	225m²	319m²	389m²
Unisex Netball Change Rooms	Home 20m² Away 20m² (2 change for every 2 courts)	Home 20m² Away 20m²	*Shared with AFL	Home 21m² Away 21m² (42m² total)
Unisex Netball Showers and Toilets	Home 15m² Away 15m² (2 amenities for every 2 courts)	Home 15m² Away 15m²	*Shared with AFL	Home 18m² Away 18m² Player Acc 8m² (44m² total)
Netball Umpires Room	10m²	13m²	24m²	17m²
Netball Storage	20m²	20m²	16m²	16m²
Utilities	5m²	L1 plant 7.6m²	Services 4m² Room 2m² Plant 4m²	Services 4m² Room 2m² Plant 4m²
Other	Council standards only reference components required for sporting activities. Stairs / lifts, circulation spaces etc are recognised as required however not identified in standards	Fire Hose Reel (FHR) 6.5m² Drinks/Bar 15m² Kitchen/ corridor 9m² Store 15m² L1 Lobby 39m² Lift 7m² Player Acc WC 7m² Ground floor (GF) Stair Lobby 27m² Stairs 17m² Stairs 17m² (GF Deck 417m²)	Air Conditioner (AC) 3m² FHR 4m² Goods Lift 5m² Lift 6m² Stair Lobby 32m² Stairs 17m² Stairs 19m² L1 Stairs 17m² L1 Stairs 12m² Lobby/corridor 47m² Meeting room 48m² Scorers 23m² Store 6m² Store 35m²	AC 3m² FHR 4m² Goods Lift 5m² Lift 6m² Stair Lobby 32m² Stairs 17m² Stairs 19m² L1 Stairs 17m² L1 Stairs 12m² Lobby/corridor 47m² Meeting room 48m² Scorers 23m² Store 6m² Store 35m²
Total	693m²	1038.2m²	1451.38m²	1608.55m²

Australia Day Local Awards Terms of Reference

Mornington Peninsula Shire

1. Purpose

The Selection Panel is responsible for assessing Australia Day Local Awards nominations and making recommendations to Council for winners of the Awards. The Selection Panel will act in an advisory capacity only and will not have delegated decision-making authority under the *Local Government Act 2020.*

2. Objectives

Each year Mornington Peninsula Shire Council celebrates the achievements and contributions of local community members through the Australia Day Local Awards.

The Awards process is entrusted to local authorities by the National Australia Day Council and are administered by Mornington Peninsula Shire Council to reward community service at a local level.

Australia Day Local Awards recognise community members' dedication and commitment to the Mornington Peninsula. Australia Day Local Award recipients demonstrate dedication and commitment to improving the community, going beyond their paid employment or committing hours of their own time for the benefit of others.

3. Context

Awards pay tribute to local individuals or community groups who have made an outstanding contribution to community service, have attained remarkable achievements or have organised a successful community event.

Contribution includes areas such as education, health, fundraising, charitable and voluntary services, business, sport, arts, environment or any other area that contributes to the advancement and wellbeing of the Mornington Peninsula community.

Mornington Peninsula Shire Council Australia Day Local Awards are awarded in the following three categories:

- Citizen of the Year;
- Young Citizen of the Year; and
- Community Event of the Year.

There is no obligation for the Selection Panel or Council to allocate an Award each year if it is the opinion of the panel or Council that there is no suitable nomination in any category.

The Selection Panel may identify a nomination which warrants consideration beyond the scope of the current award categories and may choose to create additional categories (up to 3) based on the individual merits of the nomination.

DRAFT

Additional categories may include, but are not limited to:

- Lifetime Achievement Award;
- Community Inspiration Award; or
- Excellence Award.

The Selection Panel must achieve a majority vote through discussion to recommend the inclusion of an additional category.

Where there is an equal number of votes the Mayor or their delegate will have a casting vote.

4. Roles, Responsibilities and Expectations

4.1 Membership and Appointment

4.1.1 Councillors – The Mayor and/or Deputy Mayor or Councillor delegate will be appointed to this Advisory Committee at the establishment of the committee and thereafter for a term of 2 years.

4.1.2 Manager-Governance & Risk – The Manager of Governance & Risk is appointed to the advisory committee to provide expert governance advice and actively participate in the committee's deliberation processes.

4.1.3 Community Representative – up to 8 Community representatives will be appointed by Council through an expression of interest and selection process:

- Expressions of interest will be sought in accordance with Council's Community Engagement Policy
- Council will appoint the committee members to the advisory Committee at an Ordinary Council Meeting
- Every effort will be made to ensure a representative cross section from across the Shire are appointed to the Advisory Committee.
- Appointment to an Advisory Committee will be for a maximum term of two years with opportunity to nominate for a further two year term.
- Committee members should entail the below:
    - Demonstrate experience and involvement with community events and/or community awards;
    - Demonstrate ability to look beyond personal interests work with others to deliver the best outcome for the whole community;
    - Demonstrate personal and professional integrity;
    - Demonstrate expertise, experience and/or commitment to recognition of achievement in the community;
    - Have an understanding of Australian and local honours and awards;
    - Have a track record of constructive and collaborative decision making in a board or committee type structure;
    - Be available to attend and actively participate in Panel meetings;
    - Maintain absolute discretion around Panel deliberations and recommendations;
    - Have a proven ability to formulate and explain recommendations; and
- Be residents and/or business operators in the municipality.

4.1.4 Appointment of Chair - The Mayor/Deputy Mayor or Councillor delegate will be the Chair of the Australia Day Local Awards Selection Panel.

4.2 Roles and Responsibilities

4.2.1 Chair – The Chair is responsible for:

- Setting the agenda, ensuring that each meeting is planned effectively. This process is supported by the Governance Services Team.
- Leading the meeting and ensuring the meeting stays on track and on time.
- Ensuring fairness and equality to allow everyone to speak; and
- Approval of the meeting minutes.

4.2.2 Councillors –Councillors serve as a vital link between the community and the formal Council decision-making process, ensuring that local voices are heard and considered. In fulfilling their duties, Councillors are expected to uphold confidentiality in accordance with their official responsibilities. Councillors role as part of this Advisory Committee is to consider and vote on the recommendations of the Selection Panel at a Council Meeting.

4.2.3 Shire Officers – The CEO approved Shire officer is responsible for:

- Supporting the Chair and overseeing the Selection Panel Meetings.
- Setting the agenda and recording of minutes.
- Collate and distribute the nomination packs 2 weeks prior to the date of the Selection Panel Meeting (at a minimum).
- Be the primary contact for all Selection Panel members in relation to the business of the committee.
- Respond to any public enquiries about the awards process.
- Ensure confidentiality and appropriate record keeping is maintained throughout the process.

4.3 Resignation or Termination

- A member of an Advisory Committee can resign at any time. A notice of resignation must be provided in writing to the Chair, CEO, or the Shire officer responsible for managing the Advisory Committee.
- If a Selection Panel member demonstrates ongoing non-participation without leave or a reasonable explanation, they may be asked to explain. If absenteeism continues, the Chair may request the CEO to declare the position vacant.
- If a Committee members fails to comply with the Code of Conduct outlined in the Committee Management Policy the Chair may request the CEO to declare the position vacant.

5. Grievance Procedure:

5.1 Informal Resolution

- Selection Panel members are encouraged to raise issues directly with the person involved in a respectful manner.
- If uncomfortable doing so, the member may approach the Selection Panel Chair or Supporting Shire fficer to seek assistance in resolving the matter informally.
- For disputes or disagreements that arise during the Selection Panel's deliberations on nominations, including voting or award category assignment, the Mayor or their delegate will

act as the final arbiter within the meeting. They Mayor or delegate will facilitate discussion to seek consensus and, where needed, exercise a casting vote to resolve deadlock.

5.2 Formal Grievance

If the matter cannot be resolved informally:

- The grievance should be submitted in writing to the Chair or the Supporting Shire officer.
- The written grievance should include a description of the issue, relevant dates, and any attempts at informal resolution.

5.3 Initial Review

- The Chair (or supporting Shire officer if the grievance involves the Chair) will review the grievance within 10 business days.
- They may meet with the parties individually to clarify the issue and explore resolution options.

5.4 Determination and Action

- Outcomes may include mediation, changes to Selection Panel processes, or where appropriate, a recommendation to Council or the CEO for further action.
- Where a breach of the Code of Conduct is substantiated, the CEO may recommend removal of a Selection Panel member, in line with the Committee Management Policy.

5.5 Appeal

- If the member is not satisfied with the outcome, they may request a review by the Manager of Governance and Risk.
- The Manager of Governance and Risk's decision is final.

6. Code of Conduct:

All Selection Panel members shall conduct committee meetings in accordance with the Code of Conduct and the following guidelines:

- Act in the best interests of the Selection Panel and not allow personal interests to override these interests.
- Avoid and / or disclose any actual or perceived conflicts of interest.
- Treat all people equally and fairly.
- Refrain from using any circumstance or information connected to Selection Panel business for personal profit or gain.
- Protect and promote the integrity of all.
- Respect diversity.
- Treat others with courtesy, consideration, and sensitivity
- Any disagreements, where possible, to be resolved at time of meeting.
- Develop skills and competencies in accordance with responsibilities and help others to do so.
- Communication best practice will be used by members in both terminology and email etiquette ("Netiquette")

7. Decision Making

Advisory Committees operate in an advisory capacity and do not have delegated authority to make decisions. Their primary role is to provide informed advice and recommendations to Council and Shire officers, contributing to the broader decision-making process. While these recommendations may inform policy and operational decisions, they are not binding and must be considered and endorsed by Council or Shire officers with the appropriate delegation and authority.

Shire officers may implement recommendations if they fall within their delegated powers and align with the Selection Panel's advice. However, Advisory Committees must operate within the boundaries of their agreed scope, as defined in this Terms of Reference. They are not permitted to make recommendations on matters beyond this scope, ensuring that their input remains focused and relevant to their designated areas of responsibility.

8. Selection Panel Meetings

8.1 Schedule of Meetings

- One main deliberation meeting is held annually in November or December. If a high volume of nominations are received, an additional shortlisting meeting may be convened prior to the main deliberation to assist in the assessment process.
- Meetings will be held at one of the Shire Offices in Mornington, Hastings or Rosebud, or another agreed location.
- The Selection Panel can decide to meet at other times by agreement (e.g. to induct new Selection Panel members).

8.2 Quorum and Voting

- A quorum for a meeting is constituted by a majority of Selection Panel members, being half of the total number of members plus one.
- A meeting cannot commence, resume or continue without a quorum.
- If a Selection Panel member is unable to attend in person, they may provide their recommendations in writing to be distributed to all selection panel member prior to the meeting. These written contributions will be considered during deliberations, although they do not count toward quorum.

9. Agendas and Minutes

9.1 Agendas

- Agendas and minutes must be prepared using the appropriate corporate template by the supporting Shire officer.
- Agendas will be provided to all Selection Panel members five business days before the meeting. This will include any relevant documentation to be discussed.
- Selection Panel members will receive nomination packs two weeks prior to the meeting (at a minimum). This ensures adequate time to review materials and prepare for deliberation discussions.
- Agendas will be set by the Chair in consultation with the responsible CEO approved delegate.

9.2 Minutes

- Minutes will be recorded on the Shire's corporate template and circulated within two weeks of the meeting and be listed on the agenda for the next advisory committee meeting for endorsement.
- The supporting Shire officer is responsible for the follow-up and timely completion of any actions arising from the meeting and provide an update on the status of any outstanding actions at the next meeting.

10. Reporting

Council Report – A confidential report is listed at an Ordinary Council Meeting for endorsement of the Selection panel's recommendations.

11. Transparency

- The Terms of Reference is a public document available on the Shire website. Names of all selection panel members, nominees and adopted minutes are retained as confidential.
- The details of winning nominees are embargoed until 26 January each year. These details are made public in an official medial release on the 26 January and uploaded to the Shire website the following business day.
- Upon Council endorsement, Shire officers will contact all nominees to advise them of the award outcome and outline the next steps in the process.

12. Confidential Information

Selection Panel members must not disclose information that they know or should reasonably have known is confidential information.

13. Conflict of Interest

If a Selection Panel member has a general or material conflict of interest within the meaning of section 127 and 128 of the *Local Government Act 2020* in an item to be considered or discussed by the Selection Panel while they are in attendance, the member must disclose the interest to the committee before the matter is considered or discussed at the meeting. The Selection Panel member must:

- Advise of the conflict of interest
- Explain the nature of the conflict of interest.
- Provide any additional relevant details, if possible.

Where the Chair is of the opinion that the circumstances of the conflict warrant it, the Selection Panel member may be asked to leave the meeting while the matter is discussed.

All conflicts of interest will be recorded in the Selection Panel meeting minutes.

14. Nomination Framework and Assessment Guidelines

14.1 Eligibility Requirements

- Citizen of the Year and Young Citizen of the Year recipients must be Australian citizens and residents of the Mornington Peninsula Shire.
- Non-residents may be considered for discretionary awards if they have made significant contributions to the Mornington Peninsula community.
- Community Event of the Year nominations must be for events that have taken place prior to the close of nominations. This category includes both one-off events and ongoing or regularly held events, provided they demonstrate a consistent impact on the local community. Events may be organised by entities outside the Mornington Peninsula, if a local organiser within the Shire is involved. The event must also show a clear benefit to the local community.

14.2 Award Categories

- Citizen of the Year (26+ years)
- Young Citizen of the Year (25 years and under, no minimum age)
- Community Event of the Year
- Discretionary awards (e.g. Lifetime Achievement, Community Inspiration Award) may be considered based on individual merit. While there are no restrictions on the titles of discretionary awards, their inclusion will be subject to unanimous agreement by the Selection Panel.

14.3 Nomination Criteria

Selection Panel Members should assess each nomination based on the following guiding criteria. Not all criteria need to be met for a nomination to be accepted, but these should help guide the deliberations and scoring process.

Impact on the Community:

- Has the nominee made a positive impact on the Mornington Peninsula community?
- Has their contribution benefited the wider community beyond the local area?

Inspiration and Role Model:

- Has the nominee served as an inspiration or role model to others in the community?
- Has the nominee demonstrated personal qualities of leadership, selflessness, and integrity?

Volunteer Service:

- Has the nominee contributed voluntary service beyond paid employment, showing a commitment to community welfare?

Overcoming Challenges:

- Has the nominee overcome significant challenges and demonstrated the ability to go above and beyond in making a positive contribution?

Commitment and Long-Term Contribution:

- Has the nominee demonstrated a long-term commitment to a specific activity or service that has had a sustained impact?

Achievement in Relevant Field:

- Has the nominee achieved excellence in their relevant field (e.g. community service, arts, local development)?

14.4 Key Considerations

- **Multiple Nominations:** A nominee may be nominated in multiple categories or for different achievements, provided each nomination reflects a distinct and eligible contribution. Multiple nominations for the same individual in the same category will also be accepted, as long as they meet all other eligibility requirements and include sufficient supporting information. The presence of multiple nominations will neither disadvantage nor advantage a nominee in the assessment process.
- **Nominator's Relationship:** Nominations from family members or close associates are permitted and will not diminish the merit of the nomination. However, the relationship must be disclosed, and the nomination will be assessed based on the overall merits of the individual's contribution, supported by relevant supporting information.
- **Voluntary vs. Paid Contributions:** The focus is on community-based voluntary contributions. Nominations based primarily on paid employment may be considered, though additional voluntary service will strengthen the nomination.

14.5 Ineligibility Criteria

To maintain fairness and integrity, nominations must meet the following eligibility criteria:

- **Non-Resident Nominees:** For Citizen of the Year and Young Citizen of the Year, recipients must reside within the Mornington Peninsula Shire. Non-residence may be considered for a discretionary award based on significant contributions to the Shire.
- **Incomplete Nominations**: Nominations lacking required information, and/or no sufficient supporting details, may be disqualified.
- **Previous Winners:** Nominees who have won the same award in a prior year are ineligible for re-nomination in the same category with the exception of the Community Event category.
- **Event Nomination Criteria:** For Community Event of the Year, events must have occurred prior to the close of nominations. Events should clearly demonstrate a benefit to the community to be eligible for consideration.

14.6 Due Dilligence Process

- To ensure thorough evaluation of all nominations, a due diligence process will be conducted, which may involve contacting references provided by the nominator to verify the nominee's contributions and impact.
- This process will occur either after shortlisting or if fewer than 10 nominations are received in any category, the due diligence process may begin before the initial deliberation meeting.
- This process ensures that all nominations are verified and assessed based on accurate information before final decisions are made.

15. Expenses

Selection Panel members participate on a voluntary basis and are invited to attend the Civic Recognition Event and associated celebrations as a gesture of appreciation for their valuable contributions.

16. Dissolution

Formal dissolution of this committee requires a resolution of Council.

17. Review

The Australia Day Local Awards Terms of Reference will be reviewed every four years or more often as required.

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. However, any change or update which materially alters the document must be by resolution of Council.

Terms of Reference
Australia Day Local Awards Selection Panel

MORNINGTON PENINSULA Shire

1. Type	1.1.	The Australia Day Local Awards Selection Panel is an advisory committee.
2. Establishment	2.1.	This Committee was established by a resolution of Council on 9 October 2018.
3. Authority	3.1.	The Committee provides independent recommendations to the Governance Manager and serves in an advisory capacity to support informed decision-making by Council.
4. Purpose	4.1.	The Selection Panel is responsible for assessing nominations for the Mornington Peninsula Shire Council Australia Day Local Awards.
	4.2.	The Committee assists Council in celebrating individuals and groups who enrich the Mornington Peninsula community.
	4.3.	The Committee will review nominations, deliberate on award categories, and make recommendations to Council.
	4.4.	This reflects with Council's commitment to community recognition, celebration of local achievements, and civic engagement.
5. Benefits	5.1.	Outcomes include fostering civic pride, showcasing local contributions and deepening community connection through meaningful recognition.
6. Scope	6.1.	The Committee will review and assess nominations, recommend recipients, and may suggest additional award titles where appropriate.
7. Deliverables	7.1.	Submission of a formal recommendation report to Council outlining recommended award recipients and justifications.
	7.2.	Participate in the end-to-end awards process, including promotion, review, discussion, and celebration of recipients.
8. Reporting	8.1.	Recommendations are provided to Council for formal resolution.
	8.2.	Reports remain confidential until winners are announced on Australia Day.
9. Membership	9.1.	Membership includes: The Mayor and/or Deputy Mayor or their delegate. Manager Governance (or delegate) Eight (8) community representatives appointed by Council through an Expression of Interest process.
	9.2.	Membership is determined by Council, based on Governance's recommendation.
	9.3.	Community members are selected via advertised EOI.

Terms of Reference
Australia Day Local Awards Selection Panel

MORNINGTON PENINSULA Shire

	9.4.	The Panel will aim to reflect age, gender, cultural and geographic diversity.
	9.5.	The Chair is the Mayor or their delegate.
	9.6.	Membership may be concluded due to ongoing non-participation or breach of conduct expectations. Members may resign at any time by notifying the Governance Manager in writing.
10. Quorum	10.1.	The Committee will reach quorum with 50% of Panel Members plus one (1) in attendance. If not achieved, the meeting will be rescheduled.
	10.2.	If a member is unable to attend in person, they may provide their recommendations in writing to all Panel Members prior to the meeting. These written contributions will be considered during deliberations, although they do not count toward quorum.
11. Term	11.1.	Panel members are appointed for a term of two (2) years.
	11.2.	Panel Members may reapply for up to two additional terms Requests for reappointment must be made in writing and will be considered at the discretion of Council.
12. Review	12.1.	The Terms of Reference will be reviewed every four (4) years. Any updates will be endorsed by the Governance Manager and reported to Council.
13. Roles and responsibilities	13.1.	Governance Manager: Manages appointments, ensures adherence to ToR, resolves disputes.
	13.2.	Chair: Leads meetings, facilitates voting, and has the casting vote if required.
	13.3.	Secretariat (Governance Officer): Coordinates meetings, distributes nomination packs, records minutes, and ensures confidentiality.
	13.4.	Panel Members: Evaluate nominations, attend meetings, maintain confidentiality, and act in the public interest.
14. Meeting arrangements	14.1.	One main deliberation meeting is held annually in December. If a high volume of nominations are received, an additional shortlisting meeting may be convened prior to the main deliberation to assist in the assessment process.
	14.2.	Meetings will be held at one of the Shire's Municipal Offices or another agreed location.
	14.3.	Chair: Mayor or delegate.
	14.4.	Panel Members will receive nomination packs at least two weeks prior to the meeting. This ensures adequate time to review materials and prepare for discussions.

Terms of Reference
Australia Day Local Awards Selection Panel

MORNINGTON PENINSULA Shire

	14.5.	Invitations and meeting preparation will be coordinated by the Governance Officer.
15. Member conduct	15.1.	Panel Members will uphold values of integrity, inclusivity, and mutual respect throughout the process.
	15.2.	Council Officers and Councillors will follow relevant Codes of Conduct.
	15.3.	Panel Members are expected to declare any potential conflicts and maintain confidentiality throughout the process.
16. Conflicts of interest	16.1.	Panel Members must declare any conflicts of interest and refrain from participating in related discussions or votes.
	16.2.	Conflicts must be recorded in the report to Council.
	16.3.	Nominations from close associates are permitted and do not diminish a nominee's eligibility; all nominations will be assessed on their individual merits.
17. Remuneration	17.1.	Panel Members participate on a voluntary basis.
	17.2.	Panel Members are warmly invited to attend the Civic Recognition Event and associated celebrations as a gesture of appreciation for their valuable contributions.
18. Confidentiality	18.1.	Confidentiality is a key expectation for all Panel Members to ensure fairness and integrity of the awards process including discussions, scores, or recommendations.
19. Media and communications	19.1.	Only Councillors and Council Officers may make media statements in accordance with Council's Media Policy.
	19.2.	All media enquiries should be referred to Council's Communications Team for response.
20. Dispute resolution	20.1.	For disputes or disagreements that arise during the Committee's deliberations on nominations, including voting or award category assignment, the Mayor or their delegate will act as the final arbiter within the meeting. The Mayor or delegate will facilitate discussion to seek consensus and, where needed, exercise a casting vote to resolve deadlock.
	20.2.	If member disputes arise, these will be addressed by the Governance Manager in a supportive manner. Should resolution not be achieved, Council may consider changes to membership.

Terms of Reference
Australia Day Local Awards Selection Panel

MORNINGTON PENINSULA Shire

21. Nomination Framework and Assessment Guidelines	**21.1. Eligibility Requirements:** • Citizen of the Year and Young Citizen of the Year recipients must be Australian citizens and residents of the Mornington Peninsula Shire. • Non-residents may be considered for discretionary awards if they have made significant contributions to the Mornington Peninsula community. • Community Event of the Year nominations must be for events that have taken place prior to the close of nominations. This category includes both one-off events and ongoing or regularly held events, provided they demonstrate a consistent impact on the local community. Events may be organised by entities outside the Mornington Peninsula, if a local organiser within the Shire is involved. The event must also show a clear benefit to the local community. **21.2. Award Categories:** • Citizen of the Year (26+ years) • Young Citizen of the Year (under 25 years, no minimum age) • Community Event of the Year • Discretionary awards (e.g., Lifetime Achievement, Community Inspiration Award) may be considered based on individual merit. While there are no restrictions on the titles of discretionary awards, their inclusion will be subject to unanimous agreement by the Selection Panel. **21.3. Nomination Criteria** Panel Members should assess each nomination based on the following guiding criteria. Not all criteria need to be met for a nomination to be accepted, but these should help guide the deliberations and scoring process. **Impact on the Community:** • Has the nominee made a positive impact on the Mornington Peninsula community? • Has their contribution benefited the wider community beyond the local area? **Inspiration and Role Model:** • Has the nominee served as an inspiration or role model to others in the community? • Has the nominee demonstrated personal qualities of leadership, selflessness, and integrity?

Terms of Reference
Australia Day Local Awards Selection Panel

Volunteer Service:

- Has the nominee contributed voluntary service beyond paid employment, showing a commitment to community welfare?

Overcoming Challenges:

- Has the nominee overcome significant challenges and demonstrated the ability to go above and beyond in making a positive contribution?

Commitment and Long-Term Contribution:

- Has the nominee demonstrated a long-term commitment to a specific activity or service that has had a sustained impact?

Achievement in Relevant Field:

- Has the nominee achieved excellence in their relevant field (e.g., community service, arts, local development)?

21.4. Key Considerations

Multiple Nominations: A nominee may be nominated in multiple categories or for different achievements, provided each nomination reflects a distinct and eligible contribution. Multiple nominations for the same individual in the same category will also be accepted, as long as they meet all other eligibility requirements and include sufficient supporting information. The presence of multiple nominations will neither disadvantage nor advantage a nominee in the assessment process.

Nominator's Relationship: Nominations from family members or close associates are permitted and will not diminish the merit of the nomination. However, the relationship must be disclosed, and the nomination will be assessed based on the overall merits of the individual's contribution, supported by relevant supporting information.

Voluntary vs. Paid Contributions: The focus is on community-based voluntary contributions. Nominations based primarily on paid employment may be considered, though additional voluntary service will strengthen the nomination.

21.5. Ineligibility Criteria

To maintain fairness and integrity, nominations must meet the following eligibility criteria:

Non-Resident Nominees: For Citizen of the Year and Young Citizen of the Year, recipients must reside within the Mornington Peninsula Shire, non-residence may be considered for a discretionary award based on significant contributions to the Shire.

Incomplete Nominations: Nominations lacking required information, and//or no sufficient supporting details, may be disqualified.

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Australia Day Local Awards Selection Panel

MORNINGTON PENINSULA Shire

Previous Winners: Nominees who have won the same award in a prior year are ineligible for re-nomination in the same category with the exception of the Community Event category.

Event Nomination Criteria: For Community Event of the Year, events must have occurred prior to the close of nominations. Events should clearly demonstrate a benefit to the community to be eligible for consideration.

21.6. Due Diligence Process

To ensure thorough evaluation of all nominations, a due diligence process will be conducted, which may involve contacting references provided by the nominator to verify the nominee's contributions and impact.

This process will occur either after shortlisting or If fewer than 10 nominations are received in any category, the due diligence process may begin before the initial deliberation meeting.

This process ensures that all nominations are verified and assessed based on accurate information before final decisions are made.

21.7. Confidentiality:

All nominations and deliberations are confidential. Panel Members must maintain the privacy of all information during the process.

S6 Instrument of Delegation – Members of Staff

MORNINGTON PENINSULA Shire

Instrument of Delegation

to

Members of Council Staff

MORNINGTON PENINSULA Shire

Instrument of Delegation

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

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

2. declares that:

2.1 this Instrument of Delegation is authorised by a resolution of Council passed on 12 May 2026; and

2.2 the delegation:

2.2.1 comes into force immediately when the common seal of Council is affixed to this Instrument of Delegation or where the Chief Executive Officer of Council is authorised under resolution, the Chief Executive Officer executes the Instrument of Delegation;

2.2.2 remains in force until varied or revoked;

2.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and

2.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

2.3 the delegate must not determine the issue, take the action or do the act or thing:

2.3.1 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;

2.3.2 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) strategy

adopted by Council;

2.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or

2.3.4 if the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

MORNINGTON PENINSULA
Shire

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Mark Stoermer

Chief Executive Officer

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Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 7	Power to enter into a written agreement with a caravan park owner	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
r 10	Function of receiving application for registration	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
r 11	Function of receiving application for renewal of registration	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
r 12(1)	Power to refuse to grant the registration if not satisfied that the caravan park complies with these regulations	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
r 12(4) & (5)	Duty to issue certificate of registration	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
r 14(1)	Function of receiving notice of transfer of ownership.	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
r 14(3)	Power to determine where notice of transfer is displayed	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
r 15(1)	Duty to transfer registration to new caravan park owner	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
r 15(2)	Duty to issue a certificate of transfer of registration	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
r 17	Duty to keep register of caravan parks	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
r 21(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	Team Leader - Environmental Health, Emergency Management Coordinator, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Team Leader - Community Resilience and Emergency Management, Emergency Management Project Officer, Director Planning and Liveability, DRFA Coordinator and Emergency Management Project Officer	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 21(2)	Duty to consult with relevant emergency services agencies	Team Leader - Environmental Health, Emergency Management Coordinator, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Team Leader - Community Resilience and Emergency Management, Emergency Management Project Officer, Director Planning and Liveability	
r 22	Power to determine places in which caravan park owner must display a copy of emergency procedures	Team Leader - Environmental Health, Emergency Management Coordinator, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Team Leader - Community Resilience and Emergency Management, Emergency Management Project Officer, Director Planning and Liveability	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 23	Power to determine places in which caravan park owner must display copy of public emergency warnings	Team Leader - Environmental Health, Emergency Management Coordinator, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Team Leader - Community Resilience and Emergency Management, Emergency Management Project Officer, Director Planning and Liveability	
r 24(2)	Power to consult with relevant floodplain management authority	Team Leader - Environmental Health, Emergency Management Coordinator, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Team Leader - Community Resilience and Emergency Management, Emergency Management Project Officer, Director Planning and Liveability	
r 26(b)(i)	Power to approve system for the discharge of sewage and wastewater from a movable dwelling	Team Leader - Environmental Health, Coordinator - Environmental Health, Manager - Regulatory Services,	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Wastewater Management Officer, Director Planning and Liveability	
r 38	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
r 38(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
r 39(3)	Function of receiving installation certificate	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 45(3)	Power to determine places in which caravan park owner must display name and telephone number of an emergency contact person	Team Leader - Environmental Health, Emergency Management Coordinator, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Team Leader - Community Resilience and Emergency Management, Emergency Management Project Officer, Director Planning and Liveability	
r 45(5)	Power to determine places in which caravan park owner must display the certificate of registration or certificate of renewal of registration, the plan of the caravan park and a copy of the caravan park rules	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	Where Council is a Class B cemetery trust
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	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	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	Where Council is a Class B cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
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	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	Team Leader - Governance Services, Chief Executive Officer,	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 15(4)	Duty to keep records of delegations	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 17(1)	Power to employ any persons necessary	Team Leader - Governance Services, Cemeteries Officer, Cemeteries Executive Officer, Manager - People and Culture, Senior Cemeteries Officer	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Executive Officer, Senior Cemeteries Officer	
s 17(3)	Power to determine the terms and conditions of employment or engagement	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and	N/A	Where Council is a Class A cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	power to establish other governance committees from time to time		
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

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
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 Financial Management Act 1994	N/A	Where Council is a Class A cemetery trust
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	N/A	Where Council is a Class A cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	N/A	Where Council is a Class A cemetery trust
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	N/A	Where Council is a Class A cemetery trust
s.18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2)	N/A	Where Council is a Class A cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
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

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
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

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and 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	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 20(1)	Duty to set aside areas for the interment of human remains	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Team Leader - Governance Services, Chief Executive Officer, Manager - Governance and Risk	Provided the street was constructed pursuant to the Local Government Act 1989
s 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer, Financial Controller	
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer, Financial Controller	Report must contain the particulars listed in s 57(2)

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 59	Duty to keep records for each public cemetery	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 60(2)	Power to charge fees for providing information	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 64B(d)	Power to permit interments at a reopened cemetery	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	The application must include the requirements listed in s 66(2)(a)-(d)

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
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	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 70(2)	Duty to make plans of existing place of interment available to the public	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 71(2)	Power to dispose of any memorial or other structure removed	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 72(2)	Duty to comply with request received under s 72	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 73(1)	Power to grant a right of interment	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 73(2)	Power to impose conditions on the right of interment	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 74(3)	Duty to offer a perpetual right of interment	Team Leader - Governance Services, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
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	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 80(1)	Function of receiving notification and payment of transfer of right of interment	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 80(2)	Function of recording transfer of right of interment	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 84F(2)(d)	Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5)	Team Leader - Governance Services, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 84H(4)	Power to exercise the rights of a holder of a right of interment	Team Leader - Governance Services, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 84I(4)	Power to exercise the rights of a holder of a right of internment	Team Leader - Governance Services, Cemeteries Officer, Senior Cemeteries Officer	
s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	Team Leader - Governance Services, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 84I(6)(a)	Power to remove any memorial on the place of interment	Team Leader - Governance Services, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 84I(6)(b)	Power to grant right of interment under s 73	Team Leader - Governance Services, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	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	Team Leader - Governance Services, Chief Executive Officer,	Does not apply where right of interment relates to remains of a deceased veteran.

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
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.	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	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	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
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	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.86(4)	Power to take action under s.86(4) relating to removing and re-interring cremated human remains	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s.86(5)	Duty to provide notification before taking action under s.86(4)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
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	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 91(1)	Power to cancel a right of interment in accordance with s 91	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 91(3)	Duty to publish notice of intention to cancel right of interment	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
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	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 100(1)	Power to require a person to remove memorials or places of interment	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 100(3)	Power to recover costs of taking action under s 100(2)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 103(1)	Power to require a person to remove a building for ceremonies	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 103(3)	Power to recover costs of taking action under s 103(2)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
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	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 106(2)	Power to require the holder of the right of interment to provide for an examination	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 106(4)	Power to repair or - with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 108	Power to recover costs and expenses	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 109(1)(a)	Power to open, examine and repair a place of interment	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	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	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	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	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	Where the holder of right of interment or responsible person cannot be found

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
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	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent inquiries and with the consent of the Secretary	Team Leader - Governance Services, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
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	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 112	Power to sell and supply memorials	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 119	Power to set terms and conditions for interment authorisations	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 131	Function of receiving an application for cremation authorisation	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	Subject to s 133(2)

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	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	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
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	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
s 151	Function of receiving applications to inter or cremate body parts	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
sch 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
sch 1 cl 8(8)	Power to regulate own proceedings	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	Subject to cl 8

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	N/A	Where Council is a Class A cemetery trust
sch 1A cl 8(8)	Power to regulate own proceedings	N/A	Where Council is a Class A cemetery trust Subject to cl 8

Domestic Animals Act 1994			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 41A(1)	Power to declare a dog to be a menacing dog	Manager - Regulatory Services, Manager - Governance and Risk, Director Planning and Liveability	Council may delegate this power to a Council authorised officer

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	If s 19(1) applies Only in relation to temporary food premises or mobile food premises

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, (ia) displayed at any point of sale, (ib) be published on the food business's Internet site and (ii) inform the public by notice in a published newspaper, on the Internet site or otherwise	Team Leader - Environmental Health, Chief Executive Officer, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk	If s 19(1) applies

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	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	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution Only in relation to temporary food premises or mobile food premises

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19EA(3)	Function of receiving copy of revised food safety program	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Manager - Governance and Risk, Director Planning and Liveability	Where Council is the registration authority
s 19FA(1)	Power to direct a proprietor of a food premises to revise the food safety program for the premises or comply with any requirements specified in the food safety program	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority Subject to s 19FA(2), which requires a time limit for compliance to be specified
s 19FA(3)(a)	Power to refuse to approve an application for registration or renewal of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
			be ratified by Council or the CEO (see s 58A(2))
s 19FA(3)(b)	Power to revoke a registration granted in respect of premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority
s 19FA(3)(c)	Power to suspend the registration of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Manager - Governance and Risk, Director Planning and Liveability	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Manager - Governance and Risk, Director Planning and Liveability	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Manager - Governance and Risk, Director Planning and Liveability	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	Team Leader - Environmental Health, Chief Executive Officer, Manager - Regulatory Services, Director Planning and Liveability	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	Team Leader - Environmental Health, Chief Executive Officer, Manager - Regulatory Services, Director Planning and Liveability	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	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	Team Leader - Environmental Health, Coordinator - Environmental Health,	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	
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	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority
	Power to register or renew the registration of a food premises	Team Leader - Environmental Health, Chief Executive Officer, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Manager - Governance and Risk, Director Planning and Liveability	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 36A	Power to accept an application for registration or notification using online portal	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability, Coordinator - Community Safety Administration, Community Safety and Compliance Administration Officer, Community Safety, Health and Compliance Administration Officer	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	Manager - Regulatory Services, Director Planning and Liveability, Financial Controller	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	Team Leader - Environmental Health, Chief Executive Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 38E(2)	Power to register the food premises on a conditional basis	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability, Coordinator - Community Safety Administration, Community Safety and Compliance Administration Officer, Community Safety, Health and Compliance Administration Officer	Where Council is the registration authority
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Manager - Governance and Risk, Director Planning and Liveability	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Manager - Governance and Risk, Director Planning and Liveability	
s 39A	Power to register, or renew the registration of a food premises despite minor defects	Team Leader - Environmental Health, Chief Executive Officer, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Manager -	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Governance and Risk, Director Planning and Liveability	
s 39A (6)	Duty to comply with a direction of the Secretary	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Manager - Governance and Risk, Director Planning and Liveability	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Manager - Governance and Risk, Director Planning and Liveability	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	Team Leader - Environmental Health, Chief Executive Officer, Coordinator - Environmental Health, Environmental Health Officer, Manager - Regulatory Services, Director Planning and Liveability	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	Team Leader - Environmental Health, Chief Executive Officer, Coordinator - Environmental Health, Environmental Health Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	Team Leader - Environmental Health, Chief Executive Officer, Coordinator - Environmental Health, Environmental Health Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 40E	Duty to comply with direction of the Secretary	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Manager - Governance and Risk, Director Planning and Liveability	
s 40F	Power to cancel registration of food premises	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority
s 43	Duty to maintain records of registration	Team Leader - Environmental Health, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services, Manager - Governance and Risk, Director Planning and Liveability	
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business	Team Leader - Environmental Health, Chief Executive Officer, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Manager - Governance and Risk, Director Planning and Liveability	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	Team Leader - Environmental Health, Chief Executive Officer, Coordinator - Environmental Health, Environmental Health Officer, Manager - Regulatory Services, Director Planning and Liveability	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 45AC	Power to bring proceedings	Team Leader - Environmental Health, Coordinator - Environmental Health, Legal Counsel, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Chief Legal Officer, Manager - Governance and Risk, Director Planning and Liveability	
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	Team Leader - Environmental Health, Chief Executive Officer, Coordinator - Environmental Health, Legal Counsel, Solicitor - Prosecutions, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Chief Legal Officer, Manager - Governance and Risk, Director Planning and Liveability	Where Council is the registration authority

Heritage Act 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 116	Power to sub-delegate Executive Director's functions, duties or powers	Chief Executive Officer, Urban Design and Heritage Officer, Principal Strategic Planner, Senior Strategic Planner, Principal Planner, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director Planning and Liveability	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

Local Government Act 1989			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 185L(4)	Power to declare and levy a cladding rectification charge	Chief Executive Officer	This power can only be delegated to the CEO.

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	Chief Executive Officer, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	Chief Executive Officer, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 4I(2)	Duty to make and copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planner, Planning Support Officer, Principal Planner, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to	Team Leader - Planning Support, Team Leader - Natural Systems, Chief Executive Officer, Urban	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	ensure co-ordination of planning scheme with these persons	Design and Heritage Officer, Manager - Climate Change and Sustainability, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Coastal Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 12B(1)	Duty to review planning scheme	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 12B(2)	Duty to review planning scheme at direction of Minister	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 16B	Duty (upon receiving a request to prepare an amendment to the planning scheme) to decide: - to apply to the Minister for authorisation to prepare the amendment, with or without changes, under section 16F, or - to refuse the request. Note: see also sections 16A, 16D, 16E and 16K.	Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Planning and Liveability	
s 16C(1)	Duty to give written notice of its decision under section 16B to the person who made the request within 10 business days of making the decision. Note: The notice must contain prescribed information, and reasons if it is a refusal.	Team Leader - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Director Planning and Liveability	
s 16C(4)	Duty to give a copy of the request and the notice under subsection 16C(1) to the Minister.	Team Leader - Statutory Planning, Manager - Statutory Planning, Manager - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Transport & Environment, Team Leader - Strategic Planning, Director Planning and Liveability	
s 16F	Power to apply to the Minister for authorisation to prepare an amendment to the State standard provisions or the local provisions of a planning scheme in force in the municipal district. Note: see also sections 16G and 16K.	Team Leader - Statutory Planning, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Planning and Liveability	
s 16F	Power to prepare an amendment to the planning scheme where the Minister has authorised Council to do so under section 16F	Team Leader - Statutory Planning, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 16H	Power to prepare an amendment specified in an application without the Minister's authorisation if no response received after 10 business days Note: see also section 16K.	Team Leader - Statutory Planning, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Planning and Liveability	Does not apply in relation to an application for the preparation of an amendment that will apply to land to which a Suburban Rail Loop planning area declaration applies.
s 16I	Power to apply to the Minister for authorisation to prepare an amendment to any part of the State standard provisions and local provisions of a planning scheme applying to an area adjoining its municipal district.	Team Leader - Statutory Planning, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Planning and Liveability	
s 16I	Power to prepare amendment to the planning scheme applying to an area adjoining Council's municipal district where the Minister has authorised Council to do so under section 16I.	Team Leader - Statutory Planning, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	Note: see also sections 16D, 16G and 16J.		
s 17(1)	Duty of giving copy amendment to the planning scheme	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport &	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 17(2)	Duty of giving copy s 173 agreement	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Senior Planning Support	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	Team Leader - Planning Support, Chief Executive Officer, Business Support Officer - Development Services, Team Leader - Statutory Planning, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer,	Until the proposed amendment is approved or lapsed

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	Chief Executive Officer, Manager - Regulatory Services, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	Chief Executive Officer, Team Leader - Statutory Planning, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior	Until the end of 2 months after the amendment comes into operation or lapses

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Landslide Incident, Director Communities, Director Planning and Liveability	
s 21A(4)	Duty to publish notice	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support	Except submissions which request a change to the items in s 22(5)(a) and (b)

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 23A(2)	Power to: - change the amendment in the manner requested; - not change the amendment in the manner requested; or - abandon the amendment or part of the amendment.	Team Leader - Statutory Planning, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Planning and Liveability	Where Council is the planning authority. After considering a submission which requests a change to a 'low-impact' amendment (as described in section 16N).
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer,	During the inspection period

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 27(2)	Power to apply for exemption if panel's report not received	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 28(1)	Duty to notify the Minister if abandoning an amendment, with a copy of any submission considered, and a statement of reasons for the decision	Team Leader - Planning Support, Chief Executive Officer, Business Support Officer - Development Services, Team Leader - Statutory Planning, Manager - Regulatory Services, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment,	Note: the power to make a decision to abandon an amendment cannot be delegated

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer Strategic Planning, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 28(2)	Duty to publish notice of the decision on Internet site	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support Officer, Principal Planner, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Landslide Incident, Director Communities, Director Planning and Liveability	
s 28C	Duty to comply with directions of the Minister after abandoning the amendment with respect to: - providing relevant documentation; and - providing assistance with steps to be taken for the amendment.	Team Leader - Statutory Planning, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Director Planning and Liveability	
s 30(4)(a)	Duty to say if amendment has lapsed	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 30(4)(b)	Duty to provide information in writing upon request	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 32(2)	Duty to give more notice if required	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 33(1)	Duty to give more notice of changes to an amendment	Team Leader - Planning Support, Chief Executive Officer, Urban	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 36(2)	Duty to give notice of approval of amendment	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 38(5)	Duty to give notice of revocation of an amendment	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 40(1)	Function of lodging copy of approved amendment	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Landslide Incident, Director Communities, Director Planning and Liveability	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Planning Support Officer, Principal Planner, Manager - Regulatory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	Chief Executive Officer, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is a responsible public entity and is a planning authority
s 46AW	Function of being consulted by the Minister	Chief Executive Officer, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	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	Chief Executive Officer, Manager - Statutory Planning, Manager - Strategic Planning, Transport &	Where Council is a responsible public entity

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	Chief Executive Officer, Manager - Regulatory Services, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to	Team Leader - Planning Support, Chief Executive Officer, Urban	Where Council is a responsible public entity

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	Chief Executive Officer, Team Leader - Statutory Planning, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	Chief Executive Officer, Team Leader - Statutory Planning, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	Chief Executive Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	Chief Executive Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	Chief Executive Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 46GP	Function of receiving a notice under s 46GO	Chief Executive Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning,	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
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	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport &	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
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	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport &	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
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	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Liveability, Manager Assets, Building and Property	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager -	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	Power to specify the manner in which the payment is to be made	Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 46GV(3)(b)	Power to enter into an agreement with the applicant	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the development agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	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	Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planning Compliance Officer, Principal Planner, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
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	Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planning Compliance Officer, Principal Planner, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager -	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
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	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director – McCrae	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Landslide Incident, Director Planning and Liveability	
s 46GY(1)	Duty to keep proper and separate accounts and records	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	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	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	costs to the planning authority that incurred those costs	Planning and Liveability, Financial Controller	This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan,as responsible for those works, services or facilities	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GZ(2)(b)	Function of receiving the monetary component	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	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	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	Planning and Liveability, Financial Controller	
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager -	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader -	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

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
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	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	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	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4)

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
			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	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GZA(1)	Duty to keep proper and separate accounts and records	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	Where Council is a development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	Chief Executive Officer, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	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)	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	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)	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Liveability, Financial Controller	
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	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)	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	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	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	Where Council is the development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	approved by the Minister or sell the public purpose land	Planning and Liveability, Financial Controller	
s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
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)	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	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)	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	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	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Regulatory Services, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director	Where Council is a collecting agency or development agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Liveability, Manager Assets, Building and Property	
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)	Chief Executive Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Financial Controller	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	Team Leader - Planning Support, Chief Executive Officer, Urban	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Team Leader - Planning Support, Chief Executive Officer, Business Support Officer - Development Services, Team Leader - Statutory Planning, Manager - Regulatory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
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	Team Leader - Planning Support, Chief Executive Officer, Business Support Officer - Development Services, Team Leader - Statutory Planning, Manager - Regulatory Services, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	Chief Executive Officer, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	Team Leader - Planning Support, Chief Executive Officer, Business Support Officer - Development Services, Team Leader - Statutory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Manager - Regulatory Services, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	Team Leader - Planning Support, Chief Executive Officer, Business Support Officer - Development Services, Team Leader - Statutory Planning, Manager - Regulatory Services, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer Strategic Planning, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 46Q(1)	Duty to keep proper accounts of levies paid	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability, Financial Controller	
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	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
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	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation	Only applies when levy is paid to Council as a 'development agency'

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
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)	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior	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

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	Chief Executive Officer, Manager - Statutory Planning, Manager - Strategic Planning, Transport &	Must be done in accordance with Part 3

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s46Q(4)(e)	Duty to expend that amount on other works etc.	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator,	With the consent of, and in the manner approved by, the Minister

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 46QC	Power to recover any amount of levy payable under Part 3B	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 46QD	Duty to prepare report and give a report to the Minister	Chief Executive Officer, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is a collecting agency or development agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	Chief Executive Officer, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	N/A, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	N/A, Director Assets and Infrastructure, Director – McCrae	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Landslide Incident, Director Planning and Liveability	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	N/A, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	Chief Executive Officer, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 47	Power to decide that an application for a planning permit does not comply with that Act	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 48A	Power to notify an applicant that the application is incomplete Note: The notice must set out any required fees or information, the date for payment or production, and the effect of non-compliance set out in section 48B(1).	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment,	Where Council is the responsible authority

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Team Leader - Strategic Planning, Graduate Planner, Director Planning and Liveability	
s 48C	Power to refund a fee paid for an application which is void and of no effect under section 48B(1)	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning,	Where Council is the responsible authority

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Graduate Planner, Director Planning and Liveability	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 50(4)	Duty to amend application	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 50(5)	Power to refuse to amend application	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Manager - Projects & Engineering Services, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Development Engineer, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Senior Development Engineer, Team Leader - Civil & Open Space	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 50(6)	Duty to make note of amendment to application in register	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 50A(1)	Power to make amendment to application	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Planning Support Officer, Principal Planner, Development Engineer, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Building & Structural Projects, Project Manager - Infrastructure	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		projects, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Senior Development Engineer, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 50A(4)	Duty to note amendment to application in register	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
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	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	Team Leader - Planning Support, Chief Executive Officer, Urban	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
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	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Landslide Incident, Director Communities, Director Planning and Liveability	
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	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 52(3)	Power to give any further notice of an application where appropriate	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 54(1)	Power to require the applicant to provide more information	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Manager - Projects & Engineering Services, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Development Engineer, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Business Support Officer	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Senior Development Engineer, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 54(1B)	Duty to specify the lapse date for an application	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 57A(5)	Power to refuse to amend application	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Manager - Projects & Engineering Services, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Analyst and Improvement Officer, Team Leader - Statutory Planning, Manager - Community Partnerships & Engagement, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Team Leader - Civil & Open Space Projects, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 57A(6)	Duty to note amendments to application in register	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 57B(1)	Duty to determine whether and to whom notice should be given	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 57C(1)	Duty to give copy of amended application to referral authority	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 58	Duty to consider every application for a permit	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 58A	Power to request advice from the Planning Application Committee	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 60	Duty to consider certain matters	Team Leader - Planning Support, Chief Executive Officer, Urban	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 60(1A)	Duty to consider certain matters	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Landslide Incident, Director Communities, Director Planning and Liveability	
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	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Manager - Projects & Engineering Services, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Development Engineer, Manager - Regulatory Services,	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Senior Development Engineer, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	Team Leader - Planning Support, Chief Executive Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Planner, Manager - Regulatory Services, VCAT Coordinator, Manager -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	Team Leader - Planning Support, Chief Executive Officer, Urban	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 62(2)	Power to include other conditions	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Landslide Incident, Director Communities, Director Planning and Liveability	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
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)	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior	This provision applies also to a decision to grant an amendment to a permit - see s 75

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Landslide Incident, Director Communities, Director Planning and Liveability	
s 64(3)	Duty not to issue a permit until after the specified period	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager -	This provision applies also to a decision to grant an amendment to a permit - see s 75

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 64(5)	Duty to give each objector a copy of an exempt decision	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support	This provision applies also to a decision to grant an amendment to a permit - see s 75

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
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	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager -	This provision applies also to a decision to grant an amendment to a permit - see s 75A

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer,	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

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager -	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

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer,	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 69(1)	Function of receiving application for extension of time of permit	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 69(1A)	Function of receiving application for extension of time to complete development	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 69(2)	Power to extend time	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 71(1)	Power to correct certain mistakes	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 71(2)	Duty to note corrections in register	Team Leader - Planning Support, Chief Executive Officer, Urban	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 73	Power to decide to grant amendment subject to conditions	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 74	Duty to issue amended permit to applicant if no objectors	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Landslide Incident, Director Communities, Director Planning and Liveability	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager -	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

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support	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

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager -	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

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 76D	Duty to comply with direction of Minister to issue amended permit	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 83	Function of being respondent to an appeal	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 83B	Duty to give or publish notice of application for review	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
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	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 84AB	Power to agree to confining a review by the Tribunal	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 91(2)	Duty to comply with the directions of VCAT	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 93(2)	Duty to give notice of VCAT order to stop development	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 95(3)	Function of referring certain applications to the Minister	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 95(4)	Duty to comply with an order or direction	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Senior Planning Support Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning,	The request to prepare the amendment must be made under section 16A. Delegate must not agree to consider the application for the permit concurrently with the preparation of the proposed amendment unless it has made a decision under section 16B(a) to apply to the Minister for authorisation to prepare the amendment, with or without changes, under section 16F.

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Subdivisions Officer, Team	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 96F	Duty to consider the panel's report under s 96E	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 96H(3)	Power to give notice in compliance with Minister's direction	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 96J	Duty to issue permit as directed by the Minister	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 96Z	Duty to keep levy certificates and levy exemption certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Senior Planning Support Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 97C	Power to request Minister to decide the application	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	Chief Executive Officer, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
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	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 97L	Duty to include Ministerial decisions in a register kept under s 49	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 97Q(4)	Duty to comply with directions of VCAT	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 101	Function of receiving claim for expenses in conjunction with claim	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 103	Power to reject a claim for compensation in certain circumstances	Chief Executive Officer, Manager - Regulatory Services, Manager -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s.107(1)	Function of receiving claim for compensation	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 107(3)	Power to agree to extend time for making claim	Chief Executive Officer, Manager - Statutory Planning, Manager - Strategic Planning, Transport &	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	Chief Executive Officer, Team Leader - Statutory Planning, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 114(1)	Power to apply to the VCAT for an enforcement order	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Compliance Investigator, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Compliance Investigator, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 123(1)	Power to carry out work required by enforcement order and recover costs	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	Chief Executive Officer, Deputy Municipal Building Surveyor, Team Leader - Municipal Building Surveyor, Coordinator - Planning Compliance, Planning Compliance Officer, Manager - Regulatory Services, Manager - Statutory	Except Crown Land

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Planning and Asset Compliance, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 125(1)	Power to apply to any court of competent jurisdiction or to the tribunal for an injunction restraining any person from contravening an enforcement order or an interim enforcement order.	Coordinator - Planning Compliance, Planning Compliance Officer, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Team Leader - Planning and Asset Compliance,	Section 123 of the Victorian Civil and Administrative Tribunal Act 1998 applies on an application to the Tribunal.

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Environmental Compliance Officer, Senior Asset Compliance Officer, Chief Legal Officer	
s 129	Function of recovering penalties	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 130(5)	Power to allow person served with an infringement notice further time	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 149A(1)	Power to refer a matter to the VCAT for determination	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	Chief Executive Officer, Manager - Regulatory Services, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 149B	Power to apply to the Tribunal for a declaration.	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Senior Planner, Senior Vegetation Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B)power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	Chief Executive Officer, Manager - Regulatory Services, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	Where Council is the relevant planning authority

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 158F	Power to make submissions in response to a directions panel	Team Leader - Statutory Planning, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Director Planning and Liveability	
s 171(2)(f)	Power to carry out studies and commission reports	Chief Executive Officer, Manager - Regulatory Services, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 171(2)(g)	Power to grant and reserve easements	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager -	Where Council is a development agency specified in an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
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)	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic	Where Council is a collecting agency specified in an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
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)	Chief Executive Officer, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Principal Planner, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Strategic Planner, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director	Where Council is the development agency specified in an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Liveability, Manager Assets, Building and Property	
s 173(1)	Power to enter into agreement covering matters set out in s 174	Team Leader - Planning Support, Team Leader - Natural Systems, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Coordinator - Planning Compliance, Subdivisions Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Team Leader - Planning and Asset Compliance, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	Chief Executive Officer, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	Where Council is the relevant responsible authority
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	Team Leader - Planning Support, Team Leader - Natural Systems, Chief Executive Officer, Deputy Municipal Building Surveyor, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Coordinator - Planning Compliance, Team	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Statutory Planning, Planning Compliance Officer, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Planning and Asset Compliance, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Communities, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Liveability, Manager Assets, Building and Property	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	Team Leader - Planning Support, Team Leader - Natural Systems, Chief Executive Officer, Deputy Municipal Building Surveyor, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Coordinator - Planning Compliance, Team Leader - Statutory Planning, Planning Compliance Officer, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Planning and Asset Compliance, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Property	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Team Leader - Planning and Asset Compliance, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 178	power to amend a s 173 agreement with the agreement of all those bound by any covenant in	Team Leader - Planning Support, Head of Property and Leasing, Chief	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	the agreement or otherwise in accordance with Division 2 of Part 9	Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Liveability, Manager Assets, Building and Property	
s 178A(1)	Function of receiving application to amend or end an agreement	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 178A(5)	Power to propose to amend or end an agreement	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
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	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Heritage Officer, Manager - Contracts and Procurement, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Liveability, Manager Assets, Building and Property	
s 178C(4)	Function of determining how to give notice under s 178C(2)	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor,	If no objections are made under s 178D Must consider matters in s 178B

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT	If no objections are made under s 178D Must consider matters in s 178B

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 178E(2)(c)	Power to refuse to amend or end the agreement	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory	If no objections are made under s 178D Must consider matters in s 178B

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning	After considering objections, submissions and matters in s 178B

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and	After considering objections, submissions and matters in s 178B

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT	After considering objections, submissions and matters in s.178B

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 178E(3)(d)	Power to refuse to amend or end the agreement	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory	After considering objections, submissions and matters in s 178B

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Communities, Director Planning and	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Liveability, Manager Assets, Building and Property	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
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	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Planning Support Officer, Principal Planner, Manager - Regulatory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 181	Duty to apply to the Registrar of Titles to record the agreement	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 182	Power to enforce an agreement	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	Team Leader - Planning Support, Head of Property and Leasing, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Assistant, Property Officer, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Communities, Director Planning and Liveability, Manager Assets, Building and Property	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
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	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to	Team Leader - Planning Support, Chief Executive Officer, Urban	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	VCAT for review of a failure to amend or end an agreement	Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
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	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
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	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 184G(2)	Duty to comply with a direction of the Tribunal	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 184G(3)	Duty to give notice as directed by the Tribunal	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Compliance Officer, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 198(1)	Function to receive application for planning certificate	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Landslide Incident, Director Communities, Director Planning and Liveability	
s 199(1)	Duty to give planning certificate to applicant	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 201(1)	Function of receiving application for declaration of underlying zoning	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Communities, Director Planning and Liveability	
s 201(3)	Duty to make declaration	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
-	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	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Compliance Investigator, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader -	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
-	Power to decide, in relation to any planning scheme or permit, that a specified thing may be altered or modified with Council's consent	Chief Executive Officer, Senior Planner, Senior Vegetation Officer, Subdivisions Officer, Team Leader - Statutory Planning, Planner, Principal Planner, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Transport & Environment, Team Leader - Strategic Planning, Planning Assistant, Graduate Planner, Coordinator - Strategic Planning, Director Planning and Liveability	
-	Power to decide, in relation to any planning scheme or permit, that a specified thing may be done subject to Council's prior consent or must not be done without Council's prior consent	Chief Executive Officer, Senior Planner, Senior Vegetation Officer, Subdivisions Officer, Team Leader - Statutory Planning, Planner, Principal Planner, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Team Leader - Strategic Planning, Planning Assistant, Graduate Planner, Coordinator - Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning, Director Planning and Liveability	
-	Power to decide, in relation to any planning scheme or permit, that a specified thing is required to be approved and or endorsed by Council	Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
-	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	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Compliance Investigator, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
-	Power to approve and or endorse any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Compliance Investigator, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
-	Power to give written authorisation in accordance with a provision of a planning scheme	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Coordinator - Planning Compliance, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Compliance Investigator, Planner, Planning Compliance Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Team Leader - Planning and Asset Compliance, Graduate Planner, Student Planner, Asset Compliance Officer, Environmental Compliance Officer, Asset and Building Amenity	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Residential Tenancies Act 1997			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Team Leader - Environmental Health, Chief Executive Officer, Team Leader - Municipal Building Surveyor, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director Communities, Director Planning and Liveability	

Residential Tenancies Act 1997			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 522(1)	Power to give a compliance notice to a person	Team Leader - Environmental Health, Chief Executive Officer, Team Leader - Municipal Building Surveyor, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director Communities, Director Planning and Liveability	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	Chief Executive Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director Planning and Liveability	
s 525(4)	Duty to issue identity card to authorised officers	Team Leader - Governance Services, Chief Executive Officer, Governance Officer - Privacy, Manager - Governance and Risk, Senior Governance Officer	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	Team Leader - Environmental Health, Team Leader - Municipal Building Surveyor, Emergency Management	

Residential Tenancies Act 1997			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator, Fire Prevention Officer, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Team Leader - Community Resilience and Emergency Management, Community Resilience Officer, Emergency Management Project Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director Communities, Director Planning and Liveability	
s 526A(3)	Function of receiving report of inspection	Team Leader - Environmental Health, Chief Executive Officer, Team Leader - Municipal Building Surveyor, Emergency Management Coordinator, Fire Prevention Officer, Coordinator - Environmental Health, Environmental Health Officer, Low Risk Health Tech Officer, Manager - Regulatory Services, Team Leader - Community Resilience and Emergency Management, Community Resilience Officer, Emergency Management Project Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director Communities, Director Planning and Liveability	

Residential Tenancies Act 1997			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	Chief Executive Officer, Manager - Governance and Risk, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director Planning and Liveability	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Governance and Risk, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	Obtain consent in circumstances specified in s 11(2)

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	Team Leader - Governance Services, Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Governance and Risk, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability, Senior Governance Officer	
s 11(9)(b)	Duty to advise Registrar	Chief Executive Officer, Manager - Infrastructure and Waste Services, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and	Subject to s 11(10A)

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Team Leader - Traffic and Transport, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	Where Council is the coordinating road authority
s 12(2)(b)	Function of providing consent to the Head, Transport for Victoria for the discontinuance of a road or part of a road	Chief Executive Officer, Manager - Infrastructure and Waste Services, Director Assets and Infrastructure, Director –	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		McCrae Landslide Incident, Director Planning and Liveability	
s 12(10)	Duty to notify of decision made	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Roads and Civil Maintenance, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	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	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Strategic Planning, Transport & Environment, Manager - Governance and Risk, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	Head of Property and Leasing, Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Strategic Planning, Transport & Environment, Property Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Planning and Liveability, Manager Assets, Building and Property	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	Head of Property and Leasing, Chief Executive Officer, Manager - Infrastructure and Waste Services, Property Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Planning and Liveability, Manager Assets, Building and Property	
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	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Landslide Incident, Director Planning and Liveability	
s 15(2)	Duty to include details of arrangement in public roads register	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 16(7)	Power to enter into an arrangement under s 15	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 16(8)	Duty to enter details of determination in public roads register	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 17(2)	Duty to register public road in public roads register	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 17(3)	Power to decide that a road is reasonably required for general public use	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	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	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	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	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		& Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 18(1)	Power to designate ancillary area	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 19(4)	Duty to specify details of discontinuance in public roads register	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport &	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 19(5)	Duty to ensure public roads register is available for public inspection	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 21	Function of replying to request for information or advice	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager -	Obtain consent in circumstances specified in s 11(2)

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 22(2)	Function of commenting on proposed direction	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 22(5)	Duty to give effect to a direction under s 22	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 40(1)	Duty to inspect, maintain and repair a public road.	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 42(1)	Power to declare a public road as a controlled access road	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Governance and Risk, Director Assets and Infrastructure, Director –	Power of coordinating road authority and sch 2 also applies

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		McCrae Landslide Incident, Director Planning and Liveability	
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Team Leader - Traffic and Transport, Manager - Strategic Planning, Transport & Environment, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	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	Chief Executive Officer, Manager - Infrastructure and Waste Services, Director	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	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)	Chief Executive Officer, Manager - Infrastructure and Waste Services, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 49	Power to develop and publish a road management plan	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 51	Power to determine standards by incorporating the standards in a road management plan	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Manager - Governance and Risk, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 54(2)	Duty to give notice of proposal to make a road management plan	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 54(6)	Power to amend road management plan	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport &	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 54(7)	Duty to incorporate the amendments into the road management plan	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager -	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planning, Transport & Environment, Manager - Governance and Risk, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
s 63(1)	Power to consent to conduct of works on road	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Coordinator - Asset Protection, Team Leader - Civil &	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Manager - Strategic Planning, Transport & Environment, Coordinator - Asset Protection, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	Where Council is the infrastructure manager

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 64(1)	Duty to comply with cl 13 of sch 7	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Manager - Strategic Planning, Transport & Environment, Coordinator - Asset Protection, Asset Compliance Officer, Senior Asset Compliance Officer, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services, Team Leader - Asset Management, Team Leader - Traffic and Transport, Manager - Strategic Planning, Transport & Environment, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Team Leader - Traffic and Transport, Manager - Strategic Planning, Transport & Environment, Team Leader - Building & Structural Projects, Project	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Manager - Infrastructure projects, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 67(3)	Power to request information	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the coordinating road authority
s 68(2)	Power to request information	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 71(3)	Power to appoint an authorised officer	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Regulatory Services, Manager - Governance and Risk, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 72	Duty to issue an identity card to each authorised officer	Team Leader - Governance Services, Governance Officer - Privacy, Manager - Governance and Risk, Senior Governance Officer	
s 85	Function of receiving report from authorised officer	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Asset Protection & Construction Supervision, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Coordinator - Asset Protection, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 86	Duty to keep register re s 85 matters	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 87(1)	Function of receiving complaints	Chief Executive Officer, Manager - Infrastructure and Waste Services,	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Manager - Projects & Engineering Services, Team Leader - Asset Management, Manager - Regulatory Services, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
s 87(2)	Duty to investigate complaint and provide report	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	Manager - Governance and Risk, Director Assets and Infrastructure, Director –	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		McCrae Landslide Incident, Director Planning and Liveability	
s 112(2)	Power to recover damages in court	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Compliance Investigator/ Prosecutions Officer, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Coordinator - Asset Protection, Team Leader - Planning and Asset Compliance, Asset Compliance Officer, Senior Asset Compliance Officer, Chief Legal Officer, Team Leader - Civil & Open Space	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Projects, Manager - Governance and Risk, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Prosecutions Officer, Director Communities, Director Planning and Liveability	
s 116	Power to cause or carry out inspection	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 119(2)	Function of consulting with the Head, Transport for Victoria	Head of Property and Leasing, Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment,	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Property Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Planning and Liveability, Manager Assets, Building and Property	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	Head of Property and Leasing, Chief Executive Officer, Manager - Infrastructure and Waste Services, Property Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Planning and	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Liveability, Manager Assets, Building and Property	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	Head of Property and Leasing, Chief Executive Officer, Manager - Infrastructure and Waste Services, Property Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Strategic Property Advisor, Coordinator - Property Operations, Director Planning and Liveability, Manager Assets, Building and Property	
s 121(1)	Power to enter into an agreement in respect of works	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Director Assets and Infrastructure, Director –	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		McCrae Landslide Incident, Director Planning and Liveability	
s 122(1)	Power to charge and recover fees	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
s 123(1)	Power to charge for any service	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Management, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	Chief Executive Officer, Manager - Infrastructure and Waste Services, Director Assets and Infrastructure, Director –	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		McCrae Landslide Incident, Director Planning and Liveability	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	Chief Executive Officer, Manager - Infrastructure and Waste Services, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	Head of Property and Leasing, Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Property Officer, Footpath Trading Officer, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident,	

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Property Advisor, Coordinator - Property Operations, Director Planning and Liveability, Manager Assets, Building and Property	
sch 2 cl 5	Duty to publish notice of declaration	Chief Executive Officer, Manager - Infrastructure and Waste Services, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the infrastructure manager or works manager

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the infrastructure manager or works manager
sch 7 cla 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	Chief Executive Officer, Manager - Infrastructure and Waste Services, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on	Chief Executive Officer, Manager - Infrastructure and Waste Services, Director Assets and Infrastructure, Director –	Where Council is the infrastructure manager or works manager

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	records, appear to be in an unsafe condition or appear to need maintenance	McCrae Landslide Incident, Director Planning and Liveability	
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	Chief Executive Officer, Manager - Infrastructure and Waste Services, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Team Leader - Building & Structural Projects, Project Manager -	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure projects, Coordinator - Asset Protection, Team Leader - Planning and Asset Compliance, Asset Compliance Officer, Senior Asset Compliance Officer, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Team Leader - Building & Structural Projects, Project Manager -	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure projects, Coordinator - Asset Protection, Team Leader - Planning and Asset Compliance, Asset Compliance Officer, Senior Asset Compliance Officer, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Team Leader - Building & Structural Projects, Project Manager -	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure projects, Coordinator - Asset Protection, Team Leader - Planning and Asset Compliance, Asset Compliance Officer, Senior Asset Compliance Officer, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
sch 7 cl 12(5)	Power to recover costs	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Team Leader - Building & Structural Projects, Project Manager -	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure projects, Coordinator - Asset Protection, Team Leader - Planning and Asset Compliance, Asset Compliance Officer, Senior Asset Compliance Officer, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae	Where Council is the works manager

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Landslide Incident, Director Planning and Liveability	
sch 7 cl 13(2)	Power to vary notice period	Chief Executive Officer, Manager - Infrastructure and Waste Services, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	Chief Executive Officer, Manager - Infrastructure and Waste Services, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services, Team Leader - Asset Protection & Construction Supervision, Coordinator - Asset Protection, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
sch 7 cl 16(4)	Duty to consult	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Manager - Strategic Planning, Transport & Environment, Coordinator - Asset Protection, Director Assets and Infrastructure, Director – McCrae	Where Council is the coordinating road authority, responsible authority or infrastructure manager

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Landslide Incident, Director Communities, Director Planning and Liveability	
sch 7 cl 16(5)	Power to consent to proposed works	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Manager - Strategic Planning, Transport & Environment, Coordinator - Asset Protection, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	Chief Executive Officer, Manager - Infrastructure and Waste Services,	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Manager - Projects & Engineering Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Manager - Strategic Planning, Transport & Environment, Coordinator - Asset Protection, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
sch 7 cl 16(8)	Power to include consents and conditions	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Supervision, Manager - Strategic Planning, Transport & Environment, Coordinator - Asset Protection, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Coordinator - Asset Protection, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 7 cl18(1)	Power to enter into an agreement	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Coordinator - Asset Protection, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	Where Council is the coordinating road authority
sch7 cl 19(1)	Power to give notice requiring rectification of works	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Coordinator - Asset Protection, Director Assets and Infrastructure, Director – McCrae	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Landslide Incident, Director Communities, Director Planning and Liveability	
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Manager - Strategic Planning, Transport & Environment, Coordinator - Asset Protection, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Asset Management, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Coordinator - Asset Protection, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
sch 7A cl 2	Power to cause street lights to be installed on roads	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Asset Protection Officer, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Coordinator - Asset Protection, Team Leader - Civil & Open Space Projects, Director Assets and	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Manager - Climate Change and Sustainability, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the responsible road authority

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Asset Management, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Team Leader - Civil	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		& Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	

Cemeteries and Crematoria Regulations 2025			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 36	Duty to ensure that cemetery complies with depth of burial requirements	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 37	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer,	

Cemeteries and Crematoria Regulations 2025			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Cemeteries Executive Officer, Senior Cemeteries Officer	
r 38	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 39(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 39(2)	Duty to ensure that coffin, container or receptacle is labelled.	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Regulations 2025			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 39(3)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 40	Duty to ensure that a crypt space in a mausoleum is sealed in accordance with paragraphs (a)-(b)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 43(2)	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 44(2)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer,	

Cemeteries and Crematoria Regulations 2025			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Cemeteries Executive Officer, Senior Cemeteries Officer	
r 44(3)	Duty to ensure any fittings removed of are disposed in an appropriate manner	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 45	Power to dispose of any metal substance or non-human substance recovered from a cremator	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 46(2)	Power to release cremated human remains to certain persons	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	Subject to any order of a court

Cemeteries and Crematoria Regulations 2025			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 47(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 47(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 47(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 47(4)	Duty to take reasonable steps to notify persons specified in r 46(2) of intention to intern or dispose of remains at expiry of 12 month period	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer,	

Cemeteries and Crematoria Regulations 2025			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Cemeteries Executive Officer, Senior Cemeteries Officer	
r 48	Power to approve certain activities under the r 57 or 58(2) if satisfied of regulation (1)(a)-(c)	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 50	Duty to provide statement that alternative vendors or supplier of memorials exist	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 51	Power to inspect any work that is being carried out on memorials, places or internments and buildings for ceremonies	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Regulations 2025			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 52	Power to approval the arrangement or conduct of a funeral	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 53(1)	Power to give written direction regarding the manner in which a funeral is to be conducted	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 56(1)	Power to give directions regarding the objects, things or items affixed to, or placed on or around, the places of internment and memorials	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 56(3)	Power to remove objects, things or items specified in (a)-(d) from a place of interment or memorial	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer,	

Cemeteries and Crematoria Regulations 2025			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Cemeteries Executive Officer, Senior Cemeteries Officer	
r 56(4)	Duty to dispute items under r 56(3) in a manner considered appropriate	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 57(1)	Power to approve the use of fire in a public cemetery	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
r 58(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	

Cemeteries and Crematoria Regulations 2025			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 59	Duty to display the hours during which the public can access the cemetery	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
	Note: sch 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 5, 7 8, 9, 10, 11, 12, 13, 15, 16, 17 and 18 of sch 2	Team Leader - Governance Services, Chief Executive Officer, Cemeteries Officer, Cemeteries Executive Officer, Senior Cemeteries Officer	See note above regarding model rules

Planning and Environment Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

Planning and Environment Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director –	

Planning and Environment Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
r.25(a)	Duty to make copy of matter considered under section 60(1A)(g) in accordance with the public availability requirements	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Urban Design and Heritage Officer, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Planning Assistant, Graduate Planner,	Where Council is the responsible authority

Planning and Environment Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
r.25(b)	Function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	Team Leader - Planning Support, Chief Executive Officer, Deputy Municipal Building Surveyor, Team Leader - Municipal Building Surveyor, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Senior Vegetation Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Planner, Planning Support Officer, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director –	Where Council is not the responsible authority but the relevant land is within Council's municipal district

Planning and Environment Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		McCrae Landslide Incident, Director Communities, Director Planning and Liveability	
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	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Principal Planner, Manager - Regulatory Services, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

Planning and Environment Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	

Planning and Environment (Fees) Regulations 2016			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team	

Planning and Environment (Fees) Regulations 2016			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	

Planning and Environment (Fees) Regulations 2016			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
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	Team Leader - Planning Support, Chief Executive Officer, Urban Design and Heritage Officer, Business Support Officer - Development Services, Senior Planner, Senior Planning Support Officer, Subdivisions Officer, Business Analyst and Improvement Officer, Team Leader - Statutory Planning, Principal Strategic Planner, Senior Strategic Planner, Planner, Planning Support Officer, Principal Planner, VCAT Coordinator, Manager - Statutory Planning, Manager - Strategic Planning, Transport & Environment, Business Support Officer Strategic Planning, Team Leader - Strategic Planning, Strategic Planner, Planning Assistant, Graduate Planner, Student Planner, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	

Road Management (General) Regulations 2016			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 8(1)	Duty to conduct reviews of road management plan	Senior Asset Management Engineer, Chief Executive Officer, Team Leader - Asset Management, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
r 9(2)	Duty to produce written report of review of road management plan and make report available	Chief Executive Officer, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
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)	Chief Executive Officer, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident,	Where Council is the coordinating road authority

Road Management (General) Regulations 2016			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Director Planning and Liveability, Manager Assets, Building and Property	
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	Chief Executive Officer, Manager - Infrastructure and Waste Services, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
r 13(1)	Duty to publish notice of amendments to road management plan	Chief Executive Officer, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	where Council is the coordinating road authority

Road Management (General) Regulations 2016			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	Chief Executive Officer, Team Leader - Asset Management, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Manager - Assets, Building & Property, Director – McCrae Landslide Incident, Director Planning and Liveability, Manager Assets, Building and Property	
r 16(3)	Power to issue permit	Chief Executive Officer, Team Leader - Traffic and Transport, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	Chief Executive Officer, Team Leader - Traffic and Transport, Manager - Strategic Planning, Transport & Environment, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the coordinating road authority

Road Management (General) Regulations 2016			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 23(2)	Power to make submission to Tribunal	Chief Executive Officer, Manager - Projects & Engineering Services, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	Chief Executive Officer, Manager - Projects & Engineering Services, Infrastructure Services Operations Manager, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Community Safety, Team Leader - Asset Protection & Construction Supervision, Team Leader -	Where Council is the responsible road authority

Road Management (General) Regulations 2016			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Building & Structural Projects, Project Manager - Infrastructure projects, Litter Prevention Officer, Coordinator - Asset Protection, Team Leader - Planning and Asset Compliance, Asset Compliance Officer, Senior Asset Compliance Officer, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability, Coordinator - Litter Prevention	
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3)	Chief Executive Officer, Manager - Projects & Engineering Services, Infrastructure Services Operations Manager, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Community Safety, Team Leader - Asset Protection & Construction Supervision, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Litter Prevention Officer, Coordinator - Asset Protection, Team Leader - Planning and Asset Compliance, Asset Compliance Officer, Senior Asset Compliance Officer, Team Leader - Civil & Open Space	Where Council is the responsible road authority

Road Management (General) Regulations 2016			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability, Coordinator - Litter Prevention	
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	Chief Executive Officer, Manager - Projects & Engineering Services, Infrastructure Services Operations Manager, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Community Safety, Team Leader - Asset Protection & Construction Supervision, Team Leader - Building & Structural Projects, Project Manager - Infrastructure projects, Litter Prevention Officer, Coordinator - Asset Protection, Team Leader - Planning and Asset Compliance, Asset Compliance Officer, Senior Asset Compliance Officer, Team Leader - Civil & Open Space Projects, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability, Coordinator - Litter Prevention	

Road Management (Works and Infrastructure) Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	Chief Executive Officer, Manager - Infrastructure and Waste Services, Manager - Projects & Engineering Services, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Coordinator - Asset Protection, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Communities, Director Planning and Liveability	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	Chief Executive Officer, Manager - Infrastructure and Waste Services, Director Assets and Infrastructure, Director – McCrae Landslide Incident, Director Planning and Liveability	Where Council is the coordinating road authority

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s10	To do all things necessary or convenient to be done in connection with the powers, duties or functions described in this delegation	Head of Property and Leasing, Manager - Assets, Building & Property	
s10	To take a licence from another person or body for the purpose of Council business	Head of Property and Leasing, Manager - Assets, Building & Property	
s10	To take a lease from another person or body for the purpose of Council business	Head of Property and Leasing, Manager - Assets, Building & Property	
	To give legal force and effect to any Document sealed by a Delegate, the Document to which the Common Seal is affixed must be signed by the Delegates	Chief Executive Officer, Manager - Governance and Risk	
s.50 (3)	To exempt a person or class of persons from the application of Clauses 50(1) or (2) for camping on a road or Council land	Chief Executive Officer, Manager - Regulatory Services, Team Leader - Community Safety	Community Amenity Local Law 2022

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.47 (4)	To erect or cause to be erected a no smoking sign on Council land	Team Leader - Environmental Health, Manager - Community Partnerships & Engagement, Coordinator - Community Safety, Manager - Regulatory Services, Team Leader - Community Safety, Community Safety Strategic Projects Coordinator	Community Amenity Local Law 2022
s.46 (6)	To erect or cause to be erected a no smoking sign in a smoke free area or smoke free event	Team Leader - Environmental Health, Manager - Community Partnerships & Engagement, Coordinator - Community Safety, Manager - Regulatory Services, Team Leader - Community Safety, Community Safety Strategic Projects Coordinator	Community Amenity Local Law 2022
s.46 (5)	To prescribe an event to be a smoke free event	Team Leader - Environmental Health, Manager - Community Partnerships & Engagement, Coordinator -	Community Amenity Local Law 2022

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Community Safety, Manager - Regulatory Services, Team Leader - Community Safety, Community Safety Strategic Projects Coordinator	
s69 (7)	To approve the carrying out of work by another person or by Council	Chief Executive Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Team Leader - Planning and Asset Compliance, Senior Asset Compliance Officer, Director Planning and Liveability, Coordinator - Litter Prevention	Community Amenity Local Law 2022
s.80 (9)	To keep a register of permits	Community Safety Officer, Emergency Management Coordinator, Fire Prevention Officer, Shire Ranger, Regulatory Services Administration Officer, Coordinator - Community	Community Amenity Local Law 2022

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Safety, Manager - Regulatory Services, Team Leader - Community Safety, Team Leader - Community Resilience and Emergency Management, Senior Shire Ranger, Team Leader - Planning and Asset Compliance, Asset Compliance Officer, Senior Asset Compliance Officer, Community Safety Strategic Projects Coordinator, Footpath Trading Officer, Director Planning and Liveability, Coordinator - Community Safety Administration, DRFA Coordinator and Emergency Management Project Officer, Community Safety and Compliance Administration Officer	
s.80 (2)	To request further information on a permit	Community Safety Officer, Emergency Management Coordinator, Fire	Community Amenity Local Law 2022

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Prevention Officer, Shire Ranger, Regulatory Services Administration Officer, Coordinator - Community Safety, Manager - Regulatory Services, Team Leader - Community Safety, Team Leader - Community Resilience and Emergency Management, Senior Shire Ranger, Team Leader - Planning and Asset Compliance, Community Resilience Officer, Emergency Management Project Officer, Asset Compliance Officer, Senior Asset Compliance Officer, Community Safety Strategic Projects Coordinator, Footpath Trading Officer, Director Planning and Liveability, Coordinator - Community Safety Administration, Community Safety and Compliance Administration Officer, Community	

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Safety, Health and Compliance Administration Officer	
s.78 (4)	To determine the fee payable for the reasonable cost of impounding	Chief Executive Officer, Infrastructure Services Operations Manager, Manager - Regulatory Services	Community Amenity Local Law 2022
s.72 (6)	To provide notice in writing for the removal of a vehicle crossing and reconstruction of the kerb and channel and footpath	Chief Executive Officer, Manager - Projects & Engineering Services, Infrastructure Services Operations Manager, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Coordinator - Asset Protection, Team Leader - Planning and Asset Compliance, Asset Compliance Officer, Senior Asset Compliance Officer	Community Amenity Local Law 2022

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.21 (4)	To exempt a person or class of persons from the application of 21(2) or (3) relating to the keeping of animals	Chief Executive Officer, Manager - Regulatory Services, Team Leader - Community Safety	Community Amenity Local Law 2022
s.33 (1)	To issue a permit to burn	Emergency Management Coordinator, Fire Prevention Officer, Manager - Regulatory Services, Team Leader - Community Resilience and Emergency Management, Community Resilience Officer, Emergency Management Project Officer, Director Planning and Liveability, DRFA Coordinator and Emergency Management Project Officer	Community Amenity Local Law 2022
s.40 (1)	To approve a household waste bin	Manager - Infrastructure and Waste Services, Manager - Regulatory Services, Team Leader - Circular	Community Amenity Local Law 2022

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Economy and Waste, Landfill Compliance Coordinator	
s.44 (g)	To consent to a function or event on Council land	Manager - Regulatory Services, Team Leader - Community Safety	Community Amenity Local Law 2022
s.44 (f)	To consent to substance, liquid or powder on Council land	Manager - Regulatory Services	Community Amenity Local Law 2022
s.46 (4)	To prescribe a smoke-free area	Team Leader - Environmental Health, Manager - Community Partnerships & Engagement, Manager - Regulatory Services, Team Leader - Community Wellbeing & Inclusion	Community Amenity Local Law 2022
s52	To grant an exemption to a person or class of persons conducting a business for the sale or hire of vehicles	Infrastructure Services Operations Manager, Manager - Regulatory	Community Amenity Local Law 2022

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Services, Team Leader - Community Safety	
s.63 (6)	To seize and impound any shopping trolley	Community Safety Officer, Shire Ranger, Coordinator - Community Safety, Manager - Regulatory Services, Team Leader - Community Safety, Senior Shire Ranger, Director Planning and Liveability	Community Amenity Local Law 2022
s63 (5)	To grant a temporary or permanent exemption for the requirement for all retails to ensure shopping trolleys have a locking mechanism and are secured when the business is closed	Manager - Regulatory Services	Community Amenity Local Law 2022
s69 (6)	To approve the carrying out of work by another person or by Council	Chief Executive Officer, Manager - Projects & Engineering Services, Emergency Management Coordinator, Fire Prevention Officer, Asset Protection	Community Amenity Local Law 2022

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Coordinator - Community Safety, Manager - Regulatory Services, Team Leader - Community Safety, Team Leader - Asset Protection & Construction Supervision, Team Leader - Community Resilience and Emergency Management, Coordinator - Asset Protection, Team Leader - Planning and Asset Compliance, Director Planning and Liveability, Coordinator - Litter Prevention	
s.69 (11)	To determine the cost of repairs to Council assets	Chief Executive Officer, Manager - Projects & Engineering Services, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Coordinator - Asset Protection	Community Amenity Local Law 2022

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s69 (12)	To refund any bond or part of a bond	Chief Executive Officer, Manager - Projects & Engineering Services, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Coordinator - Asset Protection	Community Amenity Local Law 2022
s71 (3)	To require a person who undertakes works to pay a bond	Chief Executive Officer, Manager - Projects & Engineering Services, Infrastructure Services Operations Manager, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Coordinator - Asset Protection	Community Amenity Local Law 2022

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.72 (2)	To require the construction of a permanent or temporary vehicle crossing	Chief Executive Officer, Manager - Projects & Engineering Services, Infrastructure Services Operations Manager, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Coordinator - Asset Protection, Team Leader - Planning and Asset Compliance, Asset Compliance Officer, Senior Asset Compliance Officer	Community Amenity Local Law 2022
s.72 (5)	To provide notice in writing for the repair of a vehicle crossing	Chief Executive Officer, Manager - Projects & Engineering Services, Infrastructure Services Operations Manager, Asset Protection Officer, Manager - Regulatory Services, Team Leader - Asset Protection & Construction Supervision, Coordinator	Community Amenity Local Law 2022

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		- Asset Protection, Team Leader - Planning and Asset Compliance, Asset Compliance Officer, Senior Asset Compliance Officer	
s80	To grant, refuse, correct or cancel a permit	Community Safety Officer, Emergency Management Coordinator, Fire Prevention Officer, Shire Ranger, Coordinator - Community Safety, Manager - Regulatory Services, Team Leader - Community Safety, Team Leader - Community Resilience and Emergency Management, Senior Shire Ranger, Community Resilience Officer, Emergency Management Project Officer, Footpath Trading Officer, Director Planning and Liveability, Coordinator - Community Safety Administration, Community Safety and	Community Amenity Local Law - 2022

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Compliance Administration Officer, Community Safety, Health and Compliance Administration Officer	
s80 (7)	To exempt a person or class of persons from the requirement to obtain a permit under the Community Amenity Local Law	Chief Executive Officer, Manager - Regulatory Services, Team Leader - Community Resilience and Emergency Management, Director Planning and Liveability, Community Compliance Officer, Team Leader – Community Compliance, Coordinator – Community Compliance	Community Amenity Local Law 2022
s.82 (1)	Power to Act in all urgent circumstances	Community Safety Officer, Team Leader - Environmental Health, Chief Executive Officer, Shire Ranger, Coordinator - Community Safety, Manager - Regulatory Services, Team Leader - Community Safety, Team	Community Amenity Local Law 2022

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Leader - Asset Protection & Construction Supervision, Team Leader - Community Resilience and Emergency Management, Senior Shire Ranger, Team Leader - Planning and Asset Compliance, Director Planning and Liveability	
s16 (2)	To require an applicant for permit to supply more information	Community Safety Officer, Shire Ranger, Regulatory Services Administration Officer, Coordinator - Community Safety, Manager - Regulatory Services, Team Leader - Community Safety, Senior Shire Ranger, Director Planning and Liveability, Coordinator - Community Safety Administration	Consumption of Liquor Local Law 2022

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s.16 (3)	To grant or refuse a permit	Community Safety Officer, Shire Ranger, Coordinator - Community Safety, Manager - Regulatory Services, Team Leader - Community Safety, Senior Shire Ranger, Director Planning and Liveability, Coordinator - Community Safety Administration, Community Safety and Compliance Administration Officer, Community Safety, Health and Compliance Administration Officer	Consumption of Liquor Local Law 2022
s16 (5)	To correct a Permit	Coordinator - Community Safety, Manager - Regulatory Services, Team Leader - Community Safety	Consumption of Liquor Local Law - 2022

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s16 (7)	To exempt a person or class of persons from the requirement to obtain a permit under the Consumption of Liquor Local Law 2022	Manager - Regulatory Services, Team Leader - Community Safety, Director Planning and Liveability	Consumption of Liquor Local Law 2022
s16 (9)	Maintain a Register of Permits	Coordinator - Community Safety, Manager - Regulatory Services, Team Leader - Community Safety	Consumption of Liquor Local Law - 2022
s17 (4)	To determine fee and reasonable costs of impoundment	Manager - Regulatory Services, Team Leader - Community Safety, Director Planning and Liveability	Consumption of Liquor Local Law 2022
Finance	Approve Councillor attendance at Seminars, Conferences or Courses held interstate overseas with a total value of $2,000 or less	Chief Executive Officer, Manager - Governance and Risk	In accordance with the Shire's Councillor Expenses, Reimbursements, Resources and Facilities Policy
Finance	Authorise the write-off of bad debts up to $10,000	Financial Controller	In accordance with the Shire's Debt Collection Policy

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s206(1)	To discontinue roads	Head of Property and Leasing, Manager - Assets, Building & Property	Local Government Act 1989
s223	To sell land resulting from road discontinuances.	Head of Property and Leasing, Manager - Assets, Building & Property	Local Government Act 1989 The delegate must comply with section 223 of the LGA 1989 where applicable
s10	To enter into, vary, review and terminate licenses of real property including without limitation the power to: • advertise premises as available for licensing • enter into licences as a result of a licensee's exercise of an option to renew in accordance with the terms and conditions of the licence • give consents and approvals pursuant to and in accordance with the terms of existing licences	Head of Property and Leasing, Manager - Assets, Building & Property	Local Government Act 2020 s17(2)(a) Crown Land (Reserves1978 Act - 17A,17B and 17BAA Community Amenity Local Law - 2022

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	• review and determine fees under fee review clauses of a licence • consent to the assignment of licenses and impose conditions on any such consent in accordance with the terms and conditions of the licence • consent to the assignment of licenses and impose conditions on any such consent in accordance with the terms and conditions of the licence • consent to the variation of licences and impose conditions on any such consent in accordance with the terms and conditions of the licence • prepare, execute and serve Notices to Quit on licensees and take such further action as is necessary to resume the premises where the licensee is in arrears of fees or otherwise in default under the licence or refuses to execute a licence.		

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s114	To sell land resulting from road discontinuances	Head of Property and Leasing, Manager - Assets, Building & Property	Local Government Act 2020 The delegate must comply with sections 114(2) of the Act and section 223 of the LGA 1989 where applicable
s2.4	To issue or refuse to the applicant a certificate of registration and number in the prescribed form	Community Safety Officer, Shire Ranger, Coordinator - Community Safety, Manager - Regulatory Services, Team Leader - Community Safety, Senior Shire Ranger, Coordinator - Community Safety Administration, Community Safety and Compliance Administration Officer, Community Safety, Health and Compliance Administration Officer	Short Stay Rental Accommodation Local Law - 2018

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s2.7	To hear an appeal by an applicant or objector to the issuing or cancellation of a short stay rental accommodation registration and make a decision	Manager - Regulatory Services, Team Leader - Community Safety, Manager - Governance and Risk, Director Planning and Liveability	Short Stay Rental Accommodation Local Law - 2018
	The Common Seal must only be used on the authority of a delegate to whom power to use the Common Seal has been delegated	Team Leader - Governance Services, Chief Executive Officer, Manager - Governance and Risk, Senior Governance Officer	The Common Seal may be affixed to the following documents: • Ceremonial documents including formal letters under seal of Council • Any other legal document, contract or license Council is required by law to affix the seal to from time to time
s115	To enter into, vary, review and terminate leases of real property including without limitation the power to	Head of Property and Leasing, Manager - Assets, Building & Property	The delegate must comply with section 115 of the Act where applicable

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	• advertise premises as available for leasing • enter into leases as a result of a tenant's exercise of an option to renew in accordance with the terms and conditions of the lease • give consents and approvals pursuant to and in accordance with the terms of existing leases • review and determine rent under rent review clauses of a lease • consent to the assignment of leases and impose conditions on any such consent in accordance with the terms and conditions of the lease • consent to the variation of leases and impose conditions on any such consent in accordance with the terms and conditions of the lease • consent to the sub-letting of premises and impose conditions on any such consent in		Leases of reserved crown land of which the Council is committee of management of must be dealt with in accordance with the Crown Land (Reserves) Act 1978 or the relevant Local Act and requirements from time to time lawfully imposed by the Minister responsible for the Crown Land (Reserves) Act 1978. The delegate must comply with the Retail Leases Act 2003 where applicable. In the exercise of the power to terminate or propose to terminate a lease, the delegate must consult with the Chief Legal Counsel and Chief Executive Officer s115 - Local Government Act 2020 s 17C, 17CA and 17D of the Crown Land (Reserves) Act 1978

Misc provisions			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	accordance with the terms and conditions of the lease • prepare, execute and serve Notices to Quit and Notices of Re-entry on lessees and take such further action as is necessary to resume the premises where the tenant is in arrears of rent or otherwise in default under the lease or refuses to execute a lease.		Community Amenity Local Law 2022

Mornington Peninsula Shire

Property Strategy

2026 – 2031

Acknowledgement of Country

Mornington Peninsula Shire acknowledges the Bunurong people, who have been the custodians of this land for many thousands of years; and pays respect to their Elders past and present. We acknowledge that the land on which we meet is the place of age-old ceremonies, celebrations, initiation and renewal; and that the Bunurong people's living culture continues to have a unique role in the life of this region.

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About the Mornington Peninsula

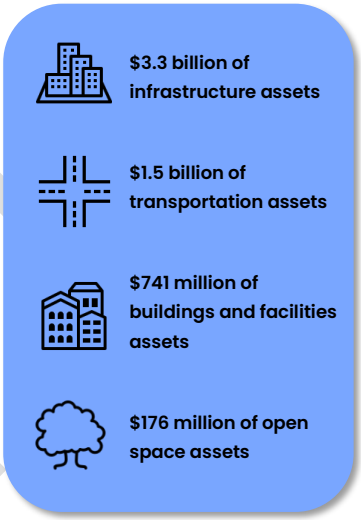
The Mornington Peninsula is located on the traditional lands of the Bunurong people. It sits on the fringe of Melbourne's outer southern suburbs and spans 723 square kilometres, with 192 kilometres of coastline along Port Phillip Bay, Western Port and Bass Strait. Around 70 per cent of the Peninsula is rural and Green Wedge, with the remaining 30 per cent made up of 40 townships and villages.

The region includes more than 1,735 kilometres of roads, 725 kilometres of footpaths, 342 kilometres of walking trails, and 106 kilometres of cycling trails. The Peninsula has a population of more than 175,000 people, with significant seasonal population increases due to tourism and holidaymakers. Townships range from Mount Eliza to Portsea, and from Baxter and Hastings to Crib Point and Balnarring. Larger population centres such as Mornington, Rosebud, Hastings and Sorrento are complemented by smaller communities such as Flinders, Merricks, Red Hill, Somers, Shoreham, St Andrews Beach and Tuerong.

The Peninsula is known for its distinct coastal villages, sandy beaches, lush parklands, vibrant arts scene and a proud First Nations history, which is reflected in Bunurong cultural heritage and significant sites.

Mornington Peninsula Shire is an 'interface Council' – a classification that recognises our community does not yet have full access to many services available in metropolitan Melbourne, often requiring residents to travel outside of the municipality for key services.

For more information, visit:
mornpen.vic.gov.au/ourpeninsula



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Our Services

Mornington Peninsula Shire is primarily a service-based organisation. We deliver about 150 services (including both services delivered directly to the community and internal support services) in support of achieving our Community Vision. These are grouped into 40 high-level service areas, including the following 22 who directly engage with the community.

We aim to deliver high-quality services that balance community needs with strategic direction, innovation and long-term financial sustainability.

Liveable Communities

- Economic Development and Business Support
- Land Use Planning
- Open Space
- Transport Connections

Community Health and Safety

- Animal Management
- Building Safety
- Child and Family Health
- Community Safety
- Emergency Management
- Public Health
- Public Works

Community Wellbeing and Connection

- Arts and Cultural Development
- Community Development
- Community Services
- Early Years
- Libraries
- Positive Ageing
- Recreation and Leisure
- Youth Services

Sustainable Environment

- Circular Economy and Waste Management
- Climate Action and Advocacy
- Environment Management

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Definitions

Bathing Boxes either a bathing box or boatshed and is a simple, free standing, non-commercial, non-residential structure used by private individuals and families primarily for storing beach equipment or boats and as a change facility and for shade and shelter.

Council is the Mornington Peninsula Shire Council

Council Property is defined in the Scope.

Council Plan the Council Plan 2025-2029.

CoM a Committee of Management appointed under the *Crown Land (Reserves) Act 1978* to manage Crown land on behalf of the Victorian State Government. A CoM is a land manager rather than the land owner.

Crown land any land that has not been alienated from the Crown and includes land owned by the State of Victoria or Australian Commonwealth Government, unreserved Crown land, reserved land or land set aside permanently in accordance with legislation including the *Crown Land (Reserves) Act 1978*.

DEECA the State Government Department of Energy, Environment and Climate Action.

Discontinuance the exercise of power under Clause 3 of Schedule 10 of the *Local Government Act 1989* in relation to a Road which is affected by a notice published in the Government Gazette and/or the removal of reserve status in relation to a Reserve under section 24A of the *Subdivision Act 1988*.

Encroachment the unauthorised use of Council Property, typically involving semi-permanent or permanent structures placed or constructed without approval, this excludes abandoned items.

Lease an agreement where Council (as landlord) grants to a Tenant a right to have exclusive possession of a Council Property (or part thereof) for a fixed duration in return for rental payment. A lease conveys an interest in the land, may be assigned and offers security of tenure to a Tenant as it cannot be arbitrarily terminated.

Licence an agreement where Council permits a Tenant to occupy a Council Property on particular conditions, which may include limitations as to agreed days and times, period of tenure and/or for part or all of the Council Property. A licence is a contractual right and does not permit exclusive occupancy of the premises and does not convey an interest in land.

Minor Reserve a drainage reserve or revenge strip set aside as a reserve on a plan of subdivision. It does not include reserves for recreation or open space purposes.

Road/Roads a road as defined in the *Local Government Act 1989* and includes public highways at common law.

Tenant either a tenant under a Lease, or a licensee under a Licence and is an authorised person, corporation or an incorporated body that has entered into or is proposing to enter into a Lease or Licence with Council for use of a Council Property.

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Executive Summary

Vision

To manage Council Property responsibly and adaptively, delivering long-term community benefit and financial sustainability, supporting the Shire's Community Vision as an inclusive, connected and sustainable community.

Scope

For the purpose of this Strategy, **Council Property** means any land, building and improvements owned, managed or controlled by Council including:

- Council freehold land
- Crown land where Council has been appointed as Committee of Management under the *Crown Land (Reserves) Act 1978*
- Roads and Minor Reserves either owned or vested in Council and no longer used for public access purposes
- Land/buildings where Council has a entered into a Lease or Licence with a third party.

Strategic Context

Council manages an extensive and diverse property portfolio which underpins the delivery of community services and facilities across our townships and rural areas. A growing population, increased service expectations in conjunction with financial and environmental pressures are driving the need for a more strategic and sustainable approach to the management of Council's property portfolio.

The Strategy acknowledges the current status of the property portfolio and establishes clear principles, priorities and actions on how Council will plan, acquire, use, and dispose of Council Property, in accordance with the requirements of the *Local Government Act 2020*, the *Local Government Act 1989*, the *Crown Land (Reserves) Act 1978* and Council's broader strategic and financial planning framework.

The Strategy aligns with the strategic objectives of the Council Plan 2025-2029 and provides a basis for consistent, transparent property decisions across the organisation.

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Strategic Objectives

The following objectives will guide the implementation of this Strategy over the next five years.

Objective 1: transparent and evidence-based decision making

Property decisions are informed, accountable and align with community and service needs.

We will:

- apply robust governance and review processes to maintain transparency and accountability
- use data driven insights to guide decision making
- align decisions with service delivery requirements and community expectations
- apply best practice principles, polices and strategies to guide decision making
- operate within a framework of continuous improvement and legislative compliance
- communicate key property decisions to the community in a clear and timely manner
- identify, manage and reduce the risks associated with property decisions

Objective 2: sustainable and adaptable

Manage Council Property to achieve financial, social and environmental sustainability:

We will:

- balance fiscal responsibility while delivering maximum community benefit
- manage assets to ensure they are responsive to changing needs
- balance community priorities with strategic objectives.

Objective 3: future focused property planning

Council Property will meet the needs of a changing community.

We will:

- investigate acquisition and sale of land to ensure Council Property meets expectations now and into the future
- maintain flexibility within the portfolio to adapt to future needs
- Integrate property planning across Council through a coordinated, collaborative approach to deliver strategic outcomes for future community need

> “…balance fiscal responsibility while delivering maximum community benefit”

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Our Property Portfolio

What is Council Property?

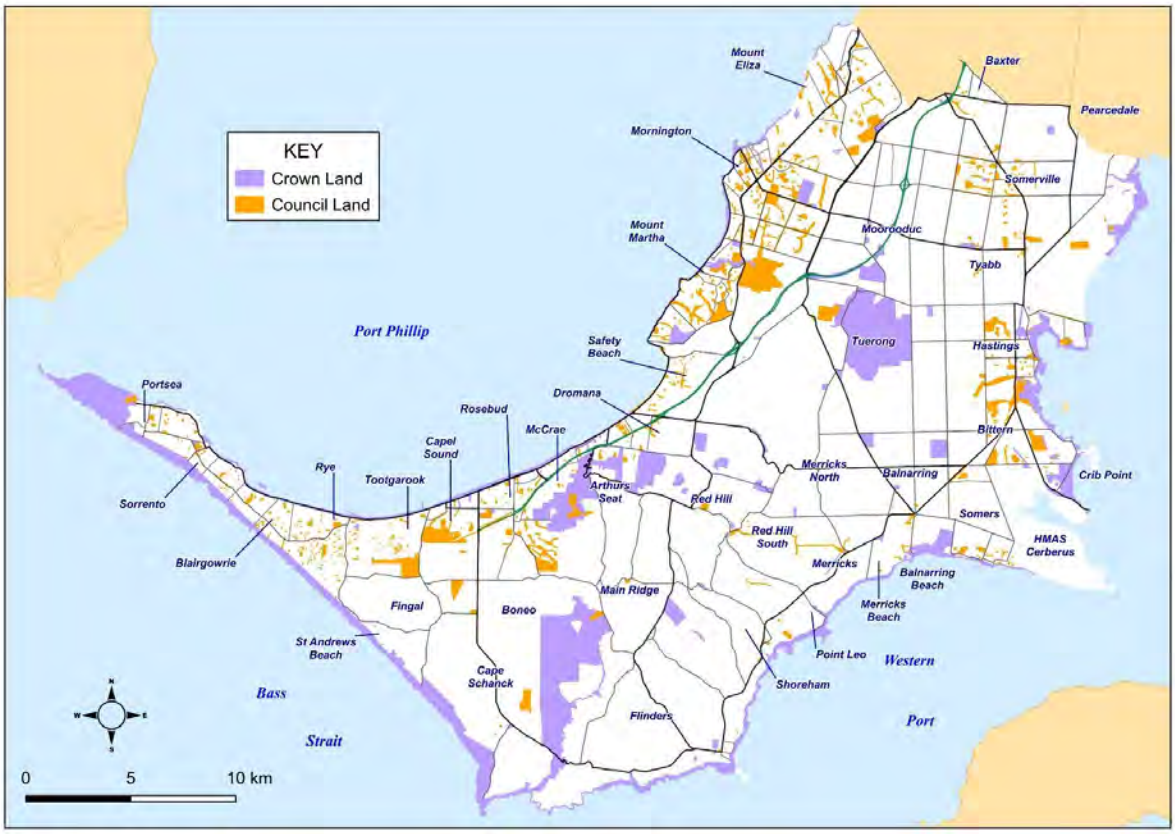
Council may hold land in freehold or manage Crown land on behalf of the State. Council's assets will be located on land that is either freehold or Crown land.

Council is responsible for the management of 30.56 square kilometres of land, with 20.58 square kilometres owned by Council and 9.98 managed by Council where we are the CoM.

As owner of freehold land, Council has full legal rights to use, sell, Lease or subdivide the land that it owns (subject to its powers and functions under the *Local Government Act 2020*). In addition, Council frequently acquires ownership of parcels of land created through private subdivision, such as Roads and reserves. Council owns approximately 1,870 freehold land parcels.

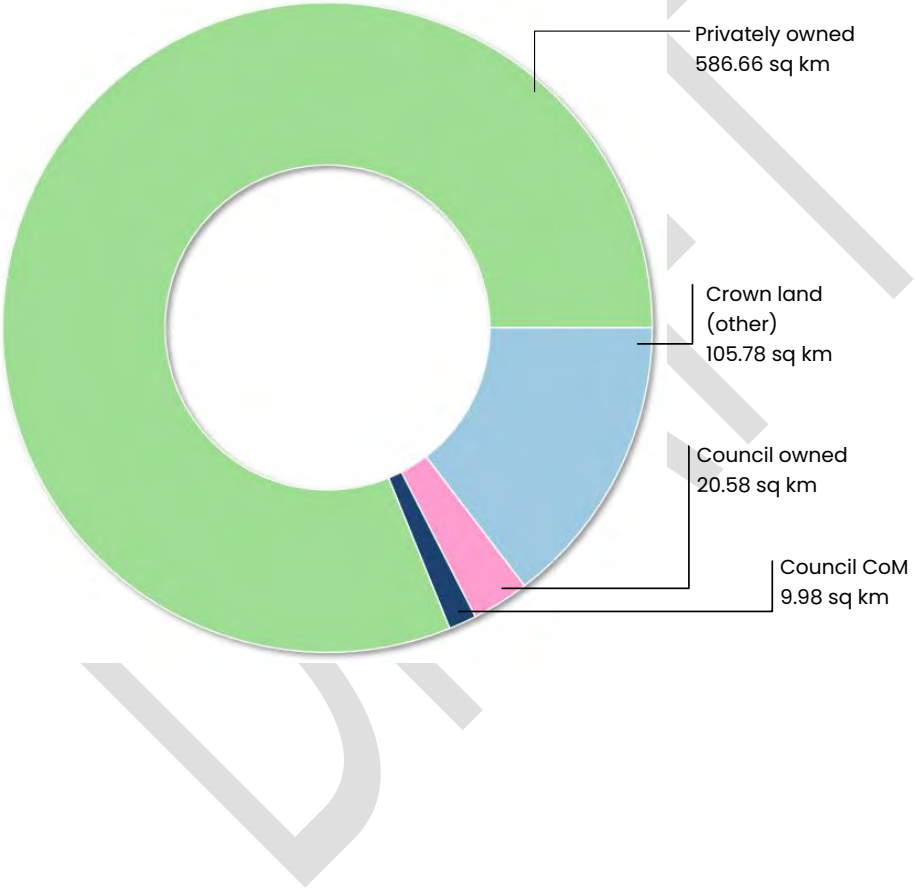
Crown land is either managed directly by DEECA or managed by a CoM. Council is appointed as CoM for 153 parcels of reserved Crown land. The remaining 105.78 square kilometres of Crown land is managed by various state or federal agencies, or other Community CoMs.

Figure 1: Breakdown of Crown Land and Council Land across the municipality



When Council acts as a CoM, we take responsibility for managing, maintaining and improving the reserved Crown land. Council must follow DEECA's approved processes such as obtaining Ministerial approvals for Leases and Licences, whilst DEECA provides oversight, guidance, and operational support to Council. By acting as a CoM, Council can provide the community with a structured, long-standing role in caring for and ensuring public use of Crown land reserves like parks, foreshores, halls, and reserves.

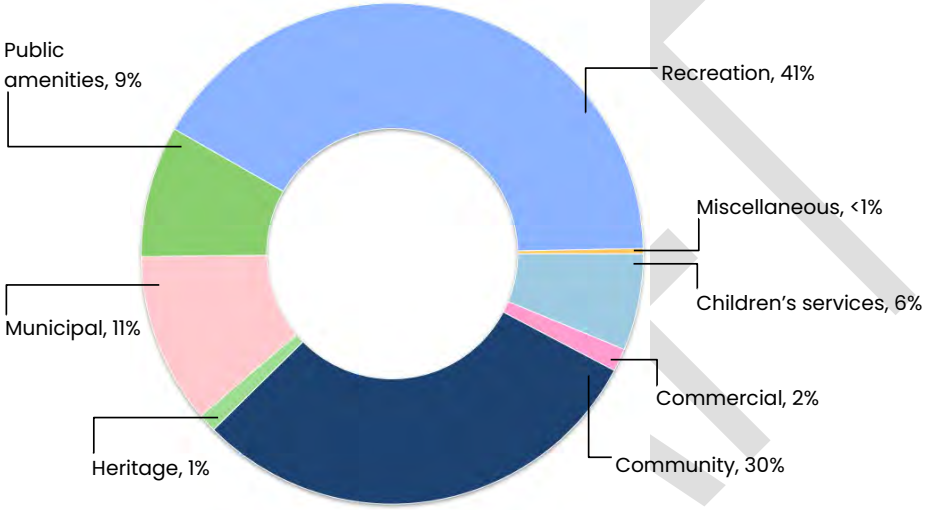
Figure 2: Land ownership across the municipality



What are Council's Buildings?

Including 408 major buildings, Council owns and maintains approximately $740 million worth of buildings and facilities assets across the municipality. Council owns many of these buildings to provide essential spaces for community programs, events, and services, with sports and recreation, and community use facilities accounting for 41% and 30% respectively.

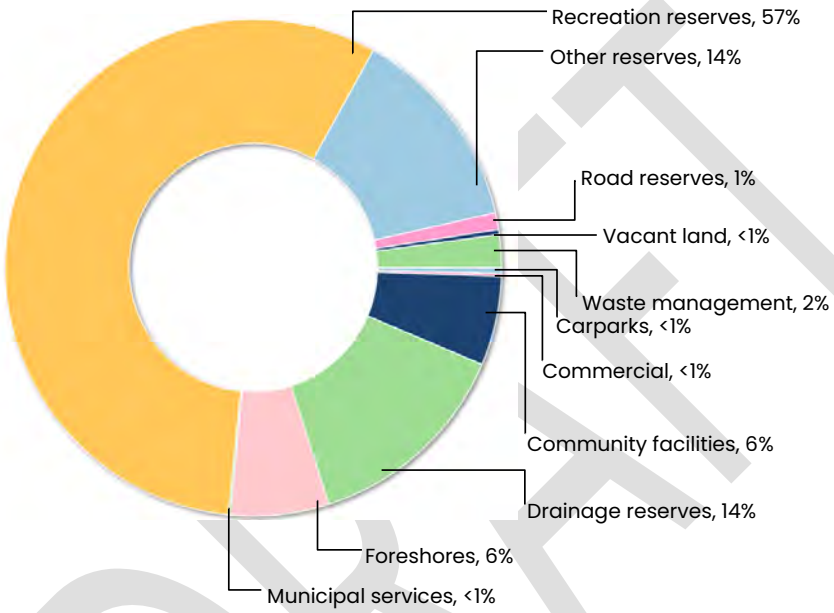
Figure 3: Building use across the municipality



What do we use Council Property for?

Of the 30.56 square kilometres of land Council manages, over half is used for recreation reserves, ranging from our large regional sporting facilities like Civic Reserve in Mornington, to local neighbourhood parks.

Figure 4: Land use across the municipality



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Strategic Significance of Council's Property

Council Property is a significant and highly valuable resource that directly impacts on the performance of a wide range of Council's services. Council's property is used and deployed in many different ways to support the effective delivery of the broad range of services it provides to the Shire community. Council Property may be occupied and used for:

Council Property plays a vital role in creating healthy communities, enhancing quality of life and wellbeing and the overall social benefit for the community. It is important that Council not only strategically manages its property portfolio for the long-term best interests of the Shire community but that its decisions in relation to the use and occupancy of Council Property are soundly based, transparent and legally compliant.

With projected population growth to 192,000 by 2046 and a significant annual influx of tourists, Council needs to be well positioned to utilise and manage its property to provide for the diverse and evolving needs of the Council and its community now and into the future. Effective management of Council property presents a major opportunity to enhance public value through improved asset utilisation and stronger financial performance".

Strategic Property Work Streams

Council faces the unique challenge of balancing its urban, coastal and farming areas with population growth and increased infrastructure demands, whilst ensuring the provision of services meets the needs of the community.

To support these challenges, Council undertakes a range of property related activities guided by this Strategy, ensuring Council Property is managed to deliver maximum community benefit.

The Strategy sets out clear direction and an action framework for managing Council's Property across the following six key strategic property areas:

Leasing and Licencing

Lease Portfolio

Council Property includes a diverse leasing portfolio, currently comprising over 260 Leased and Licensed facilities with a total income of over $2 million and a total asset value of $740 million.

Council's leasing portfolio is used and deployed in many different ways to support Council operationally and strategically. While the majority of Leases and Licences are located on Council owned land, a number are also situated on Crown land managed by Council.

Whilst Council supports community organisations in their role of providing services and programs to the community, the demand for facilities by community organisations in the municipality is increasing. Council's leasing portfolio needs to be managed to maximise usage for active programs and services that benefit the community, consistent with the Council Plan, now and into the future.

It is important that Council not only strategically manages its Lease portfolio for the long-term best interests of the Shire community but also ensures decisions relating to occupancy agreements provide consistency for Tenants, are soundly based, transparent and legally compliant.

Currently leasing and licensing of Council Property is carried out in accordance with the following endorsed policies:

- Commercial Tenancies Policy
- Community Facilities Tenancies Policy
- Commercial and Community Market Agreements Policy
- Community Garden Policy
- Food Truck Policy
- Men's Shed Policy
- School Tenancy on Council Land Policy

These existing policies have resulted in a fragmented approach to managing our Lease portfolio and have led to inconsistencies in Lease and Licence agreements. A single, consolidated policy is required to ensure a consistent and transparent framework for leasing and licensing Council Property.

The adoption of a new Lease and Licence Policy will ensure that Council has a clear, consistent and equitable approach for the allocation and management of Council Property, including standardise rent and outgoings, maintenance obligations and ensuring that Council Property can respond to changing community needs.

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Legislation

Section 115 of the *Local Government Act 2020* empowers Council to Lease land for a term of up to 50 years. Where a Lease is proposed for 10 years or more or has a rental of $100,000 per annum or more, Council is required to undertake community engagement on the Lease proposal. The engagement must be conducted either through inclusion in Council's annual budget or in accordance with Council's Community Engagement Policy.

Where Council has been appointed CoM of Crown land, Council must also comply with section 17 of the *Crown Land (Reserves) Act 1978* in relation to its powers to grant Leases or Licences on reserved Crown land.

Implementation Plan – Leases and Licences

Actions	Timeframe
Adopt a Lease and Licence Policy	FY26/27
Update an Instrument of Delegation to delegate to authorised officers the powers, duties and functions to enter into, vary, review and terminate Leases and Licences prepared in accordance with the Lease and Licence Policy	FY26/27
Establish a comprehensive leasing procedure to provide clear, consistent guidance to Council officers for managing Leases and Licences in compliance with legislative requirements, the Lease and Licence Policy and delegated authority	FY26/27
Develop standard Lease and Licence templates for all Tenants, including maintenance schedules in accordance with the Lease and Licence Policy and regularly review the documentation to maintain best practice	FY26/27
Develop expression of interest templates and procedures for the Lease of Council Property, where appropriate	FY26/27
Develop a project plan that ensures all Tenants occupying Council Property have a current Lease or Licence, in compliance with the Lease and Licence Policy	FY26/27
Undertake a review and audit of Council's Lease and Licence data to ensure accuracy of information and establish one source of truth	FY26/27
Create a roles and responsibility matrix, in collaboration with service teams, to strengthen governance and management of Council's Lease portfolio and Tenant relationships	FY27/28
Investigate options for automated debtor invoicing and financial reporting requirements	FY27/28
Develop and implement a robust reporting framework to monitor Tenant compliance in accordance with the Lease	FY27/28

Actions	Timeframe
Rationalise permissive occupancy agreements	FY28/29

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Sale of Surplus Council Land

Sale of Land Framework

Land is a finite and highly valuable asset, and decisions regarding the sale and acquisition of land carry significant strategic implications. Council's Property needs to respond to the needs of the community now and into the future, which includes selling surplus property and strategically acquiring additional property.

Council currently manages the sale of land in accordance with the Disposal of Property 'Deemed Excess and/or Inappropriate' Policy which was adopted in 2009. Given the polices age and evolving community needs, this policy requires updating to ensure alignment with best practice, strategic objectives and legislative requirements.

A new Sale and Acquisition of Land Policy will provide this framework, incorporating an agreed set of principles and clear criteria to determine when land is considered surplus and suitable for sale. This will ensure Council decisions in relation to the sale of land are robust, transparent, and legally compliant.

The Sale and Acquisition of Land Policy will include a sale of land assessment (Sale of Land Assessment). This assessment will evaluate the suitability of land for disposal based on a range of criteria, including an assessment of existing and new community infrastructure to meet current and future needs. This assessment will be guided by Council's strategies and plans to ensure that decisions on the sale of land reflect strategic priorities, support sustainable growth and respond to the evolving requirements of the community. A priority disposal plan (Disposal Plan) will be developed following the completion of the Sale of Land Assessment.

Legislation and Guidelines

Section 114 of the *Local Government Act 2020* sets out the legal requirements for Council when selling, exchanging, or transferring land. These include:

- Public notice of intention to sell land
- Community engagement in line with the Council's Community Engagement Policy
- Independent valuation within six months of disposal.

Furthermore, the Best Practice Guideline for the Sale, Exchange and Transfer of Land (June 2009) (Guidelines) was issued by Local Government Victoria and the Government Land Monitor to help Victorian councils manage land transactions in a lawful, transparent, and community focused way. It remains a key reference for councils when disposing of land.

How We Sell Surplus Council Land

If Council resolves to sell land, it must comply with all legislative requirements, and the process will be guided by the adopted Sale and Acquisition of Land Policy and the Guidelines. These obligations ensure that the sale of land is lawful, transparent and deliver the best outcomes for

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the community. In addition to meeting these requirements, Council will apply the following principles:

- not sell Council land for less than its current market value, assessed by a qualified valuer, unless there is demonstrable community benefit that justifies a lower price
- seek to achieve the highest and best use of the land, unless there is some derived community benefit not to
- assess opportunities to enhance land value prior to sale, such as rezoning, subdivision, obtaining planning approval for development, or removing existing improvements
- consider imposing restrictions or development requirements to guide the future use of the land
- ensure that the sale of the Council Property is in the best interests of the community and delivers the best result (both financial and non-financial) for Council and its community
- conduct the sale of land through a public process, such as auction, tender (open or selected) or expression of interest unless circumstances justify a direct sale by private treaty.

Implementation Plan - Sale of Surplus Council Land

Actions	Timeframe
Develop an accurate land holdings register (Land Holdings Register) of all Council owned land to ensure accuracy and establish single source of truth	FY26/27
Develop and adopt the Sale and Acquisition of Land Policy including retention of land principles and sale of land criteria	FY26/27
Establish a comprehensive sale of land procedure to provide clear, consistent guidance to Council officers in applying the Sale of Land Assessment and implementing land sales in accordance with the Sale and Acquisition of Land Policy.	FY26/27
Evaluate the land holdings register against the two stage Sale of Land Assessment: a) the retention of land principles in accordance with the Sale and Acquisition of Land Policy b) sale of land criteria in accordance with the Sale and Acquisition of Land Policy	FY26/27 & FY27/28
Develop a prioritised list of Council owned properties for potential disposal (Disposal Property Plan), to be categorised by Western Port, Northern and Southern region. and assessed at local area level within each region.	FY26/27 & FY27/28
Sell land in accordance with the Disposal Plan	Ongoing

Acquisition of Land

Acquisition of Land Framework

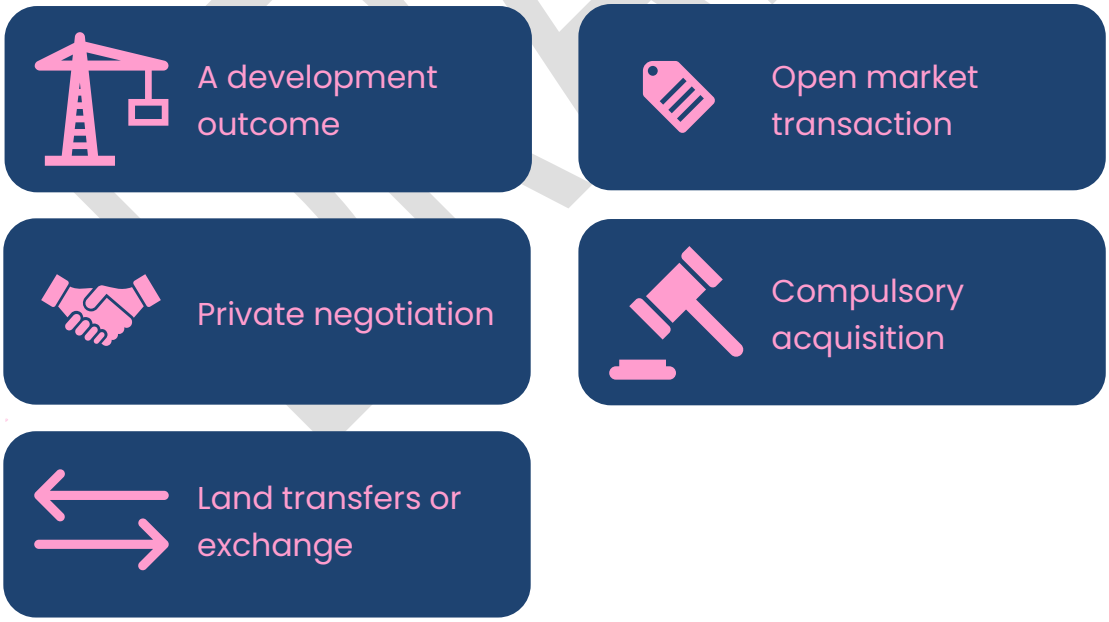
Council's Property should be managed to respond to changing community and organisational needs, ensuring flexibility for future requirements and taking up the opportunity to strategically acquire additional land.

Land is complex in nature and has many varying components. It requires ongoing maintenance, incurs holding costs and cannot be readily converted to cash. For these reasons all land acquisitions must be thoroughly researched, with an appropriate level of due diligence undertaken to ensure a comprehensive understanding of the land prior to proceeding with any acquisition.

Council's acquisition role focuses on identifying land that supports current or future identified service needs and long-term strategic objectives, assessing options for community benefit and value for money, and undertaking rigorous due diligence to evaluate risks, financial impacts, and ongoing costs prior to purchase.

The Sale and Acquisition of Land Policy will provide this framework, incorporating an agreed set of principles and clear criteria to determine when land is considered suitable to purchase (Acquisition Matrix). The Acquisition Matrix will be informed by Council's strategies and plans to ensure that decisions on acquiring land reflect strategic priorities, support sustainable growth and respond to the evolving requirements of the community.

Council may acquire land through:



Legislation

Under section 112 of the *Local Government Act 2020*, Council may purchase or compulsorily acquire land required for, or connected with or incidental to, the performance of its functions or the exercise of its powers.

While the *Local Government Act 2020* requires Council to consult with the community regarding land acquisitions, the timing and extent of consultation may vary throughout the process. This depends on the sensitivity of the acquisition and the potential impact that early public disclosure could have on negotiating commercial terms.

If acquiring land for public open space, Council must comply with section 20(2) of the *Subdivision Act 1988* that specifies Council must use money in the Public Open Space Reserves received under the *Subdivision Act* for specific purposes that include to 'buy land for use for public recreation or public resort, as parklands or similar purposes'.

Council must comply with the *Land Acquisition and Compensation Act 1986* when acquiring land whether by agreement or through a compulsory process. This includes following statutory procedures, and in situations where the land is acquired by a compulsory process will include the issue of notices of intention to acquire and ensuring compensation is determined and paid in accordance with the *Land Acquisition and Compensation Act 1986*.

Implementation Plan - Acquisition of Land

Actions	Timeframe
Develop and adopt a Sale and Acquisition of Land Policy	FY26/27
Establish a comprehensive acquisition of land procedure and checklist to provide clear, consistent guidance to Council officers in applying the acquisition matrix and acquiring land in accordance with the Sale and Acquisition of Land Policy	FY26/27
Evaluation potential acquisition against the Acquisition Matrix	Ongoing

Discontinuances

Roads

Council as the recognised road authority, has a clear responsibility under the *Road Management Act 2004* to effectively manage the local road network. This ensures the network of Roads supports the movement of persons and goods as part of an integrated transport system, while also making Roads available for other appropriate uses. Our Roads are critical to maintaining connectivity across the Shire. Some of these Roads will be freehold land owned by Council, while others are Crown land, and known as government Roads.

Minor Reserves

Council owns a number of Minor Reserves that are no longer required for the purpose for which they were originally set aside for. These parcels of land often provide limited community benefit, have low utilisation, and may impose ongoing maintenance costs.

What is a Discontinuance?

In most cases, Roads or Minor Reserves are still required for access, drainage or other strategic purposes and should remain open to the public. However, Council may support a Discontinuance within its municipality if it is considered in the best interest of the community.

The majority of requests to Discontinue are either initiated by Council as a result of encroachments by adjoining owners over the Road or Minor Reserve, or applications from adjoining owners seeking redevelopment opportunities on their land.

A Discontinuance allows Council the ability to consider repurposing the land or facilitate the disposal.

Council's Discontinuance and Sale of Roads Policy (adopted in 2009) provides limited guidance on Road discontinuances and primarily serves as a procedural document. A new Discontinuance of Roads and Minor Reserves Policy will incorporating an agreed set of principles and clear criteria to provide guidance to ensure Discontinuance proposals are dealt with equitably and in a transparent and consistent manner.

Council's powers to Discontinue are discretionary, meaning Council in its absolute discretion can refuse to proceed with a Discontinuance application if the Road or Minor Reserve is reasonably required for general public use, regardless of whether there is an approved development for the land or an existing encroachment.

Discontinuances are complex and often lengthy processes that can take up to 12 months to complete. They involve many stages to ensure compliance with legislative requirements and to ensure that the Road or Minor Reserve is no longer required for public use or required for strategic retention. These processes can be contentious and, in some cases, litigious, requiring

thorough investigation, community engagement, and careful consideration of legal and financial implications.

Legislation

Pursuant to section 206 and Schedule 10 clause 3 of the *Local Government Act 1989* Council has the power to discontinue and sell all or a section of Road (including constructed and unconstructed Roads), but in order to do so, Council must give public notice and hear submissions in accordance with section 223 of the *Local Government Act 1989*. Submitters are invited to speak in support of their submission at a Section 223 Committee.

The Discontinuance of a Road permanently closes it and removes all private and public encumbrances from the land, except for certain rights retained by public authorities. Once a Road is discontinued, the land vests in freehold in Council unless the Road is a government Road, in which case it will vest in the State as Crown land.

Where a Road is on the register of public roads it must be removed from the register as part of the Road discontinuance process and in accordance with the *Road Management Act 2004*.

In accordance with Section 24A of the *Subdivision Act 1988* Council has the power to remove the reserve status from land designated a Minor Reserve. The removal of reserve status means the land is formally vested in Council as a lot on title.

Before selling land, Council must also comply with section 114 of the *Local Government Act 2020,* including undertaking community engagement in accordance with Council's Community Engagement Policy.

Implementation Plan - Discontinuances

Actions	Timeframe
Develop and adopt a Discontinuance of Roads and Minor Reserves Policy	FY26/27
Develop procedures, checklists and template documents to provide guidance to Council Officers on Discontinuance activities	FY26/27
Develop a proactive approach to identify and prioritise opportunities to discontinue and sell Roads and Minor Reserves that are no longer required	FY27/28

Boatsheds and Bathing Boxes

Bathing Boxes are iconic features of the Mornington Peninsula foreshore, valued for their historical and cultural significance. They have historical and cultural value and serve the functional purpose of the storage of boats and beach equipment.

Council, as CoM, currently manages 819 of the 1,300 Bathing Boxes within the Shire. The remainder are managed by community CoMs.

What is Council role in managing Bathing Boxes?

In conjunction with DEECA, Council oversees the use, occupancy and management of Bathing Boxes. This includes licensing, transfers, and regular inspections to ensure compliance with the *Marine and Coastal Act 2018, Crown Land (Reserves) Act 1978* and DEECA guidelines.

The existing Boatshed and Bathing Box Policy was adopted by Council in 2000 and does not adequately address current legislative requirements, operational practices, or evolving community expectations. A new Bathing Box and Boatshed Policy will provide guiding principles for the management of Bathing Boxes, while recognising their sensitive coastal location and Council's obligations as CoM.

Legislation

Council manages Bathing Boxes in accordance with *Crown Land (Reserves) Act 1978* and the *Coastal Management Act 1995*. Bathing Boxes must be:

- constructed in accordance with DEECA Construction Guidelines 2015
- managed in accordance with DEECA Guidelines for the Management of Existing Bathing Boxes and Boatsheds on Marine and Coastal Crown Land March 2022.

Implementation Plan – Boatsheds and Bathing Boxes

Actions	Timeframe
Develop and adopt the Boatshed and Bathing Box Policy	FY26/27
Strengthen collaboration with the Mornington Peninsula Beach Box Association and community foreshore CoM's that manage Bathing Boxes to support the ongoing management of Bathing Boxes in the Shire	FY26/27
Continue to strengthen the partnership with DEECA in relation to the management of Bathing Boxes in the Shire	FY26/27

Actions	Timeframe
Develop procedures and checklist to provide guidance to Council officers regarding Bathing Box management, including inspections, approval and compliance associated with repairs and maintenance, sand removal and transfer processes	FY27/28
Develop Licence templates for the use and occupation of Bathing Boxes	FY26/27
Develop and implement project plan for the roll out of Licence agreements to all Bathing Box owners	FY26/27

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Strategic Property Advice

The Property Team acts as custodian of Council Property, managing both freehold land and Crown land, and acting as landlord for the Shire. The Property Team plays a critical role in ensuring Council Property is managed strategically and responsibly. The Team provides expert advice to mitigate risk and ensure that property decisions comply with Council policies, statutory frameworks, governance requirements and best practice. This approach ensures Council Property is managed as a key strategic asset that underpins sustainable service delivery, rather than simply an operational resource.

The Property Team conducts research and investigations to ensure informed decisions on Council property matters. This includes (among other things) advising on suitable tenure agreements, land ownership, land status, identifying encumbrances and other legal restrictions that affect Council Property. These due diligence checks mitigate risk and provide clear, accurate advice to support leasing, acquisitions, disposals, and ongoing management of Council's Property.

The Property Team focuses on aligning Council Property decisions with Council's long term objectives and the current and future demand of community needs as identified in Council's Strategies and Plans, including (but not limited to):

- Community Facilities Infrastructure Strategy
- Open Space Strategy
- Sustainable Transport Strategy
- Council's Triple A Housing Plan and Social and Affordable Housing Policy.

Early involvement of the Property Team in property projects ensures decisions are based on a clear understanding of legal, planning, and financial implications. This includes advising on approval pathways and appropriate legal frameworks. This proactive approach helps Council avoid compliance issues, poor investment decisions, and choices that could restrict future options and lead to better project delivery and outcomes for the community.

Education

The Property Team plays a key role in educating officers, management and Councillors by building organisational understanding of best practice in local government property.

The Property Team will promote awareness of property processes, responsibilities and learnings, strengthening capability across the organisation. A proactive education approach will build capability, reduce organisational risk and will ensure that property decisions at all levels are transparent, consistent and aligned with strategic objectives.

> "... promote awareness of property processes, responsibilities and learnings, strengthening capability across the organisation."

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Encroachments

Over time, numerous Encroachments on Council Property have occurred without remedial action, resulting in widespread issues. Addressing these Encroachments is essential to protect Council and community interests, uphold legislative obligations and ensure Council Property is managed in accordance with strategic objectives.

Council's enforcement powers regarding Encroachments vary depending on land ownership. Officers will use a range of approaches to address Encroachments, depending on the circumstances. For Encroachments located on Council owned or managed land, the Property Team will carry out preliminary investigations to understand the status of the land and the form of the Encroachment and determine an appropriate resolution that balances the interests of both the community and Council.

The Property Team will take carriage of matters where the encroached land could be considered suitable for a Discontinuance and/or sale.

Implementation Plan – Property Advice

Actions	Timeframe
Property Team to present at Unit and Directorate meetings to promote Property Team and learnings	FY26/27
Update Knowledge Base	FY26/27
Investigate developing property management learning module and Crown land	FY27/28
Create a welcome pack for new starters (induction)	FY27/28
Update the Property Team SharePoint page	FY26/27
Create opportunities for knowledge transfer across Council Teams	FY27/28
Undertake 'Lessons Learned' sessions	FY27/28
Attend and participate in nominated Project Working Group and Steering Committee meetings as required to inform and support the achievement of strategic property outcomes for the organisation	Ongoing
Investigate inclusion of Property requirements in each Unit business plans	FY27/28
Establish a project specific compliance roadmap (Local Government Act, Crown Land (Reserves) Act, Marine and Coastal Act), etc	FY27/28

Consolidated Implementation Action Plan by Timeframe

Work Stream	Action	Timeframe
Acquisition of Land	Develop and adopt a Sale and Acquisition of Land Policy	FY26/27
Acquisition of Land	Establish a comprehensive acquisition of land procedure and checklist to provide clear, consistent guidance to Council officers in applying the acquisition matrix and acquiring land in accordance with the Sale and Acquisition of Land Policy	FY26/27
Boatsheds and Bathing Boxes	Develop and adopt the Boatshed and Bathing Box Policy	FY26/27
Boatsheds and Bathing Boxes	Strengthen collaboration with the Mornington Peninsula Beach Box Association and community foreshore CoM's that manage Bathing Boxes to support the ongoing management of Bathing Boxes in the Shire	FY26/27
Boatsheds and Bathing Boxes	Continue to strengthen the partnership with DEECA in relation to the management of Bathing Boxes in the Shire	FY26/27
Boatsheds and Bathing Boxes	Develop Licence templates for the use and occupation of Bathing Boxes	FY26/27
Boatsheds and Bathing Boxes	Develop and implement project plan for the roll out of Licence agreements to all Bathing Box owners	FY26/27
Discontinuances	Develop and adopt a Discontinuance of Roads and Minor Reserves Policy	FY26/27
Discontinuances	Develop procedures, checklists and template documents to provide guidance to Council Officers on Discontinuance activities	FY26/27

Work Stream	Action	Timeframe
Leases and Licences	Adopt a Lease and Licence Policy	FY26/27
Leases and Licences	Update an Instrument of Delegation to delegate to authorised officers the powers, duties and functions to enter into, vary, review and terminate Leases and Licences prepared in accordance with the Lease and Licence Policy	FY26/27
Leases and Licences	Establish a comprehensive leasing procedure to provide clear, consistent guidance to Council officers for managing Leases and Licences in compliance with legislative requirements, the Lease and Licence Policy and delegated authority	FY26/27
Leases and Licences	Develop standard Lease and Licence templates for all Tenants, including maintenance schedules in accordance with the Lease and Licence Policy and regularly review the documentation to maintain best practice	FY26/27
Leases and Licences	Develop expression of interest templates and procedures for the Lease of Council Property, where appropriate	FY26/27
Leases and Licences	Develop a project plan that ensures all Tenants occupying Council Property have a current Lease or Licence, in compliance with the Lease and Licence Policy	FY26/27
Leases and Licences	Undertake a review and audit of Council's Lease and Licence data to ensure accuracy of information and establish one source of truth	FY26/27
Sale of Surplus Council Land	Develop an accurate land holdings register (Land Holdings Register) of all Council owned land to ensure accuracy and establish single source of truth	FY26/27
Sale of Surplus Council Land	Develop and adopt the Sale and Acquisition of Land Policy including retention of land principles and sale of land criteria	FY26/27

Work Stream	Action	Timeframe
Sale of Surplus Council Land	Establish a comprehensive sale of land procedure to provide clear, consistent guidance to Council officers in applying the Sale of Land Assessment and implementing land sales in accordance with the Sale and Acquisition of Land Policy.	FY26/27
Sale of Surplus Council Land	Evaluate the land holdings register against the two stage Sale of Land Assessment: a) the retention of land principles in accordance with the Sale and Acquisition of Land Policy b) sale of land criteria in accordance with the Sale and Acquisition of Land Policy	FY26/27 & FY27/28
Sale of Surplus Council Land	Develop a prioritised list of Council owned properties for potential disposal (Disposal Property Plan), to be categorised by Western Port, Northern and Southern region. and assessed at local area level within each region.	FY26/27 & FY27/28
Property Advice	Property Team to present at Unit and Directorate meetings to promote Property Team and learnings	FY26/27
Property Advice	Update Knowledge Base	FY26/27
Property Advice	Update the Property Team SharePoint page	FY26/27
Boatsheds and Bathing Boxes	Develop procedures and checklist to provide guidance to Council officers regarding Bathing Box management, including inspections, approval and compliance associated with repairs and maintenance, sand removal and transfer processes	FY27/28
Discontinuances	Develop a proactive approach to identify and prioritise opportunities to discontinue and sell Roads and Minor Reserves that are no longer required	FY27/28
Leases and Licences	Create a roles and responsibility matrix, in collaboration with service teams, to strengthen governance and management of Council's Lease portfolio and Tenant relationships	FY27/28

Work Stream	Action	Timeframe
Leases and Licences	Investigate options for automated debtor invoicing and financial reporting requirements	FY27/28
Leases and Licences	Develop and implement a robust reporting framework to monitor Tenant compliance in accordance with the Lease	FY27/28
Property Advice	Investigate developing property management learning module and Crown land	FY27/28
Property Advice	Create a welcome pack for new starters (induction)	FY27/28
Property Advice	Create opportunities for knowledge transfer across Council Teams	FY27/28
Property Advice	Undertake 'Lessons Learned' sessions	FY27/28
Property Advice	Investigate inclusion of Property requirements in each Unit business plans	FY27/28
Property Advice	Establish a project specific compliance roadmap (Local Government Act, Crown Land (Reserves) Act, Marine and Coastal Act), etc	FY27/28
Leases and Licences	Rationalise permissive occupancy agreements	FY28/29
Acquisition of Land	Evaluation potential acquisition against the Acquisition Matrix	Ongoing
Sale of Surplus Council Land	Sell land in accordance with the Disposal Plan	Ongoing
Property Advice	Attend and participate in nominated Project Working Group and Steering Committee meetings as required to inform and support the achievement of strategic property outcomes for the organisation	Ongoing

Monitoring and Evaluation

The implementation of the Strategy will be monitored and evaluated against the recommended actions in the Consolidation Action Plan. The Strategy will be reviewed after 5 years to ensure that implementation priorities reflect current needs and expectations.

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Contact Mornington Peninsula Shire

Phone: 1300 850 600 (24 hours)

TTY: 133 677 then request 1300 850 600

TIS: 131 450

NRS: Connect to NRS on accesshub.gov.au then request 1300 850 600

Email: customerservice@mornpen.vic.gov.au

Mail: Private Bag 1000, Rosebud, Victoria, 3939

Website: mornpen.vic.gov.au

facebook.com/mornpenshire

instagram.com/ourpeninsula

youtube.com/MornPenShire

Mornington Peninsula Shire Service Centres

Rosebud Office
90 Besgrove Street, Rosebud

Mornington Office
2 Queen Street, Mornington

Hastings Office
21 Marine Parade, Hastings

Council Policy

Sale and Acquisition of Land Policy

ECM Reference:

Mornington Peninsula Shire

1.0 AUTHORITY

- *Local Government Act 2020*
- Council Plan 2025-2029

2.0 INTENT

The intention of this Policy is to ensure that the Mornington Peninsula Shire Council (Council):

2.1 Has a consistent, equitable and transparent framework for the Sale of Council Land and Acquisition of land within the municipality.

2.2 Complies with all legislative requirements when undertaking the Sale of Council Land or Acquisition of land.

2.3 Manages Council's property portfolio strategically for the long-term interests of both Council and the community.

2.4 Delivers the best financial and non-financial value in all of its land dealings.

3.0 SCOPE

3.1 This Policy provides the framework for how Council will Acquire and Sell land.

3.2 This Policy applies to all Council Land.

3.3 The Policy does not apply to:

- Roads and Minor Reserves (as defined in *Council's Road Discontinuance and Minor Reserves Policy*)
- The creation, alteration and extinguishment of easements.

4.0 GOVERNANCE PRINCIPLES

Under the *Local Government Act 2020*, Council must give effect to the following overarching governance principles:

- Council decisions are to be made and actions taken in accordance with the relevant law.

Approved by: XXXXX
Approval date: XX/XX/XX
Scheduled Review Date: xx/xx/xx

Council Policy
Sale and Acquisition of Land Policy

ECM Reference:

Mornington Peninsula Shire

- Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
- The municipal community is to be engaged in strategic planning and strategic decision making.
- Innovation and continuous improvement is to be pursued.
- The ongoing financial viability of the Council is to be ensured.
- The transparency of Council decisions, actions and information is to be ensured.

5.0 POLICY STATEMENT

5.1 Introduction

5.1.1 Land is a finite and highly valuable asset. Decisions regarding the Sale and Acquisition of land carry significant strategic implications. Council's property portfolio must align with Council's strategic priorities, support sustainable growth and respond to the evolving requirements of the community now and into the future.

5.1.2 Council is empowered under the *Local Government Act 2020* to acquire, hold, manage and dispose land for the purposes of performing its functions and exercising its powers.

5.1.3 This Policy establishes a clear framework incorporating principles and criteria to determine when land is suitable for Sale or purchase. This ensures Council decisions regarding land transactions are robust, transparent, and legally compliant

5.2 Sale of Land Assessment

5.2.1 To ascertain whether or not Council Land may be considered for Sale, a two-stage Sale of land Assessment must be carried out:

- Stage One: Retention of Land Principles
- Stage Two: Sale of Land Criteria

Council Policy
Sale and Acquisition of Land Policy

ECM Reference:

Mornington Peninsula Shire

5.3 Stage One: Retention of Land Principles

5.3.1 Council Land must be retained, where the Council Land meets any one of the following retention of land principles:

5.3.2 supports, facilitates or contributes to current or future service or infrastructure needs as identified in the Council Plan or relevant Strategy or Plan

5.3.2.1 contributes economic, environmental or community benefit to justify its retention

5.3.2.2 is public open space in a gap area

5.3.2.3 has long-term strategic significance to Council

5.3.2.4 where the service is still required, the cost of re-establishing the service on another site significantly exceeds the net realisable value.

5.4 Stage Two: Sale of Land Criteria

5.4.1 If the Council Land is evaluated against the Retention of Land Principles and does not meet any of those principles, a detailed land due diligence assessment will be undertaken. This assessment must consider the following criteria:

5.4.1.1 legal considerations relating to title, including restrictions, leases, covenants, easements, or encumbrances

5.4.1.2 ownership and how the Council Land was acquired by Council

5.4.1.3 survey matters including land boundaries and ensuring that no land is rendered landlocked

5.4.1.4 planning and zoning requirements

5.4.1.5 environmental and ecological considerations including contamination

5.4.1.6 conservation values including historical, cultural, heritage and Native Title considerations

5.4.1.7 if assets are located on the Council Land, their condition and maintenance considerations

5.4.1.8 financial considerations and value of the Council Land.

Council Policy
Sale and Acquisition of Land Policy

ECM Reference:

Mornington Peninsula Shire

5.5 Sale of Land Principles

If, following the completion of the two-stage land assessment, the Council Land is determined to be suitable for potential Sale, the following Sale of Land Principles will apply.

Council must:

5.5.1.1 not sell Council Land for less than its current Market Value, assessed by a Valuer, unless there is demonstrable community benefit that justifies a Sale at a lesser value

5.5.1.2 seek to achieve the highest and best use of the Council Land, unless there is some derived community benefit not to

5.5.1.3 assess opportunities to enhance the Council Land value prior to the Sale, such as rezoning, subdivision, obtaining planning approval for development, or removing existing improvements

5.5.1.4 consider imposing restrictions or development requirements to guide the future use of the Council Land once sold

5.5.1.5 ensure that the Sale of the Council Land is in the best interests of the community and delivers the best result (both financial and non-financial) for Council and its community

5.5.1.6 conduct the Sale of Council Land through a public process, such as auction, tender (open or selected) or expression of interest unless circumstances justify a direct Sale by private treaty

5.5.1.7 give consideration to the Best Practice Guidelines.

5.6 Council resolution

5.6.1 Where the two-stage land Assessment identifies Council Land as suitable for potential Sale, Council must formally resolve to authorise the commencement of the statutory process to consider a proposal for Sale of the Council Land.

5.6.2 The findings from community engagement must be reported to Council for a decision on whether the Council Land will be sold, retained, or considered for an alternative use. Following Council's decision on the proposal, the community must be notified of the outcome.

Council Policy
Sale and Acquisition of Land Policy

ECM Reference:

Mornington Peninsula Shire

5.7 Statutory requirements for Sale of Council Land

5.7.1 If Council resolves to Sell Council Land, it must comply with all legislative requirements.

5.7.2 Section 114 of the *Local Government Act 2020* sets out the statutory requirements for Council when Selling, exchanging, or transferring land. These include:

5.7.2.1 Public notice of intention to sell land

5.7.2.2 Carry out community engagement in accordance with Council's Community Engagement Policy

5.7.2.3 Independent valuation within six months of the Sale.

5.8 Sale of Land Process

5.8.1 The Sale of Council Land will ordinarily be undertaken through a public process. In exceptional circumstances, Sale of Council Land by private treaty may be considered more appropriate. Factors to consider include the nature of the Council Land, the manner in which the Sale was initiated and whether previous public Sale methods have been unsuccessful.

5.8.2 The reserve price for the Sale of Council Land by public process must be determined prior to the day of auction or closing date for tenders or expression of interest. The reserve price must not be less than the current Market Value of the Council Land unless there is demonstrable community benefit that justifies a Sale at a lesser value.

5.8.3 Council may also engage a probity auditor to provide independent assurance that the Sale of land process is appropriate and is conducted in accordance with industry standards.

5.9 Sale of Land Proceeds

5.9.1 Proceeds from the sale of all Council Land should be dispersed in accordance with Council's adopted annual budget, Council's adopted long term financial plan or any other resolution of Council, except in the case of public open space land where funds will be allocated to Council's Open Space Fund in accordance with section 24A (8) Subdivision Act 1988.

Council Policy
Sale and Acquisition of Land Policy

ECM Reference:

Mornington Peninsula Shire

5.10 Acquisition of Land Principles

5.10.1 Council must ensure that any proposed Acquisition of Land can be clearly demonstrated as required to support or facilitate current or future identified service needs and align with Council's long-term strategic objectives.

5.10.2 To determine whether land is considered suitable for Acquisition, a detailed land due diligence assessment will be undertaken. This assessment must consider the following criteria:

5.10.2.1 The land proposed for Acquisition must meet at least one of the following principles:

5.10.3 supports, facilitates or contributes to current or future service or infrastructure needs as identified in the Council Plan or relevant Council Strategy or Plan.

- provides sufficient economic, environmental or community benefit to justify acquisition
- addresses a public open space gap
- has long term strategic significance for Council
- enables or promotes investment and positive economic development outcomes.

5.10.3.1 legal considerations relating to title, including restrictions, leases, covenants, easements, or encumbrances

5.10.3.2 survey matters including land boundaries

5.10.3.3 planning and zoning requirements

5.10.3.4 environmental considerations including contamination

5.10.3.5 conservation values including historical, cultural, heritage and Native Title considerations

5.10.3.6 if assets are located on the land, their condition and maintenance considerations

5.10.3.7 financial considerations and value of the land.

Council Policy
Sale and Acquisition of Land Policy

ECM Reference:

Mornington Peninsula Shire

5.11 Acquisition of Land Process

5.11.1 When Acquiring land, Council must obtain an independent market valuation from a Valuer to determine the current Market Value of the land proposed for Acquisition.

5.11.2 Generally, Council will not acquire land at a price exceeding the assessed Market Value unless the proposed Acquisition is strategically important and will deliver a demonstrable and significant community benefit that justifies purchasing the land above market value.

6.0 HUMAN RIGHTS CHARTER COMPATIBILITY

This Policy has been assessed as being compatible with *the Charter of Human Rights and Responsibilities Act 2006* and aligns with Council's Universal Design Policy 2022.

7.0 ASSOCIATED DOCUMENTS

- *Land Acquisition and Compensation Act 1986*
- *Local Government Act 2020*
- *Planning and Environment Act 1987*
- *Subdivision Act 1988*
- *Transfer of Land Act 1958*
- *Valuation of Land Act 1960*
- Community Engagement Policy
- Discontinuance and Sale of Road and Minor Reserves Policy
- Council Plan 2025-2029
- Property Strategy
- Local Government Best Practice Guidelines for the Sale, Exchange and Transfer of Land

Council Policy
Sale and Acquisition of Land Policy

ECM Reference:

Mornington Peninsula Shire

8.0 DEFINITIONS

Acquisition/Acquire	means the process of gaining ownership or control of land, or an interest in land through purchase, vesting, transfer or exchange
Best Practice Guidelines	means Local Government Best Practice Guideline for Sale/Exchange of Land dated June 2009, prepared by Local Government Victoria and the Government Land Monitor and the Department of Planning and Community Development
Council	means the Mornington Peninsula Shire Council.
Council Land	means any freehold land that is owned or vested in Council but excludes land where Council is the Committee of Management of Crown land
Council Plan	means the Council Plan 2025-2029
Sale/Sell	means the transfer or disposition of land or any interest in land for consideration
Market Value	means the value of the land as determined by a Valuer
Valuer	means a qualified person with suitable experience as specified in the *Valuation of Land Act 1960* appointed by Council

9.0 POLICY SPONSOR

The Manager - Assets, Buildings and Property is responsible for overseeing the application and review of the Sale and Acquisition of Land Policy.

Council Policy

Sale and Acquisition of Land Policy

ECM Reference:

Mornington Peninsula Shire

10.0 DOCUMENT CONTROLS

10.1 Council will review the Sale and Acquisition of Land Policy within four years or earlier as required.

10.2 **Document Version Table**
Summarise the key changes made to the document to provide a quick understanding of the updates.

Document Version Control				
Version	**Section**	**Revision Description**	**Date Revised**	**Approved by**

Administrative Updates
It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Shire department, the change to an existing policy or document referred to in this policy, and minor updates to legislation and the like which does not have a material impact. However, any change or update which materially alters the document must be by resolution of Council.

Discontinuance and Disposal of Roads Policy

Policy No. 09/19

PURPOSE	To establish a framework to assist the Council in the exercise of its statutory functions, duties and powers under the Local Government Act 1989 to discontinue roads within the municipal district, and to make decisions as to whether the land in discontinued roads should be sold, transferred to Council or retained by Council for municipal purposes.
OBJECTIVES	The objectives of this policy are to: • establish documented procedures as to how a person may request Council to discontinue a road and how Council itself may initiate a road discontinuance proposal; • ensure that arrangements for the allocation and disposal of land in discontinued roads are carried out in a fair and equitable manner; • ensure transparency, accountability and consistency in Council decision making; • ensure compliance with the requirements of the Act in relation to the performance of the functions of Council and the exercise of its powers over roads.
SCOPE	This Policy applies to any road within the municipal district and pursuant to the powers of the Council as set out in Schedule 10 of the Act.
DEFINITIONS	In this policy: **"Act"** means the *Local Government Act* 1989; **"applicant"** means the person requesting Council to discontinue a road; **"Council"** means the Mornington Peninsula Shire; **"Manager – Property & Valuations"** means the person appointed by Council to that position or any person acting in that position; **"municipal district"** means the district under the local government of Council; **"policy"** means this policy including any amendments approved by Council; **"road"** includes (whether in whole or in part): • a street; • a right-of-way or lane;

Adopted by Council:
12 October 2009

Discontinuance and Disposal of Roads Policy

Policy No. 09/19

DEFINITIONS (CONT'D)	**"road"** includes (whether in whole or in part) (Cont'd): • any land reserved or proclaimed as a street or road under the *Crown Land (Reserves) Act* 1978 or the *Land Act* 1958; • a passage; • a cul de sac; • a bypass; • a bridge or ford; • a footpath, bicycle path or nature strip; • any culvert or kerbing or other land or works forming part of the road; and • any land described or set apart as a road by the owner in fee simple in any transfer or conveyance in which the owner granted an easement of right-of-way over such land, despite such road having not existed or presently existing on such land.
STATUTORY PROVISIONS	The schedule attached to this policy is incorporated by reference.
COMPLETION OF PRE-ACT ROAD DISCONTINUANCES	Where Council has previously discontinued a road under the now repealed section 528(2) of the *Local Government (Miscellaneous) Act* 1958, it is still possible to deal with that land by old Act transfer (in the case of a sale and transfer) or under section 54 of the *Transfer of Land Act* 1958 (in the case of Council wishing to retain the land for a municipal purpose).
POLICY	1. Council will consider the discontinuance of a road having considered the present and future use of the road and the extent and type of past use of the road and the availability of alternate means of access. 2. A road will only be considered for disposal after the road has been formally discontinued. 3. It is entirely at the discretion of Council to discontinue and dispose of a road. 4. A decision to discontinue and dispose of a road will have regard to a range of circumstances including, any right, power or interest held by any public authority (including Council) in the road in connection with any sewers, drains, pipes, wires or cables under the control of the authority in or near the road.

Discontinuance and Disposal of Roads Policy

Policy No. 09/19

PROCEDURE	**Applications for Discontinuance** An application for the discontinuance and sale of a road must: • be made in writing to Council; and • generally be supported by evidence that the owners and occupiers of land abutting or immediately adjacent to the road have been consulted in relation to the proposed discontinuance and disposal. **Assessment** On receipt of an application, the Manager – Property & Valuations (following appropriate internal referrals to Council Departments and based on the responses received from those Departments) must determine that there is overall public benefit in the proposal and that the road is not reasonably required for public use. In assessing 'overall public benefit' of the road, issues to be considered include: • the current use; • potential future use; • vehicular and pedestrian access needs; and • current and future use by public authorities. If the Manager – Property & Valuations concludes that there is public disbenefit, the application will not be considered any further, and the applicant will be advised in writing of the decision and the reasons for the decision. If the Manager – Property & Valuations concludes that there is overall public benefit, the following further procedural requirements will apply: • a valuation of the land in the road must be obtained from a person who holds the qualifications or experience specified under section 13DA(1A) of the *Valuation of Land Act* 1960, • the valuation, which must reflect the market value of the land, must not be more than six months old prior to the proposed sale and must be undertaken on a 'highest and best use' basis; • the sale price will be no less than the valuation; • GST will be applicable on any sale and is payable by the applicant;

Discontinuance and Disposal of Roads Policy

Policy No. 09/19

PROCEDURE (CONT'D)	**Assessment** (Cont'd) • any costs in relation to the discontinuance and sale including survey fees and legal costs are payable by the application; • In most cases, the applicant will be required to consolidate the discontinued road with their adjoining property. **Acceptance** Subject to the applicant agreeing in writing to accept the terms and conditions of the policy in relation to the proposed discontinuance, officers will commence the statutory procedures under the Act to discontinue the road and to sell the land in the road to the applicant or other adjoining land owner. If no objections are received for the discontinuance and disposal of the road and the sale price is less than $25,000.00 (Twenty-Five Thousand Dollars), the Manager - Property and Valuations and Director – Sustainable Organisation can, under delegation, determine to discontinue and dispose of the road. If objections are received, Council must determine on the discontinuance after having considered the submissions received pursuant to Section 223 of the Act. **Where an application for the discontinuance of a road is made by Council** Council may in circumstances that it considers appropriate initiate a road discontinuance proposal itself, in which case Council will comply with this policy with such modifications as the Manager – Property and Valuations considers appropriate, having regard to the interest of Council in the discontinuance.
RESPONSIBILITY	**Manager – Property and Valuations** For ensuring the Policy is implemented and reviewed regularly and for processing requests under delegated authority. (Council may in accordance with Section 98 of the Act delegate to a member of the Council staff any power, duty or function under this policy, other than any power, duty or function under section 223 of the Act.) **Council** For considering and determining requests for property that cannot be satisfied under delegation.

Discontinuance and Disposal of Roads Policy

Policy No. 09/19

RESPONSIBILITY (CONT'D)	**Manager - Infrastructure Strategy** **Manager - Recreation & Leisure** **Manager - Infrastructure Maintenance** For assessing the future needs and requirements of the road and suitability for sale.
RELATED POLICIES	Nil.
RELATED LEGISLATION	**Local Government Act:** this Act will apply to all applications. **Transfer of Land Act 1958:** this Act will apply if Council wishes, following a discontinuance, to transfer the land in a discontinued road for which Council has already taken title. In relation to such transfers, section 189 of the Local Government Act 1989 should be noted. **Subdivision Act 1988:** this Act will apply if a subdivision or consolidation of land is required which includes the land in a discontinued road.
OTHER ROAD DISCONTINUANCE POWERS	This policy does not apply to the discontinuance of roads under section 44 of the Planning and Environment Act 1987 (where Council as a planning authority may discontinue (or close) a road by amendment to the Mornington Peninsula Planning Scheme), under section 12 of the Road Management Act 2004 (where Council as a co-ordinating road authority may, in accordance with that section, discontinue a public road) or under section 399 of the Land Act 1958 (where a road set out on Crown land may be closed with the consent of Council).
REVIEW	This Policy shall be subject to review within 12 months of the next general Council election to be held in November 2012.

Closure and Disposal or Licensing of Unused Roads on Crown Land by the Department of Sustainability and Environment (DSE)

Policy No. 4.1

PURPOSE	To specify Council requirements prior to the Shire consenting to the proposed closure and disposal or licensing of Crown Land contained in road reserves by DSE.
OBJECTIVES	• To ensure future traffic and access requirements are preserved for a local area where considered necessary by the Shire. • To ensure Crown Land is not sold or licensed to others when required for Shire purposes or Public Open Space. • To ensure appropriate consultation is undertaken with the related "community of interest". • To ensure compliance of proposals with the Shire Sustainability Framework and Access and Equity Policy.
SCOPE	• This policy applies to the closure of unused roads on Crown Land by DSE. • DSE requires Shire consent, in writing, prior to proceeding with any proposal to close roads on Crown Land, in accordance with the provisions of the Land Act 1958.
DEFINITIONS	**Unused Road –** Road laid out on Crown Land which is not constructed and not used for the purposes of vehicular or pedestrian traffic by the general public. **Crown Land –** Land which is, or is deemed to be, un-alienated land of the crown, including "Government Roads" set out to provide access to original Crown Allotments. **DSE –** Department of Sustainability and Environment

Closure and Disposal or Licensing of Unused Roads on Crown Land by the Department of Sustainability and Environment (DSE)

Policy No. 4.1

POLICY	1. That all proposals for closure of unused roads on Crown Land, submitted for Council consent, comply with the procedures contained in this policy. 2. That Council retains the right to refuse to consent to the closure of a road or part of a road on Crown Land where it considers that such road should be retained for access or other public purposes. 3. That, on request from DSE, Shire engineering officers provide preliminary technical advice on whether they think that the proposal should proceed. This advice is supportive only and will not pre-empt Council's final decision which will encompass consideration of broader community factors. 4. Any concurrence by Council to road closure does not pre-empt the consideration of the relevant planning scheme. 5. Consolidation of the road title with the purchaser's title is recommended in rural areas (or like zones) where Council seeks to implement the objectives of the Mornington Peninsula Planning Scheme.
BACKGROUND	The closure of roads on Crown Land is generally initiated by owners of adjacent land who wish to purchase or license all or part of the land contained in a road, adjacent to their property, from DSE. Generally this land has historically been fenced in and used in conjunction with the applicant's property for many years. As part of the road closure process DSE is required to consult with all the adjoining owners and obtain their formal consent and that of Council. This consultation process should incorporate a notice in a newspaper locally circulating in the area of interest or the Shire newspaper. A Land Use Planning assessment and Survey Report is undertaken by specialist DSE Officers - 1. A Land Use Planner investigates and documents the public land values of the property. Public land values include environmental, historic, community & cultural values associated with the site. As part of the investigations the Land Use Planner may consult with Council Officers, Parks Victoria and others. The report may recommend retention of the land in public ownership or disposal to the applicant or others. The Land Victoria Manager reviews the recommendations of this report.

Closure and Disposal or Licensing of Unused Roads on Crown Land by the Department of Sustainability and Environment (DSE)

Policy No. 4.1

BACKGROUND (CONT'D)	2. Provided the land is declared "surplus", a Licensed Surveyor prepares a Survey Report. This report ensures the land is correctly identified, provides a basic feature plan of the area and deals with issues of current usage, method & manner of disposal, zoning, special conditions and the need for any easements or survey. Consultation with Council, service authorities and others is undertaken where appropriate. A Senior Surveyor within DSE reviews this report. Crown Land that is zoned for Public Purposes under any Municipal Planning Scheme must be appropriately rezoned prior to a sale proceeding. All Crown Land is affected by Native Title legislation and extinguishment of Native Title is required before any Crown Land may be sold. Any rezoning requirement or Native Title consideration is the responsibility of DSE. The development of any road so closed is subject to the relevant planning scheme.
PROCEDURE	**DSE to supply to the Shire a copy of the Land Use Planning Assessment and Survey Report undertaken by DSE officers.** **Assessment of the proposal by Shire officers** to determine if: (a) The road is necessary to: • Provide for future vehicle, pedestrian, bicycle, equestrian or emergency access. • Provide for provision and maintenance of existing or future Shire assets. • Determine if the land is required for a public (including public open space) or Shire purpose. (b) Appropriate consultation has been undertaken with the "community of interest". This will usually entail letters to neighbours, a public notice in a local newspaper circulating in the area effected and direct communication with any 'known' interest groups. On request, Shire officers to provide DSE with contact details for any such groups.

Closure and Disposal or Licensing of Unused Roads on Crown Land by the Department of Sustainability and Environment (DSE)

Policy No. 4.1

PROCEDURE (Cont'd)	**Easements must be provided** over the alignment of any existing or future assets of the Shire where deemed necessary by the Shire. The Shire shall provide to DSE a diagram showing any such easement required by the Shire. **Shire Officers will prepare a report** for Council or Council's delegated officer outlining the proposal and providing recommendations.
RESPONSIBILITY	**Manager – Infrastructure Project Management –** for ensuring that the policy and procedures are implemented. **Senior Traffic Engineer –** to coordinate initial assessment of the proposal and to liaise with personnel from other departments.
RELATED POLICIES	Policy 1.10 – Discontinuance and Disposal of Roads (by the Shire) under the provisions of the Local Government Act, 1989. Access and Equity Policy.
RELATED LEGISLATION	The Land Act 1958.
REFERENCES	Council File 710/020
REVIEW	This policy shall take effect for three(3) years from the date of Council adoption and shall be reviewed no later than 1 March 2006. Note: This Policy was adopted on the 3 February 2002 at the Forward Planning Committee Meeting.

Council Policy
Discontinuance of Roads and Minor Reserves Policy

ECM Reference:

1.0 AUTHORITY

- *Local Government Act 1989*
- *Local Government Act 2020*
- Section 24A of the *Subdivision Act 1988*
- *Road Management Act 2004*
- *Planning and Environment Act 1987*

The intention of this policy is to ensure that the Mornington Peninsula Shire Council (Council):

2.1 Has a consistent, equitable and transparent approach in relation to the Discontinuance and sale of Roads and Minor Reserves within the municipality.

2.2 Complies with all legislative requirements and best practice when undertaking the Discontinuance and Sale of Roads and Minor Reserves.

2.3 Strategically manages its Roads and Minor Reserves for the long-term best interests of Council and the community.

3.0 SCOPE

3.1 This policy applies to all Roads and Minor Reserves within the municipality. It establishes principles for the Discontinuance and Sale of Roads and Minor Reserves.

3.2 The Policy does not apply to Council Land held in freehold title or vested in Council, which is managed under the *Sale and Acquisition of Land Policy*.

3.3 The sale component of this Policy does not apply for Roads located on Crown land (government roads).

Council Policy
Discontinuance of Roads and Minor Reserves Policy

ECM Reference:

MORNINGTON PENINSULA Shire

4.0 GOVERNANCE PRINCIPLES

Under the *Local Government Act 2020*, Council must give effect to the following overarching governance principles:

- Council decisions are to be made and actions taken in accordance with the relevant law
- priority is to be given to achieving the best outcomes for the municipal community, including future generations
- the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted
- collaboration with other Councils and Governments and statutory bodies is to be sought
- the ongoing financial viability of the Council is to be ensured
- the transparency of Council decisions, actions and information is to be ensured.

5.0 POLICY STATEMENT

5.1 Introduction

5.1.1 Whilst most Roads and Minor Reserves are required for vehicular and pedestrian access or other strategic purposes, Council may support the Discontinuance of a Road or Minor Reserve if it is no longer required for general public access and the Discontinuance is considered to be in the best interest of the community.

5.1.2 Council discourages the unauthorised occupation of Roads and Minor Reserves and may take steps to remove illegal occupation.

5.2 Road and Minor Reserves Retention Principles (Retention Principles)

5.2.1 All Roads and Minor Reserves are to be retained except where the Road or Minor Reserve:

5.2.1.1 Is no longer required for the use it was set aside for;

5.2.1.2 Is no longer reasonably required for general public use;

Council Policy
Discontinuance of Roads and Minor Reserves Policy

ECM Reference:

MORNINGTON PENINSULA Shire

5.2.1.3 Does not, or will not support, facilitate or contribute to Council's current or future land use requirements as identified in the Council Plan or relevant Council Strategy or Plan;

5.2.1.4 Does not contribute historic, economic, environmental or community benefit to the municipality;

5.2.1.5 Has no strategic significance to Council on a long-term basis;

5.2.1.6 Does not contain existing infrastructure, or any infrastructure present can either be relocated, is no longer required, or can be protected through an easement; and

5.2.1.7 Is not required for current or future infrastructure

5.3 Considerations for Discontinuance

5.3.1 When a Road or Minor Reserve does not meet the Retention Principles it may be considered for Discontinuance and/or sale.

5.3.2 Council's powers to Discontinue and sell a Road or Minor Reserve is discretionary, meaning Council in its absolute discretion can refuse to proceed with a Discontinuance application if the Road or Minor Reserve meets the Principles for Retention, regardless of an Approved Development, or in a situation where the Discontinuance is not economically viable. An applicant has no formal rights of appeal to such a decision.

5.3.3 Council will only consider the Discontinuance of a Government Road where there is significant community benefit or strategic outcome to justify the decision for Council to carry out the Discontinuance., rather than the State Government noting that the resulting land will vest in the Crown and not Council.

5.3.4 Council may require an applicant to enter into a Section 173 Agreement as a condition of the Discontinuance and sale to provide support, access, projections and/or consolidation of title.

5.4 Division of Road or Minor Reserves

5.4.1 Where practical, Council will offer the Road or Minor Reserve equally to adjoining owners, except where:

5.4.2 an adjoining owner can demonstrate long term continuous and exclusive occupation of the Road or Minor Reserve -then the Road or Minor Reserve will initially be offered to that occupying adjoining owner.

5.4.2.1 there are services within the Road or Minor Reserve that affect a boundary location and cannot be relocated.

5.4.2.2 Council, at its discretion, may not proceed with the Discontinuance and sale if doing so would result in any land becoming landlocked.

5.5 Financial

5.5.1 An Applicant must pay a non-refundable application fee and agree to meet all of the Council's reasonable costs associated with the Discontinuance, regardless of whether the application proceeds or not. If an application proceeds to a sale the application fee will contribute to the total sale price.

5.5.2 The application fee will be included in the Schedule of Fees and Charges adopted by Council each year as part of the annual budget process.

5.5.3 The Applicant will be responsible for all costs associated with the relocation or removal of any assets, infrastructure, fences or other encroachments on the land resulting from a Discontinuance and sale. Council reserves the right to retain any assets from the Road or Minor Reserve.

5.5.4 The sale of any land resulting from a Discontinuance must be sold at Market Value determined by Council unless a price below Market Value is considered to provide public benefit and is supported by a Council resolution.

5.5.5 If the Applicant can demonstrate continuous and exclusive occupation of the Road or Minor Reserve for more than 15 years, the sale price may be discounted by up to 25% of the Market Value.

6.0 HUMAN RIGHTS CHARTER COMPATIBILITY

This policy has been assessed as being compatible with *the Charter of Human Rights and Responsibilities Act 2006* and aligns with Council's Universal Design Policy 2022.

Council Policy
Discontinuance of Roads and Minor Reserves Policy

ECM Reference:

7.0 ASSOCIATED DOCUMENTS

- *Local Government Act 1989*
- *Local Government Act 2020*
- *Subdivision Act 1988*
- *Limitation of Actions Act 1958*
- *Road Management Act 2004*
- *Planning and Environment Act 1987*
- *Transfer of Land Act 1958*
- Local Government Best Practice Guidelines for the Sale and Exchange of Land
- Council Plan 2025-2029
- Community Engagement Policy
- Sale and Acquisition of Land Policy
- Mornington Peninsula Planning Scheme

8.0 DEFINITIONS

Applicant	means a person, corporation or organisation who submits an application for a Discontinuance and sale of land adjoining their property.
Approved Development	means a development approved under the *Planning and Environment Act 1987* for land that includes a Road that requires a Discontinuance
Council	means the Mornington Peninsula Shire Council.
Discontinuance	means the exercise of power under Clause 3 of Schedule 10 of the *Local Government Act 1989* in relation to a Road which is affected by a notice published in the Government Gazette and/or the removal of Reserve status in relation to a Minor Reserve under section 24A of the *Subdivision Act 1988.*
Government Road	means a Road on Crown land.

Council Policy
Discontinuance of Roads and Minor Reserves Policy

ECM Reference:

Market Value	means the value of the land as determined by a qualified valuer appointed by Council.
Minor Reserves	means a Minor Reserve, for example land set aside as a drainage reserve or revenge strip on a plan of subdivision. It does not include reserves for recreation or open space purposes.
Road	means a road as defined in the *Local Government Act 1989* and includes public highways at common law.

9.0 POLICY SPONSOR

The Manager - Assets, Buildings and Property is responsible for overseeing the application and review of the Discontinuance of Roads and Minor Reserves Policy.

10.0 DOCUMENT CONTROLS

10.1 Council will review the Discontinuance of Roads and Minor Reserves Policy within four years or earlier as required.

10.2 **Document Version Table**
Summarise the key changes made to the document to provide a quick understanding of the updates.

Document Version Control				
Version	**Section**	**Revision Description**	**Date Revised**	**Approved by**

Administrative Updates
It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Shire department, the change to an existing policy or document referred to in this policy, and minor updates to legislation and the like which does not have a material impact. However, any change or update which materially alters the document must be by resolution of Council.

Approved by: XXXXX
Approval date: XX/XX/XX
Scheduled Review Date: xx/xx/xx

Council Policy

Lease and Licence Policy

ECM Reference:

Mornington Peninsula Shire

1.0 AUTHORITY

- *Local Government Act 2020*
- Council Plan 2025-2029

2.0 INTENT

The purpose of this Policy is to ensure Council Property is used to provide the greatest benefit to the community and is consistent with the Council Plan 2025-2029.

3.0 SCOPE

3.1 This Policy applies to the leasing and licensing of all Council Property owned or managed by the Mornington Peninsula Shire Council (Council).

3.2 This Policy does not apply to:

- residential tenancies
- seasonal sport licences
- boat shed and bathing box licences
- Council's facility hire covered by hire agreements
- Management Service Agreements.

3.3 For the avoidance of doubt, this Policy supersedes all previous polices in relation to leasing and licencing of Council Property.

4.0 GOVERNANCE PRINCIPLES

Under the *Local Government Act 2020*, Council must give effect to the following overarching governance principles:

- Council decisions are to be made and actions taken in accordance with the relevant law.
- Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
- The municipal community is to be engaged in strategic planning and strategic

Council Policy
Lease and Licence Policy
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Mornington Peninsula Shire

decision making.

- Innovation and continuous improvement is to be pursued.
- The ongoing financial viability of the Council is to be ensured.
- The transparency of Council decisions, actions and information is to be ensured.

5.0 POLICY STATEMENT

5.1 Policy Principles

The Principles of the Policy are to:

5.1.1 ensure leasing and licencing of Council Property will provide demonstrated social, environmental or economic benefit to the community;

5.1.2 provide the community with the broadest range of opportunities by optimising occupancy of Council Property by encouraging shared use;

5.1.3 ensure that all Tenants are treated consistently with fair and equitable terms and conditions and transparent procedures;

5.1.4 ensure Council Property is open and available to the wider community; and

5.1.5 manage risk by documenting rights and responsibilities and ensuring those obligations are upheld for the benefit of the community.

5.2 Permitted Use

5.2.1 Council will decide, at its absolute discretion, the appropriate and permitted use of Council Property that it Leases or Licences, including but not limited to, shared occupancy of Council Property and the compatibility with adjoining uses.

5.3 Form of Agreement and Tenure

5.3.1 Council encourages sustainable and equitable use of Council Property and will support shared and multi-use arrangements.

5.3.2 Where Council Property is shared or hours are limited for Tenants, Council will enter into a Licence with the Community Tenant.

5.3.3 A Lease or a Licence will generally have a term of up to five (5) years. Council will only consider a longer term in circumstances where:

a) the Tenant has substantially invested in the Council Property

b) there is ongoing and demonstrable Community Need

c) there is a strong alignment between the objectives of the Tenant and those of the Council;

d) there is a clear alignment with Council's access and equity principles.

5.3.4 The term of a Lease or Licence with a Commercial Tenant will be assessed on an individual case by case basis, having regard to relevant commercial or market considerations, financial investment in the facility by the Tenant, statutory requirements and strategic purposes.

5.3.5 Council will apply standard Lease or Licence conditions for similar Tenants to ensure transparency, fairness and administrative ease.

5.3.6 Formal Lease or Licence agreements must be entered into between the Tenant and Council prior to occupancy.

5.4 Financials

5.4.1 Council will determine rental in accordance with this Policy, recognising the difference between a Commercial Tenant and a Community Tenant.

5.4.2 Commercial Tenant

Rent

The rental income from a Commercial Tenant generates a commercial return to Council. Rents are set by reference to a Market Rental with regular rent reviews. Subsidised rentals will generally not be considered. Rents will be increased annually by a fixed percentage or a market review as determined by the market.

5.4.3 Community Tenant

Rent

To enable a Community Tenant to gain affordable access to Council Property, they will be charged an Administrative Rent so their resources can be directed to community service delivery from the Council Property. This rent includes a rental subsidy reflective of the Community Tenant's limited capacity to raise revenue, the Community Benefit they provide to wider community and the costs for Council to maintain facilities. For Community Tenants that occupy a Council building and land, for example sports clubs, they will also be charged a Sporting Ground Rent.

Council Policy
Lease and Licence Policy
ECM Reference:

Mornington Peninsula Shire

The Administrative Rent and Sporting Ground Rent will be included in the Schedule of Fees and Charges adopted by Council each year as part of the annual budget process.

5.4.1 For all Tenants, outgoings for services, rates, taxes, levies and waste removal charges are the Tenants responsibility, except where it is impractical or not applicable. Where it is impractical or there are multiple Tenants in tenancies, a proportion of the costs will be passed on to the Tenant.

5.5 Public Liability Insurance

5.5.1 All Tenants are required to hold the applicable insurance and liability limits as noted in their Lease or Licence and must provide a valid Certificate of Currency to Council annually. Council does not take any responsibility for insuring a Tenant's equipment and contents; this is the responsibility of the Tenant.

5.6 Subletting and assignment

5.6.1 Subject to the *Retail Leases Act 2003*, Tenants will not be permitted to deal with their interest in the Council Property, including subletting or assigning, unless the Tenant has obtained Council's prior written consent, at the Councils absolute discretion.

5.6.2 Tenants who sublet or assign the Council Property during the tenure of the Lease or Licence, without written consent of Council may be subject to termination of the Lease or Licence, at Council's absolute discretion.

5.6.3 If Council agrees to a Tenant subletting or assigning the Council Property, income derived from the activity may be shared with Council as agreed, prior to the activity commencing.

5.6.4 Community Tenants must allow Council to use the Council Property for Council sponsored events or Council operated services or programs at no cost for rent or hire fee. Council will only contribute to the operational costs directly associated with its use of the Council Property.

Council Policy

Lease and Licence Policy

ECM Reference:

Mornington Peninsula Shire

5.7 Maintenance and improvements of Council Property

5.7.1 Tenants will be responsible for the maintenance requirements as specified in the maintenance schedule (if applicable) attached to their respective Lease and Licence.

5.7.2 Generally, Council's maintenance requirements are limited to maintenance of the physical structure of the Council Property, capital replacement of Council's Property and the provision of essential safety measures. Council is not responsible for testing and tagging of 'plug in' electrical equipment (unless supplied by Council), maintenance of the Tenant's equipment and the fixtures or fittings installed by the Tenant. Any additional maintenance requirements will be detailed in the individual Lease or Licence.

5.7.3 Tenants occupying Council Property under a ground lease are responsible for all repairs and maintenance of all improvements constructed or installed by the Tenant.

5.7.4 Where a Tenant seeks to make structural improvements to a Council Property, written approval must be obtained from Council prior to the commencement of any works or engagement of contractors.

5.8 Renewal and New Tenants

5.8.1 When a Council Property becomes vacant or underutilised, a competitive selection process may be undertaken to determine a suitable new Tenant unless a direct negotiation would achieve a better outcome for the community.

5.8.2 A competitive process may include direct marketing by a real estate agent or an expression of interest (EOI) and be suitable for either a Commercial Tenant or Community Tenant. A competitive process ensures probity, addresses any conflicts of interest and will assist with decision making. It provides the opportunity for interested parties to compete for the right to enter into a Lease or Licence of a Council Property.

5.8.3 When assessing an application either via a competitive process or via direct negotiation, the merits of the application will be assessed to ensure derived benefits satisfy the goals of the Council Plan, Community Engagement Policy and the Policy Principles.

5.8.4 Renewal of tenure to the sitting Tenant will only be considered:

a) where the tenure is in the last term available under the Lease or Licence

b) if the Tenant has the capacity to optimise the potential of the Council Property in the best interests of Council and/or the community

c) where assessment of Community Benefit meets the Council Plan objectives

d) where there is no conflict with Council's future planning for the Council Property

e) where the Community Tenant has demonstrated sound business practice, sound financial capacity and sustainability, and compliance with the current terms and conditions of the Lease

f) where the Commercial Tenant is paying at or above Market Rental.

5.8.5 Under no circumstances will the end of a Lease or Licence term be taken to mean that a new Lease or Licence will be automatically granted to the same Tenant on the same or similar terms.

5.9 Sinking Funds

5.9.1 Tenants with exclusive use of a Council Property may be required to create a sinking fund in anticipation of the capital cost to renew or undertake significant maintenance. If this applies, it will be expressly communicated to the Tenant and documented in the Lease.

5.10 Emergency Relief Centres and Hubs

5.10.1 In the case of declared emergencies or disasters, Council may need to set up community facilities as emergency relief centres or hubs, and reserves the right to activate a Council Property that is under Lease or Licence for this purpose at any time.

5.10.2 Council will cover all direct costs associated with this activity, however will not provide the Tenant any reasonable compensation associated with this use.

6.0 HUMAN RIGHTS CHARTER COMPATIBILITY

This Policy has been assessed as being compatible with *the Charter of Human Rights and Responsibilities Act 2006 (Vic)* and aligns with Council's Universal Design Policy 2022.

Council Policy

Lease and Licence Policy

ECM Reference:

Mornington Peninsula Shire

7.0 ASSOCIATED DOCUMENTS

- *Child Wellbeing and Safety Act 2005*
- *Crown Land (Reserves) Act 1978*
- *Local Government Act 2020*
- *Property Law Act 1958*
- *Retail Leases Act 2003*
- Asset Management Policy
- Community Engagement Policy
- Council Plan 2025-2029
- Property Strategy

8.0 DEFINITIONS

Administrative Rent	means the minimum annual costs of establishing and managing a Lease or Licence and will be determined by Council each year as part of the annual budget process.
Council	means the Mornington Peninsula Shire Council.
Council property	means any land, building and improvements owned, managed or controlled by Council including Crown land where Council acts as committee of management and including buildings constructed and owned by a Tenant on Council land (under a ground lease).
Community benefit	means the criteria that a Tenant must meet to be deemed a Community Tenant, including being able to demonstrate how its services, programs or activities from the Council Property: • aligns with the Council Plan and other Council adopted strategies • aligns directly with the use of the relevant Council Property • are in demand or a demonstrated need exists for the service or activity to be provided by the Tenant from the Council Property • compliments Council's services • meets evidence based Community Needs • is non-discriminatory and provides equitable access for the community and aligns with the Access and Equity Policy • have no barriers to participation • is accessible to a broad resident base • supports groups that are under-represented or that experience disadvantage or vulnerability

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	• offers accessible pricing (membership) structure • is funded.
Community need	typically identified in a Strategy, Plan or Framework to address a specific issue or goal.
Council Plan	means the Council Plan 2025-2029.
Commercial tenancy	means a business or commercial enterprise operating from the Council Property. This includes tertiary institutions, and non-government schools.
Community tenancy	means a community group which must: a) Be a not-for-profit entity b) Be managed mostly by volunteers c) Manage the Lease or Licence primarily for community services, cultural, recreational, social engagement, public health and wellbeing services, protection of land values, education or similar activities or services d) Meet the compulsory Community Benefit criteria e) be competitively neutral (not providing a market advantage over similar groups).
Landlord	means Council as landlord, represented by the Property Team which has the ability to grant occupancy of Council Property through a Lease or Licence arrangement between Council and a Tenant.
Lease	means an agreement where Council (as landlord) grants to a Tenant a right to have exclusive possession of that Council Property (or part thereof) for a fixed duration in return for rental payment. A lease conveys an interest in the land, may be assigned and offers security of tenure to a Tenant as it cannot be arbitrarily terminated.
Licence	means an agreement that permits a Tenant to occupy a Council Property on particular conditions, which may include limitations as to agreed days and times, period of tenure and/or for part or all of the Council Property. A licence is a contractual right and does not permit exclusive occupancy of the premises and does not convey an interest in land.
Market Rental	means the rental amount set by an independent valuer based on the current market, or as determined by a market tested campaign.

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Sporting Ground Rent	means the rent for exclusive use of sporting grounds and will be determined by Council each year as part of the annual budget process
Tenant	means either a tenant under a Lease, or a licensee under a Licence and is an individual corporation or an incorporated body that has entered into or is proposing to enter into an Lease or Licence with Council for use of a Council Property.

9.0 POLICY SPONSOR

The Manager - Assets, Buildings and Property is responsible for overseeing the application and review of the Lease and Licence Policy.

10.0 DOCUMENT CONTROLS

10.1 Council will review the Lease and Licence Policy within four years or earlier as required.

10.2 Document Version Table
Summarise the key changes made to the document to provide a quick understanding of the updates.

Document Version Control				
Version	**Section**	**Revision Description**	**Date Revised**	**Approved by**
1				

Administrative Updates
It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Shire department, the change to an existing policy or document referred to in this policy, and minor updates to legislation and the like which does not have a material impact. However, any change or update which materially alters the document must be by resolution of Council.