



GANNAWARRA
Shire Council

ATTACHMENTS

UNDER SEPARATE COVER

Ordinary Council Meeting

16 November 2016

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Gannawarra Shire Council Domestic Animal Management Plan 2017-2020



Amendment Details

Plan no.	Page	Description	Date	Amendment details
2017-01	All	Adoption		DAM Plan adopted by Council
2017-01	All	Submission to DEDJTR		DAM Plan submitted to DEDJTR

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1. Statutory requirements

The Domestic Animals Act 1994 sets out the following requirements:

68A. Council's to prepare domestic animal management plans

- (1) Every Council must, in consultation with the Secretary, prepare at 4 year intervals a domestic animal management plan.
- (2) A domestic animal management plan prepared by a Council must:
 - (a) set out a method for evaluating whether the animal control services provided by the Council in its municipal district are adequate to give effect to the requirements of this Act and the regulations;
 - (b) outline programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district;
 - (c) outline programs, services and strategies which the Council intends to pursue in its municipal district:
 - (i) to promote and encourage the responsible ownership of dogs and cats;
 - (ii) to ensure that people comply with this Act, the regulations and any related legislation;
 - (iii) to minimise the risk of attacks by dogs on people and animals;
 - (iv) to address any over-population and high euthanasia rates for dogs and cats;
 - (v) to encourage the registration and identification of dogs and cats;
 - (vi) to minimise the potential for dogs and cats to create a nuisance; and
 - (vii) to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations;
 - (d) provide for the review of existing orders made under this Act and local laws that relate to the Council's municipal district with a view to determining whether further orders or local laws dealing with the management of dogs and cats in the municipal district are desirable;
 - (e) provide for the review of any other matters related to the management of dogs and cats in the Council's municipal district that it thinks necessary; and
 - (f) provide for the periodic evaluation of any program, service, strategy or review outlined under the plan.
- (3) Every Council must:
 - (a) review its domestic animal management plan annually and, if appropriate, amend the plan; and
 - (b) provide the Secretary with a copy of the plan and any amendments to the plan; and
 - (c) publish an evaluation of its implementation of the plan in its annual report.

2. Introduction

Council plays an important leadership role in supporting and promoting responsible pet ownership, community safety and active and healthy lifestyles.

The 2017-2020 Domestic Animal Management Plan builds on the work of previous plans and provides new initiatives and programs for the next four years. This plan aims to develop and implement a range of initiatives that will:

- Improve animal management
- Educate the community about responsible pet ownership
- Ensure compliance with relevant legislation
- Promote registration and identification of domestic animals
- Reduction in number of unidentified animals impounded by Council
- Create an environment where people and animals can coexist safely
- Identify and control restricted breed, dangerous and menacing dogs
- Assist Domestic Animals Businesses to gain registration and meet their legislative requirements

Council recognises that improved health and well-being can be attributed directly to animal ownership. Council understands the requirement to balance the requirements of animal owners, the broader community and the animals that are such a significant part of many people's lives.



3. Background

Gannawarra Shire is a diverse agricultural region in the Loddon Murray region of northern Victoria. Towns of Gannawarra include Cohuna, Koondrook, Kerang, Lake Charm, Lalbert, Leitchville, Macorna, Murrabit, Mystic Park and Quambatook. The municipality is three hours' drive from Melbourne and has an area of 3,736 square kilometres and is bordered by the Murray River to the north.

Gannawarra Shire's population is approximately 10,000, including approximately 5,200 households with a median household income of \$701 per week. As is the case in many rural municipalities, the population trend has been an increase in age and a decrease in the overall number of people. Ninety per cent of Gannawarra Shire residents were born in Australia. The community is well connected and resilient but, after years of battling both drought and successive floods, with the associated economic and environmental stresses, some residents require additional support.

The natural features of Gannawarra Shire are significant in attracting residents and tourists. One of the main attractions is the 57 lakes, swamps and marshes that form one of Australia's largest most important wetland areas. There are also ancient forests and the red gum fringed reaches of the Murray River and more than 160 bird species recorded in the Shire. Reedy Lake is home to Australia's largest Ibis Rookery where as many as 200,000 Ibis birds breed annually.

A number of the factors listed above have relevance to issues of domestic animal management within the Gannawarra Shire. Of particular importance are:

- the numerous diverse communities interspersed amid rural properties result in a regular mixing of domestic animals and rural stock leading to a higher risk of both dogs at large and dog attacks on stock;
- Despite community resilience, the social and economic impacts of repeated floods, drought and long-term rural structural change have resulted in a loss of community capital and individual financial difficulties. This in turn can lead to reduced compliance with domestic animal regulations;
- the rural lifestyle of Gannawarra Shire which increases the rates of ownership of all animals including domestic pets;
- low median household income and the limited resources of Council;
- important wetland environmental habitat and bird life, and the problem of wildcat population; and
- The intersection of Parks Victoria and Department of Economic Development, Jobs, Transport and Resources (DEDJTR); land with Council land and the resultant regulation inconsistencies and confusion.

Given these issues, it is important that Council adopts a multi-faceted approach in the new DAM Plan. Council must improve community awareness of the benefits of responsible pet ownership through targeted education programs and positive incentives aimed at greater compliance.

4. Training of Authorised Officers

Context

This section outlines programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district. *Compliant with Section 68(A)(2)(b) of the Domestic Animals Act 1994.*

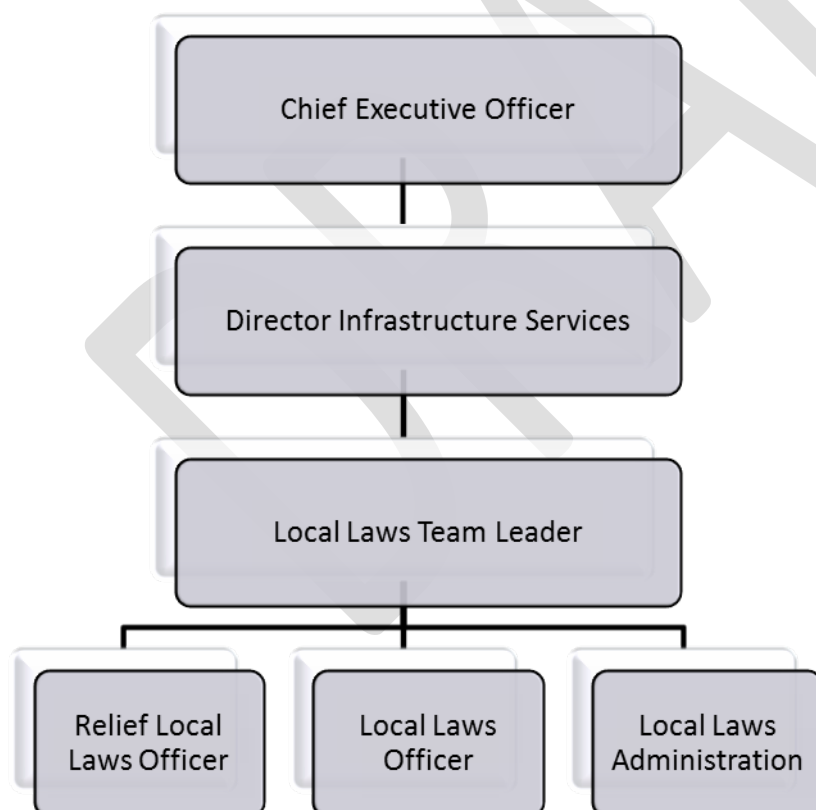
Current situation

Gannawarra Shire Council is committed to the training and development of all employees. Animal Management Officers are required to hold or be undertaking the relevant statutory training of Certificate IV in Statutory Compliance and Certificate IV in Animal Control and Regulation.

Gannawarra Shire Council currently employs the following animal management staff:

EFT	Position	Completed Certificate IV (as detailed above)
1 EFT	Local Laws Team Leader / Ranger	Yes
1 EFT	Local Laws Officer / Ranger	Yes
0.2 EFT	Local Laws Officer / Ranger	Scheduled for commencement in November 2016
0.6 EFT	Local Laws Administration Officer	Yes

Animal Management staff structure



Council's annual performance reviews include a review of the staff members' skills and training undertaken during the last year. Gannawarra Shire Council offers and requires that officers attend the following training as programmed or offered:

Authorised Officer training	Who	When
Induction program	new staff	Upon commencement
Dealing with difficult / aggressive customers	All staff	As programmed by Council
Conflict resolution	All staff	As programmed by Council
Department of Economic Development, Jobs, Transport and Resources (DEDJTR) – training and information days (various topics)	All staff	As programmed by DEDJTR
First Aid	All staff	As programmed by Council
Animal handling and animal assessment	LLTL / LLO	As available and required
Traffic control for dealing with animals on the road	LLTL / LLO	As available and required

Our plans

Objective

Animal Management staff to receive relevant training to ensure tasks are performed within relevant legislation and in a safe and effective manner.

Key activities

- Assess and redevelop induction program for new Local Laws Officers
- Identify skill gaps and source training to rectify these gaps

Performance measures

Objective	New Local Laws Officers to receive induction training		
Activity	When	Evaluation	
Assess and redevelop induction program for new Local Laws Officers	November 2017	Amended induction training program to be in place	

Objective	Identify skill gaps and source training to rectify these gaps		
Activity	When	Evaluation	
Investigate options for training in the following areas: - Customer service – written communication, telephone techniques - Exponare mapping system - Report writing - Statement taking / interviewing techniques / creating a Court brief - Case Management / investigation	As available	Assessed during annual review of each staff member	

5. Registration and identification

Context

This section outlines programs, services and strategies to encourage the registration and identification of dogs and cats.

Compliant with Section 68A(2)(c)(v) of the Domestic Animals Act 1994, and also Section 68A(2)(a),(c)(i),(c)(ii),(d),(f).

Current situation

Gannawarra Shire Council through its Local Laws Department provides the following domestic animal services to the community of Gannawarra Shire:

- Registration and identification for domestic dogs and cats
- Registration renewal notices sent in March with follow up reminder notices sent during April
- Follow up with animal owners who fail to renew registration of their domestic animals
- Follow up on registration of animals adopted from RSPCA, Lost Dogs Home or purchased from domestic animal breeding businesses
- Education of pet owners to continually check and update contact details at microchip registries
- Follow up and correction of all information in animal registration register
- Registration and identification of menacing and restricted breed dogs
- Mandatory registration and microchipping of animals prior to release from pound
- Education and information services provided, as resources and opportunity allow
- Permanent identification number registration tags
- Investigation and compliance service

Animal registration	2013	2014	2015
No. of registered dogs	2403	2314	2246
No. of registered cats	409	397	409
No. of registered declared dogs	0	0	0

Animal registration timeline

1-Mar	approximate date renewals for animal registration will be posted to animal owners
1-Mar	information on local radio regarding animal registration renewals due on 10 April
1-Apr	information on Gannawarra News page in local newspapers regarding animal registration renewals due on 10 April
10-Apr	Renewals for animal registration due
18-Apr	Reminder letters to be generated including late payment fee
18-Apr	Late payment fee to be charged on animal registration renewal payments
10-May	Phone calls to follow up on un-renewed animal registration.
June	Infringements to be generated for 'Failure to renew registration' under Domestic Animals Act 81/1994 S.10(2) - 2747

Our plans

Objective

To increase the number of dog and cat registrations within the municipality, and to educate the community regarding the requirement for Council registration.

Key activities

- Increase in the number of animal registrations each year
- Education regarding awareness of requirement for Council registration
- Monitor advertisements of domestic animals for sale online, community noticeboards and in local newspapers for compliance with Section 12A(2) of DAA
- Work with local vet clinics to encourage responsible pet ownership

Performance measures

Objective	Increase in the number of animal registrations each year	
Activity	When	Evaluation
Targeted inspections of both urban and rural areas	One area every two months	Data analysed to show total number of animals identified registered/unregistered / compliance after follow up

Objective	Education regarding awareness of requirement for Council registration	
Activity	When	Evaluation
Media releases - newspaper Facebook Messages on hold (MOH) Brochures Links on Council website to DEDJTR	January & July each year January & July each year January & July each year Ongoing By end December 2017	Record number of media releases Record number of Facebook posts Record number of MOH Record number of brochures distributed

Objective	Monitor advertisements of domestic animals for sale online, community noticeboards and in local newspapers for compliance with Section 12A(2) of DAA	
Activity	When	Evaluation
Staff to conduct sample audit of newspapers/electronic media/noticeboards	monthly	Maintain data on number of items checked / quantity of compliant and non-compliant items / follow up on non-compliant items

Objective	Work with local vet clinics to encourage responsible pet ownership	
Activity	When	Evaluation
Provision of Council animal registration application and relevant information to be handed out when an animal is microchipped	By end December 2017	Information packs are provided to local vets in Gannawarra Shire, and supplies maintained. Keep record of number of packs supplied to vet clinics.

6. Nuisance animals

Context

This section outlines programs, services and strategies to minimise the potential for dogs and cats to create a nuisance.

Compliant with Section 68A(2)(c)(vi) of the Domestic Animals Act 1994, (and also Section 68A(2)(a),(c)(i),(c)(ii),(d),(f).

Current situation

Confinement of domestic animals is a priority because the instances of wandering domestic animals increases risk to other pets, humans and livestock, and consumes time and resources of Local Laws Officers.

Animal excrement in townships impacts on health, community amenity and tourism development. Gannawarra Shire Council believes that community education regarding responsible pet ownership is an important tool in reducing this problem. A Local Law exists to cover this situation, including the requirement to carry a litter device.

There is a large unchecked wild cat population which creates a serious problem with nuisance behaviour such as spraying, fighting, home invasion and spreading diseases. Through education, animal owners will be made aware of the need to de-sex their cats, confine domestic cats to their property, report wildcats and be involved in trapping programs to reduce wildcat numbers.

Current programs in place to minimise the incidence of nuisance animals include:

- Routine vehicle patrols across the municipality on a daily basis
- Operation of a domestic animal pound for impounded animals (capacity of eight dogs / three cats)
- Rehousing of suitable animals under Section 84Y agreement
- Community education regarding responsible pet ownership, specifically confinement of domestic cats
- Provision of cat cages for trapping nuisance cats (currently 20 traps owned by Council)
- Council trapping program for trapping wildcats
- Barking dog noise log record sheets provided to complainants
- Respond to all nuisance complaints and follow up on compliance within 24 hours
- Respond to notification of dog attack (immediate - including 24 hour emergency service)
- After hours response to domestic animal nuisance emergencies
- Prevention of cruelty to animals investigation
- Use of on-hold messages and Council's website to educate pet owners
- Education and information services provided, as resources and opportunity allow
- Education and information provided to increase community awareness of Council's on-leash policy.
- Media and promotion regarding responsible pet ownership.

Impounded animals		2013	2014	2015
Dogs	Impounded	86	98	85
	Surrendered	34	24	47
	Returned to owner	68	60	60
	Rehoused	0	29	65
	Euthanised	52	33	6
	Escaped / stolen from pound	0	0	1
Cats	Impounded	5	16	35
	Surrendered	0	5	49
	Returned to owner	5	3	5
	Rehoused	0	7	76
	Euthanised	0	10	2
	Escaped from pound / unassisted death	0	1	1
Wildcats	Impounded	61	69	58
	Euthanised	61	69	58

Nuisance categories	2013	2014	2015
Dog at large	321	328	283
Cat at large (cats impounded plus wildcats)	66	85	93
Animal noise/nuisance	277	168	59

Our plans

Objective

To support and encourage animal owners to manage their domestic animals in a responsible way which minimises the potential for nuisance complaints.

Key activities

- Reduce number of cats at large
- Educate community regarding wildcat population / reduce wildcat population
- Increase community awareness and understanding regarding on-leash and restricted areas for domestic animals.
- To reduce domestic animal excrement in public places and educate animal owners of the requirement to carry a litter device

Performance measures

Objective	Reduce number of cats at large	
Activity	When	Evaluation
Improved facilities at Council Pound for impounded cats	December 2020	Increased quantity of cats able to be impounded at one time, allowing for increased number of cats rehoused by Council.
Purchase additional cat traps	December 2017	Council to have at least 30 cat traps available for use
Investigate (and instigate if viable) Council Order to confine cats	December 2019	Submission of report to DIS from LLTL. Submission of report to Council / Order gazetted if adopted
Investigate (and instigate if viable) cat desexing funding	August 2018	Applications for funding submitted if available

Objective	Educate community regarding wildcat population / reduce wildcat population	
Activity	When	Evaluation
Purchase additional cat traps	December 2017	Council to have at least 30 cat traps available for use
Links on website to relevant sources of information including: <ul style="list-style-type: none"> • destruction of native fauna • spread of disease through domestic cat population • injuries to domestic cats from fighting • excrement and spraying • home invasions by wildcats • unwanted pregnancies / overpopulation 	March 2017	Information available on website
Provision of brochures on relevant sources of information	June 2017	Brochures available at customer service outlets

Objective	Increase community awareness and understanding regarding on-leash and restricted areas for domestic animals.	
Activity	When	Evaluation
Media releases via: Newspaper Information on Council website Facebook posts	Twice yearly By July 2017 Throughout year	Record numbers of media articles Information contained on website Record numbers of Facebook posts
Maps of off leash areas on website	July 2018	Maps of off leash areas available on Council website
Investigate (and instigate if viable) addition of off leash areas on Google maps	March 2017	If viable, off leash areas marked on Google maps

Objective	To reduce domestic animal excrement in public places and educate animal owners of the requirement to carry a litter device	
Activity	When	Evaluation
One on one education of animal owners as problem detected	Ongoing	Reduction in excrement complaints
Investigate (and instigate if viable) provision of litter receptacles by Council	September 2017	If viable, litter receptacles provided by Council

7. Dog attacks

Context

This section outlines programs, services and strategies to minimise the risk of attacks by dogs on people and animals.

Compliant with Section 68A(2)(c)(iii) of the Domestic Animals Act 1994, (and also Section 68A(2)(a),(c)(i),(c)(ii),(d),(f).

Current situation

Confinement of dogs is a priority because the instances of wandering dogs increases risk to other pets, humans and livestock, and consumes time and resources of Local Laws officers.

Reports of dog attacks on both persons and animals are increasing, possibly due to public awareness on the need to report this issue to Council.

Often when a dog attack is reported, officers find that it is a recurrence of an offence that went unreported previously. Had initial attacks been reported, subsequent attacks may have been averted. Education is still required to encourage community members to report dogs at large, dogs rushing and dog attacks of all types (minor or serious).

All dogs are required to be confined to their property. This is a requirement under the *Domestic Animals Act 1994* and Council will continue to place importance on the need for dogs to be confined.

Dog attacks	2013	2014	2015
No. of reported dog on animals attacks	14	10	11
No. of reported dog on people attacks	1	4	9
No. of reported dog on livestock attacks	17	9	6
TOTAL	32	23	26

Current programs in place to minimise the incidence of dog attacks include:

- Respond to notification of dog attack (immediate - including 24 hour emergency service)
- After hours response to domestic animal nuisance emergencies
- Provision of education and information to community are provided about responsible pet ownership
- Encourage local Vet Clinics to report dog attacks to Council
- Encourage dog desexing to assist in reducing the incidence of wandering animals
- Investigation of reported attacks, and follow up on compliance

Our plans

Objective

To minimise the number of dog attacks across the municipality

Key activities

- To reduce the number of dog attacks across the municipality
- Awareness campaign for both property/stock owner and animal owner re: potential destruction of dog found in paddock with stock
- Education regarding responsible pet ownership in particular regarding dogs at large

Performance measures

Objective	To minimise the number of dog attacks across the municipality	
Activity	When	Evaluation
Undertake routine patrols across the municipality with a focus on dogs at large	Daily	Record to be kept of location of patrols to ensure each area of the shire is patrolled at least once per fortnight

Objective	Awareness campaign for both property/stock owner and animal owner re: potential destruction of dog found in paddock with stock	
Activity	When	Evaluation
Media release (newspaper, Facebook and website)	Throughout May, June, July, August each year	Record number of media releases

Objective	Education regarding responsible pet ownership in particular regarding dogs at large	
Activity	When	Evaluation
Media release (newspaper, Facebook) Messages on hold (MOH) Website	School holiday periods (including Easter)	Record number of media releases Record number of items onto MOH Information placed onto website

8. Dangerous, menacing and restricted breed dogs

Context

This section outlines programs, services and strategies to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations.

Compliant with Section 68A(2)(c)(vii) of the Domestic Animals Act 1994, (and also Section 68A(2)(a),(c)(i),(c)(ii),(d),(f).

Current situation

Dangerous, menacing and restricted breed dogs are controlled by the Domestic Animals Act 1994. There are currently no declared dangerous, menacing and restricted breed dogs in the Gannawarra Shire.

Animal registration	2013	2014	2015
No. of registered dogs.	2403	2314	2246
No. of registered declared dogs	0	0	0

Current programs in place to monitor dangerous, menacing and restricted breed dogs include:

- Registration and identification of menacing and restricted breed dogs including renewal
- Ensure compliance with the requirements for keeping dangerous dogs
- Investigation and compliance
- Education and information services provided, as resources and opportunity allow
- All declared dangerous dogs, menacing dogs and restricted breed dogs to be listed on the Victorian Declared Dog Registry (VDDR)

Our plans

Objective

To minimise the risks of dog attack to the community from dangerous dogs and to ensure that those dogs that are declared dangerous, menacing and those of restricted breed are kept in accordance with the legislation.

Key activities

Increase Officer awareness of location of declared dangerous or menacing dogs to improve safety when attending premises

Performance measures

Objective	Increase Officer awareness of location of declared dangerous or menacing dogs to improve safety when attending premises	
Activity	When	Evaluation
All locations where declared dangerous dogs are kept will be identified on Council's Exponare mapping system	As required	Council's Exponare mapping system to be updated to record the properties where declared dangerous dogs are kept

9. Overpopulation and high euthanasia

Context

This section outlines programs, services and strategies to address any over-population and high euthanasia rates for dogs and cats.

Compliant with Section 68A(2)(c)(iv) of the Domestic Animals Act 1994, and also Section 68A(2)(a),(c)(i),(c)(ii),(d),(f).

Current situation

Council's pound and euthanasia procedures are guided by the Domestic Animals Act 1994. Council aims to wherever possible return any lost or seized at-large animal to its owner. However, an animal must be identifiable (ID tag or microchip) to enable Council to return the animal to its owner.

After eight days, animals unclaimed from the Pound which are suitable for rehousing are relocated through an 84Y agreement with a rehousing organisation.

It is important to note that a large number of impounded and euthanised cats are wildcats. There is a large unchecked wild cat population which creates a serious problem of uncontrolled breeding.

It is important that community members differentiate *owned* from *unowned* cats, and take responsibility for owned animals by registering, micro-chipping, desexing and securely confining them to their property.

Council assists property owners with cat trapping to remove unwanted and unowned animals. The damage to native fauna from wild cats is significant, together with problems of nuisance, disease and parasites.

Impounded animals	2013	2014	2015
No. of dogs euthanised	52	33	6
No. of cats euthanised	0	10	2
No. of wildcats euthanised	61	69	58

Current programs in place to monitor overpopulation and high euthanasia include:

- Provide education on responsible pet ownership and on confinement of cats
- Operation of a domestic animal pound for impounded animals
- Advice of animals currently in the Council Pound on the Council website
- Temperament testing of unclaimed impounded animals prior to rehousing
- Rehousing of suitable animals under Section 84Y agreement
- Promote microchip identification of animals
- Investigate reports of unregistered breeders
- Council trapping program for wildcats
- Investigation and compliance

Our plans

Objective

To increase levels of responsible pet ownership of cats, reduce unwanted and uncontrolled breeding in domestic animals and retain low euthanasia rates for impounded animals.

Key activities

- Provide education on responsible pet ownership and on confinement of cats
- Educate community regarding wildcat population / reduce wildcat population
- Continuance of Section 84Y agreement/s with approved animal rescue organisation/s

Performance measures

Objective	Provide education on responsible pet ownership and on confinement of cats	
Activity	When	Evaluation
Owners of trapped cats to be made aware of responsibilities of cat ownership	Ongoing	Reduction of second offences of impounding of cats
Media releases - newspaper, Facebook and Messages on Hold Website links to DEDJTR information such as the Who's for Cats program	Ongoing but focus on times of increased cat breeding cycles	Record number of media releases Record number of items onto MOH Information placed onto website

Objective	Educate community regarding wildcat population / reduce wildcat population	
Activity	When	Evaluation
Purchase additional cat traps	December 2017	Increase total number of cat traps owned by Council
Investigate (and instigate if viable) Council Order to confine cats	December 2019	Council Order in place
Investigate (and instigate if viable) cat desexing program	August 2018	Desexing program for cats implemented

Objective	Continuance of Section 84Y agreement/s with approved animal rescue organisation/s	
Activity	When	Evaluation
Maintain current 84Y agreement	ongoing	Agreement renewed
Investigate and instigate additional 84Y agreements	ongoing	Suitable agreements implemented

10. Domestic Animal Businesses

Context

This section outline programs, services and strategies which the Council intends to pursue in its municipal district to ensure that people comply with this Act, the regulations and any related legislation.

Compliant with Section 68A(2)(c)(ii) of the Domestic Animals Act 1994, and also Section 68A(2)(a),(c)(i),(d),(f).

Current situation

Types of DAB include a Council pound, a dog and/or cat breeding business, a dog training establishment, a pet shop, an animal shelter, an establishment boarding dogs or cats or an establishment that is rearing dogs or cats.

Other than the Council Pound, Council currently has no registered Domestic Animal Businesses (DAB's).

Breeding businesses are an area of intense public and media scrutiny. DAB registration is controlled by the *Domestic Animals Act 1994*.

Council's programs/activities working with domestic animal breeding businesses include:

- Annual registration and renewal of Domestic Animal Business permit
- Conduct regular audits of the Domestic Animal Business to ensure compliance with regulations
- Supply and distribution of information related to domestic animal businesses and the relevant codes of practice

Our plans

Objective

To work in partnership with domestic animal businesses to meet the requirements under the Domestic Animals Act 1994 and approved Codes of Practice.

Key activities

- Identify unregistered domestic animal business owners and operators in the Gannawarra Shire
- Identified Domestic Animal Businesses to be compliant with legislation
- Domestic Animal Business information and application on Council website

Performance measures

Objective	Identify unregistered Domestic Animal Businesses in the Gannawarra Shire	
Activity	When	Evaluation
Follow up possible DAB's identified during property inspections	Ongoing	Identified DAB registered with Council
Check media sources / social media for advertisements	Ongoing	Data entered to Local Laws Action Request system / reviewed quarterly
Follow up complaints/notification from public	As required	

Objective	Identified Domestic Animal Businesses to be compliant with legislation	
Activity	When	Evaluation
Planning information is provided to all applicants or interested parties to ensure that compliance with the Act and relevant codes are met when businesses are being established	As required	Quantity of planning permits issued for Keeping of animals
Ensure all identified Domestic Animal Businesses (DAB) within the shire are registered and comply with applicable legislation and Codes of Practice	Audited in February annually	Annual permit renewals are sent to existing DAB in March each year for issue of permit by 10 April.
Encourage DAB owner/operator attendance at information sessions organised by DEDJTR	As scheduled	Improved compliance as awareness of requirements under legislation improves

Objective	Domestic Animal Business information and application on Council website	
Activity	When	Evaluation
Review new Council website regarding Domestic Animals Businesses to provide "online" application forms and the latest information available from the Domestic Animals Unit	By July 2017 then as required	Website contains current application forms and the latest information available from the Domestic Animals Unit

11. Other matters

Context

This section provides for the review of other matters related to the management of dogs and cats in the Council's municipal district.

Compliant with Section 68A(2)(e) of the Domestic Animals Act 1994.

Emergency Animal Management Plan

Current situation

Gannawarra Shire Council's Municipal Emergency Management Plan (MEMP) includes an Emergency Animal Management Plan (EAMP) which covers issues regarding domestic animal management in an emergency. This plan was created in 2015.

Our plans

Objective

Council's Emergency Animal Management Plan (EAMP) to contain current, relevant information.

Key activities

Annual review of Emergency Animal Management Plan (EAMP)

Performance measures

Objective	Emergency Animal Management Plan (EAMP) to contain current, relevant information.		
Activity	When	Evaluation	
Annual review of Emergency Animal Management Plan (EAMP)	November annually	EAMP submitted to Municipal Emergency Management Planning Committee	

Council Policy No.068 - Dogs & Cats – Designated Areas

Current situation

Council's Policy No. 068 is an Order made under Section 26 of the Domestic Animals Act 1994. It requires dogs to be under effective control by means of a leash in a reserve or public place except where it is a Designated Area or a Prohibited Area. The Schedule to the Order lists the reserves and public places that are Designated or Prohibited Areas. The Policy was most recently revised in 2015.

Our plans

Objective

Reduce community confusion regarding Council Policy No.068, and to incorporate Council Policy No.068 into the Council Local Laws.

Key activities

Council Policy No.068 to be incorporated into the Council Local Laws

Performance measures

Objective	Council Policy No.068 to be incorporated into the Council Local Laws	
Activity	When	Evaluation
Create new local law regarding designated areas for domestic animals (including maps)	November 2020	New local law approved by Council

Local Law No.1 'Community Amenity' 2012

Current situation

Sections of Part 5 of Gannawarra Shire Council's Local Law No.1, enable officers to enforce laws relevant to community expectations regarding keeping of domestic animals, animal accommodation, adequate fencing, animal excrement and animal noise.

Our plans

Objective

Council Local Laws to reflect changing community needs and include changes in relevant legislation.

Key activities

Monitor and amend Local Laws to ensure they are consistent with community needs and reflect changes in relevant legislation.

Performance measures

Objective	Council Local Laws to reflect changing community needs and include changes in relevant legislation.		
Activity	When	Evaluation	
Monitor and amend Local Laws to ensure they are consistent with community needs and reflect changes in relevant legislation.	Ongoing	<ul style="list-style-type: none"> · Local Laws are consistent with community needs · Local Laws reflect changes in relevant legislation 	

12. Annual review of plan and annual reporting

Context

This section provides for the annual review of the plan and annual reporting.

Compliant with Section 68A (3)(a)(b)(c) of the Domestic Animals Act 1994 as below:

68A (3) Every Council must –

- (a) review its domestic animal management plan annually and, if appropriate, amend the plan
- (b) provide the Department of Primary Industries' Secretary with a copy of the plan and any amendments to the plan
- (c) publish an evaluation of its implementation of the plan in its annual report.

The Key Performance Indicators within this Domestic Animal Management Plan are to be monitored on a monthly basis by the Local Laws Team Leader. Should any issues arise from this monthly review they will be reported to the Director Infrastructure Services.

As required by DEDJTR this DAM Plan will be reviewed annually to Council and any amendments necessary will be made. The amended version will then be forwarded to the Secretary of the DEDJTR as required under legislation.

A review of performance under the DAM Plan is required to be included in Council's Annual Report.

Measurements should relate to Activities and targets in this Plan and should include educational programs, increased registration of domestic animals, reduction of animal's at large, decreased numbers of dog attacks, and increases in compliance and levels of community satisfaction as a measure of success.

It should be noted that if performance under the DAM Plan is not sufficient, further revision of the Action Plan and its methods may be required and should be recommended.

13. Information source and reporting dates

5. Registration and identification Table Animal registration Data from Lynx Rating Manager Reporting date: 1 January to 31 December
6. Nuisance animals Table Impounded animals Data from Pound Data document kept by GSC Local Laws department Reporting date: 1 January to 31 December
6. Nuisance animals Table Nuisance categories Prior to 2015/2016: Data from Animal Control Data document kept by GSC Local Laws Officers From 2015/2016: Data from Local Laws Action Request program Reporting date: 1 January to 31 December
7. Dog attacks Table Dog attacks Prior to 2015/2016: Data from Animal Control Data document kept by GSC Local Laws Officers From 2015/2016: Data from Local Laws Action Request program Reporting date: 1 January to 31 December
8. Dangerous, menacing and restricted breed dogs Table Animal registration Data from Lynx Rating Manager Reporting date: 1 January to 31 December
9. Overpopulation and high euthanasia Table Impounded animals Data from Pound Data document kept by GSC Local Laws department Reporting date: 1 January to 31 December

14. Appendices

Local Law No. 1 – Community Amenity
Part 5 – Your Property, Trees and Animals

37. KEEPING ANIMALS

An owner or occupier of Private Land must not, without a Permit, keep or allow to be kept on any one parcel of land at any time, any more in number for each type of Animal than is set out in the Table of Animal Numbers and Types in the Guidelines as determined by Council from time to time, incorporated in Schedule 1 to this Local Law.

Unless otherwise contrary to State or Commonwealth legislation, a Permit is also required to keep, or allow to be kept, any exotic, wild, native, dangerous or large Animal not listed in Sub-clause (1).

For the purpose of calculating the Animal numbers kept under Sub-clause (1), the progeny of any dog or cat lawfully kept will be counted from 12 weeks after their birth.

These Guidelines as determined from time to time are incorporated in this local law for determining whether an offence has occurred or whether to issue a permit for keeping animals.

This Table overleaf gives the maximum numbers and types of animals that may be kept on private land in each category without an excess animal numbers permit.

Table of Animal Numbers and Types

Type of Animal	In Flats, Units or Townhouses	On land less than 0.5 Ha. # in a built up area	On land 0.5 Ha. to 2 Ha. # * in a built up area	Farm zone **
Dogs	1	2	2	5
Cats	1	2	2	5
Poultry (no roosters)	0	6	30	Municipal Planning Scheme Applies
Large or Noisy Birds (including Roosters)	0	0	10	
Pigeons	0	50	150	
Domestic birds (caged)	2	50	100	
Horses/donkeys	Prohibited	0	2	
Cattle	Prohibited	0	5	
Sheep/goats	Prohibited	0	10	
Pigs	Prohibited	0	0	
Any other livestock	Prohibited	0	2	

#	0.5 hectares = 1.236 acres, 2 hectares = 4.94 acres
*	Animal numbers on private properties exceeding 2 ha in built up areas are subject only to those restrictions applicable under the Municipal Planning Scheme.
**	More than 2 fertile females may trigger the need for a permit for a domestic animal business.

In determining whether to grant a Permit for the keeping of Animals where the number exceeds that determined by the Council as set out in the Table above, the Council or an Authorised or Delegated Officer must take into account the following guidelines -

- (1) whether a Planning Scheme Permit Application may be required, such as for boarding or breeding of animals;
- (2) the land-use and size of the applicant's land and that of adjoining allotments;
- (3) the proximity of adjoining properties and dwellings;
- (4) the amenity of the area;
- (5) the type and additional numbers of Animals to be kept;
- (6) the likely effects on adjoining owners;
- (7) the adequacy of Animal accommodation and fencing; and
- (8) any other matter the Authorised or Delegated Officer reasonably believes is relevant to the application.

38. ANIMAL ACCOMMODATION

- (1) The owner or occupier of any Private Land on which an Animal is kept must provide accommodation in accordance with the Guidelines in Schedule 1 to this Local Law.
- (2) If a planning permit is required to keep an Animal on Private Land and has not been obtained or has not been complied with then (apart from any penalty for not obtaining or complying with the planning permit), the owner or occupier of the Private Land must still keep the Animal accommodated in accordance with the Guidelines in Schedule 1 to this Local Law.

These Guidelines as determined by Council from time to time are incorporated in this local law for determining reasonable accommodation for kept animals.

In determining what is reasonable accommodation for kept animals and whether such accommodation is adequately maintained, an Authorised or Delegated Officer must consider the following guidelines.

- (a) whether a Planning Scheme Permit Application may be required, such as for boarding or breeding of animals;
- (b) the type of Animals to be kept and whether those animals are adequately secured within the property boundary;
- (c) the height of the accommodation;
- (d) the location of the accommodation having regard to the amenity of the area;
- (e) the size of the accommodation in terms of its adequacy to house the proposed number and type of Animals;
- (f) the security of the accommodation in terms of the Animals to be housed in it;
- (g) whether all excreta and other waste are removed and/or treated as often as necessary so that they does not cause a nuisance or offensive condition;
- (h) whether all excreta and other waste are stored in a fly and vermin proof receptacle until removed from the premises or otherwise disposed of to the satisfaction of the Municipal Environmental Health Officer;

- (i) whether the ground surrounding the accommodation is drained to the satisfaction of the Municipal Environmental Health Officer

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39. ADEQUATE FENCING

- (1) Where an Animal is kept on Private Land, the owner or occupier of the Private Land must ensure that the Private Land is fenced in a way that will prevent the Animal from straying or escaping from the Private Land.

40. ANIMAL EXCREMENT

- (1) A Person in charge of any dog or cat on Council Land must not allow any part of the excrement of the dog or cat to remain on the Council Land.
- (2) A Person in charge of any dog or cat on Council Land must carry a Litter Device suitable to clean up any excrement left by his or her dog or cat and must produce such Litter Device upon request of an Authorised Officer.

41. ANIMAL AND BIRD NOISE

The owner or occupier of Private Land must take all necessary steps to prevent any Animal or Large and/or Noisy Birds (including Roosters) on the Private Land from sounding noise at unreasonable times that may adversely affect the comfort, convenience, quiet enjoyment or privacy of any other Person living in the neighbourhood.

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COUNCIL POLICY NO. 068
DOGS & CATS – DESIGNATED AREAS

This Policy is made in accordance with Section 26 of the *Domestic Animals Act 1994*.

That Council prohibit dogs from the following areas unless otherwise sign posted:

- Cohuna Ski Run, Island Road, Cohuna
- Municipal swimming pools and surrounds
- School grounds throughout the municipality
- Murrabit Market
- Secured playgrounds

That Council prohibit cats from the following areas:

- Atkinson Park, Kerang
- Municipal swimming pools and surrounds
- Town and Back Swamp, Kerang
- School grounds throughout the municipality

That Council permit dogs in the following areas, but only on a leash (unless otherwise sign posted):

- All recreation grounds within the municipality whilst a sporting fixture is taking place
- Garden Park, Cohuna
- Parks and playgrounds where children’s playground equipment has been installed
- Apex Park, Cohuna
- Roads as defined under Section 3(2)(a) of the Road Safety Act 1986.
- Atkinson Park, Kerang
- Gorton Point, Kangaroo Lake
- Gilrule Park
- Town and Back Swamp, Kerang

That dogs be permitted in other public places and in recreation grounds whilst a sporting fixture is not taking place, but dogs in such locations must be under “effective voice control”.

That “other public places” means any park, garden, reserve or other place of public recreation controlled by Council, but not areas where dogs have been prohibited or where dogs must be on a leash.

That “effective voice control” is where the dog responds to the controlling person’s command by the second call.

That “secured playgrounds” means a fenced playground with a gated entry/exit.

2. POLICY REVIEW

Council will review this policy as required but always within two years after a general election of the Council.

At the time of review, this policy was compliant with the Victorian Charter of Human Rights and Responsibilities Act 2006.

3. FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council’s Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this policy should be directed to the Local Laws Officer on (03) 5450 9333.



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Gannawarra Shire Council

Instrument of Delegation

to

Members of Council Staff

Instrument of Delegation

In exercise of the power conferred by section 98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
 2. records that a reference in the Schedule to:
 - CEO: Chief Executive Officer - Eric Braslis
 - CIO: Continuous Improvement Officer - Alissa Harrower
 - DCS: Director Corporate Services - Tom O'Reilly
 - DCW: Director Community Wellbeing - Mandy Hutchinson
 - DID: Director Infrastructure and Development - Geoff Rollinson
 - EHO: Environmental Health Officer -
 - LLO1: Local Laws Team Leader - Russell Barnes
 - LLO2: Local Laws Officer - Jeffrey Hogg
 - LRP: Legal Representative/Professional -
 - MBS: Municipal Building Surveyor - Andrew Pope
 - MCP: Manager Community Partnerships - Narelle O'Donoghue
 - MG: Manager Governance - Lisa Clue
 - MOS: Manager Operational Services - Stephen Fullerton
 - MPD: Manager Projects and Design - Brent Heitbaum
 - MPRS: Manager Planning and Regulatory Services - David Pietsch
 - PO: Planning Officer - Kellie Burmeister
 - Provision Not Delegated: - Provision Not Delegated means the function and/or power in column 3 of the Schedule remains with Council
 3. declares that:
-

- 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 16 November 2016; and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
-

- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council; or
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

The Common Seal of the GANNAWARRA SHIRE COUNCIL)
was hereunto affixed in accordance with Local Law No. 7)
on the _____ day of _____ 2016.)

_____ Chief Executive Officer
(signature)

_____ Full name

Schedule

Delegation Sources

- Cemeteries and Crematoria Act 2003
 - Domestic Animals Act 1994
 - Environment Protection Act 1970
 - Food Act 1984
 - Heritage Act 1995
 - Planning and Environment Act 1987
 - Rail Safety (Local Operations) Act 2006
 - Residential Tenancies Act 1997
 - Road Management Act 2004
 - Cemeteries and Crematoria Regulations 2015
 - Planning and Environment Regulations 2015
 - Planning and Environment (Fees) Interim Regulations 2015
 - Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010
 - Road Management (General) Regulations 2016
 - Road Management (Works and Infrastructure) Regulations 2015
-

S6. Instrument of Delegation - Members of Staff

Cemeteries and Crematoria Act 2003				
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)				
#	Item Delegated	Conditions and Limitations	Delegate	Date
33746	power to manage one or more public cemeteries		Provision Not Delegated	
33747	function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	where council is a Class B cemetery trust	Provision Not Delegated	
33748	s.12(2) duty to have regard to the matters set out in paragraphs (a)-(c) in exercising its functions	where council is a Class B cemetery trust	Provision Not Delegated	
33749	function to do the activities set out in paragraphs (a) - (n)	where council is a Class A cemetery trust	Provision Not Delegated	
33750	duty to have regard to matters set out in paragraphs (a)-(e) in exercising its functions	where council is a Class A cemetery trust	Provision Not Delegated	
33751	duty to do anything necessary or convenient to enable it to carry out its functions		Provision Not Delegated	
33752	power to manage multiple public cemeteries as if they are one cemetery		Provision Not Delegated	
33753	power to delegate powers or functions other than those listed		Provision Not Delegated	
33754	duty to keep records of delegations		MG, CIO	
33755	power to employ any persons necessary		CEO	
33756	power to engage any professional, technical or other assistance considered necessary		CEO	
33757	power to determine the terms and conditions of employment or engagement	subject to any	CEO	

Cemeteries and Crematoria Act 2003

###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

		guidelines or directions of the Secretary		
33758	duty to comply with a direction from the Secretary		CEO	
33759	duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	where council is a Class A cemetery trust	Provision Not Delegated	
33760	power to determine the membership of the governance committee	where council is a Class A cemetery trust	Provision Not Delegated	
33761	power to determine procedure of governance committee	where council is a Class A cemetery trust	Provision Not Delegated	
33762	duty to appoint community advisory committee for the purpose of liaising with communities	where council is a Class A cemetery trust	Provision Not Delegated	
33763	power to appoint any additional community advisory committees	where council is a Class A cemetery trust	Provision Not Delegated	
33764	duty to establish a community advisory committee under section 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	where council is a Class A cemetery trust	Provision Not Delegated	
33765	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	where council is a Class A cemetery trust	Provision Not Delegated	
33766	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	where council is a Class A cemetery trust	Provision Not Delegated	
33767	duty to hold an annual meeting before 30 December in each calendar year, in accordance with section	where council is a Class A cemetery trust	Provision Not Delegated	
33768	duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	where council is a	Provision	

Cemeteries and Crematoria Act 2003

###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

		Class A cemetery trust	Not Delegated	
33769	duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in section 18J(2))	where council is a Class A cemetery trust	Provision Not Delegated	
33770	duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	where council is a Class A cemetery trust	Provision Not Delegated	
33771	duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	where council is a Class A cemetery trust	Provision Not Delegated	
33772	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	where council is a Class A cemetery trust	Provision Not Delegated	
33773	duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	where council is a Class A cemetery trust	Provision Not Delegated	
33774	duty to ensure that an approved annual plan is available to members of the public on request	where council is a Class A cemetery trust	Provision Not Delegated	
33775	duty to prepare a strategic plan and submit the plan to the Secretary for approval	where council is a Class A cemetery trust	Provision Not Delegated	
33776	duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	where council is a Class A cemetery trust	Provision Not Delegated	
33777	duty to ensure that an approved strategic plan is available to members of the public on request	where council is a Class A cemetery trust	Provision Not Delegated	
33778	duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year.	where council is a Class A cemetery trust	Provision Not Delegated	

Cemeteries and Crematoria Act 2003				
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)				
33779	power to carry out or permit the carrying out of works		CEO	
33780	duty to set aside areas for the interment of human remains		Provision Not Delegated	
33781	power to set aside areas for the purposes of managing a public cemetery		Provision Not Delegated	
33782	power to set aside areas for those things in paragraphs (a) - (e)		Provision Not Delegated	
33785	power to apply to the Secretary for approval to alter the existing distribution of land		CEO	
33787	power to grant licences to enter and use part of the land or building in a public cemetery in accordance with this section	subject to the approval of the Minister	Provision Not Delegated	
33788	power to grant leases over land in a public cemetery in accordance with this section	subject to the Minister approving the purpose	Provision Not Delegated	
33791	duty to notify Secretary of fees and charges fixed under section 39		CEO	
33794	power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	provided the street was constructed pursuant to the Local Government Act 1989	Provision Not Delegated	
33795	duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	report must contain the particulars listed in s.57(2)	MG	
33796	duty to keep records for each public cemetery		MG, CIO	
33797	duty to make information in records available to the public for historical or research purposes		MG, CIO	
33798	power to charge fees for providing information		CEO, MG	

Cemeteries and Crematoria Act 2003

###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

33799	duty to comply with a direction from the Secretary under section 64(3)		CEO	
33800	power to permit interments at a reopened cemetery		CEO	
33801	power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	the application must include the requirements listed in s.66(2)(a)-(d)	Provision Not Delegated	
33802	duty to take reasonable steps to notify of conversion to historic cemetery park		CEO, MG	
33803	duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed		MG, CIO	
33804	duty to make plans of existing place of interment available to the public		MG, CIO	
33805	power to remove any memorials or other structures in an area to which an approval to convert applies		CEO	
33806	power to dispose of any memorial or other structure removed		CEO	
33807	duty to comply with request received under section 72		CEO	
33808	power to grant a right of interment		CEO, MG	
33809	power to impose conditions on the right of interment		CEO	
33810	power to grant the rights of interment set out in subsections (a) and (b)		Provision Not Delegated	
33811	duty to allocate a piece of interment if an unallocated right is granted		CEO	
33812	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		CEO	
33813	function of receiving notification and payment of transfer of right of interment		MG	
33814	function of recording transfer of right of interment		MG, CIO	
33815	duty to pay refund on the surrender of an unexercised right of interment		CEO, MG	
33816	duty to pay refund on the surrender of an unexercised right of interment (sole holder)		CEO, MG	
33817	power to remove any memorial and grant another right of interment for a surrendered right of interment		CEO	
33818	function of receiving notice of surrendering an entitlement to a right of interment		CEO	
33819	duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	the notice must be	CEO, MG	

Cemeteries and Crematoria Act 2003 [##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)				
			in writing and contain the requirements listed in s.85(2)	
72436	duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry		does not apply where right of interment relates to remains of a deceased veteran.	MG, CIO
72437	power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.		may only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment	DCS, MG
33820	power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified			CEO
62855	power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment			CEO
62856	power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment			CEO
62857	power to remove interred cremated human remains and take further action in accordance with s.86(3)(b)			CEO
62858	power to take action under s.86(4) relating to removing and re-interring cremated human remains			CEO
62859	duty to provide notification before taking action under s.86(4)			CEO

Cemeteries and Crematoria Act 2003

###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

62860	duty to maintain place of interment and any memorial at place of interment, if action taken under s.86(3)		CEO	
33821	duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment		CEO	
33822	function to receive applications to carry out a lift and re-position procedure at a place of interment		MG	
33825	power to cancel a right of interment in accordance with this section		CEO	
33826	duty to publish notice of intention to cancel right of interment		CEO	
33827	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		CEO	
33828	function of receiving application to establish or alter a memorial or a place of interment		CEO	
33829	power to approve or refuse an application made under section 98, or to cancel an approval		CEO	
33830	duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested		CEO	
33831	power to require a person to remove memorials or places of interment		CEO	
33832	power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with section 100(1)		CEO	
33833	power to recover costs of taking action under section 100(2)		CEO	
33834	function of receiving applications to establish or alter a building for ceremonies in the cemetery		CEO	
33835	power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)		CEO	
33836	power to set terms and conditions in respect of, or to cancel, an approval granted under section 102(1)		CEO	
33837	power to require a person to remove a building for ceremonies		CEO	
33838	power to remove and dispose of a building for ceremonies or remedy the failure to comply with section 103(1)		CEO	
33839	power to recover costs of taking action under section 103(2)		CEO	
33840	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		MG	
33841	power to require the holder of the right of interment to provide for an examination		CEO	
33842	power to open and examine the place of interment if section 106(2) not complied with		CEO	
33843	power to repair or - with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under section 106(1) is not complied with		CEO	
33844	power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs		DID	

Cemeteries and Crematoria Act 2003				
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)				
33845	power to repair or take down, remove and dispose any building for ceremonies if notice under section 107(1) is not complied with		MG	
33846	power to recover costs and expenses		CEO, DCS, MG	
33847	power to open, examine and repair a place of interment	where the holder of right of interment or responsible person cannot be found	CEO	
33848	power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	where the holder of right of interment or responsible person cannot be found	CEO	
33849	power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	where the holder of right of interment or responsible person cannot be found	CEO	
33850	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		CEO	
33851	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		CEO	
62861	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		CEO	
33852	power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment		CEO	
33853	power to sell and supply memorials		Provision Not Delegated	
33854	duty to notify the Secretary of an interment authorisation granted		MG, CIO	
33855	power to require an applicant to produce evidence of the right of interment holder's consent to application		MG	
33856	power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met		Provision Not	

Cemeteries and Crematoria Act 2003				
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)				
				Delegated
33857	power to set terms and conditions for interment authorisations			Provision Not Delegated
33858	function of receiving an application for cremation authorisation			MG, CIO
33859	duty not to grant a cremation authorisation unless satisfied that requirements of section 133 have been complied with	Subject to subsection (2)		CEO
33860	duty to comply with an order made by the Magistrates' Court or a coroner			CEO
33861	power to dispose of bodily remains by a method other than interment or cremation	subject to the approval of the Secretary		CEO
33862	power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation			CEO
33863	duty to cease using method of disposal if approval revoked by the Secretary			CEO
33864	power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met			CEO
33865	function of receiving applications to inter or cremate body parts			MG
33866	power to impose terms and conditions on authorisation granted under section 150.			Provision Not Delegated
33867	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication			CEO, MG
33868	power to regulate own proceedings	where council is a Class B cemetery trust subject to clause 8		CEO, MG
33869	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	where council is a Class A cemetery trust		Provision Not Delegated
33870	power to regulate own proceedings	subject to clause 8		Provision Not Delegated

Domestic Animals Act 1994				
#	Item Delegated	Conditions and Limitations	Delegate	Date
33871	power to declare a dog to be a menacing dog	Council may delegate this power to an authorised officer	DID, MPRS, LLO1, LLO2	
Environment Protection Act 1970				
#	Item Delegated	Conditions and Limitations	Delegate	Date
33872	power to require further information		EHO	
33873	duty to advise applicant that application is not to be dealt with		EHO	
33874	duty to approve plans, issue permit or refuse permit	refusal must be ratified by council or it is of no effect	EHO	
33875	power to refuse to issue septic tank permit	refusal must be ratified by council or it is of no effect	EHO	
33876	duty to refuse to issue a permit in circumstances in (a)-(c)	refusal must be ratified by council or it is of no effect	Provision Not Delegated	
Food Act 1984				
#	Item Delegated	Conditions and Limitations	Delegate	Date
33877	power to direct by written order that the food premises be put into a clean and sanitary condition	If section 19(1) applies	EHO	
33878	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	If section 19(1) applies	EHO	
33879	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	If section 19(1) applies	EHO	

Food Act 1984				
33880	duty to revoke any order under section 19 if satisfied that an order has been complied with	If section 19(1) applies	EHO	
33881	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	If section 19(1) applies	EHO	
33882	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	where council is the registration authority	EHO	
33883	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	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	EHO	
33884	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with	where council is the registration authority	EHO	
33885	power to request copy of records	where council is the registration authority	Provision Not Delegated	
33886	power to request a copy of the food safety program	where council is the registration authority	EHO	
33888	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	where council is the registration authority	EHO	
33889	power to conduct a food safety audit and take actions where deficiencies are identified	where council is the registration authority	Provision Not Delegated	
33890	power to request food safety audit reports	where council is the registration authority	EHO	
33891	power to waive and vary the costs of a food safety audit if there are special circumstances		DCW	

Food Act 1984				
33892	power to charge fees for conducting a food safety assessment or inspection	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.	EHO	
33893	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	where council is the registration authority	EHO	
33894	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	where council is the registration authority	EHO	
33895	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	where council is the registration authority	EHO	
33896	power to register, renew or transfer registration	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))	EHO	
33897	power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	where council is the registration authority	EHO	
33898	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	where council is the registration authority	EHO	
33899	power to request a copy of a completed food safety program template	where council is the registration authority	Provision Not Delegated	

Food Act 1984				
33900	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	where council is the registration authority	EHO	
33901	duty to ensure proprietor has complied with requirements of section 38A	where council is the registration authority	EHO	
33902	duty to be satisfied of the matters in section 38B(2)(a)-(b)	where council is the registration authority	EHO	
33903	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	where council is the registration authority	EHO	
33904	duty to be satisfied of the matters in section 38D(2)(a)-(d)	where council is the registration authority	EHO	
33905	power to request copies of any audit reports	where council is the registration authority	EHO	
33906	power to register the food premises on a conditional basis	where council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).	EHO	
33907	duty to register the food premises when conditions are satisfied	where council is the registration authority	EHO	
33908	power to require proprietor to comply with requirements of this Act	where council is the registration authority	EHO	
33909	power to register, renew or transfer food premises despite minor defects	where council is the registration authority only if satisfied of	EHO	

Food Act 1984					
			matters in subsections (2)(a)-(c)		
33910	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008			EHO	
33911	power to grant or renew the registration of food premises for a period of less than 1 year		where council is the registration authority	EHO	
33912	power to suspend or revoke the registration of food premises		where council is the registration authority	DCW	
33913	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business		where council is the registration authority	EHO	
33914	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		where council is the registration authority	EHO	
33915	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		where council is the registration authority	EHO	
Heritage Act 1995					
#	Item Delegated	Conditions and Limitations	Delegate	Date	
33916	power to sub-delegate Executive Director's functions	must obtain Executive Director's written consent first.	Provision Not Delegated		
Planning and Environment Act 1987					
#	Item Delegated	Conditions and Limitations	Delegate	Date	
33917	power to prepare an amendment to the Victoria Planning Provisions	if authorised by the Minister	MPRS		

Planning and Environment Act 1987				
33918	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister		MPRS	
33919	duty to make amendment to Victoria Planning Provisions available		MPRS	
33920	duty to keep Victoria Planning Provisions and other documents available		MPRS	
33921	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A		MPRS	
33922	power to apply to Minister to prepare an amendment to the planning scheme		Provision Not Delegated	
33923	function of receiving notice of the Minister's decision		MPRS	
33924	power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days		MPRS	
33925	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district		Provision Not Delegated	
33926	power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons		MPRS, PO	
33927	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the Planning and Environment (Planning Schemes) Act 1996)		CEO, MPRS	
33928	duty to review planning scheme		CEO, MPRS	
33929	duty to review planning scheme at direction of Minister		CEO, MPRS	
33930	duty to report findings of review of planning scheme to Minister without delay		CEO, MPRS	
33931	duties of a Responsible Authority as set out in subsections (a) to (d)		MPRS, PO	
33932	duty of giving copy amendment to the planning scheme		MPRS, PO	
33933	duty of giving copy s.173 agreement		MPRS, PO	
33934	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days		MPRS	
33935	duty to make amendment etc. available		MPRS, PO	
33936	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme		CEO, MPRS	
33937	function of receiving notice of preparation of an amendment to a planning scheme	where Council is not the planning	CEO, MPRS	

Planning and Environment Act 1987				
			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.	
33938	power to apply to Minister for exemption from the requirements of section 19			CEO, MPRS
33939	duty to make submissions available			MPRS, PO
33940	duty to publish notice in accordance with section			CEO, MPRS
33941	duty to consider all submissions			MPRS
33942	duty to refer submissions which request a change to the amendment to a panel			MPRS
33943	power to refer to a panel submissions which do not require a change to the amendment			Provision Not Delegated
33944	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)			CEO, MPRS
33945	power to make report available for inspection			MPRS, PO
33946	duty to keep report of panel available for inspection			MPRS, PO
33947	power to apply for exemption if panel's report not received			CEO, MPRS
33948	duty to notify the Minister if abandoning an amendment		Note: the power to make a decision to abandon an amendment cannot be	CEO, MPRS

Planning and Environment Act 1987				
		delegated		
33949	duty to say if amendment has lapsed		CEO, MPRS	
33950	duty to provide information in writing upon request		CEO, MPRS	
33951	duty to give more notice if required		CEO, MPRS	
33952	duty to give more notice of changes to an amendment		CEO, MPRS	
33953	duty to give notice of approval of amendment		CEO, MPRS	
33954	duty to give notice of revocation of an amendment		CEO, MPRS	
33955	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT		CEO, MPRS	
33956	function of lodging copy of approved amendment		CEO, MPRS	
33957	duty to make approved amendment available		MPRS, PO	
33958	duty to make copy of planning scheme available		MPRS, PO	
33959	power to request the Growth Areas Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria		CEO, MPRS	
72438	duty to comply with directions issued by the Minister		MPRS	
72439	duty to include a condition in a permit relating to matters set out in s.46GG(c) and (d)		MPRS	
72440	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	where council is a collecting agency	MPRS	
72441	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	where council is a collecting agency	MPRS	
72442	duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant	where council is a collecting agency	MPRS	

Planning and Environment Act 1987				
72443	duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the Planning and Environment Act 1987	must be done in accordance with Local Government Act 1989.	MPRS	
72444	duty to forward to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency		MPRS	
72445	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)		MPRS	
72446	power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the Planning and Environment Act 1987 if satisfied that the development is not to proceed		MPRS	
72447	duty to take action described in s.46GI(5)(c) – (e) where s.46GI(5)(a) and (b) applies.		MPRS	
72448	power to recover any amount of infrastructure levy as a debt due to Council	where council is a collecting agency	MPRS	
72449	duty to prepare report and give a report to the Minister	where council is a collecting agency or development agency	MPRS	
33960	duty to include condition in permit regarding payment of development infrastructure levy		MPRS, PO	
33961	function of determining time and manner for receipt of development contributions levy		DCS, MPRS	
33962	power to enter into an agreement with the applicant regarding payment of development infrastructure levy		DCS, MPRS	
33963	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit		DCS, MPRS	
33964	power to enter into agreement with the applicant regarding payment of community infrastructure levy		DCS, MPRS	
33965	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured		DCS, MPRS	
33966	power to accept provision of land, works, services or facilities in part or full payment of levy payable		CEO, DCS	
33967	duty to keep proper accounts of levies paid		DCS	
33968	duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development		DCS,	

Planning and Environment Act 1987				
	agency or plan preparation costs incurred by a development agency or plan preparation costs incurred by a development agency		MPRS	
33969	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		DCS, MPRS	
33970	power to refund any amount of levy paid if it is satisfied the development is not to proceed	only applies when levy is paid to Council as a 'development agency'	CEO, DCS	
33971	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)	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	CEO, DCS	
33972	duty to submit to the Minister an amendment to the approved development contributions plan	must be done in accordance with Part 3	CEO, DCS	
33973	duty to expend that amount on other works etc.	with the consent of, and in the manner approved by, the Minister	CEO, DCS	
33974	power to recover any amount of levy payable under Part 3B		Provision Not Delegated	
72450	duty to prepare report and give a report to the Minister	where council is a collecting agency or development agency	MPRS	

Planning and Environment Act 1987				
33977	power to decide that an application for a planning permit does not comply with that Act		CEO, MPRS	
33978	duty to keep a register of all applications for permits and determinations relating to permits		MPRS, PO	
33979	duty to make register available for inspection		MPRS, PO	
33980	duty to amend application		CEO, MPRS, PO	
33981	power to refuse to amend application		CEO, MPRS	
33982	duty to make note of amendment to application in register		CEO, MPRS, PO	
33983	power to make amendment to application		CEO, MPRS	
33984	power to require applicant to notify owner and make a declaration that notice has been given		CEO, MPRS, PO	
33985	duty to note amendment to application in register		CEO, MPRS, PO	
33986	duty to make copy of application available for inspection		CEO, MPRS, PO	
33987	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		CEO, MPRS, PO	
33988	duty to give notice of the application to other municipal councils where appropriate		CEO, MPRS, PO	
33989	duty to give notice of the application to all persons required by the planning scheme		CEO, MPRS, PO	
33990	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		CEO, MPRS, PO	
33991	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		CEO, MPRS, PO	
33992	duty to give notice of the application to other persons who may be detrimentally effected		CEO, MPRS, PO	
33993	duty to give notice of an application to remove or vary a registered restrictive covenant		CEO, MPRS, PO	

Planning and Environment Act 1987				
33994	power to give any further notice of an application where appropriate		CEO, MPRS, PO	
33995	power to require the applicant to give notice under section 52(1) to persons specified by it		CEO, MPRS, PO	
33996	power to require the applicant to give the notice under section 52(1AA)		CEO, MPRS, PO	
33997	power to require the applicant to provide more information		CEO, MPRS, PO	
33998	duty to give notice in writing of information required under section 54(1)		CEO, MPRS, PO	
33999	duty to specify the lapse date for an application		CEO, MPRS	
34000	power to decide to extend time or refuse to extend time to give required information		CEO, MPRS	
34001	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)		CEO, MPRS	
34002	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme		CEO, MPRS, PO	
34003	power to reject objections considered made primarily for commercial advantage for the objector		CEO, MPRS	
34004	function of receiving name and address of persons to whom notice of decision is to go		CEO, MPRS, PO	
34005	duty to make available for inspection copy of all objections		CEO, MPRS, PO	
34006	duty to amend application in accordance with applicant's request, subject to section 57A(5)		CEO, MPRS	
34007	power to refuse to amend application		CEO, MPRS	
34008	duty to note amendments to application in register		CEO, MPRS, PO	
34009	duty to determine whether and to whom notice should be given		CEO, MPRS, PO	
34010	duty to consider certain matters in determining whether notice should be given		CEO,	

Planning and Environment Act 1987				
				MPRS, PO
34011	duty to give copy of amended application to referral authority			CEO, MPRS, PO
34012	duty to consider every application for a permit			CEO, MPRS, PO
34013	power to request advice from the Planning Application Committee			CEO, MPRS
34014	duty to consider certain matters			CEO, MPRS, PO
34015	power to consider certain matters before deciding on application			CEO, MPRS
72451	duty to consider number of objectors in considering whether use or development may have significant social effect			CEO, MPRS
34016	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	the permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006		CEO, MPRS
		Note: this provision is the power to determine a permit application, not to grant or refuse		
34017	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit			Provision Not Delegated
34018	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit			Provision Not Delegated
34019	duty not to decide to grant a permit to use coastal Crown land without Minister's consent			Provision Not

Planning and Environment Act 1987				
			Delegated	
34020	duty to refuse to grant the permit without the Minister's consent		Provision Not Delegated	
34021	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant		Provision Not Delegated	
34022	duty to include certain conditions in deciding to grant a permit		CEO, MPRS	
34023	power to include other conditions		CEO, MPRS	
34024	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)		CEO, MPRS	
34025	power to include a permit condition to implement an approved development contributions plan		CEO, MPRS	
34026	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement		CEO, MPRS	
34027	power to include a permit condition that specified works be provided or paid for by the applicant		CEO, MPRS	
34028	duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with section 62(5) or section 46N		CEO, MPRS	
34029	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a)		CEO, MPRS	
34030	duty to issue the permit where made a decision in favour of the application (if no one has objected)		CEO, MPRS	
34031	duty to give notice of decision to grant a permit to applicant and objectors	this provision applies also to a decision to grant an amendment to a permit - see section 75	CEO, MPRS, PO	
34032	duty not to issue a permit until after the specified period	this provision applies also to a decision to grant	CEO, MPRS	

Planning and Environment Act 1987				
			an amendment to a permit - see section 75	
34033	duty to give each objector a copy of an exempt decision		this provision applies also to a decision to grant an amendment to a permit - see section 75	CEO, MPRS, PO
34034	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		this provision applies also to a decision to grant an amendment to a permit - see section 75A	CEO, MPRS
34035	duty to give notice of refusal to grant permit to applicant and person who objected under section 57			CEO, MPRS, PO
34036	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities			CEO, MPRS, PO
34037	duty to give a recommending referral authority notice of its decision to grant a permit		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	MPRS, PO
34038	duty to give a recommending referral authority notice of its decision to refuse a permit		if the recommending referral authority objected to the	MPRS, PO

Planning and Environment Act 1987				
			grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit	
34039	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65		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	MPRS, PO
34040	function of receiving application for extension of time of permit			CEO, MPRS, PO
34041	function of receiving application for extension of time to complete development			MPRS, PO
34042	power to extend time			CEO, MPRS
34043	duty to make copy permit available for inspection			CEO, MPRS, PO
34044	power to correct certain mistakes			CEO, MPRS
34045	duty to note corrections in register			CEO, MPRS, PO
34046	power to decide to grant amendment subject to conditions			CEO, MPRS
34047	duty to issue amended permit to applicant if no objectors			CEO,

Planning and Environment Act 1987				
				MPRS
34048	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit			CEO, MPRS, PO
34049	duty to give relevant determining referral authorities copy of amended permit and copy of notice			CEO, MPRS, PO
34050	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	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		MPRS, PO
34051	duty to give a recommending referral authority notice of its decision to refuse a permit	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		MPRS, PO
34052	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	if the recommending referral authority did not object to the amendment of		MPRS, PO

Planning and Environment Act 1987				
		the permit or the recommending referral authority did not recommend a condition be included on the amended permit		
34053	duty to comply with direction of Minister to issue amended permit		CEO, MPRS	
34054	function of being respondent to an appeal		CEO, MPRS, PO	
34055	duty to give or publish notice of application for review		CEO, MPRS, PO	
34056	power to decide on an application at any time after an appeal is lodged against failure to grant a permit		CEO, MPRS	
34057	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		CEO, MPRS	
34058	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		CEO, MPRS	
34059	duty to issue permit on receipt of advice within 3 working days		CEO, MPRS	
34060	duty to issue a permit at order of Tribunal within 3 working days		CEO, MPRS	
34061	power to apply to VCAT for the cancellation or amendment of a permit		CEO	
34062	function of being heard at hearing of request for cancellation or amendment of a permit		CEO, MPRS, PO	
34063	duty to comply with the directions of VCAT		CEO, MPRS, PO	
34064	duty to issue amended permit to owner if Tribunal so directs		CEO, MPRS	
34065	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90		CEO, MPRS, PO	

Planning and Environment Act 1987				
34066	duty to give notice of VCAT order to stop development		CEO, MPRS, PO	
34067	function of referring certain applications to the Minister		CEO, MPRS	
34068	duty to comply with an order or direction		CEO, MPRS, PO	
34069	duty to obtain a permit from the Minister to use and develop its land		CEO, MPRS, PO	
34070	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land		CEO	
34071	power to agree to consider an application for permit concurrently with preparation of proposed amendment		CEO, MPRS, PO	
34072	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C		CEO, MPRS, PO	
34073	duty to consider the panel's report under section 96E		Provision Not Delegated	
34074	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the Planning and Environment (Planning Schemes) Act 1996)		Provision Not Delegated	
34075	power to give notice in compliance with Minister's direction		CEO, MPRS, PO	
34076	power to issue permit as directed by the Minister		CEO, MPRS	
34077	duty to comply with direction of the Minister to give notice of refusal		CEO, MPRS, PO	
43003	duty to keep levy certificates given to it under ss. 47 or 96A for no less than 5 years from receipt of the certificate		MPRS, PO	
34078	power to request Minister to decide the application		Provision Not Delegated	
34079	duty to comply with directions of Minister to supply any document or assistance relating to application		CEO, MPRS, PO	
34080	function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister		CEO, MPRS, PO	

Planning and Environment Act 1987				
34081	duty to make a copy of permits issued under section 97F available for inspection		CEO, MPRS, PO	
34082	duty to include Ministerial decisions in a register kept under section 49		CEO, MPRS, PO	
34083	duty to provide information or assistance to the Planning Application Committee		MPRS, PO	
34084	duty to contribute to the costs of the Planning Application Committee or subcommittee		CEO, MPRS	
34085	duty to consider application and issue or refuse to issue certificate of compliance		CEO, MPRS	
34086	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate		CEO, MPRS, PO	
34087	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate		CEO, MPRS, PO	
34088	duty to comply with directions of VCAT		CEO, MPRS, PO	
34089	duty to keep register of all applications for certificate of compliance and related decisions		CEO, MPRS, PO	
34090	function of receiving claim for compensation in certain circumstances		CEO, MPRS	
34091	duty to inform any person of the name of the person from whom compensation can be claimed		CEO, MPRS	
34092	function of receiving claim for expenses in conjunction with claim		CEO, MPRS	
34093	power to reject a claim for compensation in certain circumstances		CEO, DID	
34094	function of receiving claim for compensation		CEO, MPRS	
34095	power to agree to extend time for making claim		CEO, MPRS	
34096	power to apply to the VCAT for an enforcement order		CEO, MPRS, PO	
34097	function of making a submission to the VCAT where objections are received		CEO, MPRS, PO	

Planning and Environment Act 1987				
34098	power to apply for an interim enforcement order where section 114 application has been made		CEO, MPRS, PO	
34099	power to carry out work required by enforcement order and recover costs		CEO, MPRS	
34100	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	except Crown Land	CEO	
34101	function of recovering penalties		CEO, MPRS, PO	
34102	power to allow person served with an infringement notice further time		CEO, MPRS	
34103	power to refer a matter to the VCAT for determination		CEO, MPRS, PO	
34104	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement		CEO, MPRS	
34105	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B) power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	where council is the relevant planning authority	CEO, DCS, MPRS	
34106	power to carry out studies and commission reports		CEO	
34107	power to grant and reserve easements		CEO, MPRS	
34108	power to enter into agreement covering matters set out in section 174		CEO	
34109	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority		CEO, MPRS	
34110	power to give consent on behalf of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority		CEO, MPRS	
34111	power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9		CEO	
34112	power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9		CEO	
34113	function of receiving application to amend or end an agreement		MPRS, PO	
34114	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)		CEO, MPRS	

Planning and Environment Act 1987				
34115	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal		CEO, MPRS	
34116	power to propose to amend or end an agreement		CEO	
34117	duty to consider certain matters when considering proposal to amend an agreement		CEO	
34118	duty to consider certain matters when considering proposal to end an agreement		CEO	
34119	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		CEO	
34120	function of determining how to give notice under s.178C(2)		CEO	
34121	duty not to make decision until after 14 days after notice has been given		CEO	
34122	power to amend or end the agreement in accordance with the proposal	If no objections are made under s.178D Must consider matters in s.178B	CEO	
34123	power to amend or end the agreement in a manner that is not substantively different from the proposal	If no objections are made under s.178D Must consider matters in s.178B	CEO	
34124	power to refuse to amend or end the agreement	If no objections are made under s.178D Must consider matters in s.178B	CEO	
34125	power to amend or end the agreement in accordance with the proposal	After considering objections, submissions and matters in s.178B	CEO	
34126	power to amend or end the agreement in a manner that is not substantively different from the proposal	After considering objections, submissions and matters in s.178B	CEO	
34127	power to amend or end the agreement in a manner that is substantively different from the proposal	After considering objections,	CEO	

Planning and Environment Act 1987				
		submissions and matters in s.178B		
34128	power to refuse to amend or end the agreement	After considering objections, submissions and matters in s.178B	CEO	
34129	duty to give notice of its decision under s.178E(3)(a) or (b)		CEO	
34130	duty to give notice of its decision under s.178E(2)(c) or (3)(d)		CEO	
34131	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		CEO	
34132	duty to sign amended agreement and give copy to each other party to the agreement		CEO	
34133	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		Provision Not Delegated	
34134	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land		CEO	
34135	duty to make available for inspection copy agreement		CEO, MPRS, PO	
34136	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General		CEO, MPRS	
34137	power to apply to the Registrar of Titles to record the agreement		MPRS, PO	
34138	duty to apply to the Registrar of Titles, without delay, to record the agreement		MPRS, PO	
34139	power to enforce an agreement		CEO, MPRS, PO	
34140	duty to tell Registrar of Titles of ending/amendment of agreement		CEO, MPRS, PO	
34141	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		CEO	
34142	duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement		CEO	
34143	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		CEO	

Planning and Environment Act 1987				
34144	function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision		MPRS, PO	
34145	duty to comply with a direction of the Tribunal		MPRS, PO	
34146	duty to give notice as directed by the Tribunal		MPRS, PO	
34147	function to receive application for planning certificate		CEO, MPRS, PO	
34148	duty to give planning certificate to applicant		CEO, MPRS, PO	
34149	function of receiving application for declaration of underlying zoning		CEO, MPRS, PO	
34150	duty to make declaration		CEO, MPRS	
34151	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		CEO, MPRS	
34152	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		CEO, MPRS	
34153	power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit		CEO, MPRS	
34154	power to give written authorisation in accordance with a provision of a planning scheme		CEO, MPRS	
34155	function of providing the Growth Areas Authority with information relating to any land within municipal district		CEO, MPRS, PO	
34156	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible		CEO, MPRS, PO	
Rail Safety (Local Operations) Act 2006				
#	Item Delegated	Conditions and Limitations	Delegate	Date
34157	duty to comply with a direction of the Safety Director under this section	where council is a utility under section 3	DID, MPD, MOS	
34158	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	duty of council as a road authority	DID, MPD, MOS	

Rail Safety (Local Operations) Act 2006				
			under the Road Management Act 2004	
34159	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under section 33(1)	where council is a utility under section 3	DID, MPD, MOS	
34160	function of entering into safety interface agreements with rail infrastructure manager	where council is the relevant road authority	CEO	
34161	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	where council is the relevant road authority	DID, MPD, MOS	
34162	function of receiving written notice of opinion	where council is the relevant road authority	DID	
34163	function of entering into safety interface agreement with infrastructure manager	where council is the relevant road authority	CEO	
34164	duty to identify and assess risks to safety	where council is the relevant road authority	DID, MPD, MOS	
34165	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	where council is the relevant road authority	DID, MPD	
34166	duty to seek to enter into a safety interface agreement with rail infrastructure manager	where council is the relevant road authority	CEO, DID	
34167	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	where council is the relevant road authority	DID, MPD, MOS	
34168	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	where council is the relevant road authority	DID, MPD, MOS	
34169	duty to seek to enter into a safety interface agreement with rail infrastructure manager	where council is	DID, MPD,	

Rail Safety (Local Operations) Act 2006				
			the relevant road authority	MOS
34170	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)		where council is the relevant road authority	DID, MPD, MOS
34171	function of entering into safety interface agreements		where council is the relevant road authority	CEO, DID
34172	function of receiving notice from Safety Director		where council is the relevant road authority	CEO, DID
34173	duty to comply with a direction of the Safety Director given under section 34J(5)		where council is the relevant road authority	CEO, DID
34174	duty to maintain a register of items set out in subsections (a)-(b)		where council is the relevant road authority	DID, MPD

Residential Tenancies Act 1997

#	Item Delegated	Conditions and Limitations	Delegate	Date
34175	function of receiving notice regarding an unregistered rooming house		CEO	
34176	duty to enter required information in Rooming House Register for each rooming house in municipal district		Provision Not Delegated	
34177	power to enter certain information in the Rooming House Register		Provision Not Delegated	
34178	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry		Provision Not Delegated	
34179	power to give tenant a notice to vacate rented premises if subsection (1) applies	where council is the landlord	CEO	
34180	power to give tenant a notice to vacate rented premises	where council is	CEO	

Residential Tenancies Act 1997				
		the landlord		
34181	power to publish its criteria for eligibility for the provision of housing by council		Provision Not Delegated	
34182	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements		Provision Not Delegated	
34183	power to give a compliance notice to a person		MBS, EHO	
34184	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)		CEO	
34185	duty to issue identity card to authorised officers		CEO	
34186	duty to keep record of entry by authorised officer under section 526		EHO	
34187	function of receiving report of inspection		Provision Not Delegated	
34188	power to authorise a person to institute proceedings (either generally or in a particular case)		MBS, EHO	
Road Management Act 2004				
#	Item Delegated	Conditions and Limitations	Delegate	Date
34189	power to declare a road by publishing a notice in the Government Gazette	obtain consent in circumstances specified in section 11(2)	CEO, DID, MPD	
34190	power to name a road or change the name of a road by publishing notice in Government Gazette		CEO, DID	
34191	duty to advise Registrar		CEO, DID	
34192	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	clause subject to section 11(10A)	CEO, DID	
34193	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	where council is the coordinating road authority	CEO, DID	
34194	power to discontinue road or part of a road	were council is the	Provision	

Road Management Act 2004					
			coordinating road authority	Not Delegated	
34195	power to publish, and provide copy, notice of proposed discontinuance		power of coordinating road authority where it is the discontinuing body unless subsection (11) applies	CEO, DID	
34196	duty to consider written submissions received within 28 days of notice		duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies	Provision Not Delegated	
34197	function of hearing a person in support of their written submission		function of coordinating road authority where it is the discontinuing body unless subsection (11) applies	Provision Not Delegated	
34198	duty to fix day, time and place of meeting under subsection (6) and to give notice		duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies	CEO, DID	
34199	duty to notify of decision made		duty of coordinating road authority where it is the discontinuing body does not apply	CEO, DID	

Road Management Act 2004				
			where an exemption is specified by the regulations or given by the Minister	
34200	power to fix a boundary of a road by publishing notice in Government Gazette		power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate	CEO, DID
34201	function of receiving notice from VicRoads			CEO
34202	power to appeal against decision of VicRoads			CEO
34203	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			CEO, DID
34204	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority			CEO, DID
34205	duty to include details of arrangement in public roads register			DID, MPD
34206	power to enter into an arrangement under section 15			CEO, DID
34207	duty to enter details of determination in public roads register			DID, MPD, MOS
34208	duty to register public road in public roads register		where council is the coordinating road authority	DID, MPD, MOS
34209	power to decide that a road is reasonably required for general public use		where council is the coordinating road authority	Provision Not Delegated
34210	duty to register a road reasonably required for general public use in public roads register		where council is the coordinating road authority	DID, MPD, MOS
34211	power to decide that a road is no longer reasonably required for general public use		where council is	Provision

Road Management Act 2004					
			the coordinating road authority	Not Delegated	
34212	duty to remove road no longer reasonably required for general public use from public roads register		where council is the coordinating road authority	DID, MPD, MOS	
34213	power to designate ancillary area		where council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)	CEO, DID	
34214	duty to record designation in public roads register		where council is the coordinating road authority	DID, MPD	
34215	duty to keep register of public roads in respect of which it is the coordinating road authority			DID, MPD	
34216	duty to specify details of discontinuance in public roads register			DID, MPD	
34217	duty to ensure public roads register is available for public inspection			DID, MPD	
34218	function of replying to request for information or advice		obtain consent in circumstances specified in section 11(2)	DID, MPD	
34219	function of commenting on proposed direction			CEO	
34220	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.			CEO	
34221	duty to give effect to a direction under this section.			CEO	
34222	duty to inspect, maintain and repair a public road.			DID, MPD, MOS	
34223	power to inspect, maintain and repair a road which is not a public road			CEO	
34224	power to determine the standard of construction, inspection, maintenance and repair			CEO, DID, MPD, MOS	
34225	power to declare a public road as a controlled access road		power of coordinating road	Provision Not	

Road Management Act 2004					
			authority and Schedule 2 also applies	Delegated	
34226	power to amend or revoke declaration by notice published in Government Gazette		power of coordinating road authority and Schedule 2 also applies	Provision Not Delegated	
34227	duty to consult with VicRoads before road is specified		where council is the coordinating road authority if road is a municipal road or part thereof	DID, MPD	
34228	power to approve Minister's decision to specify a road as a specified freight road		where council is the coordinating road authority if road is a municipal road or part thereof and where road is to be specified a freight road	DID	
34229	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)		where council is the responsible road authority, infrastructure manager or works manager	DID	
34230	function of consulting with the Secretary for purposes of developing guidelines under section 48M			CEO, DID	
34231	duty to notify the relevant authority of the location of the bus stopping point and the action taken by council			DID	
34232	power to develop and publish a road management plan			Provision Not Delegated	
34233	power to determine standards by incorporating the standards in a road management plan			Provision	

Road Management Act 2004				
			Not Delegated	
34234	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan		CEO, DID	
34235	duty to give notice of proposal to make a road management plan		CEO, DID	
34236	duty to conduct a review of road management plan at prescribed intervals		DID	
34237	power to amend road management plan		Provision Not Delegated	
34238	duty to incorporate the amendments into the road management plan		DID	
34239	duty to cause notice of road management plan to be published in Government Gazette and newspaper		CEO, DID	
34240	power to consent to conduct of works on road	where council is the coordinating road authority	DID, MPD, MOS	
34241	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	where council is the infrastructure manager	CEO, DID, MPD, MOS	
34242	duty to comply with clause 13 of Schedule 7	where council is the infrastructure manager or works manager	DID, MPD, MOS	
34243	power to consent to structure etc	where council is the coordinating road authority	DID, MPD, MOS	
34244	function of receiving the name & address of the person responsible for distributing the sign or bill	where council is the coordinating road authority	DID, MPRS	
34245	power to request information	where council is the coordinating road authority	DID, MPRS, MOS	
34246	power to request information	where council is the coordinating road authority	DID, MPRS, MOS	
34247	power to appoint an authorised officer		CEO	

Road Management Act 2004			
34248	duty to issue an identity card to each authorised officer		CEO
34249	function of receiving report from authorised officer		CEO
34250	duty to keep register re section 85 matters		DID, MPRS, LLO1
34251	function of receiving complaints		DID, MPRS, MPD, LLO1, MOS
34252	duty to investigate complaint and provide report		DID, MPRS, MPD, LLO1, MOS
34253	power to recover damages in court		CEO
34254	power to cause or carry out inspection		DID
34255	function of consulting with VicRoads		CEO, DID
34256	power to exercise road management functions on an arterial road (with the consent of VicRoads)		DID, MPD, MOS
34257	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)		DID, MPD, MOS
34258	power to enter into an agreement in respect of works		CEO, DID, MOS
34259	power to charge and recover fees		CEO, DCS, DID
34260	power to charge for any service		CEO, DID
34261	power to make a decision in respect of controlled access roads		Provision Not Delegated
34262	duty to make policy about controlled access roads		CEO, DID, MPD

Road Management Act 2004				
34263	power to amend, revoke or substitute policy about controlled access roads			Provision Not Delegated
34264	function of receiving details of proposal from VicRoads			DID
34265	duty to publish notice of declaration			DID, MPD, MOS
34266	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	where council is the infrastructure manager or works manager		DID, MPD, MOS
34267	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	where council is the infrastructure manager or works manager		DID, MPD, MOS
34268	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	where council is the infrastructure manager or works manager responsible for non-road infrastructure		DID, MPD, MOS
34269	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	where council is the infrastructure manager or works manager		DID, MPD, MOS
34270	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	where council is the infrastructure manager or works manager		DID, MPD, MOS
34271	power to direct infrastructure manager or works manager to conduct reinstatement works	where council is the coordinating road authority		DID, MPD, MOS
34272	power to take measures to ensure reinstatement works are completed	where council is the coordinating road authority		DID, MPD, MOS

Road Management Act 2004				
34273	duty to ensure that works are conducted by an appropriately qualified person	where council is the coordinating road authority	DID, MPD, MOS	
34274	power to recover costs	where council is the coordinating road authority	CEO, DID	
34275	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	where council is the works manager	DID, MPD, MOS	
34276	power to vary notice period	where council is the coordinating road authority	CEO	
34277	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	where council is the infrastructure manager	DID	
34278	power to consent to proposed works	where council is the coordinating road authority	DID, MPD, MOS	
34279	duty to consult	where council is the coordinating road authority, responsible authority or infrastructure manager	DID, MPD, MOS	
34280	power to consent to proposed works	where council is the coordinating road authority	DID, MPD, MOS	
34281	power to set reasonable conditions on consent	where council is the coordinating road authority	DID, MPD, MOS	
34282	power to include consents and conditions	where council is the coordinating road authority	DID, MPD, MOS	
34283	power to refuse to give consent and duty to give reasons for refusal	where council is the coordinating	CEO, DID, MPD	

Road Management Act 2004				
		road authority		
34284	power to enter into an agreement	where council is the coordinating road authority	CEO, DID	
34285	power to give notice requiring rectification of works	where council is the coordinating road authority	CEO, DID, MPD, MOS	
34286	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	where council is the coordinating road authority	DID, MPD, MOS	
34287	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	where council is the coordinating road authority	CEO, DID, MPRS, MPD, LLO1, MOS	
34288	power to cause street lights to be installed on roads	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road	DID, MPD	
34289	duty to pay installation and operation costs of street lighting - where road is not an arterial road	where council is the responsible road authority	DID	
34290	duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	where council is the responsible road authority	DID	
34291	duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with clauses 3(2) and 4	duty of council as responsible road authority that installed the light (re: installation costs) and where	DID	

Road Management Act 2004				
			council is relevant municipal council (re: operating costs)	
Cemeteries and Crematoria Regulations 2015				
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)				
#	Item Delegated	Conditions and Limitations	Delegate	Date
72452	duty to ensure that cemetery complies with depth of burial requirements		DID, MOS	
72453	duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves		DID, MOS	
72454	power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)		DCS, DID	
72490	power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator		Provision Not Delegated	
72456	duty to ensure any fittings removed of are disposed in an appropriate manner		Provision Not Delegated	
72457	power to dispose of any metal substance or non-human substance recovered from a cremator		Provision Not Delegated	
72458	power to release cremated human remains to certain persons	subject to any order of a court	Provision Not Delegated	
72459	duty to make cremated human remains available for collection within 2 working days after the cremation		Provision Not Delegated	
72460	duty to hold cremated human remains for at least 12 months from the date of cremation		Provision Not Delegated	
72461	power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation		Provision Not Delegated	

Cemeteries and Crematoria Regulations 2015

###These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

72462	duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period		Provision Not Delegated	
72463	duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)		MBS, DID	
72464	duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)		MCP, EHO	
72465	duty to ensure that remains are interred in accordance with paragraphs (a)-(b)		DID, MG	
72466	duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)		DID, MOS	
72467	duty to provide statement that alternative vendors or supplier of monuments exist		Provision Not Delegated	
72468	power to approve a person to play sport within a public cemetery		DCS, MG	
72469	power to approve fishing and bathing within a public cemetery		DCS, MG	
72470	power to approve hunting within a public cemetery		DCS, MG	
72471	power to approve camping within a public cemetery		DCS, MG	
72472	power to approve the removal of plants within a public cemetery		DID, MG	
72473	power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)		DCS, MG	
72474	power to approve the use of fire in a public cemetery		DID, MG	
72475	power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area		DID, MG	
72476	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules		Provision Not Delegated	
72477	power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of Schedule 2	see note above regarding model rules	DID, MG	
72478	duty to display the hours during which pedestrian access is available to the cemetery	see note above regarding model rules	MG, CIO	
72479	duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	see note above regarding model	MG, CIO	

Cemeteries and Crematoria Regulations 2015

###These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

		rules		
72480	power to give directions regarding the manner in which a funeral is to be conducted	see note above regarding model rules	DCS, MG	
72481	power to give directions regarding the dressing of places of interment and memorials	see note above regarding model rules	MG, CIO	
72482	power to approve certain mementos on a memorial	see note above regarding model rules	DCS, MG	
72483	power to remove objects from a memorial or place of interment	see note above regarding model rules	MG, MOS	
72484	duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	see note above regarding model rules	MG, MOS	
72485	power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	see note above regarding model rules	DCS, DID, MG, CIO	
72486	power to approve an animal to enter into or remain in a cemetery	see note above regarding model rules	DID, MG	
72487	power to approve construction and building within a cemetery	see note above regarding model rules	DID, MG	
72488	power to approve action to disturb or demolish property of the cemetery trust	see note above regarding model rules	DID, MG	
72489	power to approve digging or planting within a cemetery	see note above regarding model rules	DID, MG	

Planning and Environment Regulations 2015				
#	Item Delegated	Conditions and Limitations	Delegate	Date
34316	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	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.	CEO, MPRS	
34317	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		CEO, MPRS, PO	
62862	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	where Council is the responsible authority	MPRS, PO	
62863	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	where Council is not the responsible authority but the relevant land is within Council's municipal district	MPRS, PO	
34318	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	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the	CEO, MPRS	

Planning and Environment Regulations 2015				
			amendment will amend the planning scheme to designate Council as an acquiring authority.	
Planning and Environment (Fees) Interim Regulations 2015				
Planning and Environment (Fees) Further Interim Regulations 2015 Note: these Regulations expire on 14 October 2016				
#	Item Delegated	Conditions and Limitations	Delegate	Date
43004	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme		Provision Not Delegated	
43005	power to waive or rebate a fee relating to an amendment of a planning scheme		Provision Not Delegated	
43006	duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.16 or 17		CEO	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010				
#	Item Delegated	Conditions and Limitations	Delegate	Date
34323	function of entering into a written agreement with a caravan park owner		CEO	
34324	function of receiving application for registration		MBS, EHO	
34325	duty to grant the registration if satisfied that the caravan park complies with these regulations		MBS, EHO	
34326	duty to renew the registration if satisfied that the caravan park complies with these regulations		MBS, EHO	
43007	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations		MBS, EHO	
34327	duty to issue certificate of registration		EHO	
34328	function of receiving notice of transfer of ownership		EHO	
34329	power to determine where notice of transfer is displayed		EHO	
34330	duty to transfer registration to new caravan park owner		MBS, EHO	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010				
34331	duty to issue a certificate of transfer of registration		EHO	
34332	power to determine the fee to accompany applications for registration or applications for renewal of registration		Provision Not Delegated	
34333	duty to keep register of caravan parks		EHO	
34334	power to determine where the emergency contact person's details are displayed		EHO	
34335	power to determine where certain information is displayed		EHO	
34336	duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner		EHO	
34337	duty to consult with relevant emergency services agencies		MBS, EHO	
34338	power to determine places in which caravan park owner must display a copy of emergency procedures		EHO	
34339	power to determine places in which caravan park owner must display copy of public emergency warnings		EHO	
34340	duty to consult with relevant floodplain management authority		MBS, EHO	
34341	duty to have regard to any report of the relevant fire authority		MBS, EHO	
34342	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling		MBS, EHO	
34343	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe		MBS	
34344	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe		MBS	
34345	function of receiving installation certificate		MBS	
34346	power to approve use of a non-habitable structure as a dwelling or part of a dwelling		MBS	
34347	power to approve the removal of wheels and axles from unregistrable movable dwelling		MBS	
Road Management (General) Regulations 2016				
#	Item Delegated	Conditions and Limitations	Delegate	Date
34348	duty to conduct reviews of road management plan		CEO, DID	
34350	duty to produce written report of review of road management plan and make report available		CEO, DID, MPD	
86336	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	where council is the coordinating	DID	

Road Management (General) Regulations 2016				
		road authority		
34351	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act		CEO, DID, MPD	
86337	Duty to publish notice of amendments to road management plan	where council is the coordinating road authority	DID	
34352	duty to record on road management plan the substance and date of effect of amendment		CEO, DID, MPD	
34353	power to issue permit	where council is the coordinating road authority	CEO, DID, MPD	
34355	power to give written consent re damage to road	where council is the coordinating road authority	CEO, DID, MPD	
34356	power to make submission to Tribunal	where council is the coordinating road authority	CEO, DID, MPRS	
86338	power to charge a fee for application under section 66(1) Road Management Act	where council is the coordinating road authority	DID	
34357	power to remove objects, refuse, rubbish or other material deposited or left on road	where council is the responsible road authority	CEO, DID, MPD, LLO1, LLO2, MOS	
34358	power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	where council is the responsible road authority	CEO, DID, MPD, LLO1, LLO2, MOS	
34359	power to recover in the Magistrates' Court, expenses from person responsible		CEO	
Road Management (Works and Infrastructure) Regulations 2015				
Note: these regulations commenced on 20 June 2015, replacing the Roads Management (works & infrastructure) Regulations 2005, which expired on 21 June 2015.				

Road Management (Works and Infrastructure) Regulations 2015

Note: these regulations commenced on 20 June 2015, replacing the Roads Management (works & infrastructure) Regulations 2005, which expired on 21 June 2015.

#	Item Delegated	Conditions and Limitations	Delegate	Date
72491	power to exempt a person from requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works	where council is the coordinating road authority and where consent given under section 63(1) of the Act	DID	
72492	power to waive whole or part of fee in certain circumstances	where council is the coordinating road authority	DCS, DID	